

3.7 Individual Responses

Letter C1 Charles Steiner (4/2/2013)

C1-1: Please see Section 1 of this Final EIR for a description of the public review process for the Draft EIR. CEQA does not require public hearings for an EIR, however three public meetings were held across the region as a courtesy for those wishing to submit their comments orally. Two of these meetings were in close proximity to San Francisco, in San Rafael and in Oakland, the latter readily accessible by BART. In addition, a public meeting announced on the OneBayArea website was held in San Francisco on April 11, 2013 at the Whitcomb Hotel, 1231 Market Street, on the Draft Plan; oral comments could have been submitted on the EIR at that meeting.

C1-2: Please refer to Master Response C on requests for extensions of the public comment period.

Letter C2 Linda Graber (4/3/2013)

C2-1: Please refer to Master Response C on requests for extensions of the public comment period. MTC and ABAG are required to respond in writing to all of the comments submitted and provide substantive answers, make changes to the EIR and proposed Plan when warranted, and consider these comments during the process to adopt Plan Bay Area.

Letter C3 Ken Bone (4/11/2013)

C3-1: The proposed Plan aims to preserve open space to the greatest extent feasible by promoting concentration of development in existing urbanized areas. However, land use development decisions are ultimately under the purview of local jurisdictions; please refer to Master Response A.1 for more information on local land use control. It is beyond the scope of this EIR to create a funding program for protected open space region-wide. See Master Response A.3 regarding level of specificity in the EIR. See also response A20-5.

C3-2: The comment states that animal migration corridors and riparian native Oakland forest corridors must be reestablished and maintained along all waterways with designated funding in all nine counties. While it is beyond the scope of this program-level EIR to fund or establish such a program, mitigation measures for impacts to biological resources, including riparian habitat, are set forth in chapter 9 of the Draft EIR (see Mitigation Measure 2.9(d) on p. 2.9-71). Project-specific restoration and funding would be evaluated on a project-by-project basis under subsequent environmental review by the implementing agency.

Letter C4 Val Stuckey (4/15/2013)

C4-1: For projects that were not identified as high performing in the Plan Bay Area Project Performance Assessment (refer to the associated supplemental report), county Congestion Management Agencies (CMAs) developed project funding lists given the financial constraints of Plan Bay Area. Due to the high cost of this project, Alameda County Transportation Commission recommended to MTC that \$617 million (only a portion of the project's total construction costs) be allocated for project studies and future construction reserves for a future BART extension to Livermore. ACTC's recommendation is reflected in

the Draft Plan Bay Area Transportation Investment Strategy. While this funding level does preclude construction of the BART to Livermore extension under Plan Bay Area, it does allow for continued project study and design work, which are the next steps for this particular project.

Letter C5 Marin Residents (5/17/2013)

- C5-1: Please refer to Master Response C regarding requests for extensions of the comment period. As the comment does not cite specific instances of “inadequacies, oversights, and incorrect assumptions,” MTC and ABAG are not able to provide detailed responses. Regarding greenhouse gas emissions, the Draft EIR, Chapter 2.5, shows that the proposed Plan meets all of the related thresholds of significance. See Master Response D.1 for more information regarding SB 375 GHG reduction targets.
- C5-2: This comment does not raise environmental issues requiring a response under CEQA.
- C5-3: MTC and ABAG followed CEQA requirements for public noticing of the EIR. See Chapter 1.2 of the Draft EIR for a description of the public participation process for development of the proposed Plan. Regarding public engagement for the EIR, please see Chapter 1.1 of the Draft EIR for a description of the Notice of Preparation and public scoping process and Section 1 of this Final EIR for a description of the public review process for the Draft EIR.
- C5-4: This comment does not raise environmental issues requiring a response under CEQA.
- C5-5: These comments appear to be on the Marin Housing Element. This EIR only addresses Plan Bay Area.
- C5-6: Please refer to Master Response C regarding requests for extensions of the comment period. Some of this comment appears to be on the Marin Housing Element. This EIR only addresses Plan Bay Area. Regarding noticing of the Plan Bay Area, see response C5-3.
- C5-7: Please refer to Master Responses B.1 on population projections and D.2 regarding the connection between high-density housing near transit and reduced greenhouse gas emissions. The amount of residential growth distributed to Marin County under the proposed Plan is about 8,800 households over 30 years, or less than 300 new households annually for the entire County. Furthermore, per Table 3.1-3 of the Draft EIR, Marin County’s expected 2040 population under the proposed Plan (112,021) is just 512 more people than expected under the No Project alternative (111,509).

The regional land use Plan, or distribution of growth to individual jurisdictions is a blueprint for growth to achieve the goals and objectives of the Sustainable Communities Strategy (SCS) and was developed through a variety of land use and transportation scenarios that distributed the total amount of growth forecasted for the region to specific locations. These scenarios sought to address the needs and aspirations of each Bay Area jurisdiction, as identified in locally adopted general plans and zoning ordinances, while meeting Plan Bay Area performance targets adopted by the agencies to guide and gauge the region’s future growth. ABAG and MTC incorporated local feedback from individual jurisdictions relying on their best assessment of feasible growth over the plan period and then applied a series of additional factors to achieve the goals of the SCS. The scenarios were then developed through a transparent, deliberative process, during which public input was sought at every

step along the way. After further modeling, analysis and public engagement, the five initial scenarios were narrowed down to a single preferred land use scenario. For more on how the proposed Plan distributed projected regional growth, see the Supplemental Report *Forecast of Jobs, Population and Housing*.

- C5-8: See Master Response F regarding displacement. Please refer to Master Response G for more information on water supply. Infrastructure capacity is addressed in Chapter 2.12, Public Utilities, of the Draft EIR.
- C5-9: MTC and ABAG acknowledge that the EIR finds significant and unavoidable impacts associated with the proposed Plan; however, it should be noted that the Plan performs better than the no project scenario. The MTC and ABAG Board will determine whether to approve the Plan in light of these findings.
- C5-10: Please refer to Master Response C regarding requests for extensions of the comment period.
- C5-11: See response C5-3 and please refer to Master Response C regarding requests for extensions of the comment period.
- C5-12: Your opposition to the proposed Plan is acknowledged. Please see Master Response C regarding requests for extension of the comment period.
- C5-13: Please refer to Master Response C regarding requests for extensions of the comment period. Additionally, the proposed Plan does not result in any zoning changes to local jurisdictions. Zoning decisions remain under the control of individual local governments. For more information regarding local control over land use, please see Master Response A.1. This EIR only addresses Plan Bay Area and has no influence over the Marin Housing Element.
- C5-14: No letter was received from Geoffrey Hornek on this EIR, but see responses to Sharon Rushton's letter, C33.
- C5-15: See response C5-13.

Letter C6 John Shirley (4/20/2013)

- C6-1: See response to C4-1 above.

Letter C7 Linda Jeffery Sailors (4/21/2013)

- C7-1: See response to C4-1 above.

Letter C8 Deana Dearborn (4/25/2013)

- C8-1: Please refer to Master Response C on requests for extensions of the public comment period.

Letter C9 Sarah Azerad (4/26/2013)

- C9-1: Please refer to Master Response C on requests for extensions of the public comment period.

Letter C10 Denise Castellucci (4/26/2013)

C10-1: Please refer to Master Response C on requests for extensions of the public comment period.

Letter C11 Justin Kai (4/26/2013)

C11-1: Please refer to Master Response C on requests for extensions of the public comment period.

Letter C12 Rebecca Andersen (5/6/2013)

C12-1: Please refer to Master Response C on requests for extensions of the public comment period.

C12-2: See Master Response B.1 for information on population projections. The proposed Plan's anticipated impacts on schools were addressed in chapter 2.14 (Public Services and Recreation) of the Draft EIR, and impacts to water supply and wastewater treatment facilities were addressed in Chapter 2.12 (Public Utilities and Facilities) of the Draft EIR. Please also see Master Response A.3 regarding the specificity of a program EIR.

C12-3: The commenter's perception that the proposed Plan prioritizes housing development over job growth is not an impact that requires analysis under CEQA.

C12-4: Commenter states that transportation infrastructure investments should precede housing development. See Master Responses A.1 and A.3 regarding local control over land use planning and the level of specificity in the EIR.

C12-5: The proposed Plan does not rezone Marin to urban density. The proposed Plan envisions limited development consistent with the existing scale of Marin's communities. Neither MTC nor ABAG has authority over local land use decisions. See Master Response A.1 on local control of land use.

C12-6: See Master Response A.1 regarding local control over land use authority.

Letter C13 Kim Natuk (4/26/2013)

C13-1: Please refer to Master Response C on requests for extensions of the public comment period.

Letter C14 Eileen Vergino (4/26/2013)

C14-1: See response to C4-1 above.

Letter C15 Walter Natuk (4/27/2013)

C15-1: Please refer to Master Response C on requests for extensions of the public comment period.

Letter C16 Jon Spangler (4/27/2013)

C16-1: Please refer to Master Response C on requests for extensions of the public comment period.

Letter C17 Rebecca Lapedus (4/29/2013)

C17-1: Please refer to Master Response C on requests for extensions of the public comment period.

C17-2: Per your request, MTC and ABAG have created an expanded glossary of terms, including a brief definition of each. The glossary can be found in Appendix A of this Final EIR.

C17-3: MTC and ABAG will consider the request. Many of the materials cited are available on the website onebayarea.org.

Letter C18 Athena McEwan (4/29/2013)

C18-1: The Priority Development Area referenced in the comment—the Urbanized 101 Corridor in unincorporated Marin County—was nominated by the Marin Board of Supervisors, who adopted a resolution authorizing submission of an application on August 7, 2007. The boundaries of this PDA were determined by the County of Marin. The PDA was adopted by the ABAG Executive Board and is therefore included in the Draft Plan. Any change to the PDA would need to come at the request of the Marin County Board of Supervisors. See Master Response I regarding the PDA process. See Master Response A.1 regarding local control over land use.

Letter C19 Muriel Benedetti (5/4/2013)

C19-1: Please refer to Master Response C on requests for extensions of the public comment period and see responses to C12-1 through C12-7 above.

Letter C20 John Castellucci (5/3/2013)

C20-1: Please refer to Master Response C on requests for extensions of the public comment period and see responses to C12-1 through C12-7 above.

Letter C21 Libby Lucas (4/30/2013)

C21-1: The list of libraries to which MTC and ABAG delivered copies of the proposed Plan and Draft EIR, either printed or on CD-ROM, is included in Section 1 of the Final EIR. A full copy of the Plan and the Draft EIR can be found on the OneBayArea website and were available for review at the MTC-ABAG Library. This is to ensure that the public has full access to the Plan and the Draft EIR. Public hearings for both the Plan and Draft EIR were open to all members of the public. Please refer to Master Response C on requests for extensions of the public comment period.

Letter C22 K. Rose Hillson (5/1/2013)

C22-1: This EIR describes the environmental setting for the land use analysis in the opening sections of Chapter 2.2 and includes maps of urbanized land, showing what land is developed for human habitation. In fact, the EIR states that only 17.8 percent of the approximately 4.4 million acres in the nine-county region represent urbanized land. This is the amount of urbanized land that is analyzed in this EIR.

C22-2: The data presented in Chapter 2.3 is for a 2010 base year, as confirmed in the source reference for Table 2.3-1 and in the footnote on page 2.3-2.

C22-3: See Master Response F regarding displacement.

- C22-4: Figure 1 in the *Draft Summary of Predicted Traveler Responses*¹ summarizes the Bay Area's population today and in 2040 by "person type" categories. Counter to the speculation presented in the comment, the expected increase in population between 2010 and 2040 is not exclusively made up of single individuals. The subsequent speculation in the comment is, therefore, unfounded. The unemployment numbers speculated by the commenter are not correct. People who live outside of San Francisco that do not have jobs in San Francisco would not be expected to commute to San Francisco.
- C22-5: Your opposition to Alternative 4 and Alternative 5 is acknowledged. The commenter states that the assumption in Alternative 4 that no one will in-commute into the region is not practical. MTC and ABAG agree that fully eliminating the in-commute from surrounding regions may not be practical. The proposed Plan therefore includes a growth pattern that stops the rate of people commuting into the region from increasing. MTC and ABAG believe that approach is achievable and beneficial to the region and the neighboring regions.
- C22-6: MTC and ABAG are not proposing implementation of a Vehicle Miles Traveled (VMT) tax as part of the proposed Plan. The VMT tax was included in Alternative 5, the Environment, Equity and Jobs Alternative, as per the direction of the stakeholders who developed that alternative. Page 3.1-8 of the Draft EIR does note that "exemptions from the tax would be provided for low-income households."
- C22-7: This comment does not raise environmental concerns under CEQA. Communities of Concern are low income and minority communities defined by MTC as experiencing potential transportation accessibility disparities. See responses C22-1 and C22-2 regarding the last sentence.
- C22-8: The California Air Resources Board selected the year 2005 as a baseline (see pp. 6 in the *Recommendations of the Regional Targets Advisory Committee*²) in September 2009. In 2009, sufficient information was not available to establish 2010 as the base year.
- C22-9: See responses C22-1 and C22-8.
- C22-10: The term "pre-recession" normally refers to 2008 and the preceding years of economic growth. MTC and ABAG know that there may have been subregional differences and ABAG takes these into account in its long range population and job projections. There is a robust analysis process that precedes each round of regional projections; see Master Response B.1 for additional information on population projections.
- C22-11: The Draft EIR uses the 2010 base year because the U.S Census was conducted at that time, and it provides a detailed dataset on which to build an analysis of potential environmental effects. Much of the regional land use and transportation data used for modeling also was calibrated to this base year. Adjustments in future unemployment rates were made to reflect a return to more balanced growth over the planning period. MTC and ABAG believe that these long range forecasts provide the best analytical framework available for this EIR. See Master Response B.1 for additional information on population projections.

¹ http://onebayarea.org/pdf/Draft_Plan_Bay_Area/Draft_PBA_Summary_of_Predicted_Traveler_Responses.pdf

² <http://www.arb.ca.gov/cc/sb375/rtac/report/092909/finalreport.pdf>

- C22-12: This typo in the heading is acknowledged and has been corrected in Section 2 of this Final EIR.
- C22-13: This EIR uses a base year and then a 28 year planning horizon because those are the time periods set in the proposed Plan. The current eight year cycle for Regional Housing Needs Allocations is set in SB 375 and is independent of the EIR analysis. Additional information about housing elements and update cycles is available on the California Department of Housing and Community Development website's housing element page: <http://www.hcd.ca.gov/hpd/hrc/plan/he/>
- C22-14: The comment correctly notes that commute travel mode shares for the San Francisco Bay Area have remained fairly constant between 1990 and 2010, with 68 percent of residents driving alone to work. This is primarily a result of household growth over the past two decades being concentrated in suburban and exurban areas; residents in these locations generally lack public transit options. Historical public transit investments have served to maintain transit mode share by increasing total system ridership, but any potential mode share gains have been overwhelmed by the continued expansion of auto-dependent land use patterns.
- Because the proposed Plan focuses future residential and employment growth into the urban core of the region, and combines this growth with supportive public transit investments, it is forecasted to have a greater impact on expanding the region's transit mode share, as shown in Table 2.1-13. Note that the majority of the region's trips in year 2040 are still expected to require an automobile, but transit trips nearly double over the lifespan of the proposed Plan as a result of the focused growth pattern and public transit expansion.
- C22-15: The transportation strategies included in the proposed Plan are not targeted to discriminate against specific races or ethnicities.
- C22-16: This EIR did analyze displacement related to the proposed Plan; see pgs. 2.3-35 to 2.3-40. This EIR did not evaluate displacement caused by speculators buying single-family homes as the concern is speculative and is not a potential environmental effect directly or indirectly related to the proposed Plan. See Master Response F for additional information on displacement.
- C22-17: The statement questioned is the conclusion from the analysis presented on the preceding pages. A geographic information system with mapped data on land use was used to evaluate how proposed transportation projects and land use development would affect existing residents and businesses. The findings from this analysis are represented in the summary statement quoted.
- C22-18: This comment correctly states heavy duty diesel trucks can create noise impacts. Construction noise is analyzed under Impact 2.6-1 on pg. 2.6-21 *et seq.* and Mitigation Measures 2.6(a) and 2.6(b) lists a number of noise attenuation measures that would reduce or eliminate the impact noted in the comment. Because MTC and ABAG cannot compel local agencies to adopt the mitigation measures listed, the localized impact of local projects, as opposed to regional projects, would remain significant and unavoidable.
- C22-19: Potential displacement is not anticipated due to noise impacts from the regional transportation projects in the proposed Plan. In addition, local General Plans must have

noise elements, which establish standards and policies to avoid adverse noise impacts due to local construction impacts. See Master Response A.1 regarding local land use control.

C22-20: Increased noise levels are described and analyzed under Impact 2.6-2. Mitigation Measure 2.6(d) lists a number of noise attenuation measures that would reduce or eliminate the impact noted in the comment. If these measures were adopted and implemented, the impact would become less than significant.

C22-21: The anticipated population increase in the region will occur with or without the proposed Plan; see Master Response B.1 regarding population projections. Chapter 2.7, Geology and Seismicity, includes a detailed analysis of land within Alquist-Priolo zones under Impact 2.7-1 and documents the acreage in Priority Development Areas (PDAs) that lies within these zones and would potentially be affected by a major seismic event. The impact is identified as potentially significant, and mitigation measures are listed. This is normal practice in an environmental assessment: to disclose whether more people or structures would be at risk due to a seismic event causing ground rupture. Events related to ground-shaking, liquefaction and landslides are also examined in the EIR. The comment is correct in noting that implementation of the proposed Plan by implementing agencies would put some additional people's lives at risk compared to existing conditions, but that is essentially due to the population growth and all of the project alternatives including the No Project alternative have the same impact; whether there is enough open space land to bury them or facilities to cremate them is speculative and beyond the programmatic scope of this EIR.

Not only does the Draft EIR include a detailed discussion of geology and seismicity impacts, but a recently published CEQA decision demonstrates that impacts of earthquakes on a project "do not relate to environmental impacts under CEQA" and are not required to "be analyzed in an EIR." (*Ballona Wetlands Land Trust v. City of Los Angeles* (2011) 201 Cal.App.4th 455, 475 (*Ballona*)). The court reached this conclusion because "the purpose of an EIR is to identify the significant effects of a project on the environment, not the significant effects of the environment on the project." (*Id.* at p. 473.)

C22-22: Water supply issues are fully treated to a program-level assessment in Chapter 2.12, Public Utilities; see Master Response G for additional information. Large scale residential development must be assured of having adequate long-term water supplies prior to a development approval, and urban water management plans must take account of supply interruptions due to drought years. Effects of emergencies are analyzed at a programmatic level in Chapter 2.13, Hazards. See Master Response A.3 regarding level of specificity in the EIR.

C22-23: MTC and ABAG respectfully disagree with the suggestion that potential groundwater pollution related to transportation impacts and land development under the proposed Plan has not been thoroughly covered. The programmatic assessment presented in Chapter 2.8, Water Resources. Effects on groundwater recharge are found to be less than significant (see pg. 2.8-27). However, pollutants from non-point sources could affect water quality, so Mitigation Measure 2.8(a) is included. With incorporation of these measures, the impact is found to be less than significant. The comment is correct to note that blending of water from various sources may occur, but attributing a change in taste to the proposed Plan would be speculative. Therefore, no change in this EIR is proposed to address the comment.

- C22-24: Chapter 2.8 of the Draft EIR, under Impact 2.8-2, analyzes whether the proposed Plan could, “substantially interfere with or reduce rates of groundwater recharge due to the increased amount of impervious surfaces, such that there could be a net deficit in aquifer volume or a lowering of the groundwater table,” and found the impact to be less than significant. Chapter 2.12, Public Utilities and Facilities, includes a programmatic assessment of long-term water supplies and notes that some water suppliers may need to supplement their long-term supplies with imported water or adopted additional water conservation, reuse or recycling measures. Reference to imported water in this context means surface water supplies, not overdrafting a groundwater aquifer. As this is a programmatic assessment, the summary of projected water shortages in Table 2.12-4 is on an agency level, and not broken down to PDAs. Furthermore, decisions on water sources rest with water supply agencies, not MTC or ABAG, and would be a component of their urban water management plans, which are updated every five years. Nothing in the proposed Plan compels water supply agencies to increase groundwater pumping and the mitigation measures listed in Chapter 2.12 would mitigate impacts to less than significant levels if implemented. Consistent with the comment, the EIR notes that this is a potentially significant impact and so lists mitigation for it. And, because MTC and ABAG cannot compel local jurisdiction to adopt the mitigation measures listed, the impact remains significant and unavoidable.
- C22-25: The conclusion of the water supply analysis is presented along with other findings in the Executive Summary to convey clearly a complete analysis of the environmental consequences of the proposed Plan. Cumulative effects are specifically addressed in Chapter 3.2, CEQA-Required Conclusions, and in each chapter combined (e.g. “concurrent”) effects are described.
- C22-26: The comment states that special-status plants may occasionally occur in urban, agricultural and ruderal environments and that they and their reproductive parts should be surveyed for and collected prior to development in such areas. The comment further states in Comment C22-29 that non-adult stages of special-status wildlife should also be surveyed. While the Draft EIR makes the statement that special-status plants are not expected to occur in urban, agricultural and ruderal environments, their presence is not ruled out, even in such areas. Section 2 of this Final EIR includes a text change to clarify p. 2.9-15 of the Draft EIR.
- Mitigation Measure 2.9(a) requires a biological assessment and specific biological surveys (as required based on the general assessment) to be conducted as part of the environmental review process to determine the presence and extent of sensitive habitats and/or species in a specific project area. As stated on p. 2.9-59 of the Draft EIR, “...surveys are to be conducted by qualified professionals pursuant to adopted protocols and agency guidelines and be undertaken at times when the subject species is most likely to be identified.” For example, for plants, surveys are to be conducted when the species is identifiable, and for most plants this requires surveys to be conducted when the species in question are flowering or sometimes, fruiting. As another example, protocol surveys for red-legged frog include timing surveys during the breeding season, looking for all life-stages of red-legged frog. To include the survey protocols for each species considered is unnecessary in the context of a program EIR. See also the Master Response A.3 regarding the nature of a program EIR and the level of analysis required in such a document.
- C22-27: The comment states that the Draft EIR cannot accurately determine the environmental impact of the proposed Plan as the projects have not been defined, and therefore suggests the Draft EIR should not claim less-than-significant or significant but mitigable findings. As

discussed throughout the biological resources impact analysis, most, if not all, of the individual projects that could be implemented under the proposed Plan could have a significant and adverse effect on biological resources. Mitigation measures outlined in the impact analysis of the Draft EIR present standard protocol and regulatory requirements for reducing impacts to biological resources, which would reduce some impacts to a less-than-significant level to the extent that an individual project adopts and implements all feasible mitigation measures. However, as repeated throughout the impact analysis, MTC and ABAG cannot require local implementing agencies to adopt mitigation measures, and it would ultimately be the responsibility of a lead agency to determine and adopt mitigation. Therefore, the Draft EIR found multiple significant and unavoidable (SU) related to biological resources. . See Master Responses A.1 regarding local land use control and A.3 regarding the level of specificity in the EIR.

- C22-28: The comment is concerned about the statement on p. 2.9-55 of the Draft EIR that states that because most Plan Bay Area development will occur in existing transportation corridors and previously developed areas, overall habitat loss and fragmentation will be lower than if it were to occur in undeveloped areas; the comment appears to be saying that habitat loss and fragmentation may still take place in developed areas. While the comment is correct that habitat loss and fragmentation could take place in developed areas, it is also true that, in general, habitat in developed areas is already degraded through a number of mechanisms, including fragmentation and isolation. The intention of the statement is to point out that if all new development and transportation improvements were to occur in previously undeveloped lands the related impacts on biological resources would be much greater than under a plan that concentrates new growth in already developed areas, not to imply that these impacts would not occur at all in previously developed areas.
- C22-29: The comment is specifically concerned that regulatory requirements would not completely protect sensitive habitat areas or of the species. Please refer to response C22-26, which addresses similar concerns regarding appropriately timed surveys. Further, as noted frequently throughout the impact analysis, project- and site-specific considerations and regulatory requirements would be implemented as feasible on project-by-project bases. This approach allows site-specific consideration related to all biological resources and does not specifically limit mitigation to regulatory requirements.
- C22-30: Please refer to response C22-26 with regard to site-specific biological assessments and surveys, which will be required by each implementing agency and are intended to identify, avoid, and minimize impacts to sensitive resources on a site- or project-specific basis. Furthermore, as stated on p. 1.1-2 of the Draft EIR, the Draft EIR's programmatic, regional approach to the analysis of potential impacts "does not relieve local jurisdictions of the responsibility for evaluating project-specific, locally significant impacts. All impacts of individual projects will be evaluated in future environmental review, as relevant, by the appropriate implementing agency as required under CEQA and/or NEPA prior to each project being considered for approval, as applicable." CEQA streamlining is enabled by SB 375. Only certain projects are eligible for streamlining, as shown Table 1.1-1 of the Draft EIR. Furthermore, project wishing to undergo streamlining must implement all of the applicable mitigation measures listed in this EIR; see Master Response A.2 on CEQA streamlining for further information.
- C22-31: The comment about Table 2.12-4 is correct. It would, though, be speculative for the EIR to comment on future water rate hikes given the choices listed that the water agencies facing

shortfalls are considering (importing supplies and conserving water through conservation, reuse and recycling). Some of these options can reduce water use and, therefore, the cost of water borne by a consumer. Furthermore, the projected population increase in the region, which is the main source of regional-scale water shortages, will occur with or without the proposed Plan as explained in Chapter 3.1 of the Draft EIR.

- C22-32: The EIR does say, under Impact 2.12-6, that solid waste generated by both land use and transportation projects may reduce the capacity of existing landfills, a potentially significant effect. Active Bay Area landfills that were analyzed are listed in Table 2.12-6; this table does include a column showing remaining capacity, in both absolute terms (cubic yards of space) and as a percentage of total capacity. Estimated closure dates for each landfill also are shown. As this is a programmatic EIR for the nine-county region, generation and disposal was not analyzed on a county-basis. Instead, remaining life of the individual landfill sites was documented and assessed, leading to the conclusion that new landfill capacity is needed. Mitigation measures are listed but, as noted above, MTC and ABAG are limited in their ability to enforce them. The impact, therefore, remains significant and unavoidable.
- C22-33: Specific base and horizon years for the SB 375 analysis are set by statute; the 2040 horizon was added because that is the planning period for Plan Bay Area. See Master Response D.1 for additional information on greenhouse gas emissions included in the analysis for the SB 375 target.
- C22-34: The explanation for the conclusion cited on pg. 3.1-60 is that there are statutory mechanisms in place that reduce greenhouse gas (GHG) emissions. These are referred to by shorthand terms “Pavley” reductions and “LCFS”, the Low Carbon Fuel Standard. The Pavley GHG reduction program was created by Assembly Bill 1493, passed in 2002. The Low Carbon Fuel Standard was set under Executive Order S-01-07 in June, 2007. Additional information on these two programs is presented on pages 2.5-24 and 2.5-25. See also Master Response D.1 regarding SB 375’s GHG reduction targets. The methodology used for the impact analysis is described in the section starting on pg. 2.5-42. In sum, MTC and ABAG did the following:
- First, data was developed for on-road transportation emissions. The effects of Climate initiatives in the proposed Plan were then incorporated (see Table 2.5-5), using data derived for Criterion 1 in the GHG analysis, along with the Pavley reductions and the reductions under the Low Carbon Fuel Standard to arrive at a final total for transportation emissions.
 - Land use emissions were based on estimated energy consumption per land use type (e.g. single-family residential, multi-family residential, and commercial). ABAG provided information on households by housing type, and estimates of commercial space were derived from ABAG’s projections with square footage estimated based on an average square feet per job type, per UrbanSim outputs. Energy emissions were then calculated using standard coefficients that estimate CH₄, NO_x and CO₂ per kWh and then converted to MTCO_{2e}.
 - In addition, landfill emissions were calculated based on tonnage increasing at the same rate as population growth, with emissions estimated by EPA’s WARM model, assuming mixed waste.

- Land use emissions were then reduced using the measures recommended by the California Air Resources Board (ARB) in their Scoping Plan. Only measures specific to the land use analysis were considered. The Draft EIR assumes 19 percent of possible reductions for the State, removing policies that may overlap with each other, as the Bay Area has roughly 19 percent of the State's population. This is the same methodology used by SACOG in their SCS EIR analysis. It applies the reductions to "business as usual" use rates, which is appropriate because it is reasonable to expect land use energy efficiencies over the next 30 years (as opposed to efficiencies related to land use planning that are treated separately, as per SB 375). In no case are reductions made that exceed what is expected to occur, on a proportional basis, under ARB's Scoping Plan.
- Land use emissions were then added to transportation emissions (with reductions).
- For Criterion 2, the data in the Draft EIR do show that without the California Air Resources Board's Scoping Plan reductions and application of Pavley reductions and the Low Carbon Fuel Standard, there would be an overall increase in total emissions as a result of more population, jobs, and travel. However, with the reductions, which are mandated by law, there is a net reduction; hence, the determination presented in the EIR of a less-than-significant impact for the proposed Plan and the alternatives.

Letter C23 Kaia Eakin (5/2/2013)

C23-1: Commenters support for the proposed Plan is acknowledged.

Letter C24 Kaia Eakin (5/2/2013)

C24-1: Same letter as C23.

Letter C25 Carl Fricke (5/3/2013)

C25-1: The proposed Plan is regional land use strategy that is built around a Priority Development Area framework, with the vast majority of growth anticipated in the region going to areas identified by local jurisdictions as PDAs. See Master Response I regarding the PDA process. As individual development projects are implemented, the various infrastructure services mentioned in the comment will be evaluated and addressed at the project level. This Draft EIR is a program EIR and therefore does not include project-level analysis. See Master Response A.1 regarding local land use control and Master Response A.3 regarding the level of specificity of the EIR. See also response C25-3 regarding project-level analysis.

C25-2: The Draft EIR provides a regional-scale evaluation of public services, including police, fire and schools, in the Draft EIR, Chapter 2.14, Public Services. The chapter analyzes the potential impacts and provides adequate mitigation measures to lessen these impacts. Local jurisdictions will continue to be responsible for ensuring that adequate funds are identified to support public services for new local development. See Master Response A.1 and response C41-3 regarding local control and implementation.

C25-3: Not all parcels within PDAs are buildable, due to issues such as those cited in the comment. Page 2.3-44 of the Draft EIR says, "While the PDAs are areas in which growth is focused, PDAs would not be developed in their entirety, and would include diverse land uses in addition to jobs and housing that could include preservation of agricultural land." This is again noted on pp. 2.3-46 and 2.3-53.

This EIR evaluates Plan Bay Area as a single, regional project and assesses its impacts at a regional level across all nine counties, which is consistent with CEQA provisions regarding program EIRs. As stated in Chapter 2.0 of the Draft EIR, “as a program-level EIR individual project impacts are not addressed in detail; the focus of this analysis is to address the impacts which, individually or in the aggregate, may be regionally significant.” The individual projects that may result from the proposed Plan must comply with CEQA. Where necessary, site specific issues such as slope, stream setbacks, and local hazard issues will be addressed by project-level environmental review and/or local permits and regulations. Projects, even those qualifying for CEQA streamlining, will generally need to obtain discretionary permits or other approvals from the lead agency and the local jurisdiction, in accordance with local codes and procedures, including any agreements related to zoning, design review, use permits, and other local code requirements (Draft EIR, p.1.1-13). The Draft EIR does assess stormwater runoff and erosion in Chapter 2.8 and proposes Mitigation Measure 2.8(a), which is tied to existing regulations and so the impact is found to be less than significant with mitigation. . See Master Response A.3 regarding the level of specificity in the EIR.

- C25-4: As discussed under Impact 2.12-1, the Urban Water Management Plans (UWMPs) for the major water suppliers of the region indicate adequate water supplies for the amount of the region’s projected growth, at a regional level. This amount of population growth and development projected for the region will occur regardless of the proposed Plan and would be the actual cause of any impacts from expansions of water supply - these impacts will occur with or without Plan Bay Area, as shown in Chapter 3.1 of the Draft EIR. In the case of a localized water shortage caused by the distribution of growth under the proposed Plan, mitigation measures 2.12(a) through (h) should reduce the impact to less than significant, if applied by the implementing agency. Also see Master Response G regarding water supply. Cost impacts are not an environmental issue under CEQA and are beyond the scope of this EIR.
- C25-5: Any land development under the proposed Plan must comply with the Marin County General Plan and other local land use plans and ordinances, including zoning. Local jurisdictions may choose to update these regulations or enact a specific plan to promote the development pattern blueprint in Plan Bay Area. No local jurisdiction is required to enact Plan Bay Area. See Master Response A.1 regarding local land use authority. Local jurisdictions must comply with applicable state law and local rules regarding public noticing and review for rezoning for future projects and plans; any new land use plans or projects must comply with CEQA, including all applicable public noticing and comment requirements.
- C25-6: The proposed Plan does not contain any exemptions regarding land use development, nor can it override local land use authority; see Master Response A.1 regarding local land use authority. Local or State law may provide certain exemptions but these do not stem from the proposed Plan. SB 375 does provide for CEQA streamlining for certain eligible projects; see Master Response A.2 and Table 1.1-1 of the Draft EIR for an overview of requirements and benefits.
- C25-7: This comment does not raise an environmental concern that requires a response under CEQA.
- C25-8: See Master Response C regarding the request to extend the public comment period.

Letter C26 Robert Silvestri (5/9/2013)

C26-1: The comment claims that the Draft EIR fails to adequately establish reasonably proof of the efficacy of the proposed Plan or the Alternatives in reducing per capita or overall greenhouse gas (GHG) emissions. The Draft EIR analysis of GHG emissions uses EMFAC2011, which is developed through an extensive process by the California Air Resources Board (CARB) and approved by the United States Environmental Protection Agency. EMFAC2011 is the GHG emissions modeling tool MTC and ABAG are required to use for analysis of emissions. The travel model analysis was conducting using MTC’s regional travel model, (*Summary of Predicted Traveler Responses*), which includes references to other, even more detailed, documentation. See Master Response D.1 regarding SB 375’s GHG reduction requirements.

Moreover, the fact that commenter disagrees with some of an EIR's methodologies and conclusions is not a basis for overturning an EIR that is supported by substantial evidence - such as the proposed Plan's Draft EIR. Pursuant to CEQA, "substantial evidence" includes "fact, a reasonable assumption predicated upon fact, or expert opinion supported by fact." (Pub. Resources Code, § 21080, subd. (e)(1); CEQA Guidelines, § 15834, subd. (b).) Substantial evidence is not conjecture, nor is it speculation or unsubstantiated opinion or narrative. (CEQA Guidelines § 15384(a).)

"Challenges to the scope of the analysis, the methodology for studying an impact, and the reliability or accuracy of the data present factual issues, so such challenges must be rejected if substantial evidence supports the agency's decision as to those matters and the EIR is not clearly inadequate or unsupported." (*Federation of Hillside & Canyon Assns. v. City of Los Angeles* (2000) 83 Cal.App.4th 1252, 1252 (*Federation*).) Here, substantial evidence supports the conclusions in the Draft EIR. Where substantial evidence supports the agency's findings, the agency's actions must be upheld. (*N. Coast Rivers Alliance v. Marin Mun. Water Dist. Bd. of Dir.* (2013) 216 Cal.App.4th 614, 626; see also *El Morro Community Assn. v. Cal. Dept. of Parks and Recreation* (2004) 122 Cal.App.4th 1341, 1349 [court must uphold the EIR "if there is any substantial evidence in the record to support the agency's decision that the EIR is adequate and complies with CEQA"].)

C26-2: The comment claims that the Draft EIR’s “cite” of MTC’s supplementary report entitled *Draft Summary of Predicted Traveler Responses* or EMFAC2011 is “inadequate.” MTC and ABAG assume that the author of the comment does not intend to imply that the actual citation of the report is inadequate, but rather that the documents do not adequately support the Draft EIR’s claim that the proposed Plan will reduce GHG emissions. The *Draft Summary of Predicted Traveler Responses* provides a brief overview of the MTC travel model and links to detailed documentation of both the MTC travel model and the EMFAC2011 software. MTC and ABAG believe these tools are appropriate and useful for estimating the expected reductions in GHG emissions from changes in land development patterns, transportation policies, and transportation infrastructure.

C26-3: The comment claims that MTC and ABAG used “raw data and simplistic analysis” rather than thorough “analytical methodologies” to draw conclusions about the performance of the Draft EIR alternatives. Though these are subjective assessments, MTC and ABAG believe the analytical methods used to support the Draft EIR far exceed the state of the practice in both complexity and rigor. See response C26-1 regarding the use of EMFAC2011. See also

Master Response D.1 regarding SB 375's GHG reduction requirements, which points out that CARB has preliminarily approved MTC and ABAG's methodology.

- C26-4: See Master Response D.2 regarding the connection between high-density housing near transit and reduced greenhouse gas emissions.
- C26-5: The Draft EIR's estimates of current and future traveler behavior rely on complex analytical methods, as briefly described in the *Draft Summary of Predicted Traveler Responses* and described in great detail elsewhere (as referenced in the *Draft Summary of Predicted Traveler Responses*). The comment makes oblique references to "largely discredited" theories, but does not mention or criticize or praise the actual methods MTC and ABAG used to estimate the likely behavior of travelers living in TODs or high density urban areas. As such, MTC and ABAG are left to conclude that the criticism is based on a misunderstanding of MTC and ABAG's analytical methods. See Master Responses D.1 and D.2..
- C26-6: See responses C26-1 through C26-5 above.
- C26-7: The GHG emissions modeling in EMFAC2011 includes specific Bay Area inputs in terms of VMT from MTC's travel model, and the model also factors into region-specific climatic conditions.
- C26-8: As explained in responses C26-1 and C26-7, GHG emissions were determined using the EMFAC2011 model using VMT inputs as calculated by MTC's travel model. It is unclear how this would constitute "cherry picking." Every SCS in California is required to use EMFAC2011 to model emissions, as required by ARB and the federal government.
- C26-9: Absent identification of the "data used in the Draft EIR" or the "more recent research" to which this subject concerns, MTC and ABAG cannot meaningfully respond to the comment. MTC and ABAG, however, stand by the accuracy of the data used in the EIR which was developed by staff and consultants with expertise in fields relevant to each topic analyzed in the Draft EIR.
- C26-10: See response C26-12 below.
- C26-11: The comment claims Figure 2.5-2 in the Draft EIR is biased and irrelevant to the purposes of the Draft EIR. MTC and ABAG disagree. Furthermore, the figure is included in the settings portion of Chapter 2.5 to provide general information and context for the analysis that follows, including primarily the composition of emissions, as discussed in the text on page 2.5-6 of the Draft EIR. The figure was developed by the Bay Area Air Quality Management District for the 2010 Source Inventory. While short-term fluctuations would be expected, there is no evidence presented to indicate that the long term trends themselves or the composition of emissions shown in this figure are biased.
- C26-12: The comment implies that the analysis performed in the Draft EIR ignored evidence of declining GHG emissions that coincided with the declining economic output of the country following the 2008 recession. This is inaccurate. As demonstrated in Table 13 (pp. 64) of the *Summary of Predicted Traveler Responses* supplementary report, MTC and ABAG estimate a reduction in Carbon dioxide emissions from 2005 to 2010.

- C26-13: The comment notes that the SB 375 analysis only considers per capita emissions from automobiles and light duty trucks, not the entire transportation sector. This is correct. See Master Response D.1 for additional detail.
- C26-14: The comment questions including both Figure 2.5-2, which shows an increase over time of GHG emissions, and Figure 2.5-7, which shows a decrease. As noted in response C26-11, Figure 2.5-2 was included to provide general information and context for the analysis that follows, including primarily the composition of emissions, as discussed in the text on page 2.5-6 of the Draft EIR. Figure 2.5-7 shows the trends in emissions *per capita* for passenger vehicles and light duty truck only based on the analysis done for the Draft EIR.
- C26-15: The comment is an extension of comment C26-14 above. The comment includes a chart published by the EPA over total U.S. Greenhouse Gas Emissions, 1990-2011. This chart includes all sectors, and covers a different time period than Figure 2.5-2, including a significant recession. The figures and charts provide different analyses.
- C26-16: The comment states that potential increases in zero emissions vehicles, combined with other environmental laws and GHG reduction technologies will help reduce GHG emission from autos and light duty trucks even more dramatically than shown in Figure 2.5-7 in the Draft EIR. The GHG analysis, as required by the federal government, uses EMFAC2011 to evaluate GHG emissions. EMFAC2011 includes ARB-developed forecasts regarding fleet turnover and vehicle mix, including adoption of zero emissions vehicles. In the analysis for Impact 2.5-1, MTC and ABAG do assume a higher rate of electric vehicle adoption due to the Climate Program Initiative programs focused on electric vehicle purchase incentives and expansion of a regional electric vehicle charger network.
- The analysis for Impact 2.5-1 is based on the SB 375-required GHG emissions reduction targets, for which MPOs are not allowed to take credit for advances in technologies or reductions due to regulations. Were those other benefits included, Figure 2.5-7 would indeed show greater reductions. See Master Response D.1 for more information.
- C26-17: MTC employed the ARB EMFAC2011 vehicle emission model to generate all on-road mobile source emission inventories included in the Draft EIR. EMFAC2011 represents ARB's next step in the ongoing improvement of the EMFAC series of emissions estimation models and is the best available tool to calculate on-road mobile source emissions. The EMFAC2011 is needed to support the ARB's regulatory and air quality planning efforts and to meet the Federal Highway Administration's transportation planning requirements. EMFAC2011 includes the latest data on California's car and truck fleets and travel activity. This data includes fleet mix (vehicle type, model year, and accumulated mileage), miles traveled, vehicle speeds, and vehicle emission factors. The model also reflects the emissions benefits of ARB's recent rulemakings including on-road diesel fleet rules.
- As noted in the Draft EIR (pages 2.2-18 and 2.2-19), EMFAC2011 does not include ARB's Advanced Clean Car Standards approved in 2012. Because of this, as noted on the pages referenced above in the Draft EIR, is it anticipated that overall emissions in the future will be lower than those calculated by this current version of the EMFAC model. However, as explained in Master Response D.1, the emission reductions due to new CAFE standards and the Advanced Clear Car Standards cannot be included in the MPO's per capita GHG emissions analysis for reaching the SB 375 GHG emissions reduction targets.

- C26-18: See Master Response D.1 regarding GHG emissions for SB 375.
- C26-19: The comment claims the Draft EIR did not adequately examine all available information and statistics to justify its projections. The analysis in the Draft EIR utilizes the most recent and federally-mandated GHG emissions reduction model, EMFAC2011. As noted in response C26-17, EMFAC2011 does not account for new CAFE standards or the CARB Advanced Clean Car Standards. However, the SB 375-required GHG emissions reductions are not allowed to include the benefits of new CAFE standards. See Master Response D.1 for more information regarding GHG emissions for SB 375.
- C26-20: SB 375 requires regional planning agencies to include a Sustainable Communities Strategy (SCS) in their regional transportation plan (RTP) that demonstrates how the region could achieve GHG emissions reductions set by CARB through integrated land use and transportation planning *without* GHG emission reduction benefits produced from vehicle and fuel technology improvements. Please refer to table 2.5-7: Total and Per Capita Passenger Vehicle and Light Duty Truck CO₂ Emissions (CO₂ Emissions Per Capita column), figure 2.5-7: Per Capita Emissions, Car and Light Duty Truck Emissions and Figure 3.1-1: Change in Per Capita Car and Light Duty Truck CO₂ Emissions, by Alternative for EIR documentation. See Master Response D.1 for more information regarding GHG emissions for SB 375.
- C26-21: See responses C26-1 and C26-20.
- C26-22: See response C26-1.
- C26-23: The EIR may properly assume that people and jurisdictions follow mandatory federal, State, and local laws and regulations. Also see response C26-1.
- C26-24: The comment claims that analysis of actual auto and light truck use in Marin County shows that the proposals in the proposed Plan will not result in any reduction in GHG emissions from autos and light truck usage, and will instead increase GHG emissions. The analysis in the Draft EIR shows that there will be an increase in total GHG emissions from autos and light duty trucks between 2010 and 2040 when the benefits of Pavley and LCFS are not included, as documented in Table 2.5-7 in the Draft EIR. The reduction in GHG emissions that are documented in the Draft EIR related to GHG emissions from passenger vehicles and light duty trucks *per capita* (Criterion 2.5-1), and overall GHG emissions from land use and transportation (Criterion 2.5-2).
- C26-25: There are no charts on the pages referenced in the comment. Figures 2.5-5 and 2.5-6, which are also referenced in the comment, address sea level rise and climate change and do not appear to correspond in any way to the comment.
- C26-26: MTC and ABAG are unable to locate this quote in the Draft EIR. Regardless of the validity of this statement, Plan Bay Area is required to attain the GHG emissions reductions targets established by SB 375 regarding per capita emissions from cars and light trucks.

The Bay Area Air Quality Management District's (BAAQMD) "Source Inventory of Bay Area Greenhouse Gas Emissions" document defines the transportation sector's greenhouse gas emissions in the Bay Area as on-road motor vehicles, locomotives, ships and boats, and aircraft. BAAQMD's GHG emission inventory document also forecasts 2020 transportation

sector GHG emissions at 35 percent of the region's total GHG emissions and the on-road mobile source category (only) represents 31 percent of the region's total GHG emissions.

- C26-27: Plan Bay Area attains the GHG emissions reductions targets required by SB 375 regarding per capita emissions from cars and light trucks.
- C26-28: Regardless of the validity of this statement, Plan Bay Area is required to attain the GHG emissions reductions targets established by SB 375 regarding per capita emissions from cars and light trucks. The Bay Area Air Quality Management District's (BAAQMD) "Source Inventory of Bay Area Greenhouse Gas Emissions" 2007 GHG emission inventory shows (in Figure 2: 2007 Bay Area GHG Emissions by Sector) both the Transportation sector and the Industrial/Commercial sector at 36.4 percent of the regional total.
- C26-29: The comment questions what the correct metrics and data points should be used to arrive at accurate projection for the purposes of the Draft EIR. Comments C26-26 through C26-28 focused on purported introductory text used to set the context of Chapter 2.5. The data used for the EIR emissions analysis is the data from the MTC Travel Model and EMFAC2011.
- C26-30: The comment states that there is nothing in the Plan that has any possibility to significantly reduce emissions in Marin County. The GHG analysis is a regional analysis and the Draft EIR does not include county-specific emissions analysis. It is theoretically possible, albeit unlikely, that the proposed Plan may result in increased per capita car and light truck GHG emissions in some locations. Regardless, as long as the Plan attains the CARB targets for GHG emissions reductions across the nine-county Bay Area region it conforms with SB 375.
- C26-31: The comment states that the analysis does not factor in GHG producing outcomes of more growth and development due to MTCO₂ sequestration loss. The Draft EIR does include land use GHG analysis in Criterion 2.5-2. This analysis includes GHG emissions for various types of development. Regarding sequestration, see response C26-32.5.
- C26-32: The analysis for Criterion 2.5-2 used household emissions based on average use for climate zone four per the BAAQMD BGM User's Manual, a more regionally specific input than EPA's national estimate: "BGM [BAAQMD's greenhouse gas model] estimates average residential electricity and natural gas use based on the California Residential Appliance Saturation Study. The results of this study were used to estimate energy use for the average single family and multi-family residence." (p. 25).

C26-32.5: Table 2.3-18 in the Draft EIR estimates a potential loss of 1,352 acres of forest and timberland in the region under the proposed Plan. A 2007 report by the USDA Forest Service found that on average California forests store 40 tons per acre, and redwood forests support the greatest concentration of Carbon storage among California forest types at 150 tons per acre.³ Even making the conservative assumptions that all 1,352 acres of forest and timberland are developed and entirely consist of redwood forest, that would increase annual GHG emissions by 202,800 tons. In addition, Table 2.3-13 shows that the

³ Christensen, G.A., S. Campbell, J. Fried (Tech. Coords.). 2007. California's Forest Resources: Forest Inventory and Analysis, 2001-2005. USDA Forest Service, Pacific Northwest Research Station, Forest Inventory and Analysis Unit (PNW-FIA), Portland, OR. March 22, 2007 version. Cited in Mader, Steve, 2007. *Climate Project: Carbon Sequestration and Storage by California Forests and Forest Products*.

proposed Plan would potentially convert 1,742 acres of open space; using the 1.5 tons per year figure from the comment, that would increase GHG emissions by another 2,613 tons. Combined, conversion of forestland and open space would reduce sequestration and increase GHG emissions by 205,413 tons per year. However, when compared to the total regional annual GHG emissions shown in Table 2.5-10, which show 7,503,000 tons of CO₂e reduction in 2040, accounting for lessened sequestration would only lower this number to around 7,297,587, or a 2.7 percent decrease, and the proposed Plan would still easily have no adverse impact under Criterion 2.5-2.

Note that Tables 2.3-12 and 2.3-18 together estimate the loss of 135 open space acres and 255 forestland acres in Marin County, respectively. The land development pattern in the proposed Plan includes a significant amount of urban infill and redevelopment, which generally would not affect sequestration.

- C26-33: See response C26-32.5.
- C26-34: The comment claims that high density TOD would increase GHG emissions in Marin County. The Draft EIR emissions analysis is a regional analysis. See Master Response D.2 regarding the connection between high-density housing near transit and reduced GHG emissions and Master Response A.3 regarding the level of specificity in the EIR.
- C26-35: The comment claims the analysis is false and that GHG emissions will be far less than indicated. This comment appears to contradict those made earlier in the comment letter claiming that the GHG analysis vastly understates GHG emissions. See response C26-1.
- C26-36: Reducing automobile travel can be accomplished by shifting travelers to public transportation, as noted in the comment letter, but can also be accomplished by reducing the length of travel (a subject not mentioned in the comment letter). Meaning, increasing available housing – including affordable housing – and employment opportunities has the potential to reduce the length of trips made in automobiles and, as follows, the amount of Carbon dioxide generated from automobiles. For example, the Census (American Community Survey 2011 data summaries B08007 and B08604) estimates that approximately 46,000 commuters travel to Marin to work each day. If these workers were able to live in Marin, less automobile travel would likely be required for them to travel to work – even if they continued to travel by automobile. A reduction in automobile trip length, as highlighted in Figures 14 and 15 of the *Summary of Predicted Traveler Responses* document, is a key outcome of Plan Bay Area.
- C26-37: MTC and ABAG followed the same procedures in analyzing Criterion 2.5-1 for all alternatives as used for the proposed Plan, shown in Chapter 3.1 Per responses C26-1 through 36, MTC and ABAG followed CARB requirements and used the appropriate inputs.
- C26-38: See responses C26-32.5 through 37.
- C26-39: Please refer to Master Response D.2 on the relationship between high density housing near transit and greenhouse gas emissions.
- C26-40: As the comment cites no evidence of bias or provides examples of studies that reach different conclusions than those referred to in the Draft EIR, MTC and ABAG cannot meaningfully comment.

- C26-41: See responses C26-39 and 40.
- C26-42: See responses C26-43 through 53.
- C26-43: Criterion 2.5-2 does not involve per capita GHG emissions, rather total net emissions, so this comment does not apply.
- C26-44: See response C26-43.
- C26-45: It is unknown to MTC and ABAG if the factors used by BAAQMD (see response B26-32) include energy consumption from common areas. However, assuming that including common areas would increase emissions from multi-family units by 20 percent, recalculating the 2010 and 2040 GHG emissions from multi-family residential in Table 2.5-8 of the Draft EIR would only increase 2040 emissions from the proposed Plan by 252,600 MTCO_{2e} compared to existing conditions. This would not change the conclusion that the proposed Plan would have no adverse impact under Criterion 2.5-2.
- C26-46: Calculating the heat island effect would be speculative since it is not possible for MTC and ABAG to know how much vegetation, type of roofing, etc. that future land development would include in its design. This factor is better assessed in project-level environmental review; see Master Response A.3 regarding the level of specificity of a program EIR.
- C26-47: Including all such “externalities” of urbanism would be speculative as it would need to make assumptions about everything from food diets to agricultural trends.. Similarly the length and efficiency of electrical transmission varies greatly and is beyond the scope of this EIR to research and calculate at a regional scale. Unlike the graph in the comment, this EIR uses data based on American rather than foreign consumption habits.
- C26-48: See response C26-32.5 regarding the relatively small impact of including sequestration in the analysis. Tables 3.1-25 and 26 of the Draft EIR show the amount of open space and forestland each alternative could potentially convert. Applying the same calculations as in response C26-32.5, the No Project alternative would result in the greatest lessening of sequestration (almost 390,000 tons), but when taking that into account with the comparative annual GHG emissions shown in Table 3.1-29, would still easily meet Criterion 2.5-2.
- C26-49: See Master Response D.2. The proposed Plan would also reduce the average distance between employment, services, and housing, which results in less VMT due to shorter trips.
- C26-50: See responses C26-32.5 and C26-48.
- C26-51: See responses C26-32.5 through 49.
- C26-52: The commenter’s admittedly “overly simplistic analysis” (see comment letter page 28) relies on the assumption that vehicles owned by Marin County residents travel, on average, the same distance in an average year as vehicles owned by San Francisco County residents (see comment letter page 27). It also assumes that the “rural and suburban, low density development” in Marin County could exist independently of the “high density urban development” in San Francisco County, i.e. that it is possible to have suburban housing development in the absence of urban job centers. No evidence is provided or referenced to support either of these highly dubious claims, making the conclusions reached thereafter

speculative. SB 375 directs MTC and ABAG to reduce emissions from automobiles and light-duty trucks. See also Master Response D.2 regarding the connection between high-density housing near transit and reduced GHG emissions.

C26-53: See response C26-1.

C26-54: See response C26-1 and Master Response D.2.

C26-55: The comment claims that the Plan and alternatives will be economically destabilizing, are financially irresponsible and will be environmentally harmful. The Draft EIR identifies 39 significant environmental impacts, disclosing multiple potential environmental impacts. However, the proposed Plan consistently has less of an environmental impact than the No Project, which is the alternative if no Plan were adopted. The EIR is an informational document that discloses potential impacts so the public and decision-makers can make informed decisions.

C26-56: The comment claims that the Draft EIR fails to prove that any of the alternatives will reduce per capita of overall GHG from the use of autos and light trucks. The Draft EIR demonstrates in the analysis for Criterion 2.5-1 that the proposed Plan will reduce the GHG emissions from passenger vehicles and light duty trucks on a per capita basis; it will also result in an overall increase in GHG emissions from passenger vehicles and light duty trucks when excluding the GHG emission reductions anticipated from other regulatory and technological approaches (e.g. vehicle technology and fuel efficiency) to reducing GHG emissions.

C26-57: See response C26-1.

C26-58: See response C26-1.

C26-59: Throughout the comment letter, the relationship between “transit-oriented development (TOD)” and “high density urban development” and travel behavior is discussed. At no point, however, does the letter address or criticize or praise the methods MTC actually used in the Draft EIR to estimate travel-related outcomes, including the behavioral models MTC uses to estimate the likely actions of travelers living in TODs or high density urban areas. It is unclear how the conclusions in the letter were reached absent this type of investigation. Regarding the relationship between TOD and high density development and travel behavior, MTC and ABAG provide a detailed summary report (*Summary of Predicted Traveler Responses*), which includes references to other, even more detailed, documentation.

C26-60: See response C26-1.

C26-61: See response C26-1.

Letter C27 Wouter Dito (5/4/2013)

C27-1: The types of impacts suggested by the commenter constitute project-specific concerns more appropriately assessed at the local level when specific projects are considered in the future by implementing agencies; see Master Response A.3 regarding the level of analysis for this regional EIR. The comment questions if the analysis considers the impacts of bus-only lanes. The travel model does evaluate bus rapid transit project, including if a project includes bus

only lanes. However, the impacts cited in the comment are better addressed at the project-level, as the regional model is not designed to evaluate local impacts of a bus only lane.

Letter C28 Sabine Grandke-Taft (5/5/2013)

- C28-1: MTC and ABAG followed CEQA requirements for public noticing of the EIR. See Chapter 1.2 of the Draft EIR for a description of the public participation process for development of the proposed Plan. Regarding public engagement for the EIR, please see Chapter 1.1 of the Draft EIR for a description of the Notice of Preparation and public scoping process and Section 1 of this Final EIR for a description of the public review process for the Draft EIR. Please see Master Response C regarding requests for extensions of the public comment period.
- C28-2: Commenter's general concern regarding the data used to develop the proposed Plan is noted. The decision-makers will consider this comment prior to adopting the proposed Plan or one of the other alternatives included in the EIR.
- C28-3: Chapter 2.8 (Water Resources) of the EIR and Chapter 2.12 (Public Utilities and Facilities) evaluate potential water and sewer related impacts of the proposed Plan respectively. Chapter 2.14 (Public Services and Recreation) of the Draft EIR evaluates discusses potential impacts to public services including schools.
- C28-4: Implementing agencies retain the discretion to approve or deny future residential development proposals within their jurisdiction. See Master Response A.1 regarding local land use control.
- C28-5: Commenter's suggestions regarding social equity issues is noted. The decision-makers will consider this comment prior to adopting the proposed Plan or one of the other alternatives included in the Draft EIR. See also Master Response F regarding displacement.

Letter C29 Rebecca Lapedus (4/29/2013)

This is the same as Letter C17; see the responses to C17.

Letter C30 John Spangler (5/3/2013)

- C30-1: Please see Master Response C regarding requests for extensions of the public comment period.

Letter C31 John Wallace (4/22/2013)

- C31-1: Commenter's opposition to the proposed Plan is acknowledged. See response C28-1 regarding the public noticing for this EIR. Plan Bay Area will not override local zoning and land use regulations; see Master Response A.1 for more information on local land use control.
- C31-2: Commenter's support for the No Project alternative is noted. Decision-makers will weigh the advantages and disadvantages of each alternative in determining which option to adopt.

Letter C32 Libby Lucas (5/3/2013)

- C32-1: Chapter 2.9 of the Draft EIR analyzes wetlands impacts at a regional level and additional information is included in Appendix H. See also Master Response A.3 regarding the programmatic nature of this EIR. Avoidance of wetlands is the preferred mitigation identified in the EIR (see Mitigation Measure 2.9(d)). Implementing agencies will conduct project-specific biological resource assessments, where necessary, to comply with CEQA. Implementing agencies retain the ability to exercise their discretion to deny projects that cannot avoid wetland impacts. See Master Response A.1 regarding local land use control.
- C32-2: Climate change and sea level rise are analyzed in Chapter 2.5 in the Draft EIR. Future improvements to existing transportation infrastructure must comply with CEQA. Where necessary, potential sea level rise impacts will be evaluated as part of future project-specific environmental assessments.

Letter C33 Sharon Rushton (5/8/2013)

- C33-1: The comment states that the Draft EIR fails as an informational document because it defers analysis and fails to disclose significant impacts and does not provide sufficient mitigations. The Draft EIR is a programmatic EIR and includes extensive analysis of the potential environmental impacts of proposed Plan, finding 39 significant impacts. As described in Master Response A.3, future projects will comply with CEQA at the project-level.
- C33-2: For an overview of the Regional Housing Needs Allocation, DOF Population Projections and ABAG's Plan Bay Area Forecast please see Master Response B.1 and the following document [here:](http://apps.mtc.ca.gov/meeting_packet_documents/agenda_2038/06_Overview_of_RHND_DOF_Projections_and_Plan_Bay_Area.pdf)
http://apps.mtc.ca.gov/meeting_packet_documents/agenda_2038/06_Overview_of_RHND_DOF_Projections_and_Plan_Bay_Area.pdf

The document was prepared jointly by the California Housing and Community Development Department (HCD), the California Department of Finance (DOF), and the Association of Bay Area Governments (ABAG). It provides key points regarding the differences across the Regional Housing Need Determination (RHND), the DOF Population Projections, and the Plan Bay Area Forecast as described by each of the responsible agencies. It also contains a chart that summarizes how the three efforts vary in purpose, methodology and timing.

ABAG's regional growth forecast starts with projected regional job growth which is the main determinant of ABAG's regional growth projections and includes population growth as in all major regional forecast modeling in California and around the nation including regional projections produced by SCAG, SANDAG, SACOG, AMBAG, and SBCAG. In addition, job growth is the primary determinant of regional population growth in the models used by the three major national forecasting firms – IHS Global Insight, Regional Economic Models, Inc., and Moody's. ABAG estimated job growth through 2040 as a share of U.S. projected job growth, also known as "shift-share" which is a widely used and accepted employment forecasting methodology, based on an assessment of regional competitiveness by major industry sectors. ABAG projections use Department of Finance (DOF) fertility and mortality assumptions to determine the amount of natural increase in the population to develop a population profile. Migration, rather than being tied to recent trends, is a function of job growth. Moreover, DOF has acknowledged that the ABAG regional growth forecast

is reasonable and that they will incorporate portions of our methodology to improve their forecasts for the region in the future. The theory of deriving migration forecasts linked to job growth is that most migration is the result of people moving to regions where job growth exceeds the number of workers supplied by the local economy and vice versa. For the Bay Area, the best example is the large number of people who migrated to the region from other parts of the state, nation and world during the high-tech and dot.com boom of the late 1990s and the exodus out of the region in the years when job losses occurred after 2000 when the boom ended.

The proposed Plan, or distribution of growth to individual jurisdictions, is not a forecast. It is a blueprint for growth to achieve the goals and objectives of the Sustainable Communities Strategy (SCS) and was developed through a variety of land use and transportation scenarios that distributed the total amount of growth forecasted for the region to specific locations. The amount distributed to Marin County is about 8,800 households over 30 years or less than 300 new households annually for the entire County. These scenarios sought to address the needs and aspirations of each Bay Area jurisdiction, as identified in locally adopted general plans and zoning ordinances, while meeting Plan Bay Area performance targets adopted by the agencies to guide and gauge the region's future growth.

The framework for developing these scenarios consisted of the pre-existing Priority Development Areas (PDAs) and Priority Conservation Areas (PCAs) nominated by a local government, not ABAG or MTC. ABAG and MTC incorporated local feedback from individual jurisdictions relying on their best assessment of feasible growth over the plan period and then applied a series of additional factors to achieve the goals of the SCS. See Master Response I regarding the PDA process. The scenarios were then developed through a transparent, deliberative process, during which public input was sought at every step along the way. After further modeling, analysis and public engagement, the five initial scenarios were narrowed down to a single preferred land use scenario.

For more on how the Plan distributed projected regional growth, see: http://onebayarea.org/pdf/Draft_Plan_Bay_Area/Draft_PBA_Forecast_of_Jobs_Population_and_Housing.pdf

C33-3: See response C33-2.

C33-4: Mitigation measures 2.1(a) and 2.1(c) are primarily directed towards the region's major congested freeways, rather than smaller roadways across the region. As the proposed Plan does not evaluate localized operational traffic impacts (instead focusing on regional impacts), the Draft EIR analysis neither supports nor contradicts the commenter's claim that State Route 1 near Mill Valley is a LOS F facility requiring mitigation. (Note that LOS F facilities are defined on page 2.1-33 as having a volume-to-capacity ratio greater than 1.) Local traffic operational issues as identified in this comment should instead be dealt with as part of local project analyses, rather than this program Draft EIR, as described in Master Response A.3. Further information on the programmatic nature of this environmental document can be found on page 1.1-4 of the Draft EIR

C33-5: Refer to response C33-4 regarding the regional scope of the Plan Bay Area Draft EIR – for the purposes of this regional programmatic EIR the localized operational issue cited by the commenter is not addressed. Roadways across the region, including major freeways, state highways, and major arterials, would benefit from a commuter benefit ordinance as specified

in mitigation measure 2.1(b), as that policy would reduce the need to drive by providing alternative transportation options and by encouraging telecommuting. This would not only benefit major freeways but also smaller roadways, as those roads provide necessary connections from residential neighborhoods to the regional freeway network.

C33-6: Refer to the responses C33-4 and C33-5 regarding the regional scope of this EIR. Mitigation measure 2.1(b) would mitigate Impact 2.1-3 by reducing the overall need to drive across the region, including on small highways and arterials.

C33-7: The Draft EIR did not identify any mitigation measures to lessen TAC and PM_{2.5} impacts for areas identified above the numerical thresholds for these pollutants in impact 2.2.5(a) or 2.2.5(b). Phasing of residential development or site design to locate sensitive land uses as far as possible from a source can be effective mitigation measures in reducing the public's exposure to these pollutants, but they were not relied on to reduce impacts below the level of significance for the 100/million or 0.8ug/m³ thresholds. The 1000-foot "zone of influence" is part of the methodology to evaluate potential cumulative impacts from a proposed project on the environment or upon a proposed project from the existing environment to determine if sensitive populations will be exposed to TAC and PM_{2.5} concentrations above the numerical significance thresholds. The 1000-foot zone of influence is not a significance threshold in and of itself.

Impact 2.2.5(b) identifies mitigation measures for projects locating within "set distances" of sources other than refineries, the Port of Oakland, dry cleaners and gas stations, that if implemented will reduce exposure to future sensitive receptors. If in any of these "set distances" TAC and PM_{2.5} concentrations were estimated to be above the 100/million or 0.8ug/m³ thresholds, the impact would still be considered significant. For these areas above the numerical thresholds for TAC and PM_{2.5} and the other sources listed above, additional project level analysis should be done when specific projects are designed and proposed to determine the significance of impacts and the level of mitigation measures needed to reduce impacts below the significance level, if available.

C33-8: The dispersion modeling used in the Draft EIR takes into consideration multiple sources of emissions for the TAC and PM_{2.5} local pollutant analysis. The Air District used its current stationary source database to identify all stationary sources, such as dry cleaners, gas stations and back-up generators, within the Bay Area, and combined these emissions with those from highways and major roadways to identify areas above the numerical significance thresholds for TACs and PM_{2.5}.

C33-9: The methodology for the dispersion modeling assumes an individual is exposed to the estimated emissions from the source(s) 24 hours per day, 7 days per week, and 365 days per year over a 70-year lifetime. Therefore, the concentrations estimated from the modeling and the exposure to an individual represent an absolute worst-case analysis when applied to the numerical significance thresholds to determine the significance of impacts. MTC and ABAG, in consultation with the BAAQMD, believe the mitigations included in the Draft EIR are appropriate. Local jurisdictions will determine if implementing agencies have adequately reduced impacts if they seek to tier off of this Draft EIR. See Master Responses A.1 on local land use control and A.2 on CEQA streamlining.

C33-10: See response B25-8 and 10 for more information on health effects of emissions.

C33-11: This comment compares the findings of the Plan Bay Area Draft EIR with the findings of the Draft EIR for the 2007 Marin Countywide Plan in regards to the potential impact related to groundshaking and claims that the impacts are not adequately analyzed, disclosed or mitigated. As noted in the Plan Bay Area Draft EIR on page 2.7-25, an earthquake that exceeds magnitude 6.7 is likely to occur in the Bay Area region over the next 30 years. An earthquake of this magnitude could cause damage to existing improvements especially to those constructed under less stringent building code requirements and those located on unengineered fills. However, the regulatory requirements that would apply to the proposed improvements would include, without limitation:

- California Building Code– Chapter 18 Soils and Foundations
- American Society of Civil Engineers (ASCE 7) – Chapter 11 Seismic Design Criteria
- Seismic Hazards Mapping Act of 1990 (SHMA 1990) (Public Resources Code, Chapter 7.8, Section 2690-2699.6)
- Special Publication 117A Guidelines for Evaluating and Mitigation Seismic Hazards in California (SP117A)
- California Code of Regulations, Title 14 Section 3724 (CCR Title 14 Section 3724)

These regulatory requirements present circumstances in which a geotechnical investigation is required and provide details on the seismic design criteria necessary for proposed improvements that incorporate site specific conditions, the purpose of which is to prevent the structure from significant damage resulting from seismic events. While some damage may be unavoidable, the protection of human safety is paramount to these code requirements and based on years of scientific study that incorporate events that have occurred across the world. Therefore, with incorporation of the requirements as stated in Mitigation Measure 2.7(b) of the Draft EIR, the potential impact for proposed improvements would be less than significant.

The Plan Bay Area Draft EIR identifies all of the seismic risks noted by the commenter: liquefaction (Physical Setting, p. 2.7-10; Impact 2.7-3, p. 2.7-26); subsidence and settlement (Physical Setting, p. 2.7-13; Impact 2.7-6, p. 2.7-32); seismically induced ground failure (Physical Setting, pp. 2.7-10, 2.7-18; Impact 2.7-3, p. 2.7-26). The Plan Bay Area Draft EIR also discusses fault rupture (Physical Setting, p. 2.7-6; Impact 2.7-1, p. 2.7-22); ground shaking (Physical Setting, p. 2.7-9; Impact 2.7-2, p. 2.7-24); and landslides (Physical Setting, p. 2.7-14; Impact 2.7-4, p. 2.7-28). In *Oakland Heritage Alliance v. City of Oakland* (2011) 195 Cal.App.4th 884, the court held that an agency properly conclude “that conformity with the current building standards ... in conjunction with ... other require[d] [future studies], adequately mitigated the seismic impacts of the project.” (*Id.* at p. 635.) Therefore, notwithstanding the more conservative interpretation taken by Marin County, based on identification of the same risks, the impact analysis in the Draft EIR reasonably concludes that geologic and seismic impacts can be reduced to a less-than-significant level with regulatory compliance and implementation of the identified mitigation.

C33-12: The comment compares the findings of the 2007 Marin Countywide Plan Draft EIR to the Plan Bay Draft EIR and claims that the impacts relating to liquefaction are not adequately analyzed, disclosed, or mitigated. As noted on page 2.7-10 of the Draft EIR, liquefaction hazards vary across the region and can only be determined with evaluation of site specific data from a geotechnical investigation as required by Mitigation Measure 2.7(b). Current

building code requirements including requirements within Special Publication 117A, A Guideline for Evaluating and Mitigation Seismic Hazards in California, contain effective measures for reducing the potential of liquefaction, based on years of scientific research, to minimize the potential for damage to a less than significant level. See also response C33-11.

- C33-13: The comment addresses settlement issues (e.g., cracking of pathways and walkways surrounding buildings, particularly related to Mill Valley’s Tam Junction) that can become tripping hazards for pedestrians. As noted in the Draft EIR on page 2.7-32, site preparation measures such as compaction of engineered fill materials would be required to adhere to building code and local grading requirements that are designed to minimize the potential for unstable soils to adversely affect proposed improvements. While periodic maintenance of walkways and sidewalks may be necessary over time, the potential impact is not considered significant with incorporation of Mitigation Measure 2.7(b).
- C33-14: See master response E regarding sea level rise.
- C33-15: See master response E regarding sea level rise.
- C33-16: “The level of specificity of an EIR is determined by the nature of the project and the ‘rule of reason.’” (*Laurel Heights Improvement Ass’n v. Regents of University of California* (1988) 47 Cal.3d 376, 407.) “[W]here an EIR covers several possible projects that are diverse and geographically dispersed, the agency has discretion to evaluate the potential environmental impacts of the individual projects in general terms in the EIR, while deferring more detailed evaluation of the projects for future EIRs.” (*California Oak Foundation v. Regents of University of California* (2010) 188 Cal.App.4th 227, 271, citing *In re Bay-Delta* (2008) 43 Cal.4th 1143, 1170-1171.) See also master response E regarding sea level rise.
- C33-17: See master response E regarding sea level rise.
- C33-18: See response C33-16. See also master response E regarding sea level rise.
- C33-19: The statement “CEQA Streamlining Projects Under SB 375 That Implement All Feasible Mitigation Measures: Less than Significant with Mitigation” was used in the executive summary to summarize a conclusion more fully described in Part Two of the EIR under the “Significance After Mitigation” section that accompanies the impact analysis and mitigation measures for each potential impact. See Master Responses A.1 on local land use control and A.2 on CEQA streamlining.
- C33-20: The decision-makers may find that the proposed Plan would create significant environmental impacts, but that these impacts are outweighed by other benefits of the proposed Plan. In addition many of the significant and unavoidable impacts occur because for land use projects MTC and ABAG cannot require local implementing agencies to adopt mitigation measures, and it is ultimately the responsibility of a lead agency to determine and adopt mitigation. Please see Master Response A.1 on local control over land use for additional information.
- C33-21: See responses C33-1 through 20 above.
- C33-22: The expected amount of growth will occur regardless of Plan Bay Area. The growth projections are not advocated for by MTC and ABAG but merely represent the best current

estimates; see Master Response B.1 for more information on the population projections. TPPs are defined under SB 375 and relate to locations in relation to transit service. PDA boundaries are developed and submitted by local jurisdictions to ABAG for consideration. See Master Response I regarding the PDA process. Hazards are evaluated in Chapter 2.13 of the Draft EIR, which proposes Mitigation Measures 2.13(a) through (g) to reduce potential impacts. Approval of development projects, and consideration of project-specific hazards, will be considered by implementing agencies as future projects are proposed. See Master Response A.1 regarding local land use control.

Letter C34 Elliott and Shayna Stein (5/2/2013)

C34-1: The Draft EIR thoroughly evaluates the regional impacts of sea level rise (Chapter 2.5), flood hazards (Chapter 2.8), and transportation (Chapter 2.1) under the proposed Plan, and sets forth mitigation measures, as appropriate, to address each of these issues. Master Response E contains additional information on the draft EIR’s analysis of sea level rise. Please see Master Response A.3 regarding the specificity of a program EIR.

Letter C35 John and Kathleen Swart (5/4/2013)

C35-1: Your support for the No Project alternative is acknowledged.

Letter C36 Zelda Bronstein (5/15/2013)

C36-1: Industrial lands are taken into account in the land use pattern, as described in response C36-2 below. Moreover, ABAG and MTC are currently undertaking a three year initiative funded by a \$5 million Regional Prosperity grant from US Department of Housing and Urban Development. The initiative is intended to identify strategies to improve the region’s economic prosperity by encouraging stronger, more sustainable communities, integrating housing and jobs planning, fostering local innovation in support of new jobs and building a healthy regional economy. The three pronged planning efforts include the Economic Opportunity Strategy, a Housing the Workforce Initiative, and an Equity Collaborative. The final Regional Economic Prosperity Strategy will include a framework and action plan to inform local and regional economic development activities, workforce training and job placement programs, and small business development initiatives. For more information see: <http://www.onebayarea.org/regional-initiatives/Bay-Area-Prosperity-Plan.html>.

C36-2: The discrepancy in the industrial employment trends you cite depend in part on how “industrial” employment is defined. Specifically, ABAG and MTC expect manufacturing to decline by 5.5 percent over the next 30 years, while goods movement related industries—wholesale; retail; and transportation and warehousing—to increase by 20 percent, 17 percent and 32 percent respectively. The forecast assumes that the number of jobs in sectors such as agriculture and manufacturing will grow according to the existing distribution of jobs in each of these sectors. The manufacturing sector lost approximately 300,000 jobs between 2000 and 2010 in the Bay Area. By 2040 manufacturing job levels are expected to be slightly greater than 2010 levels, but never reaching the 2000 pre-recession totals. This is because over time manufacturing firms can produce more with fewer workers and productivity growth in the sector is expected to continue. For more information on employment trends and the regional employment forecast see:

http://onebayarea.org/pdf/Draft_Plan_Bay_Area/Draft_PBA_Forecast_of_Jobs_Population_and_Housing.pdf

- C36-3: The comment notes findings from the 2008 Goods Movement/Land Use Study, which found that as industrial land uses move further from the core of the region, emissions and vehicle miles traveled are anticipated to increase. The Goods Movement/Land Use Study was based on a different set of assumptions than the Plan Bay Area. The analysis of the Plan includes a 2040 forecast for housing, jobs and population, which accounts for anticipated locations of jobs, including industrial and manufacturing, in 2040. The emissions associated with the anticipated locations of those uses are included in the analysis completed for the Draft EIR.
- C36-4: The comment claims that the Draft EIR does not adequately take into account additional emissions that will occur due to the dispersion of industrial and manufacturing land uses. As noted in response C36-3, the Draft EIR includes estimates of vehicle miles traveled, air quality emissions and greenhouse gas emissions for the forecast transportation networks and land use plan in 2040. Those forecasts include forecasts of the locations of industrial and manufacturing activity. The comment also requests that analysis be done regarding the pressure local land use decisions and Priority Development Areas place on industrial uses. In addition, it is important to note that PDAs are identified by local jurisdictions. While the proposed Plan is built on a PDA framework, neither MTC nor ABAG has local land use authority and implementation of the Plan is up to local jurisdictions. See Master Response I regarding the PDA process and Master Response A.1 regarding local control.

Letter C37 Julane Jazzique (5/14/2013)

- C37-1: The Plan proposes a land use development pattern based in part on Priority Development Areas (PDAs) voluntarily designated by local jurisdictions, and thus does not result from a “top-down” planning process. See Master Response I regarding the PDA selection process. While the Plan proposes this land pattern, neither MTC nor ABAG has local land use authority and implementation of the Plan is up to local jurisdictions. Please see Master Response A.1 for additional information regarding local control of land uses. Furthermore, contrary to Commenter’s suggestion, both MTC and the ABAG Board consist of elected officials from Bay Area cities and counties.

See Chapter 1.2 of the Draft EIR for a description of the public participation process for development of the proposed Plan. MTC and ABAG followed CEQA requirements for public noticing of the EIR. Please see Chapter 1.1 of the Draft EIR for a description of the Notice of Preparation and public scoping process and Section 1 of this Final EIR for a description of the public review process for the Draft EIR.

Please refer to Master Response B.1 on population projections and Master Response D.2 on the connection between high-density housing near transit and the reduction of greenhouse gases. Chapter 2.5 of the Draft EIR analyzes GHG emissions from transportation sources and explains the methodology; Chapter 3.1 shows that the No Project alternative would not attain the SB 375 GHG emissions reduction targets. . See Master Response F regarding Displacement.

Water supply and public utilities are analyzed in Chapter 2.12, sea level rise in Chapter 2.5, and public services in Chapter 2.14. The comment does not provide details or evidence to

support commenter's opinion that the Draft EIR is inadequate in addressing these topics. See Master Response A.3 on the level of specificity in a program EIR, which analyzes environmental impacts at the regional level. Also please refer to Master Responses E on sea level rise and G on water supply. The EIR cites specific mitigation measures in each chapter that, if implemented by implementing agencies and/or project sponsors, will mitigate the effects of these impacts.

MTC and ABAG will take the significant and unavoidable impacts of the proposed Plan into account in their deliberations on this EIR and the Plan.

Letter C38 Anonymous (5/16/2013)

- C38-1: See Master Response A.1 regarding local control over land use. Please refer to Master Response C on requests for extensions of the public comment period.
- C38-2: Please refer to Master Response A.1 for more information on the relationship between Plan Bay Area and local control over land use and local regulations.
- C38-3: The MTC Commission and ABAG Executive Board will vote to decide approval of the Plan. The MTC and ABAG boards consist of elected representatives from counties and cities within the region, therefore, MTC's and ABAG's decisions reflect the decisions of these elected officials.
- C38-4: See response C38-3.
- C38-5: As part of the EIR process, MTC is required to respond to each comment that raises a significant environmental issue on the EIR. Consistent with CEQA, responses are provided in this Final EIR.
- C38-6: See response C38-3.
- C38-7: Page 2.3-5 of the Draft EIR explains that ABAG projections, independent of the proposed Plan, foresee shifts in housing demand by 2040 that would result in single-family homes being demanded by 39 percent of households in the region, down from 56 percent in 2010. If that projection holds true, then the region already has more single-family home supply than will be in demand in 2040, but that page also notes that "[a]lthough this suggests no demand for newly constructed single-family homes, some production will likely occur as the Bay Area housing market adjusts to these trends." See Master Response B.1 for more information on the population projections and Master Response B.2 regarding PDA Feasibility.
- C38-8: The EIR is an environmental document that identifies potential environmental impacts and changes to the environment that could occur as a result of the proposed Plan. CEQA does not require economic impacts to be evaluated as part of an EIR.
- C38-9: Plan Bay Area is a regional plan, and the accompanying EIR is "a programmatic document that presents a region-wide assessment of the potential impacts from the proposed Plan Bay Area." (Draft EIR, Executive Summary, p. ES-2.) Please see Master Response A.1 regarding local control over land use planning and Master Response A.3 on the specificity of a program EIR.

- C38-10: The proposed Plan is subject to CEQA and, as a result, this program EIR is being prepared. MTC and ABAG are serving as joint lead agencies in preparing this program EIR for the proposed Plan. Pursuant to Section 15367 of the State CEQA Guidelines, the lead agency is the “public agency which has the principal responsibility for carrying out or approving a project.” The lead agency is “responsible for preparing an EIR...for the project.” (CEQA Guidelines, Section 15050(a)) Therefore, no conflict of interest arises as a result of MTC and ABAG developing the proposed Plan and serving as lead agencies for the EIR.
- C38-11: The projected population growth described in the proposed Plan and in the EIR is projected to occur even in the absence of Plan Bay Area. It will continue to be the responsibility of local jurisdictions to fund the public services for growth that occurs in their respective jurisdictions, which, because these jurisdictions retain the right to approve development locally, may or may not correspond with the allocations described in the proposed Plan.
- C38-12: CEQA does not require economic impacts to be evaluated as part of an EIR.
- C38-13: See response C38-9.
- C38-14: The EIR includes an analysis of geology and seismicity in Chapter 2.7, and an evaluation of sea level rise in Chapter 2.5, which also provides a number of adaptation strategies. Please refer to Master Response E for a detailed description of the sea level rise analysis in the EIR. The scale of review in the Draft EIR is a function of the programmatic nature of the document. See Master Response A.3 regarding the level of specificity of a program EIR.
- C38-15: Commenter’s opposition to the proposed Plan is acknowledged. Public hearings such as the one that cited in the comment are intended to gather comments that are then responded to in this Final EIR.

Letter C39 Denise Beck (5/15/2013)

- C39-1: As discussed on page 1.2-11 of the Draft EIR, the U.S. Department of Transportation requires that metropolitan planning organizations, such as MTC, prepare long-range transportation plans and update them every four years. The proposed Plan represents that update from the Transportation 2035 Plan, adopted in 2009. This EIR evaluates potential environmental impacts that could result from implementation of the proposed Plan. Mitigation measures are provided for each potentially significant impact. Some mitigation measures will be carried out by MTC and/or ABAG. Other mitigation measures are designed so that if considered and implemented by an implementing agency and/ or project sponsor, impacts from the plan will be reduced to the extent feasible. See Master Response A.1 and A.3 regarding local control over land use and the level of specificity in the EIR. For mitigation measures related to the impact areas mentioned in the comment, please refer to the following chapters: Air Quality (2.2), Climate Change and Greenhouse Gases (2.5), Land Use and Physical Development (2.3), Biological Resources (2.9), Water Resources (2.8), Public Utilities and Facilities (2.12). For a detailed description of the analysis of population displacement, please refer to Master Response F.

In its consideration of this EIR and the Draft Plan, MTC and ABAG may find that the proposed Plan would create significant and unavoidable environmental impacts, but that these impacts would be outweighed by other benefits, including having fewer impacts than under a No Project scenario.

C39-2: This issue is analyzed in Chapter 2.12, which explained that mitigation measures 2.12(a) through (c) would reduce the impact to less than significant, but concluded a significant and unavoidable impact since MTC and ABAG cannot require local implementing agencies to adopt the mitigation measures, and it is ultimately the responsibility of a lead agency to determine and adopt mitigation. As discussed under Impact 2.12-1, the Urban Water Management Plans (UWMPs) for the major water suppliers of the region indicate adequate water supplies for the amount of the region's projected growth, at a regional level. This amount of population growth and development projected for the region will occur regardless of the proposed Plan and would be the actual cause of any impacts from expansions of water supply. In other words, these impacts will occur with or without Plan Bay Area, as shown in Chapter 3.1 of the Draft EIR. Please refer to Master Response G on a description of water supply requirements for this regional program-level EIR.

The current 2010 Marin Municipal Water District's (MMWD) Urban Water Management Plan indicates adequate water supplies through the year 2035 without a need to resort to desalination. The proposed Plan would result in essentially the same year 2040 population as under the No Project alternative - a three percent increase overall, with the proposed Plan resulting in 500 more households in Marin County than under the No Project scenario. Given the water supplies indicated by MMWD, it is extremely unlikely that additional water supplies will need to be acquired due to growth under the proposed Plan. Per the UWMP Section 3.3, the district has coordinated its future water demands through 2035 through the Sonoma County Water Agency (SCWA), and SCWA's UWMP. Furthermore, as explained in the UWMP, the MMWD has a contracted volume of 14,300 acre-feet per year with SCWA; as of 2035, the MMWD anticipates needing no more than 8,500 acre-feet per year from this contracted volume. We assume that the Sonoma County Water Agency's supply and demand figures incorporate their obligations to MMWD; also note that Table 2.12-4 relates to a single dry year, for which water supply agencies typically apply water conservation requirements on customers, which will likely allow SCWA to reduce demand to meet supply. The details of providing adequate water are the responsibility of water supply agencies; the implementation of 2.12(a), (b), and (c) would mitigate these impacts to a less than significant level.

C39-3: Chapters 2.1 through 2.14 of the Draft EIR analyze the potential impacts of the proposed Plan and recommend related mitigation measures. See responses C39-1 and C39-2 as well.

Letter C40 Glen Bossow (5/16/2013)

C40-1: Please refer to Master Response D.2 on the connection between high-density housing near transit and reduced greenhouse gas emissions. See Master Response D.1 regarding the SB 375 GHG reduction analysis.

C40-2: Please refer to Master Response G on water supply. See response B30-5 regarding Marin Municipal Water District and desalination.

C40-3: Please refer to Master Response B.1 for more information on population projections, and the relationship between ABAG and DOF projections.

C40-4: This issue is effectively covered in Chapter 2.2 of the Draft EIR, under Impacts 2.2-5(a), (b), and (c), pp. 2.2-38 through 83. The Draft EIR proposes Mitigation Measure 2.2(d) to reduce these impacts.

C40-5: Alternative 5 is identified as the Environmentally Superior Alternative. Please see Chapter 3.1 for a comparative impact analysis of alternatives.

Letter C41 Carl Fricke (5/16/2013)

C41-1: Please refer to Master Response C on requests for extensions of the public comment period.

C41-2: As the comment notes, the Marinwood Area is within a Priority Development Area—the Urbanized 101 Corridor. This PDA was nominated by the Marin Board of Supervisors, who adopted a resolution authorizing submission of an application on August 7, 2007. It was adopted by the ABAG Executive Board and is therefore included in the Draft Plan. Any change to the PDA would need to come at the request of the Marin County Board of Supervisors.

C41-3: The comment does not cite specific examples of inconsistencies. Please refer to Master Response B.1 for more information on population projections. Since local governments retain authority over local land use decisions, they will ultimately decide the extent to which the proposed Plan is implemented within their jurisdiction. See Master Response A.1 on local control over land use.

C41-4: The proposed Plan does not call for the elimination of or defunding of roads, and in fact devotes a significant portion of its budget to operating and maintaining the existing roadway system. The Draft EIR, on p. 1.2-49, notes that the proposed Plan allocates over 79 percent of its budget to committed projects, which include many highway and roadway projects, and the remaining discretionary funds are allocated mainly to “fix it first” projects with 88 percent of discretionary funds going to operations and maintenance. “Compared to Transportation 2035, the proposed Plan Bay Area would spend a higher percentage of its budget on transit and roadway operations and maintenance, less on expansion of transit network, and roughly the same percent on road and bridge expansion.” (Draft EIR, p. 1.2-49.) In addition, as Table 1.2-10 of the Draft EIR shows, the proposed Plan will increase road and bridge operations and maintenance from 30 percent of the overall Transportation 2035 budget to 32 percent of the Plan Bay Area budget, an increase of \$28 billion (see updated numbers in Section 2.2 of this Final EIR); these funds are available due to a decrease in the proportion and amount of money to be spent on transit system expansion compared to the last RTP. In light of this transportation investment strategy, the proposed Plan clearly supports a continuation of personal automobile use. MTC must fund a transportation system that serves a growing population and many lifestyles, while achieving GHG emissions reduction targets assigned by the State; and this requires supporting transit as well as roadway systems. The proposed land use pattern attempts to concentrate growth within transit-served locations, thereby lessening future growth and traffic pressures on rural roadways.

C41-5: This EIR evaluates Plan Bay Area as a single, regional project and assesses its impacts at a regional level across all nine counties, which is consistent with CEQA provisions regarding program EIRs. See Master Response A.3 regarding specificity of a program EIR.

C41-6: Funding of Plan implementation is not an environmental issue under CEQA, and thus is not analyzed in the EIR.

- C41-7: The Draft EIR provides a regional-scale evaluation of public services, including police, fire and schools, in the Draft EIR, Chapter 2.14, Public Services. The chapter analyzes the potential impacts and provides adequate mitigation measures to lessen these impacts. Local jurisdictions will continue to be responsible for ensuring that adequate funds are identified to support public services for new local development. See Master Response A.1 and response C41-3 regarding local control and implementation.
- C41-8: MTC and ABAG acknowledge that the EIR found 39 significant and unavoidable impacts, partially due to the fact that they do not have land use authority to mitigate these impacts. MTC and ABAG may find that the proposed Plan would create significant environmental impacts, but that these impacts would be outweighed by other benefits, including having fewer impacts than the No Project alternative. Please refer to Master Response G on water supply. For an analysis of the exposure to hazardous materials, please refer to the Draft EIR, Chapter 2.13, Hazards. For an analysis of the proposed Plan's impacts on wastewater treatment capacity, please refer to Draft EIR, Chapter 2.12, Public Utilities and Facilities. For a detailed description of the sea level rise analysis conducted in the Draft EIR, please refer to Chapter 2.5, Climate Change and Master Response E on sea level rise. Please refer to the Draft EIR, Chapter 2.9, Biological Resources, for the full analysis of the proposed Plan's potential impacts on biological resources as well as mitigation measures to lessen these potential impacts.
- C41-9: The proposed Plan is a regional plan, and its environmental effects are evaluated at the regional level in a program EIR. Please see Master Response A.3 on the level of specificity of a program EIR.
- C41-10: Chapter 2.12 of the Draft EIR analyzes the proposed Plan's impacts on water supply. Please also refer to Master Response G on water supply. An analysis of the energy needed to provide such water is outside the scope of the Plan. See Master Response A.3 regarding the level of specificity in the EIR.
- C41-11: Please refer to responses C41-1 through 10 above.

Letter C42 Frank Egger (5/15/2013)

- C42-1: Please refer to Master Response G on water supply. Additionally, Chapter 2.12, Public Utilities and Facilities, describes the impacts and mitigation measures of the proposed Plan on water supply and wastewater collection, transport, and treatment. Note that the projected population increase will occur with or without the proposed Plan.
- C42-2: The Urban Water Management Plans (UWMPs) for the major water suppliers of the region generally cover the period of time through 2035. The latest UWMPs indicate that, except for Solano County, adequate water supplies already exist during normal years through 2035 for an aggregate population greater than that accommodated by Plan Bay Area in 2040 (Draft EIR, pp. 2.12-19 to 23). The UWMPs generally indicate few to no planned actions to undertake capital projects to acquire additional water supplies or storage; if they do, any environmental impacts from these actions would not be as a result of the proposed Plan as the UWMPs existed prior to Plan Bay Area - the two are not connected. Furthermore, the population growth and development projected for the region will occur regardless of the proposed Plan and would be the actual cause of any impacts from expansions of water supply - these impacts will occur with or without Plan Bay Area, as shown in Chapter 3.1 of

the Draft EIR. Water supply and wastewater treatment are not functions of MTC or ABAG; these are and will remain the function of local service providers whose role is to provide adequate utilities for existing and projected customers.

- C42-3: This issue is analyzed under Impact 2.12-4 in the Draft EIR, p. 2.12-56, which finds a potentially significant impact and proposes mitigation measures which would reduce the impact to less than significant, if implemented. GHG emissions from wastewater treatment are factored into land-based GHG generation and are the same across all the Plan alternatives, as the population growth is independent of Plan Bay Area.
- C42-4: Please refer to response C42-2.
- C42-5: The Draft EIR notes two statutes, which are described in the regulatory setting of Draft EIR Chapter 2.12 (pp. 2.12-43 and 44) and cited in the impact analyses, related to role of local jurisdictions regarding adequate water supply and new developments: “The enforcement of SB 610 and SB 221 by local jurisdictions should ensure that an adequate water supply is available for large residential developments prior to their approval.” (Draft EIR p. 2.12-47).
- C42-6: The current MMWD Urban Water Management Plan indicates adequate water supplies through the year 2035. The proposed Plan would result in essentially the same year 2040 population as under the No Project alternative - a three percent increase, with the proposed Plan resulting in 500 more households in Marin County than under the No Project scenario. Given the water supplies indicated by MMWD, it is extremely unlikely that additional water supplies will need to be acquired due to growth under the proposed Plan. Per the MMWD Urban Water Management Plan (UWMP) Section 3.3, the district has coordinated its future water demands through 2035 with the Sonoma County Water Agency (SCWA), and SCWA’s UWMP. Furthermore, MMWD has a contracted volume of 14,300 acre-feet per year with SCWA; as of 2035, MMWD anticipates needing no more than 8,500 acre-feet per year from this contracted volume.

It is the responsibility of individual wastewater treatment suppliers to provide adequate treatment capacity for existing and projected population in order to receive a valid NPDES permit, a federal program administered by the regional water quality control board. The Draft EIR does recognize that localized potentially significant impacts could occur on wastewater treatment capacity. As a consequence, Mitigation Measure 2.12(d) requires land development under the proposed Plan to undertake environmental assessments, “to determine whether sufficient wastewater treatment capacity exists for a proposed project. These environmental assessments must ensure that the proposed development can be served by its existing or planned treatment capacity, and that the applicable NPDES permit does not include a Cease and Desist Order or any limitations on existing or future treatment capacity. If adequate capacity does not exist, the implementing agency must either adopt mitigation measures or consider not proceeding with the project as proposed.”

The current MMWD Urban Water Management Plan indicates adequate water supplies through the year 2035 without a need to resort to desalination. In addition, in August of 2010, the District adopted Ordinance 420, which states that the District shall not approve construction, or financing for construction, of a desalination facility unless such construction is approved by a majority of District voters, voting in an election held within the District’s service area for that purpose. Therefore, this EIR does not assume any desalinated water will be used for Marin County water supplies.

- C42-7: See response C42-6.
- C42-8: The Draft EIR includes Mitigation Measures 2.12(a), (b), and (c) to reduce the impacts on water supply to a less than significant level, if implemented. For more information, refer to response C42-2.
- C42-9: The planning process and environmental review relied on the public planning documents of water supply and wastewater treatment agencies regarding their existing and planned capacity. These are cited, summarized, and analyzed quantitatively in Chapter 2.12 of the Draft EIR.
- C42-10: Issues of housing unit size, density, condo conversions, etc., remain within the discretion of local jurisdictions. Please refer to Master Response A.1 for a detailed description of local control over land use. The land development pattern in the proposed Plan and the transportation projects and programs are designed to limit future growth to existing urban footprint and growth restrictions, which, if implemented, will reduce sprawl considerably as compared with the No Project alternative. The Draft EIR demonstrates that per capita CO2 emissions from cars and light duty trucks will decline under the proposed Plan. See Master Response D.1 regarding SB 375's GHG emissions reduction targets.
- C42-11: See responses C42-1 through 10 above.

Letter C43 Adrian Jordan (5/16/2013)

- C43-1: Please refer to Master Response C on requests for extension of the public comment period for the Plan Bay Area Draft EIR. The Marin County Housing Element Supplemental EIR is a separate document with its own timeline for public comment; MTC and ABAG have no control over that EIR. Plan Bay Area explicitly recognizes that local governments continue to exercise authority over land use within their borders; as such, the proposed Plan will not and cannot rezone any property. Please also refer to the response to Sharon Rushton's letter, comment number C-33, for a response to her comments and research, which also incorporates comments made by Geoffrey H. Hornek. See also Master Response A.1 regarding local control over land use planning.

Letter C44 Katherine Jain (5/14/2013)

- C44-1: The proposed Plan reduces the amount of land that would be urbanized in comparison to the No Project alternative and thereby aims to preserve greenbelt space throughout the Bay Area region. Please also see Master Response D.2 on the connection between high-density housing near transit and reduced GHG emissions. Also note that projected population growth in the region will occur regardless of the proposed Plan.
- C44-2: See responses C42-1, 2, 3, 5, 6, 8 and 9 and please refer to Master Response G for more information on the water supply analysis in the EIR.

Letter C45 Marian Johnson (5/17/2013)

- C45-1: CEQA does not require the EIR to evaluate the economic impact of the proposed Plan. The population and job growth anticipated in the entire region is projected to occur regardless of whether Plan Bay Area is adopted. Please refer to Chapter 3.1 of the draft EIR for a

comparison of traffic conditions under the proposed Plan as compared to the No Project alternative (which presents “business-as-usual” conditions for land use and transportation). In general across the region, the No Project alternative leads to per-capita congested vehicle miles traveled (VMT) levels that are 168 percent higher than the proposed project during the AM peak, 94 percent higher during the PM peak, and 123 percent higher over the course of a typical weekday. Per-capita VMT is six percent greater than the proposed Plan, resulting in the typical Bay Area resident driving approximately 21 miles per day. (Draft EIR, p. 3.1-20.)

The EIR evaluates environmental issues and presents mitigation to address potentially significant impacts of the proposed Plan. For specific mitigation measures related to biological resources, please refer to Chapter 2.9, Biological Resources. See Master Response A.3 regarding the level of specificity in the EIR.

The comment cites no evidence of increased crime rates. In addition, crime is not an environmental impact that requires a response under CEQA.

C45-2: Please refer to Master Response C on requests for extensions of the public comment period.

Letter C46 Roger L. Duba (5/15/2013)

C46-1: Priority Development Area—the Urbanized 101 Corridor—of which you write was nominated by the Marin Board of Supervisors, which adopted a resolution authorizing submission of an application on August 7, 2007. It was adopted by the ABAG Executive Board and is therefore included in the Draft Plan. See Master Response I regarding the PDA process.

C46-2: Plan Bay Area, the region’s first integrated Regional Transportation Plan/Sustainable Communities Strategy, considers both transportation and housing as equally important issues that are fundamentally connected. The region’s robust highway and public transit networks (discussed on pages 2.1-1 through 2.1-7 of the Draft EIR) will be maintained and improved using \$292 billion in funding under the proposed Plan. These facilities provide transportation mobility across the region that allows for further housing development through the proposed Plan’s focused growth land use strategy. See Master Response D.2 for a discussion of how higher-density development patterns will support reductions in per-capita greenhouse gas emissions and growth in regional transit ridership. Integrated transportation and land use planning is one of the key elements of SB 375. Transportation investments and land use development should ideally be concurrent with each other. However, the actual timing of transportation and land use investments can vary depending on funding availability, project readiness, and market forces. The proposed Plan focuses growth around existing infrastructure. Transit service is one of the requirements for an area to be a PDA, around which much of the region’s growth is anticipated to occur, See Master Response I regarding the requirements to be a PDA and the PDA process.

C46-3: The comment correctly notes that transit ridership tends to be lower in lower-density suburban and rural areas compared to higher-density urban areas. However, the proposed Plan’s focused growth land use strategy should support growth in transit ridership across the region, a strategy that reduces greenhouse gases in combination with clean vehicle initiatives. Further discussion of the strengths of dense development in increasing transit usage and reducing greenhouse gases can be found in Master Response D.2.

The Draft EIR does not analyze greenhouse gas emissions impacts on a localized level; as a program EIR, it is focused on regional impacts. See Master Response A.3 on the level of specificity of a program EIR and Master Response D.1 regarding SB 375's GHG reduction requirements.

- C46-4: As the comment notes, the Marinwood Area is within a Priority Development Area—the Urbanized 101 Corridor. This PDA was nominated by the Marin Board of Supervisors, which adopted a resolution authorizing submission of an application on August 7, 2007. It was adopted by the ABAG Executive Board and is therefore included in the Draft Plan. See Master Response I regarding the PDA process.

Letter C47 Bruce De Benedictis (5/15/2013)

- C47-1: The proposed Plan invests in all modes of public transportation, including local services (such as bus and light rail) and express services (such as heavy rail and commuter rail). This comment incorrectly states that public transit is not disaggregated by mode in the transportation impacts chapter. In fact, transit ridership (page 2.1-5), transit seat-miles (page 2.1-27), and transit utilization (page 2.1-37) data are all broken down by mode in the Draft EIR.

- C47-2: The proposed Plan focuses both on improving jobs-housing fit (bringing housing and jobs closer together) and on providing transportation alternatives to an automobile commute (such as heavy-rail BART service). These strategies work together to decrease the share of residents engaged in long-distance automobile commuting, as indicated by the reductions in per-capita VMT under Impact 2.1-4 of the Draft EIR. While some of the projects in the Draft Plan do benefit longer-distance trips, such as the Regional Express Lanes Network, most of the proposed Plan's investments are focused on improving existing communities by investing in continued local streets maintenance and transit operations and by constructing infrastructure to serve infill development and redevelopment in Priority Development Areas. Projects such as the Central Subway, AC Transit East Bay Bus Rapid Transit, and El Camino Real Bus Rapid Transit emphasize improved mobility within existing communities and support the focused growth land use pattern envisioned under the proposed Plan.

With regards to the land use impacts of transportation projects that serve long-distance travel patterns, the associated impacts of such projects are analyzed in Chapter 2.3 (under Impacts 2.3-1 and 2.3-2). Both of these impacts are identified as significant and unavoidable, but can be reduced to less-than-significant levels if local implementing agencies adopt the recommended mitigation measures.

Letter C48 Daniel G. DeBrusschere (5/15/2013)

- C48-1: The EIR does not “propose” any reallocation of street maintenance funds. As noted on page 1.2-50 of the Draft EIR, 33 percent of funding in the proposed Plan, or \$94 billion, is dedicated to operating and maintaining existing roads and bridges. As per SB 375, the region is required to reduce greenhouse gases emissions, which will be a benefit to all Californians, including those with disabilities. Future projects must comply with CEQA. Where applicable, future project-specific environmental analysis will consider potential project-specific impacts associated with commenter's concerns. See Master Response A.1 regarding local land use authority. Additionally, any possible future violations of the ADA within the

region may be remedied through legal channels as provided by the Act as well as related state and local laws.

- C48-2: This EIR does not assume that local authority and responsibility for local street maintenance would be usurped or that local jurisdictions' ADA obligations would change. The comment claims that local funding for street maintenance will be taken away from local jurisdictions that do not adopt the Plan. That is incorrect. One program that accounts for 4.9 percent of funding in the Plan, the OneBayArea Grant (OBAG) program, includes as a requirement for eligibility that the jurisdiction have an adopted housing element. However, a housing element is not the same thing as Plan Bay Area. Jurisdictions do not need to adopt Plan Bay Area to be eligible for OBAG. County Congestion Management Agencies are responsible for developing the list of OBAG projects. A certain percentage of OBAG funds in each county are to be directed to Priority Development Areas, however, this amount of funding is not equal to a jurisdiction's total funds for local streets and roads (much of which does not actually flow through MTC). No change in local government's ADA obligations, as already noted, is implied or expected. See Master Response A.1 regarding local land use authority.

Letter C49 Raymond Day (5/15/2013)

- C49-1: Your support for the No Project alternative is acknowledged.
- C49-2: MTC and ABAG followed CEQA requirements for public noticing of the EIR. See Chapter 1.2 of the Draft EIR for a description of the public participation process for development of the proposed Plan. Regarding public engagement for the EIR, please see Chapter 1.1 of the Draft EIR for a description of the Notice of Preparation and public scoping process and Section 1 of this Final EIR for a description of the public review process for the Draft EIR. Please also see Master Response C regarding the public comment period for the Draft EIR.
- C49-3: The proposed Plan used the best available data available at the time, and was developed over a series of years involving multiple scenarios. The process engaged thousands of stakeholders through dozens of community meetings, forums, and public hearings held in each county. See response C49-2 for more information regarding public engagement. The purpose of this EIR is to consider environmental impacts including impacts to infrastructure.

See Master Response B.1 regarding population projections.

The regional land development pattern, or distribution of growth to individual jurisdictions, is not a forecast. It is a blueprint for growth to achieve the goals and objectives of the Sustainable Communities Strategy (SCS) and was developed through a variety of land use and transportation scenarios that distributed the total amount of growth projected for the region to specific locations. These scenarios sought to address the needs and aspirations of each Bay Area jurisdiction, as identified in locally adopted general plans and zoning ordinances, while meeting Plan Bay Area performance targets adopted by the agencies to guide and gauge the region's future growth.

The framework for developing these scenarios consisted of the Priority Development Areas (PDAs) and Priority Conservation Areas (PCAs) nominated by local governments. ABAG and MTC incorporated local feedback from individual jurisdictions relying on their best assessment of feasible growth over the plan period and then applied a series of additional

factors to achieve the goals of the SCS, as set by SB 375 and ARB. The scenarios were then developed through a transparent, deliberative process, during which public input was sought at every step along the way. After further modeling, analysis and public engagement, the five initial scenarios were narrowed down to a single preferred land use scenario.

As required by SB 375, the land use distribution in the proposed Plan identifies the locations that can accommodate future growth, including the scale and type of growth most appropriate for different types of locations. In order to meet the Bay Area's greenhouse gas (GHG) emissions reduction and housing targets, set by SB 375 and ARB, and to make progress toward meeting MTC and ABAG's adopted performance targets, the proposed Plan encourages future job and population growth in existing communities with access to existing or planned transportation investments.

For more on how the proposed Plan distributed projected regional growth, see the Supplemental Report *Forecast of Jobs, Population and Housing*.

- C49-4: Impacts to infrastructure including water, sewer, schools, and highways are assessed in Chapter 2.12, Public Utilities; Chapter 2.14, Public Services; and Chapter 2.1, Transportation of the Draft EIR. Please also refer to Master Response G for a detailed discussion of water supply for this regional Plan.
- C49-5: See Master Response B.1 regarding population projections.
- C49-6: See Master Response D.2 for more information on the relationship between high density housing near transit and reduced greenhouse gas emissions. See also Master Response A.3 regarding the level of specificity in the EIR.
- C49-7: See Master Response D.2 for more information on the relationship between high density housing near transit and reduced greenhouse gas emissions.
- C49-8: The proposed Plan does not seek to increase segregation by income but rather the opposite by creating more housing choices for households at all income levels.

MTC and ABAG support Habitat for Humanity single family home rehabilitation, second units, equity sharing programs, senior housing and other policies and programs to increase diversity and housing choices, and also recognize that the most successful developments are those that mix market rate housing with more affordable options to house a range of households at different income levels. SB 375 requires metropolitan areas to create a Sustainable Communities Strategy (SCS) for the Regional Transportation Plan that aligns land use and transportation planning in order to reduce greenhouse gas emissions from cars and light-duty trucks. Addressing these different mandates requires achieving a balance between the more focused growth pattern necessary to achieve GHG emission reductions and the need to ensure that every jurisdiction contributes its "fair share" toward meeting the region's housing need.

The land development pattern in the proposed Plan directs housing growth to areas throughout the region (including PDAs and non-PDA areas) with high levels of transit service, low vehicle miles traveled (which is strongly correlated with GHG emissions), high employment in 2040, a high number of low-income workers commuting from other places, and high housing values. Particular emphasis was placed on home values, which was given a

weight of three in the formula, while low-income in-commuting was given a weight of two, and 2040 employment was given a weight of one. Each jurisdiction was ranked and scored on each of the three factors, and then the three were combined. A jurisdiction with a larger positive combined factor score received more housing units, while a jurisdiction with a smaller negative combined factor score received fewer housing units. These factors aim to expand housing and transportation options; increase access to jobs, particularly for low-income workers; and promote housing growth in places with high-quality services, such as parks, and schools. In particular, the methodology directs more housing to jurisdictions that currently offer the fewest affordable housing options. PDAs exist in a variety of wealthy jurisdictions and the presence (or lack) of a PDA does not prevent a jurisdiction from receiving its fair share of housing growth.

C49-9: MTC recognizes the importance of all modes of passenger transportation, including automobiles, public transit, walking, and bicycling. While public transit may not be appropriate for all trip purposes, Plan Bay Area invests in existing and new public transit services to make it a more time-competitive option for individuals across the region. At the same time, the proposed Plan funds improvements to the highway system, including freeway interchange operational improvements, new high-occupancy vehicle lanes, and a network of regional express lanes, all of which are designed to improve the transportation system for individuals who continue to drive to their daily destinations. The proposed Plan also devotes a significant portion of its budget to operating and maintaining the existing roadway system. The Draft EIR, on p. 1.2-49, notes that the proposed Plan allocates over 80 percent of its budget to committed projects, which include many highway and roadway projects, and the remaining discretionary funds are allocated mainly to “fix it first” projects with 88 percent of Plan revenues going to operations and maintenance: “Compared to Transportation 2035, the proposed Plan Bay Area would spend a higher percentage of its budget on transit and roadway operations and maintenance, less on expansion of transit network, and roughly the same percent on road and bridge expansion.”

In addition, as Table 1.2-10 of the Draft EIR shows, the proposed Plan will increase road and bridge operations and maintenance from 30 percent of the overall Transportation 2035 budget to 32 percent of the Plan Bay Area budget, an increase of \$28 billion (see updated numbers in Section 2.2 of this Final EIR); these funds are available due to a decrease in the proportion and amount of money to be spent on transit system expansion compared to the last RTP. In light of this transportation investment strategy, the proposed Plan clearly supports a continuation of personal automobile use. MTC must fund a transportation system that serves a growing population and many lifestyles while hitting targets assigned by the State, and this requires supporting transit as well as roadway systems. The proposed land use pattern attempts to concentrate growth within transit-served locations, thereby lessening future growth and traffic pressures on rural roadways.

Letter C50 Vickie Day (5/15/2013)

C50-1: Your support for the No Project alternative is noted.

C50-2: This issue is directly addressed in Chapter 2.2 of the Draft EIR, under Impacts 2.2-5(a), (b), and (c), pp.2.2-38 through 83. The Draft EIR proposes Mitigation Measure 2.2(d) to reduce these impacts to the extent feasible.

Letter C51 Sidney (Susan) Dent (5/16/2013)

- C51-1: The EIR evaluates the potential environmental impacts and changes that could occur as a result of the proposed Plan. Please refer to Chapter 2.9, Biological Resources, for an analysis of the possible biological impacts of the proposed Plan.
- C51-2: The population and job growth anticipated in the region will happen regardless of the Plan; see Master Response B.1 on population projections. Chapter 2.1 of the Draft EIR found that compared to existing conditions, the proposed Plan would not have a significant impact on commute travel times, non-commute travel times, or per capita vehicle miles travelled, although it would have a significant and unavoidable impact on per capita congested vehicle miles traveled; Chapter 3.1 found that the No Project alternative would also have this significant and unavoidable impact with congestion substantially greater than the proposed Plan as a result of fewer road and transit expansion projects. Chapter 2.5 found that the proposed Plan would not have adverse significant impacts related to GHG emissions. Water supply is assessed in Chapter 2.12 which found that at a regional level there are no significant impacts as the Urban Water Management Plans (UWMPs) for the major water suppliers of the region indicate adequate water supplies for the amount of the region's projected growth, at a regional level. See also Master Response G regarding water supply. In the case of a localized water shortage caused by the distribution of growth under the proposed Plan, mitigation measures 2.12(a) through (c) would reduce the impact to less than significant, if applied by the implementing agency. See Master Response A.3 regarding the level of specificity in the EIR.
- C51-3: The proposed Plan is designed specifically to reduce per capita GHG emissions from cars and light trucks, per SB 375. See Chapter 2.5 of the Draft EIR for more details. See Master Response D.1 regarding SB 375 GHG reduction targets.

Letter C52 Sidney Dent (5/15/2013)

- C52-1: See responses to letter C51.

Letter C53 Eric Egan (5/16/2013)

- C53-1: Please refer to Master Response C on requests for extensions of the public comment period.
- C53-2: As the comment notes, the Marinwood Area is within a Priority Development Area—the Urbanized 101 Corridor. This PDA was nominated by the Marin Board of Supervisors, who adopted a resolution authorizing submission of an application on August 7, 2007. It was adopted by the ABAG Executive Board and is therefore included in the proposed Plan. Any change to the PDA would need to come at the request of the Marin County Board of Supervisors.

Letter C54 Stephen Einhaus (5/15/2013)

- C54-1: Your support for the No Project alternative is acknowledged. As the comment notes, the Marinwood Area is within a Priority Development Area—the Urbanized 101 Corridor. This PDA was nominated by the Marin Board of Supervisors, who adopted a resolution authorizing submission of an application on August 7, 2007. It was adopted by the ABAG

Executive Board and is therefore included in the Draft Plan. Any change to the PDA would need to come at the request of the Marin County Board of Supervisors.

Letter C55 Charles Cagnon (5/16/2013)

C55-1: Economic issues such as price elasticity are beyond the scope of CEQA. See Master Response B.1 for further information on the population projections.

The proposed Plan seeks to create more housing choices for households at all income levels, regardless of ethnicity.

Many public workshops were held around the region during development of the proposed Plan and after the release of the Draft Plan, including a public hearing in each of the nine Bay Area counties; public comments made on the EIR at those Draft Plan hearings can be found in category “E” in Section 3 of this Final EIR. See Chapter 1.2 of the Draft EIR for a description of the public participation process for development of the proposed Plan.

C55-2: See Master Response B.1 for more information on population projections. The Draft EIR notes, on p. 2.3-5, that supply and demand of housing type, which would likely manifest as price, is taken into account: “The projected oversupply of single-family homes is expected to reduce demand for other housing types by almost 170,000 units as some households that would otherwise choose multifamily units instead opt for single family homes made more affordable due to excess supply.” MTC and ABAG acknowledge that the land use pattern in the proposed Plan deviates from the “business as usual” development scenario in the No Project alternative. It does so in order to fulfill the GHG emissions reduction mandates of SB 375, better attain the adopted objectives of Plan Bay Area, and to avoid or reduce environmental impacts.

C55-3: These comments do not raise environmental concerns that require a response under CEQA. See Master Response F regarding displacement.

C55-4: See response C55-1. For the EIR process, MTC and ABAG followed CEQA requirements for public noticing of the EIR. Regarding public engagement for the EIR, please see Chapter 1.1 of the Draft EIR for a description of the Notice of Preparation and public scoping process and Section 1 of this Final EIR for a description of the public review process for the Draft EIR.

Letter C56 Bob Cohen (5/16/2013)

C56-1: This comment suggests that climate models currently used by the scientific community do not account for all of the processes that may affect global temperatures; therefore these models should not be used to develop environmental policy. The global climate science community is continually advancing the state of the science with respect to understanding historic climate change and developing models to assist in the larger understanding of how the climate may change over time in the future. The Draft EIR relies on the best information and science available, at the time of this Draft EIR, to evaluate alternatives and compare findings. Although no single global climate model may accurately predict the future, the use of these models for comparison purposes is reasonable and defensible for the purposes of a Draft EIR.

Regardless of any differences of opinion on the causes and existence of climate change, Plan Bay Area is required to adhere to the GHG emissions reductions targets established by SB 375.

- C56-2: This comment extends comment C56-1 to questions regarding the rates of sea level rise used in the Draft EIR, due to uncertainties associated with the accuracy of the available global climate models. The commenter suggests that sea level is not dependent on changes in CO₂. The Draft EIR relies on the best science available at the time of this Draft EIR, and information on the appropriate sea level rise rates to use for the San Francisco Bay region were derived from multiple sources, including IPCC, the California Climate Action Team's 2010 Interim Guidance Document ⁴, and the recent 2012 National Research Council Report ⁵. Although there is a degree of uncertainty associated with estimates of future rates of sea level rise, as each respective study reports, there is agreement between the respective studies that sea level rise in the San Francisco Bay region is increasing beyond historical rates of sea level rise. The commenter is not questioning the general findings of the Draft EIR, but questioning the available climate science data.
- C56-3: The commenter suggests that sea level rise trends are not increasing and predictions of extreme sea level rise are incorrect. See response C56-2.
- C56-4: The commenter suggests that any conclusions reached using regional climate models are wrong and have no basis in this report. See responses C56-1 and 2.
- C56-5: The commenter suggests that any decreases in CO₂ that might occur in the Bay Area will have little, if any, effect on either temperatures or the rate of sea level rise. Regardless of any differences of opinion on the causes and existence of climate change, Plan Bay Area is required to adhere to the GHG emissions reductions targets established by SB 375.
- C56-6: Your opposition to the proposed Plan and the EIR are noted.

Letter C57 Anne Cole (5/15/2013)

- C57-1: Your support for the No Project alternative is acknowledged.
- C57-2: See response C49-2.
- C57-3: See responses C49-3 and C49-4.
- C57-4: See responses C49-5 and C49-8.

⁴ Sea-Level Rise Task Force of the Coastal and Ocean Working Group of the California Climate Action Team. State of California Sea-Level Rise Interim Guidance Document. Developed with science support provided by the Ocean Protection Council's Science Advisory Team and the California Ocean Science Trust, October 2010.

⁵ National Research Council. Sea-level rise for the Coasts of California, Oregon, and Washington: Past, Present, and Future. Prepared by the Committee on Sea Level Rise in California, Oregon, and Washington and the National Research Council Board on Earth Sciences and Resources and Ocean Studies Board Division on Earth and Life Studies. Pre-publication copy, 2012

- C57-5: Please refer to Master Response D.2 on the connection between high-density housing near transit and reduced greenhouse gas emissions. As the proposed Plan is a regional level plan, GHG analysis is done on a regional level, and county-specific analysis is not part of the regional-level EIR. See Master Response A.3 regarding the level of specificity in the EIR.
- C57-6: See Chapter 3.1 of the Draft EIR for the analysis of GHG emissions reduction performance by the project alternatives. In terms of alternative methods of reduction, SB 375's mandate that the SCS must reduce per capita GHG emissions from cars and light trucks to the assigned targets requires MTC and ABAG to reduce vehicle miles travel by these modes, with the main strategies available being reducing trip length by placing housing closer to jobs and vice-versa and shifting more trips onto other travel modes (transit, walking, biking). See Master Response D.1 regarding the calculations in the SB 375 GHG analysis. For a description of the connection between transit and reduced greenhouse gas emissions, refer to Master Response D.2, which also contains information on the greenhouse gas emissions of public transit versus that of cars and light trucks.
- C57-7: See response C49-8.
- C57-8: CO₂ and PM emissions from all transportation modes are included in the modeling used in Chapters 2.2 (air quality) and 2.5 (GHG) of the Draft EIR. As the proposed Plan is a regional level plan, GHG analysis is done on a regional level, and county-specific analysis is not part of the regional-level EIR. See Master Response A.3 regarding the level of specificity in the EIR. See Master Response D.1 regarding the calculations in the SB 375 GHG analysis.

Letter C58 Leal Charonnat (5/1/2013)

- C58-1: MTC and ABAG acknowledge your concern regarding the importance of infill development. While the proposed Plan aims to direct development into PDAs, which represent infill areas region-wide that are suitable for development intensification, ultimately it remains a choice and responsibility of local governments to direct development to infill locations and to build out their allocated urban areas. Please refer to Master Response A.1 for more information on local control over land use.

Letter C59 Peter Hensel (5/15/2013)

- C59-1: Please refer to Master Response G on a description of water supply requirements for this regional program-level EIR. The most recent versions of Urban Water Management Plans (UWMPs) were prepared in 2010 per the additions to the Urban Water Management Planning Act in 2005. These plans specify the specific water needs and facilities for each urban water management agency. The water supply analysis in Chapter 2.12 found that mitigation measures 2.12(a) through (c) would reduce impacts to less than significant, but had to find a significant and unavoidable impact since MTC and ABAG cannot require local implementing agencies to adopt the mitigation measures, and it is ultimately the responsibility of a lead agency to determine and adopt mitigation. As discussed under Impact 2.12-1, the UWMPs for the major water suppliers of the region indicate adequate water supplies for the amount of the region's projected growth, at a regional level. This amount of population growth and development projected for the region will occur regardless of the proposed Plan and would be the actual cause of any impacts from expansions of water supply - these impacts will occur with or without Plan Bay Area, as shown in Chapter 3.1 of the Draft EIR.

As per SB 610 and SB 221, which are described in the regulatory setting of Draft EIR Chapter 2.12 (pp. 2.12-43 and 44) and cited in the impact analyses: “The enforcement of SB 610 and SB 221 by local jurisdictions should ensure that an adequate water supply is available for large residential developments prior to their approval.” (Draft EIR p. 2.12-47).

- C59-2: Projecting and managing water demand is a responsibility of individual water supply agencies. The EIR analysis relies on the analysis in local UWMPs.
- C59-3: It would be too speculative for this EIR to assess the impacts of unforeseeable extreme weather shifts during the lifetime of the proposed Plan, and beyond the scope of the analysis required under CEQA.
- C59-4: This comment is general and not related the implementation of the proposed Plan. Please refer to Master Response G on water supply for a detailed description of water supply analysis in the EIR. The Urban Water Management Plans relied upon in this EIR are required to analyze supply and demand scenarios for multiple-dry years.
- C59-5: The current MMWD Urban Water Management Plan indicates adequate water supplies through the year 2035 without a need to resort to desalination. The proposed Plan would result in essentially the same year 2040 population as under the No Project alternative - a three percent increase, with the proposed Plan resulting in 500 more households in Marin County than under the No Project scenario. Given the water supplies indicated by MMWD, it is unlikely that additional water supplies will need to be acquired due to growth under the proposed Plan.
- C59-6: The Draft EIR describes these statutes in the regulatory setting of Chapter 2.12, on pages 2.12-43 and 44. The proposed Plan does not directly authorize any development and is therefore not a “project” as defined by Water Code section 10912, rather it is a long-term transportation investment and land use pattern strategy. Therefore the Plan is not subject to the requirements of SB 610 or SB 221. Land development projects developed under the proposed Plan must undergo their own environmental review and adhere to those statutes if they apply. See Master Response A.2 regarding additional CEQA review for projects and Master Response G for a detailed description of the water supply impact analysis required of a regional-scale program EIR. Furthermore, note that the population growth anticipated for the region will occur with or without the proposed Plan.
- C59-7: See response C59-6, Master Response A.1 on local control over land use, and Master Response B.1 on population projections. SB 375 explicitly states that an SCS does not and may not usurp local land use control. The population projections were undertaken to estimate the region’s growth through 2040, and are independent of the Plan and EIR. Priority Development Areas (PDAs) were nominated and approved by local jurisdictions, not selected by MTC or ABAG. Local jurisdictions are not obligated to endorse, pursue, or adopt Plan Bay Area, and face no punishment if they do not do so; they will forgo eligibility for some OneBayArea Grant funds, which are intended to help plan for the growth anticipated. The proposed Plan is a separate project from the RHNA, which will use the growth blueprint Plan Bay Area as one of several considerations.
- C59-8: This issue is analyzed under Impact 2.12-4, which found that mitigation measures 2.12(a) through (h), adopted and implemented by an individual project as feasible, would reduce the impact to less than significant, but had to find a significant and unavoidable impact since

MTC and ABAG cannot require local implementing agencies to adopt the mitigation measures, and it is ultimately the responsibility of a lead agency to determine and adopt mitigation. As discussed under Impact 2.12-1, the Urban Water Management Plans (UWMPs) for the major water suppliers of the region indicate adequate water supplies for the amount of the region's projected growth, at a regional level. This amount of population growth and development projected for the region will occur regardless of the proposed Plan and would be the actual cause of any impacts from expansions of water supply - these impacts will occur with or without Plan Bay Area, as shown in Chapter 3.1 of the Draft EIR. In the case of a localized water shortage caused by the distribution of growth under the proposed Plan, mitigation measures 2.12(a) through (h) will reduce the impact to less than significant, if applied by the implementing agency.

C59-9: Your support for the No Project alternative is acknowledged.

Letter C60 Peter Hensel (5/15/2013)

C60-1: The proposed Plan is designed to meet the mandates of SB 375 to ensure adequate housing for anticipated growth and reduce per capita GHG emissions from cars and light trucks, with the intention of reducing the long-term adverse effects of climate change. The proposed Plan has also been designed to pursue the objectives adopted by MTC and ABAG, as described in Chapter 1.2 of the Draft EIR, which include improving health, safety, circulation, and the economy concurrently. This approach is consistent with Section 21001 (b) of the Public Resource Code

C60-2: Potential impacts to biological resources are analyzed relative to appropriate thresholds of significance. As presented in Chapter 2.3, Land Use in Table 2.3-2, detached/ single-family homes constituted 56 percent of the share of demand in 2010, and are predicted to constitute 39 percent of demand as of 2040, the highest percentage of all building types. Therefore, under the proposed Plan, single-family neighborhoods will remain as the primary type of housing in the Bay Area through 2040.

C60-3: As required by CEQA, the EIR evaluated the impacts of the proposed Plan on biological resources. See Draft EIR Chapter 2.9 and Master Response A.3.

Letter C61 Eleanor S. Hansen (5/14/2013)

C61-1: MTC and ABAG believe the analysis of potential environmental impacts in the Draft EIR is thorough and adequate. As required by CEQA, this EIR evaluates the categories of potential impacts as reviewed through the public scoping process and presents mitigation measures to reduce identified impacts to the extent feasible. Chapters 1.1 of the Draft EIR also states that, “[f]or analytic purposes in this EIR, 2010 is the base year (existing conditions), except for greenhouse gas emissions where 2005 is the base year for one criterion to demonstrate compliance with SB 375. 2040 is the horizon year (future conditions) when it is assumed that the proposed Plan will be fully implemented.”

C61-2: Every chapter of Part Two of the Draft EIR contains a summary of existing physical settings for the topic area. This provides the baseline of existing conditions for the EIR.

C61-3: Traffic impacts of the proposed plan are presented in Chapter 2.1, Transportation. The EIR presents analysis of projected traffic conditions after full implementation of the Plan in 2040,

and provides mitigation for related environmental effects on that time horizon. This approach is appropriate for a regional, program-level analysis. See Master Response A.3 regarding the level of specificity in the EIR.

C61-4: The traffic impacts in Chapter 2.1 of the Draft EIR compare expected conditions under the proposed Plan in 2040, the year of the plan horizon, to existing conditions in 2010. As stated on page 2.1-1 of the Draft EIR, “Note that all of the existing conditions data for transportation reflects travel patterns and infrastructure for the baseline year of 2010. More information about the selection of this baseline analysis year is provided in Part 1 of this EIR.”

Qualifying projects that use the CEQA streamlining provisions of SB 375 must apply all of the applicable and feasible mitigation measures in this EIR and will still need to obtain discretionary permits or other approvals from the lead agency and the local jurisdiction, in accordance with local codes and procedures, including any agreements related to zoning, design review, use permits, and other local code requirements. See Master Response A.2 for more information on CEQA streamlining.

C61-5: CEQA requires the evaluation of a No Project alternative as it performs in the same horizon year as the proposed Plan, in this case 2040; this is the approach taken by this EIR. As page 1.1-9 of the Draft EIR states: “As with the evaluation of the proposed Plan, this EIR evaluates impacts of the No Project alternative and the other alternatives in 2040, the horizon year for the proposed Plan.” The Draft EIR does not substitute the No Project alternative for existing conditions. See response C61-1 regarding the 2010 base year for existing conditions.

C61-6: The subjects listed are discussed in Chapters 2.1 through 2.14, Chapter 3.1, and Chapter 3.2 of the Draft EIR.

C61-7: See responses C61-4, 5, and 6. The Draft EIR analyzed the Plan’s potential growth inducing impacts in Chapter 3.2. As Chapter 3.2 explains, the Plan provides a strategy to accommodate projected regional population growth but should not be considered growth-inducing.

C61-8: This EIR evaluates Plan Bay Area as a single, regional project and assesses its impacts at a regional level across all nine counties, which is consistent with CEQA provisions regarding program EIRs. As stated in Chapter 2.0 of the Draft EIR, “as a program-level EIR individual project impacts are not addressed in detail; the focus of this analysis is to address the impacts which, individually or in the aggregate, may be regionally significant.” As a result, site specific impacts are properly not included; these would be analyzed and mitigated, if appropriate, by project-level environmental review. See Master Response A.2 for information on additional environmental review and A.3 regarding the level of specificity in the EIR. Also see response C61-4 regarding the baseline for the transportation analysis.

C61-9: The proposed Plan includes relatively little roadway expansion, devoting just 5 percent of its available funds to do so (see Draft EIR, Table 1.2-10) while the regional population increases by 30 percent (Table 1.2-1). MTC and ABAG believe the traffic modeling and analysis in Chapter 2.1 are thorough and accurate. As discussed in Chapter 3.2, the Plan is designed to help local agencies accommodate regional population growth that will occur

with or without the Plan. The EIR discloses projected population growth, but the Plan is not growth inducing.

C61-10: CEQA streamlining under an SCS is a State mandate under SB 375 and beyond the authority of MTC and ABAG. See Master Response A.2 regarding CEQA streamlining.

C61-11: See responses C61-1 through C61-10.

Letter C62 Lorriana Leard (5/15/2013)

C62-1: As the comment notes, the Tam Valley is within a Priority Development Area—the Urbanized 101 Corridor. This PDA was nominated by the Marin Board of Supervisors, who adopted a resolution authorizing submission of an application on August 7, 2007. It was adopted by the ABAG Executive Board and is therefore included in the Draft Plan. Any change to the PDA would need to come at the request of the Marin County Board of Supervisors. See Master Response I

This EIR evaluates Plan Bay Area as a single, regional project and assesses its impacts at a regional level across all nine counties, which is consistent with CEQA provisions regarding program EIRs. As stated in Chapter 2.0 of the Draft EIR, “as a program-level EIR individual project impacts are not addressed in detail; the focus of this analysis is to address the impacts which, individually or in the aggregate, may be regionally significant.” As a result, specific housing developments and site specific impacts such as on local roadways are not included in this EIR; these would be analyzed and mitigated, if appropriate, by project-level environmental review. See Master Response A.3 regarding the level of specificity in the EIR.

Letter C63 Jill Kai (5/15/2013)

C63-1: Your support for the No Project alternative is acknowledged. As the comment notes, Marinwood is within a Priority Development Area—the Urbanized 101 Corridor. This PDA was nominated by the Marin Board of Supervisors, who adopted a resolution authorizing submission of an application on August 7, 2007. It was adopted by the ABAG Executive Board and is therefore included in the Draft Plan. Any change to the PDA would need to come at the request of the Marin County Board of Supervisors.

C63-2: The Draft EIR, on p. 1.2-49 and 50, notes that the proposed Plan allocates \$109 billion to highway and roadway projects. Overall, the Plan’s greatest emphasis is on “fix it first” projects, with 88 percent of funds going to transit and roadway operations and maintenance. “Compared to Transportation 2035, the proposed Plan Bay Area would spend a higher percentage of its budget on transit and roadway operations and maintenance, less on expansion of transit network, and roughly the same percent on road and bridge expansion.” In addition, as Table 1.2-10 of the Draft EIR shows, the proposed Plan will increase road and bridge operations and maintenance from 30 percent of the overall Transportation 2035 budget to 32 percent of the Plan Bay Area budget, an increase of \$28 billion (see updated numbers in Section 2.2 of this Final EIR); these funds are available due to a decrease in the proportion and amount of money to be spent on transit system expansion compared to the last RTP. In light of this transportation investment strategy, the proposed Plan clearly supports a continuation of personal automobile use. MTC must fund a transportation system that serves a growing population and many lifestyles while hitting targets assigned by the State, and this requires supporting transit as well as roadway systems. The proposed land

use pattern concentrates growth within transit-served locations, thereby lessening future growth and traffic pressures on rural roadways.

Letter C64 Justin Kai (5/15/2013)

C64-1: Your support for the No Project alternative is acknowledged. As the comment notes, Marinwood is within a Priority Development Area—the Urbanized 101 Corridor. This PDA was nominated by the Marin Board of Supervisors, who adopted a resolution authorizing submission of an application on August 7, 2007. It was adopted by the ABAG Executive Board and is therefore included in the Draft Plan. Any change to the PDA would need to come at the request of the Marin County Board of Supervisors. See Master Response I.

C64-2: See response C49-8.

Letter C65 Libby Lucas (5/14/2013)

C65-1: For analysis of the regional biological impacts of the proposed Plan, including an analysis of the possible impacts on wetlands, please refer to Chapter 2.9, Biological Resources. Regarding the level of detail in the tables, this is a regional-scale program EIR which evaluates the proposed Plan’s impacts at that scale; see Master Response A.3 on the level of specificity required in a program EIR.

This EIR evaluates Plan Bay Area as a single, regional project and assesses its impacts at a regional level across all nine counties, which is consistent with CEQA provisions regarding program EIRs. As stated in Chapter 2.0 of the Draft EIR, “as a program-level EIR individual project impacts are not addressed in detail; the focus of this analysis is to address the impacts which, individually or in the aggregate, may be regionally significant.” As a result, site specific impacts such as along specific roadways and for particular wetlands are not included in this EIR; these would be analyzed and mitigated, if appropriate, by project-level environmental review. Only certain projects will qualify for CEQA streamlining (see Table 1.1-1 in the Draft EIR) and would be required to implement all of the applicable and feasible mitigation measures in this EIR, and still need to obtain discretionary permits or other approvals from the lead agency and the local jurisdiction, in accordance with local codes and procedures, including any agreements related to zoning, design review, use permits, and other local code requirements (p.1.1-13). See Master Response A.2 for detailed information on CEQA streamlining and additional environmental review. See Master Response A.3 regarding the level of specificity in the EIR.

C65-2: See response C65-1 regarding the regional nature of this EIR. When specific projects such as the I-280 ramp extensions mentioned in the comment move forward, geologic and other impacts will be evaluated at the project level.

C65-3: The analysis in Chapter 2.12 of the Draft EIR relied in part on the latest Urban Water Management Plan of the SFPUC, which indicated adequate water supplies through 2035. It is within the rights of a water supply agency to encourage or require water conservation. Please refer to Master Response G on water supply.

C65-4: Please refer to figure 2.8-3, which shows the latest FEMA 100-year floodplain maps. A discussion of sea level rise impacts can be found in EIR Chapter 2.5, Climate Change.

Letter C66 Patty Moore (5/15/2013)

- C66-1: Your support for the No Project alternative is acknowledged.
- C66-2: Please refer to Master Response C on requests for extensions of the public comment period.
- C66-3: Please refer to Master Response A.2 on CEQA streamlining. Your opposition to reduced parking requirements is acknowledged. The VMT tax concept is only included in Alternative 5, which was developed by environmental and equity stakeholders, as described in the Draft EIR, pages 3.1-7 and 8. The stakeholders sought to exempt low income residents from any future VMT tax in order to reduce the financial impact such a tax might have on low income residents. However, the modeling analysis was not able to exempt low income residents; therefore the analysis in the Draft EIR includes a VMT tax applied to all residents regardless of income level.

Letter C67 Hilary Mize (5/15/2013)

- C67-1: Your support for the No Project alternative is acknowledged. As the comment notes, Marinwood is within a Priority Development Area—the Urbanized 101 Corridor. This PDA was nominated by the Marin Board of Supervisors, who adopted a resolution authorizing submission of an application on August 7, 2007. It was adopted by the ABAG Executive Board and is therefore included in the Draft Plan. See Master Response I for additional information on the PDA process.
- C67-2: Please refer to Master Response D.2 on the connection between high-density housing near transit and reduced greenhouse gas emissions.

Letter C68 Ryan Mize (5/15/2013)

- C68-1: Your support for the No Project alternative is acknowledged. As the comment notes, Marinwood is within a Priority Development Area—the Urbanized 101 Corridor. This PDA was nominated by the Marin Board of Supervisors, who adopted a resolution authorizing submission of an application on August 7, 2007. It was adopted by the ABAG Executive Board and is therefore included in the Draft Plan. See Master Response I for additional information on the PDA process.
- C68-2: The Plan provides a strategy for accommodating projected regional population growth, in part by identifying higher density housing opportunities in transit-served locations. Potential emissions from all transportation modes are included in the modeling used in Chapters 2.2 (air quality) and 2.5 (GHG) of the Draft EIR. As the proposed Plan is a regional level plan, GHG analysis is done on a regional level, and county-specific analysis is not part of the regional-level EIR. See Master Response A.3 regarding the level of specificity of the EIR. See Master Response D.1 regarding the calculations in the SB 375 GHG analysis.

Letter C69 Paul and Elizabeth McDermott (5/16/2013)

- C69-1: The EIR for the proposed Plan is a programmatic document and evaluates impacts on a regional scale, covering impacts—including cumulative impacts—throughout the entire nine-county region of the Bay Area. See Master Response A.3 regarding the level of specificity of the EIR.

- C69-2: Chapter 2.13 of the Draft EIR evaluates potential impacts from hazardous materials and notes that projects are already required to comply with the Resource Conservation and Recovery Act, Title 22 of the California Code of Regulations, California Hazardous Waste Control Law, Cal/EPA requirements, HAZMAT training requirements, and any local regulations such as city or county Hazardous Materials Management Plans regulating the generation, transportation, treatment, storage, and disposal of hazardous materials and waste. Please refer to Master Response G for a description of the water supply analysis as conducted in the EIR.
- C69-3: For the analysis on these facilities, please refer to the EIR Chapter 2.12, Public Utilities and the mitigation measures proposed to reduce any potentially significant impacts on wastewater treatment and stormwater drainage facilities.

Letter C70 Joe McBride (5/15/2013)

- C70-1: Commenter's support for the No Project alternative is acknowledged. The decision-makers will weigh the advantages and disadvantages of each alternative in determining which option to adopt. MTC and ABAG followed CEQA requirements for public noticing of the EIR. See Chapter 1.2 of the Draft EIR for a description of the public participation process for development of the proposed Plan. Regarding public engagement for the EIR, please see Chapter 1.1 of the Draft EIR for a description of the Notice of Preparation and public scoping process and Section 1 of this Final EIR for a description of the public review process for the Draft EIR.

C70-1.5: The EIR provides an open analysis of the proposed Plan and its environmental impacts, including those on public utilities and services; see Chapters 2.12 and 2.14 of the Draft EIR. Additionally, as shown in Chapter 3.1, the proposed Plan development pattern would only add around 500 more households to all of Marin County by 2040 compared to under the No Project alternative; much of the County's growth will occur regardless of the proposed Plan due to regional population and job growth.

- C70-2: The EIR is an environmental document that identifies potential environmental impacts and changes that could appear as a result of the proposed Plan. The proposed Plan is a regional-level Plan and therefore all analysis has been conducted on a regional scale; see Master Response A.3 regarding the specificity of a program EIR. For a detailed description of the water supply analysis as presented in the EIR, please refer to Master Response G on water supply. The Marin Municipal Water District's Urban Water Management Plan lays out the specific water-related adaptation and mitigation measures that plan for water infrastructure needs through 2035; these policies are solely at the discretion of MMWD and beyond the authority of MTC and ABAG.

- C70-3: See response C49-5, which describes how the forecast begins with jobs and therefore does not prioritize housing development over job creation. See Master Response D.2 for more information on the relationship between high density housing near transit and reduced greenhouse gas emissions. Chapter 2.5 of the Draft EIR analyzes whether the proposed Plan would attain the per capita GHG emissions reduction targets for cars and light trucks as required by SB 375 (it does) and also whether it would result in a net increase in direct and indirect GHG emissions in 2040 when compared to existing conditions (it does). Pages 2.5-55 and 56 of the Draft EIR show that overall GHG emissions from transportation would decrease under the proposed Plan.

C70-4: Please refer to Master Response D.2 on the connection between high-density housing near transit and reduced greenhouse gas emissions.

C70-5: See response C49-8.

C70-6: See response C49-9.

Letter C71 Jessica Middleton (5/16/2013)

C71-1: Commenter correctly summarizes the number of significant, irreversible environmental changes and significant unavoidable environmental impacts of the proposed Plan. The MTC Commission and ABAG Board will vote whether to approve the proposed Plan or on of the alternatives analyzed in the EIR in light of these findings.

C71-2: Please refer to Master Response G on water supply.

C71-3: For an analysis of the exposure to hazardous materials, please refer to the EIR Chapter 2.13, Hazards.

C71-4: For an analysis of the proposed Plan's impacts on wastewater treatment capacity, please refer to Draft EIR Chapter 2.12, Public Utilities.

C71-5: Please refer to the Draft EIR Chapter 2.2, Air Quality, for the proposed Plan's potential impacts related to toxic air contaminants and particulate matter.

C71-6: For a detailed description of the sea level rise analysis conducted in the Draft EIR, please refer to Chapter 2.5 as well as Master Response E on sea level rise.

C71-7: Please refer to the Draft EIR, Chapter 2.9, Biological Resources, for the full analysis of the proposed Plan's potential impacts on biological resources as well as mitigation measures to combat these potential impacts.

C71-8: Please refer to response C71-7.

C71-9: Commenter provides no specific examples of how the EIR is inadequate. Therefore, MTC and ABAG cannot meaningfully respond. However, MTC and ABAG disagree with the general assertion that the EIR fails to comply with the requirements of CEQA. See also Master Response B.1 regarding the population projections.

Letter C72 Michael Meyer (5/15/2013)

C72-1: Please refer to Master Response B.1 on population and job projections.

C72-2: Draft EIR Chapter 2.14, Public Utilities addresses the proposed Plan's potential impacts on water supply and wastewater resources. Additionally, please refer to Master Response G on water supply. Climate change impacts are analyzed in Chapter 2.5, including sea level rise, and also see Master Response E on sea level rise. In addition, flood hazards are addressed in the EIR in Chapter 2.8, Water Resources.

C72-3: The proposed Plan cannot "force" housing development anywhere; as noted repeatedly in the Draft EIR, MTC and ABAG do not have land use authority. See Master Response A.1

on local land use control. Local infrastructure capacity will be evaluated for individual land use plans and developments through project-level environmental review. All projects under the proposed Plan, including those qualifying for CEQA streamlining, will still be subject to regulations of local jurisdictions including permitting requirements and impact fees. The Draft EIR does evaluate public utilities and services at a regional level in Chapters 2.12 and 2.14.

C72-4: Commenter's support for the No Project alternative is acknowledged. Decision-makers will weigh the advantages and disadvantages of each alternative in determining which option to adopt.

Letter C73 Cindy Miracle (5/16/2013)

C73-1: Population growth is projected to occur regardless of implementation of the proposed Plan; Plan Bay Area is not advocating for this growth but rather attempting to mitigate its impacts. See Master Response B.1 regarding population projections. Draft EIR Chapter 2.12, Public Utilities, analyzes the potential impacts on water supply as a result of the proposed Plan and as discussed under Impact 2.12-1, the Urban Water Management Plans for the major water suppliers of the region indicate adequate water supplies for the amount of the region's projected growth, at a regional level. In addition, please refer to Master Response G on water supply.

C73-2: Please refer to response C73-1. In addition, the Urban Water Management Plans (UWMPs) for the major water suppliers of the region generally cover the period of time through 2035. The latest UWMPs indicate that, except for Solano County, adequate water supplies already exist through 2035 for an aggregate population greater than that accommodated by Plan Bay Area in 2040 (Draft EIR, pp.2.12-19 to 23). The UWMPs generally indicate few to no planned actions to undertake capital projects to acquire additional water supplies or storage; if they do, the water supplier would need to comply with CEQA before undertaking such capital projects.

C73-3: Please refer to response C73-1. The current MMWD Urban Water Management Plan indicates adequate water supplies through the year 2035 without a need to resort to desalination. In Marin County, the proposed Plan would result in essentially the same year 2040 population as under the No Project alternative - a three percent increase, with the proposed Plan resulting in 500 more households than under the No Project scenario. Given the ample water supplies indicated by MMWD, it is extremely unlikely that additional water supplies will need to be acquired due to growth under the proposed Plan. Furthermore, MMWD would need to comply with CEQA before undertaking future water supply projects. In addition, the decision to use desalination as a water source would be solely the decision of MMWD and is not advocated for or required by the proposed Plan. Moreover, in August of 2010, the District adopted Ordinance 420, which states that the District shall not approve construction, or financing for construction, of a desalination facility unless such construction is approved by a majority of District voters, voting in an election held within the District's service area for that purpose. It should also be noted that, as stated in *North Coast Rivers Alliance v. Marin Municipal Water District Board of Directors* (2013) 216 Cal.App.4th 614, the MMWD Board decided, as a matter of policy, even if a desalination plant is authorized by the voters in the future, MMWD will not develop a desalination plant unless all its electricity could be supplied from renewable sources. (*Id.* at p. 654.)

Contrary to commenter's assertion, the Draft EIR does not include a Statement of Overriding Considerations. However, CEQA does require that the MTC Commission and ABAG Board adopt a Statement of Overriding Considerations in the event they exercise their discretion to adopt the proposed Plan or any alternative thereto that has significant and unavoidable environmental impacts.

Letter C74 Pamela Macknight (5/14/2013)

C74-1: MTC and ABAG acknowledge that the EIR found 39 significant and unavoidable impacts, due to in part to the fact that SB 375 expressly does not provide MTC and ABAG with local land use authority. Therefore, MTC and ABAG cannot require local implementing agencies consider future land use projects to adopt the mitigation measures, and it is ultimately the responsibility of a lead agency to determine and adopt mitigation. Please see Master Response A.1 on local control over land use for additional information. To adopt the proposed Plan or an alternative analyzed in the EIR, the MTC Commission and ABAG Board would be required to adopt a Statement of Overriding Considerations as required by CEQA.

Letter C75 Paul D. Magginietti (5/16/2013)

C75-1: See pages 1.2-50 and 51 of the Draft EIR for a breakdown of how the anticipated revenues will be spent, and the updated numbers in Section 2 of this Final EIR. Plan Bay Area is a regional transportation plan which includes a proposed land development blueprint as required by SB 375; anticipated revenues are almost all earmarked for transportation expenditure. The main exception is the OBAG program, which provides grants to assist jurisdictions with planning efforts to implement the proposed Plan and livability initiatives. See Master Response F for details.

C75-2: Table 1.2-10 of the Draft EIR shows that 87percent of anticipated revenues would be spent on operations and maintenance, and the remainder on transit expansion (7%) and roadway expansion (5%). It is beyond the scope of an EIR to break down costs beyond those critical to the project description.

C75-3: Please refer to master response B.1 on population projections. Regarding your comment about transportation use expectations, Table 2.1-13 in the Draft EIR, p. 2.1-29, compares the typical weekday mode split for the region in 2010 and 2040. The table shows that 2.151 million typical weekday daily person trips would occur by transit in 2040 under the proposed Plan, seven percent of the regional total, up from five percent in 2010. It is not possible to ascertain the travel mode used specifically by the region's additional households in the future.

C75-4: The EIR examines multiple impact areas related to transportation, as summarized on page ES-9 of the Executive Summary, and as covered in Chapter 3.1 of the Draft EIR, pages 3.1-19 to 31. As noted by the Executive Summary, Alternative 3 has the least negative transportation impacts overall compared to the rest of the alternatives.

C75-5: The 66 dBA threshold is explained on p. 2.6-20 of the Draft EIR. Mitigation Measures 2.6(e), (f), and (g) would normally reduce impacts to a less-than-significant level, but as acknowledged on p. 2.6-34, "there may be instances in which site-specific or project-specific conditions preclude the reduction of all project impacts to less than significant levels, such as

where a new rail line or rail extension passes through a heavily developed residential neighborhood.” Local jurisdictions maintain all local land use authority, as explained in Master Response A.1, and have the ability to proscribe residential uses from an area due to noise and other concerns.

C75-6: Please see Draft EIR, pp. 2.3-32 to 42, for an explanation of the analytic methods and criteria used to determine the likelihood of displacement or disruption resulting from land use and transportation projects. See also Master Response F regarding displacement. Since cities and counties retain their local land use authority, MTC and ABAG would not be able to proscribe development under the proposed Plan regardless of the significance of its impacts. See Master Response A.1 regarding local land use control.

C75-7: Under CEQA, the conversion of any open space or farmland by a proposed plan is usually considered significant, which was the standard selected by MTC and ABAG after the receipt of public comments during the scoping process. No impacts are considered more or less important than others. EIRs are intended to provide for the public disclosure of potential environmental impacts to facilitate informed decision-making.

C75-7.5: Population growth is anticipated to occur, as forecasted, regardless of whether Plan Bay Area is adopted. The proposed Plan represents an attempt to accommodate that growth and seeks to concentrate development in Priority Development Areas (PDAs) that were nominated by local jurisdictions. Neither MTC nor ABAG has the authority to change local zoning or to otherwise impose a particular type of development on a community. See Master Response A.1 regarding local control over land use under the proposed Plan and Master Response I regarding the PDA process.

C75-8: The super majority discussion regarding Alternative 5 involved the feasibility of its use of a VMT tax, which may need approval from the State legislature. Nothing in the proposed Plan (Alternative 2) or the other alternatives would require such approval, only a majority vote by the MTC and the ABAG Board. An EIR must be performed and certified on a proposed plan or project prior to the decision to adopt it.

C75-8.5: The comment asks about the “incentives” for implementation of changes to land use policy. The One Bay Area Grant program is a new grant program accounting for 4.9 percent of the total Plan funding. To be eligible for OBAG funding, jurisdictions must have current adopted housing elements and complete streets policies. OBAG is funded primarily through federal Surface Transportation Program and Congestion Mitigation and Air Quality funds, which are regional discretionary funds.

C75-9: Under CEQA, a lead agency (here, MTC and ABAG) must balance the “economic, legal, social, technological, or other benefits” of a project against its unavoidable environmental risks. If the agency determines in its judgment that the project’s benefits outweigh its unavoidable environmental effects, the agency may approve the project, but must state in writing the reasons supporting its approval of the project based on the final EIR and/or other information in the record. (State CEQA Guidelines, Section 15093). Bay Area residents have an opportunity to give their input through the public participation processes required by CEQA, but the ultimate decision to approve the proposed Project or an alternative thereto rests with the elected officials from throughout the region who are on the MTC Commission and ABAG Board.

- C75-10: The Draft EIR, Chapter 2.13 (Hazards) evaluates the risk of locating projects on hazardous sites and recommends implementation of Mitigation Measure 2.13(d) to mitigate this risk (pp. 2.13-35 to 36). As this is a programmatic plan, site-specific analysis is not included in the EIR. See Master Response A.3 regarding program-level EIRs.
- C75-11: The requirement to prepare a regional transportation plan that includes a sustainable communities strategy arises under State law and there are no federal approvals that would necessitate NEPA review, so the preparation of this type of plan is subject only to CEQA. Future projects covered by the proposed Plan that receive federal funding or require federal permits may be required to undergo joint CEQA/NEPA review.
- C75-12: Per Mitigation Measure 2.11(a), structures more than 45 years of age would require, “an assessment by a qualified professional...to determine their eligibility for recognition under State, federal, or local historic preservation criteria.” As indicated in the measure, these historic preservation criteria vary by jurisdiction. However, the standards for a historical resources inventory are set forth in CEQA Guidelines Section 15064.5(b) and, when federal funding or permits are involved, Section 106 of the National Historic Preservation Act. Even though MTC and ABAG cannot require local compliance with Mitigation Measure 2.11(a), projects that seek to benefit from CEQA streamlining under SB 375 will have to implement that measure’s provisions.
- C75-13: Chapter 2.4 of the Draft EIR examines the energy impacts of the proposed Plan in depth, considering electricity, natural gas, gasoline, etc. The analysis looks at both direct and indirect energy use resulting from land use and transportation projects. The analysis concludes that implementation of the proposed Plan would lead to an overall 10 percent decrease in per capita energy use. No mitigation is needed to address this issue because the proposed Plan’s impact on energy consumption is less than significant. (See Draft EIR, Chapter 2.4 (Energy), p. 2.4-23.) The Draft EIR’s analysis does not consider phasing of improvements or interim stages of the proposed Plan because its purpose is to evaluate the Plan as a whole. (See Draft EIR, p. ES-8.) Site-specific infrastructure issues are beyond the scope of this EIR. Implementing agencies must comply with CEQA before adopting second-tier projects. See Master Response A.3 regarding the programmatic nature of this EIR.
- C75-14: The standards governing the construction and operation of natural gas pipeline infrastructure are beyond the scope of the proposed Plan and EIR. Please see Master Response A.3 regarding the scope of a program EIR. Public utilities must comply with CEQA as part of the CPUC permitting process for natural gas pipeline infrastructure.
- C75-15: The commenter misread the Draft EIR, which found no significant impact on exceeding wastewater treatment requirements of the RWQCBs. Page 2.12-58 explains that, “Existing and future land use plans, and development proposed under these plans, have been and will continue to undergo environmental assessment under CEQA that ensures that new development will not exceed a system’s ability to meet wastewater treatment requirements per the system’s NPDES permit.” It is reasonable for this EIR to assume that local jurisdictions will adhere to existing laws and regulations to which they are subject. Also, Plan Bay Area covers development through the year 2040, and it is reasonable to assume that wastewater treatment systems that fall out of RWQCB standards must eventually make improvements to meet them in order to continue operations. Local jurisdictions are under no compulsion to implement the development pattern in the proposed Plan, or may do so at

a later point in time after infrastructure has been improved; see Master Response A.1 regarding local land use control.

C75-15.5: The comment asks if OBAG funds will be used to fund public utilities, specifically water infrastructure. OBAG funds consist of federal highway and transit funds from the Surface Transportation Program (STP) and Congestion Mitigation and Air Quality (CMAQ) Program. These funds cannot be used to fund public utility infrastructure.

C75-16: The Draft EIR, Chapter 2.13 (Hazards), discusses the risk posed by hazardous materials and/or waste contaminating some parcels in the Bay Area, not all of which are located in Priority Development Areas (PDAs). To mitigate this impact, it recommends implementation of Mitigation Measure 2.13(d), which requires an evaluation of project sites, preparation of Phase I and Phase II ESAs, as appropriate, and implementation of any recommendations resulting from those ESAs. The measure requires compliance with ASTM standards to ensure that qualified personnel perform appropriate tests of soil, water, etc. See also Master Response A.1 regarding local control over land use. However, projects that wish to benefit from CEQA streamlining under SB 375 will have to implement this mitigation measure, if feasible.

C75-17: Public services will need to be expanded in many locations to accommodate future growth. Note that the projected growth in the region will occur regardless of the proposed Plan, which only proposes a development pattern to accommodate the growth; see Master Response B.1 for more information on the growth projections. Public services are typically paid for and funded at the local level by a variety of methods, including impact and use fees and property and sales taxes; development under the proposed Plan would be subject to all such local regulations. Chapter 2.14 of the Draft EIR analyzes impacts on public services, finds potentially significant impacts, and proposes mitigation measures, which as noted on pages 2.14-14 and 16, must be implemented in order for a project to benefit from CEQA streamlining under SB 375. Mitigation Measures 2.14(a) and (b) require lead agencies to ensure that adequate public services, and related infrastructure and utilities, will be available to meet levels identified in applicable local plans prior to approval of new development projects. This requirement addresses Commenter's concern about proper phasing of infrastructure construction in relation to project construction. Development in PDAs will be subject to the same requirements regarding infrastructure provision as development outside of PDAs.

Letter C76 Krystal Macknight (5/15/2013)

C76-1: Please refer to Master Response G on water supply. In addition, Chapter 2.14, Public Utilities, states the regional impacts on water supply and sanitation. Because the proposed Plan is a regional level plan, these impacts are evaluated on a regional scale. See Master Response A.3 regarding the programmatic nature of this EIR. That said, the Draft EIR used the latest planning documents from the Marin Municipal Water District and the wastewater treatment providers in Marin County; the commenter does not specify what is not realistic about the capacity numbers that came from these service providers.

C76-2: Please refer to Chapter 2.5, Climate Change, for the impact analysis related to sea level rise and climate change and accompanying mitigation measures. Additionally, please refer to Master Response E on sea level rise.

C76-3: MTC and ABAG acknowledge that the EIR found 39 significant and unavoidable impacts, due in part to the fact that SB 375 expressly does not provide MTC and ABAG with local land use authority. Therefore, MTC and ABAG cannot require local implementing agencies consider future land use projects to adopt the mitigation measures, and it is ultimately the responsibility of a lead agency to determine and adopt mitigation. Please see Master Response A.1 on local control over land use for additional information. To adopt the proposed Plan or an alternative analyzed in the EIR, the MTC Commission and ABAG Board would be required to adopt a Statement of Overriding Considerations as required by CEQA.

Letter C77 Stephen Nestel (5/15/2013)

C77-1: Commenter's support for the No Project alternative is acknowledged. MTC and ABAG followed CEQA requirements for public noticing of the EIR. The decision-makers will weigh the advantages and disadvantages of each alternative in determining which option to adopt. See Chapter 1.2 of the Draft EIR for a description of the public participation process for development of the proposed Plan. Regarding public engagement for the EIR, please see Chapter 1.1 of the Draft EIR for a description of the Notice of Preparation and public scoping process and Section 1 of this Final EIR for a description of the public review process for the Draft EIR.

C77-1.3: Please refer to the Draft EIR Chapter 2.2, Air Quality, for the proposed Plan's potential impacts related to toxic air contaminants and particulate matter and mitigation measures.

C77-1.5: The EIR provides an open analysis of the proposed Plan and its environmental impacts, including those on public utilities and services; see Chapters 2.12 and 2.14 of the Draft EIR. Additionally, as shown in Chapter 3.1, the proposed Plan development pattern would only add around 500 more households to all of Marin County by 2040 compared to under the No Project alternative; much of the County's growth will occur regardless of the proposed Plan due to regional population and job growth.

C77-2: See response C49-5, which describes how the forecast begins with jobs and therefore does not prioritize housing development over job creation. See Master Response D.2 for more information on the relationship between high density housing near transit and reduced greenhouse gas emissions. Chapter 2.5 of the Draft EIR analyzes whether the proposed Plan would attain the GHG emissions reduction targets for cars and light trucks as required by SB 375 (it does) and also whether it would result in a net increase in direct and indirect GHG emissions in 2040 when compared to existing conditions (it does). Pages 2.5-55 and 56 show that overall GHG emissions from transportation would decrease under the proposed Plan.

C77-3: Please refer to Master Response D.2 on the connection between high-density housing near transit and reduced greenhouse gas emissions.

C77-4: Greenhouse gas emissions of the region's transit systems are included in the analysis of Impact 2.5-2 in Chapter 2.5 of the Draft EIR. Impacts have been assessed at a regional level and a conceptual localized level. County level information has been provided in the EIR when feasible, but does not represent an obligation to evaluate all impacts at that level.

C77-5: The SCS provides for low and moderate income homes by producing a land use pattern sufficient to accommodate RHNA and through ABAG's and MTC's efforts to support additional affordable housing production. This includes Chapter 6 of the Plan, which identifies strategies for facilitating greater affordable housing preservation and production in the region. Many of these efforts require policy changes at the state or federal level that are beyond the control of the regional agencies, who will act as advocates for these changes. The regional agencies are providing more direct support for affordable housing through the Transit Oriented Affordable Housing (TOAH) fund, which supports affordable projects in Priority Development Areas and the identification of Affordable Housing as an allowable use for future Cap and Trade funds. Through these and other mechanisms, MTC and ABAG determined that of the 660,000 new housing units contemplated by the proposed Plan, 26 percent will be affordable to very low income households, 17 percent to low income households, 17 percent to moderate income households, and 39 percent to above moderate income households. (See Draft EIR, p. 1.2-53.) See also Master Response F, which addresses the issue of displacement in greater detail and identifies actions included in the Draft Plan to help address this challenge.

C77-6: See response C49-9.

C77-7: See responses C77-2 and C77-4.

Letter C78 Nancy Okada (5/16/2013)

C78-1: Commenter's support for the No Project alternative is acknowledged. The decision-makers will weigh the advantages and disadvantages of each alternative in determining which option to adopt.

Letter C79 Joseph Orr (5/15/2013)

C79-1: Commenter's support for the No Project alternative is acknowledged. The decision-makers will weigh the advantages and disadvantages of each alternative in determining which option to adopt. As the commenter notes, the Marinwood Area is within a Priority Development Area—the Urbanized 101 Corridor. This PDA was nominated by the Marin Board of Supervisors, who adopted a resolution authorizing submission of an application on August 7, 2007. It was adopted by the ABAG Executive Board and is therefore included in the Draft Plan. Any change to the PDA would need to come at the request of the Marin County Board of Supervisors. See Master Response I regarding the PDA process.

C79-2: MTC and ABAG followed CEQA requirements for public noticing of the EIR. See Chapter 1.2 of the Draft EIR for a description of the public participation process for development of the proposed Plan. Regarding public engagement for the EIR, please see Chapter 1.1 of the Draft EIR for a description of the Notice of Preparation and public scoping process and Section 1 of this Final EIR for a description of the public review process for the Draft EIR.

Letter C80 Lori Orr (5/15/2013)

C80-1: Commenter's support for the No Project alternative is acknowledged. The decision-makers will weigh the advantages and disadvantages of each alternative in determining which option to adopt. As the commenter notes, the Marinwood Area is within a Priority Development Area—the Urbanized 101 Corridor. This PDA was nominated by the Marin Board of

Supervisors, who adopted a resolution authorizing submission of an application on August 7, 2007. It was adopted by the ABAG Executive Board and is therefore included in the Draft Plan. Any change to the PDA would need to come at the request of the Marin County Board of Supervisors. See Master Response I regarding the PDA process.

- C80-2: Commenter does not provide any evidence that the data used in the proposed Plan and EIR are out of date or from non-neutral sources. MTC and ABAG disagree with this general assertion. MTC and ABAG followed CEQA requirements for public noticing of the EIR. See Chapter 1.2 of the Draft EIR for a description of the public participation process for development of the proposed Plan. Regarding public engagement for the EIR, please see Chapter 1.1 of the Draft EIR for a description of the Notice of Preparation and public scoping process and Section 1 of this Final EIR for a description of the public review process for the Draft EIR. In addition, potential impacts of the proposed Plan on schools are analyzed in Chapter 2.14 of the Draft EIR, Public Services. An evaluation of water infrastructure can be found in Chapter 2.12 of the Draft EIR, Public Utilities, and in addition please refer to Master Response G on water supply. Chapter 2.1 of the Draft EIR, Transportation, analyzes the regional impacts on highways and other major regional routes. For details on the population projections used for the Draft EIR, please refer to Master Response B.1 on population projections.
- C80-3: See Master Response B.1 on the population projections. The comment on “large high-density developments” is unclear—the proposed Plan does not specify the density or size of any individual projects; such developments may occur with or without the proposed Plan. However, it should be noted that the proposed Plan envisions limited development in Marin County, consistent with the existing scale of Marin’s communities.
- C80-4: Feasibility of the proposed Plan’s blueprint for growth was further tested by an assessment of a representative sample of PDAs from throughout the region by Economic and Planning Systems (EPS). Overall, the study concluded that the proposed development pattern contained in Plan Bay Area, while ambitious, represents an achievable level of growth with sufficient policy changes, some of which are now underway or currently being examined. See Master Response B.2 on feasibility of the PDAs.

Letter C81 Linda Rames (4/26/2013)

- C81-1: Water supplies are analyzed in Chapter 2.12 of the Draft EIR. As the proposed Plan is a regional level plan, all analysis in the EIR is done on the regional scale; see Master Response A.3 on the specificity of a program EIR. An evaluation of water resources specific to Marin County is therefore outside the scope of the EIR. Please refer to Master Response G on water supply. That said, the current MMWD Urban Water Management Plan indicates adequate water supplies through the year 2035. In Marin County, The proposed Plan would result in essentially the same year 2040 population as under the No Project alternative - a three percent increase, with the proposed Plan resulting in 500 more households than under the No Project scenario. Given the water supplies indicated by MMWD, it is unlikely that additional water supplies will need to be acquired due to growth under the proposed Plan.
- C81-2: Per the Marin Municipal Water District’s (MMWD) Urban Water Management Plan (UWMP) Section 3.3, the district has coordinated its future water demands through 2035 through the Sonoma County Water Agency (SCWA), and SCWA’s UWMP. Furthermore, the MMWD has a contracted volume of 14,300 acre-feet per year with SCWA; as of 2035,

the MMWD anticipates needing no more than 8,500 acre-feet per year from this contracted volume. This issue was not raised in the Draft EIR for the reasons listed in response C81-1.

- C81-3: Please refer to response C81-1. These numbers come from MMWD's Urban Water Management Plan; the decrease in demand is likely due to Marin's low rate of growth combined with conservation programs.
- C81-4: This information comes from MMWD's Urban Water Management Plan. MTC and ABAG properly relied on the expert conclusions reached by MMWD regarding its projected future water supplies.
- C81-5: MTC and ABAG believe that the mitigation measure is adequate, especially in light of the water conservation targets set by the State under SB X7-7 and SB 610 and SB 221 which should ensure that an adequate water supply is available for large residential developments prior to their approval.
- C81-6: MTC and ABAG cannot locate the text quoted in this comment; it does not appear in the Draft EIR. The comment may be referring to the text that notes that despite Mitigation Measure 2.12(a), "MTC and ABAG cannot require local implementing agencies to adopt the above mitigation measures, and it is ultimately the responsibility of a lead agency to determine and adopt mitigation. Therefore it cannot be ensured that this mitigation measure would be implemented in all cases, and this impact remains significant and unavoidable." This statement is correct. See Master Response A.1 regarding local land use authority.
- C81-7: It would be speculative for the EIR to state that such capital projects would be needed and to know how they would be designed, implemented, and mitigated. Impact 2.12-4 finds this to be a potentially significant impact and proposes Mitigation Measures 2.12(a) through (h). See also Master Response A.3 regarding the programmatic nature of this EIR. CEQA does not require an evaluation of economic impacts; an analysis of the costs associated with water development is outside the scope of the EIR. Costs of water and wastewater utilities are typically borne by existing and new customers who cover the costs of service through utility rates and hookup fees.
- C81-8: The potential impacts of the proposed Plan on these areas are thoroughly evaluated in Chapter 2.14 of the Draft EIR, Public Services, at a level appropriate for a regional-level programmatic EIR. The chapter also provides mitigation measures to lessen possible impacts, but MTC and ABAG cannot require local implementing agencies to adopt the mitigation measures, and it is ultimately the responsibility of a lead agency to determine and adopt mitigation for these potential impacts where necessary. Please see Master Response A.1 on local control over land use for additional information.
- C81-9: The Priority Development Area referenced in the comment—the Urbanized 101 Corridor in unincorporated Marin County—was nominated by the Marin Board of Supervisors, who adopted a resolution authorizing submission of an application on August 7, 2007. It was adopted by the ABAG Executive Board and is therefore included in the Draft Plan. Any change to the PDA would need to come at the request of the Marin County Board of Supervisors. See Master Response I regarding the PDA process.

- C81-10: CEQA does not require an evaluation of economic impacts; an analysis of the costs associated with water development is outside the scope of the EIR. Local public services are typically funded by property and sales taxes and impact fees.
- C81-11: Refer to the response C150-18 regarding the growth in traffic congestion under year 2040 Plan conditions. As indicated in that response, the growth in regional population and employment is the primary driver of increased traffic congestion. In fact, the transportation investments and land use strategy included in the proposed Plan reduce congestion compared to No Project conditions, as shown in Table 3.1-11. The proposed mitigations under Impact Area 2.1-3 would help to mitigate the growth in regional traffic congestion; however, the Draft EIR properly acknowledges that this impact is significant and unavoidable despite these mitigation measures.
- C81-12: Mitigation measures are identified for all significant impacts, but many of the significant and unavoidable impacts identified occur because MTC and ABAG cannot require local implementing agencies to adopt the mitigation measures, and it is ultimately the responsibility of a lead agency to determine and adopt mitigation. See Master Response A.1 regarding local land use control. Many of the mitigation measures are considered industry best practices. MTC and ABAG believe all the mitigation measures proposed in the EIR are reasonable and implementable.

Letter C82 Jean Rieke (5/14/2013)

- C82-1: Please refer to Master Response C on requests for extensions of the public comment period.

Letter C83 Pamela Sandu (5/12/2013)

- C83-1: This comment is primarily focused on the transportation programs funded in the proposed Plan. The commenter notes that while there is some very effective transit service in the urban core, in the suburbs, the service is not effective. The commenter is critical of the amount of funds going to operate and maintain the existing system, stating that the systems need to provide more cost effective transportation options, and consider more innovative service delivery. MTC has a long-standing commitment to “fix it first”, which includes investing to maintain and operate the existing road and transit network. Within the general categories of transit capital or transit operating, transit agencies have a great deal of flexibility and autonomy regarding how those funds are spent and what service they provide. MTC recently completed the Transit Sustainability Project, which focused on improving the cost effectiveness and efficiency of the existing system, and considered alternative service delivery strategies. The project resulted in performance targets related to cost effectiveness and efficiency for the large transit operators in the region, as well as a new Transit Performance Initiative, which provides incentives and funding for projects that speed service and improve the customer experience.
- C83-2: Recognizing the increasing demand for non-automobile modes given the region’s aging population, the proposed Plan expands existing public transit services and funds senior transportation programs across the region. As shown on page 2.1-27 of the Draft EIR, the proposed Plan expands transit seat-miles by 27 percent over the next three decades, providing additional fixed-route service that will make it easier for older residents to reduce their usage of automobiles. The proposed Plan also includes funding for a number of senior transportation programs designed to provide innovative transportation solutions. In addition

to county-specific programs, a regional program administered by MTC (the Senior & Disabled Transportation Program – RTPID #230716) includes \$238 million in federal funding to address senior-specific mobility issues. This program has historically funded flexible transportation options, such as shuttles and paratransit services, to serve the Bay Area’s aging population.

Letter C84 Brad Sharp (5/15/2013)

- C84-1: Commenter’s support for the No Project alternative is acknowledged. The decision-makers will weigh the advantages and disadvantages of each alternative in determining which option to adopt. As the commenter notes, the Marinwood Area is within a Priority Development Area—the Urbanized 101 Corridor. This PDA was nominated by the Marin Board of Supervisors, who adopted a resolution authorizing submission of an application on August 7, 2007. It was adopted by the ABAG Executive Board and is therefore included in the Draft Plan. Any change to the PDA would need to come at the request of the Marin County Board of Supervisors. See Master Response I regarding the PDA process.
- C84-2: See response C49-5, which describes how the forecast begins with jobs and therefore does not prioritize housing development over job creation. See Master Response D.2 for more information on the relationship between high density housing near transit and reduced greenhouse gas emissions.
- C84-3: See response C84-1. The proposed Plan does not specify the density or size of any individual projects; such developments may occur with or without the proposed Plan. See Master Response A.1 regarding local land use control. However, it should be noted that the proposed Plan does not anticipate high density development for Marin County.

Letter C85 Jim Shroyer (5/15/2013)

- C85-1: Commenter’s support for the No Project alternative is acknowledged. The decision-makers will weigh the advantages and disadvantages of each alternative in determining which option to adopt.
- C85-2: Greenhouse gas data from 2005 is used because 2005 is the base year relative to which AB 32 requires future greenhouse gas emissions projections to be compared. This is noted on page 1.1-9 of the Draft EIR. See also Master Response D.1 regarding regional GHG emissions reductions for land use and transportation planning sectors under SB 375.
- C85-3: MTC and ABAG followed CEQA requirements for public noticing of the EIR. See Chapter 1.2 of the Draft EIR for a description of the public participation process for development of the proposed Plan. Regarding public engagement for the EIR, please see Chapter 1.1 of the Draft EIR for a description of the Notice of Preparation and public scoping process and Section 1 of this Final EIR for a description of the public review process for the Draft EIR.
- C85-4: See Master Response D.2 regarding the connection between high-density housing near transit and reduced GHG emissions,

Letter C86 Stephen F. Shank (5/13/2013)

- C86-1: The local traffic concerns identified by the commenter are noted. The proposed Plan is a long-term, regional-scale plan covering 101 cities and nine counties, over 150 major transportation projects, and many other transportation and land use projects over the next approximately 28 years. Accordingly, the EIR analyzes the proposed Plan at a programmatic level. See Master Response A.3 regarding the programmatic nature of this EIR.
- C86-2: The Draft EIR analyzes the capacity of wastewater facilities at a regional level in Chapter 2.12, Public Utilities. It remains the responsibility of local jurisdictions to assess infrastructure capacity for subsequent individual development projects that may follow this proposed Plan. See Master Response A.3 regarding the programmatic nature of this EIR.
- C86-3: Please refer to the Draft EIR Chapter 2.8, Water Resources, which evaluates the possible flood impacts as a result of the proposed Plan and provides mitigation measures for possible impacts. As stated in the Draft EIR on page 2.8-34, “any developments proposed within the 100-year flood zone would be required to meet local, State and federal flood control design requirements. In general, local jurisdictions have flood control policies that require new construction in flood-prone areas to be built to flood-safe standards, such as ensuring that ground levels of living spaces are elevated above anticipated flood elevations”. Therefore, if proposed development can meet these requirements then the potential impact related to flooding would be less than significant.

Letter C87 Toni Shroyer (5/6/2013)

- C87-1: For relevant impacts to public services, please refer to the Draft EIR Chapter 2.14, Public Services.
- C87-2: Development projects - even if using SB 375 CEQA streamlining benefits - must obtain discretionary permits or other approvals the local jurisdiction, in accordance with local codes and procedures, including any agreements related to impact fees.
- C87-3: MTC and ABAG followed CEQA requirements for public noticing of the EIR. See Chapter 1.2 of the Draft EIR for a description of the public participation process for development of the proposed Plan. Regarding public engagement for the EIR, please see Chapter 1.1 of the Draft EIR for a description of the Notice of Preparation and public scoping process and Section 1 of this Final EIR for a description of the public review process for the Draft EIR. Commenter’s support for the No Project alternative is acknowledged. The decision-makers will weigh the advantages and disadvantages of each alternative in determining which option to adopt.

Letter C88 Clayton Smith (5/16/2013)

- C88-1: The impact areas mentioned in the comment are analyzed in the Draft EIR at a level appropriate to the proposed Plan’s regional, programmatic nature. See Master Response A.3 regarding the programmatic nature of this EIR. Please refer to the Draft EIR, Chapter 2.14, Public Services, for an evaluation of the proposed Plan’s potential impacts on public services and the adequate accompanying mitigation measures. In addition, please refer to the Draft EIR, Chapter 2.12, Public Utilities, for the potential impacts and adequate mitigation measures. In addition, please refer to Master Response G for more information on water

supply. Regarding population projections used, including a discussion of the Department of Finance projections versus those of ABAG, see Master Response B.1.

Letter C89 Barbara Snekkevik (5/15/2013)

- C89-1: Commenter's support for the No Project alternative is acknowledged. The decision-makers will weigh the advantages and disadvantages of each alternative in determining which option to adopt. As the commenter notes, the Marinwood Area is within a Priority Development Area—the Urbanized 101 Corridor. This PDA was nominated by the Marin Board of Supervisors, who adopted a resolution authorizing submission of an application on August 7, 2007. It was adopted by the ABAG Executive Board and is therefore included in the Draft Plan. Any change to the PDA would need to come at the request of the Marin County Board of Supervisors. See Master Response I regarding the PDA process.
- C89-2: See response C81-1. Please also refer to Master Response G on water supply for a detailed description of the water supply analysis as conducted in the EIR.
- C89-3: See response C89-1. The proposed Plan does not specify the density or size of any individual projects; such developments may occur with or without the proposed Plan. See Master Response A.1 regarding local land use control. However, it should be noted that the proposed Plan does not anticipate high density development for Marin County.

Letter C90 Elizabeth Specht (5/15/2013)

- C90-1: Please refer to Master Response G on water supply. In addition, the decision to use desalination as a water source would be solely the decision of MMWD and is not advocated for or required by the proposed Plan. The current MMWD Urban Water Management Plan indicates adequate water supplies through the year 2035 without a need to resort to desalination. In Marin County, the proposed Plan would result in essentially the same year 2040 population as under the No Project alternative - a three percent increase, with the proposed Plan resulting in 500 more households than under the No Project scenario. Given the ample water supplies indicated by MMWD, it is unlikely that additional water supplies will need to be acquired due to growth under the proposed Plan. Moreover, in August of 2010, the District adopted Ordinance 420, which states that the District shall not approve construction, or financing for construction, of a desalination facility unless such construction is approved by a majority of District voters, voting in an election held within the District's service area for that purpose.

Letter C91 Elizabeth Specht (5/15/2013)

- C91-1: Please refer to response C90-1.

Letter C92 John Stein (5/16/2013)

- C92-1: MTC and ABAG followed CEQA requirements for public noticing of the EIR. See Chapter 1.2 of the Draft EIR for a description of the public participation process for development of the proposed Plan. Regarding public engagement for the EIR, please see Chapter 1.1 of the Draft EIR for a description of the Notice of Preparation and public scoping process and Section 1 of this Final EIR for a description of the public review process for the Draft EIR.

C92-1.5: Please refer to Master Response B.2 regarding feasibility of the proposed Plan's Priority Development Areas.

C92-2: Please refer to Master Response H for more information on the health impacts of emissions.

C92-3: The SCS provides for low and moderate income homes by producing a land use pattern sufficient to accommodate RHNA and through ABAG's and MTC's efforts to support additional affordable housing production. This includes Chapter 6 of the Plan, which identifies strategies for facilitating greater affordable housing preservation and production in the region. Many of these efforts require policy changes at the state or federal level that are beyond the control of the regional agencies, who will act as advocates for these changes. The regional agencies are providing more direct support for affordable housing through the Transit Oriented Affordable Housing (TOAH) fund, which supports affordable projects in Priority Development Areas and the identification of Affordable Housing as an allowable use for future Cap and Trade funds. Through these and other mechanisms, MTC and ABAG determined that of the 660,000 new housing units contemplated by the proposed Plan, 26 percent will be affordable to very low income households, 17 percent to low income households, 17 percent to moderate income households, and 39 percent to above moderate income households. (See Draft EIR, p. 1.2-53.) See also Master Response F, which addresses the issue of displacement in greater detail and identifies actions included in the Draft Plan to help address this challenge.

C92-4: See response C49-5, which describes how the forecast begins with jobs and therefore does not prioritize housing development over job creation. See Master Response D.2 for more information on the relationship between high density housing near transit and reduced greenhouse gas emissions.

The proposed Plan also includes policies that support telecommuting such as the 511 Rideshare program managed by MTC. The 511 Rideshare program encourages a menu of options for ways to reduce emissions and congestion, including carpooling, vanpooling, bicycling, transit, and telecommuting/tele-working. In order to make telecommuting a realistic option for commuters, the 511 Rideshare program works with employers to implement telework policies. The program conducts management surveys, analyzes management concerns and offers creative policy solutions, and even drafts policies for companies to implement. 511 Rideshare employer outreach staff also offer ideas on technologies to support telecommuting.

See also Master Response A.1 regarding local land use control.

Letter C93 Robin Stelling (5/16/2013)

C93-1: This PDA was nominated by the Marin Board of Supervisors, who adopted a resolution authorizing submission of an application on August 7, 2007. It was adopted by the ABAG Executive Board and is therefore included in the Draft Plan. Any change to the PDA would need to come at the request of the Marin County Board of Supervisors.

C93-2: Please refer to Master Response B.1 on population projections.

C93-3: As the proposed Plan is a regional-level plan, all analysis has been conducted on a regional scale. See Master Response A.3 regarding the programmatic nature of this EIR. Water supply

and sanitation information specific to Marin County can be found in the Marin Municipal Water District's Urban Water Management Plan, which specifies water demands through 2035. Please refer to Master Response G on water supply and Master Response E on sea level rise. In addition, the EIR, Chapter 2.12, Public Utilities, evaluates the wastewater facilities of the Bay Area region and presents the potential impacts along with adequate mitigation measures.

C93-4: By State and federal requirement, the RTP/SCS, also known as Plan Bay Area in the San Francisco Bay Area, must cover all nine Bay Area counties, including Marin. See also response C93-0.5.

Letter C94 Terry Stelling (5/16/2013)

C94-1: For relevant impacts to public services, please refer to the Draft EIR Chapter 2.14, Public Services.

C94-2: This PDA was nominated by the Marin Board of Supervisors, who adopted a resolution authorizing submission of an application on August 7, 2007. It was adopted by the ABAG Executive Board and is therefore included in the Draft Plan. Any change to the PDA would need to come at the request of the Marin County Board of Supervisors. See Master Response I regarding the PDA process.

C94-3: See Master Response B.1 regarding population projections. In Marin County, the proposed Plan would result in essentially the same year 2040 population as under the No Project alternative - a three percent increase, with the proposed Plan resulting in 500 more households than under the No Project scenario.

C94-4: As the proposed Plan is a regional-level plan, all analysis has been conducted on a regional scale. See Master Response A.3 regarding the programmatic nature of this EIR. Water supply and sanitation information specific to Marin County can be found in the Marin Municipal Water District's Urban Water Management Plan, which specifies water demands through 2035. Please refer to Master Response G on water supply and Master Response E on sea level rise. In addition, the EIR, Chapter 2.12, Public Utilities, evaluates the wastewater facilities of the Bay Area region and presents the potential impacts along with adequate mitigation measures.

C94-5: As no specific examples are provided regarding a lack of substantial evidence, MTC and ABAG cannot meaningfully comment. With regards to the level of analysis provided for Marin County, all counties are analyzed at a similar level of detail. This EIR evaluates Plan Bay Area as a single, regional project and assesses its impacts at a regional level across all nine counties, which is consistent with CEQA provisions regarding program EIRs. See Master Response A.3 regarding the programmatic nature of this EIR. The individual second tier projects envisioned by the proposed Plan - transportation improvements and land use development - must comply with CEQA.

Letter C95 Rachel Stengel (5/15/2013)

C95-1: See responses to Letter C49.

Letter C96 Kerry Stoebner (5/14/2013)

C96-1: See responses to Letter C73.

Letter C97 Carolyn Turner (5/7/2013)

C97-1: This PDA was nominated by the Marin Board of Supervisors, who adopted a resolution authorizing submission of an application on August 7, 2007. It was adopted by the ABAG Executive Board and is therefore included in the Draft Plan. Any change to the PDA would need to come at the request of the Marin County Board of Supervisors. See Master Response I regarding the PDA process.

C97-2: The local traffic concerns identified by the commenter are noted. The proposed Plan is a long-term, regional-scale plan covering 101 cities and nine counties, over 150 major transportation projects, and many other transportation and land use projects over the next approximately 28 years. Accordingly, the EIR analyzes the proposed Plan at a programmatic level. See Master Response A.3 regarding the programmatic nature of this EIR.

C97-3: See Master Responses D.1 and D.2 regarding the GHG emissions reductions conclusions reached in this EIR.

C97-4: Please refer to Master Response G on water supply. In addition, the decision to use desalination as a water source would be solely the decision of MMWD and is not advocated for or required by the proposed Plan. The current MMWD Urban Water Management Plan indicates adequate water supplies through the year 2035 without a need to resort to desalination. In Marin County, the proposed Plan would result in essentially the same year 2040 population as under the No Project alternative - a three percent increase, with the proposed Plan resulting in 500 more households than under the No Project scenario. Given the ample water supplies indicated by MMWD, it is unlikely that additional water supplies will need to be acquired due to growth under the proposed Plan. Moreover, in August of 2010, the District adopted Ordinance 420, which states that the District shall not approve construction, or financing for construction, of a desalination facility unless such construction is approved by a majority of District voters, voting in an election held within the District's service area for that purpose.

Letter C98 Lisa Culbertson (5/15/2013)

C98-1: Please see Master Response C regarding requests for extensions of the public comment period. MTC and ABAG followed CEQA requirements for public noticing of the EIR. See Chapter 1.2 of the Draft EIR for a description of the public participation process for development of the proposed Plan. Regarding public engagement for the EIR, please see Chapter 1.1 of the Draft EIR for a description of the Notice of Preparation and public scoping process and Section 1 of this Final EIR for a description of the public review process for the Draft EIR.

C98-2: See the Plan objectives adopted by MTC and ABAG on page 1.2-22 of the Draft EIR which generally do not include the items listed in the comment. See Chapters 2.3, 2.10, and 2.11 which analyze and mitigate the proposed Plan's potential significant impacts on land use, visual resources, and cultural resources issues, which overall cover the qualities of existing neighborhoods. All land development under the proposed Plan will be subject to local land

use control, design guidelines, permits, impact fees, and all other regulations in force; see Master Response A.1 for more information on local land use control and Master Response A.2 on CEQA streamlining. Your opposition to the proposed Plan is acknowledged. As the comment notes, the Marinwood Area is within a Priority Development Area—the Urbanized 101 Corridor. This PDA was nominated by the Marin County Board of Supervisors, who adopted a resolution authorizing submission of an application on August 7, 2007. It was adopted by the ABAG Executive Board and is therefore included in the proposed Plan. See Master Response I regarding PDAs.

- C98-3: This comment addresses the relationship between the Plan’s job growth projections and recent local trends and local growth projections, specifically for the county of Marin. The distribution of jobs in the Draft Plan takes into account a variety of factors—including input from jurisdictions, level of transit service, existing employment base, population growth, and concentration of knowledge-based economic activity. As such, the jobs distribution assumes that local conditions will change over the next three decades (e.g. market feasibility, changes in land use, etc.), and is not constrained by existing zoning or past trends.

More specifically, the overall regional employment forecast for 2040 is estimated as a share of the U.S. Bureau of Labor Statistics’ national growth projections, reflecting the difference in 2010 between national and regional labor force participation in various economic sectors, such as the professional services and retail sectors. It is important to note that indicators suggest that the regional economy has been steadily recovering from the 2007-2009 recession.

At the county level, the distribution of 2040 employment among the nine counties for each industry sector is based upon county shares of regional employment in *Caltrans’ California County-Level Economic Forecast: 2011-2040*. The distribution of employment by jurisdiction and Priority Development Area was then calculated as a share of county growth based on three basic approaches depending on the type of job: population-serving jobs, knowledge-sector jobs, and all other jobs. ABAG staff reviewed the employment figures for Marin County and considers the allocations appropriate given the level of population and housing growth anticipated in the county and the existing base of employment. This level of growth could be reasonably accommodated over the thirty-year time-frame of the Plan given the potential for changes in and intensification of land uses within the county.

The commenter also notes that the Plan should account for the level of in-commuters and transit in the overall distribution. Both the employment and housing distribution do account for levels of transit service in various locations and the level of in-commuting in various locations is factored into the housing distribution.

In summary, ABAG’s regional forecast for employment for the county of Marin is accurate and supported by substantial evidence. See response C37-4, below and Master Response B.1 for more information on the regional forecast, and the *Draft Forecast of Employment, Population and Housing* for the Draft Plan for more information on the employment distribution methodology

(http://onebayarea.org/pdf/Draft_Plan_Bay_Area/Draft_PBA_Forecast_of_Jobs_Population_and_Housing.pdf).

C98-4:

The comment refers to the validity of the regional growth forecast, specifically the population and housing forecasts. ABAG's population and housing forecasts are accurate and supported by substantial evidence. Please refer to Master Response B.1 for more information on the population forecast, including the differences between ABAG's and DOF's projections.

The commenter requests an assessment of impacts and costs for local services such as schools, police, fire, water, etc. In Chapter 2.14, the Draft EIR analyzes impacts to public services and facilities to the extent appropriate for a long-term regional land use and transportation plan. See Master Response A.3 for the level of specificity in the EIR. See Master Response G for more information on water supply.

The comment also refers to the types of housing anticipated in the Plan. The precise type and nature of housing developed in a given jurisdiction remains entirely under the local control of that jurisdiction (see Master Response A.1 regarding local control). More specifically, it is important to note that while the Plan does anticipate that nearly 80 percent of projected new housing will be built in the region's Priority Development Areas (PDAs), by 2040 the bulk of the region's total housing stock will still be provided by single-family homes even assuming modest production. Moreover, the PDAs are areas that have been identified and nominated by local jurisdictions throughout the region and each jurisdiction plans for the type of growth that their communities envision for these areas. As such, the PDAs comprise a wide range of place types that encompass the widely varying characteristics of communities across the Bay Area, from smaller, lower density transit neighborhoods and town centers, to medium-density suburban centers and mixed-use corridors, to larger urban neighborhoods and regional centers. Therefore, the plan does not make the assumption that all future housing preference is for high-density, mixed-use housing within urban areas; the Plan does, in fact, provide for a range of housing preferences and locations. See Master Response I regarding the PDA process.

Note that household and job growth expected for the region will occur regardless of the implementation of the proposed Plan, which seeks to mitigate the impacts of such growth on the regional transportation system while reducing greenhouse gas emissions. As shown in Table 3.1-3 of the Draft EIR (p. 3.1-14), the development pattern in the proposed Plan (Alternative 2) would result in 112,021 households in Marin County, in comparison to 111,509 households under the No Project alternative, and compared to 103,210 households in 2010. That is, without the adoption of the proposed Plan or any alternative, MTC and ABAG expect an additional 8,299 households in Marin between 2010 and 2040, an 8 percent increase, while under the proposed Plan, MTC and ABAG expect an additional 8,811 households in Marin by 2040, a 9 percent increase—and just 512 more households than under the No Project alternative.

Local public services are typically funded at the local level through property and sales taxes and impact fees. See Master Response A.1 for more information on local land use control. Utilities are typically funded by service and hookup fees which cover the cost of operations, as regulated by the California Public Utilities Commission. See Master Response H on UrbanSim modeling and subsidies.

As discussed on p. 2.3-5 of the Draft EIR, ABAG's projections anticipate a shift in the type of housing desired in the region, and note that multi-family and townhome units may be

currently underrepresented relative to demand. The proposed Plan provides a broader array of housing options than currently exist. The region has a relatively small supply of multi-family units located near transit services, for example, and a relatively large supply of auto-dependent single family homes. The proposed Plan's growth development pattern attempts to match housing development with demand trends by balancing options. In addition, the types of housing built will ultimately be determined by local jurisdictions and private developers.

C98-5: See Master Response D.2 on the connection between high-density housing near transit and reduced greenhouse gas emissions.

Regarding travel by car, the proposed Plan devotes a significant portion of its budget to operating and maintaining the existing roadway system. The Draft EIR, on p. 1.2-49, notes that the proposed Plan allocates over 79 percent of its budget to committed projects, which include many highway and roadway projects. Overall, 87 percent of total funds are going to operations and maintenance of the existing system: "Compared to Transportation 2035 [the current regional transportation plan], the proposed Plan Bay Area would spend a higher percentage of its budget on transit and roadway operations and maintenance, less on expansion of transit network, and roughly the same percent on road and bridge expansion."

In addition, as Table 1.2-10 of the Draft EIR shows, the proposed Plan will increase road and bridge operations and maintenance from 30 percent of the overall Transportation 2035 budget to 32 percent of the Plan Bay Area budget, an increase of \$28 billion (see updated numbers in Section 2.2 of this Final EIR); these funds are available due to a decrease in the proportion and amount of money to be spent on transit system expansion compared to the last RTP. In light of this transportation investment strategy, the proposed Plan clearly supports a continuation of personal automobile use. MTC must fund a transportation system that serves a growing population and many lifestyles while hitting targets assigned by the State, and this requires supporting transit as well as roadway systems. The proposed land use pattern attempts to concentrate growth within transit-served locations, thereby lessening future growth and traffic pressures on outlying roadways.

C98-6: As the comment notes, there are many ways to reduce GHG emissions. The strategies the comment mentions are all included in the proposed Plan. The comment notes vehicle technology and fuel efficiency, including incentives for individuals for the most fuel efficient cars, as an effective way to reduce GHG emissions. The Climate Program Initiative includes a vehicle buyback program and an incentive program focused on electric vehicles. In addition, the comment notes that creating more jobs in Marin County could reduce the need for people to commute into Marin County. Improving the jobs/housing balance is a key strategy of the proposed Plan, as noted by the *Jobs Housing Connection Strategy*, which was the land use strategy developed by ABAG that serves as the basis of the proposed land use. In addition, see Master Response D.2 on the connection between high-density housing near transit and reduced greenhouse gas emissions.

The comment criticizes the proposed Plan for not focusing on the benefits of new technologies in terms of reducing GHG emissions. One of the key objectives of Plan Bay Area is to reduce the GHG emissions as required by SB 375. SB 375 specifically requires MPOs to not include reductions that are the result of vehicle technology and fuel efficiency improvements in reaching the required GHG emission reduction targets. See Master Response D.1 for more information regarding SB 375 requirements.

The comment requests that a cost benefit analysis of the proposed Plan be done as it relates to overall GHG emission reduction estimates. The request will be considered by MTC and ABAG; however, a cost benefit analysis is beyond the scope of an EIR. The proposed Plan does not intrude on basic economic and personal freedoms. See Master Response A.1 regarding local control.

Master Response D-2 addresses the relationship between public transit and greenhouse gas emissions; public transit has significantly lower GHG emissions per passenger-mile than automobile travel. The proposed Plan focuses on reducing passenger vehicle GHG emissions per the mandate of Senate Bill 375. That said, as transit vehicles are replaced over the life of the Plan, they will likely be succeeded by increasingly GHG-efficient vehicles (e.g. many local transit agencies are currently converting from older diesel buses to hybrid or natural gas buses).

- C98-7: See response B25-8 regarding the analysis of public health impacts of emissions. As a program Draft EIR, this document focuses on regional impacts of the transportation and land use strategy. Any project-specific traffic issues should instead be considered as part of local project analyses. Further information on the programmatic nature of this environmental document can be found on page 1.1-4; additional information regarding the Draft EIR's emphasis on regional impacts can be found on page 2.0-1 and see Master Response A.3 regarding the specificity of a program EIR.
- C98-8: See response C98-9 regarding regional traffic congestion impacts. As shown in Table 2.1-16, the proportion of trips at LOS F (where GHG emissions per mile would be greatest for automobiles) are still expected to be a minuscule proportion of overall VMT in year 2040 under the Proposed Plan. Any growth in GHG emissions from greater levels of travel in LOS F conditions are negated by mode shift to transit, reduced driving distances, and reduced travel at free-flow freeway speeds (more moderate speeds of approximately 45-55 mph are considered optimal for automobile GHG emissions). This leads to the forecasted reductions in per-capita GHG emissions as shown in Chapter 2.3.
- C98-9: The Draft EIR appropriately considers impacts to travel time under Impact Areas 2.1-1 and 2.1-2 (commute and non-commute travel times for all modes). Impact Area 2.1-2 specifically focuses on non-commute travel, which includes escort trips (e.g. transporting children to school or activities), shopping trips, and other discretionary travel. While per-capita congested VMT is expected to have a significant and unavoidable impact on the region's population (as shown under Impact Area 2.1-3), this is primarily due to the population and employment growth expected over the next three decades, rather than the transportation investments or land use pattern envisioned under the proposed Plan. Because residential and employment locations are shifted to be closer together under the proposed Plan, travel time impacts are expected to be less than significant, even as regional traffic congestion worsens.
- C98-10: See response C98-7 regarding the scale of analysis in this EIR. Localized impacts should instead be considered as part of local project analyses, including for PDA land use plans adopted by local jurisdictions.
- C98-11: See Master Response H on UrbanSim modeling and subsidies.
- C98-12: The EIR concludes certain environmental impacts will be significant; however, it should be noted that the Plan significantly reduces impacts when compared to the no project scenario.

Whether such impacts are outweighed by the Plan's benefits will be considered by decision-makers prior to taking action on the Plan. In addition many of the significant and unavoidable impacts occur because MTC and ABAG cannot require local implementing agencies to adopt the mitigation measures, and it is ultimately the responsibility of a lead agency to determine and adopt mitigation. Please see Master Response A.1 on local control over land use for additional information

C98-13: The MTC Commission and ABAG Executive Board are responsible for approving Plan Bay Area. Implementation of the Plan relies on voluntary actions by local jurisdictions and agencies to implement the programs and policies identified in the Plan. See Master Response A.1 regarding local control.

C98-14: See responses C98-1 through 13 above.

Letter C99 Nancy Ahnemann (5/16/2013)

This letter forwards Letter C98 from Lisa Culbertson. See responses to C98.

Letter C100 Peter Alexander (5/16/2013)

This letter forwards Letter C98 from Lisa Culbertson. See responses to C98.

Letter C101 Rebecca Andersen (5/16/2013)

This letter forwards Letter C98 from Lisa Culbertson. See responses to C98.

Letter C102 Donna Andersen (5/16/2013)

This letter forwards Letter C98 from Lisa Culbertson. See responses to C98.

Letter C103 Eric Andersen (5/16/2013)

This letter forwards Letter C98 from Lisa Culbertson. See responses to C98.

Letter C104 Paul Berg (5/16/2013)

This letter forwards Letter C98 from Lisa Culbertson. See responses to C98.

Letter C105 Vladimir Bogak (5/16/2013)

This letter forwards Letter C112 from Deanna Dearborn, which is the same as Letter C98 from Lisa Culbertson. See responses to C98.

Letter C106 Amie Buecker (5/16/2013)

This letter forwards Letter C98 from Lisa Culbertson. See responses to C98.

Letter C107 Andy Buecker (5/17/2013)

This letter forwards Letter C98 from Lisa Culbertson. See responses to C98.

Letter C108 Kevin Butts (5/16/2013)

This letter forwards Letter C98 from Lisa Culbertson. See responses to C98.

Letter C109 Denice Castellucci (5/16/2013)

This letter is the same as Letter C98 from Lisa Culbertson. See responses to C98.

Letter C110 Gail Cohen (5/17/2013)

This letter forwards Letter C98 from Lisa Culbertson. See responses to C98.

Letter C111 Maribel Cruz (5/17/2013)

This letter forwards Letter C98 from Lisa Culbertson. See responses to C98.

Letter C112 Deana Dearborn (5/15/2013)

This letter is the same as Letter C98 from Lisa Culbertson. See responses to C98.

Letter C113 Deborah Fazeli (5/16/2013)

This letter is the same as Letter C98 from Lisa Culbertson. See responses to C98.

Letter C114 Amy Fitzgerald (5/16/2013)

This letter forwards Letter C98 from Lisa Culbertson. See responses to C98.

Letter C115 Tenley Foran (5/16/2013)

This letter forwards Letter C112 from Deanna Dearborn, which is the same as Letter C98 from Lisa Culbertson. See responses to C98.

Letter C116 Tenley Foran (5/16/2013)

This letter forwards Letter C112 from Deanna Dearborn, which is the same as Letter C98 from Lisa Culbertson. See responses to C98.

Letter C117 Eric Forbes (5/16/2013)

This letter forwards Letter C98 from Lisa Culbertson. See responses to C98.

Letter C118 Paul Franjeh (5/16/2013)

This letter forwards Letter C98 from Lisa Culbertson. See responses to C98.

Letter C119 Becca Friedman (5/16/2013)

This letter forwards Letter C98 from Lisa Culbertson. See responses to C98.

Letter C120 Jean Gallagher (5/17/2013)

This letter forwards Letter C98 from Lisa Culbertson. See responses to C98.

Letter C121 Sabine Grandke-Taft (5/17/2013)

This letter forwards Letter C98 from Lisa Culbertson. See responses to C98.

Letter C122 Maria Gregoriev (5/17/2013)

This letter forwards Letter C98 from Lisa Culbertson. See responses to C98.

Letter C123 Igor Grinckenko (5/16/2013)

This letter forwards Letter C98 from Lisa Culbertson. See responses to C98.

Letter C124 Adrienne Hart (5/17/2013)

This letter forwards Letter C98 from Lisa Culbertson. See responses to C98.

Letter C125 Joanne Hernon (5/15/2013)

This letter forwards Letter C98 from Lisa Culbertson. See responses to C98.

Letter C126 Scott Johnson (5/17/2013)

This letter forwards Letter C98 from Lisa Culbertson. See responses to C98.

Letter C127 Robert Jones (5/16/2013)

This letter forwards Letter C98 from Lisa Culbertson. See responses to C98.

Letter C128 Kim Kurtzman Meehyun (5/15/2013)

C128-1: Commenter's opposition to the proposed Plan is noted. The decision-makers will weigh the advantages and disadvantages of each alternative in determining which option to adopt.

Please see Master Response C regarding requests for extensions of the public comment period. MTC and ABAG followed CEQA requirements for public noticing of the EIR. See Chapter 1.2 of the Draft EIR for a description of the public participation process for development of the proposed Plan. Regarding public engagement for the EIR, please see Chapter 1.1 of the Draft EIR for a description of the Notice of Preparation and public scoping process and Section 1 of this Final EIR for a description of the public review process for the Draft EIR.

As the commenter notes, the Marinwood Area is within a Priority Development Area—the Urbanized 101 Corridor. This PDA was nominated by the Marin Board of Supervisors, who adopted a resolution authorizing submission of an application on August 7, 2007. It was adopted by the ABAG Executive Board and is therefore included in the proposed Plan. Any change to the PDA would need to come at the request of the Marin County Board of Supervisors. See Master Response I regarding the PDA process.

- C128-2: See response C128-1.
- C128-3: See responses C49-3 and C49-4.
- C128-4: See response C49-5.
- C128-5: Any changes to zoning or land use must be made voluntarily at the local level. The proposed Plan does not override local land use authority, and MTC and ABAG have no local land use authority. All development under the proposed Plan will be subject to local jurisdictions' land use regulations and permit requirements, including zoning, design guidelines, and impact fees. See Master Response A.1 on local land use control.
- C128-6: See response C49-8.
- C128-7: See responses C128-1 through 6. See Master Response B.1 regarding population projections. Given the adequacy of the Draft EIR, MTC and ABAG will not be revising and recirculating it.

Letter C129 Barbara Layton (5/16/2013)

This letter forwards Letter C98 from Lisa Culbertson. See responses to C98.

Letter C130 Katherine Lorber (5/16/2013)

This letter forwards Letter C98 from Lisa Culbertson. See responses to C98.

Letter C131 Molly MacDaniel (5/16/2013)

This letter forwards Letter C98 from Lisa Culbertson. See responses to C98.

Letter C132 Carolyn Margiotti (5/17/2013)

This letter forwards Letter C98 from Lisa Culbertson. See responses to C98.

Letter C133 Stephen Nestel (5/16/2013)

This letter forwards Letter C98 from Lisa Culbertson. See responses to C98.

Letter C134 Shawna O'Connor (5/16/2013)

This letter forwards Letter C98 from Lisa Culbertson. See responses to C98.

Letter C135 Laurie A. Pirini (5/16/2013)

This letter forwards Letter C98 from Lisa Culbertson. See responses to C98.

Letter C136 Tanya Powell (5/16/2013)

This letter forwards Letter C98 from Lisa Culbertson. See responses to C98.

Letter C137 Cynthia Riley (5/17/2013)

This letter forwards Letter C98 from Lisa Culbertson. See responses to C98.

Letter C138 Zoe Rolland (5/16/2013)

This letter forwards Letter C98 from Lisa Culbertson. See responses to C98.

Letter C139 Barbra Rosenstein (5/16/2013)

This letter forwards Letter C98 from Lisa Culbertson. See responses to C98.

Letter C140 Mitchell Rossi (5/16/2013)

This letter forwards Letter C98 from Lisa Culbertson. See responses to C98.

Letter C141 Michelle Rowley (5/16/2013)

This letter forwards Letter C98 from Lisa Culbertson. See responses to C98.

Letter C142 Michael Seaman (5/16/2013)

This letter forwards Letter C98 from Lisa Culbertson. See responses to C98. The other comments in the letter raise no environmental issue to which a response is required under CEQA

Letter C143 Gabriela Shea (5/17/2013)

This letter forwards Letter C98 from Lisa Culbertson. See responses to C98.

Letter C144 Wolfgang Taft (5/16/2013)

This letter forwards Letter C98 from Lisa Culbertson. See responses to C98.

Letter C145 Phyllis Teplitz (5/16/2013)

This letter forwards Letter C98 from Lisa Culbertson. See responses to C98.

Letter C146 Pam Wirtherspoon (5/16/2013)

This letter forwards Letter C98 from Lisa Culbertson. See responses to C98.

Letter C147 Pam Wirtherspoon (5/16/2013)

This letter forwards Letter C98 from Lisa Culbertson. See responses to C98.

Letter C148 Heidi Zabit (5/16/2013)

This letter is the same as Letter C98 from Lisa Culbertson. See responses to C98.

Letter C149 Luke Teyssier (5/16/2013)

- C149-1: See Master Response C regarding the request to extend the public comment period. MTC and ABAG followed CEQA requirements for public noticing of the EIR. See Chapter 1.2 of the Draft EIR for a description of the public participation process for development of the proposed Plan. Regarding public engagement for the EIR, please see Chapter 1.1 of the Draft EIR for a description of the Notice of Preparation and public scoping process and Section 1 of this Final EIR for a description of the public review process for the Draft EIR. The comment says that “significant and important facts and conclusions were misstated” but without further detail MTC and ABAG cannot respond to this statement.
- C149-2: Economic impacts are not an environmental issue area required under CEQA. Regarding the issue of the type of development leading to greater GHG emissions from commuting by construction workers, the proposed Plan accommodates housing for all economic segments of the population. See Master Response F. Furthermore, there is no reason to assume that local workers cannot be hired; one of the goals of the land development pattern proposed in the plan is to ensure that job growth is matched with nearby housing development. In addition, the permanent GHG reductions from constructing multi-family and transit-oriented housing mixed with employment uses will more than outweigh any temporary increases from construction workers commuting. Please refer to Master Response D.2 on the connection between high-density housing near transit and reduced GHG emissions.
- C149-3: See Master Response G regarding water supply analysis required of the regional scale program EIR. Impacts on biological resources including sensitive habitat are analyzed in Chapter 2.9, water resources in Chapter 2.8, and water supplies in Chapter 2.12 of the Draft EIR. These chapters note existing mandatory federal and State regulations that reduce these impacts, and provide additional mitigation measures required of any project wishing to take advantage of CEQA streamlining under SB 375; these additional measures may also be adopted and enforced by local jurisdictions although MTC and ABAG cannot compel them to do so. Development projects proposed within the region must comply with CEQA; where applicable, future project-level environmental analysis will evaluate and mitigate project-specific impacts relating to adequate water supplies or storm sewer infrastructure, and the potential for those issues to impact sensitive habitat, create significant traffic impacts, etc. See Master Response A.1 regarding local land use authority.
- The Draft EIR found in Chapter 2.12 that at a regional level there is adequate water supply through 2040 according to the Urban Water Management Plans of the region’s major water supply agencies. These agencies must comply with CEQA prior to approving future water supply projects; where applicable, the agencies will undertake environmental review of capital projects they propose to expand their water supply and must also undergo review and approval from the regional Water Quality Control Board and federal regulations before expanding their take of surface or groundwater.
- C149-4: The comment does not specify what the “flawed data” is and so MTC and ABAG cannot provide a specific response, only that the GHG emissions projections for the Draft EIR used VMT outputs from the MTC Travel Model and utilized the EMFAC2011 model created by CARB, which is the approach required by CARB to comply with SB 375. Also see response C149-6 below.

- C149-5: The Draft EIR, in Chapter 3.1, found that the No Project alternative would not meet the GHG emissions reductions mandate of SB 375, and therefore may not be selected as Plan Bay Area per State law to the extent a feasible alternative is available that is able to meet the GHG emissions reductions mandate of SB 375. Consistent with CEQA, SB 375, and related legal obligations, the decision-makers will consider the advantages and disadvantages of each alternative in determining which alternative to approve and may, in their discretion, modify the proposed Plan or an alternative identified in the EIR prior to taking final action approving one of them.
- C149-6: Per SB 375, MTC and ABAG are not permitted to take the regulations noted in the comment into account; see Master Response D.1 regarding GHG emissions included in analysis for the SB 375 target.
- C149-7: See the responses to the letter from the City of Sausalito, A16; the City did not challenge the projected jobs and housing in the Draft Plan. See Master Response B.1 regarding the growth projections and relationship with the DOF projections.
- C149-8: RHNA is a separate process from Plan Bay Area. See Master Response B.1 on the population projections for Plan Bay Area.
- C149-9: CEQA streamlining under certain conditions is State law as stipulated in SB 375 and beyond the authority of MTC and ABAG. See Master Responses A.1 regarding local control over land use and A.2 regarding CEQA streamlining. The environmental review process for the Sausalito Housing Element is beyond the scope of this EIR, which only pertains to Plan Bay Area.
- C149-10: See Master Response D.2 on the connection between high-density housing near transit and reduced GHG emissions.
- C149-11: Your support for the No Project alternative is acknowledged. Decision-makers will consider the advantages and disadvantages of each alternative in determining which alternative to approve.

Letter C150 Wendell Cox (5/13/2013)

- C150-1: The comment states that the Draft EIR is based on flawed data. See relevant responses below.
- C150-2: Under SB 375 the regional transportation plan must include a land development pattern (the sustainable communities strategy) and together these components must reduce per capita emissions from cars and light trucks to attain targets set by CARB if feasible; the Draft EIR found that the No Project alternative would not attain these targets and identifies other alternatives (including the proposed Plan) that would attain the targets for the region. See response C150-12 and others below. See Master Response D.1 regarding SB 375 targets.
- C150-3: The comment states that the Draft EIR should have included the effects of the latest federal light vehicle fuel economy standards. In fact, MTC and ABAG are not permitted to include these in attaining the CARB standard. See Master Response D.1 regarding the GHG analysis required as part of SB 375.

C150-4: The comment builds off of comment C150-3 and states that were the latest federal light vehicle fuel economy standards used, the No Project would have comfortably met the GHG emissions objectives and the proposed Plan would be unnecessary. As explained in Master Response D.1 regarding GHG analysis, fuel economy regulations per SB 375 and the CARB Scoping Plan cannot be counted towards meeting the MPO's GHG reduction targets. As demonstrated in Chapter 3.1 of the Draft EIR, the No Project alternative fails to meet the GHG reduction targets for both 2020 and 2035 established by CARB for the Bay Area.

In addition, while the SB 375 GHG target is a key objective of the proposed Plan, there are many other goals and targets the proposed Plan seeks to achieve. The Plan goals are outlined in the Draft EIR on page 1.2-21, and the performance targets are listed in the Draft EIR on page 1.2-22. A more extensive discussion of the policy targets developed by MTC and ABAG to guide the development of the Plan is included on pages 95 through 108 in the Draft Plan document.

C150-5: The comment criticizes the Draft EIR for not applying economic metrics to its GHG emissions reduction strategies. CEQA does not require that an EIR utilize economic metrics to evaluate GHG emissions reduction strategies. A cost benefit analysis was completed for large capital projects proposed for the Plan, as well as for the Climate Policy Initiatives, as noted later by the commenter in comment C150-16. Detailed information on that project assessment can be found in the Supplemental Report *Project Performance Assessment*.

When CARB developed the Scoping Plan, it considered how difficult it would be for various sectors to reduce GHG emissions and set the targets based on extensive analysis. This included consideration being given to the efficacy of regulations, technology, and planning and investments in reducing GHG emissions, including economic considerations. The SB 375 GHG emissions reduction targets set by CARB for MPOs to achieve through the Sustainable Communities Strategies were deemed by the State to be reasonable. Meeting the GHG emissions reduction target established by SB 375 and the CARB Scoping Plan is a State law. MPOs do not have the option of claiming that it is simply too expensive to reduce GHG emissions.

C150-6: The comment states that densification has failed to achieve objectives where tried. See Master Response D.2 regarding GHG emissions and densification/transit oriented development.

C150-7: Refer to response C150-17.

C150-8: Refer to response C150-18.

C150-9: The comment states that nearly all the transportation-related GHG emissions reductions are from fuel economy improvements. See Master Response D.1. State and federal regulations are an extremely effective way to reduce GHG emissions. It is much more difficult to reduce GHG emissions from transportation investments.

C150-10: Economic impacts are not environmental issues under CEQA. For more information on displacement and potential effects on low income populations, please see Master Response F.

C150-11: Refer to response C150-23.

C150-12: The comment claims that the Draft EIR substantially under-estimates 2040 GHG emissions reductions. See Master Response D.1 regarding what is included in GHG analysis for SB 375.

In addition, the comment claims that GHG reductions from Climate Policy Initiatives (Climate Initiatives) strategies are skewed to favor the proposed Plan, as compare to the No Project alternative. The No Project alternative does not include the full Climate Initiatives. The No Project alternative does not include new investments or programs, by definition. The Climate Initiatives are a new program, included for the first time in the proposed Plan. Therefore, the analysis is correct in not including the full GHG emissions reductions associated with the Climate Initiatives in the No Project analysis. The analysis, as noted on page 3.1-58 of the Draft EIR, *does* include in the No Project those projects included in the Climate Initiatives that expand on existing programs and policies (car sharing, vanpool incentives/employer shuttles, and the Commuter Benefits Ordinance). These projects were included to reflect the existing and ongoing benefits these programs provide.

The comment states that it is not clear that the Climate Initiatives would yield materially different results under the No Project alternative than under the proposed Plan. Including the full suite of Climate Initiatives projects in the No Project alternative is not consistent with the definition of a No Project alternative.

C150-13: See response C26-45.

C150-14: See Master Response B.1 for more information on the population projections used in the proposed Plan, including a discussion of the DOF estimates.

C150-15: The comment documents what the commenter believes the GHG emissions reductions should have been. As outlined in the responses above, the assumptions used to develop these revised figures are flawed. The analysis prepared by MTC and ABAG staff and expert consultants relied on in preparing this EIR constitutes reasonable GHG emission reduction forecasts consistent with applicable law and predicated upon facts and expert opinions.

C150-16: See response C150-5. In addition, it is true that there are other, less costly ways per ton to reduce GHG emissions than some of the transportation investments and Climate Initiatives strategies proposed in the proposed Plan. Many of those strategies, such as new technologies and regulations, cannot be included in the MPO's analyses of GHG reductions required to attain the SB 375 emissions reduction targets. See Master Response D.1 for more details on the GHG analysis for SB 375. See response C150-22 for information related to the cost metric of densification policies.

C150-17: The comment states that past efforts at densification have failed to achieve objectives. See Master Response D.2 regarding GHG emissions and densification/transit oriented development. In addition, the comment notes that 95 percent of the GHG emissions reductions in the proposed Plan that are attributed to land-use strategies are from energy efficiency and scooping measures, which would be achieved with or without the Proposed Plan. It is indeed true that the vast majority of overall GHG reductions in the region between 2010 and 2040 are attributable to regulations and energy efficiency improvements that are unrelated to the proposed Plan and not under the direct purview of MTC or ABAG. However, all GHG emissions reductions are important, so while land use changes in the

proposed Plan are not the primary source of reductions, they are an important piece of the puzzle and one that MTC and ABAG have a role in advancing.

C150-18: MTC recognizes that regional traffic volumes would increase under year 2040 Plan conditions compared to the year 2010 baseline. Note that the overall growth in traffic volumes (as measured by total VMT) is primarily due to increased levels of regional population and employment, rather than the specific transportation investments and land use decisions incorporated in this Plan. This is demonstrated by the relatively comparable levels of regional VMT between the proposed Plan and the No Project alternative, as shown in Table 3.1-8 of the Draft EIR.

Contrary to this commenter's assertions, the issue of traffic congestion is appropriately considered in the Draft EIR under Impact 2.1-3. Compared to the proposed Plan, per-capita daily VMT in congested conditions was 115 percent greater under the No Project alternative, as shown in Table 3.1-11. Additionally, the No Project alternative has 33 percent more hours of vehicle delay than the proposed Plan, as shown in Table 3.1-8. Contrary to the commenter's claim, the analysis indicates that higher-density development patterns combined with the proposed Plan's related transportation investments would lead to lower levels of traffic congestion.

While greater regional population and employment can be expected to increase traffic congestion, the focused land use development strategy actually mitigates some of the adverse effects of growth. Although year 2040 traffic congestion under the proposed Plan is expected to be worse than current conditions (thus it is recognized as a significant and unavoidable impact on page 2.1-34 of the Draft EIR), the proposed mitigation measures would help to minimize these impacts.

C150-19: The comment claims that MTC and ABAG ignore the impact of traffic congestion on GHG emissions. This is not accurate. As demonstrated in Figures 24 and 26 (pp. 59 and 61) in the *Draft Summary of Predicted Traveler Responses* supplementary report, MTC and ABAG expect congestion to increase between today and 2040. These congestion estimates were entered into the CARB emissions estimation software (EMFAC2011). As such, MTC and ABAG explicitly consider the increase in congestion on the proposed Plan's GHG estimates. MTC and ABAG also point the author of the comment to Figure 4 (pp. 21) of the *Draft Summary of Predicted Traveler Responses* supplementary report, which demonstrates the increase in roadway capacity in the proposed Plan relative to the No Project alternative.

C150-20: The comment claims that greater traffic congestion is likely to have negative health impacts due to air pollution. Chapter 2.2 of the Draft EIR analyzes this issue in depth and finds that the proposed Plan would have no significant impact in terms of criteria pollutant emissions (ROG, NO_x, CO, and PM_{2.5}) and regional toxic air contaminant emissions, but would have potentially significant impacts regarding construction-related emissions, increased emissions of PM₁₀ from on-road mobile sources compared to existing conditions, sensitive receptors located in TPP areas where the increased cancer risk is above the threshold and within set distances to mobile or stationary sources of TAC or PM_{2.5} emissions. See Chapter 2.2 for Mitigation Measures 2.2(a), (b), (c), and (d). See response B25-8 for more information on the emissions analysis and public health.

C150-21: Refer to the responses C172-18 and C153-9.

C150-22: Refer to response C150-10. Also, the commenter argues that the proposed Plan will negatively impact future housing affordability, the regional economy, and low-income households. The commenter follows this argument by asserting that the Plan has “potential detrimental effects on household affluence, especially on low income households” and that “these [effects] are not considered in the Plan Bay Area Draft EIR.”

Analysis of “household affluence” is not required under CEQA. If the commenter is alluding to the potential impact of a project or alternative on economic indicators such as income, CEQA does not require that these be quantified or analyzed. Similarly, CEQA does not require analysis of implicit or explicit policies in a project or alternative that could influence economic indicators, such as those the commenter argues are included in the Plan.

C150-23: This comment is primarily focused on the transportation investments of the Proposed Plan. It should be noted that the proposed Plan works to address mobility and affordability issues for households at all income levels. See Master Response F. The comment incorrectly conflates mobility for low-income households with automobile ownership – the proposed Plan instead improves mobility primarily by offering better public transit options (e.g., reducing travel times and improving service frequencies) and by bringing households and employment opportunities closer together. New and improved BART service, for example, provides a public transit option (featuring travel times competitive with highway travel) for travelers at all income levels. Similarly, new bus rapid transit lines throughout the region reduce travel times on highly-utilized urban bus lines often frequented by lower-income individuals. Greater proximity between residential and employment locations featured in the proposed Plan’s future land use pattern would also reduce commuting costs and travel times for people who own cars.

The proposed Plan already includes many of the commenter’s proposed strategies to improve mobility of individuals at all income levels:

- Expanded car-sharing programs are a key component of the Climate Initiatives Program as detailed on page 1.2-51 of the Draft EIR.
- The commuter benefit ordinance included as mitigation measure 2.1(b) would increase opportunities for telecommuting by encouraging employers to support alternatives to driving.
- Innovative strategies to specifically provide low-income individuals with improved mobility options are already funded as part of MTC’s Lifeline Program. The Lifeline Program is proposed for \$767 million in additional funding over the life of Plan Bay Area.

By arguing that no EIR alternatives addressed low-income mobility issues, the comment ignores the elements of the propose Plan described above, as well as the inclusion of Alternative 5 (the Environment, Equity, and Jobs alternative) in the Draft EIR, which was specifically designed by social equity advocates to provide even greater mobility and affordability for low-income households than the proposed Plan. Rather than encourage automobile use, stakeholders instead sought to make more aggressive improvements to the regional transit system (beyond what is included in the proposed Plan). In summary, the Draft EIR thoroughly considered a wide array of transportation improvements benefitting Bay Area residents with a variety of income levels.

C150-24: Your support for the No Project alternative is acknowledged. Decision-makers will consider the advantages and disadvantages of each alternative in determining which alternative to approve.

Letter C151 Chris Engl (5/15/2013)

C151-1: There is ample evidence that transit-oriented development will reduce future GHG emissions, see Master Response D.2. In addition, the proposed Plan does not call for the elimination of or defunding of roads, and in fact devotes a significant portion of its budget to operating and maintaining the existing roadway system. The Draft EIR, on p. 1.2-49, notes that the proposed Plan allocates over 79 percent of its budget to committed projects, which include many highway and roadway projects, and the remaining discretionary funds are allocated mainly to “fix it first” projects with 87 percent of total Plan funds going to operations and maintenance. “Compared to Transportation 2035, the proposed Plan Bay Area would spend a higher percentage of its budget on transit and roadway operations and maintenance, less on expansion of transit network, and roughly the same percent on road and bridge expansion.”

In addition, as Table 1.2-10 of the Draft EIR shows, the proposed Plan will increase road and bridge operations and maintenance from 30 percent of the overall Transportation 2035 budget to 32 percent of the Plan Bay Area budget, an increase of \$28 billion (see updated numbers in Section 2.2 of this Final EIR); these funds are available due to a decrease in the proportion and amount of money to be spent on transit system expansion compared to the last RTP. In light of this transportation investment strategy, the proposed Plan clearly supports a continuation of personal automobile use. MTC must fund a transportation system that serves a growing population and many lifestyles while hitting targets assigned by the State, and this requires supporting transit as well as roadway systems. The proposed land use pattern attempts to concentrate growth within transit-served locations, thereby lessening future growth and traffic pressures on rural roadways.

C151-2: See Master Response C regarding requests to extend the public comment period. Additionally, MTC and ABAG followed CEQA requirements for public noticing of the EIR. See Chapter 1.2 of the Draft EIR for a description of the public participation process for development of the proposed Plan. Regarding public engagement for the EIR, please see Chapter 1.1 of the Draft EIR for a description of the Notice of Preparation and public scoping process and Section 1 of this Final EIR for a description of the public review process for the Draft EIR. Regarding your request to vote on the plan, The MTC and ABAG Board consist of elected representatives from many counties and cities of the region and their decisions reflect the decisions of these voter-selected officials.

C151-3: The Draft EIR, in Chapter 2.5, found that the proposed Plan would reduce GHG emissions per capita from cars and light trucks by 16 percent by 2035 and would not increase overall GHG emissions in 2040 despite a significant population and job increase.

C151-4: Commenter’s opposition to the proposed Plan is acknowledged. Decision-makers will consider the advantages and disadvantages of each alternative in determining which alternative to approve.

C151-5: The Plan is financially constrained and must be implemented within the expected revenues.

- C151-6: The Draft EIR, on p. 1.2-49, notes that the proposed Plan allocates over 79 percent of its budget to committed projects, which include many highway and roadway projects, and the remaining discretionary funds are allocated mainly to “fix it first” projects with 87 percent of total Plan funds going to operations and maintenance. “Compared to Transportation 2035, the proposed Plan Bay Area would spend a higher percentage of its budget on transit and roadway operations and maintenance, less on expansion of transit network, and roughly the same percent on road and bridge expansion.” In addition, as Table 1.2-10 of the Draft EIR shows, the proposed Plan will increase road and bridge operations and maintenance from 30 percent of the overall Transportation 2035 budget to 32 percent of the Plan Bay Area budget, an increase of \$28 billion (see updated numbers in Section 2.2 of this Final EIR); these funds are available due to a decrease in the proportion and amount of money to be spent on transit system expansion compared to the last RTP.
- C151-7: The project objectives for Plan Bay Area include increasing the local road pavement condition index (PCI) and decreasing the share of distressed lane-miles of state highways. The proposed Plan is expected to increase the PCI by 8 percent over existing conditions, compared to a 21 percent under the No Project alternative. However, the proposed Plan is expected to increase distressed highway lane-miles by 63 percent, the same amount as under the No Project alternative. Decision-makers will consider these and other advantages and disadvantages of the alternatives in determining which alternative to approve.
- C151-8: See responses C151-3, -5, -6, and -7 above.
- C151-9: The commenter raises no environmental issue to which a response is required under CEQA. The EIR is concerned with the impact of the proposed Plan on a set of environmental criteria, not the relative levels of funding versus other regions. See response C151-6.
- C151-10: The comment is related to past funding decisions by MTC to invest in fixed guideway transit rather than buses and does not raise an environmental issue to which a response is required.
- C151-11: See responses C151-3, -5, -6, and -7 above.
- C151-12: MTC has many responsibilities allocated to it from the State and federal governments and requested by its constituents, including the funding of transit operations.
- C151-13: These technologies are not allowed by SB 375 to be included in meeting the GHG emission reduction targets. See Master Response D.2 on calculations allowed by SB 375 to meeting the GHG targets.
- C151-14: The commenter asks why the proposed Plan does not treat funding from gasoline taxes and bridge tolls as user fees. This is not a comment on the Draft EIR. The expenditure of bridge tolls is largely determined by voter-approved regional measures that identified specific capital projects and operating uses for the bridge tolls.
- C151-15: See Table 1.2-2 on page 1.2-22 of the Draft EIR for the listing of the project objectives adopted by MTC and ABAG for Plan Bay Area.

- C151-16: The commenter raises no environmental issue to which a response is required under CEQA. Furthermore, providing the MSC pricing analysis requested by the commenter would not affect the impact analyses in the EIR.
- C151-17: The comment criticizes the use of “Anticipated/Unspecified” funding as a revenue source in the proposed Plan. This is not a comment on the EIR, but is instead a comment on the revenue forecast used for Plan Bay Area. As noted in the Supplemental Report *Financial Assumptions*, the inclusion of “Anticipated” revenues in the financially constrained plan strikes a balance between the past practice of only including specific revenue sources currently in existence or statutorily authorized, and the more flexible federal requirement of revenues that are “reasonably expected to be available” within the plan period. The comment criticized the fact that there is no forecast for where the funding is expected to come from. However, examples of past “anticipated/unspecified” revenues are included in the *Financial Assumptions* Supplemental Report.
- MTC performed a retrospective analysis of projections for predecessor long-range plans, including a review of unexpected revenues that had come to the region but had not been anticipated or included in these projections. Over a 15-year analysis period, the San Francisco Bay Area received an annualized amount of roughly \$400 million (in 2011 dollars) from these “unanticipated” fund sources. These revenue sources include Traffic Congestion Relief Plan, Proposition 42, nonformula federal funds, Proposition 1B, and American Recovery and Reinvestment Act funding. For each fund source, only the amount distributed to the Bay Area was included. Based on this retrospective analysis, MTC believes it is reasonable to anticipate that additional revenues will become available to the region over the course of the Plan Bay Area period. MTC generated an estimate of these anticipated revenues by projecting the \$400 million figure forward at a 3 percent annual growth rate. To be conservative, these revenues are not assumed in the first five years of the plan.
- C151-18: Providing a cost-benefit analysis is not a requirement of CEQA. An EIR is concerned with environmental impacts. The comment raises no environmental issue to which a response is required under CEQA. Decision-makers will consider the advantages and disadvantages of each alternative in determining which alternative to approve, in so doing the decision-makers may consider non-environmental issues including cost-benefit considerations.
- C151-19: As the comment itself notes, telecommuting was included in the transportation modeling for the proposed Plan and each alternative. This was one of several trends included in the model that may increase or decrease future travel. Also see response C151-20.
- C151-20: The comment criticizes the proposed Plan for not including an assumption that more people will telecommute. As shown in Figure 9 (pp. 39) in the Draft Summary of Predicted Traveler Responses supplementary report, the trend of workers working at home is approximately linear from 1980 to 2010. This linear trend does not align with, as the comment notes, the “parabolic decline in the price of computer, computer peripherals and the price of mobile devices.” This evidence suggests that telecommuting is not directly related to the price of these items. MTC and ABAG believe the telecommuting assumptions are reasonable and conservative (i.e., if telecommuting increases more than expected, the environmental impact of the plan would be reduced).

The comment questions why the Draft Plan does not include telecommuting policies and programs. Support for telecommuting is included in the 511 Rideshare program managed by

MTC. The 511 Rideshare program encourages a menu of options for ways to reduce emissions and congestion, including carpooling, vanpooling, bicycling, transit, and telecommuting/tele-working. In order to make telecommuting a realistic option for commuters, the 511 Rideshare program works with employers to implement telework policies. The program conducts management surveys, analyzes management concerns and offers creative policy solutions, and even drafts policies for companies to implement. 511 Rideshare employer outreach staff also offer ideas on technologies to support telecommuting.

C151-21: The No Project assumes expanded urban growth boundaries and it was found to not meet the SB 375-mandated GHG emissions reductions targets; see the Draft EIR, Chapter 3.1.

C151-22: This question is broad and unclear, and does not appear to be on the EIR.

C151-23: The comment raises no environmental issue to which a response is required under CEQA. CEQA does not require evaluation of financial issues, only environmental impacts.

C151-24: The comment questions if MTC and ABAG treated each of the alternatives objectively and fairly in terms of cost estimates, and what MTC and ABAG's track records are for cost estimates for past projects of large magnitude. All alternatives used the same financial cost assumptions. Project costs are submitted by the project sponsors. MTC, as the project sponsor of the Regional Express Lanes Network, has developed cost estimates for that project. However, that project has not yet been implemented, so an analysis of the accuracy of those cost estimates is not available.

C151-25: This question is beyond the scope of an EIR, which is intended to publicly disclose potential environmental impacts under a proposed Plan, propose mitigation measures that would reduce any identified impacts, and evaluate a range of feasible alternatives that also meet adopted objectives—the EIR is not required to evaluate all possible alternatives.

C151-26: This comment questions why the proposed Plan invests in new projects when maintenance of the existing system has an unfunded need. This is a comment on the Draft Plan, not on the environmental analysis of the Plan. The proposed Plan follows the long-standing Commission policy of “fix it first” and invests 87 percent of total revenue in operating and maintaining the existing road and transit system. While there is still a need for additional funding for maintenance of the local streets and roads and the transit capital, a small amount of funds were identified for roadway and highway expansion or transit expansion either by the counties as county priority projects or during the project performance assessment as strong performers. The vast majority of funds are still committed to operating and maintaining the existing system.

In addition, the comment questions investing in new transit project that will need to be subsidized in the future. Project sponsors, when developing their project costs, must include operating costs for the life of the Plan. For a project to be in the Plan it must be fully funded including capital and operating needs.

C151-27: The *Plan Bay Area Draft Performance Assessment Report*, published by MTC in March 2013, found that Alternative 5 generally performed the best of the scenarios—including the proposed Plan and the No Project alternative—against the project objectives adopted by MTC and ABAG.

C151-28: See responses C151-3, -5, -18, and -23.

Letter C152 Susan Kirsch (5/15/2013)

C152-1: Please see responses to the letters cited: Thomas Rubin – C166, Robert Silvestri – C26 and C156, Ann Spake – C155, Kerry Stoebner – C96, Linda Rames – C81, Liz Specht – C90 and C91, and Sharon Rushton – C33. Please refer to the other responses in this Final EIR as well.

C152-2: The NOP stated that, “The Jobs-Housing Connection alternative is the proposed Project,” on page 11. An NOP must identify the proposed project. Please see Chapter 1.2 of the Draft EIR for a description of the plan development process.

C152-3: The MTC and ABAG Board consist of elected representatives from many counties and cities of the region and their decisions reflect the decisions of these voter-selected officials.

C152-4: The issues cited relate to the Plan preparation process, not the EIR.

C152-5: MTC and ABAG followed CEQA requirements for public noticing of the EIR. See Chapter 1.2 of the Draft EIR for a description of the public participation process for development of the proposed Plan. Regarding public engagement for the EIR, please see Chapter 1.1 of the Draft EIR for a description of the Notice of Preparation and public scoping process and Section 1 of this Final EIR for a description of the public review process for the Draft EIR. Also see Master Response C regarding the request to extend the public comment period.

CEQA does not require public hearings for an EIR; these were held as a courtesy for those wishing to submit their comments orally. The actions or inactions of individuals regarding their representation to MTC and ABAG are immaterial to the adequacy of the EIR.

C152-6: The failure of the proposed Plan to achieve this performance target is noted and will be taken into consideration by the MTC and ABAG prior to taking action on Plan Bay Area.

C152-7: The EIR proposes many feasible mitigation measures intended to mitigate significant impacts. Please see the Executive Summary of the Draft EIR, Table ES-2. However, MTC and ABAG cannot compel local governments to utilize these mitigation measures. Please also see Master Response A.2, which discusses further environmental review.

C152-8: MTC and ABAG may find that the proposed Plan would create significant environmental impacts, but that these impacts would be outweighed by other benefits, including having fewer impacts than under the No Project alternative. The Findings and Facts in Support of Findings and a Statement of Overriding Considerations will accompany the Final EIR when MTC and ABAG review it for certification.

C152-9: The Draft EIR, in Chapter 3.1, found that the No Project alternative resulted in the greatest adverse environmental impacts and would likely create five significant and unavoidable impacts in addition to those under the proposed Plan. Also, the No Project alternative would not attain the GHG emissions reductions targets established by ARB and therefore may not be selected according to SB 375.

C152-10: See response C152-5.

- C152-11: See response C152-3.
- C152-12: The Draft EIR includes a list of preparers in Chapter 4.
- C152-13: These comments are not on the EIR and do not raise environmental issues under CEQA. That said, MTC and ABAG are unaware of any efforts to merge counties and/or public services and that concept is not raised in SB 375.

Letter C153 Randal O'Toole (5/15/2013)

- C153-1: This characterization of the proposed Plan is incorrect. The proposed Plan does not assume or advocate for the demolition of single-family homes or any other housing units. The EIR, in the table cited, is simply presented the results of background research conducted for ABAG on the Jobs-Housing Connection Strategy. In fact, on the same page of the Draft EIR cited, p. 2.3-5, it states that, "The projected oversupply of single-family homes is expected to reduce demand for other housing types by almost 170,000 units as some households that would otherwise choose multifamily units instead opt for single family homes made more affordable due to excess supply." In other words, the expected oversupply of single-family houses relative to demand, estimated to be an excess of 160,000 units, would result in lower production of multi-family units than would otherwise occur because that demand would be satisfied with existing single-family housing stock. The same page of the Draft EIR also notes that, "Although this suggests no demand for newly constructed single-family homes, some production will likely occur as the Bay Area housing market adjusts to these trends."
- C153-2: As Table 2.3-2 on p. 2.3-5 of the Draft EIR shows, single-family detached homes are expected to still be the housing type most in demand. As of 2010 just over half (56%) of housing in the Bay Area is single-family detached homes. Looking ahead, ABAG's economists expect that the demand for single family homes is expected to decline. See Appendix D of ABAG's Jobs-Housing Connection Strategy, May 2012, for an explanation of factors expected to reduce single-family home demand in the Bay Area, including lingering effects of the housing bubble, tightening credit standards, lower median household incomes, energy costs, changing rates of marriage, and changes in household size and composition. These factors apply to this region alone and are not a statement on the popularity of single-family homes in the remainder of the country.
- C153-3: See Draft EIR Chapter 3 for a detailed comparison of the Alternatives. MTC and ABAG will consider the benefits and feasibility of the alternatives before reaching a decision. The decision to approve a project will be supported by findings regarding the various alternatives.
- C153-4: This comment questions the assumptions about transit ridership. See Master Response D.2 on the connection between high-density housing near transit and reduced GHG emissions.
- C153-5: See Master Response F regarding displacement and Master Response D.2 regarding SB 375's GHG emissions reductions requirements.
- C153-6: This comment does not raise an environmental issue to which a response is required.
- C153-7: The vetting process for the alternatives is explained in Chapter 3.1; it was wholly consistent with CEQA. These alternatives were selected among a broader range considered as those

that would feasibly attain most of the basic objectives of the proposed Plan and, in some instances, potentially avoid or substantially lessen the environmental consequences attributed to the proposed Plan. Cost-effectiveness, tradeoffs and preferences are all factors that decision-makers will consider after EIR certification when they determine what actions to take on the proposed Project. Your comments on the proposed Plan, the alternatives and the planning process are acknowledged and will be considered as part of the decision-making process.

C153-8: Your comments on the proposed Plan and potential socio-economic effects are acknowledged. They do not relate to the EIR, which provides environmental review of the Plan.

C153-9: This comment argues that per-capita transit ridership has declined even as the region has invested into transit expansion projects – therefore asserting that the forecasted per-capita transit ridership growth is unrealistic. While regional transit ridership has grown over time as shown in Table 2.1-6 of the Draft EIR, the share of Bay Area residents commuting by transit has remained steady over the past two decades despite significant transit investments such as BART extensions to Millbrae, Pittsburg, and Dublin/Pleasanton. This is primarily due to land use factors rather than inherent personal preferences for automobile travel.

Two land use trends have made it difficult to expand the transit mode share (or grow per-capita transit ridership) – residential sprawl and job sprawl. First, much of the region’s residential development since the mid-20th century has been occurring in edge suburbs and exurbs due to higher development costs in the existing urban core. These low-density areas are generally dependent on the automobile and difficult to serve with public transit. Second, regional employment has become increasingly dispersed with employers moving from city centers to suburban office parks. These dispersed locations are equally difficult to serve by public transit as they lack the concentration of jobs found in dense transit-oriented city centers such as San Francisco’s Financial District.

The proposed Plan leads to growth in per-capita transit ridership not only by investing in public transit but also by emphasizing a highly focused land use pattern for both residential and employment growth. By channeling growth into Priority Development Areas with high-frequency transit services, the proposed Plan aims to reverse historical auto-oriented land use development patterns in lieu of focused development more efficiently served by public transit. See Master Response D.2.

C153-10: The No Project alternative does assume an expansion of the “urban footprint” based on historical trends. An expansion of the roadway network is not a feasible alternative because funding for substantial improvements to the highway system, such as added lanes and new freeways and arterials, is simply not available from the federal or State governments. Historically, federal funding assumed up to 90 percent of the costs of highway improvements, but this level of funding for new highway projects is simply not available. Currently, only about 12 percent of the funding for State Highways in California comes from the federal government. MTC and ABAG do not expect to see a substantial increase in this amount anytime soon. About double that amount comes from State funding. The rest comes from local sources. In the Bay Area, the primary source of transportation funding comes from sales tax measures and bridge tolls. Overall, transportation needs for the future are under-funded at well below 50 percent. As a consequence, MTC has been developing and implementing a “fix it first” policy to address deteriorating infrastructure. Where local sales

tax measures have been used to support highway projects, that funding has been largely expended, and there are no unallocated revenues. Finally, on the question about expanded bus service, MTC and ABAG note that Alternative 3, Transit Priority Focus, includes increased AC Transit service, not just BART, and Alternative 5 included a significant increase in bus service, both local and TransBay.

- C153-11: This EIR does include an extensive and complete analysis of each of the proposed Plan's components (its policies) on GHG emissions; see Chapter 2.5. Costs and housing affordability, however, are not environmental effects and so are not subject to review under CEQA.
- C153-12: As explained in response C153-10, the alternatives were derived from a rigorous vetting processing (see "Alternatives Screening" on pg. 3.1-2). This was not done by compiling policies in a random fashion, but instead reflected a systematic assessment with an open public review and comment process. Stakeholders contributed to the formulation of alternatives, as explained in the Draft EIR.
- C153-13: Your comments about the alternatives presented in the three bullets are correct. Your comments about the perceived bias towards density concerns the substance of the proposed Plan and raises no environmental issue to which a response is required under CEQA
- C153-14: This comment is not correct, as previously explained in Response C153-1. This EIR does not state that there will be any demolition of single-family homes; it simply reports the results of a supply and demand analysis conducted for ABAG as part of the background research underpinning the proposed Plan.
- C153-15: MTC and ABAG acknowledge these comments regarding the proportion of multi-family and single family housing units in the Draft Plan, as well as future affordability and the merits of specific research noted in the Draft Plan. MTC and ABAG took multiple sources of research into account in developing the housing distribution in the proposed Plan. See Master Response F.
- C153-16: See response C153-15.
- C153-17: See responses C26-43 and C26-45.
- C153-18: MTC and ABAG have reviewed and understand the literature, but have come to different conclusions. Under CEQA and California case law, it is recognized that experts may disagree, and such disagreement does not render an EIR invalid. For information on the literature MTC and ABAG have reviewed, see Master Response D.2, Connection between High Density Housing near Transit and GHG emissions.
- C153-19: The first part of this comment deals primarily with the funding allocations of the proposed Plan itself, rather than the EIR analysis. In order to maximize mode shift to transit, a greater proportion of funding in the proposed Plan is allocated to expanding, operating, and maintaining the region's transit system. As shown in Table 2.1-13, this is forecasted to lead to significant growth in transit ridership over the lifespan of the Plan. In contrast to the commenter's assertion that mode shift to transit will not lead to forecasted reductions in greenhouse gas emissions, Master Response D.2 provides significant evidence that supports

the benefits of transit mode shifts for GHG reduction. Refer to response C153-9 on the issue of forecasted per-capita transit ridership growth.

- C153-20: The comment cites statistics showing that the energy consumption of an average automobile is similar to the energy consumption of average public transportation service when measured per passenger mile. However, the comment fails to acknowledge the differential impact of adding travelers to automobiles versus adding passengers to public transportation service. As more and more travelers use the Bay Area's transportation system, adding travelers to existing public transportation is less energy intensive than adding travelers to private automobiles because the existing transit system has far greater publically available capacity than existing private automobiles. Implicitly, the comment suggests that MTC and ABAG should strive to capitalize on the region's sunk investment in public transportation infrastructure by designing policies to increase ridership on existing service, thus reducing public transportation's energy consumption on a per passenger mile basis. MTC and ABAG agree and the proposed Plan attempts to do just this via focused land use planning. Master Response D.2 provides additional information about the relative GHG intensity of automobile modes in comparison to public transit – which contradict this comment's assertion that automobiles and public transit have equivalent levels of Carbon intensity.
- C153-21: Please see response C153-20. This comment also seems to ignore the fact that the Bay Area's primary rail system, BART, runs on electricity.
- C153-22: See Master Responses D.1 and D.2.
- C153-23: The comment raises no environmental issue to which a response is required under CEQA.
- C153-24: The source or methods used to compute the numbers in Table One are not identified. The results, therefore, are speculative. MTC and ABAG remind the author of the comment that reducing GHG emissions is only one of many objectives of Plan Bay Area, and that the goal of addressing greenhouse gas emissions through land use and transportation planning is MTC and ABAG's directive under SB 375. See Master Response D.2.
- C153-25: Refer to comment responses C153-9 and C153-19 on the issue of per-capita transit ridership forecasts.
- C153-26: MTC and ABAG expect that concentrating growth will increase localized traffic congestion, as stated in the comment, but on net reduce emissions as automobile trip lengths can be reduced (by bringing activities closer together) and alternative transportation modes, including walking, are more likely. SB 375 directs MTC and ABAG to reduce emissions from automobiles and light-duty trucks. Please refer to the Chapter 3.1 of the Draft EIR, Table 3.1-11: Per-Capita Daily Vehicle Miles of Travel by Level of Service (2010-2040), which shows lower levels of congestion across all V/C ratio ranges and time periods for the proposed Plan compared to the No Project alternative.
- C153-27: This comment is not correct; Table 3.1-28 properly excludes Pavley reductions from the per capita analysis for Criterion 1 under the Thresholds of Significance for Climate Change and GHG impacts presented in Chapter 2.5 because that exclusion is required by SB 375. See Master Response D.1.
- C153-28: See Master Response F regarding displacement.

- C153-29: See response C153-28.
- C153-30: Under SB 375 the proposed Plan must demonstrate the capacity to construct enough housing units to accommodate the project population; this is a statutory requirement. The comments on open space refer to the objectives of the Plan, not the adequacy of the EIR. Also see Master Response F regarding displacement.
- C153-31: These comments regard localized and specific impacts of land development design on crime prevention. This is a project-level issue and should be evaluated in project-level environmental review and/or local discretionary review; see Master Response A.3 regarding analysis required in a program EIR. All development under the proposed Plan is subject to local permitting, design guidelines, impact fees for public safety, and other land use controls; see Master Response A.1 regarding local land use control
- C153-32: The comment raises no environmental issue to which a response is required under CEQA.
- C153-33: The observation about the GHG analysis is not correct; this EIR does not ignore State law that mandated improvements in fuel efficiency. This mandate is fully analyzed in Chapter 2.5, Climate Change and Greenhouse Gas Emissions. In fact, tables showing projected emissions distinguish GHG reductions related to the proposed Plan from reductions attributable to Pavley regulations and the Low Carbon Fuel Standard.
- C153-34: The comment raises no environmental issue to which a response is required under CEQA.

Letter C154 Linda Pfeifer (5/15/2013)

- C154-1: See response C149-3.
- C154-2: See responses C149-5 and C149-6.
- C154-3: See responses C149-7 and C149-8.
- C154-4: See response C149-9.
- C154-5: See Master Response D.2 on the connection between high-density housing near transit and reduced GHG emissions.
- C154-6: Your support for the No Project alternative is acknowledged.

Letter C155 Ann Fromer Spake (5/15/2013)

- C155-1: MTC and ABAG believe that this EIR, as a programmatic assessment of environmental consequences and summary of mitigation measures that can reduce or eliminate adverse impacts, does in fact conform to CEQA requirements and provides a valid, legal basis for decision-making by both agencies and, after certification, by responsible agencies and local agencies undertaking projects supported and/or funded by the proposed Plan. Impacts are assessed at a level appropriate to this regional-scale, programmatic Plan and EIR. Mitigation measures are included for all significant impacts, though MTC and ABAG cannot compel local jurisdictions to adopt them. See Master Response A.2 for additional information on

CEQA streamlining options. Also see Master Response A.3 on the requirements for a program EIR.

C155-2: Highways are shown in their correct geographic location and alignment, and the information presented in tables and text is valid and correlated with the geographic information. With this in mind, this Draft EIR does, in fact, adequately disclose, analyze and mitigate potentially significant health effects. Peer review by responsible agencies confirms this. The U.S. Environmental Protection Agency, in their letter (see Letter A21 for details) commends MTC and ABAG for the Local Pollutant Impact Analysis and supports inclusion of the mitigation measures for localized impacts. See also response to comment B25-8.

C155-3: MTC and ABAG may find that the proposed Plan would create significant environmental impacts, but that these impacts would be outweighed by other benefits, including having fewer impacts than under a No Project scenario. In addition many of the significant and unavoidable impacts occur because MTC and ABAG cannot require local implementing agencies to adopt the mitigation measures, and it is ultimately the responsibility of a lead agency to determine and adopt mitigation. Please see Master Response A.1 on local control over land use for additional information. This issue will be also addressed in the Statement of Overriding Considerations that accompanies the Final EIR when submitted to the MTC and ABAG Board for certification.

C155-4: The Draft EIR does include substantial evidence in each chapter, supporting the impact analysis, and fully describes the mitigation measures so they can be evaluated as to their merit. On the question of sea level rise, MTC and ABAG are currently working with federal, State and regional agencies on project-level vulnerability and risk assessment. This is an ongoing process, supported and continuing under the proposed Plan. This clearly is evidence of taking responsibility for implementation, not deferring action. This is not *post hoc* rationalization. Enforcement responsibility that would rest with local governments and the land use authority they retain under the proposed Plan would not change, so responsibility for enforcing risk mitigation measures would devolve to these jurisdictions under the mitigation measures proposed for the criterion used for the sea level rise analysis; see Master Response A.1 regarding local land use control.

State agencies responsibilities for sea level rise planning and adaptation was set in place in Executive Order S-13-08, and the proposed Plan would not change that obligation. The proposed Plan will ask implementing agencies to require project sponsors to incorporate appropriate adaptation strategies into local transportation and land use projects. MTC and ABAG also will be formulating regional guidance to facilitate implementation of a regional sea level rise adaptation strategy. However, because MTC and ABAG cannot compel local agencies to adopt the mitigation measures listed in all cases, this impact remains significant, and this conclusion is highlighted for decision-makers in the Executive Summary. The analysis and disclosure is not deferred, and known mitigation measures are fully described. Moreover, the EIR includes specific information as to which transportation projects are potentially affected by sea level rise, so local planners do have a factual basis for determining the scope of any subsequent project-level environmental review. See Master Response E for additional information on sea level rise.

C155-5: The interrelationships between the proposed Plan and its environmental setting is included in each of the chapters so there is, in fact, a context created for the impact analysis. The effects of sea level rise on a transportation project and land development are described,

quantified and summarized, not ignored, as the responder suggests. Similarly, exposure to seismic risk is described, quantified and summarized, including the people who would be affected. These pre-existing hazards are part of the baseline conditions, and this information is presented in the Draft EIR, Chapter 2.7.

- C155-6: The comment mischaracterizes the CEQA streamlining rules and procedures created by SB 375. For additional information see Master Response A.2.
- C155-7: PDAs are nominated by local jurisdictions. In the case of the Highway 101 urban corridor, the PDA was nominated by the Marin Board of Supervisors, who adopted a resolution authorizing submission of an application on August 7, 2007. It was adopted by the ABAG Executive Board and is therefore included in the Draft Plan. Any change to the PDA would need to come at the request of the Marin County Board of Supervisors. See Master Response I regarding the PDA process.
- C155-8: As a programmatic assessment, this EIR examines effects on the mainline highway system and major transportation corridors. The concern expressed about localized transportation impacts is legitimate and certainly warrants further analysis and consideration as part of project-specific implementation of Plan Bay Area as well as local General Plans and Housing Elements. No further analysis is required in this Programmatic EIR. See Master Response A.3 regarding the level of specificity in the EIR as well as response to comment C155-12. See Master Response I regarding the PDA process.
- C155-9: The comment raises no environmental issues to which a response is required under CEQA.
- C155-10: The comment raises no environmental issues to which a response is required under CEQA.
- C155-11: The comment raises no environmental issues to which a response is required under CEQA.
- C155-12: As Plan Bay Area does not evaluate project-specific operational traffic impacts (instead focusing on regional impacts).. Any local traffic operational issues as identified in this comment should be considered at the local level. Further information on the programmatic nature of this environmental document can be found on page 1.1-4; additional information regarding the Draft EIR's emphasis on regional impacts can be found on page 2.0-1. Also see Master Response A.3 on the specificity of a Program EIR.
- C155-13: The analysis in the Draft EIR was that the project is consistent with the Air District's 2010 Clean Air Plan (CAP). The CAP does not state that sensitive receptors should not be located within 500 feet of a stationary or mobile source of emissions. The Air District recommends that best practices be applied to any new sensitive receptor land uses within this distance and if concentrations of toxic air contaminants and particulate matter are above certain levels the lead agency conduct a more detailed air quality assessment to determine potential health impacts and adequacy of mitigation measures.
- C155-14: The commenter does not identify what makes the "current risk assessment inadequate" to ensure that future residents exposed to harmful levels of TACs. When and if housing is proposed in this area a project-specific review will be conducted. See Master Response A.3 regarding the level of specificity in the EIR.

- C155-15: Overall all criteria pollutants will be decreasing over the life of the proposed Plan, except particulate matter (PM₁₀). This increase in PM₁₀ is primarily due to an increase in re-entrained road dust along heavily traveled highways and roadways due to increases in vehicle miles of travel expected to occur. The Draft EIR identified this impact as significant and unavoidable.
- C155-16: Individual development projects will undergo further environmental review at the project level. County level information has been provided in the EIR when feasible, but does not represent an obligation to evaluate all impacts at that level, nor at a site-specific level. See Master Response A.3 regarding level of specificity in the EIR.
- We acknowledge that Highway 1 was mislabeled as Highway 101 in the Draft EIR Local Pollutant Analysis map for Southern Marin County. This has no effect on the adequacy of the air quality analysis in the Draft EIR. .
- C155-17: The Draft EIR identifies when increased health risk should be more closely evaluated and disclosed by the local lead agency when considering a project application. See the analysis and mitigation measures in Chapter 2.2.
- C155-18: While PM₁₀ emissions are expected to increase with the project, PM_{2.5}, or the finest of particulate matter and most harmful to public health is expected to decrease overall by approximately 5 percent. New State and federal emission standards for vehicles and trucks are anticipated to further reduce these emissions during the life of this project.
- C155-19: The comment raises no environmental issues to which a response is required under CEQA.
- C155-20: Based on the significance thresholds for the local pollutant analysis, the Draft EIR does characterize the severity of the impacts by identifying all areas above this health-based standard. The methodology for the analysis assumes an absolute worst-case exposure for individuals, such as being outdoors 24 hours per day, seven days per week and 365 days per year for a seventy year lifetime. In these areas above the threshold, lead agencies should conduct a more detailed analysis to determine the actual health impacts and identify project alternatives or mitigation measures to lessen any identified impacts.
- C155-21: The Pacific Institute Study (Study) identified areas of high volumes of truck traffic and distribution centers and how they relate to the location of CARE communities. The Study did not include any air pollutant modeling or exposure assessment. The Draft EIR local pollutant analysis identified areas of most concern (above thresholds) and should be further studied prior to locating any sensitive receptors in these areas.
- C155-22: The Draft EIR does not evaluate the potential impacts from an individual land use project that might occur within a jurisdiction. That level of project specific information is not available and it would be purely speculative to do the analysis. The Draft EIR does evaluate the potential air quality impacts based on build out of the anticipated transportation investments by estimating their effect on vehicle miles of travel and congestion. These emission estimates are used to determine what the local and regional air quality impacts will be on existing and future sensitive receptors.
- C155-23: See responses C155-16 and C155-17.

- C155-24: The Bay Area is a non-attainment area for ozone and particulate matter because of emissions from the existing population and not because of future or proposed new development. All the health risk assessment methodology used in the Draft EIR assumes outdoor exposure and not that people are staying indoors, which results in a conservative analysis of a worst-case scenario. See Chapter 2.2 of the Draft EIR.
- C155-25: Whether there are overriding considerations for significant unavoidable adverse environmental impacts is a decision that MTC and ABAG make at the conclusion of the public review process when the Final EIR is being considered for certification. Action on projects to be included in the proposed Plan would take place after EIR certification and be informed by the analysis in this EIR. It should also be noted, however, that the No Project alternative results in more significant impacts than the proposed Plan.
- C155-26: The comment raises no environmental issues to which a response is required under CEQA.
- C155-27: The proposed Plan is designed to focus all future growth within current urban footprint and urban boundary lines. Open space and agricultural preservation is a goal of the Plan.
- C155-28: See Master Response B.1 for information on population projections.
- C155-29: See Master Response B.1 for information on population and projections and their interrelationships.
- C155-30: Economic issues are beyond the range of CEQA review. The comment raises no environmental issue to which a response is required under CEQA. See Master Response F on displacement.
- C155-31: It would be speculative for the EIR to opine about what jurisdictions may do or not do to secure funding and how that would relate to local land use authority, which the proposed Plan respects. See Master Response A.1 for additional information on local control over land use.
- C155-32: MTC and ABAG agree that preservation of open space is important. The proposed Plan performs significantly better than the No Project alternative with regards to impact on farmland, open space, and Williamson Act lands. Impacts on special status species and habitats are fully addressed, and the mitigation measures do take into account the relocation issues by emphasizing the importance of avoiding impacts to protected resources and preserve the function of habitat. Relocation would be a last resort. Avoidance and minimization measures are preferred, which is consistent with a principle of fostering sustainability.
- C155-33: The Draft EIR, Chapter 2.4, evaluates Energy impacts. See Master Response A.3 regarding the level of specificity of the EIR.
- C155-34: See Response C155-12. On a regional scale, Draft Plan Bay Area does include funding to improve safety and enhance communities to make them more attractive to pedestrians, bicyclists, and transit riders – even as regional traffic volumes grow over the life of the Draft Plan. Many of the counties in the region included explicit funding in the Draft Plan for bicycle and pedestrian programs, road safety enhancements, and streetscape improvements. Additionally, the OneBayArea Grant Program provides funding for enhancement projects,

many of which are designed to make streets more accommodating for alternative transportation modes.

- C155-35: Comment is acknowledged.
- C155-36: The comment raises no environmental issues to which a response is required under CEQA.
- C155-37: As this is a programmatic-level assessment, noise from the local heliport cited was not separately quantified and analyzed. Specialized noise assessment, as noted by the responder, would certainly be appropriate if an increase in the licensed activity at this heliport (arrivals and departures) were requested. See Master Response A.3 regarding the level of specificity of the EIR.
- C155-38: As this is a programmatic-level assessment, traffic noise and construction noise were evaluated at a regional scale, and site-specific effects related to bay mud were not considered. See Master Response A.3 regarding the level of specificity of the EIR.
- C155-39: The comment suggests that the proposed Plan would increase exposure of people and structures to the risk of property loss, injury, or death involving strong seismic ground shaking, effects of liquefaction, building on fill and bay mud, and projected inundation and sea level rise. As discussed in the Draft EIR on page 2.7-25, improvements associated with the proposed Plan would be required to adhere to stringent building codes that include seismic design requirements to minimize potential damage and injury from maximum credible earthquakes in the region as well as secondary effects of liquefaction (see also responses C33-11 and C180-7). Building code requirements also include geotechnical evaluation of the subsurface materials such as the density and susceptibility to settlement under static and dynamic (earthquake) conditions. Site preparation requirements including foundation design and replacement of undocumented fill with engineered fill are standard treatment measures to overcome the potential hazards associated with the presence of fill and bay mud deposits.
- As discussed in the Draft EIR on page 2.5-61, there are areas within the planning area that are projected to be susceptible to inundation by estimated sea level rise levels in the future. However, in the absence of definitive timing and extent of sea level rise, Mitigation Measure 2.5(a) through (d) provides the means to implement adaptive management strategies to respond to sea level rise.
- C155-40: The comment states that there is a 63 percent chance that a magnitude 6.7 or greater earthquake is likely to occur over the next 30 years and that the San Andreas and Hayward faults are considered to have the highest probability of being the causative faults. The comment also states that the Tamalpais PDA is located within 10-11 miles of both of these faults. The comment is in agreement with the analysis that is already found in the Draft EIR.
- C155-41: The comment states that the liquefaction hazard map shown in the Draft EIR fails to correctly show the high liquefaction hazard that is present in Tamalpais Valley. The map presented in the Draft EIR (Figure 2.7-2) is not intended to be used for site specific analysis and as required by the California Building Code, the potential for liquefaction would be determined by a site specific geotechnical investigation. The potential for liquefaction would be determined using laboratory analysis of subsurface soil samples in accordance with industry standard methods and building code requirements on a project-by-project basis.

However, it is noted that Figure 2.7-2 does show, within the constraints of an area-wide figure, Tamalpais Valley to be a zone of high to very high liquefaction hazard.

- C155-42: The comment states that “to choose to intensify development in high seismic risk areas without EIR analysis of the significant effects of the environment shows no regard for the impacts of the environment on people and structures and illustrates illusions about our technological ability to manage and ignore the power of natural forces”. The Draft EIR acknowledges the seismic hazards present in the planning area and provides mitigation to reduce the potential for significant effects to less than significant levels. Seismic design requirements are developed through incorporation of scientific study of past events and continue to be updated.
- C155-43: The comment states that the proposed Plan would have a significant impact related to geology, soils and seismicity in the Tamalpais Valley PDA related to Criterion 2, 3, and 6 of Chapter 2.7 of the Draft EIR. The comment also states that there are high liquefaction hazards and fill and bay mud deposits in this area. As discussed in Chapter 2.7, there is a range of geotechnical hazards present across the planning area including the Tamalpais Valley PDA. The implementation of the mitigation measures presented in Chapter 2.7 would require that each individual project receive a geotechnical investigation that would evaluate the presence or absence of these hazards and provide recommendations for site preparation and/or foundation design to minimize these. As noted in response C155-41, the Draft EIR expressly recognizes high liquefaction potential in Tamalpais Valley.
- C155-44: The comment states that the proposed Plan could increase development within the floodplain and that the mitigation measures do not include avoidance or limitations on development in floodplains that could also result in loss of wetlands. The comment also states that FEMA National Flood Insurance Program requires communities to limit development in floodplains. As stated in the Draft EIR on page 2.8-34, “any developments proposed within the 100-year flood zone would be required to meet local, State and federal flood control design requirements. In general, local jurisdictions have flood control policies that require new construction in flood-prone areas to be built to flood-safe standards, such as ensuring that ground levels of living spaces are elevated above anticipated flood elevations”. Therefore, if proposed development can meet these requirements then the potential impact related to flooding would be less than significant. See response C155-48 for discussion on the potential loss of wetlands.
- C155-45: The comment concerns two Executive Orders including 11990–Protection of Wetlands and 11988–Floodplain Management which are consistent with the Marin Countywide Plan that established the Highway 101 Corridor as an area for preservation. See response C155-48 for discussion of the protection of wetlands. Otherwise the comment is noted and does not address the adequacy of the Draft EIR. However, as stated in response C155-44 above, proposed development located in the 100-year flood zone would be required to adhere to local, State and federal flood control design requirements.
- C155-46: The comment raises no environmental issues to which a response is required under CEQA.
- C155-47: Please refer to Master Response E for more information on the analysis of sea level rise.
- C155-48: The comment states that the proposed Plan will potentially have an adverse effect on sensitive or endangered species, and speculates that it would inhibit restoration of historic

wetlands, and preclude ability to allow for migration inland as sea level rises. The Draft EIR acknowledges that development under the proposed Plan may have adverse effects on sensitive or endangered species and proposes mitigation measures to avoid and minimize such impacts to less than significant (see impact discussion 2.9-1 and Mitigation Measures 2.9(a) through 2.9 (c)). It is acknowledged that there are possible impacts that could result from Plan implementation should a project directly affect wetlands or adjacent upland habitat, specifically the potential to inhibit the restoration of historic wetlands or preclude the ability for tidal marsh wetlands to migrate inland in response to sea level rise. However, project-level review requires a site-specific biological assessment, which would document the presence of wetlands and transitional habitat in the project vicinity, at which time these issues would be considered on a project-specific basis. The text on p. 2.9-67 of the Draft EIR lists potential general impacts on wetlands, including permanent loss of habitat, loss or degradation of function, and fragmentation, and the specific impacts called out by the commenter would be included under the more general categories listed. Please also refer to responses B17-23 and B17-28 regarding wetland avoidance and no net loss and compensatory mitigation requirements should wetland impacts be unavoidable.

The comment further states that some of the proposed development also falls within wetland (WCA) or stream (SCA) conservation areas. Although it is not clearly stated in the comment, it is assumed the comment is referring to Marin County wetland and stream conservation areas, designated by Marin County ordinances. The Draft EIR acknowledges that impacts to wetlands and streams will occur throughout the planning area and provides mitigation measures to avoid and minimize such impacts. While reference is not specifically made to Marin County ordinances it is stated repeatedly throughout the impacts discussions that projects under the proposed Plan would be consistent with local policies and ordinances wherever they occur throughout the Bay Area. For example, specific to wetlands, Mitigation Measure 2.9(d) on pp. 2.9-71 and 2.9-72 states, “Where avoidance of jurisdictional waters is not feasible, project sponsors shall minimize fill and the use of in-water construction methods, and only place fill with express permit approval from the appropriate resources agencies ... and in accordance with applicable existing regulations, such as the Clean Water Act or local stream protection ordinances” and “Compliance with existing local regulations and policies, including applicable HCP/NCCPs, that exceed or reasonably replace any of the above measures protective of jurisdictional wetlands or special-status natural communities”. In addition, the text under Impact 2.9-4 further discusses potential conflicts with local ordinances and proposes measures to mitigate such impacts to less than significance; specifically, Mitigation Measure 2.9(f), which states that “Mitigation shall be consistent with the requirements of CEQA and/or follow applicable ordinances or plans developed to protect trees or other locally significant biological resources”, and, “As part of project-level environmental review, implementing agencies shall ensure that projects comply with the most recent general plans, policies, and ordinances, and conservation plans.” Please also refer to response B17-31, regarding consistency with local ordinances.

The comment also includes several quotations referring to the importance of tidal marsh ecosystems and the transitional ecozone between the intertidal zone and upland habitat, the importance of conserving these areas, the predicted impacts of sea level rise on such habitat, agency definitions of wetlands, the importance of eelgrass beds, and potential impacts of upland development on such resources. Although these passages provide additional detail, these impacts are all addressed at a general level in the Draft EIR, as is appropriate for a program EIR; also refer to Master Response A.3 regarding the level of analysis required in a program EIR.

- C155-49: The comment states that the PDA and adjacent area in Tamalpais Valley include areas occupied by specific special-status species and that development in or adjacent to this habitat would have significant and unavoidable impacts and lists numerous species and several resources that could be impacted. The Draft EIR recognizes that development in or adjacent to sensitive habitat, including habitat supporting special-status wildlife, could have potentially significant effects (see the impact discussions 2.9-1 and 2.9-2) and proposes mitigation measures to reduce such impacts to less than significant levels on a project-specific basis. The Draft EIR also determined that, on a regional basis, all impacts on biological resources would be significant and unavoidable. Furthermore, as noted in Master Responses A.2 and A.3, site- and project-specific impacts not analyzed in this program EIR would be subject to further, more detailed review at the time a specific project is proposed. Whether the impacts of development are within a specific PDA or not, if the impacts of a particular project rise to significant and unavoidable levels would be determined in the subsequent project-specific analysis to be conducted once the location and details of that project are known. The question raised about whether the proposed Plan should be chosen will be considered by MTC and ABAG after EIR certification.
- C155-50: This comment is the first of several (see also comments C155-51 and C155-52) where the commenter provides a quotation from the Draft EIR special-status species impact discussion and then provides lists of species to be added to the impact discussion. Some of the species included are not considered special-status under CEQA and are thus not required to be considered in the Draft EIR. Also refer to Master Response A.3 regarding the level of analysis required in a program EIR.
- C155-51: See response C155-50.
- C155-52: See response C155-50.
- C155-53: This observation is consistent with the visual impact analysis presented in Chapter 2.10.
- C155-54: This comment addresses the boundaries of a Priority Conservation Area (PCA) and adjacent Priority Development Area (PDA). ABAG and MTC acknowledge the commenter's concern regarding the geographic extent of the PDA relative to the extent of the PCA. PDA boundaries were designated by local jurisdictions. Modifying these boundaries is the responsibility of jurisdictions. ABAG and MTC cannot take action in response to this comment as part of the EIR. See Master Response I regarding the PDA process.
- C155-55: Please refer to Master Response G for more information on water supply analysis.
- C155-56: The decision to use desalination as a water source would be solely the decision of MMWD and is not advocated for or required by the proposed Plan. The current MMWD Urban Water Management Plan indicates adequate water supplies through the year 2035 without a need to resort to desalination. The proposed Plan would result in essentially the same year 2040 population as under the No Project alternative - a three percent increase, with the proposed Plan resulting in 500 more households in Marin County than under the No Project scenario. Given the water supplies indicated by MMWD, it is unlikely that additional water supplies will need to be acquired due to growth under the proposed Plan. The current MMWD Urban Water Management Plan indicates adequate water supplies through the year 2035 without a need to resort to desalination. In addition, in August of 2010, the District adopted Ordinance 420, which states that the District shall not approve construction, or

financing for construction, of a desalination facility unless such construction is approved by a majority of District voters, voting in an election held within the District's service area for that purpose. Therefore, this EIR does not assume any desalinated water will be used for Marin County water supplies.

- C155-57: Economic issues are beyond the range of CEQA review. The comment raises no environmental issue to which a response is required under CEQA.
- C155-58: The comment raises no environmental issues to which a response is required under CEQA.
- C155-59: MTC and ABAG agree with the responder's comments.
- C155-60: The comment states that areas within the Tamalpais/Almonte community have been affected by hazardous materials in the past. The comment is concerned with specific potential development sites identified in the Marin County General Plan 2012 Housing Element and the presence, or former presence, of hazardous materials in soil and groundwater at those sites. It is beyond the scope of this programmatic EIR to analyze site-specific conditions. As stated in the Draft EIR Executive Summary (pp. ES-3 and ES-4 of the Draft EIR), this document "is a program EIR, as defined by Section 15168 of the CEQA Guidelines." As such, it presents a general assessment of the environmental impacts of implementing the proposed Plan on a region-wide scale. Individual projects are not addressed in detail, although mention of some possible, or funded projects, are discussed as appropriate. As noted throughout the Draft EIR, all impacts to individual project would be evaluated in the future, by the appropriate implementing agency as required under CEQA and/or NEPA prior to each project being approved. As a program-level EIR, this document, includes mitigation measures to offset potentially significant impacts and sets the basis for subsequent tiering for project-specific or site-specific environmental review. Specific analysis of localized impacts in the vicinity of individual projects is not included in this program level EIR. See Master Response A.2 regarding CEQA streamlining and further environmental review.

It is noted that, as required by Mitigation Measures 2.13(d) in this EIR, proposed improvements would be required to evaluate sites for the potential presence of legacy contamination. See also response C75-16. For information, it is also noted that responses to the comments on the Tamalpais Valley sites mentioned by the commenter were provided in the responses document for the Marin County Housing Element Supplemental EIR.⁶

- C155-61: The comment raises no environmental issues to which a response is required under CEQA.
- C155-62: The comment expresses concerns regarding the potential health risks to construction workers and future residents from vapor intrusion, dermal contact and inhalation. The comment claims that the 2012 Marin County Housing Element EIR did not adequately disclose or analyze this specific hazard and the potential impacts "are not being considered in the analysis of the continued expectations of our PDA in the Bay Plan." The Hazards analysis in the Draft EIR acknowledges the presence of legacy contaminants throughout the planning area, and as such requires implementation of Mitigation Measure 2.13(d) which

⁶ County of Marin, Community Development Agency, *Marin County Housing Element: Supplement to the 2007 Countywide Plan EIR, Final Supplemental Environmental Impact Report/Response to the Draft Supplemental Environmental Impact Report*. May 2013. http://www.co.marin.ca.us/depts/CD/main/pdf/eir/Marin_County_Housing_Element_Final_SEIR_May_2013.pdf

would provide the necessary measures to identify any potential hazardous materials or wastes that could adversely affect construction workers or future residents including the effects of vapor intrusion, dermal contact and inhalation.

- C155-63: With implementation of Mitigation Measure 2.13(d), the potential impacts related to health risks to construction workers and future residents would be less than significant. Please also see Master Response A.3 regarding the scope of this program EIR.
- C155-64: The comment states, “the EIR fails to adequately disclose, analyze and mitigate potentially significant health impacts from soil and groundwater contamination”. See responses C155-62 and -63.
- C155-65: The comment states “The hazard impacts related to land use changes from the implementation of the proposed Plan at the regional and local level are considered potentially significant (PS) Impact 2.13-4”. MTC and ABAG agree with the responder’s comment and note that with implementation of Mitigation Measure 2.13(d) the potential impact would be reduced to a less than significant level.
- C155-66: The comment raises no environmental issues to which a response is required under CEQA.
- C155-67: See response C155-63.
- C155-68: See Master Response A.1 regarding local land use control.
- C155-69: As this is a programmatic-level assessment, safety issues related the local heliport cited were not separately quantified and analyzed. See Master Response A.3.
- C155-70: See response C155-69. It is reasonable for this EIR to assume that jurisdictions, agencies, and people will comply with existing laws and regulations.
- C155-71: Emergency response capability is analyzed under Criterion 7 at a programmatic level in Chapter 2.13, Hazards. In the concluding discussion of “combined effects” under Impact 2.13-7, the Draft EIR notes the substantial body of federal and state law that addresses emergency planning, disaster mitigation and federal and state response capabilities. With all of these programs and regulations in place, the proposed Plan is not likely to interfere with local and subregional emergency response capabilities so this impact is judged less than significant (see. Pg. 2.13-41). It may well be true that emergency response capabilities is one of the factors that Supervisor Sears expects to be addressed by County staff in response to her request for a reconsideration of the PDA designation in the Almon/Tamalpais Valley; see Response C155-8.
- C155-72: See response C155-71.
- C155-73: See response C155-71.
- C155-74: See Master Response B.1, Population Projections, which also addresses job growth.
- C155-75: See Master Response B.1 on population projections. The Draft EIR found in Chapter 2.5 that the proposed Plan attained the GHG emissions reduction targets even with the

transportation impacts identified in Chapter 2.1. MTC and ABAG have adopted goals and objectives for Plan Bay Area that also influence the development strategy; see Chapter 1.2.

- C155-76: See Master Response B.1 on population projections. Alternatives 4 and 5 were named by the advocacy groups who designed them; economic growth is one of the objectives of Plan Bay Area regardless of which alternative is selected, as shown in Chapter 1.2 of the Draft EIR.
- C155-77: The comment does not raise environmental issues not already addressed in this EIR.
- C155-78: The comment raises no environmental issue to which a response is required under CEQA. MTC and ABAG agree with the comments 1, 2 and 5. See Chapter 3.2 of the Draft EIR regarding growth-inducing impacts.
- C155-79: Comment 1 raises no environmental issues to which a response is required. Comment 2 raises the issue of the sufficiency of the sea level rise analysis, which is addressed in Master Response E. Regarding Comment 3 the entirety of the Draft EIR explores environmental impacts of the proposed Plan.
- C155-80: Whether there are overriding considerations for significant unavoidable adverse environmental impacts is a decision that MTC and ABAG make at the conclusion of the public review process when the Final EIR is being considered for certification. Action on the proposed Plan would take place after EIR certification and be informed by the analysis in this EIR. MTC and ABAG believe that this EIR is sufficient for decision-making; your request that the Plan not be approved is acknowledged.

Letter C156 Robert Silvestri (5/10/2013)

- C156-1: ABAG and MTC acknowledge the importance of increasing housing production and preservation in meeting the region's long term demand. Pursuant to SB 375, the SCS identifies "areas within the region sufficient to house all the population of the region, including all economic segments of the population" (Gov. Code § 65080(b)(2)(B)(ii).) The SCS does so by producing a land use pattern sufficient to accommodate RHNA and through ABAG's and MTC's efforts to support additional affordable housing production. This includes Chapter 6 of the Plan, which identifies strategies for facilitating greater affordable housing preservation and production in the region. Many of these efforts require policy changes at the state or federal level that are beyond the control of the regional agencies, who will act as advocates for these changes. The regional agencies are providing more direct support for affordable housing through the Transit Oriented Affordable Housing (TOAH) fund, which supports affordable projects in Priority Development Areas and the identification of Affordable Housing as an allowable use for future Cap and Trade funds. Through these and other mechanisms, MTC and ABAG determined that of the 660,000 new housing units contemplated by the proposed Plan, 26 percent will be affordable to very low income households, 17 percent to low income households, 17 percent to moderate income households, and 39 percent to above moderate income households. (See Draft EIR, p. 1.2-53.) See also Master Response F, which addresses the issue of displacement in greater detail and identifies actions included in the Draft Plan to help address this challenge.

The commenter lists a number of housing types and claims they are not supported or promoted by the Plan. MTC and ABAG disagree. It is true that the proposed Plan is

designed to discourage sprawl-style development and envisions a densification of the regions existing urban areas. While this land use vision will reduce the number of single family homes developed within the region as compared to the No Project alternative, the land use pattern included in the proposed Plan brings jobs, services and housing closer together which serves to support the housing types identified by the commenter including elderly and assisted living facilities, homeless shelters and safe houses, live/work spaces, cooperative housing, and co-housing. Similarly, by focusing future development within the region's existing urbanized areas, the proposed Plan serves to promote the integration of low income housing into existing communities contrary to the commenter's conclusion otherwise.

C156-1.3: See response C156-1. Local jurisdictions retain their land use authority and implementation of the proposed Plan's land development pattern is voluntary; see Master Response A.1 for more information on local land use control.

C156-1.5: MTC and ABAG followed CEQA requirements for public noticing of the EIR. See Chapter 1.2 of the Draft EIR for a description of the public participation process for development of the proposed Plan. For additional information of the public participation process for development of the proposed Plan see http://apps.mtc.ca.gov/meeting_packet_documents/agenda_2070/Item_3a_Summary_of_Public_Input.pdf

Regarding public engagement for the EIR, please see Chapter 1.1 of the Draft EIR for a description of the Notice of Preparation and public scoping process and Section 1 of this Final EIR for a description of the public review process for the Draft EIR. As a result of the outreach process two plan alternatives advocated for and designed by stakeholder groups (the business community for Alternative 4 and environmental and social equity advocates for Alternative 5) were included in the Draft EIR. Also see response C156-1 regarding housing affordability and Plan Bay Area.

C156-1.7: See response C156-1.

C156-1.9: The citations in the comment pertain to housing elements. The proposed Plan is a Regional Transportation Plan and Sustainable Communities Strategy, which is a separate program. A housing element is an adopted component of a city or county's general plan. This EIR only evaluates the environmental impacts of the proposed Plan.

C156-2: Plan Bay Area's regional growth forecast starts with projected regional job growth which is the main determinant of ABAG's regional population growth projections. The distribution of growth to individual jurisdictions in Plan Bay Area is a blueprint for growth to achieve the goals and objectives of the Sustainable Communities Strategy (SCS). Plan Bay Area does not anticipate high density development for Marin County: the amount distributed to Marin County is about 8,800 households over 30 years, or less than 300 new households annually for the entire County. The proposed Plan seeks to address the needs and aspirations of each Bay Area jurisdiction, as identified in locally adopted general plans and zoning ordinances, while meeting the requirements of SB 375 and Plan Bay Area performance targets adopted by MTC and ABAG to guide and gauge the region's future growth.

The framework for developing these scenarios consisted of the pre-existing Priority Development Areas (PDAs) and Priority Conservation Areas (PCAs) nominated by local governments. ABAG and MTC incorporated local feedback from individual jurisdictions

relying on their best assessment of feasible growth over the plan period and then applied a series of additional factors to achieve the goals of the Sustainable Communities Strategy (SCS). Since PDAs were nominated by local jurisdictions, it is not anticipated that the proposed Plan will conflict substantially with local land use plans. If there are conflicts, they would be resolved at the local level through area plans and/or general plan or zoning amendments. However, local jurisdictions have local land use authority, meaning that in the case that the proposed Plan does conflict with local zoning or specific plans, the local jurisdiction would have ultimate land use authority. The proposed Plan will only be implemented insofar as local jurisdictions adopt its policies and recommendations. Potential conflicts with local land use plans are evaluated on page 2.3-42 and 2.3-43 of the Draft EIR. See also Master Response A.1 regarding local land use control.

C156-3: To the extent areas of controversy relate to environmental impacts, they are analyzed at the regional level in the Draft EIR. Potential impacts to visual resources, including various aspects of the appearance of existing communities, are evaluated on pages 2.10-14 through 2.10-34 of the Draft EIR. As noted in the response above, potential conflicts with local land use plans are evaluated on pages 2.3-42 and 2.3-43 of the Draft EIR. See also Master Response A.3 regarding the programmatic nature of this EIR.

C156-4: The EIR evaluates whether Plan Bay Area would result in the need for new or expanded public service facilities, the construction of which could cause significant environmental impacts. To the extent fiscal implications of population growth on individual jurisdictions has the potential to lead to indirect localized environmental impacts, those impacts are beyond the scope of this programmatic EIR. Implementing agencies considering future second tier plans and projects must comply with CEQA and must consider such indirect localized environmental impacts where necessary.

C156-5: See responses C156-1 through 4.

Letter C157 Athena McEwan (5/11/2013)

C157-1: See responses to Letter C156. Pursuant to SB 375, an SCS must identify “areas within the region sufficient to house all the population of the region, including all economic segments of the population...” (Gov. Code § 65080(b)(2)(B)(ii).) The proposed Plan does so by producing a land use pattern that will accommodate HCD’s Regional Housing Needs Determination (RHND) and through ABAG’s and MTC’s efforts to support additional affordable housing production. This includes Chapter 6 of the Plan, which identifies strategies for facilitating greater affordable housing preservation and production in the region. Many of these efforts require policy changes at the state or federal level that are beyond the control of the regional agencies, who will act as advocates for these changes. The regional agencies are providing more direct support for affordable housing through the Transit Oriented Affordable Housing (TOAH) fund, which supports affordable projects in Priority Development Areas and the identification of Affordable Housing as an allowable use for future Cap and Trade funds. Through these and other mechanisms, MTC and ABAG determined that of the 660,000 new housing units contemplated by the proposed Plan, 26 percent will be affordable to very low income households, 17 percent to low income households, 17 percent to moderate income households, and 39 percent to above moderate income households. (See Draft EIR, p. 1.2-53.) Local allocation of housing by income level within the region is an issue handled by the Regional Housing Needs Allocation (RHNA).

See also Master Response F regarding displacement.

Letter C158 Barbara Brookins (5/16/2013)

C158-1: Please refer to Master Response B.1 on population projections as well as Master Response D.2 on the connection between high-density housing near transit and the reduction in greenhouse gas emissions. Please refer to response C157-1 regarding the proposed Plan's effect on increased cost for housing. See also Master Response F provides more detail on issues of displacement. For a detailed description of the water supply analysis as presented in the Draft EIR, please refer to Master Response G. In addition, please refer to Master Response E on sea level rise.

Letter C159 James Campbell (5/17/2013)

C159-1: Please refer to the response C158-1.

Letter C160 Kathi Ellick (5/17/2013)

C160-1: Please refer to Master Response C on requests for extensions of the public comment period.

C160-2: Please refer to Master Response B.1 on population projections.

C160-3: See Chapter 2.5 of the Draft EIR, Impacts 2.5-1 and 2.5-2. See also Master Responses D.1 and D.2 regarding GHG emissions.

C160-4: See response C157-1 and Master Response F regarding displacement.

C160-5: See Chapter 2.12 of the Draft EIR, Impact 2.12-1, as well as Master Response G regarding water supply.

Letter C161 Ronette King (5/16/2013)

C161-1: Please refer to Master Response C on requests for extension of the public comment period.

C161-1.5: This PDA was nominated by the Marin Board of Supervisors, who adopted a resolution authorizing submission of an application on August 7, 2007. It was adopted by the ABAG Executive Board and is therefore included in the Draft Plan. Any change to the PDA would need to come at the request of the Marin County Board of Supervisors. See also Master Response I regarding the PDA process.

The proposed Plan does not specify the density or size of any individual projects; such developments may occur with or without the proposed Plan. See Master Response A.1 regarding local land use control. However, it should be noted that the proposed Plan does not anticipate high density development for Marin County.

C161-2: Please refer to Master Response B.1 on population projections. In addition, please refer to Master Response D.2 on the connection between high density housing near transit and a reduction in greenhouse gas emissions.

C161-3: See response C157-1 and Master Response F regarding displacement. See also Chapter 2.12 of the Draft EIR, Impact 2.12-1, as well as Master Response G regarding water supply.

C161-4: MTC and ABAG may find that the proposed Plan would create significant environmental impacts, but that these impacts would be outweighed by other benefits. In addition many of the significant and unavoidable impacts occur because MTC and ABAG cannot require local implementing agencies to adopt the mitigation measures, and it is ultimately the responsibility of a lead agency to determine and adopt mitigation. Please see Master Response A.1 on local control over land use for additional information.

Letter C162 Libby Lucas (5/21/2013)

C162-1: The commenter estimates that the acreage of affected streams, Waters of the US, and wetlands is double that given in the Draft EIR and states that it would not be possible to find enough compensatory mitigation to compensate for the loss. The Draft EIR represents the project team's best estimates based on available data. Actual impacts will be determined on a project-by-project basis. Please also refer to Master Response A.3 regarding the specificity of a program EIR and response B17-23 regarding the requirement for no net loss of wetlands under the Plan and the strategy of requiring replacement habitat only when wetland impacts are unavoidable. Adherence to this strategy would reduce the amount of compensatory mitigation required of individual projects.

C162-2: The comment concerns the reliability of water supply for the proposed growth considering the location of reservoirs and underground aquifers along fault lines on the Santa Cruz Mountain Range. As stated in the Draft EIR on page 2.8-36, the California Division of Safety of Dams (DSOD) is responsible for routine inspection and oversight of all qualifying dams, which would include lower and upper Crystal Springs and San Andreas Reservoirs as well as two smaller reservoirs, Pilarcitos and Stone Dam located along the Santa Cruz Mountain Range. These inspections include scientific evaluation of seismic stability under maximum earthquake scenarios and can require improvements if the dams are deemed inadequate to avoid catastrophic failure. For example, the lower Crystal Springs dam was relatively recently given a seismic upgrade and raised 3 feet in order to increase seismic stability and storage capacity. One of the main purposes of this reservoir is to provide emergency backup for the Hetch Hetchy pipeline system, which crosses several active faults. In general, subsurface aquifers are not adversely affected by earthquakes and as such providers such as the Santa Clara Valley Water District would be able to continue to access underlying aquifers for water supply. Therefore, while some damage from a substantial earthquake may be unavoidable, adherence to regulatory requirements and ongoing seismic upgrades are anticipated to reduce such impacts to a less than significant level.

C162-3: See Master Response B.1 for additional information on population projections. These projections represent an objective estimate of population growth that will occur regardless of the proposed Plan.

C162-4: This EIR does include a robust analysis of the effects of sea level rise on transportation projects, including a list of specific projects potentially affected (see Table 2.5-11). Chapter 2.5, Climate Change, also includes a quantification of the number of people potentially affected by sea level rise (Tables 2.5-15 through 2.5-21) and discusses adaptation strategies. The most up-to-date regional-scale geographic information on flood hazards available from FEMA is shown in Figure 2.8-3. There may be drafts of updated FEMA maps being circulated at the local level. For this EIR, the mapping used was the most accurate, currently available from the Cal-Atlas Geospatial Clearinghouse in 2012, when data collection originated for this EIR. The decision on whether to upgrade Highways 237 and 37 as

causeways is a project-level decision. See Master Response A.3 regarding the programmatic nature of this EIR.

- C162-5: See Chapter 2.8 of the Draft EIR regarding flooding and Master Response A.3 regarding the specificity of a program EIR. This EIR does not evaluate the impacts of individual projects, rather the regional-scale impacts of the entire proposed Plan. Implementing agencies must comply with CEQA in considering approval of future second tier projects.
- C162-6: See Master Response A.3 regarding the specificity of a program EIR. This EIR does not evaluate the impacts of individual projects, rather it analyzes the regional-scale impacts of the entire proposed Plan. Implementing agencies must comply with CEQA in considering approval of future second tier projects.
- C162-7: MTC and ABAG adopted a range of project objectives covering issues ranging from traffic congestion to cost of living to public health. See the Draft Plan and Chapter 1.2 of the Draft EIR for these objectives.

Letter C163 Ada Marquez (5/16/2013)

- C163-1: A description of SB 25 has been added to Chapter 2.2 of the Draft EIR. See Section 2 of this Final EIR for details.
- C163-2: MTC and ABAG do not know the status of the City of San Jose's CRRP. The significance of criteria only applies if a jurisdiction has adopted a CRRP; there is no adverse impact without one.
- C163-3: Such an analysis is beyond the scope of this regional-scale, program EIR. See Master Response A.3 for more information on specificity of program EIRs. Further information on the programmatic nature of this environmental document can be found on page 1.1-4; additional information regarding the Draft EIR's emphasis on regional impacts can be found on page 2.0-1.
- C163-4: The Draft EIR adequately analyzes impacts related to the criteria of significance on air quality. See chapter 2.2 (Air Quality) for further discussion.
- C163-5: The public had an opportunity to submit comments during the CEQA scoping process and the public review of this EIR; for future second tier projects, the public should submit comments to the implementing agency during the administrative process to consider such future projects. BAAQMD is the regional, government agency that regulates sources of air pollution within the nine San Francisco Bay Area Counties and is a valuable resource for the public and implementing agencies alike.
- C163-6: The maps are intended as a visual resource and aid to the reader; the analysis is not dependent upon these figures and providing such a description would not change the conclusions of the EIR. See footnote 20 on page 2.2-41 of the Draft EIR, which says, "Lead agencies for proposed projects should contact BAAQMD if they are unsure whether their project site falls in an impacted area or not."
- C163-7: The comment requests additional information regarding BAAQMD's GIS cumulative analysis conducted in Chapter 2.2. Additional information can be found on pages 2.2-22 and

23 and 2.2-38 through 2.2-41 of the Draft EIR. Page E-10 of Appendix E of the Draft EIR also describes the TAC and PM2.5 data sources.

C163-8: A Health Impact Assessment would be difficult to undertake at a regional scale. See Master Response A.3 for more information on specificity of program EIRs. Further information on the programmatic nature of this environmental document can be found on page 1.1-4; additional information regarding the Draft EIR's emphasis on regional impacts can be found on page 2.0-1. While Health Impact Assessments are not mandated by CEQA, implementing agencies have the discretion to require Health Impact Assessment's in evaluating the impacts of individual second tier projects and such assessments may assist those agencies in complying with CEQA.

C163-9: Environmental justice is not considered a physical environmental impact under CEQA and is instead socio-economic issue. However, MTC and ABAG considered environmental justice concerns in developing the proposed Plan (see the *Equity Analysis Report*) and evaluated potential indirect physical environmental impacts resulting from environmental justice concerns such as disproportionate impacts on communities of concern regarding air quality improvements; see Impact 2.2-6 in Chapter 2.2 of the Draft EIR. See also Master Response F regarding displacement and response C156-1 regarding housing all economic segments of the population within the San Francisco Bay Area.

Additionally, MTC and ABAG receive funding from federal agencies such as the Federal Highway Administration and Federal Transit Administration for some of their programs and activities. MTC and ABAG conduct their federally-funded programs and activities in accordance with guidance issued by the federal agencies pursuant to applicable laws, Executive Orders, regulations and Circulars, some of which are discussed below. MTC and ABAG must also comply with state policies discussed further below.

Federal Regulations

Executive Order 12898

Executive Order (EO) 12898 (59 FR 7629), entitled, "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations," was signed by President Clinton in 1994. The executive order requires that Federal agencies identify and address, when appropriate, "...disproportionately high and adverse health or environmental effects of its projects, policies, and activities on minority populations and low-income populations..." Two specific provisions of EO 12898 provide further guidance to federal agencies. Section 1-103 requires that each Federal agency develop an agency-specific environmental justice strategy defining how the agency will identify disproportionate adverse effects on minority and low-income populations and attempt to avoid those effects. Section 2-2 requires that federal agencies perform their actions and programs in a manner that neither excludes minority and low-income populations from relevant participation in the action or program nor denies those groups the benefits of the action.

Title VI of the Civil Rights Act of 1964

Title VI of the Civil Rights Act of 1964 states that, "No person ... shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied benefits of, or be subjected to discrimination under any program or activity receiving Federal financial

assistance.” Additionally, Title VI prohibits any recipients of federal funding from intentionally discriminating against groups of people based on race, ethnicity, or national origin or from instituting projects or programs that exhibit, “adverse disparate impact discrimination.” Amended by the Civil Rights Restoration Act of 1987, the prohibition against discrimination was made to include the entire program or activity receiving federal funding.

Federal-Aid Highway Act of 1970

The Federal-Aid Highway Act of 1970 states that agencies must assure that the economic, social, and environmental effects of a federally-supported highway project should be fully considered during the development process and that decisions should be made with regard to the best overall public interest, balancing the need for a fast, safe, and efficient transportation network and the costs of eliminating adverse impacts.

Federal Highways Administration (FHWA) Order on Environmental Justice

In 1998, the FHWA issued an environmental justice order that outlined the information that should be obtained in order to conduct an environmental justice analysis, as well as a series of steps that should be taken by the administration to prevent disproportionately high and adverse impacts to minority and low- income persons. The information required includes:

- The race or national origin and income level of the population served and/or affected;
- The proposed steps to guard against disproportionately high and adverse effects on persons on the basis of race and national origin;
- The present and proposed membership by race or national origin in any planning or advisory body that is part of the program.

The steps included to prevent disproportionately high and adverse impacts include:

- Identifying and evaluating environmental, public health and interrelated social and economic effects of FHWA programs, policies and activities;
- Proposing measures to avoid, minimize and/or mitigate disproportionately high and adverse environmental and public health effects and interrelated social and economic effects, and providing offsetting benefits and opportunities to enhance communities, neighborhoods and individuals affected by FHWA programs, policies and activities, where permitted by law and consistent with EO 12898;
- Considering alternatives to proposed programs, policies and activities, where such alternatives would result in avoiding and/or minimizing disproportionately high and adverse impacts, consistent with EO 12898;
- Providing public involvement opportunities and considering the results thereof, including providing meaningful access to public information and soliciting input from affected minority and low-income populations in considering alternatives during the planning and development of alternatives and decisions.

American with Disabilities Act of 1990

The American with Disabilities Act of 1990 extends the Civil Rights Act of 1964 to people with disabilities and requires transportation planners to involve the disabled communities in the design and development of projects and programs.

Executive Order 13166

Executive Order 13166, entitled “Improving Access to Services for Persons with Limited English Proficiency” requires federal agencies to develop processes that incorporate members of the community with limited English proficiency in a manner, “without unduly burdening ... the fundamental mission of the agency.”

DOT Order 5610.2

Department of Transportation Order 5610.2 outlines the importance of the interests and wellbeing of minority and low-income populations during transportation decision-making tasks. While the order does not institute any additional requirements, it does reinforce existing environmental justice laws. Ultimately, it states that that the DOT should not carry out any programs or policies that would disproportionately accrue to minority or low-income populations unless, “further mitigation measures or alternatives that would avoid or reduce the disproportionately high and adverse effect are not profitable.” The order also states that benefits of a program or policy should be addressed when determining impacts to environmental justice populations to determine if these benefits would offset adverse impacts.

Federal Transit Administration (FTA) Circular 4702.1A

The subject of FTA Circular 4702.1A is “Title VI and Title VI-Dependent Guidelines for Federal Transit Administration Recipients.” It is intended to provide guidance and instructions necessary to carry out DOT Title VI regulations (49 CFR Part 21) and to integrate DOT Order 5610.2 and policy guidance Concerning Recipients’ Responsibilities to Limited English Proficient Persons to agencies receiving funding from the Federal Transit Administration. In its role as a metropolitan planning organization and agency which passes FTA funding through to other entities, MTC is expected to:

- Ensure that the level and quality of transportation service is provided without regard to race, color, or national origin;
- Identify and address, as appropriate, disproportionately high and adverse human health and environmental effects, including social and economic effects of programs and activities on minority populations and low-income populations;
- Promote the full and fair participation of all affected populations in transportation decision making;
- Prevent the denial, reduction, or delay in benefits related to programs and activities that benefit minority populations or low-income populations; and

- Ensure meaningful access to programs and activities by persons with limited English proficiency.

State Regulations

California Government Code Section 65040.12

For the purposes of the Section 65040.12, environmental justice is defined as “the fair treatment of people of all races, cultures, and incomes with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies.” Section 65040.12 requires the Office of Planning and Research to:

- (1) Consult with the Secretaries of the California Environmental Protection Agency, the Resources Agency, and the Business, Transportation and Housing Agency, the Working Group on Environmental Justice established pursuant to Section 72002 of the Public Resources Code, any other appropriate state agencies, and all other interested members of the public and private sectors in this state.
- (2) Coordinate the office's efforts and share information regarding environmental justice programs with the Council on Environmental Quality, the United States Environmental Protection Agency, the General Accounting Office, the Office of Management and Budget, and other federal agencies.
- (3) Review and evaluate any information from federal agencies that is obtained as a result of their respective regulatory activities under federal Executive Order 12898, and from the Working Group on Environmental Justice established pursuant to Section 72002 of the Public Resources Code.

California Government Code Section 11135

MTC and ABAG receive a portion of the funding used for its projects from the State of California. Pursuant to California Government Code section 11135, no person in the State of California shall, on the basis of race, national origin, ethnic group identification, religion, age, sex, sexual orientation, color, or disability, be unlawfully denied full and equal access to the benefits of, or be unlawfully subjected to discrimination under, any program or activity that is conducted, operated, or administered by the state or by any state agency, is funded directly by the state, or receives any financial assistance from the state.

Other Guidance

In addition to these California Government Code Sections, there are a two policies/directives associated with Environmental Justice and fair treatment that have been issued by Caltrans. These include California Department of Transportation Director Policy No. 21 and the California Department of Transportation Deputy Directive No. DD-63. While these documents do not apply directly to the proposed Plan, it is important to note that these documents are in place to guide Caltrans as they make improvements and changes to the existing transportation network in the San Francisco Bay Area.

Local Plans and Policies

A number of local planning documents, planning goals, and policies have been implemented by local agencies in the San Francisco Bay Area to ensure the fair treatment of community members. These local plans and policies are in place to reduce disproportionate impacts to environmental justice populations and other communities of concern. Local implementing agencies will consider such local plans and policies in exercising their discretion to approve or deny individual projects.

C163-10: The proposed Plan is not the cause of climate change or the region's population growth, and would therefore not create any "unequal impacts" compared to existing conditions that would not occur otherwise under the No Project alternative. However, the EIR does examine disproportionate impacts on communities of concern regarding air quality improvements; see Impact 2.2-6 in Chapter 2.2 of the Draft EIR.

Letter C164 Merrilie Mitchell (5/16/2013)

C164-1: Please see Master Response C regarding requests for extensions of the public comment period. MTC and ABAG followed CEQA requirements for public noticing of the EIR. See Chapter 1.2 of the Draft EIR for a description of the public participation process for development of the proposed Plan. Regarding public engagement for the EIR, please see Chapter 1.1 of the Draft EIR for a description of the Notice of Preparation and public scoping process and Section 1 of this Final EIR for a description of the public review process for the Draft EIR.

C164-2: The VMT tax is only a consideration as a component of Alternative 5. It is not being considered as a part of the proposed Plan, but commenter's opposition to the VMT tax is acknowledged. If a VMT tax is pursued, many details of implementation and the possible effects would be evaluated further.

C164-3: The proposed Plan does not call for the elimination of buses on smaller streets, nor the concentration of big buses on main corridors. Such details of transit operations are the responsibility of the region's transit operators and beyond the authority of MTC and ABAG.

C164-4: These comments appear to internal issues within the City of Berkeley. Priority Conservation Areas (PCAs) were nominated by local governments. The proposed Plan does not regulate local land use and local jurisdictions, such as the City of Berkeley, retain the discretion to preserve any lands within its jurisdiction whether or not they are located within a PCA identified in the proposed Plan. See Master Response A.1 regarding local land use control.

C164-5: Priority Development Areas (PDAs) and Priority Conservation Areas (PCAs) were nominated by local governments. In addition, local jurisdictions have local land use authority, and will be responsible for individual permitting decisions and the protection of historic resources and trees. The proposed Plan will only be implemented insofar as local jurisdictions adopt its policies and recommendations. Please refer to Master Response A.1 on local control over land use and Master Response I regarding the PDA process.

Letter C165 Robert Piper (5/16/2013)

C165-1: Travel demand forecasts were developed by Travel Model One, including forecasts of bicycle trips in future years. Note that travel demand models are calibrated based on decades of historical travel data to avoid extrapolating short-term trends. MTC and ABAG believe

the forecasts are reasonable. However, MTC and ABAG acknowledge the forecasts are conservative. Use of conservative forecasts for bicycling ensured that GHG emissions reductions analysis was also conservative. Additional information about the forecasting methodology can be found in the *Draft Plan Bay Area Summary of Predicted Traveler Responses*.

C165-2: While bicycling has increased significantly within the City of San Francisco over the past decade, this growth has been less significant in suburban and rural areas of the region where longer travel distances and higher speed limits make bicycling less competitive with other modes. As noted in the response C165-1, it would be inappropriate to extrapolate short-term trends when calibrating long-range travel models. While focused growth in Priority Development Areas helps to grow the number of pedestrian and bicycle trips as part of the Draft Plan, many individuals residing and working in these areas will still choose to drive. The Draft Plan works to reduce greenhouse gases not only by shifting trips to non-automobile travel modes but also by reducing driving distances (as a result of bringing origins and destinations closer together).

C165-3: Refer to responses C165-1 and C165-2.

C165-4: As shown in Table 2.1-11 of the Draft EIR, revised in Section 2 of the Final EIR, Bay Area roadway lane-miles only increase by 4 percent as a result of the transportation investments in the proposed Plan. When compared to the regional population growth (30 percent over the life of the Plan, as shown in Table 2.1-10), it is clear that roadway capacity increases in the proposed Plan are relatively limited. The proposed Plan invests much more significantly in operating and maintaining the existing system, rather than constructing additional roadway capacity.

C165-5: Travel forecasts developed by Travel Model One properly incorporate the impacts of induced demand (i.e. additional trips generated as a result of capacity-increasing projects). Additional information about the forecasting methodology can be found in the *Draft Plan Bay Area Summary of Predicted Traveler Responses*.

C165-6: The individual impacts of all uncommitted projects (on metrics such as VMT and GHG) were analyzed as a part of the Project Performance Assessment. Additional information on this analysis can be found in the *Plan Bay Area Draft Performance Assessment Report*. As a program EIR, project-level impacts were not quantified individually in the Draft EIR as this analysis is focused on the cumulative impacts of all transportation projects and land use changes; see Master Response A.3 for more information on program EIRs. Further information on the programmatic nature of this environmental document can be found on page 1.1-4; additional information regarding the Draft EIR's emphasis on regional impacts can be found on page 2.0-1.

The proposed Plan is designed to accommodate the region's projected growth through 2040 while holding in-commuting at 2010 rates, which it does as discussed in Chapter 2.3 on land use impacts. Chapter 3.2 of the Draft EIR discusses growth-inducing impacts and on page 3.2-18 notes that, "While the proposed Plan would continue to import employed residents, this is consistent with historic trends, and does not represent inducement of growth outside the region beyond that which is reasonably expected." Furthermore the MTC Travel Model captures vehicle miles travelled within the nine-county region, and the GHG emissions from such trips. The proposed Plan is designed to provide adequate development capacity for the projected job growth within the region, and housing for the related households as well.

Ultimately if Bay Area residents commute to jobs outside the region, or more workers than anticipated commute into the Bay Area, that is beyond the control of MTC and ABAG; the proposed Plan represents the best attempt to ensure that conditions are set to avoid such situations.

Finally, future conditions under the proposed Plan do reflect a lower level of per-capita vehicle miles traveled (as shown in Table 2.1-17 of the Draft EIR). This is consistent with the recent trend of stagnating growth in driving; however, it should be noted that that near-term trend is partially due to the recent recession affecting employment levels and economic output (which in turn led to reduced travel demand). Forecasted increases in total VMT under year 2040 Plan conditions are primarily a result of increased levels of population and employment – metrics that reflect the forecasted robust economic growth over the coming decades.

Letter C166 Thomas Rubin (5/16/2013)

- C166-1: The fact that the commenter and the commenter's consultant disagree with MTC's and ABAG's conclusions does not undermine the validity of those conclusions. "Challenges to the scope of the analysis, the methodology for studying an impact, and the reliability or accuracy of the data present factual issues, so such challenges must be rejected if substantial evidence supports the agency's decision as to those matters and the EIR is not clearly inadequate or unsupported." (*Federation of Hillside & Canyon Assns. v. City of Los Angeles* (2000) 83 Cal.App.4th 1252, 1252 (*Federation*).)
- C166-2: MTC's and ABAG's conclusions, including the population projections, are well supported. See Master Response B.1 for a detailed discussion of population projections. In particular, see the June 11, 2013 memorandum from Stephen Levy at the Center for the Continuing Study of the California Economy, which provides detailed responses to the Beacon Report submitted by the commenter. The memorandum can be found at: <http://onebayarea.org/regional-initiatives/plan-bay-area/draft-plan-bay-area/supplementary-reports.html>
- C166-3: Please see response C166-2.
- C166-4: The assertions in the comment stem from the commenter's disagreement with the population projections. See response C166-2.
- C166-5: Please refer to response C166-2. MTC and ABAG based the Plan and the EIR on accurate population projections and therefore disagree with the commenter's assertions that the impacts in the EIR are over-stated.
- C166-6: See response C166-4. See also Master Response D.1 regarding SB 375's GHG reduction requirements. As discussed in Master Response B.1 in greater detail, the California Air Resources Board (CARB) and Department of Finance support the population projection methodology used for the proposed Plan. Master Response D.2 explains that CARB has also preliminarily approved MTC's and ABAG's GHG reduction methodology.
- C166-7: The assertions in the comment all stem from the commenter's disagreement with the population projections. See response 166-1 through 166-5. The commenter references the joint memorandum prepared by ABAG, the Department of Housing and Community

Development (HCD), and the Department of Finance (DOF), discussed in greater detail in Master Response B.1, in which the differences between the agencies' population projections are explained and ABAG's methodology is found to be reasonable. The commenter disagrees with the agencies' conclusions and opines that employment growth is over-stated. The commenter's opinion does not undermine the basis for the population projections. See response 166-1 through 166-5.

- C166-8: The commenter is incorrect to assert that the population projections are based solely on two years of employment trends. The excerpt the comment refers to simply points out that DOF did not take the latest employment trends into account. It does not mean ABAG's population projections are based solely on those two years. ABAG relied on various expert agencies and researchers in developing population projections for the Plan, as described in greater detail in Master Response B.1.
- C166-9: The commenter lists various unsupported opinions describing the Bay Area as an unfriendly business region. The commenter's opinion is at odds with the recent employment trends discussed in the June 13, 2013, Levy memorandum and in "Bay Area Job Growth to 2040" (see Master Response B.1). Again, the commenter's assertions stem from the fact that the commenter disagrees with ABAG's population projections. The commenter fails, however, to cite any specific evidence that could undermine ABAG's methodologies or projections.
- C166-10: The commenter incorrectly assumes that ABAG relied solely on job growth as the basis for its population projections. While job growth is the main determinant of population growth, ABAG also relied on DOF fertility and mortality assumptions, migration rates, and demographic projections.

Letter C167 Susan Samols (5/16/2013)

- C167-1: Please refer to Master Response B.1 on population projections. Also see Letter A16 from the City of Sausalito, which did not request any changes to the jobs and housing development proposal for the City.
- C167-2: While the streamlining benefits of the proposed Plan may serve to reduce time and costs associated with complying with CEQA, the ultimate land use authority provided to local agencies to approve, modify, or deny proposed projects within their jurisdiction is not diminished by the proposed Plan. Please refer to Master Response A.1 on local control over land use and Master Response A.2 on CEQA streamlining options.
- C167-3: The programs commenter mentions are components of the State's Scoping Plan to reduce GHG emissions and the Climate Program Initiatives of the proposed Plan. Please refer to Master Response D.1 regarding the SB 375 GHG analysis and Master Response D.2 on the connection between high-density housing near transit and the reduction in greenhouse gas emissions.
- C167-4: Please note that growth is expected to occur within the Bay Area region regardless of implementation of the proposed Plan. See Master Response B.1 regarding population projections.

C167-5: Commenter's support for the No Project alternative is acknowledged. The decision-makers will weigh the advantages and disadvantages of each alternative in determining which option to adopt.

Letter C168 Judy Schriebman (5/16/2013)

C168-1: Please see Master Response C regarding requests for extensions of the public comment period. MTC and ABAG followed CEQA requirements for public noticing of the EIR. See Chapter 1.2 of the Draft EIR for a description of the public participation process for development of the proposed Plan. Regarding public engagement for the EIR, please see Chapter 1.1 of the Draft EIR for a description of the Notice of Preparation and public scoping process and Section 1 of this Final EIR for a description of the public review process for the Draft EIR.

Note that the proposed Plan would result in only around 500 additional households in Marin County by 2040 compared to the growth expected under the No Project alternative; see Chapter 3.1 of the Draft EIR.

Letter C169 Jim Shroyer (5/15/2013)

C169-1: Commenter's support for the No Project alternative is acknowledged. The decision-makers will weigh the advantages and disadvantages of each alternative in determining which option to adopt.

C169-2: Please refer to Master Response B.1 on population projections as well as Master Response D.1 on the greenhouse gas emissions included in analysis for the SB 375 target. The proposed Plan must attain per capita GHG emissions reductions from a 2005 baseline, as required by SB 375 and explained in Chapter 2.5 of the Draft EIR.

Letter C170 Thomas Smith (5/12/2013)

C170-1: Local jurisdictions nominate PDAs and submit them to ABAG for inclusion in the PDA program. MTC and ABAG do not develop the PDA. The City of Orinda master plan referenced by the commenter has no direct relation to the proposed Plan. Under State law (CEQA) land use plans are projects that must comply with CEQA. See Master Response A.1 regarding local land use control and Master Response I regarding the PDA process.

C170-2: MTC and ABAG are relatively limited in the strategies permitted to attain the SB 375 GHG emissions reductions targets; see Master Response D.1 for details. MTC and ABAG believe that the transportation program and land development pattern proposed represent an effective and realistic strategy. SB 375 requires that an SCS, such as Plan Bay Area, include a land development pattern that is supported by transportation projects, yet also notes that the SCS does not override local land use authority; see Master Response A.1 on local land use control. The No Project alternative was developed in a manner that complies with CEQA; incorporating specific zoning changes that may occur in the future under the No Project alternative would be speculative. The No Project alternative did assume that urban boundary lines expand at historic rates of expansion. See page 3.1-5 for more information on the land use policies of the No Project alternative.

- C170-3: The RTP/SCS for the Bay Area must be updated every four years. The next update will evaluate the region's progress in attaining the GHG emissions reduction targets and may adjust transportation and land use strategies accordingly.
- C170-4: SB 375 requires the proposed Plan to include a land use plan that can house all economic segments of the population. See response C157-1 and Master Response F for more information.
- C170-5: Please see responses C170-1, 2, and 4. MTC and ABAG followed CEQA requirements for public noticing of the EIR. See Chapter 1.2 of the Draft EIR for a description of the public participation process for development of the proposed Plan. Regarding public engagement for the EIR, please see Chapter 1.1 of the Draft EIR for a description of the Notice of Preparation and public scoping process and Section 1 of this Final EIR for a description of the public review process for the Draft EIR
- C170-6: MTC and ABAG believe that the EIR represents an accurate and objective analysis of environmental impacts, provides feasible and effective mitigation measures, and examines a reasonable range of alternatives to the proposed Plan. Please see Master Response C regarding requests for extensions of the public comment period; see also response C170-5.

Letter C171 Panos Prevedouros (5/7/2013)

- C171-1: MTC and ABAG believe the estimates are reliable for the task at hand: providing decision-makers information to guide long range planning decisions. The commenter is correct that the alternatives analyzed in the EIR cause similar environmental impacts and similar performance results. These similarities are largely a result of the influx of roughly 2.1 million new residents through 2040, its expansive reach (covering 9 counties and 101 cities), and due to the limitations on MTC and ABAG's ability to enforce mitigation measures identified in the program EIR. However, MTC and ABAG believe certain differences in the results, as well as differences in the policies incorporated in each alternative that lead to said results, are meaningful (the term "significant" is not defined in the letter) and useful for illustrating the likely impacts of policies on land use outcomes and traveler responses.
- C171-2: MTC and ABAG agree that UrbanSim, just as with any model, may be improved via uncertainty analysis. In no way is the mere existence of transportation infrastructure seen as a sufficient condition for generating economic growth in UrbanSim. The statistical tables underlying the demand sub-models show the range of factors that combine in creating growth. And in the results, some areas with great transportation options fail to generate even average levels of increase. Similarly, the statistical tables outline the many drivers of residential location choice. UrbanSim's discrete choice framework allows for the incorporation of a wide range of factors in influencing residential location choice as opposed to the historical accessibility-dominated models you describe.
- C171-3: UrbanSim is used here to distribute growth within the nine county Bay Area. As a simplification, it ignores the competition for land in neighboring counties, states, and countries. MTC and ABAG believe this simplification is reasonable for the purposes of (a) efficiently creating a reasonable range of Draft EIR alternatives and (b) filling in sub-travel-analysis-zone details. The criticism put forward here is theoretical and does not in any way suggest that UrbanSim fails to do either (a) or (b). Further, it fails to suggest a superior

approach to tasks (a) and (b). MTC and ABAG believe UrbanSim is the best available planning tool for this RTP/SCS cycle and EIR.

- C171-4: The UrbanSim model respects the inputs provided by model users, which allows for an assessment of how policy decisions impact policy outcomes. MTC and ABAG find this approach more valuable than a land use model that ignores policy inputs, such as zoning. More complex frameworks have tried to simulate changes in base zoning but the foundations for such a simulation are highly speculative. Since MTC and ABAG's goal was to create a No Project for a region with highly-involved residents, along with a range of alternatives defined by varying policies, we found a strong respect for existing policy to suit our goal.
- C171-5: The comment erroneously assumes that decisions made for Plan Bay Area will not be changed for the next 30 years. This is incorrect. The Regional Transportation Plan and Sustainable Communities Strategy will be updated in four years. MTC and ABAG agree that UrbanSim, just as with any model, can be improved via sensitivity testing. MTC and ABAG, nevertheless, believe UrbanSim is the best available planning tool for the current RTP/SCS cycle and this EIR.
- C171-6: The UrbanSim model was used to (a) efficiently create a reasonable range of Draft EIR alternatives and (b) fill in sub-travel-analysis-zone details. The criticism put forward here is theoretical and does not in any way suggest that UrbanSim fails to do either (a) or (b). Further, it fails to suggest a superior approach to tasks (a) and (b). MTC and ABAG believe UrbanSim was the best available planning tool for this RTP/SCS cycle and EIR. MTC and ABAG agree that UrbanSim, just as with any model, can be improved via quality assessments of input data.
- C171-7: The comment erroneously assumes that decisions made for Plan Bay Area will not be changed for the next 30 years. This is incorrect. The Regional Transportation Plan and Sustainable Communities Strategy will be updated in four years. If and when telecommuting and/or any other policies begin to gain traction, changes will be made accordingly. In addition, as the commenter notes, new HOT lane and cordon pricing projects are anticipated to be implemented over the life of the Plan. MTC and ABAG will continue to monitor new programs and research to update our analysis tools to the greatest extent possible. The author of the comment, notably, does not suggest any actual foreseeable future behavioral patterns that MTC and ABAG may have ignored in the Draft EIR.

C171- Comments included on pages 15 to 17: See response C171-3 regarding boundary effects. See response C171-4 regarding land use development constraints assumed. See responses C171-5, 5 and 7 regarding the appropriate use of the model and future changes to the analysis tools that can be made if and when various policies and programs demonstrably change behavior.

Letter C172 Panos Prevedouros (5/13/2013)

- C172-1: MTC and ABAG are mandated by federal and State law to create a regional transportation plan and land development pattern that, among other mandates, provides enough housing to accommodate projected regional growth and attains the per capita GHG emissions reduction targets for passenger vehicles and light trucks assigned by ARB. The most effective strategy to meet many of these requirements, as well as the project objectives adopted by MTC and ABAG, is to bring jobs and housing closer together, thus reducing trip

average length, and to promote transit-oriented development while emphasizing the operations and maintenance of existing roadways and transit systems.

Per CEQA, an EIR is unconcerned with cost effectiveness or speed, it is intended to publicly disclose and propose mitigations for potential environmental impacts and to evaluate a reasonable range of alternatives, for consideration by decision-makers prior to plan adoption. CEQA requires an EIR to identify the environmentally superior alternative, which may not be the No Project alternative. Based on the comparative impact analysis in Chapter 3.1 of the Draft EIR, this EIR appropriately identified Alternative 5 as the environmentally superior alternative. The project decision-makers, the MTC Commission and ABAG Board, are not bound to select the proposed Plan or the environmentally superior alternative.

The commenter correctly list several significant and unavoidable impacts under the proposed Plan. However, as shown in Chapter 3.1 of the Draft EIR, every alternative including the No Project alternative would experience the same significant and unavoidable impacts. This suggests that all of these impacts are the result of population growth and are effectively inevitable. Furthermore, the No Project alternative would create additional significant and unavoidable impacts beyond those under the proposed Plan, suggesting that the proposed Plan effectively mitigates environmental impacts that would occur otherwise and thus provides a beneficial effect.

C172-2: See Master Response B.1 on the population projections.

C172-3: This comment primarily addresses the funding levels in the Draft Plan, rather than the Draft EIR analysis. As identified on page 1.2-50 of the Draft EIR, Plan Bay Area will “fully fund timely transit vehicle replacement and 70 percent of the other high priority transit capital needs. Furthermore, [it] will fully fund operating needs for existing transit services”. This represents a significant regional commitment to fund transit operations and maintenance – beyond the commitment levels in *Transportation 2035*.

The Draft Plan’s funding levels for operations and maintenance (87 percent of total funding) reflect the Commission’s “Fix It First” policy. MTC acknowledges that a transit capital maintenance shortfall does remain, even with the funding levels proposed in the Draft Plan. Yet this issue is not unique to public transit. Funding shortfalls also remain for local streets and state highways in the Draft Plan, simply due to the relative age of the region’s infrastructure for both roads and transit.

C172-4: As noted on page 7 of the *Draft Forecast of Jobs, Population and Housing* supplementary report and page 18 of the *Draft Summary of Predicted Land Use Responses* supplementary report, the full 2010 Decennial Census is used to inform both the 2010 population estimates and the 2040 population projections – and, as follows, the 2010 and 2040 estimates of travel-related outcomes.

C172-5: This comment primarily addresses the funding priorities of the Draft Plan, rather than the Draft EIR analysis. It correctly points out that a greater proportion of funding per traveler is being directed towards public transit, although MTC does not agree with the calculation assumptions used by the commenter to derive the specific ratios. This funding allocation is consistent with the adopted targets of Plan Bay Area, which include increasing non-auto mode share and reducing per-capita greenhouse gas emissions. By shifting a measurable

share of peak period trips to public transit, automobile travel demand can be reduced (along with its associated emissions) and growth in regional traffic congestion can be slowed. Note that the travel demand model does incorporate freight flows and non-commute travel as part of regional travel forecasts for the Draft EIR. It does not specifically include emergency vehicle traffic, but these vehicles are a very small share of regional travel demand.

C172-6: The regional travel demand model (Travel Model One) does capture transit delays as a result of traffic congestion. For transit vehicles operating in mixed flow, the transit passengers' travel time reflects vehicle speeds on the roadway, combined with a land use factor that incorporates expected delay from bus stops (caused by passenger boardings and alightings). These transit delay impacts are incorporated into overall transit travel times, as shown in Draft EIR Tables 2.1-14 and 2.1-15; this is consistent with automobile travel times for those impact areas, which include associated automobile delay impacts.

C172-7: Refer to the response C153-9 regarding the forecasted growth in transit mode share in comparison to historical trends.

C172-8: See Master Response D.1 which describes what technologies are allowed to be included when calculating GHG emissions for SB 375 targets. MTC and ABAG are not permitted to take many technologies and fuel efficiency standards into account.

C172-9: Refer to the response C172-16 regarding the connection between investments in public transit and delay from traffic congestion.

C172-10: Regional travel models are not designed to conduct intersection-level operational analyses; however, intersection-level delays are approximated by adjusting effective lane capacities by place type. For example, the narrow urban streets of San Francisco (with short block lengths) have a lower effective lane capacity than the wider suburban streets (with longer block lengths) of southern Alameda County. The lower effective link capacity serves as a proxy for the delays caused by the greater number of congested intersections in urban locations. Additional information on the travel modeling process can be found in the Draft Summary of Predicted Traveler Responses.

As noted on Page 2.1-22 of the Draft EIR, this analysis focuses directly on regional impacts, rather than impacts to specific local intersections. Any local traffic operational issues, as identified in this comment, should instead be mitigated as part of local project analyses, rather than this program Draft EIR. See also Master Response A.3 regarding the programmatic nature of this EIR.

C172-11: The justification for the 80 percent transit capacity threshold can be found on page 2.1-36 of the Draft EIR. Given that most of the region's public transit services rely on buses (where standing is relatively onerous for passengers compared to heavy rail or metro rail), it would be inappropriate to use heavy rail crush loading levels for the regional transit significance threshold. It is important to note that, even with the 80 percent threshold, regional transit capacity would have no adverse impact on system performance, as shown in Table 2.1-37.

C172-12: Refer to the response C172-9 regarding the proposed Plan's allocation of funding between roads and public transit. MTC disagrees with this comment's conclusion that the proposed Plan's funding allocation leads to greater vehicle delay; instead, increases in vehicle hours of delay under year 2040 Draft Plan conditions are primarily a result of regional population and

employment growth. Furthermore, as shown in Table 3.1-8 of the Draft EIR, the proposed Plan results in lower levels of vehicle delay than the No Project alternative, in which only committed projects were allowed to proceed. Therefore, the proposed Plan's significant investments in public transit, combined with limited expansion of the roadway network, and more focused land use pattern, reduce total vehicle hours of delay compared to No Project conditions.

- C172-13: The Draft EIR specifically examined the traffic congestion impacts of the proposed Plan under Impact 2.1-3 and determined that significant, unavoidable impacts related to per-capita VMT under congested (LOS F) conditions would occur under year 2040 Plan conditions. Mitigation measures 2.1(a), (b), and (c) would help to address the traffic congestion impacts related to Plan implementation. Note that the proposed Plan's significant allocation of funding towards public transit helps to reduce traffic congestion on the region's roadway network and thus reduce impacts under Impact 2.1-3.
- C172-14: Travel demand forecasts were developed by Travel Model One, including forecasts of transit boardings in future years. Additional information about the forecasting methodology can be found in the *Draft Plan Bay Area Summary of Predicted Traveler Responses*. While Plan Bay Area forecasts significant growth in transit ridership and utilization, this is primarily a result of the Plan's highly focused land use pattern around the existing and planned regional transit system. By focusing growth in Priority Development Areas near frequent transit, this will provide a much greater number of potential riders in close proximity to transit stations and stops. Historically, major U.S. metropolitan areas have continued to grow outward, as opposed to focusing growth in the urban core; the envisioned shift in land use growth patterns is a primary driver of the differences between historic ridership growth trends in the Bay Area and the forecasted ridership growth in Plan Bay Area. For additional detail, refer to the response C153-9 regarding the forecasted growth in transit mode share in comparison to historical trends.
- C172-15: Travel times between modes in Tables 2.1-14 and 2.1-15 of the Draft EIR are not directly comparable, as travel distances and corridor congestion differ substantially between modes. For example, walking and bicycle trips tend to occur on short local trips, while some transit trips (e.g. express bus, commuter rail, heavy rail) must traverse long distances. In fact, suburban transit expansion projects included in the proposed Plan lead to a long-distance travel mode shift towards transit that cancels out reductions in average transit travel times elsewhere in the region. Similarly, automobile trips are often taken when a route is relatively congestion-free, while transit trips often occur along slow-moving congested corridors; this further skews the results towards shorter travel times for autos and longer travel times for transit. In conclusion, travel time comparisons would only be appropriate when comparing a specific set of origins and destinations across the various modes.
- C172-16: All of the alternatives, with the possible exception of the No Project alternative that only pursues committed transportation projects, address issues of mobility and traffic congestion. However, they generally emphasize land use strategies, road efficiency improvements, transit efficiency and expansion projects, and non-motorized facility expansion to improve regional mobility, rather than traditional highway expansion efforts. Pursuing a regional highway capacity-increasing approach would likely have additional environmental impacts and would not address the Plan's primary goal of reducing per-capita greenhouse gas emissions under Senate Bill 375. Furthermore, it would likely degrade performance for most of the Plan's adopted performance targets (shown on page 1.2-22 of the Draft EIR).

- C172-17: See Master Response A.3 regarding specificity of a program EIR. This EIR examines the regional and generalized local impacts of the proposed Plan as a single project and does not analyze impacts from individual projects. Significant noise from proposed transit systems, and noise affecting proposed land use projects, will be examined in the project-level environmental review for those projects where necessary. Note that the one instance of “electrified” in Chapter 2.6 of the Draft EIR refers specifically to trolley buses in San Francisco (p.2.6-9); the quote in the comment refers to BART in the TransBay tunnel.
- C172-18: The text and the figure match. The text refers to hourly average noise level (L_{eq}) and the day-night average level (L_{dn}), which are defined on p. 2.6-4. These are noise descriptors that explain how sound is measured, but the units are decibels for both.
- C172-19: The commenter states that a 10 ft. concrete noise barrier at an expressway cross-section reduces noise levels by about 11 dB(A) (from 77 dB(A) to 66 dB(A)). Commenter then states the EIR’s conclusion that existing noise barriers within the region result in approximately a 6 dB(A) noise reduction is inappropriate. Throughout the region, existing noise barriers have varying heights and have been constructed using numerous techniques and materials. The comment supports the fact that the EIR conservatively assumes that existing noise barriers on average result in a 6 dB(A) noise reduction. MTC and ABAG took a deliberately conservative approach to considering the effects of noise barriers in order to avoid understating potentially significant impacts; this conservative approach was taken throughout the EIR.
- C172-20: The commenter states that Alternative 4 is the superior alternative, in the commenter’s view. Alternative 4 performed worse than other alternatives in many impact categories, as summarized in the Draft EIR on pages 3.1-146 through 3.1-148. The comment notes that Alternatives 3, 4 and 5 were penalized by including an additional peak period Bay Bridge toll. However, Alternative 5, which included said toll, actually performs the best overall in the Draft EIR analysis. As the commenter points out, the differences between alternatives are extremely small, and the commenter is correct in noting that when doing 28-year planning and impact analysis, the differences between most alternatives in many cases is so small as to be within a likely margin of error of the tools used for the analysis.
- C172-21: The commenter is correct that Alternative 4 performs more poorly in impacts associated with transportation impacts, and performs relatively well compared to the other alternatives regarding land use impacts.
- C172-22: The commenter states that “Alt. 4 ... has interactions with the counties surrounding the 9-county [Bay Area]”. It is unclear as to what “interactions” the comment refers or to why these “interactions” would not occur in the other Alternatives. As a simplification, UrbanSim ignores neighboring counties, states, and countries when distributing growth within the Bay Area. This approach is taken for each of the five alternatives. MTC and ABAG do not think this assumption has any differential impact on Alternative 4.
- C172-23: As noted on page 2.2-18 of the Draft EIR, the MTC travel model provides estimates of vehicle miles traveled (VMT) by speed category to the California Air Resources Board’s emissions estimation software (EMFAC2011). The EMFAC2011 estimates reflect assumptions about changes in future fleet mix. As such, the Draft EIR analysis explicitly

considers changes in the fleet mix. The CARB website contains an interactive tool⁷ that provides information on the vehicle types included in EMFAC2011.

- C172-24: See Master Response D.1 regarding the emissions analysis.
- C172-25: Many of these underlying trends are highly variable. The proposed Plan incorporates some of these factors in its population projections (see Master Response B.1) but others such as tax rates and health care costs are uncertain and it would be speculative to plan around them.
- C172-26: Commenter's opposition to all of the alternatives is acknowledged. The decision-makers will consider this comment in considering the merits of the proposed Plan and alternatives evaluated in this EIR.

Letter C173 Karen Westmont (5/16/2013)

- C173-1: The comment states that by assuming the same share of people commute into the region in 2040 as in 2010, the proposed Plan results in more expensive housing, increased congestion and emissions, and that long-distance commuters will not be considered in the air quality analysis that is done at a regional or air basin level. The analysis in the Draft EIR for both transportation impacts and air quality includes the impact of people who commute in to the region.

The proposed Plan, as described in the Draft Plan, page 102 and 116, is anticipated to result in increased housing and transportation costs in the region compared to today's levels for all households. Alternative 4, which includes a higher number of new housing units, does, as the comment suggests, result in a very slightly lower share of income going to housing and transportation. It should be noted that the proposed Plan does not cap the level of development that is authorized in the San Francisco Bay Area. The proposed Plan does not limit the land use control of local jurisdictions and, therefore, jurisdictions could exercise their discretion to authorize housing development at a rate that exceeds the level forecasted in the proposed Plan. See Master Response A.1 regarding local land use control.

The comment goes on to state the California Housing and Community Development (HCD) Agency did not correctly calculate the housing need for the region because it is based on existing homes. This comment is not on the Draft EIR, nor is it one the proposed Plan. The housing allocation is the subject of a different process, the Regional Housing Needs Allocation. While the RHNA must, as per SB 375, be consistent with the SCS, the SCS is independent of RHNA.

Letter C174 Beverly Wood (5/16/2013)

- C174-1: Please see Master Response C regarding the request to extend the public comment period.

Letter C175 Carol Brandt (3/4/2013)

- C175-1: MTC and ABAG followed CEQA requirements for public noticing of the EIR. See Chapter 1.2 of the Draft EIR for a description of the public participation process for development of the proposed Plan. Regarding public engagement for the EIR, please see Chapter 1.1 of the

⁷ <http://www.arb.ca.gov/emfac/>

Draft EIR for a description of the Notice of Preparation and public scoping process and Section 1 of this Final EIR for a description of the public review process for the Draft EIR.

Letter C176 Margery Entwisle (5/13/2013)

C176-1: Please see Master Response D.2 on the connection between high-density housing near transit and reduced greenhouse gas emissions.

C176-2: Please see Chapter 2.12 of the Draft EIR and Master Response G regarding water supply. In addition, it is important to recognize that the Plan will not, in itself, create population growth, but is rather a regional strategy to accommodate the region's projected population and job growth in an equitable and efficient manner in partnership with local governments.

Letter C177 Devilla Ervin (5/16/2013)

C177-1: See Master Response F on issues of displacement.

C177-2: Commenter's support for Alternative 5 is acknowledged. The decision-makers will weigh the advantages and disadvantages of each alternative in determining which option to adopt.

C177-3: Commenter is correct that the Draft EIR concluded that Alternative 5 is the environmentally superior alternative. Commenter's support for Alternative 5 is acknowledged. The decision-makers will weigh the advantages and disadvantages of each alternative in determining which option to adopt.

Letter C178 Sue Hestor (4/28/2013)

C178-1: MTC and ABAG followed CEQA requirements for public noticing of the EIR. See Chapter 1.2 of the Draft EIR for a description of the public participation process for development of the proposed Plan. Regarding public engagement for the EIR, please see Chapter 1.1 of the Draft EIR for a description of the Notice of Preparation and public scoping process and Section 1 of this Final EIR for a description of the public review process for the Draft EIR, including the outreach efforts to inform the public of the availability of the Draft EIR and the libraries to which the document was sent.

C178-2: Please see Master Response E and chapter 2.5 (Climate Change and Greenhouse Gases) of the EIR regarding sea level rise.

Letter C179 Bill Long (5/14/2013)

C179-1: Under SB 375 and the Scoping Plan, MTC and ABAG must reduce GHG emissions through integrated land use and transportation planning. Thus MTC and ABAG followed CARB direction to exclude other policy initiatives, such as increases in fuel efficiency and low Carbon fuels, in its modeling for Criterion 2.5-1 which is the SB 375 GHG emissions reduction target. Please see Master Response D.1 regarding the greenhouse gas emissions included in analysis for the SB 375 target.

C179-2: Please refer to the response C179-1.

Letter C180 Libby Lucas (5/14/2013)

- C180-1: Commenter's support for Alternative 4 is acknowledged. The decision-makers will weigh the advantages and disadvantages of each alternative in determining which option to adopt.
- C180-2: Potential impacts of the proposed Plan on the transportation system are evaluated in Chapter 2.1 of the Draft EIR, potential impacts related to public services are covered in Chapter 2.14, and impacts related to utilities are covered in Chapter 2.12.
- C180-3: The commenter suggests that the tsunami analysis for the proposed Plan should include findings from a 1984 United States Army Corps of Engineers tidal study and combine it with anticipated higher sea levels associated with global warming to analyze potential tsunami hazards. The referenced 1984 tidal study examined tidal records from 1855 to 1983 to identify increases of annual maximum tides over time and the relatively infrequent tide events (e.g. 100-year tidal events). The study does not evaluate tsunami hazards. As stated in the Draft EIR beginning on page 2.5-61, there are numerous transportation projects proposed under the plan that would be located in areas that could become inundated by sea level rise (see also Table 2.5-11 on page 2.5-62 for a list of specific projects that could become inundated by mid-century). There has been substantially more research on sea level rise and potential hazards within the Bay Area since the 1984 Army Corps study, and yet there is still much debate regarding the amount of sea level rise that can be anticipated in the future. However, Mitigation Measures 2.5(a) through (d) would require that planning for proposed improvements considers sea level rise and that adaptive management strategies be enacted to address the potential effects of a rising sea level including associated effects such as changes to flooding patterns and tsunami inundation areas.
- C180-4: The commenter asks why the proposed Plan does not include investments in padding along the highway in a number of locations, including Highway 101, I-80 in Berkeley and in Marin. No project sponsors submitted projects including installing padding as part of the call for projects. However, one of the initiatives identified in the proposed Plan as a key MTC and ABAG priority work item is to evaluate adaptation strategies for the region to address the impacts of sea level rise. Such analysis will include identifying potential strategies, including infrastructure investments.
- C180-5: The commenter states that the proposed Plan includes many projects that are growth inducing and that the proposed Plan does not do enough to address greenhouse gas emissions. It is important to recognize that the Plan will not, in itself, create population growth, but is rather a regional strategy to accommodate the region's projected population and job growth in an equitable and efficient manner in partnership with local governments. Additionally, the proposed Plan included a robust project performance assessment, which included as assessment of emissions and potential growth-inducing aspects of new capital projects. See the Supplemental *Project Performance Report* for more information. See also Master Response D.2 regarding the connection between high-density housing near transit and reduced GHG emissions. See also chapter 2.9 (Biological Resources) of the EIR of potential impacts to marshes and other habitats and the mitigation measures proposed to address those impacts. See also Master Response A.3 regarding the programmatic nature of this EIR.
- C180-6: Implementing agencies for future second-tier projects must address site-specific liquefaction issues. Also note that Mitigation Measure 2.7(b) which addresses this issue is tied to existing

regulations, namely the California Building Code, that are law and binding on responsible agencies and project sponsors. See Master Response A.3 regarding the level of specificity in this program EIR.

- C180-7: The commenter claims that “earthquake faults seem not sufficiently addressed with conservative design criteria.” As stated in the Draft EIR on page 2.7-18, “the 2010 CBC is based on the 2009 International Building Code (IBC) published by the International Code Conference. In addition, the CBC contains necessary California amendments, which are based on reference standards obtained from various technical committees and organizations such as the American Society of Civil Engineers (ASCE), the American Institute of Steel Construction (AISC), and the American Concrete Institute (ACI). ASCE Minimum Design Standards 7-05 provides requirements for general structural design and includes means for determining earthquake loads as well as other loads (flood, snow, wind, etc.) for inclusion into building codes.” Mitigation Measure 2.7(b) requires that all proposed improvements are designed and constructed in accordance with the “most recent version of the California Building Code (CBC)” and “shall comply with Chapter 16, Section 1613 of the CBC which provides earthquake loading specifications for every structure and associated attachments that must also meet the seismic criteria of Associated Society of Civil Engineers (ASCE) Standard 07-05.” The CBC is routinely updated and revised to reflect the latest seismic design research incorporating performance from earthquake events that occur from around the world. The CBC represents the most stringent seismic building code requirements in the United States.
- C180-8: The commenter is concerned with older floodplain maps that have not been updated by FEMA and that this allegedly represents a deficiency to the analysis. The analysis for this Draft EIR can only rely on approved FEMA floodplain maps; otherwise the analysis would be speculative. Future projects under the proposed Plan would nonetheless still be required to adhere to the local floodplain development requirements that are in effect at that time. Additionally, any final approved FEMA maps would be incorporated into local ordinances and planning elements as they are released. As stated in the Draft EIR on page 2.8-13, “construction standards are established within local ordinances and planning elements to reduce flood impedance, safety risks, and property damage.” In addition, “local flood control agencies and the U.S. Army Corps of Engineers have established extensive flood control projects, including dams and improved channels many of which continue to be repaired, constructed, and completed.” These flood control improvements occur throughout the planning area and would also include Santa Clara County and the tributaries mentioned in the comment where it is deemed necessary and effective. As such, with adherence to local, state and federal floodplain standards as required by Mitigation Measure 2.8(b), the proposed improvements would have a less than significant impact related to floodplain development.
- C180-9: The commenter notes that the Santa Clara County HCP did not include fisheries or Peninsula habitat conservation so the species lists are not as inclusive as they should be. The commenter further states that climate change may affect species and habitat distribution as well as species survival over the next 40 years. The Draft EIR is programmatic in nature and necessarily takes a broad approach to describing the environmental setting and identifying general types of impacts, without breaking down those broad types into the myriad potential project-specific impacts that might fall under a particular heading. The full list of special-status species potentially affected by proposed projects under the Plan can be found in Table H-1 in Appendix H of the Draft EIR. Furthermore, implementing agencies must comply

with CEQA prior to approving future second-tier projects. Also see Master Response A.3 regarding the level of specificity in this program EIR.

- C180-10: The commenter states that wildlife corridors should be accommodated by highways and that several Santa Clara County highway improvement projects should include underpasses or elevated crossings for wildlife. As noted in response B2-3, Mitigation Measure 2.9(e) requires site-specific analysis of regional, as well as local migratory corridors, and several other measures, including *construction of wildlife friendly overpasses and culverts, use of wildlife friendly fencing, and fencing of major transportation corridors in the vicinity of identified wildlife corridors* (emphasis added).
- C180-11: The commenter is concerned with highway upgrade impacts, specifically potential increases in non-native vegetation on serpentine grasslands and resultant increases in fire hazards. According to research conducted by the California Native Plant Society, “comparatively little is known about most invasive plants in California and their relationship to wildfire” (Lambert, et al., 2010). Regardless, proposed improvements would be required to implement Mitigation Measure 2.13(g), which require adherence to California Fire Code as well as compliance with Title 14 of the California Code of Regulations, Division 1.5.
- C180-12: The commenter states that chemical alteration in plants and creation of invasive hybrids “is [ex]acerbated by road expansion in and adjacent to wetlands” and that this impact should be assessed in the Draft EIR. The Draft EIR authors are unaware of any studies reporting that automobile pollutants directly cause chemical alterations in plants or contribute to the creation of hybrid plant species. Excess nitrogen deposition can, however, result in changes in species dominance, particularly in communities where nitrogen is naturally a limiting factor, such as serpentine soil communities or wetlands, due to resultant chemical alterations in soil properties that make specialized substrates more prone to invasions by non-native species that otherwise have a hard time competing on such soils. Excess nitrogen deposition can also result in changes in water chemistry that could have deleterious effects on aquatic life. In wetland systems, additional nitrogen can stimulate growth of invasive species such as cordgrass, which can hybridize with native species. However, in many cases the bulk of nitrogen loading in aquatic systems does not come from atmospheric deposition but is related to the hydrology of a system and sources include runoff from land, ground water, marine water, and wastewater effluent. The Bay Area Upland Habitat Goals Report⁸ included a relatively coarse-scale analysis of atmospheric nitrogen deposition throughout the Bay Area, which shows that, in general, tidal marshes around the San Francisco Estuary are subject to the lowest dry atmospheric nitrogen deposition rates. The report also finds that tidal marshes are only moderately sensitive to nitrogen deposition. At this point, however, there is little research available on the effects of atmospheric nitrogen deposition on specific species, and site-specific nitrogen budgets are for the most part unknown. Therefore, it would be speculative to assert that atmospheric nitrogen deposition in the Bay Area is a primary driver for invasion of local marshes by non-native cordgrass or giant reed. In addition, Plan Bay Area is intended to reduce greenhouse gasses per SB 375 and, as noted in Chapter 2.5, Climate Change, of the Draft EIR, implementation of the proposed Plan is expected to result in overall land use and transportation-related decreases in greenhouse gas emissions from existing conditions. Therefore, the project would not contribute considerably to any such impact, were it to occur.

⁸ Available online: <http://www.bayarealands.org/reports/>

The commenter further states that highway earthmoving equipment can contribute to the spread of invasive species to stream systems. The Draft EIR recognizes the potential for construction to spread invasive plant species in riparian and other sensitive communities on pp. 2.9-54 and 2.9-56. The mitigation measures proposed for impacts on riparian communities would include consideration of invasive species control as a necessary component of avoiding and minimizing impacts. In addition, where wetland and stream permitting is involved, such permits typically contain terms and conditions relating to controlling invasive species, as do compensatory mitigation plans. Please also note that implementing agencies must comply with CEQA prior to approving future second-tier projects.

- C180-13: The commenter asserts that the Draft EIR does not include linear impacts on riparian corridors. The results of the GIS-based analysis for PDA impacts on other waters (including streams and their associated riparian corridors) are expressed in linear feet and presented in Table H-5A of Appendix H of the Draft EIR. The results for transportation project impacts are expressed in the number of linear projects intersecting mapped streams since the actual footprint of the projects relative to the riparian corridors are unknown at this time (see Table H-5B of Appendix H of the Draft EIR). Please also note that implementing agencies must comply with CEQA prior to approving future second-tier projects.

Letter C181 Libby Lucas (5/21/2013)

- C181-1: The commenter notes that the libraries near the commenter were unable to locate the Draft EIR. Please see Section 1 of this Final EIR for a description of the outreach efforts to inform the public of the availability of the Draft EIR and the libraries to which the document is sent. The Draft EIR was sent to the libraries referenced by the commenter; their inability to locate the document was noted and MTC sent the commenter a paper copy of the Draft EIR. Please also see Master Response C regarding the request to extend the public comment period.
- C181-2: The commenter states that the Draft EIR is deficient because it does not address biological resources issues in Santa Clara County in sufficient detail. Please see Master Response A.3 regarding the level of specificity in this program EIR. See also response C180-9 regarding Santa Clara County biological resources.
- C181-3: The commenter states that the summation of wetland impacts in acreage and miles seems underestimated and not sufficiently site-specific. Please refer to response B17-6 regarding underestimation of wetland impacts and see Master Response A.3 regarding the level of specificity in this program EIR.
- C181-4: The commenter states that the Draft EIR is deficient in not discussing “no net loss policies” for wetlands. Please refer to response B17-23 for a discussion of this matter.

Letter C182 Deirdre O’Brien (5/15/2013)

This letter forwards Letter C98 from Lisa Culbertson. See responses to C98.

Letter C183 Greg Schmid (5/9/2013)

- C183-1: Please see Master Response B.1 regarding population projections.

Letter C184 Pamela Tapia (5/16/2013)

C184-1: Commenter's support for Alternative 5 is acknowledged. The decision-makers will weigh the advantages and disadvantages of each alternative in determining which option to adopt.

C184-2: Please see Master Response F regarding displacement.

Letter C185 Athena McEwan (5/8/2013)

This letter does not contain a direct comment on the EIR, but rather forwards a newspaper article and attached comments on the article. The article and the comments are each addressed as a single comment.

C185-1: Please see Master Responses D.2 on the connection between high-density housing near transit and reduced GHG emissions, D.1 on GHG emissions included in analysis for the SB 375 target, Draft EIR Chapter 2.2 on air quality impacts and mitigations, Chapter 2.10 on visual resources, and Chapter 2.14 on public services. The financial costs of the proposed Plan are beyond the scope of an EIR.

C185-2: Many of these comments are not on the EIR, although those in support of the No Project alternative are noted. The decision-makers will weigh the advantages and disadvantages of each alternative in determining which option to adopt. Bob Silvestri's comments are addressed in the responses to his letters, numbered C26 and C156.

Letter C186 Chester Martine (5/16/2013)

C186-1: In response to Query 1-1, as explained on page 1.1-9 of the Draft EIR, "For analytic purposes in this EIR, 2010 is the base year (existing conditions), except for greenhouse gas emissions where 2005 is the base year for one criterion to demonstrate compliance with SB 375." See Master Response D.1. In some cases, the latest mapped data and related facility or public service information were used, usually from 2012 (for example, air quality, air basin boundaries, PDA boundaries, major road facilities, transit lines and areas served by transit, bicycle facilities, urbanized land and open space, regional parks and open space, levees and non-engineered berms, documented sensitive biological resources, critical habitat, scenic resources, water supplies, landfill capacities, and wastewater treatment capacity). Baseline environmental data for geology, seismicity, soils and farmland capabilities, flooding and wildland fire hazards were the most current available from responsible agencies and State databanks.

C186-2: In response to Query 1-2, the term "implement" means the requirements of federal and state law and implementing regulations that have been enacted, adopted and chaptered as law and existing local land use polices apply to the No Project. The EIR assumes such existing laws and policies will be implemented and are, therefore, made part of the No Project analysis and modeling performed for the No Project alternative.

In response to Query 1-3, the regulatory context includes existing regulations currently in force, which is fully consistent with CEQA and State CEQA Guidelines.

C186-3: In response to Query 1-4, the EIR describes existing regulations and what it means to implement them in the regulatory setting sections in each chapter; this same regulatory information is applicable to the alternatives. In response to Query 1-5, this EIR does state

that in the No Project alternative urban boundary lines would expand at historic rates. This EIR relies on information compiled by MTC and ABAG on historical changes in urban boundary lines, as defined in Section 2 of the Final EIR, and records on average annual annexation of land to cities for urban development. The urban boundary lines are assumed to expand at an historic rate under the No Project alternative because the alternative is designed to reflect a business-as-usual vision for the future.

- C186-4: See responses to Letter B6 regarding urban growth boundary definitions. In response to Queries 1-6 and 1-7, the EIR does include information on what it means to implement existing regulations in the regulatory setting sections for each chapter. Similarly, the EIR describes the existing environmental setting for each resource area evaluated in the EIR. The existing environmental setting as discussed throughout the EIR constitutes the existing environmental setting for the purposes of the alternatives analysis.
- C186-5: The NOP describes the proposed Plan and MTC and ABAG's intention of preparing an EIR; it does not provide detail on existing land use policies. The EIR provides those details; see responses C186-1 through C186-4.
- C186-6: The NOP does not describe existing land uses or existing land use policies; rather, it expresses the intent of MTC and ABAG to prepare an EIR and elicits comments that would help them define the scope of the EIR. See also response C186-3.
- C186-7: In response to Query 1-10, the EIR includes a discussion of existing land use policy in the regulatory setting section of Chapter 2.3. See Master Response A.1 for additional information on local control over land use.
- C186-8: In response to Query 1-11, the EIR does refer to regulations that affect local land use policy in the regulatory setting section of Chapter 2.3. This discussion would apply to the context for the No Project alternatives analysis. Page 1.1-9 of the Draft EIR explains that, "The No Project alternative consists of...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..." In response to Query 1-12, this EIR did not extensively analyze whether existing land use policies and land use regulations at the local level conform to the 2010 Clean Air Plan; the focus of this EIR is on whether, in this instance, the proposed Plan would conform to the Clean Air Plan, and this subject is evaluated under Impact 2.2-1(b). However, in Chapter 3.1, p. 3.1-34, the Draft EIR notes that, "As [the No Project] alternative assumes continuation of currently-adopted general plans through 2040, there is a potential for this alternative to be inconsistent with goals and objectives of the CAP. For example, the more dispersed pattern of growth does not promote communities where people can walk, bike, or conveniently use transit, which is a key objective of the CAP..."
- C186-9: In response to Query 1-13, the EIR describes existing land use regulations and existing land use policies that have an effect on land use in the regulatory setting section of Chapter 2.3. In response to Query 1-14, the housing element is part of the General Plan, and General Plans are included in the discussion of local control mechanisms in the regulatory settings section of Chapter 2.3. In response to Query 1-15, the reference to Government Code Section 65300 et. seq. does include State Housing Law and requirements for housing elements. To expand on this section in the interest of clarity and complete disclosure, the following sentence is added to the last paragraph on page 2.3-27; see Section 2 of this Final EIR as well:

... Additional information about General Plan housing elements and update cycles is available on the California Department of Housing and Community Development website's housing element page:

<http://www.hcd.ca.gov/hpd/hrc/plan/he/>.

- C186-10: MTC and ABAG believe that the regulatory setting sections for each of the chapters in Part II of the EIR contain all of the relevant information needed for this programmatic assessment under CEQA. The discussion of the regulatory setting sections for each of the chapters in Part II of the EIR applies to all alternatives analyzed in the EIR, including the No Project alternative.
- C186-11: See response C186-8.
- C186-12: MTC and ABAG acknowledge and agree generally with this historical information presented in Facts 1-30 through 1-36.
- C186-13: In response to Query 1-17, this EIR establishes a regulatory setting based on federal, State and local regulations in place at the time preparation of this EIR was initiated. MTC and ABAG agree with the statement in Fact 1-40 that local governments have done much to spur affordable housing development. Existing local policies to spur development of affordable housing are part of the existing regulatory setting.
- C186-14: See Master Response B.2: Feasibility of the proposed Plan's Priority Development Areas.
- C186-15: MTC and ABAG believe that this EIR correctly defines the No Project alternative. The EIR assumes that existing regulations will be implemented, but also assumed that certain changes are also foreseeable under the No Project alternative such as a continued expansion of urban boundary lines based on historic rates. This assumption is not inconsistent with the idea that local General Plans and land use regulations would continue to be implemented. The idea is that the No Project alternative represents a continuation of historical trends, changes in "urban footprints" based on records of average annual annexation of land to cities for urban development.
- C186-16: See response C186-15, above. Many jurisdictions in the Bay Area have enacted policies and regulations to promote infill development while, at the same time, planning for appropriate expansion on to development land adjacent to the city limits. Concord is one clear example of this: the city has a robust infill incentive program; it also has been planning for the redevelopment of the Concord Naval Weapons Station. Both types of development would occur under the No Project alternative. As a programmatic assessment for the nine-county region, this EIR relies on "business as usual" analysis and projections prepared by ABAG. MTC and ABAG believe the information compiled and analyzed in this EIR for the No Project alternative is consistent with the parameters for the No Project analysis established in CEQA and State CEQA Guidelines.
- C186-17: The requested modification of the No Project alternative makes a policy assumption that MTC and ABAG does not believe is appropriate: to wit, that local governments would plan for growth in PDAs once zoning by such governments permits such PDAs. Under the No Project alternative, it would be speculative to presume what specific changes in local General Plans would be made. MTC and ABAG respectfully prefer the definition of the No Project

alternative presented in this EIR as appropriate for this programmatic assessment of the proposed Plan.

- C186-18: These tables accurately summarize the differences between the alternatives that were analyzed in detail, and the characteristics of the alternatives that emerged from the screening process described on pg. 3.1-2. These tables are meant as a summarizing visual aid for the reader and do not replace the definitions of the alternatives on pages 3.1-5 through 3.1-8.
- C186-19: See response C186-10. Per CEQA Guidelines and as explained on p.1.1-9 of the Draft EIR, “As with the evaluation of the proposed Plan, this EIR evaluates impacts of the No Project alternative and the other alternatives in 2040, the horizon year for the proposed Plan.”
- C186-20: This is explained on p.3.1-5 in the definition of the No Project alternative: “Express Lane projects in MTC’s regional network are listed as committed but technically are uncommitted; all of the MTC Network Express Lane projects are therefore excluded from the No Project alternative (VTA’s Express Lane Network is a fully committed project and included in every alternative).” This statement includes a footnote that further explains: “The region’s two Express Lane networks—MTC’s regional network and VTA’s network—are each viewed as a project made up of individual project segments. Unless the entire network is fully funded and committed, the entire network, or ‘project’, is uncommitted. As a result, MTC’s Express Lane Network is an uncommitted project; VTA’s Express Lane Network is a fully committed project.”
- C186-21: MTC and ABAG acknowledge the comment about the exemplary control measures in the Clean Air Plan.
- C186-22: As noted in prior comments, neither MTC nor ABAG, nor the BAAQMD, have authority to control local land use. While the control measure cited does call for promoting land use patterns that support mixed use, transit-oriented development, local jurisdictions would retain local land use authority. Therefore, the control measure does not compel local jurisdictions to take any specific actions; MTC and ABAG believe it was proper to include continued expansion of urban boundary lines based on historic rates within the No Project alternative. See Master Response A.1 for additional information on local control over land use.
- C186-23: MTC and ABAG respectfully disagree with the need for a new model run for the No Project alternative for the reasons presented in Response C186-22. MTC and ABAG believe it is reasonable and foreseeable to conclude local jurisdictions will continue to expand urban boundary lines based on historic rates under the No Project alternative.
- C186-24: MTC and ABAG believe that the tables in Chapter 3.1 accurately reflect the alternatives analysis undertaken and inform decision-makers of the environmental consequences of the alternatives. These alternatives do reflect long term trends and provide comparisons for the 2040 horizon year. RHNA programs are for a shorter time frame, and it would be speculative to assess in any detail what the details effects of five additional cycles of housing element updates might be. Instead, the alternatives analysis focuses on longer term trends as they would be affected by the policy interventions described for each alternative.
- C186-25: Correction noted and made in Section 2 of this Final EIR.

Letter C187 Peter Singleton (5/16/2013)

C187-1: See Master Response C regarding the request to extend the public comment period. In addition, the commenter claims that the Plan Bay Area is based on models, assumptions, forecasts and omissions that are “deficient and dishonest.” Those accusations are detailed in later comments by the commenter and responded to in detail below.

C187-2: The commenter claims that the public participation process associated with developing Plan Bay Area was inadequate. A portion of the information Mr. Singleton/Judicial Watch requested of MTC was publicly available prior to the Judicial Watch public records request dated March 13, 2013 (“Judicial Watch PRA request”). See response 187-5. In addition, a majority of the information requested on March 13, 2013 was provided prior to April 19, 2013, in accordance with the California Public Records Act (“CPRA”). The CPRA requires an agency to determine whether to comply with the request within 10 days of receiving the request. (Gov't Code § 6253(c).) As shown in the attachments to Mr. Singleton’s May 16, 2013 comment letter (“Singleton May 16 letter”), MTC responded on March 25, 2013. The tenth day was March 23, a Saturday; MTC responded on the first succeeding business day. The CPRA allows a responding agency to extend the deadline for an additional 14 days for various reasons. As shown in the attachments to Singleton’s May 16 letter, in its March 25, 2013 letter, MTC extended the deadline for the 14 days for the articulated reasons as are permitted by Government Code § 6253(c). The CPRA also instructs the responding agency to state the date and time when records will be made available. (*Id.*) On April 8, 2013, fourteen days after its March 25 letter, MTC responded in a twelve page letter with answers and links to material for the majority of the items requested in the Judicial Watch PRA request. MTC also stated that the remaining material, constituting approximately 1250 pages would be available two weeks hence. See attachment to Singleton May 16 letter.

The attachments to the Singleton May 16 letter clearly show that MTC complied with the CPRA in responding to the Judicial Watch PRA request. The request was several pages long and included dozens of categories and subcategories, including many questions that required a narrative response. MTC received the request on March 13, 2013, and notified Mr. Singleton that it would require an additional 14 days to respond, as permitted by the CPRA. At the end of the 14-day period, MTC responded with a lengthy and substantive letter, specifically addressing each of Judicial Watch's numerous questions and requests. This letter also provided a substantial amount of responsive documentation in the form of web links, which contained much of the requested information. Thus, Mr. Singleton in fact had the majority of the responsive information to a voluminous request within 24 days, a statutorily permitted timeframe. Furthermore, as noted above, the MTC April 8 letter estimated that there were approximately 1250 pages of additional responsive documents which would take approximately two weeks to gather, and provided Judicial Watch with the option of either paying for copies of the documents or sending representatives to MTC's offices to review the documents. As the Singleton May 16 letter discusses, MTC and Judicial Watch disagreed about the copying charge for these additional documents; however MTC did in fact, on the same day Judicial Watch came to MTC to review the documents, provide the documents to Judicial Watch in the form it desired for a nominal amount. The CPRA permits agencies to provide documents past the 24 day “deadline” and MTC did so with all deliberate diligence, using limited available personnel resources.

See Master Response C for additional information regarding the comment period schedule.

C187-3: See response C187-2.

- C187-4: The 45-day public comment period provided on the Draft EIR complies with CEQA. (Pub. Resources Code § 21091.) The fact that commenter filed a PRA request does not render the public comment period legally inadequate. See also Master Response C regarding requests for extension of the public comment period.
- C187-5: MTC has made modeling data and results available throughout the Plan Bay Area process. MTC has made information on model assumptions, methods, and results available to the public in a clear and transparent manner through posting on its website⁹, presentations in public meetings, and presentations at open public forums hosted by SPUR (a nonprofit organization focused on regional planning issues). To further communicate the model structure, parameters, and sensitivities, MTC has provided highly technical information¹⁰, as well as presented model overviews to non-technical audiences¹¹. Nearly all these materials were posted to the website or presented in public meetings well before the Judicial Watch PRA request, or in the cases of footnote 1(c) and 2(f), within the 24 day period following March 13, 2013.
- C187-6: Consistent with SB 375, the GHG emissions target CARB assigned MTC and ABAG requires reductions, when measured on a per capita basis relative to 2005, beyond those achieved by “new vehicle technology and by the increased use of low carbon fuel” (SB 375, Section 1(c)). See also Master Response D.1 regarding GHG emissions for SB 375. As such, for the purposes of SB 375, MTC and ABAG must estimate carbon dioxide emissions assuming a hypothetical future in which new vehicle technologies and the increased use of low carbon fuel are not present. This calculation is performed using CARB’s EMFAC2011

⁹ See the following:

- (a) Technical Summary of Predicted Traveler Responses to First Round Scenarios:
http://analytics.mtc.ca.gov/foswiki/pub/Main/Documents/2011_03_22_Release_First_Round_Travel_Model_Technical_Summary.pdf;
- (b) Technical Summary of Predicted Traveler Responses to Second Round Scenarios:
http://analytics.mtc.ca.gov/foswiki/pub/Main/Documents/2012_01_05_RELEASE_Second_Round_Travel_Model_Technical_Summary.pdf;
- (c) Draft EIR Draft Summary of Predicted Traveler Responses:
http://onebayarea.org/pdf/Draft_Plan_Bay_Area/Draft_PBA_Summary_of_Predicted_Traveler_Responses.pdf.
(posted April 3, 2013)

² See the following:

- (d) Travel Model Development: Calibration and Validation Technical Report:
http://mtcgis.mtc.ca.gov/foswiki/pub/Main/Documents/2012_05_18_RELEASE_DRAFT_Calibration_and_Validation.pdf;
- (e) Travel Model One: Version 0.3 Calibration and Validation Presentation:
<http://analytics.mtc.ca.gov/foswiki/Main/CalibrationAndValidationPresentationVersion03> (posted May 18, 2012);
- (f) Travel Model Development: Sensitivity Testing Draft Technical Report:
http://analytics.mtc.ca.gov/foswiki/pub/Main/Documents/2013_03_18_DRAFT_Sensitivity_Testing.pdf;
- (g) Initial examination of volume delay functions using PeMS data Technical Memorandum:
http://mtcgis.mtc.ca.gov/foswiki/pub/Main/Documents/2012_03_06_RELEASE_Volume_delay_functions.pdf

³See, for example, the following:

- (h) Joint MTC Planning/ABAG Administrative Committees Presentation (September 2012):
http://apps.mtc.ca.gov/meeting_packet_documents/agenda_1927/4_Proeduces_on_Modeling_Technologies.pdf;
- (i) SPUR Lunchtime forum (October 2011): <http://www.spur.org/events/calendar/modeling-regions-future>;
- (j) SPUR Lunchtime forum (May 2013): <http://www.spur.org/events/calendar/modeling-bay-area>.

software and includes an estimate of effective miles per gallon (this quantity is referred to as “SB 375 MPG” henceforth).

When assessing the environmental impact of the proposed action, MTC and ABAG assume a policy future in which new vehicle technology and the increased use of low carbon fuel do exist. The emissions are also estimated using CARB’s EMFAC2011 software and include a separate estimate of effective miles per gallon (“expected MPG” henceforth).

For each scenario, therefore, MTC and ABAG have two estimates of effective miles per gallon. One is the expected future year value, expected MPG, and is used as part of the emission estimation process that is the basis for assessing the environmental impact of the proposed action. The second is the hypothetical value, SB 375, which is used as part of the carbon dioxide estimation process that is the basis for MTC and ABAG’s SB 375 GHG target. The only purpose of this hypothetical, second value is for computing MTC and ABAG’s SB 375 GHG target.

The table presented on page 14 of the comment letter is, as noted in footnote 16 on page 15 of the comment letter, derived from an internal MTC email documenting the results of a travel model simulation. The internal MTC email included both the expected MPG and the SB 375 MPG; the comment includes only the SB 375 MPG, which is misleading.

MTC and ABAG’s use of these two separate MPG estimates for two separate purposes is not a secret. EMFAC2011 outputs both of these numbers for this very reason.

MTC and ABAG cannot rely on state-mandated changes in vehicle technology and increased use of low carbon fuel to meet the region’s SB 375 target. SB 375 makes this clear in the text quoted above.

The commenter states that the model runs include the undisclosed results from running a post-processor that evaluated the impact of Pavely I and the Low Carbon Fuel Standard. That is not the case. EMFAC2007 and 2009 both used a post-processor to evaluate the impacts of Pavely I. EMFAC2011 does not use a post-processor. The post-processor was for older versions of the EMFAC model. For additional information on EMFAC2011, see <http://www.arb.ca.gov/msei/modeling.htm>.

C187-7: In May of 2011, MTC staff presented Plan Bay Area financial assumptions, including assumptions for the gas tax, to the Partnership Technical Advisory Committee (PTAC), the Regional Advisory Working Group (RAWG), and the Policy Advisory Council for review and input. As noted during the May presentations, the projections for fuel price and consumption were derived from a model based on a standardized set of assumptions during the 28-year period.

The commenter contends that gasoline usage by passenger vehicles will decline by 37 percent per VMT (32 percent overall), and as a result total gas tax revenues will be 32 percent less in real terms in 2035 than in 2010. In order to obtain a 37 percent decrease in gasoline usage by passenger vehicles from 2010 to 2035, one would need to assume that annual VMT will not change from 2010 to 2035. In addition, the commenter questions

whether fuel prices will keep pace with PBA’s standard 2.2 percent rate of inflation. Table 1 examines the real growth in retail gasoline prices, after adjusted for inflation.

TABLE 1: REAL GROWTH IN FUEL PRICE

<i>Year</i>	<i>Actual Price Per Gallon, nominal</i>	<i>Actual Price Per Gallon, 2001 \$</i>	<i>Real Growth</i>
2001	\$1.68	\$1.68	
2002	\$1.56	\$1.52	-9%
2003	\$1.88	\$1.79	17%
2004	\$2.17	\$2.00	12%
2005	\$2.52	\$2.24	12%
2006	\$2.86	\$2.45	9%
2007	\$3.12	\$2.60	6%
2008	\$3.56	\$2.86	10%
2009	\$2.73	\$2.20	-23%
2010	\$3.14	\$2.50	13%
2011	\$3.86	\$2.98	19%
2012	\$4.08	\$3.08	3%

Sources:

Fuel Prices -- U.S. Energy Information Administration, California All Grades All Formulations Retail Gasoline Prices (Dollars per Gallon)

CPI -- California Department of Finance, California-All Urban Consumers, formulated from U.S. Bureau of Labor Statistics (BLS)

The commenter contends that financial models only account for Pavley Phase I through 2020, and ignore the continuing impact of Pavley Phase I on decreases in fuel consumption. The PBA fuel consumption forecast was derived using both MTC’s travel demand model and the EMFAC 2007 forecasting software. (EMFAC2011 was not yet adopted when the revenue assumptions were developed.) EMFAC 2007 is an emission inventory model that calculates emission inventories for motor vehicles operating in California. MTC derived its consumption forecast by making assumptions regarding increases in the fuel efficiency of the vehicle fleet. The Plan Bay Area fuel consumption forecast assumes full implementation of Pavley Phase I and adherence to the Low Carbon Fuel Standard. The result of the inclusion of Pavley Phase I and the Low Carbon Fuel Standard is an expectation that statewide gasoline consumption will steadily decline until 2020 while the vehicle fleet becomes more fuel efficient, and that gasoline consumption will slowly grow at a constant long-term rate as VMT continues to rise in response to growth in population and employment

The commenter contends that the proposed Plan mitigates impacts of declining fuel consumption by overstating the growth in retail gas prices. In response to SB 375, the Regional Targets Advisory Committee recommended MPOs use consistent assumptions for fuel price in their modeling and planning initiatives. The specific fuel price assumptions were derived based on the ¾-point between the U.S. Department of Energy's low- and high-end forecasts, plus a 25-cent surcharge to account for fuel generally being more expensive in

California. See *Technical Supplementary Report: Predicted Traveler Responses*, Page 37 for additional information

The commenter questions PBA fuel price forecasts by comparing the forecasts to a publication from the California Energy Commission. As previously noted, fuel prices were standardized and reflective of price forecasts from the U.S. Department of Energy. In addition, the CEC's fuel price forecast uses 2011 as a base year, whereas PBA uses 2009. According to the U.S. Energy Information Administration, the average annual retail price per gallon of gasoline in California in 2009 was \$2.725, and \$3.863 in 2011 (42% higher than 2009). The CEC uses 2011 as a base for their analysis and forecasts the real growth of gasoline price as a percentage of the 2011 price per gallon.

Table 2 identifies the 2011 price per gallon, as reported by the U.S. Energy Information Administration, and compares the CEC's high and low gasoline price forecast to PBA's gasoline price forecast.

TABLE 2: GASOLINE PRICE FORECASTS, REAL TERMS (2011 \$), PERCENT OF 2011 RETAIL PRICES

<i>Year</i>	<i>CEC "Low" Forecast % of Actual 2011 Price</i>	<i>CEC "Low" Forecasted Price Per Gallon, 2011 \$</i>	<i>CEC "High" Forecast % of Actual 2011 Price</i>	<i>CEC "High" Forecasted Price Per Gallon, 2011 \$</i>	<i>PBA Forecast % of Actual 2011 Price</i>	<i>PBA Forecasted Price Per Gallon, 2011 \$</i>
2011	100.0%	\$3.863	100.0%	\$3.863	100.0%	\$3.863
2013	102.5%	\$3.958	110.1%	\$4.252	87.4%	\$3.376
2014	103.4%	\$3.994	113.9%	\$4.400	92.3%	\$3.565
2015	104.6%	\$4.042	116.6%	\$4.505	97.4%	\$3.763
2016	104.3%	\$4.030	117.4%	\$4.537	103.0%	\$3.978
2017	103.7%	\$4.006	118.0%	\$4.558	108.7%	\$4.199
2018	103.4%	\$3.994	118.8%	\$4.589	114.8%	\$4.434
2019	102.8%	\$3.970	118.8%	\$4.589	121.2%	\$4.683
2020	102.2%	\$3.946	119.1%	\$4.600	128.0%	\$4.944
2021	101.2%	\$3.911	119.4%	\$4.610	128.8%	\$4.974
2022	100.0%	\$3.863	119.4%	\$4.610	129.6%	\$5.008
2023	99.1%	\$3.827	119.6%	\$4.621	130.6%	\$5.047
2024	97.8%	\$3.780	120.4%	\$4.653	131.5%	\$5.081
2025	96.9%	\$3.744	121.5%	\$4.695	132.3%	\$5.111
2026	97.2%	\$3.756	122.3%	\$4.726	133.2%	\$5.146
2027	97.5%	\$3.768	123.7%	\$4.779	134.2%	\$5.183
2028	97.8%	\$3.780	125.3%	\$4.842	135.0%	\$5.216
2029	98.5%	\$3.804	126.2%	\$4.874	136.0%	\$5.252
2030	98.8%	\$3.815	128.1%	\$4.947	136.8%	\$5.285

The commenter questions the impacts Pavley Phase II will have on the fuel forecasts, and questions the omission of Pavley Phase II in PBA. Pavley Phase II was not included in MTC's fuel price and fuel consumption forecast for PBA due to its introduction in 2012.

- C187-8: The commenter claims that the Draft EIR is deficient for not including Pavley II (also referred to as the CARB Advanced Clean Car Standards) in its analysis. Although Pavley II received final approval in December 2012, it was not adopted in time to be integrated into the modeling tools used for the analysis. CARB has yet to integrate Pavley II into EMFAC, and EMFAC is the emissions model all MPOs in the state are required to use to estimate emissions. The Draft EIR clearly states that the Advanced Clean Car Standards are not included in EMFAC2011, and if they had been included emissions would be lower than those shown using EMFAC2011. The Draft EIR is therefore conservative in its analysis of the environmental impact. However, it is important to note that for Criterion 2.5-1, the SB 375 GHG emissions reduction target, the benefits of Pavley I, Pavley II (Advanced Clean Car Standards) and the Low Carbon Fuel Standard cannot be included as part of the emissions reductions calculation. See Master Response D.1 regarding GHG emissions for SB 375.
- C187-9: See Master Response D.1 regarding GHG emissions for SB 375. The commenter also claims that MTC and ABAG will state that the analysis reasonably relied on EMFAC2011 for the emissions analysis. That is correct. MTC, and all other MPOs in California, are required to use EMFAC for emissions analysis. EMFAC2011 was developed by CARB and approved by US EPA. It is MTC's opinion that EMFAC2011 is the best and most appropriate tool available to estimate emissions.
- C187-10: See Master Response D.1 regarding GHG emissions for SB 375. SB 375 provides:
- Greenhouse gas emissions from automobiles and light trucks can be substantially reduced by new vehicle technology and by the increased use of low carbon fuel. However, even taking these measures into account, it will be necessary to achieve significant additional greenhouse gas reductions from changed land use patterns and improved transportation. Without improved land use and transportation policy, California will not be able to achieve the goals of AB 32.
- (SB 375, Stats. 2008, ch. 728, § 1(c) [uncodified legislative findings].)
- C187-11: Based on the above and related statutory directives included in SB 375, CARB prepared regional targets for reductions in GHG emissions from the automobile and light truck sector for 2020 and 2035, respectively. The CARB targets for the San Francisco Bay area are 7% and 15% respectively. In developing these targets, CARB expressly stated that the "CO₂ emissions... do not include reductions from Pavley and LCFS regulations." (See CARB's Proposed SB 375 Greenhouse Gas Targets, <http://arb.ca.gov/cc/sb375/mpo.co2.reduction.calc.pdf>.) Therefore, consistent with SB 375 and the SB 375 targets established by CARB, state MPG regulations were not included in MTC and ABAG's GHG modeling to evaluate the proposed Plan's consistency with the CARB's SB 375 GHG reduction targets for the San Francisco Bay Area. The commenter asks how SB 375 permits MTC and ABAG to (1) use models that fabricate data and produce results that are false; (2) use models that have multiple values for a single variable that must be consistent in its use throughout the model for the model to produce valid results, and (3) fail to disclose the full results of the modeling to the public. These statements are all false.

MTC and ABAG use the best modeling tools available. The commenter specifically asks about the miles per gallon values, which come directly from EMFAC2011, the CARB-developed and federally approved emissions model for California. See response C187-6. MTC and ABAG did disclose the emissions modeling results used for the Draft EIR analysis for Chapters 2.2 (Air Quality) and 2.5 (Climate Change). In Chapter 2.5, the Draft EIR specifically identifies the impact Pavley has on GHG emissions, as Criterion 2.5-1 does not take Pavley-related emissions reductions into account while Criterion 2.5-2 does. The EMFAC2011 outputs for other criterion pollutants and particulate matter do not differentiate with or without Pavley.

- C187-12: The commenter questions MTC and ABAG's review and disclosure process. MTC and ABAG conducted thorough and thoughtful analysis and disclosed all data used in the analysis. In addition, MTC made significant amounts of additional data available through Supplemental Reports, technical reports and background material, and in response to requests and questions throughout the process. The RTAC guidelines are nonbinding. MTC and ABAG will consider RTAC guidelines related to disclosure of model deficiencies in the future; however, MTC and ABAG feel the level of disclosure for Plan Bay Area is more than sufficient. MTC released a significant amount of data and analysis regarding the travel model, which is the model tool RTAC's guidelines focused on, including detailed model sensitivity analysis and calibration analysis. In addition, in the EMFAC2011 documentation, CARB identifies areas of improvement for future EMFAC models. See *EMFAC2011 Technical Documentation, Updated January 2013*, page 16.¹²
- C187-13: The commenter states that it is unquestionable and indisputable that MTC used the CARB-supplied postprocessor. That is not true. MTC did not use the postprocessor, as the postprocessor is for the 2007 and 2009 versions of EMFAC. EMFAC2011 does not have a postprocessor.
- C187-14: The commenter questions MTC and ABAG's use of modeling software that commenter asserts is deficient. MTC and ABAG believe that EMFAC2011 is the best available emissions modeling tool. It is the tool required for use in evaluating the Plan by the federal government and state of California. MTC and ABAG know of no other tool that would be better or more appropriate for the analysis.
- C187-15: The commenter states that MTC and ABAG are fully aware of the deficiencies in the modeling software. See responses C187-14 and C187-12.
- C187-16: The commenter questions if MTC and ABAG are required to use EMFAC2011 for emissions analysis. MTC is required to use EMFAC2011 for emissions analysis. EMFAC2011 is the tool approved for use to support the Air Resources Board's (CARB) regulatory and air quality planning efforts and to meet the Federal Highway Administration's transportation planning requirements.

MTC and ABAG are aware that EMFAC2011 does not include the impact of CARB's Advanced Clean Car Standards. That is clearly documented in the Draft EIR (pages 2.2-18 and 2.2-19). Page 2.2-19 of the Draft EIR notes that "it is anticipated that emissions in the future will be lower than those calculated by this current version of the EMFAC model (EMFAC2011)".

¹² <http://www.arb.ca.gov/msei/emfac2011-technical-documentation-final-updated-0712-v03.pdf>

The RTAC guidelines quoted in the comment related to travel demand models on other modeling tools. The “other modeling tools” referenced are those used to adjust outputs of the travel models, not emissions models.

C187-17: This commenter summarizes a letter written by Thomas Rubin, which was directed towards the Plan Bay Area Air Quality Conformity Analysis. Responses have been provided below for the four main bullet points included in the commenter’s summary:

- The Draft Plan does include a significant emphasis on improving service quality for existing bus routes. In addition to upgrading local bus routes to bus rapid transit, implementing BART Metro to reduce heavy rail travel times, and converting Caltrain to a higher-speed electrified service, the Draft Plan directs \$500 million to the Transit Performance Initiative (TPI). This program achieves performance improvements in major transit corridors where current and future land use supports high quality transit; additionally, it can be used to fund transit fare reductions, should a local agency decide to allocate TPI funding for that purpose.
- With regards to transit ridership forecasts, refer to response C153-9.
- With regards to historical transit expansion project cost overruns, MTC acknowledges the comment. MTC’s cost projections are based on the best information available. The commenter fails to note that, like many transit expansion projects, highway expansion projects have also experienced cost overrun issues.
- With regards to gas tax revenue projections, refer to response C187-7.

MTC’s funding allocations for rail and buses has been unanimously upheld by the Ninth Circuit Court of Appeals in *Sylvia Darensburg v. Metropolitan Transportation Commission*, 636 F.3d 511 (9th Cir. 2011) (Noonan, J., concurring)

C187-18: See Master Response D.2 and the responses to Letter C26 from Bob Silvestri.

C187-19: The commenter claims that the analysis ignores the impact of the CARB Advanced Clean Car Standards. That is true. The Advanced Clean Car Standards were finally approved in December 2012, which was too late in the Plan Bay Area process to be integrated into the emissions or revenue analysis. Either way, the benefits of the Advanced Clean Car Standards in terms of CO₂ emissions reductions are not allowed to be counted towards the SB 375 required GHG emissions reduction targets. See Master Response D1.

Pavley 1 regulations were included in the analysis and reported to the public in both the Draft EIR *Chapter 2.2 Air Quality* analysis and the *Chapter 2.5 Climate Change* analysis. See responses C187-8 and C187-16.

EMFAC2011 includes analysis of CO₂ emissions both with and without Pavley and LCFS. The emissions analysis for criteria pollutants is reported with Pavley and LCFS as part of the baseline; there is no distinct “with and without” criteria emissions analysis.

See response C187-7 regarding the gas tax assumptions.

C187-20: Commenter’s support for the No Project alternative is acknowledged. The decision-makers will consider this comment in evaluating the advantages and disadvantages of the proposed

Plan and each of the alternatives analyzed in this EIR. Also see Master Response H regarding UrbanSim and subsidies.

C187-21: This commenter states that Plan Bay Area requires regional redevelopment agencies because its high density housing mandates require large projects in suburban downtowns and that Plan Bay Area insists that it needs eminent domain powers to force landowners to sell. As specified in SB 375, local jurisdictions retain land use authority; see Master Response A.1 on local land use control.

The proposed Plan Bay Area neither requires nor advocates for a regional redevelopment agency, and does not call for eminent domain powers. The proposed Plan does support a new local revenue source that would be created through a newly authorized tax-increment financing authority to support locally controlled funding tools for affordable housing projects, critical infrastructure improvements, and economic development projects in locally designated areas. The housing distribution pattern encompassed in the proposed Plan is informed by local policies and thus is not a one size fits all approach. Instead, it recognizes the wide range of diverse communities and Priority Development Areas in the Bay Area from modest scale rural town centers to the regional centers encompassed within the downtowns of the region's three largest cities. Densities and related zoning for all local jurisdictions is determined at the local level including zoning for Priority Development Areas. Correspondingly, all Priority Development Areas are locally nominated.

C187-22: This commenter describes analysis done by Economic & Planning Systems (EPS) for MTC and suggests that Plan Bay Area would require regional development agencies that would forcibly acquire land from unwilling sellers. See response C187-21. Also, the example from the EPS report, a document that is informational and was not created by MTC or ABAG, and will not be adopted by MTC and ABAG, describes some of the local impacts of eliminating redevelopment agencies and the potential benefits of replacing redevelopment funding once utilized for the redevelopment of existing urban areas. It provides a general illustrative example of how redevelopment financing works. It also describes a number of potential local, not regional actions that may be taken such as incentives and bonuses even if tax increment financing authorities are not reinstated in the region's communities as a replacement for local redevelopment authorities. See Master Response B.2 regarding the feasibility of the proposed Plan's Priority Development Areas.

C187-23: The commenter requests consideration of a new alternative, the "Bay Area Citizens Transportation and Housing Alternative". Plan Bay Area included a robust process of developing alternatives over many rounds of visioning and alternatives analysis. See Chapters 1.2 and 3.1 of the Draft EIR regarding the alternatives screening and development process, which resulted in the creation of two alternatives designed by advocacy groups: Alternative 4 by home builders and land developers, and Alternative 5 by social equity and transit supporters. The commenter had the same opportunities as other individuals and organizations to propose this alternative during this process. Furthermore, an EIR need only include a reasonable range of alternatives that would avoid or substantially less any of the significant effects of the project; every conceivable alternative to a project need not be considered per CEQA Guidelines. That said, many elements of the proposed scenario are included in the range of alternatives assessed by this EIR. The decision-makers will consider the reasonable range of alternatives analyzed in the EIR as well as additional alternatives suggested by commenters in considering whether to adopt the proposed Plan or an alternative thereto.

- C187-24: The commenter claims that the No Project alternative was not fairly developed because it does not allow zoning changes from today's zoning. The No Project alternative by definition assumes that there are no changes in existing zoning. The No Project alternative is meant to represent today's general land use pattern; it is therefore appropriate to not include any changes in local zoning.
- C187-25: The commenter claims that the proposed Plan includes unlimited zoning increases. This is not true. The proposed Plan included specific increases in zoning in Priority Development Areas consistent with the place-types selected by the jurisdictions. The various alternatives evaluated in the Draft EIR include multiple land use policy and transportation policy and investment differences, all of which contribute to the differences in the environmental analysis between alternatives. See Chapter 3.1, pages 3.1-4 through 3.1-10 of the Draft EIR for a description of the various alternatives.
- C187-26: The comment claims that MTC and ABAG geared the outcome by the definition of the modeling alternatives. The alternatives are defined by a set of policies approved by the MTC Commission and the ABAG Executive Board as the proposed Plan and EIR alternatives. The zoning assumptions were not driven by the modeling; the modeling is simply a tool used to evaluate said policies. The quote included from the Regional Modeling Working Group simply states that a question was asked about the assumptions for zoning. The statement does not support the claims stated by the commenter.
- C187-27: The commenter claims that MTC and ABAG's conclusion that locating housing next to commercial space, and both next to transit, will lead to residents taking jobs and transit is wrong. See Master Response D.2 regarding TOD and GHG reductions.
- C187-28: See Master Response B.2 regarding the feasibility of the proposed Plan's Priority Development Areas.
- C187-29: The commenter states that "The Plan's supporting documents themselves admit that even now 80% or more of all people who are surveyed for their preference for housing express a preference for single family housing, and one of the Plan's own consultants on market demand, Karen Chapple admits that the Plan's assumptions for market demand are unrealistic and impractical."

No citation is provided to support the first part of the statement: "the Plan's supporting documents themselves admit that even now 80% or more of all people who are surveyed for their preference for housing express a preference for single family housing." The source of this statement is unclear. See the Forecast of Jobs, Population, and Housing on the One Bay Area website for additional information in support of the Plan's housing distribution.

The commenter also cites a quote from Karen Chapple, who assisted in developing the regional housing projection included in the Draft Plan, from an article in the San Francisco Public Press, to support the second part of the statement: "one of the Plan's own consultants on market demand, Karen Chapple, admits that the Plan's assumptions for market demand are unrealistic and impractical."

Only a portion of the quote cited in the footnote to the above statement is provided: "This is really a great idea, but it's just basically impossible to implement." The entire quote is as follows: "Without major change at the state and federal level," [Chapple] said, [Plan Bay

Area] “is really a great idea, but it’s just basically impossible to implement.” The article from which the quote was taken can be found here:

<http://sfpublicpress.org/news/2012-06/with-redevelopments-end-bay-area-cities-scramble-to-keep-grand-plans-alive>

In the complete quote shown above, Chapple notes that the Plan’s implementation is contingent upon state and federal changes. The Draft Plan indicates that changes to state and federal funding levels, and the replacement of redevelopment funding, are important to regional development. See Master Response H. Chapple’s quote does not indicate that market demand is insufficient to support the growth anticipated in the plan, but that current policies mechanisms may not provide adequate support to realize this growth.

It is also worth noting that the Draft Plan addresses a nearly 30 year time frame and as such takes into account trends in demand, as well as potential policy changes that will advance the region toward and transportation and land use pattern that meets the region’s greenhouse gas emissions reduction target.

See Master Response B.2 regarding PDA Feasibility.

C187-30: This commenter asserts that Plan Bay Area states a need for government subsidies and eminent domain powers encompassed in proposed new regional development agencies. Plan Bay Area neither requires nor advocates for a regional redevelopment agency. Plan Bay Area does not call for eminent domain powers. Plan Bay Area does support a new local revenue source that would be created through a newly authorized tax-increment financing authority to support locally controlled funding tools for affordable housing projects, critical infrastructure improvements, and economic development projects in locally designated areas. Until 2012, Bay Area jurisdictions could count on over \$1billion per year in local tax increment financing to support affordable housing projects, critical infrastructure improvements and economic development projects in locally designated redevelopment areas. See Master Response A.1 for more information on local land use control and Master Response H for more information regarding subsidy analysis.

C187-31: The areas of concern articulated in the comment—the Plan’s definition of “Communities of Concern”, its characterization of housing preferences, and its principles—are not relevant to the two laws cited by the commenter, California Proposition 209 and the 14th Amendment of the United States Constitution.

The language in the Draft Plan that caused offense to the commenter— references to the housing preferences of Latinos and Asians generally and the greater likelihood of residing in multigenerational housing among these groups specifically—will be modified in the revised Plan to focus on the underlying issues related to these trends, such as household formation patterns and immigration.

C187-32: See response C187-17.

C187-33: See Master Response D.2 regarding TOD and GHG reductions.

C187-34: The commenter claims that the differences in GHG emissions reductions between the proposed Plan and the No Project alternative are negligible and do not justify

implementation of the Plan. The No Project alternative does not meet the SB 375 GHG emissions reduction targets. Regardless of the amount of difference in reductions between the proposed Plan and the No Project alternative, the latter does not meet the basic objectives of the Plan or comply with SB 375. The commenter also continues to claim that the analysis did not correctly account for Pavley. See responses C187-8, -9, -10, -11 and -16.

- C187-35: See responses C187-24 and -25.
- C187-36: See responses C187- through -11, -16 and -19. In addition, see Master Response D.1 on regional greenhouse gas emissions reductions permitted under SB 375.
- C187-37: The commenter claims the proposed Plan vastly underfunds maintenance of local streets and roads. The proposed Plan invests \$94 billion, or 33 percent, of the Plan's revenues into the operations and maintenance of roads and bridges. While the local streets and roads needs still exceed funding allotted under the proposed Plan, MTC and ABAG believe this is a significant and reasonable investment in maintenance of local street and roads.
- C187-38: This commenter summarizes many of the comments stated in more detail earlier in the letter. See responses C187-6 through 20, 23 through 29, and 32 through 37 above.
- C187-39: Commenters states the comment letter and its attachments include "unassailable analysis." MTC and ABAG have considered the comment letter and its attachments. As discussed further in responses C187-1 through C187-39, MTC and ABAG do not agree with many of the conclusions reached in the comment letter and its attachments. Such disagreement does not render the EIR inadequate. "The fact that different inferences or conclusions could be drawn, or that different methods of gathering and compiling statistics could have been employed, is not determinative... [Citation] The issue is not whether other methods might have been used, but whether the agency relied on evidence that a 'reasonable mind might accept as sufficient to support the conclusion reached' in the EIR." [Citation]" (*North Coast Rivers Alliance v. Marin Municipal Water District Board of Directors* (2013) 216 Cal.App.4th 614, 642.) MTC and ABAG have complied with their obligations pursuant to CEQA.
- C187-40: Pursuant to SB 375, the proposed Plan consists of both the regional transportation plan (RTP) and sustainable communities strategy (SCS) for the San Francisco Bay Area. Commenter's opposition to the proposed Plan and opinion that the proposed Plan is not sustainable are noted. The decision-makers will determine whether the proposed Plan complies with SB 375 and related legal mandates in deciding whether to adopt the proposed Plan or one of the alternatives analyzed in the EIR. See also response C187-39.

Letter C188 Rebecca Lapedus (5/15/2013)

- C188-1: The commenter challenges the statement that global climate change is an immediate threat. The climate change discussion and analysis included in the EIR was prepared by MTC and ABAG's staff and consultants using scientifically-vetted and generally-accepted modeling techniques. Regardless of any differences of opinion on the causes and existence of climate change, Plan Bay Area is required to adhere to the GHG emissions reductions targets established by SB 375.
- C188-2: The commenter criticizes the reliance of the Draft EIR analysis on the United Nations Intergovernmental Panel on Climate Change (IPCC). The IPCC is a well-respected

international body dedicated to climate change research. The IPCC is a legitimate source of climate change information. Regardless of any differences of opinion on the causes and existence of climate change, Plan Bay Area is required to adhere to the GHG emissions reductions targets established by SB 375.

The commenter also includes criticism of the Draft EIR for not including a cost/benefit analysis related to climate change. A cost/benefit analysis is not required by CEQA. However, in preparing the proposed Plan, individual transportation projects submitted for inclusion in the proposed Plan were evaluated using a benefit cost analysis¹³.

- C188-3: The commenter questions the Draft EIR's focus on CO₂. A primary objective of Plan Bay Area is to comply with SB 375, which mandates that MPOs develop Sustainable Communities Strategies that demonstrate attainment with GHG emissions reductions, as assigned to each region by CARB. As the comment itself notes, CO₂ is the greenhouse gas that the CARB targets are based upon per AB 32.
- C188-4: See responses C188-1 and C188-2. This comment, like the others, is questioning the science of climate change. The purpose to this EIR is to disclose potential environmental impacts of the proposed Plan in accordance with CEQA. The analysis is supported by both expert opinions supported by data and reasonable assumptions predicated on facts.
- C188-5: MTC and ABAG agree with the commenter that CO₂ is only one of many GHGs. For the purposes of the proposed Plan, however, one of the basic project objectives was to comply with SB 375 by achieving the per capita CO₂ emissions reduction targets for the San Francisco Bay Area. See responses C188-2 and C188-4.
- C188-6: The commenter questions the impact the SB 375 CO₂ emission reductions will have and how the proposed Plan can be justified by such an insignificant reduction. SB 375 is a state law, and CARB established the targets following a robust public process and evaluation of the targets. While the GHG reductions may constitute a small part of the overall CO₂ in the atmosphere, it is the amount that MTC and ABAG are required to attain per SB 375.
- C188-7: See responses C188-3, 4, and 6.
- C188-8: The public comment period adheres to CEQA requirements. Plan Bay Area is meant to satisfy the requirements of SB 375, which sets CO₂ emissions reduction targets for each region. The proposed Plan seeks to do so while balancing a large spectrum of considerations.
- C188-9: MTC and ABAG followed CEQA requirements for public noticing of the EIR. See Chapter 1.2 of the Draft EIR for a description of the public participation process for development of the proposed Plan. Regarding public engagement for the EIR, please see Chapter 1.1 of the Draft EIR for a description of the Notice of Preparation and public scoping process and Section 1 of this Final EIR for a description of the public review process for the Draft EIR.
- C188-10: Neither of the factors presented contradict the Plan Bay Area economic assumptions. In fact, both corroborate the data used to develop the economic forecast. The Bay Area's share of the national jobs in 1990 was 2.64 percent and fell to 2.50 percent by 1995, primarily due to cutbacks in military expenditures which were a significant part of the Bay Area economy.

¹³ http://onebayarea.org/pdf/Draft_Plan_Bay_Area/Performance_Report.pdf

The dot com boom pushed the Bay Area share to 2.67 percent in 2000, and the subsequent recession brought the share to 2.46 percent by 2004. The more recent recession has seen the Bay Area share fall to 2.37 percent in 2010. Since the late 1990s, changes in the Bay Area share of national jobs, both increases and decreases, were driven in large part by the high-tech industry sectors. It is expected that as the national economy recovers, the Bay Area share of the national jobs will increase at a more gradual rate up to about 2.5 percent.

C188-11: The number of employed residents is not a determinant of the number of households needed to house the Bay Area's population. Rather, the estimate of households is a factor of births, deaths, new families and individuals moving into the region, and historical rates of housing production. Several factors determine the changes in the employed residents per household, including changes in labor force participation rates and unemployment rates. The employed residents per household in 2010 in the Bay Area was 1.25, with an unemployment rate of 10.6 percent for the region. The forecast assumes that unemployment rates will decline to 5.1 percent by 2020. This reduction in the unemployment rate assumes that roughly 200,000 workers who were unemployed in 2010 will become re-employed by 2020, bringing the employed residents per household to 1.36. As the Bay Area population ages, labor force participation rate (the proportion of working residents) will decline and the employed residents per household is expected to decrease to 1.31. For more information on the forecast see: http://onebayarea.org/pdf/Draft_Plan_Bay_Area/Draft_PBA_Forecast_of_Jobs_Population_and_Housing.pdf.

C188-12: Plan Bay Area constitutes the region's first Regional Transportation Plan (RTP) that includes a Sustainable Communities Strategy (SCS) as required by SB 375. An SCS is required of every regional transportation plan in California. The proposed Plan does not regulate land use; local jurisdictions retain all existing land use authority. See Master Response A.1 regarding local land use control.

Letter C189 John Charles (5/15/2013)

C189-1: The outcomes of light rail TOD planning in Portland, Oregon do not necessarily translate to the results in the Bay Area, a larger metropolitan area with a wide variety of transit operators and mode types, different demographics and commute patterns, and different state legislation. Background research conducted for Plan Bay Area and this EIR supports the conclusion that transit ridership can benefit from closer integration of land use and transportation planning. See Master Response D.2 for additional information on the connection between high density housing near transit and reduced greenhouse gas emissions, which helped inform the analysis of the environmental consequences of the proposed Plan. Furthermore, there are other motivations beyond travel mode split for MTC and ABAG to promote infill development and redevelopment, including better use of existing transportation infrastructure, enhancing walkability, and helping preserve open space and agricultural lands.

C189-2: PDAs are by definition already served by frequent transit service and very few PDA/TOD locations targeted by the proposed land use pattern are in greenfields. One of the main strategies of the proposed Plan is to limit greenfield development by emphasizing infill development based off of the region's existing transit network. In addition, major transit expansions such as new BART stations are accompanied with requirements for localities to adopt a specific land use plan that provides for a minimum amount of residential units and

office space within a walkable distance from the station, in order to ensure that new development around the station is at transit-oriented densities and design.

C189-3: Chapter 2.3, Land Use and Physical Development, includes an assessment of displacement and alterations to existing neighborhoods as well as the consistency of the planning concepts in the proposed Plan with local General Plans and other applicable land use plans. In Chapter 2.2, Air Quality, livability impacts related to local pollutants are examined, and in Chapter 2.10, Visual Resources, the aesthetic dimensions of livability are examined. Furthermore, the proposed Plan contains no details or requirements on citywide design and development guidelines; these are at the discretion of individual localities which are best positioned to determine local quality of life. MTC and ABAG have no local land use authority and any changes to zoning and/or design guidelines would be undertaken voluntarily by local jurisdictions; see Master Response A.1 on local control over land use for more details.

C189-4: The feasibility (or “financial sustainability”) of higher-density (or “Transit-Oriented”) development varies through the Bay Area and the analysis takes that into account. Commenter details the higher costs of building taller, higher-density structures in Portland. UrbanSim, the economic model used to analyze future land use patterns for the EIR, incorporates similar data on the higher costs of building taller in the Bay Area. However, the model also incorporates the other half of the real estate market: the demand for both residential and commercial space that exists in many of the locations recommended for additional density in the proposed Plan. The market is currently generating tall, profitable buildings in many of the locations the proposed Plan calls for intensification.

Commenter also correctly points out that regulation often drives the costs of density higher in central locations. Chapter 1.1 of the Draft EIR discusses the CEQA streamlining tools available in California that will be used to level the playing field and decrease the very real costs of regulation in high-density central locations. See Master Response A.2 regarding CEQA streamlining. The analysis assumes this will be modestly successful and this will render additional projects in the core profitable. Finally, the Proposed Plan is ambitious and it does call for increased density in some locations that do not currently have a strong enough real estate market to produce taller structures. For these locations, additional policies, perhaps including subsidies, will likely be necessary to prompt this growth. A program similar in scale to California’s previous redevelopment program would be sufficient to close the profitability gap in these locations. Overall, higher-density, transit supportive growth is already occurring in the Bay Area and the proposed Plan’s vision for continued higher-density urban development is financially sustainable. See Mater Response B.2 regarding the feasibility of the proposed Plan’s PDAs and Master Response H regarding UrbanSim’s analysis of subsidies.

Commenter goes on to discuss financial difficulties in providing transit service. Sound transit finances must be dealt with from both directions. While health care and other labor costs continue to put pressure on transit agency budgets, intensive land use concentrations (both housing and employment) near transit drives ridership and this in turn drives up the percentage of the agency budget that is recovered from riders.

C189-5: See Master Response D.2 for additional information on the connection between high density housing near transit and reduced greenhouse gas emissions, which helped inform the analysis of the environmental consequences of the proposed Plan. As demonstrated in Table 3.1-12

of the Draft EIR, the proposed Plan is projected to decrease VMT compared both to 2010 and 2040 No Project conditions.

C189-6: Telecommuting was included in the transportation modeling for the proposed Plan and each alternative. See response C151-20 for additional information on telecommuting.

Letter C190 Peter Gordon (5/16/2013)

C190-1: This comment, relates to whether there is a connection between “policy regimes” and actual settlement patterns, as documented by Brookings Institution studies. This EIR recognizes that zoning and other land use controls play a dominant role in land use patterns and housing affordability; see discussion of the regulatory setting in Chapter 2.2, Land Use and Physical Development. See also Master Response D.2 for additional information on the connection between high density housing near transit and reduced greenhouse gas emissions, which helped inform the analysis of the environmental consequences of the proposed Plan. See also Master Response F regarding displacement and the *Jobs Housing Connection Strategy*.

Letter C191 Herbert Brown (5/13/2013)

C191-1: Commenter’s opposition to the use of local funding sources to support projects and programs included in the proposed Plan is noted. Please see Master Response A.1 regarding local land use control.

C191-2: See responses C187-6 and C187-7.

Letter C192 Debbie Coffey (5/14/2013)

C192-1: Commenter’s support for the No Project alternative is acknowledged. The decision-makers will weigh the advantages and disadvantages of each alternative in determining which option to adopt.

C192-2: MTC and ABAG respectfully disagree with commenter’s statement regarding the data used for the Draft EIR. Data was collected from a variety of sources, including, but not limited to, data derived from ABAG. The comment lacks specific details about which data the commenter believes are problematic, so a further response is not possible.

C192-3: The commenter is correct that the proposed Plan does provide benefits for implementing agencies and project sponsors. Also see Master Response H regarding UrbanSim and subsidies.

C192-4: “Project sponsor” is a term used in CEQA for an agency or organization that is proposing a project undergoing environmental review, and so largely refers to any land development that follows the proposed Plan—whether a public entity or private party—as well as the entity in charge of transportation projects (such as a city, county, or transportation authority).

C192-5: Geologic and seismic impacts of the proposed Plan and accompanying adequate mitigation measures are provided in Chapter 2.17, Geology, of the Draft EIR.

C192-6: This EIR is a public disclosure document on the potential environmental impacts of the proposed Plan; it contains no land use regulations. The mitigation measures specified in the

Draft EIR are at the discretion of individual implementing agencies to adopt. Please see Master Response A.1 regarding local control over land use.

- C192-7: This EIR analyzes the potential significant impacts of the adoption and implementation of the proposed Plan Bay Area (proposed Plan), which is the update to the 2009 Regional Transportation Plan (RTP) and the new Sustainable Communities Strategy (SCS) for the San Francisco Bay Area. 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 RTP for the San Francisco Bay Area Region. MTC and ABAG are required to prepare an RTP including an SCS pursuant to SB 375.
- C192-8: The MTC and ABAG Board consist of elected representatives from many counties and cities of the region and their decisions reflect the decisions of these voter-selected officials. PDAs have been adopted voluntarily by local jurisdictions by city councils or boards of supervisors. As the ultimate decision-makers in their communities regarding land use, they determine what is appropriate. Any public notification process, or a public ballot, regarding the definition and adoption of a PDA is up to each individual jurisdiction. Just as local jurisdictions nominated PDAs within their jurisdiction, the local implementing agencies have discretion over implementing the PDAs. See Master Response A.1 regarding local land use control and Master Response I regarding the PDA process.
- C192-9: See response C192-8.
- C192-10: The proposed Plan is a regional plan. The proposed Plan does not alter the local land use control of local jurisdictions and local jurisdictions have the discretion to implement the proposed Plan in consideration of local issues. See Master Response A.1 regarding local land use control.
- C192-11: As specified in the Draft EIR, Integrated Pest Management Techniques involve “methods that minimize the use of potentially hazardous chemicals for landscape pest control and vineyard operations” (ES-40).¹⁴ In addition, according to the U.S. Environmental Protection Agency, these techniques are designed to “manage pest damage by the most economical means, and with the least possible hazard to people, property, and the environment.”¹⁵
- C192-12: The proposed Plan is required under federal and State regulations to plan for and accommodate future conditions through 2040. Forecasts included in the proposed Plan and EIR are based on the expert opinions and analysis of MTC and ABAG staff and consultants, and utilize sophisticated modeling techniques were available and appropriate. Forecasts by their very nature rely on assumptions about the future. These assumptions have been vetted by MTC and ABAG’s expert staff and consultants. All forecasts are based on factual data and MTC and ABAG believe all forecasts included in the EIR are reasonable.
- C192-13: The proposed Plan is designed to limit future development to existing urban boundary lines in order to preserve farmland. As shown in the Draft EIR, Chapter 1.2, Table 1.2-2, MTC and ABAG adopted a project objective to direct all non-agricultural development within the

¹⁴ Draft EIR, ES-40.

¹⁵ U.S. Environmental Protection Agency, “Integrated Pest Management Principles.” U.S. EPA website, last updated May 9 2012, accessed June 10, 2013, <http://www.epa.gov/pesticides/factsheets/ipm.htm>.

Year 2010 urban footprint (existing urban development and urban boundary lines). Chapter 2.3 also analyzes the proposed Plan's impacts on agricultural land conversion.

C192-14: Commenter's support for the No Project alternative is acknowledged. The decision-makers will weigh the advantages and disadvantages of each alternative in determining which option to adopt.

Letter C193 Bruce London (5/16/2013)

C193-1: Commenter is correct that the Draft EIR includes the quoted statement..

C193-2: Commenter is correct that the Draft EIR includes the quoted statement.

C193-3: Commenter is correct that the Draft EIR includes the quoted statement.

C193-4: Commenter is correct that the Draft EIR includes the quoted statement.

C193-5: Commenter is correct that the Draft EIR includes the quoted statement.

C193-6: As the proposed Plan is a regional level plan, it is outside the scope of the Draft EIR to evaluate impacts for each individual jurisdiction within the Bay Area region. See Master Response A.3 on specificity of a program EIR. For a detailed regional-scale analysis of the potential visual impacts of the proposed Plan as well as associated mitigation measures, please refer to the Draft EIR Chapter 2.10, Visual Resources.

C193-7: . MTC and ABAG followed CEQA requirements for public noticing of the EIR. See Chapter 1.2 of the Draft EIR for a description of the public participation process for development of the proposed Plan. Regarding public engagement for the EIR, please see Chapter 1.1 of the Draft EIR for a description of the Notice of Preparation and public scoping process and Section 1 of this Final EIR for a description of the public review process for the Draft EIR.

C193-8: See response C193-7.

C193-9: The MTC and ABAG Board consist of elected representatives from many counties and cities of the region and their decisions reflect the decisions of these voter-selected officials.

C193-10: Commenter is correct that the Draft EIR includes the quoted statement.

C193-11: This EIR is on Plan Bay Area, not the RHNA, which is a separate program. The RHNA must be consistent with Plan Bay Area but covers a shorter period of time (8 years instead of 28) and addresses other goals beyond those of Plan Bay Area.

C193-12: Typically public services are the responsibility of local jurisdictions and are funded through sales and property tax revenues and impact fees. Development under the proposed Plan will be subject to all local regulations and fees. Implementing agencies will consider issues such as those identified by the commenter in exercising their discretionary authority to approve or deny future second-tier projects contemplated by the proposed Plan. See Master Response A.1 regarding local land use control.

C193-13: See response C193-12.

C193-14: See response C193-12.

C193-15: See response C193-12.

C193-16: This EIR evaluates Plan Bay Area as a single, regional project and assesses its impacts at a regional level across all nine counties, which is consistent with CEQA provisions regarding program EIRs. See Master Response A.3 regarding the level of specificity of the EIR. In considering approval of the individual projects that may result from the Plan - transportation improvements and land use development - the implementing agencies must comply with CEQA. A county-level evaluation of the proposed Plan and its impacts would be at a greater level of detail than required. Impacts have been assessed at a regional level and a conceptual localized level. County level information has been provided in the EIR when feasible. The Draft EIR Chapter 2.14, Public Services, evaluates the proposed Plan's potential impact on fire services and presented adequate mitigation measures to combat these impacts.

C193-17: See response C193-16.

C193-18: See response C193-9.

Letter C194 Piers Whitehead (5/14/2013)

C194-1: Please see Master Response C regarding requests for extensions of the public comment period.

Letter C195 Allen Appell (5/12/2013)

Commenter's opposition to the proposed Plan is noted. The decision-makers will weigh the advantages and disadvantages of each alternative in determining which option to adopt. .

Letter C196 Louisa Arndt (5/16/2013)

Commenter's opposition to the proposed Plan is noted. The decision-makers will weigh the advantages and disadvantages of each alternative in determining which option to adopt.

Letter C197 Brenda Barron (5/16/2013)

As shown in Table 1.2-10 of the Draft EIR (see updated version in Section 2 of this Final EIR), the proposed Plan would increase funding for transit operations and maintenance by 43 percent (\$48 billion) compared to the current RTP, and increase the proportion of funding going to transit operations and maintenance from 51 to 55 percent of available funds. AS explained on p. 1.2-50, the proposed Plan will allocate \$15 billion of its discretionary funds in particular to maintain and sustain the existing transit system. These strategies should help the region's transit agencies provide more frequent bus service. Chapter 2.3 analyzed transit crowding and found a less than significant impact due to implementation of the proposed Plan.

Letter C198 Bert Bartsch (5/16/2013)

See the responses to Letter C205.

Letter C199 James Bitter (5/16/2013)

The proposed Plan will only be implemented insofar as local jurisdictions adopt its policies and recommendations. Please refer to Master Response A.1 on local control over land use.

Letter C200 Linda Christopoulos (4/26/2013)

Commenter's opposition to development in southern Marin is noted. Priority Development Areas (PDAs) were nominated by local governments. In addition, local jurisdictions have local land use authority, and will be responsible for individual permitting decisions within their jurisdiction. The proposed Plan does not compel any local jurisdiction to revise their existing zoning code. The proposed Plan will only be implemented insofar as local jurisdictions adopt its policies and recommendations. Please refer to Master Response A.1 on local control over land use.

Letter C201 Steve Raney (5/13/2013)

No comments in this letter raise environmental issues under CEQA. Your suggestions will be taken into account by MTC and ABAG as they implement Plan Bay Area.

Letter C202 Daniel DeBusschere (5/16/2013)

The proposed Plan does not address bike lockers at BART stations. These are issues to be determined by individual transit operators, such as BART. MTC and ABAG agree with the commenter's statement that parking and biking are important to reducing VMT. The proposed Plan supports alternative transportation, and included a performance target for active transportation as well as VMT. See the Supplemental Report *Performance Assessment Report* for more details regarding those performance targets.

Letter C203 Adam Garcia (5/16/2013)

Your requests for the Plan to include strategies to assist jurisdictions in bicycle lane development, a regional bike master plan, maps of primary regional bicycle routes in the proposed Plan, a Casual Carpool program that links to HOT lanes, and a Highway BRT study all regard the proposed Plan and do not raise environmental issues under CEQA. As noted in Response B30-1.5, this EIR includes a reasonable range of alternatives that would lessen environmental effects, as required by CEQA. The EIR does not need to address every conceivable alternative. MTC and ABAG appreciate receiving the selected recommendations. The requested additional programs are not being included in the Draft Plan at this time, but may be considered for future updates of the RTP/SCS or may become part of implementation of Plan Bay Area.

Letter C204 Doreen Gleason (5/15/2013)

C204-1: Please see Master Response A.1 for more information regarding local control over land use.

Letter C205 Valeri Hood (5/16/2013)

C205-1: The proposed Plan does not mandate growth but instead accommodates growth forecasted in the San Francisco Bay Area. See chapters 2.1 (Transportation), 2.12 (Public Utilities and

Facilities), and 2.14 (Public Services and Recreation) for further discussion of road, sewer, school, and water supply impacts. Please see Master Response A.1 for more information regarding local control over land use.

C205-1.5: As explained in Chapter 2.13 of the Draft EIR, these are sites that could contain toxic materials, which frequently occur in urban infill sites. This is a conservative analysis and the actual number of development sites with toxic hazards would likely be much lower. As Chapter 2.13 notes, there many existing federal, State, and local laws and regulations that will mitigate impacts from such issues to a less than significant level. The proposed Plan does not allocate any housing income levels and so the commenter's claim that toxic sites would be populated by marginalized communities is spurious.

C205-2: The decision to use desalination as a water source to serve its customers would be solely the decision of MMWD and is not advocated for or required by the proposed Plan. The current MMWD Urban Water Management Plan indicates adequate water supplies through the year 2035 without a need to resort to desalination. The proposed Plan would result in essentially the same year 2040 population as under the No Project alternative - a three percent increase, with the proposed Plan resulting in 500 more households in Marin County than under the No Project scenario. Given the water supplies indicated by MMWD, it is extremely unlikely that additional water supplies will need to be acquired due to growth under the proposed Plan. Moreover, in August of 2010, the District adopted Ordinance 420, which states that the District shall not approve construction, or financing for construction, of a desalination facility unless such construction is approved by a majority of District voters, voting in an election held within the District's service area for that purpose.

C205-3: MTC and ABAG followed CEQA requirements for public noticing of the EIR. See Chapter 1.2 of the Draft EIR for a description of the public participation process for development of the proposed Plan. Regarding public engagement for the EIR, please see Chapter 1.1 of the Draft EIR for a description of the Notice of Preparation and public scoping process and Section 1 of this Final EIR for a description of the public review process for the Draft EIR.

C205-4: The MTC and ABAG Board consist of elected representatives from many counties and cities of the region and their decisions reflect the decisions of these voter-selected officials.

Letter C206 Jane Hook (5/11/2013)

The Marinwood Area is within a Priority Development Area—the Urbanized 101 Corridor. This PDA was nominated by the Marin Board of Supervisors, who adopted a resolution authorizing submission of an application on August 7, 2007. It was adopted by the ABAG Executive Board and is therefore included in the proposed Plan. Any change to the PDA would need to come at the request of the Marin County Board of Supervisors. See Master Response I regarding the PDA process. See also Master Response A.1 regarding local land use control.

Letter C207 Judy Karau (5/12/2013)

Commenter's opposition to the proposed Plan as it relates to Tam Valley is noted. The proposed Plan serves as the region's first integrated long-range land use and transportation plan. It is statutorily mandated to cover the nine-county and 101-city San Francisco Bay Area.

Letter C208 Adina Levin (5/10/2013)

See responses B24-2 through B24-7.

Letter C209 Elizabeth Manning (5/16/2013)

C209-1: Commenter's opposition to the proposed Plan is noted. The decision-makers will weigh the advantages and disadvantages of each alternative in determining which option to adopt. The MTC and ABAG Board consist of elected representatives from many counties and cities of the region and their decisions reflect the decisions of these voter-selected officials.

Letter C210 Kim Mollenauer (4/29/2013)

Priority Development Areas (PDAs) were nominated by local governments. See Master Response I regarding the PDA process. In addition, local jurisdictions have local land use authority, and will be responsible for individual permitting decisions within their jurisdiction. The proposed Plan does not compel any local jurisdiction to revise their existing zoning code. The proposed Plan will only be implemented insofar as local jurisdictions adopt its policies and recommendations. Please refer to Master Response A.1 on local control over land use.

Letter C211 Kim Mollenauer (4/29/2013)

Commenter's property tax concerns are noted. Commenter does not raise environmental issues that require a response under CEQA.

Letter C212 Dan Ransenberg (4/29/2013)

C212-1: MTC and ABAG followed CEQA requirements for public noticing of the EIR. See Chapter 1.2 of the Draft EIR for a description of the public participation process for development of the proposed Plan. Regarding public engagement for the EIR, please see Chapter 1.1 of the Draft EIR for a description of the Notice of Preparation and public scoping process and Section 1 of this Final EIR for a description of the public review process for the Draft EIR.

See the responses to the letter from the City of Sausalito, A16; the City did not challenge the projected jobs and housing in the Draft Plan.

Letter C213 Hank Rose (4/27/2013)

Commenter's opposition to the proposed Plan is noted. The decision-makers will weigh the advantages and disadvantages of each alternative in determining which option to adopt.

Letter C214 Richard Hall (5/3/2013)

C214-1: Please see Master Response C regarding requests for extensions of the public comment period.

C214-1.5: See Chapter 3.1 of the EIR, which includes extensive quantitative and qualitative analysis and comparisons between the alternatives analyzed in the EIR.

- C214-2: The *Draft Summary of Predicted Traveler Responses* provides a brief overview of the MTC travel model which takes traveler preferences into account. Detailed documentation of the MTC travel model is available in the *Travel Model Development: Calibration and Validation Technical Report*¹⁶. The model's estimates of VMT rely on behavioral models applied to individual travelers, not historical trends. Forecasted changes in mode share as a result of the Plan can be found in Table 2.1-13 of the Draft EIR on page 2.1-29, demonstrating that transit and walk mode share are expected to grow while drive alone mode share is expected to decline over the life of the Plan.
- C214-3: The comment raises no environmental issue to which a response is required under CEQA. For more information on the project performance analysis done to evaluate projects, see the Supplemental Report *Performance Assessment Report*.¹⁷ In addition, see Chapter 5, Performance, of the Draft Plan regarding the performance framework used to develop the proposed Plan.
- C214-4: The proposed Plan in fact devotes a significant portion of its budget to operating and maintaining the existing roadway system. The Draft EIR, on p. 1.2-49, notes that the proposed Plan allocates over 79 percent of its budget to committed projects, which include many highway and roadway projects, and the remaining discretionary funds are allocated mainly to "fix it first" projects with 87 percent of total funds going to operations and maintenance (see updated Table 1.2-10 in Section 2 of this Final EIR). "Compared to Transportation 2035, the proposed Plan Bay Area would spend a higher percentage of its budget on transit and roadway operations and maintenance, less on expansion of transit network, and roughly the same percent on road and bridge expansion." In addition, as Table 1.2-10 of the Draft EIR shows, the proposed Plan will increase road and bridge operations and maintenance from 30 percent of the overall Transportation 2035 budget to 32 percent of the Plan Bay Area budget, an increase of \$28 billion (see updated numbers in Section 2.2 of this Final EIR); these funds are available due to a decrease in the proportion and amount of money to be spent on transit system expansion compared to the last RTP. In light of this transportation investment strategy, the proposed Plan clearly supports a continuation of personal automobile use. MTC must fund a transportation system that serves a growing population and many lifestyles while achieving targets assigned by the State, and this requires supporting transit as well as roadway systems.
- As shown in Table 3.1-28 of the Draft EIR, the No Project alternative fails to attain the SB 375 target under the rules set by SB 375; see Master Response D.1 regarding which calculations are allowed. The table cited in the comment, Table 3.1-29, shows transportation emissions assuming technologies and policies not permitted to assess SB 375 compliance.
- C214-5: See response C214-3 and review the analysis of Impacts 2.5-1 and 2.5-2 in Chapter 2.5 of the Draft EIR. The former assesses per capita emissions following the requirements of SB 375, as described in Master Response D.1; the latter assesses net GHG emissions from all land use and transportation sources.
- C214-6: CARB's requirement is for Plan Bay Area to reduce per capita GHG emissions from cars and light trucks, without considering fuel standards and technological improvements; see the analysis under Impact 2.5-1 of the Draft EIR and Master Response D.1 regarding assumptions allowed in meeting SB 375 targets. Transit emissions are accounted for in the

¹⁶ http://mtcgis.mtc.ca.gov/foswiki/pub/Main/Documents/2012_05_18_RELEASE_DRAFT_Calibration_and_Validation.pdf

¹⁷ <http://onebayarea.org/regional-initiatives/plan-bay-area/draft-plan-bay-area/supplementary-reports.html>

analysis of Impact 2.5-2; see Table 2.5-9 and the comparative analysis of transit emissions in Table 3.1-29 under buses and other vehicles.

- C214-7: The EIR considered three alternatives to the proposed Plan, plus the No Project alternative. The EIR only need consider a reasonable range of alternatives to the proposed Plan, not all potential alternatives. See Chapter 3.1 of the Draft EIR for a description of the alternatives screening process.
- C214-8: See the Mitigation Monitoring Program which will accompany certification of the EIR. Additionally, as the RTP and SCS for the San Francisco Bay Area, the proposed Plan will be updated every four years.
- C214-9: The lack of detail in this comment makes it impossible for MTC and ABAG to respond. MTC and ABAG believe this EIR provides an adequate assessment of the proposed Plan's environmental impacts as required under CEQA.
- C214-10: See response C214-9.
- C214-11: The comment does not raise a direct point or question about the proposed Plan or EIR, but seems to imply that Plan Bay Area should include targets regarding CO₂ emissions from transit. Transit emissions are accounted for in the analysis of Impact 2.5-2; see Table 2.5-9 and the comparative analysis of transit emissions can be found in Table 3.1-29 under buses and other vehicles.
- C214-12: The proposed Plan was prepared in a manner consistent with the requirements of SB 375 and other applicable laws. MTC and ABAG followed CEQA requirements for public noticing of the EIR. See Chapter 1.2 of the Draft EIR for a description of the public participation process for development of the proposed Plan. Regarding public engagement for the EIR, please see Chapter 1.1 of the Draft EIR for a description of the Notice of Preparation and public scoping process and Section 1 of this Final EIR for a description of the public review process for the Draft EIR.
- C214-13: See responses C214-4 and 5.
- C214-14: MTC and ABAG respectfully disagree with the commenter that increasing non-auto mode share by 10 percent and decreasing VMT per capita are not valid goals. This is a voluntary target adopted by MTC and ABAG, which are permitted to adopt goals with wide latitude. This goal was also adopted by MTC for the current Regional Transportation Plan, Transportation 2035, "Reduce daily per-capita vehicle miles traveled (VMT) by 10 percent from today by 2035." The analysis under Impact 2.5-2 in the Draft EIR shows that total net GHG emissions will decrease under the proposed Plan; see responses C214-4 and 5 as well, which discuss this impact analysis as well as the increase in funding for roadways in the proposed Plan compared to Transportation 2035. The commenter fails to explain what is "disproportionately high" about the transit investments in the proposed Plan; the No Project alternative would in fact devote a higher proportionate of funds to transit—especially transit system expansion—than the proposed Plan.

MTC's travel model does account for GHG emissions and other air quality impacts from roadway congestion. The commenter should note much of the roadway congestion impacts by 2040 would occur as a result of inevitable population growth (see Master Response B.1)

and that the proposed Plan would result in significantly less congestion than would occur under the No Project alternation, as explained on p. 3.1-20 of the Draft EIR: “As a result, the No Project alternative leads to per-capita congested VMT levels that are 150 percent higher than the proposed project during the AM peak, 97 percent higher during the PM peak, and 115 percent higher over the course of a typical weekday.” Also see Table 3.1-11.

See response C214-4 again regarding the proposed Plan’s continued support for private automobile usage.

The regional travel demand model (Travel Model One) captures transit delays as a result of traffic congestion. For transit vehicles operating in mixed flow, the transit passengers’ travel time reflects vehicle speeds on the roadway, combined with a land use factor that incorporates expected delay from bus stops (caused by passenger boardings & alightings). These transit delay impacts are incorporated into overall transit travel times, as shown in Tables 2.1-14 and 2.1-15. These tables show that average transit per trip commute travel time would increase from 44 to 44.3 minutes (1%) and non-commute travel time would decrease from 36.2 to 35.5 minutes (-2%). On balance, transit travel time essentially stays the same. This comment does not explain how reducing “commute radiuses” [sic] creates adverse environmental impacts.

- C214-15: The objectives listed by the commenter are targets MTC and ABAG determined the proposed Plan should strive to achieve. The proposed Plan includes strategies designed to help achieve these targets.
- C214-16: GHG emissions from transit, as included in the analysis of Impact 2.5-2 of the Draft EIR, are based on 2010 emissions. The data shown are aggregate net emissions; ridership levels do not factor into this calculation.
- C214-17: Analyzing per capita transit emissions would be immaterial to determining whether the proposed Plan exceeds the criteria of significance related to SB 375 adopted by MTC and ABAG. Criterion 2.5-1 evaluates per capita GHG emissions from cars and light trucks, as required by SB 375, and Criterion 2 evaluates net GHG emissions from all land use and transportation sources, including transit. The analysis requested would not change the conclusions of the EIR.
- C214-18: Chapter 2.1 of the Draft EIR discusses existing travel modes and shows travel by mode in Tables 2.1-6 and 2.1-7. The proposed Plan seeks to make transit a more realistic travel alternative through transportation programs and investments, as well as more transit-oriented development. MTC and ABAG expect that many trips in the region will continue to be by car; see Table 2.1-13, as well as response C214-4 again regarding the proposed Plan’s continued support for private automobile usage.
- C214-19: See response C214-18.
- C214-20: This issue is evaluated under Impacts 2.1-1 (per-trip travel time for commute travel) and 2.1-2 (non-commute travel) in Chapter 2.1 of the Draft EIR. The EIR found a less than significant impact at a regional level in both instances.
- C214-21: See response C214-20, the analyses discussed evaluates all travel modes, per the criteria of significance.

- C214-22: See response C214-4 and C214-18 regarding roadway investments and travel mode expectations. The proposed Plan would reduce the average distance between residences and workplaces, as shown in Table 2.1-16 of the Draft EIR, which would help make travel by non-auto modes more feasible.
- C214-23: See response C214-22. The comment does not explain how reduced commute radii would have an adverse environmental impact. Economic impacts are beyond the scope of CEQA.
- C214-24: See response C214-20; the analyses discussed evaluate all travel modes, per the criteria of significance.
- C214-25: This issue is evaluated under Impact 2.1-3 in Chapter 2.1 of the Draft EIR. The EIR found a significant and unavoidable impact and proposes Mitigation Measures 2.1(a), (b), and (c) to reduce the impacts.
- C214-26: The proposed Plan is designed to achieve a number of objectives. MTC and ABAG have the discretion to adopt reasonable objectives for the proposed Plan. Increasing walking and biking time is a valid objective for a number of reasons including the health benefits of these activities..
- C214-27: It is not within the scope of this EIR or the proposed Plan to question the validity of SB 375. Instead, as required by law, one of the proposed Plan's basic objectives is to achieve the CO₂ emission targets established for the region pursuant to SB 375.
- C214-28: See Impact 2.5-2 of the Draft EIR which evaluates whether the proposed Plan reduces net GHG emissions from transportation and land uses; it finds that it would do so.
- C214-29: It is not within the scope of this EIR or the proposed Plan to question the validity of SB 375.
- C214-30: MTC and ABAG are unable to identify where in the Draft Plan or Draft EIR there is a reference to a "multi-modal transit" goal. The only occurrences of the term multimodal are found in references to the "the multimodal investment strategy" of the existing regional transportation plan, Transportation 2035 and that, "A well-maintained multimodal transportation system is fundamental to the success of the more compact future land use ..." on page 67 of the Draft Plan. Pages 2.1-28 and 29 of the Draft EIR discuss future mode share expected as result of the proposed Plan, and finds modest shifts to transit and walking and away from driving alone and carpooling. This analysis was conducted by the MTC travel model; see the *MTC Travel Demand Forecasts, 2012*.
- C214-31: The comment claims that MTC and ABAG ignore the impact of traffic congestion on GHG emissions. This is not accurate. As demonstrated in Figures 24 and 26 (pp. 59 and 61) in the *Draft Summary of Predicted Traveler Responses* supplementary report, MTC and ABAG expect congestion to increase between today and 2040. These congestion estimates are fed into the CARB emissions estimation software (EMFAC2011). As such, MTC and ABAG explicitly consider the increase in congestion on the Draft EIR's GHG estimates.
- C214-32: See responses C214-2, C214-4, C214-18, and C214-30 regarding MTC and ABAG's recognition of existing levels of driving, investment in the regional roadway system, the

proposed Plan's objective of making non-auto modes more feasible options, and expectations of mode shift.

- C214-33: Air quality impacts within development areas and disproportionate impacts on communities of concern are evaluated in Chapter 2.2 of the Draft EIR.
- C214-34: See response C214-33.
- C214-35: See response C214-33.
- C214-36: See Master Response D.2 on GHG emissions reductions and transit-oriented development.
- C214-37: See Master Response H on UrbanSim and subsidies.
- C214-38: Typically public services are the responsibility of local jurisdictions and are funded through sales and property tax revenues and impact fees. Development under the proposed Plan will be subject to all local regulations and fees. See Master Response A.1 regarding local land use control. See also chapters 2.12 (Public Utilities and Facilities) and 2.14 (Public Services and Recreation) regarding impacts relating to public facilities and services.
- C214-39: For point "a" see Master Response D.2 for a discussion on how transit-oriented development reduces GHG emissions and the analysis under Impact 2.5-5 of the Draft EIR regarding transit capacity which found a less than significant impact. For point "b" see Master Response H on the UrbanSim and assumed subsidies. For point "c", per CEQA Guidelines impacts must be compared between existing conditions (2010) and the horizon year for the proposed Plan (2040); the exception is the analysis of per capita emissions from cars and light trucks required by SB 375 to use 2005 for existing conditions compared to 2020 and 2035. Based on responses C214-1 through C214-39, MTC and ABAG believe this EIR provides an adequate assessment of the proposed Plan's environmental impacts as required under CEQA.
- C214-40: MTC and ABAG believe this EIR provides an adequate assessment of the proposed Plan's environmental impacts as required under CEQA.
- C214-41: See Chapter 3.1 of the Draft EIR for a description of the alternatives screening process.
- C214-42: Yes, the alternatives were modeled for GHG emissions in the same manner as the proposed Plan and, therefore, incorporate transit related CO₂ emissions into the analyses. See pages 3.1-57 through 64 of the Draft EIR.
- C214-43: The EMFAC2011 model used by MTC and ABAG to calculate GHG emissions includes considerations such as length of trip as well as number of vehicle starts. For more information on EMFAC2011, see *EMFAC2011 Technical Documentation, Updated January 2013*, page 16.¹⁸
- C214-44: MTC and ABAG believe this EIR provides an adequate assessment of the proposed Plan's environmental impacts as required under CEQA; see responses C214-1 through C214-43 for specific concerns.

¹⁸ <http://www.arb.ca.gov/msei/emfac2011-technical-documentation-final-updated-0712-v03.pdf>

Letter C215 Various Bay Area Residents (6/14/2013)

- C215-1: Commenter's support for Alternative 5 is acknowledged. The decision-makers will weigh the advantages and disadvantages of each alternative in determining which option to adopt.
- C215-2: The letter refers to a system of HOT lanes, which presumably is the Regional Express Lane Network. This Network represents only a modest increase in the region's freeway capacity. Table 3.1-7 of the Draft EIR shows only a 4 percent difference in freeway lane-miles between the No Project alternative, which includes only committed express lanes, and the proposed Project, which includes the full Network. This is because approximately half of the Network is composed of existing HOV lanes that will be converted to express lanes. Only the remaining half of the Network would be developed by building new express lanes. Furthermore, express lane mileage is managed capacity, which gives priority to transit and buses and is subject to Federal requirements to maintain speeds of 45 miles per hour or better 90 percent of the time express lanes are in operation. This effectively limits the number of vehicles to approximately 1,600 vehicles per hour per lane, which is less than the typical capacity of an unmanaged lane (2,200 vehicles per hour per lane).
- C215-3: See Master Response F regarding displacement. Commenter's suggestions regarding transit, affordable housing and displacement will be considered by decision-makers as part of the EIR certification process and action on the proposed Plan.
- C215-4: See response C215-3.

Letter C216 Thomas Ayres (5/8/2013)

- C216-1: Please see responses to Letter C215.

Letter C217 Anonymous (5/16/2013)

- C217-1: Commenter's opposition to the proposed Plan is acknowledged. The decision-makers will weigh the advantages and disadvantages of each alternative in determining which option to adopt.
- C217-2: No comments from the specified groups in the comment were received (although letters may have been received by individuals belonging to these groups). The environmental analysis included in the EIR complies with the CEQA requirements applicable to a programmatic planning document. See Master Response A.3 regarding the programmatic nature of this EIR.
- C217-3: The proposed Plan does not take away local land use authority. Please see Master Response A.1 regarding local control over land use.
- C217-4: Please see Master Response C regarding requests for extensions of the public comment period.
- C217-5: The proposed Plan does not take away local land use authority. Please see Master Response A.1 regarding local control over land use.

- C217-6: The MTC and ABAG Board consist of elected representatives from many counties and cities of the region and their decisions reflect the decisions of these voter-selected officials. This Final EIR contains the comments by many agencies and people on the Draft EIR and the responses by MTC and ABAG. The proposed Plan was prepared in a manner consistent with the requirements of SB 375 and other applicable laws. MTC and ABAG followed CEQA requirements for public noticing of the EIR. See Chapter 1.2 of the Draft EIR for a description of the public participation process for development of the proposed Plan. Regarding public engagement for the EIR, please see Chapter 1.1 of the Draft EIR for a description of the Notice of Preparation and public scoping process and Section 1 of this Final EIR for a description of the public review process for the Draft EIR.
- C217-7: Responsee's specified comments and questions are provided below.
- C217-8: See response C217-6.
- C217-9: See Chapter 2.3 regarding a discussion of projected housing preferences. Note that implementation of the proposed Plan is at the discretion of local jurisdictions; MTC and ABAG cannot "require" anything regarding land development. See Master Response A.1 for more information on local land use control. See also Master Response B.2 regarding the feasibility of the proposed Plan's PDAs.
- C217-10: Commenter's concern regarding the cost of implementing the proposed Plan is noted. Implementation of the proposed Plan is at the discretion of local jurisdictions; MTC and ABAG cannot "require" anything regarding land development. See Master Response A.1 for more information on local land use control. See also Master Response H for additional discussion of subsidies.
- C217-11: See response C217-6. Plan Bay Area is a regional project and is analyzed under CEQA at such a level. See Master Response A.3 regarding the programmatic nature of this EIR. MTC and ABAG have no local land use authority and cannot compel a jurisdiction to adopt or implement Plan Bay Area; see Master Response A.1 for information on local land use control. When changing land use plans and regulations in order to implement Plan Bay Area, local jurisdictions will need to comply with CEQA and must, where applicable, undertake their own environmental impact analysis.
- C217-12: CEQA is designed to provide substantial opportunities for input from responsible agencies, trustee agencies, other interested agencies and organizations, as well as the public. CEQA, therefore, by its own terms provides an opportunity for third party review and comments. It should also be noted that in preparing this EIR, MTC and ABAG worked with a number of other agencies, such as the Bay Conservation and Development Commission, the Bay Area Air Quality Management District, and the California Air Resources Board, and expert consultants to ensure the validity of the analysis included herein.
- C217-13: Typically public services are the responsibility of local jurisdictions and are funded through sales and property tax revenues and impact fees. Development under the proposed Plan will be subject to all local regulations and fees. See Master Response A.1 regarding local land use control. See also chapters 2.12 (Public Utilities and Facilities) and 2.14 (Public Services and Recreation) regarding impacts relating to public facilities and services.

- C217-14: These comments regard localized and specific impacts of land development design on crime prevention. This is a project-level issue and should be evaluated in project-level environmental review and/or local discretionary review; see Master Response A.3 regarding analysis required in a program EIR. All development under the proposed Plan is subject to local permitting, design guidelines, impact fees for public safety, and other land use controls; see Master Response A.1 regarding local land use control. Economics impacts are not environmental issues under CEQA.
- C217-15: Such a request is beyond the scope of this regional-scale, program EIR. See Master Response A.3 for more information on specificity of program EIRs. Further information on the programmatic nature of this environmental document can be found on page 1.1-4; additional information regarding the Draft EIR's emphasis on regional impacts can be found on page 2.0-1.
- C217-16: Per Chapters 2.5 and 2.7, site specific analysis will be required to identify issues with sea level rise and seismic concerns where applicable. The proposed Plan does not limit the existing land use authority of local implementing agencies; implementing agencies retain the discretion to modify or deny discretionary projects based on considerations such as sea level rise and seismicity. Also see response C217-15.
- C217-17: Questions posed at Draft Plan and Draft EIR hearings are answered in this Final EIR; see subsections D, E, and F of Section 3. MTC and ABAG followed CEQA requirements for public noticing of the EIR. See Chapter 1.2 of the Draft EIR for a description of the public participation process for development of the proposed Plan. Regarding public engagement for the EIR, please see Chapter 1.1 of the Draft EIR for a description of the Notice of Preparation and public scoping process and Section 1 of this Final EIR for a description of the public review process for the Draft EIR.

Letter C218 Elizabeth Appell (5/14/2013)

- C218-1: Please see Master Response B.1 regarding population projection as well as Master Response D.2 regarding the connection between high density near transit and reduced greenhouse gas emissions.
- C218-2: Pursuant to SB 375, an SCS must identify "areas within the region sufficient to house all the population of the region, including all economic segments of the population..." (Gov. Code § 65080(b)(2)(B)(ii).) The proposed Plan does so by producing a land use pattern that will accommodate HCD's Regional Housing Needs Determination (RHND) and through ABAG's and MTC's efforts to support additional affordable housing production. This includes Chapter 6 of the Plan, which identifies strategies for facilitating greater affordable housing preservation and production in the region. Many of these efforts require policy changes at the state or federal level that are beyond the control of the regional agencies, who will act as advocates for these changes. The regional agencies are providing more direct support for affordable housing through the Transit Oriented Affordable Housing (TOAH) fund, which supports affordable projects in Priority Development Areas and the identification of Affordable Housing as an allowable use for future Cap and Trade funds.
- C218-3: Please see Master Responses E and G regarding sea level rise and water supply, respectively. See also chapters 2.5 (Climate Change and Greenhouse Gases) and 2.12 (Public Utilities and Facilities).

C218-4: MTC and ABAG may find that the proposed Plan would create significant environmental impacts, but that these impacts would be outweighed by other benefits. In addition many of the significant and unavoidable impacts occur because MTC and ABAG cannot require local implementing agencies to adopt the mitigation measures, and it is ultimately the responsibility of a lead agency to determine and adopt mitigation. Please see Master Response A.1 on local control over land use for additional information.

C218-5: Commenter's opposition to the proposed Plan is acknowledged. The decision-makers will weigh the advantages and disadvantages of each alternative in determining which option to adopt.

Letter C219 Ashley Eagle-Gibbs (5/13/2013)

C219-1: Please refer to the analysis of Impact 2.1-5 in the Draft EIR, Chapter 2.1, Transportation, which found no significant impact on regional transit crowding under the proposed Plan. In addition, commenter's suggestion regarding Alternative 5 will be considered by decision-makers as part of the EIR certification process and action on the proposed Plan.

C219-2: Please see Master Response F regarding displacement. See also response C157-1.

Letter C220 Eric Irelan (5/13/2013)

Please refer to responses to Letter C219.

Letter C221 Marshall Sanders (5/1/2013)

Please refer to responses to Letter C215.

Letter C222 Shannon Tracey (5/16/2013)

Please refer to responses to Letter C215.

Letter C223 Elizabeth Wampler (5/9/2013)

Please refer to responses to Letter C215.

Letter C224 Betty Winholtz (5/13/2013)

C224-1: Your support for the transit funding component of Alternative 5 is noted.

C224-2: See Master Response F regarding displacement.

Letter C225 Kim Bowman (5/16/2013)

C225-1: Commenter's support for the No Project alternative is acknowledged. The decision-makers will weigh the advantages and disadvantages of each alternative in determining which option to adopt.

Letter C226 Joyce Britt (4/25/2013)

C226-1: Commenter's support for the No Project alternative is acknowledged. The decision-makers will weigh the advantages and disadvantages of each alternative in determining which option to adopt. In addition, please note that the No Project alternative does not imply that no growth will take place, as growth will happen regardless of implementation of the proposed Plan. See Master Response B.1 for more information on population projections.

Letter C227 Jon Campo (5/5/2013)

C227-1: Commenter's support for the No Project alternative is acknowledged. The decision-makers will weigh the advantages and disadvantages of each alternative in determining which option to adopt.

Letter C228 June and Steve Kim (5/9/2013)

C228-1: The decisions referred to in this comment regarding the 101 Corridor Priority Development Area are at the discretion of Marin County, not MTC and ABAG. See Master Response I regarding the PDA designation process.

C228-2: Please see Master Response C regarding requests for extensions of the public comment period.

C228-3: Please see Master Response B.1 regarding population projections. It should also be noted that implementation of the proposed Plan requires discretionary actions by local jurisdictions with applicable land use authority; the proposed Plan does not compel local jurisdictions to approve any specific land use developments. See Master Response A.1 regarding local land use control.

C228-4: Commenter's support for the No Project alternative is acknowledged. The decision-makers will weigh the advantages and disadvantages of each alternative in determining which option to adopt.

Letter C229 Mark Schoenbaum (5/16/2013)

C229-1: Commenter's support for the No Project alternative is acknowledged. The decision-makers will weigh the advantages and disadvantages of each alternative in determining which option to adopt.

Letter C230 Sebastian Ziegler (4/8/2013)

C230-1: Commenter's support for the No Project alternative is acknowledged. The decision-makers will weigh the advantages and disadvantages of each alternative in determining which option to adopt.

C230-2: MTC and ABAG are required to fulfill the terms of SB 375 with Plan Bay Area, but used an extensive multi-year planning process to recommend a high-level yet nuanced growth pattern. Local jurisdictions retain all land use control, however, per Master Response A.1

C230-3: See Master Response B.1 regarding the projections.

Letter C231 Victor Goodrum (4/2/2013)

- C231-1: Please see Master Response C regarding requests for extensions of the public comment period.
- C231-2: MTC and ABAG followed CEQA requirements for public noticing of the EIR. See Chapter 1.2 of the Draft EIR for a description of the public participation process for development of the proposed Plan. Regarding public engagement for the EIR, please see Chapter 1.1 of the Draft EIR for a description of the Notice of Preparation and public scoping process and Section 1 of this Final EIR for a description of the public review process for the Draft EIR.

Letter C232 Barbara Hagen (4/22/2013)

- C232-1: Please see Master Response C regarding requests for extensions of the public comment period.
- C232-2: Implementation of the proposed Plan is at the discretion of local jurisdictions; MTC and ABAG cannot “require” anything regarding land development. See Master Response A.1 for more information on local land use control. As noted in Chapter 2.3 of the Draft EIR, almost half of the region’s population already lives in multi-family or townhouse units, and per the population projections (see Master Response B.1 and the *Jobs-Housing Connection Strategy*) that preference is expected to grow in the Bay Area.
- C232-3: General concerns regarding property values are an economic issue not a physical impact on the environment that must be addressed in an EIR pursuant to CEQA. .
- C232-4: Typically public services are the responsibility of local jurisdictions and are funded through sales and property tax revenues and impact fees. Development under the proposed Plan will be subject to all local regulations and fees. See Master Response A.1 regarding local land use control. See also chapters 2.12 (Public Utilities and Facilities) and 2.14 (Public Services and Recreation) regarding impacts relating to public facilities and services.
- C232-5: The MTC and ABAG Board consist of elected representatives from many counties and cities of the region and their decisions reflect the decisions of these voter-selected officials. See also Master Response A.1 regarding local land use control.

Letter C233 Kent Hagen (4/22/2013)

- C233-1: Please see Master Response B.1 regarding population projections.
- C233-2: The MTC and ABAG Board consist of elected representatives from many counties and cities of the region and their decisions reflect the decisions of these voter-selected officials. See also Master Response A.1 regarding local land use control.
- C233-3: Please see Master Response C regarding requests for extensions of the public comment period.

Letter C234 Susan K (5/2/2013)

C234-1: Open space is not necessarily protected as it also includes undeveloped lands. The comments on the No Project alternative are correct. The decision-makers will weigh the advantages and disadvantages of each alternative in determining which option to adopt.

Letter C235 John Parnell (5/16/2013)

C235-1: Commenter's support for the No Project alternative is acknowledged. The decision-makers will weigh the advantages and disadvantages of each alternative in determining which option to adopt.

C235-2: See Chapter 2.2 of the Draft EIR for an analysis of and mitigation measures for impacts on air quality.

C235-3: Please see Master Response G regarding water supply. In addition, the decision to use desalination as a water source would be solely the decision of MMWD and is not advocated for or required by the proposed Plan. The current MMWD Urban Water Management Plan indicates adequate water supplies through the year 2035 without a need to resort to desalination. The proposed Plan would result in essentially the same year 2040 population as under the No Project alternative - a three percent increase, with the proposed Plan resulting in 500 more households in Marin County than under the No Project scenario. Given the water supplies indicated by MMWD, it is extremely unlikely that additional water supplies will need to be acquired due to growth under the proposed Plan. Moreover, in August of 2010, the District adopted Ordinance 420, which states that the District shall not approve construction, or financing for construction, of a desalination facility unless such construction is approved by a majority of District voters, voting in an election held within the District's service area for that purpose.

C235-4: Please see Master Response E regarding sea level rise and chapter 2.5 (Climate Change and Greenhouse Gases) in the EIR.

C235-5: See Chapter 2.10 of the Draft EIR for an analysis of and mitigation measures for impacts on visual resources. Also note that all discretionary projects are subject to the approval by applicable local jurisdictions and must adhere to all design guidelines, permits, impact fees, and other requirements imposed by such jurisdictions; see Master Response A.1 on local land use control. In addition, please note that the proposed Plan's land development pattern would result in around only 500 additional households in Marin County by 2040 in comparison to the No Project alternative (see Table 3.1-3); that is, much of the growth in Marin is expected to occur regardless of the Plan due to regional growth; see Master Response B.1 regarding population projections.

C235-6: MTC and ABAG are not proposing implementation of a Vehicle Miles Traveled (VMT) tax as part of the proposed Plan. The VMT tax was included in Alternative 5, the Environment, Equity and Jobs Alternative, as per the direction of the stakeholders who developed that alternative. The VMT tax is only a consideration as a component of Alternative 5. It is not being considered as a part of the proposed Plan, but commenter's opposition to the VMT tax is acknowledged. If a VMT tax is pursued, many details of implementation and the possible effects would be evaluated further.

C235-7: The MTC and ABAG Board consist of elected representatives from many counties and cities of the region and their decisions reflect the decisions of these voter-selected officials. Note that implementation of the proposed Plan is at the discretion of local jurisdictions; MTC and ABAG cannot “require” anything regarding land development. See Master Response A.1 for more information on local land use control.

Letter C236 Valorie Van Dahl (5/15/2013)

C236-1: Commenter’s opposition to the proposed Plan is noted. The decision-makers will weigh the advantages and disadvantages of each alternative in determining which option to adopt. Priority Development Area locations are designated by local jurisdictions, not by MTC and ABAG. See Master Response I regarding the PDA designation process.

C236-2: See response C235-5. Commenter’s opposition to the proposed Plan is noted. The decision-makers will weigh the advantages and disadvantages of each alternative in determining which option to adopt.

Letter C237 Byrne Mathisen (5/14/2013)

C237-1: Please see Master Response C regarding requests for extensions of the public comment period.

C237-2: Please see Master Response A.1 regarding local control over land use as well as Master Response A.3 regarding the programmatic nature of this EIR. In addition, see Chapters 2.7 (Geology and Seismicity) and 2.9 (Biological Resources) for the analysis of these issues and related mitigation measures, which cite existing State laws require site-specific analyses. Future second-tier projects must comply with CEQA; implementing agencies will consider localized biological resource and geology concerns during the administrative process associated with such future second-tier projects.

C237-3: The Commission and ABAG Board consist of elected representatives from many counties and cities of the region and their decisions reflect the decisions of these voter-selected officials. See also Master Response A.1 regarding local land use control.

C237-4: Please refer to the Draft EIR Chapter 2.6, Noise, which provides a thorough analysis of the potential noise impacts of the proposed Plan as well as provides adequate mitigation measures to combat these impacts. See also Master Response A.3 regarding the programmatic nature of this EIR.

C237-5: General concerns regarding property values are an economic issue not a physical impact on the environment that must be addressed in an EIR pursuant to CEQA.

C237-6: Typically public services are the responsibility of local jurisdictions and are funded through sales and property tax revenues and impact fees. Development under the proposed Plan will be subject to all local regulations and fees. See Master Response A.1 regarding local land use control. See also chapters 2.12 (Public Utilities and Facilities) and 2.14 (Public Services and Recreation) regarding impacts relating to public facilities and services.

C237-7: Plan Bay Area in fact devotes a significant portion of its budget to operating and maintaining the existing roadway system. The Draft EIR, on p. 1.2-49, notes that the proposed Plan

allocates over 79 percent of its budget to committed projects, which include many highway and roadway projects. In addition, 87 percent of all projected revenues are dedicated to operations and maintenance of the existing transit system and roads and bridges. “Compared to Transportation 2035, the proposed Plan Bay Area would spend a higher percentage of its budget on transit and roadway operations and maintenance, less on expansion of transit network, and roughly the same percent on road and bridge expansion.” In addition, as Table 1.2-10 of the Draft EIR shows, the proposed Plan will increase road and bridge operations and maintenance from 30 percent of the overall Transportation 2035 budget to 32 percent of the Plan Bay Area budget, an increase of \$28 billion (see updated numbers in Section 2.2 of this Final EIR); these funds are available due to a decrease in the proportion and amount of money to be spent on transit system expansion compared to the last RTP. In light of this transportation investment strategy, the proposed Plan clearly supports a continuation of personal automobile use. MTC must fund a transportation system that serves a growing population and many lifestyles while hitting targets assigned by the State, and this requires supporting transit as well as roadway systems.

The proposed land use pattern attempts to concentrate growth within transit-served locations and reducing parking requirements—which can be expensive or logistically impossible to follow in an infill setting—is meant as a way to incentivize such development and to increase transit usage given its more efficient use of existing roadway capacity and lower production of per capita greenhouse gas emissions. Ultimate decisions regarding the amount of parking to require for a specific future project rests with the local jurisdiction with discretionary local land use authority over its approval. See Master Response A.1 regarding local land use control.

- C237-8: Please see Master Response B.2 regarding the feasibility of the proposed Plan’s Priority Development Areas.
- C237-9: Such a request is beyond the scope of this regional-scale, program EIR. See Master Response A.3 for more information on specificity of program EIRs. Further information on the programmatic nature of this environmental document can be found on page 1.1-4; additional information regarding the Draft EIR’s emphasis on regional impacts can be found on page 2.0-1. However, it should be noted that second-tier plans and projects proposed to implement the proposed Plan must comply with CEQA and are subject to the discretionary land use authority of the implementing agencies. See Master Response A.1 regarding local land use control.
- C237-10: CEQA is designed to provide substantial opportunities for input from responsible agencies, trustee agencies, other interested agencies and organizations, as well as the public. CEQA, therefore, by its own terms provides an opportunity for third party review and comments. It should also be noted that in preparing this EIR, MTC and ABAG worked with a number of other agencies, such as the Bay Conservation and Development Commission, the Bay Area Air Quality Management District, and the California Air Resources Board, and expert consultants to ensure the validity of the analysis included herein.
- C237-11: Plan Bay Area is required to adhere to the GHG emissions reductions targets established by SB 375. Consistent with SB 375, the GHG emissions target CARB assigned MTC and ABAG requires reductions, when measured on a per capita basis relative to 2005, beyond those achieved by “new vehicle technology and by the increased use of low carbon fuel” (SB 375, Section 1(c)). See also Master Response D.1 regarding GHG emissions for SB 375.

- C237-12: Please see Master Response D.1 regarding the regional greenhouse gas emissions reductions for land use and transportation planning sectors under SB 375.
- C237-13: MTC and ABAG believe this EIR provides an adequate assessment of the proposed Plan's environmental impacts as required under CEQA.

Letter C238 Kevin Moore (5/16/2013)

- C238-1: Please see Master Response C regarding requests for extensions of the public comment period. Commenter's opposition to the proposed Plan and support for the No Project alternative is acknowledged. The decision-makers will weigh the advantages and disadvantages of each alternative in determining which option to adopt.
- C238-2: See Master Response B.1 regarding the population projections. PDAs are nominated and planned voluntarily by local jurisdictions, not selected by MTC or ABAG; see Master Response I regarding the PDA designation process. It is the responsibility of that local jurisdiction to comply with CEQA and approve or deny future second-tier projects within their discretionary land use authority based on site-specific considerations. See Master Response A.1 regarding local land use control.
- C238-3: See response C238-2. Also this is a regional-scale program EIR and such a request is beyond its scope. See Master Response A.3 for more information on specificity of program EIRs. Further information on the programmatic nature of this environmental document can be found on page 1.1-4; additional information regarding the Draft EIR's emphasis on regional impacts can be found on page 2.0-1.
- C238-4: See responses C238-2 and C328-3. Also see Chapters 2.12, and 2.14 of the Draft EIR for its analysis of and mitigation measures for impacts on public utilities and public services, respectively.
- C238-5: See responses C238-2, C328-3, and C238-4.
- C238-6: Please see Chapter 2.12 of the Draft EIR and Master Response G regarding water supply. Most of the water supply issues under the proposed Plan would be the result if population growth which will occur regardless of the proposed Plan; see Master Response B.1 on population projections.

In addition, the decision to use desalination as a water source would be solely the decision of MMWD and is not advocated for or required by the proposed Plan. The current MMWD Urban Water Management Plan indicates adequate water supplies through the year 2035 without a need to resort to desalination. The proposed Plan would result in essentially the same year 2040 population as under the No Project alternative - a three percent increase, with the proposed Plan resulting in 500 more households in Marin County than under the No Project scenario. Given the water supplies indicated by MMWD, it is extremely unlikely that additional water supplies will need to be acquired due to growth under the proposed Plan. Moreover, in August of 2010, the District adopted Ordinance 420, which states that the District shall not approve construction, or financing for construction, of a desalination facility unless such construction is approved by a majority of District voters, voting in an election held within the District's service area for that purpose.

- C238-7: This EIR analyzes the potential significant impacts of the adoption and implementation of the proposed Plan Bay Area (proposed Plan), which is the update to the 2009 Regional Transportation Plan (RTP) and the new Sustainable Communities Strategy (SCS) for the San Francisco Bay Area. MTC is required to adopt an RTP including an SCS pursuant to SB 375; MTC is required to adopt an RTP pursuant to federal and state planning requirements. Please see Master Response A.1 regarding local control over land use.
- C238-8: Please refer to the Draft EIR Chapter 2.5, Climate Change, as well as Master Response E regarding sea level rise.
- C238-9: The EIR is required to assess GHG emissions at a regional level, as it does in Chapter 2.5 of the Draft EIR. As a result of the proposed Plan, GHG emissions could rise in some locations but the EIR found that it would result in regional decreases in GHG emissions; see the analyses of Impacts 2.5-1 and 2.5-2.
- C238-10: Please see Master Response B.1 regarding population projections.
- C238-11: MTC and ABAG have no local land use authority and cannot compel a jurisdiction to adopt or implement Plan Bay Area; see Master Response A.1 for information on local land use control.
- C238-12: Commenter's support for the No Project alternative is acknowledged. The decision-makers will weigh the advantages and disadvantages of each alternative in determining which option to adopt.

Letter C239 James Holmes (5/10/13)

- C239-1: Please see Letter A8 from the City of Larkspur and MTC and ABAG's responses thereto. It should also be noted that second-tier plans and projects proposed to implement the proposed Plan must comply with CEQA and are subject to the discretionary land use authority of the applicable implementing agencies. See Master Response A.1 regarding local land use control.
- C239-2: Please refer to the Draft EIR, Chapter 2.5, Climate Change, as well as Master Response E for more information regarding sea level rise. In addition, the EIR is an environmental review document that thoroughly analyzes the potential environmental impacts as a result of the proposed Plan on the programmatic level. See Master Response A.3 regarding the programmatic nature of this EIR. Second-tier plans and projects proposed to implement the proposed Plan must comply with CEQA and are subject to the discretionary land use authority of the applicable implementing agencies. See Master Response A.1 regarding local land use control.
- C239-3: MTC and ABAG acknowledge that the proposed Plan includes incentives that may encourage local jurisdictions to implement that land use vision included in the proposed Plan. The One Bay Area Grant program, which account for 4.9 percent of revenues in the proposed Plan, requires that either 70 or 50 percent, depending on the county, of a county's OBAG funds be spent in or proximate to a PDA. However, local jurisdictions must comply with CEQA, notice and hearing requirements, and other applicable laws. Therefore, the public will have a continued opportunity to participate in local second-tier decision making

related to the proposed Plan. Please see Master Response A.1 regarding local control over land use and Master Response A.2 regarding CEQA streamlining.

C239-4: It is beyond the scope of this EIR to evaluate projects other than Plan Bay Area; this comment refers to a past decision on a separate project involving both the City of Larkspur and MTC.

C239-5: As the proposed Plan is a regional level plan, the impacts were evaluated on a regional scale. It is beyond the scope of the EIR to evaluate impacts on an individual project or jurisdiction level basis. See Master Response A.3 for more information on specificity of program EIRs. Further information on the programmatic nature of this environmental document can be found on page 1.1-4; additional information regarding the Draft EIR's emphasis on regional impacts can be found on page 2.0-1.

Future second-tier projects must comply with CEQA; implementing agencies will consider localized traffic and congestion concerns during the administrative process associated with such future second-tier projects. See Master Response A.1 regarding local land use control. It should also be noted that some of these comments are on the Larkspur Station Area Plan, a policy document of the City of Larkspur, and beyond the scope of this EIR.

C239-6: MTC and ABAG believe that the proposed mitigation measures for the proposed Plan are adequate, as presented in the Draft EIR, Chapter 2.1, Transportation. See also response C239-5.

C239-7: The proposed Plan addresses regional-level transportation investments and does not engage the details of how local transit operators work with existing land use. Furthermore, neither MTC nor ABAG have local land use control; see Master Response A.1. As a result, Plan Bay Area provides a blueprint for land development that could be supported at a broad level by the its transportation investment program, but the details of implementation are up to local jurisdictions, transit agencies, and county-level transportation authorities.

See chapters 2.12 (Public Utilities and Facilities) and 2.14 (Public Services and Recreation) regarding impacts relating to public infrastructure. See also Master Response A.1 regarding local land use control.

Pursuant to SB 375, an SCS must identify "areas within the region sufficient to house all the population of the region, including all economic segments of the population..." (Gov. Code § 65080(b)(2)(B)(ii).) The proposed Plan does so by producing a land use pattern that will accommodate HCD's Regional Housing Needs Determination (RHND) and through ABAG's and MTC's efforts to support additional affordable housing production. This includes Chapter 6 of the Plan, which identifies strategies for facilitating greater affordable housing preservation and production in the region. Many of these efforts require policy changes at the state or federal level that are beyond the control of the regional agencies, who will act as advocates for these changes. The regional agencies are providing more direct support for affordable housing through the Transit Oriented Affordable Housing (TOAH) fund, which supports affordable projects in Priority Development Areas and the identification of Affordable Housing as an allowable use for future Cap and Trade funds. See also Master Response B.2 regarding feasibility of the proposed Plan's PDAs.

C239-8: MTC and ABAG believe this EIR provides an adequate assessment of the proposed Plan's environmental impacts as required under CEQA. Localized "life-quality issues" are beyond the scope of this programmatic EIR. Local jurisdictions will consider these types of localized issues as they exercise their discretion over future second-tier projects. See Master Response A.1 regarding local land use control.

Letter C240 Debra England (5/16/2013)

Commenter's opposition to the proposed Plan is noted. The decision-makers will weigh the advantages and disadvantages of each alternative in determining which option to adopt. The proposed Plan was prepared in a manner consistent with the requirements of SB 375 and other applicable laws. MTC and ABAG followed CEQA requirements for public noticing of the EIR. See Chapter 1.2 of the Draft EIR for a description of the public participation process for development of the proposed Plan. Regarding public engagement for the EIR, please see Chapter 1.1 of the Draft EIR for a description of the Notice of Preparation and public scoping process and Section 1 of this Final EIR for a description of the public review process for the Draft EIR. The proposed Plan does not override local land use control. See Master Response A.1 regarding local land use control.

Letter C241 Stephen Nestel (6/13/2013)

See responses to Letter C98.

Letter C242 Peter Singleton (6/7/2013)

This letter was submitted on June 7, 2013, and contains corrections to C187, the commenter's original comment letter. The commenter recognizes errors that undermine the arguments in the original comment letter. Regardless, this Final EIR provides complete responses to C187. This revised letter C242 is included in the record; however, it raises no new environmental issues to which a response is required.

See comment letter C187 and responses to Letter C187.

Letter C243 Thomas Rubin (5/16/2013)

C243-1: The comment questions the reasonableness of the Plan's and Draft EIR's transit components and potential ridership. Responses to comments C153-9 and C172-14 address the commenter's assertion that the Plan's transit investments will not lead to ridership gains; Plan Bay Area directly addresses this by creating a more compact, transit oriented land use pattern. By focusing growth near regional transit investments, Plan Bay Area is able to encourage greater utilization of public transit for system users of all income levels. This departs from previous growth patterns that led to a dispersion of development.

Furthermore, the projects included in the Draft Plan underwent an extensive project performance assessment, as documented in the Plan Bay Area Performance Assessment Report. This helped to ensure that transportation investments funded in the Plan achieved cost-effectiveness standards. Note that many of the region's most cost-effective projects were focused on improving the efficiency of the transit system, as well as capital expansions where significant ridership potential exists. Highly cost-effective projects included bus rapid transit projects in San Francisco and Oakland, implementation of BART Metro to reduce

heavy rail travel times, and conversion of Caltrain to a higher-speed electrified service. Given the findings that transit efficiency projects were generally more cost-effective than expansion projects, the Plan invests a smaller percentage in transit expansion than the last long range plan, Transportation 2035 (as shown in Table 1.2-10 of the Draft EIR (see updated version in Section 2 of this Final EIR).

The Draft Plan also includes a significant emphasis on improving service quality for existing bus routes by directing \$500 million to the Transit Performance Initiative (TPI). This program achieves performance improvements in major transit corridors where current and future land use supports high quality transit. Additionally, it can be used to fund transit fare reductions, should a local agency decide to allocate TPI funding for that purpose. This funding is in addition to more localized service improvements funded in Plan Bay Area, such as San Francisco's Transit Effectiveness Project, which will work to cut travel times and reduce crowding on the busiest bus and light rail lines in the Muni system.

MTC recently completed the Transit Sustainability Project, which focused on improving the cost effectiveness and efficiency of the existing system, and considered alternative service delivery strategies. The project resulted in performance targets related to cost effectiveness and efficiency for the large transit operators in the region, as well as the aforementioned Transit Performance Initiative, which provides incentives and funding for projects that speed service and improve the customer experience.

Finally, the commenter claims that the investments in public transit will accelerate utilization of older and higher-polluting vehicles, which tend to be owned by lower-income residents. The Plan includes funding for efficiency and expansion projects for public transit. These expansion and efficiency investments do not come at the expense of operating dollars for the existing bus and rail lines. This is consistent with the Plan's overall focus on operating and maintaining our existing transportation systems; significantly more funding in the Plan is dedicated for existing operations than for transit expansion projects. As existing services will remain in place and will simply be supplemented by improved or new services, the author's claim that low-income transit utilization will decline cannot be attributed to transit operations funding levels in Plan Bay Area.

C243-2: See response to comment C153-2 and C187-29. In addition, the types of housing built will ultimately be determined by local jurisdictions and private developers.

C243-3: See the Supplemental Report Forecast of Jobs, Population and Housing regarding the jobs forecasts for the region. While the Bay Area is, and is projected to remain, an expensive region, job growth is anticipated to continue in the region.

Following and linking to response to comment C243-2, whereby the Commenter states that the Plan eliminates opportunities for single family homes and by extension require residents to drive longer distances to jobs, many from adjacent counties, the Commenter goes on to assert that under the Plan employers will "continue" to be drawn to more hospitable business climates and that the Plan will actually exacerbate this trend. MTC and ABAG respectfully disagree.

The provision of adequate housing linked to jobs and transit is a primary objective of Plan Bay Area, as is ensuring that in-commuting from adjacent counties does not grow beyond the current rate, as it has in the past. The Plan's jobs forecast recognizes that the Bay Area is

well positioned for substantial job growth, somewhat above the national rate of growth, if enough housing is provided in locations proximate to employment centers to meet the region's housing demand. In addition to employment growth, the housing forecast identifies significant demographic changes to inform the location and type of housing encompassed in the forecast, including a significant increase in the senior population through 2040, and shifting preferences of knowledge-sector workers in terms of both work and housing locations. Although the Plan recognizes and provides a sound strategy to plan for an adequate supply of housing to support economic growth, the Plan does not include a cap on the production of single family residences or any other housing type in the nine counties. Plan Bay Area is a sustainable growth strategy for the Bay Area. It does not in any way usurp local land use authority. Local jurisdictions will continue to determine zoning housing and all other types of development and are not required to comply with the Plan's forecasted development pattern in doing so.

The Bay Area's long standing challenge of providing sufficient housing to meet demand, is addressed directly by Plan. However, the assertion that the Bay Area is not economically competitive and/or that the production of infill housing will be a burden on the regional economy is not based on fact. Building upon its role as the global center of technology and venture capital investment the Bay Area has seen strong employment growth, well above the national average since 2010. This in turn has resulted in a surge in market-rate housing development in locations well-served by transit and close to employment. Correspondingly, as of July, 2013 the Bay Area has an unemployment rate below the national average (CA Employment Development Department). In addition the US Census and the CA Department of Finance have both estimated that the 9-county Bay Area is adding population faster than the national average, and that the Bay Area's urban counties, in which the Plan forecasts most growth to occur are population growth leaders in the State of California.

C243-4: See response to comment C243-1 above, as well as the response to comments C153-9 and C172-14.

C243-5: See response to comment C189-1. Examining historical VMT trends requires additional consideration of the factors that led to such VMT gains; the commenter cites a period of relatively inexpensive gas prices (particularly in the 1990s) that encouraged longer-distance auto travel patterns and VMT growth. Plan Bay Area forecasts significant growth in regional gas prices over the next three decades, as noted in response to comment C187-7, which will instead encourage greater transit utilization and will work to prevent the level of VMT growth witnessed over the last two decades. Furthermore, the demographics of the San Francisco Bay Area over the next 30 years reinforce the Plan Bay Area's slow-growth VMT forecasts; the region's population will include a smaller proportion of middle-age residents (who have greater demands for automobile travel given their household characteristics) and greater numbers of younger and older residents (who tend to have reduced demand for travel, particularly by automobile). These age groups are increasingly interested higher-density, walkable communities where they need not own an automobile to access daily destinations. This combination of economic and demographic factors, combined with the land use pattern and transportation investments in Plan Bay Area, are expected to slow VMT growth in the region.

C243-6: See response to comment C243-1 above.

C243-7: Automated vehicles are discussed in the Draft Plan on page 125 as an evolving technology. At this point, it is premature to include automated vehicles in the Plan given the uncertainties surrounding the technology, potential roll out, and unknown impact on the transportation system. While individual automated vehicles have been tested in the Bay Area, little is known about how efficiently fleets of these vehicles could operate across a roadway network under real-world conditions. While the vehicles offer some significant potential benefits (particularly in the realm of safety), the commenter's assertions about the potential air quality and congestion benefits have yet to be fully demonstrated. For example, should the vehicles lead to increased vehicle speeds, they may in fact increase air pollution, as vehicles traveling at free-flow speeds result in greater emissions per mile than vehicles traveling at moderate speeds (i.e. in light to moderate levels of congestion). In addition, any travel time reductions associated with automated vehicles may lead to greater auto utilization at the expense of transit and non-motorized modes (as the automobile will become a more competitive option), increasing emissions and generating potential environmental impacts in exchange for automated vehicles' theoretical travel time savings. As automated vehicles slowly advance towards public availability, more will be known about their potential benefits and adverse impacts to the region.

In addition, MTC is funding a pilot project through the Climate Program Innovative Grant Program to test smartphone applications for carpool matching, as suggested by the commenter. Should this pilot program attract significant interest where it is currently being tested (Sonoma, Marin and Contra Costa Counties), it could be expanded in the future to provide a new mobility option to residents of other counties across the region. Plan Bay Area also includes \$226 million in funding for future Climate Program Innovative Grants, which could support similar technology-oriented transportation solutions that help to reduce greenhouse gas emissions in the Bay Area.

C243-8: See response to comment C187-23.

C243-9: See Master Response D2 regarding transit emissions.

C243-10: See response C187-7 regarding motor fuel assumptions and related fees and taxes. See response C187-5 and C187-12 regarding disclosures to the public of the analysis of the Plan.

C243-11: MTC and ABAG disagree with the claim that the Plan does not rely on the best available data. In addition, MTC and ABAG disagree with the claim that the Plan is a violation of the National Ambient Air Quality Standards. The analysis included in the Plan, Draft EIR, and Air Quality Conformity Analysis uses the best available data and is entirely consistent with the requirements of the Clean Air Act. See response to comment C172-16 and C172-12 regarding projected congestion and C214-4 regarding the claim that the Plan does not adequately invest in roads. See also responses to Comments C243-1 through C243-11 above as well as Master Responses B1 regarding population projections.

C243-12: See response to comment C243-1 above. Regarding fare policies, transit fare policy is set by transit agency boards.

Within the general categories of transit capital or transit operating, transit agencies have a great deal of flexibility and autonomy regarding how those funds are spent and what service they provide. MTC recently completed the Transit Sustainability Project, which focused on improving the cost effectiveness and efficiency of the existing system, and considered

alternative service delivery strategies. The project resulted in MTC establishing performance targets related to cost effectiveness and efficiency for the large transit operators in the region, as well as a new Transit Performance Initiative, which provides incentives and funding for projects that speed service and improve the customer experience.

As shown in Table 1.2-10 of the Draft EIR (see updated version in Section 2 of this Final EIR), the proposed Plan would increase funding for transit operations and maintenance by 43 percent (\$48 billion) compared to the current RTP, and increase the proportion of funding going to transit operations and maintenance from 51 to 55 percent of available funds. As explained on p. 1.2-50, the proposed Plan will allocate \$15 billion of its discretionary funds in particular to maintain and sustain the existing transit system. These strategies will help the sub-regional transit agencies maintain existing transit services, while at the same time reinvesting travel time savings and efficiency gains to boost transit service frequencies.

C243-13: The comment questions the region’s historic investment in transit, given the lack of commensurate increases in transit service and passengers. MTC recently completed the Transit Sustainability Project, which focused on improving the cost effectiveness and efficiency of the existing system, and considered alternative service delivery strategies. The TSP found that the region was investing significant funds in transit yet service levels and passenger trips have not kept pace with increases in operating costs. See here for the final TSP recommendations:
http://apps.mtc.ca.gov/meeting_packet_documents/agenda_1852/5_TSP_Final_Recommendations.pdf

As part of that project, MTC developed new performance targets related to cost effectiveness and efficiency for the large transit operators in the region, as well as a new Transit Performance Initiative, which provides incentives and funding for projects that speed service and improve the customer experience. See also response to comment C243-1 above and response to comment C153-9.

C243-14: For projects and programs in Plan Bay Area, capital costs were escalated to year-of-expenditure dollars by 3.2 percent annually and operating costs were escalated to year-of-expenditure dollars by 2.2 percent annually. This differs from the commenter’s assumption that the escalation rate was 2 percent.

The commenter, at the bottom of the footnote on page 20, requested additional information regarding the inflation calculations. The data source was CPI Data from the California Department of Finance.
http://www.dof.ca.gov/html/fs_data/latestEconData/fs_price.htm

FISCAL YEAR AVERAGES: FROM 1955

<i>Fiscal Year</i>	<i>San Francisco CMSA</i>	<i>% Change</i>
1999-00	175.9	
2000-01	185.7	5.5%
2001-02	191.7	3.2%
2002-03	195.3	1.9%

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2003-04	197.1	0.9%
2004-05	200.5	1.7%
2005-06	205.9	2.7%
2006-07	212.7	3.3%
2007-08	219.5	3.2%
2008-09	223.6	1.8%
2009-10	226.2	1.2%
10-Year Avg.		2.6%

The relevant supplemental report to determine interim year population and employment levels is the *Final Summary of Predicted Land Uses*. See page 23 of that report and Master Response B.1 regarding population projections.

C243-15: See Master Response B1 regarding the population projections and the Department of Finance projections referenced by the commenter. See also responses to comment C166. Refer to the response to comment 5 regarding the expected demographic and economic changes for the region that support regional demand for transit. In addition to these effects, the Plan places a much greater emphasis on improving existing urban core transit services, an approach that differs from the late 20th century emphasis on expanding transit outward to serve rapidly growing auto-dependent suburban and exurban communities. Further discussion of expected ridership gains from this strategy can be found in the responses to comments C153-9 and C172-14. By emphasizing land use rather than capital projects, the Plan can achieve ridership growth at a rate faster than public transit capacity expansion.

C243-16: Plan Bay Area focuses on increasing the efficiency of existing services as an approach to grow transit ridership. Rather than focusing solely on increasing mileage (like many of the historical projects the commenter mentions), transit investments included in the proposed Plan are generally focused in higher-density corridors where significant transit demand already exists. Ridership gains from these efficiency and expansion projects are expected to be greater than many of the suburban transit expansion projects of the past three decades.

While transit capacity was increased over the past three decades, those investments were primarily made in response to an increasingly dispersed land use pattern; capacity increases during that time cannot be expected to negate all of negative impacts of sprawl on public transit ridership. Further discussion of the shortcomings in examining past transit ridership and utilization trends can be found in the responses to comments C153-9 and C172-14.

Plan Bay Area’s land use pattern emphasizes transit projects that serve the urban core and promotes significant growth in Priority Development Areas proximate to new transit expansions. This change in emphasis (i.e. promoting focused growth to boost transit usage, rather than chasing outward growth with new transit capacity investments to attract and retain riders) supports the transit ridership gains forecasted under year 2040 Plan Bay Area conditions.

C243-17: The commenter argues that Plan Bay Area forecasts for annual transit ridership gains are greater than other U.S. metropolitan areas’ historical data. Refer to the response to comment

C243-5 regarding the assumption that historical data reflects future conditions and limitations for achievement. Furthermore, future economic and demographics (for the Bay Area, as well as many other metropolitan areas shown in the commenters' graph) will be significantly different than the past three decades, as documented in the Supplemental Report Forecast of Jobs, Population and Housing and supporting documents cited therein.

Furthermore, the commenter's graph actually shows that the focused growth land use pattern, combined with the targeted transportation investments, in Plan Bay Area will exceed other cities' past performance. Over the past few decades, many metropolitan areas have expanded at their edges; Plan Bay Area will reverse this trend and exceed national transit ridership growth expectations that have been restricted by the corrosive effects of urban sprawl on U.S. metropolitan areas.

Regarding the commenter's use of the Transportation Improvement Program (TIP) as the source for all transit capital expenditures, the TIP contains projects that involve a federal interest such as federal funding, federal actions, or regionally significant locally funded projects that have federal air quality conformity implications—it is a subset of transportation projects in the region. For example, a significant portion of a transit operator's capital funding is not included in the TIP. Examples of these fund sources include farebox revenue, local sales tax, state bond measures, state gas tax and bridge tolls. Furthermore, the TIP shows budgeted or 'programmed' funds. Actual expenditures may vary by the time the project is complete. The TIP is a dynamic document with project revisions occurring monthly, and projects moving in and out of the TIP at different times based on when fund sources are made available for programming, such as when Congress makes federal apportionments available.

C243-18: Comment noted.

C243-19: Refer to the response to comment C243-5.

C243-20: See response to comment C189-1 and comment C243-5. The commenter fails to note that, while increasing transit ridership is one way to reduce VMT, VMT can also be reduced by bringing trip origins and destinations closer together. Plan Bay Area emphasizes this jobs-housing connection, which can reduce driving distances and increase transit ridership – strategies that both support per-capita VMT reduction.

C243-21: The comment claims that MTC/ABAG are communicating uncertainty in the forecasts by rounding numeric estimates, such as the estimate of daily transit ridership (which is rounded to the nearest one thousand). Commenter's assertion is incorrect. MTC and ABAG round the travel model's estimates for clarity of presentation. The rounding does not suggest a specific level of uncertainty. MTC and ABAG do not agree that using "significant digits" – as suggested by the comment – is a sound means of communicating uncertainty to the public or decision-makers.

MTC's and ABAG's governing bodies routinely use long-range forecasts with the understanding that forecasting tools can provide useful information, even though predictions of the Bay Area's future economy, land development patterns, and travel behavior come with a uncertainty. The State and Federal regulations that require the use of long range forecasts also account for the fact that predictions can be uncertain, which is one

of the reasons long-range transportation plans and sustainable communities strategies are routinely updated – typically every four years.

- C243-22: The travel model forecasts cited by the commenter were neither developed by MTC or ABAG, nor used by MTC or ABAG as a component of Plan Bay Area. Travel Model One was developed by MTC and ABAG using the best available data sources to forecast future regional transportation patterns.
- C243-23: New Starts ridership forecasts were not used for the purposes of Plan Bay Area. Project cost estimates – both for road and transit projects – are submitted by project sponsors and represent the best estimates available at the time. MTC relies on project sponsor data as they have the most detailed information about the specific project components as they proceed through the planning, design, and construction process.
- C243-24: Project cost estimates – both for road and transit projects – are submitted by project sponsors and represent the best estimates available at the time. MTC relies on project sponsor data as they have the most detailed information about the specific project components as they proceed through the planning, design, and construction process. Project sponsors, especially for larger projects, include some contingency in their cost estimates depending on the stage of the project; these project-level contingency funds are supplemented by the \$2 billion regional contingency allocation. MTC does not have authority to prevent cost increases due to scope creep or project delay; it is the responsibility of the project sponsor to strive towards those goals. The author's comments on the new Bay Bridge are outside the scope of this EIR or planning process.
- C243-25: See Master Response D2.
- C243-26: See response to comments C243-22 through C243-24 above. See response to comment C151-17 regarding the anticipated revenues.

Letter C244 Al Dugan, Bob Ratto, and Tina McMillan (5/15/2013)

- C244-1: See Master Response B.1 regarding population projections. Note that RHNA is a related but separate project from Plan Bay Area. While SB 375 requires that the RHNA be consistent with the development pattern included in the SCS, they are separate processes with different timelines and considerations. To ensure consistency between the two planning processes ABAG used the distribution of housing growth for the period from 2014-2022 in the Draft Plan as one of the factors in the RHNA methodology.
- C244-2: Fiscal impacts are beyond the scope of CEQA, which is concerned with physical environmental impacts. Chapter 2.14 of the Draft EIR does examine the impact of the proposed Plan on the adequate provision of public services and Chapter 2.12 examines public utilities.
- C244-3: See response C244-1.
- C244-4: See response C244-1.
- C244-5: See response C244-1.

- C244-6: The City of Novato submitted comments on the Draft EIR, see Letter A33 and the responses to it in this Final EIR. The City raised similar questions to this letter, which are answered by Master Response B.1. The majority of this comment, such as the points on affordable house, regards the RHNA, which is a separate project from Plan Bay Area.
- C244-7: See Master Response B.1, which includes information on job projections and notes that the region’s job growth will largely drive population growth. MTC and ABAG are required under SB 375 to accommodate the region’s anticipated growth. Few jurisdictions request additional job or household growth and relying on local estimates would not result in adequate accommodation of growth, which will occur whether localities plan for it or not. MTC and ABAG are also tasked under SB 375 with reducing GHG emissions from cars and light trucks; a major strategy for doing so is placing new jobs close to existing and future housing. The proposed Plan allocates job growth to Marin County on par with its current proportion of the region’s jobs and allocates almost the same number of new jobs as would occur under the No Project alternative, as shown in Table 3.1-4 of the Draft EIR.
- C244-8: See Master Response B.1 on the growth projections.
- C244-9: See Master Response B.1 on the growth projections; MTC and ABAG believe these growth projections are accurate.
- C244-10: See Master Response D.1 which explains the assumptions and methods allowed under SB 375 to achieve the GHG emissions reduction target. MTC and ABAG agree that fuel consumption technologies are an efficient and effective means of reducing GHG emission but these cannot be taken into account in assessing the proposed Plan’s attainment of the CARB targets. New land development is inevitable under Plan Bay Area, due to the regional population growth, and new transportation investments will be used to improve connections between PDAs and support more compact development while also achieving the other project objectives (listed in Table 1.2-2 of the Draft EIR) and avoiding environmental impacts on traffic congestion and air quality.
- C244-11: See Master Response B.1 and response C244-7 explaining that the aggregate desired housing growth by jurisdictions would not match projected population growth.
- C244-12: This comment does not raise environmental issues under CEQA. Fiscal impacts are beyond the scope of CEQA, which is concerned with physical environmental impacts. Note that all land development under the Plan is subject to local taxes and impact fees.
- C244-13: See Master Response B.1, which addresses the relationship between the 2013 Department of Finance (DOF) population projection and the Plan Bay area projection. As the master response indicates, ABAG reviewed the 2013 DOF projections and voluntarily collaborated with the DOF and the Department of Housing and Community Development (HCD) to explain the discrepancy between the two projections, and to affirm the reasonableness of the ABAG methodology used to produce the projection.
- C244-14: The commenter argues that a report attached to the comment—“Generational Projections of the California Population by Nativity and Year of Immigrant Arrival,” by John Pitkin and Dowell Myers (2012)—offers evidence suggesting that the population forecast in Plan Bay Area is inaccurate. This report is an analysis of demographic trends that includes a long-range projection for population growth for the entire State of California. It does not include

analysis or projections specific to the San Francisco Bay Area or any metropolitan areas within the state, which is a critical factor in developing a reasonable population forecast. The Bay Area, like the state's other regions, has a variety of unique demographic, economic, and other characteristics that affect the rate and composition of long-term growth. Given its lack of detailed analysis and projections data, this report does not provide substantial evidence to question the accuracy of the population forecast included in Plan Bay Area. See Master Response B.1 regarding population projections.

- C244-15: See response C244-14.
- C244-16: The population projections are total numbers including all housing types and affordability levels. SB375 requires MTC and ABAG to accommodate the region's population at all income levels. See response C244-1.
- C244-17: AB 32 and SB 375 are unrelated to the local tax base for housing development. The comment claims that the proposed Plan focuses on increased construction for affordable housing rather than jobs and transportation; this is unfounded. The proposed Plan includes substantial content focusing on the transportation investment strategy and land development blueprint for the region, as well as the project objectives. The increased investment in roadway and transit operations and maintenance rather than system expansion, concentration of land development into the transit-served PDAs, and placement of housing and jobs near one another are the primary strategies in the proposed Plan for reducing GHG emissions.
- C244-18: The Plan meets the region's future housing needs at all income levels and focuses such growth in areas with existing jobs and projected future increased employment opportunities.
- Pursuant to SB 375, an SCS must identify areas within the region sufficient to house all the population of the region, including all economic segments of the population. (Gov. Code § 65080(b)(2)(B)(ii).) The proposed Plan does so by producing a land use pattern that will accommodate HCD's Regional Housing Needs Determination (RHND) and through ABAG's and MTC's efforts to support additional affordable housing production. RHND is a separate process from Plan Bay Area. The proposed Plan would concentrate development in transit-served locations nominated by local jurisdictions as PDAs; see Master Response I regarding the PDA selection process. These locations are designated for growth under the proposed Plan as they would enable achievement of GHG emissions reductions due to reduced vehicle miles traveled, and would lessen environmental impacts due to the conversion of "greenfield" land on and beyond the urban fringe. Air quality and noise issues are analyzed and mitigated to a less than significant level when possible, as discussed in Chapters 2.2 and 2.6, respectively, of the Draft EIR.
- C244-19: Plan Bay Area is required per SB 375 to attain the GHG emissions reductions targets assigned to the Bay Area region by CARB while accommodating the region's anticipated growth. The proposed Plan also attempts to achieve the project objectives adopted by MTC and ABAG and listed in Table 1.2-2 of the Draft EIR, which cover issues such as air quality, cost of living, and transportation safety. The proposed Plan establishes a blueprint for the locations and density of future land development in the region based on Priority Development Areas designated by local jurisdictions. MTC and ABAG are indifferent to the type, style, appearance, or methods of development that local jurisdictions approve in order to implement Plan Bay Area, these are issues of local judgment. Furthermore, MTC and

ABAG cannot “force” local jurisdictions to implement the proposed Plan; see Master Response A.1 regarding local land use control.

- C244-20: See responses C244-1, -6, -12, -16, and -17.
- C244-21: The land development pattern in the proposed Plan shows the locations and intensities proposed by MTC and ABAG. See response C244-12 regarding local fiscal issues.
- C244-22: MTC and ABAG worked extensively with jurisdictions over multiple years to understand local social and environmental issues; one of the outcomes was a relatively low rate of growth proposed for the North Bay compared to the rest of the region. MTC must prepare an update of its regional transportation plan every four years, and SB 375 specifies such plan must include the sustainable communities strategy component which establishes a land development pattern for the region which all together would attain GHG emissions reduction targets. Implementation of the proposed Plan is voluntary at the local level, see Master Response A.1 on local land use control.
- C244-23: See Master Response D.1 which explains the assumptions and methods allowed under SB 375 to achieve the GHG emissions reduction target.
- C244-24: MTC and ABAG agree that additional housing development will increase GHG emissions due to the actions of new residents. However, the regional growth anticipated by MTC and ABAG will occur regardless of the proposed Plan, and SB 375 specifies that Plan Bay Area must achieve the GHG emission reductions targets while accommodating projected growth. If not for the latter provision, regions would likely attempt to stop or limit growth, thereby shifting it to other regions in unpredictable ways but without reducing net GHG emissions.
- C244-25: MTC and ABAG agree that people in the Bay Area have, and will continue to have under Plan Bay Area, the freedom to choose where they live. The comments about “free housing” are unclear, however. The proposed Plan provides modest subsidies toward affordable housing in order to reduce displacement and vehicle miles traveled. The commenter appears to be equating Plan Bay Area with the RHNA, which is a separate project as explained in response C244-1. To our knowledge the RHNA does not require “free housing,” as most affordable housing units charge monthly rent.
- C244-26: See Master Response B.1 on the growth projections.
- C244-27: See response C244-1; Plan Bay Area is not the RHNA.
- C244-28: SB 375 mandates that MTC and ABAG create such a plan. The Draft EIR evaluates three alternatives to the proposed Plan plus the No Project alternative (see Chapter 3.1) and finds that two of them (Alternatives 3 and 5) would also attain the GHG emissions reduction targets and a third (Alternative 4) is extremely close. The Draft EIR also identified Alternative 5 as the environmentally superior alternative rather than the proposed Plan.
- C244-29: See Master Response B.1 and responses C244-1, -6, -7, -11, -12, -16, -17, -18, -19, -23, and -26.
- C244-30: MTC and ABAG cannot “force” local jurisdictions to implement the proposed Plan; see Master Response A.1 regarding local land use control and response C244-23.

Letter C245 Peter Hensel (4/16/2013)

- C245-1: The biological resources chapter noted in the comment is purposefully focused on plant and non-human animal impacts. Impacts on people are included in other impact areas included in the Draft EIR (e.g., noise impacts on humans).
- C245-2: See Master Response A.1 regarding local land use control. Quality of life as a general concept is not an issue under CEQA. The Draft EIR includes chapters analyzing the proposed Plan's impacts on transportation, land use, noise, cultural resources, visual resources, and public services.
- C245-3: The comment states that the State should be doing more to encourage zoning to allow more second units. Zoning is determined by cities and counties. This comment relates to the definition of a housing unit for purposes of compliance with RHNA. RHNA is a separate process from the SCS and changes should be considered through HCD, ABAG and the RHNA process.
- C245-4: See Chapter 2.12 of the Draft EIR which includes a discussion of regional water supplies and generally found that the major regional water supply agencies had adequate supplies for the population projected. Note that the population growth expected in the region is independent of the proposed Plan and will occur even under the No Project scenario. Also see Master Response G regarding water supply.

It is beyond the expertise of MTC and ABAG to determine the impact of climate change on the State's water supplies and to make such estimation would be speculative. Rather, MTC and ABAG have appropriately relied on the latest Urban Water Management Plans by the region's water supply agencies, which are responsible for acquiring and managing adequate water supplies. Furthermore, any regional water supply issues brought on by climate change would not be an impact caused by the proposed Plan and would equally affect all possible alternatives to the Plan.

Your support for the No Project alternative is acknowledged.

Letter C246 Toni Shroyer (5/15/2013)

- C246-1: This comment fails to explain what environmental impact under CEQA has not been examined in the EIR or how the proposed Plan would result in such an impact. Building design is regulated by local jurisdictions and will be a matter of local county or city approval; see Master Response A.1 regarding local land use control.
- C246-2: For a discussion regarding relevant impacts to public services, please refer to the Draft EIR Chapter 2.14, Public Services.
- C246-3: These comments regard localized and specific impacts of land development design on crime prevention. This is a project-level issue and should be evaluated in project-level environmental review and/or local discretionary review; see Master Response A.3 regarding analysis required in a program EIR. All development under the proposed Plan is subject to local permitting, design guidelines, impact fees for public safety, and other land use controls; see Master Response A.1 regarding local land use control.

C246-4: The commenter's support for the No Project alternative is noted. MTC and ABAG have taken the commenter's suggestion under consideration.

Letter C247 Libby Lucas (5/16/2013)

C247-1: The comment notes that the commenter will submit detailed charts related to stream systems and waters. See the responses to Letter C162, which responds to commenter's subsequent submittal.

C247-2: See Master Response A.3 regarding the programmatic nature of the EIR. See also Master Response G regarding water supply.

Letter C248 Athena McEwan (5/8 /2013)

C248-1: Commenter does not assert any flaw in the Draft EIR, thus no response is required.

C248-2: Commenter's claim that the No Project alternative does nothing for reducing GHG emissions and is therefore not an allowable choice is not correct. The No Project alternative reduces GHG emissions per capita from passenger cars and light duty trucks, although not as much as the other alternatives and not to the degree necessary to achieve the SB 375 GHG emissions reductions targets established by CARB. Analysis of the No Project Alternative is required by CEQA.

C248-3: See Master Responses D1 and D2 regarding GHG emissions analysis. In addition, the commenter references detailed comments that were submitted by Robert Silvestri. See responses to comment letters C26 and C156.

Letter C249 Ada Marquez, Monica Nanez and Elizabeth Sarmiento (5/16/2013)

C249-1: See response to comment B22-2, responding to commenter's request for increased funding for transit services.

C249-2: See responses to comments B24-1.5, 2, 3 and 6 regarding the HOT Lanes Network.

C249-3: The proposed Plan invests 55 percent of all revenues in transit operations and maintenance. This includes capital replacement. As transit agencies update their fleets with new vehicles, they are upgrading technologies to continue to advance reduced emissions vehicles. In addition, the MTC Climate Initiatives Program includes future grant programs focused on innovative ways to reduce emissions. Transit agencies are able to apply for those grant funds.

C249-4: The proposed Plan is focused around Priority Development Areas, which focus growth around existing transit, including around rail that both currently runs and is anticipated to in the future run on electricity. The final comment about the importance of protecting remaining habitat is valid, and MTC and ABAG have included Priority Conservation Areas (PCAs) in the proposed Plan. See response to comment B17-38 for more information regarding the PCA program.

C249-5: The distribution of housing in the Draft Plan was adopted in May 2012 by the ABAG Executive Board and by the Commission as the Preferred Alternative in July 2012. This followed extensive consultation with local jurisdictions, stakeholders, and the general public.

The Draft Plan's housing distribution identifies the locations that can accommodate future growth, including the scale and type of growth most appropriate for different types of locations. It provides a more focused growth pattern for the region than historic trends and identifies locations for future housing growth while recognizing the unique characteristics of the Bay Area's communities.

Shifting low and moderate income housing to job and transit rich suburbs would likely require a dramatic increase in housing subsidies for which no funding source has been identified. Redistributing housing to greenfield suburban locations would likely increase pressure on open space and agriculture, and create a host of other environmental impacts. Redistributing housing to suburban locations also conflicts with SB 375's requirement to "utilize the most recent planning assumptions considering local general plans and other factors." (Government Code Section 65080(b)(2)(B).)

C249-6: See Master Response F regarding displacement.

C249-7: See Master Response A.1 regarding local land use control. Implementation of the proposed Plan will primarily occur at the local level. One program that is included in the proposed Plan to provide incentives for growth within the PDA framework is the OneBayArea Grant (OBAG) program. OBAG includes as a requirement for eligibility that the jurisdiction have an adopted housing element and an adopted complete streets policy.

Letter C250 Beverly Wood (5/16/2013)

C250-1: See Master Response C regarding requests for extension of the comment period.

Letter C251 Alexander Elko and Maiko Gardiner-Elko (5/15/2013)

C251-1: See Master Response C regarding requests for extensions to the comment period.

C251-2: See responses C84-1 and C84-3 regarding Marinwood.

C251-3: The Draft EIR includes an analysis of water supply in Chapter 2.8 and public utilities in Chapter 2.12. See also Master Response G regarding water supply.

Letter C252 Basia Crane (4/30/2013)

C252-1: See response to comment C25-2 regarding public services.

C252-2: See Master Response D.2 regarding the connection between high density housing and transit.

C252-3: The MTC Commission and ABAG Executive Board will vote to decide approval of the Plan. The MTC and ABAG boards consist of elected representatives from counties and cities within the region, therefore, MTC's and ABAG's decisions reflect the decisions of these elected officials.

Letter C253 Anonymous (4/22/2013)

C253-1: Your opposition to Plan Bay Area is acknowledged.

- C253-2: The MTC Commission and ABAG Executive Board will vote to decide approval of the Plan. The MTC and ABAG boards consist of elected representatives from counties and cities within the region, therefore, MTC's and ABAG's decisions reflect the decisions of these elected officials.
- C253-3: As Table 2.3-2 on p. 2.3-5 of the Draft EIR shows, single-family detached homes are expected to still be the housing type most in demand. As of 2010 just over half (56%) of housing in the Bay Area is single-family detached homes. Looking ahead, ABAG's economists expect that the demand for single family homes is expected to decline. See Appendix D of ABAG's Jobs-Housing Connection Strategy, May 2012, for an explanation of factors expected to reduce single-family home demand in the Bay Area, including lingering effects of the housing bubble, tightening credit standards, lower median household incomes, energy costs, changing rates of marriage, and changes in household size and composition. See also the Supplemental Report *Forecast of Jobs, Population and Housing* for more information on the housing projections.
- C253-4: The EIR is an environmental document that identifies potential environmental impacts and changes to the environment that could occur as a result of the proposed Plan. Economic impacts are beyond the scope of an EIR under CEQA. See response C255-1 and C255-5
- C253-5: The Draft Plan and assumptions included therein were developed over a multi-year planning process, including significant input from cities, counties, governmental agencies, nonprofit organizations, and the public, as well as expert consultants. Through this process there was significant review of the assumptions and analysis included in Plan Bay Area. In addition, CARB reviews the GHG emissions reductions methodology.
- C253-6: See response to comment C25-2 regarding public services.
- C253-7: This comment does not raise environmental issues requiring a response under CEQA.
- C253-8: See Master Response A.3 regarding the level of specificity of the program EIR.
- C253-9: Sea level rise was evaluated in detail in Chapter 2.5 of the Draft EIR; see also Master Response E. Seismic considerations were evaluated in Chapter 2.7 of the Draft EIR.

Letter C254 Patricia Moore (5/15/2013)

- C254-1: Your opposition to Plan Bay Area is acknowledged.
- C254-2: See Master Response A.1 regarding local land use control.
- C254-3: The comment raises concerns regarding the Plan requiring the commenter's city to comply with the proposed Plan in order to receive state or federal transportation funds. This comment relates to the OneBayArea Grant (OBAG) program. The OBAG program is 4.9 percent of the total funds included in the Draft Plan. In Contra Costa County, 70 percent of the County's OBAG funds are to be spent in or proximate to PDAs. The OBAG policies are designed to reward those jurisdictions that are accommodating growth in a focused manner. OBAG is the only funding program in the proposed Plan directly linked to compliance with the proposed Plan.

- C254-4: The EIR is an environmental document that identifies potential environmental impacts and changes to the environment that could occur as a result of the proposed Plan. CEQA does not require economic impacts to be evaluated as part of an EIR. That said, nothing in the proposed Plan requires or calls for eminent domain. Development of residential and employment land uses to meet regional growth would be undertaken by private developers under review and approval of local jurisdictions; see Master Response A.1 regarding local land use control.
- C254-5: See response C25-2 regarding public services. Local impacts such as those listed will be examined in project-level environmental analyses; see Master Response A.3 regarding the level of specificity in this regional-scale program EIR.
- C254-6: The MTC and ABAG boards consist of elected representatives from counties and cities within the region, therefore, MTC's and ABAG's decisions reflect the decisions of these elected officials.
- C254-7: See Master Response I regarding the PDA process. See also Master Response A.1 regarding local land use control.
- C254-8: See Master Response C regarding request for extensions of the comment period. The complexity of the Draft EIR was a consequence of the need to follow CEQA Guidelines on the areas of environmental concern identified during the public scoping process for the EIR.
- C254-9: The EIR is a disclosure document and not a policy document. The mitigation measures proposed in the EIR note that local policies that match or exceed in terms of environmental protection may be applied instead at the discretion of the lead agency. Further, as noted in Master Response A.1, MTC and ABAG do not have local land use control and thus the proposed Plan cannot legally take precedence over local laws.
- C254-10: MTC and ABAG followed CEQA requirements for public noticing of the EIR. See Chapter 1.2 of the Draft EIR for a description of the public participation process for development of the proposed Plan. Regarding public engagement for the EIR, please see Chapter 1.1 of the Draft EIR for a description of the Notice of Preparation and public scoping process and Section 1 of this Final EIR for a description of the public review process for the Draft EIR.
- C254-11: See Master Response A.2 regarding CEQA streamlining; such streamlining is State law based in SB 375 and beyond the scope of MTC, ABAG, and Plan Bay Area. See also Master Response A.1 regarding local land use control. The VMT tax is only a consideration as a component of Alternative 5. It is not being considered as a part of the proposed Plan, but commenter's opposition to the VMT tax is acknowledged.
- C254-12: Commenter's dislike of the phrase "reduce vehicle traffic" is noted.

Letter C255 Patricia Moore (4/22/2013)

- C255-1: The commenter's opposition to Plan Bay Area is noted. Implementation of the land development pattern in Plan Bay Area is voluntary; see Master Response A.1 regarding local land use control.

- C255-2: The MTC Commission and ABAG Executive Board will vote to decide approval of the Plan. The MTC and ABAG boards consist of elected representatives from counties and cities within the region, therefore, MTC's and ABAG's decisions reflect the decisions of these elected officials.
- C255-3: See responses C253-4 and C246-4 regarding MTC and ABAG staff's recommended revisions to the Draft Plan based on input received during the public comment period..
- C255-4: As Table 2.3-2 on p. 2.3-5 of the Draft EIR shows, single-family detached homes are expected to still be the housing type most in demand. As of 2010 just over half (56%) of housing in the Bay Area is single-family detached homes. Looking ahead, ABAG's economists expect that the demand for single family homes is expected to decline. See Appendix D of ABAG's Jobs-Housing Connection Strategy, May 2012, for an explanation of factors expected to reduce single-family home demand in the Bay Area, including lingering effects of the housing bubble, tightening credit standards, lower median household incomes, energy costs, changing rates of marriage, and changes in household size and composition. See also the Supplemental Report Forecast of Jobs, Population and Housing for more information on the housing projections.
- C255-5: The EIR is an environmental document that identifies potential environmental impacts and changes to the environment that could occur as a result of the proposed Plan. Economic impacts are beyond the scope of an EIR under CEQA. See response C255-1.
- C255-6: Sea level rise was evaluated in detail in Chapter 2.5 of the Draft EIR; see also Master Response E. Seismic considerations were evaluated in Chapter 2.7 of the Draft EIR.
- C255-7: See response C255-5.
- C255-8: See response to comment C25-2 regarding public services.
- C255-9: See Master Response A.2 regarding CEQA streamlining; such streamlining is State law based in SB 375 and beyond the scope of MTC, ABAG, and Plan Bay Area. See also Master Response A.1 regarding local land use control. The proposed Plan in no way prevents people from using their cars, rather it proposes a land development pattern that would place housing and jobs closer together and provide more people with the opportunity to walk, bike, and take transit.
- C255-10: See response C255-5. Also, rents are set by property owners based on market conditions and are not set by MTC or ABAG.
- C255-11: This comment does not include cites to the studies referenced. See Master Responses B.2 on the feasibility of the Priority Development Areas and H on UrbanSim and subsidies, as well as response C150-5.
- C255-12: The Draft Plan and assumptions included therein were developed over a multi-year planning process, including significant input from cities, counties, governmental agencies, nonprofit organizations, and the public, as well as expert consultants. Through this process there was significant review of the assumptions and analysis included in Plan Bay Area. In addition, CARB reviews the GHG emissions reductions methodology. Also see response C255-2.

C255-13: See Master Response D1 regarding the GHG emissions analysis included in the Draft EIR.

Letter C256 Sarah Butts (5/16/2013)

This letter forwards Letter C98 from Lisa Culbertson. See responses to C98.

Letter C257 Maria Protti (5/15/2013)

- C257-1: The Draft Plan and Draft EIR were readily accessible online (and thus available at most, if not all, Bay Area libraries on publicly accessible computers). Additionally, Section 1.2 of the final EIR provides a comprehensive list of the numerous libraries at which either hard copies or CD-ROMs of the Draft Plan and Draft EIR were available to the public during the comment period.
- C257-2: Please see section 1.2 of the Final EIR regarding availability of the Draft Plan and Draft EIR.
- C257-3: Please see Master Response B.1 regarding population projections.
- C257-4: Master Response B.1 references the methodologies and data sources relied upon in reaching job growth projections.
- C257-5: Please see Master Response B.1 regarding the discrepancies between the projections of these two agencies and the justifications for using ABAG's projections in the Draft Plan and Draft EIR.
- C257-6: Please see Master Response A.3 regarding the level of specificity required of a Program EIR. The scenarios described would not likely result in substantial changes in population growth at the regional level. Please see Master Response B.1 regarding the factors that were considered in formulating the population projections. Speculative scenarios are not properly factored into population projections.