

**Draft CEQA Findings and
Facts in Support of Findings and
Statement of Overriding Considerations**

for

PLAN BAY AREA 2050+

**Regional Transportation Plan (RTP)/
Sustainable Communities Strategy (SCS)**

State Clearinghouse Number SCH# 2025010348

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1 INTRODUCTION

1.1 ROLE OF THE FINDINGS

The following findings are hereby adopted by the Metropolitan Transportation Commission (MTC)¹ and Association of Bay Area Governments (ABAG)² Executive Board pursuant to the requirements of the California Environmental Quality Act, California Public Resources Code Section 21000 et seq. (CEQA), and the Guidelines for California Environmental Quality Act, Title 14, California Code of Regulations Section 15000 et seq. (CEQA Guidelines).

These Findings and Facts in Support of Findings relate to the 2026 approval of Plan Bay Area 2050+, the San Francisco Bay Area's long-range regional plan for transportation, housing, the economy, and the environment (final plan). The final plan's 35 integrated strategies across four key issues — transportation, housing, the economy, and the environment — chart a course to make the Bay Area more affordable, connected, diverse, healthy and vibrant for all residents, while also achieving regional greenhouse gas emissions reduction targets established by the California Air Resources Board pursuant to the Sustainable Communities and Climate Protection Act of 2008 (Senate Bill (SB) 375, Statutes of 2008).

The Findings state the Commission's and Board's conclusions regarding the significance of the potential environmental impacts of the final plan after all feasible mitigation measures have been adopted. These findings have been prepared to comply with the requirements of CEQA and the CEQA Guidelines and are based on information in the Draft and Final Environmental Impact Report (EIR) for the final plan and on all other relevant information contained in the administrative record for the final plan.

CEQA requires agencies to identify mitigation measures that would avoid or substantially lessen a project's significant impacts or potential significant impacts if such measures are feasible. The mitigation measures identified in the EIR mitigate the potential significant impacts of the final plan, to the extent feasible, as described in the EIR. All mitigation measures identified in the EIR (as listed in Table ES-1 of the Draft EIR and as amended in Section 3.0, "Revisions to the Draft EIR," of the Final EIR) are hereby adopted by the Commission and Board. Because the final plan contemplates projects that would be developed by other agencies throughout the region, MTC and ABAG find that the implementation of some mitigation measures is not within their authority. These measures can and should be implemented and monitored by the agencies responsible for implementing and overseeing individual projects. When MTC and/or ABAG are the lead agencies on a project, they will ensure compliance with the identified mitigation measures by requiring them as conditions of approval for relevant projects, and if applicable, requiring individual projects to undergo CEQA compliance review prior to project approval.

The ability of MTC and ABAG to enforce mitigation measures identified within the EIR is expressly limited by statute. SB 375³ provides that the final plan cannot "regulat[e] the use of land... [and does not] supersed[e] the exercise of the land use authority of cities and counties within the region." (Gov. Code, § 65080, subd. (b)(2)(K).) For this reason, unless MTC or ABAG have regulatory or approval authority over a future

1 As used herein, "MTC" refers to the agency as a whole, while the "Commission" refers to MTC's legislative body (i.e., the MTC Commissioners).

2 As used herein, "ABAG" refers to the agency as a whole, while the "Board" refers to ABAG's legislative body (i.e., the Executive Board).

3 Senate Bill 375, also known as "The Sustainable Communities and Climate Protection Act of 2008."

transportation project (including bike and pedestrian facilities) implemented pursuant to the final plan, MTC and ABAG must rely on the CEQA streamlining incentives made available by statute to encourage implementing agencies to commit to the mitigation measures set forth in the EIR for the final plan. Similarly, an implementing agency that elects to take advantage of the CEQA streamlining provisions of SB 375 (Public Resources Code sections 21155.1, 21155.2, and 21159.28) must commit to the mitigation measures set forth in the EIR, as applicable and feasible, to address site-specific conditions. Therefore, as set forth in these Findings and more fully in the EIR, where it cannot be ensured that a mitigation measure would be implemented in all cases due to the statutory limitations on the authority of MTC and ABAG pursuant to SB 375, MTC and ABAG have concluded the impacts remain potentially significant. However, where existing regulatory requirements or permitting requirements exist, it is assumed that since these regulations are law and binding on all implementing agencies and project sponsors, it is reasonable to determine that they would be implemented, thereby reducing certain impacts to less than significant notwithstanding the limitations on MTC and ABAG's authority. (See *Oakland Heritage Alliance v. City of Oakland* (2011) 195 Cal.App.4th 884, 906 ["a condition requiring compliance with regulations is a common and reasonable mitigation measure and may be proper where it is reasonable to expect compliance"].)

By adopting the mitigation measures listed in the EIR and establishing a Mitigation Monitoring and Reporting Program (included as Attachment B to MTC Resolution No. 4485 and Exhibit 2 to ABAG Resolution No. 09-21) to ensure implementation of these mitigation measures, MTC and ABAG will ensure the corresponding significant impacts within their jurisdiction are avoided or reduced to the maximum extent feasible. Future projects must comply with CEQA, including implementation of project-specific mitigation measures where applicable and feasible. (Public Resources Codes section 21155.2, subdivision (a); CEQA Guidelines section 15168, subdivision (c)(3).)

Subsequent environmental review for specific projects identified in the final plan may tier off the programmatic analysis or incorporate information from this analysis by reference (CEQA Guidelines, Sections 15150, 15152, and 15168). A project specific EIR that tiers off the EIR for the final plan must incorporate the mitigation measures set forth in the EIR where applicable and feasible (See, e.g., CEQA Guidelines, Section 15168, subd. (c)(3)). The potential streamlining benefits included in SB 375 provide local agencies and project proponents with an incentive to propose projects that are consistent with the final plan and that incorporate applicable and feasible mitigation measures from the Program EIR.

The Statement of Overriding Considerations explains MTC's-ABAG's reasons for approving the final plan, even though the final plan will have significant and unavoidable impacts on the environment.

1.2 SCOPE OF THE ENVIRONMENTAL ANALYSIS

As required under state law, and pursuant to the role of a regional planning body, the final plan provides a regional blueprint or strategy to better accommodate the region's projected growth in an equitable and efficient manner and in partnership with local governments who still retain local land use control, through coordinated land use and transportation policies, projects, and public investments. The regional forecast projects overall changes in economic activity, population growth and composition for the region, as well as household growth and composition.

The EIR, in compliance with CEQA, is designed to inform decision-makers, other responsible agencies, and the public of the environmental consequences of implementation of the final plan. In accordance with CEQA, the EIR identifies regional effects of the implementation of projects that could follow adoption of the final plan. As a program-level EIR that addresses the entire nine-county, 101-city region, impacts of individual land use, sea level rise, or transportation projects are not addressed in site-specific detail; the focus of this analysis is on addressing the impacts of implementation of the final plan at a programmatic level.

The analysis in the EIR considers the impacts of the final plan in terms of the forecasted land use development pattern (“land use growth footprint”), sea level rise adaptation infrastructure (“sea level rise adaptation footprint”), and transportation projects and programs (“transportation projects footprint”). The impact discussions generally disclose the potential effects of the final plan at the regional level, which covers the Bay Area as a whole, and at the county level, which covers each Bay Area County.

1.3 ORGANIZATION

This document identifies the Findings and Facts in Support of Findings regarding recirculation of the Draft EIR, as well as findings for each potentially significant impact identified in the Draft EIR, and findings regarding mitigation measures and alternatives proposed during the public comment period on the Draft EIR. This document identifies the Findings for Alternatives, briefly summarizing the alternatives discussed in the Draft EIR and making findings with respect to their feasibility and whether each alternative would lessen the significant environmental effects of the final plan. This document also includes a Statement of Overriding Considerations setting forth the specific reasons supporting MTC’s and ABAG’s actions in approving the final plan despite its significant environmental impacts and concludes with a finding on the Commission’s and Board’s independent review and analysis of the EIR.

The findings set forth in the following sections state the Commission’s and Board’s reasons for making each finding and the rationale connecting the evidence to its conclusions. All records and materials constituting the record of the proceedings upon which these Findings are made are located at the Bay Area Metro Center, MTC Public Information, 375 Beale Street, Suite 800, San Francisco, California, 94105. A list of documents relied on for the EIR, Findings, alternatives analysis, and the Commission’s and Board’s ultimate decision on the final plan is included at the end of this document as the Record of Proceedings.

2 FINDINGS AND FACTS IN SUPPORT OF FINDINGS

2.1 CEQA REQUIREMENTS

The EIR identifies significant effects on the environment, which may occur because of the projects contemplated by the final plan.

Public Resources Code Section 21002 provides that “public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would *substantially lessen* the significant environmental effects of such projects[.]” (Emphasis added.) The same section states that the procedures required by CEQA “are intended to assist public agencies in systematically identifying both the significant effects of proposed projects and the feasible alternatives or feasible mitigation measures which will *avoid or substantially lessen* such significant effects.” (Emphasis added.) Section 21002 goes on to state that “in the event [that] specific economic, social, or other conditions make infeasible such project alternatives or such mitigation measures, individual projects may be approved in spite of one or more significant effects thereof.” (Pub. Resources Code, Section 21002.)

The mandate and principles set forth in Public Resources Code Section 21002 are implemented, in part, through the requirement that agencies must adopt findings before approving projects for which EIRs are required. (See Pub. Resources Code, Section 21081, subd. (a); CEQA Guidelines, Section 15091, subd. (a).) Specifically, Section 15091 of the CEQA Guidelines establishes the following requirements for findings:

No public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings are:

1. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR. (CEQA Guidelines, Section 15091(a)(1).)

[This finding shall be referred to herein as “Finding (1).”]

2. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency. (CEQA Guidelines, Section 15091(a)(2).)

[This finding shall be referred to herein as “Finding (2).”]

3. Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR. (CEQA Guidelines, Section 15091(a)(3).)

[This finding shall be referred to herein as “Finding (3).”]

As stated in Finding (2), some of the identified significant effects can be fully avoided or substantially lessened through another agency’s adoption of the mitigation measures set forth in the EIR. SB 375 makes clear that the legislation shall not be interpreted as superseding the land use authority of cities and counties. SB 375 does not require “a city’s or county’s land use policies and regulations, including its general plan, to be consistent with the regional transportation plan or an alternative planning strategy.” (Government Code, Section 65080(b)(2)(K).) MTC and ABAG cannot compel future lead agencies to adopt specific mitigation measures in approving land use projects. It is, therefore, the responsibility of each subsequent lead agency to independently review the identified mitigation measures and make a determination of the applicability and feasibility of each measure for a specific project.

Pursuant to Public Resources Code Sections 21155.2(a) and (b)(2) and Section 21159.28(a), in order to take advantage of CEQA streamlining benefits allowed under SB 375, projects that seek to tier from the EIR must incorporate the mitigation measures identified in the Mitigation Monitoring and Reporting Program or, if the identified mitigation is found to be infeasible based on substantial evidence, the project must incorporate equivalent measures that avoid or mitigate potential impacts.

CEQA requires that the lead agency adopt mitigation measures or alternatives, where feasible, to substantially lessen or avoid significant environmental impacts that would otherwise occur. Project modifications or alternatives are not required, however, where such changes are infeasible or where the responsibility for modifying the project lies with some other agency. (CEQA Guidelines, Section 15091, subd. (a), (b).) Public Resources Code Section 21061.1 defines “feasible” to mean “capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors.” CEQA Guidelines Section 15364 adds another factor: “legal” considerations. (See also *Citizens of Goleta Valley v. Board of Supervisors (Goleta II)* (1990) 52 Cal.3d 553, 574-75 [concluding whether project applicant owned alternative site for project was an appropriate legal and economic factor to consider].) Moreover, judicial decisions have held “desirability” is also an appropriate consideration. (*City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 410, 417 [“[F]easibility’ under CEQA encompasses ‘desirability’ to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, and technological factors”]; *California Native Plant Society v. City of Santa Cruz* (2009) 177 Cal.App.4th 957, 998 [same].)

Here, even with MTC and ABAG adoption of the mitigation measures identified in the Final EIR, it may not be feasible to substantially lessen or avoid significant impacts. Finding (3) is used herein where (i) the impact remains significant and unavoidable because MTC and ABAG cannot require local implementing agencies to adopt the mitigation measures, and it is ultimately the responsibility of a lead agency to determine and adopt mitigation, making implementation by MTC and ABAG infeasible, or (ii) even with implementation of mitigation measures, because site conditions are unique, MTC and ABAG cannot conclude with certainty that all significant impacts could be avoided and no additional feasible measures are available.

With respect to a project for which significant impacts are not avoided or substantially lessened, a public agency, after adopting proper findings, may nevertheless approve the project if the agency first adopts a statement of overriding considerations setting forth the specific reasons why the agency found that the project's "benefits" rendered "acceptable" its "unavoidable adverse environmental effects." (CEQA Guidelines, Section 15093, 15043, subd. (b); see also Pub. Resources Code, Section 21081, subd. (b).) The California Supreme Court has stated, "[t]he wisdom of approving... any development project, a delicate task which requires a balancing of interests, is necessarily left to the sound discretion of the local officials and their constituents who are responsible for such decisions. The law as we interpret and apply it simply requires that those decisions be informed, and therefore balanced." (*Goleta II, supra*, 52 Cal.3d at p. 576.)

For purposes of these findings, the term "avoid" refers to the effectiveness of one or more mitigation measures in reducing an otherwise significant effect to a less-than-significant level. In contrast, the term "substantially lessen" refers to the effectiveness of such measure or measures in substantially reducing the severity of a significant effect, but not to a less-than-significant level. Although CEQA Guidelines Section 15091 requires only that approving agencies specify that a particular significant effect is "avoid[ed] or substantially lessen[ed]," these findings, for purposes of clarity, in each case specify whether the effect in question has been reduced to a less than significant level, or has simply been substantially lessened but remains potentially significant.

These findings constitute the Commission's and Board's best efforts to set forth the evidentiary and policy basis for its decision to approve the final plan in a manner consistent with the requirements of CEQA. To the extent these findings conclude that various proposed mitigation measures outlined in the EIR are feasible, within its responsibility and jurisdiction, and have not been modified, superseded, or withdrawn, the Commission and Board hereby bind MTC and ABAG to implement these measures. These findings, in other words, are not merely informational, but rather constitute a binding set of obligations.

2.2 FINDINGS REGARDING RECIRCULATION OF THE DRAFT EIR

Under Section 15088.5 of the CEQA Guidelines, recirculation of an EIR is required when "significant new information" is added to the EIR after public notice is given of the availability of the Draft EIR for public review but prior to certification of the Final EIR. The term "information" can include changes in the project or environmental setting, as well as additional data or other information. New information added to an EIR is not "significant" unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project's proponents have declined to implement. "Significant new information" requiring recirculation includes, for example, a disclosure showing that:

- (1) A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.

- (2) A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.
- (3) A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the significant environmental impacts of the project, but the project's proponents decline to adopt it.
- (4) The Draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.

Recirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR. The above standard is “not intend[ed] to promote endless rounds of revision and recirculation of EIRs.” (*Laurel Heights Improvement Assn. v. Regents of the University of California* (1993) 6 Cal. 4th 1112, 1132) “Recirculation was intended to be an exception, rather than the general rule.” (*Ibid.*)

CEQA case law emphasizes that “[t]he CEQA reporting process is not designed to freeze the ultimate proposal in the precise mold of the initial project; indeed, new, and unforeseen insights may emerge during investigation, evoking revision of the original proposal.” (*Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692, 736-737; see also *South of Market Community Action Network v. City and County of San Francisco* (2019) 33 Cal.App.5th 321, 335-336; *River Valley Preservation Project v. Metropolitan Transit Development Bd.* (1995) 37 Cal.App.4th 154, 168, fn. 11.) “CEQA compels an interactive process of assessment of environmental impacts and responsive project modification which must be genuine. It must be open to the public, premised upon a full and meaningful disclosure of the scope, purposes, and effect of a consistently described project, with flexibility to respond to unforeseen insights that emerge from the process.’ [Citation.] In short, a project must be open for public discussion and subject to agency modification during the CEQA process.” (*Concerned Citizens of Costa Mesa, Inc. v. 33rd Dist. Agricultural Assn.* (1986) 42 Cal.3d 929, 936; *Citizens for East Shore Parks v. State Lands Com.* (2011) 202 Cal.App.4th 549, 563 [“Administrative agencies not only can, but should, make appropriate adjustments... as the environmental review process unfolds.”].)

The Draft EIR analyzed impacts associated with the draft (also referred to in the EIR as “proposed”) plan released October 20, 2025. Since the release of the Draft Plan and Draft EIR, in response to public comments, MTC and ABAG considerations, and continued staff analysis, there have been several text changes to the Draft Plan. The changes have been incorporated into the final plan and supplemental reports, which are available on the Plan Bay Area 2050+ website at <https://planbayarea.org/finalplan>.

The changes incorporated into the final plan include clarifications, corrections and elaborations to the text, figures and tables of the plan and the supplemental reports. **Table A1** summarizes changes made between the October 2025 release of the Draft Plan and supplemental reports and the March 2026 release of the final plan and supplemental reports.

The changes incorporated into the final plan do not alter any of the planning assumptions (Regional Growth Forecast, Financial Forecasts or Growth Geographies), strategies, or the corresponding project footprints (land use growth, sea level rise adaptation or transportation projects) discussed in Sections 2.2.3 and 3.1.3 of and analyzed throughout the Draft EIR. Similarly, proposed changes to the Implementation Plan chapter include the addition of detail, specified commitments to action and timing. The intent of the Implementation Plan chapter is to provide guidance on how the final plan’s 35 strategies are implemented through a series of “near-term actions.” Therefore, the changes incorporated into the Implementation Plan chapter do not alter the EIR’s analysis of the potential impacts of implementing the plan’s 35 strategies discussed in Section 2.2.2 of the Draft EIR.

Table A1: Changes Incorporated into the final Plan Bay Area 2050+ and Supplemental Reports

Document	Revision
Plan Bay Area 2050+	<p>Additional context added on autonomous vehicles and the Resilience Project List, as well as an introductory Executive Letter.</p> <p>Updated Implementation Plan actions (see Implementation Plan Report below).</p> <p>Updated technical information based on newly available data from the California Air Resources Board, reflecting recent federal regulatory actions.</p> <p>Refreshed engagement numbers added following Round 4 engagement.</p> <p>Minor updates to maps and to address typos, citations and formatting.</p>
Equity Analysis Report	<p>Added context noting that the report's Title VI equity analysis follows existing guidance, which FTA has indicated is out-of-date and will be updated in the near term to align with the Department of Justice's revised regulations in accordance with Executive Order 14821.</p>
Forecasting and Modeling Report	<p>Added more background information on the Regional Growth Forecast, including history, current statutory requirements, methodology, and relationships with the California Department of Finance population forecast and with the Regional Housing Needs Allocation (RHNA).</p> <p>Added additional modeling metrics and documentation from Travel Model 1.6.</p> <p>Minor updates to maps and citations.</p>
Implementation Plan Report	<p>Added one new implementation action: "Action 61, Convene a technical advisory committee to review and update the Regional Growth Forecast Methodology."</p> <p>Merged two implementation actions associated with the Create Healthy and Safe Streets theme to reflect the full range of active transportation and Vision Zero initiatives in a single action; the new merged action is: "Action 21, Improve street safety and expand active transportation through a package of technical assistance offerings."</p> <p>Moderately refined seven actions (2, 3, 31, 34, 35, 48 and 64), resulting in small changes to scope and/or more substantial revisions to action descriptions based on input received during the public comment period.</p> <p>Made minor edits to 27 actions that did not alter the scope of the action but sought to improve clarity and consistency.</p> <p>No significant edits.</p>
Performance Report	<p>Updated technical information based on newly available data from the California Air Resources Board, reflecting recent federal regulatory actions.</p>
Public Engagement Report	<p>Content will be added to reflect Round 4 engagement activities conducted since the release of Draft Plan Bay Area 2050+.</p>
Resilience Project List Report	<p>This report centralizes Resilience Project List information from the Draft Technical Assumptions Report, the Transportation and Resilience Project List Briefer, the Final Blueprint Resilience Project List and other Draft Plan Bay Area 2050+ products. No new information was produced for this report after the release of Draft Plan Bay Area 2050+.</p>

Document	Revision
	The two edits to the Resilience Project List between the Draft Plan and final plan did not change the environmental impact or cost of Strategy EN1 – Adapt to Sea Level Rise. The SR-37 project was separated into two components to clarify anticipated near-term activities, and the Pacifica Sea-Level Rise Adaptation Plan Adaptation Options project was broken into subcomponents to clarify near- and long-term projects.
Statutorily Required Plan Maps Report	Updated description of Natural Lands maps to reflect the connection between the Bay Area conservation lands with the California State Wildlife Action Plan. Update to Map 4 (change in household density) to reflect accurate data.
Technical Assumptions Report	Added clarifying language on consistency between state funding assumptions used in the plan and state funding estimates, as well as road pricing revenues. Updated language in the Environment Element chapter to reflect inclusion of the Resilience Project List Report.
Transit 2050+ Report	Incorporated changes made to other reports, including the minor updates to the Transportation Project List Report described below and Implementation Plan Report described above.
Transportation-Air Quality Conformity Report	Updated summary of consultation and public engagement processes. Added summary of latest planning assumptions table; updated documentation of travel model updates. Added Appendix H: Response to Public Comments and adjusted numbering from other appendices. Minor updates to address typos, references and formatting.
Transportation Project List Report	Added bike highways as a programmatic investment type within Strategy T9. Expanded the discussion on goods movement and the regional trail network. Clarification language added under Strategy EN1 on sea level rise adaptation and the role of external plans in shaping Plan Bay Area 2050+ strategies. Minor updates to address typos and revise formatting.
Tribal Engagement Report	Content will be added to reflect Round 4 engagement activities conducted since the release of Draft Plan Bay Area 2050+.

There have also been modifications to the Draft EIR, as identified in Chapter 3 of the Final EIR. Some of the changes were made in direct response to comments raised on the Draft EIR and provide clarifications and modifications to address commenters' requests, as described in more detail below. Other changes were initiated by MTC and ABAG staff, following the release of the Draft EIR. Specifically, air quality and greenhouse gas emissions were reanalyzed using the latest emissions tools between the Draft and Final EIR.

As described in greater detail in "Chapter 3: Revisions to the Draft EIR," in May 2025, Congress adopted joint resolutions under the Congressional Review Act that were signed into law on June 12, 2025. These resolutions overturned U.S. Environmental Protection Agency (EPA) waivers that had allowed California to implement and enforce several vehicle emissions regulations. The affected regulations include the Advanced Clean Cars (ACC) II Program, the Advanced Clean Trucks regulation, and the Heavy-Duty Omnibus

regulation. Similarly, other California emissions regulations requiring waivers under the federal Clean Air Act (CAA) are also impacted, including the Zero-Emission Airport Shuttle regulation and the Heavy-Duty Vehicle and Engine Emission Warranty and Maintenance Provisions (Warranty Phase 1).

As a result of these federal regulations, the affected State regulations can no longer be enforced by the State or counted toward federal air-quality planning requirements under the CAA. In response, the California Air Resources Board (CARB) developed emissions adjustment factors to remove the estimated emissions benefits attributed to the Advanced Clean Trucks, Zero-Emission Airport Shuttle, Heavy-Duty Vehicle and Engine Emission Warranty and Maintenance Provisions (Warranty Phase 1), and Heavy-Duty Omnibus (Omnibus) regulations from the modeling tool used to estimate air quality and greenhouse gas emissions, EMFAC2021.

On October 31, 2025, CARB submitted a letter to the EPA requesting approval of these off-model adjustment factors. On November 21, 2025, EPA approved the use of EMFAC2021 with the adjustment factors for State Implementation Plan (SIP) development and transportation conformity determinations. The approved adjustment factors revised emissions for reactive organic gases (ROG), nitrogen oxides (NO_x) and fine particulate matter (PM_{2.5} and PM₁₀).

Similarly, in January 2026, CARB released additional EMFAC2021 adjustment factors to remove the benefits of the aforementioned State programs to estimate revised emissions of greenhouse gases, including carbon dioxide (CO₂), methane (CH₄) and nitrous oxide (N₂O). The greenhouse gas adjustment factors for EMFAC2021 are not subject to EPA approval.

Notably, these adjustment factors were developed for the EMFAC2021 model rather than the more recent EMFAC2025 model version, not yet approved by EPA for use in SIP development and transportation conformity determinations. In addition, MTC anticipates that the use of EMFAC2025 could result in underestimating future emissions due to its inclusion of the aforementioned State policies. Therefore, the older EPA-approved EMFAC2021 model was used and is considered a suitable model to determine project-related air quality and greenhouse gas emission impacts.

Given these considerations, use of the EMFAC2021 model in combination with the adjustment factors developed by CARB serves as the most current methodology available at the time of the writing of this analysis to calculate mobile source emissions. Accordingly, the emissions estimates presented in Tables 3.4-10 (EMFAC2021), 3.4-11 (EMFAC2017), 3.6-10 (EMFAC2021), 3.6-11 (EMFAC2017) and 3.6-12 (EMFAC2021), and the accompanying text within the analysis, were updated to incorporate the EMFAC2021 adjustment factors.

The changes in total emissions from implementation of the plan do not reflect any changes in the final plan land use and transportation strategies, nor any changes made by MTC and ABAG. Rather, the changes in emissions are the result of the federal actions. While there would be minor changes in the emissions modeling outputs as a result of modeling adjustment, these changes do not alter the conclusions of the EIR with respect to the significance of impacts or substantially change the severity of significant impacts; nor do the refinements present new information not previously included in the Draft EIR.

Air Quality Revisions

As described in Final EIR “Chapter 3: Revisions to the Draft EIR,” and incorporated herein by reference, the updated modeling results are within the range of emissions estimated in Section 3.4, “Air Quality” of the Draft EIR using both EMFAC2017 and EMFAC2021, with the exception of the estimated emissions of daily tons of operational summertime ROG, as well as PM_{2.5} and PM₁₀.

While the air quality modeling adjustment would result in increases in the emissions for those pollutants estimated in the Draft EIR, the plan would still result in an overall decrease of air quality emissions for ROG

and a minimal increase in particulate matter emissions in 2050 compared to 2023. As shown in the Final EIR, the model revisions affecting air quality emissions results are not considered new information as defined in Section 15088.5 of the CEQA Guidelines, because they do not change any impact significance conclusions or result in a substantial increase in the severity of impacts; nor do the refinements present new information not previously included in the Draft EIR.

Greenhouse Gas Revisions

As described in Final EIR “Chapter 3: Revisions to the Draft EIR,” and incorporated herein by reference, based on the modeling adjustment, GHG emissions in 2050 would be higher than reported in the Draft EIR; however, there would still be an overall decrease in emissions from implementation of the plan. Importantly, the change does not result in an exceedance of any significance threshold, and goals and objectives of the plan would still be met under the statutory requirements of SB 375. There would be no change in the impact significance conclusions because GHG emissions would still decrease from plan implementation, would be less than the baseline, and would be less than if the plan were not implemented.

As shown in the Final EIR, the model revisions affecting GHG emissions results are not considered new information as defined in Section 15088.5 of the CEQA Guidelines, because they do not change any impact significance conclusions or result in a substantial increase in the severity of impacts; nor do the refinements present new information not previously included in the Draft EIR.

Of the text changes listed in the Final EIR: one (1) includes minor revisions to the Project Description; approximately 28 make minor clarifications and corrections to environmental and regulatory setting information; two (2) include the addition of a reference document; approximately fifteen (15) include minor clarifications to text in impact discussions as a result of comment letters; eleven (11) include minor corrections to impact discussions as a result of the modeling revisions for air quality; fifteen (15) include minor corrections to impact discussions as a result of modeling revisions for greenhouse gas emissions; none include the addition of text to existing mitigation measures; and one (1) includes clarifications to alternatives discussions.

As explained in each of the corresponding responses to comments in “Chapter 2: the revisions and clarifications made in responses to comments serve to amplify and add detail to the existing discussion in the Draft EIR, including the environmental setting and environmental impacts

As demonstrated in the Final EIR, and summarized above, the revisions to the Draft EIR do not fall into any of the four circumstances identified by CEQA as triggering recirculation. MTC and ABAG have determined that the provisions of Section 15088.5 of the CEQA Guidelines are not triggered and recirculation of this EIR is not required.

The Commission and Board hereby find that the changes made to the final plan clarify and/or correct the text of the final plan, but do not result in any changes that would have environmental effects. The potential impacts from the final plan fit within the range of impacts analyzed in the EIR. There are no substantial changes in the final plan or the circumstances under which the final plan is being undertaken, that necessitate revisions of the EIR. Nor has new information become available. The final plan does not result in any new impacts, nor does it cause the level of significance for any previously identified impacts to change. The circumstances, impacts, and mitigation requirements identified in the EIR remain applicable to the final plan and support the finding that the final plan does not raise any new issues and does not cause the levels of impacts identified in the EIR to be exceeded.

Further, the changes to the Draft EIR described in the Final EIR and in these Findings supplement or clarify the existing language. Clarifications and corrections to the text, tables, and figures do not alter the conclusions of the Draft EIR.

In sum, no changes made to the final plan or the EIR since release of the Draft EIR involve “significant new information” triggering recirculation because the changes do not result in any new significant environmental effects, any substantial increase in the severity of any previously identified significant effects or otherwise trigger recirculation. Instead, the modifications are either environmentally benign or environmentally neutral and thus represent the kinds of changes that commonly occur as the environmental review process works towards its conclusion. The Commission and Board hereby determine, based on the standards provided in Section 15088.5 of the CEQA Guidelines, that recirculation of the Draft EIR is not required.

2.3 FINDINGS REGARDING THRESHOLDS OF SIGNIFICANCE FOR ENVIRONMENTAL DETERMINATIONS

CEQA requires a lead agency to determine the significance of all environmental impacts (Public Resources Code Section 21082.2; CEQA Guidelines Section 15064). A threshold of (or criteria for) significance for a given environmental impact defines the level of effect above which the lead agency will consider impacts to be significant, and below which it will consider impacts to be less-than-significant and therefore acceptable. Thresholds of significance may be defined either as quantitative or qualitative standards, or sets of criteria, whichever is most applicable to each specific type of environmental impact. For example, quantitative criteria are often applied to traffic, air quality, and noise impacts, while aesthetics impacts are typically evaluated using qualitative thresholds. Lead agencies have discretion to formulate their own significance thresholds. Setting thresholds requires the lead agency to make a policy judgment about how to distinguish significant impacts from less-than-significant impacts. Lead agencies can set thresholds on a project-by-project basis, or they can informally or formally adopt thresholds to be consistently applied to all projects.

Lead agencies are responsible for determining the thresholds of significance for all CEQA documents they prepare. They can rely on several sources, including: Appendix G of the CEQA Guidelines; CEQA’s mandatory findings of significance (CEQA Guidelines Section 15065); thresholds established by regulatory agencies; thresholds provided in General Plans or other local planning documents; or thresholds established by other agencies. For example, many jurisdictions rely on thresholds established by a local or regional air district when analyzing air quality impacts. Appendix G is the most common source, though lead agencies are not required to use it and are free to develop their own thresholds. Lead agencies are encouraged in the CEQA Guidelines (Section 15064.7(a)) to develop and formally adopt thresholds of significance, though this is not a requirement. Thresholds used solely for a specific project are not required to be adopted by ordinance or other formal means.

The significance thresholds criteria used in the EIR are consistent with the requirements of CEQA and, where noted, CEQA Guidelines Appendix G. MTC and ABAG hereby affirm the use of these significance thresholds for the purpose of analyzing the potential for environmental impacts that could result from adoption and implementation of the final plan.

2.4 FINDINGS REGARDING SIGNIFICANT EFFECTS AND MITIGATION MEASURES

The following subsection lists each significant or potentially significant environmental impact by issue area in the order it appears in the EIR, the mitigation measures identified for each impact in the EIR, the CEQA Finding or Findings applied by the Commission and Board, and the Facts in Support of each Finding. The facts in support of each finding are a summary of the facts and analysis contained in the EIR and in the Record of Proceedings, including compliance with all relevant existing laws, policies, and regulations, as summarized in the Regulatory Setting sections for each impact area addressed in the EIR. This discussion

does not attempt to describe the full analysis of each environmental impact contained in the EIR. A full documentation of the environmental analysis and conclusions is in the EIR, and the Record of Proceedings identified at the end of this document and incorporated herein by reference.

In these findings, MTC and ABAG discuss each potentially significant environmental impact analyzed in the EIR. For each potentially significant environmental impact, MTC and ABAG summarize the level of significance before mitigation, the level of significance after mitigation, the mitigation measure(s), and findings regarding significance after mitigation is implemented. Where an impact was determined to be less-than-significant (LTS) in the EIR, no discussion of the impact is provided in these findings because PRC Section 21081 and CEQA Guidelines Section 15091 do not require findings of fact for impacts that are less-than-significant.

The Commission and Board have determined the adoption of feasible mitigation measures, alternatives, and proposals incorporated into the final plan will reduce impacts to some extent, but in some instances the impact will not be reduced to a level that is deemed “less than significant.” Thus, some impacts remain Significant and Unavoidable. The Statement of Overriding Considerations contains additional information explaining the reasons for the Commission’s and Board’s decision to approve the final plan despite potentially significant environmental effects that MTC and ABAG cannot mitigate or ensure will be mitigated by implementing agencies to less-than-significant levels.

2.4.1 Aesthetics and Visual Resources (3.2)

IMPACT

AES-1 Have a substantial adverse effect on a scenic vista (Draft EIR, p. 3.2-10)

Mitigation Measures

AES-1 Implementing agencies and/or project sponsors shall implement measures, where feasible and as applicable based on project- and site-specific considerations, that include those identified below (or other equally effective measures):

- Reduce the visibility of construction staging areas by fencing and screening these areas with low contrast materials consistent with the surrounding environment, and by revegetating graded slopes and exposed earth surfaces at the earliest opportunity.
- Site or design projects to minimize their intrusion into important viewsheds. Measures to achieve this could include, but are not limited to, requiring that the scale and massing of new development in higher-density areas provide appropriate transitions in building height and bulk that are sensitive to the physical and visual character of adjoining neighborhoods that have lower development intensities and building heights, and ensuring building heights are stepped back from sensitive adjoining uses to maintain appropriate transitions in scale and to protect scenic vistas and scenic resources.
- Design projects to minimize the potential to obscure, detract from, or negatively affect the quality of views from state-designated scenic roadways or scenic highways.
- Use see-through safety barrier designs (e.g., railings rather than walls).
- Develop interchanges and transit lines at the grade of the surrounding land to limit view blockage.
- Where highway screening is a required element of a development, design landscaping along all highways, including state-designated scenic highways, locally designated scenic highways, and highway corridors in rural and open space areas to add natural elements and visual interest to soften

the hard-edged, linear travel experience that would otherwise occur. Retain or replace trees bordering highways so that clear-cutting is not evident.

- Identify, preserve, and enhance scenic vistas to and from hillside areas and other visual resources.

Significance After Mitigation

Mitigation Measure AES-1 would reduce significant impacts to scenic vistas because it would modify site design and provide development recommendations that would minimize visual intrusion on important viewsheds. Projects taking advantage of the CEQA streamlining provisions of SB 375 (PRC Sections 21155.1, 21155.2, and 21159.28) must apply the mitigation measures described above, as applicable, to address site-specific conditions. However, because site conditions are unique, it cannot be concluded with certainty that all significant viewshed impacts could be avoided. Therefore, there may still be instances in which viewshed impacts are substantially altered. This impact would remain **significant and unavoidable (SU)**.

Finding

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR. (CEQA Guidelines, Section 15091(a)(1).) (Finding (1)). Changes or alterations within the responsibility and jurisdiction of another public agency and not MTC or ABAG can and should be adopted by such other agency which would avoid or substantially lessen the significant environmental effect, as identified in the final EIR (Finding (2)). Projects taking advantage of CEQA streamlining provisions of SB 375 (PRC sections 21155.1, 21155.2, and 21159.28) must apply the mitigation measures to address site-specific conditions. However, because site conditions are unique, it cannot be concluded with certainty that all significant impacts could be avoided. (Finding (3)).

Facts in Support of Finding

- A. Strategies EN04 and EN05 would protect existing scenic resources, including scenic views, located within open space lands, agricultural lands, wildland-urban interface lands, and Priority Conservation Areas (PCAs).
- B. Denser or more compact development in the final plan's Growth Geographies may block panoramic views or views of landscape features or landforms from public and individual properties because increasing densities on existing footprints could result in taller buildings and/or buildings placed more closely together. Therefore, depending on the location of the viewer, scenic vistas may be substantially altered, and short-range impacts on views of scenic vistas would be potentially significant (PS). (Draft EIR, p. 3.2-11)
- C. Development of sea level rise adaptation projects, such as horizontal levees, marsh restoration, seawalls, and tidal gates, are unlikely to block or substantially alter views of scenic vistas because these types of structures would be located low to the ground and would not be of substantial height. However, development of sea level rise adaptation projects, such as vertical levees and elevated roadways and rail, could be tall enough to alter views of scenic vistas. Therefore, depending on the location of the viewer, scenic vistas may be substantially altered, and impacts on views of scenic vistas would be potentially significant (PS). (Draft EIR, p. 3.2-11)
- D. Construction of transportation projects included in the final plan could take several months to several years and have the potential to result in long-term effects on scenic views from discrete locations depending on the size of projects. As discussed above for land use projects, construction of projects could directly alter a feature or be placed in a location such that the intensity and height of development would obstruct views. Transportation projects included in the proposed plan could require the removal of landscaping, temporary traffic changes, temporary signage, and construction staging areas. Larger projects, such as expansion of regional transit lines, and construction of train stations and parking structure could take long periods of time (e.g., several years) to complete, require substantial grading activities, and the prolonged presence of construction equipment and stockpiling of materials. As shown

in Figure 2-4 of the Draft EIR (see Chapter 2, “Project Description”), transportation projects are clustered in Santa Clara County around the densely populated areas of Santa Clara, downtown San Jose, and Milpitas; in central and western Alameda County; in San Mateo County around the City of San Mateo and South San Francisco and Contra Costa County around the City of Richmond. Due to the size and duration of some projects, construction may result in significant temporary impacts to scenic vistas (PS). (Draft EIR, p. 3.2-12)

- E. Upon completion, the extent to which there would be impacts on scenic vistas from new transportation projects would depend on the type of project and its location relative to specific vantage point of viewers. For example, bicycle and pedestrian projects, such as sidewalk and roadway striping, are unlikely to have adverse impacts on scenic vistas because these types of projects would not require earth moving activities that would result in physical changes to the environment. Many of the other major transportation projects would not substantially alter the Bay Area at a regional scale such that scenic views could be substantially altered because the expected appearance of arterials, highways, and local and regional transit systems would remain generally the same at a regional scale as under the existing conditions. However, new features such as new travel lanes or rail lines, large signs, new intersections, and new stations could be placed in a location such that the intensity and height of development may block public views of landscape features or landforms. Therefore, scenic vistas could be substantially altered because of new transportation infrastructure. This impact would be potentially significant (PS). (Draft EIR, pp. 3.2-12 to 3.2-13)
- F. Mitigation Measure AES-1 would reduce significant impacts to scenic vistas because it would modify site design to minimize visual intrusion on important viewsheds and require landscaping and trees where highway screening is required along highway corridors. It would also require reduced visibility of construction staging areas and revegetation of exposed earth surfaces at the earliest opportunity.

IMPACT

AES-2 Substantially damage scenic resources, including but not limited to trees, rock outcropping, and historical buildings within a state scenic highway (Draft EIR, p. 3.2-14)

Mitigation Measures

AES-2 Implement Mitigation Measure AES-1.

Significance After Mitigation

Mitigation Measure AES-2 would reduce significant impacts on visual resources within a state-designated scenic highway because it involves modifying site design and providing development recommendations that would minimize visual intrusion. Projects taking advantage of the CEQA streamlining provisions of SB 375 (PRC Sections 21155.1, 21155.2, and 21159.28) must apply the mitigation measures described above, as applicable, to address site-specific conditions. However, because site conditions are unique, it cannot be concluded with certainty that all significant visual resource impacts could be avoided. Therefore, there may still be instances in which visual resources along state-designated scenic highways are substantially altered. This impact would remain **significant and unavoidable (SU)**.

Finding

Changes or alterations within the responsibility and jurisdiction of another public agency and not MTC or ABAG can and should be adopted by such other agency, which would avoid or substantially lessen the significant environmental effect, as identified in the final EIR (Finding (2)). Projects taking advantage of CEQA streamlining provisions of SB 375 (PRC sections 21155.1, 21155.2, and 21159.28) must apply the mitigation measures to address site-specific conditions to reduce impacts. However, because site conditions are unique, it cannot be concluded with certainty that all significant impacts could be avoided. (Finding (3)).

Facts in Support of Finding

- A. Development adjacent to scenic highways could cause short-term visual impacts resulting from construction equipment and scaffolding, temporary lighting, and exposed excavation and slope faces. In general, construction-related impacts to scenic highways would be the same as those under Impact AES-1 relating to the blockage of views. Large projects are most likely to have significant impacts on scenic highways, but small projects could have substantial impacts depending on their duration. Generally, construction impacts would be less than significant because of their temporary nature; however, as noted, large or long duration projects could have significant impacts (PS). (Draft EIR, p. 3.2-14)
- B. Pursuant to PRC Section 21099, aesthetic impacts of residential, mixed-use residential, or employment center projects located within TPAs are not considered significant environmental impacts. Therefore, the potential for visual impacts on scenic highways would result from dense, compact development projects located in less urbanized areas, and adjacent to scenic highways, which could damage scenic resources or create visual contrast between the project and existing conditions. The Scenic Highway Program managed by Caltrans to protect scenic highway corridors includes certain limits on land uses adjacent to the roadway, which are implemented at the local level. When nominating a scenic highway, Caltrans requires that the nominating agency adopt a CPP that includes regulation of land use and density of development; detailed land and site planning; control of outdoor advertising; careful attention to and control of earthmoving and landscaping; and the design and appearance of structures and equipment. These programs are included as part of the scenic highway designation, and Caltrans can revoke the designation if these programs are not followed. Cities and counties also have policies (e.g., general plan), regulations (e.g., zoning), and other guidance (e.g., design guidelines) that control the size and scale of new development to maintain visual compatibility with the natural and built environments. However, development adjacent to scenic highways could result in short-term and long-term impacts on resources along scenic highways. This impact would be potentially significant (PS). (Draft EIR, p. 3.2-14)
- C. The implementation of sea level rise adaptation projects could result in the development of levees, seawalls, elevated roadways, marsh restoration, and tidal gates. These adaptation projects would be clustered in Sonoma County, followed by Marin, San Mateo, Alameda, Solano, and Santa Clara Counties. Sea level rise adaptation projects would be minimal in Contra Costa, Napa, and San Francisco Counties. As explained above, the presence of construction equipment would be temporary and would be removed following construction. Grading and earthwork for construction of adaptation projects such as horizontal levees, marsh restoration, seawalls, tidal gates, vertical levees, and elevated roadways and rail could result in the removal of trees and other vegetation and topographic disturbance. As noted above, the Scenic Highway Program managed by Caltrans to protect scenic highway corridors includes certain limits on land uses adjacent to the roadway, which would be implemented at the local level. When nominating a scenic highway, Caltrans requires that the nominating agency adopt a CPP that includes regulation of land use and density of development; detailed land and site planning; control of outdoor advertising; careful attention to and control of earthmoving and landscaping; and the design and appearance of structures and equipment. These programs are included as part of the scenic highway designation, and Caltrans can revoke the designation if these programs are not followed. Additionally, cities and counties have policies (e.g., general plan), regulations (e.g., zoning), and other guidance (e.g., design guidelines) that control the size and scale of new infrastructure to maintain visual compatibility with the natural and built environments. However, infrastructure placement adjacent to scenic highways could result in short-term and long-term impacts on resources along scenic highways. This impact would be potentially significant (PS). (Draft EIR, pp. 3.2-14 to 3.2-15)
- D. Proposed transportation projects could impact portions of Bay Area highways that are designated as state scenic highways or that are eligible scenic highways. These projects could have adverse effects on the visual character of land adjacent to designated scenic highways or highways eligible for designation. Transportation projects subject to review by the Federal Transit Administration, Federal Railroad

Administration, or Federal Highway Administration would be subject to National Environmental Policy Act (NEPA) review and compliance with guidance related to visual resources such as the Federal Highway Administration (FHWA) Guidelines for the Visual Impact Assessment of Highway Projects (FHWA 2015). Therefore, because existing regulations would protect resources along scenic highways, impacts would be less than significant after construction. However, because substantial visual impacts may occur during construction and because construction of some projects may take years, this impact is potentially significant (PS). (Draft EIR, p. 3.2-15)

- E. Mitigation Measure AES-2 would reduce significant impacts on visual resources within a State-designated scenic highway because it involves modifying site design to minimize visual intrusion on important viewsheds and require landscaping and trees where highway screening is required along highway corridors. It would also require reduced visibility of construction staging areas and revegetation of exposed earth surfaces at the earliest opportunity.

IMPACT

AES-3 In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings and in an urbanized area, conflict with applicable zoning and other regulations governing scenic quality (Draft EIR, p. 3.2-16)

Mitigation Measures

AES-3 Implementing agencies and/or project sponsors shall implement measures, where feasible and as applicable based on project- and site-specific considerations, that include those identified below (or other equally effective measures):

- Require that the scale, massing, and design of new development provide appropriate transitions in building height, bulk, and architectural style that are sensitive to the physical and visual character of surrounding areas.
- Contour the edges of major cut and fill slopes to provide a finished profile that is appropriate to the surrounding context, using shapes, textures, colors, and scale to minimize contrasts between the project and surrounding areas.
- Require project sponsors to conduct shadow studies for four-story high (and higher) buildings and roadway facilities to identify and implement development strategies for reducing the impact of shadows on public open space, where feasible. Study considerations shall include, but are not limited to, the placement, massing, and height of structures, surrounding land uses, time of day and seasonal variation, and reflectivity of materials. Study recommendations for reducing shadow impacts shall be incorporated into the project design as feasible based on project- and site-specific considerations.

Significance After Mitigation

Mitigation Measure AES-3 would reduce significant impacts to visual character or quality because it would modify site design and provide development recommendations that would result in projects that would be consistent in appearance to their surroundings. Projects taking advantage of the CEQA streamlining provisions of SB 375 (PRC Sections 21155.1, 21155.2, and 21159.28) must apply the mitigation measures described above, as applicable, to address site-specific conditions. However, because site conditions are unique within urban and non-urban areas, it cannot be concluded with certainty that all significant impacts to existing visual character could be avoided. Therefore, there may still be instances in which impacts to visual character are **significant and unavoidable (SU)**.

Finding

Changes or alterations within the responsibility and jurisdiction of another public agency and not MTC or ABAG can and should be adopted by such other agency, which would avoid or substantially lessen the significant environmental effect, as identified in the final EIR (Finding (2)). Projects taking advantage of CEQA streamlining provisions of SB 375 (PRC sections 21155.1, 21155.2, and 21159.28) must apply the mitigation measures to address site-specific conditions. However, because site conditions are unique, it cannot be concluded with certainty that all significant impacts could be avoided. (Finding (3)).

Facts in Support of Finding

- A. At the regional scale, the greatest impacts would result from high density residential development and high intensity nonresidential projects located within existing communities where the visual contrast between the project and existing conditions would be the most apparent. Development outside of urban built-up lands could introduce dense compact development that would contrast with the existing character of the community. In many cases, the existing visual character within urban built-up lands would not be substantially altered because dense compact development would be similar to existing conditions. As required under state law, all cities and counties have policies (e.g., general plan), regulations (e.g., zoning), and other guidance (e.g., design guidelines) that control the size and scale of new development, which serves to maintain its visual compatibility with the natural and built environments. However, implementation of the proposed plan would increase density and intensity of growth in designated Growth Geographies to a level greater than currently planned, particularly in less urbanized areas. Therefore, the potential for impacts to visual character and quality is considered potentially significant (PS). (Draft EIR, p. 3.2-16)
- B. Sea level rise adaptation projects would occur primarily in nonurbanized areas but could be located in areas subject to public views where viewer sensitivity is high. Grading and earthwork for construction of adaptation projects could result in the removal of trees and other vegetation and topographic disturbance, which would alter the existing character of the project sites. Therefore, this impact would be potentially significant (PS). (Draft EIR, p. 3.2-17)
- C. Development of sea level adaptation projects, such as horizontal levees, marsh restoration, seawalls, and tidal gates, are unlikely to substantially degrade visual quality because these types of structures would be located low to the ground and would not be of significant height. However, development of sea level adaptation projects, such as vertical levees and elevated roadways and rail, could require greater tree removal or earthwork and could alter or degrade existing visual quality in the region depending on their location by introducing new built elements in existing natural landscapes or increasing the vertical profile of existing infrastructure. Therefore, the potential for impacts to visual character and quality is considered potentially significant (PS). (Draft EIR, p. 3.2-17)
- D. Development of major above-ground transportation projects could result in substantial effects on the visual character in the region depending on their location and project type. Substantial regional projects that would add travel lanes to freeways, expressways, highways, or add new routes to fixed guideway transit facilities and would be located in already developed areas and would not constitute a significant change in visual character. However, the proposed plan's transportation projects that extend into non-urban areas or that expand existing rights-of-way could impact community character by increasing visual contrast within the community. Therefore, implementation of the proposed plan's major transportation projects would constitute a potentially significant impact (PS). (Draft EIR, p. 3.2-17)
- E. Mitigation Measure AES-3 would reduce significant impacts to visual character or quality because it would require that projects would be compatible in appearance to their surroundings and implement strategies to reduce the impact of shadows on public spaces. (Draft EIR, p. 3.2-18)

IMPACT

AES-4 Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area (Draft EIR, p. 3.2-18)

Mitigation Measures

AES-4 Implementing agencies and/or project sponsors shall implement measures, where feasible and as applicable based on project- and site-specific considerations, that include those identified below (or other equally effective measures):

- Design projects to minimize light and glare from lights, buildings, and roadway facilities.
- Minimize and control glare from transportation projects through the adoption of project design features that reduce glare. These features include:
 - planting trees along transportation corridors to reduce glare from the sun;
 - landscaping off-street parking areas, loading areas, and service areas; and
 - shielding transportation lighting fixtures to minimize off-site light trespass.
- Minimize and control glare from land use and transportation projects through the adoption of project design features that reduce glare. These features include:
 - limiting the use of reflective materials, such as metal;
 - using non-reflective material, such as paint, vegetative screening, matte finish coatings, and masonry;
 - screening parking areas by using vegetation or trees; and
 - using low-reflective glass.
- Impose lighting standards that ensure that minimum safety and security needs are addressed and minimize light trespass and glare associated with land use development. These standards include the following:
 - minimizing incidental spillover of light onto adjacent private properties and undeveloped open space;
 - directing luminaries away from habitat and open space areas adjacent to the project site;
 - installing luminaries that provide good color rendering and natural light qualities; and
 - minimizing the potential for sky glow into the nighttime sky and for incidental spillover of light onto adjacent private properties and undeveloped open space.

Significance After Mitigation

Mitigation Measure AES-4 would reduce significant impacts from light and glare because it would result in the modification of site design and would provide standards that would minimize the effects of light and glare. To the extent that a local agency requires an individual project to implement all feasible mitigation measures described above, the impact would be less than significant with mitigation (LTS-M). Projects taking advantage of CEQA Streamlining provisions of SB 375 (PRC Sections 21155.1, 21155.2, and 21159.28) must apply the mitigation measures described above, as applicable, to address site-specific conditions. However, MTC and ABAG cannot require local implementing agencies to adopt the above mitigation measures, and it is ultimately the responsibility of a lead agency to determine and adopt mitigation. Therefore, this impact remains **significant and unavoidable (SU)** for purposes of this program level analysis.

Finding

Changes or alterations within the responsibility and jurisdiction of another public agency and not MTC or ABAG can and should be adopted by such other agency, which would avoid or substantially lessen the significant environmental effect, as identified in the final EIR (Finding (2)). Projects taking advantage of CEQA streamlining provisions of SB 375 (PRC sections 21155.1, 21155.2, and 21159.28) must apply the mitigation measures to address site-specific conditions to reduce impacts. However, MTC and ABAG cannot require local implementing agencies to adopt the identified mitigation measures. (Finding (3)).

Facts in Support of Finding

- A. Implementation of the final plan would result in the development of new residential or commercial structures that could result in substantial sources of light at the regional scale that cause a public hazard, disrupt scenic vistas, and brighten the night sky. Development projects resulting from the final plan could create new substantial sources of light and glare at the local scale. In addition, the introduction of new sources of light and glare could impact local visual resources by altering the local character of the built environment. High density residential and high intensity nonresidential development, in particular, could have substantial increases in light and glare at the local level. Overall, the impact of new sources of light and glare would be less than significant (LTS) in urban areas and potentially significant (PS) in rural areas. (Draft EIR, p. 3.2-18)
- B. Transportation projects could result in marginal increases in light and glare from additional vehicle headlights, new reflective signage, new streetlights, new intersection control devices, and other lighting ancillary to transportation projects. Most improvements would take place on existing facilities that have existing sources of light, and many projects are clustered in urban areas where light and glare would be similar in character to existing light sources. It is not anticipated that these transportation projects would substantially increase the amount of light and glare. However, transportation projects located within rural areas could introduce light and glare to areas where no sources existed previously, which would constitute a potentially significant impact (PS). (Draft EIR, p. 3.2-19)
- C. Mitigation Measure AES-4 would reduce significant light and glare impacts through requirements related to project design, shading and shielding, non- and low-reflective materials, and landscaping. Additionally, it would provide standards that would minimize the effects of light trespass and glare. To the extent that a local agency requires an individual project to implement all feasible mitigation measures described above, the impact would be less than significant with mitigation (LTS-M). (Draft EIR, p. 3.2-20)

2.4.2 Agriculture and Forestry Resources (3.3)

IMPACT

AGF-1 Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use, or conflict with existing zoning for agricultural use, or a Williamson Act contract (PS) (Draft EIR, p. 3.3-14)

Mitigation Measures

Mitigation Measure AGF-1 Implementing agencies and/or project sponsors shall implement measures, where feasible and as applicable based on project- and site-specific considerations, that include those identified below (or equally effective measures):

- Require project relocation or corridor realignment, where feasible, to avoid agricultural land, especially Prime Farmland, Farmland of Statewide Significance, Unique Farmland, and land under a Williamson Act contract.
- Provide buffers, berms, setbacks, fencing, or other project design measures to protect surrounding agriculture, and to reduce conflict with farming that could result from implementation of transportation projects and/or the projected land use growth footprint included as a part of the RTP/SCS.
- Maintain and expand agricultural land protections such as urban growth boundaries.
- Achieve compensatory mitigation in advance of impacts through the purchase or creation of mitigation credits or the implementation of mitigation projects through Regional Advance Mitigation Planning, as deemed appropriate by the permitting agencies.
- Require acquisition of conservation easements on land in the same jurisdiction, if feasible, and at least equal in quality and size as mitigation for the loss of agricultural land.
- Institute new protection of farmland in the project area or elsewhere through the use of long-term restrictions on use, such as 20-year Farmland Security Zone contracts (Government Code Section 51296 et seq.) or 10-year Williamson Act contracts (Government Code Section 51200 et seq.).

Significance After Mitigation

Implementation of Mitigation Measure AGF-1 would reduce the potentially significant impact of conversion of Farmland, lands zoned for agriculture or lands under Williamson Act contracts to other uses because it would require avoidance or compensation for converted lands. Projects taking advantage of CEQA Streamlining provisions of SB 375 (PRC Sections 21155.1, 21155.2, and 21159.28) must apply the mitigation measure described above, as applicable, to address site-specific conditions. However, the mitigation would not ensure that the forecasted development pattern, sea level rise adaptation projects, and transportation projects could feasibly relocate or realign to avoid conversion of Farmland and conflict with lands zoned for agricultural use or lands under Williamson Act contract to a less-than-significant level. Accordingly, this impact would be **significant and unavoidable (SU)** for purposes of this program-level review.

Finding

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR. (CEQA Guidelines, Section 15091(a)(1).) (Finding (1)). Changes or alterations within the responsibility and jurisdiction of another public agency and not MTC or ABAG can and should be adopted by such other agency, which would avoid or substantially lessen the significant environmental effect, as identified in the final EIR (Finding (2)). Projects taking advantage of CEQA streamlining provisions of SB 375 (PRC sections 21155.1, 21155.2, and 21159.28) must apply the mitigation measures to address site-specific conditions to reduce impacts. However, because site conditions are unique, it cannot be concluded with certainty that all significant impacts could be avoided. (Finding (3)).

Facts in Support of Finding

- A. The final plan's designated growth geographies in combination with the designation of PCAs help focus future household and job growth into existing communities well served by the transportation network, as well as communities with well-resourced schools and easy access to jobs, parks, and other amenities. This core strategy is known as the "focused growth" strategy.
- B. Final plan strategies, including H03, H06, H08, EC04, EC05, EC06, EN04, and EN05, help protect natural lands and farmlands and reduce overall land consumption.

- C. The final plan's land use growth footprint could have the potential to convert Prime or Farmland of Statewide Importance or Unique Farmland and conflict with existing zoning for agricultural use or Williamson Act contracts. The potential conversion of Farmland and conflict with lands zoned for agricultural use or lands under Williamson Act contracts would be potentially significant (PS). (Draft EIR, p. 3.3-16)
- D. Implementation of the final plan's sea level adaptation infrastructure has the potential to convert lands zoned for agriculture and lands under Williamson Act contract thought the extent of conversion would depend on the final scale and design of proposed adaptation infrastructure. This impact would be potentially significant (PS). (Draft EIR, pp. 3.3-17 to 3.3-18)
- E. The final plan's transportation projects footprint could have the potential to convert Prime Farmland, Unique Farmland, and Farmland of Statewide Importance as well and conflict with existing zoning for agricultural use or Williamson Act contracts. The likelihood of Farmland conversion increases where transportation projects are located at the edges of existing urban areas, along waterways, or over hills separating urban areas. The extent of this area would depend on the final scale and design of transportation projects. The majority of the potential Farmland conversion would occur in Sonoma County. The potential conversion of Farmland acreage and conflict with lands zoned for agricultural use or lands under Williamson Act contract due to implementation of transportation projects under the proposed plan would be potentially significant (PS). (Draft EIR, pp. 3.3-18 to 3.3-19)
- F. Implementation of Mitigation Measure AGF-1 would reduce the potentially significant impact of conversion of Farmland, lands zoned for agriculture, and lands under Williamson Act contracts to other uses because it would require avoidance or compensation for converted lands. (Draft EIR, p. 3.3-19)

IMPACT

AGF-2 Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220[g]), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104[g]) (Draft EIR, p. 3.3-20)

Mitigation Measures

AGF-2 Implementing agencies and/or project sponsors shall implement measures, where feasible and as applicable based on project- and site-specific considerations, that include those identified below (or equally effective measures):

- Require project relocation or corridor realignment, where feasible, to avoid land zoned for forest land or timberland.
- Maintain and expand forest land protections such as urban growth boundaries.
- Achieve compensatory mitigation in advance of impacts through the purchase or creation of mitigation credits or the implementation of mitigation projects through Regional Advance Mitigation Planning, as deemed appropriate by the permitting agencies.
- Require acquisition of conservation easements on land at least equal in quality and size as mitigation for the loss of forest land or timberland.

Significance After Mitigation

Implementation of Mitigation Measure AGF-2 would reduce the potentially significant impact related to conflict with zoning or rezoning of land zoned for forest land or timberland because it would require avoidance or compensation for converted lands. Projects taking advantage of CEQA Streamlining provisions of SB 375 (PRC Sections 21155.1, 21155.2, and 21159.28) must apply the mitigation measure described above, as applicable, to address site-specific conditions. However, because the mitigation would not ensure that the land use growth footprint, sea level rise adaptation projects, or transportation projects could

feasibly relocate or realign to avoid lands zoned as forest land or timberland and because compensation may not adequately reduce the impact to a less-than-significant level, this impact would be **significant and unavoidable (SU)** for purposes of this program-level review.

Finding

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR. (CEQA Guidelines, Section 15091(a)(1).) (Finding (1)). Changes or alterations within the responsibility and jurisdiction of another public agency and not MTC or ABAG can and should be adopted by such other agency, which would avoid or substantially lessen the significant environmental effect, as identified in the final EIR (Finding (2)). Projects taking advantage of CEQA streamlining provisions of SB 375 (PRC sections 21155.1, 21155.2, and 21159.28) must apply the mitigation measures to address site-specific conditions to reduce impacts. However, because site conditions are unique, it cannot be concluded with certainty that all significant impacts could be avoided. (Finding (3)).

Facts in Support of Finding

- A. The majority of projected development in the final plan would occur on existing urban land, thereby minimizing impacts on forest land or timberland. Some Bay Area cities have urban growth boundaries, which help to protect natural lands such as forest land and timberland. However, implementation of the final plan's land use growth footprint could conflict with the existing zoning for forest land, timberland, or Timberland Production. The potential conversion would be potentially significant (PS). (Draft EIR p. 3.3-20)
- B. The final plan anticipates a 4.9-foot inundation along the shoreline communities from sea level rise. Strategy EN1, "Adapt to Sea Level Rise," would protect shoreline communities affected by sea level rise inundation by identifying a series of adaption projects reflected in the Sea Level Rise Resilience Project list. Implementation of sea level rise adaptation projects could result in conflicts with existing zoning for, or cause rezoning of forest land, timberland, or timberland zoned Timberland Production if the projects are in areas zoned as forest land, timberland, or timberland zoned Timberland Production. The impact would be potentially significant (PS). (Draft EIR p. 3.3-20)
- C. The final plan's transportation projects footprint could have the potential to conflict with the existing zoning for forest land, timberland, or Timberland Production. The extent of this impact would depend on the final scale and design of proposed projects. Nonetheless, the conversion of forest land and timberland acreage would be potentially significant (PS). (Draft EIR, pp. 3.3-20 to 3.3-21)
- D. Implementation of Mitigation Measure AGF-2 would reduce the potentially significant impact of conversion of forest or timberland to other uses because it would require avoidance or compensation for converted lands. (Draft EIR, p. 3.3-21)

IMPACT

AGF-3 Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use (Draft EIR, p. 3.3-22)

Mitigation Measures

AGF-3 Implementing agencies and/or project sponsors shall implement measures, where feasible and as applicable based on project- and site-specific considerations, that include those identified below (or equally effective measures):

- Implement Mitigation Measures AGF-1 and AGF-2.

- Manage project operations to minimize the introduction of invasive species or weeds that may affect agricultural production on adjacent agricultural land. Where a project has the potential to introduce sensitive species or habitats or have other spill-over effects on nearby agricultural lands, the project proponents shall be responsible for acquiring easements on nearby agricultural land and/or financially compensating for indirect effects on nearby agricultural land. Easements (e.g., flowage easements) shall be required for temporary or intermittent interruption in farming activities (e.g., because of seasonal flooding or groundwater seepage). Acquisition or compensation would be required for permanent or significant loss of economically viable operations.
- Design project features to minimize fragmenting or isolating agricultural land. Where a project involves acquiring land or easements, ensure that the remaining agricultural land is of a size sufficient to allow economically viable farming operations. The project sponsors shall be responsible for acquiring easements, making lot line adjustments, and merging affected land parcels into units suitable for continued commercial agricultural management.

Significance After Mitigation

Implementation of Mitigation Measure AGF-3 would reduce the potentially significant impact of conversion Farmland or forestland to other uses because it would require avoidance or compensation for converted lands. Projects taking advantage of CEQA Streamlining provisions of SB 375 (PRC Sections 21155.1, 21155.2, and 21159.28) must apply the mitigation measures described above, as applicable, to address site-specific conditions. However, for the reasons described above, the mitigation measures may not be feasible or may not adequately reduce the impact to a less-than-significant level. Therefore, this impact would be **significant and unavoidable (SU)** for purposes of this program-level review.

Finding

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR. (CEQA Guidelines, Section 15091(a)(1).) (Finding (1)). Changes or alterations within the responsibility and jurisdiction of another public agency and not MTC or ABAG can and should be adopted by such other agency, which would avoid or substantially lessen the significant environmental effect, as identified in the final EIR (Finding (2)). Projects taking advantage of CEQA streamlining provisions of SB 375 (PRC sections 21155.1, 21155.2, and 21159.28) must apply the mitigation measures to address site-specific conditions to reduce impacts. However, because site conditions are unique, it cannot be concluded with certainty that all significant impacts could be avoided. (Finding (3)).

Facts in Support of Finding

- A. The majority of projected development in the final plan would occur on existing urban land, thereby minimizing impacts. The final plan's designated growth geographies in combination with the designation of PCAs help focus future household and job growth into existing communities well served by the transportation network, as well as communities with well-resourced schools and easy access to jobs, parks, and other amenities. This core strategy is known as the "focused growth" strategy. final plan strategies, including H03, H06, H08, EC04, EC05, EC06, EN04, and EN05, help protect natural lands and farmlands and reduce overall land consumption.
- B. A range of local conservation plans, habitat conservation agencies and State/federal park designated areas provide protection for a substantial amount of forest land and Farmland. The majority of projected development under the proposed plan would occur on existing urban land, thereby minimizing impacts and potential further fragmentation of Farmland, forest land or timberland. As noted above, some Bay Area cities have urban growth boundaries to limit sprawl and protect forest land and agricultural land and timberland. However, a substantial amount of land on the urban and suburban fringe is vulnerable to development, if not within the boundaries of protected lands, and face additional development

pressure as adjacent lands are converted from undeveloped to developed uses. Therefore, development projects anticipated to occur under the proposed plan could have the potential to cause other changes in the existing environment that could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use. This impact would be potentially significant (PS). (Draft EIR, p. 3.3-22)

- C. Implementation of Mitigation Measure AGF-3 would reduce the potentially significant impact of conversion Farmland or forestland to other uses because it would require avoidance or compensation for converted lands. (Draft EIR p. 3.3-23)

2.4.3 Air Quality (3.4)

IMPACT

AQ-2 Result in a substantial net increase in construction-related emissions (Draft EIR, p. 3.4-41)

Mitigation Measures

AQ-2 Implementing agencies and/or project sponsors shall implement measures, where feasible and as applicable to reduce impacts to a less-than-significant level based on project- and site-specific considerations, that include those identified below:

When applicable screening levels set by the relevant air district are exceeded, implementing agencies and/or project sponsors shall implement measures, where feasible and as applicable to reduce impacts to a less-than-significant level based on project- and site-specific considerations, that include those (or equally effective measures) identified below:

Construction Best Practices for Exhaust

The applicant or general contractor for the project shall submit a list of all off-road equipment greater than 25 horsepower (hp) that would be operated for more than 20 hours over the entire duration of project construction, including equipment from subcontractors, to the relevant air district (e.g., the Bay Area Air District, NSCAPCD, or YSAQMD) for review and certification. The list shall include all information necessary to ensure the equipment meets the following requirements:

- Equipment shall be zero emission or have engines that meet or exceed either EPA or CARB Tier 4 off-road emission standards, and it shall have engines that are retrofitted with a CARB Level 3 Verified Diesel Emissions Control Strategy (VDECS), if one is available for the equipment being used. Equipment with engines that meet Tier 4 Interim or Tier 4 Final emission standards automatically meet this requirement; therefore, a VDECS would not be required.
- Idling time of diesel-powered construction equipment and trucks shall be limited to no more than 2 minutes. Clear signage of this idling restriction shall be provided for construction workers at all access points.
- All construction equipment shall be maintained and properly tuned in accordance with the manufacturers' specifications.
- Portable diesel generators shall be prohibited. Grid power electricity should be used to provide power at construction sites, or propane and natural gas generators may be used when grid power electricity is not feasible.
- Current certificate(s) of compliance with CARB's In-Use Off-Road Diesel-Fueled Fleets Regulation (CCR, Title 13, Sections 2449 and 2449.1) shall be provided.

Construction Best Practices for Entrained Dust

- All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day. For projects over 5 acres in size, soil moisture should be maintained at a minimum of 12%. Moisture content can be verified by lab samples or a moisture probe.
- All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
- All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. Dry power sweeping should only be performed in conjunction with thorough watering of the subject roads.
- All vehicle speeds on unpaved roads and surfaces shall be limited to 15 miles per hour (mph).
- All roadway, driveway, and sidewalk paving shall be completed as soon as possible. Building pads shall be paved as soon as possible after grading.
- All construction sites shall provide a posted sign visible to the public with the telephone number and person to contact at the lead agency regarding dust complaints. The recommended response time for corrective action shall be within 48 hours. The Bay Area Air District's Complaint Line (1.800.334.6367) shall also be included on posted signs to ensure compliance with applicable regulations.
- All excavation, grading, and/or demolition activities shall be suspended when average wind speeds exceed 20 mph.
- Wind breaks (e.g., trees, fences) shall be installed on the windward side(s) of actively disturbed areas of construction. Wind breaks should have at maximum 50% air porosity.
- Vegetative ground cover (e.g., fast-germinating native grass seed) shall be planted in disturbed areas as soon as possible and watered appropriately until vegetation is established.
- The simultaneous occurrence of excavation, grading, and ground-disturbing construction activities on the same area at any one time shall be limited. Activities shall be phased to reduce the amount of disturbed surfaces at any one time.
- All trucks and equipment, including their tires, shall be washed off before leaving the site.
- Site accesses to a distance of 100 feet from the paved road shall be treated with a 6- to 12-inch compacted layer of wood chips, mulch, or gravel.
- Sandbags or other erosion control measures shall be installed to prevent silt runoff to public roadways from sites with a slope greater than 1%.
- Hydroseed or apply nontoxic soil stabilizers to construction areas, including previously graded areas, that are inactive for at least 10 calendar days.
- Minimize the amount of excavated material or waste materials stored at the site.
- Applicable mitigation measures shall be required at the time grading permits are issued.

Significance After Mitigation

The measures described above would minimize emissions of criteria air pollutants (e.g., PM₁₀ and PM_{2.5}) and precursors (e.g., ROG and NO_x) by requiring best practices for dust and exhaust emissions through the use of readily available, lower-emitting diesel equipment, and/or equipment powered by alternative cleaner fuels (e.g., propane) or electricity, as well as on-road trucks using particulate exhaust filters. To the extent that an implementing agency requires an individual project to implement all feasible mitigation measures described above, a project's impact would be less than significant with mitigation (LTS-M).

Projects taking advantage of CEQA streamlining provisions of SB 375 (PRC Sections 21155.1, 21155.2, and 21159.28) must apply the mitigation measures described above, as applicable, to address site-specific

conditions. However, MTC and ABAG cannot require local implementing agencies to adopt the above mitigation measures, and it is ultimately the responsibility of a lead agency to determine and adopt mitigation. Therefore, this impact would be **significant and unavoidable (SU)** for purposes of this program-level review.

Finding

Changes or alterations within the responsibility and jurisdiction of another public agency and not MTC or ABAG can and should be adopted by such other agency, which would avoid or substantially lessen the significant environmental effect, as identified in the final EIR (Finding (2)). Projects taking advantage of CEQA streamlining provisions of SB 375 (PRC sections 21155.1, 21155.2, and 21159.28) must apply the mitigation measures to address site-specific conditions to reduce impacts. However, MTC and ABAG cannot require local implementing agencies to adopt the identified mitigation measures. (Finding (3)).

Facts in Support of Finding

- A. As individual projects under the land use growth footprint, sea level rise adaptation projects, and planned transportation projects are constructed, construction activity would result in emissions of criteria air pollutants (e.g., PM_{2.5} and PM₁₀) and precursors (e.g., ROG and NO_x) from site preparation (e.g., excavation, grading, and clearing); exhaust from off-road equipment, material delivery vehicles, and worker commute vehicles; vehicle travel on paved and unpaved roads; and other miscellaneous activities (e.g., building construction, asphalt paving, application of architectural coatings, and trenching for utility installation). Although EPA and CARB have adopted stringent diesel PM emission regulations for construction equipment, these regulations alone cannot assure that all projects consistent with the proposed plan would use only the lowest emissions-generating construction equipment. Additionally, dust emissions from construction activity would occur from the disturbance of sites and material handling. Construction could also occur at any point under the plan build-out period and could potentially occur over a short period of time, resulting in substantial construction-related emissions on a daily basis. This impact would be potentially significant (PS). (Draft EIR, pp. 3.4-42 to 3.4-43)
- B. Mitigation Measure AQ-2 would minimize emissions of criteria air pollutants (e.g., PM₁₀ and PM_{2.5}) and precursors (e.g., ROG and NO_x) by requiring best practices for dust and exhaust emissions through the use of readily available, lower-emitting diesel equipment, and/or equipment powered by alternative cleaner fuels (e.g., propane) or electricity, as well as on-road trucks using particulate exhaust filters.

Impact

AQ-3 Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in nonattainment under an applicable federal or State ambient air quality standard (Draft EIR, p. 3.4-45)

Mitigation Measures

AQ-3(a) MTC and ABAG, in partnership with the local air districts and implementing agencies, shall work together to support the use of existing air quality and transportation funds and seek additional funds to continue to implement the Bay Area Air District, NSCAPCD, YSAQMD, and CARB programs (e.g., Carl Moyer Program) intended to retrofit and replace trucks and locomotives.

AQ-3(b) MTC and ABAG, in partnership with the local air districts and the Port of Oakland, and other agency partners, shall work together to secure incentive funding to reduce mobile PM emissions from mobile exhaust and entrained PM sources, such as tire wear, brake wear, and roadway dust.

AQ-3(c) MTC and ABAG, in partnership with local air districts, and implementing agencies shall:

- support the advancement of corridor-level plans and implementation of projects located on severely congested (LOS F) facilities, and

- incorporate transportation demand management (TDM) strategies into individual land use and transportation projects and plans, as part of the planning process; TDM strategies could include ridesharing, carsharing, telecommuting, adopting flexible working hours, implementing parking management and traffic-calming measures, and marketing TDM options (especially alternative commuting services).

AQ-3(d) When applicable screening levels set by the applicable air district are exceeded for a specific project, implementing agencies and/or project sponsors shall implement measures, where feasible and as applicable based on project- and site-specific considerations, that include those (or equally effective measures) identified below or are updated by the applicable air district or within CalEEMod:

- use of energy-efficient lighting and process systems (e.g., low-NOX water heaters and boiler units);
- design streets to maximize pedestrian access to transit stops;
- include bus shelters at transit access points where deemed appropriate by local public transit operator in large residential, commercial, and industrial projects;
- equip residential structures with electric outlets in the front and rear of the structure to facilitate use of electrical lawn and garden equipment;
- provide for, or contribute to, dedication of land for off-site Class I and Class II bicycle facilities linking the project to designated bicycle commuting routes in accordance with the regional bikeway master plan;
- contribute to the provision of synchronized traffic signals on roadways affected by the project and as deemed necessary by the local public works department;
- provide transit-enhancing infrastructure that includes bus turnouts or bulbs, passenger benches, street lighting, route signs and displays, and shelters as demand and service routes warrant, subject to review and approval by local transportation planning agencies;
- provide pedestrian-enhancing infrastructure that includes sidewalks and pedestrian paths, direct pedestrian connections, street trees to shade sidewalks, pedestrian safety designs and infrastructure, street furniture and artwork, street lighting, pedestrian signalization and signage, and/or access between bus service and major transportation points within the project;
- include neighborhood park(s) or other recreational options, such as trails, within the development to minimize vehicle travel to off-site recreational and/or commercial uses;
- install solar water heaters;
- incorporate mixed uses, where permitted by local development regulations, to achieve a balance of commercial, employment, and housing options on the project site;
- contribute to traffic-flow improvements (e.g., right-of-way, capital improvements) that reduce traffic congestion and do not substantially increase roadway capacity;
- provide preferential parking spaces for carpool and vanpool vehicles, implement parking fees for single-occupancy vehicle commuters, and implement parking cash-out program for employees;
- use clean fuel vehicles in the vehicle fleet;
- require all employment centers to include an adequate number of on-site shower/locker facilities for bicycling and pedestrian commuters (typically one shower and three lockers for every 25 employees per shift);
- construct/contribute to bicycle and pedestrian facility improvements;
- provide ancillary services (e.g., cafeterias, health clubs, automatic tellers, and post offices) within walking distance of proposed development (no further than 1,500 feet) as appropriate and in compliance with local development regulations;

- provide park-and-ride lots as deemed feasible and appropriate by transportation planning agencies;
- employment centers that exceed a designated size, as measured by the number of employees, shall provide on-site child care and after-school facilities or contribute to off-site construction of such facilities within walking distance of employment land uses (for employment centers on or adjacent to industrial land uses, on-site child daycare centers shall be provided only if supported by the findings of a comprehensive HRA performed in consultation with the local air district);
- provide on-site pedestrian facility enhancements, such as walkways, benches, proper lighting, vending machines, and building access that are physically separated from parking lot traffic;
- offer alternative work schedules, where practical, that allow for work hours that are compressed into fewer than 5 days (e.g., 9/80, 4/40, or 3/36 schedules), or allow flextime schedules;
- provide transit amenities (e.g., on-site and off-site bus turnouts, passenger benches, or shelters) where deemed appropriate by local transportation planning agencies;
- contribute to the provision of synchronized traffic signals on roadways affected by the proposed project and as deemed necessary by the local public works department;
- provide video conferencing facilities;
- commit to support programs that include guaranteed ride home, subsidized transit passes, and rideshare matching;
- provide transportation (e.g., shuttles) to major transit stations and multimodal centers;
- require each employer employment center (more than 25 employees) to assign a transportation coordinator for the applicable transportation management association (TMA);
- require all employers to install a permanent display in employee common areas of alternate transit information, as determined by the requirements of the TMA;
- require employers or employment centers (more than 25 employees) to implement a guaranteed ride home program;
- require employers or employment centers (more than 25 employees) to implement an incentive program for riding transit, carpooling, vanpooling, biking, and walking instead of driving a single-occupancy vehicle to work, and design and locate buildings to facilitate transit access;
- install Energy Star (or equivalent) cool roofing systems on all buildings;
- design shuttle and transit exits to adjoining streets to reduce time to reenter traffic from the project site;
- increase wall and attic insulation to 20% above Title 24 requirements (residential and commercial);
- orient buildings to take advantage of solar heating and natural cooling, and use passive solar designs (residential, commercial, and industrial);
- provide energy-efficient windows (double pane and/or Low-E) and awnings or other shading mechanisms for windows, porches, patios, and walkways;
- include passive solar cooling and heating features in designs, as well as ceiling and whole house fans;
- include programmable thermostats in the design of heating and cooling systems; and
- use day lighting systems, such as skylights, light shelves, and interior transom windows.
- See also Chapter 3, “Measures to Reduce GHG Emissions,” in CAPCOA’s *Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity* (CAPCOA Handbook) for additional reduction measures (CAPCOA 2024). Although the

CAPCOA Handbook focuses on GHG reduction measures, co-benefits of many measures include criteria pollutant emission reductions. Future project proponents shall use the CAPCOA Handbook to develop measures to reduce emissions to below thresholds if significant impacts are identified.

AQ-3(e): Implementing agencies and/or project sponsors shall implement the following measures, where feasible and as applicable to reduce impacts to a less-than-significant level based on project- and site-specific considerations, to reduce criteria air pollutant emitted by natural gas combustion in buildings:

- Prohibit natural gas infrastructure in new development.
- Use, or design to support, microgrid electric systems to facilitate the resiliency of new developments prohibiting natural gas.
- Equip residential structures containing front and rear yard area with electric outlets in the front and rear of the structure to facilitate use of electrical lawn and garden equipment.
- Install ground-source heat pumps, solar, or other alternatively-fueled water heaters instead of natural gas or grid-based electric water heaters.
- Install ground-source heat pump, or other alternative, heating and cooling systems.
- Increase wall and attic insulation to 20% above Title 24 requirements (residential and commercial).
- Orient buildings to take advantage of solar heating and natural cooling, and use passive solar designs (residential, commercial, and industrial).
- Provide energy-efficient windows (double pane and/or Low-E) and awnings or other shading mechanisms for windows, porches, patios, and walkways.
- Use passive solar cooling and heating designs, ceiling and whole house fans, and programmable thermostats in the design of heating and cooling systems.

Significance After Mitigation

Mitigation Measures AQ-3(a) through AQ-3(d) would reduce significant impacts from forecasted increases in PM_{2.5} and PM₁₀ because they would lead to reductions in vehicle trips and VMT. Further, Mitigation Measure AQ-3(e) would reduce area-source emissions from natural gas combustion and landscaping equipment in new developments. Projects taking advantage of CEQA streamlining provisions of SB 375 (PRC Sections 21155.1, 21155.2, and 21159.28) must apply the mitigation measures described above, as applicable, to address site-specific conditions. However, because reductions cannot be estimated, it cannot be concluded with certainty that all significant impacts would be avoided. This impact would remain **significant and unavoidable (SU)** for purposes of this program level review.

Finding

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR. (Finding (1)). Additionally, changes or alterations within the responsibility and jurisdiction of another public agency and not MTC or ABAG can and should be adopted by such other agency, which avoid or substantially lessen the significant environmental effect as identified in the final EIR (Finding (2)). Projects taking advantage of CEQA streamlining provisions of SB 375 (PRC sections 21155.1, 21155.2, and 21159.28) must apply the mitigation measures to address site-specific conditions. However, because site conditions are unique, it cannot be concluded with certainty that all significant impacts could be avoided. (Finding (3)).

Facts in Support of Finding

- A. The final plan is designed to reduce GHG emissions pursuant to SB 375, through designated growth geographies and complementary land use (e.g., H03, E04, E05), transportation (e.g., T03, T04, T05, T08, T09, T10, T11, T12), and environmental strategies (i.e., EN07, EN08, EN09).

- B. Statewide, criteria pollutant emissions from area sources are forecast to increase through 2050 . Therefore, it would be anticipated that regional emissions of ROG and PM from area sources would also increase, despite implementation of the plan. This is because as regional population and employment grow, so too would architectural coating applications, paving and roofing, and landscaping activities associated with growth in the built environment to accommodate housing and employment.
- C. Despite increases in overall statewide and regional area-source emissions, implementation of the proposed plan would result in a more efficient distribution of emissions per capita due to the denser land use growth footprint proposed as part of the plan. Increasing housing density would result in fewer criteria pollutant emissions per capita, or the criteria pollutant emissions associated either directly or indirectly with a single person.
- D. Because of the programmatic nature of the proposed plan, individual projects and associated emissions may be different than what is projected at the plan level and may exceed applicable emissions thresholds set by the Bay Area Air District, NSCAPCD, or YSAQMD, as such thresholds were developed to be applied to project-level emissions. Operational area-source emissions from discretionary development would be evaluated prior to project-level approval to ensure proper CEQA clearance and implementation of applicable reduction controls or mitigation measures.
- E. With respect to stationary source emissions, levels can vary greatly depending on the exact operations and processes involved. Stationary sources of pollutants would be required to obtain permits from the local air district to operate in compliance with local air district rules. These sources could include diesel engine or gas turbine generators for emergency power generation; central heating boilers for commercial, industrial, or large residential buildings; process equipment for light industrial uses; kitchen equipment at restaurants and schools; service station equipment; and dry-cleaning equipment. The permit process would ensure that these sources would be equipped with required emission controls. Because of the programmatic nature of the proposed plan, individual projects and potential associated stationary-source emissions may be different than what is projected at the plan level and may exceed applicable emissions thresholds set by the Bay Area Air District, NSCAPCD, or YSAQMD, as such thresholds were developed to be applied to project-level emissions. Operational stationary-source emissions from projected growth would be evaluated prior to project-level approval to ensure proper CEQA clearance and implementation of applicable reduction controls and/or mitigation measures. This impact would be potentially significant (PS). (Draft EIR, pp. 3.4-45 to 3.4-47)
- F. The proposed transportation projects would result in a net increase in VMT; however, mobile source emissions of criteria pollutants ROG and NOX (summertime and wintertime) in the region would decrease between 2023 and 2050, the planning horizon for the final plan. The primary reason for these reductions is the increasingly stringent vehicle emissions regulations and statewide EV sales requirements (e.g., Advanced Clean Trucks, portions of Advanced Clean Fleets, and Multi-Pollutant Emissions Standards for Light- and Medium-Duty Vehicles) that are assumed as part of the EMFAC2021 model. PM2.5 emissions would increase 27 percent (1.0 ton per day) and PM10 emissions would increase 34 percent (6.3 tons per day) during the final plan's timeframe compared to existing conditions. Despite the significant reductions in ROG and NOX emissions, this impact would be potentially significant (PS) because there would be a net increase in PM10 and PM2.5 emissions from mobile sources. (Draft EIR, pp. 3.4-48 to 3.4-49)
- G. A key source of PM is the combustion of fossil fuels. After these fuels break down during combustion, they cool, become radicalized, and agglomerate. These particles can form highly toxic compounds, and, when inhaled, the particles can enter the respiratory tract, causing chemical imbalances throughout the body, potentially resulting in inflammation, cell death, and organ failure. The health effects from toxic PM emission compounds can contribute to cardiovascular events, such as stroke and heart attack. It would be speculative to correlate exposure to criteria air pollutants from this plan to specific health outcomes for sensitive receptors other than determining the types of health effects that could occur due to

knowledge gaps and the complexity factors contributing to individual health outcomes. (Draft EIR, pp. 3.4-49 to 3.4-50)

- H. Mitigation Measures AQ-3(a) through AQ-3(d) would reduce significant impacts from forecasted increases in PM_{2.5} and PM₁₀ because they would lead to reductions in vehicle trips and VMT, thereby reducing mobile source emissions. Further, Mitigation Measure AQ-3(e) would reduce area-source emissions from natural gas combustion and landscaping equipment in new developments. (Draft EIR, p. 3.4-53)

IMPACT

AQ-4 Expose sensitive receptors to substantial pollutant concentrations (Draft EIR, p. 3.4-53)

Mitigation Measures

AQ-4(a) When locating sensitive receptors in TAC risk areas, as identified in Figure 3.4-1, implementing agencies and/or project sponsors shall implement measures, where feasible and as applicable based on project- and site-specific considerations, that include those (or equally effective measures) identified below:

- Install, operate and maintain in good working order a central heating, ventilation, and air conditioning (HVAC) system or other air intake system in the building, or in each individual unit, that meets or exceeds a minimum efficiency reporting value (MERV) of 13 (MERV-16 for projects located in the West Oakland Specific Plan area) or higher (BAAQMD 2016). The HVAC system shall include the following features: installation of a high-efficiency filter and/or carbon filter to filter particulates and other chemical matter from entering the building; either high-efficiency particulate air (HEPA) filters or American Society of Heating, Refrigeration, and Air-Conditioning Engineers (ASHRAE) certified 85% supply filters shall be used.
- Reduce emissions from diesel trucks through implementing the following measures, if feasible:
 - installing electrical hook-ups for diesel trucks at loading docks;
 - requiring trucks to use transportation refrigeration units that meet Tier 4 emission standards;
 - requiring truck-intensive projects to use advanced exhaust technology (e.g., hybrid) or alternative fuels;
 - prohibiting trucks from idling for more than 2 minutes;
 - establishing truck routes to avoid sensitive receptors in the project; and
 - implementing a truck route program, along with truck calming, parking, and delivery restrictions.
- Install passive electrostatic filtering systems with low air velocities (i.e., less than 1 mph).
- Phase residential developments when proposed within 500 feet of freeways such that homes nearest the freeway are built last, if feasible.
- Locate sensitive receptors as far away from truck activity areas, such as loading docks and delivery areas, as feasible.
- Ensure that existing and new standby or emergency diesel generators meet CARB's Tier 4 emission standards, if feasible.
- Locate individual and common exterior open space and outdoor activity areas proposed as part of individual projects as far away as possible from emission source within the project site boundary, face them away major freeways, and shield them from the source (i.e., the roadway) of air pollution with buildings or otherwise buffer them to further reduce air pollution for project occupants.

- Locate air intakes and design windows to reduce PM exposure (e.g., windows nearest to the roadway do not open).
- If sensitive receptors are located near a distribution center, do not locate residents immediately adjacent to a loading dock or where trucks concentrate to deliver goods.
- Locate sensitive receptors in buildings in areas upwind of major roadway traffic to reduce exposure to reduce cancer risk levels and exposure to PM_{2.5}.
- Plant trees and/or vegetation between sensitive receptors and pollution source. Trees that are best suited to trapping PM shall be planted, including one or more of the following species: pine (*Pinus nigra* var. *maritima*), cypress (*x Cupressocyparis leylandii*), hybrid poplar (*Populus deltoids x trichocarpa*), California pepper tree (*Schinus molle*), and redwood (*Sequoia sempervirens*).
- Reduce emissions from diesel trucks by establishing truck routes to avoid residential neighborhoods or other land uses serving sensitive populations, such as hospitals, schools, and child care centers. A truck route program, along with truck calming, parking and delivery restrictions, shall be implemented to direct traffic activity at non-permitted sources and large construction projects.

These measures are consistent with recommendations in the Bay Area Air District's CEQA Guidelines (BAAQMD 2023a) and Planning Healthy Places (BAAQMD 2016).

AQ-4(b) MTC and ABAG shall partner with the Bay Area Air District and local lead agencies to develop a program to install air filtration devices in existing residential buildings, and other buildings with sensitive receptors, located near freeways or sources of TACs and PM_{2.5}.

AQ-4(c) MTC and ABAG shall partner with the Bay Area Air District to develop a program to provide incentives to replace older locomotives and trucks in the region to reduce TACs and PM_{2.5}.

AQ-4(d) The implementing agency shall implement the strategies identified in the CARB Technical Advisory to reduce air pollution exposure near high-volume roadways to less-than-significant levels, where feasible. Examples of effective strategies include (CARB 2017):

- using speed reduction mechanisms, such as roundabouts to reduce the frequency of stop-and-go driving common among streets that support stop signs;
- using traffic signal management to limit the frequency of stop-and-go driving and vehicle idling;
- establishing and enforcing speed limit reductions of high-speed roadways;
- using design elements that promote air flow and pollutant dispersion along street corridors to optimize air flow, building downwash, and pollution dispersal;
- incorporating bike lanes and sidewalks to promote alternative, zero-pollution modes of transportation; and
- constructing solid barriers directly adjacent to high-volume roadways, such as sound walls to improve downwash.

Significance After Mitigation

Implementation of Mitigation Measure AQ-2 would minimize emissions of TACs by requiring best practices for exhaust emissions through the use of readily available, lower-emitting diesel equipment, and/or equipment powered by alternative cleaner fuels (e.g., propane) or electricity, as well as on-road trucks using particulate exhaust filters. Mitigation Measure AQ-4(a) would reduce the amount of TAC emissions that sensitive receptors would be exposed to through actions such as requiring setback distances between receptors and sources of TAC emissions (studies show that diesel PM is highly dispersive and that concentrations of diesel PM decline with distance from the source [e.g., 500 feet from a freeway, the concentration of diesel PM decreases by 70%] [Roorda-Knape et al. 1999; Zhu et al. 2002, cited in CARB

2005:9]), as well as by improving building air filtration systems and routing truck trips away from residential neighborhoods. Mitigation Measure AQ-4(b) would reduce the exposure of existing receptors to substantial concentrations of TAC emissions by facilitating air filtration improvements in existing buildings near TAC sources. Mitigation Measure AQ-4(c) would reduce TAC emissions generated by older locomotives and trucks by facilitating incentives to replace them with newer models that have improved emissions control technologies, or have zero-emissions in the case of electric trains and trucks. Lastly, Mitigation Measure AQ-4(d) would reduce the exposure of sensitive receptors to substantial TAC concentrations by improving transportation efficiency to reduce vehicle exhaust emissions through methods such as improving traffic flow efficiency, promoting alternative transportation methods, such as biking and walking, and implementing physical barriers along high-volume roadways to decrease emissions dispersion. The vehicle speed reduction measures listed under Mitigation Measure AQ-4(d) would result in reduced stop-and-go driving and hard accelerations thereby reducing emissions rates. Although each vehicle reaches its optimal fuel economy at a different speed (or range of speeds), gas mileage usually decreases rapidly at speeds above 50 mph. Aggressive driving (speeding, rapid acceleration and braking) wastes gas and lowers gas mileage by approximately 15–30% at highway speeds and 10–40% in stop-and-go traffic (Oak Ridge National Laboratory 2017).

Site-specific analysis would be needed when a project is proposed in the plan area to determine the actual level of exposure and whether feasible mitigation exists for the project to implement to reduce its level of cancer risk exposure to less than 100 in a million and PM_{2.5} concentrations less than 0.8 µg/m³.

The proposed plan could result in changes in total PM_{2.5} exposure levels that disproportionately impact Overburdened Communities. These impacts would vary across counties.

The mitigation measures identified above would result in reduced emissions and lower exposure levels near sensitive receptors. Projects taking advantage of CEQA streamlining provisions of SB 375 (PRC Sections 21155.1, 21155.2, and 21159.28) must apply the mitigation measures described above, as applicable, to address site-specific conditions. However, the exact reductions are not known at this time. Therefore, this impact would be **significant and unavoidable (SU)**.

Finding

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR. (Finding (1)). Changes or alterations within the responsibility and jurisdiction of another public agency and not MTC or ABAG can and should be adopted by such other agency, which would avoid or substantially lessen the significant environmental effect, as identified in the final EIR (Finding (2)). Projects taking advantage of CEQA streamlining provisions of SB 375 (PRC sections 21155.1, 21155.2, and 21159.28) must apply the mitigation measures to address site-specific conditions to reduce impacts. However, because site conditions are unique, it cannot be concluded with certainty that all significant impacts could be avoided. (Finding (3)).

Facts in Support of Finding

- A. The final plan is designed to reduce GHG emissions pursuant to SB 375, through designated growth geographies and complementary land use (e.g., H03, E04, E05), transportation (e.g., T03, T04, T05, T08, T09, T10, T11, T12), and environmental strategies (i.e., EN07, EN08, EN09).
- B. The final plan could locate sensitive receptors in areas where TACs or PM_{2.5} concentrations result in cancer risk levels greater than 100 in a million or a concentration of PM_{2.5} greater than 0.8 micro grams (µg) per cubic meter (m³) or where TACs or PM_{2.5} concentrations are in noncompliance with an adopted CRRP. Therefore, land use impacts would be potentially significant (PS). (Draft EIR, p. 3.4-55)
- C. While exhaust-related emissions would decrease in both Overburdened Communities and non-Overburdened Communities, total PM_{2.5} emissions would increase in the plan area as would total

PM2.5 emissions in multiple Overburdened Communities (see Table 3.4-13 and Table 3.4-14) . The projected increase in total PM2.5 emissions in these Overburdened Communities from 2023 to 2050 would constitute a change in PM2.5 exposure levels that disproportionately affect Overburdened Communities and would exacerbate an existing hazard to Overburdened Communities which are currently exposed to a disproportionately high concentration of air toxics. This would be a potentially significant impact (PS). (Draft EIR, p. 3.4-61)

- D. Mitigation Measures AQ-4(a) through AQ-4(d) would result in reduced emissions and lower exposure levels near sensitive receptors by modifying project siting and orientation, establishing truck routes, requiring air filtration systems, and implementing CARB Technical Advisory strategies that would reduce air pollution exposure near high-volume roadways such as strategies to reduce stop-and-go driving, promoting zero-pollution travel modes, and design elements to reduce pollution dispersal. (Draft EIR, p. 3.4-63)

2.4.4 Biological Resources (3.5)

IMPACT

BIO-1(a) Have a substantial adverse effect, either directly or through habitat modifications, on species identified as candidate, sensitive, or special status in local or regional plans, policies, or regulations, or by CDFW, USFWS, or NOAA Fisheries (Draft EIR, p. 3.5-36)

Mitigation Measures

BIO-1(a) Implementing agencies and/or project sponsors shall implement measures, where feasible and necessary based on project- and site-specific considerations, that include those identified below:

- Implementing agencies shall require project sponsors to prepare biological resource assessments for specific projects proposed in areas known or likely to contain habitat suitable for special-status plants and wildlife, such as sites that are not surrounded by urban development and/or have not been previously disturbed or developed. The assessment shall be conducted by qualified professionals pursuant to adopted protocols and agency guidelines, where applicable. Where the biological resource assessments establish that mitigation is required to avoid and minimize direct and indirect adverse effects on special-status plant and wildlife species, or compensate for unavoidable effects, mitigation shall be developed consistent with the requirements or standards of CEQA, USFWS, CDFW, and local regulations and guidelines, in addition to requirements of any applicable and adopted HCP/NCCP or other applicable plans developed to protect species or habitat.
- For proposed plan projects subject to CEQA or NEPA, or subject to permitting processes and review by CDFW, USFWS, and NOAA Fisheries, pre-project biological surveys shall be conducted as part of the CEQA/NEPA process to determine the presence and extent of sensitive habitats and species in the project vicinity. Surveys shall follow established methods and shall be conducted at times when the subject species is most likely to be identified. In cases where impacts on State- or federally listed plant or wildlife species are possible, formal protocol-level surveys may be required on a species-by-species basis to determine the local presence and distribution of these species. Coordination with CDFW, USFWS, and NOAA Fisheries, as appropriate, shall be conducted early in the planning process at an informal level for projects that could adversely affect federal or State candidate, proposed, threatened, or endangered species to determine the need for consultation or permitting actions. Projects shall obtain incidental take authorization from the permitting agencies, as required, before project implementation.

- A species and habitat compensation plan shall be prepared and implemented for unavoidable direct impacts on special-status plant species and shall be reviewed and approved by the resource agencies and lead agency prior to project approval. The plan shall identify effective methods for reestablishing the affected species and habitat, including but not limited to seed collection, salvage of root masses, and planting seeds and/or root masses in an area with suitable conditions. The plan shall also specify a monitoring program designed to evaluate success in reestablishing the affected species and habitat, and remedial measures that shall be followed if the project is not meeting specified performance criteria. The monitoring program shall be designed and implemented to evaluate the current and probable future health of the resources, and their ability to sustain populations in keeping with natural populations following the completion of the program. Remedial measures are highly dependent upon the species and habitats in question, but generally shall include but not be limited to invasive species management, predator control, access control, replanting and reseedling of appropriate habitat elements, regarding, and propagation and seed bulking programs.
- Project designs shall be reconfigured, whenever practicable, to avoid special-status species and sensitive habitats. Projects shall minimize ground disturbances and transportation project footprints near sensitive areas to the extent practicable.
- Temporary access roads and staging areas shall not be located within the areas containing sensitive plants or wildlife species wherever feasible, to avoid or minimize impacts on these species.
- Project activities in the vicinity of sensitive resources shall be completed during the period that best avoids disturbance to plant and wildlife species present to the extent feasible.
- Individual projects shall minimize the use of in-water construction methods in areas that support sensitive aquatic species, especially when listed species could be present.
- If equipment needs to operate in any watercourse with flowing or standing water where special-status species may be affected, a qualified biological resource monitor shall be present to alert construction crews to the possible presence of such special-status species.
- If project activities involve pile driving or vibratory hammering in or near water, interim hydroacoustic threshold criteria for protected fish species shall be adopted as set forth by the Interagency Fisheries Hydroacoustic Working Group, as well as other avoidance methods to reduce the adverse effects of construction to sensitive fish, piscivorous birds, and marine mammal species.
- A qualified biologist shall locate and fence off sensitive resources before construction activities begin and, where required, shall inspect areas to ensure that barrier fencing, stakes, and setback buffers are maintained during construction.
- For work sites located adjacent to special-status plant or wildlife populations, a biological resource education program shall be provided for construction crews and contractors (primarily crew and construction foremen) before construction activities begin.
- Biological monitoring shall be considered for areas near identified habitat for State- and federally listed species, and a “no take” approach shall be taken whenever feasible during construction near special-status plant and wildlife species.
- Mitigation Measure NOISE-1 shall be implemented when permanent or temporary noise has been identified as having a potential impact on wildlife.
- Impacts resulting from nighttime lighting associated with construction and future permanent lighting shall be assessed at the project level. This assessment shall include an analysis of current light sources in the vicinity of the project. All feasible measures to reduce impacts from nighttime

lighting shall be considered and implemented at the project level based on site-specific conditions. They may include but shall not be limited to the following measures:

- To the extent feasible, nighttime lighting sources shall not be installed in areas that contain or are likely to contain habitat suitable for special-status species.
 - Nighttime lighting shall be directed at the construction or project site and away from sensitive habitats. Light glare shields shall be used to reduce the extent of illumination onto adjoining areas. Permanent lighting shall be shielded and directed at intended use areas.
 - LEDs or bulbs installed as part of a project shall be rated to emit or produce light at or under 2700 Kelvin, which results in the output of a warm white color spectrum.
 - Physical barriers, including solid concrete barriers or privacy slats in cyclone fencing, shall be installed where they have the potential to reduce illumination from overhead lights and automobile lights. Barriers should only be utilized as a light pollution minimization measure if they do not create a substantial barrier to wildlife movement such that the height and/or width of the barrier do not allow wildfire to move through the area. Additional barrier types should be employed when feasible, such as privacy slats into the spacing of cyclone fencing to create light barriers for areas outside the roadway.
 - Reflective highway markers shall be used to reduce raptor collisions on roadways.
 - Projects on previously unlit roadways with adjacent sensitive habitat and open space shall explore design options that address safety needs without the use of artificial lighting.
 - If nighttime lighting has the potential to result in adverse effects on a listed or candidate wildlife species (e.g., a nest, den, or other important habitat feature is identified near the project site), then consultation with the appropriate natural resource agency may be required.
- Fencing and/or walls shall be built to avoid temporary or permanent access of humans or domestic animals from development areas into areas occupied by special-status species. Spoils, trash, or any debris shall be removed offsite to an approved disposal facility.
 - Project activities shall comply with existing local regulations and policies, including applicable HCP/NCCPs, that exceed or reasonably replace any of the above measures protective of special-status species.
 - Compensatory mitigation for unavoidable loss of habitat or other impacts on special-status species may be achieved in advance of impacts through the purchase or creation of mitigation credits or the implementation of mitigation projects through Regional Advance Mitigation Planning (RAMP) (i.e., Conservation and Mitigation Banking, natural community conservation planning, Regional Conservation Investment Strategies), as deemed appropriate by the permitting agencies. Projects will prioritize mitigation banking within the same county as the project, if possible (i.e., if mitigation banks or mitigation credits are available in a given county).

Significance After Mitigation

To the extent that a local agency requires an individual project to implement the feasible mitigation measure described above, as applicable, the impact would be less than significant with mitigation (LTS-M) because these mitigation measures would require pre-project surveys and biological monitoring, avoidance or minimization of project-related disturbance or loss of special-status species, and coordination with permitting agencies as required prior to project implementation.

Projects taking advantage of the CEQA streamlining provisions of SB 375 (PRC Sections 21155.1, 21155.2, and 21159.28) must apply the mitigation measures described above, as applicable, to address site-specific conditions. However, MTC and ABAG cannot require local implementing agencies to adopt the above mitigation measures, and it is ultimately the responsibility of a lead agency to determine and adopt

mitigation. Therefore, this impact would be **significant and unavoidable (SU)** for purposes of this program-level review.

Finding

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR. (Finding (1)). Changes or alterations within the responsibility and jurisdiction of another public agency and not MTC or ABAG can and should be adopted by such other agency, which would avoid or substantially lessen the significant environmental effect, as identified in the final EIR (Finding (2)). Projects taking advantage of CEQA streamlining provisions of SB 375 (PRC sections 21155.1, 21155.2, and 21159.28) must apply the mitigation measures to address site-specific conditions to reduce impacts. However, MTC and ABAG cannot require local implementing agencies to adopt the identified mitigation measures. (Finding (3)).

Facts in Support of Finding

- A. The majority of projected development in the final plan would occur on existing urban land, thereby minimizing impacts. The final plan's designated growth geographies in combination with the designation of PCAs help focus future household and job growth into existing communities well served by the transportation network, as well as communities with well-resourced schools and easy access to jobs, parks, and other amenities. This core strategy is known as the "focused growth" strategy. Final plan strategies, including H03, H06, H08, EC04, EC05, EC06, EN04, and EN05, help protect natural lands and farmlands and reduce overall land consumption.
- B. Implementation of the land use development pattern under the final plan could result in regional impacts on special-status species. Potential regional effects on special-status species could occur as a result of habitat fragmentation, increased human intrusion into wildland areas, introduction of invasive species, disruption of migratory corridors, and a resulting regional reduction in biological diversity. Potential localized effects on special-status species include the temporary and permanent removal or conversion of vegetation and habitat necessary for species breeding, feeding, dispersal, or sheltering. Construction of projects and ongoing operations could result in direct mortality of special-status plants and wildlife, entrapment of wildlife in open trenches, and general disturbance because of noise or vibration during pile driving, earthmoving, and other construction activities for species present in disturbance areas. Construction-generated fugitive dust accumulation on surrounding vegetation and construction-related erosion, runoff, and sedimentation could degrade the quality of adjacent vegetation communities, affecting their ability to support special-status plants and wildlife. Habitat fragmentation and disruption of migratory corridors could also occur on a local level, potentially affecting local populations by making them more vulnerable to extirpation. Because the proposed plan's forecasted development pattern could result in the disturbance or loss of special-status plant and wildlife species and habitats, this impact would be potentially significant (PS). (Draft EIR, p. 3.5-37) Potential effects of sea level rise adaptation projects on special-status plant and wildlife species are generally like those described above for the land use growth footprint under the proposed plan. In this case, most potential impacts on special-status species would occur in association with adaptation projects that would result in earthmoving or vegetation removal activities (e.g., elevated roadways and rail infrastructure, levees, sea walls, tidal gates) that are currently within or adjacent to occupied habitat or habitat suitable for special-status species. While marsh land restoration projects would likely benefit special-status species that occur in marsh habitats, overall, these projects could result in temporary adverse effects on these resources. Because the implementation of sea level rise adaptation projects may result in construction that results in the disturbance or loss of special-status plant and wildlife species and habitats, this impact would be potentially significant (PS). (Draft EIR, p. 3.5-37)
- C. Transportation projects - particularly new rail projects located in areas that have not been subject to previous ground disturbance - could contribute to regional and local habitat loss and fragmentation. Due

to the potential for habitat loss and fragmentation noted above, construction impacts would be potentially significant (PS). (Draft EIR, pp. 3.5-37 to 3.5-38)

- D. Long-term increases in the volume of vehicular traffic and major expansions of existing roads or development of new roads in rural areas are expected to result in increased automobile-related wildlife mortalities and injuries of common and special-status wildlife species. This effect would be most pronounced in rural areas, where roads traverse larger expanses of natural habitats. Because the proposed plan transportation projects may result in the disturbance or loss of special-status plant and wildlife species and habitats, this impact would be potentially significant (PS). (Draft EIR, p. 3.5-38)
- E. Mitigation Measure BIO-1(a) would reduce direct and indirect impacts to candidate, sensitive, or special status species because it would require pre-project surveys and biological monitoring, avoidance or minimization of project-related disturbance or loss of special-status species, and coordination with permitting agencies as required prior to project implementation. (Draft EIR, p. 3.5-40)

IMPACT

BIO-1(b) Have substantial adverse impacts on designated critical habitat for federally listed plant and wildlife species (Draft EIR, p. 3.5-41)

Mitigation Measures

BIO-1(b) Implementing agencies and/or project sponsors shall implement measures, where feasible and as applicable based on project- and site-specific considerations, for projects that could affect designated critical habitat for federally listed plant and wildlife species that include those identified below (or other equally effective measures):

- Coordination with USFWS and NOAA Fisheries, as appropriate based on the species, shall be conducted early in the environmental review process to determine the need for further mitigation, consultation, or permitting actions. Formal consultation is required for any project with a federal nexus when a listed species or designated critical habitat is likely to be adversely affected. Any conservation measures required by USFWS or NOAA Fisheries as part of formal consultation (e.g., through issuance of a biological opinion) would be implemented.
- Reconfigure project design to avoid or minimize adverse effects on protected species within designated critical habitats.
- Implementing agencies and/or project sponsors shall comply with existing local regulations and policies, including applicable HCP/NCCPs.
- Additionally, implementation of Mitigation Measure BIO-1(a), above, includes an initial biological resource assessment and, if necessary, compensatory mitigation for unavoidable loss of habitat or other impacts on special-status species. Compensatory mitigation may be achieved in advance of impacts through the purchase or creation of mitigation credits or the implementation of mitigation projects through RAMP, as deemed appropriate by the permitting agencies.

Significance After Mitigation

To the extent that a local agency requires an individual project to implement all feasible and applicable mitigation measures described above, the impact would be less than significant with mitigation (LTS-M). These mitigation measures would require coordination or consultation with USFWS and NOAA Fisheries, as appropriate based on the species, for projects that could adversely affect critical habitat; avoidance or minimization of adverse effects on protected species within critical habitats; and compliance with applicable regulations and policies that protect critical habitat. Projects taking advantage of the CEQA streamlining provisions of SB 375 (PRC Sections 21155.1, 21155.2, and 21159.28) must apply the mitigation measures described above, as applicable, to address site-specific conditions.

As noted above in the Regulatory Setting, pursuant to the requirements of the ESA, an agency reviewing a proposed project within its jurisdiction must determine whether any federally listed or proposed species may be present in the project region and whether the proposed project would result in a “take” of such species. In addition, the agency is required to determine whether the project is likely to jeopardize the continued existence of any species proposed to be listed under the ESA, or result in the destruction or adverse modification of critical habitat proposed to be designated for such species. The “take” prohibition of the ESA applies to any action that would adversely affect a single member of an endangered or threatened species. “Take,” as defined in Section 9 of the ESA, is broadly defined to include intentional or accidental “harassment” or “harm” to wildlife. “Harm” is defined as an act that actually kills or injures wildlife. It may include significant habitat modification or degradation where it actually kills or injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding, or sheltering.⁴ Further, because Mitigation Measure BIO-1(b) is tied to existing regulations that are law and binding on responsible agencies and project sponsors, it is reasonable to determine that they would be implemented. Therefore, with the incorporation of Mitigation Measure BIO-1(b), this impact would be **less than significant with mitigation (LTS-M)**.

Finding

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR. (Finding (1)). Changes or alterations within the responsibility and jurisdiction of another public agency and not MTC or ABAG can and should be adopted by such other agency, which would avoid or substantially lessen the significant environmental effect, as identified in the final EIR (Finding (2)). Projects taking advantage of CEQA streamlining provisions of SB 375 (PRC sections 21155.1, 21155.2, and 21159.28) must apply the mitigation measures to address site-specific conditions to reduce impacts.

Facts in Support of Finding

- A. The majority of projected development in the final plan would occur on existing urban land, thereby minimizing impacts. The final plan’s designated growth geographies in combination with the designation of PCAs help focus future household and job growth into existing communities well served by the transportation network, as well as communities with well-resourced schools and easy access to jobs, parks, and other amenities. This core strategy is known as the “focused growth” strategy. Final plan strategies, including H03, H06, H08, EC04, EC05, EC06, EN04, and EN05, help protect natural lands and farmlands and reduce overall land consumption.
- B. Land use development under the final plan could result in temporary or permanent loss of critical habitat. Degradation of areas that have high conservation value for these species could also occur in association with final plan development, where such development occurs within or adjacent to critical habitat, through the introduction of night lighting, increases in ambient noise levels, and the introduction of invasive species and predators. Plan development could also result in the introduction of, or increases in, additional vehicular or recreational pressures in areas designated as critical habitat. Although direct effects on salmonid critical habitat are not expected, disturbances outside critical habitat could generate erosion, sedimentation, or other water quality impacts on salmonid critical habitat downstream. Because the final plan’s forecasted development pattern may result in the loss or degradation of designated critical habitat for federally listed plant and wildlife species, this impact would be potentially significant (PS). (Draft EIR, p. 3.5-42)

⁴ There is currently a proposed rule (Federal Register Vol. 90 No. 73, USFWS 2025) to rescind the definition of “harm” from ESA’s “take” definition; however, a final rule has not been published.

- C. Potential effects of sea level rise adaptation projects on designated critical habitat are generally similar to those described above for land use development under the proposed plan. In this case, most impacts on critical habitat would occur in association with sea level rise adaptation projects that would result in earthmoving activities (e.g., elevated highway/roadway, levees, sea walls, tidal gates) in locations that are currently on the boundary of, or that traverse, critical habitat. Because the proposed sea level rise adaptation projects may result in permanent or temporary disturbance or loss of designated critical habitat for federally listed plant and wildlife species, this impact would be potentially significant (PS). (Draft EIR, p. 3.5-43)
- D. Potential effects of transportation projects on designated critical habitat are generally similar to those described above for land use development under the proposed plan. In this case, most impacts on critical habitat would occur in association with widening (or otherwise expanding) roads that are currently on the boundary of, or that traverse, critical habitat, as well as constructing new rail projects within the boundaries of, or that traverse, critical habitat. Because the proposed transportation projects may result in permanent or temporary disturbance or loss of designated critical habitat for federally listed plant and wildlife species, this impact would be potentially significant (PS). (Draft EIR, p. 3.5-44)
- E. Mitigation Measure BIO-1(b) would reduce significant impacts because it would require coordination or consultation with USFWS and NOAA Fisheries, as appropriate based on the species, for projects that could adversely affect critical habitat; avoidance or minimization of adverse effects on protected species within critical habitats; and compliance with applicable regulations and policies that protect critical habitat. (Draft EIR, p. 3.5-45)

IMPACT

BIO-2 Have a substantial adverse effect on riparian habitat, State- or federally protected wetlands (including but not limited to marsh, vernal pool, coastal), or other sensitive natural communities identified in local or regional plans, policies, or regulations, or by CDFW or USFWS, through direct removal, filling, hydrological interruption, or other means (Draft EIR, p. 3.5-45)

Mitigation Measures

BIO-2 Implementing agencies and/or project sponsors shall implement measures, where feasible and as applicable based on project- and site-specific considerations, that include those identified below (or other equally effective measures):

- Implementing agencies shall require project sponsors to prepare biological resource assessments for specific projects proposed in areas containing, or likely to contain, jurisdictional waters or other sensitive or special-status communities. These assessments shall be conducted by qualified professionals in accordance with agency guidelines and standards. Qualified professionals shall reference applicable regional data sources for wetland mapping, which may include, but not be limited to, the Adaptation Atlas (San Francisco Estuary Institute 2021), Recovery Plan for Tidal Marsh Ecosystems of Northern and Central California (USFWS 2013), and the 2015 Bay Ecosystem Habitat Goals Update (Goals Project 2015). Where the biological resource assessments establish that mitigation is required to avoid and minimize direct and indirect adverse effects on State- or federally protected wetlands, or compensate for unavoidable effects, mitigation shall be developed consistent with the requirements or standards of USACE, EPA, RWQCB, and CDFW, and local regulations and guidelines, in addition to requirements of any applicable and adopted HCP/NCCP or other applicable plans developed to protect these resources. In keeping with the “no net loss” policy for jurisdictional waters (i.e., wetlands and other waters of the United States or State), project designs shall be configured, whenever possible, to avoid wetlands and other waters and avoid disturbances to wetlands and riparian corridors to preserve both the habitat and the overall

ecological functions of these areas. Projects shall minimize ground disturbances and transportation project footprints near such areas to the extent practicable.

- Project sponsors shall consult with USFWS, NMFS, USFS, CDFW where State-designated sensitive or riparian habitats provide potential or occupied habitat for federally listed rare, threatened, and endangered species afforded protection pursuant to the ESA, the MBTA during the breeding season, CESA, or fully protected species afforded protection pursuant to the State Fish and Game Code and with the CDFW pursuant to the provisions of Section 1600 of the State Fish and Game Code as they relate to Lakes and Streambeds.
- Where avoidance of jurisdictional waters is not feasible, project sponsors shall minimize fill and the use of in-water construction methods, and place fill only with express permit approval from the appropriate resource agencies (e.g., USACE, RWQCB, CDFW, BCDC, CCC) and in accordance with applicable existing regulations, such as the Clean Water Act or local stream protection ordinances.
- Where avoidance of jurisdictional waters is not feasible, project sponsors shall arrange for compensatory mitigation in the form of mitigation bank credits; on-site or off-site enhancement of existing waters; or wetland creation in accordance with applicable existing regulations and subject to approval by USACE, RWQCB, CDFW, BCDC, and/or CCC. If compensatory mitigation is required, the project sponsor shall develop a restoration and monitoring plan that describes how compensatory mitigation will be achieved, implemented, maintained, and monitored. At a minimum, the restoration and monitoring plan shall include clear goals and objectives, success criteria, specifics on restoration/creation/enhancement (e.g., plant palette, soils, irrigation design standards and requirements), specific monitoring periods and reporting guidelines, and a maintenance plan. The following minimum performance standards (or other standards as required by the permitting agencies) shall apply to any wetland compensatory mitigation:
 - Compensation shall be provided at a minimum 1:1 ratio for restoration, preservation, and creation but shall in all cases be consistent with mitigation ratios set forth in locally applicable plans (e.g., general plans, HCP/NCCPs) or in project-specific permitting documentation. Compensatory mitigation may be a combination of on-site restoration/creation/enhancement or off-site restoration, preservation, or enhancement. Compensatory mitigation may be achieved in advance of impacts through the purchase or creation of mitigation credits or the implementation of mitigation projects through RAMP, as deemed appropriate by the permitting agencies.
 - In general, any compensatory mitigation shall be monitored for a minimum of 5 years and will be considered successful when at least 75% cover (or other percent cover considered appropriate for the vegetation type) of installed vegetation has become successfully established.
 - If the restoration is not meeting success criteria, remedial measures shall be implemented and can include, but are not limited to, replanting, reseeding, grading adjustments, supplemental irrigation, access control, increased weed control, and extended maintenance and monitoring periods. After final success criteria have been met and relevant permitting agencies have approved the mitigation project as complete, all mitigation areas shall be permanently conserved (e.g., conservation easement) and managed in perpetuity.
- Salvage and stockpile topsoil (i.e., the surface material from 6 to 12 inches deep) and perennial native plants, when recommended by the qualified wetland biologist, for use in restoring native vegetation to areas of temporary disturbance within the project area. Salvage of soils containing invasive species, seeds and/or rhizomes shall be avoided as identified by the qualified wetland biologist.
- In accordance with CDFW guidelines and other instruments protective of sensitive or special- status natural communities, project sponsors shall avoid and minimize impacts on sensitive natural

communities and habitats when designing and permitting projects. Where applicable, projects shall conform to the provisions of special area management or restoration plans, such as the Suisun Marsh Protection Plan and the East Contra Costa County HCP, which outline specific measures to protect sensitive vegetation communities. Where applicable, project sponsors shall consult standards established in the Regional Shoreline Adaptation Plan guidelines to avoid impacts on shoreline habitats.

- If any portion of a sensitive natural community is permanently removed or temporarily disturbed, the project sponsor shall provide compensatory mitigation for the loss. If such mitigation is required by the implementing agency, the project sponsor shall develop a restoration and monitoring plan that describes how compensatory mitigation will be achieved, implemented, maintained, and monitored. At a minimum, the restoration and monitoring plan shall include clear goals and objectives, success criteria, specifics on restoration/creation/enhancement (e.g., plant palette, soils, irrigation design standards and requirements), specific monitoring periods and reporting guidelines, and a maintenance plan. The following minimum performance standards (or other standards as required by the permitting agencies) shall apply to any compensatory mitigation for sensitive natural communities:
 - Compensation shall be provided at a minimum 1:1 ratio for restoration and preservation but shall in all cases be consistent with mitigation ratios set forth in locally applicable plans (e.g., general plans, HCP/NCCPs) or in project-specific permitting documentation. Compensatory mitigation may be a combination of on-site restoration/creation/enhancement or off-site restoration, preservation, or enhancement. Compensatory mitigation may be achieved in advance of impacts through the purchase or creation of mitigation credits or the implementation of mitigation projects through RAMP, as deemed appropriate by the permitting agencies.
 - In general, any compensatory mitigation shall be monitored for a minimum of 5 years and will be considered successful when at least 75% cover (or other percent cover considered appropriate for the vegetation type) of installed vegetation has become successfully established.
 - If the restoration is not meeting success criteria, remedial measures shall be implemented and may include, but are not limited to, replanting, reseeding, grading adjustments, supplemental irrigation, access control, increased weed control, and extended maintenance and monitoring periods. After final success criteria have been met and relevant permitting agencies have approved the mitigation project as complete, all mitigation areas shall be permanently conserved (e.g., conservation easement) and managed in perpetuity.
- All construction materials, staging, storage, dispensing, fueling, and maintenance activities shall be located in upland areas outside of sensitive habitat, and adequate measures shall be taken to prevent any potential runoff from entering jurisdictional waters. Fueling of equipment shall take place within existing paved roads. Contractor equipment shall be checked for leaks prior to operation and repaired, as necessary.
- Construction activities shall be scheduled, to the extent feasible, to avoid sensitive times for biological resources and to avoid the rainy season when erosion and sediment transport is increased.
- Compliance with existing local regulations and policies, including applicable HCP/NCCPs, that exceed or reasonably replace any of the above measures protective of wetlands and other waters or sensitive natural communities.

Significance After Mitigation

To the extent that a local agency requires an individual project to implement the feasible mitigation measure described above, as applicable, the impact would be less than significant with mitigation (LTS-M). These measures would require that sensitive habitat (e.g., jurisdictional waters, sensitive natural communities) be avoided to the extent feasible and that sensitive habitats that cannot be avoided are restored following construction, or if the habitat cannot be restored, that the project proponent compensates for unavoidable losses in a manner that results in no net loss of sensitive habitats and meets applicable regulatory requirements.

Projects taking advantage of the CEQA streamlining provisions of SB 375 (PRC Sections 21155.1, 21155.2, and 21159.28) must apply the mitigation measures described above, as applicable, to address site-specific conditions. Similar to Impact BIO-1(b), because Mitigation Measure BIO-2 is tied to existing regulations that are law and binding on responsible agencies and project sponsors, it is reasonable to determine that they would be implemented. Therefore, with the incorporation of Mitigation Measure BIO-2, this impact would be **less than significant with mitigation (LTS-M)**.

Finding

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR. (Finding (1)). Changes or alterations within the responsibility and jurisdiction of another public agency and not MTC or ABAG can and should be adopted by such other agency, which would avoid or substantially lessen the significant environmental effect, as identified in the final EIR (Finding (2)). Projects taking advantage of CEQA streamlining provisions of SB 375 (PRC sections 21155.1, 21155.2, and 21159.28) must apply the mitigation measures to address site-specific conditions to reduce impacts.

Facts in Support of Finding

- A. The majority of projected development in the final plan would occur on existing urban land, thereby minimizing impacts. The final plan's designated growth geographies in combination with the designation of PCAs help focus future household and job growth into existing communities well served by the transportation network, as well as communities with well-resourced schools and easy access to jobs, parks, and other amenities. This core strategy is known as the "focused growth" strategy. Final plan strategies, including H03, H06, H08, EC04, EC05, EC06, EN04, and EN05, help protect natural lands and farmlands and reduce overall land consumption.
- B. Potential impacts of the forecasted development pattern under the final plan on wetlands include the temporary disturbance, or permanent loss, of jurisdictional waters, including wetlands; loss or degradation of stream or wetland function; incremental degradation of wetland habitats; and fragmentation of streams and wetlands. Jurisdictional waters in the region vary from relatively small, isolated roadside areas, wet meadows, and vernal pools to major streams and rivers, bays and estuaries, and tidal, brackish, and freshwater marshes. Any fill of jurisdictional waters associated with proposed land development would be a significant impact. In addition to direct habitat loss, implementation of the forecasted development pattern under the final plan could increase the potential for stormwater runoff to carry a variety of pollutants into wetlands, rivers, streams, and San Francisco Bay through increases in the extent of impervious surfaces.
- C. Adverse effects on State- and federally protected wetlands would be addressed, if feasible, through avoidance of these resources. Where avoidance is not possible, and in accordance with USACE, EPA, USFWS, RWQCB, and CDFW guidelines, a standard of "no net loss" of wetland acreage and value is required. Mitigation to compensate for project-related loss of wetland acreage and functions would be based on project-specific wetland mitigation plans, subject to approval by USACE, RWQCB, CDFW,

BCDC, and the California Coastal Commission where applicable. Impacts on jurisdictional waters would be potentially significant (PS). (Draft EIR, pp. 3.5-46 to 3.5-47)

- D. Potential effects of sea level rise adaptation projects on wetlands and other waters are generally similar to those described above for land use development under the proposed plan. In this case, most impacts on wetlands and other waters would occur in association with sea level rise adaptation projects that would result in earthmoving activities (e.g., elevated roadways and rail infrastructure, levees, sea walls, tidal gates) in areas that contain or are adjacent to wetlands or other waters. While marshland restoration projects would likely result in an overall beneficial impact on wetlands and other waters, these projects could also result in temporary adverse effects on these resources. Additionally, if sea walls or levees are sited in areas containing or adjacent to wetland habitat (e.g., estuarine and marine wetlands [or, tidal wetlands]), indirect effects on these resources may occur, including disruption of the existing hydrology of these habitats. Adverse effects on State- and federally protected wetlands would be addressed, if feasible, through avoidance of these resources. Where avoidance is not possible, and in accordance with USACE, EPA, USFWS, RWQCB, and CDFW guidelines, a standard of “no net loss” of wetland acreage and value is required. Mitigation for wetland impacts would be based on project-specific wetland mitigation plans, subject to approval by USACE, RWQCB, CDFW, BCDC, and CCC where applicable. Impacts on jurisdictional waters would be potentially significant (PS). (Draft EIR, p. 3.5-47)
- E. Potential effects of transportation projects are similar to those discussed above projected growth. Where feasible, State- and federally protected wetlands would be avoided. Where avoidance is not possible, and in accordance with USACE, EPA, USFWS, RWQCB, and CDFW guidelines, a standard of “no net loss” of wetland acreage and value is required. Mitigation for wetland impacts would be based on project-specific wetland mitigation plans, subject to approval by USACE, RWQCB, CDFW, and potentially CCC and BCDC. Impacts on jurisdictional waters resulting from implementation of transportation projects would be potentially significant (PS). (Draft EIR, p 3.5-48)
- F. Mitigation Measure BIO-2 would reduce significant direct and indirect impacts because it would require that sensitive habitat (e.g., jurisdictional waters, sensitive natural communities) be avoided to the extent feasible and that sensitive habitats that cannot be avoided are restored following construction, or if the habitat cannot be restored, that the project proponent compensates for unavoidable losses in a manner that results in no net loss of sensitive habitats and meets applicable regulatory requirements. (Draft EIR, p. 3.5-51)

IMPACT

BIO-3 Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridor, or impede the use of native wildlife nursery sites (Draft EIR, p. 3.5-51)

Mitigation Measures

BIO-3(a) Implementing agencies shall require project sponsors to prepare detailed analyses for specific projects affecting mapped critical linkages to determine the wildlife species that may use these areas and the habitats those species require. Projects that would not affect mapped critical linkages but that are located within or adjacent to open space lands, including wildlands and agricultural lands, or otherwise may contain land used as wildlife movement corridors (e.g., green belts in urban areas) shall also assess whether significant wildlife corridors are present, what wildlife species may use them, and what habitat those species require. The assessment shall be conducted by qualified professionals and according to applicable agency standards with consideration of the local, regional, and global context of landscape connectivity for a given project in a given area.

Implementing agencies and/or project sponsors shall implement measures, where feasible and as applicable based on project- and site-specific considerations, that include those identified below (or other equally effective measures):

- Design projects to minimize impacts on wildlife movement and habitat connectivity and preserve existing and functional wildlife corridors.
- Design projects to promote wildlife corridor redundancy by including multiple connections between habitat patches.
- Consult relevant guidance documents regarding wildlife movement and habitat connectivity during the project design phase, including but not limited to statewide and Bay Area region guides (e.g., CLN mapping, CDFW’s California Wildlife Barriers 2020 [CDFW 2020], the California Department of Transportation’s Wildlife Crossings Guidance Manual [Meese et al. 2007], Critical Linkages: Bay Area & Beyond [Penrod et al. 2013]), and local guides (e.g., Gray et al. 2018; Diamond and Snyder 2016).
- Conduct wildlife movement studies for projects that may fragment or constrict regional or local corridors and impede use to nursery sites. These studies will include, but would not be limited to, the following objectives: identify activity levels and directional wildlife movement trends within the study area, consult the California Fish Passage Assessment Database (CALFISH database) to identify potential fish barrier locations and conduct first pass and second pass fish assessments as necessary, assess current functionality of existing underpasses, and determine what species or groups of species exhibit sensitivity to the existing roadways. Movement studies shall identify project-specific measures to avoid or mitigate impacts on corridors and movement to nursery sites that may include, but are not limited to, developing alternative project designs that allow wider movement corridors to remain; provide for buffer zones adjacent to corridors, such as passive recreation zones; implement physical barriers that prevent human and/or domestic predator entry into the corridor or block noise and lighting from development; incorporate shielded and directed lighting in areas near corridors; implement a “natives only” landscaping policy within 200 feet of identified wildlife corridors; incorporate periodic larger habitat patches along a corridor’s length; minimize the number of road crossings of identified wildlife corridors; and replace roadway culverts with bridges to allow for wildlife movement.
- For projects that cannot avoid significant impacts on wildlife movement corridors or native wildlife nursery areas, consult with CDFW to determine appropriate measures to minimize direct and indirect impacts and implement measures to mitigate impacts on wildlife corridors or native wildlife nursery sites.
- Conduct site-specific analyses of opportunities to preserve or improve habitat linkages with areas on- and off-site. Preservation or improvements of habitat on both sides of a wildlife crossing shall be prioritized.
- Analyze habitat linkages and wildlife movement corridors on a broad scale for long linear projects with the possibility of adversely affecting wildlife movement to avoid critical narrow choke points that could reduce function of recognized movement corridor.
- Construct wildlife-friendly overpasses and culverts. These structures shall be designed to meet the needs of appropriate species, considering factors such as the size or diameter of the structure (e.g., large enough to allow a target species to pass through/over or to allow sufficient stream flow), interval frequency, and/or physical design to allow conditions similar to the surrounding habitat (e.g., open-bottom culverts that provide natural substrate on the stream bottom).
- Upgrade existing culverts or implement directional fencing to guide animals to existing culverts or underpasses when conducting expansion or enhancement projects on existing roads.
- Fence major transportation corridors in the vicinity of identified wildlife corridors.

- Use wildlife-friendly fences that allow larger wildlife, such as deer, to jump over (i.e., no greater than 4 to 5 feet tall on average) and smaller wildlife to move under (by leaving a gap under the fence).
- For projects that require the placement of stream culverts in a fish spawning stream, follow USACE, NOAA Fisheries, USFWS, and CDFW permit conditions and design requirements to allow fish passage through the culverts.
- Limit wildland conversions in identified wildlife corridors such that the function of the wildlife corridor is not impaired.
- Retain wildlife-friendly vegetation in and around developments (e.g., native plant species; vegetation that provides sufficient cover, nesting, or foraging opportunities; mature trees; riparian vegetation).
- Monitor and maintain fencing, under crossings, and/or other crossing structures as needed to ensure corridor permeability and functionality. Development and implementation of a fencing and wildlife crossing structure maintenance plan is recommended to maintain permeability for wildlife across corridors.
- Prohibit construction activities within 500 feet of occupied breeding areas for wildlife afforded protection pursuant to Title 14 Section 460 of the CCR (protecting fur-bearing mammals), during the breeding season.
- Comply with existing local regulations and policies, including applicable HCP/NCCPs, that exceed or reasonably replace any of the above measures to protect wildlife corridors.

Mitigation Measure BIO-3(b) Implementing agencies and/or project sponsors shall implement the following measures, where feasible and as applicable based on project- and site-specific considerations:

- Implement Mitigation Measures BIO-1(a) and BIO-2.

Significance After Mitigation

To the extent that a local agency requires an individual project to implement all feasible and applicable mitigation measures described above, the impact would be less than significant with mitigation (LTS-M). These mitigation measures would require assessing whether significant wildlife corridors are present in project areas, minimizing wildland conversions in identified wildlife corridors, implementing wildlife-friendly design features, and complying with regulations and policies to protect wildlife corridors and wildlife nursery sites.

Projects taking advantage of the CEQA streamlining provisions of SB 375 (PRC Sections 21155.1, 21155.2, and 21159.28) must apply the mitigation measures described above, as applicable, to address site-specific conditions. However, MTC and ABAG cannot require local implementing agencies to adopt the above mitigation measures, and it is ultimately the responsibility of a lead agency to determine and adopt mitigation. Unlike Mitigation Measures BIO-1(b) and BIO-2, the above mitigation measure is not directly tied to existing regulations that are law and binding on responsible agencies and project sponsors. Therefore, this impact would be **significant and unavoidable (SU)** for purposes of this program-level review.

Finding

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR. (Finding (1)). Changes or alterations within the responsibility and jurisdiction of another public agency and not MTC or ABAG can and should be adopted by such other agency, which would avoid or substantially lessen the significant environmental effect, as identified in the final EIR (Finding (2)). Projects taking advantage of CEQA streamlining provisions of SB 375 (PRC sections 21155.1, 21155.2, and 21159.28) must apply the mitigation measures to address site-specific conditions to reduce impacts. However, MTC and ABAG cannot require local implementing agencies to adopt the identified mitigation measures. (Finding (3)).

Facts in Support of Finding

- A. The majority of projected development in the final plan would occur on existing urban land, thereby minimizing impacts. The final plan's designated growth geographies in combination with the designation of PCAs help focus future household and job growth into existing communities well served by the transportation network, as well as communities with well-resourced schools and easy access to jobs, parks, and other amenities. This core strategy is known as the "focused growth" strategy. Final plan strategies, including H03, H06, H08, EC04, EC05, EC06, EN04, and EN05, help protect natural lands and farmlands and reduce overall land consumption.
- B. The final plan's land use growth footprint overlaps with approximately 450 acres of important baylands, 20 acres of large landscape blocks, 40,550 meters of key riparian corridors, 180 acres of linkage designs, and 7,640 acres of riparian buffer zones (Table 3.5-10). However, the land use growth footprint is concentrated primarily in or adjacent to already urban and built-up areas and along existing transit corridors where migratory corridors for wildlife have already been fragmented and degraded to the point that their function as linkages is either limited or lost entirely. On a local level, waterways, riparian corridors, and contiguous or semicontiguous expanses of habitat are likely to facilitate wildlife movement, even through urbanized areas in the region. In some cases, land use development projects may directly encroach on wildlife corridors, particularly when direct habitat removal occurs or when sites are located adjacent to open space or streams. Degradation of areas that have high value as wildlife movement corridors could also occur in association with proposed plan development, where such development occurs adjacent to these corridors, through increases in ambient noise levels and fire frequency, as well as the introduction of lighting, domestic pets, pollution, and invasive species. Land use growth could also encroach on nursery sites, which are locations where fish or wildlife concentrate for hatching and/or raising young, such as nesting rookeries for birds (e.g., herons, egrets), spawning areas for native fish, fawning areas for mule deer (*Odocoileus hemionus*), and maternal roosts for bats. The locations of nursery sites in the State are generally not mapped. While most of these sites would likely occur in undeveloped natural areas and the land use growth footprint is located primarily in or adjacent to already urbanized areas, development projects may result in loss or abandonment of wildlife nursery sites.
- C. Construction of land use development projects could result in temporary impediment of wildlife movement corridors due to use of heavy equipment, ground disturbance, or staging and direct removal of wildlife nurseries. Ongoing operations of these projects could result in substantial permanent encroachment on local wildlife corridors or permanent loss or ongoing disturbance (e.g., from light or noise) of wildlife nursery sites; therefore, this would be a potentially significant (PS) impact. (Draft EIR, pp. 3.5-51 to 3.5-52)
- D. The final plan's sea level rise adaptation projects footprint overlaps with approximately 19,600 acres of important baylands, 990 acres of large landscape blocks, 298,300 feet of key riparian corridors, 2,800 acres of linkage designs, and 32,800 acres of riparian buffer zones (Table 3.5-11). Construction of sea level rise adaptation projects may result in temporary impediment of wildlife corridors, and in some cases, sea level rise adaptation projects may directly encroach on wildlife corridors, particularly when direct habitat removal occurs or when sites are located adjacent to open space or streams. Implementation of sea level rise adaptation projects also may result in loss or abandonment of wildlife nursery sites. Substantial encroachment on local wildlife corridors or loss of wildlife nursery sites would be a potentially significant (PS) impact. (Draft EIR, p. 3.5-52)
- E. The final plan's transportation projects footprint overlaps with approximately 250 acres of important Baylands, 10 acres of large landscape blocks, 12,300 feet of key riparian corridors, 180 acres of linkage designs, and 2,500 acres of riparian buffer zones (Table 3.5-12). Many of these transportation projects are expansions or enhancements of existing highways or other transportation routes with existing urban corridors established along them. In these areas, migratory corridors have already been fragmented and degraded to the point that their function as linkages is either limited or has been lost entirely. However,

some transportation projects, particularly new rail projects, could be located in areas that have not been subject to previous disturbance and fragmentation. As discussed for projected land development within land use growth footprint, construction activities associated with proposed transportation projects may result in temporary impediments to wildlife corridors, and operation of these projects may directly encroach on local wildlife corridors, particularly when direct habitat removal occurs or when sites are located adjacent to open space or streams. Additionally, as described above, transportation projects may result in loss or abandonment of wildlife nursery sites. Substantial encroachment on local wildlife corridors or loss of wildlife nursery sites would be a potentially significant (PS) impact. (Draft EIR, pp. 3.5-53 to 3.5-54)

- F. Mitigation Measures BIO-3(a) and BIO-3(B) would reduce significant direct and indirect effects because they would require assessing whether wildlife corridors are present in project areas, minimizing wildland conversions in identified wildlife corridors, implementing wildlife-friendly design features, and complying with regulations and policies to protect wildlife corridors and wildlife nursery sites. (Draft EIR, p. 3.5-56)

IMPACT

BIO-5 Have the potential to substantially reduce the habitat of a fish or wildlife species; cause a fish or wildlife population to drop below self-sustaining levels; threaten to eliminate a plant or animal community; or substantially reduce the number or restrict the range of an endangered, rare, or threatened species (Draft EIR, p. 3.5-58)

Mitigation Measures

BIO-5 Implementing agencies and/or project sponsors shall implement the following measures (or other equally effective measures), where feasible and as applicable based on project- and site-specific considerations:

- Implement Mitigation Measures BIO-1(a), BIO-1(b), BIO-2, and BIO-3(a).

Significance After Mitigation

To the extent that a local agency requires an individual project to implement all feasible and applicable mitigation measures described above, the impact would be less than significant with mitigation (LTS-M), for the same reasons described previously for implementation of Mitigation Measures BIO-1(a), BIO-1(b), BIO-2, and BIO-3(a), which would reduce impacts on special-status plants and wildlife, critical habitat, State- and federally protected wetlands, wildlife movement corridors, and wildlife nursery sites.

Projects taking advantage of the CEQA streamlining provisions of SB 375 (PRC Sections 21155.1, 21155.2, and 21159.28) must apply the mitigation measures described above, as applicable, to address site-specific conditions. However, MTC and ABAG cannot require local implementing agencies to adopt the above mitigation measures, and it is ultimately the responsibility of a lead agency to determine and adopt mitigation. Although Mitigation Measures BIO-1(b) and BIO-2 are directly tied to existing regulations that are law and binding on responsible agencies and project sponsors, they would not apply to all areas considered sensitive natural communities. Therefore, this impact would be **significant and unavoidable (SU)** for purposes of this program-level review.

Finding

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR. (Finding (1)). Changes or alterations within the responsibility and jurisdiction of another public agency and not MTC or ABAG can and should be adopted by such other agency, which would avoid or substantially lessen the significant environmental effect, as identified in the final EIR (Finding (2)). Projects taking advantage of CEQA streamlining provisions

of SB 375 (PRC sections 21155.1, 21155.2, and 21159.28) must apply the mitigation measures to address site-specific conditions to reduce impacts. However, MTC and ABAG cannot require local implementing agencies to adopt the identified mitigation measures. (Finding (3)).

Facts in Support of Finding

- A. The majority of projected development in the final plan would occur on existing urban land, thereby minimizing impacts. The final plan's designated growth geographies in combination with the designation of PCAs help focus future household and job growth into existing communities well served by the transportation network, as well as communities with well-resourced schools and easy access to jobs, parks, and other amenities. This core strategy is known as the "focused growth" strategy. Final plan strategies, including H03, H06, H08, EC04, EC05, EC06, EN04, and EN05, help protect natural lands and farmlands and reduce overall land consumption.
- B. As described in Impacts BIO-1a, BIO-1b, and BIO-2, implementation of the projected forecasted development pattern, sea level rise adaptation projects, and transportation projects under the proposed plan could adversely affect special-status species and sensitive natural communities. The degree to which plan implementation could jeopardize a special-status species or sensitive natural community by substantially reducing the abundance, distribution, or viability of the species or natural community is unknown. However, because of their declining status, special-status species and sensitive natural communities are considered the most vulnerable to potential loss of viability. This impact would be potentially significant (PS). (Draft EIR, p. 3.5-58)
- C. Mitigation Measure BIO-5 would reduce impacts by requiring implementation of Mitigation Measures BIO-1(a), BIO-1(b), BIO-2, and BIO-3(a) for the same reasons described previously for those measures.

2.4.5 Climate Change, Greenhouse Gases, and Energy (3.6)

IMPACT

GHG-1 Result in a net increase in greenhouse gas emissions, either directly or indirectly, compared to existing conditions that may have a significant impact on the environment (Draft EIR, p. 3.6-40)

Mitigation Measures

GHG-1 The applicable lead agency can and should implement, where feasible and as applicable to address site-specific construction climate change impacts, the following measures (or equally effective measures) to avoid or minimize impacts related to construction GHG emissions:

- Project proponents shall require its contractors to restrict the idling of on- and off-road diesel equipment to no more than 5 minutes while the equipment is on-site.
- Project proponents of new facilities shall implement waste, disposal, and recycling strategies (i.e., 10% recycled content for Tier 1 and 15% recycled content for Tier 2) in accordance with the voluntary measures for nonresidential land uses contained in Section A5.405 of the 2022 CALGreen Code or in accordance with any update to these requirements in future iterations of the CALGreen Code in place at the time of project construction.
- Project proponents of new facilities shall achieve or exceed the enhanced Tier 2 target for nonresidential land uses of recycling or reusing 80% of the construction waste as described in Section A5.408 of the 2022 CALGreen Code or in accordance with any update to these requirements in future iterations of the CALGreen Code in place at the time of project construction.
- Project proponents shall require all diesel-powered, off-road construction equipment meet EPA's Tier 3 or Tier 4 emissions standards as defined in 40 CFR 1039 and comply with the exhaust emission

test procedures and provisions of 40 CFR Parts 1065 and 1068. This measure can also be achieved by using battery-electric off-road equipment as it becomes available.

- Project proponents shall implement a program that incentivizes construction workers to carpool and use public transit or EVs to commute to and from the project site.

Significance After Mitigation

Implementation of Mitigation Measure GHG-1 would mitigate the GHGs emitted during the construction phase of the projected land use growth footprint, sea level rise adaptation, and transportation projects under the proposed plan. Projects taking advantage of CEQA streamlining provisions of SB 375 (PRC Sections 21155.1, 21155.2, and 21159.28) must apply the mitigation measures described above, as applicable, to address site-specific conditions. If these mitigation measures were adopted by the implementing agency, construction related impacts could be reduced, but not necessarily to a less-than-significant level, and this impact would be **significant and unavoidable (SU)** for purposes of this program-level review.

Finding

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR. (Finding (1)). Changes or alterations within the responsibility and jurisdiction of another public agency and not MTC or ABAG can and should be adopted by such other agency which would avoid or substantially lessen the significant environmental effect, as identified in the final EIR (Finding (2)). Projects taking advantage of CEQA streamlining provisions of SB 375 (PRC sections 21155.1, 21155.2, and 21159.28) must apply the mitigation measures to address site-specific conditions. However, because site conditions are unique, it cannot be concluded with certainty that all significant impacts could be avoided. (Finding (3)).

Facts in Support of Finding

- A. The final plan is designed to reduce GHG emissions pursuant to SB 375, through designated growth geographies and complementary land use (e.g., H03, E04, E05), transportation (e.g., T03, T04, T05, T08, T09, T10, T11, T12), and environmental strategies (i.e., EN07, EN08, EN09).
- B. The forecasted development pattern and transportation network improvements and programs of the final plan, combined with the implementation of federal and State regulations that would result in reduced GHG emissions from activities in the plan area, would lead to lower total GHG emissions in 2050 as compared to 2023. (Draft EIR, p. 3.6-43)
- C. The level of GHG emissions from construction activity would depend on the type and scale of projects being constructed under the proposed plan. Generally, GHGs could be generated from a variety of activities and emission sources (e.g., exhaust emissions from off-road construction equipment, material delivery trips, and construction worker-commute trips). These emission types and associated levels fluctuate greatly depending on the particular type, number, and duration of usage for the varying equipment. The site preparation phase typically generates the most substantial emission levels because of the on-site equipment and ground-disturbing activities associated with grading, compacting, and excavation. Site preparation equipment and activities typically include backhoes, bulldozers, loaders, and excavation equipment (e.g., graders and scrapers). Construction activity tends to be temporary in nature for individual projects and would be expected to occur throughout the proposed plan's implementation period through 2050 because of the various land use growth footprint, sea level rise adaptation projects, and transportation projects that could be constructed. Where regulatory requirements or permitting requirements exist that are legally or otherwise binding on responsible agencies and project sponsors, it is reasonable to assume that they would be implemented, thereby reducing impacts. However, because construction emissions may not be reduced to net zero in all cases, this impact would be potentially significant (PS). (Draft EIR, p. 3.6-40)

- D. Projected development as part of the final plan would increase direct and indirect GHG emissions from building electricity and natural gas use, water use, wastewater treatment, waste generation, and landscaping equipment. However, the final plan was designed to accommodate the people, households, and jobs identified in the regional growth forecast, and includes land use strategies that would promote denser or more compact development in designated Growth Geographies. These strategies would allow greater densities for new residential and commercial development in select Planned Development Areas (PDAs) and select Transit-Rich Areas and provide incentives to employers to shift jobs to housing-rich areas well served by transit. Increasing housing density generally results in fewer GHG emissions per capita, as well as the criteria pollutant emissions associated either directly or indirectly with a single person. This is because GHG emissions are considered more efficient when a given area houses a larger number of people in a smaller area. Therefore, the final plan would be considered more efficient in terms of emissions per capita because the forecasted development pattern would accommodate a greater number of people in existing infill areas. The proposed growth pattern would thereby limit an increase in emissions.
- E. In addition, improved building energy efficiency standards and increased renewable energy sources for electricity would reduce future GHG emissions from new land use. Notably, as the California Energy Code continues to be updated on a triennial basis, future iterations of the California Energy Code will likely become more energy efficient than the current 2025 code, as well as include restrictions on the use of on-site natural gas consumption as the building sector trends toward decarbonization. Therefore, emissions from building energy consumption in 2035 may be overestimated. However, the exact level of energy efficiency and allowed on-site natural gas associated with future versions of the California Energy Code are unknown. However, AB 130 enacts restrictions on modifications to future iterations of the California Building Standards Code for residential development until 2031. AB 130's moratorium on updating the California Building Standards Code for residential development would affect the GHG reductions associated with future iterations of the California Building Standards Code which have historically increased the energy efficiency of buildings. Energy efficiency and renewable energy design features to reduce electricity demand and promote on-site renewable energy associated with future versions for the California Energy Code would not be realized for residential development beyond what is required by the 2025 version of the code. Because the projected development as part of the proposed plan would increase direct and indirect GHG emissions from building electricity and natural gas use, water use, wastewater treatment, waste generation, and landscaping equipment, implementation of the forecasted development pattern under the proposed plan would contribute toward a net increase in GHG emissions. This impact would be potentially significant (PS). (Draft EIR, pp. 3.6-40 to 3.6-41)
- F. Implementation of Mitigation Measure GHG-1 would mitigate the GHGs emitted during the construction phase of projects under the final plan. (Draft EIR, p. 3.6-44) The measures in Mitigation Measure GHG-1 would mitigate GHGs by reducing emissions from construction equipment and worker commutes and by recycling construction waste to offset the need to produce new construction materials.

IMPACT

GHG-3 Conflict with an applicable State plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases (Draft EIR, p. 3.6-46)

Mitigation Measures

ABAG and MTC do not have authority to require the implementing agencies to adopt the identified mitigation measures but instead shall serve in a supportive role to assist implementing agencies in applying these measures. However, implementation of the following measures or other comparable measures identified by the lead agency at a project-level would reduce impacts related conflict with GHG emissions targets and agencies with jurisdiction to adopt these measures can and should do so (PRC Section 21081).

GHG-3 ABAG and MTC, in partnership with air districts in the plan area, shall work with the counties and cities in the plan area to adopt qualified GHG reduction plans (e.g., CAPs), develop GHG-reducing planning policies, and implement local climate initiatives, with the ultimate completion date to be achieved by the proposed plan's horizon year. These reductions can be achieved through a combination of programs, including zero net energy in new construction, retrofits of existing buildings, incentivizing the development of renewable energy sources that serve both new and existing land uses, and other measures. Notably, the development and implementation of GHG reduction plans would ultimately occur at the discretion of local agencies, counties, and municipalities. Nevertheless, ABAG and MTC shall contribute relevant data and protocols to assist in the development of inventories, forecasts, and GHG reduction strategies.

- Implement Mitigation Measures AQ-3(a) through AQ-3(d), TRA-2(a), and TRA-2(b).

Significance After Mitigation

Although many local jurisdictions in the region have released CAPs, additional implementation of CAPs in the region would continue to help to reduce GHG emissions from the land use projects that would be constructed under the proposed plan, as well as reducing GHG emissions from existing uses. Energy reduction incentive programs, such as those supported by the Bay Area Regional Network, would help reduce GHG emissions from energy usage in existing and new structures in the region. Projects taking advantage of the CEQA streamlining provisions of SB 375 (PRC Sections 21155.1, 21155.2, and 21159.28) must apply the mitigation measures described above, as applicable, to address site-specific conditions.

However, there is no assurance that this level of mitigation would achieve the regional reductions needed to attain the statewide 2030 and 2045 targets. Additional regulatory action that results in substantial GHG reductions throughout all sectors of the State economy and based on State-adopted regulations would likely be needed to attain such goals, and they are beyond the feasible reach of MTC and ABAG and local jurisdictions. Moreover, MTC and ABAG cannot require local implementing agencies to adopt the above mitigation measure, and it is ultimately the responsibility of a lead agency to determine and adopt mitigation. Even with full implementation of the mitigation measure, forecasted emissions would not be reduced to target levels under SB 32 and AB 1279. Therefore, this impact would be **significant and unavoidable (SU)**.

Finding

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR. (Finding (1)). Changes or alterations within the responsibility and jurisdiction of another public agency and not MTC or ABAG can and should be adopted by such other agency which would avoid or substantially lessen the significant environmental effect, as identified in the final EIR (Finding (2)). Projects taking advantage of CEQA streamlining provisions of SB 375 (PRC sections 21155.1, 21155.2, and 21159.28) must apply the mitigation measures to address site-specific conditions. However, because site conditions are unique, it cannot be concluded with certainty that all significant impacts could be avoided. (Finding (3)).

Facts in Support of Finding

- A. The final plan is designed to reduce GHG emissions pursuant to SB 375, through designated growth geographies and complementary land use (e.g., H03, E04, E05), transportation (e.g., T03, T04, T05, T08, T09, T10, T11, T12), and environmental strategies (i.e., EN07, EN08, EN09).
- B. As discussed under Impact GHG-1, implementation of the final plan would result in a net reduction in GHG emissions from transportation sources and would result in more efficient GHG emissions per capita because the projected land use growth footprint would accommodate a greater number of people in the plan area compared to existing conditions.

- C. The final plan is specifically designed to reduce regional VMT and use of fossil fuel consumption in the transportation and building sectors. Because the 2022 Scoping Plan directs local agencies to take action to reduce VMT, increase ZEV usage, and decarbonize buildings, and therefore contribute to achieving statewide GHG reduction targets, the 2022 Scoping Plan is a GHG reduction plan applicable to the proposed plan. The 2022 Scoping Plan outlines the primary strategies California intends to implement to achieve the legislative GHG emission target for 2030 and provide a pathway toward the State's 2045 climate goals. The 2022 Scoping Plan identifies the reductions needed by each GHG emission sector including transportation, industry, electricity generation, agriculture, commercial and residential, pollutants with high global warming potential, and recycling and waste. The 2022 Scoping Plan lays out the pathway to achieve the State's carbon neutrality goal and reduce anthropogenic GHG emissions by 85% below 1990 levels no later than 2045.
- D. The Local Actions Appendix (Appendix D) to the 2022 Scoping Plan includes various recommendations that local governments can implement to align their planning and development review processes with the State's climate goals. Appendix D recommends that local governments focus on transportation electrification, VMT reduction, and building decarbonization (CARB 2022a). As detailed above, the proposed plan was specifically designed to reduce regional VMT and was prepared pursuant to SB 375. SB 375 seeks to reduce GHG emissions from the passenger-vehicle sector by reducing VMT in developed areas and areas planned for development in the jurisdictions of the State's 18 MPOs. Compliance with the reduction goals of SB 375 is identified in the 2022 Scoping Plan as a necessary component to achieving the short-term goal of reducing statewide GHG emissions to 40% below 1990 levels by 2030 as mandated by SB 32.
- E. CARB adopted the most current SB 375 regional GHG reduction targets in March 2018. This includes the MTC and ABAG region's target for GHG emissions reductions of 19% per capita passenger vehicle as compared to 2005 levels by 2035 (CARB 2018). This reduction target adds to the GHG reductions achieved through the implementation of other statewide programs (e.g., Cap-and-Trade, RPS).
- F. Although the final plan would be expected to meet the region's SB 375 target of reducing vehicle emissions by 19% by 2035 relative to 2005 levels, recent reports on the State's climate goals suggest that the regional 2035 GHG emissions reduction targets under SB 375 are not adequate to fully meet the GHG reduction goals of SB 32 (CARB 2022b). Collectively, CARB determined that if the State's 18 MPOs' all met the SB 375 GHG emission reduction targets set by CARB in 2018, a 19% reduction in per capita VMT would be achieved by 2035. In The Updated Final Staff Report to the Proposed Update to the SB 375 Greenhouse Gas Emission Reduction Targets, CARB expressed that to meet the statewide reduction goals set forth by SB 32, the State would need to reduce per capita GHG emissions by 25% by 2035, resulting in a 6% gap between the 19% emissions reductions targets set for the regions (averaged for the 18 MPOs and compared to a baseline year of 2005). Notably, CARB is required to update the reduction targets under SB 375 every 8 years and is currently conducting workshops to solicit input from stakeholders for the next target update planned for 2026.
- G. Further, in the 2022 Progress Report California's Sustainable Communities and Climate Protection Act, CARB also states that an RTP/SCS that meets the applicable SB 375 targets alone will not result in the GHG emissions reductions necessary to meet State climate goals in 2030 nor in 2050 (CARB 2022b). CARB has also noted that greater reductions in VMT will be required to achieve overall GHG goals. Further, CARB states that California is still not reducing GHG emissions from personal vehicle travel as needed to meet climate commitments and as targeted under SB 375 (CARB 2022b). It will take collaboration among all the levels of government to identify the additional VMT reductions needed to achieve the State's climate goals because MPOs by themselves do not have the land use authority or resources to meet this challenge alone. Additional reductions would be needed in the transportation sector and all other GHG sectors to achieve the goals of SB 32 and AB 1279. The other sectors include how energy is sourced, generated, and used; how solid waste is generated, managed, and disposed of; treatment, conveyance, and uses of water supply and wastewater; energy sources and feedstocks for

industrial processes and activities; management of natural and working lands; and uses of high-GWP gases. Achieving GHG reductions from these sectors at the scale required to meet the goals of SB 32 and AB 1279 would require major changes to government regulation, private sector activity, consumer behavior, and other facets of life throughout California and beyond.

- H. In the 2022 Scoping Plan, CARB identifies several pathways for each sector to close the reduction gap needed to achieve the targets of AB 1279. These will be achieved through building decarbonization, reducing the cap of the Cap-and-Trade Program, investing in the health of the State's natural and working lands, and ultimately reliance on carbon capture and sequestration technologies to eliminate residual emissions from those sectors CARB cannot independently regulate or control. The reductions achieved through SB 375 and the efforts of MPOs would contribute to the overall goal of carbon neutrality; however, this regulation is one component of many GHG reduction plans, policies, and actions taken by the State to reduce statewide emissions. Therefore, without sufficient State legislation and regulation, attainment of State goals is extremely difficult. This would be a potentially significant (PS) impact. (Draft EIR, pp. 3.6-46 to 3.6-48)
- I. Implementation of Mitigation Measure GHG-3 would mitigate GHG emissions because the additional implementation of CAPs in the region would reduce GHG emissions from the land use projects constructed under the plan, as well as from existing uses, and energy reduction incentive programs, such as those supported by the Bay Area Regional Network, would help with reduce GHG emissions from energy usage in existing and new structures in the region. (Draft EIR, p. 3.6-49)

2.4.6 Cultural Resources and Tribal Cultural Resources (3.7)

IMPACT

CUL/TCR-1 Cause a substantial adverse change in the significance of a built environment historical resource as defined in Guidelines Section 15064.5 (Draft EIR, p. 3.7-26)

Mitigation Measures

CUL/TCR-1 Implementing agencies and/or project sponsors shall implement measures, where feasible and as applicable based on project- and site-specific considerations, that include those (or equally effective measures) identified below:

- Require a survey and evaluation of buildings and structures greater than 50 years in age within the area of potential effect to determine their eligibility for recognition under federal, State, and/or local historic preservation criteria. The evaluation shall be prepared by an architectural historian or historical architect meeting the Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation-Professional Qualification Standards (SOI PQS). The evaluation shall comply with CEQA Guidelines Section 15064.5(b) and, if federal funding or permits are required, with Section 106 of the National Historic Preservation Act of 1966 (16 US Code Section 470 et seq.). Study recommendations shall be implemented.
- Realign or redesign projects to avoid impacts on known historical resources where possible.
- If avoidance of impacts to a significant historical resource is not feasible, implement additional mitigation options that include specific design plans for historic districts or plans for alteration or adaptive reuse of a historical resource that follows the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings. The application of the standards shall be overseen by an architectural historian or historic architect meeting the SOI PQS. Prior to any construction activities that may affect the historical resource, a report meeting industry standards shall identify

and specify the treatment of character-defining features and construction activities and be provided to the lead agency for review and approval.

- If a project would result in the demolition or significant alteration of a historical resource, the resource shall be recorded prior to demolition or alteration. Recordation shall take the form of Historic American Buildings Survey (HABS), Historic American Engineering Record (HAER), or Historic American Landscape Survey (HALS) documentation and shall be performed by an architectural historian or historian who meets the SOI PQS. The documentation package shall be archived in appropriate public and secure repositories. The specific scope and details of documentation shall be developed at the project level in coordination with the lead agency.
- Comply with existing local regulations and policies that exceed or reasonably replace any of the above measures that protect historical resources.

Significance After Mitigation

Implementation of Mitigation Measure CUL/TCR-1 would reduce impacts associated with historical resources because it would require the performance of professionally accepted and legally compliant procedures for the avoidance of known historical resources and the evaluation of previously undocumented historical resources. To the extent that a local agency requires an individual project to implement all feasible mitigation measures described above, the impact may be reduced to less than significant with mitigation (LTS-M) by avoidance or project redesign, by minimizing physical alterations, or by designing building use while retaining a property's historic character. However, CEQA Guidelines [CCR 15126.4(b)(2)] note that in some circumstances, documentation of a historical resource will not mitigate the effects of demolition of that resource to a less-than-significant level because the historic resources would no longer exist. The entire removal of a historically significant building or structure and/or the loss of character-defining features, however, would result in a significant and unavoidable (SU) impact. Therefore, this impact would be significant and unavoidable (SU).

Projects taking advantage of the CEQA streamlining provisions of SB 375 (PRC Sections 21155.1, 21155.2, and 21159.28) must apply the mitigation measures described above, as applicable, to address site-specific conditions. However, MTC and ABAG cannot require local implementing agencies to adopt the above mitigation measures, and it is ultimately the responsibility of a lead agency to determine and adopt mitigation. Therefore, this impact would be **significant and unavoidable (SU)** for purposes of this program-level review.

Finding

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR. (Finding (1)). Changes or alterations within the responsibility and jurisdiction of another public agency and not MTC or ABAG can and should be adopted by such other agency, which would avoid or substantially lessen the significant environmental effect, as identified in the final EIR (Finding (2)). Projects taking advantage of CEQA streamlining provisions of SB 375 (PRC sections 21155.1, 21155.2, and 21159.28) must apply the mitigation measures to address site-specific conditions. However, because site conditions are unique, it cannot be concluded with certainty that all significant impacts could be avoided. (Finding (3)).

Facts in Support of Finding

- A. The majority of projected development in the final plan would occur on existing urban land, thereby minimizing impacts. The final plan's designated growth geographies in combination with the designation of PCAs help focus future household and job growth into existing communities well served by the transportation network, as well as communities with well-resourced schools and easy access to jobs, parks, and other amenities. This core strategy is known as the "focused growth" strategy. Final plan

strategies, including H03, H06, H08, EC04, EC05, EC06, EN04, and EN05, help protect natural lands and farmlands and reduce overall land consumption.

- B. Projects located in areas with known historical resources, located in communities with established historic preservation programs, or involving activities that would introduce new visual elements or disturb the existing terrain have the potential to result in significant historical resource impacts. These projects could potentially reduce the aesthetic and physical integrity of historic districts, buildings, and structures (e.g., bridges, towers, sculptures). A higher incidence of conflict with historical resources is expected to occur in urban areas with buildings that are more than 45 years old. The final plan designates Growth Geographies and identifies a set of land use strategies to accommodate the projected growth that results in focused housing and job growth concentrated primarily in or adjacent to developed areas and along existing transit corridors. Projects located in developed areas would be less likely to introduce new visual elements that could alter the visual character associated with historic districts or buildings. Projects located in or traversing rural lands could also have significant impacts related to sites that are singular examples of a historical setting or structures whose historic value and significance have not been previously evaluated and recognized. Construction could directly impact historical resources, and ongoing operation could have indirect impacts on historical resources. Identification of the degree and extent of impact requires project-specific analysis that includes a determination of the importance (i.e., the eligibility for local, State, or national register listing) of any historical resource recognized within a proposed alignment or project area. Given the magnitude and location of the forecasted development pattern and transportation projects involving construction activities in the proposed plan, it is possible that significant impacts on historical resources could occur. Because implementation of the final plan's forecasted development pattern, sea level rise adaptation projects, and transportation projects have the potential to significantly affect historical resources on a regional and localized level, these impacts would be potentially significant (PS). (Draft EIR, pp. 3.7-26 to 3.7-27)
- C. Implementation of Mitigation Measure CUL/TCR-1 would reduce impacts associated with historical resources because it would require the performance of professionally accepted and legally compliant procedures for the avoidance of known historical resources and the evaluation of previously undocumented historical resources. (Draft EIR, p. 3.7-28)

IMPACT

CUL/TCR-2 Cause a substantial adverse change in the significance of a unique archaeological resource or a historical resource of an archaeological nature as defined in Guidelines Section 15064.5 (Draft EIR, p. 3.7-29)

Mitigation Measures

CUL/TCR-2 Implementing agencies and/or project sponsors shall implement measures, where feasible and as applicable based on project- and site-specific considerations, that include those identified below:

- Before construction activities, project sponsors shall retain a qualified archaeologist to conduct a record search at the appropriate information center to determine whether the project area has been previously surveyed and whether resources were identified; the record search shall include contacting the NAHC to request a Sacred Lands File search and a list of relevant Native American contacts who may have additional information. If a survey of the project area has not been conducted in the last 5 years, project sponsors shall retain a qualified archaeologist to conduct archaeological surveys prior to construction activities. Project sponsors shall follow recommendations identified in the survey, which may include activities such as subsurface testing, designing and implementing a Worker Environmental Awareness Program, construction monitoring by a qualified archaeologist, avoidance of sites, or preservation in place.

- Areas determined to be of cultural significance shall be monitored during the grading, excavation, trenching, and removal of existing features by a qualified archeologist and culturally affiliated California Native American tribal monitor.
- To ensure that new transportation facilities do not adversely affect potentially buried archaeological deposits, an underwater archaeological survey shall be conducted to identify, evaluate, and protect significant submerged cultural resources prior to activities that would disturb the shoreline or the floor of the bay. Additionally, the archaeologist shall request a search of California State Lands Commission's Shipwreck Database.
- When a project would impact a known archaeological site, the project sponsor and/or implementing agency shall determine whether the site is a historical resource (CEQA Guidelines Section 15064.5[c][1]). If archaeological resources identified in the project area are considered potentially significant, the project sponsor and/or responsible implementing agency shall undertake additional studies overseen by a qualified archaeologist (36 CFR Section 61) to evaluate the resources eligibility for listing in the CRHR, NRHP, and/or local register and to recommend further mitigative treatment. Evaluations shall be based on, but not limited to, surface remains, subsurface testing, or archival and ethnographic resources, on the framework of the historic context and important research questions of the project area, and on the integrity of the resource. If a site to be tested is precontact, culturally affiliated California Native American tribal representatives shall be afforded the opportunity to monitor the ground-disturbing activities. Appropriate mitigation may include curation of artifacts removed during subsurface testing.
- If precontact archeological resources are identified through survey or discovered in the project area, the culturally affiliated California Native American tribe shall be notified. Both the archeologist and tribal monitor or tribal representative should strive for agreement on the determined significance of an artifact or cultural resource.
- If significant archaeological resources that meet the definition of historical or unique archaeological resources are identified in the project area, the preferred mitigation of impacts is preservation in place (CEQA Guidelines Section 15126.4[b]; PRC Section 21083.2). Preservation in place may be accomplished by, but is not limited to, avoidance by project design, incorporation within parks, open space or conservation easements, covering with a layer of sterile soil, or similar measures. If preservation in place is feasible, mitigation is complete. Additionally, where the implementing agency determines that an alternative mitigation method is superior to in-place preservation, the project sponsor and/or implementing agency may implement such alternative measures.
- When preservation in place or avoidance of historical or unique archaeological resources are infeasible, data recovery through excavation shall be required (CEQA Guidelines Section 15126.4[b]). Data recovery would consist of approval of a Data Recovery Plan and archaeological excavation of an adequate sample of site contents so that research questions applicable to the site can be addressed. For precontact sites, the culturally affiliated California Native American tribe shall be afforded the opportunity to monitor the ground-disturbing activities. If only part of a site would be impacted by a project, data recovery shall only be necessary for that portion of the site. Data recovery shall not be required if the implementing agency determines prior testing and studies have adequately recovered the scientifically consequential information from the resources. Confidential studies and reports resulting from the data recovery shall be deposited with the Northwest Information Center. Mitigation may include curation for artifacts removed during data recovery excavation.
- If archaeological resources are discovered during construction, all work near the find shall be halted and the project sponsor and/or implementing agency shall follow the steps described under CEQA Guidelines Section 15064.5(f), including an immediate evaluation of the find by a qualified archaeologist (36 CFR Section 61) and implementation of avoidance measures or appropriate

mitigation if the find is determined to be a historical resource or unique archaeological resource. If the find is a precontact archaeological site, the culturally affiliated California Native American tribe shall be notified and afforded the opportunity to monitor mitigative treatment. During evaluation or mitigative treatment, ground disturbance and construction work could continue on other parts of the project area.

- Integrate curation of all historical resources or an archaeological nature or unique archaeological resources and associated records in a regional center focused on the care, management, and use of archaeological collections. All Native American human remains and associated grave goods discovered shall be returned to their Most Likely Descendent and repatriated. The final disposition of artifacts not directly associated with Native American graves will be negotiated during consultation with the culturally affiliated California Native American tribes. Artifacts include material recovered from all phases of work, including the initial survey, testing, indexing, data recovery, and monitoring. Curated materials shall be maintained with respect for cultures and available to future generations for research.
- Project sponsors shall comply with existing local regulations and policies that exceed or reasonably replace any of the above measures that protect archaeological resources.

Significance After Mitigation

Implementation of Mitigation Measure CUL/TCR-2 would reduce impacts associated with archaeological resources because it would require the performance of professionally accepted and legally compliant procedures for the discovery of previously undocumented significant archaeological resources. To the extent that a local agency requires an individual project to implement all feasible mitigation measures described above, the impact may be less than significant with mitigation by avoiding or preserving in place unique archaeological resources through project design, and by avoiding or preserving inadvertent discoveries of significant archaeological resources through project redesign. If avoidance or preserving in place is infeasible, direct impacts may be reduced to a less-than-significant level by minimizing disturbance or undertaking additional investigation to determine the significance and integrity of the portion of the archaeological resource within the project area. The destruction or substantial alteration of the contributing physical characteristics or character of the physical setting of a unique archaeological resource or historical resource of an archaeological nature, however, would result in a significant and unavoidable (SU) impact.

Projects taking advantage of the CEQA streamlining provisions of SB 375 (PRC Sections 21155.1, 21155.2, and 21159.28) must apply the mitigation measures described above, as applicable, to address site-specific conditions. However, MTC and ABAG cannot require local implementing agencies to adopt the above mitigation measures, and it is ultimately the responsibility of a lead agency to determine and adopt mitigation. Therefore, this impact would be **significant and unavoidable (SU)** for purposes of this program-level review.

Finding

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR. (Finding (1)). Changes or alterations within the responsibility and jurisdiction of another public agency and not MTC or ABAG can and should be adopted by such other agency, which would avoid or substantially lessen the significant environmental effect, as identified in the final EIR (Finding (2)). Projects taking advantage of CEQA streamlining provisions of SB 375 (PRC sections 21155.1, 21155.2, and 21159.28) must apply the mitigation measures to address site-specific conditions. However, because site conditions are unique, it cannot be concluded with certainty that all significant impacts could be avoided. (Finding (3)).

Facts in Support of Findings

- A. The majority of projected development in the final plan would occur on existing urban land, thereby minimizing impacts. The final plan's designated growth geographies in combination with the designation of PCAs help focus future household and job growth into existing communities well served by the transportation network, as well as communities with well-resourced schools and easy access to jobs, parks, and other amenities. This core strategy is known as the "focused growth" strategy. Final plan strategies, including H03, H06, H08, EC04, EC05, EC06, EN04, and EN05, help protect natural lands and farmlands and reduce overall land consumption.
- B. Implementation of the forecasted development pattern, sea level rise adaptation projects, and transportation projects could result in archaeological impacts if construction activities include the disturbance of previously identified or unidentified archaeological resources. Projects involving excavation, grading, or soil removal in previously undisturbed areas have the greatest likelihood of encountering significant archaeological resources. Likewise, the establishment of staging areas, temporary roads, and other temporary facilities necessary for construction activities has the potential to affect these cultural resources. Both rural land conversion and urban infill have the potential to disturb archaeological resources, although rural areas are more likely to contain intact archaeological resources that are situated in their historic context because these areas are less likely to have been subject to previous ground disturbance.
- C. Portions of the forecasted development pattern located in areas of sensitivity, such as the historic margins of San Francisco and San Pablo Bays, ridgetops, midslope terraces, hill bases, alluvial flats, and inland valleys, are more likely to encounter archaeological resources. Sea level rise adaptation projects under the final plan include a variety of levees, seawalls, elevated roadways, marsh restoration, and tidal gates. Ground-disturbing construction of levees, seawalls, marsh restoration, and tidal gates would occur in the archaeologically sensitive areas of the San Francisco and San Pablo Bays, in areas that are likely to have not been developed. Sea level rise adaptation projects such as elevated roadways, although also located in these same sensitive areas, would likely be located in previously disturbed areas, because they would follow existing roadways.
- D. Transportation corridors typically follow valleys and drainage areas, which often correspond with historic settlement patterns. Infill development and transportation projects involving improvements within existing urban areas, within existing transportation corridors, or to existing infrastructure or operations are less likely to affect archaeological resources because these projects are generally located in already-disturbed areas that typically have been subject to previous cultural resource surveys; as described previously, historically significant data are unlikely to be gained from archaeological materials located in areas that have been disturbed. Therefore, encountering intact, previously unknown archaeological resources, still associated with an archaeological site in its historic context, during ground-disturbing activities is less likely. Some transportation projects, particularly new rail projects, could be located in areas that have not been subject to previous ground disturbance. The degree and extent of impacts would depend upon project location and construction methods. Project-specific analysis would be required to determine the precise area of impact and the value (i.e., the eligibility for local, State, or national register listing) of any archaeological resource identified within a proposed alignment or project area. Furthermore, all projects undertaken or overseen by Caltrans must abide by extensive procedures and policies, outlined in the Standard Environmental Reference, Vol 2: Cultural Resources, which dictates the nature and extent of cultural resource protections consistent with State and federal law. Because ground disturbance has the potential to disturb unique archeological resources, this impact is potentially significant (PS). (Draft EIR, pp. 3.7-29 to 3.7-30)
- E. Implementation of Mitigation Measure CUL/TCR-2 would reduce impacts associated with archaeological resources because it would require the performance of professionally accepted and legally compliant procedures for the discovery of previously undocumented significant archaeological resources. (Draft EIR, p. 3.7-32).

IMPACT

CUL/TCR-4 Cause a substantial adverse change in the significance of a tribal cultural resource, defined in PRC Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe (Draft EIR, p. 3.7-34)

Mitigation Measures

CUL/TCR-4(a) If the implementing agency determines that a project may cause a substantial adverse change to a tribal cultural resource, and measures are not otherwise identified in the consultation process required under PRC Section 21080.3.2, implementing agencies and/or project sponsors shall implement the following measures (or equally effective measures), where feasible and as applicable, to address site-specific impacts and avoid or minimize the significant adverse impacts:

- Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource (PRC Section 21084.3[a]). If the lead agency determines that a project may cause a substantial adverse change to a tribal cultural resource, and measures are not otherwise identified in the consultation process, provisions in the PRC describe mitigation measures that, if determined by the lead agency to be feasible, may avoid or minimize the significant adverse impacts (PRC Section 21084.3[b]). Examples include:
 - avoiding and preserving the resources in place, including planning and constructing to avoid the resources and protect the cultural and natural context, or planning greenspace, parks, or other open space to incorporate the resources with culturally appropriate protection and management criteria;
 - treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including:
 - protecting the cultural character and integrity of the resource,
 - protecting the traditional use of the resource, and
 - protecting the confidentiality of the resource;
 - establishing permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or using the resources or places; and
 - protecting the resource.
- The implementing agency shall determine whether or not implementation of a project would indirectly affect tribal cultural resources by increasing public visibility and ease of access. If it would, the implementing agency shall take measures to reduce the visibility or accessibility of the tribal cultural resource to the public. Visibility of the resource can be reduced through the use of decorative walls or vegetation screening. Accessibility can be reduced by installing fencing or vegetation barriers, particularly noxious vegetation, such as poison oak or blackberry bushes. It is important to avoid creating an attractive nuisance when protecting tribal cultural resources. Conspicuous walls or signs indicating that an area is restricted may result in more attempts to access the excluded area.

CUL/TCR-4(b) Implementing agencies and/or project sponsors shall implement measures, where feasible and as applicable a based on project- and site-specific considerations, that include those identified below:

- Implement Mitigation Measure CUL/TCR-2.

Significance After Mitigation

Implementation of Mitigation Measure CUL/TCR-4 would reduce impacts associated with tribal cultural resources because it would require the performance of professionally accepted and legally compliant procedures for the identification of tribal cultural resources associated with subsequent projects. To the extent that a local agency requires an individual project to implement all feasible mitigation measures described above, the impact may be less than significant (LTS-M) by avoiding or preserving in place tribal cultural resources through project design. If avoidance or preserving in place is infeasible, disturbance of a tribal cultural resource, however, would result in a significant and unavoidable (SU) impact.

Projects taking advantage of the CEQA streamlining provisions of SB 375 (PRC Sections 21155.1, 21155.2, and 21159.28) must apply the mitigation measures described above, as applicable, to address site-specific conditions. However, MTC and ABAG cannot require local implementing agencies to adopt the above mitigation measures, and it is ultimately the responsibility of a lead agency to determine and adopt mitigation. Therefore, this impact would be **significant and unavoidable (SU)** for purposes of this program-level review.

Finding

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR. (Finding (1)). Changes or alterations within the responsibility and jurisdiction of another public agency and not MTC or ABAG can and should be adopted by such other agency, which would avoid or substantially lessen the significant environmental effect, as identified in the final EIR (Finding (2)). Projects taking advantage of CEQA streamlining provisions of SB 375 (PRC sections 21155.1, 21155.2, and 21159.28) must apply the mitigation measures to address site-specific conditions. However, because site conditions are unique, it cannot be concluded with certainty that all significant impacts could be avoided. (Finding (3)).

Facts in Support of Findings

- A. The majority of projected development in the final plan would occur on existing urban land, thereby minimizing impacts. The final plan's designated growth geographies in combination with the designation of PCAs help focus future household and job growth into existing communities well served by the transportation network, as well as communities with well-resourced schools and easy access to jobs, parks, and other amenities. This core strategy is known as the "focused growth" strategy. Final plan strategies, including H03, H06, H08, EC04, EC05, EC06, EN04, and EN05, help protect natural lands and farmlands and reduce overall land consumption.
- B. Potential impacts on tribal cultural resources would be similar to those discussed for archaeological resources under Impact CUL/TCR-2. Implementation of the forecasted development pattern, sea level rise adaptation projects, and transportation projects involving construction activities that would disturb native terrain, including excavation, grading, or soil removal, would have the greatest likelihood to encounter tribal cultural resources. Because ground disturbance has potential to disturb tribal cultural resources, this impact is potentially significant (PS). (Draft EIR, p 3.7-34)
- C. In compliance with AB 52, MTC sent letters to 101 Native American tribal representatives. MTC received a response from the Federated Indians of Graton Rancheria (Graton Rancheria). There was an initial exchange to schedule an initial meeting, though a consultation meeting was not scheduled. See "Findings Regarding Tribal Cultural Resources and Native American Coordination" below for more information.
- D. Implementation of Mitigation Measure CUL/TCR-4(a) and CUL/TCR-4(b) would reduce impacts associated with tribal cultural resources because it would require the performance of professionally accepted and legally compliant procedures for the identification of tribal cultural resources associated with subsequent projects. (Draft EIR, p 3.7-35)

2.4.7 Geology, Seismicity, and Mineral Resources (3.8)

IMPACT

GEO-7 Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature (Draft EIR, p. 3.8-37)

Mitigation Measures

GEO-7 Implementing agencies and/or project sponsors shall implement measures, where feasible and as applicable based on project- and site-specific considerations, that include those identified below (or other equally effective measures):

- Ensure compliance with the Paleontological Resources Preservation Act, the Federal Land Policy and Management Act, the Antiquities Act, Section 5097.5 of the PRC, adopted county and city general plans, and other federal, state, and local regulations, as applicable and feasible, by adhering to and incorporating the performance standards and practices for the assessment and mitigation of adverse impacts on paleontological resources.
- Obtain review by a qualified paleontologist to determine whether the project has the potential to require ground disturbance of parent material with potential to contain unique paleontological resources or to require the substantial alteration of a unique geologic feature. The assessment should include museum records searches, a review of geologic mapping and the scientific literature, geotechnical studies (if available), and potentially a pedestrian survey if units with paleontological potential are present at the surface.
- Avoid exposure or displacement of parent material with potential to yield unique paleontological resources.
- Implement the following measures where avoidance of parent material with the potential to yield unique paleontological resources is not feasible:
 - All on-site construction personnel shall receive Worker Education and Awareness Program training before the commencement of excavation work to understand the regulatory framework that provides for protection of paleontological resources and become familiar with diagnostic characteristics of the materials with the potential to be encountered.
 - A qualified paleontologist shall prepare a paleontological resource management plan (PRMP) to guide the salvage, documentation, and repository of unique paleontological resources encountered during construction. If unique paleontological resources are encountered during construction, qualified paleontologist shall oversee the implementation of the PRMP.
 - Ground-disturbing activities in parent material with a moderate to high potential to yield unique paleontological resources shall be monitored using a qualified paleontological monitor to determine whether unique paleontological resources are encountered during such activities, consistent with the specified or comparable protocols.
- Identify where ground disturbance is proposed in a geologic unit having the potential to contain fossils, and specify the need for a paleontological monitor to be present during ground disturbance in these areas.
- Avoid routes and project designs that would permanently alter unique geological features.
- Salvage and document adversely affected resources sufficient to support ongoing scientific research and education.

- If paleontological resources are discovered during earthmoving activities, the construction crew will be directed to immediately cease work and notify the implementing agencies and/or project sponsors. The project sponsor will retain a qualified paleontologist for identification and salvage of fossils so that construction delays can be minimized. The paleontologist will be responsible for implementing a recovery plan which could include the following:
 - in the event of discovery, salvage of unearthed fossil remains, typically involving simple excavation of the exposed specimen but possibly also plaster-jacketing of large and/or fragile specimens, or more elaborate quarry excavations of richly fossiliferous deposits;
 - recovery of stratigraphic and geologic data to provide a context for the recovered fossil remains, typically including description of lithologies of fossil-bearing strata, measurement and description of the overall stratigraphic section, and photographic documentation of the geologic setting;
 - laboratory preparation (cleaning and repair) of collected fossil remains to a point of curation, generally involving removal of enclosing rock material, stabilization of fragile specimens (using glues and other hardeners), and repair of broken specimens;
 - cataloging and identification of prepared fossil remains, typically involving scientific identification of specimens, inventory of specimens, assignment of catalog numbers, and entry of data into an inventory database;
 - transferal, for storage, of cataloged fossil remains to an appropriate repository, with consent of property owner;
 - preparation of a final report summarizing the field and laboratory methods used, the stratigraphic units inspected, the types of fossils recovered, and the significance of the curated collection; and
 - project sponsors shall comply with existing local regulations and policies that exceed or reasonably replace any of the above measures that protect paleontological or geologic resources.
- Prepare significant recovered fossils to the point of curation, identified by qualified experts, listed in a database to facilitate analysis, and deposited in a designated paleontological curation facility.
 - Following the conclusion of the paleontological monitoring, ensure that the qualified paleontologist prepares a report stating that the paleontological monitoring requirement has been fulfilled and summarizes the results of any paleontological finds. The report should be submitted to the CEQA lead agency and to the repository curating the collected artifacts and should document the methods and results of all work completed under the PRMP, including the treatment of paleontological materials; results of specimen processing, analysis, and research; and final curation arrangements.

Significance After Mitigation

Implementation of Mitigation Measure GEO-7 would reduce impacts associated with paleontological resources because construction workers would be alerted to the possibility of encountering paleontological resources, and professionally accepted and legally compliant procedures for the discovery of paleontological resources would be implemented in the event of a find. To the extent that a local agency requires an individual project to implement all feasible mitigation measures described above, the impact would be less than significant with mitigation (LTS-M).

Projects taking advantage of the CEQA streamlining provisions of SB 375 (PRC Sections 21155.1, 21155.2, and 21159.28) must apply the mitigation measures described above, as applicable, to address site-specific conditions. However, MTC and ABAG cannot require local implementing agencies to adopt the above mitigation measures, and it is ultimately the responsibility of a lead agency to determine and adopt

mitigation. Therefore, this impact would be **significant and unavoidable (SU)** for purposes of this program-level review.

Finding

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR. (Finding (1)). Changes or alterations within the responsibility and jurisdiction of another public agency and not MTC or ABAG can and should be adopted by such other agency, which would avoid or substantially lessen the significant environmental effect, as identified in the final EIR (Finding (2)). Projects taking advantage of CEQA streamlining provisions of SB 375 (PRC sections 21155.1, 21155.2, and 21159.28) must apply the mitigation measures to address site-specific conditions to reduce impacts. However, MTC and ABAG cannot require local implementing agencies to adopt the identified mitigation measures. (Finding (3)).

Facts in Support of Findings

- A. The majority of projected development in the final plan would occur on existing urban land, thereby minimizing impacts. The final plan's designated growth geographies in combination with the designation of PCAs help focus future household and job growth into existing communities well served by the transportation network, as well as communities with well-resourced schools and easy access to jobs, parks, and other amenities. This core strategy is known as the "focused growth" strategy. Final plan strategies, including H03, H06, H08, EC04, EC05, EC06, EN04, and EN05, help protect natural lands and farmlands and reduce overall land consumption.
- B. Potential impacts on paleontological or geologic resources would be similar to those identified for archaeological resources discussed under Impact CUL/TCR-2. Projects involving excavation, grading, or soil removal in previously undisturbed areas have the greatest likelihood to encounter these resources. The degree and extent of impacts would depend upon project location, and as such, project-specific analysis would be required to determine the precise area of impact and the importance of any paleontological or geologic resource identified within a proposed alignment or project area. This would be a potentially significant (PS) impact. (Draft EIR, p. 3.8-37)
- C. Implementation of Mitigation Measure GEO-7 would reduce impacts associated with paleontological resources because construction workers would be alerted to the possibility of encountering paleontological resources, and professionally accepted and legally compliant procedures for the discovery of paleontological resources would be implemented in the event of a find. (Draft EIR, p. 3.8-39)

2.4.8 Hazards and Wildfire (3.9)

IMPACT

HAZ-4 Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, create a significant hazard to the public or the environment (Draft EIR, p. 3.9-36)

Mitigation Measures

HAZ-4 Implementing agencies and/or project sponsors shall implement measures, where feasible and as applicable based on project- and site-specific considerations, that include those identified below (or equally effective measures):

- The project proponent shall perform a records review to determine whether there is existing permitted use of hazardous materials or documented evidence of hazardous waste contamination on the project site and provide the results of this investigation to the implementing agency.

- For any project located on or near a hazardous materials and/or waste site pursuant to Government Code Section 65962.5 or sites that have the potential for residual hazardous materials as a result of historic land uses, project proponents shall prepare a Phase I ESA in accordance with the American Society for Testing and Materials' E1527-05 standard.
- For any project located on or near sites that are not listed and do not have the potential for residual hazardous materials as a result of historic land uses, no action is required unless unknown hazards are discovered during development. In that case, the implementing agency shall discontinue development until DTSC, RWQCB, the local air district, and/or other responsible agency issues a determination, which would likely require a Phase I ESA as part of the assessment.
- Develop, train, and implement worker awareness and protective measures to minimize worker and public exposure to an acceptable level and to prevent environmental contamination as a result of construction.
- Projects preparing a Phase I ESA, where required, shall fully implement the recommendations contained in the report. If a Phase I ESA indicates the presence or likely presence of contamination, the project proponent shall prepare a Phase II ESA, and recommendations of the Phase II ESA shall be fully implemented.
- Consult with the appropriate local, State, and federal environmental regulatory agencies to ensure sufficient minimization of risk to human health and environmental resources, both during and after construction, posed by soil contamination, groundwater contamination, or other surface hazards including, but not limited to, underground storage tanks, fuel distribution lines, waste pits and sumps.

Significance After Mitigation

Site evaluation, sampling, and remediation through the Phase I/II ESA process is widely accepted as the appropriate standard for the preliminary evaluation of site hazards. Preparation of, and compliance with, a Phase I ESA for properties at risk of potential hazardous materials and/or waste contamination would avoid adverse impacts associated with buildout because the ASTM procedures establish prescriptive procedures that fully evaluate the potential for risks and appropriate next steps if potential contamination is identified. Phase I/II ESAs required by Mitigation Measure HAZ-4 would include procedural measures to protect and isolate suspected contaminated materials to avoid adverse effects on the workers or public. Therefore, the Phase I/II ESA process would adequately mitigate the potential for future development to create a significant hazard to the public or the environment because it is located on a site that is included on a list of hazardous materials sites. To the extent that a local agency requires an individual project to implement all feasible mitigation measures described above, the impact would be less than significant with mitigation (LS-M).

Projects taking advantage of CEQA streamlining provisions of Senate Bill 375 (PRC Sections 21155.1, 21155.2, and 21159.28) must apply the mitigation measures described above, as applicable, to address site-specific conditions. However, MTC and ABAG cannot require local implementing agencies to adopt the above mitigation measures, and it is ultimately the responsibility of a lead agency to determine and adopt mitigation. Therefore, this impact would be **significant and unavoidable (SU)** for purposes of this program-level review.

Finding

Changes or alterations within the responsibility and jurisdiction of another public agency and not MTC or ABAG can and should be adopted by such other agency, which would avoid or substantially lessen the significant environmental effect, as identified in the final EIR (Finding (2)). Projects taking advantage of CEQA streamlining provisions of SB 375 (PRC sections 21155.1, 21155.2, and 21159.28) must apply the mitigation measures to address site-specific conditions to reduce impacts. However, MTC and ABAG cannot require local implementing agencies to adopt the identified mitigation measures. (Finding (3)).

Facts in Support of Findings

- A. Throughout the plan area, there are many sites where historical releases of hazardous materials or wastes have occurred; these are listed in environmental databases pursuant to Government Code Section 65962.5. Precise locations of future land use and sea level rise adaptation projects are unknown, so an evaluation of the potential for specific sites of known contamination within the plan area to be affected by project activities cannot be conducted at this time.
- B. Grading and excavation activities may expose construction workers and the public to hazardous substances present in the soil or groundwater that are not anticipated based on information about existing site conditions. These construction activities could inadvertently disperse contaminated material into the environment and expose construction personnel to potentially hazardous conditions. These risks would be greatest for construction workers; however, it is possible that the nearby public could be affected if the contaminated materials are of sufficient volume. Unless construction activities are coordinated with site remediation activities, there could be a temporary increased risk of damaging or interfering with remediation site controls, such as soil containment areas.
- C. Phase I and Phase II ESAs are commonly used to determine the likelihood of contamination at a site, test soil and/or groundwater for contamination, and inform remediation activities.
- D. To be declared a sustainable communities project under PRC Section 21155.1(a)(3), projects must demonstrate that they are not located on any list of facilities and sites compiled pursuant to Section 65962.5 of the Government Code, and the site must be subject to a PEA, which is a type of environmental document typically prepared for sites with DTSC oversight. Overall, PEA requirements are more comprehensive than the requirements for Phase I ESAs.
- E. With the notable exceptions for streamlining sustainable communities projects and siting public schools, as discussed above, there are no general regulatory requirements to conduct a Phase I ESA or PEA or a subsequent investigation of potential contamination. Therefore, because it cannot be assumed these practices would regularly occur, the impacts related to changes in land use from implementation of the final plan would be potentially significant (PS). (Draft EIR, pp. 3.9-36 to 3.9-37)
- F. Final plan implementation would result in the construction and operation of the forecasted development pattern and sea level rise adaptation projects. If future development associated with the forecasted development pattern and sea level rise projects is located on a listed hazard site that has not been investigated or remediated properly, operation of such projects would have the potential to create a significant hazard to the public or the environment. Because this impact is primarily construction-related, it cannot be assumed that Phase I ESA or PEA or subsequent investigation of potential contamination would regularly occur, the impacts related to changes in land use from implementation of the final plan would be potentially significant (PS). (Draft EIR, p. 3.9-37)
- G. In addition to the hazards described above, land adjacent to roadways may also contain elevated concentrations of lead in exposed surface soils, which could pose a health hazard to construction workers and users of the properties. Lead is a state-recognized carcinogen and reproductive toxicant. Exposure to lead in soil could result in adverse health effects, depending on the duration and extent of exposure. Substantial quantities of aerially deposited lead are understood to be generally confined to within 30 feet of a roadway. Other potential contaminants, including herbicides associated with weed abatement and contaminated ballast rock, are generally confined to the immediate transportation right-of-way. As with land use projects and development, exposure to these hazardous materials and wastes from construction of transportation projects could cause adverse effects on construction workers, the public, or the environment. The hazards associated with construction of transportation projects on known sites of contamination at the regional level would be potentially significant (PS) for the same reasons identified above for land use and sea level rise adaptation projects. (Draft EIR, pp. 3.9-37 to 3.9-38)

H. Soil management plans or soil contingency plans required as part of Phase I/II ESAs by Mitigation Measure HAZ-4 would include procedural measures to protect and isolate suspected contaminated materials to avoid adverse effects on the workers or public. (Draft EIR, p. 3.9-39)

IMPACT

HAZ-6 Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan (Draft EIR, p. 3.9-41)

Mitigation Measures

HAZ-6 Implementing agencies and/or project sponsors shall implement measures, where feasible and as applicable based on project- and site-specific considerations, that include those identified below (or equally effective measures):

- Continue to participate in the San Francisco Bay Area Regional Transportation Emergency Management (RTEMP), review the plan annually, and update as appropriate.

Develop new methods of conveying projected and real time evacuation information to citizens using emerging electronic communication tools including social media and cellular networks.

Adopt and/or revise, as appropriate, local emergency response and evacuation plans that address growth and potential for congestion on evacuation routes. Include contingencies for lower private automobile ownership and reliance on public transit for evacuation, consistent with the RTEMP.

Require specific projects to demonstrate consistency with all applicable emergency response and evacuation plans. Where temporary road closures would be required during construction, prepare traffic mitigation plans that address traffic control and establish alternate emergency response and evacuation routes in coordination with emergency service providers.

Significance After Mitigation

The mitigation described above would address the need for adequate emergency access through continued participation in the RTEMP. It would also require that emergency plans account for shifting transportation modes. The mitigation would also require individual projects to ensure that future development would not impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan. To the extent that a local agency requires an individual project to implement all feasible mitigation measures described above, the impact would be less than significant with mitigation (LS-M).

Projects taking advantage of the CEQA streamlining provisions of SB 375 (PRC Sections 21155.1, 21155.2, and 21159.28) must apply the mitigation measures described above, as applicable, to address site-specific conditions. However, MTC and ABAG cannot require local implementing agencies to adopt the above mitigation measures, and it is ultimately the responsibility of a lead agency to determine and adopt mitigation. Therefore, this impact would be **significant and unavoidable (SU)** for purposes of this program-level review.

Finding

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects as identified in the final EIR (Finding (1)). Changes or alterations within the responsibility and jurisdiction of another public agency and not MTC or ABAG can and should be adopted by such other agency, which would avoid or substantially lessen the significant environmental effect, as identified in the final EIR (Finding (2)). Projects taking advantage of CEQA streamlining provisions of SB 375 (PRC sections 21155.1, 21155.2, and 21159.28) must apply the mitigation measures to address site-specific conditions to reduce impacts. However, MTC and ABAG cannot require local implementing agencies to adopt the identified mitigation measures. (Finding (3)).

Facts in Support of Findings

- A. Although construction associated with implementation of the final plan could temporarily impair roadways used for emergency response and evacuation, standard construction procedures for development of a construction management plan would address these conditions and would develop alternative routes. Projects requiring encroachment permits for temporary construction activities in public roadways that could be used for emergency response or evacuation are generally required to prepare traffic mitigation plans that address traffic control during the period when project construction is occurring within public right-of-way. Standard construction procedures provided in traffic mitigation plans to address temporary road closures that would be required during construction, include notification of emergency responders. Although implementation of construction traffic management plans and associated coordination with service providers would typically address potential interference with emergency response or evacuation plans, there is a potential that temporary impairment could occur at the project level. This would be potentially significant (PS). (Draft EIR, pp. 3.9-41 to 3.9-42)
- B. Development that proposes large concentrations of people (such as a job center) or that would site individuals who require special assistance (such as a hospital or senior facility) in an area with identified hazards could cause adverse effects related to the implementation of countywide and jurisdictional emergency plans because there would be more individuals potentially subject to these hazards. High density development could, in the event of an emergency such as a wildfire, result in more people using the same evacuation routes. Implementation of emergency plans could be impaired if emergency plans are not properly updated to reflect changes in land use. While transportation projects may result in a more efficient transportation system, it cannot be assured that, during an emergency, they would be adequate for sufficiently quick evacuation. Transportation projects footprints would be increased, but the increase in population and employment will result in an increase in the average trip time of 19%, suggesting an overall increase in congestion.
- C. There are a variety of adopted emergency response and evacuation plans in the plan area. In addition to the plans maintained at the county-level, coordinated plans have been adopted for the nine-county plan area to facilitate emergency response and evacuation. These plans anticipate the necessity of regional transit and ferry service to facilitate response and evacuation. Using transit systems, including buses, train, and ferries, is an additional means of evacuating people during a less rapid but urgent evacuation in addition to highway evacuation via personal automobile. The final plan includes investments in transit systems along with the emphasis on growth near transit that could serve as vital resources. However, increased population and employment anticipated in the plan could increase congestion on evacuation routes and slow evacuation. This could impair implementation of emergency response or evacuation plans, particularly if local plans rely on evacuation via personal vehicle. While changes in land use would be reflected in updated emergency and evacuation plans, it is not known if the changes would be sufficient to ensure adequate evacuation. The final plan's impact on adopted emergency response or evacuation plans would be potentially significant (PS). (Draft EIR, pp. 3.9-42 to 3.9-43)
- D. Construction associated with sea level rise adaptation projects would not hinder emergency response activities or physically interfere with established evacuation routes. Projects requiring encroachment permits for temporary construction activities along public roadways that could be used for emergency response or evacuation are generally required to prepare traffic mitigation plans that address traffic control during the period when project construction is occurring within public right-of-way. To address any temporary road closures that would be required during construction, standard construction procedures include notification of emergency responders. Although implementation of traffic mitigation plans and associated coordination with service providers would typically address potential interference with emergency response or evacuation plans, there is potential that temporary impairment could occur at the project level. This would be potentially significant (PS). (Draft EIR, p. 3.9-43). Construction associated with transportation projects would not likely hinder implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan.

However, standard construction mitigation includes notification of emergency responders where road closures are required. Road closures would be temporary and would be coordinated with emergency responders so that alternative evacuation routes could be developed and employed. Projects requiring encroachment permits for temporary construction activities in public roadways that could be used for emergency response or evacuation are generally required to prepare traffic mitigation plans that address traffic control during the period when project construction is occurring within public right-of-way. Although implementation of traffic mitigation plans and associated coordination with service providers would typically address potential interference with emergency response or evacuation plans, there is potential that temporary impairment could occur at the project level. This would be potentially significant (PS). (Draft EIR, p. 3.9-44)

- E. Mitigation Measure HAZ-6 would reduce significant impacts because it would require MTC to continue to participate in the RTEMP and that emergency plans account for shifting transportation modes. It would require also individual projects to ensure that future development would not impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan.

IMPACT

HAZ-7 Exacerbate the risk of wildland fires, associated pollutant release, and potential for flooding and landslides due to projected land use patterns and infrastructure in or near State Responsibility Areas or land classified as very high hazard severity zones (Draft EIR, p. 3.9-45)

Mitigation Measures

HAZ-7 Implementing agencies and/or project sponsors shall implement measures, as applicable based on project- and site-specific considerations, that include those identified below (or equally effective measures):

- Ensure that development of areas mapped by CAL FIRE as high and very high fire hazard severity zones complies with Title 14 of the California Code of Regulations minimum wildfire protection standards.
- Implementing agencies shall improve and educate residents and businesses regarding local emergency communications and notifications.
- Implementing agencies shall enforce defensible space regulations to keep overgrown and unmanaged vegetation, accumulations of trash and other flammable material away from structures.
- Implementing agencies shall provide public education about wildfire risk and fire prevention measures, and safety procedures and practices to allow for safe evacuation and/or options to shelter-in-place.
- Implementing agencies shall plan for and promote rapid revegetation of burned areas to help prevent erosion and protect bare soils.
- Implementing agencies shall develop a regulatory mechanism for permitting an aggressive hazardous fuels management program.
- Implementing agencies shall establish standards for fuel breaks that can slow or stop a wildfire advancing into a community or into the wildlands. Fuel breaks shall be strategically located to protect a community, structures, or routes of access and egress. Strategic locations may include ridgelines, greenbelts, or other locations to manage embers or support community-level fire suppression tactics.
- MTC shall facilitate minimizing future impacts to fire protection services through information sharing regarding fire-wise land management (vegetation data, fire-resistant building materials, locations where development is vulnerable to wildfire, and best practices for safe land management) with county and city planning departments.

- MTC, in partnership with technical experts and stakeholders, shall launch or continue existing initiatives to help local cities and counties to protect Bay Area communities and economies from the disruption of wildfire occurrences. Initiatives could include but not be limited to seminars that review the risk of wildfire and approaches for preparation, including strengthening of infrastructure, emergency services, emergency evacuation plans and reviewing building safety codes.

Significance After Mitigation

Curtailing development in areas mapped by CAL FIRE as high and very high FHSZs, in conjunction with the mitigation measures and elements of the plan that would promote land management in open space to reduce fire hazards, would substantially reduce the potential for the plan to exacerbate wildland fire risks. However, because development could occur in and near SRAs and lands classified as very high FHSZs, and because the potential for people or structure to be exposed to significant risk of loss, injury, or death involving wildfire cannot be avoided, this impact would be **significant and unavoidable (SU)**.

Projects taking advantage of CEQA streamlining provisions of Senate Bill 375 (PRC Sections 21155.1, 21155.2, and 21159.28) must apply the mitigation measures described above, as applicable, to address site-specific conditions. However, MTC and ABAG cannot require local implementing agencies to adopt the above mitigation measures, and it is ultimately the responsibility of a lead agency to determine and adopt mitigation. Therefore, this impact would be **significant and unavoidable (SU)** for purposes of this program-level review.

Finding

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR. (Finding (1)). Changes or alterations within the responsibility and jurisdiction of another public agency and not MTC or ABAG can and should be adopted by such other agency, which would avoid or substantially lessen the significant environmental effect, as identified in the final EIR (Finding (2)). Projects taking advantage of CEQA streamlining provisions of SB 375 (PRC sections 21155.1, 21155.2, and 21159.28) must apply the mitigation measures to address site-specific conditions to reduce impacts. However, because site conditions are unique, it cannot be concluded with certainty that all significant impacts could be avoided. (Finding (3)).

Facts in Support of Finding

- A. The final plan's designated growth geographies in combination with the designation of PCAs help focus future household and job growth into existing communities. Very High and High Fire Hazard Severity Areas identified by the California Department of Forestry and Fire Protection or locations within a county-adopted wildland-urban interface area are excluded from growth geographies.
- B. Wildfire is addressed through the plan's core adaptation principles related to land use, land management, and structural hardening efforts. Features of the plan that would reduce the potential to exacerbate the risk of wildfire include maintaining the urban growth boundaries, directing growth away from areas with the highest fire hazard severity potential, and supporting vegetation management on conservation lands. Specifically, the final plan includes Strategy EN4, Maintain Urban Growth Boundaries, which does not enable growth beyond current boundaries and locates Growth Geographies (Priority Development Areas, Priority Production Areas, Transit-Rich Areas, High-Resource Areas) outside of the worst FHSZs (as defined by CAL FIRE's Very High FHSZs in incorporated areas and by High or Very High FHSZs in unincorporated areas). These restrictions would be augmented by WUI zones, where they have been adopted at the county level. Together, these strategies limit further growth in the areas most at risk of wildfire. Open space and working lands management is included in the final plan to reduce the intensity of future fires. Specifically, Strategy EN05, Protect and Manage High-Value Conservation Lands, includes expanded new revenues beyond what already exist to support wildfire management. Structural hardening combats the risk in communities already built in the highest fire risk zones. Strategy EN2,

Provide Means-Based Financial Support for Seismic, Wildfire, and Accessibility Home Retrofits, includes fire-resistant roofing and defensible space retrofits for 105,000 homes. Together, these strategies would focus future growth away from the highest fire risk zones, support increased wildland management programs, and support residential building upgrades that reduce the likelihood for damage when fires occur in the WUI. Another component of the final plan's environmental approach would provide means-based financial support to retrofit existing residential buildings. This could reduce the potential for these structures to cause fires due to damage caused by a seismic event.

- C. As the population of the plan area is forecasted to increase, there could be increased wildfire hazards if development expands into the wildland-urban interface (WUI). The final plan's Growth Geographies—designated areas prioritized to accommodate future household and job growth—avoid areas defined as “Very High” and “High” FHSZs identified by CAL FIRE (see Section 2.3.4). Additionally, the final plan addresses wildfire with many land use (i.e., housing and economy) and environmental strategies, relying on core adaptation principles: land use, land management, and structural hardening. The final plan would accommodate forecasted population growth in a manner that reduces potential contributions to climate change, encourages concentrated growth in urbanized areas and land management in open space, and includes structural hardening efforts where existing structures are vulnerable to fire. . In total, the land use growth footprint includes approximately 540 acres of land classified as having a moderate, high, or very high fire hazard. This is less than 2% of the growth footprint.
- D. Indirect wildfire impacts include release of hazardous materials and air quality implications, as well as flooding and landslides following loss of vegetation. In areas with steep slopes, debris flows can result from loss of vegetation and cause hazards to life and physical property, destroy or strip vegetation, block existing drainage patterns, and affect roadways and other infrastructure. If this were to occur within existing floodplains, existing flow conditions may be altered, or new sources of flooding may be created.
- E. Development of areas susceptible to wildfire could exacerbate the fire risk by introducing anthropogenic influence into fire-prone open space. Human-caused wildfires tend to be generated by activities such as debris and brush-clearing fires, electrical equipment malfunctions, campfire escapes, smoking, fire play (e.g., fireworks), vehicles, and arson. Power lines also pose a risk of spark as a result of downed lines, direct contact with vegetation, and line faults and equipment failures.
- F. Throughout the plan area, new construction would be subject to Title 24 of the CCR, which includes safety measures to minimize the threat of fire. The provisions of the fire code would apply to all construction, alteration, replacement, removal, and demolition. The risk of accidental ignition of a wildland fire during construction in forested areas would be addressed through standard construction practices, which address the potential for sparks generated by construction equipment, the potential for spills of ignitable materials, and emergency procedures to immediately respond to these conditions. In addition, Title 14 of the CCR sets forth the minimum development standards for emergency access, fuel modification, setback, signage, and water supply, which help prevent damage to structures or people by reducing wildfire hazards within SRAs. Local jurisdictions' general plan policies and building codes enforce and expand on these requirements at the local level. All jurisdictions are required to review and update their safety element in conjunction with the next housing element revision to address the risk of fire in SRAs and Very High FHSZs and the provisions outlined in “Fire Hazard Planning” by the Governor's Office of Land Use and Climate Innovation. Projects developed under the plan would not be approved by local agencies until project design plans demonstrate compliance with applicable fire safety requirements. The final plan would not conflict with the ongoing efforts of CAL FIRE and others to create natural environments that are more resilient to fire through fire plans that include prefire planning and fuel treatment. Projects located on land identified by CAL FIRE as subject to wildland fire hazard would not qualify as sustainable communities projects under PRC Section 21155.1 unless the applicable general plan or zoning code contains provisions to mitigate the risk of a wildland fire hazards (PRC Section 21155.1[a][6][A]). (Note, however, that PRC Section 21155.1[a][6][A] is applicable only to projects seeking potential exemptions under the sustainable communities strategy provisions of CEQA

and does not apply to the other streamlining strategies under the Sustainable Communities Act.) Because development could occur near land classified as very high FHSZs and could indirectly result in extension or expansion of infrastructure through these areas, there is potential for the final plan to exacerbate the risk of wildland fires, associated pollutant release, and potential for flooding and landslides. This impact would be potentially significant (PS).) (Draft EIR, pp. 3.9-46 to 3.9-48).

- G. Transportation projects could occur in moderate, high, and very high fire hazard areas. Implementing agencies would require project sponsors to comply with safety measures that minimize the threat of fire as stated in the Title 24 of the CCR, as well as comply with CCR Title 14, Division 1.5 to minimize exposing people and structures to loss, injury, or death and damage. Therefore, although there could be an elevated risk of accidental ignition of a wildland fire during construction in forested areas, the potential for standard construction practices to result in wildland fire would not be substantially increased because of the transportation investments identified in the plan. Projects that involve the expansion or extension of the transportation system may also expose more land uses to risks associated with wildland fires, particularly at the urban edge. Providing increased access into wildfire-prone open space increases the potential for human-caused wildfires both as a result of direct access and due to the introduction of potential ignition sources (e.g., vehicles, cigarettes) along the transportation corridor. However, transportation improvements, especially capacity improvements, also generally improve the transportation network to move people more efficiently. This is beneficial for emergency access and evacuation due to a wildfire. The potential for wildfire hazard impacts related to transportation projects in the final plan would be potentially significant (PS) due to the potential for the infrastructure to exacerbate fire risk. (Draft EIR, pp. 3.9-49 to 3.9-50)
- H. Mitigation Measure HAZ-7 would substantially reduce the potential for the plan to exacerbate wildland fire risks because it would restrict development in areas mapped by CalFire as high and very high fire hazard zones and through additional measures that, with elements of the plan, would promote land management in open space to reduce fire hazards. (Draft EIR, p. 3.9-42)

2.4.9 Land Use, Population, and Housing (3.11)

IMPACT

LU-1 Physically divide an established community (Draft EIR, p. 3.11-20)

Mitigation Measures

LU-1 Implementing agencies and/or project sponsors shall implement measures, where feasible and as applicable based on project- and site-specific considerations, that include those identified below (or equally effective measures):

- Orient transportation projects to minimize impacts on existing communities by:
 - selecting alignments within or adjacent to existing public rights-of-way;
 - designing sections above or below grade to maintain viable vehicular, cycling, and pedestrian connections between portions of communities where existing connections are disrupted by the transportation project; and
 - wherever feasible incorporating direct crossings, overcrossings, or undercrossings at regular intervals for multiple modes of travel (e.g., pedestrians, bicyclists, vehicles).
- Where it has been determined that it is infeasible to avoid creating a barrier in an established community, encourage implementing agencies to consider other measures to reduce impacts, including but not limited to:
 - shifting alignments to minimize the area affected;

- reducing the proposed right-of-way take to minimize the overall area of impact; and
- providing for bicycle, pedestrian, and vehicle access across improved roadways.

Significance After Mitigation

Implementation of Mitigation Measure LU-1 would reduce the potentially significant impact of division of an established community because it would implement design features that would improve access and connections within existing communities and to public transit, which would reduce the effects of separation on existing communities. Projects taking advantage of the CEQA streamlining provisions of SB 375 (PRC Sections 21155.1, 21155.2, and 21159.28) must apply the mitigation measures described above, as applicable, to address site-specific conditions. However, because sites are unique, it cannot be concluded with certainty that all potentially significant divisions of established communities could be avoided. This impact would remain **significant and unavoidable (SU)**.

Findings

Changes or alterations within the responsibility and jurisdiction of another public agency and not MTC or ABAG can and should be adopted by such other agency, which would avoid or substantially lessen the significant environmental effect, as identified in the final EIR (Finding (2)). Projects taking advantage of CEQA streamlining provisions of SB 375 (PRC sections 21155.1, 21155.2, and 21159.28) must apply the mitigation measures to address site-specific conditions to reduce impacts. However, because site conditions are unique, it cannot be concluded with certainty that all significant impacts could be avoided. (Finding (3)).

Facts in Support of Findings

- A. Most of the major proposed transportation projects would be located in existing rights-of-way, meaning they would not create a new physical division within existing communities. Some projects in the final plan could improve or expand interconnections between neighborhoods and communities that are currently separated by major transportation corridors. Examples include bridges or undercrossings (with bike lanes) of commuter rail lines, bicycle/pedestrian overcrossings of freeways, and urban trail and pathway projects. Additionally, many proposed projects, such as expansion of transit services, are intended to improve mobility and accessibility and may, as a result, improve community connectivity. However, larger infrastructure projects, such as new above ground rail stations or transit service projects, may require the acquisition of land in existing communities, which may divide established communities. These transportation projects would require subsequent project-level environmental review prior to their implementation. Detailed project design or specific plans could address potential divisions of existing communities. For example, the final plan includes several interchange improvements projects to improve pedestrian/bike connectivity and access across freeways. In addition, as discussed in Section 3.15 “Transportation,” MTC has a Complete Streets policy under Resolution 4493 (adopted in 2022) requiring that all projects funded with regional funds consider the accommodation of pedestrians, cyclists, and public transit users, and drivers as part of project planning, design, funding, and construction. Compliance with Resolution 4493 would enhance access and connections within existing communities. Through regional programs such as OBAG, MTC and ABAG would continue to support planning efforts for locally sponsored traffic calming and alternative transportation initiatives, such as paths, trails, overcrossings, bicycle plans, that foster improved neighborhoods and community connections. However, MTC and ABAG cannot require local implementing agencies to implement these projects. Project approval would remain subject to the discretion of local agencies. Transportation project impacts related to division of an established community would be potentially significant (PS). (Draft EIR, p. 3.11-21)
- B. Implementation of Mitigation Measure LU-1 would reduce the potentially significant impact of division of an established community because it would implement design features that would improve access and

connections within existing communities and to public transit, which would reduce the effects of separation on existing communities. (Draft EIR, p. 3.11-22)

IMPACT

LU-4 Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere (Draft EIR, p. 3.11-32)

Mitigation Measures

LU-4 Implementing agencies and/or project sponsors shall implement, where feasible and as applicable based on project- and site-specific considerations, the mitigation measures described throughout this EIR to address the effects of displacement that could result in the construction of replacement housing, including:

- Mitigation Measures AES-1 through AES-4
- Mitigation Measures AGF-1 through AGF-3
- Mitigation Measures AQ-2 through AQ-4
- Mitigation Measures BIO-1 through BIO-3 and BIO-5
- Mitigation Measures GHG-1 and GHG-3
- Mitigation Measures CUL/TCR-1, CUL/TCR-2, and CUL/TCR-4
- Mitigation Measure GEO-7
- Mitigation Measures HAZ-4, HAZ-6 and HAZ-7
- Mitigation Measure LU-1
- Mitigation Measures NOISE-1 through NOISE-4
- Mitigation Measures PSR-1 and PSR-2
- Mitigation Measures PUF-1 through PUF-4
- Mitigation Measure TRA-2

Significance After Mitigation

Implementation of this mitigation measure would reduce the magnitude of potentially significant impacts, as explained in the impact discussions related to each impact and mitigation measure. However, as noted under Impacts AES-1, AES-2, AES-3, AGF-1, AGF-2, AGF-3, AQ-3, AQ-4, GHG-1, GHG-3, CUL/TCR-1, CUL/TCR-2, CUL/TCR-4, HAZ-7, LU-1, NOISE-1, NOISE-2, NOISE-3, NOISE-4, PSR-1, PSR-2, PUF-1, PUF-2, PUF-4, and TRA-2, there would still be instances where the impact remains significant following implementation of mitigation measures. Projects taking advantage of the CEQA streamlining provisions of SB 375 (PRC Sections 21155.1, 21155.2, and 21159.28) must apply the mitigation measures described above, as applicable, to address site-specific conditions. This impact would remain **significant and unavoidable (SU)**.

Finding

Changes or alterations within the responsibility and jurisdiction of MTC or ABAG have been required in, or incorporated into, the project to address this impact to the extent feasible. (Finding (1)). Additionally, changes or alterations within the responsibility and jurisdiction of another public agency and not MTC or ABAG can and should be adopted by such other agency (Finding (2)). Projects taking advantage of CEQA streamlining provisions of SB 375 (PRC sections 21155.1, 21155.2, and 21159.28) must apply the mitigation measures to address site-specific conditions to reduce impacts. However, However, because site

conditions are unique, it cannot be concluded with certainty that all significant impacts could be avoided. (Finding (3)).

Facts in Support of Finding

- A. The final plan's housing strategies support accommodation of the region's forecasted 1.5 million new housing units between 2020 and 2050. The housing strategies continue the region's commitment to "focused growth" but are also intended to protect current residents from displacement, preserve existing affordable housing, and produce new housing to secure long-term affordability in order to address the Bay Area's housing crisis. Thus, implementation of the final plan would not result in displacement at the regional scale. (Draft EIR, pp. 3.11-32 to 3.11-34). At the local level, displacement can result in physical effects both directly and indirectly. The potential for direct effects would result from projected growth occurring at the site of existing residential units. Local displacement could include households who are relocating to the proposed Growth Geographies where new housing would be developed under the final plan. However, the final plan accounts for future replacement housing, because it includes strategies to provide sufficient housing to accommodate population and job growth and to provide sufficient housing for all income levels. Thus, any local displacement would be temporary, as additional subsidized affordable housing would be provided pursuant to the plan. Redevelopment of housing sites within the Growth Geographies could result in displacement of current residents and may necessitate construction of replacement housing, resulting in direct impacts. Projected redevelopment and new housing are included in the forecasted development pattern of the final plan. The full impacts from the projected redevelopment and new housing construction would depend on site-specific conditions and project design details that cannot be known at this time. This EIR analyzes potential impacts that may result from this change in the following areas: aesthetics and visual resources, agriculture and forestry resources, air quality, biological resources, climate change, greenhouse gases, and energy, cultural resources and tribal cultural resources, geology, seismicity, and mineral resources, hazards and wildfire, hydrology and water quality, land use, population, and housing, noise, public services and recreation, public utilities and facilities, and transportation. The potential for indirect (or secondary) impacts results from economic factors potentially driving some households to find other housing because of rising rents. When these forces result in housing further from jobs, household commutes may increase, thus affecting air quality, noise, traffic, and GHG emissions. These impacts are analyzed in other sections of this EIR as part of the analysis of overall impacts of the final plan on air quality, noise, traffic, and GHG emissions. The final plan accounts for future replacement housing, because it includes strategies to provide sufficient housing to accommodate population and job growth and to provide sufficient housing for all income levels. The impacts of this growth are addressed throughout this EIR and in some cases has been identified as potentially significant. For this reason, this impact would be potentially significant (PS). (Draft EIR, pp. 3.11-32 to 3.11-34)
- B. Actual displacement of homes by sea level rise adaptation projects would depend on site-specific conditions and project design details that cannot be known at this time. This EIR analyzes the potential impacts that may result from replacement of these housing units in the following areas: aesthetics and visual resources, agriculture and forestry resources, air quality, biological resources, climate change, greenhouse gases, and energy, cultural resources and tribal cultural resources, geology, seismicity, and mineral resources, hazards and wildfire, hydrology and water quality, land use, population, and housing, noise, public services and recreation, public utilities and facilities, and transportation. This impact would be potentially significant (PS). (Draft EIR, p. 3.11-35).
- C. Transportation projects that require the expansion of existing, or designation of new, rights-of-way have the potential to result in the direct displacement of existing housing that must be removed for infrastructure development. Generally, to minimize environmental impacts and project costs, it is common practice to design the footprint of new transportation projects within existing rights-of-way as much as feasible. This practice is assumed as a part of this analysis. However, development of roadway widening, roadway extension, and transit expansion projects, could result in the disturbance and/or loss

of residential uses. The replacement of these housing units would result in environmental impacts, which are described throughout this EIR for the following potential impact areas: aesthetics and visual resources, agriculture and forestry resources, air quality, biological resources, climate change, greenhouse gases, and energy, cultural resources and tribal cultural resources, geology, seismicity, and mineral resources, hazards and wildfire, hydrology and water quality, land use, population, and housing, noise, public services and recreation, public utilities and facilities, and transportation. This impact would be potentially significant (PS). (Draft EIR, p. 3.11-35).

- D. Implementation of Mitigation Measure LU-4 would reduce the magnitude of potentially significant impacts, as explained in the impact discussions related to each impact and mitigation measure. (Draft EIR, p. 3.11-36).

2.4.10 Noise (3.12)

IMPACT

NOISE-1 Generate a substantial temporary increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies (Draft EIR, p. 3.12-21)

Mitigation Measures

NOISE-1 To reduce construction noise levels to achieve the applicable noise standards of the relevant jurisdiction in the plan area, implementing agencies and project sponsors shall implement measures, where feasible and as applicable based on project- and site-specific considerations, that include those (or equally effective measures) identified below:

- Comply with local construction-related noise standards, including restricting construction activities to permitted hours as defined under local jurisdiction regulations.
- Notify residents and occupants within 294 feet of the project construction area at least 30 days in advance of anticipated times when noise levels are expected to exceed limits established in the noise element of the general plan or noise ordinance.
- Designate an on-site construction complaint and enforcement manager for the project.
- Post procedures and phone numbers at the construction site for notifying the implementing agency staff and construction contractor (during regular construction hours and off-hours), along with permitted construction days and hours, complaint procedures, and who to notify in the event of a problem.
- Properly maintain construction equipment and outfit construction equipment with the best available noise suppression devices (e.g., mufflers, silencers, wraps). Equipment engine shrouds shall be closed during equipment operation.
- Prohibit the idling of construction equipment for extended periods of time in the vicinity of sensitive receptors.
- Locate all stationary equipment (e.g., generators, compressors, rock crushers, and cement mixers) and staging areas as far as possible from nearby noise-sensitive receptors, or locate such equipment to the extent feasible such that an existing or constructed noise attenuating feature (e.g., temporary noise wall or blanket) blocks the line of sight between affected noise-sensitive receptors and construction staging areas.
- Use hydraulically or electrically powered tools (e.g., jack hammers, pavement breakers, and rock drills) for project construction to avoid noise associated with compressed air exhaust from

pneumatically powered tools. However, where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust should be used. External jackets on the tools themselves should be used, if such jackets are commercially available.

- Quieter procedures should be used, such as drills rather than impact equipment, whenever such procedures are available and consistent with construction procedures.
- For construction activity that would occur within a clear line of sight of an adjacent off-site sensitive receptor (as defined by the local jurisdiction), take place outside of hours during which construction activity is exempt from local noise standards, and exceed applicable construction noise standards or thresholds, the construction contractor shall install temporary sound barriers to attenuate noise, such as temporary noise curtains, sound walls, or similar products that provide a barrier to construction noise. The temporary sound barrier shall be located between the project construction noise sources and receptors to shield the receptors from construction noise. When installed properly, acoustic barriers can reduce construction noise levels by approximately 8–10 dB (EPA 1971). The installation of any temporary sound barrier shall meet all the following criteria:
 - be installed as close as feasible to the boundary of the construction site within the direct line of sight path of the nearby sensitive receptor(s);
 - consist of durable, flexible composite material featuring a noise barrier layer bound to sound-absorptive material on one side; and
 - consist of rugged, impervious material with a surface weight of at least 1 pound per square foot, such that a minimum of 10 dBA reduction is achieved on the receiving side of the sound barrier.

Significance After Mitigation

Implementation of Mitigation Measure NOISE-1 would provide reductions in daytime and nighttime construction noise levels by ensuring proper equipment use, locating equipment away from sensitive land uses, and requiring the use of enclosures, shields, and noise curtains. Implementation of these noise-reduction features would reduce construction noise levels by approximately 10 dBA or more (NCHRP 1999; EPA 1971). To the extent that a local agency requires an individual project to implement all applicable mitigation measures described above, construction noise levels could be reduced by 10 dBA. Greater reductions may be achieved and the frequency and intensity of construction-related noise at nearby receptors may be further reduced, depending on actual construction activities and proximity to receptors. However, there could be cases where noise-level reductions from implementation of mitigation would not be sufficient to reduce noise to an acceptable level. This impact would remain **significant and unavoidable (SU)**.

Projects taking advantage of the CEQA streamlining provisions of Senate Bill (SB) 375 (PRC Sections 21155.1, 21155.2, and 21159.28) must apply the mitigation measures described above, as applicable, to address site-specific conditions. However, MTC and ABAG cannot require local implementing agencies to adopt the above mitigation measures, and it is ultimately the responsibility of a lead agency to determine and adopt mitigation. Therefore, this impact would be **significant and unavoidable (SU)** for purposes of this program-level review.

Finding

Changes or alterations within the responsibility and jurisdiction of another public agency and not MTC or ABAG can and should be adopted by such other agency, which would avoid or substantially lessen the significant environmental effect, as identified in the final EIR (Finding (2)). Projects taking advantage of CEQA streamlining provisions of SB 375 (PRC sections 21155.1, 21155.2, and 21159.28) must apply the mitigation measures to address site-specific conditions to reduce impacts. However, because site conditions are unique, it cannot be concluded with certainty that all significant impacts could be avoided. (Finding (3)).

Facts in Support of Findings

- A. Implementation of the final plan's forecasted development pattern would result in construction activities that could result in temporary noise impacts associated with grading, excavating, earthmoving, paving, building or structure construction, and other related activities. Because of the regional scale of the final plan and the programmatic level of this analysis, and because specific development projects have not been proposed, specific construction-related details (e.g., location, schedule, equipment type/number) for individual land use development projects are not available. Therefore, to evaluate potential construction impacts, a representative construction scenario, including typical equipment (e.g., pile driver, cranes, trucks, generators, jackhammers, backhoes), was assumed. According to reference noise levels for these types of construction equipment, construction noise could reach levels of 94.5 dBA Leq and 101.4 dBA Lmax at 50 feet from construction sites. Although other specialized equipment may be used (e.g., for tunnel boring), the modeling scenario includes the simultaneous operation of two of the loudest pieces of construction equipment (i.e., jackhammer and impact pile driver), which would generate similar or louder noise levels compared to other specialized equipment. Thus, modeled construction noise levels are conservatively high.
- B. According to the modeling conducted, construction-related noise levels could exceed applicable construction-related noise standards and thresholds, depending on proximity to existing sensitive land uses and duration of construction activities. In addition, although construction noise is short term, it can nonetheless result in substantial increases in noise (e.g., 5+ dBA) in ambient noise levels in the immediate vicinity of a construction site. Therefore, construction-related noise associated with the land use growth forecast could exceed applicable noise thresholds, resulting in a potentially significant (PS) noise impact. (Draft EIR, p. 3.12-22)
- C. The final plan includes sea level rise adaptation projects to protect communities in regularly inundated shoreline areas that may be affected by sea level rise. Implementing these sea level rise adaptation projects would result in the construction of various levees, seawalls, elevated roadways, marsh restoration, and tidal gates. Construction of such projects could result in temporary construction noise impacts associated with grading, excavating, earthmoving, and other related activities. The associated noise levels would be like those presented above for construction associated with land use development projects because similar construction equipment would be used. Like construction noise levels associated with forecasted development pattern, temporary noise levels generated by construction of sea level rise adaptation projects could exceed local standards and thresholds identified, depending on proximity to existing sensitive land uses and duration of construction activities. Therefore, implementing the final plan's sea level rise adaptation projects may result in the generation of excessive temporary construction noise levels, which would be potentially significant (PS). (Draft EIR, pp 3.12-23 to 3.12-23)
- D. Construction-related noise impacts of transportation projects would depend on the extent of construction being undertaken, proximity to existing sensitive land uses, and applicable noise standards. Nonetheless, construction noise would be of greatest concern to the land uses closest to construction activities. Transportation projects would have the potential for localized noise impacts, particularly when pile driving, or other similar invasive foundation work would be required. (Draft EIR, p. 3.12-23)
- E. Proposed transportation projects are spread throughout the Bay Area and are generally limited to existing transportation corridors. In addition, transportation projects typically progress linearly (i.e., along the right-of-way), and nighttime construction is sometimes required to minimize traffic congestion during peak travel periods. Construction activities could affect individual receptors for shorter periods of time because elevated noise levels would only occur temporarily in the location where the construction occurs before moving along the right-of-way. However, such activity could result in greater disturbance to nearby receptors if construction occurs during evening and nighttime hours when residents are generally more susceptible to noise disturbance. Further, transportation construction activities that occur in less urbanized areas, where existing ambient noise levels would be less than in urbanized and

densely populated areas, could result in a greater relative increase in temporary noise levels. High noise levels added to a lower existing ambient noise level result in a greater increase of annoyance than the same high noise level added to an existing high level. To evaluate potential construction impacts, a representative construction scenario, including typical equipment (e.g., pile driver, cranes, trucks, generators, jackhammers, backhoes) was assumed. Based on reference noise levels for these types of construction equipment, construction noise could reach levels of 94.5 dBA Leq and 101.4 dBA Lmax at 50 feet from future proposed construction sites. Construction-related noise levels could exceed Caltrans-recommended levels of 86 dBA Lmax, would likely exceed FTA-recommended daytime (i.e., 90 dBA Leq) and nighttime (i.e., 80 dBA Leq) noise standards for residential receptors within approximately 84 feet (daytime) and 265 feet (nighttime) of construction activity, respectively, and could exceed local construction-related noise standards and thresholds identified, depending on proximity to existing land uses and duration of construction activities. Therefore, construction-related noise associated with the land use growth forecast could exceed applicable noise thresholds, resulting in a potentially significant (PS) noise impact. (Draft EIR, pp. 3.12-22 to 3.12-23).

- F. Implementation of Mitigation Measure NOISE-1 would provide reductions in daytime and nighttime construction noise levels by ensuring proper equipment use, locating equipment away from sensitive land uses, and requiring the use of enclosures, shields, and noise curtains. (Draft EIR, p 3.12-25)

IMPACT

NOISE-2 Generate a substantial permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies (Draft EIR, p. 3.12-25)

Mitigation Measures

NOISE-2(a) To reduce exposure from traffic noise when significant and to achieve the applicable noise thresholds for each roadway type (i.e., 70 dBA CNEL for major roads/freeways, 65 dBA CNEL for all other roads, or as otherwise defined in applicable local noise standards), implementing agencies and/or project sponsors shall implement measures, where feasible and as applicable based on project- and site-specific considerations to achieve noise levels in accordance with applicable local noise standards. Measures shall include those identified below (or other equally effective measures):

- Design adjustments to proposed roadway or transit alignments to reduce noise levels in noise-sensitive areas (e.g., below-grade roadway alignments can effectively reduce noise levels in nearby areas by providing a barrier between the source and receptor).
- Use techniques such as landscaped berms, reduced-noise paving materials, and traffic-calming measures in the design of transportation projects.
- Use rubberized asphalt or “quiet pavement” to reduce road noise for new roadway segments, roadways in which widening or other modifications require re-pavement, or normal reconstruction of roadways where re-pavement is planned.
- Maximize the distance between existing noise-sensitive land uses and new noise-generating facilities and transportation systems.
- Contribute to the insulation of buildings or construction of noise barriers around sensitive receptor properties adjacent to the transportation project.
- Use land use planning measures, such as zoning, restrictions on development, site design, and buffers, to ensure that future development is noise compatible with adjacent transportation facilities and land uses.

- Monitor the effectiveness of noise-reduction measures by taking noise measurements and installing adaptive mitigation measures to achieve the standards for ambient noise levels established by the noise element of the general plan or noise ordinance.

NOISE-2(b) To reduce the exposure of existing sensitive receptors to non-transportation noise associated with the forecasted development pattern, implementing agencies and/or project sponsors shall, for projects with features that generate stationary noise that are near sensitive receptors, implement measures, where feasible and as applicable based on project- and site-specific considerations, that include those identified below (or other equally effective measures):

- Local agencies approving land use projects shall require that routine testing and preventive maintenance of emergency electrical generators be conducted during the less sensitive daytime hours (per the applicable local municipal code). Electrical generators or other mechanical equipment shall be equipped with noise control (e.g., muffler) devices in accordance with manufacturers' specifications.
- Maximize the distance between noise-sensitive land uses and new noise-generating facilities.
- Improve the acoustical insulation, window quality, and/or other soundproofing of dwelling units (existing or proposed) where setbacks do not sufficiently reduce noise.
- Local agencies approving land use projects shall require that external mechanical equipment, including HVAC units, associated with buildings and other stationary sources (e.g., commercial loading docks) incorporate features designed to reduce noise to below 70 dBA CNEL or the local applicable noise standard. These features may include locating equipment or activity areas in equipment rooms or enclosures that incorporate noise-reduction features, such as acoustical louvers and exhaust and intake silencers. Enclosures shall be oriented so that major openings (i.e., intake louvers, exhaust) are directed away from nearby noise-sensitive receptors. Site design considerations shall also incorporate appropriate setback distances, to the extent practical, from the noise and existing sensitive receptors to minimize noise exposure.

NOISE-2(c) To reduce transit-related noise exposure to existing receptors within 50 feet of a rail transit line to below 70 dBA CNEL, or other applicable standard, implementing agencies and/or project sponsors shall implement measures, where feasible and as applicable based on project- and site-specific considerations, that include those identified below (or other equally effective measures):

- When finalizing development project site plans or transportation project design, sufficient setback between occupied structures and the railroad tracks shall be provided to minimize noise exposure to the extent feasible.
- When finalizing development project site plans, noise-sensitive outdoor use areas shall be sited as far away from adjacent noise sources as possible, and site plans shall be designed to shield noise-sensitive spaces with buildings or noise barriers whenever possible.
- Prior to project approval, the implementing agency for a transportation project shall ensure that the transportation project sponsor applies the following mitigation measures (or other technologically feasible measures) to achieve a site-specific exterior noise level of 70 dBA CNEL (or other applicable local noise standard) and interior noise level of 45 dBA CNEL at sensitive land uses, as applicable for transit projects:
 - use sound reduction barriers, such as landscaped berms and dense plantings;
 - locate rail extension below grade as feasible;
 - use damped wheels on railway cars;
 - use vehicle skirts;
 - use undercar acoustically absorptive material; and

- install sound insulation treatments for affected structures.

Significance After Mitigation

Implementation of Mitigation Measure NOISE-2(a) would result in substantial reductions in traffic-related noise. Depending on barrier construction, a 10 dBA in noise reduction is typically feasible (FHWA 2006), which would be adequate to bring the highest modeled traffic noise levels of 76.2 dBA CNEL to below the 70-dBA CNEL threshold. Site design, including proximity to the noise source, can achieve varying degrees of noise reduction depending on the distance to the source. Building construction methods can typically achieve a minimum of 25 dB exterior-to-interior noise reduction, but much higher levels of reduction are achievable through additional wall insulation and soundproofing techniques. Implementation of Mitigation Measure NOISE-2(b) would require operational measures so that stationary noise sources would be designed to reduce noise to below 70 dBA CNEL and comply with any applicable local noise codes. Implementation of Mitigation Measure NOISE-2(c) would ensure that site-specific planning would include all technologically feasible measures to reduce transit noise to below 70 dBA CNEL for exterior noise levels and 45 dBA CNEL for interior noise levels. Further, site planning and building construction would be developed to achieve the necessary noise reduction based on site-specific parameters. To the extent that a local agency requires an individual project to implement all feasible and as applicable mitigation measures described above, the impact would be less than significant with mitigation (LTS-M).

Projects taking advantage of the CEQA streamlining provisions of SB 375 (PRC Sections 21155.1, 21155.2, and 21159.28) must apply the mitigation measures described above, as applicable, to address site-specific conditions. However, MTC and ABAG cannot require local implementing agencies to adopt the above mitigation measures, and it is ultimately the responsibility of a lead agency to determine and adopt mitigation. Therefore, this impact would be **significant and unavoidable (SU)** for purposes of this program-level review.

Finding

Changes or alterations within the responsibility and jurisdiction of another public agency and not MTC or ABAG can and should be adopted by such other agency, which would avoid or substantially lessen the significant environmental effect, as identified in the final EIR (Finding (2)). Projects taking advantage of CEQA streamlining provisions of SB 375 (PRC sections 21155.1, 21155.2, and 21159.28) must apply the mitigation measures to address site-specific conditions to reduce impacts. However, MTC and ABAG cannot require local implementing agencies to adopt the identified mitigation measures. (Finding (3)).

Facts in Support of Findings

- Land use related traffic noise impacts were assessed at the county level and based on baseline (2023) and buildout (2050) modeled traffic volumes by roadway types, including all on-road vehicles and buses. Changes in land use due to forecasted growth would generate new trips, and these trips would be distributed on existing and potentially expanded roadways. Due to the anticipated growth for the region, an absolute increase in roadway volumes within the Plan area is anticipated, despite more efficient land uses and transportation projects and strategies. The final plan would result in traffic-noise levels that exceed applicable noise thresholds and would result in a substantial noise increase in some areas. Therefore, this impact would be potentially significant (PS). (Draft EIR, pp. 3.12-26 to 3.12-27)
- The final plan's forecasted development pattern would result in new residential, commercial, and industrial land uses that could include new stationary sources (e.g., HVAC units, mechanical equipment) and generate increased levels of community noise. Implementation of the final plan would result in increased land use development within areas already experiencing high noise levels. Although specific locations for these noise sources are currently unknown, considering the projected high density of land development in already urbanized areas, where existing sensitive receptors already exist, implementation of the final plan's forecasted development pattern (and associated stationary noise

sources) could result in the exposure of existing sensitive receptors to exterior noise levels that exceed applicable local thresholds or result in a substantial increase in noise (e.g., 1.5 dB). Therefore, this impact would be potentially significant (PS). (Draft EIR, pp. 3.12-27 to 3.12-28)

- C. Increases in transit-related noise as a result of the final plan could occur throughout the region as transit lines are expanded and service frequency increased. Transit line expansion and expanded service frequency included under the final plan could result in increased transit-related noise throughout the region. The effects of increased noise levels would vary greatly depending on the type of transit facility and proximity to existing sensitive land uses. The severity of this impact would depend upon the type (diesel or electric powered) and frequency of rail pass-by events, and the existing ambient noise level at the existing receptor. These projects are generally located in urban areas that are already exposed to high levels of vehicle traffic noise.
- D. New transit lines or the expansion of existing transit lines would result in a new substantial noise source that could result in excessive noise exposure depending on the type of existing land uses and proximity to the new noise sources. New rail lines would likely have noise levels similar to those discussed above. Therefore, they could exceed applicable exterior (i.e., 70 dBA CNEL) and interior (i.e., 45 dBA CNEL) noise thresholds at existing sensitive land uses. In addition, because new or expanded rail lines could result in noise levels of 70 dBA CNEL and up to 82 dBA CNEL, when compared to existing conditions where no rail currently exists, noise levels would substantially increase (i.e., likely more than 3 dBA above ambient levels). Implementing agencies or sponsors of transportation projects would coordinate with local jurisdictions to comply with local policies and regulations. In addition to future project-level CEQA review, transportation projects subject to review by the Federal Transit Administration, Federal Railroad Administration, or the Federal Highway Administration would be subject to project-level NEPA review and compliance with applicable guidance related to noise assessments and mitigation.
- E. Because trains could generate noise levels of up to 82 dBA CNEL/ Ldn, and transit lines are currently located in urbanized areas near major roads and freeways where noise levels are currently relatively high, a 1.5-dBA increase in transit noise would be considered significant. As explained in Impact TRA-1 in Section 3.15, "Transportation," the final plan includes major investments that create new transit lines or boost frequencies on existing lines. Thus, it is expected that implementation of the final plan would result in a 1.5-dBA or more increase in transit noise. Increases in transit noise on existing facilities would result in a potentially significant (PS) impact. (Draft EIR, p. 3.12-29)
- F. Implementation of Mitigation Measure NOISE-2(a) would result in substantial reductions in traffic-related noise. Depending on barrier construction, a 10 dBA in noise reduction is typically feasible (FHWA 2006), which would be adequate to bring the highest modeled traffic noise levels of 76.2 dBA CNEL to below the 70-dBA CNEL threshold. Site design, including proximity to the noise source, can achieve varying degrees of noise reduction depending on the distance to the source. Building construction methods can typically achieve a minimum of 25-dB exterior-to-interior noise reduction, but much higher levels of reduction are achievable through additional wall insulation and sound-proofing techniques. Implementation of Mitigation Measure NOISE-2(b) would require operational measures so that stationary noise sources would be designed to reduce noise to below 70 dBA CNEL and comply with any applicable local noise codes. Implementation of Mitigation Measure NOISE-2(c) would ensure that site-specific planning would include all technologically feasible measures to reduce transit noise to below 70 dBA CNEL for exterior noise levels and 45 dBA CNEL for interior noise levels. (Draft EIR, p. 3.12-32)

IMPACT

NOISE-3 Generate excessive groundborne vibration or groundborne noise levels (Draft EIR, p. 3.12-32)

Mitigation Measures

NOISE-3(a) To reduce construction vibration levels to acceptable levels (i.e., 65 VdB to 80 VdB depending on the frequency of the event and 0.1 to 0.6 PPV in/sec depending on building type), implementing agencies

and/or project sponsors shall implement measures, where feasible and as applicable based on project- and site-specific considerations, that include those identified below (or other equally effective measures):

- To minimize disturbance of receptors within 545 feet of pile-driving activities, implement “quiet” pile-driving technology (such as predrilling of piles and the use of more than one pile driver to shorten the total pile-driving duration), where feasible and as applicable, in consideration of geotechnical and structural requirements and conditions.
- To reduce structural damage, where pile driving is proposed within 55 feet of an existing structure, engage a qualified geotechnical engineer and qualified historic preservation professional (for designated historic buildings only) and/or structural engineer to conduct a preconstruction assessment of existing subsurface conditions and the structural integrity of nearby (i.e., within 55 feet) structures that would be exposed to pile-driving activity. If recommended by the preconstruction assessment, for structures or facilities within 55 feet of pile-driving activities, the project sponsors shall require ground vibration monitoring of nearby structures. Such methods and technologies shall be based on the specific conditions at the construction site. Conditions will be determined through activities such as the preconstruction surveying of potentially affected structures and underpinning of foundations of potentially affected structures, as necessary. The preconstruction assessment shall include a monitoring program to detect ground settlement or lateral movement of structures in the vicinity of pile-driving activities and identify corrective measures to be taken should monitored vibration levels indicate the potential for building damage. In the event of unacceptable ground movement with the potential to cause structural damage, all impact work shall cease, and corrective measures shall be implemented to minimize the risk to the subject, or adjacent, structure.
- Use cushion blocks to dampen impact noise from pile driving.
- Restrict high-impact construction activities (i.e., vibratory activities that generate 0.20 in/sec PPV or more at 25 feet) within 545 feet of sensitive receptors to permitted hours in accordance with local jurisdiction regulations.

NOISE-3(b) To reduce vibration effects from rail operations, implementing agencies and/or project sponsors shall undertake a detailed evaluation of vibration and groundborne noise impacts and identify project-specific mitigation measures as necessary to reduce vibration to a level that complies with applicable local standards or FTA standards. To minimize the effects of vibration and groundborne noise from rail operations, the following measures (or other equally effective measures) shall be implemented where feasible and as applicable based on project- and site-specific considerations:

- Ensure that project sponsors apply the following measures to achieve FTA-recommended vibration levels of 72 VdB at residential land uses, or other applicable standard, for rail extension projects:
 - Use high-resilience (soft) direct fixation fasteners for embedded track.
 - Install ballast mat, or other approved technology for the purpose of reducing vibration, for ballast and tie track.
 - Conduct regular rail maintenance, including rail grinding and wheel truing to recontour wheels, to provide smooth running surfaces.
 - Maximize the distance between tracks and sensitive uses.
 - Implement operational changes, such as limiting train speed and reducing nighttime operations.

Significance After Mitigation

Implementation of Mitigation Measure NOISE-3(a) would reduce vibration impacts by requiring the use of quieter pile-driving technology and ensuring that the proper actions are taken to minimize vibration impacts

to adjacent structures. Implementation of the Mitigation Measure NOISE-3(b) would minimize vibration and groundborne noise associated with new and expanded rail systems and operations through vibration control measures for track support (e.g., resilient fasteners, ballast mats) (FTA 2018). To the extent that a lead agency requires an individual project to implement all applicable mitigation measures described above, the impact would be less than significant with mitigation (LTS-M).

Projects taking advantage of the CEQA streamlining provisions of SB 375 (PRC Sections 21155.1, 21155.2, and 21159.28) must apply the mitigation measures described above, as applicable, to address site-specific conditions. However, MTC and ABAG cannot require local implementing agencies to adopt the above mitigation measures, and it is ultimately the responsibility of a lead agency to determine and adopt mitigation. Therefore, this impact would be **significant and unavoidable (SU)** for purposes of this program-level review.

Finding

Changes or alterations within the responsibility and jurisdiction of another public agency and not MTC or ABAG can and should be adopted by such other agency, which would avoid or substantially lessen the significant environmental effect, as identified in the final EIR (Finding (2)). Projects taking advantage of CEQA streamlining provisions of SB 375 (PRC sections 21155.1, 21155.2, and 21159.28) must apply the mitigation measures to address site-specific conditions to reduce impacts. However, MTC and ABAG cannot require local implementing agencies to adopt the identified mitigation measures. (Finding (3)).

Facts in Support of Finding

- A. Construction activities associated with the projected growth forecasted by the plan may result in varying degrees of temporary ground vibration, depending on the specific type and number of construction equipment used and construction activities involved (e.g., excavation, earthmoving). When considering new construction, pile driving generates the highest vibration levels and is, therefore, of greatest concern when evaluating construction-related vibration impacts. The potential exists for pile driving to occur within 55 feet of an existing building, exceeding Caltrans-recommended levels for structural damage, and within 545 feet of an existing sensitive land use, exceeding FTA-recommended levels for vibration annoyance. Therefore, this would be a potentially significant (PS) vibration impact. (Draft EIR, pp. 3.12-32 to 3.12-33)
- B. Construction-related vibration impacts from transportation project implementation would be similar to those described above for land use and sea level rise adaptation infrastructure. This would be a potentially significant (PS) vibration impact. (Draft EIR, p. 3.12-34)
- C. Increases in transit-related vibration as a result of the final plan could occur throughout the region as transit lines are expanded and service frequency increased but would occur primarily in urbanized areas and near existing transit facilities. Vibration levels would vary greatly depending on the type of transit facility and proximity to existing sensitive land uses. The degree of increased vibration exposure would depend upon the type (diesel or electric powered) and frequency of rail pass-by events and the existing soil conditions at the existing receptor. Extension of rail transit service to new locations, as well as increases in existing transit frequency could result in vibration levels that exceed vibration significance thresholds. Expanding or building new transit lines in unserved areas would result in a new substantial vibration source that could result in vibration effects that exceed FTA-recommended levels (i.e., 72 VdB) within 200 feet of the source. In addition, because new or expanded rail lines could result in vibration levels that exceed applicable criteria (i.e., 72 VdB) within 200 feet, when compared to existing conditions where no rail currently exists, vibration levels would substantially increase (i.e., more than 1.5 VdB). Some of the rail extension projects identified above would expose existing sensitive receptors along extended transit alignments to excessive vibration and permanent substantial increases in vibration levels. Therefore, this would be a potentially significant (PS) impact. (Draft EIR, pp. 3.12-33 to 3.12-35)

D. Implementation of Mitigation Measure NOISE-3(a) would reduce construction vibration impacts by requiring the use of quieter pile-driving technology and ensuring that the proper actions are taken to minimize vibration impacts to adjacent structures. Implementation of the Mitigation Measure NOISE-3(b) would minimize vibration and groundborne noise associated with new and expanded rail systems and operations through vibration control measures for track support (e.g., resilient fasteners, ballast mats) (FTA 2018). (Draft EIR, p. 3.12-36)

IMPACT

NOISE-4 For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public-use airport, expose people residing or working in the project area to excessive noise levels (Draft EIR, p. 3.12-37)

Mitigation Measures

NOISE-4 Local lead agencies for all new development proposed to be located within an existing airport influence zone, as defined by the locally adopted ALUCP or local general plan, shall require a site-specific noise compatibility study. The study shall consider and evaluate existing aircraft noise, based on specific aircraft activity data for the airport in question, and shall include recommendations for site design and building construction to ensure compliance with interior noise levels of 45 dBA CNEL, such that the potential for sleep disturbance is minimized.

Significance After Mitigation

To the extent that a local agency requires an individual project to implement, where applicable, the mitigation measure described above, the appropriate design and building construction would ensure interior noise levels of 45 dBA CNEL, and this impact would be less than significant with mitigation (LTS-M).

Projects taking advantage of the CEQA streamlining provisions of SB 375 (PRC Sections 21155.1, 21155.2, and 21159.28) must apply the mitigation measures described above, as applicable, to address site-specific conditions. However, MTC and ABAG cannot require local implementing agencies to adopt the above mitigation measures, and it is ultimately the responsibility of a lead agency to determine and adopt mitigation. Therefore, this impact would be significant and unavoidable (SU) for purposes of this program-level review.

Finding

Changes or alterations within the responsibility and jurisdiction of another public agency and not MTC or ABAG can and should be adopted by such other agency, which would avoid or substantially lessen the significant environmental effect, as identified in the final EIR (Finding (2)). Projects taking advantage of CEQA streamlining provisions of SB 375 (PRC sections 21155.1, 21155.2, and 21159.28) must apply the mitigation measures to address site-specific conditions to reduce impacts. However, MTC and ABAG cannot require local implementing agencies to adopt the identified mitigation measures. (Finding (3)).

Facts in Support of Finding

A. Noise from airports and aircraft flight events have the greatest effect on nearby land uses. Most airports and airfields immediately adjacent to TPAs identified in the final plan have an active Airport Land Use Compatibility Plan (ALUCP) (or the equivalent) to discourage incompatible land uses within the vicinity of the airport. Many local jurisdictions' general plans include land use compatibility standards that designate acceptable levels of noise exposure based on the type of development. However, given the regional scale of the final plan and the high level of projected development throughout the region, it is possible that the Plan's forecasted land use development pattern could result in exposure of sensitive receptors to exterior and interior noise levels from existing airports or airstrips that exceed applicable

thresholds. There would be a potentially significant (PS) impact resulting from excessive airport noise levels if projected development were to occur in close proximity to existing airports or airstrips that would require mitigation. (Draft EIR, pp. 3.12-37 to 3.12-38)

- B. Implementation of Mitigation Measure NOISE-4 would require preparation of a site-specific noise compatibility study for projects within an existing airport influence zone that includes recommendations for site design and building construction to ensure compliance with interior noise levels of 45 dBA CNEL to minimize potential for sleep disturbance. (Draft EIR, p. 3.12-38)

2.4.11 Public Services and Recreation (3.13)

IMPACT

PSR-1 Result in substantial adverse physical impacts associated with the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for fire protection, police protection, schools, parks, and other public facilities (Draft EIR, p. 3.13-11)

Mitigation Measures

PSR-1 Implementing agencies and/or project sponsors shall implement the following measure, where feasible and as applicable based on project- and site-specific considerations:

- For projects that could increase demand for public services facilities, implementing agencies and/or project sponsors shall coordinate with relevant service providers to ensure that the existing public services could accommodate the increase in demand. If existing facilities are found to be inadequate to maintain adequate capital capacity, equipment, personnel, and/or response times, facility improvements for the appropriate public service shall be identified in each project's CEQA documentation. Implementing agencies and/or project sponsors shall implement, where feasible and necessary, the mitigation measures described throughout this EIR to address the environmental effects related to the construction of new or expanded public service facilities:
 - Mitigation Measures AES-1 through AES-4
 - Mitigation Measures AGF-1 through AGF-3
 - Mitigation Measures AQ-2 through AQ-4
 - Mitigation Measures BIO-1 through BIO-3 and BIO-5
 - Mitigation Measures GHG-1 and GHG-3
 - Mitigation Measures CUL/TCR-1, CUL/TCR-2, and CUL/TCR-4
 - Mitigation Measure GEO-7
 - Mitigation Measures HAZ-4, HAZ-6 and HAZ-7
 - Mitigation Measures LU-1 and LU-4
 - Mitigation Measures NOISE-1 through Noise-4
 - Mitigation Measures PSR-2
 - Mitigation Measures PUF-1 through PUF-4
 - Mitigation Measure TRA-2

Significance After Mitigation

To the extent that an individual project adopts and implements Mitigation Measure PSR-1 described above, the severity of the impact would be reduced. Mitigation Measure PSR-1 would reduce the severity of impacts

from construction of new or expanded facilities because it would include implementation of measures to offset the impacts of construction of new or physically altered facilities. However, the measures would not reduce this impact to a less-than-significant level, as discussed in the appropriate sections of this EIR. Therefore, this impact would be **significant and unavoidable (SU)**.

Projects taking advantage of CEQA streamlining provisions of SB 375 (PRC Sections 21155.1, 21155.2, and 21159.28) must apply the mitigation measure described above, as applicable, to address site-specific conditions. However, MTC and ABAG cannot require local implementing agencies to adopt the above mitigation measure, and it is ultimately the responsibility of a lead agency to determine and adopt mitigation. Therefore, this impact would be **significant and unavoidable (SU)** for purposes of this program-level review.

Finding

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR. (Finding (1)). Changes or alterations within the responsibility and jurisdiction of another public agency and not MTC or ABAG can and should be adopted by such other agency, which would avoid or substantially lessen the significant environmental effect, as identified in the final EIR (Finding (2)). Projects taking advantage of CEQA streamlining provisions of SB 375 (PRC sections 21155.1, 21155.2, and 21159.28) must apply the mitigation measures to address site-specific conditions to reduce impacts. However, because site conditions are unique, it cannot be concluded with certainty that all significant impacts could be avoided. (Finding (3)).

Facts in Support of Findings

- A. The regional growth forecast for the Bay Area projects that between 2020 and 2050 the region will support an additional 1.8 million residents and 1.4 million jobs, resulting in 1 million new households. The final plan designates Growth Geographies and identifies a set of land use approaches to accommodate the projected growth that would result in focused housing and job growth concentrated primarily in or adjacent to already developed areas and along existing transit corridors. The final plan was designed to accommodate the people, households, and jobs identified in the regional growth forecast. The overall growth would result in increased demand for services. As the number of households grows, demand for schools and other general government services and facilities (e.g., schools, police, fire, and libraries) would increase. Increases in residential and nonresidential land uses would also increase the number of service calls for emergency services and police and fire protection. The final plan forecasts the general location of future land uses, and future residential densities and building intensities in the region consistent with the final plan beyond the horizon year of most local general plans in the Plan Area (2050). The regional growth forecast could result in increases in demand for public services that exceed existing service capabilities. To meet increased demand for these facilities, existing facilities could require additional personnel and equipment to maintain adequate service levels. In some cases, it would be necessary to construct new facilities or modify existing facilities to maintain adequate capital capacity, equipment, and personnel. Because MTC and ABAG do not have land use authority to adopt local land use plans or approve local land use development projects, land use development projects are ultimately controlled by local jurisdictions throughout the Plan area. Future land use development projects would be required to undergo an evaluation of their contribution to demand on public services prior to approval. In cases where a project results in increased demand, many jurisdictions require developers to pay impact fees to fund increased demand for public services; however, the amount and extent to which a project must mitigate additional demand would differ on a project-by-project basis depending on size and location and would be the responsibility of the implementing agency/project applicant.
- B. In cases where the final plan's forecasted development pattern results in the need for new facilities to meet increased demand, short-term construction impacts could occur on a project-by-project basis. Environmental review would be conducted by the appropriate lead agency, and mitigation would be incorporated as needed. For the purposes of this analysis, it is assumed that the construction of new or

modified public service facilities resulting from the implementation of the final plan could result in adverse environmental effects; however, there is inherent uncertainty surrounding the location and size of future facilities. Therefore, impacts related to new or expanded school, police, fire, emergency medical, and other government service facilities would be potentially significant (PS). (Draft EIR, pp. 3.13-11 to 3.13-13)

- C. Mitigation Measure PSR-1 would reduce the severity of impacts from construction of new or expanded facilities because it would include implementation of measures to offset the impacts of construction of new or physically altered facilities. (Draft EIR, pp. 3.13-14 to 3.13-15)

IMPACT

PSR-2 Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated or include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment (Draft EIR, p. 3.13-15)

Mitigation Measures

PSR-2 Implementing agencies and/or project sponsors shall implement, where feasible and as applicable, the mitigation measures described throughout this EIR to address the environmental effects related to the construction of new or expanded recreational facilities:

- Mitigation Measures AES-1 through AES-4
- Mitigation Measures AGF-1 through AGF-3
- Mitigation Measures AQ-2 through AQ-4
- Mitigation Measures BIO-1 through BIO-3 and BIO-5
- Mitigation Measures GHG-1 and GHG-3
- Mitigation Measures CUL/TCR-1, CUL/TCR-2, and CUL/TCR-4
- Mitigation Measure GEO-7
- Mitigation Measures HAZ-4, HAZ-6 and HAZ-7
- Mitigation Measures LU-1 and LU-4
- Mitigation Measures NOISE-1 through Noise-4
- Mitigation Measures PSR-1
- Mitigation Measures PUF-1 through PUF-4
- Mitigation Measure TRA-2

Significance After Mitigation

Implementation of Mitigation Measure PSR-2 would reduce the severity of impacts from construction of new or expanded facilities because it would include implementation of measures to offset the impacts of construction of new or physically altered facilities. However, the measures would not reduce this impact to a less-than-significant level, as discussed in the appropriate sections of this EIR. Therefore, this impact would be **significant and unavoidable (SU)**.

Projects taking advantage of CEQA streamlining provisions of SB 375 (PRC Sections 21155.1, 21155.2, and 21159.28) must apply the mitigation measure described above, as applicable, to address site-specific conditions. However, MTC and ABAG cannot require local implementing agencies to adopt the above mitigation measure, and it is ultimately the responsibility of a lead agency to determine and adopt mitigation. Therefore, this impact would be **significant and unavoidable (SU)** for purposes of this program-level review.

Findings

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR. (Finding (1)). Changes or alterations within the responsibility and jurisdiction of another public agency and not MTC or ABAG can and should be adopted by such other agency, which would avoid or substantially lessen the significant environmental effect, as identified in the final EIR (Finding (2)). Projects taking advantage of CEQA streamlining provisions of SB 375 (PRC sections 21155.1, 21155.2, and 21159.28) must apply the mitigation measures to address site-specific conditions to reduce impacts. However, because site conditions are unique, it cannot be concluded with certainty that all significant impacts could be avoided. (Finding (3)).

Facts in Support of Findings

- A. Implementation of the final plan would increase the number of residents making use of existing parkland and could cause accelerated physical deterioration of parks, trails, and recreational facilities as a result. The final plan's environmental strategies encourage future Bay Area development focused within existing developed areas, ringed by natural lands that are well-maintained and dotted with parks and trails that provide easy access to open space. Support for locally adopted land use policies that limit new construction outside of the existing footprint, combined with investments in natural lands that serve vital ecological purposes and parks and recreation facilities essential to population health and wellbeing are included, with a specific emphasis on improving access to parks and open space and promoting a sustainable development pattern.
- B. The final plan also includes strategies to protect open space lands and concentrate development within already developed areas. Specifically, Strategy EN4, "Maintain Urban Growth Boundaries" directs new growth to be located within the region's existing urban footprint or growth boundaries. This strategy would confine new development within areas of existing development and areas that are suitable for growth, as established by local jurisdictions. Strategy EN5, "Protect and Manage High-Value Conservation Lands" would provide funds to help protect and conserve high-priority natural and working lands that support recreation opportunities, biodiversity, natural resources, and priority conservation areas. Implementation of Strategies EN4 and EN5 would protect existing recreation resources located within high-priority agricultural and open space lands. Further, Strategy EN6, "Expand Urban Greening in Communities" would expand recreation opportunities through funding quality parks, trails, tree canopy, and urban greening in communities. The timing, siting, and project-specific details of individual development projects would dictate the necessity of increasing recreational services in existing service areas or expanding service to new areas. While land use development could increase demand on recreational services, existing State requirements regarding development of a complete general plan, including Open Space and Conservation Elements, require local jurisdictions to address impacts on recreational facilities. Thus, land use development under the final plan would not have a significant impact on recreational resources.
- C. However, implementation of the final plan could result in impacts related to the construction or expansion of recreation facilities. As noted above for impact PSR-1, construction may cause adverse short-term traffic impacts or short-term air quality and noise impacts associated with the use of heavy-duty equipment. If construction occurs on previously undeveloped land, it could have additional impacts including increased stormwater runoff, loss of habitat, or damage to cultural/tribal cultural resources. Thus, this impact would be potentially significant (PS). (Draft EIR, pp. 3.15-16 to 3.13-16)
- D. Implementation of Mitigation Measure PSR-2 would reduce the severity of impacts from construction of new or expanded facilities because it would include implementation of measures to offset the impacts of construction of new or physically altered facilities. (Draft EIR, pp. 3.13-15 to 3.13-18)

2.4.12 Public Utilities and Facilities (3.14)

IMPACT

PUF-1 Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities the construction or relocation of which could cause significant environmental effects (Draft EIR, p. 3.14-35)

Mitigation Measures

PUF-1(a) Implementing agencies and/or project sponsors shall implement measures, where feasible and as applicable based on project- and site-specific considerations, that include those (or equally effective measures) identified below:

- For projects that could increase demand on water and wastewater treatment facilities, coordinate with the relevant service provider to ensure that the existing public services and utilities could accommodate the increase in demand. If the current infrastructure servicing the project site is found to be inadequate, infrastructure improvements for the appropriate public service or utility shall be identified in each project's CEQA documentation. The relevant public service provider or utility shall be responsible for undertaking project-level review as necessary to provide CEQA clearance for new facilities.

PUF-1(b) Implementing agencies and/or project sponsors shall implement measures, where feasible and as applicable based on project- and site-specific considerations, that include those identified below (or equally effective measures):

- During the design and CEQA review of individual future projects, determine whether sufficient stormwater drainage facilities exist for a proposed project. These CEQA determinations must ensure that the proposed development can be served by its existing or planned drainage capacity. If adequate stormwater drainage facilities do not exist, project sponsors shall coordinate with the appropriate utility and service provider to ensure that adequate facilities could accommodate the increased demand, and if not, infrastructure and facility improvements shall be identified in each project's CEQA determination. The relevant public service provider or utility shall be responsible for undertaking project-level review as necessary to provide CEQA clearance for new facilities.
- For projects of greater than 1 acre in size, reduce stormwater runoff caused by construction by implementing stormwater control best practices, based on those required for a SWPPP.
- Model and implement a stormwater management plan or site design that prevents the post-development peak discharge rate and quantity from exceeding pre-development rates.

PUF-1(c) Implementing agencies and/or project sponsors shall implement measures, where feasible and as applicable based on project- and site-specific considerations, that include those identified below (or equally effective measures):

- For transportation projects, incorporate stormwater control, retention, and infiltration features, such as detention basins, bioswales, vegetated median strips, and permeable paving, early into the design process to ensure that adequate acreage and elevation contours are planned.

PUF-1(d) Implementing agencies and/or project sponsors shall implement measures, where feasible and as applicable based on project- and site-specific considerations, that include those identified below, (or equally effective measures):

- For transportation projects implemented by Caltrans or subject to Caltrans review, adhere to Caltrans' Stormwater Management Plan, which includes best practices to reduce the volume of stormwater runoff and pollutants in the design, construction, and maintenance of highway facilities.

PUF-1(e) Implementing agencies and/or project sponsors shall implement measures, where feasible and as applicable based on project- and site-specific considerations, that include those identified below or equally effective measures):

- Consider the use of on site electric generation and storage systems that produce all or a portion of the energy used by a land use, sea level rise adaptation, or transportation project.

PUF-1(f) Implementing agencies and/or project sponsors shall implement, where feasible and as applicable based on project- and site-specific considerations, the mitigation measures described throughout this EIR to address the effects related to the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, including:

- Mitigation Measures AES-1 through AES-4
- Mitigation Measures AGF-1 through AGF-3
- Mitigation Measures AQ-2 through AQ-4
- Mitigation Measures BIO-1 through BIO-3 and BIO-5
- Mitigation Measures GHG-1 and GHG-3
- Mitigation Measures CUL/TCR-1, CUL/TCR-2, and CUL/TCR-4
- Mitigation Measure GEO-7
- Mitigation Measures HAZ-4, HAZ-6 and HAZ-7
- Mitigation Measures LU-1
- Mitigation Measures NOISE-1 through NOISE-4
- Mitigation Measures PSR-1 and PSR-2
- Mitigation Measures PUF-2 through PUF-4
- Mitigation Measure TRA-2

Significance After Mitigation

Implementation of Mitigation Measure PUF-1(a) would reduce impacts associated with exceeding existing water and wastewater treatment capacity because application of such mitigation would require that land use and transportation projects comply with project-level CEQA review and identify infrastructure improvements to ensure adequate capacity. Implementation of Mitigation Measures PUF-1(b), PUF-1(c), and PUF-1(d) would reduce impacts associated with exceedances of existing stormwater drainage capacity because application of such mitigation would require that land use, sea level rise adaptation, and transportation projects comply with project-level CEQA review, incorporate on-site stormwater control practices, and develop and implement stormwater management plans or stormwater control design features. Additionally, as stated above, implementation of Mitigation Measures PUF-2(a), PUF-2(b), and PUF-2(c), summarized under Impact PUF-2, and Mitigation Measure PUF-3, summarized under Impact PUF-3, would lower water demand and wastewater generation, thus reducing the potential need for facilities. Implementation of Mitigation Measure PUF-1(f) would mitigate impacts related to the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities and to conversion of undeveloped land to accommodate new or expanded facilities. Projects taking advantage of the CEQA streamlining provisions of SB 375 (Public Resources Code PRC Sections 21155.1, 21155.2, and 21159.28) must apply the mitigation measures described above, as applicable, to address site-specific conditions. However, it cannot be concluded with

certainty that all impacts related to this potential construction and land conversion would be mitigated to less than significant. Therefore, there may be instances where the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities would cause **significant and unavoidable (SU)** environmental effects.

Finding

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR. (Finding (1)). Changes or alterations within the responsibility and jurisdiction of another public agency and not MTC or ABAG can and should be adopted by such other agency, which would avoid or substantially lessen the significant environmental effect, as identified in the final EIR (Finding (2)). Projects taking advantage of CEQA streamlining provisions of SB 375 (PRC sections 21155.1, 21155.2, and 21159.28) must apply the mitigation measures to address site-specific conditions to reduce impacts. However, because site conditions are unique, it cannot be concluded with certainty that all significant impacts could be avoided. (Finding (3)).

Facts in Support of Findings

- A. The majority of projected development in the final plan would occur on existing urban land, thereby minimizing impacts. The final plan's designated growth geographies in combination with the designation of PCAs help focus future household and job growth into existing communities well served by the transportation network, as well as communities with well-resourced schools and easy access to jobs, parks, and other amenities. This core strategy is known as the "focused growth" strategy. final plan strategies, including H03, H06, H08, EC04, EC05, EC06, EN04, and EN05, help protect natural lands and farmlands and reduce overall land consumption.
- B. The proposed plan's forecasted development land use growth footprint could result in a need for new or expanded stormwater drainage, water, wastewater treatment facilities, electric power, natural gas, and telecommunications infrastructure to accommodate demand that exceeds the capacity at existing facilities. Where existing electric, natural gas, and telecommunications infrastructure cannot accommodate demand generated from increased land development associated with implementation of the final plan, and where the capacity of existing infrastructure is exceeded, new or expanded infrastructure, including electric power, natural gas, and telecommunications may be required. Therefore, this impact would be potentially significant (PS). (Draft EIR, pp. 3.14-36 to 3.14-37)
- C. Construction of sea-level rise adaptation infrastructure could have an effect on water treatment demand or wastewater treatment. Construction of sea-level rise adaptation infrastructure would not generate wastewater such that new or expanded facilities would be required. Construction of some "grey" engineered infrastructure like sea walls or levees with roadways or trails on their top surface could increase construction-related wastewater runoff or expand the extent of impervious surfaces. While it is not anticipated that sea level rise adaptation infrastructure would have an effect on wastewater treatment demand or water treatment demand, any increase in the extent of impermeable surfaces could increase stormwater runoff during construction. .
- D. Moreover, it may be necessary to relocate existing electrical, natural gas, and telecommunications infrastructure if such facilities are located within the vicinity of sea level rise adaptation infrastructure. Environmental impacts could occur from both construction and the potential conversion of undeveloped land to accommodate relocated water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities. This would be a potentially significant impact (PS). (Draft EIR, pp. 3.14-37 to 3.14-38)
- E. The electrification of the transportation fleet as well as the increased use of communication systems for transportation could result in the need for new or realigned electric and telecommunication infrastructure. It may be necessary to relocate existing electrical, natural gas, and telecommunications infrastructure if such facilities are located within the vicinity of a transportation project. Environmental

impacts could occur from both construction and the potential conversion of undeveloped land to accommodate new or relocated electrical, natural gas, and telecommunications infrastructure. While existing regulations applying to transportation projects would minimize stormwater-related effects, the more stringent and effective Caltrans NPDES Stormwater Regulations only apply to some transportation projects under the purview of Caltrans. In locations where new lane-miles are added and existing drainage capacity is limited, expanded systems may still be necessary. As a result, the potential stormwater capacity impacts related to transportation improvements from implementation of the final plan would be potentially significant (PS). (Draft EIR, 3.14-39)

- F. Implementation of Mitigation Measure PUF-1(a) would reduce impacts associated with exceeding existing water and wastewater treatment capacity because application of such mitigation would require that land use and transportation projects comply with project-level CEQA review and identify infrastructure improvements to ensure adequate capacity. Implementation of Mitigation Measures PUF-1(b), and PUF-1(c), and PUF-1(d) would reduce impacts associated with exceedances of existing stormwater drainage capacity because application of such mitigation would require that land use, sea level rise, and transportation projects comply with project-level CEQA review, incorporate on-site stormwater control practices, and develop and implement stormwater management plans or stormwater control design features. Mitigation Measure PUF-1(e) would require consideration the use of on site electric generation and storage systems that produce all or a portion of the energy used by a land use, sea level rise adaptation, or transportation project. Implementation of Mitigation Measure PUF-1(f) would mitigate impacts related to the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities and to conversion of undeveloped land to accommodate new or expanded facilities. (Draft EIR pp. 3.14-41 to 3.14-42)

IMPACT

PUF-2 Have insufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years (Draft EIR, p. 3.14-42)

Mitigation Measures

PUF-2(a) Implementing agencies and/or project sponsors shall implement measures, where feasible and as applicable based on project- and site-specific considerations, that include those (or equally effective measures) identified below:

- For projects that could increase demand for water, coordinate with the relevant water service provider to ensure that the provider has adequate supplies to accommodate the increase in demand. This can and should be documented in the form of an SB 610 Water Supply Assessment, where applicable; an SB 221 Water Supply Verification; or other capacity analysis.
- Implement water conservation measures which result in reduced demand for potable water. This could include reducing the use of potable water for landscape irrigation (such as through drought-tolerant plantings, water-efficient irrigation systems, the capture and use of rainwater) and the use of water-conserving fixtures (such as dual-flush toilets, waterless urinals, reduced flow faucets).
- Coordinate with the water provider to identify an appropriate water consumption budget for the size and type of project and designing and operating the project accordingly.
- For projects located in an area with existing reclaimed water conveyance infrastructure and excess reclaimed water capacity, use reclaimed water for non-potable uses, especially landscape irrigation. For projects in a location planned for future reclaimed water service, projects should install dual plumbing systems in anticipation of future use. Large developments could treat wastewater onsite to tertiary standards and use it for non-potable uses onsite.

- Where applicable, apply Tier 1 or Tier 2 CALGreen standards as mandatory local requirements, which reduce water use by 12% and 20%, respectively, and require additional qualifying elective actions.

PUF-2(b) Implementing agencies and/or project sponsors shall require the construction phase of transportation projects to connect to reclaimed water distribution systems for non-potable water needs, when feasible based on project- and site-specific considerations.

PUF-2(c) Implementing agencies and/or project sponsors shall require transportation projects with landscaping to use drought-resistant plantings or connect to reclaimed water distribution systems for irrigation and other non-potable water needs when available and feasible based on project- and site-specific considerations.

Significance After Mitigation

Implementation of Mitigation Measures PUF-2(a), PUF-2(b), and PUF-2(c) would reduce impacts associated with water supply because they would require that land use, sea level rise adaptation, and transportation project sponsors coordinate with water suppliers to ensure adequate water supplies exist or comply with project-level CEQA review and incorporate on-site water conservation approaches, water budgeting, and incorporation of recycled water for non-potable use. Projects taking advantage of the CEQA streamlining provisions of SB 375 (Public Resources Code PRC Sections 21155.1, 21155.2, and 21159.28) must apply the mitigation measures described above, as applicable, to address site-specific conditions. However, it cannot be concluded with certainty that all impacts related to water supply would be mitigated to a less-than-significant. Therefore, this impact would remain **significant and unavoidable (SU)**.

Finding

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR. (Finding (1)). Changes or alterations within the responsibility and jurisdiction of another public agency and not MTC or ABAG can and should be adopted by such other agency, which would avoid or substantially lessen the significant environmental effect, as identified in the final EIR (Finding (2)). Projects taking advantage of CEQA streamlining provisions of SB 375 (PRC sections 21155.1, 21155.2, and 21159.28) must apply the mitigation measures to address site-specific conditions to reduce impacts. However, because site conditions are unique, it cannot be concluded with certainty that all significant impacts could be avoided. (Finding (3)).

Facts in Support of Findings

- A. The majority of projected development in the final plan would occur on existing urban land, thereby minimizing impacts. The final plan's designated growth geographies in combination with the designation of PCAs help focus future household and job growth into existing communities well served by the transportation network, as well as communities with well-resourced schools and easy access to jobs, parks, and other amenities. This core strategy is known as the "focused growth" strategy. final plan strategies, including H03, H06, H08, EC04, EC05, EC06, EN04, and EN05, help protect natural lands and farmlands and reduce overall land consumption.
- B. Under the final plan, growth would be concentrated in established urban areas that already have existing development and are served by established water providers. These providers have long-range planning documents, such as UWMPs, that account for projected demand under normal, dry, and multiple dry year scenarios. First, implementation of the final plan's development pattern would help protect the region's water quality by limiting growth in local watersheds that drain into supply sources. Second, by focusing development, per capita water use is likely to be less because of a greater share of multifamily housing and modern water efficiency standards for new construction and development, such as reduced areas of intensive water needs, such as lawns. Additionally, by showing the effects of concentrating future growth in already developed areas, the final plan demonstrates the benefits of existing water

supply infrastructure and demonstrates how to reduce the need for new water infrastructure to be developed to service new areas.

- C. Finally, although the region's population grew by approximately 23 percent between 1986 and 2007, total water use increased by less than 1 percent during that same period (Draft EIR, Figure 3.14-4). In other words, per capita water use has substantially declined in the region over the last quarter century. This was accomplished in part from continued implementation of water conservation and reuse and recycling programs by local water agencies and municipalities, including those associated with the California Water Conservation Act of 2009, which called for a 20-percent reduction in per capita water use by 2020, and Assembly Bill (AB) 1668 and SB 606, which laid out a long-term water conservation framework. 45 of the 46 2020 UWMPs tracked by MTC and ABAG, which represent 89 percent of the regional population, had achieved the 20 percent reduction target. Combined, when weighting districts by service population, these 46 water districts achieved a 30 percent reduction between 2010 and 2020. Strategy EN-2 in the final plan seeks to improve existing indoor and outdoor water efficiency measures to continue to reduce water demand for existing developments.
- D. Major water suppliers in the region are projected to be able to supply adequate water for their projected service populations through 2040 during normal years, apart from Solano County Water Agency which expects to meet water demand projections up to 2020 but has not analyzed beyond that horizon. The ability to provide adequate water supply for many districts is dependent on successful achievement of water conservation targets and the completion of supply expansion projects, such as new water contracts, land acquisition, groundwater recharge, and reclaimed water distribution. Water suppliers are pursuing the water conservation targets set by the State under SB X7-7 (2009) and regularly updating their UWMPs. Future development projects would be required to comply with Water Code Sections 10910–10915, as described above in the Regulatory Setting, under "Water Supply Assessment and Water Supply Verification." The enforcement of these regulations by local jurisdictions would ensure that a water supply assessment is prepared to demonstrate that sufficient water would be available to serve development projects before their approval.
- E. With implementation of the final plan, land use development would not occur evenly around the region; therefore, the final plan could result in population or job growth beyond what is assumed in current UWMPs and could result in a localized water supply shortage. California, including the plan area, may face future water supply challenges associated with climate change-related periods of drought. The uncertainty of water supply availability is furthered by the plan's 2050 horizon being 5 to 15 years further than water agencies' 2015 and 2020 UWMPs, which have a planning horizon of 2035 or 2045. The increase in population-, household-, and jobs-related demand on water supply coupled with potentially reoccurring drought conditions may result in insufficient water supply to serve the plan area. For these reasons, these impacts would be potentially significant (PS). (Draft EIR, pp. 3.14-42 to 3.14-43)
- F. The construction and maintenance of sea level rise adaptation infrastructure could increase the demand for water. Construction activities such as dust control and operational activities such as landscape irrigation could increase water demand. Although these increases in demand are anticipated to be small on a per project basis, the collective demand from all the projects taken together could increase water demand that exceeds an applicable water supply agency's projected demand and supply. Because sea level rise adaptation infrastructure constructed under the final plan may be in areas with constrained water supplies, especially during a dry year or extended drought period, these impacts would be potentially significant (PS). (Draft EIR, p. 3.14-43)
- G. The construction of new roadway capacity, bicycle and pedestrian facilities, transit facilities; maintenance of existing transportation facilities; and operation of new and existing facilities could increase water demand for construction activities such as concrete mixing or dust control and operational activities such as landscape irrigation, and restrooms, and drinking fountains. The individual water demands associated with transportation projects are small, and the combined regional volume is negligible compared to the overall municipal demand. Construction and operational activities (e.g., dust

control and landscape irrigation) associated with the transportation projects could also use non-potable waters supplies, which could reduce the demand for potable-water. Because transportation projects under the final plan may be constructed in locations with constrained water supplies, especially during a dry year or prolonged drought period, these impacts would be potentially significant (PS). (Draft EIR, p. 3.14-43)

H. Implementation of Mitigation Measures PUF-2(a), PUF-2(b), and PUF-2(c) would reduce impacts associated with water supply because they would require that land use, sea level rise, and transportation project sponsors coordinate with water suppliers to ensure adequate water supplies exist or comply with project-level CEQA review and incorporate on-site water conservation strategies, water budgeting, and incorporation of recycled water for non-potable use. (Draft EIR, p. 3.14-45)

IMPACT

PUF-3 Result in a determination by the wastewater treatment provider which serves or may serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments (Draft EIR, p. 3.14-45)

Mitigation Measures

PUF-3 Implementing agencies and/or project sponsors shall implement measures, where feasible and as applicable based on project- and site-specific considerations, that include those (or equally effective measures) identified below:

- During the design and CEQA review of individual future projects, determine whether sufficient wastewater treatment capacity exists for a proposed project. These CEQA determinations must ensure that the proposed development can be served by its existing or planned treatment capacity. If adequate capacity does not exist, project sponsors shall coordinate with the relevant service provider to ensure that adequate public services and utilities could accommodate the increased demand, and if not, infrastructure improvements for the appropriate public service or utility shall be identified in each project's CEQA documentation. The relevant public service provider or utility shall be responsible for undertaking project-level review as necessary to provide CEQA clearance for new facilities.
- Require compliance with Mitigation Measure PUF-2(a), and MTC shall require implementation of Mitigation Measures PUF-2(b) and PUF-2(c), as feasible based on project- and site-specific considerations to reduce water usage and, subsequently, some wastewater flows.

Significance After Mitigation

Implementation of Mitigation Measure PUF-3 would reduce impacts related to exceedance of existing wastewater capacity because application of this mitigation would require that land use projects comply with project-level CEQA review and incorporate on-site water conservation approaches, water budgeting, and incorporation of recycled water for non-potable use as mandated by Mitigation Measures PUF-2(b), PUF-2(c), and PUF-3 listed above, which would reduce the generation of wastewater. To the extent that an implementing agency requires an individual project to implement all feasible mitigation measures described above, the impact would be less than significant with mitigation (LTS-M).

Projects taking advantage of the CEQA streamlining provisions of SB 375 (PRC Sections 21155.1, 21155.2, and 21159.28) must apply the mitigation measures described above, as applicable, to address site-specific conditions. However, MTC and ABAG cannot require local implementing agencies to adopt the above mitigation measures, and it is ultimately the responsibility of a lead agency to determine and adopt mitigation. Therefore, this impact would be **significant and unavoidable (SU)** for purposes of this program-level review.

Finding

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR. (Finding (1)). Changes or alterations within the responsibility and jurisdiction of another public agency and not MTC or ABAG can and should be adopted by such other agency, which would avoid or substantially lessen the significant environmental effect, as identified in the final EIR (Finding (2)). Projects taking advantage of CEQA streamlining provisions of SB 375 (PRC sections 21155.1, 21155.2, and 21159.28) must apply the mitigation measures to address site-specific conditions to reduce impacts. However, MTC and ABAG cannot require local implementing agencies to adopt the identified mitigation measures. (Finding (3)).

Facts in Support of Findings

- A. The majority of projected development in the final plan would occur on existing urban land, thereby minimizing impacts. The final plan's designated growth geographies in combination with the designation of PCAs help focus future household and job growth into existing communities well served by the transportation network, as well as communities with well-resourced schools and easy access to jobs, parks, and other amenities. This core strategy is known as the "focused growth" strategy. final plan strategies, including H03, H06, H08, EC04, EC05, EC06, EN04, and EN05, help protect natural lands and farmlands and reduce overall land consumption.
- B. Increased volumes of wastewater from forecasted growth under the final plan could exceed the wastewater treatment capacity of individual treatment facilities, if not properly planned. Generation of additional wastewater as a result of forecasted development would depend on the location of planned development and would not be spread evenly across each treatment facility system. Generally, capacity planning is undertaken in advance of need. Building occupancy is prohibited if wastewater service is not available. Therefore, exceedance of the capacity of a wastewater treatment plant is not expected.
- C. Wastewater generation per capita would be expected to decrease by 2050 as compared to baseline conditions because of implementation of regional- and Statewide water conservation measures. Also, wastewater generation per capita will likely be reduced in future years as municipalities in the Bay Area adopt new versions of Part 11 of the Title 24 California Building Code (California Green Building Standards or CALGreen) which will require new development to incorporate low-flow, water-efficient appliances, and design. However, it is likely that some treatment facilities would need to expand their capacity before 2050 to meet expected population growth, or to respond to RWQCB requirements to provide capacity to receive their NDPES permit. Because the changes to the land use pattern under the final plan may result in insufficient wastewater treatment capacity, these impacts would be potentially significant (PS). (Draft EIR, pp. 3.14-45 to 3.14-46)
- D. Implementation of Mitigation Measure PUF-3 would reduce impacts related to exceedance of existing wastewater capacity because application of this mitigation would require that land use projects comply with project-level CEQA review and incorporate on-site water conservation approaches, water budgeting, and incorporation of recycled water for non-potable use as mandated by Mitigation Measures PUF-2(b), PUF-2(c), and PUF-3 listed above, which would reduce the generation of wastewater. (Draft EIR, p 3.14-47)

IMPACT

PUF-4 Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals, and comply with federal, State, and local management and reduction statutes and regulations related to solid waste (Draft EIR, p. 3.14-47)

Mitigation Measures

PUF-4 Implementing agencies and/or project sponsors shall implement measures, where feasible and as applicable based on project- and site-specific considerations, that include those (or equally effective measures) identified below:

- Provide an easily accessible area that is dedicated to the collection and storage of non-hazardous recycling materials.
- Maintain or reuse existing building structures and materials during building renovations and redevelopment.
- Use salvaged, refurbished, or reused materials to help divert such items from landfills.
- Divert construction waste from landfills, where feasible, through means such as:
 - submitting and implementing a construction waste management plan that identifies materials to be diverted from disposal;
 - establishing diversion targets, possibly with different targets for different types and scales of development; and
 - helping developments share information on available materials with one another, to aid in the transfer and use of salvaged materials.
- Apply the specifications developed by the Construction Materials Recycling Association (CMRA) to assist contractors and developers in diverting materials from construction and demolition projects, where feasible (CalRecycle 2006).

Significance After Mitigation

Implementation of Mitigation Measure PUF-4 would reduce impacts associated with solid waste generation because it would require that land use and transportation projects apply landfill diversion approaches including re-using building materials, maintaining structures where applicable, developing construction waste management plans, and using guidance from CMRA. Projects taking advantage of the CEQA streamlining provisions of SB 375 (Public Resources Code PRC Sections 21155.1, 21155.2, and 21159.28) must apply the mitigation measures described above, as applicable, to address site-specific conditions. However, it cannot be concluded with certainty that all impacts related to solid waste would be mitigated to a less-than-significant level. Therefore, this impact would remain **significant and unavoidable (SU)**.

Finding

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR. (Finding (1)). Changes or alterations within the responsibility and jurisdiction of another public agency and not MTC or ABAG can and should be adopted by such other agency, which would avoid or substantially lessen the significant environmental effect, as identified in the final EIR (Finding (2)). Projects taking advantage of CEQA streamlining provisions of SB 375 (PRC sections 21155.1, 21155.2, and 21159.28) must apply the mitigation measures to address site-specific conditions to reduce impacts. However, because site conditions are unique, it cannot be concluded with certainty that all significant impacts could be avoided. (Finding (3)).

Facts in Support of Findings

- A. The majority of projected development in the final plan would occur on existing urban land, thereby minimizing impacts. The final plan's designated growth geographies in combination with the designation of PCAs help focus future household and job growth into existing communities well served by the transportation network, as well as communities with well-resourced schools and easy access to jobs, parks, and other amenities. This core strategy is known as the "focused growth" strategy. final plan

strategies, including H03, H06, H08, EC04, EC05, EC06, EN04, and EN05, help protect natural lands and farmlands and reduce overall land consumption.

- B. The existing population and employment uses in the region will continue to generate solid waste that requires disposal in a licensed and regulated landfill. The expected growth in the region's population, which is expected to increase by 1.8 million from 7.8 million in 2020 to roughly 9.6 million by 2050, under the final plan, which would result in an increase in solid waste production. All but five (i.e., Altamont Landfill and Resource Recovery, Vasco Road Sanitary Landfill, Redwood Landfill, USS-Poscoe Industries Waste Management Unit II, and Kirby Canyon Recycling and Disposal Facility) of the fourteen landfills active in the region have an estimated closure date before the year 2050 (CalRecycle 2024a). It is unlikely these three remaining landfills, which make up around 35% of the region's existing remaining capacity, could accommodate the solid waste disposal needs of the entire region. While there are regulations in place intended to reduce solid waste in California, implementation of the final plan's concentrated growth could generate waste that could exceed the current permitted capacity at local landfills. Therefore, this impact would be potentially significant (PS). (Draft EIR, pp. 3.14-48 to 3.14-49)
- C. Sea level rise adaptation infrastructure construction and maintenance in the final plan have the potential to generate a substantial amount of solid waste during construction. This waste can come from typical construction activities, such as grading, excavation, and removal of existing structures. The amount of this waste is difficult to predict, but it could result in an exceedance of local landfill capacities closer to expected closure dates of the landfills. This impact would be potentially significant (PS). (Draft EIR, p. 3.14-49)
- D. Roadway and transit construction and maintenance projects in the final plan have the potential to generate a substantial amount of solid waste during construction. This waste can come from typical construction activities, such as grading, excavation, and removal of existing structures. The operation of transportation facilities may also generate solid waste. The amount of this waste is difficult to predict, but it could result in an exceedance of local landfill capacities for transportation projects constructed in the future closer to expected closure dates of the landfills. Transportation projects under the proposed plan would be required to comply with AB 341 and SB 1383, as well as the additional laws cited above which would further reduce anticipated solid waste generation. Nevertheless, construction of these projects would still generate a notable volume of solid waste that could exceed the capacity of local landfills. Thus, these impacts would be potentially significant (PS). (Draft EIR, p. 3.14-49)
- E. Implementation of Mitigation Measure PUF-4 would reduce impacts associated with solid waste generation because it would require that land use, sea level rise adaptation, and transportation projects apply landfill diversion strategies including re-using building materials, maintaining structures where applicable, developing construction waste management plans, and using guidance from CMRA. (Draft EIR, p. 3.14-50)

2.4.13 Transportation (3.15)

IMPACT

TRA-2 Conflict or be inconsistent with CEQA Guidelines Section 15064.3(b) (Draft EIR, p. 3.15-22)

Mitigation Measures

TRA-2(a) MTC shall work with State and local agencies to ensure implementation of components of the plan that will help to reduce regional VMT, particularly projects that improve or expand transit service, as well as bicycle and pedestrian facilities. These transportation projects, in conjunction with land use policies included in the plan, will help the region to achieve the projected decreases in regional VMT per capita and achieve the region's SB 375 targets for GHG emissions. MTC will collaborate with State and other agencies to explore the feasibility of new programs for reducing VMT, such as VMT fees, banks, and exchanges.

TRA-2(b) Implementing agencies and/or project sponsors shall implement measures, where feasible and as applicable based on project- and site-specific considerations, consistent with MTC’s “Key SB 743 Implementation Steps for Land Use Projects” that consist of but are not limited to those identified below (or equally effective measures):

- TDM strategies shall be incorporated into individual land use and transportation projects and plans, as part of the planning process. These TDM measures are strategies not included in EN9, rather they are measures that could and should be implemented by the local agency based on land use authority that neither MTC nor ABAG has. Local agencies shall incorporate strategies identified in the Federal Highway Administration’s (FHWA’s) publication: *Integrating Demand Management into the Transportation Planning Process: A Desk Reference* (August 2012) into the planning process (FHWA 2012). For example, the following strategies may be included, as applicable, to encourage use of transit and nonmotorized modes of transportation and reduce VMT on the region’s roadways:
 - include TDM mitigation requirements for new developments;
 - incorporate supporting infrastructure for nonmotorized modes, such as bike lanes, secure bike parking, sidewalks, and crosswalks;
 - provide incentives to use alternative modes and reduce driving, such as universal transit passes, road and parking pricing;
 - implement parking management programs, such as parking cash-out, priority parking for carpools and vanpools;
 - develop TDM-specific performance measures to evaluate project-specific and system-wide performance;
 - incorporate TDM performance measures in the decision-making process for identifying transportation investments;
 - implement data collection programs for TDM to determine the effectiveness of certain strategies and to measure success over time; and
 - set aside funding for TDM initiatives.

TRA-2(c) Implementing agencies and/or project sponsors shall implement the following measure, where applicable and necessary based on project- and site-specific considerations (or equally effective measures):

- Implement Mitigation Measure GHG-3.

Significance After Mitigation

The ability to close the gap between the SB 375 targets and the reductions needed to meet State GHG goals linked to transportation is tied to local jurisdictions and their ability to meet VMT targets in compliance with thresholds set pursuant to CEQA Guidelines Section 15064(3)(b). There is no assurance that implementation of the proposed mitigation measures would be enough to achieve the regional reductions needed to attain the statewide 2050 targets. Additional regulatory action that results in substantial GHG reductions throughout all sectors of the State economy and based on State-adopted regulations would likely be needed to attain such goals, and they are beyond the feasible reach of MTC and ABAG and local jurisdictions.

Projects taking advantage of the CEQA streamlining provisions of SB 375 (PRC Sections 21155.1, 21155.2, and 21159.28) must apply the mitigation measures described above, as applicable, to address site-specific conditions. The implementing agency would ensure that TDM measures are incorporated into projects to the extent feasible. Implementation of the mitigation measure at a project-level would encourage sustainable modes of transportation and reduce the potential for the proposed plan to increase VMT on the regional transportation network. However, MTC and ABAG cannot require local implementing agencies to adopt the

above mitigation measures, and it is ultimately the responsibility of a lead agency to determine and adopt mitigation. In addition, the State has indicated that additional State policy actions and funding would be required to close the VMT gap between what the MPOs could achieve through implementation of their SCSs and reductions needed to meet State goals. Therefore, this impact would be **significant and unavoidable (SU)** for purposes of this program-level review.

Finding

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR. (CEQA Guidelines, Section 15091(a)(1).) (Finding (1)). Additionally, changes or alterations within the responsibility and jurisdiction of another public agency and not MTC or ABAG can and should be adopted by such other agency, which avoid or substantially lessen the significant environmental effect as identified in the final EIR (Finding (2)). Projects taking advantage of CEQA streamlining provisions of SB 375 (PRC sections 21155.1, 21155.2, and 21159.28) must apply the mitigation measures to address site-specific conditions. However, because site conditions are unique, it cannot be concluded with certainty that all significant impacts could be avoided. (Finding (3)).

Facts in Support of Finding

- A. The final plan is designed to reduce GHG emissions pursuant to SB 375, through designated growth geographies and complementary land use (e.g., H03, E04, E05), transportation (e.g., T03, T04, T05, T08, T09, T10, T11, T12), and environmental strategies (i.e., EN07, EN08, EN09).
- B. Overall, the impact of the final plan would result in an increase in total regional VMT and a decrease in regional per capita VMT between the base year (2023) and 2050, as shown in Table 2-10 of Chapter 2, "Project Description." Implementation of the final plan would result in a 6 percent decrease in VMT per capita in 2050 than in 2023.
- C. If implemented, the final plan's comprehensive suite of transportation, housing, economic and environmental strategies, including Strategies H03, EC04, EC05, T03, T04, T05, T08, T09, EN07, and EN09, would result in regional per-capita VMT reductions and would not impede achievement of additional statewide VMT reductions required to meet the State's statutory GHG emission targets.
- D. The ability to facilitate further reductions in per capita VMT relies on local jurisdictions as they review and entitle individual land use and transportation projects. The Technical Advisory states that "at present, consistency with RTP/SCSs does not necessarily lead to a less-than-significant VMT impact" because of the gap in the SB 375 targets and the GHG reductions necessary to achieve the statewide goals (LCI 2018). Because there is a gap between the GHG emissions reductions that can be achieved from targets established by CARB under to SB 375 and the reductions needed to achieve statewide GHG reduction goals, and because the ability to bridge this gap depends on additional State-led VMT reduction strategies (CARB 2022) and on implementation of land use, TDM, and other strategies that can only be employed at the local jurisdictional level, MTC and ABAG cannot conclude that the reductions would be sufficient to meet the State's climate goals. Therefore, Impact TRA-2 would be potentially significant (PS). (Draft EIR, p. 3.15-28)
- E. Mitigation Measures TRA-2a, TRA-2b, and TRA-2c would reduce impacts by ensuring implementation of projects that will reduce VMT and by requiring TDM strategies be incorporated into individual land use plans. (Draft EIR p. 3.15-30)

2.5 FINDINGS REGARDING TRIBAL CULTURAL RESOURCES AND NATIVE AMERICAN COORDINATION

Pursuant to Public Resources Code Sections 21080.3.1, 21080.3.2, and 21082.3, lead agencies undertaking CEQA review must, upon written request of a California Native American Tribe, begin consultation before the release of an environmental impact report, negative declaration, or mitigated negative declaration. These provisions were enacted by Assembly Bill (AB) 52, signed by Governor Edmund G. Brown, Jr., in September of 2014, and established a new class of resources under CEQA: “tribal cultural resources,” which are either eligible for listing on the national, state, or local register of historic resources; or a resource that the lead agency determines, in its discretion and supported by substantial evidence, to treat as a tribal cultural resource pursuant to the criteria in Public Resources Code Section 5024.1(c). That section provides that a resource meets the criteria for listing as an historic resource in the CRHR if it meets any of the following:

Is associated with events that have made a significant contribution to the broad patterns of California’s history and cultural heritage.

Is associated with the lives of persons important in our past.

Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values.

Has yielded, or may be likely to yield, information important in prehistory or history.

AB 52 applies to those projects for which a lead agency had issued a Notice of Preparation (NOP) of an EIR or notice of intent to adopt a negative declaration or mitigated negative declaration on or after July 1, 2015. The NOP for the plan was issued on January 14, 2025. Therefore, the requirements of AB 52 apply, and MTC and ABAG formally notified both the federally-recognized Tribes and the California Native American Tribes identified by the Native American Heritage Commission in a letter dated August 4, 2023, about the opportunity for consultation pursuant to Public Resources Code (PRC) Section 21080.3.1. Correspondence in compliance with AB 52 is summarized in Table 3.7-2 of the Draft EIR.

AB 52 CONSULTATION

On August 4, 2023, MTC and ABAG sent letters to 101 Native American tribal representatives in compliance with AB 52. Only the Federated Indians of Graton Rancheria (Graton Rancheria) requested consultation pursuant to Public Resources Code (PRC) Section 21080.3.1. There was an exchange to schedule an initial meeting; however, a consultation meeting was not scheduled. A last request to identify an agreed-upon date and time was sent by MTC-ABAG staff via email on January 2, 2024. MTC-ABAG staff did not receive a response.

EIR NOTIFICATION

In addition to AB 52 consultation, MTC and ABAG sent a copy of the Notice of Preparation to the tribes listed below on January 22, 2025, as well as to the Bureau of Indian Affairs, the California Native American Heritage Commission, the National Indian Justice Center, and River Rock Casino. MTC and ABAG received no tribal response.

Amah Mutsun Tribal Band	Lytton Rancheria Band of Pomo Indians
Amah Mutsun Tribal Band of Mission San Juan Bautista	Middletown Rancheria of Pomo Indians
Big Valley Rancheria/Big Valley Band of Pomo Indians	Mishewal-Wappo Tribe of Alexander Valley
Cachil Dehe Band of Wintun Indians of the Colusa Indian Community	Muwekma Ohlone Indian Tribe of the SF Bay Area
	North Valley Yokuts Tribe

Cloverdale Rancheria of Pomo Indians of California Coastanoan Rumsen Carmel Tribe Coyote Valley Band of Pomo Indians Dry Creek Rancheria Band of Pomo Indians Federated Indians of Graton Rancheria Guidiville Rancheria Indian Canyon Mutsun Band of Costanoan Lone Band of Miwok Indians Kashia Band of Pomo Indians of the Stewarts Point Rancheria Kletsel Dehe Band of Wintun Indians Koi Nation of Northern California	Pinoleville Pomo Nation Potter Valley Rancheria Redwood Valley Rancheria Robinson Rancheria of Pomo Indians Scotts Valley Band of Pomo Indians The Confederated Villages of Lisjan The Ohlone Indian Tribe Torres Martinez Desert Cahuilla Indians United Auburn Indian Community of the Auburn Rancheria Wilton Rancheria Yocha Dehe Wintun Nation
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Furthermore, upon release of the Draft EIR, MTC and ABAG sent a copy of the **Notice of Availability** to the tribes listed below on October 20, 2025, as well as to the Bureau of Indian Affairs, the California Native American Heritage Commission, the National Indian Justice Center, and River Rock Casino. MTC and ABAG received no tribal response.

Amah Mutsun Tribal Band Amah Mutsun Tribal Band of Mission San Juan Bautista Big Valley Rancheria/Big Valley Band of Pomo Indians Cachil Dehe Band of Wintun Indians of the Colusa Indian Community Cloverdale Rancheria of Pomo Indians of California Coastanoan Rumsen Carmel Tribe Coyote Valley Band of Pomo Indians Dry Creek Rancheria Band of Pomo Indians Federated Indians of Graton Rancheria Guidiville Rancheria Indian Canyon Mutsun Band of Costanoan Lone Band of Miwok Indians Kashia Band of Pomo Indians of the Stewarts Point Rancheria Kletsel Dehe Band of Wintun Indians Koi Nation of Northern California	Lytton Rancheria Band of Pomo Indians Middletown Rancheria of Pomo Indians Mishewal-Wappo Tribe of Alexander Valley Muwekma Ohlone Indian Tribe of the SF Bay Area North Valley Yokuts Tribe Pinoleville Pomo Nation Potter Valley Rancheria Redwood Valley Rancheria Robinson Rancheria of Pomo Indians Scotts Valley Band of Pomo Indians The Confederated Villages of Lisjan The Ohlone Indian Tribe Torres Martinez Desert Cahuilla Indians United Auburn Indian Community of the Auburn Rancheria Wilton Rancheria Yocha Dehe Wintun Nation
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Finding

The Commission and Board hereby find that the actions taken, as described above, fully comply with the requirements of AB 52 as set forth in the Public Resources Code, and that MTC and ABAG have met their obligation for tribal consultation.

2.6 FINDINGS REGARDING GROWTH INDUCEMENT

CEQA requires a discussion of the ways in which a project could be growth inducing. CEQA also requires a discussion of ways in which a project may remove obstacles to growth, as well as ways in which a project may set a precedent for future growth. CEQA Guidelines Section 15126.2(d) identifies a project as growth inducing if it fosters economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment. New employees from commercial and industrial development and new population from residential development represent direct forms of growth. These direct forms of growth have a secondary effect of expanding the size of local markets and inducing additional economic activity in the area. Examples of development that would indirectly facilitate or accommodate growth include the installation of new roadways or the construction or expansion of water delivery/treatment facilities.

The CEQA Guidelines are clear that, while an analysis of growth-inducing effects is required, it should not be assumed that induced growth is necessarily significant or adverse. The analysis in the Draft EIR examines the potential growth-inducing impacts related to adoption and implementation of the final plan. (See Draft EIR, pp. 5-6 to 5-9.)

In summary, the proposed plan includes 35 integrated strategies to enable the Bay Area to accommodate future growth and progress toward ensuring the Bay Area is affordable, connected, diverse, healthy and vibrant for all. This growth is not under the authority or control of MTC or ABAG. As dictated by existing State law, it will occur in a manner substantially consistent with local general plans and other applicable requirements. Overall, the proposed plan accommodates the regional growth forecast in a manner that is more efficient and effective from a regional perspective, and consistent with SB 375.

The proposed plan accounts for growth likely to occur through 2050 and makes assumptions about location and design that promote regional environmental benefits. The proposed plan's housing needs forecast accounts for growth for all economic segments of the population and assumes no net increase in the in-commute from outside the region as required by SB 375. While the effects of growth inducement can be considered an adverse impact under CEQA, the proposed plan accommodates projected growth and implements State mandates to integrate land use and transportation decision-making in a way that achieves improved environmental and social outcomes. As discussed above, the proposed plan would be growth-accommodating, not growth-inducing, and it reflects the regulatory mandate to house the forecasted population. At the regional and Statewide level, the proposed plan's policies help prevent sprawl and make growth in existing centers more equitable and more efficient. Under the proposed plan, GHG emissions and other environmental impacts would be lessened relative to what may otherwise occur absent of the regional strategies embodied in the proposed plan.

2.7 FINDINGS REGARDING SIGNIFICANT IRREVERSIBLE CHANGES

Section 15126.2(c) of the CEQA Guidelines requires a discussion of any significant irreversible environmental changes that would be caused by the proposed project.

As discussed in the Draft EIR, while use of nonrenewable energy and fuel; conversion of agriculture, open space, and habitat; release of pollutants emissions into the atmosphere; and climate change effects are in and of themselves generally irreversible resource commitments, the fact that the proposed plan changes (slows) the rate of use of these resources is a beneficial outcome. Overall, implementation of the proposed plan would commit existing and future generations to a more efficient use of nonrenewable resources than under presently planned conditions. (See Draft EIR pages 5-1 through 5-2.

Irretrievable commitments of non-renewable resources associated with the projected change in land use, and with the sea level rise adaptation projects and transportation projects in the proposed plan, would include those described below. The following issues are addressed in various sections of Chapter 3 of the Draft EIR, as noted:

consumption of significant amounts of nonrenewable energy for construction, maintenance, and operation of new development, sea level rise adaptation projects, or transportation projects (addressed in Section 3.6, “Climate Change, Greenhouse Gases, and Energy”);

use of building materials, fossil fuels, and other resources for construction, maintenance, and operation of new development, sea level rise adaptation projects footprint, or transportation projects (addressed in Section 3.6, “Climate Change, Greenhouse Gases, and Energy”);

conversion of some resource lands, such as agricultural land, habitat areas, and other undeveloped lands into developed land, sea level rise adaptation projects footprint, or transportation uses (addressed in several sections, including Section 3.3, “Agriculture and Forestry Resources”; Section 3.6, “Climate Change, Greenhouse Gases, and Energy”; and Section 3.5, “Biological Resources”);

degradation of ambient air quality through the increase of harmful particulate matter caused by a cumulative increase in vehicle exhaust (addressed in Section 3.4, “Air Quality”); and

emission of GHGs that would contribute to global climate change (addressed in Section 3.6, “Climate Change, Greenhouse Gases, and Energy”).

2.8 FINDINGS REGARDING MITIGATION MEASURES, ACTIONS, AND PROGRAMS PROPOSED BY COMMENTERS

Comments on the Draft EIR did not suggest additional mitigation measures and/or modifications to the measures recommended in the Draft EIR. However, some comments suggested actions or programs that were not necessarily presented as mitigation measures but could be interpreted as such because they propose specific actions that could be taken as part of plan implementation. In considering specific recommendations from commenters, MTC and ABAG have been cognizant of the legal obligation under CEQA to substantially lessen or avoid significant environmental effects to the extent feasible. It is recognized that comments frequently offer thoughtful suggestions regarding how a commenter believes that a particular mitigation measure can be modified, or perhaps changed significantly, in order to more effectively, in the commenter’s eyes, reduce the severity of environmental effects. The Commission and Board are also cognizant, however, that the mitigation measures recommended in the EIR represent the professional judgment and long experience of the MTC and ABAG expert staff and environmental consultants. It is thus the position of the Commissioners and Board that the measures should not be altered without considerable thought and compelling analysis. Thus, in considering any suggested changes or additions to the mitigation measures as set forth in the EIR, MTC and ABAG, in determining whether to accept such suggestions, either in whole or in part, consider the following factors, among others: (i) whether the suggestion relates to an environmental impact that can already be mitigated to less than significant levels by proposed mitigation measures in the Draft EIR; (ii) whether the proposed language represents a clear improvement, from an environmental standpoint, over the draft language that a commenter seeks to replace; (iii) whether the

proposed language is sufficiently clear as to be easily understood by those who will implement the mitigation as finally adopted; (iv) whether the language might be too inflexible to allow for pragmatic implementation; (v) whether the suggestions are feasible from an economic, technical, legal, or other standpoint; and (vi) whether the proposed language is consistent with the project objectives.

MTC and ABAG find that the responses to comments included in the Final EIR have adequately responded to each new action and program suggested by commenters. As is evident from the specific responses given in the Final EIR to each suggestion, MTC and ABAG have spent a considerable amount of time carefully considering and weighing proposed actions and programs. In response, MTC and ABAG developed alternative language addressing the same issue that was of concern to a commenter or explained why changes to the EIR were not required to address the concerns of the commenter. In no instance, however, did MTC and ABAG fail to take seriously a suggestion made by a commenter or fail to appreciate the sincere effort that went into the formulation of suggestions. The Commission and Board find that the responses to comments in the Final EIR are supported by substantial evidence and that the Final EIR provides adequate and appropriate responses to all comments on the Draft EIR, including all comments proposing actions and programs. The Commission and Board, therefore, incorporate those responses into these findings.

2.9 FINDINGS AND FACTS IN SUPPORT OF FINDINGS FOR ALTERNATIVES

Public Resources Code Section 21002 provides that “public agencies should not approve projects as proposed if there are feasible alternatives ... which would substantially lessen the significant environmental effects of such projects.” CEQA requires an EIR to consider a reasonable range of alternatives to a proposed project or to the location of the proposed project which would “feasibly attain most of the basic objectives of the project” (CEQA Guidelines, Section 15126.6(a)). Section 15126.6, subdivision (f) of the CEQA Guidelines limits the alternatives that must be considered in the EIR to those “that would avoid or substantially lessen any of the significant effects of the project.”

This Section describes how MTC and ABAG developed the range of alternatives analyzed in the EIR, summarizes the final plan’s potentially significant and unavoidable impacts, discusses the project objectives including SB 375’s mandates to achieve the region’s GHG emission targets and identify areas within the region sufficient to house all economic segments the population, and considers the merits and feasibility of each of the alternatives.

2.9.1 Range of Alternatives

As stated above, section 15126.6(a) of the Guidelines requires EIRs to describe “... a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project and evaluate the comparative merits of the alternatives. An EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decision-making and public participation. An EIR is not required to consider alternatives that are infeasible. The lead agency is responsible for selecting a range of project alternatives for examination and must publicly disclose its reasoning for selecting those alternatives. There is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of reason. (See also CEQA Guidelines Section 15126.6[f].) This section of the CEQA Guidelines also provides guidance regarding what the alternatives analysis should consider. The Guidelines require that an EIR include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the project. If an alternative would cause one or more significant effects in addition to those that would be caused by the

project, the significant effects of the alternative must be discussed, but in less detail than the significant effects of the project as proposed (CEQA Guidelines Section 15126.6[d]). The Guidelines further require that the “no project” alternative be considered (CEQA Guidelines Section 15126.6[e]).

In determining the range of alternatives that should be considered in an EIR, it is important to consider the objectives of the project, the project’s significant effects, and unique project considerations. These factors are crucial to the development of alternatives that meet the criteria specified in Section 15126.6(a). Although EIRs must contain a discussion of “potentially feasible” alternatives, the ultimate determination as to whether an alternative is feasible or infeasible is made by the lead agency’s decision-making body—here, the MTC Commissioners and ABAG Executive Board. (See PRC Sections 21081.5, 21081[a] [3].)

As discussed in Chapter 1.0, “Introduction,” MTC and ABAG conducted a multiyear plan development process that began with public engagement before advancing into the Blueprint phase. Engagement focused on gaining insights on the pandemic’s impact on Bay Area residents and sought to identify shifts in priorities and concerns, while the Blueprint phase developed the draft of the proposed plan. The Final Blueprint’s 35 strategies were designed to help the Bay Area accommodate future growth while advancing the region’s vision for 2050—ensuring it becomes more affordable, connected, diverse, healthy and vibrant for all.

On January 14, 2025, in accordance with the CEQA Guidelines, MTC and ABAG filed the Notice of Preparation of the EIR for Plan Bay Area 2050+. The purpose of the Notice of Preparation was to seek comments about the scope and content of the EIR, including soliciting feedback on EIR alternatives that should be evaluated. On Wednesday, January 19, 2025, MTC and ABAG conducted an online public scoping meeting. At this meeting, a presentation by MTC and ABAG staff provided an overview of the proposed plan, the CEQA process, and key environmental issues identified in the Notice of Preparation. No oral or written comments were received during the meeting. Comments pertaining to plan alternatives received during the scoping period were considered during development of the proposed plan and plan alternatives. (See Section 4.2, “Alternatives Considered but Not Evaluated Further.”)

The previously considered alternatives and adopted Plan Bay Area plans also helped inform and refine the alternatives considered in this EIR (see Section 4.1.3, “Previous Versions of Plan Bay Area and Alternatives”). In advancing the considerations of alternatives, any alternative must attain the underlying purpose of the plan, including accommodating forecasted growth through 2050, as well as attaining most of the plan’s objectives (see Section 4.7, “Ability to Meet Project Objectives”).

The Draft EIR evaluates the plan and three alternatives. Each of the alternatives is constrained by the same planning assumptions as the final plan, maintains the same regional growth forecasts—population, employment, households, and housing units, and maintains the same forecast of reasonably available revenues for transportation, affordable housing, and environmental resilience to ensure the alternatives represent a range of feasible alternatives and the analysis provided an “apples to apples” comparison with the final plan.

The three alternatives recommended for analysis in the Draft EIR are briefly described below. A full description of each alternative is provided in Draft EIR, Chapter 4, “Alternatives to the final plan.”

No Project Alternative. An EIR must analyze the “no project alternative.” (CEQA Guidelines, §15126.6(e).) The purpose of the no project alternative is to allow a comparison of the environmental impacts of approving the proposed project with the effects of not approving it. (Id., § 15126.6(e)(1).) The no project alternative must discuss the existing conditions, “as well as what would be reasonably expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services.” (Id., § 15126.6(e)(2).)

The No Project Alternative represents a realistic scenario for what would occur if Plan Bay Area 2050+ is not adopted, as compared to a no project alternative that would include continuation of Plan Bay Area 2050. Without an approved plan, future growth would be consistent with local general plans and zoning. It assumes no new regionally significant transportation projects or sea level rise adaptation projects beyond those currently under construction or those that have both full funding and environmental clearance (“committed”). If Plan Bay Area 2050+ is not adopted, the region would lose the ability to move forward with most new transportation projects, since federal funding could not be committed without an approved plan. While basic safety and maintenance projects could continue, regionally significant projects from the previous plan that are not yet fully funded would be placed on hold. Without the ability to direct future investments, the region would also lose momentum to support focused growth in communities. Housing growth would be more dispersed, while job growth would be somewhat more concentrated in San Francisco and the northern Bay Area. Compared to the proposed plan, this alternative would result in higher household growth primarily in Contra Costa, Napa, and Santa Clara Counties, and higher job growth in San Francisco, Alameda, Contra Costa, Marin, Napa, and Sonoma Counties.

Alternative 1 – No New Highway and Transit Reinvestment Alternative retains the housing, economy, and environment strategies included in the proposed plan. Under this alternative, modifications are limited to the plan’s transportation strategies, specifically through the removal of regionally significant roadway expansion and extension projects under Strategies T6, T7, T8, and T11. These projects include general purpose freeway lanes, auxiliary lanes, high-occupancy vehicle (HOV) lanes, express lanes, major interchange improvements involving auxiliary lanes, and principal arterial expansions. Funding previously allocated to these roadway projects would instead be redirected to support increased transit service across Bay Area transit operators. This alternative prioritizes transit-focused investments to create a more connected and affordable Bay Area. By shifting from highway expansion to improved transit, it enhances access to opportunity, reduces reliance on automobile travel, and lowers greenhouse gas emissions—supporting a healthy environment. While maintaining the proposed plan’s land use framework, this alternative positions transit as the core of regional mobility, helping to foster a more diverse and vibrant region where all residents can thrive.

Alternative 2 – TOC Growth Focus Alternative retains all strategies in the proposed plan, including those related to transportation, housing, the economy, and the environment. However, unlike the proposed plan, which applies its housing and economy strategies across a broad range of Growth Geographies (see Chapter 2, “Project Description”), this alternative would focus application of these strategies primarily within TOC Policy Areas, thus increasing development capacity in areas close to major transit infrastructure. TOC Policy Areas are defined in MTC Resolution No. 4530 as the areas within a half-mile radius surrounding existing and planned fixed-guideway transit stations—including regional rail, commuter rail, light rail, bus rapid transit, and ferry terminals—based on proximity to transit rather than the designation given by local jurisdictions. By focusing application of housing and economy strategies in TOC Policy Areas, this alternative targets the plan’s growth-supportive land use and economic development efforts in areas most directly served by major transit infrastructure. Additionally, this alternative seeks to improve the effectiveness of existing and planned transit services, reduce reliance on automobile travel, and encourage more compact, walkable, and transit-supportive communities. These changes support a connected and healthy Bay Area by lowering GHG emissions and improving access to reliable transportation, while also fostering diverse and vibrant communities where more residents can live near high-quality transit.

The alternatives to the proposed plan are designed to accommodate the same households and jobs projections, consistent with statutory requirements. The proposed plan alternatives, described in Draft EIR Chapter 4, “Alternatives to the Proposed Plan,” are defined by their transportation, housing, economy, and environment strategies, which influence the respective forecasted development patterns, transportation investment, and sea level rise adaptation for each alternative.

An alternative that reduces household or job projections relative to the proposed plan to reduce significant and unavoidable impacts would not be consistent with requirements for the regional growth forecast. CEQA requires EIRs to only consider alternatives that are feasible. (14 Cal. Code Regs. Section 15126.6(a); 15126.6(f)(1). The term “feasible” is defined to mean “capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors.” (14 Cal. Code Regs. Section 15364.) On this basis, MTC and ABAG may appropriately determine that an alternative is infeasible if it would conflict with applicable regulatory limitations and reject it from further consideration. (*Bay Area Citizens v. Association of Bay Area Governments* (2016) 248 Cal.App.4th 966, 1018-1019 [EIR for regional transportation plan not required to consider alternative that did not comply with the requirements of SB 375 or CARB].)

Further, an alternative that reduces household growth would be inconsistent with plan objectives stated in the Draft EIR to house 100 percent of the region’s projected growth by income level, and with no increase in in-commuters over the final plan baseline year (Draft EIR, p. 2-3). The concept of “feasibility” also encompasses the question of whether a particular alternative promotes the underlying goals and objectives of a project. (*City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 410, 417; *Sierra Club v. County of Napa* (2004) 121 Cal.App.4th 1490, 1506-1509 [court upholds CEQA findings rejecting alternatives in reliance on applicant’s project objectives]; see also *California Native Plant Society v. City of Santa Cruz* (2009) 177 Cal.App.4th 957, 1001 [“an alternative ‘may be found infeasible on the ground it is inconsistent with the project objectives as long as the finding is supported by substantial evidence in the record’”]; *In re Bay-Delta Programmatic Environmental Impact Report Coordinated Proceedings* (2008) 43 Cal.4th 1143, 1165, 1166 “a lead agency may structure its EIR alternative analysis around a reasonable definition of underlying purpose and need not study alternatives that cannot achieve that basic goal”). Moreover, “‘feasibility’ under CEQA encompasses ‘desirability’ to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, legal, and technological factors.” (*City of Del Mar, supra*, 133 Cal.App.3d at p. 417; see also *California Native Plant Society, supra*, 177 Cal.App.4th at p. 1001 [“an alternative that ‘is impractical or undesirable from a policy standpoint’ may be rejected as infeasible”].) Thus, an alternative that did not house 100 percent of the region’s projected growth would be infeasible for failing to meet one of the basic plan objectives.

The Commission and Board find that the EIR analyzed a reasonable range of alternatives sufficient to inform the Commission and Board and the public regarding the tradeoffs between the degree to which alternatives could reduce environmental impacts as compared to the final plan and the corresponding degree to which the alternatives would hinder achievement of the project objectives and/or be infeasible. Comparing the potential impacts of the final plan and three alternatives analyzed in the EIR illustrates that impacts of the final plan are largely a result of the influx of 1.8 million new residents between 2020 and 2050, as well as the final plan’s expansive reach (covering 9 counties and 101 cities), and due to the limitations on MTC and ABAG’s ability to enforce mitigation measures identified in the program EIR. Pursuant to SB 375, any alternative proposed would confront these same obstacles because the final plan, by statute, must “house all the population of the region, including **all economic segments of the population**, over the course of the planning period” and no version of the final plan is authorized to “regulate[] the use of land... [or] supersed[e] the exercise of the land use authority of cities and counties within the region.” (Gov. Code, § 65080, subs. (b)(2)(B), (b)(2)(K).) After reviewing all proposed alternatives raised by commenters and in consideration of the above obstacles and limitations, the Commission and Board find that the range of alternatives studied in the EIR reflects a reasonable analysis of various types of alternatives that would potentially be capable of reducing the environmental effects of the final plan. The three alternatives analyzed in the EIR (as well as the final plan) cover a comprehensive range of reasonable possibilities in support of the final action of the Commission and Board. (See *Save Our Access etc. v. Watershed Conservation Authority* (2021) 68 Cal.App.5th 8, 30-33.)

The factors that may be considered by a lead agency in evaluating alternatives analyzed in an EIR include (1) the ability to avoid or substantially lessen potentially significant environmental impacts of the proposed project, (2) the ability to achieve project objectives including the statutory objectives to achieve the GHG emission reduction targets established pursuant to SB 375 and house all economic segments the population, and (3) feasibility of the alternatives. Each of these considerations is discussed in more detail below as it relates to the final plan.

1. The Ability of an Alternative to Avoid or Substantially Lessen Potentially Significant and Unavoidable Environmental Impacts

CEQA does not require a lead agency to consider adopting project alternatives simply because they perform better than a proposed project in some respects. In considering whether to adopt a specific project alternative, CEQA requires the lead agency to determine whether the alternative has the potential to avoid or substantially lessen the proposed project's significant and unavoidable impacts. (Pub. Resources Code, § 21002.) Per the EIR analysis, the final plan could result in the following significant and unavoidable impacts:

- **Impact AES-1:** Have a substantial adverse effect on a scenic vista
- **Impact AES-2:** Substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historical buildings within a state scenic highway
- **Impact AES-3:** In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings and in an urbanized area, conflict with applicable zoning and other regulations governing scenic quality
- **Impact AES-4:** Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area
- **Impact AGF-1:** Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use, or conflict with existing zoning for agricultural use, or a Williamson Act contract
- **Impact AGF-2:** Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))
- **Impact AGF-3:** Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use
- **Impact AQ-2:** Result in a substantial net increase in construction-related emissions
- **Impact AQ-3:** Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard
- **Impact AQ-4:** Expose sensitive receptors to substantial pollutant concentrations
- **Impact BIO-1a:** Have a substantial adverse effect, either directly or through habitat modifications, on species identified as candidate, sensitive, or special status in local or regional plans, policies, or regulations, or by CDFW, USFWS, or NOAA Fisheries
- **Impact BIO-3:** Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridor, or impede the use of native wildlife nursery sites
- **Impact BIO-5:** Have the potential to substantially reduce the habitat of a fish or wildlife species; cause a fish or wildlife population to drop below self-sustaining levels; threaten to eliminate a plant

or animal community; or substantially reduce the number or restrict the range of an endangered, rare, or threatened species

- **Impact CUL/TCR-1:** Cause a substantial adverse change in the significance of a built environment historical resource as defined in Guidelines Section 15064.5
- **Impact CUL/TCR-2:** Cause a substantial adverse change in the significance of a unique archaeological resource as defined in Guidelines Section 15064.5
- **Impact CUL/TCR-4:** Cause a substantial adverse change in the significance of a tribal cultural resource, defined in PRC Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe
- **Impact GEO-7:** Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature
- **Impact GHG-1:** Result in a net increase in greenhouse gas emissions, either directly or indirectly, compared to 2015 conditions that may have a significant impact on the environment
- **Impact GHG-3:** Conflict with an applicable State plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases
- **Impact HAZ-4:** Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, create a significant hazard to the public or the environment
- **Impact HAZ-6:** Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan
- **Impact HAZ-7:** Exacerbate the risk of wildland fires, associated pollutant release, and potential for flooding and landslides due to projected land use patterns and infrastructure in or near State Responsibility Areas or land classified as very high hazard severity zones
- **Impact LU-1:** Physically divide an established community
- **Impact LU-4:** Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere
- **Impact NOISE-1:** Generate a substantial temporary increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies
- **Impact NOISE-2:** Generate a substantial permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies
- **Impact NOISE-3:** Generate excessive groundborne vibration or groundborne noise levels
- **Impact NOISE-4:** For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, expose people residing or working in the project area to excessive noise levels
- **Impact PSR-1:** Result in substantial adverse physical impacts associated with the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for fire protection, police protection, schools, parks, and other public facilities
- **Impact PSR-2:** Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated or

include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment

- **Impact PUF-1:** Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities the construction or relocation of which could cause significant environmental effects
- **Impact PUF-2:** Have insufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years
- **Impact PUF-3:** Result in a determination by the wastewater treatment provider which serves or may serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments
- **Impact PUF-4:** Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals, and comply with federal, state, and local management and reduction statutes and regulations related to solid waste
- **Impact TRA-2:** Conflict or be inconsistent with CEQA Guidelines Section 15064.3(b)

Of the above 35 potentially significant and unavoidable impacts, 12 can be mitigated to a less than significant level by mitigation measures (which if necessary and feasible are required of projects taking advantage of CEQA Streamlining provisions of SB 375), but are nevertheless considered potentially significant and unavoidable because MTC and ABAG cannot require local implementing agencies to adopt the mitigation measures.

Pursuant to CEQA, a lead agency may reject a project alternative that is incapable of avoiding or substantially lessening the proposed project's potentially significant and unavoidable impacts. (*See Laurel Hills Homeowners Association v. City Council* (1978) 83 Cal.App.3d 515, 521.) Even if a project alternative is capable of avoiding or substantially lessening one or more potentially significant and unavoidable impacts of a proposed project, if the alternative will result in other potentially significant and unavoidable impacts not caused by the proposed project, then the lead agency may determine the alternative is not environmentally superior to the proposed project and reject it on that ground.

2. The Ability of an Alternative to Achieve Basic Project Objectives

In evaluating the merits of alternatives analyzed in the EIR, the lead agency must consider the relationship between each alternative and the project objectives.

The final plan's adopted vision is to ensure the Bay Area is affordable, connected, diverse, healthy, and vibrant for all by the year 2050. To support this vision, MTC and ABAG developed guiding principles and performance measures in conjunction with members of the public, partners, and elected officials. In addition, SB 375 mandates two performance targets related to housing all economic segments of the population and reducing per-capita GHG emissions from cars and light-duty trucks. Together, the guiding principles and performance metrics serve as the basis for the following project objectives:

1. Address climate change by reducing carbon dioxide (CO₂) emissions pursuant to targets established by the California Air Resources Board (CARB); specifically, meet or exceed a 19% reduction in per-capita emissions from cars and light-duty trucks by 2035 relative to 2005 levels.
2. House 100% of the region's projected growth by income level, and with no increase in in-commuters over the proposed plan baseline year.
3. Ensure that all current and future Bay Area residents and workers have sufficient housing options they can afford by reducing how much residents spend on housing and transportation and by producing and preserving more affordable housing.

4. Support an expanded, well-functioning, safe and multimodal transportation system that connects the Bay Area by improving access to destinations and by ensuring residents and workers have a transportation system they can rely on.
5. Support an inclusive region where people from all backgrounds, abilities, and ages can remain in place with full access to the region's assets and resources by creating more inclusive communities and reducing the risk that Bay Area residents are displaced.
6. Conserve the region's natural resources, open space, clean water, and clean air with the intent of improving health of Bay Area residents and workers and improving the health of the environment locally and globally.
7. Support the creation of quality job opportunities for all and ample fiscal resources for communities by enabling the Bay Area economy to thrive and supporting the recovery of the region's downtowns from the pandemic.

In determining whether to adopt or reject an environmentally superior alternative, CEQA permits a lead agency to consider the ability of an alternative to fulfill the project objectives. (*Sequoia Hills Homeowners Assn. v. City of Oakland* (1993) 23 Cal.App.4th 704, 715 [decision makers may reject an alternative that does not fully satisfy the objectives associated with a proposed project]; *Sierra Club v. County of Napa* (2004) 121 Cal.App.4th 1490, 1507-1508 [upholding findings rejecting reduced density alternative because it met some but not all of the applicant's project objectives]; *California Native Plant Society v. City of Santa Cruz* (2009) 177 Cal.App.4th 957, 1000-1001 [court found that the lead agency was legally justified in rejecting environmentally superior alternatives because they were undesirable from a policy standpoint because they failed to achieve what the agency regarded as primary objectives of the project].) Although lead agencies commonly consider the ability of an alternative to achieve the project objectives in combination with evaluating its feasibility, these are two separate, although overlapping inquiries. (See CEQA Guidelines, § 15126.6, subd. (c).)

3. Feasibility of Alternatives

Under CEQA, "(f)feasible means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors." (CEQA Guidelines, §§ 15091, subd. (a)(3), 15364.) The issue of feasibility of alternatives arises twice in the CEQA process, once when the EIR is prepared, and again when CEQA findings are adopted. When assessing feasibility in an EIR, the EIR preparer evaluates whether an alternative is "potentially" feasible. Potentially feasible alternatives are suggestions by the EIR preparers which may or may not be adopted by lead agency decisionmakers. When CEQA findings are made as part of the EIR certification process, the lead agency decision-making body independently evaluates whether the alternatives are actually feasible, including whether an alternative is impractical or undesirable from a policy standpoint. (*California Native Plant Society, supra*, 177 Cal.App.4th at pp. 998, 1001; *City of Del Mar, supra*, 133 Cal.App.3d at pp. 416-417.) A lead agency's determination regarding the feasibility of a project alternative must be supported by substantial evidence in the administrative record.

Section 15126.6(f)(1) through (3) of the CEQA Guidelines provides a discussion of factors that can be taken into account in determining the feasibility of alternatives. These factors include but are not limited to:

- Site Suitability;
- Economic Viability;
- Availability of Infrastructure;
- Consistency with Local and Regional Plans;
- Other Plans or Regulatory Limitations;
- Jurisdictional Boundaries / Regional Context;

- Property Ownership and Control;
- Ability to Ascertain Potential Impacts; and
- Remote or Speculative Nature of the Alternative.

Decisionmakers enjoy considerable discretion in determining whether a particular alternative set forth in an EIR, including an environmentally superior alternative, is “infeasible” and thus may be rejected without violating CEQA. As the California Supreme Court has emphasized, “[t]he wisdom of approving any development project, a delicate task which requires a balancing of interests, is necessarily left to the sound discretion of the local officials and their constituents who are responsible for such decisions. The law as we interpret and apply it simply requires that those decisions be informed, and therefore balanced.” (*Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553, 576 (*Goleta II*)). As stated in the concurring opinion in *California Native Plant Society v. City of Santa Cruz* (2007) 177 Cal.App.4th 957, CEQA does not require an agency to choose the environmentally superior alternative. It simply requires the agency to consider environmentally superior alternatives, explain the considerations that led it to conclude that those alternatives were infeasible, weigh those considerations against the environmental harm that the proposed project would cause, and make findings that the benefits of those considerations outweighed the harm. (177 Cal.App.4th at pp. 1000-1001 (conc. opn. of Mihara, J.).)

Agency decisionmakers are free to reject an alternative that they consider undesirable from a policy standpoint, provided that any such decision reflects “a reasonable balancing of the relevant economic, environmental, social, and technological factors.” (*City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 401, 417.)

2.9.2 Summary of Alternatives Considered, But Not Analyzed in the EIR

Alternatives were considered during scoping of the plan, including suggestions from stakeholders. CEQA Guidelines Section 15126.6(c) identifies three factors that may be used to eliminate alternatives from detailed consideration in an EIR: failure to meet most of the basic project objectives, infeasibility, and inability to avoid significant environmental impacts. “Feasible” is defined as “capable of being accomplished within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors” (CEQA Guidelines Section 15364). The feasibility of an alternative may be determined based on a variety of factors, including economic viability, availability of infrastructure, and other plans or regulatory limitations (CEQA Guidelines Section 15126.6[f][1]). The following discussion briefly describes each alternative suggested during the scoping process that was not evaluated further and provides the Commission-Board’s conclusion regarding why each does not warrant further review.

LOCAL CONTEXT ALTERNATIVE

The City of Livermore suggested an alternative with a land use scenario that would adjust density and parking based on local context and existing built environments. While this approach may enhance local flexibility, it could also result in less concentrated growth, leading to higher VMT, increased air pollution, GHG emissions, and energy consumption. Transit-oriented communities and compact urban growth help reduce these environmental impacts. There is no evidence that a more localized approach would yield greater environmental benefits. Additionally, the No Project Alternative evaluates a similar scenario by maintaining existing density standards and local parking policies while avoiding upzoning. Because this alternative would not be expected to reduce significant environmental effects compared to the proposed plan, it is not identified for further study in the EIR.

EQUITY PRIORITY COMMUNITIES ALTERNATIVE

Alameda County suggested an alternative growth approach to prioritize EPCs and areas outside major job centers. While increasing housing access and economic opportunities in EPCs could offer social benefits, concentrating too much growth in these areas may reinforce exclusion by allowing higher resource areas to avoid new housing. Redirecting growth away from job centers could worsen the region's housing shortage by limiting the supply of housing near employment centers, leading to longer commute times, increased VMT, and higher GHG emissions. Additionally, this alternative does not align with the plan objective to support the creation of quality job opportunities for all and ample fiscal resources for communities by enabling the Bay Area economy to thrive and supporting the recovery of the region's downtowns from the pandemic. Because this alternative does not demonstrate an ability to reduce significant environmental effects compared to the proposed plan and is inconsistent with the plan objectives it is not identified for further study in the EIR.

SEA LEVEL RISE ALTERNATIVE

The Citizens Committee to Complete the Refuge suggested an alternative to restrict new development in areas projected to be inundated by 4.9 feet of sea level rise. This alternative would limit the area of developable land in the plan area. Although the majority of growth under the proposed plan would take place outside of a 4.9-foot inundation area, there are areas in the land use growth footprint that have been mapped in this inundation zone. The proposed plan excludes development in high-risk areas, such as Very High Fire Hazards Severity Zones and areas subject to sea level rise, unless mitigated by Strategy EN1. Strategy EN1 adapts shorelines to withstand 4.9 feet of inundation from both permanent sea level rise and temporary flooding due to king tides and storms. This alternative would not provide a distinct or substantively different approach than the proposed plan because this alternative would restrict development in areas of inundation and the plan would limit growth in these areas unless adaptation strategies are implemented. Additionally, MTC and ABAG have no authority to restrict or prohibit development in certain areas making this alternative infeasible. While the proposed plan can establish the Growth Geographies, it cannot prohibit development in certain areas. Because this alternative would not contribute to a reasonable range of alternatives, it is not identified for further study in the EIR.

LOWER FEDERAL TRANSPORTATION FUNDING ALTERNATIVE

The Santa Clara Valley Transportation Authority suggested an alternative that would assume a reduction in federal revenue. This alternative assumes a decline in federal transportation funding, which would impact investment decisions. Each of the alternatives is constrained by the same planning assumptions as the proposed plan and maintain the same regional growth forecasts—population, employment, households—and maintain the same forecast of reasonably available transportation revenues. Significantly altering these planning assumptions would hinder the ability to assess how different strategies achieve the plan's objectives. In addition, Alternative 1 and the No Project Alternative (discussed below) have smaller transportation footprints than the proposed plan, and the proposed plan's investment approach already reflects financial constraints, relying on a forecast of reasonably available revenues. Because this alternative would not contribute to a reasonable range of alternatives, it is not identified for further study in the EIR.

2.9.3 Ability to Reduce Impacts, Ability to Attain Project Objectives, and Feasibility of Alternatives Analyzed in EIR

Based on impacts identified in the EIR, and other reasons documented below, the Commission and Board finds that adoption and implementation of the final plan as revised by the Final EIR and the final plan, is the most desirable, feasible, and appropriate action and rejects the other alternatives as infeasible based on consideration of the relevant factors identified herein.

NO PROJECT ALTERNATIVE

1. Ability of the No Project Alternative to Substantially Reduce or Avoid Potentially Significant and Unavoidable Environmental Impacts

The No Project Alternative would lessen some of the final plan's potentially significant and unavoidable impacts including: **Impact BIO-3:** Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridor, or impede the use of native wildlife nursery sites, **Impact HAZ-6:** Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan, **Impact LU-1:** Physically divide an established community, and **Impact LU-4:** Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere. However, it would not substantially lessen any of those impacts to a less than significant level.

As demonstrated in the EIR, the No Project Alternative would also result in three more significant and unavoidable impacts than the final plan (**Impact AQ-1:** Conflict with or obstruct implementation of the applicable air quality plan, **Impact GHG-2:** Conflict with the Bay Area region's achievement of the GHG emissions reduction target of 19% below 2005 emissions by 2035 established by CARB pursuant to SB 375 Impact, and **GHG-4:** Conflict with an applicable local plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases). Additionally, the No Project Alternative may increase the significance of the final plan's potentially significant and unavoidable impacts including:

- **Impact AES-1:** Have a substantial adverse effect on a scenic vista,
- **Impact AES-2:** Substantially damage scenic resources, including but not limited to trees, rock outcropping, and historical buildings within a state scenic highway,
- **Impact AES-3:** In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings and in an urbanized area, conflict with applicable zoning and other regulations governing scenic quality,
- **Impact AES-4:** Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area,
- **Impact AGF-1:** Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use, or conflict with existing zoning for agricultural use, or a Williamson Act contract,
- **Impact AGF-2:** Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220[g]), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104[g])
- **Impact AGF-3:** Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use,
- **Impact AQ-3:** Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or State ambient air quality standard,
- **Impact AQ-4:** Expose sensitive receptors to substantial pollutant concentrations,
- **Impact BIO-1a:** Have a substantial adverse effect, either directly or through habitat modifications, on species identified as candidate, sensitive, or special status in local or regional plans, policies, or regulations, or by CDFW, USFWS, or NOAA Fisheries,

- **Impact BIO-5:** Have the potential to substantially reduce the habitat of a fish or wildlife species; cause a fish or wildlife population to drop below self-sustaining levels; threaten to eliminate a plant or animal community; or substantially reduce the number or restrict the range of an endangered, rare, or threatened species,
- **Impact GHG-1:** Result in a net increase in greenhouse gas emissions, either directly or indirectly, compared to existing 2015 conditions that may have a significant impact on the environment,
- **Impact GHG-3:** Conflict with an applicable State plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases,
- **Impact CUL/TCR-1:** Cause a substantial adverse change in the significance of a historical resource as defined in Guidelines Section 15064.5,
- **Impact CUL/TCR-2:** Cause a substantial adverse change in the significance of a unique archaeological resource as defined in Guidelines Section 15064.5,
- **Impact CUL/TCR-4:** Cause a substantial adverse change in the significance of a TCR, defined in PRC Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe,
- **Impact GEO-7:** Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature,
- **Impact HAZ-7:** Exacerbate the risk of wildland fires, associated pollutant release, and potential for flooding and landslides due to projected land use patterns and infrastructure in or near State Responsibility Areas or land classified as very high hazard severity zones,
- **Impact PUF-1:** Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities the construction or relocation of which could cause significant environmental effects,
- **Impact PUF-2:** Have insufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years, and
- **Impact TRA-2:** Conflict or be inconsistent with CEQA Guidelines Section 15064.3(b).

In summary, while the No Project Alternative may have some benefits as compared to the final plan, the No Project Alternative is not environmentally superior to the final plan because it (1) avoids or substantially lessens four of the final plan's potentially significant and unavoidable impacts, (2) would increase the significance of several significant and unavoidable impacts, and (3) results in multiple additional potentially significant and unavoidable impacts not caused by the final plan. Therefore, the Commission and Board find that the No Project Alternative is not environmentally superior to the final plan and reject the alternative on this ground.

2. Ability of the No Project Alternative to Attain Project Objectives

Objective 1: Address climate change by reducing carbon dioxide (CO₂) emissions pursuant to targets established by the California Air Resources Board (CARB); specifically, meet or exceed a 19% reduction in per-capita emissions from cars and light-duty trucks by 2035 relative to 2005 levels.

The No Project Alternative would fail to reduce CO₂ emissions according to targets established by CARB: a 19% reduction in per capita emissions from cars and light-duty trucks by 2035 relative to 2005 levels. Because complying with SB 375 is one of the fundamental objectives of the plan, MTC and ABAG conclude that the No Project Alternative substantially fails to meet the project objectives for this reason alone. (In re Bay-Delta (2008) 43 Cal.4th 1143, 1165.)

The No Project Alternative fails to meet project Objective 1.

Objective 2: House 100% of the region’s projected growth by income level, and with no increase in in-commuters over the proposed plan baseline year.

The No Project Alternative would accommodate 100% of the region’s projected housing unit growth.

The No Project Alternative meets project Objective 2.

Objective 3: Ensure that all current and future Bay Area residents and workers have sufficient housing options they can afford by reducing how much residents spend on housing and transportation and by producing and preserving more affordable housing.

The No Project Alternative makes minimal progress on reducing household cost burdens and increasing the supply of affordable housing. Under the No Project Alternative, modeling results indicate that Bay Area households would spend 82% of their income on housing and transportation combined in 2050, compared to 94% in 2023. Without increased funding for affordable housing, housing cost burden remains high at 40% in 2050, down slightly from 42% in 2023. Housing costs would remain high, with low-income households still spending 59% of their income, and all households at 29% in 2050. Transportation cost burdens remain largely unchanged. Deed-restricted affordable housing would increase slightly, from 4% to 6% regionwide and from 2% to 4% in HRAs—well below the levels needed to meet regional demand.

The No Project Alternative would fail to meaningfully meet Objective 3.

Objective 4: Support an expanded, well-functioning, safe and multimodal transportation system that connects the Bay Area by improving access to destinations and by ensuring residents and workers have a transportation system they can rely on.

The No Project Alternative would result in worsening freeway congestion and transit crowding, with only marginal gains in job accessibility. By 2050, 46% of all households and 54% of low-income households would live within a half mile of frequent transit—slightly higher than in 2023 but reflecting limited network expansion. Transit accessibility would remain mostly unchanged, with 4% of regional jobs accessible in both 2023 and in 2050. However, freeway travel times would increase substantially due to worsening congestion, and transit crowding would intensify without significant investment. The number of jobs reachable by automobile within 30 minutes would decline as a percentage of total jobs (15%), although the absolute number would grow due to regional job growth. Accessibility outcomes would remain somewhat better in EPCs than for the region overall.

The No Project Alternative would fail to meaningfully meet Objective 4.

Objective 5: Support an inclusive region where people from all backgrounds, abilities, and ages can remain in place with full access to the region’s assets and resources by creating more inclusive communities and reducing the risk that Bay Area residents are displaced.

Without the affordable housing strategies in the proposed plan, the 2050 No Project Alternative would result in less equitable housing outcomes, limiting lower-income households’ access to better housing and transit opportunities across the region. Without the plan’s strategies to support economic mobility, the No Project Alternative results in households with low incomes comprising a higher share of the population by 2050. Regionwide, the share rises from 25% in 2023 to 28% in 2050 under the No Project Alternative. The share of households with low incomes also increases modestly in opportunity-rich areas: in Transit-Rich High Resource Areas (HRAs) it rises from 22% to 25%, in all Transit-Rich Areas (TRAs) from 31% to 33%, and in all HRAs from 18% to 21%. In Equity Priority Communities (EPCs), the trend varies by baseline: using ACS 2014–2018, the share increases from 41% to 43%, while under ACS 2018–2022, it holds steady at 41%. While these increases indicate that households with low incomes are projected to comprise a larger share of households in these geographies, they do not on their own signal more inclusive outcomes.

The No Project Alternative would fail to meaningfully meet Objective 5.

Objective 6: Conserve the region’s natural resources, open space, clean water, and clean air with the intent of improving health of Bay Area residents and workers and improving the health of the environment locally and globally.

The No Project Alternative would result in greater impacts on the region’s natural resources, open space, and air quality. By 2050, commuting by car would remain dominant at 56% (including 39% single-occupancy), annual fatalities and injuries would increase to 6.4 and 28 per 100,000 residents, and PM_{2.5} emissions from exhaust, brake wear and tire wear would increase from 1.6 tons per day in 2023 to 2.1 tons per day in 2050. These trends would negatively affect public health. Reflecting both the plan’s strategies and expected fuel efficiency gains, GHG emissions per capita would decline by 38% in 2050 relative to a 2005 baseline. However, the No Project Alternative would result in a 0.4% increase in GHG emissions in 2050 relative to 2005, when fuel efficiency gains are excluded. Without new investments in parks and open space, park space would decline to 3.8 acres per 1,000 residents, and open space would decline to 91.1 acres per 1,000 residents, resulting in reduced recreational opportunities.

The No Project Alternative would fail to meaningfully meet Objective 6.

Objective 7: Support the creation of quality job opportunities for all and ample fiscal resources for communities by enabling the Bay Area economy to thrive and supporting the recovery of the region’s downtowns from the pandemic.

The No Project Alternative would leave existing jobs-housing imbalances in place. The No Project Alternative would direct 75% of new jobs within Growth Geographies, with 52% in TRAs, 6% in Priority Production Areas (PPAs), and 54% in Priority Development Areas (PDAs). Commute distances would show only minor improvements, with low-income workers traveling 9.7 miles on average and all workers 11.9 miles compared to 10.6 and 12.0 miles in 2023, respectively.

The No Project Alternative would fail to meaningfully meet Objective 7.

In summary, the No Project Alternative fails to meet Project Objectives 1, 3, 4, 5, 6 and 7. Additionally, because complying with SB 375 is one of the fundamental objectives of the project (Objective 1), MTC and ABAG conclude that the No Project Alternative substantially fails to meet the project objectives for this reason alone. (*In re Bay-Delta* (2008) 43 Cal.4th 1143, 1165.) For each of these reasons, the Commission and Board find that the No Project Alternative is incapable of achieving most of the plan’s basic objectives. The Commission and Board, therefore, reject the No Project Alternative as a result of its inconsistency with the project objectives. (*California Native Plant Society v. City of Santa Cruz* (2009) 177 Cal.App.4th 957, 991-992.)

3. Feasibility of the No Project Alternative

As discussed above, for the purposes of CEQA, “feasible” means capable of being accomplished in a successful manner within a reasonable period of time, taking into account legal and other factors. (CEQA Guidelines, §§ 15091, subd. (a)(3), 15364.) SB 375 requires the SCS for each region to “set forth a forecasted development pattern for the region, which, when integrated with the transportation network, and other transportation measures and policies, will reduce the greenhouse gas emissions from automobiles and light trucks to achieve, if there is a feasible way to do so, the greenhouse gas emission reduction targets approved by the state board.” (Gov. Code, § 65080, subd. (b)(2)(B).) Because the Commission and Board find the final plan constitutes a feasible plan to achieve the GHG emissions reduction targets for the region, adopting an alternative plan that fails to achieve the targets would be inconsistent with the requirements of SB 375. (*Ibid.*) While MTC and ABAG could adopt the No Project Alternative and meet federal planning requirements, MTC

and ABAG may not, without violating their legal obligations pursuant to SB 375, adopt an RTP that excludes an SCS capable of achieving the region's GHG emissions reduction targets where feasible to do so.

Therefore, because the No Project Alternative fails to achieve the GHG emissions reduction targets for the region and would otherwise violate MTC's and ABAG's legal obligations, adopting the No Project Alternative is infeasible as a matter of law. (*Environmental Council of Sacramento v. City of Sacramento* (2006) 142 Cal.App.4th 1018, 1039-1040.)

4. Conclusions Regarding the Merits and Feasibility of the No Project Alternative

The Commission and Board find that each of the reasons articulated above independently demonstrate that the No Project Alternative does not warrant its approval in lieu of the final plan. Therefore, the Commission and Board reject the No Project Alternative.

ALTERNATIVE 1 – NO NEW HIGHWAY AND TRANSIT REINVESTMENT ALTERNATIVE

1. Ability of the No New Highway and Transit Reinvestment Alternative to Substantially Reduce or Avoid Potentially Significant and Unavoidable Environmental Impacts

The No New Highway and Transit Reinvestment Alternative results in the same number of less-than-significant and significant and unavoidable impacts as the final plan. Generally, as shown in **Table 4-34** of the Draft EIR, the No New Highway and Transit Reinvestment Alternative may somewhat reduce the significance of some of the plan's significant and unavoidable impacts, though not to a less-than-significant level, including **Impact AQ-3**: Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or State ambient air quality standard, **Impact BIO-3**: Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridor, or impede the use of native wildlife nursery sites, **Impact GHG-1**: Result in a net increase in greenhouse gas emissions, either directly or indirectly, compared to existing 2015 conditions that may have a significant impact on the environment, **Impact HAZ-7**: Exacerbate the risk of wildland fires, associated pollutant release, and potential for flooding and landslides due to projected land use patterns and infrastructure in or near State Responsibility Areas or land classified as very high hazard severity zones, and **Impact LU-1**: Physically divide an established community.

In summary, while the No New Highway and Transit Reinvestment Alternative performs similarly to the final plan in many respects and may have some environmental benefits as compared to the final plan, the No New Highway and Transit Reinvestment Alternative is not environmentally superior to the final plan because it does not avoid or reduce any of the final plan's potentially significant and unavoidable impacts to a less than significant level. (*City of Long Beach v. Los Angeles Unified School Dist.* (2009) 176 Cal.App.4th 889, 921.) Therefore, the Commission and Board find that the No New Highway and Transit Reinvestment Alternative is not environmentally superior to the final plan and reject the No New Highway and Transit Reinvestment Alternative on this ground.

2. Ability of the No New Highway and Transit Reinvestment Alternative to Attain Project Objectives

Objective 1: Address climate change by reducing carbon dioxide (CO₂) emissions pursuant to targets established by the California Air Resources Board (CARB); specifically, meet or exceed a 19% reduction in per-capita emissions from cars and light-duty trucks by 2035 relative to 2005 levels.

The No New Highway Capacity and Transit Reinvestment Focus Alternative would reduce per capita emissions from cars and light-duty trucks by 2035 by 21% relative to 2005 levels, which would meet the 19% reduction target.

The No New Highway Capacity and Transit Reinvestment Focus Alternative meets project Objective 1.

Objective 2: House 100% of the region’s projected growth by income level, and with no increase in in-commuters over the proposed plan baseline year.

The No New Highway Capacity and Transit Reinvestment Alternative would accommodate 100% of the region’s projected housing unit growth.

The No New Highway Capacity and Transit Reinvestment Alternative meets project Objective 2.

Objective 3: Ensure that all current and future Bay Area residents and workers have sufficient housing options they can afford by reducing how much residents spend on housing and transportation and by producing and preserving more affordable housing.

The No New Highway Capacity and Transit Reinvestment Alternative significantly reduces household cost burdens and increases the supply of affordable housing. This alternative would ensure sufficient housing options for current and future Bay Area residents and workers through implementation of policies that plan for sufficient housing at all income levels and lower transportation costs for those that are most burdened. Combined housing and transportation cost burdens would be 46% for low-income households and 32% for all households in 2050, decreases from 94% and 42% in 2023, respectively. The share of housing that is deed-restricted affordable housing would reach 27% regionwide and 23% in high resource areas in 2050, increases from 4% and 2% in 2023, respectively.

The No New Highway Capacity and Transit Reinvestment Focus Alternative meets project Objective 3.

Objective 4: Support an expanded, well-functioning, safe and multimodal transportation system that connects the Bay Area by improving access to destinations and by ensuring residents and workers have a transportation system they can rely on.

The No New Highway Capacity and Transit Reinvestment Focus Alternative would substantially expand access to high-quality transit and improve connectivity to jobs via all travel modes. Compared to 2023, the share of households and jobs near frequent transit would increase significantly, while job accessibility—especially via transit—would improve modestly across the region. The number of jobs accessible by 45-minute transit trips increase to 317,000 in 2050 from 127,000 in 2023, due to higher frequency service and greater investment in transit infrastructure. The number of jobs accessible by 30-minute auto trips increases to 889,000 in 2050 from 694,000 in 2023. Walk and bike access to jobs would also improve. The share of household and jobs within ½ mile of high frequency transit improve to 62% (households) from 43% and 61% (jobs) from 52%. Crowding would be reduced for key local transit operators, and in a few corridors, freeway travel times improve.

The No New Highway Capacity and Transit Reinvestment Focus Alternative meets project Objective 4.

Objective 5: Support an inclusive region where people from all backgrounds, abilities, and ages can remain in place with full access to the region’s assets and resources by creating more inclusive communities and reducing the risk that Bay Area residents are displaced.

The No New Highway Capacity and Transit Reinvestment Alternative’s inclusion of affordability strategies provide greater opportunities for households with low incomes to remain in place or relocate to inclusive, high-opportunity areas. The share of low-income households in HRAs would rise to 20% in 2050 from 18% in 2023, and in TRAs rise to 40% from 31%.

The No New Highway Capacity and Transit Reinvestment Focus Alternative meets project Objective 5.

Objective 6: Conserve the region’s natural resources, open space, clean water, and clean air with the intent of improving health of Bay Area residents and workers and improving the health of the environment locally and globally.

The New Highway Capacity and Transit Reinvestment Alternative would conserve the region’s natural resources, open space, clean water, and clean air through implementation of policies that improve public health and improve local and global environmental outcomes. This alternative achieves or exceeds CARB’s GHG targets, reduces fatality and injury rates, and significantly expands resilience investments. This alternative would result in reduced impacts on the region’s natural resources, open space, and air quality, creating a healthier and safer region for residents. Annual fatalities and injuries would be 4.2 and 20.0 per 100,000 residents, falling from 5.8 and 25.2 in 2023, respectively. PM2.5 emissions from exhaust, brake wear and tire wear would increase from 1.6 tons per day in 2023 to 1.8 tons per day in 2050. GHG emissions per capita would fall by 41% in 2050 relative to a 2005 baseline, when fuel efficiency gains are included. Park access and publicly accessible open space per 1,000 residents increases to 140.7 from 112.9 in 2023. The single occupancy auto commute mode share falls to 31% from 41% in 2023. Therefore, this alternative would meaningfully address regional health, safety, and climate resilience needs.

The No New Highway Capacity and Transit Reinvestment Focus Alternative meets project Objective 6.

Objective 7: Support the creation of quality job opportunities for all and ample fiscal resources for communities by enabling the Bay Area economy to thrive and supporting the recovery of the region’s downtowns from the pandemic.

The No New Highway Capacity and Transit Reinvestment Alternative would promote better jobs-housing balance through infill housing in job centers and new employment in housing-rich areas. These shifts would help reduce average commute distances and improve access for low-income workers. This alternative would result in 72% of job growth in Growth Geographies, 50% in TRAs, 8% in PPAs and 52% in PDAs. Commute distances decrease, averaging 11.1 miles for all workers and 8.7 miles for low-income workers, compared to 12.0 and 10.6 in 2023, respectively.

The No New Highway Capacity and Transit Reinvestment Focus Alternative meets project Objective 7.

In summary, the No New Highway Capacity and Transit Reinvestment Focus Alternative would meet all seven project objectives. Overall, the performance of this alternative is comparable to that of the final plan across the seven project objectives. While minor variations occur in certain areas, these differences are marginal and not considered substantively different in terms of overall performance relative to the project objectives.

3. Feasibility of the No New Highway and Transit Reinvestment Alternative

As discussed above, for the purposes of CEQA, “feasible” means capable of being accomplished in a successful manner within a reasonable period of time, taking into account legal, social and other factors. (CEQA Guidelines, §§ 15091, subd. (a)(3), 15364.) The No New Highway and Transit Reinvestment Alternative modifies the mix of transportation strategies relative to the final plan.

The No New Highway Capacity and Transit Reinvestment Alternative modifies four transportation strategies in the final plan. As a result, this alternative diverges from the region’s balanced multimodal investment priorities developed through extensive coordination with county transportation agencies (CTAs), transit operators and local jurisdictions. Instead, this alternative modifies the final plan strategies by removing \$0.5 billion in funding to modernize freeways and interchanges, eliminating \$3.7 billion to expand freeways and mitigate impacts, and removing \$2.1 billion to advance other local priorities, specifically local principal arterial expansion projects across the region. The alternative instead redirects \$6.2 billion in funding to projects that enhance transit frequency, capacity and reliability.

The redirection of funds from freeway and principal arterial expansion projects responds to some comments received during the scoping process; however, it is inconsistent with project priorities in existing voter-approved county sales tax measures, the adopted regional Transportation Improvement Program (TIP) and other locally identified priorities.

Based on MTC's and ABAG's coordination and collaboration with CTAs, transit operators and local jurisdictions to identify local needs and priorities during the plan development process, the Commission and Board find that the modified package of transportation strategies as proposed by the No New Highway and Transit Reinvestment Alternative are unlikely to be implemented.

The Commission and Board find that the substantial differences between transportation investments identified in voter-approved county sales tax measure expenditure plans and those required to implement the No New Highway and Transit Reinvestment Alternative render the alternative infeasible from a policy and implementation perspective.

4. Conclusions Regarding the Merits and Feasibility of the No New Highway and Transit Reinvestment Alternative

The Commission and Board conclude that the No New Highway and Transit Reinvestment Alternative is not environmentally superior to the final plan because it does not avoid or substantially lessen any of the final plan's potentially significant and unavoidable impacts to a less-than-significant level. The Commission and Board find that the No New Highway and Transit Reinvestment Alternative is less capable of achieving the full scope of the plan's objectives. Additionally, the Commission and Board find that the No New Highway and Transit Reinvestment Alternative is not feasible and does not warrant approval in lieu of the final plan. Therefore, the Commission and Board reject No New Highway and Transit Reinvestment Alternative.

ALTERNATIVE 2 – TOC GROWTH FOCUS ALTERNATIVE

1. Ability of the TOC Growth Focus Alternative to Substantially Reduce or Avoid Potentially Significant and Unavoidable Environmental Impacts

The TOC Growth Focus Alternative results in the same number of less-than-significant and significant and unavoidable impacts as the final plan. Generally, as shown in **Table 4-34** of the Draft EIR, the TOC Growth Focus Alternative may reduce the significance of the plan's significant and unavoidable impacts, though not to a less-than-significant level, including

- **Impact AES-1:** Have a substantial adverse effect on a scenic vista, **Impact AES-2:** Substantially damage scenic resources, including but not limited to trees, rock outcropping, and historical buildings within a state scenic highway, **Impact AES-3:** In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings and in an urbanized area, conflict with applicable zoning and other regulations governing scenic quality,
- **Impact AES-4:** Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area,
- **Impact AGF-2:** Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220[g]), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104[g]),
- **Impact AQ-3:** Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or State ambient air quality standard ,

- **Impact BIO-1a:** Have a substantial adverse effect, either directly or through habitat modifications, on species identified as candidate, sensitive, or special status in local or regional plans, policies, or regulations, or by CDFW, USFWS, or NOAA Fisheries,
- **Impact BIO-3:** Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridor, or impede the use of native wildlife nursery sites,
- **Impact BIO-5:** Have the potential to substantially reduce the habitat of a fish or wildlife species; cause a fish or wildlife population to drop below self-sustaining levels; threaten to eliminate a plant or animal community; or substantially reduce the number or restrict the range of an endangered, rare, or threatened species,
- **Impact CUL/TCR-1:** Cause a substantial adverse change in the significance of a historical resource as defined in Guidelines Section 15064.5,
- **Impact CUL/TCR-2:** Cause a substantial adverse change in the significance of a unique archaeological resource as defined in Guidelines Section 15064.5,
- **Impact CUL/TCR-4:** Cause a substantial adverse change in the significance of a TCR, defined in PRC Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe,
- **Impact GEO-7:** Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature,
- **Impact HAZ-7:** Exacerbate the risk of wildland fires, associated pollutant release, and potential for flooding and landslides due to projected land use patterns and infrastructure in or near State Responsibility Areas or land classified as very high hazard severity zones,
- **Impact PUF-1:** Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities the construction or relocation of which could cause significant environmental effects, and
- **Impact PUF-2:** Have insufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years.

Additionally, the TOC Growth Focus Alternative may increase the significance of the final plan's potentially significant and unavoidable impacts including: **Impact AGF-1:** Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use, or conflict with existing zoning for agricultural use, or a Williamson Act contract, and **Impact LU-4:** Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere.

Overall, the TOC Growth Focus Alternative would have lower acreage of new developed land, lower acreage of development in agriculturally zoned land, lower development in TAC Risk Areas, and lower acreage in Bay Area Critical Linkages. Although total daily VMT would be slightly lower under the No New Highway Capacity and Transit Reinvestment Alternative than under the TOC Growth Focus Alternative, both alternatives would have the same daily VMT per capita. Even though the level or degree of resulting significant-and-unavoidable impacts would be similar under the No New Highway Capacity and Transit Reinvestment Alternative and the TOC Policy Area Alternative, impacts would be reduced overall under the TOC Growth Focus Alternative, and therefore is environmentally superior to the other alternatives (Draft EIR Section 4.6, "Environmentally Superior Alternative").

In summary, the TOC Growth Focus Alternative has environmental results similar to those of the final plan. The TOC Growth Focus Alternative lessens – although does not substantially lessen – many of the final plan's

significant and unavoidable impacts. Therefore, compared comprehensively to the final plan, the TOC Growth Focus Alternative is the environmentally superior alternative. Overall, the Commission and Board find that the TOC Growth Focus Alternative is environmentally superior to the final plan, albeit only marginally.

2. Ability of the TOC Growth Focus Alternative to Attain Project Objectives

Objective 1: Address climate change by reducing carbon dioxide (CO₂) emissions pursuant to targets established by the California Air Resources Board (CARB); specifically, meet or exceed a 19% reduction in per-capita emissions from cars and light-duty trucks by 2035 relative to 2005 levels.

The TOC Growth Focus Alternative would reduce per capita emissions from cars and light-duty trucks by 2035 by 21% relative to 2005 goals, which would meet the 19% reduction target.

The TOC Growth Focus Alternative meets project Objective 1.

Objective 2: House 100% of the region's projected growth by income level, and with no increase in in-commuters over the proposed plan baseline year.

The TOC Growth Focus Alternative would accommodate 100% of the region's projected housing unit growth.

The TOC Growth Focus Alternative meets project Objective 2.

Objective 3: Ensure that all current and future Bay Area residents and workers have sufficient housing options they can afford by reducing how much residents spend on housing and transportation and by producing and preserving more affordable housing.

The TOC Growth Focus Alternative significantly reduces household cost burdens and increases the supply of affordable housing. This alternative would ensure sufficient housing options for current and future Bay Area residents and workers through implementation of policies that plan for sufficient housing at all income levels and lower transportation costs for those that are most burdened. Combined housing and transportation cost burdens would be 46% for low-income households and 32% for all households in 2050, decreases from 94% and 42% in 2023, respectively. The share of housing that is deed-restricted affordable housing would reach 28% regionwide and 22% in high resource areas in 2050, increases from 4% and 2% in 2023, respectively.

The TOC Growth Focus Alternative meets project Objective 3.

Objective 4: Support an expanded, well-functioning, safe and multimodal transportation system that connects the Bay Area by improving access to destinations and by ensuring residents and workers have a transportation system they can rely on.

The TOC Growth Focus Alternative would substantially expand access to high-quality transit and improve connectivity to jobs via all travel modes. Compared to 2023, the share of households and jobs near frequent transit would increase significantly, while job accessibility—especially via transit—would improve modestly across the region. This alternative would concentrate growth in transit-oriented areas, reinforcing transit accessibility. Concentrated development in TOCs would enhance walkability and job proximity. The number of jobs accessible by 45-minute transit trips increase to 303,000 in 2050 from 127,000 in 2023. The number of jobs accessible by 30-minute auto trips increases to 885,000 in 2050 from 694,000 in 2023. Walk and bike access to jobs would also improve. The share of household and jobs within ½ mile of high frequency transit improves to 62% (households) from 43% and 61% (jobs) from 52%. Though transit crowding persists, this alternative would support reduced automobile dependency through better land use and improved local transit connections.

The TOC Growth Focus Alternative meets project Objective 4.

Objective 5: Support an inclusive region where people from all backgrounds, abilities, and ages can remain in place with full access to the region’s assets and resources by creating more inclusive communities and reducing the risk that Bay Area residents are displaced.

The TOC Growth Focus Alternative’s inclusion of affordability strategies provide greater opportunities for households with low incomes to remain in place or relocate to inclusive, high-opportunity areas. The share of low-income households in HRAs would rise to 19% in 2050 from 18% in 2023, and in TRAs rise to 39% from 31%.

The TOC Growth Focus Alternative meets project Objective 5.

Objective 6: Conserve the region’s natural resources, open space, clean water, and clean air with the intent of improving health of Bay Area residents and workers and improving the health of the environment locally and globally.

The TOC Growth Focus Alternative would conserve the region’s natural resources, open space, clean water, and clean air through implementation of policies that improve public health and improve local and global environmental outcomes. This alternative achieves or exceeds CARB’s GHG targets, reduces fatality and injury rates, and significantly expands resilience investments. Annual fatalities and injuries would be 4.2 and 20.1 per 100,000 residents, falling from 5.8 and 25.2 in 2023, respectively. PM2.5 emissions from exhaust, brake wear and tire wear would increase from 1.6 tons per day in 2023 to 1.8 tons per day in 2050. GHG emissions per capita would fall by 40% in 2050 relative to a 2005 baseline, when fuel efficiency gains are included. Park access and publicly accessible open space per 1,000 residents increases to 140.7 from 112.9 in 2023. The single occupancy auto commute mode share falls to 31% from 41% in 2023. Therefore, this alternative would meaningfully address regional health, safety, or climate resilience needs.

The TOC Growth Focus Alternative meets project Objective 6.

Objective 7: Support the creation of quality job opportunities for all and ample fiscal resources for communities by enabling the Bay Area economy to thrive and supporting the recovery of the region’s downtowns from the pandemic.

The TOC Growth Focus Alternative results in job growth in already job-rich areas and would not improve jobs-housing balance as effectively as the plan. This alternative would result in 76% of job growth in Growth Geographies, 53% in TRAs, 7% in PPAs and 56% in PDAs. Commute distances decrease, averaging 11.2 miles for all workers and 8.8 miles for low-income workers, compared to 12.0 and 10.6 in 2023, respectively.

The TOC Growth Focus Alternative meets project Objective 7.

In summary, the TOC Growth Focus Alternative would meet all seven project objectives. Overall, the performance of this alternative is comparable to that of the final plan across the seven project objectives. While minor variations occur in certain areas, these differences are marginal and not considered substantively different in terms of overall performance relative to the project objectives.

3. Feasibility of the TOC Growth Focus Alternative

As discussed above, for the purposes of CEQA, “feasible” means capable of being accomplished in a successful manner within a reasonable period of time, taking into account legal, social and other factors. (CEQA Guidelines, §§ 15091, subd. (a)(3), 15364.) The TOC Growth Focus Alternative modifies the mix of housing and economic strategies relative to the final plan.

The TOC Growth Focus Alternative incorporates the final plan's strategies but concentrates the application of housing and economy strategies in areas subject to MTC's adopted TOC policy (MTC Resolution No. 4530), referred to as "TOC Policy Areas." This approach would result in a greater concentration of job and housing growth in TOC Policy Areas by allowing a greater mix of housing densities and types and a greater mix of land uses densities in TOC Policy Areas. It would also preserve existing affordable housing units in TOC Policy areas and integrate affordable housing into all major housing projects in TOC Policy Areas.

As originally adopted, the TOC Policy envisioned conditioning certain regional transportation funding on local jurisdiction compliance with specified density and intensity zoning standards within TOC Policy Areas. Since adoption of the policy, local jurisdictions have raised concerns regarding implementation, including challenges associated with achieving the prescribed densities and intensities, the need for greater clarity and flexibility in the policy framework, and the need for additional time for jurisdictions to align local plans and regulations with TOC Policy standards.

In response to these concerns, on February 25, 2026, the Commission adopted the TOC Incentive Program as part of the One Bay Area Grant (OBAG) Cycle 4 program, establishing a \$45 million incentive-based program and adopting the TOC Evaluation Framework. The TOC Incentive Program is intended to encourage jurisdictions to adopt TOC-consistent policies that support housing production and transit ridership, while directing limited regional funds to jurisdictions demonstrating meaningful progress toward TOC outcomes.

In light of ongoing discussions regarding the implementation of the TOC Policy, concerns raised by local jurisdictions, and the Commission's recent action to pursue an incentive-based approach rather than conditioning funding on mandatory compliance with TOC standards, the Commission and the Board find that the regional policy changes and local planning actions necessary to achieve the level and concentration of residential growth assumed under the TOC Growth Focus Alternative are uncertain and unlikely to be implemented as analyzed in the Draft EIR at this time. For these reasons, the Commission and Board find the TOC Growth Focus Alternative infeasible from a policy and implementation perspective.

4. Conclusions Regarding the Merits and Feasibility of TOC Growth Focus Alternative

CEQA recognizes that in determining whether and how a project should be approved, a public agency has an obligation to balance a variety of public objectives, including economic, legal and social factors, and in particular the goal of providing a decent home and satisfying living environment for every Californian. (CEQA Guidelines, § 15021, subd. (d).) Although the EIR finds that the TOC Growth Focus Alternative is the environmentally superior alternative and capable of achieving all seven project objectives, the Commission and Board conclude that the alternative is infeasible based on recent Commission action to implement the regional TOC policy as an incentive-based program, as well as ongoing concerns raised by local jurisdictions regarding implementation of the TOC Policy standards. These factors indicate that the regional policy changes and local planning actions necessary to implement the level and concentration of growth assumed under the TOC Growth Focus Alternative are unlikely to occur as analyzed in the Draft EIR at this time. For these reasons, the TOC Growth Focus Alternative does not warrant approval in lieu of the final plan. Therefore, the Commission and Board reject the TOC Growth Focus Alternative.

3 STATEMENT OF OVERRIDING CONSIDERATIONS

As set forth in the Findings, MTC and ABAG approval of the final plan will result in significant adverse environmental effects that cannot be avoided even with the adoption of all feasible mitigation measures, and there are no feasible project alternatives which would mitigate or substantially lessen the impacts. The alternatives to the final plan analyzed in the EIR differed from the final plan in important ways that provided for a meaningful comparison. The TOC Growth Focus Alternative was identified as the Environmentally Superior Alternative because it would lessen the severity level of environmental impacts, although only

marginally lower, as compared to all alternatives (Draft EIR, pp. 4-73 to 4-83). In determining whether to approve the Project, CEQA requires MTC and ABAG to balance the benefits of the final plan against its significant and unavoidable environmental impacts. (See *City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 401, 417.) “Overriding considerations are intended to show the ‘balance’ the agency struck in weighing ‘the benefits of a proposed project against its unavoidable environmental risks.’” (*Cherry Valley Pass Acres & Neighbors v. City of Beaumont* (2010) 190 Cal.App.4th 316, 356.)

In this case, each of the alternatives had various environmental advantages and disadvantages, but none of the alternatives performed significantly better than the final plan to substantially lessen the final plan’s significant and unavoidable impacts. Furthermore, as discussed in detail in the findings related to the rejection of alternatives, during the environmental review MTC and ABAG identified key aspects of the alternatives that render them inferior to the final plan in terms of feasibility. Thus, although the final plan provides similar environmental benefits as compared to the other alternatives, it has a higher probability of successful implementation.

This Statement of Overriding Considerations sets forth the specific reasons supporting MTC’s and ABAG’s actions in approving the final plan. In making this Statement of Overriding Considerations in support of the findings of fact and the project, MTC and ABAG have considered the information contained in the Findings and in the documents comprising the record of proceedings for the project.

CEQA Guidelines Section 15093(a) provides the following guidance for a statement of overriding considerations:

CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered “acceptable.”

If Bay Area lead agencies ensure that mitigation measures identified in this EIR are applied to subsequent discretionary projects, where relevant and applicable, some identified impacts of adoption and implementation of the final plan will be avoided or mitigated to acceptable levels. However, in some cases it cannot be concluded with certainty that implementation of identified feasible mitigation measures would reduce an impact to a less-than-significant level, and no additional feasible mitigation measures are available. Therefore, the following impacts were identified as significant and unavoidable in the Draft EIR:

- **Impact AES-1:** Have a substantial adverse effect on a scenic vista
- **Impact AES-2:** Substantially damage scenic resources, including but not limited to trees, rock outcropping, and historical buildings within a state scenic highway
- **Impact AES-3:** In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings and in an urbanized area, conflict with applicable zoning and other regulations governing scenic quality
- **Impact AES-4:** Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area
- **Impact AGF-1:** Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use, or conflict with existing zoning for agricultural use, or a Williamson Act contract

- **Impact AGF-2:** Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))
- **Impact AGF-3:** Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use
- **Impact AQ-2:** Result in a substantial net increase in construction-related emissions
- **Impact AQ-3:** Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard
- **Impact AQ-4:** Expose sensitive receptors to substantial pollutant concentrations
- **Impact BIO-1a:** Have a substantial adverse effect, either directly or through habitat modifications, on species identified as candidate, sensitive, or special status in local or regional plans, policies, or regulations, or by CDFW, USFWS, or NOAA Fisheries
- **Impact BIO-3:** Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridor, or impede the use of native wildlife nursery sites
- **Impact BIO-5:** Have the potential to substantially reduce the habitat of a fish or wildlife species; cause a fish or wildlife population to drop below self-sustaining levels; threaten to eliminate a plant or animal community; or substantially reduce the number or restrict the range of an endangered, rare, or threatened species
- **Impact CUL/TCR-1:** Cause a substantial adverse change in the significance of a built environment historical resource as defined in Guidelines Section 15064.5
- **Impact CUL/TCR-2:** Cause a substantial adverse change in the significance of a unique archaeological resource as defined in Guidelines Section 15064.5
- **Impact CUL/TCR-4:** Cause a substantial adverse change in the significance of a tribal cultural resource, defined in PRC Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe
- **Impact GEO-7:** Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature
- **Impact GHG-1:** Result in a net increase in greenhouse gas emissions, either directly or indirectly, compared to 2015 conditions that may have a significant impact on the environment
- **Impact GHG-3:** Conflict with an applicable State plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases
- **Impact HAZ-4:** Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, create a significant hazard to the public or the environment
- **Impact HAZ-6:** Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan
- **Impact HAZ-7:** Exacerbate the risk of wildland fires, associated pollutant release, and potential for flooding and landslides due to projected land use patterns and infrastructure in or near State Responsibility Areas or land classified as very high hazard severity zones
- **Impact LU-1:** Physically divide an established community

- **Impact LU-4:** Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere
- **Impact NOISE-1:** Generate a substantial temporary increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies
- **Impact NOISE-2:** Generate a substantial permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies
- **Impact NOISE-3:** Generate excessive groundborne vibration or groundborne noise levels
- **Impact NOISE-4:** For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, expose people residing or working in the project area to excessive noise levels
- **Impact PSR-1:** Result in substantial adverse physical impacts associated with the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for fire protection, police protection, schools, parks, and other public facilities
- **Impact PSR-2:** Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated or include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment
- **Impact PUF-1:** Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities the construction or relocation of which could cause significant environmental effects
- **Impact PUF-2:** Have insufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years
- **Impact PUF-3:** Result in a determination by the wastewater treatment provider which serves or may serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments
- **Impact PUF-4:** Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals, and comply with federal, state, and local management and reduction statutes and regulations related to solid waste
- **Impact TRA-2:** Conflict or be inconsistent with CEQA Guidelines Section 15064.3(b)

Of the above 35 potentially significant and unavoidable impacts, 12 can be mitigated to a less than significant level by mitigation measures (which if necessary and feasible are required of projects taking advantage of CEQA Streamlining provisions of SB 375), but are nevertheless considered potentially significant and unavoidable because MTC and ABAG cannot require local implementing agencies to adopt the mitigation measures.

The results of the environmental analysis on the final plan are discussed in detail in the Draft EIR, the Final EIR, and the Findings. MTC and ABAG reached the conclusions below pursuant to Public Resources Code Section 21081 and State CEQA Guidelines Section 15093. Despite the occurrence of remaining significant and unavoidable effects, MTC and ABAG choose to approve the final plan because the economic, social, and other benefits that the plan will produce for the region outweigh the significant unmitigated adverse impacts. Pursuant to CEQA Section 21081(b) and Guidelines Section 15093, MTC and ABAG have balanced the

benefits of the plan against the unavoidable adverse impacts associated with the plan and have included all feasible mitigation measures in the EIR. MTC and ABAG have also examined all of the alternatives and determined that adoption and implementation of the final plan is the most desirable, feasible, and appropriate action.

The following statements describe the final plan's benefits considered by decision makers in determining whether to adopt the final plan despite its potentially significant adverse environmental effects. MTC and ABAG conclude that any one of the statements below is independently sufficient to justify approval of the project. The substantial evidence supporting the various benefits of the project can be found in the preceding Findings, which are incorporated by reference into this section, and in the documents found in the Record of Proceedings.

Statement 1: The final plan reflects an extensive, inclusive, and iterative public and stakeholder engagement process. Plan Bay Area 2050+ built on the robust, multi-year engagement process that informed adoption of Plan Bay Area 2050. While Plan Bay Area 2050+ was a limited and focused update, public engagement was as robust as previous iterations of the plan. Furthermore, the engagement program was designed to support a limited and focused update that refines existing strategies and implementation actions rather than reconsidering the region's overall long-range planning framework.

Plan Bay Area 2050 reflected input from more than 23,000 Bay Area residents and stakeholders over nearly four years of outreach, generating over 234,000 comments through more than 450 public meetings and events. That process prioritized engagement with Equity Priority Communities and other historically underserved populations and established the policy framework and strategic foundation carried forward into Plan Bay Area 2050+.

Building on this foundation, MTC and ABAG engaged more than 17,600 residents across the Bay Area through more than a 120 public and stakeholder in-person, virtual and hybrid events and activities for Plan Bay Area 2050+, collecting more than 15,600 comments and over 40,500 data points. More than 70 percent of engagement activities focused on Equity Priority Communities and other socially or economically disadvantaged populations, ensuring that communities most affected by housing, transportation, climate, and economic challenges had a meaningful role in shaping the final plan.

Public engagement for Plan Bay Area 2050+ occurred through four distinct rounds aligned with successive stages of plan development and refinement. Early engagement focused on understanding how strategies adopted in Plan Bay Area 2050 could be adapted to post-pandemic conditions and evolving regional needs. Subsequent rounds emphasized prioritizing policies and investments, refining implementation actions, and coordinating with public agency partners, technical stakeholders, and community-based organizations. A final round supported public review of the Draft Plan Bay Area 2050+, the Implementation Plan, the Draft Environmental Impact Report, and related materials, consistent with statutory and CEQA requirements.

This engagement directly informed development of Plan Bay Area 2050+, the region's fourth integrated long-range plan prepared pursuant to Senate Bill 375, and shaped refinement of its strategies and implementation actions. In contrast, the EIR Alternatives were developed over a comparatively short period of time and relied on more limited public engagement, primarily through the CEQA scoping process. As a result, advancing an alternative would not reflect the breadth and depth of public and stakeholder input that informed the final plan.

Statement 2: The final plan advances a refined and updated set of regional strategies that respond to post-pandemic realities, evolving regional priorities, and implementation experience gained since adoption of the prior plan. Rather than redefining the region's long-range planning approach, Plan Bay Area 2050+ sharpens and updates strategies to enhance equity, resilience, and effectiveness under changed social, economic, and fiscal conditions.

The strategies included in Plan Bay Area 2050+ were developed through an iterative process that integrated public engagement with performance, equity, and technical analyses supported by regional modeling of transportation, land use, and economic conditions. This work incorporated new data and insights regarding increased remote work, sustained reductions in transit ridership, rising office vacancies, slower population growth, and other shifts that affect travel behavior and land use patterns.

Plan Bay Area 2050+ also recalibrates strategies in response to a significantly more constrained financial environment. Since adoption of Plan Bay Area 2050, anticipated transportation revenues have been reduced by approximately \$80 billion, requiring a more disciplined and cost-effective approach to investment. In response, the final plan prioritizes lower-cost, higher-impact actions, including housing strategies designed to reduce per-unit affordable housing construction costs by more than 20 percent, improving feasibility and accelerating delivery.

Transportation strategy refinements include reimagining the region's approach to transit through the coordinated development of Transit 2050+ with the Bay Area's transit operators and other stakeholders. This effort emphasizes safety, service frequency, reliability, and rider-focused improvements that support near-term recovery while preserving flexibility for longer-term system transformation. The final plan also elevates resilience while balancing ambitious, statutorily required climate goals, including through introduction of the region's first Sea Level Rise Resilience Project List developed in collaboration with the Bay Conservation and Development Commission.

Across policy areas, the final plan includes targeted equity-focused refinements, such as enhanced transit safety measures, reduced costs for affordable housing development, and expanded means-based subsidies to support seismic retrofits, climate resilience improvements, and accessibility upgrades. Approximately 34 percent of transportation investments and 46 percent of environmental investments are directed to benefit households with low incomes, who represent about 18 percent of the region's population.

As documented in the Equity and Performance Analysis Reports, these refinements are forecasted to reduce combined housing and transportation cost burdens for households with low incomes by a greater margin than for the average household, while improving access to frequent transit, expanding affordable housing in High-Resource Areas, and enhancing access to jobs, services, and open space.

Statement 3: The final plan incorporates the refined strategies of Transit 2050+ as an equity-focused framework for transforming the region's transit system. Developed in parallel with Plan Bay Area 2050+, Transit 2050+ responds to post-pandemic travel patterns, long-standing accessibility challenges, and a more constrained fiscal environment.

Transit 2050+ was developed through an extensive and iterative process that integrated public and stakeholder input with performance-based analysis and regional modeling of transportation and land use conditions. Through multiple rounds of technical evaluation, the effort identified strategies to address service gaps, improve access to opportunity, and enhance system reliability and safety.

The framework prioritizes improvements to the existing transit system—such as increased frequency, extended service hours, improved reliability, and enhanced safety—while also identifying longer-term capital investments that could be advanced as funding becomes available. Equity outcomes are emphasized through prioritization of investments that benefit Equity Priority Communities and riders most reliant on transit, using performance metrics focused on accessibility, travel time, and connectivity.

Supporting technical analyses indicate that Transit 2050+ strategies are forecasted to improve access to jobs within a reasonable transit travel time and increase overall transit ridership relative to current conditions. These outcomes underscore the role of Transit 2050+ as a central component of the final plan and its ability to advance regional mobility, equity, and climate objectives in a post-pandemic context.

Statement 4: The final plan builds upon local planning efforts by grounding future growth in locally nominated Priority Development Areas and Priority Production Areas, while identifying additional Growth Geographies where necessary to meet regional objectives.

Housing and economic strategies included in the final plan establish a framework for future growth that is informed by engagement with local jurisdictions and supports dual objectives of reducing greenhouse gas emissions and advancing equity through increased access to opportunity. Foundational to this framework are the Plan Bay Area 2050+ Growth Geographies, which were developed over a multi-year period.

Growth Geographies include Priority Development Areas (PDAs) and Priority Production Areas (PPAs), both of which are locally nominated. PDAs prioritize future housing and job growth, while PPAs prioritize growth in middle-wage jobs. Because land use authority resides with local jurisdictions, the partnership demonstrated through nomination of PDAs and PPAs is central to successful implementation of the final plan.

Building on lessons from prior plans - and similar to the approach used in Plan Bay Area 2050 - the final plan recognizes that a broader array of growth areas is needed to accommodate future housing demand and advance equity and climate objectives. Accordingly, where jurisdictions nominated less than 50 percent of eligible land for PDA designation, additional Transit-Rich Areas and High-Resource Areas with basic transit service were identified as Growth Geographies. Sensitive areas, including those subject to unmitigated sea-level-rise impacts or located outside locally adopted growth boundaries, were excluded.

By grounding Growth Geographies in local planning while allowing flexibility to address regional needs, the final plan establishes a growth framework that is more aligned with local conditions and more adaptable than the EIR Alternatives.

Statement 5: The final plan includes a defined and time-bound Implementation Plan that translates policy direction into coordinated actions through 2030.

The Implementation Plan outlines 65 concrete actions across transportation, housing, economy, environment, and cross-cutting elements to advance the strategies included in the final plan. For each action, the Implementation Plan identifies MTC and/or ABAG's recommended role—lead, partner, or support—and evaluates the extent to which MTC and/or ABAG possess the authority, technical capacity, political support, and funding needed to advance implementation.

The Implementation Plan was developed through extensive public and partner engagement over multiple years, including workshops, surveys, and cross-agency collaboration. Input from transit agencies, county transportation agencies, state agencies, community-based organizations, and advocacy groups was incorporated to ensure alignment with regional priorities and implementation realities. The Implementation Plan is presented to the Commission and the Board for approval as part of the final plan.

Statement 6: The final plan improves affordability for Bay Area households and workers by reducing housing and transportation cost burdens and expanding access to affordable housing and reliable transportation options. The final plan establishes a growth framework and suite of strategies that accommodate projected household and employment growth while directly addressing affordability challenges, particularly for households with low incomes.

The final plan advances a coordinated set of housing and transportation strategies that reduce the combined share of household income spent on housing and transportation. These strategies include increasing the production and preservation of deed-restricted affordable housing, strengthening tenant protections, expanding access to frequent transit, and lowering transportation costs through income-based discounts for transit fares and tolls. Together, these actions improve housing stability, increase mobility, and expand access to opportunity across the region.

Performance metrics supporting Plan Bay Area 2050+ indicate that the final plan substantially reduces housing and transportation cost burdens over time. For households with low incomes, the share of income spent on housing and transportation is forecasted to decline from approximately 94 percent in 2023 to 47 percent by 2050. For all households, the combined housing and transportation cost burden is projected to decrease from approximately 42 percent of household income in 2023 to 32 percent by 2050. In addition, the share of deed-restricted affordable housing regionwide is projected to increase significantly under the final plan's housing strategies.

The final plan further improves affordability by increasing access to frequent transit and reducing reliance on higher-cost travel modes. Complementary strategies, including income-based discount programs and workforce development initiatives, further support economic mobility and financial stability for households with low incomes.

Statement 7: The final plan strengthens regional connectivity by advancing a coordinated, safe, and multimodal transportation network that improves access to jobs, services, and opportunity for Bay Area residents. Through integrated transportation, housing, and economic strategies, the final plan focuses growth and investment in ways that improve mobility, expand access to frequent transit, and reduce reliance on driving.

The final plan concentrates housing and job growth near frequent transit and prioritizes transportation investments that improve system performance and fill gaps in the regional network. By 2050, the share of Bay Area households living within one-half mile of frequent transit service is projected to increase substantially, expanding access to public transportation and improving mobility across the region. Targeted investments emphasize increased transit frequency and reliability, selective rail, ferry, and bus service expansions, and improvements to active transportation infrastructure to support biking and walking.

As reflected in the plan's performance metrics, these strategies improve access to economic opportunity and support shifts toward more sustainable travel modes. By 2050, the share of jobs accessible within a 45 minute transit trip increases from 3.5% to 5.4%—a 1.9 percentage point gain, representing roughly 54% growth for all residents. The share of people commuting by transit, biking, or walking is forecasted to increase significantly, while the share of commuters driving alone is projected to decline relative to conditions without the final plan.

The final plan also advances freeway reliability, safety, and emissions reduction objectives through coordinated operational strategies, including all-lane tolling and speed management on freeways and local roads. Together, these strategies are intended to stabilize travel times on key corridors despite population growth and reduce per-capita rates of traffic fatalities and serious injuries, contributing to a safer and more efficient transportation system.

Statement 8: The final plan supports a more diverse and inclusive Bay Area by expanding access to housing, transportation, and environmental resources and by reducing displacement pressures for historically underserved communities. Informed by public engagement that prioritized voices from Equity Priority Communities and supported by equity-focused analysis, the final plan advances strategies intended to ensure that people of all backgrounds, abilities, and ages can remain in place and access opportunity throughout the region.

The final plan advances housing strategies that expand opportunities for households with low incomes while reducing the risk of displacement and exclusion. These strategies include increasing the production and preservation of affordable housing, strengthening renter protections, expanding affordable housing opportunities in High-Resource Areas and Transit-Rich Areas, and providing targeted assistance such as mortgage down-payment support for households with low incomes in Equity Priority Communities. Together,

these actions broaden access to homeownership and housing stability and support long-term economic mobility for populations that have historically faced barriers to opportunity.

Environmental and resilience strategies further support diversity by reducing the displacement impacts of climate-related hazards. The final plan includes means-based assistance to retrofit older housing to better withstand risks such as earthquakes and wildfires, helping to protect existing residents and preserve the region's housing stock, particularly in vulnerable communities.

Performance metrics supporting Plan Bay Area 2050+ indicate that these strategies improve diversity-related outcomes over time. By 2050, the homeownership rate for households with low incomes is projected to increase, reflecting expanded access to affordable housing and wealth-building opportunities. Investments targeted to Equity Priority Communities improve access to transportation, housing, and environmental resources, while expanded affordable housing opportunities in High-Resource Areas support a more inclusive regional growth pattern.

Statement 9: The final plan improves regional health by conserving natural resources, expanding access to open space, improving air quality, reducing climate emissions, and protecting residents from environmental hazards. Through integrated land use, transportation, housing, and environmental strategies, the final plan advances a healthier Bay Area while addressing climate risks and long-standing disparities in environmental conditions.

The final plan establishes a growth framework and suite of land use and transportation strategies that concentrates growth within the existing urbanized footprint defined by locally adopted urban growth boundaries. This transit-supportive development pattern, combined with investments in transit service, active transportation infrastructure, and clean vehicle initiatives, reduces vehicle travel, lowers greenhouse gas emissions, and improves regional air quality. Expanded pedestrian and bicycle infrastructure further supports active transportation, promoting healthier travel choices and reducing dependence on driving.

The final plan also advances environmental and resilience strategies that protect residents from climate-related risks and other hazards. Investments in residential and public building retrofits improve energy efficiency while reducing vulnerability to earthquakes and wildfires. Adaptation strategies addressing sea-level rise, flooding, and extreme heat are designed to protect nearly all homes in areas subject to these risks by mid-century, strengthening community safety and long-term resilience.

Performance metrics supporting Plan Bay Area 2050+ indicate that these strategies result in measurable health-related improvements over time. By 2050, publicly accessible open space per capita is projected to increase substantially, expanding opportunities for recreation and supporting physical and mental health. Building retrofit strategies are forecasted to reduce exposure to wildfire and earthquake risks by approximately 25 to 50 percent, while climate strategies are projected to exceed the state's greenhouse gas reduction target, contributing to improved air quality and environmental conditions.

The final plan further advances health equity by prioritizing investments in urban parks, green spaces, and environmental protections in Equity Priority Communities, where access to open space and environmental amenities has historically been lower.

Statement 10: The final plan supports a more vibrant Bay Area by strengthening economic productivity, revitalizing job centers and downtowns, and expanding access to employment, cultural, and recreational opportunities. Through coordinated economic, housing, and transportation strategies, the final plan advances long-term regional prosperity while improving how that prosperity is shared across communities.

The final plan includes strategies to support the recovery and long-term vitality of the Bay Area's three largest downtowns—Oakland, San Francisco and San Jose. The plan's strategies are projected to result in greater

increases in workers, visitors, and residents on a typical weekday in these downtowns than in the region as a whole. The plan strategies also lead to a greater share of new jobs and housing in areas well served by transit, encouraging growth in locations with strong transportation access. Together, these strategies support shorter commutes, reduce pressure on congested transportation networks, and improve access to jobs for workers throughout the Bay Area.

Complementary economic strategies support upward economic mobility through job training, workforce development, and business incubator programs, particularly in Priority Production Areas, accelerating growth in middle-wage industries across the region.

Performance metrics supporting Plan Bay Area 2050+ indicate that these strategies strengthen regional economic vitality over time. By 2050, economic output per person is projected to increase substantially, reflecting improved productivity and recovery of high-growth industries.

Statement 11: The final plan meets and exceeds state requirements established in Senate Bill 375 by reducing per capita greenhouse gas emissions and providing sufficient housing for all economic segments of the population. Through an integrated set of land use, transportation, housing, and climate strategies, the final plan advances regional climate goals while supporting inclusive and sustainable growth.

Implementation of the final plan reduces per capita greenhouse gas emissions from cars and light-duty trucks beyond the targets established by the California Air Resources Board. By 2035, per capita emissions are projected to decline by approximately 21 percent, exceeding the state-mandated reduction target of 19 percent. These reductions are achieved through coordinated strategies that focus growth in walkable, mixed-income communities near frequent transit; manage highway demand through pricing and operational strategies; expand and integrate the regional transit network; and invest in electric vehicles, charging infrastructure, and other climate initiatives.

The final plan also provides for housing at all income levels to accommodate projected population and employment growth. The regional growth forecast incorporated into the final plan supports development of approximately one million new housing units by 2050, ensuring sufficient capacity to house the region's workforce and reduce reliance on in-commuting from outside the Bay Area. Housing strategies emphasize both production and preservation of affordable housing, mitigation of displacement impacts, and provision of replacement housing where required, consistent with state law and adopted legal commitments.

Conclusion

In summary, MTC and ABAG find that the final plan best represents the consensus developed through three years of engagement, holistically advances equity and affordability, balances the needs of users of all forms of transportation, advances environmental sustainability and resilience goals, and promotes shared prosperity regionwide. The final plan achieves all this while also accommodating the region's forecasted growth and exceeding the per capita passenger vehicle and light truck CO₂ emission reduction targets established by CARB for the San Francisco Bay Area pursuant to SB 375. Therefore, based upon the vision and objectives identified in the final plan and the Final EIR, following extensive public participation and testimony, and notwithstanding the impacts identified in the Final EIR as being potentially significant and which arguably may not be avoided, lessened, or mitigated to a level of insignificance, MTC and ABAG, acting pursuant to Public Resources Code Section 21081 and Section 15093 of the State CEQA Guidelines, hereby determine that specific economic, legal, social, environmental, technological and other benefits and overriding considerations of the final plan sufficiently outweigh any remaining unavoidable, adverse environmental impacts of the final plan and that the final plan should be approved.

In reaching this conclusion and approving the final plan:

1. MTC and ABAG have considered the information contained in the Final EIR and fully reviewed and considered all of the public testimony, documentation, exhibits, reports, and presentations included in the record of these proceedings. MTC and ABAG specifically find and determine that this Statement of Overriding Considerations is based upon and supported by substantial evidence in the record.
2. MTC and ABAG have carefully weighed the benefits of the final plan against any adverse impacts identified in the Final EIR that could not be feasibly mitigated to a level of insignificance. While MTC and ABAG have required all feasible mitigation measures, some impacts remain potentially significant.
3. MTC and ABAG have made reasonable and good faith efforts to eliminate or substantially mitigate the potential impacts resulting from the Plan.
4. MTC and ABAG find that any residual or remaining effects on the environment resulting from adoption and implementation of the Plan and related actions are acceptable due to the benefits set forth in this Statement of Overriding Considerations.
5. This Statement of Overriding Considerations applies specifically to those impacts found to be potentially significant and unavoidable as set forth in the Final EIR and the record of these proceedings.

4 INDEPENDENT REVIEW AND ANALYSIS

Under Public Resources Code Section 21082.1, subdivision (c), the lead agency must: (1) independently review and analyze the EIR; (2) circulate draft documents that reflect its independent judgment; and (3) as part of the certification of an EIR, find that the EIR reflects the independent judgment of the lead agency.

The Commission and Board hereby certify that the EIR was prepared, published, circulated and reviewed in accordance with the requirements of CEQA and the State CEQA Guidelines, and constitutes an adequate, accurate, objective and complete Final Environmental Impact Report in full compliance with the requirements of CEQA and the State CEQA Guidelines.

The Commission and Board have independently reviewed the EIR and have considered the information contained in the EIR. The EIR reflects the Commission's/Board's independent judgment and analysis.

5 RECORD OF PROCEEDINGS

In accordance with Public Resources Code Section 21167.6, subdivision (e), the record of proceedings for the Commission's/Board's EIR, findings, alternatives analysis, and ultimate decision on the Plan includes the documents identified below.

- The NOP for the preparation of the Draft EIR;
- Public notices issued by MTC and ABAG in conjunction with the final plan;
- All comments submitted by agencies or members of the public during the comment period on the NOP;
- Draft Environmental Impact Report for Plan Bay Area 2050+, October 2025 (includes all appendices);
- Final Environmental Impact Report for Plan Bay Area 2050+, March 2026 (includes all appendices);
- Plan Bay Area 2050+, March 2026 and all supporting supplemental reports, including:
 - Equity Analysis Report

- Engagement Report
 - Forecasting and Modeling Report
 - Implementation Plan Report
 - Native American Tribal Outreach Report
 - Performance Report
 - Resilience Project List Report
 - Statutorily Required Plan Maps
 - Technical Assumptions Report
 - Transit 2050+ Report
 - Transportation-Air Quality Conformity Report
 - Transportation Project List Report
- Any minutes and/or verbatim transcripts of all information sessions, public meetings, and public hearings held by MTC or ABAG in connection with the Plan;
 - Any documentary or other evidence submitted to MTC and ABAG at such information sessions, public meetings, and public hearings;
 - Any staff reports presented to MTC and ABAG, including attachments and presentation materials;
 - Any and all resolutions adopted by MTC and ABAG regarding the Plan, and all staff reports, analyses, and summaries related to the adoption of those resolutions;
 - Any correspondence between MTC and ABAG and ARB regarding the final plan, including but not limited to, MTC's Technical Methodology to Estimate Greenhouse Gas Emissions from the final plan;
 - Matters of common knowledge to MTC and ABAG, including, but not limited to federal, state, and local laws and regulations;
 - Any documents expressly cited in these findings, in addition to those cited above; and
 - Any other materials required for the record of proceedings by Public Resources Code Section 21167.6, subdivision (e).

The documents constituting the record of proceedings are available for review by responsible agencies and interested members of the public by appointment during normal business hours at the offices of the Metropolitan Transportation Commission, 375 Beale Street, Suite 800, San Francisco, California 94105. The custodian of these documents is MTC's Public Information Officer.

