

Metropolitan Transportation Commission Programming and Allocations Committee

September 14, 2016

Commission Agenda Item 8c

MTC Resolution Nos. 4274 and 4275

Subject: Adoption of the 2017 Transportation Improvement Program (TIP) and Transportation-Air Quality Conformity Analysis for the Amended Plan Bay Area (Plan) and the 2017 TIP. MTC Resolution Nos. 4274 and 4275.

Background: The federally required Transportation Improvement Program (TIP) is a comprehensive listing of Bay Area surface transportation projects that receive federal funds or are subject to a federally required action or are regionally significant. MTC, as the federally designated Metropolitan Planning Organization (MPO) for the nine-county San Francisco Bay Area Region, must prepare and adopt the TIP at least once every two years. The 2017 TIP covers a four-year period from FY 2016-17 through 2019-20 and contains approximately 700 projects totaling about \$6.3 billion. The 2017 TIP is financially constrained by year, meaning that the amount of dollars committed to the projects (or “programmed”) does not exceed the amount of dollars estimated to be available. The 2017 TIP includes a financial constraint analysis as well as a financial plan that demonstrates that the programmed projects can be implemented.

Under Federal law and regulation, regional transportation plans (RTPs) and Transportation Improvement Programs (TIPs) must be analyzed to determine if they conform to federal air quality standards and plans (known as the State Implementation Plan or SIP). The new Transportation-Air Quality Conformity Analysis for the Amended Plan Bay Area (Plan) and the 2017 TIP were prepared in accordance with the U.S. Environmental Protection Agency’s (EPA) transportation conformity regulations and MTC’s Bay Area Air Quality Conformity Procedures (MTC Resolution No. 3757). This analysis incorporates updated project delivery schedules submitted during the 2017 TIP update process. These projects have been modeled in the appropriate analysis year using the latest planning assumptions. MTC staff consulted with the Air Quality Conformity Task Force on the approach to the conformity analysis, draft conformity analysis, response to public comments on the draft conformity analysis, and final conformity analysis. Based on the conformity analysis, a positive conformity determination can be made because the Plan and the TIP conform to the federal air quality standards and plans.

Investment Analysis

To further assist the public in assessing the equity implications of the 2017 TIP, staff has conducted an investment analysis with a focus on low income and minority residents. MTC conducts an investment analysis of long-term investments as part of the Equity Analysis for Plan Bay Area as part of the overall effort to fulfill the region’s Title VI and environmental justice responsibilities. Staff conducts the investment analysis on the TIP to provide further transparency for short-term investments. As a reminder, the TIP does not include most of the region’s investments in operations

and maintenance as these are largely locally funded and don't require a federal action. When compared to the investments described in the Plan, the 2017 TIP only reflects about 15% of average annual transportation spending in the Bay Area.

The 2017 TIP Investment analysis concludes that in the aggregate there is a relatively higher proportionate investment in all transportation facilities that serve minority and low-income populations than the proportional share of trips taken by minority and low-income populations (Table 1). However, it also suggests a variance in the share of transit investments by trips for passengers living in low-income households and in the per-rider benefit of investments for minority transit riders (Table 2). Given the periodic nature of large capital projects it is not surprising that the results of the analysis may shift from one TIP period to the next.

Specifically, staff believes that in this TIP period the current variance reflects Bay Area Rapid Transit's (BART) Railcar Procurement Program and Caltrain's Electrification project as these projects have large capital phases that are beginning within the active years of the 2017 TIP. As BART and Caltrain are used by a lower proportion of low-income and minority riders than the regional average for transit riders, the results of the analysis show lower investments benefiting low-income and minority riders. That said, BART ridership approximately mirrors the regional demographics for all individuals from low-income households and minorities on a percentage basis, and it carries large numbers of such groups in numerical terms.

Between the release of the Draft 2017 TIP and the development of the Final 2017 TIP, staff updated project information to reflect input from sponsors as described below and, in an effort to improve the accuracy of the analysis, updated the demographic information for BART to reflect weekend as well as weekday ridership. These changes did not result in a significant difference in the outcome of the analysis.

Table 1.	Comparison of Final 2017 TIP Investment Analysis Results			
	Trips (in millions)	Share of Trips	Funding (in \$ billions)	Share of Funding
Population-Use Based Analysis				
All Trips by Low Income Population	6.4	27%	\$2.0	31%
Transit Trips by Low Income Population	0.8	54%	\$1.2	45%
All Trips by Minority Population	12.3	52%	\$3.5	55%
Transit Trips by Minority Population	1.0	61%	\$1.6	60%

Minority Per Capita Benefit as % of Non-Minority Per Capita Benefit	96%
Minority Per Rider Benefit as % of Non-Minority Per Rider Benefit	89%

Public Comments and Responses

The 2017 TIP and accompanying Transportation-Air Quality Conformity Analysis were released for public review and comment beginning June 24, 2016. A public hearing was held on July 13, 2016, and the 30-day review and comment period ended on July 28, 2016. A summary of comments received and staff's responses is included as Attachment A. Comments pertaining to the 2017 TIP and staff's responses are incorporated as an appendix to the TIP. Comments on the Transportation-Air Quality Conformity Analysis are included in Section V of that document.

During the comment period, staff also received updated project information from sponsors; the responses to those requests are included in Attachment B.

Next Steps

Following Commission consideration later this month, if approved, the 2017 TIP will be forwarded to Caltrans and to the Federal Highway Administration and Federal Transit Administration for review. Federal approval would be expected by December.

Issues: None

Recommendation: Refer MTC Resolution No. 4274 and MTC Resolution No. 4275 to the Commission for approval.

Attachments: Attachment A – Responses to public comments
Attachment B – List of project changes in response to comments
MTC Resolution No. 4274: Adoption of the Transportation-Air Quality Conformity Analysis for the Amended Plan Bay Area and 2017 TIP
MTC Resolution No. 4275: Adoption of the 2017 TIP
Appendix 1: Comments Received

**METROPOLITAN TRANSPORTATION COMMISSION
2017 Transportation Improvement Program (TIP)
Response to Public Comments**

The Draft 2017 TIP was released for public review and comment from June 24, 2016 through July 28, 2016 and a public hearing was held on July 13, 2016 to receive public comment. The following is a list of the public comments submitted to MTC along with staff's responses to these comments. No comments were made during the public hearing. This list does not include the project listing changes requested by project sponsors. The correspondence and public hearing transcript for the Draft 2017 TIP are available at <http://mtc.ca.gov/our-work/fund-invest/transportation-improvement-program-tip/draft-2017-tip>.

No.	Name	Agency/Organization	Dated	Response
1	Andrea Mirenda	Public	Email 7/27/2016	Response #1
2	Cathy Jennings	Public	Email 7/29/2016	Response #1
3	Charlie Cameron	Public	Letter 7/22/2016	Response #1
4	Bob Moss	Public	Email 7/28/2016	Response #1 and #2
5	Rand Strauss	Public	Email 7/28/2016	Response #1 and #2
6	Alex Hakso	Public	Email 7/29/2016	Response #3
7	Anne Nichols	Public	Email 7/27/2016	Response #3
8	Jean Severinghaus	Public	Email 7/3/2016	Response #3
9	Karim Hyder	Public	Email 7/28/2016	Response #3
10	Holly Westphal	Public	Email 7/27/2016	Response #1 and #3
11	Mark Fassett	Public	Email 7/29/2016	Response #1 and #3
12	Mewi	Public	Letter 7/28/2016	Response #1, #2, and #3
13	Jim Burt	Public	Email 7/30/2016	Response #1, #2, and #4
14	Larry V.	Public	Email 7/28/2016	Response #1, #2, and #5
15	Linda Curtis	Public	Email 7/27/2016 and 7/28/2016	Response #1, #2, #3, and #5
16	Michael Ferreira, Victoria Brandon, Rebecca Evans	Three Sierra Club Chapters	Email 7/26/2016	Response #6

Category 1: Responses to Comments Related to Specific Projects

The Regional Transportation Plan (Plan) establishes long-range investment priorities and strategies to operate, maintain, and improve the surface transportation network in the San Francisco Bay Area. The Plan currently in effect for the Bay Area is called Plan Bay Area and was adopted in 2013. The Transportation Improvement Program (TIP) helps carry out the Plan's strategies in the short term by committing certain funding resources to implement specific programs and project improvements that help support implementation of the Plan. MTC staff forwarded project specific comments to the sponsoring agencies for clarification of next steps and opportunities for input for service planning or project development for specific programs and projects. Interested parties are encouraged to contact project sponsors directly for specific project concerns or to stay informed throughout project development.

Comment and Response #1

Several commenters opposed local projects in the TIP such as implementing bus rapid transit (BRT) on El Camino Real in Santa Clara County or installing express lanes on US 101 in San Mateo County. Some commenters also opposed specific elements of project designs. Other commenters expressed support for local projects in the TIP such as the construction of high-occupancy vehicle (HOV) lanes on US 101 in San Mateo County or the extension of Sonoma Marin Area Rail Transit service beyond the initial operating segment. MTC has notified the project sponsors of the comments submitted.

MTC includes local projects in the TIP after the project sponsor demonstrates project funding, scope and schedule consistent with Plan Bay Area. The decision to include a project in the TIP does not represent an allocation or obligation of funds, or final project approval. Before securing funding and approval for project implementation, the project is subject to environmental review and final approvals from federal, state, regional or local agencies depending on fund sources, and project-specific required actions. The environmental process will include additional opportunities to comment on the scope, design elements and impacts of a project.

MTC's Guide to the San Francisco Bay Area's Transportation Improvement Program outlines the various opportunities available to the public and interested stakeholders to get involved in the transportation planning and project development process (see TIP Appendix A-3). The guide is also available at MTC's offices at 375 Beale St., San Francisco and online at: <http://mtc.ca.gov/our-work/fund-invest/transportation-improvement-program>.

Comment and Response #2

Some commenters suggested that MTC include specific new projects in the TIP, namely the addition of a second BART tube across the Bay and lowering the Central Expressway in Santa Clara County so that it is separated from cross-traffic.

Large capital projects such as these must be included in an adopted regional long range plan before they can be included in the TIP. Neither of these projects is included in the currently adopted Plan. However, MTC is currently working with a number of partners in the region to evaluate short, medium and long term needs for transit capacity serving the Transbay corridor. A second Transbay tube is being considered as part of this study. Projects selected for further development will then need to be included in the Plan before advancing beyond planning and environmental analysis in the TIP.

Other suggested projects were increased Caltrain service frequencies, a transit pass for residents of the City of Berkeley and changes to local bus routes and service. These projects could potentially be implemented without being included in the TIP if they were not federally funded and did not require a federal action.

MTC's Guide to the San Francisco Bay Area's Transportation Improvement Program outlines the various opportunities available to the public and interested stakeholders to get involved in the transportation planning and project development process (see TIP Appendix A-3). The guide is also available at MTC's offices at 375 Beale St., San Francisco and online at: <http://mtc.ca.gov/our-work/fund-invest/transportation-improvement-program>.

Category 2: Responses to Comments Related to General Categories of Projects

Staff also received comments regarding general categories of projects. These comments did not identify specific projects, so the comments were not forwarded to sponsoring agencies.

Comment and Response #3

Some commenters opposed general categories of projects such as BRT projects with dedicated lanes or the purchases of diesel buses and equipment. Other commenters expressed support for grade separated rail transit, expanded local bus service or bicycle and pedestrian infrastructure.

MTC's Guide to the San Francisco Bay Area's Transportation Improvement Program outlines the various opportunities available to the public and interested stakeholders to get involved in the transportation planning and project development process (see TIP Appendix A-3). The guide is also available at MTC's offices at 375 Beale St., San Francisco and online at: <http://mtc.ca.gov/our-work/fund-invest/transportation-improvement-program>.

MTC also works with our partner agencies to develop programs that fund or incentivize specific categories of projects. Information about these programs and their development can be found online at: <http://mtc.ca.gov/our-work/fund-invest>.

Category 3: Responses to Comments Regarding Advocacy for Transportation Funding

Staff also received comments urging MTC to advocate for additional funding and policy changes.

Comment and Response #4

One commenter requested MTC to propose steady sources of funding, such as increasing the gas tax or reforming Proposition 13.

MTC continues to support numerous efforts to establish new sources of federal, state, regional and local funding for transportation. Each year MTC adopts a federal and state advocacy program to prioritize its efforts to ensure that the Bay Area benefits from new opportunities, defend against proposals that may reduce funding for Bay Area transportation, advance our goal of a safe, efficient and well-maintained regional transportation system. Information about MTC's advocacy program can be found online at: <http://mtc.ca.gov/our-work/advocate-lead/state-and-federal-advocacy>.

MTC urges members of the public to track and support developments related to increased transportation funding at all levels of government.

Category 4: Responses to Comments Regarding Land-Use Decisions

Staff also received comments pertaining to land-use trends and policies.

Comment and Response #5

One commenter opposed the construction of high-density residential developments along arterials, while another commenter suggested developing real estate located above transportation facilities.

SB 375 requires MTC to develop a Sustainable Communities Strategy that demonstrates that land-use development patterns and the proposed transportation network can work together to meet greenhouse gas reduction targets. To help achieve these goals, some funding programs, such as the One Bay Area Grant (OBAG) County Discretionary Program, include policies that incentivize cities to build housing. While the TIP includes funding from these programs, the TIP itself is focused on near-term transportation investments and does not include land-use decisions. Local jurisdictions retain the authority to adopt local land-use policies and make specific land-use decisions through their individual processes.

Category 5: Responses to Comments Regarding the Relationship of the TIP to the Plan

Staff received comments from the Sierra Club on the connection between the TIP and the policies and priorities established in the Plan.

Comment and Response #6

Meeting Greenhouse Gas Emissions Targets

The Sierra Club noted that the Draft Transportation-Air Quality Conformity Analysis for the Amended Plan Bay Area and the 2017 Transportation Improvement Program “indicates that the draft 207 TIP will not result in the greenhouse gas (GHG) reduction per capita target for the year 2035 [15%, relevant to the Plan] as required by the Air Resources Board under the California Sustainable Communities and Climate Protection Act of 2008 (SB 375).”

Transportation conformity is required under section 176(c) of the Clean Air Act (42 U.S.C. 7506(c)) to ensure that federally funded or approved highway and transit activities are consistent with (“conform to”) the purpose of the state air quality implementation plan (SIP). Conformity to the purpose of the SIP means that transportation activities will not cause or contribute to new air quality violations, worsen existing violations, or delay timely attainment of the relevant national ambient air quality standards (NAAQS).

In addition, the Federal Environmental Protection Agency’s transportation conformity rule (40 CFR Parts 51 and 93) establishes the criteria and procedures for determining whether metropolitan transportation plans, TIPs, and federally supported highway and transit projects conform to the purpose of the SIP. Transportation conformity applies to designated nonattainment and/or maintenance areas for transportation-related criteria pollutants: ozone, PM2.5, PM10, carbon monoxide, and nitrogen dioxide. Specifically, regional transportation conformity for transportation plans and TIPs is demonstrated by performing a regional emissions analysis for the applicable NAAQS pollutants in nonattainment areas.

Currently, there are no federal requirements for consideration of GHG impacts in a regional conformity analysis for a TIP or transportation plan. Therefore, to reduce confusion, the air quality and climate implications text and Table 6 will not be included in Appendix E of the Final Conformity Analysis.

Additionally, the Plan focuses extensively on GHG emission reductions and demonstrates that the combination of land use and transportation investments result in the region meeting its goals of 7 and 15 percent reductions in GHG emissions by 2020 and 2035, respectively. Any estimation of GHG reductions is relevant to the Plan. In contrast, the TIP covers only a four year period and includes only a subset of transportation projects and programs from the Plan.

References:

http://www.dot.ca.gov/hq/env/air/main_sections/conformity.htm

<https://www.epa.gov/state-and-local-transportation/policy-and-technical-guidance-state-and-local-transportation#requirements>

http://www.fhwa.dot.gov/environment/air_quality/conformity/

Prioritizing Transportation System Investments

This commenter also requested that funding in the proposed TIP should not be directed to highway and roadway expansion projects and should instead be directed to pedestrian, bicycle and transit projects in order to be supportive of the Sustainable Communities Strategies (SCS).

As mentioned in response to the previous comment (#6), there are no federal requirements for consideration of GHG impacts in a regional conformity analysis for a TIP or transportation plan and the "Draft Environmental Impact Report for MTC's Transportation 2035 Plan" is a California Environmental Quality Act (CEQA) *state* requirement – unassociated with federal requirements for the Draft Conformity Analysis.

Additionally, the performance analysis of the Plan evaluates if the full complement of transportation projects and programs included in the Plan, taken together with land use changes, advance the region's goals and objectives identified in the Plan. As a subset of projects and programs from the Plan, the investments included in the proposed TIP are consistent with the top priority of the Plan to operate and maintain the region's existing transportation system. Nearly two-thirds of the \$6.3 billion in committed funds over the four-year period of the TIP, is directed to maintaining the existing transportation system. In addition, the majority of funding programmed on State Highway System projects (82%) and local road projects (54%) rehabilitates, maintains, and operates the existing system.

It should also be noted that two significant federal programs for transit, bicycle and pedestrian, and complete streets projects are not yet programmed in the TIP. Nearly \$2 billion in Federal Transit Administration (FTA) formula funds expected to be available during the TIP period have not been programmed and therefore are not reflected in the TIP. The program of projects for these funds is anticipated to be adopted and programmed into the TIP in 2017. In addition, most projects from the second cycle of the One Bay Area Grant (OBAG 2) have not yet been programmed into the TIP. The OBAG 2 program, with more than \$150 million in annual federal funds, supports a range of priority multi-modal projects throughout the region. These projects will be incorporated into the TIP as the program is adopted.

High Level of Near-Term Highway Investment

The Sierra Club also noted that the proposed TIP should not front-load highway and roadway projects in the TIP and should instead use its funds to reduce vehicle miles travelled (VMT) and therefore GHGs.

The TIP is required to be fiscally constrained by program and by year. However, the TIP does not reflect the universe of federal, state, and local revenues that will be available over the four year

period. Some of these funds will be incorporated as their individual funding programs are developed and adopted, such as the Regional Transportation Improvement Program (RTIP) or regional allocations of FTA formula funds. Other funds are typically not reflected in the TIP at all, including the vast majority of local and state funds that will go to operate, maintain, and manage the region's existing transportation system.

It should be noted that although the TIP presents only a partial picture of the subset of transportation projects that will be implemented during the four year period, the full picture of the projects, programs and strategies that will be completed within the region is captured within the Plan. As mentioned above, although there are no federal requirements for consideration of GHG impacts and/or CEQA obligations in a regional conformity analysis for a TIP or transportation plan, the Plan does demonstrate that the combination of land use and transportation investments result in the region meeting its goals of 7 and 15 percent reductions in GHG emissions by 2020 and 2035, respectively. Any estimation of GHG reductions is relevant to the Plan itself. In contrast, the TIP covers only a four year period and includes only a subset of transportation projects and programs from the Plan.

Equitable Distribution of Funding

This commenter also noted that the proposed TIP and its underlying projects should be changed to eliminate the inequitable distribution of funds to low income and minority transit riders.

The investment analysis of the proposed TIP indicates that although the investments in the TIP are distributed equitably overall, a variance in the share of transit investments by trips for passengers living in low-income households and in the benefits of investments to minority transit riders. It is important to note, however, that the TIP does not reflect the full picture of transportation investments in the Bay Area over the long-term. As noted above, the TIP only includes four years of near-term fund programming. Also, since the TIP primarily documents projects that require federal actions or use federal funds, it tends to include more large capital projects than rehabilitation programs. Additionally, funding shown in the TIP is included in the year that project phases begin or are obligated and does not reflect the actual flow of funding and expenditures within these phases. While rehabilitation programs will have their funding spread across many years, large capital projects tend to have their funding lumped into a single year even if the funds will actually be expended over a number of years, some of which may be outside the scope of the TIP. When compared to the investments described in the Plan, the 2017 TIP only reflects about 15% of average annual transportation spending in the Bay Area.

An example of the issues described above is the fact that the 2017 TIP Investment Analysis is heavily influenced by two projects, BART's Railcar Procurement Program and Caltrain's Electrification project, as these projects have large capital phases that are beginning in the near future. Together, these projects account for over one third of all transit funding in the 2017 TIP. As these systems are used by a lower proportion of low-income and minority riders than the

regional average, the results of the analysis show lower investments benefiting low-income and minority riders. Prior iterations of the TIP Investment Analysis that showed a less variable distribution have been influenced by other large capital projects, such as SFMTA's Central Subway project and VTA's BART Warm Springs to Berryessa Extension project, that are still ongoing, but in the current TIP period require less funding action. Additionally, approximately \$2 billion in transit formula funding for FY2016-17 through FY2019-20 is yet to be programmed and is not included in the proposed 2017 TIP. While BART and Caltrain will still receive a large portion of these funds, the program will also distribute funds to a wider variety of transit operators.

MTC will revisit the investment analysis in the future (estimated for summer 2017, to coincide with adoption of Plan Bay Area 2040) and these transit funds are expected to be included. Additionally, MTC will continue to include updated demographic data sources in future iterations of the investment analysis. Since the draft analysis was released, BART's demographic data have been updated to account for weekend ridership.

Since the equity analysis of the Plan includes more projects and programs than just those that are federally focused and transportation funding is captured from more years, it is not disproportionately influenced by the types of projects described above.

It should also be noted that this analysis only assesses investments and does not directly assess the resulting benefit and burden of specific projects or programs, such as travel time savings or improved accessibility to jobs or other destinations.

Addressing the Effects of Climate Change on Transportation Infrastructure

The Sierra Club also noted that the TIP does not recognize the urgency of climate change and its effects on transportation and transit infrastructure. The commenter requested that the TIP identify projects and funding that will mitigate climate change impacts on Bay Area transportation infrastructure.

In recognition of the risks and challenges related to planning for long-term sustainability and resilience of our transportation assets in the face of climate change, MTC and other regional, state, and federal partners have been working together over the last four years to study how and where the Bay Area is vulnerable to current and future flooding in order to develop strategies to reduce these risks.

MTC was recently awarded a grant from Caltrans to plan for ensuring the Bay Area's transportation system becomes more resilient to increased flooding and sea level rise, while also improving the safety and sustainability of our communities, particularly vulnerable and disadvantaged communities. The \$1.2 million study, to be completed by MTC in cooperation with the Bay Conservation and Development Commission (BCDC), Caltrans District 4, and the Bay Area Regional Collaborative (BARC), will develop a regional vulnerability assessment focused

on the Bay Area's transportation infrastructure, Priority Development Areas (PDAs) as identified in the Plan, and vulnerable and disadvantaged communities. The project will also develop a suite of adaptation strategies to improve the resilience of Bay Area transportation assets and communities for inclusion in Plan Bay Area as well as other appropriate local and regional planning and programming documents. The results of the study could address the commenter's request in a future TIP to identify projects that mitigate the risks and damages caused by climate change.

**Metropolitan Transportation Commission
2017 Federal Transportation Improvement Program (TIP)**

Attachment B: Comments/Requested Changes to Draft Project Listings

Project Sponsor	TIP ID	Project Title	Draft TIP Amount	Draft TIP Year	Revised Amount	Revised Year	Change	Reason
Alameda County								
ACTC	ALA090018	Truck Parking Facilities in North County (Phase I)	\$1,000,000	2017	\$1,000,000	2018	Reprogram funds from FY17 to FY18	Update the funding plan to reflect the latest programming decisions
Port of Oakland	ALA090027	7th St Grade Separation and Port Arterial Improvements	n/a	n/a	n/a	n/a	Update project title and clarify description	Update project title and clarify description
Port of Oakland	ALA090027	7th St Grade Separation and Port Arterial Improvements	\$480,000	2017	\$480,000	2017	Change the source for \$480K from Other Local to Sales Tax and reprogram from PE to PSE	Update the funding plan to reflect the latest programming decisions
Port of Oakland	ALA090027	7th St Grade Separation and Port Arterial Improvements	\$7,968,000	2021	\$7,968,000	2017	Change the source for \$8M from RTP-LRP to Sales Tax and reprogram from FY21 CON to FY17 PSE	Update the funding plan to reflect the latest programming decisions
Port of Oakland	ALA090027	7th St Grade Separation and Port Arterial Improvements	\$9,552,000	2017	\$9,552,000	2017	Reprogram \$9.6M in Sales Tax from PE to PSE	Update the funding plan to reflect the latest programming decisions
WETA	ALA110001	Central Bay Operations and Maintenance Facility	\$0	n/a	\$1,325,466	2017	Add \$1.3M in FY17 CON STP funds	Update the funding plan to reflect the adoption of TPI Round 4 in May
ACTC	ALA110002	I-880/Industrial Parkway West Interchange	\$2,500,000	2017	\$2,500,000	2018	Reprogram funds from FY17 to FY18	Update the funding plan to reflect the latest programming decisions
ACTC	ALA130034	I-680 NB HOV/HOT Lane	\$7,000,000	2021	\$7,000,000	2016	Change the source for \$7M in PE funds from RTP-LRP to TCRP and reprogram to FY16	Update the funding plan to reflect the latest programming decisions
ACTC	ALA130034	I-680 NB HOV/HOT Lane	\$13,874,000	2021	\$13,874,000	2017	Change the source for \$13.9M in CON funds from RTP-LRP to TCRP and reprogram to FY17	Update the funding plan to reflect the latest programming decisions
ACTC	ALA130034	I-680 NB HOV/HOT Lane	\$25,180,000	2017	\$25,180,000	2017	Change the source for \$25.2M from RTP-LRP to Sales Tax	Update the funding plan to reflect the latest programming decisions
ACTC	ALA130034	I-680 NB HOV/HOT Lane	\$57,324,000	2021	\$57,324,000	2017	Change the source for \$57.3M in CON from RTP-LRP to Local and reprogram from FY21 to FY17	Update the funding plan to reflect the latest programming decisions
AC Transit	ALA150038	AC Transit: Purchase (10) Double-Deck Diesel Buses	\$1,980,300	2016	\$3,619,196	2016	Add \$1.6M in FY16 CON Operating Funds	Update the funding plan to reflect the latest programming decisions
ACTC	ALA170001	State Route 262 (Mission Blvd) Improvements	\$1,500,000	2016	\$1,500,000	2018	Reprogram funds from FY16 to FY18	Update the funding plan to reflect the latest programming decisions
ACTC	ALA170002	I-80/Ashby Avenue Interchange Improvements	\$4,000,000	2016	\$4,000,000	2017	Reprogram funds from FY16 to FY17	Update the funding plan to reflect the latest programming decisions
ACTC	ALA170004	I-880/West Winton Avenue Interchange	\$1,500,000	2017	\$1,500,000	2018	Reprogram funds from FY17 to FY18	Update the funding plan to reflect the latest programming decisions

**Metropolitan Transportation Commission
2017 Federal Transportation Improvement Program (TIP)**

Attachment B: Comments/Requested Changes to Draft Project Listings

Project Sponsor	TIP ID	Project Title	Draft TIP Amount	Draft TIP Year	Revised Amount	Revised Year	Change	Reason
ACTC	ALA170005	I-880/Whipple Road Interchange Improvements	\$1,000,000	2017	\$2,000,000	2018	Add \$1M in PE Local funds and reprogram from FY17 to FY18	Update the funding plan to reflect the latest programming decisions
ACTC	ALA170005	I-880/Whipple Road Interchange Improvements	\$6,000,000	2021	\$5,000,000	2021	Remove \$1M in PE RTP-LRP funds	Update the funding plan to reflect the latest programming decisions
ACTC	ALA170008	I-580/680 Interchange HOV/HOT Widening	\$1,000,000	2016	\$1,000,000	2018	Reprogram funds from FY16 to FY18	Update the funding plan to reflect the latest programming decisions
ACTC	ALA170009	Widen I-680 NB and SB for EL from SR-84 to Alcosta	\$1,500,000	2017	\$1,500,000	2018	Reprogram funds from FY17 to FY18	Update the funding plan to reflect the latest programming decisions
ACTC	ALA170010	I-880 NB HOV/HOT: North of Hacienda to Hegenberger	\$1,500,000	2017	\$1,500,000	2018	Reprogram funds from FY17 to FY18	Update the funding plan to reflect the latest programming decisions
Contra Costa County								
CCTA	CC-070035	Reconstruct I-80/San Pablo Dam Rd Interchange	\$9,200,000	2018	\$9,200,000	2020	Reprogram \$9.2M in ROW RIP from FY18 to FY20	Update the funding plan based on the latest revisions to the STIP
Brentwood	CC-070078	John Muir Parkway Extension: Ph. II	\$150,000	2013	\$208,000	2013	Add \$58K in ENV Local funds	Update the funding plan to reflect the latest programming decisions
Brentwood	CC-070078	John Muir Parkway Extension: Ph. II	\$255,000	2013	\$232,000	2013	Remove \$23K in PSE Local funds	Update the funding plan to reflect the latest programming decisions
Brentwood	CC-070078	John Muir Parkway Extension: Ph. II	\$3,435,301	2016	\$3,435,301	2016	Change the source for \$3.4M in CON funds from Other Local to ECCRFA	Update the funding plan to reflect the latest programming decisions
Brentwood	CC-070078	John Muir Parkway Extension: Ph. II	\$0	n/a	\$100,000	2016	Add \$100K in CON ECCRFA funds	Update the funding plan to reflect the latest programming decisions
ECCTA	CC-070092	ECCTA: Transit Bus Replacements	\$2,660,568	2015	\$4,873,568	2015	Add \$1.77M in CON 5307 funds and \$443K in CON Local funds	Update the funding plan to reflect the FY15 TCP POP
El Cerrito	CC-130024	Ohlone Greenway Station Area Bike/Ped Improvements	\$49,265	2014	\$49,265	2016	Reprogram \$44K in CMAQ and \$5K in Local from FY14 PE to FY16 CON	Update the funding plan to match obligation
Martinez	CC-130025	Martinez Various Streets and Roads Preservation	\$1,185,000	2017	\$1,185,000	2018	Reprogram \$1.02M in CON CMAQ and \$162K in CON Local funds from FY17 to FY18	Update funding plan to match planned obligation
Danville	CC-130038	Vista Grande Street Pedestrian Improvements/SR2S	\$178,000	2017	\$178,000	2018	Reprogram \$157K in CMAQ and \$21K in Local funds from FY17 to FY18	Update funding plan to match planned obligation
BART	CC-130048	BART Station Modernization Program	n/a	n/a	\$6,321,688	2016	Add \$6.3M in CON TIGER funds	Update the funding plan to reflect the award of TIGER funds
CCTA	CC-150009	CCTA - Carshare 4 All	\$1,218,012	2017	\$1,218,012	2018	Reprogram \$974K in CMAQ and \$244K in Local funds from FY17 to FY18	Update funding plan to match planned obligation

**Metropolitan Transportation Commission
2017 Federal Transportation Improvement Program (TIP)**

Attachment B: Comments/Requested Changes to Draft Project Listings

Project Sponsor	TIP ID	Project Title	Draft TIP Amount	Draft TIP Year	Revised Amount	Revised Year	Change	Reason
WCCTA	CC-150021	WestCAT - AVL System with APC Element.	\$394,513	2017	\$394,513	2018	Reprogram \$345K in CON STP and \$50K in CON Local from FY17 to FY18	Update funding plan to match planned obligation
Marin County								
Ross	MRN130006	Bolinas Avenue and Sir Francis Drake Intersection	\$274,000	2017	\$274,000	2016	Reprogram \$274K in STP funds from FY17 to FY16	Reprogram funds to match obligation
Marin County	MRN130007	North Civic Center Drive Improvements	\$908,890	2016	\$187,000	2016	Remove \$723K in Other Local funds	Update the funding plan to reflect the programming of supplemental RSRTS funds
Marin County	MRN130007	North Civic Center Drive Improvements	\$243,000	2016	\$1,034,000	2016	Add \$791K in FY16 STP funds	Update the funding plan to reflect the programming of supplemental RSRTS funds
GGBHTD	MRN150007	GGBHTD: On-Board Bus and Ferry Surveys	\$402,572	2017	\$402,572	2016	Reprogram \$403K in STP funds from FY17 to FY16	Reprogram funds to match obligation
San Rafael	MRN150008	Grand Avenue Bicycle Pedestrian Improvements	\$791,000	2017	\$791,000	2017	Change the source for \$791K in FY17 funds from CMAQ to Local	Change the fund source to reflect changes in the OBAG1 RSRTS program
Novato	MRN170002/ MRN150016	Vineyard Road Improvements	\$750,000	2017	\$750,000	2017	Change the fund source for \$750K in CON funds from Other Local to CMAQ funds	Update the funding plan to reflect the identification of an exchange project in the OBAG1 PCA program and change the TIP ID from MRN170002 to MRN150016
Napa County								
Napa	NAP110028	California Boulevard Roundabouts	\$723,000	2017	\$723,000	2016	Reprogram \$723K in ROW CMAQ from FY17 to FY16	Reprogram funds to match obligation
Napa	NAP110028	California Boulevard Roundabouts	\$2,331,793	2017	\$2,331,793	2018	Reprogram \$1.74M in CON CMAQ and \$592K in CON Local from FY17 to FY18	Reprogram funds to match planned obligation
American Canyon	NAP110029	Eucalyptus Drive Realignment Complete Streets	n/a	n/a	\$1,665,000	2021	Program \$1.7M in RTP-LRP funds	Program funds to reflect updated project cost
San Francisco City/County								
Caltrain	SF-010028	Caltrain Electrification	\$22,620,000	2021	\$22,620,000	2017	Change the source for \$22.62M in CON funds from RTP-LRP to 5337 and reprogram to FY17	Update the funding plan to reflect the FY16 TCP POP
TBJPA	SF-050002	Transbay Terminal/Caltrain Downtown Ext: Ph. 2	\$377,000,000	2019	\$377,000,000	2021	Reprogram RTP-LRP funds from FY19 to FY21	Funds are uncommitted and should be programmed outside of the TIP period
SF DPW	SF-130011	SF- Second Street Complete Streets and Road Diet	\$10,731,264	2017	\$10,731,264	2016	Reprogram \$9.2M in CON STP and \$1.5M in CON Local funds from FY17 to FY16	Reprogram funds to match obligation

**Metropolitan Transportation Commission
2017 Federal Transportation Improvement Program (TIP)**

Attachment B: Comments/Requested Changes to Draft Project Listings

Project Sponsor	TIP ID	Project Title	Draft TIP Amount	Draft TIP Year	Revised Amount	Revised Year	Change	Reason
SF DPW	SF-130011	SF- Second Street Complete Streets and Road Diet	\$600,639	2017	\$600,639	2017	Change the source for \$600,639 in CON funds from Other Local to STP	Update the funding plan to match the updated OBAG1 County Program and the STP/CMQ Cycle 1 - TLC program
SFDPH	SF-130018	SF SRTS Non-Infrastructure Program	\$0	n/a	\$360,000	2017	Add \$360K in FY17 CON CMAQ funds	Program funds to reflect programming decisions in the RSRTS program
SFMTA	SF-130019	Eddy and Ellis Traffic Calming Improvement Project	\$810,601	2017	\$810,601	2016	Reprogram \$718K in CON CMAQ and \$93K in CON Local from FY17 to FY16	Reprogram funds to match obligation
SF DPW	SF-150016	Lombard Street Vision Zero Project	\$1,910,000	2017	\$1,910,000	2017	Change the source for \$1.91M in CON funds from RIP to Other Local	Change fund source to reflect the latest programming decisions
San Mateo County								
San Mateo	SM-130004	Mount Diablo Ave. Rehabilitation	\$357,000	2017	\$357,000	2017	Reprogram \$357K in CON CMAQ from FY17 to FY18	Reprogram funds to match planned obligation
SF City/County	SM-130031	Southern Skyline Blvd. Ridge Trail Extension	\$3,000,000	2017	\$3,000,000	2018	Reprogram \$1M in CON STP and \$2M in CON Local funds from FY17 to FY18	Reprogram funds to match planned obligation
San Mateo	SM-150016	San Mateo Downtown Parking Tech Implementation	\$1,850,000	2017	\$1,850,000	2018	Reprogram \$1.4M in CON CMAQ and \$465K in CON Local from FY17 to FY18	Reprogram funds to match planned obligation
Santa Clara County								
San Jose	SCL090004	Downtown San Jose Bike Lanes and De-couplet	n/a	n/a	n/a	n/a	Clarify project scope	Clarify project scope
Gilroy	SCL110032	Gilroy New Ronan Channel and Lions Creek Trails	\$1,034,000	2017	\$1,034,000	2016	Reprogram \$1.03M in CON CMAQ from FY17 to FY16	Reprogram funds to match obligation
VTA	SCL110125	Local PDA Planning - Santa Clara	\$2,246,239	2017	\$2,246,239	2016	Reprogram \$1.99M in PE STP and \$258K in PE Local from FY17 to FY16	Reprogram funds to match obligation
VTA	SCL110125	Local PDA Planning - Santa Clara	\$256,984	2017	\$256,984	2018	Reprogram \$228K in PE STP and \$29K in PE Local from FY17 to FY18	Reprogram funds to match planned obligation
San Jose	SCL130004	San Jose - Meridian Bike/Ped Improvements	\$1,299,000	2017	\$1,299,000	2018	Reprogram \$1.15M in CON CMAQ and \$149K in CON Local from FY17 to FY18	Reprogram funds to match planned obligation
San Jose	SCL130010	San Jose Pedestrian Oriented Traffic Signals	\$800,000	2017	\$800,000	2016	Reprogram \$800K in CON CMAQ from FY17 to FY16	Reprogram funds to match obligation
VTA	SCL150018	Peery Park Rides	\$2,080,000	2017	\$2,080,000	2018	Reprogram \$1.13M in CON CMAQ and \$951K in CON Local from FY17 to FY18	Reprogram funds to match planned obligation
Solano County								
STA	SOL110019	Solano Safe Routes to School Program	n/a	n/a	\$314,000	2017	Add \$314K in CON CMAQ funds	Program funds to reflect the selection of projects in the RSRTS program
Solano County	SOL130007	Suisun Valley Bicycle and Pedestrian Imps	\$927,000	2017	\$927,000	2016	Reprogram \$927K in CON STP from FY17 to FY16	Reprogram funds to match obligation

**Metropolitan Transportation Commission
2017 Federal Transportation Improvement Program (TIP)**

Attachment B: Comments/Requested Changes to Draft Project Listings

Project Sponsor	TIP ID	Project Title	Draft TIP Amount	Draft TIP Year	Revised Amount	Revised Year	Change	Reason
Suisun City	SOL130020	Driftwood Drive Path	\$38,679	2016	\$98,000	2016	Add \$59K in TDA funds	Update the funding plan to reflect the latest programming decisions
Sonoma County								
Cloverdale	SON130016	Cloverdale - Safe Routes to School Phase 2	\$250,000	2017	\$250,000	2017	Change the source for \$250K from CMAQ to STP	Change funds source to reflect planned obligation
Son Co TA	SON150010	Santa Rosa Car Share	\$220,000	2017	\$220,000	2017	Reprogram Strategic Growth Council SHIFT funds from CON to PE	Update the funding plan to reflect the latest programming decisions
Son Co TA	SON150010	Santa Rosa Car Share	\$170,130	2017	\$170,130	2017	Reflect the use of toll credits in lieu of match for CON	Update the funding plan to reflect the latest programming decisions
Son Co Transit	SON150012	Sonoma County Transit: Replacement CNG Buses	\$114,656	2017	\$199,667	2017	Add \$85K in CON STP funds	Add funds as they are being transferred from SON150013
Son Co Transit	SON150013	Sonoma County Transit: Replace 2006 CNG Buses	\$1,012,543	2016	\$1,012,543	2017	Reprogram \$467K in CON 5307, \$176K in CON 5339 and \$369K in CON Local from FY16 to FY17	Reprogram funds to match planned FTA grant
Son Co Transit	SON150013	Sonoma County Transit: Replace 2006 CNG Buses	\$85,011	2017	\$0	2017	Remove \$85K in CON STP funds	Remove funds as they are being transferred to SON150012
Regional/Multiple County								
MTC	REG090003	Freeway Performance Initiative (FPI)	\$6,719,000	2017	\$6,719,000	2016	Reprogram \$4.01M in FY17 CON CMAQ and \$6.8M in FY17 PE CMAQ to FY16 PE	Reprogram funds to match obligation
MTC	REG090039	Regional Streets and Roads Program	\$1,695,000	2017	\$1,695,000	2016	Reprogram \$1.5M in CON STP and \$195K in CON Local from FY17 to FY16	Reprogram funds to match obligation
MTC	REG090042	511 Traveler Information	\$8,750,000	2017	\$8,750,000	2017	Change the source for \$8.75M in FY17 CON funds from CMAQ to STP	Change the fund source to match planned obligation
MTC	REG090044	Incident Management Program	\$12,245,000	2018	\$12,245,000	2017	Reprogram \$10.84M in CON CMAQ and \$1.4M in CON Local funds from FY17 to FY18	Reprogram funds to reflect planned obligation
Total			\$712,271,942		\$728,119,576			

Date: September 28, 2016
W.I.: 1412
Referred by: PAC

ABSTRACT

Resolution No. 4274

This resolution approves the Transportation Air Quality Conformity Analysis for the Amended Plan Bay Area (Plan) and the 2017 Transportation Improvement Program (TIP).

Further information is contained in the Programming & Allocations Committee summary sheets dated September 14, 2016.

Date: September 28, 2016
W.I.: 1412
Referred by: PAC

RE: Approval of the Transportation Air Quality Conformity Analysis for the Amended Plan Bay Area and the 2017 Transportation Improvement Program

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION NO. 4274

WHEREAS, the Metropolitan Transportation Commission (MTC) is the regional transportation planning agency for the San Francisco Bay Area pursuant to California Government Code Section 66500 et seq.; and

WHEREAS, MTC is the designated Metropolitan Planning Organization (MPO) for the nine-county San Francisco Bay Area region (the region); and

WHEREAS, the current Regional Transportation Plan (RTP) is Plan Bay Area, adopted by the Commission on July 18, 2013 (MTC Resolution No. 4111) and amended by the Commission on September 23, 2015 (MTC Resolution No. 4198); and

WHEREAS, MTC has prepared the 2017 Transportation Improvement Program (TIP) (MTC Resolution 4275), to be approved the same day as this Resolution; and

WHEREAS, the RTP and the TIP must conform to the State Implementation Plan (SIP), the federal air quality plan for the Bay Area; and

WHEREAS, the San Francisco Bay Area air basin was designated by U.S. Environmental Protection Agency (U.S. EPA) as nonattainment for the fine particulate matter (PM_{2.5}) standard in December 2009, and so MTC must demonstrate conformance to this standard through an interim emission test until a PM_{2.5} SIP is approved by U.S. EPA:

WHEREAS, MTC has conducted a transportation air quality conformity analysis for the 2017 TIP and RTP in accordance with U.S. EPA conformity regulations and the Bay Area Air Quality Conformity Protocol (MTC Resolution No. 3757); and

WHEREAS, the Transportation Air Quality Conformity Analysis for the Amended Plan Bay Area and the 2017 Transportation Improvement Program updates the Transportation Air Quality Conformity Analysis of the Amendment to Plan Bay Area and Amendment to 2015 Transportation Improvement Program to reflect updated project delivery information for those projects whose completion years have shifted since the original adoption of Plan Bay Area and the 2015 TIP; and

WHEREAS, said conformity redetermination analysis is referenced in Attachment A of this resolution, and is incorporated herein as though set forth at length; and

WHEREAS, the conformity analysis has been circulated for the required 30-day public comment review period per MTC Resolution No. 4174; now, therefore be it

RESOLVED, that MTC makes the following conformity findings for the Amended Plan Bay Area and 2017 Transportation Improvement Program:

- (A) Conforms to the applicable provisions of the State Implementation Plan and the applicable transportation conformity budgets in the State Implementation Plan approved for the national 8-hour ozone standard and carbon monoxide standard, and to the interim emissions test for the national fine particulate matter standard; and
- (B) Provides for the timely implementation of transportation control measures (TCMs) pursuant to the applicable State Implementation Plan;

RESOLVED, that MTC adopts the Transportation Air Quality Conformity Analysis for the Amended Plan Bay Area and the 2017 Transportation Improvement Program, as set forth in Attachment A; and be it further

RESOLVED, that Executive Director shall forward a copy of this Resolution to the U.S. Department of Transportation for its approval of MTC's conformity findings, along with a copy of the 2017 Transportation Improvement Program and to such other agencies as appropriate.

METROPOLITAN TRANSPORTATION COMMISSION

Dave Cortese, Chair

The above resolution was entered into by the Metropolitan Transportation Commission at a regular meeting of the Commission held in San Francisco, California, on September 28, 2016.

Date: September 28, 2016
W.I.: 1412
Referred by: PAC

Attachment A
Resolution No. 4274
Page 1 of 1

Transportation Air Quality Conformity Analysis for the Amended Plan Bay Area (Plan) and the 2017 Transportation Improvement Program (TIP)

A copy of the Conformity Redetermination is on file at the MTC-ABAG Library located in the Bay Area Metro Center, 375 Beale Street, Suite 800, San Francisco, California 94105.

Date: September 28, 2016
W.I.: 1512
Referred by: PAC

ABSTRACT

Resolution No. 4275

This resolution adopts the 2017 Transportation Improvement Program (TIP) for the San Francisco Bay Area.

Further discussion of the 2017 TIP adoption is contained in the Programming & Allocations Committee summary sheet dated September 14, 2016.

Date: September 28, 2016
W.I.: 1512
Referred by: PAC

Re: Adoption of the 2017 Transportation Improvement Program (TIP)

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION NO. 4275

WHEREAS, the Metropolitan Transportation Commission (MTC) is the regional transportation planning agency for the San Francisco Bay Area pursuant to California Government Code Section 66500 et seq.; and

WHEREAS, MTC is the federally designated Metropolitan Planning Organization (MPO), pursuant to Section 134(d) of Title 23 of the United States Code (USC) for the nine-county San Francisco Bay Area region (the region); and

WHEREAS, Title 23 Code of Federal Regulations Part 450 (23 CFR §450) requires the region to carry out a continuing, cooperative and comprehensive transportation planning process as a condition to the receipt of federal assistance to develop and update at least every four years, a Transportation Improvement Program (TIP) consisting of a comprehensive listing of transportation projects that receive federal funds or that are subject to a federally required action, or that are regionally significant; and

WHEREAS, the TIP must be consistent with the Regional Transportation Plan (RTP) adopted pursuant to Government Code Section 66508, the State Implementation Plan (SIP) as required by the federal Clean Air Act (42 U.S.C. Section 7401 et seq.); and the San Francisco Bay Area Transportation Air Quality Conformity Protocol (MTC Resolution 3757), which establish the Air Quality Conformity Procedures for MTC's TIP and RTP; and

WHEREAS, federal regulations (23 CFR §450.324(i)) require that the TIP be financially constrained, by year, to reasonable estimates of available federal and state transportation funds; and

WHEREAS, federal regulations (23 CFR §450.316) require that the MPO develop and use a documented public participation plan that defines a process for providing citizens, affected public agencies and interested parties with reasonable opportunities to be involved in the metropolitan transportation planning process; and

WHEREAS, federal regulations (23 CFR §450.330(a)) allow MTC to move projects between years in the first four years of the TIP without a TIP amendment, if Expedited Project Selection Procedures (EPSP) are adopted to ensure such shifts are consistent with the required year by year financial constraints; and

WHEREAS, MTC, the State, and public transportation operators within the region have developed and implemented EPSP for the federal TIP as required by Federal Regulations (23 CFR 450.330(a)) and Section 134 of Title 23 United States Code (USC §134), as outlined in Attachment A to this Resolution, and MTC Resolution 3606, Revised; and

WHEREAS, MTC has found in MTC Resolution No. 4274 that the 2017 TIP, as set forth in this resolution, conforms to the applicable provisions of the SIP for the San Francisco Bay Area; and

WHEREAS, the San Francisco Bay Area air basin was designated by U.S. Environmental Protection Agency as nonattainment for the fine particulate matter (PM_{2.5}) standard in December 2009, and MTC must demonstrate conformance to this standard through an interim emissions test until a PM_{2.5} SIP is approved by the federal Environmental Protection Agency (U.S. EPA); now, therefore be it

RESOLVED, that MTC adopts the 2017 TIP, attached hereto as Attachment A and incorporated herein as though set forth at length; and be it further

RESOLVED, that MTC has developed the 2017 TIP in cooperation with the county Congestion Management Agencies, transit operators, the Bay Area Air Quality Management District (BAAQMD), the California Department of Transportation (Caltrans), and other partner agencies and interested stakeholders, and in consultation with the Federal Highway Administration (FHWA), Federal Transit Administration (FTA) and U.S. EPA; and, be it further

RESOLVED, that the 2017 TIP was developed in accordance with the region's Public Participation Plan and consultation process (MTC Resolution No. 4174) as required by Federal Regulations (23 CFR §450.316); and, be it further

RESOLVED, that the projects and programs included in the 2017 TIP, attached hereto as Attachment A to this resolution, and incorporated herein as though set forth at length, are consistent with the RTP; and, be it further

RESOLVED, that the 2017 TIP is financially constrained, by year, to reasonable estimates of available federal, state and local transportation funds; and, be it further

RESOLVED, that MTC approves the EPSP developed by MTC, the State, and public transportation operators within the region for the federal TIP as required by federal regulations (23 CFR 450.330(a)) and Section 134 of Title 23 United States Code (USC §134), as outlined in Attachment A to this Resolution, and MTC Resolution 3606, Revised; and, be it further

RESOLVED, that MTC will support, where appropriate, efforts by project sponsors to obtain letters of no prejudice or full funding agreements from FTA for projects contained in the transit element of the TIP; and, be it further

RESOLVED, that the public hearing and public participation process conducted for the 2017 TIP satisfies the public involvement requirements of the FTA annual Program of Projects; and, be it further

RESOLVED, that the adoption of the TIP shall not constitute MTC's review or approval of those projects included in the TIP pursuant to Government Code Sections 66518 and 66520, or provisions in federal regulations (49 CFR Part 17) regarding Intergovernmental Review of Federal Programs; and, be it further

RESOLVED, that MTC's review of projects contained in the TIP was accomplished in accordance with procedures and guidelines set forth in the San Francisco Bay Area Transportation Air Quality Conformity Protocol (MTC Resolution 3757); and, be it further

RESOLVED, that MTC finds that the 2017 TIP conforms to the applicable provisions of the State Implementation Plan (SIP) and the applicable transportation conformity budgets in the SIP approved for the national 8-hour ozone standard and national carbon monoxide standard, and to the emissions test for the national fine particulate matter standard (MTC Resolution No. 4274); and, be it further

RESOLVED, that the projects and programs included in the 2017 TIP do not interfere with the timely implementation of the traffic control measures (TCMs) contained in the SIP; and, be it further

RESOLVED, that MTC finds all regionally significant capacity-increasing projects included in the 2017 TIP are consistent with Plan Bay Area (the 2040 Regional Transportation

Plan including the Sustainable Communities Strategy for the San Francisco Bay Area); and, be it further

RESOLVED, that revisions to the 2017 TIP as set forth in Attachment B to this resolution and incorporated herein as though set forth at length, shall be made in accordance with rules and procedures established in the public participation plan and in MTC Resolution No. 4275, and that MTC's review of projects revised in the TIP shall be accomplished in accordance with procedures and guidelines set forth in the San Francisco Bay Area Transportation Air Quality Conformity Protocol (MTC Resolution 3757) and as otherwise adopted by MTC; and, be it further

RESOLVED, that staff have the authority to make technical corrections, and the Executive Director and Deputy Executive Directors have signature authority to approve administrative modifications for the TIP and Federal Statewide Transportation Improvement Program (FSTIP) under delegated authority by Caltrans, and to forward all required TIP amendments once approved by MTC to the appropriate state and federal agencies for review and approval; and, be it further

RESOLVED, that a copy of this resolution shall be forwarded to FHWA, the FTA, U.S. EPA, Caltrans, the Association of Bay Area Governments (ABAG), and to such other agencies and local officials as may be appropriate.

METROPOLITAN TRANSPORTATION COMMISSION

Dave Cortese, Chair

This resolution was entered into by the Metropolitan Transportation Commission at a regular meeting of the Commission held in San Francisco, California on September 28, 2016.

Date: September 28, 2016
W.I.: 1512
Referred by: PAC

Attachment A
Resolution No. 4275
Page 1 of 1

2017 Transportation Improvement Program

The 2017 Transportation Improvement Program for the San Francisco Bay Area, adopted September 28, 2016, is comprised of the following, incorporated herein as though set forth at length:

- A Guide to the 2017 Transportation Improvement Program (TIP) for the San Francisco Bay Area
- TIP Overview
- Expedited Project Selection Process
- TIP Revision Procedures
- Financial Capacity Assessments
- County Summaries
- Project Listings
- Appendices
- The 2017 TIP Investment Analysis: Focus on Low-Income and Minority Communities

Date: September 28, 2016
W.I.: 1512
Referred by: PAC

Attachment B
Resolution No. 4275
Page 1 of 1

Revisions to the 2017 TIP

Revisions to the 2017 Transportation Improvement Program (TIP) will be included as they are approved.

Programming and Allocations Committee

September 14, 2016

**Item 4a – Adoption of the 2017 TIP and Transportation-Air
Quality Conformity Analysis for the Amended Plan Bay Area
and the 2017 TIP**

Appendix 1 – Comments Received

From: Andrea Mirenda [REDACTED]
Sent: Wednesday, July 27, 2016 4:18 PM
To: MTC Info <info@mtc.ca.gov>
Subject: El Camino bus lane is a bad idea

Please review the impact of all residents of the area. El Camino is so crowded today and removing a lane for a bus lane is a bad idea.

Regards,
Andrea Mirenda
[REDACTED]
Mountain View CA

-----Original Message-----

From: Cathy Jennings [REDACTED]

Sent: Friday, July 29, 2016 6:25 PM

To: MTC Info <info@mtc.ca.gov>

Subject: Express/HOV lanes on Peninsula hwy101

I am very much in favor of continuing HOV lanes north of Whipple Ave. These days it should be 24 hours and not just 7-9AM and 4-7PM. Anybody who must move along as a single occupant should have the option of paying for the privilege. Anybody driving alone who can't afford to pay will benefit from others paying to get out of the free lanes. The idea is to make it more attractive for people to carpool and if the HOV/Express lanes are moving while the others aren't, hopefully those that cannot afford the fees will find someone to carpool with instead.

As a professional who drives these roads routinely (with an assistant) I am in favor of anything that decreases traffic!

Cathy Jennings, DVM
[REDACTED]

SO PAX CAN/COULD REST/SOBE BACK, KNEES
BREATHE AS TWO OF THE LEGS STAYING
SIT DOWN PODS ON 4" IN DIAMETER HAUB BEEN
NOW REMOVED (TO PUT IN A NEW FLOOR) - STUPID
& NEXT BART UNIT - SINCE MAY 2016
IN THE PUBLIC AREA

(A) TRUSTING THE ABOVE COMMENTS ISSUES CAN
& W/BE ADDRESSED IN ATTACHMENT (B)
pg 48 & REG. TLC PROGRAM IN RES. 3925
APPENDIX A - 14 STD. 6/17/2016.

(2) MAY BE ASK WAS IN THE UNION CITY
INTERMODAL PROJ. IN THE 2013 TIP? I WAS IN
FAVOR THEN AS THE DESIGN WAS TO BE A PROPOSED
TO BE A FINGER/ISLAND TYPE W/ SAW TOOTH
BAYS FOR THE BUSES, AS FAR BACK AS MAY 31, 2001
THE DESIGN WAS TO BE THIS WAY WITH
CONSULTANTS OF BOARD: SHYLM, OVE ARUP,
FEHR & PEERS, NELSON NYGAARD &
WINDIE & ASSO. A TRANSIT WAS HAPPY
W/ THE FINGER ISLAND DESIGN (ISLAND DOG EAT
BART WAS NOT CONSIDERED ON THE PHASE I
WEST SIDE W/ A LOT OF TEMP CONC. CHG. W/ A
"L" SHAPE (DOG LEG TO THE RIGHT) TEMP. DESIGN
NOW PERMANENT "L" SHAPE DESIGN (DOG LEG
TO THE RIGHT) & LONG WALKS TO BUSES &
CABS, & NOT REALLY ANY SIT DOWN AREAS TO
HANDLE THE W/LOAD, FURTHER DISABLE
YOUNG & KIDS W/ RBS.

(2A) TRUST THATS OUTSIDE THE BART BUILDING
& STRONG ARM TALLIES, TO THE FORCE & 375
& W/ 2/22 (2) ONE BAY AREA GRAM
PROGRAM HAVE NOW LED TO THIS W/ BSS,
& WHITE/PINK ELEPHANT.

2 AMERSON
7/22/2016
page 2 of 2

COMPLETION:

ITEM 3 APPENDIX A-67 on page 6
ALA, TIP 130025

THE CORRECT SPELLING FOR THIS WORD
IS CAPITAL AVE. (IN FACT, CA NOT
AS PRINTED UP AS CAPITAL AVE,

(DID FREEMAN SUGGEST THATS PEOPLE
SPOT CHECK THIS)?

From
AT ALA
TRANS
MISSISSIPPI

4 IN APPENDIX A-16, & MIC
RES 4202 AS TO ME & ALL OTHER
US PEOPLE THAT USE & COMMUTE
THROUGH THE U/CITY BASSIA, IN
PROJ. PHASE I & III AS 9/11/2015

(DID WE, ARE DOWNE SIGN OFF
ON THIS) & ALSO ITEM 1-8 & 1
ATTACHMENTS, & IN MIC PUBLIC
INVOLVEMENT PROCESS)?

5 NOW REALLY LIKE: IN
VOL # 1 SECT 4 FOR A/E TRANSIT

1 SECT 4 FOR BANI S-4 - Pg 5

ALA TIP ALA. 150038 NEW
DOUBLE DECKER BUSES FOR A/E TRANSIT

BANISY-5 LADDERAS TO OPPORTUNITY
W/CARRIERS IN TRANSIT ALA 150030

& ALL OTHER PROJ. IN ALA. OF THAT
DID SPOT CHECK,

-----Original Message-----

From: Robert Moss [REDACTED]

Sent: Thursday, July 28, 2016 10:13 AM

To: MTC Info <info@mtc.ca.gov>

Subject: Bus Lanes on El Camino

The proposal for bus-only lanes on El Camino is a TRULY AWFUL idea!! MTC routes and service levels are inadequate and don't even serve areas like Stanford Research Park, Cal-train station at California Ave. and local residential neighborhoods. Traffic on El Camino is jammed now, especially during rush hours but even in mid-day. Removing a driving lane will make traffic far worse and encourage many drivers to cut down nearby narrow residential streets. Bus occupancy won't improve if a traffic lane is changed to a bus lane, it will just divert more car traffic from EL Camino.

Please drop this idea now. If MTC wants to improve transit service, start running small buses down residential streets and to Caltrain stations and Stanford Industrial Park and Stanford University. When Palo Alto ran it's own bus service, before 1973, local areas were served by bus lines, but within a few months after MTC took over the service those local bus lines were dropped and bus service began to deteriorate. Since then it has not improved. A bus-only lane on El Camino won't make the service more desirable or significantly increase ridership, it will only make traffic for everyone else more unbearable.

Please drop this proposal.

Regards, Bob Moss

From: Rand Strauss [REDACTED]
Sent: Thursday, July 28, 2016 9:25 PM
To: MTC Info <info@mtc.ca.gov>
Subject: a better design for VTA

Most of the VTA plans seem very bad.

Let's do it right, rather than slowing down all our streets for a half-baked solution. I know it's more expensive, but we're one of the richest towns in the country.

In **Mountain View**, the worst would be to have a bus-only lane on El Camino.

- This only modestly help busses
- it slows down the rest of the traffic
- It worsens the traffic-light situation if the lane is in the center since all riders must then cross the street
- Thus it worsens the problem with cross streets.

A much better plan is to lower, or embed, Central Expressway and the railroad tracks and make bridges for the cross streets. Faster busses can run on Central.

The lights on El Camino could be shortened by running one lane of cross streets under it. The light can then be used just for cars making left-hand turns.

If there are just two lanes on the side street, well before the intersection, the left lane is for through traffic and the right lane is for left and right turns.

The left lane then sinks down to go under the intersection. When it's low enough, it's covered again by the street and the right lane then splits for left and right turns.

The light allows left turns, and people turning right must yield. Either the light can pause a bit longer - all red - to let people turn right, or they can simply turn when traffic pauses.

A lot of the lights are slow on El Camino because of pedestrian traffic. This can be avoided by adding stairs and a pedestrian walkway under the street, or by adding an overhead walkway.

Let's do it right, rather than slowing down all our streets for a half-baked solution. I know it's more expensive, but we're one of the richest towns in the country.

-Rand Strauss

From: Alex Hakso [REDACTED]
Sent: Friday, July 29, 2016 2:34 PM
To: MTC Info <info@mtc.ca.gov>
Subject: In Support of Toll Lanes on the 101

I read the WSDOT toll lanes white paper, which can be found here:

https://www.wsdot.wa.gov/NR/rdonlyres/EF771287-A27A-48CB-914F-0C1E0441D78D/0/i405_ML_White_Paper_Final_Update_Apr07.pdf

These lanes strike me as an imminently reasonable solution to a real problem.

In particular, I hope we can implement dynamic pricing to achieve maximum utilization of the lanes.

From: ANNENICHOLS09 [REDACTED]

Sent: Wednesday, July 27, 2016 9:10 PM

To: MTC Info <info@mtc.ca.gov>

Subject: NO DESIGNATED BUS LANES

PLEASE DO NOT PROCEED WITH DESIGNATION OF BUS LANES.
ANNE NICHOLS

From: Jean [REDACTED]
Sent: Sunday, July 03, 2016 1:23 PM
To: MTC Info <info@mtc.ca.gov>
Subject: Comments on Draft 2017

Dear MTC,

RE: Comments for Draft 2017 Transportation Improvement Program (TIP) and Draft Transportation-Air Quality Conformity Analysis for Plan Bay Area and the Draft 2017 TIP

Please focus funding on Protected/Separated Bikeways, with "Protected-Only Phase Signals" at crosswalks, and Bicycle Signal Faces, that form basic transportation spines of comfortable and safe connected NETWORKS that are inviting to the 60% of our population to leave cars at home and walk and bike for transportation.

The SF Bay Area needs prioritization of such protected networks. Cities make a mistake in building bicycle infrastructure such as Class 2 lanes for the 2-14% of the population who are comfortable sharing roads with motor vehicles. We can do better in prioritizing funds to create connections safe for the ages '8-80,' in lieu of piecemeal bits of paint.

Crosswalks should provide truly "protected" signal phases for pedestrians and red turn arrows instead of asking pedestrians and cars to share the light, with pedestrians losing.

Our air quality and climate deserve radical re-prioritization now to reduce CO2.

Thank you.

Best wishes,
Jean Severinghaus
Caltrans District 4 Bicycle Advisory Committee, Marin Member At Large

[REDACTED]

From: Karim Hyder [REDACTED]
Sent: Thursday, July 28, 2016 10:06 AM
To: MTC Info <info@mtc.ca.gov>
Subject: Agree with Linda Curtis - no dedicated bus lanes!

Hello,
I don't have much time to write in length because I work 60+ hours a week with few breaks in order to afford to live in MV. I wholeheartedly agree with Linda Curtis, who is opposed to dedicated bus lanes.

Thank you,
Karim

[REDACTED]

--

Karim Hyder
Director of Operations

[REDACTED]

[REDACTED]

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From: Holly Westphal [REDACTED]
Sent: Wednesday, July 27, 2016 10:49 AM
To: MTC Info <info@mtc.ca.gov>
Subject: STOP PLAN FOR DESIGNATED BUS LANES

To Whom It May Concern,

I am strongly against the plan to establish a designated bus lane on the El Camino Real.

The creation of a designated bus lane would add to traffic and create more delays for drivers without significantly speeding up bus travel. A designated bus lane would increase gridlock and frustration with no serious long term solutions for transportation. Just because the VTA wants people to take the bus, doesn't mean they will. This isn't the Field of Dreams notion that if you build it, they will come. The reality is that bus travel is inefficient and impractical in the South Bay. One bus lane, on one road will not fix that.

Moreover, population growth in this area is based predominately on higher income earning households where the workers drive cars, not ride the bus. This is in part due to the efficiency of driving, but also due to the fact that unless you both live and work on the same bus line, driving is the only practical method of transportation.

Realistically, the only long term solution for encouraging people to stop driving would be to provide a faster method of transportation (i.e. underground subway with both east/west and north/south routes). This would be costly and a nightmare to build, but long term it is the only solution for limiting traffic and reducing the pollution caused by driving.

The designated bus lane plan is impractical and would be an economic waste of transportation funds.

Sincerely,

Holly Westphal
Mountain View Resident

-----Original Message-----

From: Mark Fassett [REDACTED]

Sent: Friday, July 29, 2016 11:35 AM

To: MTC Info <info@mtc.ca.gov>

Subject: 101 toll lanes

I am writing to express my extreme opposition to the addition of "toll lanes" to highway 101 on the peninsula.

I am a big supporter of HOV lanes, even though I don't use them in my daily commute. They do provide appropriate incentive to get individuals out of their cars and provide a less obstructed route for mass transit. Both of these things are VERY important.

But creating "toll lanes" is creating yet another place where we are creating more differences between rich and poor America. Rather than trying to solve the problem, we are putting a band-aid on the problem. The rich will be able to afford to avoid traffic and not regular Americans who have to sit in this traffic routinely. Frankly it's completely un-American, and I FIRMLY object to more of these toll lanes.

Please stop. Please focus on building much better public transportation for the region. Please focus on getting public transportation out of shared roadways and into their own dedicated routes like light rail etc. Your job is to plan, finance, and coordinate transportation for the bay area. Your job is to build LONG TERM solutions for our traffic, not simplistic and prejudicial band-aids that make things even worse for working class northern Californians.

Thank you.

Mark Fassett, Redwood City, CA

Re MTC Draft TIP + Air Quality Conformity for Plan Bay Area + Draft 2017 TIP

We need:

- a "Class Pass" for all Berkeley residents to encourage residents into riding the bus, + bus/BART - no car.
- we need to replace "clean diesel" with clean technology because "clean diesel" is as dirty as regular diesel, because the tiny "clean" diesel particles are so small they get stuck in small arteries and or can travel to the brain!
- solarize Civic Center buildings and use the power for clean electricity
- bring back the original # 51 which almost entirely paid for itself + was greatly popular with students + residents especially those who needed to have stops near their residences + destinations
- No BRT for Berkeley Albany too polluting, uncomfortable, disfunctional.

msg.

From: Jim Burt [REDACTED]

Sent: Saturday, July 30, 2016 1:39 PM

To: MTC Info <info@mtc.ca.gov>

Subject: Paying for HOV Lanes on Highway 101 with Toll Lanes a Bad Idea

Dear MTC:

The proposal to add HOV lanes to highway 101 on the Peninsula is a great idea, one that has been sorely needed for years. I carpooled in HOV lanes to get from Redwood City to north San Jose for twelve years. However, I strongly object to the funding mechanism which involves toll lanes. It will only exacerbate the growing divide between the rich and poor in America. The rich will be able to afford to avoid traffic, while everybody else grinds it out in the other lanes. It will be highly symbolic and highly visible. It is a bad idea. Talk about road rage.

For this and many other transportation challenges we face in the Bay Area, why doesn't the MTC have the courage to take a stand and propose steady sources of funding such as [increasing the gasoline tax](#) or [reforming Prop 13](#)? We desperately need to: (1) add a second BART tunnel across the Bay, (2) fund CalTrain so that it can increase the frequency of trains, (3) finish [connecting BART to Diridon Station](#) in San Jose, and (4) help [SMART](#) complete both phases of rail transit in Sonoma and Marin counties. We are already behind the curve. Anyone at the MTC who proclaims the vision and has the courage to make bold proposals to direct tax increases to specific projects like these will become a famous leader. The MTC has been quiet for far too long. Let's get moving!

Please let me know how I can help.

Best regards,

Jim Burt, Redwood City

From: [REDACTED]
Sent: Thursday, July 28, 2016 8:58 AM
To: MTC Info <info@mtc.ca.gov>
Subject: As an engineer ...

Hello,

As a human being and learned Systems Design Engineer for many years I do not see the point of VTA's insisted dedicated bus lanes along El Camino Real. They would cause increased safety hazards, especially to our local neighborhoods and to those individuals who suffer from disabilities, as they would need to cross half of a busy intersection to get onto the median just to load onto the buses. I have seen many others try to cross this busy street, as it is today, to get to the median. To expect blind and mobility challenged people, who actually now do ride the buses, to load from the median, is demanding of them a very dangerous undertaking. And slow lanes shouldn't be bus dedicated, as they are enjoyed by many drivers who prefer not to ever change lanes and who will be stranded far from bus routes if they can no longer timidly drive along El Camino Real.

Joe Biden pledged, among other important issues, to give us *safe streets*. This dedicated bus lane project from VTA will cause many drivers, angry and frustrated by sitting in the standstill of El Camino Real, to drive through the adjacent residential streets. This will put our children, ourselves, our pets, and property at risk at a never yet experienced level. This could be construed as an act of endangerment towards the citizens of the United States of America. It is an illegal lapse of morality to endanger our populous.

Drivers able to continue on El Camino Real will find very few left turn lanes as the VTA busses are using them as loading zones. It was studied and reported by VTA itself that a dedicated bus lane would shave approximately a maximum of 10 minutes off the trip from San Jose to Mountain View. That is clearly not worth it. And as an aside, the trees that VTA will have to remove along the roadway and in the median will no longer provide cleaner air and a safety factor as they help the vision of drivers by screening the direct sunlight.

My next pet peeve is the unfulfilled need to help the communities along the Cal Train soon-to-be electrified rail, and the coming High Speed Train and the to-be-extended Light Rail. The neighborhoods would greatly benefit from the below grade level of these rails, from San Jose through to San Francisco. This would keep the noise levels to a minimum, bicyclists and others can have a path above the tracks and perhaps also at a lower than grade level to provide a bicycle throughway all along this path. At grade level, all cross streets can be kept level as they continue without changing their elevation as they now are. Some more cross streets can be easily added. Central Expressway/Alma will be as an underpass for these cross streets. This would increase the traffic flow and provide a separated pathway for pedestrians and bicyclists. Above the lower train path could be housing, shops, industrial, and storage buildings to further provide services to the population and offset the cost to lower the tracks and parallel roadway. This is newly created and badly needed space above the lowered railways and parallel roadway, that then becomes like a freeway. Great flow. Gridlock conquered.

Basically we need MTC to curb VTA and to listen to local governments and populous, as our country was built to do. We know what can work, we don't need an dictatorship authority to take our money and build what they want.

Thank you,
Larry V.

From: [REDACTED] [REDACTED]
Sent: Wednesday, July 27, 2016 11:01 PM
To: MTC Info <info@mtc.ca.gov>
Subject: Better ideas than yours

MTC:

I have an important idea that would solve most of the traffic gridlock on the lower peninsula. I call it the "Transportation Corridor." It calls for embedding Central Expressway/Alma (from where it merges with El Camino Real in Palo Alto through Santa Clara) and all rails running beside it from San Francisco through Santa Clara.

To clarify my use of the word "embedded," as I described the "Transportation Corridor" that I envision, embedded refers to creating a separate grade for the length of a thoroughfare, such as Central Expwy (and tracks). Central Expressway is already sunken in Sunnyvale, with the exception of Mary Ave. As the expwy is lower than the cross streets, they ALL flow unimpeded. That is my goal for the big picture. In Mtn. View, Castro St. need not close, nor do we invest in a ped/bike UNDERpass. We go for an overpass to serve in the meantime and to stay in place when the expwy & tracks are redone on a lower grade. Also Rengstorff does not need the underpass (or was it an overpass?) that as already been approved, unfortunately. We'll work to reverse that before it happens in exchange for the superior and preferable big picture plan of the transportation corridor. It will also solve the problems of Rengstorff: The newly improved and remodeled Mi Pueblo Market on Rengstorff will be gone and people's homes along Rengstorff are slated for seizure through eminent domain. Everybody hates that, but no one sees an alternative, as we need to separate the grade crossings. So we should embed the expwy and ALL the tracks before light rail gets extended up that way and beyond, before the high speed rail is added (if it must be), and before Cal Train is redone as its tracks get electrified. It's now or never! It's a long term project that other cities are on board with. Palo Alto, Menlo Park, and Atherton agree! What a perfect, really important fix to **safety, noise, and gridlock concerns.**

This is what the people want, NOT to be forced onto buses by the intentionally created traffic gridlock, buses that don't do what people need, are cold in winter & hot in summer, are filthy (and so are the exposed bus stops), allow passengers to become victims of crime (I've experienced this first hand), have inferior suspension that re-injures previous injuries, are an enormous inconvenience, and are certainly not worth any designated bus lanes anywhere!

We do not believe VTA does what the people believe is in their best interests to serve their needs (and they know their own needs best). VTA has said (quoted in local newspapers) that they are the "authority" and will do as *they deem best*, even if every city affected decides against their plan, as with dedicated buses lanes on el Camino Real. We the people detest the plan of dedicated bus lanes on el Camino Real (or bikes along such a perilous and extremely important arterial for vehicular traffic) or anywhere! But does that count with VTA and the MTC? They have become dictators and have demolished our democracy. How dare you!!!!!!

Response demanded!

And all the construction of high density/high rise along arterials to insure that people live, as well as work, along a bus route is absurd! Each housing development removes the services and businesses that employed these people! The new housing has only a coffee shop in them for the convenience of their own residents. And all the convenient stuff that was there previously is lost to everyone who now have to travel far to obtain services and to frequent businesses. You can't take a bus to wash your car, but now you have to drive to the next city to do so, when it was hither fore at the end of your block! Some progress! NOT.

And how much does the new housing cost compared to the *older buildings that were knocked down* for the shamelessly expensive new stuff? All of it built just so folk can "live" along the stinky, noisy bus route. Those that can afford it, won't ever just ride the buses! The new building is great at only promoting **gentrification** and the **displacement** of those who first lived there. You want to displace the three support personnel for each tech worker, just to create ridership for buses in order to make VTA an even more rich department than they *already are as the most highly financed department in all of Santa Clara County!* That means at the expense of Valley Medical Hospital, Social Services, Children's Protective Services, the Sheriff's Dept., and all the others! How ludicrous!

Get real! ABAG's model of high density/high rise building along arterials is unsafe in the inevitable event of a truly major seismic event. Chile had a 9.9 with a 8.5 further north a year later. It's coming our way and all the multistory building can only hold to a certain maximum level on the Richter scale. But the Richter scale has NO maximum magnitude. Anything above a 7 something on the Richter scale, or a P wave instead of a S wave, or any wave coming at a diagonal to what what planned for in the building specs, *will drop* all of that concrete, etc., right in the way of everyone's escape out and access in for emergency responders! Selfish suicide for all of us *just to make the buses supposedly work* at the expense of everyone and for the profit of VTA is shameful.

Response demanded!

Signed:

Linda Curtis, a striving citizen who has lost a job due to the unreliability of bus service in Santa Clara County, and a financially ruined owner of 96 photovoltaic panels used to power my home and to fuel my clean electric car that I get no encouragement for, much less any kind of financial break for buying, maintaining and cleaning my solar panels and fueling my car with them!

From: [REDACTED]
Sent: Thursday, July 28, 2016 10:51 AM
To: MTC Info <info@mtc.ca.gov>
Subject: Improving transportation on the lower peninsula

Many want to create grade separation for all trains, expressways (Alma included), and even EL Camino Real. I like all these ideas except for ECR. I'm thinking sinking ECR would kill all that I love along it, businesses and trees (down the median, too). Definitely don't want any designated bus lanes along ECR. As for separated grade crossings along it, how about adding just a few ped/bike elevated crossings over ECR as Las Vegas did over their strip? The costly elevators can be avoided with spiral ramps, not too steep, or straight ones when planned in conjunction with new builds like 801 ECR. But too late now for that one. Yet coming construction projects could have the ped/bike overpasses as part of their plan as their required added public benefit. They would really help mid-block on especially long blocks. Better than adding traffic signals really just to help peds cross as was done by the State at Clark & ECR in Mountain View. What a hinderance to traffic flow. Still cross traffic is not grade separated on ECR, but I don't mind. I prefer many options to turn off ECR to being stuck on it below grade. Do that only for trains and expressways. It's really needed there.

And I hate the idea of raising tracks: Their noise would travel further unimpeded (especially when light rail and high speed rail are added). Also, figures I read show that the Shoreline overpass would not clear raised train tracks. **Lowering all tracks and expressways** (Alma included) is my preference by far, as it is with the three cities (Atherton, Menlo Park, and Palo Alto) that are currently suing to allow this to happen. This is really the only way to do grade separation properly.

I just hope Rengstorff and Castro Street in Mountain View, and many other streets elsewhere, aren't messed up with rushed, inferior "solutions" for crossing or no longer crossing Central Expressway before we can orchestrate the *big picture, real* solution of grade separation done well. Save lives, save us from noise, and save us from gridlocked traffic by grade separation done right.

I would vote for lots of money for that, but none for designated bus lanes.

LC



July 26, 2016

Chair David Cortese and Commissioners
Metropolitan Transportation Commission (MTC)
Bay Area Metro Center
San Francisco 94105

Via info@mtc.ca.gov

Re: Comments on Draft 2017 Transportation Improvement Program (TIP)

Dear Chair Cortese and Commissioners:

The Sierra Club has reviewed the \$6.6 billion [draft 2017 Transportation Improvement Program](#) that will run through fiscal year 2020. As MTC notes on its web pages, the TIP is the Bay Area's comprehensive spending plan that lists the projects and programs for which Federal agency action is anticipated, plus all major regional projects that are not dependent on federal funds. The Sierra Club submits the following comments for your consideration.

An Alternative Planning Strategy May Be Required for the 2017 Regional Transportation Plan (RTP)

The Technical Summary of Predicted Traveler Responses to Planning Scenarios of the next RTP (PBA 2040), contained within the [Draft Transportation–Air Quality Conformity Analysis for the Amended Plan Bay Area and the 2017 Transportation Improvement Program](#), indicates that the draft 2017 TIP will *not* result in the GHG reduction per capita target for the year 2035 as required by the Air Resources Board under [The California Sustainable Communities and Climate Protection Act of 2008](#) (SB 375).

Table 6 of the Technical Summary (Attachment A) contains an important set of data including GHG projections as of 2035. The base year in Table 6 is 2005, and the figure given for that year for GHGs is 18.5 pounds per capita per typical weekday. For Plan Bay Area 2040, the MTC–sponsored scenario with the greatest reduction is “Big Cities.” The figure for 2035 is 17.7 pounds of GHGs per typical weekday per capita. This works out to a reduction per capita of about 4.4%, well below the required 15%. An additional scenario that conforms with ARB's requirement for the SCS needs to be developed and analyzed. If MTC decides to proceed with a scenario that does not meet the 2035 target, it must then prepare an “[Alternative Planning Strategy](#),” to show how it could meet the target.

Funds Should Not Go to Highway and Road Capacity Expansion

MTC should not use the 2017 TIP to fund state highway and road capacity expansion projects. A review of the state highway capacity expansion projects in the draft 2017 TIP that are sponsored by the Congestion Management Agencies of the largest counties—Alameda, Contra Costa and Santa Clara—show total future funds required will be about \$1.9 billion. Directing funds to these projects will only make the Vehicles Miles Traveled (“VMT”) problem of the Bay Area worse. Funding for state highway and roadway capacity expansion projects in all counties should instead go to supporting the Sustainable Communities Strategy.

The draft 2017 TIP Should Be Supportive of the SCS

As then-Attorney General Brown noted more than seven years ago, funds should go to pedestrian, bicycle, and transit projects and not to highway and roadway capacity expansion. In 2008, the Attorney General commented on the Notice of Preparation for the Draft Environmental Impact Report for MTC’s Transportation 2035 Plan. The letter discussed “smart” land-use strategies that can reduce VMT. The letter also noted that greenhouse gas emissions (GHGs) from the transportation sector are a significant problem in the Bay Area, and that “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.” (A copy of the 2008 letter is attached—Attachment B—and its recommendations on how MTC can help to reduce GHGs with the draft 2017 TIP are incorporated into our comments by reference.)

The Attorney General cited the Air Resources Board in the letter—

“[the] 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.” 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.

MTC’s own description of SB 375 as given in the [Notice of Preparation](#) of the Draft Environmental Impact Report for Plan Bay Area 2040—the Regional Transportation Plan (RTP) / Sustainable Communities Strategy (SCS) provides a similar perspective: “SB 375 is intended to more effectively reduce emissions by integrating land use and transportation planning to reduce overall passenger vehicle miles traveled.”

Caltrans’ New Perspective on Highway and Road Capacity Expansion

There are a number of road and state highway capacity expansion projects in the TIP. However, few listings show Caltrans as the sponsor, perhaps because Caltrans has a new

perspective on road and highway expansions—they are costly and accomplish little over the long run:

It's pretty settled science that capacity expansion induces demand. We know that while it relieves traffic in the short term, there's pent-up demand that suggests it just fills up again in short order. There's ample evidence that if you lower costs, demand increases. ([Steven Cliff, Assistant Director of Sustainability](#) at Caltrans, November 2015)

MTC Must Change Its Long-Standing Practice of Front-Loading Road Projects

The draft 2017 TIP is an opportunity for MTC to change its long-standing practice of front-loading highway and roadway capacity expansion projects. Following the guidance in the Attorney General's letter, the draft 2017 TIP should maximize the use of its funds for pedestrian, bicycle, and transit projects and other actions to reduce VMT and therefore GHGs, and which will bring the region into compliance with the 2035 GHG target set by the ARB.

The TIP Should Also be Equitable

In the [TIP Overview](#) there is a section entitled "TIP Investment Analysis" that indicates low income and minority transit riders are at a disadvantage in terms of equitable funding. The TIP and its underlying projects should be changed to eliminate this inequitable result.

MTC Should Begin Mitigating Against Climate Change Dangers

As noted above, the current draft 2017 TIP fails to reduce GHGs as required. Additionally, it fails to recognize that the Bay Area needs to take action to protect transportation and transit infrastructure against the effects of climate change.

In 2009, MTC, along with Caltrans and other agencies, sponsored "[Impacts of Sea-Level Rise on the California Coast](#)." There is a section within the 2009 report that provides information, by county, of highways and roads vulnerable to sea level rise. In 2014 the Little Hoover Commission published "[Governing California Through Climate Change](#)." This thoughtful report states that planning agencies (such as MTC) will encounter "entirely new and perplexing questions."

[California Transportation Plan 2040](#) also addresses threats to transportation infrastructure from climate change:

California's infrastructure is already stressed and will face additional burdens from climate risks. The frequency of extreme weather events—such as heat waves, sustained droughts, and torrential rains are expected to increase over the next century, potentially causing flooding, landslides, wild fires, pavement damage, bridge damage, transit vehicle stress, and rail buckling. Even if global GHG emissions were to cease today, some of these effects would still be unavoidable. California must aggressively address threats to its transportation infrastructure to decrease these risks and significant damages.

The draft 2017 TIP should identify projects and funding that will mitigate climate change impacts on Bay Area transportation infrastructure.

If you have any questions or desire further information regarding these comments, please do not hesitate to contact Matt Williams, Chair of the San Francisco Bay Chapter Committee on Transportation and Compact Growth, at mwillia@mac.com

Sincerely,



Michael J. Ferreira
Loma Prieta Chapter Chair



Victoria Brandon
Redwood Chapter Chair



Rebecca Evans
San Francisco Bay Chapter Chair

cc: Legislative Delegation, San Francisco Bay Area
Chair, Air Resources Board
Association of Bay Area Governments
Loma Prieta, Redwood and San Francisco Bay Chapters

Attachment A


Table 6: Year 2035 On-Road Mobile Source Emission Estimates for the MTC Air Basin.

Contained within the Draft Transportation-Air Quality Conformity Analysis for the Amended Plan Bay Area and the 2017 Transportation Improvement Program, June 24, 2016.

Attachment A

Table 6: Year 2035 On-Road Mobile Source Emission Estimates for the MTC Air Basin

Scenario	Tons per typical weekday for all vehicles (unless otherwise noted)							
	Carbon Dioxide (CO ₂) [†]	CO ₂ [‡] Pounds per Capita	Carbon Dioxide (CO ₂) [‡]	Small Particulate Matter (PM _{2.5})	Particulate Matter (PM ₁₀) [*]	Winter Nitrous Oxides (NO _x)	Reactive Organic Gases	Carbon Monoxide (CO)
Year 2005	64,640	18.5	64,640	8.54	14.09	2214	112.0	995.8
Year 2035, No Project	84,780	18.8	65,060	4.60	11.12	24.54	20.91	132.3
Year 2035, Main Streets	83,490	18.5	64,330	4.58	11.09	24.41	20.79	130.4
Year 2035, Connected Neighborhoods	81,100	17.9	62,490	4.47	10.81	23.80	20.26	127.4
Year 2035, Big Cities	79,810	17.7	61,330	4.40	10.64	23.32	20.00	125.4


[†] –Passenger vehicle emissions for the nine-county Bay Area, excluding –per SB 375 –expected reductions from fuel and vehicle regulations. Excludes expected reductions from MTC’s Climate Initiatives program.
[‡] –Passenger vehicle emissions for the nine-county Bay Area, including reductions expected from existing vehicle and fuel regulations. Excludes expected reductions from MTC’s Climate Initiatives program.
^{*} –Does not include road dust.

Attachment B

Letter from the Office of Edmund G. Brown Jr, Attorney General, to Metropolitan Transportation Commission, October 1, 2008.

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

Attachment B

EDMUND G. BROWN JR.
Attorney General

State of California
DEPARTMENT OF JUSTICE



1515 CLAY STREET, 20TH FLOOR
P.O. BOX 70550
OAKLAND, CA 94612-0550

Telephone: 510-622-2174
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E-Mail: laura.zuckerman@doj.ca.gov

October 1, 2008

By Facsimile and U.S. Mail
(510) 817-5848

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.¹ 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.² 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.³

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.⁴ In the Bay Area, emissions from the transportation sector are even greater, accounting for 50% of the total.⁵ 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."⁶

¹United 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").

²California 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").

³*Id.* at pp. 2, 10; Exec. Order S-3-05.

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

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

⁶Rosenthal, *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.⁷ 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.⁸ 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.”⁹ This requirement is recognized as “[t]he core of a DEIR....”¹⁰ Therefore, a DEIR must identify mitigation measures and examine alternatives that would reduce the emissions of greenhouse gases that contribute to global warming.¹¹ 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.”¹²

An EIR like the DEIR for the Proposed Transportation Plan must provide an accurate depiction of existing environmental conditions.¹³ “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.”¹⁴

⁷See 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.

⁸Pub. Resources Code, § 21002.

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

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

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

¹²23 U.S.C. §§ 134(h) and 134(i)(2)(B)(i). (See text accompanying fn. 19, *infra*.)

¹³Cal. Code Regs., tit. 14, § 15125, subd. (a).

¹⁴*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.¹⁵

"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 2020.¹⁶ 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.¹⁷

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."¹⁸ 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.

¹⁵Black 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> [as of September 29, 2008].)

¹⁶Draft Scoping Plan Appendices page C-22.

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

¹⁸ 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”¹⁹ 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.²⁰

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.²¹

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

¹⁹23 U.S.C. § 134(h)(1)(E).

²⁰It was adopted by the California Transportation Commission on May 29, 2008.

²¹If 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:²² 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.²³ If these shortfalls are not addressed, or if they are addressed through fare increases, as recently proposed,²⁴ 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

²²See 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).

²³There 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 [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.

²⁴See, 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.”²⁵

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.”²⁶ 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.”²⁷

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,²⁸ 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

²⁵California 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).

²⁶ 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.

²⁷See 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> (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.)

²⁸ 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).²⁹ 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.³⁰

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

²⁹The 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 [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 [as of September 30, 2008].)

³⁰ 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 [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.³¹

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

³¹ 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;³²

- 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;³³
- use of the minimum feasible amount of GHG-emitting construction materials (cement, asphalt, etc.);³⁴
- 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

³²The 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).

³³Similarly, 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.”)

³⁴A 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> [as of September 29, 2008]).

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.³⁵

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

³⁵See generally, e.g., California Air Resources Board, Health Effects of Diesel Exhaust, available at <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> (as of September 29, 2008).