

**Metropolitan Transportation Commission  
Transportation 2035 Draft Environmental Impact Report Comments**

<b>Letter #</b>	<b>Date</b>	<b>Agency/Organization</b>	<b>Commenter</b>
<b>Agencies (Federal, State Regional, Local)</b>			
1	February 2, 2009	U.S. Environmental Protection Agency	Kathleen Goforth, Environmental Review Office Manager
2	February 2, 2009	Caltrans District 4	Bijan Sartipi, District Director
3	February 2, 2009	Bay Conservation and Development Commission	Lindy Lowe, Senior Planner
4	February 2, 2009	Bay Area Rapid Transit District	Marianne Payne, Planning Department Manager
5	January 30, 2009	Transbay Joint Powers Authority	Maria Ayerdi-Kaplan, Executive Director
6	February 2, 2009	Alameda County Congestion Management Agency	Dennis Fay, Executive Director
7	February 2, 2009	Alameda County Public Health Department	Sandra Witt, Deputy Director of Planning, Policy and Health Equity
8	February 2, 2009	City/County Association of Governments of San Mateo County	Richard Napier, Executive Director
9	February 2, 2009	Santa Clara Valley Transportation Authority	John Ristow, Chief CMA Officer
10	February 2, 2009	Caltrain	G. Ted Yurek, Senior Planner
11	February 2, 2009	City of San Jose, Department of Planning, Building, and Code Enforcement	Janis Moore, Planner II
<b>Organizations/Individuals</b>			
12	January 14, 2009		William J. Allen
13	January 15, 2009		Sherman Lewis
14	January 20, 2009		Sherman Lewis
15	January 20, 2009	Bay Area Bicycle Coalition	Andrew Casteel, Executive Director
16	January 24, 2009		Paul Brooks
17	January 27, 2009		Michael Cluster

Letter #	Date	Agency/Organization	Commenter
<b>Organizations/Individuals (continued)</b>			
18	January 27, 2009		Charlie Cameron
19	January 28, 2009	Friends of BRT	Len Conly
20	January 29, 2009		Charles Kroupa
21	January 29, 2009	TransForm	Carli Payne, Transportation Program Director
22	January 31, 2009		John Blayney
23	January 31, 2009	Transportation Solutions Defense and Education Fund	David Schonbrunn, President
24	February 2, 2009	San Francisco Tomorrow	Jennifer Clary, President Norman Rolfe, Transportation Chair
25	February 2, 2009		Omar Chatty
26	February 2, 2009		Libby Lucas
27	February 2, 2009	RAFT	Unsigned
28	February 2, 2009	Gerald P. Cauthen & Associates	Gerald P. Cauthen
29	February 2, 2009	Breathe California	Andy Katz
30	February 2, 2009	Sierra Club, Bay Area Transportation Committee	Irvin Dawid, Co- Chair
31	February 3, 2009		Sherman Lewis
32	February 6, 2009		Michael Sarabia
<b>Oral Testimony</b>			
33	January 7, 2009	Joint Advisor Workshop	Oral Comments
34	January 27, 2009	Public Hearing on Draft Plan and EIR	
			Norman Rolfe
			Fred Doolittle
			Roger Bazeley
			Jaimie Whitaker
			Bob Allen
			Rodney Llewellyn
			Woody Hastings
			Paul Brooke
			Arly Cassidy
			Michael Ludwig
			Shirley Johnson
			Jonathan Frieman
			Sheryl Karpoinz
			Paul Webber

Letter #	Date	Agency/Organization	Commenter
<b>Oral Testimony (continued)</b>			
			Don Rothblatt
			Amanda Ekin
35	January 28, 2009	Public Hearing on Draft Plan and EIR	
			Duane De Witt
			Robert Allen
			Charlie Cameron
			Cal Simone
			Andrew Casteel
			David Schonbrunn
			Jonathan Bair
			Norman Rolfe
			Carli Paine
			Tom Blalock
			Frank James
			Christine Culver
			Len Conley
			Gerald Cauthen
			Athena Applon
			Shirley Stahlke



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
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February 2, 2009

Ashley Nguyen  
EIR Project Manager  
Metropolitan Transportation Commission  
101 Eighth Street  
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Subject: U.S. EPA Comments on the Draft Transportation 2035 Plan for the San Francisco Bay Area and the Draft Environmental Impact Report for the Transportation 2035 Plan

Dear Ms. Nguyen:

The U.S. Environmental Protection Agency (EPA) appreciates the opportunity to provide feedback on the Metropolitan Transportation Commission's (MTC) Draft Transportation 2035 Plan (the Plan) and the accompanying Draft Environmental Impact Report (DEIR). EPA is committed to the goal of incorporating environmental considerations early in the transportation planning process. This early coordination results in greater opportunities to avoid sensitive resources and minimize impacts associated with future transportation projects.

In November 2008, EPA participated in a resource agency consultation meeting and provided comments on the draft mitigation measures for the Transportation 2035 Plan's DEIR. This early meeting was part of an expanded consultation effort by MTC under Section 6001 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU).

SAFETEA-LU directs metropolitan planning organizations (MPOs) to consult with resource agencies when developing long-range transportation plans. It also requires such plans to discuss potential environmental mitigation activities and potential locations for these activities to restore and maintain environmental functions that could be affected by the plan. EPA provides the following comments in support of compliance with these requirements.

**Transportation Conformity and Air Quality**

EPA's air planning staff has an established relationship with MTC for transportation conformity consultation (40 CFR 93.105) and has undergone separate discussions with MTC on conformity; therefore, the comments provided in this letter address non-conformity-related elements of the plan. If you have conformity-related or

air quality questions on the RTP, please contact Ginger Vagenas of our Air Planning Office at (415) 972-3964 or vagenas.ginger@epa.gov.

**Addressing climate change at the regional level through “focused” growth and vehicle miles traveled (VMT) per capita reductions.**

EPA commends MTC for integrating goals and strategies to address climate change at the regional level in the Transportation 2035 Plan and DEIR. While climate change is a new component in MTC’s long-range transportation plan and DEIR, the agency nevertheless aims high in setting formidable targets to achieve the Plan’s goal of “climate protection” and statewide goals established by the Global Warming Solutions Act of 2006. These targets include a 10% reduction in per capita VMT and a 40% reduction in CO<sub>2</sub> emissions (below today) by 2035.

EPA also recognizes MTC as a leading proponent of “focused” growth as a means to generate VMT and CO<sub>2</sub> emissions reductions. Through the FOCUS blueprint, MTC has worked with the Association of Bay Area Governments and other regional agencies to promote more compact growth in the Bay Area. MTC has also provided \$42 million in grants to support the designation of priority development areas, or PDAs, located near existing transit and within existing communities that surround the San Francisco Bay.

EPA encourages MTC’s continued participation in the FOCUS effort and its exploration of strategies to promote focused growth and, as a result, VMT per capita reductions. EPA also hopes that MTC will continue to be an example for other MPOs.

**Clearly describe MTC’s Regional Mitigation Strategy in the Transportation 2035 Plan, as required by SAFETEA-LU.**

As noted above, SAFETEA-LU requires long-range transportation plans to include “*a discussion of types of potential environmental mitigation activities, and potential areas to carry out these activities, including activities that may have the greatest potential to restore and maintain the environmental functions affected by the plan.*” Because the long-range transportation planning process occurs at a regional scale, SAFETEA-LU requires that the mitigation strategy included in the long-range transportation plans promote *regional* avoidance, minimization, and mitigation to preserve pristine areas, or restore or enhance areas with the greatest potential for success. In developing this regional mitigation strategy, the long-range transportation plan should identify: 1) what mitigation is proposed, 2) where it would be most successful, and 3) how specific mitigation activities will restore or maintain critical environmental functions.

The DEIR identifies "'advance' mitigation designed to be implemented at a countywide or other regional level rather than...project-level mitigation" as an "area of known controversy" (ES-9). Having noted this, the DEIR does not contain a specific discussion of a regional mitigation strategy for the Transportation 2035 Plan, and therefore the document does not meet the requirements of SAFETEA-LU. In order to

meet the requirements, EPA recommends that MTC define "advanced" and "regional" mitigation and include a regional mitigation strategy in the final Transportation 2035 Plan and EIR. EPA offers the following discussion to assist in developing a regional mitigation strategy for the Transportation 2035 Plan.

*Defining "Potential Environmental Mitigation Activities"*

Advanced mitigation typically applies to projects or plans that fall under Section 404 of the Clean Water Act or Section 7 of the Endangered Species Act. This form of early mitigation has proven to be a successful way to: 1) provide net benefits for the environment and 2) greater predictability in the regulatory process and for conservation outcomes.<sup>1</sup> Advance mitigation can be applied at a regional- or project-level, although this approach typically applies when multiple projects are mitigated in the same manner or location (i.e. via mitigation banking).

A regional mitigation strategy, on the other hand, can be much broader and may contain advanced mitigation as part of the larger, more comprehensive strategy. Regional mitigation activities include those already identified in the Plan and DEIR to mitigate regional air quality impacts, such as the Lower-Emissions School Bus Program, the Statewide Goods Movement Emissions Reduction Plan, and the San Francisco Bay Area Green Port Initiative. EPA supports these initiatives but encourages MTC to develop a more comprehensive regional mitigation strategy to address additional impacts of the Plan at a larger scale and through a coordinated approach. This includes addressing impacts to Farmland and Farmland of Statewide Importance, biologically unique and sensitive communities, and critical habitats, among others. All of these impacts are proposed to be mostly mitigated at a project-level in the current DEIR.

EPA offers the following recommendations to consider when developing a regional mitigation strategy:

- Use conservation plans and recovery plans to identify critical wildlife corridors, the most important areas to protect for sensitive species, and areas with a high concentration of resources.
- Give conservation plans as much weight as General Plans when planning transportation investments.
- Use parcel maps to identify larger, undivided parcels for ease of acquisition and preservation, and designate areas as potential future mitigation sites.

Information used to develop the regional mitigation strategy should be directly linked to transportation decision-making:

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<sup>1</sup> American Association of State Highway and Transportation Officials (AASHTO) Standing Committee on the Environment. "Early Mitigation for Net Environmental Benefit: Meaningful Off-Setting Measures for Unavoidable Impacts." [http://www.trb.org/NotesDocs/25-25\(10\)\\_FR.pdf](http://www.trb.org/NotesDocs/25-25(10)_FR.pdf)

- Clearly demonstrate in the Transportation 2035 Plan how reducing impacts to environmental resources and planning for a regional mitigation strategy were used to inform decision-making. Specifically, the Plan should note where deciding to avoid specific environmental resources or conservation areas resulted in the alignment of specific corridors or roadway improvements.

The regional mitigation strategy should also establish the foundation for innovative regional mitigation solutions. EPA provides the following as recommended activities that help to establish this foundation:

- Identify financial mechanisms to fund mitigation, such as development fees, sales tax, or the use of funds from alternative methods to identify and protect critical resource areas.
- Establish conservation easements that connect to and expand existing conservation areas.
- Describe locally-developed measures such as county/city designation of open-space, measures requiring development set-backs near streams, etc.

**Clearly describe how MTC will minimize the financial impact of the Transportation 2035 Plan’s aggressive pricing strategies on lower-income communities.**

According to the Plan and the DEIR, MTC has selected the Heavy Maintenance/Climate Protection Emphasis + Pricing alternative as the environmentally superior alternative for the Transportation 2035 Plan. Under this alternative, MTC hopes to encourage more transit use, bicycling, and walking by increasing the cost of driving between approximately 20-200 percent, depending on the trip length, time of day, etc. The DEIR indicates that this alternative was chosen in part because “aggressive pricing strategies that increased the cost of driving had a much bigger effect in the short-term” on VMT reductions and other objectives of the Plan (EIR 3.1-2).

While EPA supports MTC’s goal to encourage less driving and more walking, bicycling, and transit, we are concerned about the impact that these aggressive pricing strategies may have on lower-income populations that cannot afford to live near transit or in areas that support safe and efficient bicycling and walking. This is especially concerning when considering the disparity between the length of time needed to implement pricing changes and the time needed to diversify affordable housing options and to develop new transit, walking, and bicycling facilities.

The Plan acknowledges the equity issues posed by aggressive pricing strategies and indicates that the “analysis of the pricing strategies assumes that a discount program of some kind would be available to help mitigate the financial impact for lower-income travelers” (26). However, the Plan and the DEIR lack a specific description of this discount program. In the final Transportation 2035 Plan and EIR, EPA recommends that MTC develop and describe how the discount program mentioned in the Plan or other equitable mobility programs will minimize the financial burden that may be placed on these lower-income populations. EPA also recommends that the final Plan and EIR

provide an analysis of how specific pricing strategies specifically will likely impact the share of income spent on transportation for low- and moderately-low income households, since this is one of the goals of the Transportation 2035 Plan.

**Describe how the FOCUS regional blueprint will facilitate the avoidance of climate change impacts and inform or influence land use decision-making at the local level.**

EPA commends MTC for working with the Association of Bay Area Governments and other regional agencies to integrate resource, transportation, and land use planning efforts via the FOCUS regional blueprint. As previously discussed, EPA also supports MTC's involvement in the designation of priority development areas (PDAs) near existing transit and within existing communities that surround the San Francisco Bay as a means to mitigate anticipated future increases in VMT and CO<sub>2</sub> (EIR 2.1-21). However, the DEIR notes that, because of their close proximity to the Bay margins, many of these PDAs are vulnerable to sea level rise and storm surge (EIR 2.5-22). For this reason, EPA recommends that MTC continue to work closely with the Association of Bay Area Governments to prioritize growth in PDAs that are less vulnerable to sea level rise and other potential climate change impacts of climate change. Additionally, the FOCUS blueprint should consider sea-level rise when planning alternative and mass transit for PDAs and other communities in the Bay Area to ensure that new facilities are not vulnerable to risks posed by sea level rise and storm surge.

Finally, EPA also encourages MTC to continue to provide support and resources to local jurisdictions to make their planning policies, general plans, and proposed projects consistent with the Transportation 2035 Plan and the FOCUS blueprint. Similarly, we support efforts to limit future amendments to the Transportation 2035 Plan that would be inconsistent with the goals of the FOCUS blueprint.

**Update the draft Transportation 2035 Plan and DEIR to further address regional impacts related to goods movement.**

According to the draft Transportation 2035 Plan, goods movement in the Bay Area is expected to grow in the range of years covered by the Transportation 2035 Plan. The development of new goods movement businesses to support this growth, however, is expected to occur in the inland San Joaquin Valley as affordable, close-in location options for these businesses are becoming more difficult to find in the Bay Area. This migration of goods movement businesses is expected to result in more and longer truck trips with a net increase in emissions. Under this scenario, Bay Area communities that already experience adverse air quality impacts from goods movement will likely see these impacts worsen in the long term, and communities located in the regions that will absorb relocated goods movement businesses will begin to experience adverse impacts as well.

Taking this into consideration, EPA provides the following recommendations for the final Transportation 2035 Plan and EIR:

- Discuss the public health implications to the region and, specifically, to communities adjacent to the Port of Oakland and major freight transport corridors.
- Describe the cumulative impacts on public health and the current environment as well as trends that have contributed to impacts and/or losses to these resources.
- Identify opportunities and MTC's commitments to engage the public and other agencies to address goods movement emissions and health impacts issues.

**Include additional performance objectives and baseline data that MTC will use to evaluate the effectiveness of the policies, programs, and projects contained in the Transportation 2035 Plan.**

In the draft Transportation 2035 Plan, MTC demonstrates how the “3 Es”—equity, economy, and environment—give way to several specific performance objectives and “numerical benchmarks to measure the region’s progress in carrying out the vision” (Transportation 2035, pg. 13). Under “Environment” the EPA agrees with MTC’s inclusion of objectives and goals to reduce daily per-capita VMT and to reduce emissions of CO<sub>2</sub>, fine particulates (PM<sub>2.5</sub>), and coarse particulates (PM<sub>10</sub>). Additionally, EPA commends MTC for setting impressive goals for 2035 related to these objectives, including goals to reduce VMT per capita by 10%, PM<sub>2.5</sub> emissions by 10%, PM<sub>10</sub> emissions by 45%, and CO<sub>2</sub> emissions by 40%, all compared to today. To add to these performance measures; however, EPA recommends that MTC consider additional objectives that tie to some of the other broader environmental goals of the Plan. For example, we suggest that MTC consider performance measures that evaluate the Plan’s effectiveness at protecting endangered species, critical habitats, and open space.

EPA values the opportunity to be involved in the regional transportation planning process. When the final Transportation 2035 Plan and EIR are available, please send a copy of each to the address above at mail code CED-2. If you have any questions about these comments, please contact Maggie Witt of my staff at 415-972-3370 or by electronic mail at [witt.maggie@epa.gov](mailto:witt.maggie@epa.gov).

Sincerely,




Kathleen Goforth, Manager  
Environmental Review Office

Cc: Marilee Mortenson, Caltrans  
Jerry Roe, U.S. Fish and Wildlife Service  
Tami Grove, California Coastal Commission  
Bruce Gwynne, California Department of Conservation

**DEPARTMENT OF TRANSPORTATION**

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February 2, 2009

BAG0011  
SCH#2008022101

Ms. Ashley Nguyen  
Project Manager  
Metropolitan Transportation Commission  
Oakland, CA 94607

Dear Ms. Nguyen:

**“Change in Motion” – Draft Environmental Impact Report and Draft Transportation 2035 Plan for the San Francisco Bay Area – December 2008**

Thank you for including the California Department of Transportation (Department) in the review of the Draft Environmental Impact Report (DEIR) and the Draft Transportation 2035 Plan (Plan) for the San Francisco Bay Area, the Bay Area’s Regional Transportation Plan (RTP).

We have reviewed both the DEIR and the Draft Plan for the San Francisco Bay Area – December 2008, and have the following comments to offer.

The Department would also like to recognize the Metropolitan Transportation Commission (MTC) for their extensive public outreach for the Transportation Planning process for the Transportation 2035 Plan for the San Francisco Bay Area. We particularly wish to recognize MTC’s efforts to involve underrepresented segments of the Bay Area community, especially federally recognized tribes in the Bay Area.

**COMMENTS ON DEIR**

**Transportation**

**Chapter 2.1 Transportation, Page 2.1-7, Significance Criteria.**

**Comment:** The DEIR erroneously asserts that the State CEQA Guidelines claim that “a project will normally have a significant effect if it would cause an increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system or if it would exceed an adopted level of service standard.” However, this language actually appears in the State CEQA

Ms. Ashley Nguyen  
February 2, 2009  
Page 2

checklist, rather than the guidelines themselves, and this checklist is only a list of sample questions for local agencies to decide whether to use. The Guidelines therefore make no claim as to what would normally be a significant transportation impact. In terms of impact measures, CEQA only requires that those chosen by the lead agency be consistent with local policy. Please make this clarification in the DEIR.

**Chapter 2.1 Transportation, Pages 2.1-19 to 2.1-22, Cumulative Impacts 2.1-2 and 2.13.**

**Comment:** The DEIR shows that implementation of the RTP would reduce regional daily vehicle miles of travel (VMT) per capita compared to the No Project alternative in 2035, representing an improvement over the No Project alternative. However, the 2035 No Project alternative shows a 5% increase in daily VMT per capita (21.3 in the 2035 No Project alternative compared with 20.3 in 2006). Implementation of the RTP would decrease this impact by about a half of a percentage point, to a 4.4% increase in per capita VMT. The benefit of the RTP in decreasing per capita VMT is therefore small. In addition, Table 2.5-2 of the DEIR shows that the region's already unacceptable carbon dioxide emissions are projected to increase significantly by 2035 with or without the RTP.

The RTP should therefore do more to effectively address these problems. The inclusion of promoting "value pricing of parking and other innovative parking strategies" as a mitigation measure is commendable. However, the RTP has demonstrated that roadway pricing strategies hold great promise for decreasing VMT and associated impacts like greenhouse gas emissions. The RTP and DEIR should therefore commit to instituting roadway pricing strategies, and extending these beyond HOT lanes to price whole corridors relative to fluctuations in demand, as a means of reducing the transportation and associated environmental problems that the region will face in 2035.

**Chapter 2.1 Transportation, Page 2.1-19, Cumulative Impact 2.1-2.**

**Comment:** Peak period VMT at LOS F appears to be a poor indicator of transportation system performance and, as a measure, is inconsistent with reducing climate change impacts, at least for freeway segments. It should be noted that, for freeway segments, level of service F includes the 40 to 50 mph range, which is the range at which greenhouse gas emissions per mile are at their lowest. This is also the speed range that Caltrans has identified as a consistent traffic target speed for optimal operation of already congested freeway corridors in order to maximize capacity while avoiding stop-and-go conditions. Although the RTP bases LOS F on the volume to capacity ratio, freeway speeds will remain above the 40 to 50 mph range where the volume to capacity ratio is below 1.00. This is not to say that this speed range is desirable for all freeway segments in the AM peak period, but that, where freeway segments are or will become congested, maintaining this consistent speed range is a strategy for maximizing throughput while avoiding funneling high-speed traffic into stop-and-go bottlenecks. We suggest that vehicle hours of delay be used as an impact measure rather than VMT at LOS F.

Ms. Ashley Nguyen  
February 2, 2009  
Page 3

**Chapter 2.1 Transportation, Page 2.1-12, Table 2.1-9; RTP Pages 66-69.**

**Comment:** The DEIR shows a very small increase in the walk mode share and no increase in the bike mode share by 2035 compared to 2006, with the implementation of the RTP making no difference in either. According to the Federal Highway Administration 2001 National Household Travel Survey, of the auto trips in the United States, half are less than two miles long, more than 25% are one mile or less, and 14% are a half-mile or less. This survey also showed that less than 20% of trips are work-related. The data strongly indicate an unmet opportunity to increase walk and bike trips and reap the associated regional environmental benefits.

MTC should address the bike mode share problem by committing to fund, or pursue funding for, a study on what it would take in terms of infrastructure and bicycle parking to significantly increase the bike mode share in the Bay Area on par with many Northern European countries. Land use differences alone cannot explain the low bike mode share in the US and Bay Area, as densely developed areas of San Francisco also have low bike mode shares compared to these countries. Such a study could make the planned \$1 billion investment in the Regional Bicycle Network much more effective, point to additional cost-effective funding needs, and help MTC to reach its stated goal of reducing bicycle-involved injury and fatality collisions by 25% by 2035.

MTC should address the pedestrian mode share problem by instituting, or seeking funding for, programs to 1) conduct pedestrian counts at numerous key locations around the region, both those with high pedestrian traffic and others with high pedestrian collision numbers, in order to better understand pedestrian demand, collision rates, and the relationship between these and the street context; and 2) inventory cities and counties regarding their pedestrian street improvement needs around the region. The TLC, Safe Routes to Schools, and Safe Routes to Transit Programs and Transportation Climate Action Campaign listed on page 68 of the RTP will help to fund pedestrian infrastructure, but will not cover all of the need, such as pedestrian safety projects not within a Priority Development Area or related to school or transit access. The RTP admits on page 68 that, "it is hard to accurately gauge the regional investment needed for pedestrian upgrades and safety countermeasures. As a result, the Draft Transportation 2035 Plan contains no analog to the Regional Bicycle Network for pedestrians." The above-described pedestrian studies would enable MTC to understand the extent and cost of the regional pedestrian need in order to create a corresponding program for the next RTP, while helping MTC to reach its stated goal of reducing pedestrian injury and fatality collisions by 25% by 2035.

**Cultural Resources**

**Chapter 2.11 Cultural Resources, Page 2.11-9, Method of Analysis.**

**Comment:** The DEIR states that, "Since the specific locations of some cultural resources are not mapped, and since the extent of ground disturbance associated with various Transportation 2035 Plan projects is unknown at this time, it is not possible to assess specific cultural resource impacts based on the location of these projects."

Ms. Ashley Nguyen  
February 2, 2009  
Page 4

Early involvement of Native American Tribes, organizations, groups (including unrecognized Tribes), and individuals through the Public Participation outreach process for compliance with federal and State regulations and statutes is vital. Proactive coordination will assist MTC in gaining insight, knowledge, and/or information on potential cultural resources (i.e., prehistoric sites, religious and ancestral places, etc.) that require preservation for future generations.

Commendably, MTC has taken steps to do the necessary coordination with the federally-recognized Tribes in the Bay Area and has held one-on-one consultations with one tribe during the development of the T2035 Plan. However, the Department strongly encourages the continued expansion and extension of this outreach effort to all the federally-recognized Tribes as well as the unrecognized Tribes in the Bay Area. Such outreach demonstrates a good faith effort to involve Native American Tribes in the regional transportation planning process as well as to protect and preserve the Bay Area's Cultural Resources.

To obtain an expanded list of Native American Tribes, organizations, and individuals within MTC boundaries you may send a request to the Native American Heritage Commission, 915 Capitol Mall, Sacramento, California 95814, or call (916) 653-4082

## COMMENTS ON DRAFT T-2035 PLAN

### General Comments

**Comment:** The report constitutes a very informative presentation on mobility and other issues within the region including, but not limited to, transportation efficiencies, energy, pricing, equity, multi-modalism and air quality. The document, however, is less focused on a spatial, or geographic presentation of the vision for T2035. Inclusion of the "geography" of T2035 would further the ability of the reader to better understand the effects of included transportation improvements on the local, regional and interregional person and freight trips. Additional information of this type would include, among other items, mapping showing, for example, the State Highway System including the State IRRS and Focus Routes, all rail systems in the context of serving local, regional and interregional transportation demand, access points enabling transfer between rail modes and port and intermodal freight terminal locations. The document should also include a text presentation of regional geography pertinent to travel demand, major modal transfer points and other factors that are relevant to travel demand including, for example, housing affordability and interregional commuting.

**Comment:** The federal SAFETEA-LU regulations appear to be interwoven into broader, more generalized topic discussions. The 3 E formatting approach blurs the distinction between federal and State requirements throughout the document. The introductory chapters (pp 1-5) discuss change, but do not enable or set the stage for the reader to identify goals, policies, and actions that MTC is committed to implementing.

Ms. Ashley Nguyen  
February 2, 2009  
Page 5

Transportation priorities seem to be unclear given the lack of the conceptual framework that would be provided by a discussion of the federal Planning factors as a starting point for the document. Any mention of the federal Planning factors is scattered or missing (e.g. economic vitality, the environment and equity/access) is mentioned in passing on page 11, while safety, security, and maintenance are identified as MTC goals. Multi-modal connectivity and preservation of the existing transportation system appear to be missing from Chapter 1. Federal and State mandates and goals are not separated therefore it is difficult to identify how the RTP addresses federal SAFETEA-LU requirements.

**Comment:** The document mentions three infrastructure alternatives, but does not link them to each other. "Smart growth" is promoted but not clearly linked to either reduced auto use or the transit services that would be needed to accrue significant benefits.

#### Demand Pricing

**Comment:** With major budgetary and financing concerns facing California, pricing should be a larger element of the Plan. The Plan should explore a regional gas tax or peak transit pricing as potential funding sources. Equity, as one of the 3 Es, should require that peak-hour pricing be equally applied to the roadways (i.e., HOT lanes) and to transit usage.

#### Highway Efficiency

**Comment:** The plan also promotes technical solutions to congestion. Clearly, this is a more efficient solution than simply building new freeway lanes. However, efficiency is just one goal of the Plan and other goals including reduction in VMT and improved air quality should also be considered before any project is approved. With the recent passage of AB 32, projects that help to reduce green house gases emissions may take priority over operational efficiency.

#### Transit

**Comment:** The only Regional Planning initiative mentioned in the Plan is Translink; other transit improvement initiatives should be explored. Translink is more of a transit "charge card" as it simply replicates individual agency fare policies but it is not linked to any regional transit policies. Effective transit is needed if goals on smart growth, improved air quality, reduced VMT, increased walking and bicycling are going to be met. Regionwide transit policies for Bus

Ms. Ashley Nguyen  
February 2, 2009  
Page 6

Rapid Transit (BRT), dedicated bus lanes, pre-boarding fare payment and a single Bay Area zone based fare system should also be considered as potential transit improvement initiatives.

### **Native American Tribal Coordination**

**Comment:** MTC has six (6) federally recognized Tribal Governments within the nine-county Bay Area, all in Sonoma County. It is necessary for MTC to conduct appropriate Government-to-Government interactions with all Tribal Governments within its jurisdiction on all Transportation Planning and programming processes. These efforts involve early coordination, consultation, and participation measures as mandated by federal and State guidelines, regulations, and/or statutes to ensure the needs of Native American Tribes are identified, considered, and addressed during the Planning stages to: 1) avoid potential project delays and cost overruns; and 2) protect unique biological, cultural, and historic/prehistoric resources. These formal Tribal Government-to-Government relations should be documented separately from Public Participation efforts.

### **State Route (SR) 25 Widening Project**

**Comment:** A project to widen the segment of SR 25 in Santa Clara County was originally nominated for inclusion in T2035, but is not listed in the Draft RTP. SR 25 is included in the Interregional Road System (IRRS) and as such, is of major importance to the statewide movement of people and goods. It is also of potential significance to the development of the SR 152 corridor. SR 152 is designated by the State as a "Focus Route," a subset of the IRRS that is of the highest priority improvements to minimum facility standard, and is established as the region's southern State highway link to I-5, the State's north-south Interstate facility.

Specifically, VTA has been awarded funding to study the SR 152 corridor between US 101 and SR 99. This effort includes among other tasks work to determine a new alignment for SR 152 east of US 101 to SR 156. Current SR 152 realignment alternatives include the use of the Santa Clara County portion of SR 25. It is the Department's concern that the SR 25 improvement is not included in the T2035 project list. Given not only the interregional function of SR 25 but also its incorporation in alternatives to realign and expand SR 152, a significant interregional highway link.

### **Specific Comments**

#### **Table of Contents and individual chapter headings, Page 1.**

**Comment:** It would be beneficial to label which Chapter and/or parts of a Chapter constitute your Policy Element, Financial Element, and Action Element. Additionally, the Chapter names do not align very closely with their contents. Chapter 1 (Overview) identifies trends that impact Transportation Planning while Chapter 2, Trends gives a brief overview of some demographics and scenario modeling for existing and future conditions.

Ms. Ashley Nguyen  
February 2, 2009  
Page 7

**Call for Change, Page 3, Second Column.**

**Comment:** Replace term "throughput" with "effectiveness of." Sentence should read "... Freeway Performance initiative to maximize effectiveness of existing highways..."

**Overview, Page 7, Climate Change on Region's Radar.**

**Comment:** Please cite a reference for "transportation accounting for 50 percent of the region's greenhouse gas emissions..." Does the 50 percent include more than mobile sources? Because of the number of freeways and people, does the Bay area exceed the statewide contribution of 30 percent?

**Overview, Page 8, Land Use Changes in FOCUS.**

**Comment:** In order to get a sense of the magnitude of support for the FOCUS Regional Planning initiative, we suggest noting the total number of local governments (i.e. 60 out of a total of X number of local governments). It would also be helpful for the reader to know more about what the phrase, "volunteer to facilitate PDAs," means (e.g., are local governments processing General Plan and zoning redesignations to accommodate the high density PDAs)? Please clarify the phrase, "A PDA is locally designated..."

**Overview, Page 11, Planning to Cause Change.**

**Comment:** Will MTC use this RTP as their Sustainable Communities Strategy pursuant to Senate Bill 375 which is intended to address land use, air quality and particularly greenhouse gases as well as transportation? The first sentence on page 11 seems to imply that the T2035 "change in analytic approach" fits this bill.

**Overview, Page 11, Vision Before Budget subsection.**

**Comment:** A "special effort" was made to look beyond infrastructure solutions to a range of operational and policy innovations. Why not a special effort to look at revenue enhancement innovations beyond HOT? Only mention of other revenue enhancement possibilities is on page 84, and that is only a very short bulleted list. Suggested revenue enhancements might include a regional gas tax, regional developer fee, VMT fee and/or regional carbon exchange program.

**Overview, Page 13, Three Es Guide Transportation 2035 Vision.**

**Comment:** Please footnote the original source for the "Three E's" of sustainability that are the subject of this section. Will the performance objectives listed as "TBD" be approved prior to approval of this draft document?

**Overview, Page 13, Table on Three Es Principles/Goal/Performance Objective**

**Comment:** The Performance Objectives for the three Goals: Efficient Freight Travel, Security and Emergency Management, and Livable Communities are indicated as *To Be Determined* (TBD). It could be surmised that there is difficulty in finding the appropriate indicators to measure how investment decisions support these goals. Yet, the question remains, how does the \$32 billion in new investments support these goals?

Ms. Ashley Nguyen  
February 2, 2009  
Page 8

**Overview, Page 15, Maximize System Performance Through Technology.**

**Comment:** This subsection fails to reference MTC's own Bay Area Regional ITS Architecture and System Plan, developed by MTC in 2004 and updated in 2007. It is the ITS Planning framework for the Bay Area that was developed and currently maintained by MTC in cooperation with partner agencies (including Caltrans). It is noted in Appendix Five of the T2030 document as a component of MTC's Regional Transportation Plan. This architecture was developed and maintained in compliance with the FHWA ITS Final Rule (23 CFR 940). A Regional ITS Architecture is the ITS planning framework for integrated ITS project development in a region specified by its stakeholders.

**Overview, Page 15, Investing in Change**

**Comment:** This section notes the \$400 million set aside for Transportation Climate Action Campaign. Then on page 17, under Putting Future Change in Motion, there is mention of "undiscovered technological improvements, such as cleaner vehicles and improved emission-control systems" that can help meet greenhouse gas reduction and air quality goals. The pages cited seem to not have any clear acknowledgement of the Plan by the three major cities in the Bay Area (San Francisco, San Jose and Oakland). The plan is to invest in a \$1 billion network of electric car stations that will populate the Bay Area highways by 2012. This plan according to Mayor Newsom of San Francisco aims to make the Bay Area the electric-vehicle capital of the world. Does the T2035 Plan support this effort?

**Overview, Page 15, Investing in Change (sidebar and the document cover page)**

**Comment:** Please add the specific Planning horizon years that the 25-year Plan will cover, namely 2010 to 2035.

**Overview, Page 16, Take Bold Steps Towards Focused Growth**

**Comment:** This section mentions Transportation Planning grants that are provided by FOCUS. The Department supports these efforts and notes that many entities within the MTC area have been awarded Community Based Transportation Planning (CBTP) grants from the State. These grant funded studies include Fruitvale Transit Village, Bay Fair BART Access Plan, Napa County Community Based Transportation and Land Use Plan and Columbus Avenue Revitalization Master Plan. The intent of these grants is to enable community-based entities to develop innovative and inclusive solutions to problems and to provide potential templates for other entities with similar challenges.

The document frequently mentions collaborative efforts within the region. Despite substantial collaborative efforts by the Department, little mention of this is made in the document. For example, the Department has provided a substantial amount of funds for public engagement efforts in addition to the CBTP grants and is an important stakeholder in the collaborative process.

Ms. Ashley Nguyen  
February 2, 2009  
Page 9

**Overview, Page 17.**

**Comment:** Suggest adding section on "Planning for Integrated Corridor Management." The Region is planning for the integrated management of travel modes and roadways so as to facilitate the efficient and effective mobility of people and goods within our most congested transportation corridors. The Department is leading the development of Corridor System Management Plans (CSMPs) for corridors within which projects are funded from the Corridor Mobility Improvement Account (CMIA) as part of Proposition 1B. The Department is working with MTC to develop CSMPs in partnership with the Freeway Performance Initiative as codified in MTC Resolutions 3792 and 3794. While the near term goal of CSMPs is to demonstrate that CMIA funds through Prop 1B are being spent wisely, the intent is to eventually develop CSMPs for all major travel corridors. Each CSMP will address State highways, local parallel roadways, regional transit services, and other regional modes pertinent to corridor mobility. CSMPs will be used to inform future investment decisions throughout the regional Transportation Planning process, including future Regional Transportation Plans.

**Overview, Page 17.**

**Comment:** Suggest adding a section that promotes aggressive advocacy for transportation revenue enhancements to reverse historic underinvestment in transportation needs. Potential solutions should go beyond HOT proposals and be consistent with T2035 principles (such as a regional gas tax, regional developer fee, VMT fee and/or regional carbon exchange program).

**Trends, Page 21, 2<sup>nd</sup> paragraph.**

**Comment:** Please clarify the difference between the "goals" stated on page 8 and the performance objectives on page 21 that are defined as goals. This is a confusing use of terminology.

**Trends, Page 22, Snapshot of the Bay Area in 2035.**

**Comment:** This subsection should discuss trends of historic underinvestment in transportation needs with projected revenues vs. projected needs.

**Trends, Page 27, Projecting Regional Growth.**

**Comment:** This subsection needs to correct mistaken references to Projections 2007. Projections 2009 is what should be referenced.

**Trends, Page 30, Results Show No Easy Answers.**

**Comment:** This subsection needs to acknowledge that both policies and funding are insufficient to achieve performance goals.

**Finances, Page 33, 2<sup>nd</sup> Column.**

**Comment:** The Bay Area HOT Network Study was completed in February 2008, and updated in December 2008.

Ms. Ashley Nguyen  
February 2, 2009  
Page 10

**Investments, Page 41, Investing in Change**

**Comment:** This subsection would benefit from an acknowledgement that the proposed investments still fall short of identified needs.

**Investments, Page 42, Change in Motion subsection, 3<sup>rd</sup> bullet.**

**Comment:** All partner agencies must share responsibility in finding solutions to maintenance shortfalls, not just the Department. MTC can help the Department craft regional solutions to this ongoing difficulty.

**Investments, Page 45, State Highways, 3<sup>rd</sup> column.**

**Comment:** Text notes that MTC has not yet identified new funding sources for unfunded SHOPP needs, and that lack of funding will delay maintenance unless "a new source of State funding can be identified." Please remove the word "State," as MTC should not limit itself to finding new funding from State sources. MTC can be a leader in helping develop more creative funding solutions in partnership with the Department.

**Investments, Page 52, Change in Motion subsection.**

**Comment:** An additional bullet should be added to acknowledge the role of MTC's own Bay Area Regional ITS Architecture and System Plan as the Planning framework for transportation technology integration in the Bay Area. As previously noted, the Bay Area Regional ITS Architecture and System Plan was noted in Appendix Five of the T2030 document as a component of MTC's Regional Transportation Plan. As a result, it should be noted here as a component of T2035 as well.

**Investments, Page 52, Maximize System Performance Through Technology subsection, 2<sup>nd</sup> paragraph.**

**Comment:** Reword "cost-effective strategies" to read "cost-effective system management strategies."

**Investments, Page 52, Freeway Performance Initiative subsection.**

**Comment:** First sentence should be reworded to read, "The Freeway Performance Initiative (FPI), which began in 2007 in cooperation with Caltrans, is an effort to improve ..."

**Investments, Page 52, Freeway Performance Initiative subsection, 2<sup>nd</sup> paragraph.**

**Comment:** Reword second sentence to say "MTC and Caltrans have developed a comprehensive picture of the region's current capability ..."

**Investments, Page 54, 3<sup>rd</sup> column.**

**Comment:** In paragraph that starts "looking beyond the Freeway Performance Initiative," acknowledge that MTC's Regional ITS Architecture and System Plan is the Planning framework upon which Bay Area transportation technology integration and enhancements will take place.

Ms. Ashley Nguyen  
February 2, 2009  
Page 11

**Investments, Page 58, Price Highway Demand subsection.**

**Comment:** HOT lanes are only one method of many potential methods to price highway travel. Other means should be discussed in this section, especially if this subsection title is to be used. Otherwise, chose a title that correctly limits the discussion to HOT lanes.

**Investments, Page 65, Coordinated Plan/Mobility Management, 1<sup>st</sup> paragraph.**

**Comment:** Please add the following to 2<sup>nd</sup> sentence, "... and low income populations including Native American Tribal Governments, organizations, groups, and individuals in the region."

**Investments, Page 65, Coordinated Plan/Mobility Management, 2<sup>nd</sup> column.**

**Comment:** Please add to the following to the 3<sup>rd</sup> bullet, "Improve coordination among...populations and Tribal Governments."

**Investments, Page 66, Keep Walking and Rolling subsection.**

**Comment:** Text notes that investments in bicycle network are "excluding bicycle access on toll bridges." If exclusions are to be noted here, please note all other policy or regulatory exclusions of these funds. Otherwise please remove this exclusion text.

**Investments, Page 73, Land-Use Changes Impact Goods Movement.**

**Comment:** Please note that a large percentage of the goods being moved in the region, estimated at over 45 percent, are local in both origin and destination. Also worth noting, citing the Regional Goods Movement Study for the San Francisco Bay Area, in terms of volume, more than 80 percent of the Goods Movement in the Bay Area involves trucking in several major corridors (Interstates 80, 580 and 880, and US 101). While increasing pressures from development and regional growth trends continue to look at industrial lands as potential sites for redevelopment and conversion, this trend may cause adverse impacts to the freight industry and, as the Plan states, on the region in the form of additional truck trips and reduced air quality.

**Investments, Page 74, Land-Use Changes Impact Goods Movement, 2<sup>nd</sup> column.**

**Comment:** With respect to developing specific strategies to address Goods Movement business displacement, in addition to, "coordinated planning to ensure that FOCUS PDAs do not adversely affect the economic potential of goods movement industries; educating cities and counties about the impacts of their local land-use decisions; and exploring best practices for making goods movement businesses a better neighbor," the Department also feels that good land use planning ensures adequate buffers between residential/commercial development and industrial uses alleviating potential congestion, noise complaints, increased biological impacts and increased exposure to harmful pollutants. The Department further recommends that all aspects concerning community benefit be thoroughly researched and that industrial lands use be an integral part of the Community Planning process.

Ms. Ashley Nguyen  
February 2, 2009  
Page 12

**Building Momentum for Change, Page 84, 1) Fix It, Finally?**

**Comment:** In this section please add under potential strategies:

- Carbon Tax or Regional Carbon Trading Program
- VMT Fee
- Regional Development Fee

**Building Momentum for Change, Page 84, 1) Fix It, Finally?**

**Comment:** In this section please remove, "pennies for potholes" text. Regional Gas Tax should be listed as a strategy without implication that funding would only be used for local streets & road repair ("potholes").

**APPENDIX 1 - PROJECTS BY COUNTY**

Comments include specific changes to project listings.

**RN# 22991**

**Comment:** Suggest modifying to: Widen I-680 ~~southbound~~ northbound in Santa Clara and Alameda counties from Route 237 to Route 84 including a High Occupancy Toll (HOT) lane, ramp metering, auxiliary lanes and Pavement rehabilitation.

**RN# 230663**

**Comment:** Suggest modifying to: US 101 San Mateo County from San Mateo/Santa Clara County line to Whipple Avenue - convert HOV lanes to HOT lanes.

**RN# 230664**

**Comment:** Suggest modifying to: US 101 in San Mateo County from Whipple Avenue to Millbrae - widen to add a HOT lane in each direction

**RN# 230683 (Listed under Regional HOT Network-I-680 Corridor)**

**Comment:** Suggest modifying to: I-680 in Alameda and Contra Costa County from Route 84 to Alcosta Road--widen to add an HOT lane in each direction.

**RN# 230099: "Construct northbound I-680 to westbound I-580 connector."**

**Comment:** The project cost increased from \$392.5 M (June 2008) to \$572.0 M on this list, a 46 percent cost increase. Please check with the T2035 project sponsor to find out the reason since the Department is unaware of this increase.

**RN# 230681 and # 230682**

**Comment:** The project descriptions have a conflict. The description is I-680 'northbound' but it shows 'each direction'. A southbound HOT lane is supposed to be complete by 2011 unless the budget delays it. If the description is supposed to cover both, than the 'northbound' should be deleted.

Ms. Ashley Nguyen  
February 2, 2009  
Page 13

**RN# 94030 and # 22779**

**Comment:** This project is divided into two phases. Phase 1 (RN# 94030) will be completed by April 2009 except for mitigation. With T-2035 being completed in the same year, should the Phase 1 project continue to remain in the plan? Phase 2 (RN# 22779) is listed separately.

**APPENDIX 2 – SUPPLEMENTARY REPORTS**

**Comment:** In addition to simply referencing the mitigation strategies cited in the Environmental Impact Report (EIR) and its Executive Summary, the RTP should also include a general discussion of potential mitigation activities that result in environmental protection needs.

If you have any questions, please contact Lee Taubeneck, Deputy District Director, Transportation Planning and Local Assistance at (510) 286-5908.

Sincerely,



*for* BIAN SARTIPI  
District Director

③

**From:** Lindy Lowe <lindyl@bcdc.ca.gov>  
**To:** Ashley Nguyen <ANguyen@mtc.ca.gov>  
**CC:** Joe Curley <jcurley@mtc.ca.gov>, Tim Doherty <timd@bcdc.ca.gov>  
**Date:** 2/2/2009 3:37 PM  
**Subject:** Sea level rise map in the draft EIR

Hello Ashley,

I am sorry that I have not sent in a more formal comment letter on the draft EIR. For some reason the office routing did not work and I just received the document. There is one thing I wanted to make sure was changed in the document and that is the sea level rise map in the draft EIR. I think that this map is an earlier version that was updated for the draft 2035 plan. I think that we assumed that the updated map would go into both the EIR and the plan, but the disconnect was probably due to consultants working on the EIR and staff working on the plan. We would like for the maps in both the EIR and the plan to be the same and the one that is in the plan is an updated version of the map with the citations and legends that are important for understanding the data and the content of the map. Please let me know if you have any questions. Thanks!

Both the plan and the EIR look good and it must feel good to have them both out to the public after all of that hard work.

Best,  
Lindy

--  
Lindy L. Lowe  
Senior Planner  
San Francisco Bay Conservation  
and Development Commission  
(415)352-3642  
lindyl@bcdc.ca.gov

**From:** <MPayne@bart.gov>  
**To:** <ANguyen@mtc.ca.gov>  
**Date:** 2/2/2009 5:39 PM  
**Subject:** RTP Comment Letter  
**Attachments:** 2035 RTP DEIR Comment Letter.pdf

4



**SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT**

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2009

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VICE PRESIDENT

Dorothy W. Dugger  
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Ms. Ashley Nguyen  
EIR Project Manager  
Metropolitan Transportation Commission  
101 Eighth Street  
Oakland, CA 94607

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February 2, 2009

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9TH DISTRICT

RE: BART Comments on Draft Environmental Impact Report on  
Regional Transportation Plan, December 2008, SC No. 2008022101

Dear Ms. *Ashley* Nguyen

We appreciate the opportunity to comment on the Draft Environmental Impact Report (DEIR) for the Regional Transportation Plan (RTP), released December 2008. More significant than our comments on the DEIR, however, will be the work we would like to undertake with MTC on the issues of climate change, funding maintenance projects, and BART's system capacity. Recognizing that this DEIR is programmatic, and not at the project level, we want to partner with you and others to address the shortcomings of the current document.

**Climate Change and GHG Emissions**

We read with interest the section on Climate Change and Greenhouse gases. As you know, we share your concern about climate change and greenhouse gas emissions, and are committed to participating in local solutions. We believe that recently enacted SB 375 will guide us all in defining and implementing appropriate measures in future RTPs. We look forward to working with MTC on this very important and complex set of issues.

**Maintenance Needs**

The DEIR supports the "Fix It First" prioritization that we have championed. Our customers consistently tell us that BART's on-time performance is a critical factor in their decision to leave the car at home. The region's "Fix It First" investment is essential for transit to sustain existing ridership levels and to attract new riders. The investment levels in the draft RTP and DEIR are a good first step, but woefully insufficient to enable BART to adequately renovate our aging system. The investment level described leaves a \$16 billion regional capital replacement shortfall. BART's maintenance needs are not

proposed to be met, while at the same time BART's rider load associated with Priority Development Areas is very significant.

Among the region's operators, BART has the largest need, due to having the largest capital asset base. We have more physical plant requiring replacement, renovation and maintenance than any other transit operator. Our 25-year capital shortfall is \$7 billion, exclusive of critical core capacity improvement needs. We appreciate that the plan proposed to fully fund our vehicle replacement needs, but it funds only 25 percent of our other highest-rated needs. Important projects like track replacement, traction power, and train control may go unfunded if we cannot find the means to cover them.

#### BART System Capacity Needs

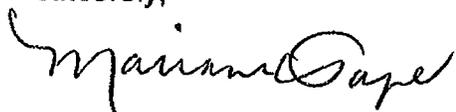
Your DEIR states, "The Transportation 2035 Plan has a city-centered focus that is consistent with Projections 2007, and gives priority to transportation improvements that serve urbanized locations," and prioritizes projects that "support the development of higher density housing, mixed uses and jobs in existing communities near transit." (See page 2.12-11.) However, BART is very concerned about our ability to meet our system capacity needs in the future envisioned by the draft RTP and draft EIR. As you describe, most of the regional growth anticipated in the DEIR is contemplated around existing and future transit stations and corridors, specifically BART stations and corridors. This is appropriate, and applauded here at BART. However, there is no direct link made between clustering and stacking dwelling units and jobs at BART stations, and investment in the capacity of the rail system to carry the new riders. The analysis fails to connect the dots, apparently relying on BART to undertake system capacity expansion without resources. The DEIR is insufficient in its recognition and commitment to resolving this problem.

We are working towards a goal of effectively carrying 500,000 weekday riders on our system. Yet the DEIR posits a ridership level of over 600,000, with much of the new ridership associated with new development around our system. We welcome new riders, but must make clear that we are not able to shoulder the burden of providing transit service to this very large number of new passengers without new resources. The task of providing transit must be linked to the sources of new riders: new housing and jobs near BART. We look forward to working with MTC, cities making the land use decisions, and employers to provide the transit required by such development.

Significantly, BART's system capacity needs must be included in the HOT analysis. Some of the potential HOT Lane facilities are in corridors where, according to future models, BART will be capacity constrained (e.g., I-80/Bay Bridge Corridor). The EIR should analyze the capacity impacts of road pricing on parallel transit systems. If there is a nexus between peak pricing within HOT lane corridors and transit, MTC should evaluate using toll revenue to fund transit operating as well as capital needs.

Thank you for the opportunity to comment on your DEIR. We look forward to the work ahead of us.

Sincerely,

A handwritten signature in cursive script that reads "Marianne Payne".

Marianne A. Payne  
Manager, Planning Department

Cc: Dorothy Dugger  
Carter Mau  
Gregg Marrama

G:/MTC RTP/Comment Letter on RTP DEIR,jan09First Draft.doc



TRANSBAY JOINT POWERS AUTHORITY

**Maria Ayerdi-Kaplan • Executive Director**

January 30, 2009

Ashley Nguyen, Planning Section  
Metropolitan Transportation Commission, EIR Comments  
101 Eighth Street  
Oakland, California 94607

Subject: Draft Environmental Impact Report for the Transportation 2035 Plan  
Metropolitan Transportation Commission

Dear Ms. Nguyen:

The Transbay Joint Powers Authority (TJPA) congratulates the Metropolitan Transportation Commission (MTC) on the milestone achievement of the publication of the Draft Environmental Impact Report (EIR) for the Transportation 2035 Plan for the San Francisco Bay Area.

The TJPA fully supports regional transit developments serving the nine Bay Area counties represented by the MTC. The new Transbay Transit Center Program is preparing to play a major role as a multimodal regional transit hub for the greater San Francisco Bay Area.

We have reviewed the MTC Draft EIR for the Transportation 2035 Plan and offer comment on its reference to the Transbay Transit Center Program on the attached table.

Should you have any questions related to the TJPA's comment, please contact Robert Beck, TJPA Senior Program Manager at 415.597.4620.

Very truly yours,

A handwritten signature in black ink, appearing to read "Maria Ayerdi-Kaplan", written over a horizontal line.

Maria Ayerdi-Kaplan  
Executive Director

Attachment

cc: R. Beck, E. Sum, B. Dykes, and File

**Transbay Joint Power Authority's Technical Comment on the Draft Environmental Impact Report for the Transportation 2035 Plan for the San Francisco Bay Area**

EIR Reference	TJPA Comment
<p>Page 2.9-43, Table 2.9-2</p>	<p>Table 2.9-2 indicates that project 22008 could potentially impact wetlands, special-status plant or wildlife species, or designated or proposed critical habitat. However, Chapter 4.9, Vegetation and Wildlife, in the Final Environmental Impact Statement/Environmental Impact Report (EIS/EIR)* for the Transbay Terminal/Caltrain Downtown Extension/Redevelopment Project includes the following statements.</p> <ul style="list-style-type: none"> <li>- No sizable natural habitat for biological plant, animal, or bird species remains. [paragraph 1]</li> <li>- No effects on San Francisco Bay bird species are anticipated. [paragraph 2]</li> <li>- The U.S. Fish and Wildlife Service indicated that no adverse effects on endangered species of wildlife and plants or their habitats are expected from the proposed improvements." [paragraph 3]</li> </ul> <p>*The Final EIS/EIR can be found on the TJPA website: <a href="http://www.transbaycenter.org/TransBay/content.aspx?id=114">http://www.transbaycenter.org/TransBay/content.aspx?id=114</a></p> <p>An extract of the Final EIS/EIR, Chapter 4.9 (on page 4-39) follows this page.</p>

Extract from the Final EIS/EIR  
Transbay Terminal/Caltrain Downtown Extension/Redevelopment Project  
(<http://www.transbaycenter.org/TransBay/content.aspx?id=114>)

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CHAPTER 4: AFFECTED ENVIRONMENT

No known faults cross the project alignment; however the faults shown in Figure 4.8-2 may subject the study area to strong ground shaking. Estimates of peak ground acceleration from an earthquake on the San Andreas or Hayward fault within the study area range from 0.2g to 0.5g. Ground failure hazards during an earthquake can include settlement and liquefaction. During the 1989 Loma Prieta earthquake, ground deformation in the project area consisted of settlement, ground cracking, and/or sand boils. These features were observed between Beale Street and The Embarcadero from Market to Harrison Streets, and from Fourth to Ninth Streets between Mission and King Streets.

#### 4.9 VEGETATION AND WILDLIFE

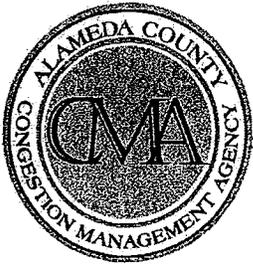
Portions of the project area lie within reclaimed areas formed by filling former marshes and estuaries of San Francisco Bay, including Mission Bay, South Beach and Yerba Buena Cove. Except for South Park and landscaping associated with recent residential developments in the South Beach/Steamboat Point area, the vicinity of the proposed project is generally paved with concrete and asphalt. No sizable natural habitat for biological plant, animal, or bird species remains.

Although the project area lies adjacent to the San Francisco Bay, all construction would occur outside the Bay Conservation and Development Commission's 100-foot "shoreline band," and no project alternatives would require filling of or construction within wetlands or Bay waters or affect water quality. No effects on San Francisco Bay bird species are anticipated.

These findings are consistent with the previous environmental studies conducted in the area, including the March 1997 Draft EIS/EIR for the Caltrain Downtown Extension Project, and the Draft EIS/EIR for Alternatives to Replacement of the Embarcadero Freeway and the Terminal Separator Structure, published by the City of San Francisco, Caltrans, and the Federal Highway Administration in 1995. Both these studies addressed an area similar to the present project area. The U.S. Fish and Wildlife Service indicated that no adverse effects on endangered species of wildlife and plants or their habitats are expected from the proposed improvements. A copy of the Service's August 10, 2001, letter is provided in Appendix D.

#### 4.10 WETLANDS

The present China Basin Channel is not a naturally occurring tidal creek but the remains of the former Mission Bay. The entire site, like the project area in general, has been altered through extensive urban development or landscaping. No wetlands remain.



ALAMEDA COUNTY  
CONGESTION MANAGEMENT AGENCY

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6

**AC Transit**  
Director  
Greg Harper

**Alameda County**  
Supervisors  
Nate Milay  
Scott Haggerty

**City of Alameda**  
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Beverly Johnson  
Vice Chair

**City of Albany**  
Councilmember  
Farid Javandel

**BART**  
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Thomas Blalock

**City of Berkeley**  
Councilmember  
Kiss Worthington

**City of Dublin**  
Mayor  
Tim Szeanti

**City of Emeryville**  
Vice Mayor  
Ruth Atkin

**City of Fremont**  
Councilmember  
Robert Wietkowski

**City of Hayward**  
Councilmember  
Orden Henson

**City of Livermore**  
Mayor  
Marshall Kamana

**City of Newark**  
Councilmember  
Luis Freitas

**City of Oakland**  
Councilmember  
Larry Reid

**City of Piedmont**  
Councilmember  
John Cheng

**City of Pleasanton**  
Mayor  
Jennifer Hosterman

**City of San Leandro**  
Councilmember  
Joyce R. Starosciak

**City of Union City**  
Mayor  
Mark Green  
Chair

**Executive Director**  
Dennis R. Fay

February 2, 2009

Hon. Bill Dodd, Chairman  
Metropolitan Transportation Commission  
101 Eighth Street  
Oakland, CA 94607-4700

Subject: Comments on the Draft Transportation 2035 Plan (2009 RTP) and  
Draft Environmental Impact Report (DEIR)

Dear Chairman Dodd:

Thank you for the opportunity to comment on the Draft Transportation 2035 Plan (2009 RTP) and Draft Environmental Impact Report. We commend MTC for its efforts to establish a transportation vision for the San Francisco Bay Area region. We have reviewed both documents and respectfully submit the following comments:

The Alameda County Congestion Management Agency (ACCMA) Board adopted 2008 Alameda Countywide Transportation Plan Investment Program used by MTC in the development of Transportation 2035 and accompanying DEIR represents Alameda County's priorities for the next 25 years. The projects and programs were developed through extensive input from the jurisdictions and the community. Our Investment Program is financially constrained and includes projects funded by Alameda County's Share funds, our Measure B voter approved sales tax, and the statewide voter approved Corridor Mobility Investment Account (CMIA). We appreciate that these priorities have been included in the RTP.

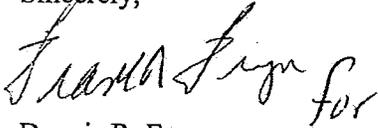
The countywide investment policies used to define our transportation investment priorities include, among other things, a commitment to:

- Maintaining and operating existing facilities before diverting funds to build new facilities,
- Focusing on high priority projects over the next several funding cycles to ensure delivery of these improvements (e.g., Warm Springs BART Extension, I-580 Corridor Improvements including HOT Lanes and right-of-way preservation for transit, Bus Rapid Transit in the East Bay, Transit Oriented Development Improvement Program),
- Giving priority to projects that are most effectively coordinated with land use planning and Priority Development Areas, and
- Supporting strategies that reduce transportation's share of greenhouse gases.

The transportation investment priorities also include a number of important and on-going committed projects. We encourage MTC to retain these committed projects in the RTP because they reflect prior commitments, designed to reduce congestion, close gaps, and improve safety, that are already well underway and reflect the desire of the voting public. In addition, the committed funds for these prior commitments have been reserved by law for specific uses or allocated by MTC Action prior to the development of the Draft Transportation 2035 Plan and cannot be used for other purposes. The ACCMA acknowledges that the transportation needs far outweigh the funding resources; however, we encourage MTC to complete the projects for which commitment and progress have been made. MTC should continue to focus on identifying new funding sources to satisfy the growing needs of our transportation system identified in the RTP.

We look forward to continued collaboration in the implementation of the Transportation 2035 Plan. If you have any questions, please contact Beth Walukas, Manager of Planning at 510/350-2326 or [bwalukas@accma.ca.gov](mailto:bwalukas@accma.ca.gov).

Sincerely,

Handwritten signature of Dennis R. Fay in cursive script.

Dennis R. Fay  
Executive Director

Cc: CMA Board of Directors  
Doug Kimsey, MTC  
Ashley Nguyen, MTC  
Bay Area CMA Directors  
Beth Walukas, Manager of Planning  
Chron  
File: 2008 RTP: Transportation 2035  
File: 2008-09 Environmental Review Opinions and Responses

7

**From:** "Desautels, Alexandra, Public Health, CAPE" <Alexandra.Desautels@acgov.org>  
**To:** <anguyen@mtc.ca.gov>  
**Date:** 2/2/2009 6:04 PM  
**Subject:** DEIR - RTP comments  
**Attachments:** DEIR - RTP 2035 and Health.pdf

Hello,

Attached are comments on the DEIR of the Transportation 2035 Plan, submitted on behalf of Dr. Sandra Witt, Deputy Director of Planning, Policy and Health Equity for the Alameda County Public Health Department.

Best Regards,

Alexandra Desautels

510-208-1235

alexandra.desautels@acgov.org



ALAMEDA COUNTY HEALTH CARE SERVICES AGENCY  
PUBLIC HEALTH DEPARTMENT

David J. Kears, Director  
Anthony Iton, Director & Health Officer

1000 Broadway, 5th Floor  
Oakland, CA 94607

(510) 267-8000  
(510) 267-3223

February 2, 2009

Metropolitan Transportation Commission Commissioners  
101 Eighth Street  
Oakland, CA 94607  
510-817-5848 (fax)

### **Regional Transportation Plan 2035: Draft EIR Comments**

Dear Metropolitan Transportation Commission Commissioners:

Transportation and health are inextricably linked. From reducing greenhouse gas emissions to improving access to bike lanes, the Regional Transportation Plan 2035 (RTP 2035) will help improve health outcomes in Alameda County. I am writing to commend your leadership in ensuring that the RTP 2035 both reaches its environmental, economic, and equity goals while promoting public health. We have reviewed the Draft EIR and I would also like to propose that the Final EIR include a "No Project Alternative" in which none of the RTP funds, including the "Committed Projects," are invested. Doing so will facilitate a better understanding of the environmental, and thus health impacts of the RTP 2035 plan as a whole.

As stated in our Department's letter regarding the RTP 2035, submitted May 23, 2008, increasing and improving pedestrian and bicycle facilities reduces driving, promotes physical activity, and increases pedestrian and bicyclist safety. Encouraging active transport has never been more important than now, the first time in modern history the next generation is expected to live lives that are shorter than ours. By investing in programs that encourage young people to walk and bike you are helping to set healthy habits and ensure fitter healthier leaders for tomorrow. Investments in the bicycle network will help create a safer biking environment, decreasing injury rates. Such an increase in safety is vital, especially in low income communities where there is a disproportionate concentration of auto-bike collisions. Finally, the air quality impacts of encouraging use of public transportation, both through community design and route connectivity, will benefit us all. By investing an unprecedented proportion of discretionary funds to the Climate Change Program, the RTP 2035 promises to increase access to bicycle and pedestrian facilities and reduce greenhouse gas emissions, thus helping to reduce chronic diseases and injuries in Alameda County and the entire Bay Area.

In an effort to ensure that RTP 2035 promotes health to the greatest extent possible, while still meeting the very important environmental, economic, and equity goals, we ask that the Final EIR include a "No Project Alternative" in which none of the RTP funds, including the "Committed Projects," are invested. As currently defined, the "No Project Alternative" prevents the evaluation of the impacts of the plan as whole. Given the global climate change crisis, as well as the greenhouse gas reduction goals set in AB 32, it is essential that decision makers and the public understand the environmental impacts of new investments combined with existing investments. Furthermore, Bay Area residents are exposed to levels of air pollution that are above state air quality standards for both ozone and diesel particles. Low-income communities and communities of color are disproportionately exposed to environmental toxins such as CO<sub>2</sub>, PM<sub>2.5</sub> and PM<sub>10</sub>. As a result, these communities are burdened by environmentally-linked diseases.

In order to reduce greenhouse gas emissions and improve health outcomes in Alameda County, we must evaluate the environmental impacts of new investments alongside existing investments. If we find that combined, the investments have environmental and thus public health impacts, the public and decision makers will have the information they need to reprioritize projects so as to maximize environmental benefits of the RTP 2035.

Thank you again for your leadership in drafting a RTP that supports environmental, economic, and equity goals while also promoting public health. Additionally, thank you for taking our comments into consideration.

Sincerely,

A handwritten signature in cursive script that reads "Sandra Witt". The signature is written in dark ink and is positioned above the typed name.

Dr. Sandra Witt  
Deputy Director of Planning, Policy and Health Equity  
Alameda County Public Health Department

# C/CAG



## CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY

*Atherton • Belmont • Brisbane • Burlingame • Colma • Daly City • East Palo Alto • Foster City • Half Moon Bay • Hillsborough • Menlo Park • Millbrae  
Pacifica • Portola Valley • Redwood City • San Bruno • San Carlos • San Mateo • San Mateo County • South San Francisco • Woodside*

February 2, 2009

Metropolitan Transportation Commission  
101 Eighth Street  
Oakland, CA 94607

Attention: The Honorable Bill Dodd, Chair

Subject: Comments on the Draft Transportation 2035 Plan (2009 RTP) and Draft  
Environmental Impact Report

Dear Chairman Dodd:

The City/ County Association of Governments of San Mateo County (C/CAG) is the Congestion Management Agency for San Mateo County and is responsible for programming the San Mateo County discretionary State and Federal Transportation funds and coordinating these with the Local Sales Tax Measure Strategic Plan.

C/CAG is supportive of the Draft Transportation 2035 Plan (2009 RTP) and Draft Environmental Impact Report as presented since it reflects projects approved by our voters as part of the Local Sales Tax Measure in San Mateo County. The projects submitted and included for San Mateo County were developed as a result of a broad consensus between C/CAG and the San Mateo County Transportation Authority that is our Local Sales Tax Authority. C/CAG has established a policy that the discretionary funding will be used to match the funding provided by the Local Sales Tax Measure Strategic Plan. This significantly leverages what can be accomplished with the Local Sales Tax Measure. Therefore many of the projects submitted were included in the Local Sales Tax Measure and supported by the voters. Many of the projects identified reflect the will of the San Mateo County voters.

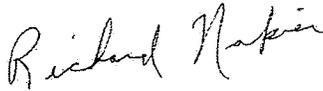
A suggestion was made that the 2009 Regional Transportation Plan should reevaluate and possibly eliminate some committed projects. C/CAG strongly opposes this concept for the following reasons.

- 1- The committed projects had to achieve a broad countywide consensus in order to be fully funded.
- 2- The 2009 RTP should reflect the broad countywide consensus that was established to move the committed projects forward.
- 3- The 2009 RTP should reflect the will of the voters as reflected in the Local Sales Tax Measure Projects that are on the committed list.
- 4- The San Mateo County Local Sales Tax Measure made a strong commitment to transit and other modes in addition to the highways and local streets and roads.
- 5- The 2009 RTP would be incomplete if it did not reflect the local project commitments including those supported by the San Mateo County voters.
- 6- In many cases MTC has a limited role in the committed projects where no regional funds were used.

C/CAG strongly supports the 2009 RTP that includes the locally committed projects.

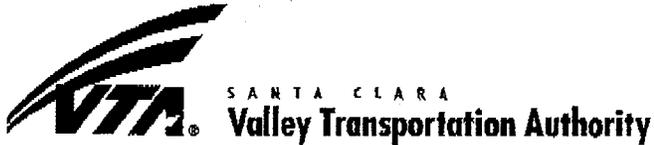
Your consideration of this matter is appreciated. If there are any questions please contact Richard Napier at 650 599-1420.

Sincerely,

A handwritten signature in cursive script that reads "Richard Napier".

Richard Napier  
Executive Director  
City/ County Association of Governments

cc: Sue Lempert - MTC Representative  
Adrienne Tissier - MTC Representative



(9)

February 2, 2009

Steve Heminger  
Executive Director  
Metropolitan Transportation Commission  
Joseph P. Bort MetroCenter  
101 Eighth Street  
Oakland, CA 94607-4700

Dear Steve:

On behalf of the Santa Clara Valley Transportation Authority, I am writing to express our general support of the environmental clearance for Transportation 2035, the regional transportation plan for the Bay Area. Transportation 2035 provides a healthy mix of new investments while maintaining a commitment to "fix-it-first" in order to protect our existing transportation infrastructure. VTA staff is reviewing the document in detail and will forward MTC our specific comments prior to your March 2009 deadline.

I am also pleased to inform you that the VTA Board of Directors unanimously approved Valley Transportation Plan 2035 (VTP 2035) at its January 8, 2009 meeting. VTP 2035 is Santa Clara County's long-range transportation plan and contains a committed list of the highest priority transportation investments in the county. The list was compiled through a robust outreach process with all 15 cities as well as the County of Santa Clara. These investments will produce tremendous transportation and environmental benefits for Santa Clara County and the region as a whole. These committed lists had been had been previously forwarded to MTC for inclusion in Transportation 2035.

Furthermore, I want to compliment MTC staff and the commission for maintaining the integrity of each county's committed project list and resisting the temptation to revisit and possibly remove individual projects. It is important that work continue on these prior commitments as they are well underway and represent the will of the people within these communities. In addition, as staff and the commission recognize, these project lists are not a collection of miscellaneous investments, but rather a program of projects that are interrelated and have been vetted within each community. When built, the projects will form a transportation network that will help us achieve the goals that we are striving to reach.

To meet the challenges before us as a region, we must work together while relying on the expertise of the local communities. Transportation 2035 provides a vision for us to move forward.

Sincerely,

  
John Ristow  
Chief CMA Officer



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10

MICHAEL J. SCANLON  
EXECUTIVE DIRECTOR

February 2, 2009

Ashley Nguyen  
Metropolitan Transportation Commission  
101 Eighth Street  
Oakland, CA 94607

**Re: Draft Environmental Impact Report for the Draft Transportation 2035 Plan**

Dear Ms. Nguyen:

On behalf of Caltrain, thank you for the opportunity to comment on the Draft Environmental Impact Report (EIR) for the Draft Transportation 2035 Plan. The comments provided in this letter pertain to the Draft EIR only.

There is some confusion regarding changes to projects as noted on the DEIR errata sheet that may impact Caltrain projects. First, please clarify why Caltrain Express Phase 2b (Project #230707) was deleted from page 52 of the Draft DEIR? It appears that this project will not be listed elsewhere in the plan, pending this change. Can you confirm that this project was segmented as two separate projects: #21619 (Caltrain Express Phase 2a – signal system and positive train control) for \$69 million, financially constrained; and #230707 for \$327 million (Caltrain Express Phase 2b – for level boarding and North and South Terminals) was removed by MTC because we understand that MTC staff deemed it as financially unconstrained. Please let us know the implication of this project being excluded from the Plan. We hope to continue to engage on this issue.

Can you also please clarify why on page 2 of Appendix C, Project #21627 - Electrify Caltrain from Tamien to San Francisco notes a correction to “retain checkmark for Proposed Project but remove checkmarks for all alternatives?” It is not quite clear why these alternatives will not be included in the final analysis. In addition, there is not a corresponding change to Appendix C, page 43 to Project #230534 Electrify Caltrain line from Tamien Station to Gilroy. In this case, this segment lists all project alternatives.

Thank you for opportunity to provide comments on the DEIR. We would appreciate it if you would clarify these questions before proceeding with finalizing the document. Feel free to contact me with any further questions.

Sincerely,



G. Ted Yurek  
Senior Planner  
Planning & Research

cc: Stacy Cocke, Senior Planner, Capital Planning Support  
Marisa Espinosa, Manager, Planning & Research  
Marian Lee, Director, Planning & Development  
Todd McIntyre, Manager, Special Projects  
Anne Louise Rice, Deputy Director, Capital Programs Support

11

February 2, 2009

Ashley Nguyen  
Metropolitan Transportation Commission  
Joseph P. Bort Metro Center  
101 Eighth Street, 3rd Floor  
Oakland, CA 94607-4700

**SUBJECT: DRAFT ENVIRONMENTAL IMPACT REPORT FOR DRAFT  
TRANSPORTATION 2035 PLAN (OA08-043)**

Dear Ms. Nguyen:

On December 29, 2008, the City of San Jose received an electronic link to the Draft Environmental Impact Report (EIR) for the Draft Transportation 2035 Plan from the MTC. The draft Plan is the Bay Area's transportation blueprint for investing \$226 billion in projected revenue expected to flow to the region over the next 25 years. The City of San Jose is supportive of the Plan as a transportation plan that supports regional and local transportation improvements, including the planned BART extension to the South Bay. The City of San Jose appreciates the opportunity to review and provide comments on the Draft EIR for the Plan and offers the following comments:

1. The MTC's Superdistricts map(s) should either be included in the Draft EIR in the Appendix or the Draft EIR should include a direct reference to the map(s) location where it may be viewed on-line by the reader. The reference should be included in the Draft EIR where it is first discussed in the document.
2. On pages 2.3-4 through 2.3-5, the discussion should address the density of persons in residence per acre, rather than just households or dwelling units per acre. San Jose's average household size is significantly larger than San Francisco's. If number of households is more relevant than number of persons in residence per acre, this relevance should be explained.

Thank you again for the opportunity to comment on the Draft EIR for this project. We look forward to reviewing the Final EIR when it becomes available for review. Please provide me with a CD version of the complete Final EIR, including all Appendices, technical reports/volumes of the document. You may send the document directly to my attention, since I coordinate with other City departments in the review of the Draft EIR. If you need to discuss these comments, you may contact me at (408) 535-7815.

Sincerely,

Janis Moore  
Planner II

OA08-043 DEIR MTC Transp 2035 Plan/JAM

**From:** Ashley Nguyen  
**To:** brooksallen1@sbcglobal.net  
**Date:** 1/14/2009 4:22:38 PM  
**Subject:** T2035 Comment (B/C Ratio, HOT effect on low-income, impact on low-income)

Hi Bill:

Thank you for attending the Joint Advisors Workshop on January 7, and providing us your comments on both the Draft Transportation 2035 Plan and the Draft Environmental Impact Report. I am replying to the comments you raised on both draft documents:

Draft Transportation 2035 Plan:

(1) The comments that you shared with us are important. Staff will be preparing replies to all written comments received from the advisors. At the February 13 MTC Planning Committee meeting, staff will present highlights of key comments heard from our joint advisors, and provide a copy of the written comments and replies to the Planning Committee for its review.

(2) As you know, in spring 2008 MTC conducted a project-level assessment to understand how potential long range plan investments address the Transportation 2035 goals and performance objectives. The benefit/cost of the various programs you asked about are shown below. Note that the benefit-cost ratio can be considered to indicate the cost-effectiveness for reducing delay. Specialized projects that do not directly impact delay, such as the Transportation for Livable Communities, Regional Bicycle Program, and Lifeline Program, have lower benefit-cost ratios than carpool lanes and roadway and transit efficiency projects.

Transportation for Livable Communities: Benefit/Cost between 1 and 4

Lifeline: Benefit/Cost less than 1

Regional Bicycle Network: Benefit/Cost less than 1

See MTC's Performance Assessment Report (December 2009) for more details. You may view it online at:

[http://www.mtc.ca.gov/planning/2035\\_plan/Supplementary/T2035Plan-Perf\\_AssessmentReport.pdf](http://www.mtc.ca.gov/planning/2035_plan/Supplementary/T2035Plan-Perf_AssessmentReport.pdf)

Lastly, you may recall that we also included a qualitative assessment of all potential RTP projects, recognizing the limitations of the cost/benefit model and the relatively small number of projects we were able to quantitatively evaluate. The qualitative assessment compared how each of the projects addressed each of the RTP goals.

(3) HOT lanes will continue to be free of charge for carpools and buses. Solo drivers are allowed to use available capacity in the HOV lanes but they must pay a price. Low-income travelers may benefit from the HOT lanes because (a) available net HOT toll revenue often support bus service enhancements; for this reason, HOT lanes are widely supported by travelers at all income levels, and (b) low-income, solo travelers who are willing to pay the toll may use the HOT lane when they need it most to get to their destination without much delay. A study done by Cal Poly San Luis Obispo of the State Route 91 HOT Lanes in Southern California found that the benefits of the HOT lane are enjoyed widely at all income levels, and that HOT lane use was more closely tied to current travel conditions and trip needs than income. HOT lanes really are a form of "congestion insurance" for any traveler willing to pay the toll - whether it is a businessperson late for a meeting or a parent racing to pick up a child at day care. Also, note that as the projects identified as part of the Regional HOT Network move forward into the design and environmental review phases, more detailed analysis will be conducted to assess a full range of issues, including social equity and how much net revenue could become available and how it might be used.

Draft EIR

The California Environmental Quality Act (CEQA) requires an environmental assessment of the physical impacts of a proposed project, and for population related issues, it requires that the analysis evaluate impacts such as inducing substantial population growth in an area, displacing substantial numbers of

existing housing, and displacing substantial numbers of people. CEQA does not require an environmental assessment of the impacts on low-income groups. However, to address social equity issues, MTC prepares a separate Equity Analysis that evaluates the impacts of implementing the Transportation 2035 Plan on low-income groups. MCAC has been heavily involved in the approach, methodology and analysis for the Equity Analysis Report, which will be available in January/February 2009.

\*\*\*\*

Draft Trans. 2035 Plan - SF Bay Area

\* Input on item three, 45 minute spent. Where will these responses be reflected?

\* Cost vs. benefit Lifeline/bikes, TLC & focus not fully answered, please offer \$ difference

\* How does HOT lane affect low income transit/car drivers?

EIR

\* Impact on low income not I.D.

William J. Allen

MCAC

[brooksallen1@sbcglobal.net](mailto:brooksallen1@sbcglobal.net)

Ashley Nguyen

Senior Transportation Planner/Analyst

Metropolitan Transportation Commission

101 Eighth Street | Oakland, CA 94607

Tel. 510.817.5809 | Fax 510.817.5848

**From:** Ashley Nguyen  
**To:** sherman@csuhayward.us  
**Date:** 1/15/2009 8:30:46 AM  
**Subject:** T2035 Comment (EIR Alternatives, Particulates, Transit Performance)

Hi Sherman:

Thank you for attending the Joint Advisors Workshop on January 7, and providing us your comments on both the Draft Transportation 2035 Plan and the Draft Environmental Impact Report. I am replying to the comments you raised on both draft documents:

(1) As you know, CEQA requires EIRs to describe a reasonable range of potentially feasible alternatives to a proposed project or program. EIRs need not analyze these alternatives at the same level of detail that it analyzes the project itself. CEQA Guidelines require only that the EIR provide enough information to allow meaningful evaluation, analysis and comparison. In the Draft EIR, we evaluated the No Project, Heavy Maintenance/Climate Protection Emphasis (HM/CP), HM/CP + Pricing, and HM/CP + Land Use alternatives.

Staff has presented key findings of the Draft EIR, including the alternatives analysis, to the MTC Planning Committee at its December 12 meeting, and the Final EIR will be presented to both the MTC Planning Committee and Commission for review and consideration of the environmental assessment prior to the Commission taking action on the Final Transportation 2035 Plan.

(2) Correct. The PM10 and PM2.5 emissions represent total emissions from on-road mobile sources, and not presented as per capita.

(3) Chapter 5, Building Momentum for Change, in the Draft Transportation 2035 Plan lays out five issue areas that MTC and the region might focus on to span the distance between where the region will be with the Draft Transportation 2035 Plan and where it needs to be to meet the plan's ambitious performance objectives. The "Transit Performance Initiative" issue area is most pertinent to your comment, and we too look to ways to improve transit efficiency and performance. The advisors had previously provided us with some initial feedback on these issue areas, and as the dialogue continues, we hope you continue to stay engaged and give us constructive feedback on adding the "flesh to bones" on these issue areas.

Staff will share your comments with MTC Planning Committee at its February 13 meeting, and your comments will be forwarded to the full Commission. Again, many thanks for your feedback on the Draft Plan and EIR.

\*\*\*\*

HM/CP, pricing and land-use are only described in the DEIR and thus, not in Plan. So - how can HM/CP etc. be adopted? MTC could adopt the mitigation into the Plan but - then the HM/CP etc. itself has not been evaluated for its impact (except for impact on Project impacts), nor is the HM/CP etc. as fully described as it would if it were part of the Plan.

Slide 8 on PM10 & PM2.5: seems aggregate data, not per capita - results could be interesting.

Need more effort to reduce empty buses - either cut service or increase riders - both highways and transit can be boondogles.

Sherman Lewis  
Advisory Council  
[sherman@csuhayward.us](mailto:sherman@csuhayward.us)

Ashley Nguyen  
Senior Transportation Planner/Analyst

Metropolitan Transportation Commission  
101 Eighth Street | Oakland, CA 94607  
Tel. 510.817.5809 | Fax 510.817.5848

14

**From:** Ashley Nguyen  
**To:** Sherman  
**Date:** 1/20/2009 12:51:36 PM  
**Subject:** Re: T2035 Comment (EIR Alternatives, Particulates, Transit)

Hi Sherman:

I appreciate your kind words - thank you!

You are correct in that the EIR analysis did not evaluate an alternative that shows the combined effects of pricing and land use. I agree with you that there are synergistic effects with the combo. However, staff had previously evaluated the pricing, land use, and combined pricing and land use effects as part of the vision scenario analysis (what we referred to as the "what if" analysis in the Draft T2035 Plan), and we shared the results of these analyses at the October 2007 Bay Area on the Move forum. This analysis is also well-documented in the Performance Assessment Report. For the EIR analysis, we felt that repeating the combo pricing and land use analysis would not result in materially new information and findings than what we shared in the previous analysis, and therefore would not provide new information for consideration by the Commission. The analysis of the HM/CP + Pricing and HM/CP + Land Use makes a pretty strong case on the value and effects of pricing and land use, and as we concluded in the previous analysis, the combo of pricing and land use would have a much bigger effect overall.

Thanks again for your feedback on the Draft Transportation 2035 Plan and Draft EIR!

Ashley Nguyen  
Senior Transportation Planner/Analyst  
Metropolitan Transportation Commission  
101 Eighth Street | Oakland, CA 94607  
Tel. 510.817.5809 | Fax 510.817.5848

>>> Sherman <sherman@csuhayward.us> 1/18/2009 11:42:56 AM >>>

Thanks for your comments. I appreciate your relentlessly positive and professional attitude in the face of blizzards of complaints, not something I could do.

See below for one query.

Ashley Nguyen wrote:

> In the Draft EIR, we evaluated the No Project, Heavy Maintenance/Climate Protection Emphasis (HM/CP), HM/CP + Pricing, and HM/CP + Land Use alternatives.

It appeared to me at the time, and based on the above, that you did not do the heavy duty all in one, HM/CP + Pricing + Land Use.

Since Pricing and Land Use combined properly (properly = the way I would do it) have synergistic results (the pricing providing the incentive to reduce GHG and the land use providing an efficient alternative), I would like to see an alternative combining them. What do you think?

--

Sherman Lewis, Professor Emeritus, Political Science  
California State University, Hayward  
2787 Hillcrest Ave., Hayward CA 94542  
510-538-3692 [sherman@csuhayward.us](mailto:sherman@csuhayward.us)  
[www.quarryvillage.org; //class.csueastbay.edu/politicalscience/Sherman\\_Lewis.php](http://www.quarryvillage.org; //class.csueastbay.edu/politicalscience/Sherman_Lewis.php)



**Bay Area Bicycle Coalition**  
of the San Francisco Bay Area

P.O. Box 2214, Novato, CA 94948  
510.250.0909  
Fax 510.250.0906  
www.bayareabikes.org

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**Andrew Casteel**  
Executive Director

January 20, 2009

Ashley Nguyen  
Senior Transportation Planner/Analyst  
Metropolitan Transportation Commission  
101 Eighth Street  
Oakland, CA 94607

Re: BABC Comments on the Draft EIR for the Transportation 2035 Plan

Dear Ms. Nguyen:

The Bay Area Bicycle Coalition (BABBC), the umbrella organization of bicycle advocacy groups in the nine-county San Francisco Bay Area, is writing to comment on the December 2008 Draft Environmental Impact Report for the Transportation 2035 Plan for the San Francisco Bay Area.

Many of MTC's projections in the Draft EIR and other forecasting documents would benefit from improved bicycle and pedestrian counts. For example, the BABBC does not agree with the Draft EIR comparison between the project and no project projections for daily bike trips in 2035 (Table 2.1-9 in Draft EIR). The chart shows a decrease of 1,000 bike trips if the project is built; however, local and national statistics show bike use on the rise as well as a direct correlation between improved facilities and increased bicycle usage. Numerous studies, including the Portland Oregon Office of Transportation's 2007 Bicycle Count Report, demonstrate that increased bikeway miles translate to increased bicycle mode share. MTC's own projections in its 2004 memo on Route Analysis by Population show that when complete, the Regional Bike Network will be within a half-mile reach of 71% of the Bay Area population. But this EIR projects that when complete, this 2000+ mile network will result in 1,000 fewer bike trips than if it had not been complete?

We ask MTC to revisit these bicycle calculations for the publication of the Final EIR.

A comprehensive system for bicycle and pedestrian counts would improve the accuracy of MTC's transportation demand modeling and thus help MTC more accurately determine the value of investments in bicycle and pedestrian infrastructure. The Bay Area Travel Survey, for example, has not been conducted since 2000. We encourage MTC to develop a consistent and thorough system and set regional standards for counting bicyclists and pedestrians, and to include bicycle and pedestrian mode share as part of any transportation surveys you are conducting. We are happy to see that MTC has formed a bike and pedestrian counts subcommittee and look forward to working together with MTC on this committee to bring MTC's counting practices in line with the developing national standards for bike and pedestrian counts.

Sincerely

Andrew Casteel  
Executive Director  
Bay Area Bicycle Coalition

15



**Bay Area Bicycle Coalition**  
of the San Francisco Bay Area

Signatures of local county bicycle coalitions who support the BABC's comments on the Draft Environmental Impact Report:

Handwritten signature of Robert Raburn in cursive.

Robert Raburn  
Executive Director  
East Bay Bicycle Coalition

Handwritten signature of Deb Hubsmith in cursive.

Deb Hubsmith  
Advocacy Director  
Marin County Bicycle Coalition

Handwritten signature of Wendy Hilberman in cursive.

Wendy Hilberman  
Executive Director  
Napa County Bicycle Coalition

Handwritten signature of Andy Thornley in cursive.

Andy Thornley  
Program Director  
San Francisco Bicycle Coalition

Handwritten signature of Christine Culver in cursive.

Christine Culver  
Executive Director  
Sonoma County Bicycle Coalition

Handwritten signature of Corinne Winter in cursive.

Corinne Winter  
Executive Director  
Silicon Valley Bicycle Coalition

Jan. 01, 2009



METROPOLITAN  
TRANSPORTATION  
COMMISSION

Joseph P. Bort MetroCenter  
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WEB www.mtc.ca.gov

TRANSPORTATION  
**2035**  
CHANGE IN MOTION

16

### Comment Sheet January 2009 Public Hearing

Please use the space below and on reverse to offer additional comments.

1) The EIR should cover cost per tonne of CO<sub>2</sub> reduction

2) The EIR should discuss cost per passenger mile for different modes.

3) An option that does not spend as much on transit should be included - this would save considerable money without making any significant change in travel patterns

Name and contact information (optional):

Name: Paul Brooks

Address: 450 Bear Oaks Dr., Briones, Ca. 94553

E-Mail: paul@nature.berkeley.edu

**From:** "Michael Cluster" <mjcluster@earthlink.net>  
**To:** anguye@mtc.ca.gov; mjcluster@earthlink.net  
**Date:** 1/27/2009 5:47:52 PM  
**Subject:** comments for DEIR of RTP

Dear Ashley Nguyen,

Here are my comments

- 1) I am pleased to see a commitment to encouraging non-driving travel alternatives
- 2) The DEIR should include a discussion of induced growth from highway widening in its land use impacts.
- 3) The definition of "regional transit networks"(page 2.1-9) does not appear to include paratransit.
- 4) Why does the DEIR measure reduced VMT in aggregate rather than per capita VMT?
- 5) There should be a measurement similar to Table 2.1-13 to assess the impacts of the Transit Priority Project  
to assess the impacts of the investments on the hours of transit passenger delay..
- 6) The limitations of the current travel demand forecasting model should be acknowledged on page 2.1-7 and  
the commitment to a new model for 2013 which addresses access and mobility needs of seniors, youth, people who work non-traditional hours.
- 7) The definition of the No Project Alternative should be refined to reflect a scenario in which none of the investments  
in the RTP are actually built.

Thank you for reviewing my comments

Sincerely  
Mike Cluster

Michael Cluster  
mjcluster@earthlink.net  
EarthLink Revolves Around You.

1/27/2009

35 ASHLEY NGUYEN

EX, TRANS PLANNING / ANALYSIS (EIA PROJ. MGR.)

(18)

NYC

10185

DACLAND, CA, 94607

REF: MY COMMENTS FOR THIS PROJ.

CONNECTIONS

IBAN, MRS. NGUYEN:

FOR

1) ON pg 1.2-3 ON THE DISTRICT FIG. 1.2-1 THE REGIONAL SETBACK TIME (HAYWARD/SAN MATEO BA. (STATE RT. 92) IS NOT LABELED! ALL OTHER MILE-DISTANCES ARE, IS THERE A REASON FOR THIS OVER SIGHT? - LOOK HOW MY OTHER PEOPLE & OTHER REVIEWERS OVER LOOKED THIS?!!!

(1A) SAME ~~MY~~ WHAT DOES CIRCULARITY MEAN ON THIS PG + MAP? - 150' of pg.

2) ON pg 2.2-10 (FIG. 2.2-1 BAOUM) SAME TOWN AS IN DISTRICT

3) IN PART FOUR, IN THE BIOGEOGRAPHY SET OF BIO-PG 7 AT THE TOP OF THE PG YOU SHOW THE U.S. CORPS & ENGINEERS WATERWAYS EXPERIMENT STA, SAN VICKSBURG, MS, IT IS SAN VICKSBURG, MS. MISSISSIPPI

Charlie Cameron  
PO. BOX 55  
HAYWARD, CA,  
94543

Date: January 28, 2008

19

To: MTC Commissioners

Re: Draft EIR for the Transportation 2035 Plan

1. The last sentence on page 2 of Section 2.5 (Climate Change and Greenhouse Gases) in "Part Two: Settings, Impacts, and Mitigation Measures" of the T-2035 DEIR creates the impression that there is a dispute among scientists about climate change.

The sentence begins:

"However, many scientists believe that emissions from human activities ... have elevated the concentrations of GHGs in the atmosphere beyond naturally-occurring concentrations, contribution to the larger process of global climate change."

The use of the word "many" in this sentence conflicts with the sentence in the second paragraph on page 1 of Section 2.5 which states:

"While scientists are certain that human activities are changing the composition of the atmosphere and that increasing concentrations of greenhouse gases ... will change the planet's climate ..."

It creates a misleading impression of the findings of the UNIPCC and suggests that this is a disputed fact.

2. In the first paragraph on Page 15 of Section 2.5, under "Significance Criterion," of the T-2035 DEIR, it is stated that

"...implementation of the Transportation T-2035 Plan would have a potentially significant adverse impact if plan projects would:

Criterion 1: Result in an increase in CO2 emissions from on-road mobile sources compared to existing (2006) conditions.

For this program EIR, MTC has selected this criterion as the most responsible and comprehensive approach to this GHG gas impact analysis since it addresses the cumulative impact of implementing all transportation projects in the Plan ..."

[http://www.mtc.ca.gov/planning/2035\\_plan/EIR/draft/2\\_05\\_CCGHG\\_DEIR.pdf](http://www.mtc.ca.gov/planning/2035_plan/EIR/draft/2_05_CCGHG_DEIR.pdf)

How can this criterion be called "the most responsible and comprehensive approach..." inasmuch as (1) it will not result in the reductions in GHG emissions called for in AB32 and (2) that failure to reduce these emissions most likely will result in the dire consequences predicted by the UNIPCC?

To avoid potentially significant adverse impacts pointed out by the IPCC, the criterion should be that the Plan results in a decrease in CO2 emissions from Bay Area transportation by 2035 compared to existing (2006) conditions in such a way as to meet the targets set in AB32.

Len Conly  
Friends of BRT  
lconly@lmi.net  
www.friendsofbrt.org

**From:** "Charles Kroupa" <kroupa@comcast.net>  
**To:** anguye@mtc.ca.gov  
**Date:** 1/29/2009 4:26:59 PM  
**Subject:** 2035 Draft Plan DEIR

MTC is rightfully concerned with safety on our roads. Napa County seems to have a unique distinction of having an inordinate number of collisions, mostly head-on, caused by drunk drivers. While there seems to be an abundance of resident alcoholics; it's generally acknowledged winery tasting rooms contribute substantially to the problem. There's a simple remedy, which is common protocol among professional wine tasters: Use a spit bucket. This is far from the usual item in a grand plan or EIR, but if it were required of the tasting rooms, it would reduce the danger on our roads considerably. It would increase safety not only for motorists, but also bicyclists, many of whom are reluctant to ride on a shoulder.

Thanks for your consideration.

Charles Kroupa, Yountville

21

**From:** "Carli Paine" <carli@TransFormCA.org>  
**To:** "Ashley Nguyen" <ANguyen@mtc.ca.gov>  
**Date:** 1/29/2009 4:26 PM  
**Subject:** TransForm DEIR RTP Comment Letter  
**Attachments:** TransForm\_Comments\_DEIR\_RTP.pdf

Hi Ashley--

Please find TransForm's comments on the RTP DEIR attached. I'll be submitting a separate letter on the Draft RTP itself.

Thanks,

Carli

---

We've changed our name! Learn more and check out our new website at [www.TransFormCA.org](http://www.TransFormCA.org).

Carli Paine, Transportation Program Director

TransForm

(Formerly TALC, the Transportation and Land Use Coalition)

405 14th Street, Suite 605

Oakland, CA 94612

510.740.3150 x315

[www.TransFormCA.org](http://www.TransFormCA.org)

*The following is a synthesized and edited compilation of comments from TransForm advocates and member organizations on MTC's Draft Environmental Impact Report for the 2009 RTP. Advocates and organizations should feel free to use these as the basis for written and verbal comments on the DEIR.*

*Written comments are due to MTC by **4 p.m. on Monday, February 2, 2009**, at 101 Eighth Street, Oakland, CA 94607, Attn: Ashley Nguyen, Planning Section; faxed to MTC, Attn: Ashley Nguyen, at 510.817.5848; or sent via E-mail to [anguyen@mtc.ca.gov](mailto:anguyen@mtc.ca.gov).*

*There are two opportunities to comment on the RTP DEIR through verbal comments:*

**Tuesday, January 27, 2009**

Public Hearing/Workshop: San Francisco  
7 p.m. to 9 p.m.  
San Francisco State Downtown Campus  
Room 609  
835 Market Street, San Francisco

**Wednesday, January 28, 2009**

Public Hearing: Oakland  
10:05 a.m.  
MTC Commission Meeting  
Joseph P. Bort MetroCenter  
Lawrence D. Dahms Auditorium  
101 Eighth Street, Oakland  
(at the Lake Merritt BART station)

**Problematic Definition of No Project Alternative**

- The structure of the DEIR fails to identify the environmental impacts of the entire RTP. That is because the “committed projects,” and in particular the \$28 billion in committed transit and roadway expansion projects, are included in the No Project Alternative. This prevents evaluation of the impacts of the entire plan against an appropriate baseline of existing environmental conditions. CEQA doesn't allow treating the previous RTP as the No Project Alternative. If projects are not yet built or under contract, they cannot be considered as part of the baseline, even if they are funded.

**Alternative Scenarios**

- We appreciate that MTC evaluated a scenario that pursued two of TransForm's top priorities, maintenance and climate protection. However, it would have also been ideal to have an alternative that tried to maximize greenhouse gas emission reductions. This is especially true relevant given the inclusion in the draft RTP of many projects (highway widenings in particular) that have been identified as clearly increasing GHGs.
- Given that MTC's initial modeling found that land use and pricing were the most powerful drivers of change to meet the region's adopted targets for VMT reduction and GHG emissions reductions, it would have been useful to study:
  - Project + pricing
  - Project + land-use
  - Project + both pricing and land use
  - Heavy Maintenance/Climate Protection + both pricing and land use.

- It would be useful for the Land Use and Housing chapter to discuss the alternative density development scenarios analyzed in the DEIR. Additionally, it would be useful for MTC to include in its discussion of the selected development approach an evaluation of the relative costs and benefits associated with the selected approach as opposed to a more focused and denser land use scenario.

### **Induced Demand & Other Modeling Limitations**

- There is no discussion of induced demand in the Transportation chapter of the DEIR. Given the evidence that expansion of roadway capacity (including systems managements/operational changes and physical expansions) leads to higher overall VMT, there should be some discussion and evaluation of induced demand.
- Missing entirely in the DEIR is a discussion of induced growth, which is of direct relevance to the evaluation of transportation impacts on land use and community disruption. Growth that may be induced by highway and roadway widening should be included in the EIR's evaluation of land use impacts. The CTC's recently adopted RTP guidelines direct regions to examine both induced growth and induced demand from new capacity construction.
  - Specifically, we would like to see language added to the "Indirect/Cumulative Impacts" paragraph on page 2.3-27 to expand the list of potential indirect effects to include the impact of inducing development on farmland beyond the Bay Area.
- Page 2.1-7 discusses MTC's travel demand forecasting model. The discussion, however, does not mention the model's limitations that are relevant to any evaluation of the RTP investment package. MTC staff has acknowledged that their travel demand forecasting model poorly reflects travel behavior changes from land use improvements or bicycle or pedestrian amenities. Furthermore, the model does not adequately reflect any behavior changes associated with programs such as Safe Routes to School or other educational/incentive programs. MTC has also indicated that they will be converting to an activity-based model for the next RTP, which should better capture the travel behavior changes from land use, bicycle, and pedestrian investments. This section should mention the model's shortcomings, explain the impacts of these on reported mode shares, and discuss MTC's intentions to acquire a new travel model for use in the 2013 RTP update. This new model should address access and mobility needs everyone, including people who work non-traditional hours and school-age, unemployed, and retired people.

### **Measurement & Definition Flaws**

- MTC's goal for the 2009 RTP is to decrease per capita VMT, but the DEIR uses data that expresses aggregate VMT at LOS F, rather than per capita VMT at LOS F. There is no explanation as to why this is the appropriate metric.
- The Draft EIR and other forecasting documents would benefit from improved bicycle and pedestrian counts. MTC's Project alternative makes a strong, welcome commitment to completing the regional bicycle network at a significant cost. Yet the Draft EIR's comparison between the Project and No Project projections for daily

bike trips in 2035 (Table 2.1-9) shows a decrease of 1,000 bike trips in the Project alternative. However, local and national statistics show bike use on the rise as well as a direct correlation between improved facilities and increased bicycle usage. Numerous studies, including the Portland Oregon Office of Transportation's 2007 Bicycle Count Report, demonstrate that increased bikeway miles translate to increased bicycle mode share. MTC's own projections in its 2004 memo on Route Analysis by Population show that when complete, the Regional Bike Network will be within a half-mile reach of 71% of the Bay Area population, so it is unclear why the DEIR would find that the Project alternative, which includes building out the Regional Bicycle Network, will lead to a decrease total bike trips of any amount.

- Table 2.1-11 and Table 2.1-5 have values that disagree, without sufficient explanation for the disparity. Table 2.1-11 reports that 2006 travel time for work trips was 22.7 minutes. Table 2.1-5 finds that the Bay Area average travel time to work in 2007 was 27.4 minutes. This is a fairly large disparity, and one that far exceeds the differences shown on page 141. These tables may rely on different data sets, e.g. only showing morning commute to work, versus all work-based travel. The disparity does not allow clear evaluation of projected impacts of the alternatives along this metric.
- One of MTC's implicit goals for the 2009 RTP update has been to expand transit service and to increase transit's mode share in the Bay Area. For instance, MTC has elected to spend \$50 million on a Transit Priority Project to improve transit reliability and reduce delays as part of the RTP investments. While Daily Vehicle Hours of Delay is an accepted focus of DEIR measurement, as reflected in Table 2.1-13, , there is no similar measurement to assess the impact of the investments on hours of transit passenger delay. We request that the Final EIR, and future RTP analyses, include this measurement.
- The criteria for transportation impacts and air quality are defined as a "substantial" change, without any associated values; but energy criterion #1 is explicitly defined as "greater than 5% increase in the total consumption." We request a clarification of what "substantial" means for transportation and air quality impacts.
- Page 2.1-9 defines "The regional highway network includes all freeways, freeway ramps, expressways, and major arterials in the network representation; and the regional transit networks include all fixed route, inter-zonal transit service, whether by public or private operator." Where does paratransit fit in? Given our region's aging population and the likely increase in reliance on paratransit over the course of the 2035, as well as the legal requirements that link paratransit service with transit service areas, the omission of paratransit is problematic.

### **Mitigations**

- Mitigation measure 2.1(a) calls for the Bay Area's regional agencies to leverage existing TLC funds and pursue additional funds to provide financial benefits to local governments that have designated Priority Development Areas (PDAs). To better support the PDAs, this mitigation should include additional funding sources such as the RTP's new Safe Routes to Transit funding (\$10 million/year for five years) and the \$7 billion in Local Streets and Roads funds as target sources of funding. Given the limited funding for local streets and roads and the regional interest in focusing growth in Priority Development Areas, it makes sense for most or all of the discretionary Local Streets and Roads funding to be spent in PDAs.

- Mitigation 2.1(b) calls on MTC and the Bay Area's other regional agencies, local governments, and employers to promote innovative parking strategies. This mitigation measure could be stronger if it included parking cash-out/opt-out, which presents one of the most significant opportunities to leverage investments and MTC's leadership. And, as TransForm has suggested previously, MTC should fund pilot parking programs and assist local governments in revising parking policies as part of the expanded TLC program—doing so would greatly contribute to this mitigation measure.
- The discussion of Cumulative Impact 2.1-2, relating to vehicle miles traveled at LOS F, mentions MTC's commitment to working with other agencies on "faster delivery" of the freeway performance initiative to reduce delay on freeways and improve traffic operations on parallel arterials. This commitment ought to include "*without negatively impacting safety and convenience of non-motorized modes on parallel arterials.*"

### **Land Use & Preparing for SB 375**

- While SB 375 does not affect this RTP, it behooves MTC to do as much as possible within this RTP to prepare the region for the next RTP update, which will have to conform to SB 375.
- SB 375 is discussed in the Climate Change and Greenhouse Gas Emissions chapter of the DEIR, however it should also be discussed in the Land Use and Housing chapter since, at its core, SB 375 aims to coordinate transportation, housing and land use planning in California. Page 2.3-4 cites a 1977 study by Pushkarev and Zupan that establishes a relationship between density and mode of travel. *Growing Cooler: The Evidence on Urban Development and Climate Change*, published in 2007 finds that compact development reduces driving from 20 to 40 percent, and more in certain cases. MTC should be relying on the latest research findings. Cervero's 2008 study on TOD entitled "Effects of TOD on Housing, Parking, and Travel" found that "TOD commuters typically use transit 2 to 5 times more than other commuters in the region." It also shows that TOD housing generates only 3.55 trips per unit, as compared to the ITE Trip Manual, which uses a figure of 6.67 trips per unit. Furthermore, the background discussion of land use and housing should include illustrative information such as average household VMT for densely developed parts of the Bay Area, such as San Francisco with average household VMT for less densely developed parts, to show the range within our region for different land use types.
- SB 375 calls for regions to achieve a jobs-housing balance and to "identify areas within the region sufficient to house all the population of the region, including all economic segments of the population, over the course of the planning period of the regional transportation plan, taking into account net migration into the region, population growth, household formation, and employment growth." The recent draft Joint Policy Committee memo indicates that regional agencies will work together to accomplish the goals of SB 375. At the minimum, the EIR should indicate that MTC will initiate a process to work with counties and local governments immediately so that these goals will be achievable in time for the 2013 RTP update.

### Air Quality

- To more clearly evaluate the air quality impacts of the RTP investments, MTC should distinguish between changes that result from implementation of the RTP investments and changes that result from improved vehicle efficiency and cleaner fuels.
- MTC should reflect the new PM<sub>2.5</sub> standard of 35 ug/m<sup>3</sup> adopted by US EPA in 2006.

22

**From:** "John" <jblayney@vom.com>  
**To:** "Ashley Nguyen" <anguyen@mtc.ca.gov>  
**Date:** 1/31/2009 6:34 PM  
**Subject:** Cjchange in Motion 20EIR omission of rail transit energy efficiency (corrected version)

Ashley Nguyen

The EIR for the 2030 Bay Area Regional Transportation 2030 Plan included information that allows the reader to understand that the average transit person trip in the Bay Area requires 6.9 times the energy required for a car trip. The difference was projected to reach 9.7 times by 2035. This is important information that was not included in the 2035 EIR for Change in Motion. It is important that this information be added to the EIR to enable informed decisions during a period when car energy efficiency is likely to be significant.

Please let me know that this information will be added to the EIR.

John Blayney FAICP 707 938 0651

# Transportation Solutions Defense and Education Fund

23

P.O. Box 151439 San Rafael, CA 94915 415-460-5260

January 31, 2009  
By Hand Delivery &  
E-Mail

Steve Heminger, Executive Director  
Metropolitan Transportation Commission  
101 Eighth Street  
Oakland, CA 94607

Re: 2009 RTP DEIR Comments

Dear Mr. Heminger:

The Transportation Solutions Defense and Education Fund, TRANSDEF, is an environmental non-profit dedicated to improving the regional planning of transportation, land use and air quality in the San Francisco Bay Area. We have noticed many attractive innovations in the 2009 Draft Regional Transportation Plan (Plan). However, we find the Draft Environmental Impact Report (DEIR) to be legally inadequate, due to the serious shortcomings we outline below. These shortfalls, for the most part, are the direct result of policy decisions by the Commission, and should not be attributed to the document preparation team, who undertook a monumental task and did it well.

Before getting to those shortcomings, we want to start by acknowledging that this is the first EIR in which MTC has voluntarily elected to study lower-impact alternatives to the Proposed Project. We are pleased to see this development.

## **Failure to Respond to the Attorney General's Scoping Comments**

In October 1, 2008, comments to MTC, the Attorney General noted that many of the 2009 RTP's \$223 billion in unbuilt transportation projects "will provide additional road capacity and accommodate more vehicles," therefore "contribut[ing] cumulatively to the Bay Area's existing GHG load." (Oct. 1 letter at 4.) Of the \$191 billion<sup>1</sup> in "projects that were authorized in the last [2005] Transportation Plan, which MTC refers to as 'committed' projects," the Attorney General focused on the \$29 billion in projects which would *expand* rather than simply *maintain* the existing transportation system. (Id at 5.)

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<sup>1</sup> The DEIR updates the \$223 billion and \$191 billion figures to \$226 billion and \$194 billion, respectively. (DEIR at ES-4, ES-5.)

The Attorney General urged MTC to rectify a key omission— namely, the “inclusion [of this \$29 billion subset of “committed” projects] in the new Transportation Plan without renewed evaluation of the relative need for, benefits of, or impacts of these projects vis-à-vis others, and regardless of how well they meet MTC’s identified goals and performance objectives.” (Id.) It explained that CEQA “requires consideration of an alternative that, where feasible, eliminates from the Proposed Transportation Plan so-called ‘committed’ projects that would contribute to adverse cumulative impacts on climate.” (Id.)

The Attorney General also noted that the “DEIR should discuss whether the Proposed Transportation Plan *maximizes* the use of available funds for public transit . . . and other measures that reduce VMT and/or GHG emissions.” (Id. at 4.)

In four key respects, the DEIR fails to respond adequately to the Attorney General’s comments. Specifically, (A) it fails to analyze the impacts of the new RTP as compared to 2035 environmental conditions, (B) it inadequately analyzes the “committed” projects, (C) it fails to include an alternative that maximizes the reduction in GHG emissions, and (D) its use of the term “feasibility” is inconsistent with CEQA.

- A. **The DEIR does not analyze potential impacts against a proper No Project Alternative, because it improperly includes planned-but-not-constructed projects carried over from the 2005 RTP in the No Project Alternative.**

The Attorney General commented to MTC that CEQA requires an evaluation of the potential impacts of the “entire project, which in this case we believe represents the entire \$223 billion of authorized expenditures – not just the \$31.6 billion for projects MTC identifies as ‘discretionary,’ but also the \$191 billion for projects identified as ‘committed,’ projects included in the prior Transportation Plan but not yet constructed.” (Letter to MTC, Oct. 1, 2008, at 5.) The “entire project” must be compared to a “No Project” alternative that represents 2035 conditions without the expansion projects contained in the RTP. CEQA requires an analysis of the potential impacts of the entire project – the proposed RTP – as compared to the 2035 physical conditions in the environment.

MTC’s DEIR has not complied with this fundamental requirement of CEQA. It treats “committed” but unbuilt projects as part of the No Project Alternative, a key part of CEQA analysis. (DEIR at ES-5.) Instead of comparing the new Plan with existing conditions, it improperly compares the new Plan with the old Plan. As a result, the DEIR fails to properly examine project impacts.

CEQA Guidelines Section 15126.6(e)(3)(B) clearly distinguishes [conventional physical] projects from land use plans and regulatory plans. It is clear that an RTP is a collection of conventional projects, and bears no resemblance to a land use plan. An RTP’s No Project Alternative should be seen as a no build alternative, viewed at an analysis point decades hence:

If the project is other than a land use or regulatory plan, for example a development project on identifiable property, the "no project" alternative is the circumstance under which the project does not proceed. Here the discussion would compare the environmental effects of the property remaining in its existing state against environmental effects which would occur if the project is approved. ... In certain instances, the no project alternative means "no build" wherein the existing environmental setting is maintained. However, where failure to proceed with the project will not result in preservation of existing environmental conditions, the analysis should identify the practical result of the project's non-approval and not create and analyze a set of artificial assumptions that would be required to preserve the existing physical environment. (Section 15126.6(e)(3)(B))

On the basis of this Guideline, the inclusion of committed expansion projects in the No Project Alternative is improper.

**B. MTC's analysis of the "committed" projects is not adequate under CEQA.**

The Attorney General expressly objected to the inclusion of the "committed" expansion projects "without renewed evaluation of the relative need for, benefits of, or impacts of these projects vis-à-vis others, and regardless of how well they meet MTC's identified goals and performance objectives." (Oct. 1 letter at 5.) In particular, the Attorney General noted that:

MTC staff's analysis indicates that many of the 'committed' expansion projects support only one, in some cases *none*, of the identified performance goals. If low-performing 'committed' projects were eliminated where feasible to do so, funding would be available to cover transit shortfalls, particularly for BART, Muni, and AC Transit, which together carry 80% of the transit riders in the Bay Area."

(Oct. 1 letter at 6, emphasis in original.)

Asked about this at trial in *Darensburg v. MTC*, deputy director Therese McMillan testified that the DEIR would include a "full evaluation" of all the projects, committed as well as discretionary. Tr. of Oct. 21, 2008 at 1272:25-1273:6 (the Attorney General's letter "says CEQA requires evaluation in the EIR of climate change impacts of both committed and discretionary [projects], which we will be doing as we are doing an evaluation on the entire plan in the EIR where we're looking at climate change for the whole plan. So their statement about CEQA requiring the evaluation is, in fact, true, and we will be doing a full evaluation on all the projects.")

That "full evaluation" of "committed" projects, however, was not conducted.

As discussed in Part A, above, the committed projects carried over from the last RTP were included in the No Project Alternative, contrary to CEQA. The DEIR does not analyze whether the committed projects will increase or reduce 2035 levels of carbon emissions (among other impacts), because MTC did not evaluate these projects against a valid No Project Alternative.

Additionally, the DEIR does not respond at all to the Attorney General's concern that "many of the 'committed' expansion projects support only one, in some cases *none*, of the identified performance goals." (Id. at 6.) Outside of the CEQA process, MTC conducted a cursory analysis of how many RTP goals each committed project met. Despite its conclusion that some of these projects met *none* of those goals, this analysis did not result in any changes to the list of committed projects in the Draft RTP or in the DEIR's analysis.

**C. The DEIR does not include an alternative that maximizes the reduction in GHG emissions.**

The Attorney General asked MTC to evaluate "at least one alternative . . . designed to maximize the reduction of greenhouse gas emissions." (DEIR at 3.1-5.) MTC has decided to not do so. "MTC considered the suggestion to shift the \$29 billion in committed funds for transit and roadway expansion included in the proposed Project for other uses, but did not carry this alternative forward for full EIR analysis because of the infeasibility of reallocating (or shifting) such funds." (DEIR at 3.1-6.) (As discussed in Part D, below, this assertion of "infeasibility" is incorrect.)

As the Attorney General noted, "MTC's own research shows that achieving reductions in GHG emissions consistent with AB 32 will be extremely difficult: this highlights the need for careful and complete evaluation of impacts on VMT and GHG emissions of *all* expenditures for road and transit expansion in the Draft RTP." (Oct. 1 letter at 5-6, emphasis in original.) The TRANSDEF Smart Growth Alternative in the EIR for Transportation 2030 (2005) eliminated all the committed projects (except for those that claimed to be for safety), and substituted a list of cost-effective rapid bus and commuter rail projects, in addition to High-Speed Rail. It performed quite well in regard to accessibility, air quality and other environmental impacts, and was especially beneficial to low-income communities.

The 2009 RTP DEIR's Environmentally Superior Alternative, known as the Heavy Maintenance/Climate Protection Emphasis Alternative with Road Pricing, includes no new expansion projects. It does, however, include the committed expansion projects from the last RTP that are concealed in the No Project Alternative. (DEIR at ES-5.) If these committed projects were excluded from this alternative, and replaced with cost-effective transit projects similar to those of the TRANSDEF Smart Growth Alternative, this alternative would function even better.

But MTC refused to study this, claiming that nothing new would be learned. "MTC found that re-evaluating the proposed TRANSDEF alternative would not produce markedly different results compared to the prior Transportation 2030 EIR and Transportation 2035 vision scenario analyses, and therefore would not provide the Commission with new or meaningful information for use in its decision-making." (DEIR at 3-1.4.) This is not a valid reason to reject a proposed CEQA alternative. Where MTC acknowledges that some of the committed projects have the adverse impacts of increasing VMT and GHGs, CEQA requires the EIR to contain mitigation measures or alternatives that avoid the impacts.

**D. The DEIR incorrectly invokes "infeasibility" in its claim that committed funds cannot be moved to other projects.**

The DEIR improperly relies on "infeasibility" as the justification for its failure to analyze an alternative that shifts "committed" projects, while at the same time blurring the line between environmental review and decisions based on the merits of a project.

First, it states that it "was not feasible to shift the funds away from these projects because the projects are meritorious in providing mobility of goods, services and people and because of long-standing local and regional commitments to delivering these projects." (DEIR at 3.1-6.) This conclusion highlights how MTC sees its central function as being a programming agency and not as a planning organization. The invocation of "infeasibility" both rests on an incorrect premise and misses the point.

It is incorrect because most of these funding sources are highly flexible, or can be swapped with other sources that are flexible.

It misses the point because the relevant CEQA inquiry is not whether it is possible to shift the funds to another project, but whether the project should be built at all. To the extent that "committed" projects rely on federal or state funding, they cannot be built unless MTC includes them in the RTP. See, e.g., 49 U.S.C. §5309(c)(1)(A) (US DOT "may not approve a grant for a project under this section unless the Secretary determines that— (A) the project is part of an approved transportation plan"); Gov't Code § 65089.2(b) ("If [MTC] finds the program [of county projects] is inconsistent [with the RTP], it may exclude any project in the congestion management program from inclusion in the regional transportation improvement program."). This is true whether or not it is legally possible to shift the funds for those projects to other uses.

This improper claim of infeasibility amounts to an evasion of the alternatives analysis that CEQA requires. MTC has improperly imposed its values on the acceptability of alternatives prior to conducting the alternatives analysis. The proper time for decisionmakers to choose between alternatives is at the merits stage, after all analysis has been completed. Instead of using an analysis valid under CEQA to justify its refusal to study the shifting of funds away from committed projects, the DEIR simply makes statements about the merits of the overall Project, and concludes that it is impractical to

reconsider its "committed" projects, thereby impermissibly narrowing the range of alternatives studied.

Further compounding the problem, the DEIR states:

MTC evaluated the committed transit and road expansion projects that make up the \$29 billion, and found that (1) most of the projects are in the advanced states of project development . . . ; (2) most projects are funded by local, regional, state, or federal funds that MTC has no discretion to redirect; and (3) *most projects meet one or more of the plan's goals.*

(DEIR at 3.1-6, emphasis added.) MTC's third bullet ("most projects meet one or more of the plan's goals") concedes that some of the committed projects fail to meet even one of the Plan's goals. The Attorney General's letter already expressed concern about this fact. ("MTC staff's analysis indicates that many of the 'committed' expansion projects support only one, in some cases *none*, of the identified performance goals." Oct. 1 letter at 6.) A decision to commit hundreds of millions or billions of dollars to projects that do not serve the plan, while plan goals are left unmet, must receive heightened scrutiny during environmental review.

#### **Improper Analysis of GHG-Increasing Projects**

The Plan's cumulative impacts analysis makes it clear that the combination of the Plan and 2035 conditions increases GHGs by 27% above current levels. (p. 2.5-18). The only reason the Plan shows a reduction in GHGs is because of the vast reductions resulting from the implementation of the Pavley bill. Because of the corruption of the definition of the No Project Alternative (described above), it is not possible to conclude that the Project results in a 2% reduction in GHGs below 2035 conditions. (Id.) TRANSDEF believes that a proper No Project Alternative would have lower GHG emissions than the Project, because VMT would be lower.

Prior to climate change becoming such a significant driver of environmental analysis, it was unremarkable that a Plan is composed of many different projects. However, once it is recognized that GHG emissions need to be urgently reduced, the standard procedure of aggregating all projects within a Program-level EIR to evaluate their overall impacts is no longer adequate. This procedure of aggregation prevents an analysis of the Plan's potential for GHG emissions reductions and also blocks the design of appropriate mitigations.

To enable an analysis of the maximum feasible GHG emissions reductions, the list of projects in the Plan can, and must, be divided into two parts: projects that reduce greenhouse gases (GHGs) or are neutral, and projects that increase GHGs by encouraging an increase in VMT. Note: this is not the evaluation of the individual impacts of the projects included in the scope of a Program EIR.

This is the evaluation of the environmental impacts of two disparate classes of projects. One class of projects, principally the highway capacity expansion projects, will result in

an increase in GHG emissions. As such, those impacts need to either be mitigated, or the projects be eliminated from the Plan. By studying alternatives that do not include the emissions-increasing projects, the EIR offers the possibility of a Plan with greatly reduced GHG emissions.

### **The Regional HOT Network Requires Its Own Alternatives Analysis**

Because the Regional HOT Network is distinguishable from the previous collections of highway projects that have characterized past Plans, it is subject to its own environmental review under CEQA, a review that is not satisfied by a Program EIR. The introduction of the Regional HOT Network in this Plan represents a major turning point in the region's future, determining whether the region continues to focus its efforts and resources on supporting the single occupant vehicle, or whether that focus turns to transit. Because of this, the Regional HOT Network needs its own alternatives analysis. This is another reason why the refusal to study a maximum emissions reduction alternative makes the DEIR legally inadequate.

A thorough alternatives analysis will enable MTC to determine whether the Regional HOT Network will help or hinder the region in reducing GHGs enough to meet the State's goal of an 80% reduction in GHGs by 2050. TRANSDEF strongly suspects that the answer is no, and that only a strong program of cost-effective transit powered by renewable electricity can accomplish that. By not evaluating the impact of the HOT Network on this future goal, the DEIR commits billions of dollars to a possible policy dead-end that will not become apparent until it is too late. The fact that the Plan period ends before the year 2050 does not excuse the DEIR from planning in response to valid state-adopted criteria.

### **Thresholds of Significance**

We are pleased about the threshold selected for significant impacts in the area of climate change: "Result in an increase in CO2 emissions from on-road mobile sources compared to existing (2006) conditions." (p. 2.5-15) Because of the 37% increase in VMT predicted in the DEIR, holding GHGs at current levels would be quite an accomplishment. The DEIR (p. 3.1-29) predicts that due to Pavley I and II, GHG levels will decrease 15.6% below 2006 levels.

On the other hand, the selection of the threshold for a significant impact in the transportation area, "A substantial increase in per capita VMT compared to existing conditions" (p. 2.1-7) is inconsistent with the threshold for GHGs, inconsistent with existing environmental conditions (which are already far too congested), inconsistent with the Plan's goals and inconsistent with regional policy. We believe the criterion should have been set to be parallel to the threshold for a significant impact to GHGs.

The Joint Policy Committee's adopted Climate Protection Program was mis-cited on DEIR page 2.5-14. The text referenced by footnote 21 was from the draft recommendations, which were later amended by the Committee. The minutes of the July 20, 2007 meeting, approved September 2007, stated:

“After discussion, it was moved and seconded and was the decision of the Committee: THAT the title for Strategy Element 4 be amended to read “Reduce Driving and Promote Alternative Modes of Transportation”” (p. 3 of 7/20/2007 JPC Minutes.)

Given this regional policy, and given the Plan Performance Objective to reduce per capita VMT by 10% (DEIR p. 1.2-13), TRANSDEF believes that, at a maximum, the threshold for a significant impact in the transportation area should have been “Result in an increase in per capita VMT compared to existing (2006) conditions.”

Because the Plan Performance Objectives were set according to rational criteria, it is arguable that the threshold could reasonably have been set at “Not result in at least a 10% decrease in per capita VMT compared to existing (2006) conditions.” However, we find it unnecessary to pursue that direction, because the Project results in a 4.4% increase in per capita VMT (p. 2.1-22).

We believe the DEIR is in error in its analysis: “As shown on Table 2.1-16, projected per capita VMT will increase slightly by 4.4 percent ... relative to existing conditions due in large part to the cumulative impact of projected regional growth in population and jobs in the Bay Area.” (p. 2.1-22). There’s no reason that per capita VMT should be affected by a large influx of new residents. It is obvious to us that the cause is not the overall growth, but the Plan’s transportation and land use patterns, which favor more driving.

#### **Requirement to Mitigate the Transportation Impacts**

TRANSDEF asserts that the Project will have a Potentially Significant Impact under a properly selected significance threshold for VMT, and thus requires mitigation. We believe the most effective mitigation to be the pricing strategies studied in the alternatives analysis, with the added steps of legislative advocacy and public outreach. As the DEIR itself concludes, “It [pricing] can be applied “immediately” and begin realizing environmental benefits sooner than land use change.” (p. 3.1-39).

Pricing is the only mitigation that can reduce emissions in the near term in response to the dangers of climate change. At the Commission’s 1/28/2009 RTP hearing, TRANSDEF cited the 1/27/2009 San Francisco Chronicle article on a recent report published in the Proceedings of the National Academy of Sciences: “Scientists familiar with the report said it emphasizes the need for immediate action to control emissions.”

The issue of the feasibility of pricing strategies can be resolved with an appropriate entry in the Statement of Overriding Considerations, indicating that MTC does not currently have the statutory authority to implement the pricing strategies, but will seek that authority from Congress and the State Legislature.

### **Inadequacy of Mitigations for Climate Change Impacts**

Measure 2.5(b) identified on page 2.5-21 does not qualify as a mitigation measure, due to compliance with it by project sponsors being voluntary: "... project sponsors shall consider adopting appropriate measures that would minimize or eliminate cumulatively considerable environmental impacts pursuant to CEQA/NEPA." (p. 2.5-21.) To be a valid mitigation measure, MTC would have to condition the funding of projects on a demonstration of compliance with the adopted list of measures, or a demonstration that project-specific conditions prevent the implementation of certain measures. Please note that the "... "green construction" policies and best practices that encourage use of lowest emitting construction equipment and fuels..." (p. 2.5-20.) contained in Mitigation Measure 2.5(a) should have been made a component part of the list for Measure 2.5(b).

### **Environmentally Superior Alternative**

TRANSDEF urges the Commission to adopt the Environmentally Superior Alternative. However, we believe that that Alternative would perform much better if the following changes were made:

- 1). Add the Freeway Performance Initiative. The DEIR states "Unlike the Proposed Project, this Heavy Maintenance/Climate Protection Alternative places its investment emphasis almost entirely on system maintenance and efficiency projects that support the plan goals." (p. 3.1-7). The Freeway Performance Initiative is MTC's most highly rated efficiency project. It was apparently part of the original Alternative, prior to the revision in response to the Attorney General's letter. "Original Alternative: Evaluate a Heavy Maintenance Alternative that shifts discretionary revenues to (a) cover local streets and transit maintenance shortfalls, (b) funds **system efficiency projects** such as TLC and(c) limit road/transit expansion projects (MTC Resolution 3869)" (Key Issues Raised by Attorney General, p. 28, MTC Powerpoint, October 2008, emphasis added).
- 2). Remove the unbuilt committed expansion projects that are contained in the inaccurately named No Project Alternative.
- 3). Add in the list of transit expansion projects that were studied in the 2005 RTP EIR in the TRANSDEF Smart Growth Alternative. We would consider such a composite alternative to constitute a good faith maximum effort to reduce GHG emissions from mobile sources. By replacing the extremely expensive transit expansion projects in the No Project Alternative with cost-effective projects, it will be possible to exceed the mediocre performance complained of in "Advanced Investment in Transit: Direct impacts limited--Analysis shows CO2 reductions within 2% to 4% range." (Key Issues Raised by Attorney General, p. 45, MTC Powerpoint, October 2008).
- 4). The composite would perform even better if the Land Use component of Alternative 4 were added.

**Cumulative Impacts**

The conclusions of the cumulative impacts analysis are incorrect, because the Project was compared to an alternative (the so-called No Project Alternative) which included unbuilt expansion projects. Only 19% of these projects are under construction now. (Key Issues Raised by Attorney General, p. 11, MTC Powerpoint, October 2008). It is therefore impossible to determine the entire Project's contribution to the cumulative impacts. We object to the finding of *Project Contribution Not Cumulatively Significant* for increased emissions of PM2.5 and PM10, and for contribution to GHG emissions.

The cumulative impacts of GHGs need to be evaluated temporally, as well. GHGs persist in the atmosphere for decades and centuries. Therefore, the timing of emissions reductions is critical. Because fleet turnover is essential in implementing the Pavley bill, it is important to estimate whether the emissions reductions are gradual over the Plan period, or whether they are achieved primarily at the end of the period. The latter scenario would result in greatly increased emissions when accumulated over the entire Plan period.

TRANSDEF disagrees with the assertion that "the transportation system itself is not inducing growth in vehicle miles travelled..." (p. 2.5-18). MTC does not have the technical capability to validly conclude that, because it does not have an integrated urban model. It is unable to properly model induced demand. That makes the following DEIR statement even more wrong: "This fact is established through a comparison of the proposed Project to No Project alternative under future conditions (2035) which indicates a decrease in VMT." (Id.) TRANSDEF asserts there is no such fact, and that the purported decrease in VMT is almost assuredly the result of incorrect modelling assumptions, coupled with an inadequate model.

TRANSDEF submits a report from its expert, Smart Mobility, Inc., which evaluated the issue of induced demand for the proposed Marin-Sonoma Narrows project. Its methodology, its conclusions and its literature references demonstrate a different approach to the issue of induced demand than MTC has taken with this DEIR. We believe the approach used in this report is consistent with current academic thinking in the field.

TRANSDEF appreciates this opportunity to comment on the Regional Transportation Plan DEIR. We would be pleased to assist MTC in the production of an adequate FEIR.

Sincerely,



David Schonbrunn,  
President

**Attachments**

Attorney General's Letter to MTC  
Smart Mobility Inc. Report



**Review of Marin Sonoma Narrows (MSN) HOV Widening Project Draft  
Environmental Impact Report/Draft Environmental Impact Statement**

**Prepared for:**

*Transportation Solutions Defense and Education Fund*

**Prepared by:**

*Smart Mobility, Inc.*

December 2007

## **Summary**

Cars and trucks emit over 35% of all greenhouse gases produced in California. Increasing roadway capacity increases vehicle miles traveled (VMT), and this causes higher greenhouse gas emissions. The Marin Sonoma Narrows (MSN) HOV Widening Project Draft Environmental Impact Report/Draft Environmental Impact Statement (DEIR/DEIS) fails to accurately disclose the increases in VMT that will result from the project. It is estimated that the project will increase traffic by 100 million vehicle miles per year, and result in a large increase in greenhouse gas emissions.

The traffic analysis in the DEIR/DEIS is also deeply flawed. Excluding induced travel from the analysis causes the benefits of the project to be overestimated because congestion relief appears to be greater than it really will be. It also fails to account for indirect traffic impacts on other roadways because not all of the additional VMT will be on the widened roadway.

With increased road capacity, jobs and housing disperse. Traffic metering points like the existing Marin-Sonoma Narrows area act as a brake on the decentralization of land use (a.k.a. "sprawl"). Less sprawl and better jobs housing balances are planning goals in the Bay Area. Expanding roadway capacity as in this proposed project is contrary to these goals, and would undermine other planning initiatives aimed at improving the jobs/housing balance, increasing transit ridership, and preserving open space.

## **Greenhouse Gas Emissions and Vehicle Miles Traveled**

California AB 32 requires the California Air Resources Board (CARB) to develop regulations and market mechanisms that will ultimately reduce California's greenhouse gas emissions by 25 percent by 2020. Mandatory caps will begin in 2012 for significant sources and ratchet down to meet the 2020 goals.<sup>1</sup> Cars and trucks are the source for the largest share of greenhouse gas emissions in California and the emissions are roughly proportional to vehicle miles traveled (VMT).

Light duty vehicles and on-road diesel vehicles accounts for over 35% of all anthropogenic greenhouse gases (GHG) produced in California. Annual net greenhouse gas emissions from surface transportation are roughly equal to the product of the number of vehicles, the average number of miles traveled by each vehicle (vehicle miles traveled, or VMT), and the average net emissions of GHG per vehicle mile traveled. (California Climate Action Team, State Agency Work Plans Draft, p. 34 December 8, 2005).

Expanding highway capacity causes "induced traffic", increasing VMT and increasing greenhouse gas emissions. DeCorla-Souza (of the Federal Highway Administration) and Cohen define "induced demand" as an: "increase in daily vehicle miles of travel (VMT), with reference

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<sup>1</sup> <http://gov.ca.gov/index.php?/press-release/4111/>

to a specific geographic context, resulting from expansion of highway capacity.”<sup>2</sup> This definition includes both short-term effects and long-term effects. The short-term effects include more trips, longer trips, shifts from other travel modes to auto, and auto trips with lower occupancies. The long-term effects result from land development brought on by increased roadway capacity.

Induced demand effects are well known both to planners and laypeople, and there is a large and growing research literature quantifying the effects of induced demand. This process was kicked off in the United States with a 1997 study by Hansen and Huang that demonstrated large growth in VMT in California that resulted from increased freeway capacity.<sup>3</sup> Since then, there have been many other studies that have confirmed the importance of induced travel. These studies have become increasingly sophisticated in their use of statistical techniques. Robert Cervero of the University of California, Berkeley revisited the California freeway case in a major study that is particularly relevant to the DEIR/DEIS.<sup>4</sup> Cervero writes:

The longer-run relationship appears fairly strong – every 10% increase in travel speeds is associated with a 6.4% increase in VMT. (p. 157)

Most regional transportation modeling does an incomplete job of accounting for induced travel. Cervero writes:

In many parts of the United States, travel-forecasting models used by planning agencies are not up to the task of adequately accounting for induced travel and induced growth (Transportation Research Board, 1995). Long-range forecasting models are needed that are robust and sophisticated enough to capture both short-run behavioral shifts and long-run land use shifts triggered by road improvements. Indeed, the general consensus of attendees at a recent conference convened by the Eno Transportation Foundation Policy Forum on induced demand was that the greatest value added of research in this area is to inform the calibration of long-range travel forecasting and urban simulation models, such as MEPLAN, TRANUS, and TRANSIMS (Hunt, 2002). (p. 160)

The DEIR/DEIS purports to analyze the effects of the project on future VMT. In fact the modeling used is incapable of forecasting increases in VMT that would result from the proposed project, and the numbers given in the DEIR/DEIS are wrong. The actual impact on VMT from the project would be several times greater than that which has been disclosed.

Complete induced demand modeling requires accounting for each of the separate components of induced demand including:

- 1) shifts to longer routes
- 2) changes in destinations causing longer trips,

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<sup>2</sup> DeCorla-Souza, P. and H. Cohen. *Accounting for Induced Travel in Evaluation of Metropolitan Highway Expansion*. TRB 77<sup>th</sup> Annual Meeting Preprint CD-ROM, TRB, National Research Council, Washington D.C., January 1998.

<sup>3</sup> Hansen, M. and Y. Huang. *Road Supply in California*. Transportation Research A, Vol. 31, No. 3, 1997, pp. 205-218.

<sup>4</sup> Cervero, Robert. Road Expansion Urban Growth, and Induced Travel: A Path Analysis. In *Journal of the American Planning Association* 69(2), p. 145-163, 2003.

- 3) changing travel mode to auto, and
- 4) changing home or work locations resulting in longer trips.

The DEIR/DEIS provides little information concerning how the modeling was done, but in the documentation, only one of the four components was accounted for – shifts to longer routes. The Marin/Sonoma model uses the four-step modeling process used in most regions in the United States. The four steps include:

- 1) trip generation – calculating the numbers of originals and destinations for each small geographic area,
- 2) trip distribution – linking the origins and destinations to form complete one-way trips,
- 3) mode choice – determining whether the trips are made by walking, biking, using transit, or in autos and if in autos, the number of people in the vehicle, and
- 4) assignment – assigning the autos to particular roadways.

The four step modeling process splits people's unified travel planning processes into four steps to facilitate computing. Good modeling practice requires feedback between the modeling steps until an equilibrium between the four steps is reached. If the sequence is computed only once, significant errors result. Both the trip distribution and mode choice stages depend on information on travel times. In the first model sequence, the roadway network appears to be uncongested, and longer trips will be chosen in the model. When these trips are assigned to the network, there appears to be severe congestion. The congested travel times are fed back into the trip distribution and mode choice steps, and resulting trip lengths are much shorter – too short in fact, and another feedback step is required. After several feedback stages, equilibrium values are achieved that properly replicate behavior. Modeling feedback is required by Federal regulations in air quality nonattainment areas.

If modeling is done with feedback, three of the four components of induced travel are accounted for – longer routes in the assignment stage, changes in destination in the distribution stage, and mode changes in mode choice. Therefore, it is good modeling practice to do modeling with feedback for each separate alternative.

The DEIR/DEIS documentation of the modeling process used is incomplete, but it indicates that Caltrans has taken a shortcut that makes VMT estimates invalid. It describes “2020 future year trip tables” and that “2010 and 2030 trip tables were developed by modifying the year 2020 trip tables” (p. 3.1-70). These appear to be references to the auto trip tables that are the output of the third stage of the four step modeling process. It is implied that these same trip tables were used for both the No Build and Build alternatives. In this case, the modeling does not account for either destination changes or mode choice changes. It can account only for routing changes.

The fourth effect, induced travel from land use changes cannot be accounted for in a four step model unless the model is coupled with a land use allocation model that results in different future land use projections for different transportation alternatives.

The state of the practice in transportation modeling is to include model feedback. As this was not done in the modeling relied on in the DEIR/DEIS, statistical results from the research literature on induced travel will be used to estimate the induced travel that will result from the proposed project. Two different approaches will be used. First, the model results will be adjusted based on

research with models. Second, statistical relationships from observed growth in VMT will be applied.

Carolyn Rodier of the Mineta Institute and the University of California has researched how well land use models and transportation models with feedback account for induced travel. She concludes:

The body of literature on the ability of existing travel and land use models to represent induced travel indicates that when travel times are fed back to a land use model and/or the trip distribution step, then (1) models can represent induced travel within the range documented in the empirical literature and (2) the effect of new highway capacity on land use and trip distribution significantly contributes to the models' representation of induced travel. If induced travel is not represented in travel and land use models, then the need for, and the benefit of, the project will be overstated (e.g., 16% to 236% of VHT [vehicle hours of travel]), and negative environmental effects will be understated (e.g., 72% to 192% of NOx emissions).<sup>5</sup>

Rodier also reports on the share of induced travel caused by each of the four components of induced travel. Changes in destination produced the largest share of the total induced travel. In a Sacramento region case study with an integrated land use allocation model (MEPLAN), the land use component produced the second highest amount of induced travel. Changes in routing, the only one of the four components modeled in the DEIR/DEIS was the third highest factor.

The relative proportions of the components varied depending on the study. However, Rodier's research results suggest that routing changes alone represent probably represent only about 1/5 to 1/3 of total induced travel, especially in cases like the one considered in the DEIR/DEIS where the project is in a bottleneck area with few parallel routes.

Therefore, the DEIR/DEIS VMT estimates will be multiplied by a factor of 3 to 5 to correct for the missing modeling factors. DEIR/DEIS Table 3.1-15 (p. 3.1-78) is labeled "Projected Vehicle Miles Traveled (per 1,000 miles) Year 2030. This title is meaningless due to the inclusion of the word "per." The units in Table 3.1-15 really are thousands of VMT per peak hour per weekday.

The right hand side of Table 3.1-15 gives values for Marin County and Sonoma County and the left hand side gives values for the "Project Area." It is unclear what is meant by "Project Area" It would be expected that the project area would be smaller than the two-county area, but the VMT numbers are larger. Therefore, it is either a very large project area or the numbers are wrong. Unless this is clarified and/or corrected, the left-hand side of Table 3.1-15 should be ignored.

The values given on the right-hand side of the table give 4,000 additional VMT per weekday in the morning peak hour and 12,000 additional VMT per weekday in the afternoon peak hour, or 16,000 for the total of the two hours. The table makes these appear small by showing them as "4" and "12" and then emphasizing that it represents a small fraction of a very large number – total VMT for Marin and Sonoma Counties.

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<sup>5</sup> Rodier, Carolyn J. A Review of the Representation of Induced Highway Travel in Current Travel and Land Use Models, p. 8.

Induced travel demand does not affect just the peak hours, but all 24 hours in the day. The morning and afternoon peak hours combined represent about 16% of daily weekday travel. Therefore, the Difference numbers in Table 3.1-15 for Marin and Sonoma Counties (16,000) translate into about 100,000 VMT per weekday. As discussed above, these estimates include only one of four different components of induced travel and total induced travel is likely to be about 3-5 times as great, i.e. 300,000 - 500,000 additional VMT per weekday.

Statistical relationships from the induced travel literature can be applied as an independent check on this estimate. Induced travel is commonly represented as the elasticity of VMT with respect to lane miles (the length of added roadway capacity times the number of lanes added). Hansen estimated this as 0.9 for freeways in California. Cervero calculates a total long-term elasticity of about 0.8 but concludes that some of the increases are due to other factors such as employment growth and rising incomes. Therefore, he recommends using a value of 0.39.

In this case of the proposed project, two HOV lanes would be added for a length of 16.1 miles, so there would be 32.2 additional lane miles. This is a conservative indicator of increased capacity because it does not include the additional capacity that would result from expanding the general purpose lane capacity by converting an expressway into a freeway. A lower end for daily traffic volumes on congested freeways in California is 20,000 vehicles per lane per day. An elasticity of 1.0 would result in 640,000 VMT per weekday ( $32.2 \times 20,000 \times 1.0$ ). With an elasticity of 0.9, the calculated increase is 580,000 VMT per weekday. Using the lower value of 0.39, the result is 250,000 VMT per weekday. These estimates are consistent with the estimates calculated independently based on Rodier's research.

In order to be conservative, a value on the lower end of the estimates will be used, 300,000 additional VMT per weekday. To get total annual VMT, a factor of 330 -340 is typically used because there is somewhat less travel on the weekend days, on average, than on weekdays. A value of 333 will be used because it leads to a round number estimate of 100 million additional VMT per year with the project than without. This would result in a large increase in greenhouse gas emissions between the No Build and Build alternatives.

## **TRAFFIC ANALYSIS**

The traffic analysis in the DEIR/DEIS is poorly documented and also appears to be deeply flawed. The largest problem is again the failure to account for induced travel. As was pointed out above in an excerpt from Cervero, excluding induced travel from the analysis causes the benefits of the project to be overestimated because congestion relief appears to be greater than it really will be.

In addition, failure to account for induced traffic hides indirect traffic impacts on other roadways —

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because not all of the additional VMT is on the widened roadway. No trip begins or ends on a freeway. If freeway volumes are higher, there also are higher volumes on connecting roadways. Impacts on connecting roadways have not been modeled, they have not been examined, and they have not been disclosed. In many cases, these impacts are great and lead to future construction projects that are expensive and inflict additional construction delays on area residents.

Instead, the DEIR/DEIS purports that these effects are minimal based on incorrect modeling. It states:

The Traffic Operational Analysis Report (February 2005) for future years of 2010 and 2030 indicates that traffic impacts at nearby intersections would be minimal. Most intersections would experience a less than 5 percent difference in future predicted traffic volumes between the Build and No Build conditions. This difference is not significant given the accuracy of the prediction methodology. (DEIR/DEIS p. 3.2-78)

The DEIR/DEIS says only that “most” would increase less than 5 percent, and does not describe what the worst cases are. The decreases calculated are without induced travel. With induced travel accounted for properly, the increases would be much greater. Even 5 percent increases are significant. Traffic delay increases exponentially with traffic volume, so that 5 percent increases in traffic can result in 10-20 percent or even higher increases in delay. The comparison of a 5 percent threshold with the “accuracy of the prediction methodology” is confusing apples with oranges. There is uncertainty concerning the exact magnitude of future traffic, but there is certainty that traffic volumes will be higher with the proposed project than with the No Build alternative.

Most of the 8-page traffic impacts section in the DEIR/DEIS (p. 3.1-69 - 3.1-78) is devoted to “bottlenecks and queues.” The Marin/Sonoma Model is the only transportation model referenced in the DEIR/DEIS and it cannot calculate queues. A queue is traffic that backs up behind a bottleneck. Similar to the narrow part of a funnel, the bottleneck meters traffic so that there is a maximum flow through the bottleneck. As with a funnel, the flow through the bottleneck itself is fast. The problem is that traffic behind the bottleneck moves slowly. With extreme congestion, the queues can get very long. Static assignment models like the Marin/Sonoma Model show delays at the bottleneck location and smooth flows upstream of the bottlenecks. This is completely backwards.

There are several references in the DEIR/DEIS to the “Caltrans Traffic Operational Analysis Report, February 2005” which does include a reference to FREQ12, which is a macroscopic traffic simulation model. It estimates queue lengths based on volume-to-capacity ratios, and is an improvement over the regional model. However, it is an old model whose description includes “over 30 years of practical real-life application.” As computers have become faster and more powerful, macroscopic models like FREQ12 have generally been supplanted by microsimulation models. Microsimulation models account for bottlenecks and queues accurately – showing smooth flow in the bottleneck and queues upstream. Microsimulation likely would give more accurate queue estimates than the macroscopic FREQ12 model. However, there is a larger problem than the difference between models. The modeled queues with either type of model would be higher if induced travel were properly accounted for. The DEIR/DEIS failed to do this so its analyses of “queues” are invalid.

The discussion of bottlenecks in the DEIR/DEIS identifies some indirect traffic impacts, i.e. roadway sections that would be bottlenecks in the Build alternative that are not bottlenecks in the No Build alternative.

... a new queue [actually a new bottleneck] would appear between Miller Creek and Nave Drive (south of the project limits) in the southbound direction during the A.M. peak period with the implementation of either the Fixed HOV Lane Alternative of the Reversible HOV Lane Alternative. However, this queue would not develop under the NO Build alternative (p. 3.1-71)

This certainly underestimates the severity of the new bottleneck because induced traffic is underestimated. Large amounts of money are commonly spent to improve bottlenecks with little increase in traffic speeds. Here is an example from the Chicago region:

### **Hillside Strangler: \$140 Million To What End?**

The “Hillside Strangler”—the point at which the East-West Tollway and the Tri-State Tollway converge with the Eisenhower Expressway—was long a notorious traffic bottleneck. After a \$140 million construction project to “fix” the problem, the Daily Herald posed this question: “Many millions have been spent to change that evil Hillside Strangler. So, has it been rehabilitated?” This was the answer:

1. Getting through the Strangler is now about 15 minutes faster.
2. But the bottleneck has merely been pushed further up the road to a point where the Eisenhower funnels into three lanes.
3. And more motorists are now using the expressway since the Strangler work was completed.

The net effect? The Daily Herald concluded: “Overall, then, the commute time from the suburbs to the Loop, via the Eisenhower and its extension, is one hour—exactly what it was before the Hillside Strangler was repaired.” (*More Costly Roadwork, and Travel Still Tough*, Daily Herald, October 3, 2002)<sup>6</sup>

Without accounting for induced travel, the DEIR/DEIS greatly overestimates any traffic benefits from the proposed project.

### **Regional Context**

Expanding roadway capacity encourages land use decentralization as described by Boarnet and Haughwout:

New highways that link the outlying residential areas to the CBD lower the cost of commuting into the employment concentration in the center of the city. This increases land values in the suburban fringe while reducing the “accessibility premium” that central locations had previously enjoyed. The urban area will grow geographically as commuters can live farther from work without increasing their travel budgets. Densities will fall as the premium for the densely developed locations near the CBD is reduced.<sup>7</sup> (p. 4)

Traffic metering points like the existing Marin-Sonoma Narrows area act as a brake on land decentralization (a.k.a. “sprawl”) and support better jobs/housing balances. Less sprawl and better jobs housing balances are planning goals in the Bay Area. Expanding roadway capacity as in this proposed project is contrary to these goals, and would undermine other planning initiatives aimed at increasing transit ridership and preserving open space. Land use decentralization causes a wide range of environmental problems

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<sup>6</sup> Chicago Metropolis 2020: The Metropolis Plan: Choices for the Chicago Region, p. 10. Chicago, IL: 2003.

<sup>7</sup> , Marlon and Andrew Houghwout. *Do Highways Matter? Evidence and Policy Implications of Highways Influence on Metropolitan Development*, p. 4. The Brookings Institution Center on Urban and Metropolitan Policy, 2000.

including more water use, more impervious surface, runoff and water pollution, conflicts with agriculture, and habitat fragmentation.

The DEIR/DEIS fails to consider this broader regional planning context and a broader range of alternatives. Rail transit with medium- to high-density mixed walkable land use at stations can serve as a powerful force for shaping future growth towards a desired land use vision. Increasing roadway capacity would reduce potential rail ridership, thereby reducing the potential benefits of rail transit on shaping future land use. It should be noted, though, that high capacity rail transit can result in some of the same negative forces (although to a lesser extent) if the service is focused on serving suburban households with large park-and-ride lots at stations.

*Resume*

**NORMAN L. MARSHALL, PRINCIPAL**

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**EDUCATION:**

Master of Science in Engineering Sciences, Dartmouth College, Hanover, NH, 1982

Bachelor of Science in Mathematics, Worcester Polytechnic Institute, Worcester, MA, 1977

**PROFESSIONAL EXPERIENCE:**

Norm Marshall helped found Smart Mobility, Inc. in 2001. Prior to this, he was at Resource Systems Group, Inc. for 14 years where he developed a national practice in travel demand modeling. He specializes in analyzing the relationships between the built environment and travel behavior, and doing planning that coordinates multi-modal transportation with land use and community needs.

**Regional Land Use/Transportation Scenario Planning**

Chicago Metropolis Plan and Chicago Metropolis Freight Plan (6-county region)— developed alternative transportation scenarios, made enhancements in the regional travel demand model, and used the enhanced model to evaluate alternative scenarios including development of alternative regional transit concepts. Developed multi-class assignment model and used it to analyze freight alternatives including congestion pricing and other peak shifting strategies. Chicago Metropolis 2020 was awarded the Daniel Burnham Award for regional planning in 2004 by the American Planning Association, based in part on this work.

Envision Central Texas Vision (5-county region)—implemented many enhancements in regional model including multiple time periods, feedback from congestion to trip distribution and mode choice, new life style trip production rates, auto availability model sensitive to urban design variables, non-motorized trip model sensitive to urban design variables, and mode choice model sensitive to urban design variables and with higher values of time (more accurate for "choice" riders). Analyzed set land use/transportation scenarios including developing transit concepts to match the different land use scenarios.

Mid-Ohio Regional Planning Commission Regional Growth Strategy (7-county Columbus region)—developed alternative future land use scenarios and calculated performance measures for use in a large public regional visioning project.

Baltimore Vision 2030—working with the Baltimore Metropolitan Council and the Baltimore Regional Partnership, increased regional travel demand model's sensitivity to land use and transportation infrastructure. Enhanced model was used to test alternative land use and transportation scenarios including different levels of public transit.

Burlington (Vermont) Transportation Plan – led team that developed Transportation Plan focused on supporting increased population and employment without increases in traffic by focusing investments and policies on transit, walking, biking and Transportation Demand Management.

**Transit Planning**

Regional Transportation Authority (Chicago) and Chicago Metropolis 2020 – evaluating alternative 2020 and 2030 system-wide transit scenarios including deterioration and enhance/expand under alternative land use and energy pricing assumptions in support of initiatives for increased public funding.

Capital Metropolitan Transportation Authority (Austin, TX) Transit Vision – analyzed the regional effects of implementing the transit vision in concert with an aggressive transit-oriented development plan developed by Calthorpe Associates. Transit vision includes commuter rail and BRT.

Bus Rapid Transit for Northern Virginia HOT Lanes (Breakthrough Technologies, Inc and Environmental Defense.) – analyzed alternative Bus Rapid Transit (BRT) strategies for proposed privately-developing High Occupancy Toll lanes on I-95 and I-495 (Capital Beltway) including different service alternatives (point-to-point services, trunk lines intersecting connecting routes at in-line stations, and hybrid).

Central Ohio Transportation Authority (Columbus) – analyzed the regional effects of implementing a rail vision plan on transit-oriented development potential and possible regional benefits that would result.

Essex (VT) Commuter Rail Environmental Assessment (Vermont Agency of Transportation and Chittenden County Metropolitan Planning Organization)—estimated transit ridership for commuter rail and enhanced bus scenarios, as well as traffic volumes.

Georgia Intercity Rail Plan (Georgia DOT)—developed statewide travel demand model for the Georgia Department of Transportation including auto, air, bus and rail modes. Work included estimating travel demand and mode split models, and building the Departments ARC/INFO database for a model running with a GIS user interface.

### **Roadway Corridor Planning**

Working with the Capital District Transportation Committee (the Albany regions Metropolitan Planning Organization) and the New York State Department of Transportation to analyze future needs and operations of the I-90 crossing over the Hudson River, including effects on other roadways.

### **Developing Regional Transportation Model**

Pease Area Transportation and Air Quality Planning (New Hampshire DOT)—developed an integrated land use allocation, transportation, and air quality model for a three-county New Hampshire and Maine seacoast region that covers two New Hampshire MPOs, the Seacoast MPO and the Salem-Plaistow MPO.

Chittenden County, Vermont (Chittenden County Metropolitan Planning Organization)—developed a land use allocation model and a set of performance measures for Chittenden County (Burlington) for use in metropolitan planning.

### **Research**

Obesity and the Built Environment (National Institutes of Health and Robert Wood Johnston Foundation) – Working with the Dartmouth Medical School to study the influence of local land use on middle school students in Vermont and New Hampshire, with a focus on physical activity and obesity.

The Future of Transportation Modeling (New Jersey DOT)—Member of Advisory Board on project for State of New Jersey researching trends and directions, and making recommendations for future practice.

Trip Generation Characteristics of Multi-Use Development (Florida DOT)—estimated internal vehicle trips, internal pedestrian trips, and trip-making characteristics of residents at large multi-use developments in Fort Lauderdale, Florida.

Improved Transportation Models for the Future—assisted Sandia National Laboratories in developing a prototype model of the future linking ARC/INFO to the EMME/2 Albuquerque model and adding a land use allocation model and auto ownership model including alternative vehicle types.

### **Critiques**

*C-470 (Denver region)* – Reviewed express toll lane proposal for Douglas County, Colorado and prepared reports on operations, safety, finances, and alternatives.

*Intercounty Connector (Maryland)* – Reviewed proposed toll road and modeled alternatives with different combinations of roadway capacity, transit capacity (both on and off Intercounty Connector) and pricing.

Foothills South Toll Road (Orange County, CA) – Reviewed modeling of proposed toll road.

I-93 Widening (New Hampshire) – Reviewed Environment Impact Statement and modeling, with a particular focus on induced travel and secondary impacts, and also a detailed look at transit potential in the corridor.

Stillwater Bridge – Participated in 4-person expert panel assembled by Minnesota DOT to review modeling of proposed replacement bridge in Stillwater, with special attention to land use, induced travel, pricing, and transit use.

## **PUBLICATIONS AND PRESENTATIONS (partial list)**

*Understanding the Transportation Models and Asking the Right Questions*. Lead presenter on national Webinar put on by the Surface Policy Planning Partnership (STTP) and the Center for Neighborhood Technologies (CNT) with partial funding by the Federal Transit Administration, 2007.

*Sketch Transit Modeling Based on 2000 Census Data* with Brian Grady. Presented at the Annual Meeting of the Transportation Research Board, Washington DC, January 2006, and *Transportation Research Record*, No. 1986, "Transit Management, Maintenance, Technology and Planning", p. 182-189, 2006.

*Travel Demand Modeling for Regional Visioning and Scenario Analysis* with Brian Grady. Presented at the Annual Meeting of the Transportation Research Board, Washington DC, January 2005, and *Transportation Research Record*, No. 1921, "Travel Demand 2005", p. 55-63, 2006.

*Chicago Metropolis 2020: the Business Community Develops an Integrated Land Use/Transportation Plan* with Brian Grady, Frank Beal and John Fregonese, presented at the Transportation Research Board's Conference on Planning Applications, Baton Rouge LA, April 2003.

*Evidence of Induced Travel* with Bill Cowart, presented in association with the Ninth Session of the Commission on Sustainable Development, United Nations, New York City, April 2001.

*Induced Demand at the Metropolitan Level – Regulatory Disputes in Conformity Determinations and Environmental Impact Statement Approvals*, Transportation Research Forum, Annapolis MD, November 2000.

*Evidence of Induced Demand in the Texas Transportation Institute's Urban Roadway Congestion Study Data Set*, Transportation Research Board Annual Meeting, Washington DC: January 2000.

*Subarea Modeling with a Regional Model and CORSIM* with K. Kaliski, presented at Seventh National Transportation Research Board Conference on the Application of Transportation Planning Methods, Boston MA, May 1999.

*New Distribution and Mode Choice Models for Chicago* with K. Ballard, Transportation Research Board Annual Meeting, Washington DC: January 1998.

*Land Use Allocation Modeling in Uni-Centric and Multi-Centric Regions* with S. Lawe, Transportation Research Board Annual Meeting, Washington DC: January 1996.

## **MEMBERSHIPS/AFFILIATIONS**

Member, Institute of Transportation Engineers  
Individual Affiliate, Transportation Research Board  
Member, American Planning Association  
Member, Congress for the New Urbanism

**EDMUND G. BROWN JR.**  
*Attorney General*

*State of California*  
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October 1, 2008

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Ms. Ashley Nguyen  
EIR Project Manager  
Metropolitan Transportation Commission  
101 Eighth Street  
Oakland, CA 94607

RE: Comments on the Notice of Preparation for Draft Environmental Impact Report For the Transportation 2035 Plan

Dear Ms. Nguyen:

The Attorney General submits these comments to the Metropolitan Transportation Commission ("MTC") on the Notice of Preparation for the Draft Environmental Impact Report ("DEIR") for the proposed Transportation 2035 Plan ("Proposed Transportation Plan"). Although the deadline for comments on the Notice of Preparation has passed, we request that MTC consider these comments in preparing the DEIR.

We commend MTC for committing to evaluate the climate change impacts of the investments identified in the Proposed Transportation Plan. We also commend MTC for working to provide funding for "smart growth" development strategies that will reduce vehicle emissions associated with new development, for working to expand the bicycle network, and for including other elements of a Climate Change Program in the Proposed Transportation Plan. As climate change is one of the most critical environmental challenges to face our communities today, we urge MTC to embrace the opportunity it has in the Proposed Transportation Plan and the accompanying DEIR to show further leadership by identifying a comprehensive transportation strategy that will reduce emissions of the greenhouse gasses ("GHG") that cause global warming.

**Global Warming in California**

The Intergovernmental Panel on Climate Change of the United Nations has found

overwhelming evidence that global warming is occurring and is caused by human activity.<sup>1</sup> The California Climate Change Center reports that temperatures in the State are expected to rise 4.7 to 10.5°F by the end of the century.<sup>2</sup> Such increases would have serious consequences, including substantial loss of snowpack, an increase of as much as 55% in the risk of large wildfires, reductions in the quality and quantity of agricultural products, exacerbation of California's air quality problems, and adverse impacts on human health from increased heat stress, including heat-related deaths, as well as increases in asthma, respiratory, and other health problems.<sup>3</sup>

California recognizes that global warming is an urgent problem. As reflected in the California Global Warming Solutions Act of 2006 ("AB 32") and Executive Order S-3-05, we must substantially reduce our total GHG emissions by mid-century in order to stabilize atmospheric concentrations of GHGs at a level that will avoid dangerous climate change. This makes it imperative to address GHG emissions from the transportation sector, which account for 38% of the GHG emissions in the State.<sup>4</sup> In the Bay Area, emissions from the transportation sector are even greater, accounting for 50% of the total.<sup>5</sup> If we fail to make better transportation and land-use decisions – at all levels of government and at every opportunity – in a very short time, our climate goals may be out of reach. According to Rajendra Pachauri, Chairman of the United Nations Intergovernmental Panel on Climate Change ("IPCC"), "If there's no action before 2012, that's too late. What we do in the next two to three years will determine our future. This is the defining moment."<sup>6</sup>

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<sup>1</sup>United Nations Intergovernmental Panel on Climate Change, *Fourth Assessment Report: Climate Change 2007* (February 2007) *Working Group I Report, The Physical Science Basis, Summary For Policymakers* ("IPCC 4th").

<sup>2</sup>California Climate Change Center, *Our Changing Climate: Assessing the Risks to California* (July 2006) page 2, available at <<http://www.energy.ca.gov/2006publications/CEC-500-2006-077/CEC-500-2006-077.PDF>> (as of September 29, 2008). The report was prepared by the Climate Change Center at the direction of CalEPA pursuant to its authority under Governor's Executive Order No. S-3-05 (June 1, 2005) ("Exec. Order S-3-05").

<sup>3</sup>*Id.* at pp. 2, 10; Exec. Order S-3-05.

<sup>4</sup>California Air Resources Board, *Climate Change Draft Scoping Plan* (June 27, 2008) page 7 ("Draft Scoping Plan").

<sup>5</sup>Bay Area Air Quality Management District, *Source Inventory of Bay Area Greenhouse Gas Emissions* (November 2006) page 7.

<sup>6</sup>Rosenthal, *U.N. Chief Seeks More Leadership on Climate Change*, N.Y. Times (November 18, 2007).

### **California Environmental Quality Act**

As the Legislature has recognized, global warming is an “effect on the environment” under the California Environmental Quality Act (“CEQA”), and an individual project’s incremental contribution to global warming can be cumulatively considerable.<sup>7</sup> The projects authorized in the Proposed Transportation Plan will result in significant increases in the GHG emissions that contribute to global warming.

CEQA was enacted to ensure that public agencies do not approve projects unless they include feasible alternatives or mitigation measures that substantially reduce the significant environmental effects of the project.<sup>8</sup> CEQA requires that “[e]ach public agency shall mitigate or avoid the significant effects on the environment of projects that it carries out or approves whenever it is feasible to do so.”<sup>9</sup> This requirement is recognized as “[t]he core of a DEIR...”<sup>10</sup> Therefore, a DEIR must identify mitigation measures and examine alternatives that would reduce the emissions of greenhouse gases that contribute to global warming.<sup>11</sup> These requirements of CEQA are consistent with federal law, which requires the Proposed Transportation Plan to consider projects and strategies that will “protect and enhance the environment” and “promote energy conservation” and to discuss “potential environmental mitigation activities.”<sup>12</sup>

An EIR like the DEIR for the Proposed Transportation Plan must provide an accurate depiction of existing environmental conditions.<sup>13</sup> “Before the impacts of a project can be assessed and mitigation measures considered, an EIR must describe the existing environment. It is only against this baseline that any significant environmental effects can be determined.”<sup>14</sup>

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<sup>7</sup>See Cal. Pub. Res. Code, § 21083.05, subd. (a); see also Sen. Rules Comm., Off. Of Sen. Floor Analyses, analysis of Sen. Bill No. 97 (2007-2008 Reg. Sess.), Aug. 22, 2007.

<sup>8</sup>Pub. Resources Code, § 21002.

<sup>9</sup>Pub. Resources Code, §§ 21002.1, subd. (b), and 21081; see also *Mountain Lion Foundation v. Fish and Game Commission* (1997) 16 Cal.4th 105, 134.

<sup>10</sup>*Citizens of Goleta Valley v. Board of Supervisors of Santa Barbara County* (1990) 52 Cal.3d 553, 564-65.

<sup>11</sup>Pub. Resources Code, § 21002.1(a); Cal. Code Regs., tit. 14, § 15130, subd. (b)(5).

<sup>12</sup>23 U.S.C. §§ 134(h) and 134(i)(2)(B)(i). (See text accompanying fn. 19, *infra*.)

<sup>13</sup>Cal. Code Regs., tit. 14, § 15125, subd. (a).

<sup>14</sup>*County of Amador v. El Dorado County Water Agency* (1999) 76 Cal.App.4th 931, 952.

**The DEIR Should Consider Climate Change Impacts, As Well As Effective Methods of Mitigation and Alternatives to Reduce Such Impacts**

The Proposed Transportation Plan will authorize expenditure of approximately \$223 billion for transportation projects, including road construction and improvements that will provide additional road capacity and accommodate more vehicles. These projects will contribute cumulatively to the Bay Area's existing GHG load. In addition, implementing the Proposed Transportation Plan will result in increased GHG emissions during construction of the authorized projects, resulting in a significant cumulative impact on climate change. The DEIR should evaluate all the anticipated climate change impacts of GHG emissions from these actions, including emissions of black carbon from diesel-powered vehicles, as black carbon also contributes significantly to global warming.<sup>15</sup>

"Smart" land-use strategies can result in a reduction in vehicle miles traveled ("VMT") over the long term, which in turn is critical to reducing GHG emissions from the transportation sector. Statewide, VMT increased approximately 35% from 1990 to 2007, and under a business-as-usual scenario, VMT is currently expected to increase another 20% by 2020.<sup>16</sup> According to the California Energy Commission, if we do not slow this anticipated growth in VMT, the increase will completely nullify the other advances that the State is making to control transportation-related emissions, including lowering the carbon content of fuel.<sup>17</sup>

As the Air Resources Board notes, "[t]he key to addressing the VMT challenge is providing people with more choices through diversified land use patterns, greater access to alternative forms of transportation including transit, biking and walking, and creating cities and towns where people can live, work and play without having to drive great distances."<sup>18</sup> In addition, the way a transportation plan allocates funds among potential transportation projects can make a significant difference in the amount of transportation-generated GHG emissions in the future. The DEIR should discuss whether the Proposed Transportation Plan *maximizes* the use of available funds for public transit, alternative fuel vehicles, carpool, vanpool, rideshare, pedestrian and bicycle projects (including "Safe Routes to School" programs), and other measures that reduce VMT and/or GHG emissions.

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<sup>15</sup>Black carbon is a strong absorber of solar radiation, and black carbon particles mixed with dust and chemicals in the air may be the second biggest contributor to global warming. (See California Air Resources Board, Health Effects of Diesel Particulate Matter pages 4-5, available at <[http://www.arb.ca.gov/research/diesel/dpm\\_draft\\_3-01-06.pdf](http://www.arb.ca.gov/research/diesel/dpm_draft_3-01-06.pdf)> [as of September 29, 2008].)

<sup>16</sup>Draft Scoping Plan Appendices page C-22.

<sup>17</sup>California Energy Commission, The Role of Land Use in Meeting California's Energy and Climate Change Goals, Final Staff Report (August 2007) pages 10, 18.

<sup>18</sup> Draft Scoping Plan Appendices page C-22.

CEQA requires that an EIR evaluate the potential environmental impacts of an entire project, which in this context we believe represents the entire \$223 billion of authorized expenditures – not just the \$31.6 billion for projects MTC identifies as “discretionary,” but also the \$191 billion for projects identified as “committed,” projects included in the prior Transportation Plan but not yet constructed. The EIR for the prior Transportation Plan was prepared before AB 32, with its GHG-emission reduction goals, was enacted. The prior Transportation Plan and EIR also were adopted before the enactment of the federal act (effective August 2005) (SAFETEA-LU) that requires a Transportation Plan to address projects and strategies that will “protect and enhance the environment, promote energy conservation, improve the quality of life . . . .”<sup>19</sup> Finally, the California Transportation Commission (“CTC”) recently adopted the Addendum to the 2007 Regional Transportation Plan Guidelines, “Addressing Climate Change and Greenhouse Gas Emissions During the RTP Process;” this guidance also did not exist when the EIR for the prior Transportation Plan was adopted.<sup>20</sup>

Accordingly, CEQA requires evaluation in the DEIR of climate change impacts both of the “committed” projects and the “discretionary” projects, and ways to eliminate or reduce such impacts. It also requires consideration of an alternative that, where feasible, eliminates from the Proposed Transportation Plan so-called “committed” projects that would contribute to adverse cumulative impacts on climate.<sup>21</sup>

The Proposed Transportation Plan includes projects that MTC has selected for funding with \$31.6 billion in “discretionary” funds. To select these projects, MTC stated it used a performance rating system to evaluate the projects’ anticipated effectiveness at meeting the region’s transportation goals. Among other things, the adopted goals include “climate protection,” and the “performance objectives” include reducing VMT and reducing emissions (including GHGs). We commend MTC for adopting these goals and objectives.

The Proposed Transportation Plan also includes an additional \$191 billion for projects that were authorized in the last Transportation Plan, which MTC refers to as “committed” projects. MTC indicates that the “committed” projects include about \$29 billion for transit and road expansion and \$162 billion to maintain the existing transportation system. We understand that the \$29 billion of “committed” projects for transit and roadway expansion have been proposed for inclusion in the new Transportation Plan without renewed evaluation of the relative need for, benefits of, or impacts of these projects vis-à-vis others, and regardless of how well they meet MTC’s identified goals and performance objectives. We urge MTC to rectify this omission with respect to the “committed” transit and roadway expansion projects (which reflect only 15% of the “committed” funding). MTC’s own research shows that achieving reductions in

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<sup>19</sup>23 U.S.C. § 134(h)(1)(E).

<sup>20</sup>It was adopted by the California Transportation Commission on May 29, 2008.

<sup>21</sup>If there is a contractual obligation or other overriding reason to complete a particular low-performing “committed” expansion project, the DEIR should discuss this.

GHG emissions consistent with the goals of AB 32 will be extremely difficult.<sup>22</sup> this highlights the need for careful and complete evaluation of impacts on VMT and GHG emissions of *all* expenditures for road and transit expansion in the Proposed Transportation Plan.

MTC staff's analysis indicates that many of the "committed" expansion projects support only one, in some cases *none*, of the identified performance goals. If low-performing "committed" projects were eliminated where feasible to do so, funding would be available to cover transit shortfalls, particularly for BART, Muni, and AC Transit, which together carry 80% of the transit riders in the Bay Area.<sup>23</sup> If these shortfalls are not addressed, or if they are addressed through fare increases, as recently proposed,<sup>24</sup> ridership may fall, with a concomitant increase in GHG emissions. The DEIR should address the implications of the potential transit shortfalls on GHG emissions and whether those impacts could be reduced by using funds currently proposed to be allocated to low-performing "committed" projects. This would be consistent with the direction in the CTC's guidelines for addressing climate change in RTPs to "[c]onsider shifting transportation investments towards improving and expanding urban and suburban core transit, programs for walkability, bicycling and other alternative modes, transit

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<sup>22</sup>See Therese W. McMillan, Deputy Executive Director, Policy, Metropolitan Transportation Commission, presentation to California Transportation Futures Symposium (September 3, 2008), Transportation 2035: S.F. Bay Area - Targeting Health Through Environment, available at <http://www.dot.ca.gov/hq/tpp/offices/osp/presentations/McMillan,T.ppt> (as of September 30, 2008).

<sup>23</sup>There is currently a projected \$19 billion shortfall in transit capital and operating needs for transit in the Bay Area over the life of the Proposed Transportation Plan, and a projected \$4.2 billion shortfall in BART core capacity improvements. (See Commission Meeting presentation (July 23, 2008), Transportation 2035: Financially Constrained Investment Plan, page 22, available at [http://apps.mtc.ca.gov/meeting\\_packet\\_documents/agenda\\_1116/T2035\\_Recommendations\\_short\\_v.3.ppt](http://apps.mtc.ca.gov/meeting_packet_documents/agenda_1116/T2035_Recommendations_short_v.3.ppt) [as of October 1, 2008].) These figures were generated before recent increases in public transit ridership due to high gasoline prices. The American Public Transportation Association reports more than a 5% increase in BART ridership in 2008. (See <http://www.apta.com/research/stats/ridership/index.cfm> [as of September 29, 2008].) Thus, the funding needs for existing transit service may well exceed these estimates.

<sup>24</sup>See, e.g., *Consider congestion pricing for BART*, San Francisco Chronicle (September 15, 2008), available at <http://www.sfgate.com/cgi-bin/article.cgi?f=/c/a/2008/09/15/EDIJ12T13A.DTL&hw=BART+fare&sn=001&sc=1000> (as of September 30, 2008); Gordon, *BART considers higher fares*, San Francisco Chronicle (September 12, 2008), available at <http://www.sfgate.com/cgi-bin/article.cgi?f=/c/a/2008/09/12/MNS412SGBC.DTL&hw=BART+fare&sn=002&sc=491> (as of September 30, 2008), which noted that BART trains are currently near capacity in peak hours.

access, housing near transit, and local blueprint plans that coincide with the regional blueprint.”<sup>25</sup>

The DEIR should also address, at a minimum, the following issues:

1. ***The impact of high-occupancy toll (“HOT”) lanes on carpooling, transit ridership, VMT, and GHG emissions.*** A principal benefit of the HOT lane network is savings in travel time for people driving alone (both in the HOT lane and in other lanes). Some commentators have expressed concerns about the effect of HOT lanes on “induced travel,” noting that “at the same time that some drivers are encouraged to stay away from congestion or higher peak-period tolls, others are drawn to use the HOT lanes because they are relatively less congested than other options.”<sup>26</sup> At least one expert panel has expressed concerns that a proposed increase in freeway lane miles for a “managed lane” network similar to the HOT lane network proposed here would “perpetuate auto-oriented development and reduce transit’s competitiveness.”<sup>27</sup>

In recognition of these concerns, the DEIR should evaluate, for each corridor, the effect of (1) creation of a new lane to be used as a HOT lane, or (2) conversion of an existing HOV lane to a HOT lane, whichever is applicable, including any increase in the carpool requirement from 2 to 3 occupants,<sup>28</sup> on the following: (a) carpooling rates, (b) VMT, (c) induced travel (commuters, carpoolers, telecommuters, etc., who are thereby induced to start driving alone), and (d) long-term housing distribution patterns (i.e., “induced growth” of housing in areas

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<sup>25</sup>California Transportation Commission, Addendum to the 2007 Regional Transportation Plan Guidelines: Addressing Climate Change and Greenhouse Gas Emissions During the RTP Process (May 29, 2008) page 2 (emphasis added).

<sup>26</sup> Dahl, *The Price of Life in the Fast Lane* (2003) 111 *Envtl. Health Persp.*, Number 16, available at <<http://www.ehponline.org/members/2003/111-16/spheres.html>> (as of September 30, 2008), citing the director of the Bridge Tolls Advocacy Project in New York.

<sup>27</sup>See Independent Transit Planning Review Services December 2006 Final Report, prepared for the San Diego Association of Governments (December 2006) pages ES-5 and 3-32, available at <[http://www.sandag.cog.ca.us/uploads/publicationid/publicationid\\_1274\\_6239.pdf](http://www.sandag.cog.ca.us/uploads/publicationid/publicationid_1274_6239.pdf)> (as of September 30, 2008). The panel also observed, “Smart Growth efforts will likely be weakened by managed lanes’ alleviation of congestion and its encouragement of auto-oriented growth away from transit corridors.” (See *id.* at pp. 6-16.)

<sup>28</sup> The Bay Area High-Occupancy/Toll (HOT) Network Study Final Report notes that implementing HOT lanes will likely require increasing carpool occupancy requirements. MTC, Bay Area High-Occupancy/Toll (HOT) Network Study Final Report (September 2007) page 7.

where HOT lanes can be used to commute to employment centers).<sup>29</sup> The DEIR should provide both short-term and long-term evaluation of the environmental impacts/benefits of the HOT lane network. In particular, the EIR should evaluate the potential effects of induced travel where the freeway is expanded to create a HOT lane.<sup>30</sup>

2. ***The effect on GHG emissions of different prioritizations of uses of HOT lane revenues.*** MTC recently adopted "HOT Network Implementation Principles" that indicate HOT lane revenues will be used "to finance and construct the HOT network" and "provide transit services and improvements in the corridors." However, it is not clear when *any* excess revenues will be generated from the HOT lane network, and what the priority will be for investment of such revenues. We understand that, if completing the area-wide HOT lane network is the priority use for HOT lane revenues, the anticipated benefits of excess revenue from the HOT lane network would not accrue to public transit until the network is completed in 2025. The EIR should disclose the anticipated timing and amount of excess revenues (i.e., revenues not need to cover network expenses), and

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<sup>29</sup>The California Department of Transportation's ("Caltrans") own guidance for preparing an EIR recognizes the need to evaluate how a project will influence growth. (See Caltrans, EIR/EA Annotated Outline (April 2008) pages 37-39, available at [http://www.dot.ca.gov/ser/downloads/templates/eir\\_ea\\_SER.doc](http://www.dot.ca.gov/ser/downloads/templates/eir_ea_SER.doc) [as of September 30, 2008]; Caltrans, Guidance for Preparers of Growth-related, Indirect Impact Analyses (May 2006), available at [http://www.dot.ca.gov/ser/Growth-related\\_IndirectImpactAnalysis/gri\\_guidance.htm](http://www.dot.ca.gov/ser/Growth-related_IndirectImpactAnalysis/gri_guidance.htm) [as of September 30, 2008].)

<sup>30</sup> The Superior Court for the County of Sacramento recently invalidated Caltrans's EIR for an HOV lane project in Sacramento, in part because it did not adequately evaluate the impacts of induced travel. (See *Environmental Council of Sacramento v. Caltrans* (July 15, 2008, 07CS00967) <http://nastsacramento.blogspot.com> [as of September 29, 2008].) There are numerous reports and studies on the "induced travel" impacts of new freeway lanes and recommended methods of analysis. (See, e.g., U.S. Department of Transportation Federal Highway Administration, Induced Travel: Frequently Asked Questions, available at <http://www.fhwa.dot.gov/Planning/itfaq.htm> [as of September 30, 2008]; Cervero & Hanson, *Induced Travel Demand and Induced Road Investment* (2002) 36 J. Transp. Econ. & Pol'y, Part 3, pp. 469-490; Litman, *Generated Traffic and Induced Travel: Implications for Transport Planning* (September 17, 2007), available at <http://www.vtpi.org/gentraf.pdf> [as of September 30, 2008]; Litman, *Smart Transportation Investments: Reevaluating the Role of Highway Expansion for Improving Urban Transportation* (October 6, 2006), available at [http://www.vtpi.org/cong\\_relief.pdf](http://www.vtpi.org/cong_relief.pdf) [as of September 30, 2008]; Cervero, *Road Expansion, Urban Growth, and Induced Travel: A Path Analysis* (Spring 2003) 69 APA Journal, No. 2, pp. 145-163; Noland, *Relationships between highway capacity and induced vehicle travel* (2001), 35 Transp. Res. Part A: Policy and Practice, Issue 1, pp. 47-72.)

should compare the anticipated effect on GHG emissions of this planned prioritization of the use of these revenues to the anticipated effect on GHG emissions of an alternative that applies a significant percentage of HOT lane revenues to unfunded transit needs as the revenue is generated (rather than after the HOT network is completed). In particular, the EIR should evaluate the benefits of using HOT lane funds for transit improvements that would maintain and increase transit ridership in the completed HOT lane corridors.<sup>31</sup>

3. ***The projected effects of the different alternatives on VMT and GHG emissions.*** In addition, the DEIR should provide and evaluate at least one alternative designed to maximize the reduction of GHG emissions. As you are aware, there are many policies and/or projects that MTC could consider to help achieve this goal, some of which it is already considering and could fund at a significantly higher level. While this letter is not intended to provide a complete list, some of the possibilities include the following: focus on eliminating transit shortfalls; increase service capacity to meet increased demand for public transit in core urban areas; increase funding for transportation infrastructure to serve infill and mixed use development located near employment centers and provide incentives for such development; increased incentives for use of public transit, ridesharing and carpools; and expanded public transit frequency of operation.
4. ***Green Construction Policy.*** To further reduce the impact of the projects in the Proposed Transportation Plan on air quality and climate change, the EIR should evaluate the effect of including a mandatory “green construction” policy. Such a policy could require, for example,
  - use of an emissions calculator in the planning of every construction project, one that uses the proposed equipment fleet and hours of use to project nitrogen oxides, particulate matter, and carbon dioxide emissions, then quantifies the reductions achievable through the use of cleaner/newer

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<sup>31</sup> The way the revenue is used could impact the effectiveness of HOT lanes. (See Dahl, R., *The Price of Life in the Fast Lane* (December 2003), 111 Environmental Health Perspectives, Number 16, available at <<http://www.ehponline.org/members/2003/111-16/spheres.html>> [as of September 29, 2008], citing the transportation director of Environmental Defense, who stated that “[t]he key element for truly effective congestion pricing [ ] is dedication of HOT lane fees to public transit and public health purposes in the same transit corridor.”) Along similar lines, the California Air Resources Board’s Draft Scoping Plan identifies congestion pricing as a GHG-reduction measure under consideration, emphasizing that the GHG emission reductions would come from “relief of severely congested traffic, some reduction in vehicle travel, and from the investment of funds in transit infrastructure that would provide additional transportation options during congested hours.” (Draft Scoping Plan p. 38 [emphasis added].)

equipment;<sup>32</sup>

- that all off-road construction vehicles be alternative fuel vehicles, or diesel-powered vehicles with Tier 3 or better engines or retrofitted/repowered to meet equivalent emissions standards as Tier 3 engines;<sup>33</sup>
- use of the minimum feasible amount of GHG-emitting construction materials (cement, asphalt, etc.);<sup>34</sup>
- use of cement blended with the maximum feasible amount of flyash or other materials that reduce GHG emissions from cement production;
- use of lighter-colored pavement with increased reflectivity, which reduces the “heat island” effect;
- recycling of construction debris to maximum extent feasible;
- planting of shade trees in or near construction projects where feasible.

Finally, the DEIR also should consider feasible measures to mitigate and/or reduce emissions of criteria pollutants (including black carbon and other particulate matter) from diesel buses, such as requiring retrofitting of diesel buses with particulate traps, replacing diesel buses

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<sup>32</sup>The calculator used in the Sacramento Metropolitan Air Quality Management District’s program is available at <<http://www.airquality.org/ceqa/index.shtml#construction>> (as of September 29, 2008).

<sup>33</sup>Similarly, the South Coast Air Quality Management District has called for the State, in selecting projects that will be funded from Proposition 1B, to impose a condition that requires “use of lowest emitting construction equipment and fuels available.” (South Coast Air Quality Management District Res. No. 07-07 (April 6, 2007), “Resolution Expressing Conditions for Funding Projects with Proposition 1B Funds in the South Coast District.”)

<sup>34</sup>A new production method known as “warm-mix” asphalt technology that significantly reduces GHG emissions during application may prove to be a feasible alternative road paving material. (See Moore, *Warm-Mix Asphalt (WMA) Potentially Can Provide Important Benefits for Paving Contractors, Reduce Fuel Costs and Diminish Green-House Gases*, Construction Equipment (March 1, 2007), available at <<http://www.constructionequipment.com/article/CA6421459.html>> [as of September 29, 2008]. Warm-mix asphalt was used successfully in Yellowstone National Park in August 2007, and, this fall, Logan International Airport in Boston will become the first in the U.S. to pave a runway with the new asphalt mix. (See “*Green*” *Asphalt Saves Energy and Reduces Greenhouse Gas Emissions* (August 6, 2008), available at <[http://fypower.org/news/email\\_story.html?post\\_id=3165](http://fypower.org/news/email_story.html?post_id=3165)> [as of September 29, 2008]).

Ms. Ashley Nguyen  
October 1, 2008  
Page 11

with the lowest-emitting available alternative fuel buses, requiring that all new buses have the lowest level of emissions feasible, and planting particulate-absorbing trees near freeways and busy streets. Emissions of these pollutants is a critical health issue for the region, which does not meet attainment standards for ozone and particulate matter.<sup>35</sup>

Global warming presents California with one of its greatest challenges to date. MTC has the opportunity to take steps to address the problem of climate change constructively, while educating the public and decision-makers. We urge MTC to meet the challenge with the Proposed Transportation Plan and DEIR. Please do not hesitate to contact us if the Attorney General's Office can be of any assistance.

Sincerely,

/S/

LAURA J. ZUCKERMAN  
SANDRA GOLDBERG  
Deputy Attorneys General

For EDMUND G. BROWN JR.  
Attorney General

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<sup>35</sup>See generally, e.g., California Air Resources Board, Health Effects of Diesel Exhaust, available at <[http://www.oehha.org/public\\_info/facts/dieselfacts.html](http://www.oehha.org/public_info/facts/dieselfacts.html)> (as of September 29, 2008); California Air Resources Board, Draft Diesel Particulate Matter Health Risk Assessment for the West Oakland Community (March 19, 2008), available at <<http://www.arb.ca.gov/ch/communities/ra/westoakland/westoakland.htm>> (as of September 29, 2008); and the Bay Area Air Quality Management District's air quality summaries, available at <[http://www.baaqmd.gov/pio/aq\\_summaries/index.htm](http://www.baaqmd.gov/pio/aq_summaries/index.htm)> (as of September 29, 2008).



24

# *San Francisco Tomorrow*

*Since 1970, Working to Protect the Urban Environment*

February 2, 2009

Ashley Nguyen, Planning Section  
Metropolitan Transportation Commission  
101 Eighth Street, Oakland, CA 94607

**Re: COMMENTS ON THE 2035 TRANSPORTATION PLAN EIR**

Dear Ms. Nguyen;

On behalf of San Francisco Tomorrow, we would like to express the following concerns about the above-referenced document.

First, the plan analyzed by this document calls for freeway expansion, which will result in more automobile traffic. But the document fails to evaluate or even mention the additional deaths and injuries from automobile accidents that occur as a result of this increase in vehicle miles traveled (VMT). The attached document re Doyle Drive should prove that freeways are more dangerous than the supposedly dangerous Doyle Drive, which had its last fatal accident in 2003. It is certain that should it be replaced by a freeway, as is proposed in the preferred program, there will be deaths on it every year. It should be easy to see that freeways are generally more dangerous than other types of roadways. This impact must be adequately addressed.

Second, the preferred plan discourages smart growth, transit and transit oriented development. It will cause more sprawl, more loss of open space, more loss of farmland. Alternatives that would have been better from these viewpoints were dismissed. This document identifies the "HEAVY MAINTENANCE/CLIMATE PROTECTION + PRICING STRATEGIES" alternative as the environmentally superior alternative, while dismissing the "HEAVY MAINTENANCE/CLIMATE PROTECTION + LAND USE" alternative as not implementable. However that ignores state legislation AB 375, which will provide incentives for regional integration of land use planning and transit-oriented development. We strongly recommend that the EIR identify an environmentally superior alternative that combines the "HEAVY MAINTENANCE/CLIMATE PROTECTION + PRICING STRATEGIES" alternative with appropriate land use restrictions. MTC must work with other agencies and cities and counties to adopt land use plans that would advance smart growth, and transit and transit oriented development

Thirdly, the claim has been made that 85% of the money available for transportation projects has already been committed. Apparently "committed" means carried over from the T2020 Plan. In a letter dated August 10, 2008, Attorney General Brown threw doubt on this and urged you to review these projects and change the priorities. San Francisco Tomorrow supports this position and requests that this EIR identify a program that redirects funds from projects that will do great harm to the environment to ones that will do less harm to the environment and will advance smart growth, transit and transit oriented development. The statement has been made that other agencies are

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providing funds for some of the "committed" projects and therefore MTC has no power over them. MTC has more power than it admits publicly. MTC should use its influence to change these priorities.

Finally, another thing that requires closer scrutiny is the emphasis on level of service (LOS). A LOS of E or F might actually be good for the environment if it discourages auto use and encourages transit ridership. Furthermore, SFT notes that level of service is not actually in the CEQA law itself, but is in CEQA administrative guidelines, and that these are being revised to be more environmentally friendly. LOS could possibly be ignored by local agencies. If used, LOS should measure the movement of people, not vehicles.

To conclude: we find that the preferred program is seriously flawed in that it fails to prioritize transit options, identify needed land use controls, and attain the climate change goals mandated in AB 32. The environmental document is also flawed because it fails to identify the most environmentally beneficial program, discounts the serious environmental impacts of road expansion and does not acknowledge the benefits of transit-oriented development. These shortcomings must be addressed in the final document issued by this agency.

Sincerely,



Jennifer Clary  
President



Norman Rolfe  
Transportation Chair

**DOYLE DRIVE -- MYTHS AND FACTS**

**Myth:** It is seismically unsafe and generally in poor condition.

**Fact:** Caltrans is working on it right now. Seismic bracing has been done and replacement of corroded structural members is in process, as is general work such as replacing corroded parts, scraping off rust, repainting, etc. At an October 17 public meeting, Tilly Chang of the San Francisco County Transportation Authority (SFCTA) stated that Doyle Drive is not about to fall down. This from someone who is part of the cabal that is pushing to convert it into a freeway through a park on the pretense of safety.

**Myth:** It is a dangerous roadway. It doesn't meet today's standards.

**Fact:** Here are accident statistics obtained from the California Highway Patrol (CHP) for the years 2004-2006 inclusive.

<u>Highway Segment</u>	<u>Length Miles</u>	<u>Total Collisions</u>	<u>Persons Injured</u>	<u>Persons Killed</u>	<u>Deaths per Mile per Year</u>
US 101 --Golden Gate Bridge Toll Plaza to Richardson Ave. -- <b>Doyle Drive</b>	2.12	184	64	0	0
I-80 -- Bay Bridge Anchorage to Junction with US 101	2.01	2279	519	5	0.83
US 101 -- Junction with I-80 to San Francisco-San Mateo County Line	4.25	1529	606	5	0.39
US 101 -- San Francisco-San Mateo County Line to Grand Ave. South SF	4.35	398	180	7	0.54
I-80 -- Macarthur Maze to Gilman St.	3.44	2507	637	9	0.87
I-880 -- Macarthur Maze to Junction with SR 238	13.27	4091	1470	23	0.58
SR 24 -- East End Caldecott Tunnel to Junction with I-680	8.83	898	408	4	0.15
I-680 -- Junction with SR 24 to Stone Valley Road	4.17	751	251	1	0.08
<b>Doyle Drive</b>	2.12	184	64	<b>0</b>	<b>0</b>

Note that the freeways that meet or come close to the "standards" they want Doyle Drive to meet are the ones killing people.

Speed Kills! It certainly does on highways.

(25)

**From:** "Omar Chatty" <omarchatty@mindspring.com>  
**To:** <anguyen@mtc.ca.gov>  
**Date:** 2/2/2009 9:17 AM  
**Subject:** Comments on Draft Transportation 2035 Plan EIR

Ashley,

Here are some brief comments on the Draft EIR of the MTC Transportation 2035 Plan EIR, due later today, by Feb 2, 2009, 4:00pm

- The is too one-sided, oriented to unrealistic and proven failures of transit-oriented transportation planning.

--Despicable, if not fraudulent, analysis that uses 'paper' benefits of Transit-Oriented, high density, urban development that, in fact, have never been realized except in a few Asian, extremely high-density urban environments and cultures.

--Transit Oriented development generates many more vehicle trips and very few transit trips. I suggest the MTC conduct actual studies of recent TOD to count and evaluate actual trips, examples would be the San Jose LRT line that terminates at Coleman Ave and Winfield Blvd. Or, Palma high-density apartments at Cottle Rd, SR85 and LRT. The same can be done in any community around the TC area. It will be apparent, with any workday study, that the vast majority of trips continue to be by automobile, and thus, more automobile-enabled ROADS and ROAD CAPACITY are required. This has NOT been studied properly in the EIR. More cars on congested roads of all types leads to more idling, accidents, congestion--when the road capacity is inadequate, irrespective of road pricing. This has NOT been studied fairly or adequately.

--In addition, the impact on the society needs to be evaluated. In particular, increased violent and property crimes that occur in high-density TOD environments has not been considered. In addition, the EIR needs to segment and identify and apply costs to the environmental and social impact of the TOD and other high-density developments, such as crime, non-transportation infrastructure, tax generation, unemployment, etc. That the MTC seeks to impose in the 2035 Plan its socialist, if not communistic, efforts to restrict citizens and residents mobility--and economic viability, which MTC is supposed to SERVE, not rule over, or do social engineering through its powerful, untouchable, unaccountable, multi-county and far-out into the future Plan process. Most Plan contributors will be long out of the reach of any accountability.

--The Plan does not plan for adequate non-toll road improvements, particularly inter-regional road improvements, and the savings of VMT, VHT, and the benefits coming from cleaner cars, some with zero emissions, Electric, C and L NG vehicles (ultra-low emissions), hydrogen, etc. All these emission-free automobile propulsion methods will certainly assist the MTC to attain vehicle-emission standards in the future, yet the EIR DOESN'T ADEQUATELY address this technology, instead imposing a new tax on motorists in the form of Tolls.

The Plan does not fairly evaluate the impact of toll lanes or toll roads (SR24, SR680, SR152) on resultant congestion of non-fast track users, out of region users, and surface traffic congestion generated by motorists seeking to avoid HOTT and other toll facilities.

The Plan does not fairly or properly consider traffic congestion that results, even today, when trains stop cross vehicular traffic--which amounts to many more vehicles and occupants than are carried in the trains...these include all LRT facilities, SJ, SF; and, commuter rail obstruction of traffic, CALTRAIN (the KillTrain), Capitol Corridor,

Amtrack, future HSR, local shuttles serving these outmoded trains. This is a serious deficiency that has been raised before in EIRs that MTC seems to ignore.

-The Plan ignores urgently needed highway capacity increases for safety and population and motorist and economic growth. These include SR 262 (I680 to I880 in WarmSprings/Fremont), unbuilt SR61, SR130--which cuts 50 miles off a San Josean's one way trip to the Central Valley-Patterson from San Jose. This is at least 2 gallons of gas each way for each of the 50,000 cars per day. The EIR does not evaluate this need and benefit to parallel existing freeways and highways that motorists use to get to and from San Jose to points East (I680, I80, I580, and SR152). This is a MAJOR gap in the EIR and belies the bigotry and socialist focus of the EIR in favor of government run, inefficient, costly, and for most motorists unworkable and untimely use of transit solutions.

Also, future improvements to a 4 - 6 lane SR152 and SR84 (Vasco, Vallacitos Rd) are not considered. Nor are improvements to SR4 in Eastern Contra Costa County and a multitude of other highways and bridges in the MTC region. There is no discussion of widening I680 in Solano County or SR12's needed improvements, or planning for the Southern Crossing across the bay to reduce congestion on other bay area bridges.

There is inadequate discussion of the need for highways as emergency vehicle ingress and egress in times of floods, fires, and earthquakes in any part of the state whereby these vehicles use public roads.

This EIR is grossly insufficient in the area of realistic evaluation of transit costs, issues, increased pollution and government employment impacts that Transit causes.

The EIR is even more grossly insufficient in piss-poor "Casandra" Sky-is-falling "planning" by failing to address the huge benefits of constitutionally protected single occupant vehicle transport in multitudes of vehicle types, new roads that MTC should be advocating investment in to accommodate the inevitable vehicle use increase for inadequate current needs AND future planning needs--which is what the MTC Draft Transportation 2035 ought to be addressing -- but does not! These are huge failures and inadequacies. Please address for the FEIR.

Omar Chatty

(I'm on your mailing list, so my address etc is available to MTC)  
San Jose, CA

**From:** <JLucas1099@aol.com>  
**To:** <anguyen@mtc.ca.gov>  
**Date:** 2/2/2009 3:46 PM  
**Subject:** MTC Draft Transportation 2035 Plan - Draft Environmental Impact Report (EIR)

26

Ashley Nguyen, Planning Section  
February 2, 2009  
101 Eighth Street  
Oakland, CA 94607

RE: MTC Draft Transportation 2035 Plan DEIR

Dear Ashley Nguyen,

In regards this MTC Draft Transportation 2035 Plan, DEIR, which was supposed to have been available for review at the City of Palo Alto Public Library, I was unable to find it in their current reference materials.

The MTC Transportation 2030 Plan was there but not one for 2035.

As your deadline is here and now, I would like to submit my general concern on this draft transportation plan. Primarily I feel infrastructure opportunities to integrate the MTC transportation plan with California's recently approved high-speed rail plan are being lost due to lack of earmarking of existing railroad right-of-way that is necessary for economically planning and implementing such an upgrade of the State transportation system.

Locally, in past year Santa Clara Valley Water District was asked to surplus Union Pacific Railroad frontage property that might be essential to upgrade of high-speed right of way in downtown San Jose. Supposedly it was to facilitate a pedestrian crossing but there was no mention of high-speed rail upgrade or usage.

A railroad bridge across the Guadalupe River, in this same area, was discussed for conversion to auto traffic. This is where there used to be a major railroad junction yard and roundhouse which all seems to have been sold off for development. However, to my amateur eye it looks as if this rail line would be the critical link in a wishbone configuration of high-speed rail as it branches off to East Bay from CalTrain Peninsula main line.

Such an intergrated railroad plan, with historic and, hopefully, still existing rail facilities, needs to be a part of MTC's Draft Transportation 2035 Plan. In fact, I would say it should be paramount in the proposed 2035 plan.

I regret that I do not have environmental details of your plan before me but this summarizes my concerns.

Do also want to emphasize that in today's business realities economy must be foremost consideration and all public works should think in terms of doubling or tripling of public benefits from overextended tax dollars.

As an example, it would be grand if water resource dollars to construct San Luis Drain could be allied with high-speed rail dollars and they could coordinate use of right of way down the length of the Central Valley.

Thank you for any consideration you can give to my concerns on this MTC 2035

Transportation Plan.

Libby Lucas  
174 Yerba Santa Ave.,  
Los Altos, CA 94022

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(27)

**From:** <raftstaff@mac.com>  
**To:** <anguyen@mtc.ca.gov>  
**Date:** 2/2/2009 4:00 PM  
**Subject:** DEIR

The following is submitted in response to the Draft Environmental Impact Report for MTC's T2035 Regional Transportation Plan.

The Draft EIR for the T2035 Transportation Plan appears to have inadequate references and/or documentation regarding the impacts of the proposed projects on low-income and minority populations, including MTC-defined "communities of concern" – should these not be more clearly addressed, including identifying cumulative impacts?

In order to satisfy NEPA and State policy requirements, should not MTC more specifically address Environmental Justice? The only place in the entire DEIR where the phrase "environmental justice" appears is on page 518 of the PDF (page 26 of 107 in Appendix B), in a comment letter from the Urban Habitat Program.

Furthermore, the limited reference(s) to the separate "Equity Analysis" document do not adequately bring into the DEIR the findings that the proposed Project would result in an emissions burden on communities of concern.

Additionally, sound wall policies of Congestion Management Agencies have not always been adequate to decrease the impact of noise and health impacts on communities of concern which adjoin freeways and major streets. Not only mitigation proposals, but firm funding commitments in the RTP programming document, are needed.

Gerald P. Cauthen & Associates  
900 Paramount Road  
Oakland CA 94610  
February 2, 2009

## Transportation 2035 Plan Draft EIR - Comments

The Bay Area now faces a brand new set of problems. First, the era of reliably cheap energy is ending. Second, fossil fuel-caused global warming is upon us. Because of these oncoming problems, now would a propitious time for the Bay Region to take the steps necessary to:

- 1.) cause virtually all new development to be transit-oriented,
- 2.) upgrade and expand all forms of public transit, and
- 3.) to adopt roadway pricing as necessary to ease traffic congestion and reduce VMT.

Now is no time to be expanding and extending freeways.

The draft EIR acknowledges the need for such changes. However, the MTC program referred to and described in the EIR fails to meet these vitally-important objectives. The following comments will serve to underscore some of the areas in the EIR that are in need of additional thought and consideration:

- 1.) **Destructive Trends Continued**: EIR Table S-1 acknowledges that the Proposed Alternative, by continuing past development and transportation trends, will inevitably subject the Region to more sprawl, more loss of habitat and prime agricultural land, increased VMT, more long term community disruption, increased production of greenhouse gases, more freeway-caused noise pollution affecting sensitive receptors, and worsening traffic congestion.

Mitigations are noted in the Table. However, since they are mostly voluntary in nature, they offer no assurance that anything can or will be implemented.

2.) **The No Project Alternative**: The "No Project" Alternative falls flat. It is not legitimately a "no project" alternative because it unaccountably includes a large number of highway expansions and other projects of the past that would do nothing to alleviate any of the above-indicated regional problems. These aging proposals...many still in the planning stage...were conceived and politically "sold" 20 or more years ago, before the oncoming energy and climatic problems were widely-known or understood.

In the EIR the "No Project" Alternative should exclude all projects that are not as yet actually under construction or in the construction stage. Only in that way will it be possible to gauge the true environmental and other effects of the "Build" alternatives. Given the new paradigm and the vital need for this region to "switch gears", there isn't room for sacred cows.

3.) **"Superior" Alternatives Discarded**: On page ES-8 of the EIR Summary, MTC acknowledges that the land-use oriented alternative and the pricing-oriented alternative are both "environmentally superior" to the Proposed highway-expanding Alternative". This is a significant finding. Yet Staff recommends dropping both of the superior alternatives, on grounds that the "MTC and its partners lack the authority to implement them". A lack of current authority to implement is not a sufficient reason to drop an environmentally superior alternative.

The EIR should include a description of what it would take by way of State legislation and actions by other jurisdictions to implement each environmentally superior alternative. MTC, in its newsletters, press releases, press conferences and public testimony, as well as in the EIR, should clearly and forcefully state the advantages of environmentally superior alternatives in terms of addressing the Region's environmental and transportation problems, and set forth the steps needed to implement them.

Not being able to do something is one thing. But not even trying to rectify the situation while burying the truth of what's needed in a single sentence in an EIR (See page ES-9) is quite something else again. An entirely fresh look at the situation is warranted.

4.) **Optimal Alternative Missing**: Most observers recognize that the surest way of reducing the Region's excessive reliance on the private automobile would be through a combination of effective:

- a.) public transit improvement,
- b.) transit-oriented development
- c.) pricing incentives.

Yet the EIR includes no alternative that incorporates this rather obvious combination.

5.) **HOT Lane Fallacies**: In its public documents MTC claims that by allowing some motorists to drive with less starts and stops, HOT lanes would "reduce emissions". But no where in the EIR is there a discussion about the additional traffic that these HOT lanes would encourage, and no where is there a section dealing with the additional emissions that this additional traffic would generate. The secondary effects of MTC's highway-expanding program, including in particular the regional traffic-inducing effects of its HOT lane program, should be addressed and presented in a revised version of the EIR.

6.) **Fuel Economy versus MTC's Program**: Because of high fuel costs, and State and recent federal initiatives, the fuel efficiency of the light trucks and cars traveling on California's streets and highways is projected to increase steadily in the coming decades. It is also likely that car buyers...especially in California...will continue to opt for smaller and more efficient vehicles. The overall VMT effect on the Bay Region of these general improvements in vehicular fuel economy should be set forth and identified in a separate section of the EIR.

7.) **Noise Pollution**: In the EIR, twenty five pages are devoted to describing different types of noise, how noise is created, the noise pollution regulatory environment, the damage noise can cause and how noise affects different receptors. On Page 2.6-7 it is stated that "traffic noise is usually not a serious problem for people who live more than 500 feet from heavily traveled freeways". On Page 2.6-8 it is stated that noise emanating from freeways and arterials "can be a significant environmental concern where buffers (e.g., buildings, landscaping, etc.) are inadequate or where the distance from centerline to sensitive uses is relatively small".

Yet nowhere in the EIR are there projects devoted to noise control or noise suppression. In the Bay Area there are hundreds of sensitive existing receptors afflicted with excessive noise, such as schools abutting high speed roadways, exposed BART platforms sandwiched between freeway lanes, residences adjacent to BART viaducts and harried BART passengers screaming to be heard while passing under the Bay. Despite these major problems, many of long standing, Transportation 2035 Plan ignores them. Before expanding the Region's freeway system, thereby significantly exacerbating noise problems in many parts of the Region, MTC should direct significant resources to alleviating unacceptable existing noise conditions.

**Final Note:** In response to rising fuel costs, an overriding need to become energy independent and global warming, State and federal government, as well as many private companies and corporations, are starting to make significant changes. This San Francisco Bay Region should do likewise.

Gerald Cauthen  
510 208 5441



## **Comments on Regional Transportation Plan 2035 Draft Environmental Impact Report**

**Alternative 3, combined with land use strategies, would have lowest environmental impacts.**

Among the alternatives studied, the “HEAVY MAINTENANCE/ CLIMATE PROTECTION EMPHASIS + PRICING STRATEGIES” alternative, if combined with appropriate land use changes, would have the lowest environmental impacts, and therefore best serve the future well being of the Bay Region. If the Freeway Performance Initiative was added to this package, its transportation performance would be improved at little environmental or financial cost. MTC should study an alternative that would revise its projects as required to maximize greenhouse gas reductions compared to the other alternatives studied. The EIR should adequately study alternatives that would fully evaluate maximizing greenhouse gas emission reductions.

**The EIR Does Not Adequately Properly Evaluate the Environmental Impacts of the RTP due to the Inclusion of Committed Projects in the No Project Alternative**

The \$28 billion in committed transit and roadway expansion projects are included in the No Project Alternative. This prevents evaluation of the impacts of the entire Plan against existing environmental conditions in the Plan horizon year. CEQA does not allow treating the previous RTP as the No Project Alternative. Therefore, projects, even if funded, that are not yet built or under contract, they cannot be considered as part of the No Project Alternative. The EIR, with its current definition of the No Project Alternative, does not conform to this requirement because it prevents the evaluation of the impacts of the plan as a whole as compared to a future scenario in which none of the committed expansion projects included in the RTP are built. We request a revised definition of the No Project Alternative to accurately reflect a scenario in which none of the committed expansion project RTP funds are invested. The No Project Alternative should include and evaluate only the transit and roadway infrastructure in place under 2035 conditions, and in comparison to 2006 conditions.

**The Alternatives Analysis Does Not Adequately Include an Alternative which Maximizes Greenhouse Gas Reductions**

CEQA requires all feasible mitigation of environmental impacts. Besides considering the overall impact of the Project, the EIR must analyze its component projects to determine which of them result in increased VMT and GHG emissions. Increased greenhouse gas emissions resulting from the highway expansion projects in the RTP will cause significant environmental impacts. An alternative must be considered which maximizes greenhouse gas emission reductions and mitigates any remaining GHG emissions by eliminating the GHG emission-increasing projects

and replacing that expanded capacity with additional transit projects.

In addition, the Alternatives Analysis should evaluate the Project together with policies and programs that would mitigate greenhouse gas emissions and maximize their reduction. In particular, the alternatives analysis fails to include study of: (1) the Project together with pricing strategies to reduce vehicle miles traveled, (2) the Project together with land use strategies to reduce vehicle miles traveled, (3) the Project together with both land use and pricing strategies to reduce vehicle miles traveled, and (4) the Heavy Maintenance/Climate Protection Emphasis alternative together with both pricing and land use.

On page ES-8 of the DEIR Summary, MTC acknowledges that the land-use oriented alternative and the pricing-oriented alternative are both "environmentally superior" to the "Proposed Alternative". Yet the DEIR proposes dropping both alternatives, solely on grounds that the "regional agencies" don't have the power to implement them. MTC should include in the Final EIR the three options that incorporate pricing and/or land use strategies that would reduce greenhouse gases to the greatest extent.

#### **Air Quality Section Does Not Adequately Distinguish Impacts of RTP from Changes in Vehicle Efficiency and Clean Fuels**

To adequately evaluate the air quality and climate change impacts of the RTP, the EIR should quantify the changes that result from implementation of the RTP investments and distinguish them from the changes that result from improved vehicle efficiency and cleaner fuels.

In particular, Table 2.2-6 shows a reduction in ROG, NOx, CO, and smaller increases in PM10 and PM2.5, but these projects include the effects of the fleet turning over. Pollution impacts to each of these pollutants is underestimated and fails to consider potential significant impacts. To adequately analyze impacts to both air quality and climate change, the EIR must analyze a controlled comparison between the "2006," "2035 No Project" and "2035 Project" scenarios to the same fleet engine assumptions so that the impacts of highway expansions, including the HOT network, can be reflected and compared to 2006 conditions.

The EIR should reflect the new PM2.5 standard of 35 ug/m<sup>3</sup> adopted by the US EPA in 2006. The Bay Area is currently in nonattainment for PM2.5. Increases to PM2.5 resulting from roadway expansion should be mitigated in the RTP EIR.

#### **The DEIR is Inadequate Due to the Limitations of Modeling and the Inadequate Modeling of Induced Demand**

The RTP proposes to expand roadway capacity, including systems management/operational changes, and physical expansion, including proposed HOT lanes. However, there is no discussion of induced demand in the transportation chapter of the DEIR. The induced demand due to roadway expansion should be evaluated both independently and together with any proposals to implement HOT lanes.

The FEIR, in examining induced demand resulting from the HOT lane network, should examine the reduction in time savings offered by transit service by allowing single occupant vehicles to enter a lane that is used by transit service.

There is no discussion of induced growth due to highway and roadway widening. The EIR should at a minimum follow CTC guidelines for regions to examine both induced growth and induced demand from new capacity construction. Specifically, there should also be an evaluation in the "Indirect/Cumulative Impacts" paragraph on page 2.3-27 to expand the list of potential indirect effects to include the impact of inducing development of farmland beyond the Bay Area.

The travel demand forecasting model does not discuss the model's limitations. The model poorly reflects travel behavior changes from land use improvements or bicycle or pedestrian amenities. The model also does not adequately reflect travel demand changes from programs such as Safe Routes to Schools or other educational or incentive programs. The inadequacies of the model should be disclosed in the EIR.

### **The Mitigations in the DEIR Do Not Adequately Mitigate Environmental Impacts**

The EIR should aim for reductions in total greenhouse gas emissions. Increases to regional greenhouse gas emissions should be considered significant and be fully mitigated.

Mitigation measure 2.1(a) calls for existing TLC funds and additional funds to provide financial benefits to local governments that have designated Priority Development Areas (PDAs). This mitigation should include additional funding sources including Safe Routes to Transit, and the \$7 billion in Local Streets and Roads funding. This mitigation is feasible and would reduce greenhouse gases by encouraging transit-oriented development near bus and rail stations.

Mitigation 2.1 (b) proposes for regional and local agencies and employers to promote innovative parking strategies. This measure should also include a parking cash-out program (opt-out), which could feasibly integrate pricing for otherwise free or underpriced parking into regional parking policies and practices.

The MTC TOD Policy does not adequately leverage transit investments to mitigate greenhouse gas impacts of roadway expansion. It does not require a mix of uses at stations, it sets targets far too low, and excuses some projects from any requirements at all.

### **Inadequate Study of Impacts and Mitigations Regarding HOT Network**

MTC has included a regional HOT network as part of the RTP investments, but this HOT lane network has significant environmental impacts of induced demand, induced growth, and impacts to climate change and air quality that are not mitigated. MTC staff reports show that their purpose is to increase vehicular throughput, but do not reconcile this goal with the VMT reduction goal.

While the possibility of using revenue for transit is put forward, there are no articulated plans for

transit in the HOT lanes. The HOT program should include a clear commitment to funding transit on each corridor that has HOT lanes, at the time these lanes open, or else the induced demand will result in unmitigated significant impacts to greenhouse gases, air quality, and induced growth and land use impacts.

The discussion of the HOT program should evaluate the conversion of existing lanes to HOT lanes to avoid expansion, given that expansion induces growth and leads to VMT increases.

Finally, we hope that the Final Environmental Impact Report will consider these comments in evaluating project impacts to public health and environment.

Sincerely,

A handwritten signature in cursive script that reads "Andy Katz". The signature is written in black ink and is positioned above the printed name.

Andy Katz



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CLUB**  
FOUNDED 1892

**Bay Area Transportation Committee**  
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30

## **Sierra Club Comments on Regional Transportation Plan DEIR**

**Alternative 3, combined with land use strategies, would have lowest environmental impacts.**

The alternatives analysis is significantly flawed and inadequate for reasons discussed below. However, among the alternatives studied, the "HEAVY MAINTENANCE/ CLIMATE PROTECTION EMPHASIS + PRICING STRATEGIES" alternative, if combined with appropriate land use changes, would have the lowest environmental impacts, and therefore best serve the future well being of the Bay Region. If the Freeway Performance Initiative was added to this package, its transportation performance would be improved at little environmental or financial cost. MTC should revise its projects as required to conform to the objectives and characteristics of in this alternative, which maximize greenhouse gas reductions compared to the other alternatives studied. The EIR should adequately study alternatives that would fully evaluate maximizing greenhouse gas emission reductions.

### **The EIR Fails to Properly Evaluate the Environmental Impacts of the RTP due to the Inclusion of Committed Projects in the No Project Alternative**

The \$28 billion in committed transit and roadway expansion projects are included in the No Project Alternative. This prevents evaluation of the impacts of the entire Plan against existing environmental conditions in the Plan horizon year. CEQA does not allow treating the previous RTP as the No Project Alternative. Therefore, projects, even if funded, that are not yet built or under contract, they cannot be considered as part of the No Project Alternative. The EIR, with its current definition of the No Project Alternative, does not conform to this requirement because it prevents the evaluation of the impacts of the plan as a whole as compared to a future scenario in which none of the committed expansion projects included in the RTP are built. We request a revised definition of the No Project Alternative to accurately reflect a scenario in which none of the committed expansion project RTP funds are invested. The No Project Alternative should include and evaluate only the transit and roadway infrastructure in place under 2035 conditions, and in comparison to 2006 conditions.

### **The Alternatives Analysis Fails to Include an Alternative which Maximizes Greenhouse Gas Reductions**

CEQA requires all feasible mitigation of environmental impacts. Besides considering the overall impact of the Project, the EIR must analyze its component projects to determine which of them result in increased VMT and GHG emissions. Increased greenhouse gas emissions resulting from the highway expansion projects in the RTP will cause significant environmental impacts. An alternative must be considered which maximizes greenhouse gas emission reductions and mitigates any remaining GHG emissions by eliminating the GHG emission-increasing projects and replacing that expanded capacity with additional transit projects. For convenience, we suggest using the list of projects that was studied in the 2005 RTP EIR as the TRANSDEF Smart Growth Alternative.

In addition, the Alternatives Analysis should evaluate the Project together with policies and programs that would mitigate greenhouse gas emissions and maximize their reduction. In particular, the alternatives analysis fails to include study of : (1) the Project together with pricing strategies to reduce vehicle miles traveled, (2) the Project together with land use strategies to reduce vehicle miles traveled, (3) the Project together with both land use and pricing strategies to reduce vehicle miles traveled, and (4) the Heavy Maintenance/Climate Protection Emphasis alternative together with both pricing and land use.

On page ES-8 of the DEIR Summary, MTC acknowledges that the land-use oriented alternative and the pricing-oriented alternative are both "environmentally superior" to the "Proposed Alternative". Yet the DEIR proposes dropping both alternatives, solely on grounds that the "regional agencies" don't have the power to implement them.

MTC reports have stated that MTC may not currently have authority to unilaterally implement either pricing and land use strategies, or its proposed new HOT lane network. Yet MTC proposes to reject the pricing and land use strategies without taking steps to seek the legislative authority to implement land use and pricing initiatives. MTC has the responsibility to exercise its regional planning powers in a manner consistent with CEQA and mitigating environmental impacts. In addition, MTC has the authority to program transportation projects conditionally on the eventual implementation of pricing and land use policies. An adequate alternatives analysis must include a study of the options that would reduce environmental impacts. Therefore, MTC should include in the Final EIR the three options that incorporate pricing and/or land use strategies that would reduce greenhouse gases to the greatest extent.

### **The DEIR is Inadequate Due to the Limitations of Modeling and the Failure to Model Induced Demand**

The RTP proposes to expand roadway capacity, including systems management/operational changes, and physical expansion, including proposed HOT lanes. However, there is no discussion of induced demand in the transportation chapter of the DEIR. Because of the lack of iterative feedback from a land use model, MTC's travel demand model is insensitive to the differences between the distributional effects of roadway expansion and the distributional effects of transit expansion on future land uses. In recognition of the extensive literature on this topic<sup>1</sup>, and in recognition of MTC's commitment to acquire integrated urban modelling capabilities for the next RTP, the FEIR should acknowledge the induced demand impacts of expanding roadway capacity, including the environmental effects of additional vehicle miles traveled that MTC is unable to model. The induced demand due to roadway expansion should be evaluated both independently and together with any proposals to implement HOT lanes.

The FEIR, in examining induced demand resulting from the HOT lane network, should examine the reduction in time savings offered by transit service by allowing single occupant vehicles to enter a lane that is used by transit service.

There is no discussion of induced growth due to highway and roadway widening. The EIR should at a minimum follow CTC guidelines for regions to examine both induced growth and induced demand from new capacity construction. Specifically, there should also be an evaluation in the "Indirect/Cumulative

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<sup>1</sup> See citations and analysis in the attached Review of Marin Sonoma Narrows (MSN) HOV Widening Project Draft Environmental Impact Report/Draft Environmental Impact Statement

Impacts" paragraph on page 2.3-27 to expand the list of potential indirect effects to include the impact of inducing development of farmland beyond the Bay Area.

The travel demand forecasting model does not discuss the model's limitations. The model poorly reflects travel behavior changes from land use improvements or bicycle or pedestrian amenities. The model also does not adequately reflect travel demand changes from programs such as Safe Routes to Schools or other educational or incentive programs. The inadequacies of the model should be disclosed in the EIR.

### **Inadequate Explanation and Justification for Metrics**

The criteria for transportation impacts and air quality are defined as a "substantial" change, without any associated values, but energy criterion #1 is defined as "greater than 5% increase in the total consumption." The EIR should explain and adequately justify what "substantial" means for the transportation and air quality impacts. The EIR should aim for reductions in total greenhouse gas emissions. Increases to regional greenhouse gas emissions by individual projects within the RTP should be considered significant and be fully mitigated.

### **Inadequate Significance Criterion**

On Page 15 of Section 2.5 in the T-2035 EIR, there is a discussion of "Significance Criterion" under "Impact Analysis." "Criterion 1: Result in an increase in CO2 emissions from on-road mobile sources compared to existing (2006) conditions." This criterion is inadequate. The criterion should be that the Plan results in a decrease in CO2 emissions by 2035 compared to existing (2006) conditions to avoid potentially significant adverse impacts. How can MTC comply with AB32 targets by simply ensuring that CO2 emissions don't increase?

It seems inaccurate to describe this criterion as "the most responsible and comprehensive approach..." inasmuch as (1) it will not result in the reductions in GHG emissions called for in AB32 and (2) that failure to reduce these emissions most likely will result in the dire consequences predicted by the UNIPCC? To avoid potentially significant adverse impacts pointed out by the IPCC, and spelled out in AB32, the criterion should be that the Plan results in a decrease in CO2 emissions from Bay Area transportation by 2035 compared to existing (2006) conditions in such a way as to meet the targets set in AB32 [to conform with AB32].

### **Misleading Statement of Climate Change Science**

The last sentence on *page 2* of *Chapter 2.5* (Climate Change and Greenhouse Gases) creates the impression that there is a dispute among scientists about climate change.

The sentence begins: "However, many scientists believe that emissions from human activities ... have elevated the concentrations of GHGs in the atmosphere beyond naturally-occurring concentrations, contribution to the larger process of global climate change."

The use of the word "many" in this sentence conflicts with the sentence in the second paragraph on *page 1* of *Chapter 2.5* which states: "While scientists are certain that human activities are changing the composition of the atmosphere and that increasing concentrations of greenhouse gases ... will change the

planet's climate ..." It creates a misleading impression of the findings of the UNIPCC and suggests that this is a disputed fact. The EIR should correct this.

### **The Mitigations in the DEIR Do Not Adequately Mitigate Environmental Impacts**

The EIR should aim for reductions in total greenhouse gas emissions. Increases to regional greenhouse gas emissions should be considered significant and be fully mitigated.

Mitigation measure 2.1(a) calls for existing TLC funds and additional funds to provide financial benefits to local governments that have designated Priority Development Areas (PDAs). This mitigation should include additional funding sources including Safe Routes to Transit, and the \$7 billion in Local Streets and Roads funding. This mitigation is feasible and would reduce greenhouse gases by encouraging transit-oriented development near bus and rail stations.

Mitigation 2.1 (b) proposes for regional and local agencies and employers to promote innovative parking strategies. This measure should also include a parking cash-out program (opt-out), which could feasibly integrate pricing for otherwise free or underpriced parking into regional parking policies and practices.

The MTC TOD Policy does not adequately leverage transit investments to mitigate greenhouse gas impacts of roadway expansion. It does not require a mix of uses at stations, it sets targets far too low, and excuses some projects from any requirements at all.

### **Inadequate Study of Impacts and Mitigations Regarding HOT Network**

MTC has included a regional HOT network as part of the RTP investments, but this HOT lane network has significant environmental impacts of induced demand, induced growth, and impacts to climate change and air quality that are not mitigated. MTC staff reports show that their purpose is to increase vehicular throughput, but do not reconcile this goal with the VMT reduction goal.

While the possibility of using revenue for transit is put forward, there are no articulated plans for transit in the HOT lanes. The HOT program should include a clear commitment to funding transit on each corridor that has HOT lanes, at the time these lanes open, or else the induced demand will result in unmitigated significant impacts to greenhouse gases, air quality, and induced growth and land use impacts. The funding program should require tolls high enough to generate funding for regional express buses to operate at frequent headways, and allow for bus flow at speeds that will attract riders. If the tolls are set for lane performance at 45 miles per hour, this may not be adequate for attracting sufficient transit ridership; therefore tolls should be studied that would allow for buses to travel at 55 miles per hour or greater.

The HOT program should evaluate the conversion of existing lanes to HOT lanes to avoid expansion, given that expansion induces growth and leads to VMT increases.

### **Air Quality and Climate Change**

To adequately evaluate the air quality and climate change impacts of the RTP, the EIR should quantify the changes that result from implementation of the RTP investments and distinguish them from the changes that result from improved vehicle efficiency and cleaner fuels.

In particular, Table 2.2-6 shows a reduction in ROG, NOx, CO, and smaller increases in PM10 and PM2.5, but these projects include the effects of the fleet turning over. Pollution impacts to each of these pollutants is underestimated and fails to consider potential significant impacts. To adequately analyze impacts to both air quality and climate change, the EIR must analyze a controlled comparison between the "2006," "2035 No Project" and "2035 Project" scenarios to the same fleet engine assumptions so that the impacts of highway expansions, including the HOT network, can be reflected and compared to 2006 conditions.

The EIR should reflect the new PM2.5 standard of 35 ug/m3 adopted by the US EPA in 2006. The Bay Area is currently in nonattainment for PM2.5. Increases to PM2.5 resulting from roadway expansion should be mitigated in the RTP EIR.

### **Inadequate Equity and Socioeconomic Impacts Analysis**

The only place where the word "socioeconomic" even appears is on page 3.1-3 as part of a response to a comment by the Alameda County CMA. The only place that the phrase "environmental justice" appears in on page 518 of the PDF (page 26 of 107 in Appendix B), in a comment letter from Urban Habitat.

Even the key concept of "equity" -- supposedly one of the core "Three E's" and with one of the "eight main goals of the T2035 Plan" being "Equitable Access to Mobility" -- shows up a total of only 26 times, of which 7 are references to the names of the TEA-21 and SAFETEA-LU statutes. Another reference mentions the existence of the "Equity Analysis," a totally separate document, not apparently incorporated into this DEIR, since comments are due later.

In contrast, the word "highway" appears 223 times, and even "rail" shows up approximately 248 times (excluding trail/trailer). "Bus" (or buses, minus, business/bust/etc) is fewer than 200 occurrences. Given the current litigation in federal district court, one would think they'd be a bit more sensitive -- or at least smarter.

Employment and the existence/location of "jobs" is apparently based on ABAG 2007 projects -- whether these will remain valid for 2035 is more suspect than previously assumed, and some kind of update of assumptions, given the current economic turmoil and huge job losses, should be included in a final document.

The EIR should provide sufficient analysis of equity and socioeconomic impacts of the RTP.

### **Noise**

In the EIR, twenty five pages are devoted to describing different types of noise, how noise is created, the noise pollution regulatory environment, the damage noise can cause and how noise affects different receptors. On Page 2.6-7 it is stated that "traffic noise is usually not a serious problem for people who live more than 500 feet from heavily traveled freeways". On Page 2.6-8 it is stated that noise emanating from freeways and arterials "can be a significant environmental concern where buffers (e.g., buildings, landscaping, etc.) are inadequate or where the distance from centerline to sensitive uses is relatively small".

Yet there is no indication in the EIR that any resources will be directed to noise control or noise suppression. In the Bay Area there are hundreds of sensitive existing receptors afflicted with excessive

noise, such as schools abutting high speed roadways, exposed BART platforms sandwiched between freeway lanes, residences adjacent to BART viaducts and harried BART passengers screaming to be heard while passing under the Bay. Yet no mention is made of addressing any of these problems of long-standing. In the EIR there should be a section that clearly defines what types of noise control and suppression elements will be included in the Plan. Before spending tens of billions of dollars on expanding the Region's freeway system MTC should take the steps necessary to eliminate excessive existing noise pollution

### **Cumulative Impacts**

The EIR does not adequately evaluate impacts of all committed projects cumulatively, not just additions in the Transportation 2035 RTP.

Sincerely,

Irvin Dawid  
Co-Chair, Bay Area Transportation Committee



Review of Marin Sonoma Narrows (MSN) HOV Widening Project Draft  
Environmental Impact Report/Draft Environmental Impact Statement

**Prepared for:**

*Transportation Solutions Defense and Education Fund*

**Prepared by:**

*Smart Mobility, Inc.*

December 2007

## **Summary**

Cars and trucks emit over 35% of all greenhouse gases produced in California. Increasing roadway capacity increases vehicle miles traveled (VMT), and this causes higher greenhouse gas emissions. The Marin Sonoma Narrows (MSN) HOV Widening Project Draft Environmental Impact Report/Draft Environmental Impact Statement (DEIR/DEIS) fails to accurately disclose the increases in VMT that will result from the project. It is estimated that the project will increase traffic by 100 million vehicle miles per year, and result in a large increase in greenhouse gas emissions.

The traffic analysis in the DEIR/DEIS is also deeply flawed. Excluding induced travel from the analysis causes the benefits of the project to be overestimated because congestion relief appears to be greater than it really will be. It also fails to account for indirect traffic impacts on other roadways because not all of the additional VMT will be on the widened roadway.

With increased road capacity, jobs and housing disperse. Traffic metering points like the existing Marin-Sonoma Narrows area act as a brake on the decentralization of land use (a.k.a. "sprawl"). Less sprawl and better jobs housing balances are planning goals in the Bay Area. Expanding roadway capacity as in this proposed project is contrary to these goals, and would undermine other planning initiatives aimed at improving the jobs/housing balance, increasing transit ridership, and preserving open space.

## **Greenhouse Gas Emissions and Vehicle Miles Traveled**

California AB 32 requires the California Air Resources Board (CARB) to develop regulations and market mechanisms that will ultimately reduce California's greenhouse gas emissions by 25 percent by 2020. Mandatory caps will begin in 2012 for significant sources and ratchet down to meet the 2020 goals.<sup>1</sup> Cars and trucks are the source for the largest share of greenhouse gas emissions in California and the emissions are roughly proportional to vehicle miles traveled (VMT).

Light duty vehicles and on-road diesel vehicles accounts for over 35% of all anthropogenic greenhouse gases (GHG) produced in California. Annual net greenhouse gas emissions from surface transportation are roughly equal to the product of the number of vehicles, the average number of miles traveled by each vehicle (vehicle miles traveled, or VMT), and the average net emissions of GHG per vehicle mile traveled. (California Climate Action Team, State Agency Work Plans Draft, p. 34 December 8, 2005).

Expanding highway capacity causes "induced traffic", increasing VMT and increasing greenhouse gas emissions. DeCorla-Souza (of the Federal Highway Administration) and Cohen define "induced demand" as an: "increase in daily vehicle miles of travel (VMT), with reference

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<sup>1</sup> <http://gov.ca.gov/index.php?/press-release/4111/>

to a specific geographic context, resulting from expansion of highway capacity.”<sup>2</sup> This definition includes both short-term effects and long-term effects. The short-term effects include more trips, longer trips, shifts from other travel modes to auto, and auto trips with lower occupancies. The long-term effects result from land development brought on by increased roadway capacity.

Induced demand effects are well known both to planners and laypeople, and there is a large and growing research literature quantifying the effects of induced demand. This process was kicked off in the United States with a 1997 study by Hansen and Huang that demonstrated large growth in VMT in California that resulted from increased freeway capacity.<sup>3</sup> Since then, there have been many other studies that have confirmed the importance of induced travel. These studies have become increasingly sophisticated in their use of statistical techniques. Robert Cervero of the University of California, Berkeley revisited the California freeway case in a major study that is particularly relevant to the DEIR/DEIS.<sup>4</sup> Cervero writes:

The longer-run relationship appears fairly strong – every 10% increase in travel speeds is associated with a 6.4% increase in VMT. (p. 157)

Most regional transportation modeling does an incomplete job of accounting for induced travel. Cervero writes:

In many parts of the United States, travel-forecasting models used by planning agencies are not up to the task of adequately accounting for induced travel and induced growth (Transportation Research Board, 1995). Long-range forecasting models are needed that are robust and sophisticated enough to capture both short-run behavioral shifts and long-run land use shifts triggered by road improvements. Indeed, the general consensus of attendees at a recent conference convened by the Eno Transportation Foundation Policy Forum on induced demand was that the greatest value added of research in this area is to inform the calibration of long-range travel forecasting and urban simulation models, such as MEPLAN, TRANUS, and TRANSIMS (Hunt, 2002). (p. 160)

The DEIR/DEIS purports to analyze the effects of the project on future VMT. In fact the modeling used is incapable of forecasting increases in VMT that would result from the proposed project, and the numbers given in the DEIR/DEIS are wrong. The actual impact on VMT from the project would be several times greater than that which has been disclosed.

Complete induced demand modeling requires accounting for each of the separate components of induced demand including:

- 1) shifts to longer routes
- 2) changes in destinations causing longer trips,

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<sup>2</sup> DeCorla-Souza, P. and H. Cohen. *Accounting for Induced Travel in Evaluation of Metropolitan Highway Expansion*. TRB 77<sup>th</sup> Annual Meeting Preprint CD-ROM, TRB, National Research Council, Washington D.C., January 1998.

<sup>3</sup> Hansen, M. and Y. Huang. *Road Supply in California*. Transportation Research A, Vol. 31, No. 3, 1997, pp. 205-218.

<sup>4</sup> Cervero, Robert. Road Expansion Urban Growth, and Induced Travel: A Path Analysis. In *Journal of the American Planning Association* 69(2), p. 145-163, 2003.

- 3) changing travel mode to auto, and
- 4) changing home or work locations resulting in longer trips.

The DEIR/DEIS provides little information concerning how the modeling was done, but in the documentation, only one of the four components was accounted for – shifts to longer routes. The Marin/Sonoma model uses the four-step modeling process used in most regions in the United States. The four steps include:

- 1) trip generation – calculating the numbers of origins and destinations for each small geographic area,
- 2) trip distribution – linking the origins and destinations to form complete one-way trips,
- 3) mode choice – determining whether the trips are made by walking, biking, using transit, or in autos and if in autos, the number of people in the vehicle, and
- 4) assignment – assigning the autos to particular roadways.

The four step modeling process splits people's unified travel planning processes into four steps to facilitate computing. Good modeling practice requires feedback between the modeling steps until an equilibrium between the four steps is reached. If the sequence is computed only once, significant errors result. Both the trip distribution and mode choice stages depend on information on travel times. In the first model sequence, the roadway network appears to be uncongested, and longer trips will be chosen in the model. When these trips are assigned to the network, there appears to be severe congestion. The congested travel times are fed back into the trip distribution and mode choice steps, and resulting trip lengths are much shorter – too short in fact, and another feedback step is required. After several feedback stages, equilibrium values are achieved that properly replicate behavior. Modeling feedback is required by Federal regulations in air quality nonattainment areas.

If modeling is done with feedback, three of the four components of induced travel are accounted for – longer routes in the assignment stage, changes in destination in the distribution stage, and mode changes in mode choice. Therefore, it is good modeling practice to do modeling with feedback for each separate alternative.

The DEIR/DEIS documentation of the modeling process used is incomplete, but it indicates that Caltrans has taken a shortcut that makes VMT estimates invalid. It describes “2020 future year trip tables” and that “2010 and 2030 trip tables were developed by modifying the year 2020 trip tables” (p. 3.1-70). These appear to be references to the auto trip tables that are the output of the third stage of the four step modeling process. It is implied that these same trip tables were used for both the No Build and Build alternatives. In this case, the modeling does not account for either destination changes or mode choice changes. It can account only for routing changes.

The fourth effect, induced travel from land use changes cannot be accounted for in a four step model unless the model is coupled with a land use allocation model that results in different future land use projections for different transportation alternatives.

The state of the practice in transportation modeling is to include model feedback. As this was not done in the modeling relied on in the DEIR/DEIS, statistical results from the research literature on induced travel will be used to estimate the induced travel that will result from the proposed project. Two different approaches will be used. First, the model results will be adjusted based on

research with models. Second, statistical relationships from observed growth in VMT will be applied.

Carolyn Rodier of the Mineta Institute and the University of California has researched how well land use models and transportation models with feedback account for induced travel. She concludes:

The body of literature on the ability of existing travel and land use models to represent induced travel indicates that when travel times are fed back to a land use model and/or the trip distribution step, then (1) models can represent induced travel within the range documented in the empirical literature and (2) the effect of new highway capacity on land use and trip distribution significantly contributes to the models' representation of induced travel. If induced travel is not represented in travel and land use models, then the need for, and the benefit of, the project will be overstated (e.g., 16% to 236% of VHT [vehicle hours of travel]), and negative environmental effects will be understated (e.g., 72% to 192% of NOx emissions).<sup>5</sup>

Rodier also reports on the share of induced travel caused by each of the four components of induced travel. Changes in destination produced the largest share of the total induced travel. In a Sacramento region case study with an integrated land use allocation model (MEPLAN), the land use component produced the second highest amount of induced travel. Changes in routing, the only one of the four components modeled in the DEIR/DEIS was the third highest factor.

The relative proportions of the components varied depending on the study. However, Rodier's research results suggest that routing changes alone represent probably represent only about 1/5 to 1/3 of total induced travel, especially in cases like the one considered in the DEIR/DEIS where the project is in a bottleneck area with few parallel routes.

Therefore, the DEIR/DEIS VMT estimates will be multiplied by a factor of 3 to 5 to correct for the missing modeling factors. DEIR/DEIS Table 3.1-15 (p. 3.1-78) is labeled "Projected Vehicle Miles Traveled (per 1,000 miles) Year 2030. This title is meaningless due to the inclusion of the word "per." The units in Table 3.1-15 really are thousands of VMT per peak hour per weekday.

The right hand side of Table 3.1-15 gives values for Marin County and Sonoma County and the left hand side gives values for the "Project Area." It is unclear what is meant by "Project Area" It would be expected that the project area would be smaller than the two-county area, but the VMT numbers are larger. Therefore, it is either a very large project area or the numbers are wrong. Unless this is clarified and/or corrected, the left-hand side of Table 3.1-15 should be ignored.

The values given on the right-hand side of the table give 4,000 additional VMT per weekday in the morning peak hour and 12,000 additional VMT per weekday in the afternoon peak hour, or 16,000 for the total of the two hours. The table makes these appear small by showing them as "4" and "12" and then emphasizing that it represents a small fraction of a very large number – total VMT for Marin and Sonoma Counties.

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<sup>5</sup> Rodier, Carolyn J. A Review of the Representation of Induced Highway Travel in Current Travel and Land Use Models, p. 8.

Induced travel demand does not affect just the peak hours, but all 24 hours in the day. The morning and afternoon peak hours combined represent about 16% of daily weekday travel. Therefore, the Difference numbers in Table 3.1-15 for Marin and Sonoma Counties (16,000) translate into about 100,000 VMT per weekday. As discussed above, these estimates include only one of four different components of induced travel and total induced travel is likely to be about 3-5 times as great, i.e. 300,000 - 500,000 additional VMT per weekday.

Statistical relationships from the induced travel literature can be applied as an independent check on this estimate. Induced travel is commonly represented as the elasticity of VMT with respect to lane miles (the length of added roadway capacity times the number of lanes added). Hansen estimated this as 0.9 for freeways in California. Cervero calculates a total long-term elasticity of about 0.8 but concludes that some of the increases are due to other factors such as employment growth and rising incomes. Therefore, he recommends using a value of 0.39.

In this case of the proposed project, two HOV lanes would be added for a length of 16.1 miles, so there would be 32.2 additional lane miles. This is a conservative indicator of increased capacity because it does not include the additional capacity that would result from expanding the general purpose lane capacity by converting an expressway into a freeway. A lower end for daily traffic volumes on congested freeways in California is 20,000 vehicles per lane per day. An elasticity of 1.0 would result in 640,000 VMT per weekday ( $32.2 \times 20,000 \times 1.0$ ). With an elasticity of 0.9, the calculated increase is 580,000 VMT per weekday. Using the lower value of 0.39, the result is 250,000 VMT per weekday. These estimates are consistent with the estimates calculated independently based on Rodier's research.

In order to be conservative, a value on the lower end of the estimates will be used, 300,000 additional VMT per weekday. To get total annual VMT, a factor of 330 -340 is typically used because there is somewhat less travel on the weekend days, on average, than on weekdays. A value of 333 will be used because it leads to a round number estimate of 100 million additional VMT per year with the project than without. This would result in a large increase in greenhouse gas emissions between the No Build and Build alternatives.

## **TRAFFIC ANALYSIS**

The traffic analysis in the DEIR/DEIS is poorly documented and also appears to be deeply flawed. The largest problem is again the failure to account for induced travel. As was pointed out above in an excerpt from Cervero, excluding induced travel from the analysis causes the benefits of the project to be overestimated because congestion relief appears to be greater than it really will be.

In addition, failure to account for induced traffic hides indirect traffic impacts on other roadways because not all of the additional VMT is on the widened roadway. No trip begins or ends on a freeway. If freeway volumes are higher, there also are higher volumes on connecting roadways. Impacts on connecting roadways have not been modeled, they have not been examined, and they have not been disclosed. In many cases, these impacts are great and lead to future construction projects that are expensive and inflict additional construction delays on area residents.

Instead, the DEIR/DEIS purports that these effects are minimal based on incorrect modeling. It states:

The Traffic Operational Analysis Report (February 2005) for future years of 2010 and 2030 indicates that traffic impacts at nearby intersections would be minimal. Most intersections would experience a less than 5 percent difference in future predicted traffic volumes between the Build and No Build conditions. This difference is not significant given the accuracy of the prediction methodology. (DEIR/DEIS p. 3.2-78)

The DEIR/DEIS says only that “most” would increase less than 5 percent, and does not describe what the worst cases are. The decreases calculated are without induced travel. With induced travel accounted for properly, the increases would be much greater. Even 5 percent increases are significant. Traffic delay increases exponentially with traffic volume, so that 5 percent increases in traffic can result in 10-20 percent or even higher increases in delay. The comparison of a 5 percent threshold with the “accuracy of the prediction methodology” is confusing apples with oranges. There is uncertainty concerning the exact magnitude of future traffic, but there is certainty that traffic volumes will be higher with the proposed project than with the No Build alternative.

Most of the 8-page traffic impacts section in the DEIR/DEIS (p. 3.1-69 - 3.1-78) is devoted to “bottlenecks and queues.” The Marin/Sonoma Model is the only transportation model referenced in the DEIR/DEIS and it cannot calculate queues. A queue is traffic that backs up behind a bottleneck. Similar to the narrow part of a funnel, the bottleneck meters traffic so that there is a maximum flow through the bottleneck. As with a funnel, the flow through the bottleneck itself is fast. The problem is that traffic behind the bottleneck moves slowly. With extreme congestion, the queues can get very long. Static assignment models like the Marin/Sonoma Model show delays at the bottleneck location and smooth flows upstream of the bottlenecks. This is completely backwards.

There are several references in the DEIR/DEIS to the “Caltrans Traffic Operational Analysis Report, February 2005” which does include a reference to FREQ12, which is a macroscopic traffic simulation model. It estimates queue lengths based on volume-to-capacity ratios, and is an improvement over the regional model. However, it is an old model whose description includes “over 30 years of practical real-life application.” As computers have become faster and more powerful, macroscopic models like FREQ12 have generally been supplanted by microsimulation models. Microsimulation models account for bottlenecks and queues accurately – showing smooth flow in the bottleneck and queues upstream. Microsimulation likely would give more accurate queue estimates than the macroscopic FREQ12 model. However, there is a larger problem than the difference between models. The modeled queues with either type of model would be higher if induced travel were properly accounted for. The DEIR/DEIS failed to do this so its analyses of “queues” are invalid.

The discussion of bottlenecks in the DEIR/DEIS identifies some indirect traffic impacts, i.e. roadway sections that would be bottlenecks in the Build alternative that are not bottlenecks in the No Build alternative.

... a new queue [actually a new bottleneck] would appear between Miller Creek and Nave Drive (south of the project limits) in the southbound direction during the A.M. peak period with the implementation of either the Fixed HOV Lane Alternative of the Reversible HOV Lane Alternative. However, this queue would not develop under the NO Build alternative (p. 3.1-71)

This certainly underestimates the severity of the new bottleneck because induced traffic is underestimated. Large amounts of money are commonly spent to improve bottlenecks with little increase in traffic speeds. Here is an example from the Chicago region:

### **Hillside Strangler: \$140 Million To What End?**

The “Hillside Strangler”—the point at which the East-West Tollway and the Tri-State Tollway converge with the Eisenhower Expressway—was long a notorious traffic bottleneck. After a \$140 million construction project to “fix” the problem, the Daily Herald posed this question: “Many millions have been spent to change that evil Hillside Strangler. So, has it been rehabilitated?” This was the answer:

1. Getting through the Strangler is now about 15 minutes faster.
2. But the bottleneck has merely been pushed further up the road to a point where the Eisenhower funnels into three lanes.
3. And more motorists are now using the expressway since the Strangler work was completed.

The net effect? The Daily Herald concluded: “Overall, then, the commute time from the suburbs to the Loop, via the Eisenhower and its extension, is one hour—exactly what it was before the Hillside Strangler was repaired.” (*More Costly Roadwork, and Travel Still Tough*, Daily Herald, October 3, 2002)<sup>6</sup>

Without accounting for induced travel, the DEIR/DEIS greatly overestimates any traffic benefits from the proposed project.

### **Regional Context**

Expanding roadway capacity encourages land use decentralization as described by Boarnet and Haughwout:

New highways that link the outlying residential areas to the CBD lower the cost of commuting into the employment concentration in the center of the city. This increases land values in the suburban fringe while reducing the “accessibility premium” that central locations had previously enjoyed. The urban area will grow geographically as commuters can live farther from work without increasing their travel budgets. Densities will fall as the premium for the densely developed locations near the CBD is reduced.<sup>7</sup> (p. 4)

Traffic metering points like the existing Marin-Sonoma Narrows area act as a brake on land decentralization (a.k.a. “sprawl”) and support better jobs/housing balances. Less sprawl and better jobs housing balances are planning goals in the Bay Area. Expanding roadway capacity as in this proposed project is contrary to these goals, and would undermine other planning initiatives aimed at increasing transit ridership and preserving open space. Land use decentralization causes a wide range of environmental problems

<sup>6</sup> Chicago Metropolis 2020: The Metropolis Plan: Choices for the Chicago Region, p. 10. Chicago, IL: 2003.

<sup>7</sup>, Marlon and Andrew Houghwout. *Do Highways Matter? Evidence and Policy Implications of Highways Influence on Metropolitan Development*, p. 4. The Brookings Institution Center on Urban and Metropolitan Policy, 2000.

including more water use, more impervious surface, runoff and water pollution, conflicts with agriculture, and habitat fragmentation.

The DEIR/DEIS fails to consider this broader regional planning context and a broader range of alternatives. Rail transit with medium- to high-density mixed walkable land use at stations can serve as a powerful force for shaping future growth towards a desired land use vision. Increasing roadway capacity would reduce potential rail ridership, thereby reducing the potential benefits of rail transit on shaping future land use. It should be noted, though, that high capacity rail transit can result in some of the same negative forces (although to a lesser extent) if the service is focused on serving suburban households with large park-and-ride lots at stations.



Resume

**NORMAN L. MARSHALL, PRINCIPAL**

[nmarshall@smartmobility.com](mailto:nmarshall@smartmobility.com)

**EDUCATION:**

Master of Science in Engineering Sciences, Dartmouth College, Hanover, NH, 1982  
Bachelor of Science in Mathematics, Worcester Polytechnic Institute, Worcester, MA, 1977

**PROFESSIONAL EXPERIENCE:**

Norm Marshall helped found Smart Mobility, Inc. in 2001. Prior to this, he was at Resource Systems Group, Inc. for 14 years where he developed a national practice in travel demand modeling. He specializes in analyzing the relationships between the built environment and travel behavior, and doing planning that coordinates multi-modal transportation with land use and community needs.

**Regional Land Use/Transportation Scenario Planning**

Chicago Metropolis Plan and Chicago Metropolis Freight Plan (6-county region)— developed alternative transportation scenarios, made enhancements in the regional travel demand model, and used the enhanced model to evaluate alternative scenarios including development of alternative regional transit concepts. Developed multi-class assignment model and used it to analyze freight alternatives including congestion pricing and other peak shifting strategies. Chicago Metropolis 2020 was awarded the Daniel Burnham Award for regional planning in 2004 by the American Planning Association, based in part on this work.

Envision Central Texas Vision (5-county region)—implemented many enhancements in regional model including multiple time periods, feedback from congestion to trip distribution and mode choice, new life style trip production rates, auto availability model sensitive to urban design variables, non-motorized trip model sensitive to urban design variables, and mode choice model sensitive to urban design variables and with higher values of time (more accurate for “choice” riders). Analyzed set land use/transportation scenarios including developing transit concepts to match the different land use scenarios.

Mid-Ohio Regional Planning Commission Regional Growth Strategy (7-county Columbus region)—developed alternative future land use scenarios and calculated performance measures for use in a large public regional visioning project.

Baltimore Vision 2030—working with the Baltimore Metropolitan Council and the Baltimore Regional Partnership, increased regional travel demand model’s sensitivity to land use and transportation infrastructure. Enhanced model was used to test alternative land use and transportation scenarios including different levels of public transit.

Burlington (Vermont ) Transportation Plan – led team that developed Transportation Plan focused on supporting increased population and employment without increases in traffic by focusing investments and policies on transit, walking, biking and Transportation Demand Management.

**Transit Planning**

Regional Transportation Authority (Chicago) and Chicago Metropolis 2020 – evaluating alternative 2020 and 2030 system-wide transit scenarios including deterioration and enhance/expand under alternative land use and energy pricing assumptions in support of initiatives for increased public funding.

Capital Metropolitan Transportation Authority (Austin, TX) Transit Vision – analyzed the regional effects of implementing the transit vision in concert with an aggressive transit-oriented development plan developed by Calthorpe Associates. Transit vision includes commuter rail and BRT.

Bus Rapid Transit for Northern Virginia HOT Lanes (Breakthrough Technologies, Inc and Environmental Defense.) – analyzed alternative Bus Rapid Transit (BRT) strategies for proposed privately-developing High Occupancy Toll lanes on I-95 and I-495 (Capital Beltway) including different service alternatives (point-to-point services, trunk lines intersecting connecting routes at in-line stations, and hybrid).



Central Ohio Transportation Authority (Columbus) – analyzed the regional effects of implementing a rail vision plan on transit-oriented development potential and possible regional benefits that would result.

Essex (VT) Commuter Rail Environmental Assessment (Vermont Agency of Transportation and Chittenden County Metropolitan Planning Organization)—estimated transit ridership for commuter rail and enhanced bus scenarios, as well as traffic volumes.

Georgia Intercity Rail Plan (Georgia DOT)—developed statewide travel demand model for the Georgia Department of Transportation including auto, air, bus and rail modes. Work included estimating travel demand and mode split models, and building the Departments ARC/INFO database for a model running with a GIS user interface.

### **Roadway Corridor Planning**

Working with the Capital District Transportation Committee (the Albany regions Metropolitan Planning Organization) and the New York State Department of Transportation to analyze future needs and operations of the I-90 crossing over the Hudson River, including effects on other roadways.

### **Developing Regional Transportation Model**

Pease Area Transportation and Air Quality Planning (New Hampshire DOT)—developed an integrated land use allocation, transportation, and air quality model for a three-county New Hampshire and Maine seacoast region that covers two New Hampshire MPOs, the Seacoast MPO and the Salem-Plaistow MPO.

Chittenden County, Vermont (Chittenden County Metropolitan Planning Organization)—developed a land use allocation model and a set of performance measures for Chittenden County (Burlington) for use in metropolitan planning.

### **Research**

Obesity and the Built Environment (National Institutes of Health and Robert Wood Johnson Foundation) – Working with the Dartmouth Medical School to study the influence of local land use on middle school students in Vermont and New Hampshire, with a focus on physical activity and obesity.

The Future of Transportation Modeling (New Jersey DOT)—Member of Advisory Board on project for State of New Jersey researching trends and directions, and making recommendations for future practice.

Trip Generation Characteristics of Multi-Use Development (Florida DOT)—estimated internal vehicle trips, internal pedestrian trips, and trip-making characteristics of residents at large multi-use developments in Fort Lauderdale, Florida.

Improved Transportation Models for the Future—assisted Sandia National Laboratories in developing a prototype model of the future linking ARC/INFO to the EMME/2 Albuquerque model and adding a land use allocation model and auto ownership model including alternative vehicle types.

### **Critiques**

*C-470 (Denver region)* – Reviewed express toll lane proposal for Douglas County, Colorado and prepared reports on operations, safety, finances, and alternatives.

*Intercounty Connector (Maryland)* – Reviewed proposed toll road and modeled alternatives with different combinations of roadway capacity, transit capacity (both on and off Intercounty Connector) and pricing.

*Foothills South Toll Road (Orange County, CA)* – Reviewed modeling of proposed toll road.

*I-93 Widening (New Hampshire)* – Reviewed Environment Impact Statement and modeling, with a particular focus on induced travel and secondary impacts, and also a detailed look at transit potential in the corridor.

*Stillwater Bridge* – Participated in 4-person expert panel assembled by Minnesota DOT to review modeling of proposed replacement bridge in Stillwater, with special attention to land use, induced travel, pricing, and transit use.



## **PUBLICATIONS AND PRESENTATIONS (partial list)**

*Understanding the Transportation Models and Asking the Right Questions.* Lead presenter on national Webinar put on by the Surface Policy Planning Partnership (STTP) and the Center for Neighborhood Technologies (CNT) with partial funding by the Federal Transit Administration, 2007.

*Sketch Transit Modeling Based on 2000 Census Data* with Brian Grady. Presented at the Annual Meeting of the Transportation Research Board, Washington DC, January 2006, and *Transportation Research Record*, No. 1986, "Transit Management, Maintenance, Technology and Planning", p. 182-189, 2006.

*Travel Demand Modeling for Regional Visioning and Scenario Analysis* with Brian Grady. Presented at the Annual Meeting of the Transportation Research Board, Washington DC, January 2005, and *Transportation Research Record*, No. 1921, "Travel Demand 2005", p. 55-63, 2006.

*Chicago Metropolis 2020: the Business Community Develops an Integrated Land Use/Transportation Plan* with Brian Grady, Frank Beal and John Fregonese, presented at the Transportation Research Board's Conference on Planning Applications, Baton Rouge LA, April 2003.

*Evidence of Induced Travel* with Bill Cowart, presented in association with the Ninth Session of the Commission on Sustainable Development, United Nations, New York City, April 2001.

*Induced Demand at the Metropolitan Level – Regulatory Disputes in Conformity Determinations and Environmental Impact Statement Approvals*, Transportation Research Forum, Annapolis MD, November 2000.

*Evidence of Induced Demand in the Texas Transportation Institute's Urban Roadway Congestion Study Data Set*, Transportation Research Board Annual Meeting, Washington DC: January 2000.

*Subarea Modeling with a Regional Model and CORSIM* with K. Kaliski, presented at Seventh National Transportation Research Board Conference on the Application of Transportation Planning Methods, Boston MA, May 1999.

*New Distribution and Mode Choice Models for Chicago* with K. Ballard, Transportation Research Board Annual Meeting, Washington DC: January 1998.

*Land Use Allocation Modeling in Uni-Centric and Multi-Centric Regions* with S. Lawe, Transportation Research Board Annual Meeting, Washington DC: January 1996.

## **MEMBERSHIPS/AFFILIATIONS**

Member, Institute of Transportation Engineers  
Individual Affiliate, Transportation Research Board  
Member, American Planning Association  
Member, Congress for the New Urbanism

31

**Ashley Nguyen - Comments on RTP and its DEIR**

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**From:** Sherman <sherman@quarryvillage.org>  
**To:** <anguyen@mtc.ca.gov>  
**Date:** 2/3/2009 11:36 AM  
**Subject:** Comments on RTP and its DEIR

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The RTP makes great progress in analyzing land use and pricing and a weak job of implementation. MTC needs to have an Economics Program as proposed by the Advisory Council, or support creation of such through the JPC.

MTC has written a very useful letter to CARB on parking and subsidized parking structures, but needs to create policy in the RTP to not fund any projects in any jurisdiction that does have a policy against subsidizing parking structures. MTC needs to write guidance for localities on how to attract people downtown without parking structures.

The regional HOT network program should help fund transit in each HOT corridor from day 1.

The HOT program should include provisions to reduce the impact on low-income commuters.

The HOT program should include studying pricing on existing mixed flow lanes, and freeways should not be expanded. A FastPass system covering the the whole regional freeway system on HOV ramps, bridges, and mainline gateways would work, and work much better than HOV or HOT lanes. According to the I-10 research, maximum throughput occurs at 65 mph in the left lane, 60 mph in the middle lane, and 55 mph in the right lane.

We support the proposed doubling of funding for the Transportation for Livable Communities (TLC) program, new funding for Safe Routes to Transit and Safe Routes to Schools, a Transit Priority Program, and a stronger transportation climate program.

The EIR should include an alternative, already studied and made public in Challenges and Choices, October 2007, that maximizes greenhouse gas benefits with combined transit, land use, and pricing policies.

MTC should start work this year with county and local transportation and land use agencies to reduce greenhouse gas emissions and to comply with SB 375 and include this commitment in the RTP and its EIR.

The No Project Alternative includes, incorrectly, the "committed projects," which prevents evaluation of a true No-project Alternative. The No-project Alternative should have no investments of RTP funds. *Travel Forecasts Data Summary*, p. 8: "We are showing a 3.1 percent increase in regional lane miles between the 2006 base year and the 2035 RTP no-project alternative. ... The RTP project alternative add 2.3 percent additional lane miles relative to the no-project alternative." A project may be accepted into no-project if bids have been received. However, if more new highway construction is the No-project Alternative than in the Project Alternative, it shows that the former is invalid. From its founding, MTC has talked transit and built highways. MTC emphasizes the uncommitted funds, trying to hide highway projects by pretending the funding is "committed" when it is not. MTC emphasizes the total spending in the RTP, not the flexible funds, both "committed" and uncommitted, most of which go into highways.

MTC also supports politically expedient rail transit projects that cost billions more than comparable service on conventional rail. MTC supported BART to Millbrae, with expensive tunneling and a gold-plated parking structure on the long way around San Bruno Mountain instead of the cost-effective Cal-BART proposal. MTC supports BART to Warm Springs and San Jose based on crudely hyped ridership projections that will never happen, at the cost of other Santa Clara sales tax projects promised and not being built, when Caltrain could serve the Fremont gap sooner, cheaper, and better.

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32

**From:** Ashley Nguyen  
**To:** MchISrrb; MTC info  
**Date:** 2/10/2009 10:22 AM  
**Subject:** Re: Draft Transportation 2035 Plan EIR Comment (Mitigation + T2035 Comment re: Climate)

Hi Michael:

Thanks for your comment on the Draft EIR for the Transportation 2035 Plan. I'm writing an email reply to explain why the Draft EIR did not include a mitigation measure for Impact 2.2-4 "Emission of diesel particulate matter, 1,3-butadiene, and benzene would decrease substantially compared to existing conditions."

The Draft EIR did not recommend mitigation for Impact 2.2-4 because CEQA does not require mitigation measures for effects which are not found to be significant (CEQA Guidelines Section 15126.4(1)(3)). However, the Draft EIR does identify several mitigation measures for Impact 2.2-3 on p. 2.2-21 of the Draft EIR. These mitigation measures for coarse and fine particulate matter would help to address toxic air contaminant emissions as well.

On the larger issue of climate change and global warming, we too have no interest in debating the science behind climate change, but rather we are focused on identifying regional strategies and actions to address it as well as responding to state mandates to reduce greenhouse gases to 1990 levels by year 2020. The Draft EIR specifically evaluates the climate change and greenhouse gas emissions impacts of the proposed Transportation 2035 Plan (see Chapter 2.5: Climate Change and Greenhouse Gases), and the Transportation 2035 Plan identifies specific policies and investments to address climate change, such as the \$400 million Transportation Climate Action Campaign (see p. 46 of the Draft Transportation 2035 Plan for more information).

We appreciate your comments on the Draft Transportation 2035 Plan and Draft EIR. We will include this response as part of the Final EIR on the Transportation 2035 Plan, and will forward your comments to our Commission for their review and consideration at their March 13 and 25 meetings. Thanks.

Ashley Nguyen  
Senior Transportation Planner/Analyst  
Metropolitan Transportation Commission  
101 Eighth Street | Oakland, CA 94607  
Tel. 510.817.5809 | Fax 510.817.5848

>>> MchISrrb <mchlsrrb@aol.com> 2/6/2009 11:25 AM >>>

First, I consider BART to be the best of all transportation systems. Period.

But, I am sad to read in the Transportation 2035 Plan Draft Environmental Impact Report, under Impact 2.2-4 " Emission of diesel particulate matter, 1, 3-butadiene, and benzene would decrease substantially compared to existing conditions."

followed by, under Mitigation Measures: "None Required."

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No doubt you and your staff are amongst the best educated people in the field of transportation including energy efficiency. Yet, you imply that the proposed Diesel power for eBART requires no Mitigation!!

We need not waste our time on the subject of whether Global Warming is true or whether the Governor will be able to impose greater restrictions on Green House gasses. What bothers me, most of all, is that the leaders of the most advanced mass transit system in the USA do not believe Global Warming is true, therefore they plan to sneak in one more polluting Diesel train system -Now!

Key to the question:

If you are willing to do that now, perhaps to avoid some discomfort, what could either you or I tell some illiterate native burning up the rain forests in Brazil or Indonesia? Can we look at them in the face and tell them to put their family food at risk, while we are unwilling to face the reality experts have been telling us for years, and our Chemistry 101 teachers told us, too often?

The Greenhouse gases are like a blanket, the more blankets we have, the warmer it will get and the faster it will get warmer and, most of all, the temperature will continue to increase, for as long as we keep our blankets, and our Carbon Dioxide. That's right, even if we were to completely stop Carbon Emissions, the Earth warming would continue.

In short, every CO<sub>2</sub> molecule we produce will, FOREVER, increase the Earth's temperature. No decay, no wear down, no half-life, CO<sub>2</sub> is a stable molecule, it takes energy to split it -more than was released when it was made.

You and you staff will put our grandchildren, yours and mine, in an Earth warmer than the ovens in Auschwitz.

This is no hyperbole, the temperature of the CO<sub>2</sub> in Venus reached its Equilibrium Temperature of 846 Deg. Fahrenheit.

What some fail to grasp is that every CO<sub>2</sub> molecule that has been put in the air, will be there well after the Human Race ends.

Michael F. Sarabia  
P. O. Box 5156  
Bay Point, CA 94565  
Ph 925.709-0751  
You may forward this email.

**Joint Advisor Workshop  
Wednesday, January 7, 2009**

ATTENDANCE

Total Advisors Present = 31

EDAC Members Present (10):

Paul Branson	Rich Hedges (also on Advisory Council)
Richard Burnett	Julio Lacayo
Marshall Loring	Ken Altenburger
Janet Abelson	Craig Yates
Dennis Trenten	David Grant

MCAC Members Present (10):

Randi Kinman	Dawn Love
Jacquee Castain	Carlos Romero
Bill Allen	Raphael Durr
Charles Rivasplata	Darnell Turner
Carlos Castellanos	James McGhee

Advisory Council Members Present (11):

Bob Planthold	Don Rothblatt
Margaret Okuzumi	Woody Hastings
Myrtle Braxton	Jim Cockle
Sherman Lewis	Mary Griffin-Ramseur
Xiao-Yun Lu	Mike Pechner
Cathy Jackson	

Also Present:

Bob Allen, Urban Habitat  
David Schonbrunn, Transdef  
Kendall Flint, PMC Facilitator

MTC Staff Present:

Catalina Alvarado	Georgia Lambert
Pam Grove	Therese McMillan
Ursula Vogler	Linda Walls
Ellen Griffin	Leslie Lara
Ashley Nguyen	Therese Knudsen
Liz Brisson	James Corless

## Comments/Questions/Feedback on Draft Plan

- Noticed an inconsistency on Pg. 68; there is information about pedestrian hazards and risks. MTC says it will fund TLC, but that doesn't address pedestrian safety matters. There is talk of the need, but the money being spent doesn't address the need. It seems good to show charts about safety hazards and risks, but there is no follow through with the money; the money is going for amenities, not safety. There is nothing even saying there is going to be a study on what counter measures are needed; it just says you're going to reduce the injuries by 25%: how, where? It's a bait and switch approach here.
- Addressing the issue of Lifeline/bikes/TLC – it should be reversed. \$400 million for Lifeline should be \$1 billion, and \$400 million should be for bicycles. Bicycles already have a majority of funding; the majority of Lifeline needs to be focused on better.
- On the local roadway maintenance, we said we are going to have an \$18 billion shortfall – what is the impact of there if we are going to be cutting \$18 billion? Also, on the slide on Lifeline/bikes, if we are going to spend \$1 billion for the regional bike network, what is the benefit versus the cost?
- The investment in Climate Change, how will funds be allocated to implement the campaign around public outreach and grants? Second, the Draft Public Outreach and Involvement Program Report is due January 2009. She's concerned that we've not done enough outreach and public participation with industry and business. What is MTC going to do between now and March 2<sup>nd</sup> – literally there is less than two months to give feedback. She feels we're leaving out a huge population of people who can make decisions, whether it's around climate change or reduction, whatever. Would like a response to this and would like to see

- Regarding the two Public Outreach hearings on the draft Plan – feels they exclude everyone outside of the “water” area; this is a region-wide plan, and she would expect public hearings to be more accessible to the public that will be impacted by this; she doesn’t see that anyone from Gilroy will get on three transit systems necessary to get to San Francisco to participate in that public hearing; is concerned that the public doesn’t have as much access as they should; secondly, the TLC language regarding TOD – there is no agreement within her city as to what constitutes TOD – would like to see a regional agreement on what this means before MTC gives money for TOD, infrastructure repairs or groundbreaking in communities; much of TOD is being built along freeway lines where MTC is projecting an 30% increase in particulate matter– doesn’t make sense to build TODs along areas that will increase likelihood of disease when people use bike paths and sidewalks
- There are developers right now in the process of mapping out plans based on MTC documents and MTC funding that they see coming down the line; the cart is already out there before the horse; also TOD doesn’t necessarily include jobs; the definition of TOD needs to be nailed down somewhere, and if MTC is creating the idea, MTC has the responsibility to “corral” the developers
- The travel forecast data summary makes some future fuel cost assumptions – there was already an adjustment made when fuel prices spiked – current lower prices may be temporary – expressed concern that the current estimate for T2035 (about \$7.50/gallon) may be too low; is MTC looking at alternative scenarios based on different pricing structures, even beyond \$7.50/gallon?
- Regarding HOT funds and shortfalls – are there any strategies to bridge the shortfall gaps in maintenance of transit; when people have to wait longer, you lose transit customers; are there any strategies to further assist counties to raise additional funds; would it be helpful to expand more fully the definition of transit and include more express buses
- Feels it will be a number of years before HOT revenues will be available to use for anything other than paying for the system; she’s concerned they’ll be putting out a lot of capital just to pay for the lanes; also concerned it will increase difficulty finding room in the lanes for buses and 3+ occupant vehicles; how will we support continuing HOV lane service in heavy usage areas
- Has supported FPI, but is concerned whether there’s been enough experience to know that it works
- Regarding Slide 4, this is too much growth; the area already exceeds its quality of life carrying capacity; this amount of growth is unsustainable; probably not an issue for MTC, but the Joint Policy Committee needs to address the issue of how can you decrease the amount of growth while continuing to improve on the Three Es – regarding Slide 5, it is not clear if this includes the committed projects or

not; he would like to see a table that separates the discretionary funds that can go to either highways or transit, so he can get a sense of how the discretionary money is being used; he knows that CMAQ's STP is a major source of those flexible funds, but he doesn't have a sense of how the flexibility is being used – on local roadway maintenance, he thinks this is primarily a local property and local issue that needs a better philosophy to approach, basing it on property and gas tax at the local level; and basically local people should be given choice to pay the tax and have better roads or not; regarding Slide 8, he thinks this is an heroic effort finding \$400 million for climate action; curious as to where the money came from; it was not in previous RTPs – regarding HOT, he feels it is worth doing some modeling research on operations to look at mixed flow with ramp and main line meters, which he believes will work better than HOT lanes, and some kind of systemic tolling system would be even better; regarding Resolution 3434, he believes Warm Springs to San Jose is not particularly cost effective or meets land requirements in 3434; would like to see some costs for new rider figures in relation to other kinds of transit capital investments

- Really stunned to see there are a couple of highway road projects in Alameda County that are being funded by RM2 bridge toll funds which are nowhere near the Bay; they do not actually cross the Bay; at the same time, she did not see Dumbarton Rail project on the list of projects; she's wondering if she's just overlooking it or whether it's in there – also wonders what assumptions were made in terms of STA funds (the climate for that has changed a lot in the last couple of months) – she's wondering what MTC is doing, if anything, to ensure transit operators will have enough operating funds to operate transit at the levels assumed (for example, VTA just released a short-range transit plan that, although it claims maintains the existing levels of bus and light rail service, budgets a decreasing amount of monies for operations for each of the years between 2009-2017; feels this is not reasonable and wonders if MTC is going to be doing any kind of analysis of things like that); while she is pleased that MTC would like to pay \$400 million for the transportation climate action campaign, is curious as to how the 5-year timeframe was developed and for what? Capital projects? Service delivery programs? Would be nice to expand travel smart program that has been successful in encouraging more people to take transit – is a program like this a possibility.
- It didn't help MTC by taking money away from Dumbarton rail these last several months – still very troubled about HOT lanes (Lexus lanes); maybe the figures in terms of how much money could be made makes sense to somebody, but SOVs are the highest polluters in Bay Area; allowing those people to occupy HOT lanes increases pollution, does not decrease the carbon footprint, in fact, it increases it; so how do you mitigate that?; the only way to do that is to say it's not going to be single occupant, but two or three occupant; otherwise you're going to increase emissions, and that's not what we're here for; if this does go through, he recommends the funds be used only to maintain those lines, and excess funds

should be used for paratransit, the disabled, bike lanes and things that will really help offset the carbon footprint

- On Page 40 of the RTP, assessing project performance, he is concerned about the assessment of Lifeline as very low benefit to cost; wants to understand why it's being assessed this way

### **Comments/Questions/Feedback on Draft EIR**

- At the beginning we heard there were concerns from the AG on the EIR and there was a meeting on Halloween – what happened with that meeting and what did the AG say
- Regarding the population growth chart, they're going on 1970s language of the law and are ignoring population demographics – this doesn't show that you've done any study or analysis about the changes in travel/transportation patterns and needs and services because we've got more people with disabilities and more seniors who may need more services or paratransit vans (as opposed to 35 years ago) – I don't see a study/data that shows you're dealing with the population needs – are there going to be more vans, more trips in vans, more home care attendance, driving, or taking buses to and from “xyz” – and maybe it's not required, but it seems like it's a deficiency
- Comments from a member of the public that are mostly for the advisors – the Plan speaks about the goal being “building momentum towards change.” But the Plan is not the change that it speaks of in terms of a full response to climate change; when you look at the alternatives analysis, you'll see that these two alternatives (pricing and land use) reduce VMT and per capita VMT somewhat, but they are limited in their effort; what is entirely missing from this EIR is a study of a maximal effort to reduce greenhouse gases; MTC was given this as input in the scoping portion of this process – they explicitly refused to do this because of the institutional rigidity surrounding the past committed projects; the practice here is to illegally include committed projects within the No Project alternative as if there's nothing that MTC could do to change where this money is going; and the amount of money tied up in committed projects is equal to the amount of money in discretionary projects (it's \$30 billion); this was one of the principle criticisms that the AG had of MTC's scoping plan; I just want advisors here to be very aware that the alternatives that you've seen represent essentially “safe” alternatives; a little bit innovative, but they do not represent a change in what this institution is about because they don't want to ruffle the feathers by opening the books, clearing the table and trying to decide what is the absolute best use of our funds in terms of reducing emissions for climate change
- Under the biological recourse, the Bay Area Checker Spot butterfly is an endangered species, and the food which it requires to exist is also listed as

endangered, but it actually requires the soil for that particular plant to grow; I've only had a short time to cross-reference this document, but I don't see the cross-referencing here, or the potential impact, since it's on the 101 corridor; would like to make sure that in those cases where those three things are interwoven and you can't just move a plant from one area to another that that's covered.

- Congratulates MTC on the alternatives evaluated; at the same time, I agree 100% with Mr. Schonbrunn; Slide 11-16 are real progress compared with five years ago and reflect the push that RAFT and TRANSDEF's smart growth alternative made in previous RTPs
- How do we get from a history of getting funds to build things to some attention to pricing and economics as a major means of dealing with transportation problems; the historic framing of transportation issues does not lend itself to economically rational solutions; one way of trying to get there is through better modeling; modeling has a good experience with short-term elasticity and a bad experience with long-term elasticity because you're involved with a double elasticity problem; as fossil fuels become more expensive, the rest of the system is going to change dramatically to create attractive alternatives; so if you can invent the attractive alternatives, the model will respond correctly to what the market would do if it had a change, and that would mean less total growth, higher fossil fuel costs, more job-employee balance, better walking densities, and pricing and regulation of cars in the walking areas; one of the complications in our current auto-based system is long distance driving to jobs and shopping – the jobs-housing balance we understand, but the housing-shopping relationship is not very well understood; the freeway system has lower prices in the wholesale retail trade sector, but higher household consumption expansions on transportation; as you shift the system to more of a walking transit system, wholesale retail prices will go up because there will be more stores closer to the consumers (because of higher transportation costs built into the prices), the household consumption expenditures will go down as far as transportation, but they'll go up on the consumption, so they'll come out as to where they were before; I don't think the models are really trying to look at that issue, which is fairly important
- Question on Slide 13, you have the HMCP plus pricing, HMCP plus land use – if you do all three of them combined, are the results additive or do they not add up; if they're synergy, you get even more results than just combining the two – if they cancel each other out, you have less, and I'm not really sure how that would come out
- Questions the completeness of the EIR assessment; understands MTC's bureaucratic charge to focus on the Bay Area; nonetheless, everybody understands that the environment doesn't simply stop at the Alameda County line; over the past year there have been presentations about aspects of the Port, for example; notices there is \$45 million for goods movement emissions reduction – compare that to the projection that because railroad freight yards are now being

built in the central valley and containers are offloaded at the Port, this will generate an additional 30,000 trips over 580 by trucks, which will increase particulate matter – \$45 million doesn't seem to go very far when you think of that; also Port generates its own stationary sources of pollution from ships, idling trucks and rail transit that goes in and out – is there a way to address this; also evaluation of various alternatives are restricted to the surface of this one table, and there's a whole wider world of stuff

- You said that the EIR doesn't evaluate any project, but of course it evaluates the preferred project, which happens to be this set of investments, as opposed to another alternative set of investments that could have been no roadways and all transit, correct?
- Wants an explanation – if the environmentally superior alternative is heavy maintenance plus pricing, but then heavy maintenance climate emphasis by itself – having trouble interpreting the charts; if the Commission were to adopt the project alternative plus pricing, then is the difference in VMT and emissions just the difference between the heavy maintenance and climate emphasis and the project alternatives? Also, does pricing break out as a complement separate, because they're only presented as combined

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MTC PUBLIC HEARING ON THE DRAFT TRANSPORTATION 2035 PLAN  
San Francisco, California, 7:00 p.m.  
Taken before DAWN E. HOWARD, CSR No. 13201, and  
AUDREY L. TAKATO, CSR No. 13288

Tuesday, January 27, 2009

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A P P E A R A N C E S

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ANNE HALSTED, MTC Commissioner  
JON RUBIN, MTC Commissioner

5 SCOTT DAVIDSON, PMC Staff  
6 KENDALL FLINT, PMC Facilitator  
7 DOUG KIMSEY, MTC Planning Director  
8 THERESE MCMILLAN, MTC Deputy Executive Policy Director  
9 ASHLEY NGUYEN, MTC Senior Planner

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1 P R O C E E D I N G S

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3 COMMISSIONER RUBIN: Hello, everybody. Let's  
4 get the proverbial show on the road. My name is Jon  
5 Rubin, and I don't need to read this to know that; I  
6 just want you to know. But the rest of it I do have to  
7 read. And I represent the mayor of San Francisco. That  
8 much I know by heart as well. How do you like the  
9 lighting in here, huh? Pretty romantic, right? You  
Page 2

10 like the big plates we've provided over there? Take as  
11 many sandwiches as you want. Just put them all on the  
12 plate, you know, take them home with you.

13           Anyway, good evening and welcome. I'm Jon  
14 Rubin, the San Francisco mayor's appointee of  
15 Metropolitan Transportation Commission. I'd also like  
16 to introduce some other transportation officials in the  
17 room. Anne Halsted is a commissioner from ABAG.

18           ANNE HALSTED: Good evening.

19           COMMISSIONER RUBIN: MTC Deputy Executive  
20 Director, Therese McMillan, back there.

21           THERESE MCMILLAN: Hello.

22           COMMISSIONER RUBIN: Planning director Doug  
23 Kimsey, back there.

24           And, then I don't know. It says, "SF" -- it  
25 says, "SFMTA or MUNI staff or any elected officials

3

1 present." If you have the nerve to raise your hand, go  
2 ahead. Did I miss anybody? Is anybody offended if I  
3 don't say their name, even if you're not any of those  
4 things? I'll be happy to say your name.

5           Okay. And Norm is here. I'll say Norm is  
6 here.

7           NORMAN ROLFE: Thanks, buddy.

8           COMMISSIONER RUBIN: And our other  
9 distinguished MTC staff. And I appreciate them all  
10 coming out and all of you coming out this evening. It's  
11 cooling off nicely outside.

12           MTC is responsible for preparing the Regional  
13 Transportation Plan for the nine-county Bay Area,  
14 period. That plan will guide Bay Area transportation

15 policies and investments over the next 25 years. We are  
16 nearing the end of a 24-month dialogue on Bay Area  
17 transportation priorities for this plan.

18 We were last here in San Francisco in May when  
19 we held dozens of meetings around the nine Bay Area  
20 counties to talk about priorities and investment  
21 trade-offs. Since then, we've taken what we've heard,  
22 completed a technical analysis, and we've released a  
23 draft plan for public comment. We call it the Draft  
24 Transportation 2035 Plan. We've added a subtitle,  
25 Change In Motion, pretty catchy.

4

1 The key word here is "change." We're proposing  
2 to do a lot of things differently with the  
3 Transportation 2035 Plan than we have with past plans.  
4 In a moment, you'll hear a brief overview of the draft  
5 plan. The focus tonight is to hear your comments. You  
6 will have ample opportunity to speak on the record. We  
7 have two, count them, two court reporters here taking  
8 down your comments.

9 Do we think one of them is going to, you  
10 know -- what's the actuarial, ladies? You have a 50/50  
11 chance of making it out of here.

12 If you wish to speak, please fill out a blue  
13 speaker's card, which are -- blue speaker's cards are  
14 where? Somebody tell me. They're right over there, so  
15 if anybody wants to fill one out, please do. And when  
16 they do, who should they give the card to?

17 KENDALL FLINT: They'll hang on to it, and  
18 we'll point out so we'll see.

19 COMMISSIONER RUBIN: If you want to offer

20 written comments, we have a yellow comment sheet  
21 available for your convenience, which I assume is also  
22 over there.

23 The public comment period on the Draft 2035  
24 Plan, Environmental Impact Report, also known as "EIR,"  
25 closes on Monday, February 2nd at 4:00 p.m. The close  
5

1 of public comments for the Draft Transportation 2035  
2 Plan comes a month later, on Monday, March 2nd at 4:00  
3 p.m. Staff will summarize comments heard today for  
4 MTC's February 13th Planning Committee meeting.

5 So again, welcome. We're here to hear your  
6 reaction to our draft plan. And now I'd like to  
7 introduce Kendall Flint, who's got the best name in the  
8 world and who will be leading us through tonight's  
9 public hearing.

10 KENDALL FLINT: Thank you very much.

11 COMMISSIONER RUBIN: Thank you very much.

12 KENDALL FLINT: Riveting speech.

13 COMMISSIONER RUBIN: Fantastic.

14 KENDALL FLINT: I want to make sure everybody  
15 is in the right meeting. You are here for MTC tonight  
16 and not for high-speed rail, right, because their EIR  
17 meeting is a couple doors down.

18 Right, everybody is here for MTC? Yes?

19 UNIDENTIFIED SPEAKERS: Yes.

20 KENDALL FLINT: It's a participatory meeting.  
21 Yes?

22 UNIDENTIFIED SPEAKERS: Yes.

23 KENDALL FLINT: Okay. What we're going to do  
24 tonight is a couple of things. One, in order to save  
Page 5

25 you the drama of filling out long forms, I'm going to  
6

1 walk you through a really fun little exercise. My  
2 lovely assistant Scott over here has been handing out  
3 these lovely little clickers.

4 Does everybody have one? If you do not have a  
5 clicker, please raise your hands, and we'll make sure to  
6 give you one. Okay, one here in the middle; one here in  
7 the end. MTC staff, please do not request them. You  
8 already know this.

9 Okay. What we're going to do is just learn a  
10 little bit about who's in the room tonight. And then  
11 following that, Ashley Nguyen is going to be walking you  
12 through a presentation that kind of outlines this  
13 undertaking that MTC has been working on the last two  
14 years, which, of course, is the draft plan and the draft  
15 EIR.

16 The first one is to find out a little bit about  
17 how you got here tonight. The first question I want to  
18 ask you is: "How did you find about coming to this  
19 meeting?"

20 On a little keypad in front of you, there are  
21 numbers: one, two, three, four, five, six, seven, eight,  
22 nine. And you can look at this list and see which one  
23 of these best describes the way that you managed to get  
24 here. We did not include threats or any other types of  
25 things, but if you choose "other," I'm sure that will  
7

1 be, you know -- so which of these: One, received  
2 postcard; two, news story; three, from MTC's web site;

3 four, a newspaper ad; five, e-mail notice; and six,  
4 other.

5 NORMAN ROLFE: what about if there's more than  
6 one?

7 KENDALL FLINT: whichever one motivated you the  
8 most, which you felt was the most compelling reason to  
9 be here tonight. We'll give everybody a chance to lock  
10 in there. Okay, a few more to go. And we're going to  
11 close this off, so everybody lock in your answers, just  
12 like American Idol. In three, two, one; let's see what  
13 we got here.

14 Okay, so lots of "others" and lots of  
15 "postcards," good.

16 Okay. The next question: "Do you use public  
17 transportation regularly?" And by "regularly," we mean  
18 do you use public transportation one to two times every  
19 week. So it's a "yes" or "no" question. If you use it  
20 more than that, great; it's still a "yes." But the  
21 question is -- one, yes; two, no -- "Do you use public  
22 transportation regularly?"

23 We've got a few more pop in there. Okay,  
24 everybody seems to have locked in their answers. And  
25 let's see what we got there. Okay. So lots of

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1 transportation users in the room tonight.

2 Next question, pretty simple, "which county do  
3 you live in?" You should know where you live. If  
4 there's none of the above here, just don't answer the  
5 question. If you're, you know, coming in from someplace  
6 else because you just love going to public meetings,  
7 you're a sick human being. It's a sign of the times.

8 It's the sandwiches, right.

9 So one, Alameda; two, Contra Costa; three,  
10 Marin; four, Napa; five, San Francisco; six, San Mateo;  
11 seven, Santa Clara; eight, Solano; nine, Sonoma.

12 Okay. If everybody is locked in on that, I'm  
13 going to put a guess out there that -- yeah, quite a few  
14 people from San Francisco.

15 Okay, next question: "Have you attended a  
16 public meeting or workshop on Bay Area transportation in  
17 the past or is this your first time?" So if you've been  
18 to a public meeting on transportation in the past or is  
19 this your first time?

20 Let's see. We've got a couple more to go.  
21 Three of you are very slow. Come along. One more, come  
22 on, do it. Okay, we're going to close it off here. And  
23 let's see.

24 Okay. Who said "no," just out of curiosity?

25 Welcome to the party. They're all like this.

9

1 They're really fun.

2 "What is your gender?" One, male; two, female.

3 UNIDENTIFIED SPEAKERS: No "other" on this one?

4 KENDALL FLINT: You know, we were just talking  
5 about it, and my apologies. If there was a transgender,  
6 I would be happy to add that in there, but --

7 UNIDENTIFIED SPEAKERS: Or martians?

8 KENDALL FLINT: We tried to keep it on the  
9 human scale for the purposes of tonight's meeting, but  
10 we're certainly open to comments from all sentient  
11 beings. Okay, here we go. That's done.

12 All right. "Are you Hispanic or Latino

13 descent?" One, yes; two, no. Are you Hispanic or  
14 Latino.

15           Okay. We'll lock those in. We've just got a  
16 couple more of these, and then we're going to go right  
17 on.

18           And, "How do you identify yourself?" And these  
19 are: One, white -- you can click more than one. So if  
20 you are a multitude of things, you can certainly pop  
21 those in: So, "white, Chinese, Vietnamese, Asian,  
22 Indian, Black, African-American, Japanese, Filipino,  
23 American Indian, or Alaskan, other Asian, other race."

24           It would be of particular interest if anyone is  
25 here from Alaska. "I can see Russia from my house."  
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1 Sorry, I couldn't help it. Sorry. It's just no fun any  
2 more, okay.

3           All right, here we go. And, "what is your  
4 age?" Number one, 24 years and younger; two, between 25  
5 and 59; three, over 60.

6           You guys are getting good at this. Okay.  
7 Okay, great, the majority in the middle.

8           All right. Set down the clickers. We're going  
9 to come back to those at the end of the meeting. The  
10 next thing we're going to do, is I'm going to introduce  
11 Ashley Nguyen. She's been the lead planner on the RTP,  
12 and she's going to walk you through an overview of  
13 what's in the draft transportation plan and in the draft  
14 environmental document.

15           And after she's finished, we're going to come  
16 back and we'll take some comments and some questions,  
17 and I'll explain a little bit more about how the process

18 is going to go. Ashley.

19 ASHLEY NGUYEN: Thank you. Okay.

20 Thanks, Kendall. Good evening, everyone. I'm  
21 Ashley Nguyen. I'm with MTC's planning section. And my  
22 role today is really just to provide you with a brief  
23 overview of our Transportation 2035 Plan. I know some  
24 of you are very familiar with the plan; others may have  
25 been, maybe, first-timers. We do have the plan

11

1 available and we certainly invite you to read it from  
2 cover to cover.

3 As Commissioner Rubin mentioned, the  
4 Transportation 2035 Plan is a 25-year, long-range  
5 regional transportation plan that lays out our  
6 transportation policies and investments for how the Bay  
7 Area will serve the mobility and accessibility needs of  
8 its population.

9 The Transportation 2035 Plan didn't materialize  
10 overnight. It actually happened after several months,  
11 24 to be exact, of planning, a huge planning effort,  
12 that involved extensive interagency consultation, as  
13 well as a comprehensive public outreach approach. We  
14 had a number of lively discussions and debates  
15 throughout the planning process.

16 So here's what it took to really develop the  
17 plan. We started this process in early 2007 with a  
18 series of early dialogue workshops to really solicit  
19 some early feedback on what this plan ought to look  
20 like. We moved on to a huge summit that was actually  
21 sponsored by MTC and our partner agency, the Association  
22 of Bay Area Government. This was the "Bay Area on the

23 Move" Regional Summit, where we drew about 700  
24 participants to really start thinking about what is this  
25 vision that we're seeking to put into this plan and how  
12

1 will our transportation system support that vision.

2 This was followed by a series of workshops  
3 around the region, round-table discussions with our  
4 partner agencies, as well as leaders from the three E's,  
5 which is Economy, Environment, and Equity.

6 We had two statistically valid telephone  
7 surveys as well as web surveys up on the MTC web site.  
8 We went out in the street and asked the common person,  
9 you know, some of their thoughts about transportation.  
10 These were our person-on-the-street interviews. We also  
11 held focus groups, one in each county, and then a number  
12 of travel consultation as well as interagency  
13 consultation with some of our state and federal  
14 partners. So it was a really exhaustive outreach  
15 process from the get-go.

16 Just to provide you with a little bit of  
17 context with this plan, what I wanted to do is to give  
18 you a snapshot of what the Bay Area would look like in  
19 the year 2035.

20 Currently, the Bay Area has about 7 million  
21 people and 3.5 million jobs. By 2035 we'll see 2  
22 million more people and 2 million more jobs. With this  
23 growth in population and jobs, we'll see a 32 percent  
24 increase in the number of daily auto trips, as well as  
25 the 33 percent increase in the vehicle miles traveled.  
13

1 On the air quality front, what we'll see is  
Page 11

2 over time the carbon dioxide emissions from on-road  
3 mobile sources will start to decline. So by the year  
4 2035, we'll see a 14 percent decrease. This is mainly  
5 attributable to the vehicle technology changes that are  
6 mandated by state law.

7 However, with the population and the job growth  
8 and the increase in vehicle miles traveled, what we'll  
9 see is an increase in particulate matter emissions from  
10 both tailpipe emissions as well as on-road dust, and  
11 that's going to increase about 30 percent. So those are  
12 the -- some of the things that we'll have to deal with  
13 as part of this plan.

14 The budget for this plan is a \$226 billion  
15 budget, and this is coming from local, regional, state  
16 and federal sources that MTC forecasts to be reasonably  
17 available to the region over the next 25 years.

18 As you can see from the first pie chart, nearly  
19 half of these revenues are from local sources. This is  
20 mainly transit fares, dedicated sales tax programs, as  
21 well as state and county subventions to local streets  
22 and road maintenance. The other amount of revenues are  
23 really from our regional and state and federal funds.  
24 This is merely state and federal gas taxes, as well as  
25 regional bridge tolls.

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1 In terms of how we spent the \$226 billion, most  
2 of our spending expenditures really focus on a  
3 long-standing priority for our commission, which is to  
4 fix the system we've got in place. We've made a huge  
5 investment in our transportation system for a number of  
6 decades, and what we want to do is keep that system in a

7 state of good repair.

8           So on the second chart, you'll see that we have  
9 spent \$166 billion, which is over 70 percent of our  
10 budget, just on maintaining our existing system. The  
11 other revenue expenditures include about \$20 billion  
12 going to system efficiency projects to help better  
13 operate the system we have in place. And then \$40  
14 billion goes to expansion of both our local streets and  
15 road system as well as our highway system.

16           What I wanted to do in the next several slides  
17 is to give you some highlights on the kinds of  
18 investments we make in this Transportation 2035 Plan.  
19 But I wanted to mention that, from the outset, we heard  
20 from the public that there should be change. This plan  
21 should be about change, and this is the reason why this  
22 plan is called "Change in Motion."

23           The key message that we heard here is that our  
24 world is changing and we must change with it. And so in  
25 many ways this plan responds to the mandate for change.

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1 Our commission focused on fixing our transportation  
2 system, operating it more efficiently, looking at ways  
3 to take the lead in climate protection, instituting  
4 pricing through our Regional HOT Network, as well as  
5 supporting focus growth, particularly placing  
6 development near our transit systems in existing  
7 communities.

8           So the next series of slides highlight some of  
9 those key initiatives. The first one I want to start  
10 with is our local streets and road maintenance. Here,  
11 MTC staff estimates that our 25-year local streets and

12 roads needs is about \$35 billion. This is to repair  
13 potholes in your local streets and roads.

14 But once we account for all the monies that are  
15 committed to maintenance, what we see is that there's  
16 about an \$18 billion shortfall that needs to be  
17 addressed. So as part of this plan, our commission has  
18 set aside \$7 billion in discretionary funds to prevent  
19 further deterioration of our local road system.  
20 However, there's still an \$11 billion shortfall that  
21 remains unaddressed, and it's on the table.

22 In a similar vein, for our transit maintenance,  
23 we estimate that the total transit capital needs -- this  
24 is just replacing our buses, our train cars, the tracks,  
25 fare machines, and other capital infrastructure

16

1 improvements, just to maintain that costs about \$40  
2 billion over the next 25 years. However, again, as we  
3 account for all the monies that are committed to transit  
4 maintenance, we have about a \$22 billion shortfall.  
5 This leaves about \$16 billion in transit capital  
6 replacement needs that is left unaddressed.

7 As part of this plan, our commission is putting  
8 aside \$6.4 billion. I misspoke; this leaves \$16 billion  
9 on the table.

10 To address climate change, the four regional  
11 agencies -- this includes: MTC, ABAG, the Bay Area Air  
12 Quality Management District, as well as our Bay  
13 Conservation and Development Commission. These four  
14 agencies joined forces and sponsored a five-year  
15 transportation climate action campaign.

16 The campaign has two facets: The first facet

17 is to focus on public outreach, to really help to alter  
18 driving and travel behavior so that people can start  
19 leaving their cars at home and start using alternative  
20 modes to really reduce our greenhouse gas emissions.

21 It also includes a capital component where we  
22 will be providing funds through a climate grant program,  
23 our Safe Routes to School Program, Safe Routes Transit  
24 Programs, as well as other action-oriented incentive  
25 programs to really get some of the improvements on the  
17

1 streets so that we can reduce our carbon footprint.

2 In addition, to address particulate matter, our  
3 commission has set aside \$45 million towards a Goods  
4 Movement Emissions Reduction Program. We have a lot of  
5 the particulate matter emissions coming out of diesel  
6 trucks that travel in and out some of our major truck  
7 corridors, and this program is aimed to reduce some of  
8 those particulate emissions.

9 To improve the performance of our existing  
10 system, MTC, working in collaboration with Caltrans,  
11 California Highway Patrol and our local partners,  
12 launched our Freeway Performance Initiative. The  
13 Freeway Performance Initiative, or FPI as we call it, is  
14 about managing the system, again, the system we have in  
15 place. The Freeway Performance Initiative includes rent  
16 meters that help to manage vehicles entering the freeway  
17 as a way to reduce delay. It includes traffic operation  
18 systems, such as cameras, incident detection equipment  
19 so that we can detect incidents that occur on the  
20 freeway, transmit that information to our transportation  
21 and management center so that they can quickly clear

22 those incidents so that we can really reduce  
23 nonrecurrent delay. And it also includes a way to  
24 really manage our local and arterial system that feeds  
25 into our freeway, so that we act as a cohesive system.

18

1 So for this plan, this plan puts aside \$1.6 billion  
2 towards the Freeway Performance Initiative.

3 And then moving on to transportation pricing,  
4 this plan proposes to create an 800-mile regional high  
5 occupancy toll network on your Bay Area system. MTC  
6 estimates that the cost of developing this Regional HOT  
7 Network is about \$3.7 billion. The good news here is  
8 that the \$3.7 billion will come from toll revenues  
9 generated by the system, so it won't rely on other  
10 discretionary revenues.

11 Once the system is in place, we estimate that  
12 there will be a net toll revenue of about \$6 billion,  
13 and these net toll revenues can go to a number of  
14 different improvements, including express buses that  
15 could operate on the HOT Network system, rail expansion  
16 improvements, other kinds of local roadway and access  
17 improvements, and high technology kinds of improvements  
18 that you see through our Freeway Performance Initiative.

19 There's a lot of ongoing discussion with our  
20 Regional HOT Network and how we would spend those funds.  
21 So if you're interested in that topic, please stay  
22 tuned.

23 And then there's two more. We have here our  
24 Lifeline, Bicycles, Transportation for Livable  
25 Communities, and our Focus Program. And here, again,

19

1 the commission is very interested in supporting  
2 alternative modes and supporting focus growth. So we  
3 have a \$400 million investment in our Lifeline  
4 Transportation Program, which is really aimed at  
5 improving accessibility for our low-income populations.

6 we've also put a billion dollars toward our  
7 Regional Bicycle Network to fund key infrastructure,  
8 bicycle improvements on about a 2,000-mile route system.  
9 And then we also doubled our very popular Transportation  
10 for Livable Communities Program to the tune of \$2.2  
11 billion to really start making investments that support  
12 walking, bicycling, and transit use, and particularly  
13 putting those kinds of investments in areas that are  
14 very well established, near transit, and where we can  
15 support higher density developments.

16 The last investment area that I wanted to  
17 mention here is our Resolution 3434 Regional Transit  
18 Expansion program. This program was actually launched  
19 as part of our 2001 Regional Transportation Plan, and  
20 our commission has reaffirmed its commitment to this  
21 program. It includes a number of rail extensions as  
22 well as a suite of bus and ferry improvements.

23 This is an \$18 billion program, and we've  
24 recently developed a strategic plan that would help to  
25 strengthen the financial plans for all of these

20

1 individual projects. And, again, the commission has  
2 committed itself and will be delivering these projects  
3 over the next several years.

4 And just in closing, I just wanted to again

5 mention that this is the first of two public hearings.  
6 The second one will be held tomorrow at our commission  
7 meeting. If you attended this one, you don't need to  
8 attend the other one unless you absolutely want to.

9           Again, we're recording all comments and we'll  
10 be summarizing them for our commission. The comment  
11 period on your draft Environmental Impact Report, which  
12 is available for you to pick up, closes on Monday,  
13 February 2nd. Comments on our draft plan closes a month  
14 later, on Monday, March 2nd. And our plan is to take  
15 both our proposed final Transportation 2035 Plan as well  
16 as our proposed final Environmental Impact Report to our  
17 commission for its action in March.

18           We have two meetings. The first one is on  
19 March 13th, Planning Committee meeting and then, of  
20 course, our March 25 commission meeting where we would  
21 request action on -- final action on both documents.

22           with that, I'll close and turn it back to  
23 Kendall.

24           KENDALL FLINT: Okay. Thank you, Ashley.

25           What we're going to do now is give you an

21

1 opportunity to comment on these two documents. And I  
2 want to kind of go over a little bit of sort of how  
3 that's going to work and how these comments are going to  
4 be used so that we have an expectation that we can all  
5 live with.

6           At previous meetings, we've had a lot of  
7 back-and-forth dialogue where you've been asking  
8 questions and staff has been responding to that. At  
9 tonight's meeting, it's a little bit different. First,

10 we'll talk about the EIR. We'll be taking comments on  
11 the Environmental Impact Report and we're going to be  
12 looking for you to -- if you have any concerns or  
13 questions about the completeness of the document or the  
14 adequacy of the document.

15 If you didn't have time to read it in the half  
16 hour you were here, you can take it home this weekend  
17 and you can read it at your leisure and then provide  
18 written comments when you have a chance to really think  
19 that through. There's comment sheets also that you can  
20 write on tonight. And again, you can make those  
21 comments through the web site.

22 As it pertains to the draft plan, we are going  
23 to be taking your comments. And as Ashley mentioned,  
24 we're going to be summarizing those and bringing those  
25 comments back to the MTC Board. What I want to remind  
22

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1 you of is, that, yes, this is -- the big part of this  
2 document is going to be about the implementation. So  
3 while we're very interested in any comments or concerns  
4 you have, we won't really be having a dialogue about  
5 those tonight, unless we can help you better understand  
6 how to pose a question.

7 So if you have a question about how a study was  
8 done or why something was done in a particular way, if  
9 it's relevant to your ability to ask the question, we'll  
10 go ahead and have staff respond to that, but otherwise  
11 we're really not going to get into it.

12 We're going to have about an hour and 15  
13 minutes or so to go through this. And again, we want to  
14 get to as many people as possible. So what I'm going to

15 ask you to do is just raise your hand. You're going to  
16 have a little blue card. We just want to get your name  
17 on the blue card. And the reason for that is that our  
18 friends at the court reporting land can get your name  
19 correctly spelled for eternity in the documents that  
20 will be used to go with this meeting.

21 So with that, anyone like to start? Anyone  
22 have a comment? Let's go right here in the center,  
23 Scott. He's going to give you a microphone there so  
24 that we can all hear you.

25 NORMAN ROLFE: I'm Norman Rolfe. And the first  
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1 thing that occurs to me is, I think you've got the  
2 process, the cart, before the horse. How can you be  
3 making a complete EIR before you have a plan complete?  
4 It seems to me like it ought to be the other way around.  
5 You'd have comments on the plan itself and then later  
6 you prepare an EIR on that.

7 But there are some requirements here. The plan  
8 calls for freeway expansion, which would result more on  
9 the flow of traffic. One environmental impact that has  
10 not been evaluated or even mentioned, is the additional  
11 deaths and injuries from automobile accidents will be a  
12 result of this plan's generation of more automobile  
13 traffic, in other words, more VMT.

14 The attached document re: Doyle Drive -- and  
15 here's a copy for you here -- should prove that freeways  
16 are more dangerous than supposedly (inaudible), Doyle  
17 Drive, which had its last fatal accident in 2003. It  
18 certainly shouldn't be replaced by a freeway, which is  
19 in your plan. There will be deaths on it every year.

20 It should be easy to see the freeways are generally more  
21 dangerous than other types of roadways and this impact  
22 should be addressed in the EIR. And the plan will work  
23 against smart growth, transit, and transit-oriented  
24 development."

25 It will cause more loss of open space, more  
24

1 loss of farmland. Alternatives that would have been  
2 better from these viewpoints have been dismissed. This  
3 EIR and the alternative it promotes should be rejected.  
4 One of the alternatives that would be better for smart  
5 growth transit and transit-oriented development should  
6 be adopted and a new EIR and a new EIR outline should be  
7 made.

8 MTC should work with other agencies and cities  
9 and counties to adopt all these plans that will advance  
10 smart growth and transit and transit-oriented  
11 development. And they don't seem to be doing it right  
12 now. And the claims they're making -- 85 percent of the  
13 money available to the transportation project has  
14 already been committed. Apparently, "committed" means  
15 carried over from the Transportation 2020 Plan.

16 In a letter dated August 10th, 2008, the  
17 Attorney General threw doubt on this and urged you to  
18 review these projects and change the priority.

19 KENDALL FLINT: I'm going to ask you to wrap up  
20 just a little bit because it seems like you've got  
21 written comments, and we can take those and --

22 NORMAN ROLFE: Well, I may want to make some  
23 changes between now and tomorrow's meeting, but, okay.

24 well, to summarize, what's left here is, forget

25 about these committed projects. MTC says they can't do  
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1 anything about it. That's not my impression. MTC has a  
2 lot more power than it wants to admit, and it should  
3 start working with these local authorities and so forth  
4 and uncommit some of these projects and put on some new  
5 ones.

6 Now, there's one other thing that requires  
7 really close scrutiny, and that's the emphasis of the  
8 level of service. The level of service of E or F might  
9 actually be good for the environment if it discourages  
10 automobile use and encourages transit ridership.

11 Furthermore, after I wrote this, somebody  
12 informed me that this level of service isn't even in the  
13 CEQA law. It was someone -- by a legend interpretation  
14 and instruction on how to use it, apparently inserted on  
15 how to work that in.

16 And so, you might as well drop everything about  
17 LOS in being good, bad, or indifferent because,  
18 apparently, it's not required by CEQA.

19 KENDALL FLINT: Okay. Let's get your name for  
20 the record.

21 NORMAN ROLFE: It's Norman Rolfe, and it's  
22 spelled R-O-L-F-E, no relation to --

23 KENDALL FLINT: Okay. I'm going to come here  
24 in the back and see who this gentleman is right here.

25 And then if I can have you be brief and give us  
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1 your name.

2 FRED DOOLITTLE: My name is Fred Doolittle.

3 And looking through the plan, there's obviously a

4 tremendous amount of work that went into that and, you  
5 know -- so I think there's a lot of kudos.

6 One of the roles, I think, of the MTC in doing  
7 a quarter-century-out plan is to take a big picture  
8 view. And I think with the HOT lanes, they're doing  
9 that. I think with Bicycle Network, they're doing that,  
10 and that's fantastic.

11 Largely, though, the plan is just a collection  
12 of existing individual agency projects. And one of the  
13 major issues in the Bay Area is a backbone corridor, you  
14 know, up the peninsula, up from here to Marin, 680, 880.  
15 And, you know, the amount of demand during peak times on  
16 those is easily 20,000 or more people per hour, and in  
17 order to fulfill that you'd need a 15 or 20 or 30 lane  
18 freeway.

19 The only way to properly do that would be with  
20 some sort of high-capacity transportation, and I didn't  
21 see anything in here, even in a visionary sense or a  
22 conceptual sense of getting some transit, you know, at  
23 five-minute intervals down the peninsula, from here up  
24 into Marin, down 680 along the San Ramon Valley, and up  
25 80 to Sacramento. These are very severely deficient

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1 corridors today. A quarter century out it's going to be  
2 unbelievable. And with Caltrain at, you know, 15-minute  
3 intervals, is just -- can't even make a dent in the  
4 demand.

5 So between that and -- oh, another thing I  
6 noticed is there are several points where there are big  
7 intermodal intersections, like west Oakland, for  
8 example. You have automobiles, you have the Capital

9 Corridor, BART, all these things crisscrossing over each  
10 other, and there's no mention of getting some sort of an  
11 intermodal transit center in that location, in Dublin,  
12 in Walnut Creek. And there are probably a couple  
13 others, but that ought to be looked at, especially for  
14 looking at quarter-century out.

15 And finally, as the gentleman said, the whole  
16 funding picture could be changing in a very big way  
17 between the greenhouse gas regulation, not only  
18 statewide but nationwide and the infrastructures then  
19 coming available with the new federal administration.  
20 Thanks.

21 KENDALL FLINT: well, done. Next, right behind  
22 the blue shirt. I'm walking around by Scott, and I'll  
23 come over here on the right-hand side.

24 ROGER BAZELEY: Thank you very much. My name  
25 is Roger Bazeley. And the areas, two areas, I think  
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1 they're kind of missing is, there isn't enough emphasis  
2 in the EIR on the social and economic and equal part of  
3 the impact of transit. It's very important where the  
4 rubber hits the ground, so to speak, walking and  
5 pedestrians to and from different transit connecting  
6 points, nodes, and quarters. I think what's always been  
7 missing is a last-mile coordination between different  
8 modes of transit. We are a multimodal transportation  
9 region, and so I think that's something that needs to be  
10 more emphasized.

11 I believe two areas that I want to hit here in  
12 the PowerPoint are the transit maintenance issue and the  
13 road maintenance. And I want to use as an example,

14 let's just say, Van Ness Avenue; it happens to be in  
15 this particular transit district. I've noticed that  
16 over the last couple months in using the bus every  
17 single day and doing these transit changes in my pattern  
18 of commuting, that there's a real direct connection to  
19 the quality, the degraded quality of pavement, as to the  
20 comfort, enjoyability, and the desire to ride the  
21 transit system, whether it's MUNI or anybody else's.

22 Van Ness is a dual-jurisdictional corridor,  
23 Caltrans and San Francisco local control. Even though  
24 there's a plan to propose a BRT system along that, along  
25 Geary, and other areas of the Bay Area, which I think  
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1 are really good ideas to move travel to -- to shorten  
2 the travel time for commuters, there's a real direct  
3 connection to the comfort, not only the comfort of a  
4 rider, but if you look at the increasing level of  
5 seniors, the increasing level of those that are disabled  
6 and handicapped or with mobility disabilities, I think  
7 that we have a lot more of -- an increasing number of  
8 those people, because we have a very active society that  
9 does a lot of sports.

10 You'll notice that certain bus companies, like  
11 samTrans, they have padded seats, and so a senior can  
12 get in and be very comfortable. You know, so other  
13 systems, because they go to the lowest bid or for  
14 certain maintenance issues, vandalism or whatever  
15 mitigation of that, they have very hard seats. And  
16 therefore seniors, in different parts of topography in  
17 routes such as where they're very hilly, slide back and  
18 forth in the seats. They get banged up by the pipes.

19 They get banged up by the boarding.

20 Many of the buses have extremely -- especially  
21 ones that are, say, ten years old -- five or ten years  
22 old, are basically traditional buses where the platforms  
23 come out. And so they had a very high step thing. And  
24 at numerous times I've seen numerous people struggling  
25 to get up into the bus. Not only is it a time issue

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1 when you're loading, but it also increases the  
2 aggravation on people's mobility injuries.

3 I'd like to see some uniformity, where the MTC  
4 Regionally as an MOP [sic], ideas of uniformity in  
5 getting the highest level of accessibility so that one  
6 transit agency who decides to spend more money in that  
7 area, or has more money free, can do it, and another  
8 agency doesn't do it. And I would like to see where  
9 there are standards in our industrial design, our  
10 human-factor standards of everything from where we  
11 locate bus shelters, you know, and the type of bus  
12 shelters and seating that's available for people who  
13 have to wait for longer-distance buses, to the actual  
14 safety equipment in getting in and out of the buses are  
15 improved.

16 And I'll just cite one example of a system that  
17 really runs very well, that I've enjoyed, is the  
18 Wilshire BRT, the Rapid Bus System. It has a  
19 five-minute, six-minute headway during the rapid  
20 commute. They've upped their ridership from 45,000 to  
21 95,000. It proves that the system works very  
22 effectively. And they have these Nambi, N-A-M-B-I,  
23 buses, which are just incredible and the bus drivers

24 really seem to love them.

25 So the last thing is that when you're buying  
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1 buses and switching out, very often they're sometimes  
2 dictated to a lowest-bid situation where they don't get  
3 the best, most comfortable-type bus for the ridership,  
4 and so I'd like to see more of that emphasis in that.  
5 And as I say, I've combined the highway pavement  
6 structure. And what I'm saying about pavement is that  
7 when you have a transit corridor, especially used by --  
8 a light rail has its own smoothness.

9 KENDALL FLINT: Okay. I'm going to ask you to  
10 wrap up.

11 ROGER BAZELEY: Right, this is a wrap-up. I'm  
12 on the last sentence.

13 KENDALL FLINT: Okay.

14 ROGER BAZELEY: When you have a transit  
15 corridor such as the pavement is degraded, there should  
16 be some way where you don't have to wait five years for  
17 that pavement to be filled in when you're running a bus  
18 system down Van Ness, so you can get a smoother, better,  
19 more comfortable ride, and a faster, efficient service.

20 Thank you very much.

21 KENDALL FLINT: Thank you. Well said.

22 I think I saw a hand up here. Was that you?  
23 Okay, there you go.

24 JAIMIE WHITAKER: My name is Jaimie Whitaker.  
25 I'm with the Rincon Hill Neighborhood Association. I  
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1 just have a few project comments, things I would love to

2 see as someone who lives in the -- sort of the heart of  
3 the multimodal transit center area. A bicycle parking  
4 facility with showers I think would be great at some  
5 point near the Transbay center. As a full-time  
6 pedestrian, I think the biggest problem is, not so much  
7 getting wider sidewalks -- although I love them, but  
8 it's slowing cars down in -- south of Market in San  
9 Francisco. Extending Caltrain to Transbay, of course,  
10 is a big priority for me, expanding the ferry boat  
11 service. And finally, just making sure that the  
12 Transbay transit center is connected to BART.

13 That's it. Thanks.

14 KENDALL FLINT: Okay. Thank you. Now, we're  
15 going to go in the back here, the gentleman in the black  
16 shirt. You've got the -- Scott is coming up right  
17 behind you. Actually, we'd prefer you did just so we  
18 can catch it for the court reporters.

19 BOB ALLEN: Bob Allen with the organization  
20 called Urban Habitat based in Oakland, but I'm here  
21 tonight as a San Francisco resident. So this is a plan  
22 that a lot of us had followed for a long time. I think  
23 there is a lot of really laudable goals, and the staff  
24 should be commended for the vision and the approach.

25 I think it has one fundamental problem, and a  
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1 lot of us have talked about it for a while. It's  
2 premised on funding the existing system and, you know,  
3 transit being a robust part of achieving all the goals.  
4 And within that plan there's always been an  
5 inconsistency of major operating shortfalls for the  
6 major transit operators in the Bay Area.

7 Now, we're facing a pretty much -- what  
8 everyone agrees is an unprecedented economic crisis. We  
9 know that sales tax revenue and other kinds of revenue  
10 are going to be down dramatically in the Bay Area.  
11 Those transit operating shortfalls are going to, I  
12 think, only get worse, and that's not something that's  
13 the fault of any of the regional bodies or any of the  
14 regional governments; it's economic conditions overall.

15 I mean I would really like to see -- and I know  
16 we're not going to have a back and forth tonight -- is  
17 to press MTC: Are they going to go back and look at  
18 some of the fundamental assumptions that underline the  
19 calculations for how their calculating operating  
20 shortfalls in the systems.

21 In other words, there is really laudable goals  
22 in our economy, equity, environment. I don't see how  
23 you're going to meet them with a system that's facing  
24 even worse operating shortfalls than when the Draft RTP  
25 was being considered over the last year.

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1 I just think it's just a fundamental  
2 inconsistency that we're going to premise this based on  
3 transit, and the goals are based on that and your air  
4 quality performance. All those things are based on  
5 having robust transit.

6 You're facing bottoming out a revenue that's  
7 going to fund those transit operators. I think it's --  
8 I think it's problematic, to say the least, that we're  
9 going to go forward with this RTP without an honest  
10 recalculation or considering those numbers.

11 And the second point would be, real quickly,

12 anything that comes through in this economic stimulus  
13 that a lot of folks have been working on -- I don't want  
14 to get too in the woods about the kind of funding, but  
15 funds like 5307 dollars and funds that MTC has placed  
16 conditions on and how those funds could be used, I would  
17 hope that they're going to maximize any flexibility that  
18 comes through the Obama economic stimulus so that those  
19 funds can be allocated -- not according to transit  
20 capital needs, but maybe under the current crisis  
21 according to trans-operating shortfall needs and the  
22 maximum flexibility for operators.

23 I know a lot of people in the room right now,  
24 their eyes are probably glazing over. And we talked  
25 about this, but the point is we need to have really bold  
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1 leadership. We're hoping to get that in Washington, and  
2 I think we just can't go forward.

3 In the region I think we do have a lot of  
4 regional leaders, including people at MTC who want to do  
5 the right thing, but we really need them to make a  
6 dramatic shift. And we can't just go forward even  
7 though staff has worked on this stuff for a year and a  
8 half, two years or more of their lives with the same set  
9 of numbers and pretend that those numbers are  
10 fundamentally sound.

11 KENDALL FLINT: Okay. Thank you. Well said.  
12 All right. Someone else? Okay. I'll come up here and  
13 then we'll come back around and go one, two, three.  
14 Okay. Here you go.

15 RODNEY LLEWELLYN: You want me to stand up?

16 KENDALL FLINT: Sure, be a star.

17 RODNEY LLEWELLYN: Okay. I'm Rodney Llewellyn.

18 I would say the major problem that I have with  
19 the plan is that while it advertises change in motion,  
20 its basic purpose is to maintain the suburban lifestyle  
21 the way it is. Take a look at the rail investments. A  
22 lot of money is placed in rail investments, but almost  
23 none of that money is actually invested in the urban  
24 core.

25 San Francisco, for example, gets exactly two  
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1 miles of rail out of it, the central subway, which is  
2 probably one of the worst (inaudible) projects ever  
3 designed. But it is a San Francisco preferred  
4 alternative, so that's our fault.

5 And the second is the extension to Transbay  
6 Terminal, which may or may not happen as MTC has  
7 consistently fought that one over the years. That's a  
8 good project, but again, mainly serves suburban  
9 commuters coming into the city.

10 The inner East Bay gets virtually nothing.  
11 Basically all of the rail improvements are focused in  
12 outer regions, and so it's no surprise that they have  
13 the poor operating numbers that are indicated.

14 At earlier 2035 meetings, MTC showed that, yes,  
15 we're investing 60 billion in rail, but it's not  
16 variably very good. It doesn't really work that well,  
17 and the reason why is there were alternatives  
18 considered.

19 There was no opportunity for the public to  
20 place projects forward. We could name them, but they  
21 would simply have gotten ignored. They simply presented

22 a plan that was not like, here's Plan A, Plan B, Plan C.  
23 There is the plan; you either like it or you don't.

24 And the existing plan that's presented here is  
25 very inefficient, because it investigates the majority  
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1 of the money in places that are never going to have a  
2 high level of transit ridership, because the land use  
3 that is there simply doesn't support it. So the attempt  
4 is made to shore up an increasingly creaky suburban  
5 model, which depends on cheap gasoline and so on. Well,  
6 that becomes increasingly unlikely.

7 In some correspondence that I had with MTC,  
8 they indicated that their models assumed that in 2035 it  
9 will be cheaper to operate an automobile than it is now.  
10 Okay. I'm just curious how many people think that's a  
11 realistic model.

12 FRED DOOLITTLE: Some automobiles.

13 RODNEY LLEWELLYN: Some automobiles, okay.  
14 well, I think most people would find that rather  
15 unrealistic.

16 Two, their modeling for air quality depends on  
17 the concept that cars in themselves will become less --  
18 will become more efficient -- considerably more  
19 efficient, and therefore it's okay to have more and more  
20 of them.

21 So what we see is a plan that's designed for  
22 stasis and to support the existing model rather than  
23 really -- you know, for our transformation to a newer  
24 model which is actually, you know, pretty convenient to  
25 use transit.

1 I don't see that what the -- even with the  
2 proposed investments in transit that it will be  
3 significantly more convenient to use. I think if I was  
4 traveling, let's say, from here to Santa Rosa, by 2035 I  
5 would still be facing a four-hour transit ride and  
6 one-hour car ride. Just to pick one example. And that  
7 doesn't seem to me to indicate that there is going to be  
8 a significant mode shift.

9 KENDALL FLINT: Okay. Good point. Right here.

10 WOODY HASTINGS: Good evening. My name is  
11 Woody Hastings. I am a member of MTC's advisory -- I'm  
12 a member of MTC's Advisory Council. I was also recently  
13 appointed to the San Francisco Peak Oil Preparedness  
14 Task Force. I'm just speaking as a resident of San  
15 Francisco tonight.

16 As a member of the Peak Oil Preparedness Task  
17 Force, I've been emerged in information about Peak Oil.  
18 And based on my review of data and the range of opinions  
19 from petroleum geologists, I'm concerned that the MTC is  
20 significantly underestimating the future price of  
21 gasoline in its traveled forecast data summary where it  
22 estimates \$7.50 a gallon in 2035.

23 You know, I think that the current reprieve  
24 from high fuel price is very temporary and should not be  
25 misconstrued as some kind of sign that global petroleum  
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1 supply is not facing limitations in the next two decades  
2 and beyond. You know, that would be like  
3 misinterpreting current cold weather snaps is an  
4 indication that climate change is not a problem.

5 Even many of the most optimistic petroleum

6 geologists place the peaking of supplies well before  
7 2035. And the significance to the peak, for those that  
8 aren't familiar with it, is that once we're on the  
9 downside of the peak, in a petroleum depleting context,  
10 we will be in uncharted territory relative to pricing of  
11 petroleum fuels.

12           So the regression models that were used to come  
13 up with the \$7.50 estimate which is based on historic  
14 conditions won't apply. I'm not exactly sure what to do  
15 about that.

16           My initial suggestion is to try and predict --  
17 is to not to predict what the price will actually be,  
18 but just to come up with a couple of higher estimates.  
19 But I understand that that would complicate things  
20 significantly, so I'm not exactly sure what to suggest  
21 on that. But I just think that the estimate -- current  
22 estimate is way too low.

23           which brings me to another suggestion. I do  
24 commend the MTC for adopting the three E's: Efficiency,  
25 environment and equity. And I think those three guiding  
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1 principles cover a lot of territory, but I -- that  
2 sounds better -- but I do believe there is something  
3 important missing.

4           The three E's referred to in the report as  
5 principals of sustainability, but then they are sort of  
6 unpacked to talk about reliability, efficient freight  
7 travel, clean air climate and so forth, and they leave  
8 out one important thing in the details of what it's all  
9 about, which is sustainability.

10           And when I say that, I mean strictly  
Page 34

11 sustainability in terms of being able to continue  
12 getting around business as usual, not that I'm  
13 suggesting that we might want to continue getting around  
14 in a business-as-usual way. But I'd like to suggest a  
15 fourth E, which is energy.

16           It's not that -- and maybe this is for the  
17 future iteration of the next plan for 2013, but -- and  
18 it's not that energy mostly in the context of fuels is  
19 not addressed in the RTP, it's just that it's not  
20 emphasized to the degree I think it needs to be.

21           KENDALL FLINT: I'm going to ask you to wrap it  
22 up just a little bit.

23           WOODY HASTINGS: Yeah. So I guess that's  
24 pretty much it.

25           KENDALL FLINT: Okay. Well done.

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1           Paul.

2           PAUL BROOKS: Yes. I'm Paul Brooks, and I'm  
3 rather concerned on this in that the cost of transit  
4 both in -- is listed at 65 percent expansion and  
5 maintenance of the total spent when it carries, what,  
6 ten percent of the passenger miles.

7           And I'm utterly staggered that it is so  
8 expensive, which means that it's much more heavily  
9 subsidized than, say, driving. And I'm worried that the  
10 cost of Co2 production per ton is vastly higher than it  
11 would be in a more -- well, a more sensible  
12 environmental regulation to try and look at the cost of  
13 Co2.

14           I don't see that the problem is going to be oil  
15 reduction. I see the problem is going to be getting rid

16 of carbon dioxide and the cost. And it doesn't appear  
17 that -- anywhere that it has estimates of the cost of  
18 carbon dioxide per ton for the remission reduced here,  
19 or the cost per passenger mile on the very subsidies.

20 It's clear that this massive investment in  
21 transit makes almost no difference in driving  
22 whatsoever, and it's unfortunate, but it's a reality. I  
23 think from an environmental viewpoint, if we have loads  
24 and loads of more cars which is simply stuck shuffling  
25 along the freeway, that could be much worse than having

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1 a free-flying system. So I think the cost effective per  
2 passenger mile has to be looked at.

3 And I'm personally against expensive rail  
4 systems when they degrade the bus system which the poor  
5 and the infirm -- of which we will all be one day when  
6 our eyesight goes -- depend on to get around.

7 And instead, it's spent on expensive -- a few  
8 percent of commuters who can travel on expensive rail  
9 systems, which has happened in Los Angeles and here in  
10 part. And I think that needs to be looked at as an  
11 equitable point of view after. Thank you.

12 KENDALL FLINT: We're going to the back.

13 ARLY CASSIDY: My name is Arly Cassidy. I'm  
14 the assistant planner for the City of Emeryville and a  
15 resident of Oakland.

16 My comment has more to do with a kind of gap in  
17 what comes next. As the assistant planner for  
18 Emeryville, I was looking at this hoping to get a little  
19 more guidance on how to incorporate your proposed plans  
20 into Emeryville's next steps.

21           So I'm wondering if there are follow-up  
22 documents that are proposed, or if there is going to be  
23 kind of more information on how the individual  
24 municipalities that this plan affects can implement the  
25 goals and projects that you suggest and how we can maybe

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1 have a vote of support.

2           You know, if there is a document that we can  
3 sign saying this is a great idea, here's what I wish was  
4 here. I'm pretty new to this field, so I don't know  
5 what the process has been.

6           KENDALL FLINT: Let me try and answer that just  
7 in very slight.

8           As far as the environmental question goes, if  
9 you have questions about the environmental document, one  
10 of the things that will happen is the final EIR is  
11 basically a written response to any question an  
12 individual or a jurisdiction or an agency may have.

13           As it pertains to the plan, though, great  
14 question and great point. The implementation phase is  
15 really the big part of this -- and I wonder, Therese,  
16 did you want to chime in on that just a little bit and  
17 kind of explain? That's going to be the real work  
18 ahead.

19           THERESE MCMILLIAN: Yeah. The plan, you might  
20 say, is sort of just this blueprint for like a quarter  
21 century. So the important piece is that within the plan  
22 there are a number of specific programs.

23           For example, Transportation for Livable  
24 Communities program, or the work that we're doing with  
25 smart Growth, our climate program. In each one of those

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1 instances, there will be an entirely different level of  
2 outreach and working with cities and counties on  
3 specific next steps.

4 So you know, it's hard in this little document  
5 to kind of lay that all out, but the point will be made  
6 by the Commission and we'll take this as maybe stressing  
7 that next level of involvement as part of a final, that  
8 that's a full expectation that we need to do.

9 ARLY CASSIDY: Great. I was just hoping that  
10 it would be kind of expanded out, and there's room for  
11 more specificity and involvement, so thank you.

12 KENDALL FLINT: Great. Next question. We'll  
13 come over there. Scott, can you help on that side.

14 MICHAEL LUDWIG: Hi. I'm Michael Ludwig, and I  
15 wanted to comment on a couple of other people's  
16 comments, mainly, like this guy in front of me was  
17 commenting on how the road quality can affect the  
18 transit ride quality.

19 And I also wanted to say that the quality of  
20 the roads that the buses travel on will also affect how  
21 much money you have to spend to maintain the buses.

22 And so I think when you look at -- especially  
23 since you have shortfalls, when you look at where are  
24 these road maintenance monies going, the priority should  
25 be to the transit corridors, the corridors where the

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1 buses are, so that you don't have the increased bus  
2 maintenance cost for that.

3 And I also wanted to comment on I think the

4 extension of Caltrains to the First and Mission Transbay  
5 terminal is a necessary project. It's long overdue, and  
6 I'm excited to see you pick phases 1- and 2A fully  
7 funded. I was looking at appendix A being a details  
8 geek.

9 But I'm disappointed that there is a phase 2B  
10 and that the shortfall remains in that, and I'm confused  
11 as to what that means for the Caltrains extension and  
12 the new Transbay terminal.

13 Will it be completed by 2035 or not? I would  
14 think -- I would think it would be an appallingly bad  
15 decision if those two projects are not completed by  
16 2035.

17 KENDALL FLINT: Go ahead. Wrap it up and then  
18 we'll --

19 MICHAEL LUDWIG: Okay. And I just also wanted  
20 to say that I think you should be investigating more  
21 money in mass transit, because it's more efficient  
22 transit, and it can take more people per lane, you know.

23 KENDALL FLINT: Okay. Well done. Anyone else  
24 want to comment? Oh, right next -- there. The woman  
25 just to his left -- right.

46

1 SHIRLEY JOHNSON: Hi, I'm Shirley Johnson, and  
2 I notice that you want to improve the freeway system,  
3 you said a freeway performance initiative. That sounds  
4 like a great idea at fist, but if you make it easier for  
5 people to drive, more people will drive. And what we  
6 really would like to see is more people on transit.

7 There's a question of greening the last mile,  
8 and I would recommend that if people can walk, that's

9 great, but bicycling will make that more than one mile,  
10 three to five miles. And if you put bicycles on  
11 transit, then people have that option at the other end.  
12 It's just as flexible as the automobile.

13 KENDALL FLINT: Well put. Anyone else? Oh,  
14 say it isn't so. We're going to finish early? Right  
15 over here. Welcome to the meeting.

16 JONATHAN FRIEMAN: Just in time. This is the  
17 public comment section; right?

18 KENDALL FLINT: This is public comment. We're  
19 not actually having a dialogue on this. We'll give you  
20 a couple of minutes to state your case. There's also  
21 some forms you can fill out and put a written comment  
22 in.

23 JONATHAN FRIEMAN: Okay.

24 KENDALL FLINT: This is regarding the Draft  
25 Plan and the EIR.

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1 JONATHAN FRIEMAN: I was at a presentation  
2 earlier this year in San Rafael, and some folks talked  
3 about an issue called Peek Oil. I don't know that  
4 that's been brought up tonight or not. Has it been.

5 KENDALL FLINT: Yes.

6 JONATHAN FRIEMAN: Well, that's what I was  
7 going to talk about. I was quite surprised that it was  
8 not mentioned in either the EIR or the other reports. I  
9 download both reports, and I was surprised.

10 Both reports seem to be predicated by the fact  
11 that the same amount of energy for 35 years -- or 15 to  
12 20 years -- that we have now. It's not the case. And  
13 so there is a line where it says how transportation can

14 affect energy use, and I think it's the other way  
15 around. How is energy going to affect the  
16 transportation? I really hope we can concentrate on  
17 that.

18 KENDALL FLINT: Can we get your name just so we  
19 have it for the court reports here.

20 JONATHAN FRIEMAN: I filled out the blue card.

21 KENDALL FLINT: Okay. But if you can say it  
22 again, just so...

23 JONATHAN FRIEMAN: My name is Jonathan Frieman.  
24 And there is a movement called the Transition Town  
25 Initiative, and that's just starting up like wild fire  
48

1 across the U.S., and I'm involved in Marin on that one.

2 KENDALL FLINT: Great. Thank you. I thought I  
3 saw a hand in the back. Did I see a hand in the back?  
4 I did, right here in the...

5 SHERYL KARPOINZ: Hi. My name is Sheryl  
6 Karpoinz. I'm originally from New York City. I came  
7 here in September because I have always wanted to live  
8 in the Bay Area. And I guess I'm spoiled having grown  
9 up in the South of Brooklyn and having to commute over  
10 30 miles every day to school, and right now the subway  
11 system only costs \$2. And it's very, very expensive,  
12 unlike what I see is -- you know, the BART system here  
13 has like three and five transit fare zones.

14 I went for an interview in Walnut Creek about a  
15 month ago and a roundtrip cost me \$15. That was really  
16 expensive. And I can imagine people that have to  
17 commute on a daily basis to San Francisco -- I mean how  
18 can you afford \$15 every day.

19 In addition, I was reading on page 28, you  
20 write: "Massive investment in transit over the next 25  
21 years will deliver only 10 percent of the carbon dioxide  
22 reduction in the Bay Area needed to meet the 2035  
23 objective of limiting daily Co2 emissions." So from  
24 what I understand, that's not going to be meeting AB 32  
25 mandate.

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1 And in addition, I was reading that the  
2 majority of funding comes from a gasoline excise tax, so  
3 I see that being rather ironic.

4 And like this woman said here, I mean if you  
5 give more -- if you have to increase roads, for  
6 instance, to have more HOT lanes, then you're giving  
7 more people the incentive to drive. So that's not  
8 really helping the situation. I would say you should  
9 put more funding into mass -- your mass transportation  
10 system.

11 KENDALL FLINT: Okay. Well done. Anyone else?  
12 I'm going to check and see -- if nobody else has any  
13 comments, then we'll -- nobody has anything else they  
14 want to add?

15 PAUL WEBBER: I'll make a comment.

16 KENDALL FLINT: Okay. Right here. Well, go  
17 ahead, and then we'll let you go back. It's not like I  
18 want to force you or anything. American Idol is on  
19 tonight, just in case you didn't know.

20 PAUL WEBBER: What was that?

21 KENDALL FLINT: Never mind.

22 PAUL WEBBER: My name is Paul webber. So one  
23 of the things that I was wondering about is -- and I've

24 just gone briefly through this, and I don't know whether  
25 it's addressed. But it's actually the announcements of  
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1 the changeover that so much emphasis is put on freeway,  
2 and I think that a lot of people have brought that up.  
3 And I have heard something about Peak Oil and so on.

4 And I know there is a great optimism that  
5 somehow technology is going to solve this and we're  
6 going to be able to have hybrids and high-efficiency  
7 cars and things like that.

8 But we do have a system -- we do have a problem  
9 where it's, you know, if we want to think of our  
10 roadways as arteries, you know, we're going to have high  
11 blood pressure really, you know. How are we going to  
12 get all these cars on these roads, and it doesn't seem  
13 to be addressing it.

14 And then I think, you know, the point that you  
15 brought up that we're going to fail to meet our AB 32  
16 goals. That's not being addressed. It needs to be  
17 addressed much more aggressively. And if it's not -- if  
18 we've got a plan here to 2035 and we're not addressing  
19 that here in the Bay Area, what are we doing? You know,  
20 we have to start making those decisions now. So anyway,  
21 that's my comment.

22 KENDALL FLINT: Well put. Okay. Before I go  
23 back to this gentleman here, does anyone else want to go  
24 on the record tonight? Okay. we'll go back.

25 RODGER BAZELEY: Rodger Bazeley, again. I just  
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1 want to add one short thing.

2 The Peak Oil discussion brought up a point that  
Page 43

3 I wanted to ask if it was emphasized enough or see if  
4 it's emphasized enough, is the electrification of  
5 Caltrains is one of the big projects that they're trying  
6 to get done, and it's sort of a little bit behind, I  
7 believe.

8 But the issue is the electrification of  
9 different types of transit, such as trolley/buses versus  
10 hybrid/diesel. And I wonder if there is some workup on  
11 MTC on those particular issues so that one could see  
12 what the impact -- the cost impact is going to be on  
13 meeting the air quality standards as it goes on through  
14 the -- until we get to 2035, basically.

15 And so I'd like to see that kind of analysis  
16 come out in some of the discussions, some of the  
17 paperwork, some of the work, and so we know that where  
18 we fall when we cost out the transit system, where we  
19 should emphasize electric trolley systems for Rapid Bus  
20 systems, the BRT's that are going to be proposed and put  
21 along certain corridors, and where we should be actually  
22 looking for the technology of both electric and diesel  
23 hybrid buses so that the systems can be operated on an  
24 canard (phonetic) system and operated on off, therefore,  
25 the buses have some flexibility.

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1 Also, the last thing is there is some issues  
2 with equipment that have become very expensive for BRT  
3 when you want to do a center island versus two-side  
4 offloading, which is the traditional right-hand door  
5 loads on buses.

6 There is a need for some of the more advanced  
7 systems, if you want to use an island center to have

8 dual-side loading board issues. And so if we could get  
9 the purchase numbers up and the application of that in  
10 more zones, it might be able to bring down the cost of  
11 some of their equipment. Thank you.

12 KENDALL FLINT: Thank you. Before any of you  
13 sneak out, I'm going to ask you to do something before  
14 you leave with those little clickers. So don't leave  
15 yet, please.

16 Okay. Right here and the one in the back,  
17 yeah.

18 DON ROTHBLATT: Hi. Is this working?

19 KENDALL FLINT: I might just have the good mic.  
20 That's okay. Here you go.

21 DON ROTHBLATT: Hi. My name is Don Rothblatt,  
22 and I'm also the advisory counsel for MTC, but I'm  
23 speaking for myself tonight, if I may.

24 And I just want to add my voice to the other  
25 voices arguing for more investment in transit, but not  
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1 necessarily trains, as this gentleman suggested. I mean  
2 buses can be seen as the kind of capillaries of the  
3 transit system, and if you do need to serve the bulk of  
4 this suburban community, which the last of our  
5 metropolitan areas are comprised of, buses would be in  
6 my judgment the best way to go.

7 But in any case, I'm not criticizing the  
8 presentation tonight. I think it was great, and the  
9 staff has done a fabulous job on all this work, but  
10 there were some important graphs that were presented in  
11 other events for public participation that weren't  
12 presented in the power point presentation today.

13           And on page 82 you have different maintenance  
14 graphs. And although there are other important issues  
15 as to how firm those numbers are and projection of  
16 probabilities of what those outcomes really will happen.

17           But in any case, on page 82 there is a graph  
18 about transit maintenance, which lends credibility I  
19 think to some of the comments -- many of the comments  
20 that were made tonight about investigating more into  
21 transit, especially in the maintenance of transit.

22           And as I understand it, Therese, from what we  
23 are discussing on other meetings, that there is enough  
24 money in the kitty estimated to replace all the moving  
25 stock, but that's the stock that exists now; is that  
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1 correct? Not what might be used in 25 years. You need  
2 more stock.

3           So you're not only going to have to replace --  
4 just to stay at this level of service -- I'm going to  
5 use that term -- where we are now, we would not only  
6 have to replace all the vehicles we have in effect now,  
7 but add, whatever, another 25 percent. So I don't know  
8 if that covers that.

9           Of course that's capital investment, but it  
10 seems that even if you can marginally replace what you  
11 have, which seems to be the case, there are so many  
12 other -- and I don't want to use words against you --  
13 you know, replacement of assets such as stations,  
14 maintenance facilities, service vehicles, will be  
15 deferred and requires increasing the expense of  
16 maintenance or repairs later on.

17           But if the cornerstone of this plan -- or one  
Page 46

18 of the major corner stones is in fact encouraging people  
19 to use transit and there are arguments -- legitimate  
20 arguments where that transit should be located, what  
21 type of transit to different parts of the region.

22           It makes just common sense that you should take  
23 extra care to maintain the transit at an excellent level  
24 or near excellent; especially given the fact that it's  
25 likely that the funds you're counting on may not always  
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1 be there given the -- you know, the dire straights of  
2 the economy. So anyway, that's it. I'm just adding a  
3 voice into that.

4           Just another quick comment or two and that is:  
5 will these comments be made available on the internet  
6 or, you know, to what extent will the results of these  
7 meetings --

8           KENDALL FLINT: We'll be addressing that after  
9 we wrap this up.

10           DON ROTHBLATT: Okay. And then finally, to  
11 what extent have the comments that you've gotten on the  
12 participatory process really change the plan along the  
13 way? Do we really know that? I mean, you know, how  
14 transparent -- if I can use an overworked term these  
15 days -- has been the process of decision making? Thank  
16 you.

17           PAUL BROOKS: I just wanted to comment again.  
18 I think that all of us would wish that if we just spent  
19 a little more on transit and not on roads, that most  
20 people would be able to take transit and make a  
21 difference.

22           The data shows it doesn't. That's the horrible  
Page 47

23 thing. And I love transit. I take trains whenever I  
24 can, which most of the time is not, because I don't have  
25 time, and I don't have the money.

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1           The lady was saying that it cost a lot of money  
2 to take BART to Walnut Creek. That covers 60 percent of  
3 the operating cost. Add capital cost; three to four  
4 times.

5           The horrible fact is our rail systems are only  
6 viable because they're heavily subsidized by the rest of  
7 the population, mostly who drive. That is not a  
8 sustainable system to try to replace cars.

9           They depend on cars, and that data shows that  
10 clearly in this report -- which I think is very good --  
11 is the fact that 65 percent of the money spent on  
12 transit results in essentially no appreciable decrease  
13 in the amount of driving. We need to look at the cost  
14 effectiveness of all of these systems.

15           And frankly, I completely agree that a lot of  
16 the suburban rail systems are so hopelessly cost  
17 ineffective that they should be just scrapped.

18           But when you say let's build a system in San  
19 Francisco because it's more efficient, I have been told  
20 that by far if you want to make the biggest difference  
21 in carbon dioxide or the number of people in this nation  
22 the way you put transit, you put it in New York City.  
23 That's where you build the best system, because it's the  
24 most cost effective -- as this lady was pointing out --  
25 and the rest of the system doesn't.

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1           And that's the horrible fact that we have to  
2 face the fact that we have to make cars much more  
3 efficient and much less polluting, and that's really the  
4 way the data shows it. It's the only way we can do it,  
5 and it's unfortunate. I don't like.

6           I come from Britain where gasoline costs \$9 a  
7 gallon. In the 1980's -- late 80's and early 90's, the  
8 government raised the prices at 7 percent a year to get  
9 people off the road. And most people (inaudible) the  
10 middle and upper class is trying to keep the poor off to  
11 keep the roads uncrowded.

12           The roads are vastly more crowded now. People  
13 drive small efficient diesel cars, which is great. I  
14 think that's good, but that's the way it is. 87 percent  
15 of the trips in Britain are made by car, 92 percent in  
16 the United States. Even the cost of gasoline and Peak  
17 Oil is not going to make that much difference, and that  
18 has to be the reality.

19           KENDALL FLINT: Okay. I wanted to address a  
20 couple things here. We're going to go here, and then  
21 we'll go up here in the front.

22           The comments that we're taking tonight are  
23 going to be part of a record. That record will be part  
24 of a report that will be coming out in support of the  
25 plan. It will talk about all of the comments that were  
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1 given and how they were put together.

2           In terms of influencing the overall document, I  
3 think when we get done tonight, we might want to have a  
4 little wrap-up on that from Therese just to kind of talk  
5 about that. But the bottom line is yes, it definitely

6 has, because this document is much different than  
7 previous RTP's.

8 Amanda, we'll go here with you.

9 AMANDA?: Thanks so much. My name is Amanda  
10 Ekin (phonetic). Thank you again to staff and  
11 commissioners for all your hard work. Just two quick  
12 comments.

13 I read a very promising document today that  
14 many of you have probably seen from the Joint Policy  
15 Committee on implementation of SB 375. And it indicates  
16 that MTC might actually start working as soon as this  
17 year with local agencies to make sure that regional  
18 investments and policies actually support both AB 32  
19 goals and SB 375 implementation and compliance.

20 And I just want to strongly recommend our  
21 support for this intention, and we would like to see a  
22 firm commitment in the RTP and the EIR for including  
23 sort of an outlined plan for how MTC will work with  
24 local agencies to achieve the greenhouse reduction goals  
25 of AB 32 and 375.

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1 And then just the second comment: I understand  
2 that the no-project alternative and the EIR actually  
3 includes 28 billion in expansion projects, which is a  
4 little bit confusing to some of us. So we would like to  
5 see a refined definition of no-project alternative that  
6 is truly a no-project alternative, so that we can truly  
7 assess the impacts of the various alternatives. Thank  
8 you.

9 KENDALL FLINT: Okay. I think I had a couple  
10 more comments up here in the front, yeah.

11 JANEL STERBENT: Hi, Janel Sterbent. I think  
12 the pedestrian travel is an essential link between  
13 people's houses and transit, and it's essential for it  
14 to be safe, convenient and comfortable. And I don't see  
15 any funding going towards pedestrian transportation, and  
16 I was wondering if that was because it's not considered  
17 a regional project.

18 And also I feel like the plan underestimates  
19 the impact that bicycle transportation will have in  
20 reducing vehicle miles traveled. We depend too much on  
21 highway projects and just accommodating increase in  
22 highway traffic.

23 KENDALL FLINT: I have one other comment over  
24 here. One second. Has everybody else chimed in? Okay.  
25 we'll take you as the final comment.

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1 NORMAN ROLFE: Yeah.

2 KENDALL FLINT: And then we'll go back.

3 NORMAN ROLFE: This will be a really quick one.

4 KENDALL FLINT: Now, real quick.

5 NORMAN ROLFE: Okay. You hear a lot of people  
6 saying that if we increase efficiency, move traffic,  
7 relieve congestion, we could get rid of air pollution.  
8 Wait a minute. Let's analyze some numbers here.

9 Let's take a car that's going 10 miles -- is  
10 caught in traffic, it's averaging ten miles an hour and  
11 only getting ten miles to the gallon. That means in one  
12 hour, it's going to burn one gallon of gasoline, put one  
13 gallon worth of pollutants into the air.

14 So now we speed up traffic, we build a super  
15 freeway, cars moving 50 miles an hour, and you're

16 getting 30 miles to the gallon. Hey, but wait a minute,  
17 that means in one hour it covers 50 miles and it burns  
18 one and two-thirds gallons of gasoline.

19 So this means more -- far more pollutants from  
20 the cars that had been speeded up than by the ones stuck  
21 in traffic. So when people use this excuse that we got  
22 to build freeways, we got to speed up traffic because  
23 that's going to reduce air pollution, the answer is no,  
24 it doesn't.

25 KENDALL FLINT: Okay. Well, we definitely 61

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1 heard some very interesting comments tonight, and I know  
2 that staff will be working very diligently to put those  
3 together. I want to remind you that the comments on the  
4 environmental impact report, any comments or questions  
5 need to be to MTC by this Monday.

6 Is that a 3 o'clock deadline, Ashley?

7 ASHLEY NGUYEN: 4:00.

8 KENDALL FLINT: 4 o'clock, oh, I'm sorry. Read  
9 the thing, a 4 o'clock deadline. You'll have an  
10 additional month to make comments on the draft RTP, and  
11 that will be on March 2nd.

12 And then again, staff will be responding to all  
13 of your questions as they relate to the EIR in the final  
14 Environmental Report Document. And so everybody who  
15 asked a question -- sometimes there may be people who  
16 asked the same question more than once, but they will be  
17 answered.

18 As far as the Regional Transportation Plan goes  
19 -- will you turn the volume down on that for me? As I  
20 get closer, I think that's what it is -- those comments

21 will be taken back to the MTC board and they will be  
22 made aware of what kinds of things came out of these  
23 meetings.

24 Now, what I would like to do now is have you  
25 all grab your little clickers again, because they're so  
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1 much fun. And if anybody does not have one because you  
2 maybe arrived a little bit late, please raise your hand,  
3 and we'll get one over to you.

4 This will only take just a few very brief  
5 moments, and one of the things that's really important  
6 and really helping us, we go back to federal government  
7 and basically say, this is what we did for our outreach  
8 programs. So we try to get as much feedback for about  
9 how we can improve this and make it better.

10 So I'm going to ask you a series of questions  
11 and just ask you to give your honest opinion. Does  
12 everybody have one now? Okay. For those of you that  
13 missed the beginning, they're pretty simple. You just  
14 pick the number that's your answer and vote. And what  
15 I'm going to do right now -- I apologize in advance --  
16 we're all going to see the answers. Normally, I try to  
17 hide them.

18 This question right here: I had the  
19 opportunity to provide comments tonight. Number 1,  
20 strongly agree; 2, agree; 3, neutral; 4, disagree; 5,  
21 strongly disagree.

22 So how did you feel about tonight? Did you  
23 have an opportunity to provide comments? Okay. So  
24 everybody seems to have chimed in on that one. Let's  
25 see.

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1 I found the meeting useful and informative.  
2 Strongly agree, agree, neutral, disagree, strongly  
3 disagree.

4 I guess I was smarter than I thought. Okay.  
5 You've had a chance to answer that one. Great. We'll  
6 move on to the next question.

7 I gained a better understanding of other  
8 people's perspectives. Again, that's strongly agree,  
9 agree, neutral, disagree, strongly disagree.

10 I swear this is the fastest group on these  
11 clickers that we've had in the last year and a half.  
12 It's really impressive.

13 The information presented was clear and had a  
14 an appropriate level of detail. Strongly agree, agree,  
15 neutral, disagree, strongly disagree.

16 Okay. That's everybody.

17 There were no barriers (language or other) that  
18 prevented me from participating.

19 Okay. A couple more to go there, and I think  
20 that might have been the last one. It was.

21 Hey, on behalf of MTC staff and everybody  
22 that's been working on this project, we really value  
23 your time and your opinions. Thank you so much for  
24 coming tonight. Again, there will be another meeting  
25 tomorrow. There's yellow sheets over on the right so  
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1 you can put additional comments. Everyone go home. Be  
2 safe. Thank you.

3 (whereupon, the meeting was concluded at  
4 8:47 p.m.)

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1 CERTIFICATE OF REPORTER

2  
3 We, Dawn E. Howard, CSR No. 13201, and Audrey L.  
4 Takato, CSR No. 13288 Certified Shorthand Reporters, do  
5 hereby certify:

6 That said proceedings were taken by us at the time  
7 and place set forth and was taken down by us in  
8 shorthand and thereafter reduced to computerized  
9 transcription under our direction and supervision, and

10 we hereby certify the foregoing transcript is a full,  
11 true, and correct report of said proceedings which took  
12 place.

13 And we further certify that we are disinterested  
14 parties to the said action nor in any way interested in  
15 the outcome thereof.

16 IN WITNESS WHEREOF, we have hereunto subscribed our  
17 name this 29th day of January 2009.

18

19

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\_\_\_\_\_  
DAWN E. HOWARD, CSR No. 13201

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AUDREY L. TAKATO, CSR No. 13288

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EMERICK & FINCH (925-831-9029)

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MTC PUBLIC HEARING ON THE DRAFT TRANSPORTATION 2035 PLAN  
Oakland, California, 10:00 a.m.  
Taken before DAWN E. HOWARD, CSR No. 13201, and  
AUDREY L. TAKATO, CSR No. 13288

Wednesday, January 28, 2009

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A P P E A R A N C E S

1  
2  
3 TOM AZUMBRADO, MTC Commissioner  
4 TOM BATES, MTC Commissioner  
Page 1

5 DEAN CHU, MTC Commissioner  
6 DAVID CORTESE, MTC Commissioner  
7 CHRIS DALY, MTC Commissioner  
8 BILL DODD, MTC Commissioner  
9 DORENE GIACOPINI, MTC Commissioner  
10 FEDERAL GLOVER, MTC Commissioner  
11 ANNE HALSTED, MTC Commissioner  
12 STEVE KINSEY, MTC Commissioner  
13 SUE LEMPERT, MTC Commissioner  
14 JAKE MACKENZIE, MTC Commissioner  
15 JON RUBIN, MTC Commissioner  
16 BIJAN SARTIPI, MTC Commissioner  
17 JIM SPERING, MTC Commissioner  
18 ADRIENNE TISSUER, MTC Commissioner  
19 AMY WORTH, MTC Commissioner  
20 KEN YEAGER, MTC Commissioner  
21 FRANCIS CHIN, MTC Attorney  
22 STEVE HEMINGER, MTC Executive Director  
23 ANN FLEMER, MTC Deputy Executive Director, Operations  
24 ANDREW FREMIER, MTC Deputy Executive Director  
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1 P R O C E E D I N G S

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3 BILL DODD: I'd like to begin and open this  
4 public hearing on MTC's Draft Transportation 2035 Plan.  
5 MTC is responsible for preparing the Regional  
6 Transportation Plan for the nine Bay Area counties. The  
7 plan will guide Bay Area transportation policies and  
8 investments over the next 25 years.

9 we are nearing the end of a 24-month dialogue.

10 we've held dozens of meetings around the nine Bay Area  
11 counties to talk about priorities and investment  
12 tradeoffs. We've taken what we've heard, completed a  
13 technical analysis, and released a draft plan for public  
14 comment. We call it the Draft Transportation 2035 Plan,  
15 and we've added a subtitle, "Change in Motion."

16           The key word here is "Change." We're proposing  
17 to do a lot of things differently with the  
18 Transportation 2035 Plan than we have with past plans.  
19 In a moment you will hear a brief overview of the draft  
20 plans.

21           We are here this morning to hear from the  
22 public. We have two court reporters taking down all  
23 comments. If you wish to speak, please fill out a blue  
24 speaker card. MTC public information staff are here to  
25 collect your cards. If you want to offer written

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1 comments, we have a yellow comment sheet for your  
2 convenience. The public comment period on the Draft  
3 2035 Plan Environmental Impact Report closes on Monday,  
4 February 2nd at 4:00 p.m. The close of the public  
5 comment for Draft Transportation 2035 Plan comes a month  
6 later on Monday, March 2nd at 4:00 p.m. Staff will  
7 summarize comments here today for the February 13th  
8 Planning Committee Meeting.

9           And now I'd like to introduce Ashley Nguyen,  
10 who will make a brief presentation on the Draft  
11 Transportation 2035 Plan. Ashley.

12           ASHLEY NGUYEN: Thank you, Chairman Dodd. Good  
13 morning, Commissioners. Ashley Nguyen with MTC's  
14 planning section. And I'm here to provide an overview

15 of our Draft Transportation Plan as a context piece for  
16 today's public hearing.

17           Let me begin with some basics. The  
18 Transportation 2035 Plan is a 25-year, long-range  
19 regional transportation plan that lays out the  
20 transportation policies and investments that will serve  
21 the mobility and accessibility needs of the Bay Area  
22 population. As Chairman Dodd mentioned, we took a  
23 different approach in developing this plan than we did  
24 in past plans.

25           From the get-go we started with a collaboration  
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1 process. We partnered with our regional agencies. This  
2 includes ABAG, the Air District, as well as BCDC in  
3 developing this plan. We also established the three E's  
4 of economy, environment, and equity, as well as the  
5 goals and performance objectives to provide the policy  
6 framework for the Transportation 2035 Plan.

7           we focused our effort from the start on  
8 developing a vision of what we would like to see in year  
9 2035 and thinking about the transportation policies and  
10 investments that would support that vision. So this is  
11 a structurally different approach than past plans, where  
12 we started with the budget first and focused on project.  
13 So again, vision before budget was our focus this time  
14 around.

15           we also did a completely different planning  
16 approach. We assessed performance. Performance was a  
17 big thrust in the development of the Transportation 2035  
18 Plan. We assessed performance at a number of different  
19 levels. One, at a scenario performance assessment.

20           We did a project level performance assessment,  
21 and once the commission developed its Draft  
22 Transportation 2035 Plan, we ran our plan through that  
23 performance assessment. And this performance assessment  
24 will really help to provide the framework for all the  
25 discussions we had with investment tradeoffs and then

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1 ultimately the development of the draft investment  
2 strategy. The plan didn't happen overnight.  
3 Unfortunately, it took about 24 months of extensive  
4 intra-agency consultation and public outreach. We had a  
5 number of lively discussions and debates throughout  
6 these 24 months.

7           And just to give you the flavor of all the  
8 efforts that we went through to develop this plan, we  
9 started in early 2007 with a series of early dialogue  
10 workshops. This was followed up with the Bay Area On  
11 the Move Regional Summit, where we partnered with ABAG.  
12 And that summit drew about 700 participants.

13           We had a number of joint meetings with our  
14 citizen advisory committees to debate issues related to  
15 our Transportation 2035 Plan. We held a number of  
16 round-table discussions with our three E leaders and  
17 commissioners, and we held numerous workshops around the  
18 region, one in each county, and we did it a couple of  
19 times.

20           In addition, we did not one, but two  
21 statistically valid telephone surveys. We also posted  
22 our surveys on our web to get a larger response.  
23 Knowing that not everyone gets to come out to our  
24 meetings, we did person-on-the-street interviews, just

25 to get some responses from participants about key

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1 transportation issues. And we held multiple focus group  
2 discussions, as well as tribal consultations and a  
3 consultation with our federal and state partners.

4 To provide you with a little bit of context of  
5 what it would look like in year 2035 -- first of all,  
6 the Bay Area is currently home to 7 million people and  
7 it's about 3.5 million -- I'm sorry, 3.5 million jobs.  
8 By year 2035, we will see 2 million more people and  
9 2 million more jobs. This population and job growth  
10 comes with an increase in daily auto trips by 32  
11 percent, as well as an increase in vehicle miles  
12 traveled by 33 percent.

13 On the air quality front, what we will be  
14 seeing is that there will be a decrease in carbon  
15 dioxide emissions from on-road mobile sources over the  
16 next 25 years. This is in the tune of about 14 percent.  
17 And most of this reduction is really attributable to the  
18 vehicle technology changes mandated by state law.

19 On the not-so-positive news, the population,  
20 job growth and increases in vehicle miles traveled  
21 brings with it increases in particulate matter emissions  
22 from tailpipes as well as road dust. This is going to  
23 increase about 30 percent. So these are some of the  
24 challenges that we will be addressing as part of this  
25 plan.

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1 As required by state and federal planning  
2 regulations, this plan is financially constrained. This

3 is a term of art, meaning that MTC staff first forecasts  
4 the revenues that we think will be reasonably available  
5 to the region over the next 25 years and we develop an  
6 investment strategy that fits within that investment  
7 portfolio. This is to prevent us from developing a long  
8 laundry list of projects with no financial support  
9 behind them.

10 On the first chart that you see here, what we  
11 wanted to share with you is the fund sources that make  
12 up this \$226 billion budget. And as you can see here,  
13 nearly half of the revenues come from local sources.  
14 This is primarily transit fares, dedicated sales tax  
15 programs, and state and county subventions to local  
16 streets and road maintenance. The other half is from  
17 regional, state, and federal revenue sources, namely  
18 state and federal gas taxes, as well as our bridge toll  
19 program.

20 On the other chart, we show you the spending  
21 recommendations in our Draft Transportation 2035 Plan.  
22 The spending recommendations of this plan are focused on  
23 maintaining and sustaining the existing system we have  
24 in place. In fact, we spent 166 billion, or over 70  
25 percent of our budget, for this specific purpose. The

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1 remaining expenditures include another \$20 billion  
2 towards system operations to better run the system we  
3 have in place and \$40 billion to expand our highway and  
4 local roads systems.

5 what I wanted to do next in the next couple of  
6 slides is to give you some highlights of the key  
7 investments that we make in this plan. But I want to

8 first mention that from the outset the public expressed  
9 a call for change. The message we heard, "Our world is  
10 changing and we must change with it," rang loud and  
11 clear throughout this planning process.

12 This plan responds to this mandate by focusing  
13 its policies and investments in a number of different  
14 areas, including fixing our existing system, taking the  
15 lead on climate change, running our transportation  
16 system more efficiently, implementing pricing through  
17 our Regional HOT Network, and supporting focus growth  
18 through investments that support walking, bicycling, and  
19 transit use.

20 First of all, let me just focus on local  
21 streets and road maintenance. In the graph that you see  
22 here, MTC staff is estimating that our 25-year  
23 maintenance needs for the region total about \$35  
24 billion. Once we account for all the monies that are  
25 committed to local streets and road maintenance, we

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1 still see a shortfall of about \$18 billion.

2 As part of this plan, the commission has set  
3 aside \$7 billion in discretionary funds to prevent  
4 further deterioration of our local road system. Even  
5 with that added revenue, we do still see an \$11 billion  
6 shortfall that remains on the table.

7 For transit maintenance, the transit  
8 maintenance needs for just capital replacement total  
9 about \$40 billion. And again, like for local streets  
10 and roads, once we account for all the committed  
11 revenues that go towards transit capital replacement --  
12 and when I say "capital transit replacement," I mean

13 fixing our buses, replacing our train cars, fixing  
14 tracks, fare machines, et cetera -- what we see is that  
15 there is still a shortfall of about \$22 billion.

16 So as part of this plan, our commission has set  
17 aside \$6.4 billion to go towards transit capital  
18 expenses. But again, like the local streets and roads,  
19 there's still a shortfall that needs to be addressed,  
20 and this is in the tune of about \$16 billion.

21 To address climate change, the four regional  
22 agencies, MTC, ABAG, the Air District, as well as BCDC,  
23 join forces to sponsor a five-year transportation  
24 climate action campaign. The campaign has two facets.  
25 The first facet is to focus on public outreach and 10

1 education to really help the Bay Area populace change  
2 its driving and travel behaviors. And the second  
3 component includes funding for capital infrastructure  
4 improvements through our Climate Grant Program, our Safe  
5 Routes to School Program, Safe Routes to Transit  
6 Program, and other action-oriented incentive programs.  
7 The commission has set aside \$400 million towards this  
8 Regional Transportation Climate Action Campaign.

9 In addition, to address particulate matter  
10 emission, the commission has set aside \$45 million  
11 towards a Goods Movement Emissions Reduction Program  
12 that would augment the existing program that the Air  
13 District is currently implementing.

14 To improve the performance of our existing  
15 freeway system, the commission has earmarked \$1.6  
16 billion towards our Freeway Performance Initiative. The  
17 Freeway Performance Initiative, as you know, is a

18 collaboration between MTC, Caltrans, our Congested  
19 Management agencies, CHP, and other stakeholders to look  
20 at ways to better operate our freeway system.

21           The Freeway Performance Initiative, or FPI for  
22 short, includes rent meterings at freeways to improve  
23 main lane operations. It has cameras to detect traffic  
24 incidents and to report those incidents to our  
25 transportation management center and also to have

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1 parallel arterial improvements. This plan also proposes  
2 to create an 800-mile Regional HOT Network. The  
3 network, MTC estimates, will cost about \$3.7 billion.  
4 This will all be paid with toll revenues.

5           And once the network is in operation, it's  
6 going to generate about \$6 billion in net toll revenues.  
7 And these net toll revenues can be directed towards a  
8 number of purposes, including investments in express  
9 buses, rail expansions, other access improvements, as  
10 well as FPI types of improvements.

11           One key investment that we made in this plan  
12 are investments towards our Lifeline, Bicycle, and TLC  
13 programs. The commission has set aside \$400 million  
14 towards our Lifeline program to address accessibility  
15 needs of low income populations. It has put aside a  
16 billion dollars to complete our Regional Bicycle  
17 Network, as well as doubling the size of our TLC program  
18 to the tune of \$2.2 billion to support our focus growth  
19 efforts.

20           And lastly, I just wanted to mention that the  
21 commission has reaffirmed its investment in our  
22 Resolution 3434 Regional Transit Expansion Program.

23 This is an \$18 billion program that includes regional  
24 rail expansions, express buses, and ferries.

25 Just in closing, I just want to repeat some of  
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1 the more procedural items. This is -- today's public  
2 hearing is the second of two public hearings for our  
3 Draft Transportation 2035 Plan. The comment period on  
4 our draft Environmental Impact Report closes on  
5 February 2nd. Comments on our draft transportation plan  
6 closes on March 2nd. Staff will bring comments back to  
7 our planning committee on February 13th, and we will be  
8 taking both our proposed final plan and EIR to our  
9 planning committee as well as the Commission for Action  
10 in March.

11 with that, I'll close and be happy to take  
12 questions, and I'll start the public hearing.

13 BILL DODD: Thank you, Ashley.

14 And before we go to the public hearing, are  
15 there any commissioners who would like to comment at  
16 this time?

17 Seeing none, we're going to start with Duane De  
18 Witt.

19 DUANE DE WITT: Hello, commissioners. My name  
20 is Duane De Witt. I'm from a neighborhood called  
21 Roseland in Santa Rosa, Sonoma County. I wanted to talk  
22 with you as a public transit rider, and I wanted to  
23 address two issues. I believe in Change in Action, if  
24 you will, starting as soon as possible for comfortable  
25 connections for transit riders.

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1 with that in mind, it was just mentioned  
Page 11

2 there's 7 million people in the Bay Area right now,  
3 going up to 9 million, and you talked to about 1,000 to  
4 maybe 1,100 people about this. You've got these nice  
5 flyers out, but I never saw them in any buses. I never  
6 saw them until today. I ride the buses. I ride the  
7 BART. I ride lots of transit all around.

8 what I'd like to do before I get into the  
9 specifics is also say thank you to James Corless, who's  
10 now left, because he was a good man who was  
11 approachable, forthright, and helpful to community  
12 members such as myself, trying to navigate this big maze  
13 of why you build such big things.

14 But my traffic ride doesn't get any better and  
15 it really still is a pain to use public transit. So  
16 with that in mind, I wanted to ask for increased  
17 community investment and involvement to improve service  
18 and increase the attractiveness of public transit to  
19 passengers. These passengers are the basis for the  
20 system, but often passengers are not at the forefront of  
21 transportation planning, especially for buses.

22 Excuse me, I've got a bit of a cold.

23 Now, new money may be coming to the Bay Area  
24 and to MTC from the federal government. I would like  
25 infrastructure to include the bus stop benches and

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1 shelters that are needed for passengers to have comfort  
2 and feel like using this system. Also better  
3 connections for buses and bus, or bus-to-bus rail  
4 connections, such as the Golden Gate Transit and Bay  
5 Area Rapid Transit, Golden Gate to AC Transit, and  
6 things of that nature.

7           In your Change in Motion document on page 126,  
8 appendix number one, item number 230437, Sonoma County,  
9 there is one little mention of bus stops as  
10 infrastructure. I'd really like to see that happen as  
11 soon as possible. This good weather might not hold,  
12 unless, of course, global warming is a reality, and then  
13 we might be better off in some ways. Shocking, isn't  
14 it?

15           But providing safety and protection from  
16 weather with good bus shelters should be considered  
17 infrastructure. This will increase ridership with small  
18 improvements that will benefit the community and then  
19 help your big projects, which apparently are all based  
20 on getting more of us to ride public transportation. So  
21 please think about us. It would be really nice. Bye  
22 now.

23           BILL DODD: Thank you very much.

24           The next speaker, Robert Allen.

25           ROBERT ALLEN: Yes, my name is Robert Allen. I  
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1 was a director of BART for 14 years, retired from the  
2 Southern Pacific in engineering and operations.

3           I would suggest the BART and Caltrain counties  
4 at Santa Clara, Alameda, Contra Costa, San Francisco,  
5 and San Mateo have about approximately six million  
6 people. They have about 82 percent of the Bay Area  
7 employment or job -- it's 82 percent of the population,  
8 I think, and 83 percent of the Bay Area jobs.

9           I would urge that this commission study  
10 blending BART and Caltrain, the operations. One  
11 possibility is a single five-county district, which

12 would be like the existing BART three-county district.  
13 That would take legislation in Sacramento, which your  
14 agency is uniquely qualified to pursue.

15           Adjusting for population and inflation, bonds  
16 of the -- such a district equaling BART's \$792 million  
17 bond issue in 1962, would yield about \$16 billion today.  
18 Local funding like that would bring BART around the bay.  
19 It could bring high-speed regional rail to the East Bay  
20 and on up towards Sacramento.

21           It could bring high-speed -- it could bring  
22 widened freeway medians and BART at grade without  
23 structures or earth work, low-cost BART along interstate  
24 580 to Livermore, ACE, along Route 4 as far as  
25 Brentwood -- it's certainly a lot better than e-BART.

16

1 One-seat transit is what will bring people -- and in the  
2 interstate 80 corridor, from El Cerrito del Norte up  
3 toward Crockett.

4           It would bring grade separation of passenger  
5 and most freight trains, road crossings, which would  
6 yield a large amount of safety. And safety can be a big  
7 problem with grade crossings, with noise, with traffic  
8 delays for both for trains and for vehicles. They  
9 could prove --

10           BILL DODD: Allen, could you wrap up, please.

11           ROBERT ALLEN: Could I take about half a minute  
12 more?

13           BILL DODD: well, you know, we've got a lot of  
14 speakers here. Just try to wrap up, if you would,  
15 please.

16           ROBERT ALLEN: Okay.  
Page 14

17 BILL DODD: Thank you very much.

18 ROBERT ALLEN: It would bring improved access  
19 to all three major airports, greatly reduced air  
20 pollution, relief of freeway congestion, and better  
21 length to the adjoining counties and to Sacramento.

22 Thank you.

23 BILL DODD: Thank you, Mr. Allen.

24 Charlie Cameron, followed by Cal Simone.

25 CHARLIE CAMERON: Good morning, Commissioners.

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1 Charlie Cameron, a Hayward resident. First of all, I  
2 want to say hello and thank you to some of the good ol'  
3 boys, like Commissioner Spering. I know Commissioner  
4 Haggerty has left for other engagements, but some of the  
5 good ol' boys are around. And to include women that  
6 are -- have been around for quite a while, whatever, not  
7 to be blasphemous.

8 For the women that do not know me, I am the one  
9 your mother warned you about and told you about, as long  
10 as we're on a constructive commenting.

11 I'd like to turn in my comments and corrections  
12 to the EIR. I told Ashley I'm going to do it. They're  
13 mostly all grammatic and geographic, but the only thing  
14 that you have to worry about -- if I corrected the  
15 corrections, as we speak, what else is wrong with the  
16 data and information, as we speak?

17 Trusting there isn't any other thing wrong with  
18 the district. So -- and just in closing, the -- almost  
19 the only way out of the box or inside the box, or  
20 outside the box, is socialization, mass transit,  
21 indoctrination, one-on-one, than anyone that wants to

22 live, work, or commute in the greater nine Bay Area  
23 counties. That's the only way you're going to beat and  
24 solve the problems.

25 So Ashley, here are the comments and

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1 corrections.

2 BILL DODD: Thank you.

3 Cal Simone, followed by Andrew Casteel.

4 CAL SIMONE: Good morning. My name is Cal  
5 Simone, and I'm one of the appointees to the San  
6 Francisco Peak Oil Preparedness Task Force.

7 First of all, I want to say I really appreciate  
8 the effort that went into this massive report for the  
9 last couple of years. I'm here today primarily to talk  
10 about an assumption on which some of your plan is based,  
11 and that has to do with the estimated price of gasoline  
12 in your forecast models. This is in the Travel Forecast  
13 Data Summary, which is in one of the supplemental  
14 documents. It's kind of buried down in the document.

15 And I want to start out by saying that  
16 there's -- I see quite a bit on climate change, but what  
17 I don't see is the equally pressing issue of oil  
18 depletion. So to get to the specifics of it, your plan  
19 rests on the assumption, assumed price, that gasoline is  
20 going to be -- in 2035, is going to be \$7.47 per gallon.

21 Now, I appreciate that this is a revised  
22 estimate from a couple of years ago of \$3.96, but this  
23 is a gross underestimation of what's going to be  
24 happening, a gross underestimation. This is not  
25 taking -- it appears not to take into account what we

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1 know about oil depletion and the export situation.

2           The international agency, the energy agency, in  
3 October, their report says, yes, essentially, yes, we  
4 can have more supply, but only if there's a  
5 multitrillion-dollar upswing in building new production  
6 capacity. The problem is, as demand goes down, then the  
7 incentive to do those new projects also goes down.  
8 without that extra investment to raise production, the  
9 natural annual rate of output decline is estimated by  
10 the International Energy Agency at 9.1 percent.

11           And even with those new projects on line, that  
12 would be 6.4 percent. Demand for oil has been recently  
13 severely depressed by the economic crisis. We don't  
14 know how far or how long this will go. It's also  
15 been -- the production capacity has been eroded both by  
16 depletion and the reduction of these new projects.

17           So there's an uncertainty built into the  
18 system. The problem with using regression models to  
19 estimate gas prices is that we're dealing with a very  
20 volatile situation in the oil market, and it's going to  
21 get more volatile. Essentially, you get these wide  
22 swings where it's a general up and down.

23           The swings are wider, and it's moving higher  
24 as -- in general as you do it. So the swings are going  
25 to produce intermittency. They're going to produce all  
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1 kinds of problems. I know you probably can't account  
2 for that, but at least when you make your estimates --  
3 we could have deflation, in which the prices will stay  
4 low or hyperinflation. The one thing pretty much

5 everyone agrees on is the volatility.

6           The consequences -- again, the consequences of  
7 these low prices is no investment, no further investment  
8 in the energy sector. Those of us who were looking at  
9 this really believe that by 2035, and perhaps even by  
10 2025, gasoline will only be affordable to the very rich.  
11 So I, myself, am looking at \$10, \$12 a gallon by 2015  
12 and 20 -- \$20 a gallon by the end of the next decade.

13           So just to wrap up, I'm trying to project,  
14 future prices based on the current prices in this  
15 particular scenario is a problem. We're entering the  
16 unknown here, and I urge you to look at and research the  
17 report I mentioned from the IEA, and I'm happy to engage  
18 in a dialogue with you myself.

19           BILL DODD: Thank you, Mr. Simone.

20           Andrew Casteel, followed by David Schonbrunn.

21           ANDREW CASTEEL: Yes, Andrew Casteel, Executive  
22 Director of the Bay Area Bicycle Coalition.

23           Good morning, Commissioners. The BABC would  
24 like to commend the MTC for recognizing the importance  
25 of bicycle and pedestrian facilities towards achieving  
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1 the goals set forth in 2035 Regional Transportation  
2 Plan.

3           As 43 percent of trips in California are  
4 two miles or less in length, the BABC looks forward to  
5 working diligently with the commission to promote  
6 bicycling and walking to get people out of their cars  
7 for those short trips.

8           we would like to thank the MTC for the \$1  
9 billion this plan invests in the Regional Bike Network

10 and the \$100 million invested in safe routes to school  
11 and safe routes to transit as part of the Climate Action  
12 Campaign, as decided at the July 23rd, 2008 commission  
13 meeting. These investments will prove valuable for  
14 reducing bicycle and pedestrian crashes, vehicle miles  
15 traveled, greenhouse gas emissions, while making for  
16 more livable communities, and providing for improved  
17 access and public transit ridership.

18 In terms of needed improvements, many of MTC's  
19 projections in the draft EIR and other forecasting  
20 documents would benefit from improved bicycle and  
21 pedestrian counts. MTC's own projections for the -- in  
22 the 2004 memo on route analysis by population, shows  
23 that when complete, the Regional Bike Network will be  
24 within half a mile reach of 71 percent of the Bay Area  
25 population.

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1 Other studies, including the Portland, Oregon  
2 Office of Transportation's 2007 Bicycle Count Report  
3 demonstrates that increased bikeway miles translate to  
4 increased bicycle mode share. However, the DIR  
5 projections for bike and ped use do not substantiate  
6 this.

7 We are encouraged by MTC's new subcommittee on  
8 bicycle and pedestrian counts, and we will continue to  
9 work with MTC through this committee on improving  
10 bicycle counts. While the plan makes some reductions in  
11 VMT and greenhouse gas emissions, it falls short of its  
12 own objectives in those areas.

13 We believe the solutions to these shortfalls is  
14 to promote smart growth as well as walkable and

15 bike-able communities, which will allow people to walk  
16 and bike for their commutes to work, school, shopping,  
17 and access to transit.

18           The Bay Area Bicycle Coalition looks forward to  
19 working with the MTC on implementing this plan. Thank  
20 you.

21           BILL DODD: Thank you.

22           Jonathan Bair.

23           DAVID SCHONBRUNN: You called me next.

24           BILL DODD: Yes, excuse me, David, sorry.

25 You're next, followed by Jonathan Bair.

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1           DAVID SCHONBRUNN: David Schonbrunn with  
2 TRANSDEF. I'd like to welcome Supervisor Daly to MTC.  
3 Nice to see you here.

4           The RTP has some great language and great  
5 programs in it, but when you look beneath the surface,  
6 the project mix is pretty much like the 1994 plan when I  
7 first arrived here at MTC. This RTP is all about  
8 accommodating the single occupant vehicle through HOT  
9 lanes. It's got some lipstick on it, but this plan is  
10 disconnected from the realities of 2009. It's not bold  
11 enough for the needs of today.

12           Here's the news from yesterday's Chronicle:  
13 "Scientists familiar with the report said it emphasizes  
14 the need for immediate action to control emissions. As  
15 a climate scientist, this was my intuition, but they  
16 have done a really good job of working through the  
17 details and make a case that the situation is more dire  
18 than we thought, if we don't act quickly and  
19 aggressively to curb carbon dioxide emissions."

20 "The policy relevance is clear. We need to act  
21 sooner, even if there is some doubt about exactly what  
22 will happen. Because by the time the public and  
23 policymakers really realize the changes are here, it's  
24 far too late to do anything about it." Said  
25 geoscientist so-and-so, this really is a wake-up call  
24

1 about the seriousness of this issue.

2 There's a reason for the disconnect that I've  
3 identified between the plan and the realities of today.  
4 Your agency doesn't do adequate environmental review.  
5 Your EIR does not take the threat of climate change  
6 seriously and so refuses to look at what a maximum  
7 effort to reduce greenhouse gases would look like.

8 As a result, you decision-makers have no idea  
9 of what the actual tradeoffs are in a situation like  
10 that. Without an adequate EIR, you can't make informed  
11 decisions. The EIR treats committed projects as if they  
12 were already built and ignores the discretion that you  
13 have to change direction based on change conditions.  
14 The committed projects in your RTP come from an era of  
15 bottoms-up planning when VMT was not an issue.

16 The advent of AB32 and SB375 effectively put an  
17 end to that era and requires a new kind of planning, one  
18 that looks at the overall performance of a plan. The  
19 committed projects in your plan were explicitly excluded  
20 from the performance evaluations. The problem is you're  
21 waiting for somebody on high to change -- to require you  
22 to change your process. TRANSDEF's strong preference  
23 would be for MTC to take the initiative, to do the  
24 planning for an all-out effort to reduce greenhouse

25 gases.

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1 That would mean studying an alternative without  
2 highway widening and a system of highway tolls, that  
3 would fund a network of cost-effective transit and  
4 create the economic incentive for riders to use it. We  
5 think this kind of study is what a responsible MPO would  
6 want to do, and we believe CEQA requires such an  
7 alternative.

8 However, if MTC remains intransigent, we will  
9 have to exercise our legal options to make sure that you  
10 as decision-makers have the option to act now vigorously  
11 as called for by the climate scientists --

12 BILL DODD: Thank you, David.

13 DAVID SCHONBRUNN: -- to protect our climate.  
14 We want the Bay Area to be a national model, and we  
15 believe you do too. Thank you.

16 BILL DODD: Thank you.

17 Jonathan Bair, followed by Norman Rolfe.

18 JONATHAN BAIR: Good morning, commissioners.  
19 Thank you for this opportunity to comment on this  
20 important plan. My name is Jonathan Bair and I'm chair  
21 of the City of Oakland's Bicycle and Pedestrian Advisory  
22 Committee.

23 The Draft Transportation has an inspiring  
24 title, Change in Motion, but like many of the other  
25 speakers you've heard, I do not think that there is  
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1 enough change embodied in this plan to reach the goals  
2 of sustainability and equity that were the measurements  
3 you put forth.

4 Overall, it is still wedded to an ineffective  
5 and suburban-favoring highway expansion plan. I  
6 strongly support HOT lanes and the other freeway  
7 performance measures, but there is no reason why these  
8 measures have to be limited with an expansion of  
9 capacity on the highways.

10 The measures could be implemented without  
11 expanding capacity, as to not inducing extra demand, but  
12 using our existing resources more efficiently. You can  
13 see this very clearly when you look at the map of  
14 priority development areas and compare it to the map of  
15 highway expansion and transportation expansion. They're  
16 not in the same places.

17 There is additionally an extraordinary amount  
18 of money for BART when there are existing rail lines  
19 that could be upgraded much more cost effectively. The  
20 capital corridor supplies the need for rail  
21 transportation from the East Bay to San Jose, and it is  
22 not given nearly as much funding or priority as building  
23 an entirely new rail link at an extraordinary cost.

24 I am very disappointed that there is no  
25 region-wide pedestrian program. I understand staff's  
27

1 comment that pedestrian facilities are decentralized,  
2 but that is really a call for you to think more  
3 creatively about setting region-wide goals for  
4 individual streets and individual neighborhoods.

5 The safe routes to transit program should be  
6 your top priority, because if everyone is driving to a  
7 suburban BART station rather than getting to, you know,  
8 facilities that they can walk to in intracity bus

9 systems, then the environmental benefit of building new  
10 transportation will -- is severely limited.

11 I would also like to point out two errors in  
12 the plan. The transit-oriented development is an  
13 important component of a holistic view of transportation  
14 placing people near existing transportation -- near  
15 potential transportation.

16 The barriers to transit-oriented development  
17 are not legal; they are political. And I don't know  
18 what the MTC can do about that, but statements and minor  
19 changes in state law are inadequate to encourage  
20 transit-oriented development in the central Bay Area.

21 Furthermore, the Outer Harbor Intermodal  
22 Terminal in Oakland is on the rocks. I am pleased that  
23 the MTC includes goods movement as a transportation --  
24 regional transportation priority as it should be, but  
25 there needs to be more coordination with Oakland.

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1 Thank you very much for this opportunity to  
2 speak.

3 BILL DODD: Norman Rolfe, followed by Carlie  
4 Paine.

5 NORMAN ROLFE: Good morning. I am Norman  
6 Rolfe, and the first thought that occurs to me is that  
7 you got the car before the horse. You're asking to  
8 complete an EIR before the plan is completed. I mean  
9 your deadlines don't seem to add up, and I think you owe  
10 us an explanation unless you're telling us that the plan  
11 ain't going to change regardless of what we say.

12 And this plan calls for freeway expansion which  
13 will result in more automobile traffic, more

14 environmental impact. And what has not been evaluated  
15 or even mentioned is the additional deaths and injuries  
16 that will be injuries from automobile accidents that  
17 will be the result of this plan's generation of more  
18 automobile traffic. That is more BMT.

19 Here is a document here which I ask the  
20 secretary to pass around, which is an analysis of  
21 figures from the highway patrol showing that this  
22 allegedly dangerous oil drive is actually safer than  
23 freeways are. The last fatal accident was 2003, and  
24 freeways are killing people every year. And I predict  
25 that with this new plan you replace (inaudible) with a  
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1 freeway, you're going to have people dying on it every  
2 year.

3 And the plan will work against smart growth  
4 transit and transit-oriented development. It will cause  
5 more spoil, more loss of open space, more loss of farm  
6 land. Alternatives that would have been better from  
7 these viewpoints were dismissed.

8 This EIR and the alternative it promotes should  
9 be rejected. One of the alternatives that -- one of the  
10 alternatives that was mentioned and would be better for  
11 smart growth transit and transit-oriented development  
12 should be adopted and a new EIR analyzing it should be  
13 made.

14 MTC should work with other agencies and cities  
15 and counties to adopt land-use plans that will advance  
16 smart growth and transit-oriented development.

17 And then the claims made that 85 percent of the  
18 money available for transportation projects have already



24 in this RTP through setting goals that were really  
25 ambitious and through unprecedented investments in land  
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1 use, in bicycling and making walkable communities.

2 One of my coworkers was recently last week at  
3 the Smart Growth America. It's a national conference in  
4 Albuquerque this year, and this RTP was being held up as  
5 the model for other regions. And so I wanted to affirm  
6 and say that we are really pleased with that direction.

7 But saying this, I also want to point out that  
8 the progress made in this RTP is not enough. We can't  
9 rest on our laurels and say, yes, we've done it and  
10 we've achieved everything we've set out to achieve,  
11 because we haven't.

12 The DEIR shows one way that we can get closer  
13 to the goals that we've set out -- still not achieving  
14 them, but getting closer, though -- to the heavy  
15 maintenance and climate protection scenario.

16 And this is only shifting a small fraction of  
17 the total RTP investments, so if we think about what we  
18 really could achieve if we took a step back and thought  
19 creatively about how to handle some of those  
20 off-the-table committed funds, I think that we really  
21 could move towards a future that we've all said we want  
22 to achieve.

23 So one thing I would really like to see MTC  
24 include and that Transform would like to see MTC include  
25 in the final RTP plan is an articulated process of how  
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1 MTC can work with the county agencies to not top-down,



7 TOM BLALOCK: Good morning, again, Chair Dodd  
8 and commissioners. It's good to be here with you to go  
9 over this plan that's been worked on for a year and a  
10 half. And our staff has been -- on behalf of BART, we  
11 want to thank you for all of the effort that's gone into  
12 this.

13 First, I think I would say that I believe BART  
14 is probably the lowest carbon footprint per passenger  
15 carried. Just there's been a lot of emphasis on that,  
16 and I think that is true.

17 We are pleased the draft plan includes the  
18 fix-it first priority which has been standard. We  
19 strongly support the investment levels in the Draft RTP  
20 as a starting point for addressing continued investment  
21 in maintenance.

22 Unfortunately, with the fund shortage, this  
23 investment is truly only a starting point and leaves 16  
24 billion regional capital replacement shortfall. This  
25 affects everyone in the region and is a concern that we  
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1 all need to focus on.

2 In the region's transit operators, BART has the  
3 largest need, which we saw on the slide, because we have  
4 the largest capital asset base. We have a more physical  
5 plan that needs replacing, renovating and maintaining  
6 than any other transit operator; thus, we have more to  
7 lose when these assets are not maintained.

8 Our 25 years capital shortfall is about 7  
9 billion, and that is exclusive of critical core-capacity  
10 projects necessary to address increasing ridership.  
11 This plan proposes to fully fund BART's vehicle

12 replacement needs.

13           It only funds 25 percent of our other highest  
14 rated needs. That means important projects like track  
15 replacement, traction power, train controls, may go  
16 unfunded if we can't find funds in the future.

17           The challenges here are certainly formidable  
18 and BART and other transit systems are key strategies in  
19 reducing the vehicle miles traveled. BART has been a  
20 self-help agency in the past.

21           And just to remind you of a couple of the most  
22 recent projects that were self-funded, the west Dublin  
23 BART station, the seismic rehab bond that we passed, the  
24 original refurbishment of 439 car fleet -- our original  
25 fleet, was partially self-funded by the -- we got a lot  
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1 of help from MTC, but a lot of self-funding that we put  
2 into that.

3           Our needs are (inaudible) the functioning of  
4 the region's economy and go beyond our ability to fund  
5 them alone. We certainly want to work with you and look  
6 forward to the completion of Draft EIR. Thank you very  
7 much for your help.

8           BILL DODD: Thanks, Tom. Frank James, followed  
9 by Christine Culver.

10           FRANK JAMES: I'm Frank James. I live in  
11 Fremont, and I'm honored to be following Mr. Blalock,  
12 and I concur with Mr. Rolfe.

13           I believe that before spending money on a  
14 lane-changing system on the Golden Gate Bridge and the  
15 retrofitting of the Golden Gate Bridge as well as  
16 rebuilding Doyle Road, plans should be made for a light

17 rail from the Embarcadero station in San Francisco to at  
18 least Larkspur.

19           The bridge is strong enough to hold it, and  
20 this could enable people who aren't necessarily going  
21 downtown who can't make use of the ferry, such as  
22 hospital workers going to San Francisco from Marin  
23 County, to be able to make use of this by having  
24 shuttles from stops after going across the bridge.

25           And traffic could be greatly improved and

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1 funding for the rail would also be a new source of  
2 revenue possibly from state and federal government  
3 funds.

4           I'm also recommending instead of spending money  
5 on road improvements at Willow University and an extra  
6 lane on 101 near Marsh Road, you instead spend the money  
7 for the people you're taking it from, from the Dumbarton  
8 Bridge, and build a direct connection from the immediate  
9 west end of the bridge going under the -- under it for  
10 westbound travelers wanting to go west or to the  
11 Embarcadero Road, the Oregon Expressway, or wanting to  
12 go south on 101 be able to have a direct route to 101.

13           Instead, they have to go up to Willow. They  
14 have to go up to University and go back down. That's  
15 about 75 percent more driving than they have to do if we  
16 have a connection that goes directly to those three  
17 areas of the Oregon and Embarcadero and 101.

18           I'm also recommending that we get the funding  
19 for the rail at the Dumbarton Bridge, the renovation  
20 that was proposed. It had a tremendous amount of  
21 support when I went to a meeting a few years ago in San

22 Leandro.

23 I don't understand why the bridge payers should  
24 be paying for everything besides what the bridges are  
25 for or traffic at least in their direction.

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1 we pay a sales tax for BART. That has nothing  
2 to do with connecting our peninsula with the East Bay.  
3 So that money should be used to try to connect these  
4 people. My wife works in Palo Alto. She should be  
5 entitled to be able to have a public transportation to  
6 get to work near Page Mill.

7 I also think that -- I know you don't have a  
8 lot of control on how funding is being made. It's done  
9 through the state legislature, but some of you have  
10 access to the media, and I think the media should be  
11 talked to.

12 \$22 million was spent by a Google executive to  
13 go on some Russian space odyssey and no sales tax or  
14 anything was applied to help transportation, while my  
15 wife is paying \$4 a day to cross the bridge and she's  
16 paying a sales tax.

17 And we need to start collecting the money from  
18 the people who have the money so we can get sufficient  
19 funding to get these programs going. Thank you.

20 BILL DODD: Thank you, James. Christine  
21 Culver, followed by Len Conley.

22 CHRISTNE CULVER: My name is Christine Culver.  
23 I'm the executive director of the Sonoma County Bicycle  
24 Coalition.

25 Good morning, Chairman Dodd and commissioners.

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1 I really appreciate this opportunity.

2 It was about five years ago that I spoke to you  
3 about the transportation plan, the 2035 transportation  
4 plan, and I want to say thank you so very much for  
5 recognizing bicycles as a critical link to fixing some  
6 of our transportation problems.

7 I'm very excited to see that the Regional Bike  
8 Plan has been included completely, and that we have more  
9 funding going to Safe Routes to School so we can get our  
10 kids out of cars, get them healthy, reduce our carbon  
11 footprints.

12 And also, safe routes to transit which is going  
13 to be increasingly important for Sonoma County with the  
14 passage of our smart train coming through. So I'm very  
15 excited about that. Thank you.

16 I wanted to also ask you to consider including  
17 consistent bike-count program in this plan. It's very  
18 important to know how our investments are performing.

19 And also, our class 1 bike paths are an  
20 important part of our regional network, and a lot of  
21 them are closed during non-daylight hours. This needs  
22 to be considered, because if we want people to be able  
23 to use them, they need to be able to use them when they  
24 want and when they need to.

25 Highway 1 is a critical corridor in Sonoma  
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1 County for bike transportation. We have a lot of people  
2 traveling the coast from Washington down to San Diego  
3 and beyond. We need to make our -- Highway 1 needs to  
4 be included in our Regional Bike Plan, and it needs to  
5 have access to the towns that are east of there, the

6 Santa Rosa and Healdsburg. We need to make this easier.  
7 They need to be included.

8 And lastly, I want to just mention that we need  
9 to include over-crossings over 101, which is quite a  
10 barrier to pedestrians and bikes. And we are asking for  
11 funding for a bike/pedestrian bridge that will lead from  
12 the junior college over to the new smart train station.  
13 And we would also like that included.

14 Again, I want to say thank you so very much.  
15 It's a pleasure to work with your staff, and I'm glad to  
16 see this program -- this plan moving forward in this  
17 direction. Thank you.

18 BILL DODD: Thank you, Christine. Len Conley,  
19 followed by Gerald Cauthen.

20 LEN CONLEY: Good morning. Can you hear me  
21 okay? I just want to make a couple of comments on your  
22 greenhouse gas section of the Draft EIR.

23 The last sentence on page 2 of section 25  
24 creates the impression that there is a dispute among  
25 scientists among climate change. The sentence begins:  
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1 "However, many scientists believe that emissions from  
2 human activities have elevated the concentration of  
3 greenhouse gases in the atmosphere beyond naturally  
4 occurring concentrations."

5 The use of the word "many" in this sentence  
6 conflicts with a sentence in the second paragraph on  
7 page 1 of section 25 which states: "while scientists  
8 are certain that human activities are changing the  
9 composition of the atmosphere and that increasing  
10 concentrations of greenhouse gases will change the

11 planet's climate."

12           It creates a misleading impression of the  
13 findings of the UN IPCC and suggests that this is a  
14 disputed fact. And I urge you to look at that and maybe  
15 correct the language, because the public needs to  
16 understand this is a serious problem.

17           The second point is in the first paragraph on  
18 page 15, section 25 -- and I'll leave this paper with  
19 you. Under significant criteria of the TS 2035 DEIR it  
20 is stated that: "Implementation of the transportation  
21 plan would have potentially significant adverse impact  
22 if plan projects would, 'criteria one: Result in an  
23 increase in Co2 emissions from on-road mobile sources  
24 compared to existing 2006 conditions."

25           It goes on to say for this program EIR, MTC has  
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1 selected this criteria as the most responsible and  
2 comprehensive approach to this greenhouse gas impact  
3 analysis since it addresses a cumulative impact of  
4 implementing all transportation projects in the plan.  
5 Now, that's unquote.

6           Now, I'd like to say how can this criteria be  
7 called the most responsible and comprehensive approach?  
8 In as much as one, it will not result in the reduction  
9 of greenhouse gas emissions called for in AB32. And  
10 two, that failure to reduce these emissions will most  
11 likely result in the dire consequences predicted by the  
12 UN IPCC.

13           To avoid potentially significant adverse impact  
14 pointed out by the IPCC, the criteria should be that the  
15 plan results in a decrease in Co2 emissions from Bay

16 Area transportation by 2035, compared to existing  
17 conditions in such a way as to meet the target set in  
18 the Air Resources Board.

19 I'd also want to mention that we broke the  
20 temperature record in Oakland by 14 degrees, as I'm sure  
21 many of you are aware. It's quite a dramatic number.

22 Also, in January we broke a temperature record  
23 of ten degrees -- ten days in a row. This doesn't  
24 really prove anything. It's only weather, but I just  
25 wanted to mention that fact. Thank you very much.

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1 BILL DODD: Thank you, Mr. Conley. Gerald  
2 Cauthen, followed by Athena Applon.

3 GERALD CAUTHEN: Mr. Chairman, members of the  
4 commission. My name is Jerry Cauthen. I'm a  
5 professional engineer, and I want to acknowledge -- as  
6 Carli Paine said -- that I think there had been some  
7 steps taken to try to respond to the new situation.

8 But as you heard from Ashley a few minutes ago  
9 from her public outreach campaign, and as you're hearing  
10 again today, many people don't think you've gone far  
11 enough.

12 Now, others are actually taking action. The  
13 new President certainly seems to be taking a strong step  
14 towards changing things nationally. Senator Nunez and  
15 Senator Steinberg and others have been instrumental in  
16 getting -- and the Governor -- have gotten AB32 and  
17 SB375 through the process. These are very strong steps.

18 One other thing I wanted to refer to before I  
19 read you a very brief statement is that Carli Paine  
20 mentioned that Transform -- and I might also say the

21 Sierra Club in San Francisco. Many other groups have  
22 said HOT lanes are okay, provided they don't involve  
23 lighting the freeways.

24 Now, there are 18 different projects within  
25 this EIR that specifically say widen freeway to make way  
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1 for a HOT lane. So that is in direct contradiction  
2 between what all these groups have been saying for many,  
3 many months.

4 Now, on page ES8 of the Environmental EIR  
5 Summary, MTC acknowledges that the land use-oriented  
6 alternative and the pricing-oriented alternative are  
7 both environmentally superior to the alternative that's  
8 being proposed to you.

9 This would seem to me to be a pretty  
10 significant finding. There are two other alternatives  
11 in there that work better. If the staff goes on to  
12 recommend dropping both of those alternatives on grounds  
13 -- as far as I can tell, only because you don't have  
14 current leave of statutory authority to implement them.

15 It seems to me that in first representing two  
16 environmentally superior alternatives and then summarily  
17 dismissing them because of implementation difficulties,  
18 fails to exercise your regional planning  
19 responsibilities.

20 why no official notification to the governor of  
21 state legislature of what would be required to best  
22 clean up the Bay Area's transportation problem? Why no  
23 call for additional legislation if that's needed?

24 For that matter, why don't press conferences  
25 and media blitz put the facts before the public in an  
Page 37

1 effort to gain support for the best answer to the  
2 region's transportation problems?

3 Not being able to do something is one thing,  
4 but not even trying to rectify the situation while  
5 burying the truth of what's needed in an EIR is quite  
6 something else. I think a second look at this situation  
7 is warranted. Thank you.

8 BILL DODD: Thank you.

9 ATHENA APPLON: Good morning, commissioners.  
10 Thank you. My name is Athena Applon, and I am a staff  
11 member to West Oakland Environmental Indicators Project.  
12 I'm also a resident of West Oakland.

13 I would like to ask you to consider the OHID  
14 (phonetic) and the 7th Street L grid to be placed on  
15 hold.

16 The reason being, the port of Oakland has not  
17 demonstrated to the community of West Oakland and to the  
18 Commission -- California Transportation Commissioners  
19 mitigation measure to reduce the impacts due to  
20 pollution to the residents of West Oakland from these  
21 projects. Only consider these projects when the port  
22 can document any mitigation measures. Thank you.

23 BILL DODD: Shirley Stahlke, and then followed  
24 by Len Conley. And that's going to do it for the public  
25 comments, at least for the vocal portion here this

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1 morning.

2 SHIRLEY STAHLKE: I'm Shirley Stahlke, and I  
3 came this morning on WestCAT. I came on the JPX, and I

4 took BART to our current meeting.  
5 I have a concern. 2035 I'll be 96, so I  
6 probably won't be riding the bus, but right now I am,  
7 and this small bus service is having problems with  
8 finances. And so will you have a plan for the small  
9 buses that bring you to BART that may go out of business  
10 before 2035? Thank you.

11 BILL DODD: Thank you, very much. Len Conley.

12 LEN CONLEY: That's okay. I'll pass.

13 BILL DODD: Oh, you already spoke. Very good.

14 okay. That will conclude the public hearing at  
15 least for today. And this public hearing, as I  
16 mentioned earlier, will be open until -- the public  
17 comment period for the Draft EIR closes Monday, February  
18 2nd.

19 And the public comment period for the Draft  
20 Transportation 2035 Plan extends to 4 p.m., Monday,  
21 March 2nd.

22 okay. With that, I'll close the public  
23 hearing. We'll move back to the -- or were there any  
24 comments from the commissioners on this? Commissioner  
25 Bates?

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1 TOM BATES: Yeah. I just wanted to share all  
2 the Commissioner's appreciation for the comments we've  
3 heard today. We appreciate people coming and making  
4 those comments.

5 But I just wanted to make a brief comment about  
6 this document, this Change in Motion document. I want  
7 to compliment the staff. I haven't had a chance to read  
8 it all, but it's presented so terrifically. It's a

9 fabulous document, and you're all to be congratulated  
10 for putting it forward.

11 JON RUBIN: There is a good call for  
12 (inaudible) at the very beginning, too. So it's worth  
13 considering. I don't know where that came from, but  
14 whoever got it, congratulations.

15 BILL DODD: Okay. Thank you, Commissioner  
16 Bates for bringing that up. I think there was such a  
17 haste to get on with the agenda that I didn't thank  
18 Ashley and the rest of the MTC staff and the public for  
19 coming here today and commenting on the 2035 Plan. We  
20 appreciate it very much.

21 (whereupon, the meeting was concluded at  
22 11:49 a.m.)

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1 CERTIFICATE OF REPORTER

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3 We, Dawn E. Howard, CSR No. 13201, and Audrey L.  
4 Takato, CSR No. 13288 Certified Shorthand Reporters, do  
5 hereby certify:

6 That said proceedings were taken by us at the time  
7 and place set forth and was taken down by us in  
8 shorthand and thereafter reduced to computerized  
9 transcription under our direction and supervision, and  
10 we hereby certify the foregoing transcript is a full,  
11 true, and correct report of said proceedings which took  
12 place.

13 And we further certify that we are disinterested