

3.9 Oral Testimony at EIR Hearings

PUBLIC HEARING ON DRAFT EIR – SAN RAFAEL (4/16/2013)

D1-A Peter Hensel

- D1-A1: All development, whether under this Plan or otherwise, must comply with the Federal Endangered Species Act.
- D1-A2: The provision cited is just one of many possible measures listed under Mitigation 2.9(a) to be considered by implementing agencies and/or project sponsors based on project-and site-specific considerations. That measure might work best at project sites with available seating.
- D1-A3: Plan Bay Area must accommodate the regional growth expected through 2040. This growth is expected to occur with or without the proposed Plan. Regarding adequate water supplies, please see Chapter 2.12 of the Draft EIR and Master Response G.

D1-B Richard Hall

- D1-B1: MTC and ABAG acknowledge your frustration. Regarding the instances you cited, these are part of local planning efforts in San Rafael and beyond the decision-making ability of MTC and ABAG. 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.
- D1-B2: Traffic reduction trends such as greater telecommuting were incorporated into MTC's transportation model for the proposed Plan and all the alternatives. See response C151-20 for more information on telecommuting. Regarding new car technologies, please see Master Response D.1 for details on the limits of what Plan Bay Area is allowed to include in reaching the SB 375 target.
- D1-B3: Your support for the No Project alternative is acknowledged.

D1-C Clayton Smith

- D1-C1: Regardless of any differences of opinion on the causes and existence of climate change, Plan Bay Area is bound to adhere to the GHG emissions reductions targets established by SB 375.
- D1-C2: See Master Response B.1 for explanation of the different population projections provided by ABAG and the California Department of Finance.

- D1-C3: The Draft EIR notes on p.1.2-52 that, “MTC and ABAG do not have land use authority. Implementation of the land use strategy will require its adoption by the local jurisdictions in the Bay Area; local governments (the nine counties and 101 cities of the region) have sole authority to create and implement land use plans.” See Master Response A.1 for additional information regarding local control over land use.
- D1-C4: The budget for the transportation investments comes from multiple sources including the State and federal governments as well as local funds and fees. MTC does not set the budget, but rather must create a regional transportation plan (RTP) that is financially constrained to the anticipated budget. This budget is substantially similar to the budgets in prior RTPs.
- D1-C5: See Master Response A.1 regarding local control over land use. Your opposition to the proposed Plan is acknowledged.

D1-D Carolyn Lement

- D1-D1: See Master Response C regarding the request to extend the public comment period.
- D1-D1.5 See Master Response D.2 for an explanation of the connection between high-density housing and reduced greenhouse gas emissions.
- D1-D2: The comment refers to placing housing in landslide-prone areas, the risks of which are assessed in Chapter 2.7, Geology and Seismicity. Impact 2.7-4 discusses exposure of people or structures to substantial risk related to landslides.
- D1-D3: Plan Bay Area has allocated growth to areas throughout the region where land development is feasible, where it may support transportation options that reduce greenhouse gas emissions, and where environmental impacts can be avoided or mitigated, as feasible. The comment makes reference to development on areas where there are toxic sites (discussed in Chapter 2.13, Hazards), where air pollution may have adverse health effects (discussed in Chapter 2.2, Air Quality), and near cell phone towers (not discussed in this EIR, as it is not an issue area covered by CEQA). For toxic sites and air quality, impacts are assessed and mitigation measures provided that would reduce most of these impacts to a less than significant level, and further site-specific mitigation may be identified by the further environmental review required of all individual projects. This EIR only assesses the entire proposed Plan at a regional level. See Master Response A.3 regarding the level of specificity in the program EIR.

MTC and ABAG respectfully disagree with the statement that the EIR process has been “scripted from the beginning.” See Chapter 1.2 of the Draft EIR for a description of the public participation process for development of the proposed Plan.

- D1-D4: The planning and environmental review processes have been going on for several years. 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 EIR already includes Alternatives 4 and 5 developed by outside parties – see Chapter 1.2 of the Draft EIR for a description of the Plan development process and Chapter 3.1 for a description of the alternatives screening process.

D1-E Nona Dennis

D1-E1: See Master Response B.1 for more information regarding population projections, including a discussion of the relationship between ABAG and DOF projections.

D1-E2: Growth-inducing impacts of the Plan, including job growth, are discussed in Chapter 3.2 of the Draft EIR, beginning on page 3.2-4. See Master Response A.3 regarding the level of specificity in the Program EIR.

D1-E3: See Master Response E for more information regarding sea level rise, including a discussion of the projection year chosen for this issue area.

D1-F Susan Kirsch

D1-F1: 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.

D1-F2: Per CEQA regulation 15126.6, “If the environmentally superior alternative is the ‘no project’ alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives.” However, in the case of this EIR, Alternative 5, not the No Project alternative, was found to be the environmentally superior alternative – see Chapter 3.1 of the Draft EIR for a comparative impact analysis of all the alternatives and the explanation for the selection of the environmentally superior alternative.

D1-F3: Local control over land use decisions will be maintained and local jurisdictions’ decisions to amend their general plans to achieve consistency with Plan Bay Area are entirely voluntary. See Master Response A.1 for more information regarding local control over land use.

D1-F4: The comment refers to the Plan, rather than the Draft EIR, which provides environmental assessment of the Plan. However, the comment is correct in its statement regarding targets for equitable access. In the *Plan Bay Area Draft Performance Assessment Report* published by MTC in March 2013, it was found that the proposed Plan is expected to increase the share of low-income and lower-middle income residents’ household income consumed by transportation and housing by three percent. While this result moves in the opposite direction from the Plan’s objective, the proposed Plan would perform better than the No Project alternative, which is estimated by the same report to increase this metric by eight percent. In other words, the proposed Plan provides a beneficial rather than deleterious impact compared to the No Project alternative

Page 109 notes that the proposed Plan would result in a two percent increase in percent of income spent on housing and transportation by low-income households, and a two percent increase for all other households, but it also shows that the proposed Plan outperforms the No Project alternative on both measures, which would increase the percent of income spent by eight percent for low income households and three percent for all other households. These findings suggest that this issue would worsen without the proposed Plan.

D1-G Linda Rames

D1-G1: As the regional transportation agency and decision-maker on the Plan, MTC is the appropriate CEQA lead agency for Plan Bay Area. This is similar to cities or counties being the lead agencies for their general plans. It should be noted that ABAG and MTC are joint lead agencies for Plan Bay Area.

D1-H Al Dugan

D1-H1: See Master Response C regarding the request to extend the public comment period.

D1-H2: See Master Response B.1 for more information on development of population projections. This response includes a discussion of the relationship between ABAG and DOF projections, as well as migration assumptions.

D1-H3: See Master Response B.1 for more information on development of population projections and allocation of growth.

D1-I Harry Brophy

D1-I1: Maintenance of water conveyance systems in Marin County is the responsibility of the Marin Municipal Water District and other water suppliers. If there is an existing issue with their pipe capacity, that issue and related impacts are not caused by the proposed Plan, and should be a capital project included in its Urban Water Management Plan. Furthermore, Mitigation Measure 2.12(h) of the Draft EIR states that, “For projects that could increase demand on water and wastewater treatment facilities, project sponsors shall coordinate with the relevant service provider to ensure that the existing public services and utilities could be able to handle the increase in demand. If the current infrastructure servicing the project site is found to be inadequate, infrastructure improvements for the appropriate public service or utility shall be identified in each project’s CEQA documentation. The relevant public service provider or utility shall be responsible for undertaking project-level review as necessary to provide CEQA clearance for new facilities.” 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. However, any project seeking CEQA streamlining under SB 375 will have to apply Mitigation Measure 2.12(h).

D1-I2: MTC and ABAG are the lead agencies for this EIR. Please see Master Response A.1 for more information regarding local control over land use.

D1-I3: See comment D1-I1.

D1-J Ray Day

D1-J1: This EIR evaluates Plan Bay Area as a single, regional plan and assesses its impacts at a regional level across all nine counties, which is consistent with CEQA provisions regarding program EIRs. The individual projects that may result from the Plan—transportation improvements and land use development—will require their own individual environmental analyses. A county-level evaluation of the proposed Plan and its impacts would be at a greater level of detail than required by law. 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. See Master Response A.3 regarding the level of specificity in the EIR.

D1-J2: Impacts on schools as a result of growth are discussed in Chapter 2.14, Public Services and Recreation. Although the California public school system is under the policy direction of the Legislature, the California Department of Education relies on local control for the management of school districts. School district governing boards and district administrators allocate resources among the schools of the district. Regional growth, which is anticipated to occur regardless of the implementation of the proposed Plan, will require the expansion of public school facilities throughout the region. Because standards for both public schools are determined at the local level, and because impacts on existing facilities would vary substantially throughout the region, it is infeasible for this EIR at the regional scale to determine the exact scale and location of impacts on school districts region-wide. At the local level, school impact fees may be used by local school districts to build new or expand existing schools to accommodate new enrollment. Chapter 1.1 of the Draft EIR notes that, “CEQA streamlining benefits 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.” This would include impact fees, and would obviously extend to non-streamlined development that tiers off this EIR as well.

While housing affordability is a concern of Plan Bay Area, the Plan does not go so far as to mandate affordability levels of potential development on specific sites. Local governments retain control over the right to approve proposed development projects within their jurisdiction; please see Master Response A.1 regarding local control over land use.

D1-K Margaret Kettunenzesar

D1-K1: The comment is correct to note that some PDAs intersect with mapped 100-year flood hazard areas. Impacts and mitigation measures pertaining to this topic are discussed in Chapter 2.8, Water Resources.

D1-K2: Impacts related to climate change are discussed for the entire region, including areas where population growth is anticipated to occur. More detailed project-level assessments may be required for individual sites or projects. Please see Chapter 2.5, Climate Change, for a discussion of related impacts and mitigation measures. See also Master Response D.1 regarding SB 375’s GHG reduction targets.

D1-K3: Impacts on the regional transportation system are discussed in Chapter 2.1. However, the impacts discussed are regional in nature, and individual roadways are not analyzed specifically. Projects in and around Marin County will have to analyze impacts on relevant roadways in their individual environmental review. At the same time, it is a goal of Plan Bay Area to promote development of housing in such a way that transit is better supported, to offer transportation alternatives to congested highways. See Master Response A.3 regarding the level of specificity in the EIR.

D1-K4: Economic impacts are not an environmental issue area under CEQA and thus are not analyzed in this EIR.

D1-L Pam Drew

D1-L1: See Master Response B.1 for more information regarding population projections and the relationship between DOF and ABAG growth forecasts.

D1-L2: Please see Master Response G for more information on water supply. Regarding Bay encroachments, the Draft EIR notes in Mitigation Measure 2.9(h) that all development under the proposed Plan would need to be in conformance with the applicable local coastal program or San Francisco Bay Plan and involve the California Coastal Commission or BCDC as early as possible in the project-level EIR process. See Master Response E for more information on sea level rise. In addition, MTC and ABAG respectfully disagree that homeowners, as a group, have not been heard in the planning process. 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.

D1-M Jean Rieke

D1-M1: This comment concerns the substance of Plan Bay Area itself, not the Draft EIR, which provides environmental review of that plan. This comment does not raise environmental concerns under CEQA. With regards to the comment that mentions top-down government and local control, please refer to Master Response A.1 for more information on local control of land use and environmental review.

D1-N Nancy Ocada

D1-N1: 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.

D1-N1.5: The comment concerns economics, which is not an environmental issue area under CEQA and thus is not analyzed in this EIR. See Master Response B.2 regarding PDA feasibility.

D1-N2: CEQA streamlining is an aspect of SB 375 and is described in more detail in Master Response A.2.

D1-N3: Your support for the No Project alternative is acknowledged.

D1-O Robert Chilvers

D1-O1: Plan Bay Area and the EIR do not make recommendations for specific development projects on specific sites. The general locations for future land use development are mostly Priority Development Area (PDAs), which were defined voluntarily by local jurisdictions. The Draft EIR contains an analysis of conflicts with existing visual and cultural resources, such as architecture, in Chapters 2.10 and 2.11 and includes mitigation measures as appropriate, although MTC and ABAG lack land use authority so implementation of those measures is the responsibility of the local land use jurisdiction. Please see Master Response A.1 regarding local control over land use for more detail on this topic. Additionally, this EIR analyzes impacts at a regional scale and did not evaluate traffic impacts on US 101 in particular; specific projects will be required to analyze impacts at the local level in project-level environmental assessments. See Master Response A.3 regarding the level of specificity in the EIR.

D1-P Elizabeth Moody

D1-P1: MTC and ABAG acknowledge your support for the regional planning process.

D1-Q Margaret Nan

D1-Q1: This comment concerns the substance of Plan Bay Area itself, not the Draft EIR, which provides environmental review of that plan. This comment does not raise environmental concerns under CEQA.

D1-Q2: Impacts on schools as a result of growth are discussed in Chapter 2.14, Public Services and Recreation.

D1-R Ann Spake

D1-R1: MTC and ABAG respectfully disagree that profitability of development of individual sites was a determining factor in allocating growth throughout the region. The distribution of housing units and jobs in the Draft Plan takes into account a variety of factors—including input from jurisdictions, level of transit service, Vehicle Miles Travelled by Household, in-commuting by low-wage workers, housing values, existing employment, and concentration of knowledge-based economic activity. In some cases, the distribution assumes changes in local conditions over the next three decades, and is not constrained by existing zoning. This approach was a key element of creating a distribution of jobs and housing growth that achieved the region's Greenhouse Gas Emissions reduction target.

MTC and ABAG assume the comment about healthy housing refers to the air quality analysis in Chapter 2.2 of the Draft EIR. The analysis includes mitigation measures that

would reduce most impacts to a less than significant level—if implemented by local land jurisdictions—although that would not be possible in all instances. The EIR does note that impacts on future sensitive receptors may need to be evaluated in project-level environmental review, which could recommend additional mitigation measures depending on the location, design, and other factors of that individual project. See Master Responses A.1-A.3 regarding local control over land use, CEQA streamlining, and the level of specificity in the EIR.

The comment is correct to state that the proposed Plan would include more roadways subject to potential sea level rise than the No Project alternative, as well as Alternative 5. The proposed Plan would include a comparable number of transportation projects subject to sea level rise as Alternatives 3 and 4; Table 3.1-56 in the Draft EIR has been corrected in Section 2 of this Final EIR to show that the No Project alternative is the environmentally superior alternative for Impact 2.5-5. See Master Response E regarding sea level rise.

D1-R2: The comment is correct to state that the proposed Plan of all the alternatives would place the most residents within low-lying areas at risk of inundation due to sea level rise, that the proposed Plan does not have the least impact with regards to air quality (that is Alternative 5), and that the EIR does not examine the effects on air quality from specific land use or transportation improvements in the proposed Plan. The 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. The individual projects that may result from the Plan (transportation improvements and land use development) will require their own individual environmental analyses. Impacts have been assessed at a regional level and a conceptual localized level. County level information has been provided in the EIR when feasible for informational purposes. See Master Responses A.1-A.3 regarding local control over land use, CEQA streamlining, and the level of specificity in the EIR.

D1-R3: The comment is correct to state that the analysis finds a net increase in emissions of PM₁₀ and TACs from mobile sources compared to existing conditions, and that under the proposed Plan a net increase in sensitive receptors' exposure to TACs in TPP corridors could occur. Contrary to the comment's assertion that the EIR considers this to be no adverse impact, the EIR recognizes these impacts to be significant and unavoidable. Please see Chapter 2.2 of the Draft EIR for more information. Chapter 3.1 also concluded that all significant and unavoidable air quality impacts under the proposed Plan would also be significant and unavoidable under the No Project alternative as well as all other alternatives.

D1-R4: The comment is correct to state that implementation of the proposed Plan could result in a localized larger increase or smaller decrease of TACs and/or PM_{2.5} emissions in disproportionately impacted communities compared to the remainder of the Bay Area communities. The EIR has determined that this is a significant and unavoidable impact. However, the impact is also significant and unavoidable for all other alternatives as well, including the No Project alternative. See Master Response F regarding regional displacement and the Equity Report included in Appendix 1 of Plan Bay Area for information regarding efforts to address this issue.

D1-R5: Contrary to the comment, the Draft EIR found that increases in traffic volumes would generally be the result of projected growth that will occur with or without the Plan, and that compared to the proposed Plan, conditions under the No Project alternative would result in substantially greater commute travel times, slightly longer non-commute travel times, substantially greater congestion, and significantly greater vehicles miles travelled. As a result, the proposed Plan would provide a positive rather than deleterious effect on traffic (see Table 3.1-56 of the Draft EIR). Also contrary to the comment, Chapter 2.5 of the Draft EIR also found that the proposed Plan would result in a decrease in GHG emissions. The Plan does not propose the “dense structures with many small single units” that you mention but rather proposed a land use development pattern and references expected demographic trends which will both likely lead to greater development of attached townhouses and multi-family units, which could include many different types of housing and size, and does not mandate the type of housing to be built.

D1-S Julie Leitzell

D1-S1: The comment does not raise environmental issues under CEQA. However, for more information regarding local control over land use, please see Master Response A.1.

D1-T Carol Sheerin

D1-T1: MTC and ABAG acknowledge your comment regarding the importance of public participation in this process. 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.

D1-U Sue Beittel

D1-U1: The comment does not raise environmental issues that require a response under CEQA.

D1-V Joy Dahlgren

D1-V1: See Master Response A.1 regarding local control over land use planning and Master Response D.2 regarding GHG reduction benefits of transit oriented development.

D1-W Vincent Welch

D1-W1: The comment does not raise environmental issues that require a response under CEQA.

D1-X Brendan Burke

D1-X1: See Master Response B.1 for more information regarding growth projections and the relationship between DOF and ABAG data.

D1-X2: The commenter is incorrect in stating that SB 375 is a non-compulsory guideline and not State law. SB 375 was adopted as State law in 2008, and as regional transportation and planning agencies, MTC and ABAG are required to comply. (See Government Code § 65080(b)(2), *et seq.*) However, local jurisdictions such as Marin County will maintain control over local land use decisions. Please see Master Response A.1 for more information on this distinction.

D1-X3: MTC and ABAG acknowledge your comment regarding the importance of public participation in this process. 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.

D1-Y Jim Bitter

D1-Y1: The comment does not raise environmental issues that require a response under CEQA.

D1-Z Barbara Salzman

D1-Z1: 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 such, impacts on specific locations, such as biological resources along the US 101 corridor, are more appropriately dealt with as part of detailed local analyses. Endangered species and critical habitats are explicitly discussed in the Draft EIR in Chapter 2.9, Biological Resources. However, the level of analysis should again be noted: the 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.2 for more information on further environmental review that will be required of individual projects and Master Response A.3 regarding the level of specificity in the EIR.

D1-Z2: See Appendix J of the Draft EIR, added through Section 2 of this Final EIR, for a full list of PDAs.

D1-Z3: While it is beyond the scope of this EIR to address past decisions of MTC and ABAG, one intention of the proposed Plan is to tie a small amount of grant funding from MTC and ABAG, under the OneBayArea Grant (OBAG) program, to planning for infill development within Priority Development Areas (PDAs). OBAG directs approximately 4.9 percent of total funding in Plan Bay Area to the Congestion Management Agencies to support implementation of the Plan. In the case of North Bay Congestion Management Agencies (CMAs) such as the Transportation Authority of Marin, 50 percent of these OBAG funds are required to be spent on projects in or linked to PDAs. The proposed Plan would not prohibit MTC and ABAG from providing money toward a project such as development around the Larkspur ferry terminal; however, as described above, eligibility for some OBAG funding is contingent upon a project being located in or serving a PDA.

D1-AA Stephen Nestel

D1-AA1: 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.

D1-BB Marjorie Macris

D1-BB1: The impact of sea level rise on Priority Development Areas is discussed in Impact 2.5-6, starting on page 2.5-68 in Chapter 2.5, Climate Change and Greenhouse Gases. See Master Response E for more information regarding sea level rise, including a discussion of the projection years used.

D1-BB2: See Master Response E for more information regarding sea level rise, including a discussion of the projection years used. See also Master Response A.3 regarding the level of specificity in the EIR.

D1-CC Lilie Crocker

D1-CC1: The comment does not raise environmental issues requiring a response under CEQA.

D1-DD Susan Wernick

D1-DD1: 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.

PUBLIC HEARING ON DRAFT EIR – OAKLAND (4/16/2013)

D2-A Charlie Cameron

D2-A1: The comment does not raise environmental issues that require a response under CEQA.

D2-B Myesha Williams

D2-B1: Your support for Alternative 5 is acknowledged. Regarding the comment that the Draft EIR does not adequately analyze the VMT and GHG reduction that this alternative would offer, all alternatives have been analyzed at a lesser level of detail than the proposed Plan. Per CEQA Guidelines section 15126.6(d), the impacts of the alternatives may be discussed “in less detail than the significant effects of the project proposed.” The Guidelines also permit analysis of alternatives at a less detailed level for program EIRs, compared to project EIRs. The Guidelines do not specify what would be an adequate level of detail. Quantified information on the alternatives is presented where available; however, in some cases only

partial quantification can be provided because of data or analytical limitations. Detailed tables comparing traffic impacts of the alternatives are included in Chapter 3.1 of the Draft EIR (pages 3.1-24 to 31) and GHG emissions due to transportation and land use are quantified for all alternatives in Chapter 3.1, beginning on page 3.1-57; some of these have been revised as shown in Section 2 of this Final EIR. See responses B25-21 through B25-23 regarding the adequacy of the EEJ alternative.

Reductions in VMT can be provided in a variety of ways. Reduction associated with the integration of transportation and land use planning generally require a combination of frequent, reliable transit along with land use development that is oriented to utilize this transit service. See Master Response D.2 for more on this issue. Plan Bay Area is tasked with more than reducing VMT, but must also provide transportation for many different locations and users around the region.

MTC and ABAG respectfully disagree with the assertion that Alternative 5 is the best option at reducing VMT; the Draft EIR in Chapter 3.1 found that the proposed Plan has the greatest decline in per capita VMT of the alternatives, while Alternative 5 has the largest decline in overall VMT. MTC and ABAG acknowledge that Alternative 5 would result in the highest levels of transit ridership.

D2-C Devilla Ervin

D2-C1: See Master Response F for more information regarding displacement. Your support for Alternative 5 is acknowledged. Your request to incorporate measures as proposed in Alternative 5 will be considered by decision-makers as part of the EIR certification process and action on the proposed Plan.

D2-D Brenda Barron

D2-D1: This issue is addressed in Chapter 2.1 of the Draft EIR, which analyzes transit capacity exceedance under Impact 2.1-5, and which found that the proposed Plan would have no adverse impact on transit capacity on a regional level. However, it is acknowledged there may be instances of local crowding not captured in the analysis. See Mater response A.3 regarding the level of specificity of this program EIR. The Draft Plan increases daily transit seat-miles by 27 percent, including a 10 percent increase in local bus daily seat-miles and a 29 percent increase in heavy rail daily seat-miles, as shown on page 2.1-27 of the Draft EIR. Much of this additional transit service is targeted to improve the region's busiest transit services. Many of the busiest Muni, AC Transit, and VTA bus lines will be upgraded to bus rapid transit service with greater frequency and an improved rider experience. The heavy rail BART system will also benefit from additional frequency within the urban core of the system, as a result of investments in the BART Metro Program.

As shown on page 2.1-37 under impact criteria 2.1-5, no significant regional transit capacity impacts are expected under the Draft Plan, as regional transit utilization remains well below the 80 percent threshold. While the Environment, Equity, and Jobs alternative has a slightly lower potential for transit vehicle crowding, as noted on page 3.1-20, "no alternatives evaluated have issues with excessive regional transit demand – for all modes during all time

periods, transit utilization levels remain well below the 80 percent exceedance threshold. All alternatives are expected to have no adverse impact related to transit utilization.”

D2-E Pamela Tapia

D2-E1: See Master Response F for more information regarding displacement and Master Response B.1 for more information regarding the population projections.

D2-E2: This issue is addressed in Master Response F on displacement. The analysis in the Draft EIR supports the conclusion that the Plan maintains the current proportion of the work force that in commutes to the region. See responses B7-9 and B7-12 for more information on in-commuters.

D2-F Woody Little

D1-F1: For information regarding displacement, see Master Response F.

D1-F2: Your support for Alternative 5 is acknowledged. See responses B25-21 through B25-23 regarding the adequacy of the EEJ alternative.

D1-F3: See Master Response F for more information regarding displacement.

D2-G Teadora Taddeo

D2-G1: Your support for Alternative 5 is acknowledged.

D2-H Signe Mattson

D2-H1: 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.

D2-H2: Food security is not an environmental impact caused by the Plan that requires analysis under CEQA. Please see Master Response A.3 regarding the level of specificity in the EIR.

D2-H3: See Master Response A.2 for more information regarding CEQA streamlining. This streamlining is a component of SB 375 and is not under the purview of MTC and ABAG or this EIR.

D2-H4: Installation of air filtration to reduce cancer risks and PM exposure for residents, and other sensitive populations, in buildings that are in close proximity to freeways, major roadways, diesel generators, distribution centers, railyards, railroads or rail stations, and ferry terminals is one mitigation measure identified in Chapter 2.2, Air Quality, to reduce the impacts on sensitive receptors from stationary and mobile sources of TACs and PM_{2.5}. Like all mitigation measures identified in the proposed Plan, this can be considered by implementing agencies and/or project sponsors where feasible based on project-and site-specific

considerations, but does not represent the only possible or appropriate mitigation measure to address these impacts. See Master Response A.1 and A.2 regarding local control over land use planning and CEQA streamlining.

- D2-H5: Implementation of the proposed Plan would accommodate an increase over existing conditions in the number of residents living in areas subject to sea level rise. The EIR identifies mitigation measures and adaptation strategies that would lessen the impacts associated with sea level rise, but because MTC and ABAG cannot force local implementing agencies to adopt relevant mitigation measures, and because there may be instances in which site-specific or project-specific conditions preclude the reduction of all project impacts to less than significant levels, this impact remains significant and unavoidable for all the proposed Plan and all alternatives. See Master Response E for more information on sea level rise. See Master Responses A.1, A.2, and A.3 regarding local control over land use planning and CEQA streamlining. Your support for Alternative 5 is acknowledged.

D2-I Kasey Saeturn

- D2-I1: The comment does not raise environmental issues requiring a response under CEQA. 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). The proposed Plan allocates \$15 billion to maintain and sustain the existing system which includes money to fully fund timely transit vehicle replacement; see Chapter 1.2 of the Draft EIR for more details.

D2-J Jill Ratner

- D2-J1: Please see Chapter 2.1 of the Draft EIR, which analyzes transit capacity exceedance under Impact 2.1-5, and which found that the proposed Plan would have no adverse impact at a regional level. However, it is acknowledged there may be instances of local crowding not captured in the analysis. See Mater response A.3 regarding the level of specificity of this program EIR. Refer to the response D2-D1 regarding the Draft Plan's investments in public transit and the determination of no adverse impacts as a result of regional transit utilization in any EIR alternative. Refer to the response A22-5 regarding the Draft EIR's focus on regional, rather than localized, transit capacity constraints. Page 2.1-36 of the Draft EIR specifies the rationale for the 80 percent utilization threshold, as this would represent the point where it would be difficult for transit passengers across the region to find a seat.

- D2-J2: Your request to incorporate measures as proposed in Alternative 5, they will be considered by decision-makers as part of the EIR certification process and action on the proposed Plan. Without more specific information provided on what aspect of the assumptions pertaining to cross-commuting, end-commuting, and the transportation impacts of additional ridership should be reassessed, this response cannot provide a specific answer to the comment.

D2-K Evelyn Stivers

- D2-K1: The comment largely concerns funding for transportation and affordable housing, which is not an environmental issue under CEQA. See Master Response D.2 for information

regarding the connection between high-density housing near transit and reduced greenhouse gas emissions.

D2-L Peter Singleton

D2-L1: See Master Response F for more information regarding displacement.

D2-L2: D2-L2: The Draft Plan increases daily transit seat-miles by 27 percent, including a 10 percent increase in local bus daily seat-miles and 20 percent increase in express bus daily seat-miles, as shown on page 2.1-27 of the Draft EIR. While the Draft Plan does include substantial investments into new rail lines across the region, it also provides funding for major bus improvements through new bus rapid transit lines on the most heavily-used existing Muni, AC Transit, and VTA bus routes. These investments will improve service frequencies for existing and new riders, and many will provide service to low-income Communities of Concern.

D2-M Public Speaker

D2-M1: The revenue estimates for the proposed Plan includes \$14 billion in “anticipated/unspecified” revenues. 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. 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.

D2-M2: See Master Response B.1 regarding population projections, including a discussion of DOF and ABAG data.

D2-M3: To the extent that historic urbanization patterns have influenced the built and natural environment in a manner relevant to the environmental analysis contained in this EIR, this issue has been discussed. For more information on displacement, please refer to Master Response F.

D2-N Jim Bitter

D2-N1: The comment does not raise environmental issues requiring a response under CEQA. For information regarding local control over land use planning, see Master Response A.1.

D2-O Azibuike Akaba

D2-O1: See Master Response F for more information regarding displacement.

D2-O2: MTC and ABAG appreciate your support for the EIR's consideration and analysis of diesel in the air quality section.

D2-P Rachel Hallowgrass

D2-P1: Your opposition to the No Project alternative and the other plan alternatives is acknowledged.

PUBLIC HEARING ON DRAFT EIR – SAN JOSE (4/17/2013)

D3-A Ivana Yueng

D3-A1: See response A19-1. This EIR evaluates Plan Bay Area as a single, regional plan and assesses its impacts at a regional level across all nine counties, which is consistent with CEQA provisions regarding program EIRs. The individual projects that may result from the Plan's transportation improvements and land use development will require their own individual environmental analyses consistent with CEQA. A county-level evaluation of the proposed Plan and its impacts would be at a greater level of detail than is appropriate at this point in the planning process. Impacts have been assessed with the proper level of detail at a regional level and a conceptual localized level.

County level information has been provided in the EIR when feasible solely for informational purposes. Please see Master Response A.3 regarding the level of specificity in the EIR.

D3-B Ed Mason

D3-B1: The Plan states that as the population ages, some people will downsize and seek better access to services which could increase demand for multifamily housing in transit served locations. For example, according to the University of Southern California Population Dynamics Research Group's The 2010 Census Benchmark for California's Growing and Changing Population (2011), people aged 55 and over are more likely to prioritize public transportation walking, access to shops and services and multifamily housing than do other age groups. Research by the Urban Land Institute and others also suggests increased demand for multifamily housing in part due to an aging population.

D3-B2: Corporate shuttle buses have recently become an important part of the regional transportation system. As these vehicles are not open to the general public, they are not included in the public transit mode analyzed as part of Plan Bay Area; instead, they are viewed as private vehicles using the regional highway system (similar to passenger and freight vehicles). Furthermore, as they are funded by private entities rather than the federal, state, and local funding sources that compose the Draft Plan Bay Area, it cannot be assumed that these vehicles continue to operate in the future. Therefore, it would be inadvisable for the

Draft EIR to include the congestion relief and air quality benefits of these corporate shuttles given that they are dependent on the continued support of individual corporations over the next three decades.

The Draft Plan does include a substantial increase in public shuttle buses as a key element of the enhancing the region's public transit system (refer to RTP ID #22268). In particular, the present-day network of public shuttle buses connecting to Caltrain stations is proposed to be expanded to better connect transit nodes with major employment, retail, and residential areas in San Mateo County. These vehicles help to address existing issues related to the "last mile" problem, where major activity sites are not located proximate to a high-capacity transit station but instead require a short-distance (generally between 1-3 miles) transit connection.

D3-B3: See Master Response E for more information regarding sea level rise.

D3-B4: See responses D3-B1 and D3-B2.

D3-C Michael Ludwig

D3-C1: The list of transportation projects in the proposed Plan is in Appendix C of the Draft EIR. These projects were selected by MTC in May 2012; please refer to the Draft Transportation Investment Strategy on the OneBayArea website at <http://onebayarea.org/related-materials/Document-Archive.html>

D3-D Don Conners

D3-D1: The comment does not raise environmental issues that require a response under CEQA.

D3-E Hilda Lafebre

D3-E1: In addition to the proposed Plan, the EIR evaluates four alternatives, one of which is the No Project alternative.

D3-F Jim Bitter

D3-F1: The comment does not raise environmental issues that require a response under CEQA. Concerning the adequacy of the public outreach process, 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.

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