



Public Hearing: San Francisco

This document includes the complete transcript provided by the court reporter.

**Transcript from San Francisco Public Hearing - May 12, 2017
Bay Area Metro Center
375 Beale Street
San Francisco**

JOINT MTC PLANNING COMMITTEE
WITH THE ABAG ADMINISTRATIVE COMMITTEE

RE: PLAN BAY AREA 2040
PUBLIC HEARING

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REPORTER'S TRANSCRIPT OF PROCEEDINGS

Friday, May 12, 2017

Bay Area Metro Center

375 Beale Street, San Francisco, California 94105

Taken before AMBER EMERICK

Certified Shorthand Reporter No. 13546

State of California

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A P P E A R A N C E S

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1 STAFF
2 KEN KIRKEY
3 KEN MOY
4 BRAD PAUL
5 ALIX BOCKELMAN
6 ADRIENNE WEIL
7 STEVE HEMINGER
8 MARTHA SILVER

9
10 BE IT REMEMBERED that pursuant to Notice of the
11 Hearing, and on Friday, May 12, 2017, commencing at
12 11:03 a.m., thereof, at the Bay Area Metro Center, 375
13 Beale Street, San Francisco, California 94105, before me,
14 AMBER EMERICK, CSR No. 13546, a Certified Shorthand
15 Reporter in and for the State of California, there
16 commenced a public hearing.

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1 Friday, May 12, 2017

11:03 a.m.

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P R O C E E D I N G S

4 (Whereupon, a portion of the meeting was held and has not
5 been transcribed.)

6 COMMISSIONER SPERING: We'll now move on to Item
7 No. 5. This is public hearing on the Draft Bay -- Plan
8 Bay Area 2040, the MTC Planning and ABAG Administrative
9 Committees will conduct a public hearing to receive oral
10 comments on the Draft Plan Bay Area 2040 this morning.

11 And at this time, I'd like to call the public
12 hearing to order. We are conducting it in two distinct
13 portions this morning. The first will cover the Draft
14 Plan Bay Area 2040, and the second will focus on the
15 associated Draft Environmental Impact Report.

16 Both of these documents are out for public review
17 and comment until June 1st. This is the first of three
18 such hearings. Others are scheduled for Tuesday, May
19 16th, from 6:00 to 8:00 p.m., at San Jose State; and on
20 Thursday, May 18, 6:00 to 8:00 p.m., at the Vallejo Naval
21 Historical Museum.

22 The Draft Plan Bay Area 2040 is a state-mandated,
23 integrated long-range transportation and land use plan as
24 required by Senate Bill 375. And the Draft Plan includes
25 a sustainable community strategy as part of the Regional

1 Transportation Plan.

2 In the Bay Area, the Metropolitan Transportation
3 Commission and the Association of Bay Area Governments are
4 the agencies that are jointly responsible for developing
5 and adopting the SCS that integrates transportation, land
6 use, and housing to meet greenhouse gas reduction targets
7 set by the California Air Resources Board.

8 The Draft EIR analyzes and discloses the
9 potentially adverse significant impacts associated with
10 the implementation of the proposed Plan Bay Area 2040, and
11 identifies the potential for significant effects in the
12 areas of transportation, air quality, land use and
13 physical development, climate change, greenhouse gases,
14 noise, biological resources, visual resources, cultural
15 resources, public utilities and facilities, hazards, and
16 public services and recreation.

17 If you wish to speak this morning, please fill
18 out and submit a blue speaker's card. Please indicate on
19 the card whether you wish to speak on the Draft Plan,
20 which is item 5a on our Agenda, or the Draft EIR, which is
21 item 5b. If you wish to speak on both, you'll need to
22 submit two separate cards. We would appreciate that. And
23 you can speak on those when your name is called.

24 Staff is on hand with cards. So please raise
25 your hand, if you need a speaker's card. What I'm going

1 to ask is our secretary, Martha -- so, Martha, hold your
2 hand up here. Martha will be receiving the cards. And
3 she will call five names at a time. I've asked her to
4 call the names. And she will -- we'll be using both
5 podiums. So if you hear your name and you want to line
6 up, you certainly can do that.

7 Please state your name and which document you are
8 commenting on so that we can be clear for the record. A
9 court recorder is hear to transcribe your remarks -- right
10 back here. Please speak clearly. And you may be asked to
11 repeat something. So if she can't understand what you
12 said, she'll get my attention, and we'll ask you to repeat
13 it.

14 Public comment will be limited to two minutes per
15 speaker. Everyone will have an opportunity to speak.

16 In addition to the three public hearings, you may
17 also submit your comments by e-mail for the Draft Plan.
18 You may submit comments to info@planbayarea.org for the
19 Draft EIR.

20 You may submit comments to the EIR
21 comments@mtc.ca.gov. This information is printed on
22 brochures that is available at the hand-out table.

23 And now I'd like to introduce Ken Kirkey, the MTC
24 Planning Director, who will provide an overview of the
25 Draft Plan.

1 Ken, are you ready to do that?

2 MR. KIRKEY: I am ready to do that.

3 COMMISSIONER SPERING: Okay.

4 MR. KIRKEY: Morning, committee members. As has
5 been described by Commissioner Spering, this is a public
6 hearing. And, in addition, given the fact that most of
7 you have heard some variation of this presentation several
8 times, I'm going to march through it fairly quickly, to
9 leave a lot of time for public comments.

10 So Plan Bay Area 2040 is a 24-year vision for how
11 the region can grow. It's also the Regional
12 Transportation Plan and the Sustainable Community Strategy
13 for the nine-county Bay Area.

14 As has already been discussed a few times this
15 morning, we've been seeing a lot of job growth over the
16 last several years in the Bay Area and not nearly as much
17 housing growth. This has had a pretty significant impact
18 on our transportation system.

19 Rail ridership has gone up significantly, as has
20 congested delay. That's delay where traffic slows to a
21 speed of less than 35 miles per hour. If you look at this
22 slide, you can see that that is at its highest level ever,
23 by far. And I think many people in the region are well
24 aware of that fact.

25 The process to develop the Plan, as you know, is

1 quite lengthy. We launched in Spring 2015. We are now in
2 the Spring and in the midst of the Draft Plan, and the EIR
3 release, which, as Commissioner Spering said, will go
4 until June 1st.

5 In terms of the growth distribution, this is a
6 focused growth plan. Much like Plan Bay Area adopted in
7 2013, the growth is heavily focused on the existing
8 communities of the region, particularly the largest three
9 cities. And the Priority Development Areas are our
10 primary framework for the Plan. The Draft Plan would have
11 77 percent of the housing growth within the PDAs.

12 In terms of jobs, the growth is also quite
13 focused, although not quite as much, in terms of the
14 growth in the priority development areas.

15 It's also worth noting that because the base year
16 for the Plan is 2010, much of the growth -- nearly half --
17 has already occurred, given the really rapid job growth
18 the region has experienced over the last several -- excuse
19 me -- several years.

20 In terms of the transportation investments, this
21 Plan focuses heavily on operating, maintaining, and
22 modernizing the existing system. Only 10 percent goes to
23 expansion.

24 And in terms of targets, in addition to the state
25 targets related to planning for housing growth for the

1 region, as well as attaining a GHG target of 15 percent
2 per capita reduction that the state gives us, MTC and ABAG
3 has adopted a whole series of performance targets to get
4 at other issues that are important to the region.

5 And as this slide depicts, there are several that
6 we have achieved. There are four that we're moving in the
7 right direction on, and there are four that we are moving
8 in the wrong direction on; particularly, again, related to
9 housing, affordability, and so forth.

10 This is another look at that. You can see where
11 we tend to do well, and where we're off trajectory.

12 So the Plan itself is very much oriented to being
13 an online document. We've had lots and lots of public
14 meetings. We're in the midst of having more public
15 meetings. In a region of seven-and-a-half million people,
16 we can only reach so many people through public meetings,
17 however. So we are encouraging folks to go online, to
18 view the Plan online, and to comment online.

19 And there we go. In terms of the Plan document,
20 Section 1 really tells the story of where the Bay Area is
21 at, with a particular focus on the three-decade-long
22 housing crisis we have, and its impact on the
23 transportation system.

24 Section 2 describes what the Plan is, its
25 purpose, its statutory framework.

1 3 is how the growth is projected in the Plan;
2 where the growth would occur.

3 4 are the strategies to support that growth, the
4 transportation assumptions, as well as the performance of
5 the Plan.

6 And then 5 is an addition that was put together
7 in its draft form. I expect you're going to hear a bit
8 about this this morning. This was at your direction.
9 It's an Action Plan. And it's based, in part, on this
10 slide -- which drew a lot of attention at these meetings
11 and many others last summer and last fall -- where our
12 analysis shows that the already heavily-burdened
13 households in the region -- those at the 50 percent or
14 below level, in terms of income -- over successive booms
15 between now -- and also droughts of growth between now and
16 2040, the burden would become that much worse; 67 percent
17 of household income through 2040.

18 This tells us that as a region, the region needs
19 to do a lot more. If people think things are bad now,
20 they are only projected to get worse. And that's with
21 some assumptions around additional affordable housing
22 funding. That's with the growth that's called for in the
23 Plan. That's with the investments, in terms of the RGP.
24 So, clearly, we need to do a lot more as a region, if we
25 want to shift where we're headed, in terms of

1 affordability.

2 The Action Plan has three primary components:
3 One is housing; one is economic development, related to
4 increasing the numbers of middle-waged jobs in the region.

5 And one is resilience, which is largely about
6 continuing the work that's been done related to
7 earthquakes and hazards, and so forth, in the region, but
8 really ramping up and focusing our efforts around climate
9 adaptation, particularly related to sea-level rise.

10 So, again, folks can comment on this through June
11 1st. They can view it online. There's a lot of
12 information there.

13 I'm going to stop here, open it up to questions
14 and comments on your part.

15 And, also, as Commissioner Spering said, we'll
16 hear comments on the Draft Plan before we have a
17 presentation on the Draft EIR

18 COMMISSIONER SPERING: Okay. Thank you.

19 And, committee members, anybody have questions
20 for staff before I open the public hearing?

21 Okay. If you'd like to speak on this item,
22 please get your card in. We have two card collectors over
23 there, our Vanna Whites against the wall. And they will
24 get you a card and get the card to Martha.

25 And so at this time, I would like to open the

1 public hearing.

2 And, Martha, if you're ready, you can call the
3 first couple speakers.

4 MS. SILVER: Bill Martin, David Zisser, Stevi
5 Dawson.

6 COMMISSIONER SPERING: You know, you don't
7 necessarily have to go in that order. If you're ready to
8 go, just state your name, so we know who's speaking. So
9 try and speak clearly and not too fast.

10 BILL MARTIN: Thank you. My name is Bill Martin.
11 I'm a San Francisco resident.

12 A couple of things missing, in my opinion, from
13 slides eight and nine. That's water. Where's water going
14 to come from?

15 A couple of -- a little bit of history here. In
16 June of 2016, 69 percent of Bay Area voters voted to tax
17 themselves parcel tax to fund wetland restorations in San
18 Francisco Bay. I think that clearly illustrates Bay Area
19 voters relative to the health of the San Francisco Bay
20 Delta Estuary.

21 Item 2: The State Water Resources Control Board
22 released Phase One, Draft Supplementary Environmental
23 document. In this document, they propose a doubling of
24 unimpaired flows through the three major tributaries in
25 the San Joaquin River. The -- they are expected to

1 release their final proposal in -- later this year.

2 Also, the State Water Resources Control Board is
3 currently working on Phase Two of their Bay Delta Plan.
4 This involves the Sacramento River, most of which provides
5 most of the flows through the San Francisco Bay Delta
6 Estuary.

7 I don't think it's idle speculation to assume
8 that the Water Board is going to increase the required
9 un-impaired flows down the Sacramento, just as they have
10 done through the tributaries through the San Joaquin.

11 Finally, there's droughts. In case you haven't
12 noticed, we have them here in this state. And the effects
13 of these droughts are especially severe on the environment
14 and the Bay, and the Bay Delta Estuary, when the drought
15 hits its bottom levels. So I really think --

16 (Beep.)

17 COMMISSIONER SPERING: Go ahead and finish your
18 point.

19 BILL MARTIN: I'm going to come back to comment
20 on the Draft Plan. So I'll stop there.

21 Thank you very much.

22 COMMISSIONER SPERING: Okay. Thank you, sir.

23 Next speaker.

24 DAVID ZISSER: Still morning; right?

25 Good morning. I'm David Zisser. I'm with Public

1 Advocates. I'm an Oakland resident, born and raised in
2 the Bay Area.

3 And I want to start by thanking staff for their
4 work on the Action Plan in particular. That's what I'm
5 going to talk about for a couple minutes. And to you all
6 for including the Action Plan as Chapter 5 in the Plan --
7 in the Draft Plan.

8 I also want to thank staff for meeting with us
9 several days ago, having a robust discussion. And just,
10 again, as a reminder, the Action Plan was included because
11 even under the preferred scenario in the Draft Plan, some
12 key equity issues are moving in the wrong direction,
13 especially displacement, affordability, even with certain
14 assumptions.

15 So the Action Plan, we hope, can be a policy
16 agenda for how we make those assumptions real, and how we
17 go further than those assumptions because we need to.

18 Chapter 1 provides a great analysis of the
19 crisis. And the Action Plan itself is a great start, but
20 it lacks specificity to really be a meaningful document.
21 We really hope that there can be something that's specific
22 and clear and aggressive and really explicitly addresses
23 displacement.

24 We sent a letter -- it's here. It's a pink
25 document -- along with -- so that's from the 6 Wins and

1 NPH and Greenbelt Alliance. And it includes several
2 recommendations of new actions we hope can be included, as
3 well as actions that are in there that really require more
4 specificity.

5 We're -- I just want to highlight a couple. We
6 need a plan to generate revenue for affordable housing in
7 this region. You all have rightfully pointed out that you
8 have a lot more authority around transportation
9 investments than around affordable housing because there
10 isn't money. So let's work on getting some money. We're
11 not asking you to figure that out right this minute, but
12 to at least commit to developing a revenue plan.

13 We've had successes with OBAG and made real
14 progress there; time, transportation, and land use and
15 housing. We hope that we can really build on that, learn
16 from that experience, refine it, and think about new
17 opportunities to do the same kind of thing.

18 We've also had successes, thanks to you all, on
19 the TOAH and NOAH housing initiatives. Those are small
20 investments that need to be bigger, and we hope that there
21 can be an action to work on expanding those as well.

22 We're glad to work with staff on refining the
23 Action Plan. We also shared a one-pager with folks that
24 summarizes our recommendations, and we look forward to
25 working with everyone to make this even better.

1 Thanks.

2 COMMISSIONER SPERING: Thank you.

3 Next speaker.

4 MS. SILVER: After Stevi, Matt Vander Sluis, and
5 Pedro Galvao.

6 STEVI DAWSON: Good morning, Commissioners and
7 Staff. My name is Stevi Dawson. I'm a resident of
8 affordable housing, and I live in West Oakland. I'm with
9 6 Wins and the East Bay Housing Organization. I'm here to
10 echo pretty much what David just said to you.

11 We sent the MTC Planning Committee a letter dated
12 May 5th, 2017. And we would like you to understand that
13 housing and affordability, along with displacement risk,
14 require much stronger and more precise language in the
15 Action Plan, along with meaningful policy, regulatory, and
16 revenue strategies that will get us to long-term
17 affordable -- affordability in the Bay Area.

18 We want MTC and ABAG to develop regional revenues
19 for affordable housing production and preservation that is
20 scaled to meet the needs projected by Plan Bay Area and a
21 specific time frame by which to expect the revenue plan.

22 Also, MTC should tie funding sources to both
23 affordable housing and anti-displacement protections.
24 This was previously included in the Action Plan. We would
25 also like quarterly reports on performance, to promote

1 transparency and accountability.

2 And, finally, I would ask that you prioritize
3 public land for affordable housing; build on MTC's
4 existing efforts to inventory public land and to require
5 compliance with the state's Surplus Land Act by including
6 an action to incentivize the use of public land for
7 affordable housing development.

8 And, lastly, on a personal note, my oldest child
9 -- my daughter -- is currently living in a shelter after
10 going through eight months of displacement agony. Her
11 family has been destroyed. Her life has been destroyed.
12 And I would like you to do whatever you can to help people
13 in this region who are facing displacement.

14 Thank you.

15 COMMISSIONER SPERING: Thank you.

16 Next speaker.

17 MATT VANDER SLUIS: Good morning. Matt Vander
18 Sluis, with Greenbelt Alliance. We'll be providing
19 written comments by the June 1st deadline. I'm here to
20 highlight a few things for you this morning.

21 First of all, many congratulations on the overall
22 thrust of the Plan that you've put together, which calls
23 for focusing growth within our existing communities near
24 transit, near jobs; within our existing urban growth
25 boundaries, rather than sprawling outward.

1 As we've talked about for many, many months,
2 there are a wide variety of benefits from this approach to
3 helping to safeguard our drinking water supplies, to
4 reducing the grueling commutes that many of us experience,
5 to improving our regional economy.

6 On the waterfront, we've been recently doing some
7 research on this integration of water and land use and
8 found that growing in a more compact fashion, a compact
9 home uses about 35 percent less water than a home -- done
10 in a more sprawling fashion. So to solve our region's
11 water crisis, we need to be focusing our growth in a
12 water-wise way.

13 And we have also thanked you for the strong call
14 to arms about tackling the region's housing affordability
15 and displacement crisis in a sustainable way and look
16 forward to working with staff to continue to refine the
17 Action Plan.

18 As was mentioned previously, we have a set of
19 recommendations of how we can refine that Action Plan to
20 provide more clarity and a clear roadmap going forward.
21 In particular, identifying which transportation funding
22 sources could be better aligned so that we are syncing up
23 our land use and housing outcomes that we want to achieve
24 for the region; rewarding jurisdictions growing in
25 sustainable and equitable ways; establishing an

1 infrastructure bank that could help provide affordable
2 homes, and use that in communities that are growing in
3 smart ways; and create a funding plan for closing the
4 affordable housing gap.

5 We also very much appreciate that the Plan -- in
6 the Action Plan section -- highlights the need to expand
7 our natural infrastructure as a key tool to tackle the
8 impacts of climate change and calls for establishing a
9 regional advanced mitigation program for the region to
10 help improve how we deliver transportation projects.

11 We would like to see more details in that section
12 about expanding natural infrastructure. For example, a
13 commitment to continue to expand and refine our priority
14 conservation area program, a plan to close the funding gap
15 for protecting our natural and agricultural lands, and to
16 better link our water and land use decisionmaking so that
17 we can all be moving on the right direction on that front.

18 So thank you very much. And we look forward to
19 working with staff and you in the coming months to refine
20 the Plan.

21 COMMISSIONER SPERING: Thank you.

22 Next speaker.

23 MS. SILVER: After Pedro, Jack Fleck, Mark Roest,
24 and Theresa Hardy.

25 PEDRO GALVAO: Morning, Commissioners and ABAG

1 Board Members. My name is Pedro Galvao, and I'm with the
2 Nonprofit Housing Association of Northern California.

3 I want to echo Matt and David's comments. They
4 are fully in line with my own, in that we are really
5 grateful for the work that you've done to get us to this
6 point, for the bold commitment you've made in including an
7 Action Plan, for the thoughtful discussions you've had
8 around housing principles. Even if we've decided not to
9 go that path today, it's still -- you're still having
10 these important conversations, and you're still seeking
11 every way to move us forward.

12 To bring us back to the Action Plan and why it
13 was included in the Plan is because, as you saw, in 2040,
14 we expect that lower-income households will be spending up
15 to 70 percent -- rounding up, but up to 70 percent of
16 their income in housing and transportation costs. And
17 that's unacceptable. And the Action Plan was a way to
18 look at what the agencies could do now, between this
19 current plan and the next, to address the crisis of
20 housing affordability and displacement in the region.

21 And so it's already a very narrowly-tailored
22 document to what the agencies can do. And so NPH would
23 like for you to commit to having actions that are more
24 specific and have a timeline for which they're going to be
25 accomplished by.

1 The two that I would like to highlight were
2 actually two actions that were previously included in the
3 Action Plan, but were subsequently removed, which is, we
4 would really like for you to commit to developing a
5 revenue plan for affordable housing regionally. That
6 doesn't mean that you commit to any specific source. It
7 means you talk about it; you examine what the region can
8 do.

9 We'd also like to encourage MTC to look at both
10 its upcoming fundings -- "major transportation funding
11 sources," as it's called for in the Action Plan, but also
12 its existing transportation funding sources.

13 There's \$74 billion worth of discretionary funds
14 that need to be studied. So we can figure out which of
15 those can be used to incentivize better housing and
16 anti-displacement outcomes in the region.

17 Since I'm over time, I'll end with that. But
18 really --

19 COMMISSIONER SPERING: Good. Thank you.

20 PEDRO GALVAO: Thank you.

21 COMMISSIONER SPERING: Next speaker.

22 The speakers can line up on both sides, to kind
23 of -- the next speaker, so we can --

24 JACK FLECK: Hi. I'm Jack Fleck, from 350 Bay
25 Area. And I would like to call on the ABAG and MTC

1 Commissioners here to take leadership on the climate
2 change issue. This is really a tremendous crisis that the
3 globe is facing. And I -- of all places, the Bay Area
4 should be -- California is exercising great leadership.
5 But the Bay Area, within California, should even be
6 exercising more leadership.

7 Now, Mr. Kirkey mentioned that we are in
8 compliance with the SB 375, 15 percent per-capita goal,
9 and that's good. Although, I would urge you to look
10 closely at how we're achieving it, because I think there
11 are some questions as to whether we're really going to get
12 there.

13 But even more important than that, I urge you to
14 take the leadership or the example of your colleagues at
15 the Bay Area Air Quality Management District, which set a
16 goal of 80 percent reduction by 2050.

17 Now, they may have focused on stable or fixed
18 sources, and MTC focuses on mobile sources. So this is
19 very much within your purview to be able to do that. And
20 I don't want to say it's impossible, because I actually
21 have a very hopeful letter I'd like to submit here --
22 Press Release from the Institute for Transportation and
23 Development Policy, coauthored by a professor at U.C.
24 Davis, that stresses that by electrification, automation,
25 and ride sharing, we can reach over 80 percent reduction

1 in greenhouse gases.

2 But this Plan Bay Area does not include that
3 vision. It only says narrowly, "Well, yeah. We're in
4 compliance with that 15 percent SB 375 goal."

5 So I'm here to urge you to really take a look at
6 this and think about MTC's role. Think about urging the
7 region to actually achieve the types of reductions that
8 are needed.

9 Within that letter I just submitted, there's also
10 a graph that shows that at the current rate of global
11 warming, we're going to reach the 1.5 degree centigrade
12 level that the UN says is the start of climate chaos in
13 2030.

14 Now, I used to say all my grand-kids are going to
15 be affected to this -- by this. And then I thought, well,
16 maybe my kids are. 12 years from now, I'm going to be
17 affected by this, and so is all of us.

18 So I urge you to really take climate change
19 seriously.

20 COMMISSIONER SPERING: Thank you.

21 Next speaker.

22 MARK ROEST: Hello. I'm Mark Roest, and I live
23 in San Mateo.

24 New technology, integration, and designs can make
25 it possible and affordable to provide housing, community

1 facilities, and a system of types of transportation that
2 move people long distances and in the last mile.

3 One thing to realize is that as we move past
4 fossil fuels over the next 10 to 15 years, or less, we
5 will be phasing out spending on them, and phasing in free
6 energy, as financing has paid off. That can rise to 10 to
7 20 percent of total economic activity.

8 Also, the technologies I'm referring to can cut
9 costs of manufacturing and construction by 30 to 70
10 percent. So let's use them.

11 I represent a battery company, and I'm working
12 with some people involved in new materials and new
13 structural systems, and we also have wind and solar.

14 And there's a group, called "Green Fleece Group,"
15 that is working on transforming transportation for the
16 low-income and impacted communities.

17 And I'd like to see -- I'd like to talk with
18 people in depth and in detail about how to weave all these
19 things together.

20 COMMISSIONER SPERING: Thank you, sir.

21 Next speaker.

22 MS. SILVER: After Theresa Hardy, the last
23 speaker is Peter Cohen.

24 THERESA HARDY: Good morning. My name is Theresa
25 Hardy, and I do recognize that affordable housing is very

1 crucial moving forward with growth and jobs. Last night I
2 attended the Berkeley League of Women Voters' meeting, and
3 the mayors of Emeryville and Albany and Berkeley were
4 there. And they had a panel discussion about affordable
5 housing. So this is an issue that's being addressed by
6 local cities.

7 One of the things that was not addressed and that
8 -- organizations that are dealing with water would like to
9 be -- see addressed is the water availability. Bill
10 already spoke to you. He's a member of the Sierra Club,
11 as I am, and I'm a member of the water committee.

12 And we're also working with Peter Drekmeier, who
13 is the Director of the Tuolumne River Trust. Moving
14 forward in California, we are looking at decisions about
15 the Delta tunnels, of which the local communities are very
16 opposed to because of water issues and salinity in the
17 Delta.

18 We're also looking at flows of rivers here in
19 California, especially the San Joaquin, and moving
20 forward, as Bill said, on other parts of that. And are we
21 going to approve those flows at 40 percent, which
22 environmentalists say are not even enough?

23 Then we have drought. East Bay MUD, San
24 Francisco Pacific Utility Commission -- a lot of water
25 districts are looking at the drought issue, and how are

1 they going to supply water to their current customers,
2 along with conservation? And when they have conservation,
3 then you have less money for infrastructure.

4 A lot of these water districts are faced with
5 very old pipe systems.

6 So I think moving forward, we have to address the
7 water issue, if we are also going to be looking at housing
8 because it is -- you can't build housing without water.

9 So, you know, I'd like to see this as part of the
10 Plan.

11 Thank you.

12 COMMISSIONER SPERING: Thank you.

13 Who is our last speaker? Before -- before you
14 start, sir, is there anybody else in the audience that
15 wants to speak?

16 Okay. So this will be our last speaker.

17 PETER COHEN: I get the clean-up batter role.

18 COMMISSIONER SPERING: Yes, sir.

19 PETER COHEN: It's nice. Okay.

20 COMMISSIONER SPERING: Well, the Giants could use
21 one. So...

22 PETER COHEN: I'll just go right down the street.

23 Good morning -- I guess almost afternoon. My
24 name is Peter Cohen. I'm with the Council of Community
25 Housing Organizations based here in San Francisco. And I

1 hope you're enjoying spending your time across this side
2 of the Bay.

3 I just want to remind folks that the Action Plan,
4 as part of Plan Bay Area, was actually something that a
5 lot of us advocated for, for a long time. And I'm
6 actually very thankful that not only staff, but you folks,
7 see that as an essential piece of the puzzle because the
8 frustration about planning and making documents and
9 visions and not actually having an actionable game plan, I
10 think we all share with you. We want to see action, and
11 it needs to be crisp and specific and time-certain. And
12 we need to follow through. So just getting that into this
13 Plan Bay Area is key.

14 Some comments of where it is now. Certainly, it
15 just needs to be specific. I mean, action is about doing
16 things; not about talking about doing things at some
17 point.

18 So as we continue to work with staff and offer
19 some ideas to you, it's in the spirit of, "Let's get it
20 done, and let's not think about what we need to think
21 about getting done."

22 So more specificity you see in all the
23 suggestions in the 6 Wins, NPH, Greenbelt letter are,
24 again, intended -- not so much as a critique, but to say,
25 "Let's get some specifics on the dartboard, and let's

1 start doing them."

2 I want to focus on three specific things you
3 heard earlier about affordable housing revenue. It's
4 great. We can run around and try to find revenue. We can
5 find bonds. There's been a lot of success this last year.
6 We had our own bond in San Francisco. But at some point,
7 we need to know what we need to get.

8 There needs to be an assessment of what it's
9 going to take, in terms of overall revenue, to meet the
10 goals in Plan Bay Area. So we sort of have the scale of
11 the shopping list, and then a game plan to figure out
12 those revenue strategies over time.

13 It's really important to do that because just
14 winning one bond and thinking it's over kind of gives us a
15 false impression that that's it.

16 Secondly, one of the best things you've done is
17 to tie your funding sources to affordable housing
18 performance. I know it's been a difficult learning curve,
19 but it's actually successful with OBAG. And I think at
20 the state level, there's that recognition.

21 So that's the second thing. We really emphasize
22 trying to tie development to transportation. It is truly
23 TOD.

24 Thank you.

25 COMMISSIONER SPERING: Okay. Thank you.

1 Martha, was that our last speaker?

2 Anyone else in the audience?

3 Okay. Now I'm going to formally close the public
4 hearing for the Draft Plan Bay Area 2040.

5 And so, Pat, you want to comment before we go
6 into the EIR?

7 COMMISSIONER EKLUND: Actually, I have two
8 questions.

9 COMMISSIONER SPERING: Sure.

10 COMMISSIONER EKLUND: The first question is
11 relative to the schedule.

12 You indicate that we're going to have a
13 presentation on June 9th about what the public feedback
14 was; and then July, adopt it. But there's a huge gap
15 there.

16 When are we going to be able to see the responses
17 to comments, and also the proposed changes to the Plan, so
18 that we have an opportunity to review that with our other
19 elected officials in the county, prior to actual adoption
20 in July?

21 MR. KIRKEY: So the schedule is, as you
22 described, in terms of June 9th, we'll have initial
23 feedback and overview of that before these two committees
24 meet jointly.

25 In early July, there will be a release of the

1 final Plan; our overview of that for review by the
2 committees.

3 And in terms of changes, what I suspect is that,
4 you know, based in part upon the feedback we've received
5 today, and other feedback, is that relative to the Action
6 Plan, there will likely be some fine-tuning. That's going
7 to be based in large part upon what you all tell us to do
8 about the Action Plan.

9 But in terms of the Draft Plan, we don't foresee
10 changes. You have the results of the EIR process, and you
11 will have the Draft Plan. And we will be asking you to
12 make a decision about that; whether or not you want to
13 approve the final Plan or, if not, if you were to go with
14 another EIR alternative. That is really the choice before
15 you; not tweaks to the Draft Plan.

16 COMMISSIONER EKLUND: And what about response to
17 comments?

18 Are we going to be able to see that in early
19 July?

20 MR. KIRKEY: Yes.

21 COMMISSIONER EKLUND: Okay. Great.

22 The other question is, is in your slide, you
23 indicate transit use is going up. And what is the data
24 source for that?

25 Because when you look at the American Community

1 Survey, it looks like the number of folks that are
2 commuting from the suburbs going into San Francisco may,
3 in fact, be declining and not increasing.

4 So I'm kind of curious. What was your data
5 source for that -- for the increased transit use?

6 MR. KIRKEY: The data source is the American
7 Community Survey. There has been a slight dip of late, in
8 terms of rail ridership. But overall, per-capita
9 ridership is at its -- most recently, at its highest level
10 in about 15 years.

11 And I don't think we see any significant
12 downturn, in terms of people commuting into San Francisco
13 from surrounding communities. It's at a very high level
14 right now.

15 COMMISSIONER EKLUND: Yeah. Well, the numbers
16 from Marin, is definitely a reduction. So hopefully we
17 can set up a time where we can go over some of these
18 assumptions and the data. That would be helpful.

19 MR. KIRKEY: Sure.

20 COMMISSIONER SPERING: Commissioner Cortese?

21 COMMISSIONER CORTESE: Thank you.

22 Just with regard to the letter that was submitted
23 that many of the public speakers spoke on, is it -- is
24 there -- I mean, there's a lot of issues here that were
25 brought up that were spoken to. I think too much -- it

1 feels like too much to try to walk through. And I don't
2 want to do that.

3 But I want to just ask if that level of dialogue,
4 you know, on a point-by-point basis, is still going on
5 between planning and these advocates? I mean, we brought
6 this Action Plan in, by and large, as a request from them
7 in the first place.

8 And I fully -- I fully understand the tension
9 between the fact that we actually are planning folks; not
10 land use authority folks.

11 And so the stuff that people would like to have
12 us dictate, and probably some of the stuff from time to
13 time we would like to dictate, can't be done. But I just
14 want to make sure that the dialogue is going, you know,
15 back and forth.

16 And if not, you know, maybe this would be a good
17 time to say so, so that we know that. If I know that's
18 happening, I can trust that the Draft Plan will come back
19 with, you know, every last ounce of dialogue having been
20 wrung out of this before you bring it to us.

21 MR. KIRKEY: I think it is safe to say that it
22 will be wrung. We are having dialogue.

23 You know, I think that conversation and the
24 Action Plan in general, or at least specifically related
25 to housing, is very much akin to your earlier conversation

1 in the legislative committee around the housing
2 principles.

3 We're trying to walk a line between being pretty
4 high-minded and focused on what we think should be
5 addressed going forward. But you're going to be debating,
6 I think, a number of actions, potentially, over the next
7 year or two related to, for example, how commission
8 transportation funding may or may not be conditioned. And
9 we don't want to get ahead of ourselves or certainly ahead
10 of you in that regard.

11 So that's -- that's where we are. But we are
12 engaged in dialogue, and we'll continue to be. And we'll
13 bring feedback on that back to you.

14 COMMISSIONER CORTESE: Thank you. And I think we
15 also all understand -- and it's been voiced here many
16 times -- that we don't have unlimited amount of
17 transportation funding to direct that way, relative to the
18 magnitude of the problem.

19 But I just think that points are being raised --
20 and it's great to have people engaged and to have a lot of
21 eyes on this to try to figure out what we can do, you
22 know, and stretch as much as possible.

23 On -- specifically paragraph 7, on their letter,
24 "Add Specificity to Current Proposals." But what that's
25 really about, I think, is less about specificity to

1 current proposals and more about what I read as kind of a
2 concern that I'm not even clear on as to whether or not,
3 you know, somehow the Action Plan will get turfed to the
4 CASA process or the CASA group.

5 And, I mean, this is a question for our Executive
6 Director, which can be good and bad, in some sense. I
7 don't know -- I read this and think, "How helpful or
8 unhelpful could that be?"

9 Certainly, after all this debate about "Let's
10 have an Action Plan in Plan Bay Area," and given the
11 schedule as to where CASA is now, I think you probably
12 would have liked to have had it convened by now.

13 But the CASA work, no matter how much we blow at
14 the boxes and how exciting it is, it's going to come after
15 this process.

16 So there's this other tension, it seems like,
17 that's legitimately pointed out here, is: Are we going to
18 have an Action Plan that is, you know, transformational
19 enough in Plan Bay Area, or is it going to be turf? And
20 we don't want it turf because we want -- that's what I'm
21 reading here -- we want to make sure that what we
22 bargained for is actually in the Plan.

23 So I think these are good questions. I'm just
24 wondering what your perception of that is, Steve. And
25 that's also something we can try to give reassurances to

1 the advocates; that we're going to have the best of both
2 worlds here.

3 MR. HEMINGER: I think that's well said,
4 Commissioner. We don't intend the CASA effort to be a
5 stand down; right? -- that we just sit around and talk to
6 each other for two years and do nothing.

7 I am very mindful of the urgency that our debates
8 about the housing and growth questions tend to peak right
9 before the recession. And then the recession hits, and
10 all anybody wants to talk about is, "Where did the jobs
11 go?" So I share their sense of urgency.

12 At the same time, I think the CASA idea
13 recognizes an underlying reality; that we can troop to
14 Sacramento and ask for something. And what we've seen
15 time after time after time is that some interest group or
16 groups can stifle it. And until we clear a path, I think
17 we're going to have the same kind of result in Sacramento
18 that we've seen to date.

19 So the idea with CASA is to see whether they can
20 -- whether a multi-pronged stakeholder group -- you know,
21 sort of a coalition of the willing -- can clear a path.
22 But we're going to try to get to Sacramento and take
23 advantage of whatever legislative initiative they have in
24 the meantime. We're not going to sit on our hands.

25 COMMISSIONER CORTESE: Is it conceivable that

1 there's some happy landing spot on this -- is to -- going
2 back to ringing out whatever can be wrung out -- and
3 that's actually within our authority to do -- you know,
4 with the Plan Bay Area Draft, and then agreeing on what
5 things are going to require potential legislative action
6 or just some sort of radical surgery that is the kind of
7 thing that might come out of CASA, and then work with the
8 group to, again, agree that those things -- some items may
9 just belong in CASA because of the nature of -- of the
10 authorities --

11 MR. HEMINGER: Right. I mean, you mentioned
12 earlier the "By Right" proposal from the governor. And
13 whatever its flaws or demerits, the fact is, you know,
14 local government didn't even get a chance to kill it
15 because labor and the environmentalists killed it first.

16 And that's the problem we've got in housing
17 policy, it seems to me, is that quite a few people have a
18 veto. And until we can clear away some of those vetoes
19 with some common ground, I fear that we're just going to
20 keep repeating the same experience.

21 COMMISSIONER CORTESE: Let me just use, as an
22 example, and try to, you know, again, validate some of
23 these concerns, I guess, is we can't -- we don't have "By
24 Right." If that were a tool that our own advocates here
25 would have liked to have seen or similar tool or some

1 hybrid of that tool in Plan Bay Area, it's not going to
2 happen. So we need to close that button on Plan Bay Area.

3 But maybe the things that they're advocating,
4 that resemble that need to be part of CASA -- you know,
5 just by -- I'm just talking about informal agreement here;
6 not commission action. I'd just like to see those -- that
7 kind of threshing out, you know, worked out with folks who
8 are trying hard to help us and seem to be willing to
9 advocate for some of the -- well, some change.

10 I mean, there's some of the same old/same old
11 here, frankly. And I think, to our Executive Director's
12 earlier comments, that's not working -- or hasn't been
13 working very well.

14 But to create space for all of you to help us
15 figure out, you know, what the new reality should be, I
16 think pieces of that will probably have to go in the CASA
17 process; and then with the reassurance -- I'm happy to
18 hear that we did our Santa -- I'm happy to hear your ideas
19 about timeframe because when we did the Santa Clara County
20 Housing Task Force, which led to far beyond, actually,
21 what I had even hoped for, in terms of -- of action items
22 and outcomes. It was seven months, and you got seven
23 months, and everybody needs to be there. No excuses. And
24 you got -- you got to finish your recommendations, and
25 they need to be concrete, and they need to be

1 change-agent-types of recommendations.

2 There's something about a deadline like that, I
3 think, that, you know, both encourages people, inspires
4 people to move fast, but also makes them realize that
5 these meetings aren't going to be around forever, and you
6 need to show up and put 110 percent in.

7 So I know I've had a chance to talk to you about
8 the specifics since the workshop that we had some time
9 ago. But I'm glad to hear that you're thinking about a
10 tight timeframe on it. And I think that would be
11 reassuring to folks who are -- would otherwise not want
12 things out of Plan Bay Area that might be transformational
13 to know, "Well, if they do go to CASA, at least we're
14 going to sort those out, you know, in a tight timeframe
15 and" --

16 MR. HEMINGER: Yeah. I do regret to say that I
17 think the hardest thing we've had going with CASA so far
18 is to find a date that people can show up for the first
19 meeting. That often is difficult, when you've got a cast
20 of characters like we're trying to assemble.

21 COMMISSIONER CORTESE: I understand.

22 MR. HEMINGER: So we do hope to get it started in
23 short order, and then try to add, as you said, a sense of
24 urgency and timeline to get through it.

25 COMMISSIONER CORTESE: Okay. Thank you for

1 responding. Appreciate it.

2 COMMISSIONER SPERING: Okay.

3 I have Julie, Raul, and then Jake. And I'll
4 watch for anybody else.

5 COMMISSIONER PIERCE: Thank you. I think I -- I
6 would like to say, I had an opportunity to sit in on a
7 meeting with staff and with the 6 Wins Coalition and many
8 of their representatives a little over a week ago. And I
9 think that was a good conversation. I think we can agree
10 on many things that needed to go forward; some specificity
11 that we need to add to the Action Plan. Staff was
12 certainly very receptive and indeed suggested some places
13 where we can improve the specificity.

14 I think the other thing we need to recognize
15 going forward is that regional government cannot do it
16 all. We can suggest. We can put together a framework,
17 but we're not the ones that can accomplish a lot of what
18 we want to get done. We can lead, but we cannot enforce.

19 It needs to be a collaborative effort with the
20 private sector. It needs to be a collaborative effort
21 with local government. I think -- I've been working now
22 for over four years with folks like the Bay Area Council
23 to get some of these things done. I've been talking with
24 them for about four years now. I was struck by that when
25 I actually sat down and looked at the calendar and found

1 out, when did I first meet with them about these things --
2 about putting together a Bay Area-wide housing trust fund,
3 and how can we do that, and how can we be innovative? And
4 it means, we need to bring in the private sector.

5 And interestingly enough, in some of the
6 discussions at the Bay Area Council Economic Institute
7 meetings, as long as three years ago, I had comments back
8 from many of the leaders in the Bay Area, private sector,
9 about how banks and mortgage companies and the big
10 employers and even venture capitalists might be involved
11 in that effort to put together those kinds of funds on a
12 regional basis. But we've got to do it in a
13 collaborative, collective manner.

14 And so I think CASA is intending to bring
15 together that kind of a group of people. And, of course,
16 getting them all together in one room at the same time is
17 tricky. But the Economic Institute had managed to do that
18 on a regular basis. The Bay Area Council does that on a
19 regular basis. I think we actually can do that.

20 That means we need to bring those folks together
21 with the stakeholders as well. And we cannot rely on
22 Sacramento to do it. We have to take the bull by the
23 horns. We can ask Sacramento to do what we need to have
24 done. Whether they'll do it or not, we need to go
25 forward.

1 So I think one of the things we've highlighted
2 here in the past is, we've done a whale of a lot of
3 studies over the last five, ten years. Lots of people
4 have done studies.

5 It's time for action. And I think that's what
6 CASA is intended to do. It's not, "Study things to
7 death." It's to use the information we've already
8 collected and put that together into the implementation of
9 what we're trying to outline in the Action Plan.

10 And we can't ask for all the specifics on it
11 because we don't have all the players at the table yet.
12 And that's what CASA is intended to do, is bring those
13 players together and start getting us motivated and
14 getting us actually doing the things that need to be done.

15 And that's something that regional government,
16 local government cannot do alone. So when we bring in the
17 private sector, and we bring the stakeholders together,
18 and we all start working in the same direction, then we
19 can actually accomplish something. And that can't all be
20 written into this Plan specifically, but what we can do is
21 commit to bringing those folks together and working
22 collaboratively together to actually get something done
23 this time.

24 Thanks.

25 COMMISSIONER SPERING: Okay. Raul, Jake, and

1 then Nick.

2 COMMISSIONER PERALEZ: So I'll be brief because
3 my comments are along the lines of what you've already
4 heard.

5 But I'm very happy that we do have this Action
6 Plan, and that we added this to it. I appreciate staff
7 working on doing that. And I think, actually, the Action
8 Plans that we've laid out are solid; although, certainly,
9 as we've heard, there could be -- whether it's additions
10 or refinement of what we're putting in -- because it
11 probably is the most important thing of the document,
12 which is being able to actually implement it and create
13 some action on what it is that we have in Plan Bay Area.

14 And I also just want to kind of emphasize that we
15 don't underestimate our influence. And although we
16 obviously know that there's things that are out of our
17 control, that we -- we cannot make a direct impact on,
18 whether it be at the state level or whether it be at the
19 local level, we are an influencer.

20 And this document obviously gives us that ability
21 to send out that message. And this is our opportunity to
22 be able to make sure that we can do so. And within, I
23 think, the Action Plan portion of it is where we can be
24 the most specific.

25 And so I think we have some good opportunities

1 here. Certainly we have participants and other
2 stakeholders in our community that want to be able to work
3 with us.

4 Dialogue has already occurred, and I'm confident
5 that you'll be able to have those dialogues. We'll be
6 able to take this feedback. We'll be able to refine the
7 Plan, and specifically the actions, to make sure we can
8 incorporate as much influence as possible as we are
9 unveiling this second generation of Plan Bay Area.

10 Thanks.

11 COMMISSIONER SPERING: Okay. I have Jake and
12 then Nick.

13 Is there anybody else that would like to -- you
14 don't need to turn your card up; just get my attention.
15 Okay.

16 So Pradeep. Okay.

17 Jake, and then Nick, and then Pradeep, and then
18 Haggerty.

19 COMMISSIONER MACKENZIE: Thank you, Mr. Chair.
20 Yeah. I've been nominated to serve on the infamous CASA,
21 and I'm anxiously awaiting its first meeting. And I can't
22 say anything more about it because we haven't met.

23 But in terms of the document that's in front of
24 us, if you go to Chapter 5, on page 70, Action Plan --
25 "Action Plan" has an asterisk beside it. So just as a --

1 at the moment, as we move forward with this, it then says,
2 "Section is preliminary. May be refined based upon
3 further development."

4 So I think that's what we've been hearing about
5 in the public testimony. I'm pretty sure that's what
6 Commissioner Cortese was referring to when he went back to
7 the letter submitted to us.

8 And so, Mr. Chair, I have a question: When Plan
9 Bay Area is adopted as it stands at the moment, there is
10 room, as I read it, for amendments to be made to the
11 Action Plan as we move forward. So I'm going -- I'm going
12 on that premise; that it would be a living document. And
13 as we're being asked to approve Plan Bay Area this summer,
14 it's under these very specific conditions laid out.

15 I always feel obliged, as someone who was
16 involved in the dialogue around the SB 357 process, just
17 to remind people, one more time, any enforcement component
18 was removed, carrots were to be utilized to incentivize the
19 performance of all of us at local government. These have
20 not been completely supplied. Statements of the obvious
21 may be, but to be remembered.

22 So what it comes down to is the general plan, and
23 not only the general plan, but the housing elements. And
24 so as we're looking at Action Plans, it seems to me that
25 we have to go back to the analysis of performance under

1 each of -- I think it's still the 101 cities in the nine
2 counties' general plans as to how these -- each individual
3 jurisdiction is performed.

4 I think we know the answer; that the performance
5 has -- has not come anywhere close to meeting the goals
6 that we are setting ourself in -- this Plan Bay Area.

7 But we keep on talking about local control.
8 Well, there's local obligations as well, as I see it, in
9 terms of our responsibilities as elected officials in our
10 respective cities and counties. And that is to look at
11 our housing elements; to look at the RHNA numbers which
12 have been generated. We'll be getting into the next RHNA
13 cycle once the summer is over, if I recollect properly.

14 But the Action Plan to me has got to include a
15 very -- a very incisive look at what we have actually
16 done, community by community, because I believe that that
17 needs to be called out.

18 SB 375 was not allowed to have enforcement
19 actions. It was very deliberately removed in the process.
20 I removed myself from that process upon that juncture. So
21 I watched this very closely indeed. And I look forward to
22 serving on CASA, when it finally meets.

23 Thanks.

24 COMMISSIONER SPERING: Okay. I just want to
25 remind everyone, we still have the public hearing on the

1 EIR.

2 So with that, Nick, Pradeep, and Haggerty.

3 COMMISSIONER JOSEFOWITZ: It's always good that
4 you remind me to be short before I start --

5 COMMISSIONER SPERING: I was trying to be subtle.

6 COMMISSIONER JOSEFOWITZ: -- because otherwise
7 I'm a risk.

8 COMMISSIONER MACKENZIE: Being subtle --

9 COMMISSIONER SPERING: Well, you're the chairman.

10 COMMISSIONER JOSEFOWITZ: I wanted to just thank
11 staff for getting the Action Plan as well. I think that's
12 super important, and thank the advocates that have shown
13 up to -- on the work that they've done.

14 And I want to associate myself with a lot of the
15 comments that they've made in their letter, as well as
16 comments that are being made by my colleagues here.

17 I think the more specific we can get, the better.
18 And the more work that we can do to kind of T-up these
19 questions which the advocates bring up, the better we'll
20 be able to make decisions as a -- in our respective
21 commissions.

22 I think right now, a lot of the -- what the
23 advocates, I think, are rightfully asking for, we don't
24 necessarily have the -- sort of the information to be able
25 to understand the consequences, if we moved in that

1 direction.

2 And so I would just continue to encourage staff
3 to continue working with 6 Wins, NPH, Greenbelt, and
4 others, to sort of get more granular on the Action Plan
5 and also to sort of really explore in depth, in a way that
6 can be presented back to us, the options that were laid
7 out in their letter.

8 COMMISSIONER SPERING: Okay. Pradeep, and then
9 Scott Haggerty.

10 COMMISSIONER GUPTA: Thank you, Chair Sperring.
11 I'll be very brief. I appreciate your concern.

12 Just wanted to bring back the time that we
13 started on this exercise, and there were huge number of
14 issues at that time: Modeling issue; data issues;
15 tremendous amount of growth that took place in the area
16 very quickly, much faster than anybody had anticipated.

17 And I just wanted to tell you, my view was that
18 -- and is now that staff has done wonderful job of
19 bringing all the comments and opinions at the beginning of
20 the cycle to an integrated approach to thinking about that
21 issue.

22 We did not reach all the solutions, which were --
23 which could have been not expected anyway because that's
24 how we were discussing when the Draft scenario was
25 discussed. And the Action Plan idea was born out of that

1 discussion; that we had not reached the goals, but it
2 doesn't mean that the planning is bad. It's just a
3 question of seeing that future and trying to see what we
4 can do to make a change in that. And I think staff has
5 done that very well.

6 Also, I wanted to congratulate the different
7 interests groups which have inputted into the process, and
8 today also. I was really happy to see how they have
9 assimilated the effort that have been done by ABAG and MTC
10 jointly, and how they feel that their views have been
11 reflected in the Plan at this point in time. And I'm
12 very, very happy with the progress that has been made.

13 And as President Julie Pierce said at one time,
14 this is a moving target. We're looking at this issue
15 right now. What is the snapshot in time? We'll have
16 another chance to look at the same issues again and again.

17 Thank you very much.

18 COMMISSIONER SPERING: Okay. Supervisor
19 Haggerty.

20 COMMISSIONER HAGGERTY: Just real quick, and it's
21 somewhat a bit off topic. But it's come up a couple of
22 times, so I wanted to ask a question.

23 CASA has come up several times. And last time we
24 talked about CASA, it became aware to me, anyways, that
25 there was no county supervisors that were appointed to

1 that. And I brought that up.

2 And I was just curious. Have we appointed any
3 supervisors to that?

4 MR. HEMINGER: We've got one in the bag;
5 Commissioner Cortese.

6 And we're working on another from your county.

7 COMMISSIONER HAGGERTY: Okay. Good.

8 And of the two that I had mentioned?

9 MR. HEMINGER: I believe so, yes.

10 COMMISSIONER HAGGERTY: Thank you very much. I
11 appreciate that.

12 MR. HEMINGER: Again, I'm hoping the hardest
13 thing with CASA is just getting to the first meeting. I
14 think it's all downhill from there.

15 COMMISSIONER HAGGERTY: I understand that.

16 COMMISSIONER SPERING: I'll make just some brief
17 comments, and then we'll move into the EIR.

18 You know, if we're going to start conditioning
19 transportation dollars when you talk about displacement,
20 affordability, you know, I hope that we're geographically
21 specific. You know, don't burden counties that do not
22 have a displacement problem. Don't burden counties that
23 don't have an affordability problem. Don't burden
24 counties that are building more housing than jobs. You
25 know, we can't be under those same conditions. It's an

1 unfair allocation. You know, our needs are much
2 different, and it's more on the transit side.

3 And so that's one. I want to associate myself
4 with Commissioner Pierce's comments.

5 And, Steve, on CASA, are you going to be
6 developing both local and regional strategies? It seems
7 like, you know, some of the strategies that come out of
8 the region, the very local jurisdictions we're trying to
9 help are opposing it -- or individuals within those
10 jurisdictions. So, you know, we always have that
11 conflict.

12 So are you going to be looking at trying to build
13 that consensus locally?

14 MR. HEMINGER: We are, Commissioner, which is why
15 I think it's important to get the balance on this group
16 right. We're trying to balance several different sectors
17 in the private sector.

18 And we're also trying to balance public and
19 private -- and "public" means cities and counties -- so
20 that we've got the right group of people there who can,
21 you know, for lack of a better phrase, sort of make each
22 other mad for a while, and see if we can get past that
23 part to potentially some consensus points.

24 COMMISSIONER SPERING: And, Steve, I think that
25 is very important because that's going to be -- whether

1 we're successful or not in Sacramento, that there's this
2 -- build that consensus within the region.

3 MR. HEMINGER: Well -- and, again, I do want to
4 prepare the commission and the ABAG board for the fact
5 that I do think a big part of this CASA effort is trying
6 to devise the Sacramento strategy; either a statewide one
7 or a Bay-Area-only one.

8 But I think a big part of the discussion will
9 also be, "What can we do with our existing authority?"

10 And part of that discussion is going to be about
11 MTC and about the resources that you control as a
12 commission. And you've bumped into that question quite a
13 few times. I think you've all wanted to have the debate.
14 Well, we're going to have the debate.

15 COMMISSIONER SPERING: Yeah. The reality of it
16 is, it's not decisions that are being made in Sacramento
17 that's created a housing crisis; it's decisions made in
18 our local jurisdictions that has created it. And that has
19 to be resolved, at some point.

20 And the last thing, I do support the Action Plan.
21 I certainly hope that any Action Plan that -- you know, we
22 have small bites at that; things that we can have
23 successes on, and it's not too big of an Action Plan that
24 we really don't show results. So I'm hoping that there's
25 a piece of it -- pieces of it that we can really show some

1 success.

2 So with that said, Ken, are you ready to get into
3 the Draft EIR?

4 MR. KIRKEY: We are ready.

5 I'm going to introduce Heidi Tschudin, who's our
6 EIR consultant. And she will walk you through this
7 presentation, and we can commence the public hearing on
8 the EIR.

9 COMMISSIONER SPERING: Okay. Heidi, before you
10 start -- please, if you would like to speak on the EIR,
11 get your card to -- Ursula, hold your hand up there.

12 She'll give you a card, and she'll pick it up and
13 get it to Martha.

14 And so with that, let's go forward with the
15 presentation.

16 MS. TSCHUDIN: Thank you very much. My name is
17 Heidi Tschudin.

18 Am I on?

19 COMMISSIONER SPERING: Yes. Apparently -- yeah,
20 there you go, Heidi.

21 MS. TSCHUDIN: Thank you.

22 We're going to cover two things today: I'll give
23 you a quick overview on the Draft EIR, and then we'll
24 receive the oral comments on the adequacy of the EIR.

25 As defined in the CEQA Guidelines, "adequacy"

1 means allowing decision-makers to intelligently take into
2 account environmental consequences. The idea is not to
3 try to achieve perfection, but rather adequacy,
4 completeness, and a good-faith effort of full disclosure.

5 This gives you a quick summary of the CEQA
6 process. It involves analyzing impacts, informing you
7 about the results of that analysis, identifying measures
8 that could mitigate impacts, and analyzing alternatives.

9 There's four main sections in the Draft EIR: The
10 Introduction and the Executive Summary give you the
11 context of the document and summarize the conclusions.

12 The Project Description reviews the Plan Bay
13 Area, which you've already heard a report on.

14 The Environmental Analysis, which is in Chapter
15 2, goes into the details of analysis in the 14 issue
16 areas.

17 And Section 3 deals with alternatives and other
18 required sections under CEQA.

19 You've already gotten an overview on the Plan.
20 So in the interest of time, I'm going to move quickly
21 through these slides.

22 I want to briefly touch on the level of analysis
23 in the EIR. CEQA recognizes that there's different types
24 of projects that merit different approaches, in terms of
25 the level and detail of analysis. And for large plan

1 documents such as this one, a more programmatic approach
2 is allowed. And that is what is reflected in the Draft
3 EIR.

4 We also cover several different levels of
5 analysis in this EIR. We have an analysis overall for the
6 entire region. We also analyze by county. And then in
7 some areas, where appropriate, we address transit priority
8 areas.

9 These are the 14 issue areas that are addressed
10 in the EIR. These have already actually been read to you
11 by the Chair, when you introduced the items, so I'm going
12 to skip over this slide.

13 The approach in the environmental impact analysis
14 for each of those 14 areas is the same. It starts with a
15 summary of existing conditions, a summary of the
16 regulations and policies that apply, identification of the
17 thresholds for determining significance, a description of
18 the method for each of the analyses, and then an analysis
19 of significance; again, identification of mitigation
20 measures, and then conclusions.

21 There are streamlining benefits that are
22 available to future projects that are consistent with the
23 Plan. And for a project to take advantage of those
24 benefits, the lead agency must comply with all the
25 feasible and applicable mitigation measures that are

1 identified in this EIR, and in any other relevant EIRs.

2 Where a future project, though, would not have
3 potentially significant impacts, they are not required to
4 adopt the mitigation measures in order to take advantage
5 of the streamlining benefits. And there's a very useful
6 link to streamlining opportunities on the Plan Bay Area
7 2040 website. There's also a summary in the EIR.

8 The Alternatives Analysis, which is dictated by
9 CEQA, provides a comparative assessment of the differences
10 in environmental impacts for identified alternatives, as
11 compared to the project. The analysis looks at four
12 alternatives that were approved by this body in December
13 of 2016. And that's Section 3.1 of the EIR.

14 In order to get a good comparison, the same
15 regional forecast of households, jobs, and transportation
16 revenues are assumed for each of the alternatives. What
17 changes between them is the land-use development pattern,
18 and the transportation investment strategies. And,
19 consequently, the impacts from -- when you compare the
20 Plan with the alternatives are similar in many cases.

21 However, differences do emerge based on the
22 location and the assumed size of the land-use growth and
23 the transportation project footprints within each
24 alternative.

25 We are required under CEQA to identify what's

1 called the "Environmentally-Superior Alternative," which
2 we have determined to be Alternative 3, which is the "Big
3 Cities Alternative."

4 We've found that this alternative would result in
5 the lowest overall level of environmental impacts, as
6 compared to the project.

7 The land use modeling assumptions and the
8 transportation investment assumptions for this alternative
9 are identified on Page 3.1-7. And, comparatively, this
10 alternative has the most compact growth pattern.

11 When considering the Plan for adoption, however,
12 the commission and the ABAG executive board must consider
13 this information, but you're not precluded from adopting
14 the proposed Plan, if it is determined to be preferable
15 when balancing all of the relevant factors.

16 Quickly touching on next steps. After the
17 comment period closes on June 1st, we'll consider all the
18 comments that we receive, and we will provide responses to
19 them.

20 We may also identify recommended changes and
21 clarifications to the Draft EIR. And that information
22 will be provided in a separate document, which together,
23 with the Draft EIR, will constitute the Final EIR.

24 The commission and the executive board of ABAG
25 must certify the EIR, and then you may adopt the Plan.

1 And we're presently working towards adoption in July.

2 The EIR is available online, or you can contact
3 MTC staff to make other arrangements. We do encourage you
4 to read it.

5 The comment period will close on June 1st. There
6 are a number of ways to make comments, including orally
7 today, or by submitting written comments today; submittal
8 of written comments by hand at any of the three comment
9 meetings; by U.S. Mail to the MTC offices; by fax, or
10 electronically using e-mail.

11 And that concludes my presentation.

12 Thank you.

13 COMMISSIONER SPERING: Commissioners, what I
14 would like to do is open the public hearing and take the
15 speaker cards, and then bring it back to the committee for
16 comment.

17 So with that, I would like to open the public
18 hearing on the Draft EIR.

19 And, Martha, if you could read several cards.

20 And, speakers, you can use both microphones.

21 MS. SILVER: Bill Martin, Matt Vander Sluis, and
22 David Zisser. That's all the speakers.

23 COMMISSIONER SPERING: Okay. Three speakers.

24 BILL MARTIN: Everybody ready?

25 COMMISSIONER SPERING: Yes. Go ahead.

1 BILL MARTIN: Thank you. My name is Bill Martin;
2 San Francisco resident.

3 My previous comments were meant to highlight the
4 risks to water availability for economic population growth
5 in the Bay Area, and indicated my concerns that the risks
6 to the water availability were not properly addressed or
7 are not -- have not properly been addressed in the Plan
8 Bay Area.

9 A couple of comments about what might -- where
10 might we get water; how might we try to reduce the level
11 of risk to population and economic growth.

12 A couple of comments relative to the sort of
13 obstacles that come up along this line. For example, real
14 estate developers often don't care about where -- how the
15 water is going to get into the pipe for their new
16 development. And I think this is an area where you guys
17 have an opportunity to influence the different rules
18 regarding how -- the approval of particular projects,
19 versus the water that's going to be used by the residents.

20 Another comment is the fact that water agencies
21 need revenue to continue to service the communities. But
22 with reduced water availability, their revenues are going
23 to go down. This too is an area where I think you might
24 have a chance of influence.

25 Finally, there's numerous and considerable ways

1 that the state has already identified. One particular
2 entity, the City of Los Angeles, has implemented a lot of
3 these ways. For example, landscaping rules about what can
4 be used, what can be planted, how it can be planted,
5 relative to future water because that has a big effect of
6 future water use, if a landscape doesn't need very much
7 water.

8 Builders can design projects that also help that.
9 And, finally, we can use different offsets.

10 So I hope that your Plan would reflect some of
11 the things that are already out there for improving the
12 per capita water use across the communities.

13 Thank you very much.

14 COMMISSIONER SPERING: Thank you, Bill.

15 MATT VANDER SLUIS: Matt Vander Sluis, Greenbelt
16 Alliance. Thank you for this opportunity to comment on
17 the Draft EIR.

18 I have four items that I wanted to raise briefly.

19 In the original Plan Bay Area 2013, the Final
20 Environmental Impact Report included a rather substantial
21 list of mitigation measures related to the loss of
22 agricultural lands.

23 It appears, in the new Draft for Plan Bay Area
24 2040, that that list has been significantly truncated;
25 that is, the mitigation measures identified in the

1 previous plan have been removed.

2 There were, I think, 16 measures in the original
3 Plan. 12 of those measures have been removed. Two of
4 them have been truncated.

5 So we hope to explore that further and better
6 understand why those changes may have been made and -- it
7 does -- it certainly raised concerns.

8 Those mitigation measures had been refined over
9 the course of the development of the EIR for Plan Bay Area
10 1.0 -- of additional measures being added from the Draft
11 to the Final in Plan Bay Area 1.0. And so we are
12 concerned about that issue.

13 It also appears that some mitigation measures
14 have been removed related to the fact that the Draft Plan
15 may conflict with conservation -- local conservation
16 policies, such as habitat conservation plans and natural
17 community conservation plans.

18 The EIR for 1.0 included a series of mitigation
19 measures that should be considered. The current Plan says
20 that no measures are -- no mitigation measures are
21 required. I'm not sure what the background on that is,
22 and I'm looking forward to working with staff to better
23 understand those issues.

24 The third issue is that we have been asking for
25 an assessment of the greenhouse gas emissions that result

1 from the land disturbance from loss of natural and
2 agricultural lands from the Plan. It doesn't appear that
3 the EIR includes those.

4 We would like to see that sort of analysis
5 included to help us better understand the benefits of the
6 more compact footprint that's being called for in this
7 Plan.

8 And my fourth point is, we would like to see a
9 stronger addressing of water conservation measures that
10 can help us accommodate the growth that's projected in the
11 Plan, where we are looking to accommodate it.

12 So many things that could be outlined in the Plan
13 that would help encourage those joint outcomes we'd all
14 like to see.

15 Thank you.

16 COMMISSIONER SPERING: And this is our last
17 speaker, Martha?

18 Is there anyone else in the audience that would
19 like to address the Draft EIR in comment?

20 Okay. This is our last speaker.

21 DAVID ZISSER: If you weren't sick of me yet.
22 David Zisser, again, with Public Advocates.

23 Really this is just a heads-up and some
24 preliminary comments. Public Advocates will probably be
25 submitting comments by the June 1st deadline for the EIR.

1 And just -- I haven't had a chance to dive in, but at a
2 first glance, we do have some early concerns about the way
3 displacement is addressed in the Draft EIR -- both the way
4 it is analyzed, and the discussion around mitigation
5 measures -- and have a question, at least, about whether
6 it would be appropriate to think about tying the
7 strategies in the Action Plan to mitigation measurements
8 in the EIR as sort of a cheat sheet for the EIR. So, you
9 know, we'll be looking more closely at that and sharing
10 our thoughts.

11 I also just want to sort of be on the record for
12 -- to say two things about the equity, environment, and
13 jobs scenario that was included. While I want to thank
14 you all for finally including that and doing an analysis
15 of a version of the EEJ, you know, we -- we had pushed for
16 it to be included as one of the scenarios in Plan Bay
17 Area, and it wasn't. So there wasn't a lot of time to
18 develop that with staff.

19 And we were notified very, very late that it
20 would be included in the EIR. And, again, we're grateful
21 that it was, but for whatever it's worth -- it may not be
22 worth much to folks here -- but we're not ready to put the
23 6 Wins' stamp of approval on the EEJ, as developed and as
24 studied in the EIR, for Plan Bay Area.

25 We need to look more closely at that, but it

1 certainly wasn't as robust as the EEJ and Plan Bay Area
2 2013, though it does have a lot of good things included.

3 That's all. Thank you.

4 COMMISSIONER SPERING: Okay. Thank you.

5 So is there any other speaker?

6 Okay. If there's no other speakers, I'm going to
7 formally close the public hearing for the Draft EIR, and
8 I'll bring it back to the committee members.

9 And, Pat, I'll go with you, first.

10 COMMISSIONER PIERCE: Let me make one quick
11 announcement: Before we start to lose members from my
12 admin committee, I do have a brief closed session
13 following this. So please don't run away. It will be
14 brief, but I need you to stick around.

15 COMMISSIONER SPERING: Okay. I have Pat, who
16 would like -- any other speakers?

17 COMMISSIONER EKLUND: Thank you very much, Chair
18 Spering. I haven't finished my complete review of the EIR
19 yet, but there's a couple of charts in here that I'm very
20 concerned about, and some of the mitigation measures,
21 which I'll briefly just mention; specifically Table 1.2-7,
22 which talks about the total land area in each of the
23 counties. That is not accurate. It says the data source
24 is compiled by MTC in 2017.

25 Well, the acreage -- at least for Marin, it does

1 not coincide with what the county says -- and, also, Marin
2 LAFCO as well. So there's a big discrepancy there, for as
3 much as 40,000 acres.

4 But what -- this chart, though, is very -- kind
5 of disingenuous in a way because in San Mateo County and
6 Marin and, for that matter, Napa and some of the other
7 counties -- and possibly even Sonoma -- a lot of that
8 acreage is not buildable.

9 For an example, in Marin County, total
10 agricultural and grazing land in the last Plan Bay Area
11 was 258,000 acres, just in Marin. LAFCO has different
12 numbers now.

13 But I really think a column is missing. And that
14 column is, "What is the available land for growth?" And
15 in LAFCO's estimate, at least for Marin, it's only 42,000
16 acres.

17 So when you talk about how much land is
18 designated for TPAs and PDAs, it's the reader that may not
19 necessarily know that county; might get the wrong
20 impression.

21 When I also looked at some of the assumptions --
22 I've made this comment before. I -- and my comments, as
23 an elected official, will reflect this, is that some of
24 those assumptions, I think, are not realistic.

25 For MTC and ABAG to assume that they're going to

1 assign higher densities than currently allowed by cities
2 in their priority development areas is going against what
3 follows in that very next paragraph about local control.
4 So I think, at some point, we need to have a discussion
5 about the realisticness [verbatim] of some of these
6 strategies.

7 And I agree with the Greenbelt Alliance comment
8 about farmland and grazing land and open space. Some of
9 those -- all those mitigation measures were eliminated.

10 And Marin County, ABAG delegates and alternates
11 came with a very strong comment back in 2013, 2014, that
12 water availability and use should be a prime focus in
13 future Plan Bay Areas. And there really isn't that --
14 that focus at all.

15 So the Marin ABAG delegates will be submitting
16 comments on the EIR on the Plan, but I -- those are just
17 two things that I've identified so far, as well as some
18 inconsistencies throughout the EIR, which we'll point out.

19 Thank you.

20 COMMISSIONER SPERING: Okay. Any other comments?

21 Okay. Heidi, thank you.

22 And, Ken, thank you for the presentation. Ken,
23 do you have anything else to add?

24 MR. KIRKEY: Thank you.

25 (Whereupon, the public hearing concluded at 12:24 p.m.)

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CERTIFICATE OF REPORTER

I, AMBER EMERICK, hereby certify that the proceedings were taken in shorthand by me, a Certified Shorthand Reporter of the State of California, and was thereafter transcribed into typewriting, and that the foregoing transcript constitutes a full, true, and correct report of said proceedings which took place;

That I am a disinterested person to the said action.

IN WITNESS WHEREOF, I have hereunto set my hand this 24th day of May, 2017.

AMBER EMERICK CSR No. 13546