

Metropolitan Transportation Commission Association of Bay Area Governments

October 21, 2021

Agenda Item 6a - 21-1148 - HANDOUT

Final Plan Bay Area 2050: Handout Summarizing Comments Received in October 2021

The table below is a summary of comments received after the release of the Final Plan Bay Area 2050 and Final Environmental Impact Report for Plan Bay Area 2050, between October 1, 2021 to October 20, 2021 at 5:00 PM.

#	Commenter Name / Agency / Date	Topics	Summary of Comments
1	Marcia Fariss 10/04/2021	COVID-19 Pandemic	The commenter points out potential long-term impacts the COVID-19 pandemic may have on transportation patterns and housing needs and raises concern about whether the plan is accommodating of such impacts.
2	Jeff Nelson 10/04/2021	Strategy T5 (Per-Mile Tolling)	The commenter raises concerns with the potential adverse impacts of this strategy on residents with low incomes that may live far away from their jobs.
3	Mayor London Breed, Supervisor Gordon Mar, Supervisor Hillary Ronen, Supervisor Rafael Mandelman City/County of San Francisco 10/05/2021	Growth Pattern; EIR Alternatives; Plan Implementation	The commenters are concerned with density-related assumptions in the growth pattern that may adversely impact sensitive communities at-risk for displacement, suggest a hybrid EIR alternative, and elevate specific implementation priorities.
4	Hamilton Hitchings 10/07/2021	Growth Pattern; Jobs-Housing Imbalance; Funding & Forecasts	The commenter raises the following concerns: insufficient strategies to shift growth away from expensive and developed areas and insufficient public

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#	Commenter Name / Agency / Date	Topics	Summary of Comments
			discussion of these strategies; overestimation of population growth; unrealistically high funding assumptions; over-optimistic expectations of public transportation use.
5	Greg Schmid West Bay Citizens Coalition 10/07/2021	Jobs-Housing Imbalance	The commenter raises concerns about the Final Plan's strategies to address the jobs-housing imbalance and the related public process.
6	Holly Lofgren 10/08/2021 (verbal comment)	Regional Growth Forecast	The commenter raises concerns about the transparency of data analysis for the Plan, and that the planning process did not have sufficient public meetings.
7	Greg Schmid 10/08/2021 (verbal comment)	Public Process	The commenter raises concern on the lack of adequate public discussion in the planning process.
8	Rich Hedges 10/08/2021 (verbal comment)	General Comments on Plan	The commenter shares positive sentiments regarding the plan and does not raise any question or concern.
9	Barry United Neighbors In San Francisco Bay Area 10/08/2021 (verbal comment)	Underlying Planning Assumptions	The commenter raises concerns about insufficient vetting of the analysis behind the Final Plan and that the public needs to understand the underlying assumptions.
10	Elizabeth Reid-Wainscoat	Environmental Mitigations	The commenter suggests additional mitigation measures to improve

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#	Commenter Name / Agency / Date	Topics	Summary of Comments
	Center for Biological Diversity 10/08/2021 (verbal comment)		connectivity between heterogeneous habitats, protect against fire risk, and manage carbon emissions.
11	Bill Mayben 10/09/2021	Climate Change	The commenter uses climate trend charts to raise a general question of planning for sustainability and resilience.
12	Bill Mayben 10/11/2021	Tsunami Hazard Risk	The commenter points out an updated tsunami hazard zones map.
13	Jeff Henderson Delta Stewardship Council 10/14/2021	Growth Pattern	The commenter has not identified any inconsistency between Plan Bay Area 2050 and the Delta Plan and supports the growth pattern in the plan.
14	John Elberling The Yerba Buena Neighborhood Consortium 10/15/2021	Jobs-Housing Imbalance, Affordable Housing, Social Equity	The commenter asks that Plan Bay Area 2050 not be approved, provides suggestions regarding jobs-housing imbalance and affordable housing strategies to enhance social equity, and raises concern with the FEIR being legally insufficient to meet the requirements of CEQA.
15	Dave Planka 10/18/2021	General Comments on Plan	The commenter shares negative sentiments regarding ABAG and its policies.
16	Bruce Irion 10/18/2021	Sea Level Rise	The commenter is seeking to understand when ABAG would address issues arising from sea level rise given that multiple cities

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#	Commenter Name / Agency / Date	Topics	Summary of Comments
			are not prepared or resourced to address such issues during their RHNA appeals.
17	Jason Bezis Alameda County Taxpayers' Association 10/18/2021	MTC/ABAG Planning Authority; Strategy EC1 (Universal Basic Income); Public Process	The commenter raises concern on MTC and ABAG's capability to evaluate and authority in implementation of the plan, specifically Strategy EC1. The commenter also points out difficulty in accessing Plan Bay Area 2050 materials.
18	Greg Schmid 10/18/2021	Growth Pattern, Public Process	The commenter asks whether the Plan Bay Area 2050 jobs and housing projections can be publicly challenged over the next eight years due to shortcomings in the planning process, including data-related issues and lack of sufficient public discussion.
19	Tiffany Yap and Elizabeth Reid- Wainscoat Center for Biological Diversity 10/19/2021	Environmental Mitigations	The commenter suggests additional mitigation measures to reduce impacts on wildlife connectivity, protect against fire risk, manage carbon emissions and preserve open space and parks.

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20	<p>Zoe Siegel</p> <p>Greenbelt Alliance co-signers include: The Nature Conservancy, Center for Sustainable Neighborhoods, Urban Environmentalists, Save Mount Diablo, Bay Area Ridge Trail Council, Santa Clara Valley Open Space Authority, Claremont Canyon Conservancy, Solano County Orderly Growth Committee, TOGETHER Bay Area, League of Women Voters of the Bay Area, Save the Bay, along with 19 Bay Area residents</p> <p>10/20/2021</p>	General Comments on Plan	The commenter applauds MTC/ABAG for its approach in the plan and urges expeditious adoption.
21	<p>Alan Strachan</p> <p>10/20/2021</p>	General Comments on Plan	The commenter seeks discussion regarding a paper that highlights the importance of immediate commitment to dramatically different and far bolder collective approaches than governments have ever attempted.
22	<p>Dina A. El-Tawansy</p> <p>Caltrans, District 4</p> <p>10/20/2021</p>	Transportation Project List	The commenter raises concern that the Sonoma-Marín Area Rail Transit (SMART) extension beyond Windsor is a critical rail priority but is not included in the plan's Transportation Project List. Further, the commenter states that MTC did not include two letters in

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			the October 2021 Tribal Engagement Report, and that engagement with a particular Tribal government during the Tribal Summits was lacking.
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Attachments:

- Comments Received between October 1 and October 20, 2021

Bay Area Plan

Marcia Fariss [REDACTED]

Mon 10/4/2021 10:44 AM

To: info@planbayarea.org <info@planbayarea.org>

External Email

I most certainly hope you are modifying your plans, based on our new COVID reality. People leaving the Bay Area to work remotely means fewer commuters into major business centers, housing demands for affordable housing, not luxury housing, fewer demand on mass transit, etc.

While the Bay Area is know for its "up and down" economy, the changes seen in the past nearly 2 years are setting have set the scene for major changes in work force patterns and MTC needs to make modify its plans based on those changes. The "old ways" are not going to be successful any more, so please be willing to make major modifications in your original plans!

That includes transportation and housing.....More affordable, BMR units, different mass transit needs and infrastructure demands to mention a few. That includes your demanding that the State Legislature significantly increase the percentage of affordable housing in mixed use developments. The current 10% will not improve housing availability. At least 25% affordable housing for mixed use developments should be be required; 50% would be an ideal number.

Thank you.

Per mile charge a dumb idea

Jeff Nelson [REDACTED]

Mon 10/4/2021 10:59 AM

To: info@PlanBayArea.org <info@PlanBayArea.org>

External Email

I have seen this back fire on the exact people group you intend to help If you are rich you don't care about a per mile charge. But if you live in the central valley because that's what you can afford and have to drive to your Job at Burger King in Redwood City this per mile charge takes food directly from your mouth Tax the rich but don't take food from the lowest on the bottom of the food chain.

Sent from [Mail](#) for Windows

Re: Plan Bay Area 2050 Comment Letter

Jeffrey Nelson [REDACTED]

Fri 10/8/2021 4:14 PM

To: Anup Tapase <atapase@bayareametro.gov>

Cc: info@planbayarea.org <info@planbayarea.org>

External Email

What also I find disturbing is you say you advocate for the displaced minority. But what you really intend to do is to drive up the cost and goods by charging a per mile charge on delivery of food and products in a tight area. So now those costs are passed on to the local consumer so you will make it harder and more expensive to live in the bay area. I saw this done in New York with toll roads and what it does is the exact opposite of what you want to accomplish. Better Idea is to put an excise tax on vehicles purchased over 50k and use that money to fund your projects. That way you tax the rich not the working class guy driving an old Honda trying to feed his family of 4 while living in Modesto and commuting to the bay area for work. This per mile toll is the most repressive tax on the poor that I can imagine. I am sure everyone who likes that Idea makes 100k a year and already lives in the bay area so no big deal that driving around costs and extra 1 k a year.

On Fri, Oct 8, 2021 at 1:34 PM Anup Tapase <atapase@bayareametro.gov> wrote:

Hello Jeff,

I am emailing on behalf of the Plan Bay Area 2050 team, in response to your comment letter related to the strategy T5 "Implement per-mile tolling on congested freeways with transit alternatives." Thank you for your engagement with Plan Bay Area 2050. We acknowledge and share your concern regarding the potential adverse impacts of such a strategy on residents with long commutes, especially those with low incomes who live in areas with more affordable housing such as the Central Valley. In the plan, we envision this as a strategy that includes means-based tolls (i.e. discounts for drivers with lower incomes), and one that would be implemented only on freeway segments with robust transit alternatives in place prior to the tolling. Revenues from tolling would be reinvested toward enhancing transit options and other complementary strategies. Alongside, the plan seeks to spur affordable housing development throughout the region, especially in transit-rich and high-resource areas, so more low-income residents are able to live closer to their jobs.

That being said, the implementation of this strategy is not anticipated for at least five years, and further refinements are critical to ensure win-win outcomes for all Bay Area residents and workers. Toward this, we will be conducting a study over the next two years that will involve in-depth technical analysis and engagement with key partners, stakeholders and the public, including various communities such as low-income workers, rural residents, small/medium business workers and freight/delivery organizations. We encourage your participation in this effort if you are interested in further shaping this strategy; please stay tuned for further details.

Best,

Anup

Anup Tapase

Principal Planner, Regional Planning Program

atapase@bayareametro.gov | (415) 778-5246

BAY AREA METRO | BayAreaMetro.gov

Association of Bay Area Governments

Metropolitan Transportation Commission

375 Beale St Suite 800 San Francisco CA 94105

Jeff Nelson





Supervisor Alfredo Pedroza, Chair
Metropolitan Transportation Commission
375 Beale Street, Suite 800
San Francisco, CA 94105

October 5, 2021

Mayor Jesse Arreguín, President
Association of Bay Area Governments
375 Beale Street, Suite 800
San Francisco, CA 94105

Therese McMillan, Executive Director
Metropolitan Transportation Commission
375 Beale Street, Suite 800
San Francisco, CA 94105

Dear Honorable Supervisor Pedroza, Mayor Arreguín, and Director McMillan,

San Francisco is committed to collective action to build a more equitable, sustainable, and resilient region as called for in Plan Bay Area (PBA) 2050. We want to thank leadership and staff for the immense amount of work that has gone into PBA and the focus on equity outcomes. Your staff's efforts in collaborating with San Francisco, other jurisdictions, and advocates on a more equitable plan are appreciated. San Francisco will continue to work over the long term with the Metropolitan Transportation Commission (MTC) and Association of Bay Area Governments (ABAG) to collectively implement regional solutions to improve housing affordability, reduce displacement, and meet greenhouse gas reduction targets. We are writing to request further action that will help PBA create a more equitable region.

This letter follows a January 20th, 2021 letter that raised concerns about the PBA growth forecast and its impact on the Regional Housing Need Allocation (RHNA). **Today, San Francisco's primary concern is that the growth forecast assumed higher future density on lots with existing multifamily housing and in sensitive communities at-risk for displacement, resulting in higher likelihood of redevelopment, than similar sites with single family homes.** These assumptions result in forecasted development in San Francisco premised on redevelopment of lots with rent-controlled housing citywide, especially in lower income communities of color such as the Mission and Western Addition.

We believe that these assumptions are not consistent with the Plan's goals to address regional housing needs through a robust three-pronged, simultaneous strategy of production, protection, and preservation and will, in fact, undermine the Plan's goals to reduce displacement and acquire and preserve hundreds of thousands of rental units occupied by lower income renters. These assumptions seem to be inconsistent with state Housing Element law and are inconsistent with the state tenant protecting demolition controls, such as Section 66300(d). State law requires local jurisdictions to adopt policies to conserve sound multifamily housing and requires that sites counted in local RHNA inventories be realistic for development, which is unlikely for multifamily sites due to financial feasibility and to requirements for unit replacement and right to return such as those in 66300(d). Beyond state law, these growth assumptions may have reduced forecasted growth in historically exclusionary jurisdictions that are disproportionately jobs-rich and high opportunity. Unfortunately, the adopted RHNA methodology already incorporates these growth forecast results.

In response to these concerns, ABAG/MTC members and staff decided to study an Equity Alternative. We were gratified to see that the Alternative performed well in terms of the environmental and social outcomes. The Equity Alternative included positive changes to the land use assumptions in the plan, including correcting the above described density discrepancy between multifamily and single-family lots. The Equity Alternative encouraged more housing in disproportionately jobs-rich and high opportunity areas. Oddly, the Equity Alternative also included transportation policies and investments unrelated to household and job growth patterns that undermined the Alternative's effectiveness. San Francisco cannot support the Equity Alternative's changes to transit investment given the unclear relationship to current needs or future growth. We see no reason why improvements to the land use assumptions in the Equity Alternative could not be combined with the current transportation investment plan to produce a plan that is both more equitable and effective for the region.

San Francisco believes that there are steps that can still be taken to address inconsistencies between PBA's stated equity goals and the forecast assumptions. We ask our colleagues at ABAG/MTC to consider and enact these steps going forward:

1. Identify additional resources and strategies to rapidly implement PBA's goal to acquire thousands of rental units occupied by low and moderate people. This investment should be prioritized to stabilize communities of color at risk of displacement in the short to medium term.
2. Consider changes to PBA ahead of adoption to address disconnects between PBA's goals for preservation of multifamily housing and the Plan's land use assumptions. These changes should include substituting land use assumptions from the Equity Alternative.
3. Condition future transportation investments in exclusionary jurisdictions that are disproportionately jobs-rich, low-density, and high resource on increased housing production for all incomes.
4. Identify robust near-term funds for transit state of good repair and for additional PDA plans to identify other supporting investments, and ensure that each jurisdiction that nominated new PDAs through the PBA 2050 process has access to a meaningful level of resources to implement adopted PDA plans.
5. Ensure that future PBA growth forecasts are final and vetted through the PBA process before being incorporated into the RHNA methodology for final adoption by MTC and ABAG.
6. Ensure that future PBA forecast assumptions are consistent with multifamily preservation goals. This is particularly important in lower income communities of color, and to ensure parity of treatment of multifamily and single-family housing occupied parcels that are otherwise similar.

San Francisco will continue to do our part to produce and preserve housing to improve affordability and to create the green transportation system of the future. The city has been one of the leading regional housing producers in recent years, including unprecedented investment in affordable housing. The city has taken ambitious steps to preserve housing including the Rental Assistance Demonstration (RAD) conversion and rehabilitation of 3,500 public housing units and the ongoing rebuilding of all remaining large public housing sites (over 1,200 units) through HOPE SF. Since 2014, San Francisco has funded the nonprofit acquisition of 52 small and large site rental buildings with 543 residential units to preserve affordability for lower income tenants. San Francisco is working to encourage housing production throughout the city and has recently designated four large new Priority Development Areas (PDAs) in lower density, transit-served areas of the city.

We have taken bold steps to support transit, bicycling, and walking including the designation of Market Street, the city's main Downtown corridor, as transit and bicycle only while also expanding bus-only lanes and bicycle lanes throughout the city. San Francisco has low Vehicle Miles Traveled (VMT) because we have invested for decades in a robust transit system and sustainable policies such as low parking provision combined with transit-oriented development. San Francisco has an estimated \$20 billion backlog in transit system state of good repair needs, and many of our transit lines are already

experiencing crowding. The higher growth forecast will exacerbate both of these conditions without a commensurate commitment to increase investment in the infrastructure and services needed to support the increase in growth. We will need the region's support to maintain and expand our transit systems, to ensure safe, easy bicycling and walking trips throughout the city, and to maintain our streets and bridges in a state of good repair.

Specific near-term priorities for project development and construction investment include: the Downtown Rail Extension; Muni Core Capacity Program; Yerba Buena Island (YBI) West Side Bridges Seismic Retrofit Project; Treasure Island Mobility Management Program (inclusive of an equitable tolling, electric ferry, and affordability program); Vision Zero Quick Builds on our city's high-injury network; Geary BRT Phase 2; Better Market Street; US-101/I-280 managed lanes; and the Embarcadero Roadway, Mission Creek and Ocean Beach Master Plan resilience projects. We will be looking for your support in the various planning, policy and funding efforts on the horizon, including the Transit Oriented Development policy update, the Regional Active Transportation Plan, OBAG 3 Regional Programs, the Regional Transit Expansion Program update, RM3 and SB1 programming efforts, and others. The region will only succeed through partnership.

We ask that our colleagues take action on the steps we suggest above so that PBA can realize its full promise as a regional plan that emphasizes equity, prevents displacement, expands access, reduces emissions, and protects equity priority communities. We thank ABAG/MTC members and staff for ongoing collaboration and recommit ourselves to the collective work of creating a more just, equitable, and sustainable region.

Sincerely,



Mayor London Breed



Supervisor Gordon Mar



Supervisor Hillary Ronen



Supervisor Rafael Mandelman



METROPOLITAN
TRANSPORTATION
COMMISSION

Bay Area Metro Center
375 Beale Street, Suite 800
San Francisco, CA 94105
415.778.6700



Association of
Bay Area Governments

Bay Area Metro Center
375 Beale Street, Suite 700
San Francisco, CA 94105
415.820.7900

October 18, 2021

Mayor London Breed
City and County of San Francisco
City Hall, Room 200
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Supervisor Gordon Mar
City and County of San Francisco
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Supervisor Hillary Ronen
City and County of San Francisco
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Supervisor Rafael Mandelman
City and County of San Francisco
City Hall, Room 200
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Re: Comments on Final Plan Bay Area 2050 and Future Implementation Activities

Honorable Mayor Breed and Honorable Supervisors Ronen, Mar, and Mandelman:

Thank you for your letter dated October 5, 2021 and for San Francisco's ongoing work in support of a more resilient and equitable region. We recognize that coordinated local, regional, and state action is critical to tackle our region's housing crisis, restore and expand our transit network, implement protections to rising sea levels, and so much more. MTC and ABAG look forward to partnering with San Francisco on many of the issues raised in your letter, especially as we pivot from planning to implementation in the coming months.

Turning to Plan Bay Area 2050 (Plan), we recognize your ongoing concerns about the strategies integrated into the proposed Plan, which were approved by the ABAG Executive Board and Commission in fall 2020. Consistent with action by the Board and Commission in January 2021, we worked to further explore these issues through the environmental process, weaving the City's feedback into EIR Alternative 2 along with related comments received during scoping. The Draft EIR found that this alternative was not environmentally-superior, and related performance metrics demonstrated that its performance on equity outcomes was mixed. Notably, EIR Alternative 1, which had a higher share of growth for San Francisco than the proposed Plan, performed best overall in terms of environmental and equity considerations.

We are aware of the City's interest in a new "hybrid" alternative combining the housing and economy strategies featured in EIR Alternative 2 and the transportation and environment strategies from the Proposed Plan. This "hybrid" alternative would not provide sufficient infrastructure funding to South Bay communities where more growth would be targeted, and therefore it could have greater environmental impacts than other alternatives analyzed. To accommodate such an alternative would require further analysis and potential recirculation of the Final EIR, causing up to six months' delay in

the adoption of Plan Bay Area 2050. This could have a significant effect on transportation project delivery and eligibility for State funding programs, and therefore we do not recommend pursuing this path forward.

Pivoting to implementation, we do believe there are opportunities to work together on other issues raised in the City's letter. Starting first with affordable housing, MTC and ABAG are committed to build on the work of the past four years through development of the Bay Area Housing Financing Authority (BAHFA) business plan. New revenues, both at the local and regional scales, may be needed over the next decade to fund critical needs for protection, preservation, and production, and we look forward to working closely with San Francisco on this front. Similarly, emerging funding programs, such as new cycles of the One Bay Area Grant (OBAG) program and Regional Early Action Planning (REAP) program, could augment and accelerate local planning work, including in Priority Development Areas where additional planning and zoning reform is needed. Conditioning of funding is more appropriately explored through those processes, rather than a long-range planning effort like Plan Bay Area 2050.

Furthermore, in the transportation space, MTC intends to continue emphasizing the fix-it-first priorities underscored in Plan Bay Area 2050's Transportation Element. MTC has allocated critical federal funding to our region's transit operators, including SFMTA, BART, Caltrain, and other operators serving San Francisco, during the pandemic. MTC will continue to prioritize operations and maintenance of our transportation system going forward as we implement the action plan developed through the Blue Ribbon Transit Recovery Task Force.

With regard to the City's concerns about the timing of the Plan Bay Area and RHNA processes, we acknowledge and understand these concerns. MTC and ABAG agree that the state-mandated parallel timelines for the Plan Bay Area and RHNA processes create challenges for the region and our local partners, requiring iteration back-and-forth with tight deadlines. MTC and ABAG will continue to engage on Senate Bill 375 reform and RHNA reform in 2022, considering how the State could alter or sequence these efforts to provide for more flexibility in the future.

Last but not least, please note that Plan Bay Area is updated every four years. Strategies can be added, removed, or refined each cycle. We anticipate the next update will commence in 2023, building upon the foundation of this major update that engaged tens of thousands of Bay Area residents. We thank the City and County of San Francisco, and its staff, for their participation throughout the four-year planning process, and we commit to continued partnership in the months and years ahead as we focus on implementation of this long-range plan.

Sincerely,

A handwritten signature in black ink, appearing to read "Therese W. McMillan", with a stylized flourish at the end.

Therese W. McMillan
Executive Director

Fw: Failure Notice

Hamilton Hitchings [REDACTED]

Thu 10/7/2021 2:47 PM

To: MTC-ABAG Info <info@bayareametro.gov>; info@planbayarea.org <info@planbayarea.org>

External Email

Plan Bay Area 2050 will unnecessarily increase housing costs, commute times and economic disparity.

This is because the plan does not meaningfully shift job growth away from the most expensive and developed areas such as the Peninsula and San Francisco to more affordable and easy to reach areas. The more affordable areas such as East Bay, North Bay and San Jose and further South all have lower housing costs and commuting access from even less expensive housing areas without going through congested corridors such as the Dumbarton and San Mateo bridges or on 237. The lack of effective job dispersal will deny countless lower and middle income working families the opportunity to afford a home and prevent them from building wealth and increasing their socio-economic status.

MTC/ABAG has violated California Government Code that calls for public discussion of alternative approaches to resolving intra regional jobs-housing imbalances to more effectively disperse jobs through the Bay Area. On August 17, 2019 a letter from PASZ (with 85 signatures) was sent to MTC/ABAG. The letter pointed to failures of the methodology used during Plan Bay Area 2040 that dramatically underestimated the concentration of jobs on the Peninsula and did not anticipate the dramatic negative impacts of job concentration on housing prices, income inequalities and long distance commuting. On Sept 19th, 2019 the ABAG Executive Committee approved the proposed methodology despite 10 speakers calling for the need and benefits to examine in open public discussion of alternate means of dealing with intra regional imbalances of jobs and housing.

Other shortcomings of Plan include:

- Estimating 25% population growth by 2050 despite California's steadily declining population and Santa Clara's growth being zero percent in 2018 and 2019 before declining 0.6% in 2020.
- The Plan assumes over \$1 trillion in funding for housing and transportation, which is unrealistically and overly optimistically high. Note, the entire 2020-21 California state budget was \$134 billion.
- Unrealistic expectations of public transportation and "transit rich areas". Bus ridership as a percentage of population has been declining and CalTrans is saturated with future capacity already spoken for. The myth that more density will fund effective public transportation to handle the planned growth on the Peninsula is not supported by the data.

Your response to some of my DEIR comments where you say "The comment does not raise environmental issues or concerns regarding the adequacy, accuracy, or completeness of the Draft EIR." for items such as significantly overestimating population (the basis of all environmental impacts) and increased commute times which affect pollution is not a valid response.

In summary, Plan Bay Area 2050 will unnecessarily increase housing costs, commute times and economic disparity. This is in part because it failed to hold meaningful public discussions on job dispersion and makes unrealistic assumptions about growth, funding and transportation.

From: [Greg Schmid](#)
To: [MTC-ABAG Info](#)
Subject: letter for October 8 meeting
Date: Thursday, October 7, 2021 4:46:03 PM
Attachments: [Oct 8 wbcc letter.docx](#)

External Email



West Bay Citizens Coalition

Empowering West Bay communities to find
locally driven solutions to regional problems

October 7, 2021

Joint MTC Planning Meeting with ABAG Administrative Committee:

MTC/ABAG need to get legal advice whether they have followed California Government Codes before they approve the Plan Bay Area 2050 before you.

By 2019 it was clear that Plan Bay Area 2040 was not meeting the Goals embedded in the California Government Code of "promoting a healthy intraregional relationship between jobs and housing". Letters from PASZ (August 2019) and WBCC (February 2020) as well as ten speakers at the September meeting of the ABAG Executive Board pointed to serious longer-term impacts of intraregional imbalances.

These letters and speakers called for MTC/ABAG to follow the CA Codes that called on Plan Bay Area to create incentives that will "promote an improved intraregional relationship between jobs and housing". (Code Section 65584 (d) (3)). The Code also specifically states that "public participation and access shall be required in the development of the methodology of the allocation of regional housing needs" (Code Section 65584 (d)).

Further, the Code states that HCD must "consult with the council of governments...who shall provide data assumptions from the council's projections...on the relationship between jobs and housing". (Code Section 65584.01 (c) (i) (F)). HCD must provide a written report to the council of governments that determines "whether the methodology furthers the obligation listed in subdivision (d) of Section 65584". (Code Section 65584.04 (i)).

Numerous letters and public comments were sent to MTC/ABAG citing these Code Sections. Yet in October 2019, one month after the methodology was approved, MTC/ABAG stated that jobs-caps in Jobs-rich Cities would not be considered with no public discussion. In June 2020, HCD sent a letter to MTC/ABAG with the final RHNA numbers stating that they had "an extensive consultation process from March 2019 through May 2020 covering the methodology, data sources and timeline for HCD's deliberations". There was no public discussion or sharing of data with the public in any of these "consultation" meetings despite repeated requests for access and/or information.

**Campbell, Cupertino, Los Altos, Menlo Park, Mountain View, Palo Alto,
Redwood City, Santa Clara, Saratoga, Sunnyvale... and growing**

MTC/ABAG's huge number for concentrated growth of both jobs and housing will have huge consequences for land and housing prices, growing income inequalities, long distance commuting, and future local government financing and decision-making.

Before you approve such an unrealistic Plan make sure the process has followed the requirements of the legal process requiring public engagement outlined in the Code. As the Code clearly requires, call for an open public meeting before you recommend approval of the Plan to explore the full consequences of the numbers embedded in the current draft of Plan Bay Area 2050.

Contact:

Greg Schmid

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

From: Bill Mayben <[REDACTED]>
Sent: Saturday, October 9, 2021 11:21:36 AM
To: Dave Vautin <[REDACTED]>
Subject: Sustainability and Resilience

External Email

Hi Dave,
I scroll through these few charts by moving my finger up and down the left side. I believe these are from 2016.

This chart set takes the lengthy scientific narrative out of the discussion; now that the comment period is over; leaving the stark question, "How do we objectively plan regionally for Sustainability and Resilience in full knowledge of the facts?" It seems these elements are foundational to, not parallel with, our aspirations.

Bill Mayben

<https://www.climatelevels.org/>

Sent from my iPhone

[REDACTED]

[REDACTED]

[REDACTED]

From: Bill Mayben <[REDACTED]>
Date: Monday, October 11, 2021 at 12:34 PM
To: Dave Vautin <[REDACTED]>
Subject: Tsunami Hazard zone update

External Email

Dave,
From the 10-10-21 Chronicle, they claim this is new information.
Bill



Source: California Geological Survey

John Blanchard / The Chronicle



Delta Stewardship Council

A CALIFORNIA STATE AGENCY

980 Ninth Street,
Suite 1500
Sacramento, CA 95814

916.445.5511
DELTACOUNCIL.CA.GOV

October 14, 2021

Therese McMillan, Executive Director
Metropolitan Transportation Commission
375 Beale Street, Suite 800
San Francisco, CA 94105-2066

Via email: tmcmillan@bayareametro.gov

CHAIR
Susan Tatayon

MEMBERS
Frank C. Damrell, Jr.
Maria Mehranian
Daniel Zingale
Don Nottoli
Christy Smith
Virginia Madueño

EXECUTIVE OFFICER
Jessica R. Pearson

RE: Comments on Plan Bay Area 2050 and Final Environmental Impact Report, SCH# 2020090519

Dear Director McMillan:

Thank you for the opportunity to review and comment on the Metropolitan Transportation Commission/Association of Bay Area Governments (MTC/ABAG) Plan Bay Area 2050 and the associated Final Environmental Impact Report (Final EIR). The Delta Stewardship Council (Council) recognizes the objective(s) of Plan Bay Area 2050, as described in the Notice of Availability, to serve as the 2021 Regional Transportation Plan and Sustainable Communities Strategy (RTP/SCS), a long-range regional plan for transportation, housing, the economy and the environment in the nine-county San Francisco Bay Area region.

As stated in our previous comment letters related to Plan Bay Area 2050¹, the Council is an independent state agency established by the Delta Reform Act of 2009, which is codified in Division 35 of the California Water Code, sections 85000-85350. The Delta Reform Act charges the Council with furthering California's coequal goals of providing a more reliable water supply for California and protecting, restoring, and enhancing the Sacramento-San Joaquin River Delta and Suisun Marsh (Delta) ecosystem, to be achieved in a manner that protects and enhances the unique cultural, recreational, natural resource, and agricultural values of the Delta as an evolving place. (Cal. Water Code § 85054.) Pursuant to the Delta

¹ The Council previously submitted comment letters on Plan Bay Area 2050 on February 25, 2020, October 28, 2020, and July 20, 2021. MTC/ABAG responded to the Council's February 25, 2020 comment letter in a letter dated April 7, 2020 regarding the proposed Growth Geographies that are located within the Delta.

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Comments on Plan Bay Area 2050 and Final EIR

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Reform Act, the Council has adopted the Delta Plan, a legally enforceable management framework for the Delta for achieving the coequal goals. (Cal. Water Code § 85001(c).)

The Delta Reform Act also requires the Council to review and provide advice and input to local and regional planning agencies regarding the consistency of local and regional planning documents, including sustainable communities strategies and alternative planning strategies. The Council's input shall include, but not be limited to, reviewing the consistency of local and regional planning documents with the ecosystem restoration needs of the Delta and reviewing whether the lands set aside for natural resource protection are sufficient to meet the Delta's ecosystem needs (Cal. Water Code § 85212.). This letter constitutes the Council's review of and advice on Plan Bay Area 2050 pursuant to Water Code section 85212.

MTC/ABAG's Plan Bay Area 2050 is an (RTP/SCS) for the nine-county San Francisco Bay Area region. Portions of the nine-county region, specifically Alameda, Contra Costa, and Solano Counties, include land within the Delta.

Delta Reform Act Requirements for Regional Transportation Plans and Sustainable Communities Strategies

The Delta Reform Act requires that metropolitan planning organizations preparing a regional transportation plan that includes land within the primary or secondary zones of the Delta consult with the Council early in the planning process. (Cal. Water Code § 85212.) Council staff and MTC/ABAG staff met for this purpose on December 12, 2019 and January 22, 2020.

The Delta Reform Act also requires that the metropolitan planning organization provide a draft SCS and an alternative planning strategy, if any, to the Council, no later than 60 days prior to adoption of the final RTP, along with concurrent notice of the submission in the same manner as an agency filing a certification of consistency. (Cal. Water Code § 85212.) MTC/ABAG made Draft Plan Bay Area 2050 available to the Council on June 3, 2021, including concurrent notice, in the same manner in which agencies file a certificate of consistency, pursuant to Water Code section 85225.

Preliminary findings as to the consistency of the June 3, 2021 Draft of Plan Bay Area 2050 with the Delta Plan were offered in the Council's July 20, 2021 comment letter based on Council staff analysis. This letter presents the Council's final findings.

Delta Plan Covered Actions

A state or local agency that proposes to carry out, approve, or fund an action that occurs in whole or in part in the Delta (a “covered action”) is required to prepare a written Certification of Consistency with detailed findings as to whether the covered action is consistent with the Delta Plan and submit that certification to the Council prior to implementation of the project. (Cal. Water Code § 85225.) The Delta Reform Act exempts from this requirement actions within the Secondary Zone of the Delta that a metropolitan planning organization determines are consistent with its sustainable community strategy (or alternative planning strategy) and that the State Air Resources Board has determined would achieve regional greenhouse gas emission reduction targets. (Cal. Water Code § 85057.5(b)(4).) MTC/ABAG is the metropolitan planning organization for the Bay Area region, which contains portions of the Secondary Zone of the Delta. Thus, Water Code section 85057.5(b)(4) provides MTC/ABAG with a significant role in shaping the State’s Delta policy.

Council Review of and Input on the Plan Bay Area 2050 and Final EIR

This section presents the Council’s review of and input on Plan Bay Area 2050, pursuant to Water Code section 85212. It also presents the Council’s comments on the Final EIR.

1. Urban Expansion within the Delta

The Council exercises its authority through regulatory policies (set forth in Title 23 of the California Code of Regulations, Sections 5001 through 5016) and recommendations incorporated into the Delta Plan. One of the regulatory policies, Delta Plan Policy **DP P1** (Cal. Code Regs., tit. 23, § 5010) places certain limits on new urban development within the Delta. New residential, commercial, or industrial development must be limited to areas that city or county general plans designate for such development as of the date of the Delta Plan’s adoption (May 16, 2013). In Contra Costa County, new residential, commercial, and industrial development within the Delta must be limited to areas within the 2006 voter-approved urban limit line (ULL) (Cal. Code Regs., tit. 23, § 5010(a)(2)). This policy is intended to strengthen existing Delta communities while protecting farmland and open space, providing land for ecosystem restoration needs, and reducing flood risk.

Council staff reviewed the Draft Blueprint for Plan Bay Area 2050 in February 2020 for consistency with **DP P1**. The Draft Blueprint designates four types of “Growth Geographies,” or geographic areas used to guide where housing and jobs development would occur: Priority Development Areas (PDAs), Priority Production Areas (PPAs), Transit-Rich Areas (TRAs), and High-Resource Areas (HRAs). Plan Bay Area 2050 identifies strategies

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to accommodate new residential, commercial, and/or industrial development within these Growth Geographies.

The Council's February 25, 2020 and October 28, 2020 comment letters advised MTC/ABAG that its selection of Growth Geographies should ensure that they provide for wise residential, commercial, and industrial development that does not conflict with **DP P1**. According to MTC/ABAG's Regional Growth Framework for Plan Bay Area 2050, only areas fully within an existing urbanized area, and undeveloped areas within an established urban growth boundary (UGB) or limit line (ULL), are eligible to be nominated as PDAs and PPAs. Thus, by definition, new residential, commercial, or industrial development within these areas should be consistent with **DP P1**. Council staff have reviewed the PDA and PPA boundaries identified in Plan Bay Area 2050 within and adjacent to the Delta, including changes to these boundaries since the Draft Blueprint was approved in February 2020, and have confirmed that these PDAs and PPAs would be consistent with **DP P1**.

Plan Bay Area 2050 includes two TRAs within the Delta, both of which are located within Contra Costa County's 2006 voter-approved ULL, and thus would be consistent with **DP P1**. Council staff did not identify any HRAs within the Delta.

The Council's October 28, 2020 comment letter on the Notice of Preparation (NOP) requested that the Draft EIR acknowledge Policy **DP P1** in the regulatory setting for the Land Use and Planning section, as well as in the Draft EIR growth inducement discussion. Thank you for acknowledging Policy DP P1 throughout the Land Use, Population, and Housing section of the Draft EIR. While the Growth-Inducing Impacts section of the Draft EIR does not specifically acknowledge Policy **DP P1**, it concludes that Plan Bay Area 2050 is not growth-inducing, but rather accommodates forecasted growth in the region.

The Council's October 28, 2020 comment letter also requested that the Draft EIR document how the RTP/SCS is consistent with Policy **DP P1**, and evaluate whether any of the Growth Geographies located within or adjacent to the Delta have the potential to induce residential, commercial, or industrial development that would be inconsistent with **DP P1**. The Land Use, Population, and Housing section discussion of Impact LU-2 ("Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect") for land use impacts acknowledges Policy **DP P1** and states that "[P]rojected development could affect consistency with the Delta Plan adopted by the Delta Stewardship Council because development at the urban edge could adversely impact agriculture, natural resources, recreational land, and water quality in the Delta" (pp. 3.11-24 – 3.11-25).

The Council's July 20, 2021 comment letter requested that MTC/ABAG revise its description of **DP P1** on page 3.11-24 of the EIR. Thank you for making this change in the Final EIR.

The Council's October 28, 2020 comment letter noted that the Council also has an interest in recommended transportation projects in the RTP/SCS that may induce urban expansion or improve or degrade connections to rural areas, that would be inconsistent with **DP P1**, and that the Draft EIR should describe what infrastructure, beyond the recommended transportation projects, would be necessary to support the strategy or the plans, programs, projects, or activities encompassed within it.

The Land Use, Population, and Housing section of the Draft EIR discusses transportation system impacts with respect to the Delta Plan within analysis of Impact LU-2, stating that "Development of transportation projects could affect consistency with the Delta Plan if transportation projects were developed at the urban edge and had adverse impacts on agriculture, natural resources, recreational land, and water quality in the Delta. Therefore, subsequent transportation projects within the proposed Plan that fall within the Delta Plan boundaries would be required to demonstrate consistency with the plan and satisfy mitigation requirements" (p. 3.11-28). It should be noted, however, that Water Code section 85057.5(b)(4) exempts such actions from Delta Plan covered action requirements if MTC determines that the action is consistent with either an SCS or alternative planning strategy that achieves California Air Resources Board greenhouse gas emissions targets for the region. In other words, if MTC determines that a transportation project is consistent with Plan Bay Area 2050, that project would be exempt from the Delta Plan covered actions process.

The Growth-Inducing Impacts section also notes that while some proposed transportation projects—such as the widening or expansion of roadways—could be considered growth-inducing at a local scale, these projects would support the growth forecasted for the region. The Growth-Inducement section notes that the proposed transportation projects are designed to achieve more sustainable forecasted growth, and that while obstacles to growth would be removed by providing more capacity in some instances, this growth is forecasted.

Finding: Based on review of the Draft Plan Bay Area 2050 and the Draft EIR, in compliance with the Delta Reform Act, section 85212, the Council has not identified any inconsistency of Draft Plan Bay Area 2050 with Delta Plan Policy **DP P1**.

2. Consistency with Ecosystem Restoration Needs and Sufficiency of Lands Set Aside

Section 85212 of the Delta Reform Act requires that the Council's input on local and regional planning documents, including sustainable communities strategies, include, but not be limited to reviewing:

- the consistency of local and regional planning documents with the ecosystem restoration needs of the Delta; and
- whether the lands set aside for natural resource protection are sufficient to meet the Delta's ecosystem needs.

Thank you for acknowledging this in the Biological Resources section of the EIR.

Additionally, we appreciate your acknowledgement of policies **ER P2** ("Restore Habitats at Appropriate Elevations") (Cal. Code Regs., tit. 23, § 5006), **ER P4** ("Expand Floodplains and Riparian Habitats in Levee Projects") (Cal. Code Regs., tit. 23, § 5008), and **ER P5** ("Avoid Introductions of and Habitat Improvements for Invasive Nonnative Species") (Cal. Code Regs., tit. 23, § 5009); and recommendations **ER R2** ("Prioritize and Implement Projects That Restore Delta Habitat") and **WR R12** ("Promote Options for Conveyance, Storage, and the Operation of Both") in the regulatory setting of the Biological Resources section of the EIR. Thank you for updating the title of recommendation **WR R12** in the Final EIR.

a. Consistency with Restoration Needs

The Delta Plan designates six priority habitat restoration areas (PHRAs) that have the greatest potential for large-scale habitat restoration (Delta Plan, Chapter 4, p. 136-138). Delta Plan Policy **ER P3** (Cal. Code Regs., tit. 23, § 5007) states that significant adverse impacts to the opportunity to restore habitat must be avoided or mitigated in these areas (depicted in Appendix 5:

[https://govt.westlaw.com/calregs/Document/I23BAB44007AA11E39A73EBDA152904D8?viewType=FullText&originationContext=documenttoc&transitionType=CategoryPageItem&contextData=\(sc.Default\)](https://govt.westlaw.com/calregs/Document/I23BAB44007AA11E39A73EBDA152904D8?viewType=FullText&originationContext=documenttoc&transitionType=CategoryPageItem&contextData=(sc.Default))). As stated in our previous comment letters, four PHRAs are located partially or wholly within the RTP/SCS planning area: (1) Suisun Marsh; (2) Cache Slough; (3) the southern and western portions of the Yolo Bypass; and (4) the Winter Island and Dutch Slough portions of the Western Delta PHRA. The consistency of Plan Bay Area 2050 with the ecosystem restoration needs of the Delta is based on its potential to impact the opportunity to restore habitat in these PHRAs.

As described in Section 1 ("Urban Expansion within the Delta"), the Land Use, Population, and Housing section of the Draft EIR states that development at the urban edge could

adversely impact natural resources in the Delta (pp. 3.11-24 – 3.11-25). Nevertheless, Impact BIO-2 in the Biological Resources section addresses impacts to “riparian habitat, State- or federally protected wetlands (including but not limited to marsh, vernal pool, coastal), or other sensitive natural communities...” and states that there is a less than significant impact after mitigation. Therefore, it appears that Impact BIO-2 and the associated mitigation measures would adequately address Policy **ER P3**.

Council staff have reviewed the Growth Geographies within and adjacent to the Delta, including changes to these boundaries since the Draft Blueprint was approved in February 2020, and has not identified any conflict between the Growth Geographies and PHRAs depicted in Delta Plan Policy **ER P3**.

b. Sufficiency of Lands Set Aside

The Council appreciates that Plan Bay Area 2050 aims to protect conservation areas by including strategies to protect open space lands and to concentrate development within already developed areas (a focused growth approach). Implementation of Plan Bay Area 2050 Strategies EN4 and EN5 would protect existing scenic resources, including scenic views, located within open space lands, agricultural lands, wildland-urban interface lands, and designated Priority Conservation Areas (PCAs) (Draft EIR, p. 3.2-11).

Plan Bay Area 2050 sets aside specific lands for conservation in locally-nominated PCAs. The Council's February 25, 2020 and October 28, 2020 comment letters noted that the Draft Blueprint featured two PCAs that overlap with a Delta Plan PHRA. The East Contra Costa County Habitat Conservation Plan/Natural Community Conservation Plan (ECCC HCP/NCCP) PCA covers the Dutch Slough portion of the Delta Plan's Western Delta PHRA, and the Cache Slough PCA covers the Delta Plan Cache Slough PHRA. Council staff has reviewed the PCAs identified in Plan Bay Area 2050 and determined that two additional PCAs are located partially within a Delta Plan PHRA. The Delta Recreation Area PCA covers the Dutch Slough portion of the Delta Plan's Western Delta PHRA, and the Tri-City-County Cooperative Planning Area PCA covers the northwestern corner of the Delta Plan's Suisun Marsh PHRA.

Thank you for including these PCAs corresponding to Delta Plan PHRAs in the Draft Plan Bay Area 2050. We continue to encourage MTC/ABAG to designate the entire Suisun Marsh, the southern and western portions of the Yolo Bypass, and Winter Island as PCAs. The Final EIR notes that the next opportunity to nominate new PCAs will occur as part of the next iteration of Plan Bay Area (p. 2-660). As part of the next RTP/SCS update, the Council will support and encourage additional locally-nominated PCA designations that recognize and align with these remaining Delta Plan PHRAs located within Solano County and Contra

MTC/ABAG

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Costa County. Such actions will ensure that the lands set aside for natural resource protection are in the priority locations and at elevations necessary to meet the Delta's ecosystem needs.

Finding: *Based on review of the Draft Plan Bay Area 2050 and the Draft EIR, in compliance with the Delta Reform Act, section 85212, the Council has not identified that lands set aside for conservation and restoration in the Draft Plan Bay Area 2050 are inconsistent with the ecosystem restoration needs of the Delta.*

Closing Comments

Pursuant to Water Code section 85212, the Council has reviewed and provided advice and input on the Draft Plan Bay Area 2050 as outlined in this letter. The Council has not identified any inconsistency with the Delta Plan. The Council unanimously approved the findings in this comment letter at its monthly meeting on September 23, 2021. The Council has not identified any inconsistency between Plan Bay Area 2050 and the Delta Plan. Implementation of Plan Bay Area 2050 will promote sustainable growth while protecting the Delta's agricultural, recreational, cultural, and natural resource values.

The Council invites you to continue to engage Council staff following the adoption of Plan Bay Area 2050 to coordinate implementation and subsequent plan updates. Please contact Avery Livengood, Environmental Program Manager, at (916) 642-9089 or Avery.Livengood@deltacouncil.ca.gov with any questions.

Sincerely,

Jeff Henderson

Jeff Henderson, AICP
Deputy Executive Officer
Delta Stewardship Council

CC info@planbayarea.org

Dave Vautin, MTC (DVautin@bayareametro.gov)

Michael Germeraad, MTC (MGermeraad@bayareametro.gov)

Rachael Hartofelis, MTC (RHartofelis@bayareametro.gov)

Mark Shorett, MTC (MShorett@bayareametro.gov)

Jessica Fain, Bay Conservation and Development Commission (Jessica.Fain@bcdca.gov)

Erik Vink, Delta Protection Commission (Erik.Vink@delta.ca.gov)

The Yerba Buena Neighborhood Consortium

c/o 230 Fourth St. San Francisco, CA 94103

October 15, 2021

Via Email: info@bayareametro.gov

Board of Directors, Metropolitan Transportation Commission
Board of Directors, Association of Bay Area Governments
375 Beale Street, Suite 800
San Francisco, CA, 94105

RE: Plan Bay Area 2050 Approvals

MTC and ABAG Commissioners and Staff:

Do not approve Plan Bay Area 2050 as proposed. Despite its lofty goals, PBA2050 as now constituted will in fact result in the disappearance of the Bay Area's lower-income/working class/minority BIPOC Central City communities and the market-driven displacement of hundreds of thousands of their long-time residents. Many will be forced out of the Bay Area entirely.

Housing is a human right. Affordable housing for all the people of the Bay Area is their human right. That was the commitment of the National Housing Act of 1937 that still remains unfulfilled today, 84 years later. That must be the commitment of PBA2050. This is Social Housing, housing that all low/moderate/middle income households can afford. But it can only be accomplished with the full commitment of the local, state, and federal funding that it will take. Without that, PBA2040 is nothing but an empty shell full of empty promises.

And the once-unimaginable economic/social disaster of Homelessness that is overwhelming many of our communities – and leaving tens of thousands of our residents destitute and desperate each day – must be ended conclusively within the next 10 years.

There are multiple approaches to delivery of Social Housing. But for-profit private sector development is not one of them. Market economics can no longer magically meet the needs of all Americans for affordable homes via some imaginary 'trickle down' economics that no longer exist in the 21st Century. Yet that is the fatally flawed premised of this PBA2050.

Thus, Plan Bay Area 2050 is a "plan" that in fact is designed to fail.

To actually provide a blueprint for Social Equity, Social Justice, Smart Growth, and Environmental Sustainability for the future of our Bay Area, PBA2050 must:

- Include now a real, fully detailed plan to fund the tens of thousands of housing units and temporary facilities needed to end Homelessness in the Bay Area within 10 years.
- Mandate 100% Jobs/Affordable Housing Balance for all large scale future commercial development in all Bay Area counties. San Francisco's 2020 Proposition E was the first step towards this goal in the Region. It must be mandated throughout the Bay Area, starting with the upcoming Oakland Downtown Plan, and expanded to include the now booming development of biomed facilities Region-wide too.
- Exempt all identified Central Cities "Communities of Concern" from the designated Priority Development Areas and any State mandated up-zonings unless and until really affordable housing for ALL their lower-income and working class residents is already assured and in place. PBA2050's mere promises of un-guaranteed and un-required affordable housing for Communities of Concern without clear land use policies that de-commodify land and housing – and instead include adequate and committed funding for the affordable housing – are clearly not realistic.
- Transform the hundreds of wasted square miles of surface parking lots for office parks and shopping malls throughout the Region into medium-density new residential districts to meet the Bay Area's market housing needs - without disrupting the neighborhood life of existing communities.
- Mandate a minimum of 10% inclusionary housing now for middle-income households everywhere in the Bay Area, gradually increasing to 24%, matching San Francisco's approved 2028 legislative commitment, by 2050.
- Mandate that no less than 50% of new housing developed on publicly owned property will be affordable for lower and middle-income households or Teacher Housing.

Please also be reminded for the record that the proposed Final Environmental Impact Report for PBA2050 is itself legally insufficient to meet the requirements of CEQA. It fails to evaluate Project Alternatives that may well be environmentally superior and would certainly be socially and ethically superior. In particular, the "Equity, Environment, and Jobs Alternative" of the PBA2040 – which was NOT adopted as the approved PBA2040 Plan – is completely omitted and discarded from any consideration at all as an Alternative in the PBA 2050 FEIR.

Sincerely,
John Elberling
Manager

Cc: Susan Brandt-Hawley

From: [Dave Planka](#)
To: [MTC-ABAG Info](#)
Subject: Everyone wants out of the Bay Area
Date: Monday, October 18, 2021 12:31:18 PM

External Email

ABAG is an epic failure. Your policies are making people LEAVE.
Keep shoving liberalism down the throats of the Bay Area and you will be left with no one to govern.
I am leaving ASAP because of the local tyranny that you endorse.

Read this and realize you as a governing body have failed miserably.

<https://www.breitbart.com/politics/2021/10/13/poll-56-of-san-francisco-bay-area-residents-plan-to-leave-in-next-few-years/>

From: [REDACTED]
To: [MTC-ABAG Info](#)
Subject: 10/21/21 Vote on Plan Bay Area 2050
Date: Monday, October 18, 2021 1:56:38 PM

External Email

On Thursday, October 21, ABAG will vote on Plan Bay Area 2050. Responses to public comments on the EIR said that sea level rise did not need to be addressed because Plan Bay Area 2050 did not directly cause sea level rise and that it was too early in the planning process to address questions about adequacy of water supply.

Prior to ABAG's vote and given these questions will not be addressed by Plan Bay Area 2050, a 20-30 year regional planning study, I would like to understand from ABAG where and when these issues will be addressed especially given that various cities indicated in their RHNA appeals that they are not prepared or resourced to address such issues.

Bruce Irion
[REDACTED]

From: [REDACTED]
To: [Martha Silver; MTC-ABAG Info](#)
Subject: October 21, 2021 MTC/ABAG Joint Meeting - Public Access Denied to "Plan Bay Area 2050 Consolidated Slide Deck"
Date: Monday, October 18, 2021 3:04:04 PM

External Email

Public Comment Concerning Plan Bay Area 2050

The Bay Area's dysfunctional transportation system in the year 2021 after decades of inept MTC "planning" and billions of wasted federal, state, regional, county, city and other local transportation dollars is "Exhibit A" in the case against the soundness and credibility of MTC's Plan Bay Area 2050.

Alameda County Taxpayers' Association (ACTA) is greatly concerned that Plan Bay Area 2050 is delving far outside MTC's authority and supposed expertise in transportation. For example, Table 7.3 shows that MTC/ABAG would "Support" a "strategy" to "Implement a Statewide Universal Basic Income" costing "\$205" billion with a "Recommended Implementation Role" for MTC/ABAG. See Chapter 7, page 128:

https://www.planbayarea.org/sites/default/files/documents/PBA50_Implementation_Plan_Oct2021.pdf

ACTA questions if and how MTC commissioners are qualified to evaluate the merits of a \$205 billion social program. Government Code sec. 66504 states concerning selection of MTC commissioners: "Commissioners shall be selected for their special familiarity with the problems and issues in the field of transportation." Note that commissioners are NOT selected for their "special familiarity" with housing policy, let alone a \$205 billion cash-transfer social program.

ACTA also questions how and why MTC should have an "implementation role" in such a program. This is a good example of "empire building" by MTC/ABAG to control decisions by local governments (first transportation, now housing, next social programs) and all aspects of the daily lives of citizens across the region, akin to a Soviet-style regional Politburo. Instead of proposing an authentic and rational "regional transportation plan," MTC appears to be engaging in "mission creep" (or more accurately, "transportation mission avoidance") and decreeing a "Bay Area Central Committee Five Year Plan," ghostwritten by the Bay Area Council, Silicon Valley Leadership Group, real estate development interests, other corporate elites and their allied construction unions, and rammed down onto cities, neighborhoods, and citizens.

The Alameda County Taxpayers' Association is having difficulty accessing MTC Plan Bay Area 2050 materials. This is stymieing ACTA's and the general public's efforts to provide public comment concerning Plan Bay Area 2050.

Martha Silver, copied on this message, is listed as MTC's point of contact concerning the October 8, 2021 Joint MTC Planning Committee meeting. See:

<https://mtc.ca.gov/meetings-events/joint-mtc-planning-committee-abag-administrative-committee-2021-10-08t164500>

The October 8, 2021 Joint MTC Planning Committee meeting agenda states, "5a. 21-1148 Final Plan Bay Area 2050 (Consolidated Slide Deck)


Attachments: 5a_Final Plan Bay Area 2050_October 2021_PowerPoint.pdf"

That links to this webpage:

<https://mtc.legistar.com/gateway.aspx?M=F&ID=7d42a837-1029-44e6-9ca5-5b21a340ab73.pdf>

However, that webpage is unavailable. A message reads, " This record is currently unavailable."

ACTA requests that public access be given to that "Final Plan Bay Area 2050 (Consolidated Slide Deck)" for the October 8, 2021 Joint MTC Planning Committee meeting as soon as possible.

Sincerely,
Jason Bezis
Law Offices of Jason A. Bezis
attorney for Alameda County Taxpayers' Association


From: [Greg Schmid](#)
To: [MTC-ABAG Info](#)
Subject: Metropolitan Transportation Commission and ABAG Executive Board October 21
Date: Monday, October 18, 2021 4:27:13 PM

External Email

October 18, 2021

Metropolitan Transportation Commission and the Association of Bay Area Governments Executive Board:

Before you approve Plan Bay Area 2050 please ask your attorney to make a public legal statement as to whether the Plan Bay Area 2050 jobs and housing projections can be publicly challenged over the next eight years.

Your approval of the draft of Plan Bay Area 2050 before you is a significant step. Half way through the current eight year cycle of Plan Bay Area 2040 (in 2017) MTC/ABAG decreed that the jobs and housing numbers projected by that Plan could not be lowered during its eight year RHNA cycle: “an alteration that reduces household or job projections relative to the proposed Plan would not be consistent with Federal or State regulations nor to MTC/ABAG’s settlement agreement with the Building Industry Association of the Bay Area and is therefore not appropriate for consideration” (MTC, “Comments and Responses on the Draft EIR”, July 10, 2017, p 2-16).

Are you thus, again, claiming that after your vote on October 21, 2021 your jobs and housing projections cannot be “considered” for reduction over the next eight years? You are particularly vulnerable because a number of documented claims have been made that you have excluded the public from key decisions. In fact, the Plan Bay Area 2050 decision-making body was a small ‘technical committee’ dominated by MTC and ABAG staff with participation by members of the State Departments of HCD and DOF. There was no effective public participation in the group’s deliberations and decisions. Further the group depended upon in-house models (REMI and Urban Sim) that were not open to public use or scrutiny.

The results were not surprising but deeply disturbing:

1. California Government Codes were ignored that called for public discussion that “will promote an improved intraregional relationship between jobs and housing” (CA Code Section 65584 (d) (3)) and that HCD will publish a guidebook that will provide incentives to “facilitate an improved balance between employment generating land use and residential land use” (CA Code Section 65890.5).
2. There was no public assessment of the serious issues arising out of Plan Bay Area 2040’s failure to come close to achieving its interim goals in the period 2010-2018 despite clear public documentation of such problems.
3. The Horizon project (2018-2019) recommended a strategy that would explore the

possible benefits of jobs caps in jobs rich cities was rejected within a month of approval of Plan Methodology without public discussion (October 2019).

4. The Technical Committee set an early “Priority Strategy” of concentrated job growth in already jobs-rich areas, relying on transit solutions despite clear evidence that transit ridership was falling pre-pandemic.

5. Because of the COVID crisis that started in 2019, census numbers through the ACS (for 2019 and 2020) and the Census 2020 were seriously delayed. These numbers were critical in assessing pre-pandemic trends for modeling purposes.

6. The COVID crisis resulted in a huge expansion of remote working (fostered by Silicon Valley technologies). This could result in significant adaptations in jobs and housing locations. This issue was not addressed in the Plan Bay Area 2050’s public discussions or models despite many public requests.

7. Recent Bay Area water shortfalls will be a critical element in future planning. How will this be integrated into longer-term jobs and housing growth projections?

8. There was no public discussion of who benefits and who pays for future strategies. The total cost of the recommended new initiatives came to well over a trillion dollars with the bulk of funds targeted to the work of MTC (in transit initiatives) and ABAG/HCD (in housing) that would fund most of the recommended strategic initiatives. The costs of implementation will fall primarily on local governments that get the bulk of their funding from residents not businesses.

Before you vote on October 21, make sure that you have addressed directly the rules mandated by the California Government Codes and that you vote on October 21 does not forbid open public discussion and a flexible decision process as updated data becomes available.

Greg Schmid
Palo Alto CA 94303



From: [Tiffany Yap](#)
To: [EIR Comments; info@planbayarea.org](#)
Cc: [Elizabeth Reid-Wainscoat](#)
Subject: Comments on the Final EIR for the Final Plan Bay Area 2050
Date: Tuesday, October 19, 2021 9:39:44 AM
Attachments: [image001.png](#)
[CBD comments - FEIR Plan Bay Area 2050 10-19-2021.pdf](#)

External Email

Hi there,

On behalf of the Center for Biological Diversity, I am submitting these comments on the FEIR for the Final Plan Bay Area 2050.

Here is a link with the cited references:


☐ [CBD Comments References - Final Plan Bay Area 2050 EIR](#)

Please confirm that you have received our comments and are able to access the references at the link provided.

Thank you for the opportunity to submit comments. Please add the Center to your notice list for all future updates to the Plan and do not hesitate to contact us if you have any questions.

Sincerely,

Tiffany

Tiffany Yap, D.Env/Ph.D. (*she, her*)
Senior Scientist, Wildlife Connectivity Advocate
Urban Wildlands Program
Center for Biological Diversity - Oakland

www.biologicaldiversity.org



Oct 19, 2021

Sent via email

MTC Commissioners
ABAG Executive Board Members
Attn: Final EIR Comments
375 Beale Street, suite 800
San Francisco, CA 94105
eircomments@bayareametro.gov
info@planbayarea.org

Re: Final Program Environmental Impact Report for the Final Plan Bay Area 2050

Dear Metropolitan Transportation Commission Commissioners and Association of Bay Area Governments Executive Board Members:

These comments are submitted on behalf of the Center for Biological Diversity (the “Center”) regarding the Final Program Environmental Impact Report (“FEIR”) for the Final Plan Bay Area 2050 (“Plan”). The Center has reviewed the FEIR and Plan and provides these comments for consideration by the Metropolitan Transportation Commission (“MTC”) and the Association of Bay Area Governments (“ABAG”).

The Center appreciates the work MTC and ABAG (collectively “the Agencies”) are doing on Plan Bay Area 2050 to provide sustainable transportation and affordable housing to all community members. The Center appreciates the thoughtful revisions the Agencies incorporated to improve mitigation of impacts to wildlife connectivity. However, given the State’s 30 by 30 biodiversity and climate change goals, the Center urges the Agencies to go even further to protect sensitive species and habitats and minimize wildfire risk while accommodating smart growth. Connectivity between heterogeneous habitats, from wetlands to chaparral to oak woodlands to redwood forests, is critical to adapting to climate change and preserving the region’s unique biodiversity and the ecosystem services they provide. In addition, the Center urges the Agencies to more strongly dissuade development in high fire-prone areas and require adequate wildfire risk mitigation measures that follow the best available science. Finally, the Agencies should add more mandated local mitigation measures associated with GHG emissions as well as loss of open space and parklands to ensure future projects do not counter-act the many important goals listed in the Plan.

I. Background on the Center

The Center is a non-profit, public interest environmental organization dedicated to the protection of native species and their habitats through science, policy, and environmental law. The Center has over 1.7 million members and online activists throughout California and the United States. The Center and its members have worked for many years to protect imperiled plants and wildlife, open space, air and water quality, and overall quality of life for people in the Bay Area and throughout California.

II. The EIR should require additional mitigation measures to reduce direct and indirect impacts on wildlife connectivity.

The Center appreciates the Agencies' thoughtful revisions to the EIR's wildlife connectivity mitigation measures. However, the Agencies can and should do more to minimize noise impacts on wildlife and connectivity. MM BIO-1(a) points to MM NOISE-1 to minimize potential impacts of noise on wildlife, but MM NOISE-1 is geared towards people. While these measures can help reduce the temporary impacts of noise due to construction on people and wildlife, there are other measures that are needed to reduce noise impacts during operation and maintenance of new developments, roads, road widenings, etc. As noted in a 2021 Center report (Yap, Rose, Anderson, et al., 2021), excessive noise has been found to heighten vigilance behavior and decrease foraging in songbirds, which can affect their physiological state and reproductive success (Francis & Barber, 2013; McClure et al., 2013; Ware et al., 2015). For instance, field observations and controlled laboratory experiments have shown that traffic noise can significantly degrade habitat value for migrating songbirds (Ware et al., 2015). Subjects exposed to 55 and 61 dBA (simulated traffic noise) exhibited decreased feeding behavior and duration, as well as increased vigilance behavior (Ware et al. 2015). Such behavioral shifts increase the risk of starvation, thus decreasing survival rates. Another study also highlighted the detrimental impacts of siting development near areas protected for wildlife. The study noted that "Anthropogenic noise 3 and 10 dB above natural sound levels . . . has documented effects on wildlife species richness, abundance, reproductive success, behavior, and physiology" (Buxton et al., 2017). The study further noted that "there is evidence of impacts across a wide range of species [] regardless of hearing sensitivity, including direct effects on invertebrates that lack ears and indirect effects on plants and entire ecological communities (*e.g.*, reduced seedling recruitment due to altered behavior of seed distributors)" (Buxton et al., 2017). Chronic exposure to noise pollution has also been linked to reduced seedling recruitment rates and shifted plant community structure, likely due to altered behaviors of seed dispersers and pollinators (Phillips et al., 2021). Moreover, human transportation networks and development resulted in high noise exceedances in protected areas (Buxton et al., 2017).

The EIR should provide stronger mitigation measures to minimize the Plan's noise impacts on sensitive species and wildlife connectivity. In addition to MM NOISE-1, the EIR should include that the lead agency shall reduce noise impacts to sensitive species through implementation of mitigation measures including, but not limited to:

- Include permanent noise barriers and sound-attenuating features as part of the project design. Barriers could be in the form of outdoor barriers, sound walls, buildings, or earth berms to attenuate noise at adjacent sensitive uses.
- Ensure that construction equipment is properly maintained per manufacturers' specifications and fitted with the best available noise suppression devices (*e.g.*, improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures, and acoustically attenuating shields or shrouds silencers, wraps). All intake and exhaust ports on power equipment shall be muffled or shielded.

- Using 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.
- Use equipment and trucks with the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures, and acoustically attenuating shields or shrouds, wherever feasible) for project construction.
- Use techniques such as grade separation, buffer zones, landscaped berms, dense plantings, sound walls, reduced-noise paving materials, and traffic calming measures.

In addition, **MM BIO-3(a) should include banning the use of anticoagulant rodenticides, especially in areas near open space and identified connectivity areas.**

Secondary poisoning has been documented in many non-target animals, especially predators (e.g., coyotes (Riley et al., 2003), bobcats (Riley et al., 2007; Serieys et al., 2015, 2021), San Joaquin kit fox (McMillin et al., 2008), California fishers (Gabriel et al., 2012), raptors (Lima & Salmon, 2010), and many more). And a recent study found that rodenticides contributed to reduced functional connectivity in an already constrained landscape (Serieys et al., 2021). Therefore, to reduce edge effects of roads and development on wildlife and wildlife movement, the use of anticoagulant rodenticides should be restricted.

III. The EIR should strengthen mitigation for wildfire risk using the best available science.

A. Wildfire risk mitigation for new development is insufficient.

The FEIR states that the growth footprint includes 1800 acres in moderate, high, and very high fire hazard severity zones. Although the FEIR refers to that as “relatively small” portion of the growth geographies identified in the plan at 5%, it is still a significant amount of fire-prone landscape that is vulnerable to development. Wildfires sparked within the growth footprint would not only affect new residents with hazardous evacuations and air pollution, but also adjacent communities and potentially millions of Californians downwind. And while the Agencies provide some wildfire mitigation in MM HAZ-7, some measures are not based on the best available science and could do more harm than good.

The Center is deeply concerned about the following measures within MM HAZ-7 (DEIR at 3.9-42):

- Develop a regulatory mechanism for permitting an aggressive hazardous fuels management program.
- Plan for and promote rapid revegetation of burned areas to help prevent erosion and protect bare soils.

Any plans for pre-fire vegetation management and post-fire revegetation need to be carefully thought out and must consider the fire ecology of the ecosystem that has burned and the historical context of the area. In addition, fire management plans and programs should require consultation with the appropriate agencies, organizations, and Native Tribes to consider

reestablishing historical fire regimes through cultural burning, prescribed fire, and controlled fire.

As written, MM HAZ-7 is vague and could potentially lead to increasing wildfire risk and destroying biodiversity and ecosystem function. More detail is needed for the public to understand what these mitigation measures would entail and whether or not they would actually reduce wildfire risk or increase it. An “aggressive hazardous fuels management program” could result in the removal of native shrublands and the establishment of invasive grasses that are more flammable for longer parts of the year (Syphard et al., 2018). In addition, logging has not been shown to prevent destructive fires from occurring or reduce their severity. A study covering three decades and 1,500 fires found that the most heavily logged areas experienced the most intense fires (Bradley et al., 2016). This is because cutting down trees creates more exposed, hotter, drier conditions and promotes the spread of highly flammable invasive grasses. Therefore, an “aggressive hazardous fuels management program” could actually increase wildfire risk while destroying habitats that support high levels of biodiversity. And while promoting rapid revegetation of burned areas can be important to address erosion concerns, it is critical to consider the fire characteristics and the fire ecology of the area that burned to determine whether natural or managed regeneration would be more effective.

Fires are not uniform across the landscape, nor are they new. Wildfires have occurred on California’s landscapes for millennia. Lightning strikes and indigenous burning drove fire regimes that varied by habitat, frequency, size, intensity, severity, spatial complexity, and seasonality (Anderson, 2018; Kimmerer & Lake, 2001; Stephens et al., 2007). Many of California’s ecosystems have adaptations to survive and thrive with wildfires. For example, according to a recent study, the Tubbs Fire was a mixed severity fire that burned 14,895 ha, of which 13,351 ha were in Sonoma County (Ackerly et al., 2019). Of the area burned in Sonoma County, 13.2% was unchanged, 22.1% experienced low-severity fire, 35.8% experienced medium-severity fire, and 28.9% experienced high-severity fire. Based on data from plots within Pepperwood Preserve, 73% of trees (diameter at breast height [DBH] > 1cm) and 50% of saplings (height > 50cm, DBH < 1cm) survived the fire, with higher survival in the low- and medium-severity fire patches (Ackerly et al., 2019). Many of the trees had crown survival, meaning the trunks and top branches outlasted the fire and green foliage was observed during surveys conducted a year later in the summer of 2018, while those that were burned more severely or top-killed often had basal (from the base of the tree) or epicormic (from the remaining tree trunk or branches) resprouting, which means they survived the fire and were regrowing within a year of burning (Ackerly et al., 2019). Other studies have also shown the resilience of oak species to wildfire; a review found that wildfire mortality rates were 1-11% for mature oaks, 2-10% for saplings (with 75-90% top-killed and resprouting), and 17-52% for seedlings (Holmes et al., 2008), and after multiple fires 97% of top-killed oaks resprouted (Nemens et al., 2018).

Despite the fire resilience of ecosystems and their ability to naturally regenerate, post-fire logging is common in fire management practices. And such logging has been shown to slow down forest recovery and result in long-term damage to biodiversity, ecosystem function, and ecosystem services (e.g., (Hanson et al., 2018; Kotliar et al., 2002; Leverkus & Castro, 2017)). Therefore, when considering post-fire revegetation, it is critical to take into consideration how

ecosystems respond to fire and whether aggressive revegetation or natural regeneration would be more likely to reduce harms and hazards to both human and natural communities (Leverkus & Castro, 2017).

In addition to providing further analyses and detail regarding the above measures, **the Center urges the Agencies to include in the EIR and/or Plan a policy that more strongly discourages new residential development in very high and high fire hazard severity zones and stating such development is inconsistent with the Plan.** At a minimum, to preserve public health and the environment and be consistent with the principles in the CEQA Guidelines, the EIR should find such new development inconsistent with the Plan if there is substantial evidence in the record that the development will:

- a. expose people or structures, including existing and nearby communities, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires;
- b. substantially impair an adopted emergency response plan or emergency evacuation plan;
- c. due to slope, prevailing winds, and other factors, exacerbate wildfire risks, including risk of ignition and/or spread, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire;
- d. require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment; or
- e. expose people or structures to significant risks, including downslope or downstream flooding or landslides as a result of runoff, post-fire slope instability, or drainage changes.

The EIR and Plan could also include a mitigation measure that during the entitlement process for a new development of 5 units or more in a very high or high fire hazard severity zone or state responsibility area, the applicant must provide sufficient documentation that (1) private insurance currently exists that will insure the proposed homes for all hazards, including wildfire; or (2) the applicant must provide a plan and adequate funding to self-insure them.

Any new development in a very high or high fire hazard severity zone has the potential to cause a significant impact, as described in the numerous scientific studies referenced in the Center's recently published Wildfire Report (Yap, Rose, Broderick, et al., 2021). In addition, as the Wildfire Report notes, even homes built to current standards still are not fireproof, and more human activities and infrastructure have the potential to cause additional unintentional ignitions. Therefore, it is imperative that the EIR and Plan include restrictions for new development in these wildfire hazard severity zones, and at a minimum, ensure that these new properties will be able to obtain insurance on the private market before they are built because homeowners deserve this security in their investment.

To the extent that any further development is allowed in fire zones under the Plan, the lead agency should require the following measures on any new residential or commercial development to help reduce wildfire risk and impacts of wildfires:

1. Ember-resistant roofs and vents;
2. Irrigated defensible space within 100 feet of structures;
3. External sprinklers with an independent water source;
4. Clean energy microgrids including rooftop solar; and
5. Electric heating appliances instead of natural gas.

MM HAZ-7 provides for enforced defensible space; however, studies have shown that such mitigation is effective within 100 feet or less. In fact, Syphard et al. (2014) found that the most effective defensible space buffer size varied between 16-58 feet from the structure while more than 100 feet of defensible space provided no additional protection, though housing density, distance to major roads, landscape position are also important when determining fire risk (Syphard & Keeley, 2019). Yet developers often state they are going above and beyond by doubling or tripling that buffer size, when really such clearance of vegetation can cause more harm and lead to more erosion while destroying sensitive habitats. Therefore, the MM HAZ-7 should specifically require that defensible space be immediately adjacent to and within 100 feet of structures and that other conditions of the site, including housing density, landscape position, proximity of vegetation to the house, irrigation and water bodies, and building construction materials must be taken into account when assessing wildfire risk and appropriate mitigation measures.

The FEIR states that irrigated defensible space and external sprinklers “would bolster installation of defensible space and other wildfire risk reduction strategies discussed in Mitigation Measure HAZ-7” (FEIR at 2-538), but these measures are not included in the EIR (for new development or retrofitting existing high-risk communities) because “given drought conditions throughout the Bay Area and California, it is unlikely that adding additional water demand would be feasible” (FEIR at 2-538). However, given the fact that extended drought could worsen with climate change, such considerations should drive land-use planning to further reduce wildfire risk by prohibiting new development in high fire-prone areas, especially if it is not possible to implement adequate safety measures.

B. Proactive retrofitting of high fire risk homes should be prioritized.

With a clear link between development in high fire-prone areas and wildfire ignitions and climate change only exacerbating the problem, the Plan must be more proactive in retrofitting existing high-risk homes. In response to the Center’s recommendation to include clean energy microgrids like rooftop solar for home-hardening existing high-risk communities, the Agencies responded that doing so would require upgrades to electrical panels and replacement of gas-powered appliances, “both of which cannot be reasonably assumed to occur within existing development.” (FEIR at 2-538). This approach is dangerous and insufficient to adequately address wildfire issues in the urban wildland interface. As summarized in the Center’s report “Built to Burn: California’s Wildlands Developments Are Playing with Fire” (Yap, Rose, Broderick, et al., 2021), between 2015 and 2020 almost 200 people in the state

have been killed in wildfires, more than 50,000 structures have burned down, hundreds of thousands have had to evacuate their homes and endure power outages, and millions have been exposed to unhealthy levels of smoke and air pollution.

The FEIR goes on to dismiss the importance and usefulness of installing rooftop solar, stating that “areas of high fire risk are generally located within forested areas where solar-generated electricity may not be feasible” (FEIR at 2-538). This is inaccurate conjecture and there is no scientific evidence to support such claims. Forests are not the only ecosystems that burn. High fire-prone areas include forests, shrublands, grasslands, and woodlands. Most destruction to human communities from fire has been caused by human-ignited fires in mixed shrubland habitats (Syphard 2020). And according to a recent scientific study, a majority of the area burned in wildfires between 2000 and 2020 were in non-conifer forests (Calhoun et al., 2021). Shrublands, woodlands, and grasslands were found to make up about 64% of area burned (Calhoun et al., 2021). Excluding these ecosystems from wildfire risk analysis and mitigation is extremely dangerous and irresponsible. Adequate mitigation of wildfire risk in regional plans must include retrofitting existing homes in high fire-prone areas with rooftop solar in addition to ember-resistant roofs and vents, irrigated defensible space within 100 feet of structures, and external sprinklers with an independent water source.

IV. The Plan should do more to minimize greenhouse gas emissions and mitigate impacts to climate change.

It is the “policy of the state that public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures which will avoid or substantially lessen the significant environmental effects of such projects.” (Pub. Res. Code § 21002.) Adoption of additional feasible on-site and off-site mitigation measures during construction and operation of the Plan would lower the Plan’s overall greenhouse gas (GHG) emissions and contribution to climate change. Failure to mandate adoption of all feasible mitigation measures allows the projects that would be covered under the Plan off the hook and only worsens California’s climate crisis. The FEIR did not address this comment in any capacity, leaving a loophole for all future projects under the plan to not do their part in mitigating their GHG impacts. The lack of clarity in language and absence of enforceable requirements is what makes or breaks the success of these regional plans. Without mandates, the plan is simply a list of best practices that are bound to be ignored. **The Center strongly urges the Agencies to update the language to include mandates for all future projects that require the adoption of all feasible mitigation measures.**

With respect to strategy T06, widening highways at bottlenecks, the FEIR response states that the “strategy T06 includes a mix of capacity- and non-capacity increasing (e.g., interchange safety improvements) projects,” and that the “Draft EIR concluded that despite the removal of Strategy T06 projects, the TRA Focus Alternative would have similar VMT impacts to the proposed Plan.” (FEIR, 107-14, page 2-539). While the Center can understand that some T06 projects would not increase capacity as they are meant to improve driver safety, **we urge the Agencies to exclude ALL capacity increasing highway widenings**, to ensure investments in transportation infrastructure are limited to projects that are necessary for public safety and/or encourage public transportation and other sustainable forms of transportation.

As stated in our DEIR comments, highway widening does not solve traffic bottlenecks in the long-term, but rather just increases demand and therefore should *not* be considered a strategy for congestion relief (Angarita-Zapata et al., 2016). Additionally, freeway widenings make it even tougher for animals to cross these dangerous movement barriers, especially if wildlife connectivity and crossing infrastructure are not implemented as part of the project. This leads to increased vehicle strikes, decimating already threatened species and endangering human lives (Shilling et al., 2017). The Plan should be a guiding document to direct public funds into projects that build a sustainable future. Highway widening projects that are meant to increase capacity of single occupancy vehicles are a bad investment for our future and should not be included in this Plan.

The FEIR claims that protecting habitat is a goal of the Plan, and that growth boundaries will help achieve this goal along with local ordinances. While the Center commends the Agencies on their commitment to urban infill, the **Center strongly urges the Plan to include mandated onsite or local mitigation measures associated with any habitat loss, even within the urban core.** Relying on local ordinances to protect habitat is not enough. The Plan must have clear directives on avoiding these areas and specific mitigation measures if destruction is unavoidable. These habitats support high levels of biodiversity and endemism, and collectively, they play a significant role in the carbon cycle and aid in combatting climate change while bringing the state closer to its commitment to conserve more than 30 percent of its lands and coastal waters by 2030 under executive order N-82-20. Additionally, protecting and restoring the state's native shrublands, wetlands, and grasslands with funded monitoring, adaptive management, and measurable success criteria in perpetuity would help mitigate impacts of the proposed Plan to climate change.

The plan should also mandate that all offsite GHG mitigation measures be constrained to local offsets and only be used after onsite mitigation opportunities are fully maximized. While exported carbon offsets pose a barrier to reaching regional climate goals, localized offsets, such as regional renewable energy projects and preservation and restoration of ecological carbon sinks, can help to address emissions that cannot be avoided through efficiency standards. Local offsets ensure that the communities impacted by a project's GHG emissions also receives the benefits from mitigation of those emissions. The FEIR did not address this specific request, but this mandate is essential to supporting localized solutions that uplift the communities impacted.

The FEIR states that the “Draft EIR does not address impacts at a project-specific level, nor does it address impacts of specific programs or projects included within the proposed Plan” (FEIR 107-16, page 2-539). However, the EN-1 analysis states that “construction **and operation** of the proposed Plan’s land use development pattern, sea-level rise adaptation infrastructure, and transportation projects would not result in the wasteful, unnecessary, or inefficient use of energy because the energy associated with these projects would be serving necessary regional needs, would be subject to Plan strategies that result in increased efficiency, and would comply with applicable regulations and standards (e.g., RPS, California Energy Code), making energy impacts less-than-significant.” Although the Mitigation Measure AQ-2, that includes regulations on construction sites is important, there are no mandates on the projects themselves and thus the

EN-1 analysis that assumes that the operations of these projects will not result in wasteful or inefficient energy use is unsupported by any regulation or mitigation measure. **The Center urges that specific mandates on building materials and design are incorporated into the Plan with best practices for each project type.** The following are a non-exhaustive list of standards that should be incorporated:

- Requiring all buildings to follow the U.S. Green Building Council (USGBC) defined standards for health and sustainability in commercial buildings through its LEED (Leadership in Energy and Environmental Design) rating and certification system. Similar standards should be applied to residential developments.¹
- SMART Parks: A Toolkit, a compilation of technologies that can be used in parks to make them SMART. “SMART Park” is a new concept defined as a park that uses technology (environmental, digital, and materials) to achieve a series of values: equitable access, community fit, enhanced health, safety, resilience, water and energy efficiency, and effective operations and maintenance.²

V. Open space and parks should be preserved to promote biodiversity conservation and climate resilience and to provide public health benefits.

To address the Center’s concerns regarding the potential loss of 740 open space of parkland, the FEIR again relies on local regulations, stating that “while Mitigation Measure LU-2 would not reduce the potential loss of open space, future development will be required comply with standards set by local jurisdictions regarding the acceptable amounts of parkland and open space” (FEIR, 107-18, page 2-540). However, if the FEIR provided a map of the proposed overlap, instead of just the acreage, experts could comment on the justification of the Plan’s placement and outline site specific mitigation measures for the open space and parkland that would be lost. Thus ensuring, if and when a project was proposed in that area, the mitigation measures would be mandated. The current listed mitigation measure associated with this inconsistency is additional technical support to county and city agencies to help align their plans; however, this does not adequately address or mitigate the environmental impact of the loss of open space. **The FEIR should list specific mandated mitigation measures for open space and parkland if it is impacted by a future project.** Some suggested measures include:

- Replacement at a 2:1 ratio with the same ecological, cultural and community benefits as the open space and parkland that was impacted. This should be implemented onsite as much as possible, with the remainder of the replacement to be achieved within a regional community that is “park poor.”
- All parks should use the SMART Park: Toolkit (listed above).

¹ U.S. Green Business Council. “LEED Construction.” Accessed October 15, 2021.
<https://www.usgbc.org/guide/bdc>

² UCLA Luskin. “SMART Parks: A Toolkit.” Accessed October 15, 2021.
<https://innovation.luskin.ucla.edu/sites/default/files/ParksWeb020218.pdf>

VII. Conclusion

Thank you for the opportunity to submit comments on the FEIR and the Plan Bay Area 2050. The Center urges the Agencies to push for greater protections for wildlife connectivity, stronger limits on new developments in high fire-prone areas, science-based analysis and mitigation of wildfire risk, and mandated local mitigation measures associated with GHG emissions and loss of open space and parklands. Please add the Center to your notice list for all future updates to the Plan and do not hesitate to contact the Center with any questions at the emails listed below.

Sincerely,

A handwritten signature in black ink, appearing to read 'T. Yap', with a large, stylized loop at the end.

Tiffany Yap, DEnv/PhD
Senior Scientist, Wildlife Connectivity
Advocate
1212 Broadway, Suite #800
Oakland, CA 94612
tyap@biologicaldiversity.org

A handwritten signature in black ink, appearing to read 'Elizabeth Reid-Wainscoat', with a large, stylized loop at the end.

Elizabeth Reid-Wainscoat, M.S.
Urban Wildlands Campaigner
660 S. Figueroa Street #1000
Los Angeles, CA 90017
ereidwainscoat@biologicaldiversity.org

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(Provided via OneDrive)

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

From: Zoe Siegel <zsiegel@greenbelt.org>

Sent: Wednesday, October 20, 2021 11:31 AM

To:

[REDACTED]

Subject: Support for Plan Bay Area 2050

External Email

Hello,

In advance of tomorrow's joint meeting, I would like to share the attached letter of support from 31 organizations and individuals who have followed the Plan Bay Area 2050 process and are proud to support the course that Plan Bay Area 2050 charts for our region that is affordable, connected, diverse, and resilient.

The impacts of climate change are increasing at alarming rates and more so than ever before we need to think about regional solutions for local issues.

We would like to urge the MTC Commissioners and the ABAG Executive Board to expeditiously adopt Plan Bay Area 2050 so it can become the Bay Area's official long-range plan for housing, economic development, transportation and environmental resilience for the years to come.

We applaud MTC/ABAG for taking a bold, holistic approach to tackling the region's biggest challenges and look forward to continuing to work closely together on the implementation of these strategies.

Regards,

Zoe Siegel

--

Zoe Siegel (she/her/hers)

Director of Climate Resilience | **Greenbelt Alliance**

(510) 367-4464 | *Let's connect on [LinkedIn](#)* | [@thezoesiegel](#)

Schedule a meeting with me through [Calendly](#).

Check out my [Chronicle Op Ed](#) about why infill housing is a critical climate solution.

Wildfire season is upon us. Find out how the [Bay Area can accelerate greenbelts](#) to bolster resilience today. [greenbelt.org](#) | [Facebook](#) | [Twitter](#) | [Instagram](#)



October 20th 2021

Metropolitan Transportation Commission
Bay Area Metro Center
375 Beale Street
San Francisco, CA 94105

Re: Plan Bay Area - Full Draft

Dear MTC Commissioners and ABAG Executive Board,

Congratulations on the release of the final Plan Bay Area 2050. The undersigned organizations and individuals have participated in various capacities throughout the last four years to reach this moment and are proud to support the course that Plan Bay Area 2050 charts for our region that is affordable, connected, diverse, and resilient.

The impacts of climate change are increasing at alarming rates and more so than ever before we need to think about regional solutions for local issues. We applaud MTC/ABAG for taking a bold, holistic approach to tackling the region's biggest challenges and look forward to continuing to work closely together on the implementation of these strategies.

We have actively participated in meetings, workshops and individual meetings with MTC staff to advocate for our priorities which include an increased focus on open space funding and protection as well as climate resilience including wildfire and sea level rise. We appreciate the engagement during challenging times and transparency throughout the whole process.

Unlike plans before it, this plan expands its scope to introduce strategies for long-term economic development and environmental resilience and weaves equity and environmental justice throughout. The Implementation Plan identifies more than 80 near-term actions for MTC, ABAG and partner organizations to take over the next five years to make headway on each of the 35 strategies.

As a region, we have a lot of work to do to implement these strategies. We would like to urge the MTC Commissioners and the ABAG Executive Board to expeditiously adopt Plan Bay Area 2050 so it can become the Bay Area's official long-range plan for housing, economic development, transportation and environmental resilience for the years to come.

Regards,

Zoe Siegel
Director of Climate Resilience
Greenbelt Alliance

Elizabeth O'Donoghue
Director, Sustainable
Development Strategy
The Nature Conservancy

Tim Frank
Executive Director
Center for Sustainable
Neighborhoods

Joanna Gubman
Executive Director
Urban Environmentalists

Juan Pablo Galván
Senior Land Use Manager
Save Mount Diablo

Janet McBride
Executive Director
Bay Area Ridge Trail Council

Andrea Mackenzie
General Manager
Santa Clara Valley Open
Space Authority

Jerry Kent
Board Member
Claremont Canyon
Conservancy

Bob Berman
Committee Chair
Solano County Orderly
Growth Committee

Ariana Rickard
Political Director
TOGETHER Bay Area

Sherry Smith
President
League of Women Voters of
the Bay Area

David Lewis
Executive Director
Save The Bay

Daniela Ades
San Francisco

Zack Subin
San Francisco

Becca Schonberg
Berkeley

Andrew Fister
San Francisco

Jackie Tonkel
San Jose

Hazel O'Neil
San Francisco

Jake Silver
San Francisco

Joe Green-Heffern
Fairfield

David Schmidt
San Francisco

Brenda Peterson
Rohnert Park

Timothy Green
San Francisco

Roma Dawson
San Jose

Marko Zivanovic
Alameda

Charles Whitfield
San Francisco

Andy Day
San Francisco

Alyse Muller
Berkeley

Caitlin O'Donnell
Palo Alto

Ariel Ganz
Palo Alto

Adrienne Bagley
Oakland

convergence of housing and climate solutions

Alan Strachan <[REDACTED]>

Wed 10/20/2021 11:59 AM

To: info@planbayarea.org <info@planbayarea.org>

 1 attachments (67 KB)

The Climate Imperative.pdf;

External Email

Please see the attached "Climate Imperative" paper and let me know if you'd be interested in discussing its implementation.

Thanks,

Alan Strachan

[REDACTED]

Reliance on Political Action to Address Climate Change Condemns Us

The Problem

For over 50 years the scientific community has been telling the political community (governments) that continuing to power our economies with fossil fuels will eventually but certainly devastate our societies. For over 30 years most governments and most of the political class professed commitment to addressing climate change while undeniable impacts accumulated and confirmed exactly what the science had predicted. In those same 30 years, CO2 emissions increased and the climate worsened. Politics has produced plenty of promises and targets along with complete failure to deliver any meaningful results.

That fact leaves us in a terrible bind. Continuing to devote energy and resources to a decision-making process that has proven wholly inadequate to the task means not only do we fail, but we also don't search for different processes with the potential for actually solving the problem. Politics is the way we make collective decisions and take collective actions. But, since politics is so demonstrably unable to deliver any effective action on climate change, what choices are left for those who wish to avoid the series of climate catastrophes to which our process of governance has committed us?

Climate change is the ultimate tragedy of the commons. Purely market forces serve only to compound the problem. Governments would have to strongly tilt the playing field if market forces were to be engaged in solving the problem. But, fossil fuel profits have proven vastly more powerful than the accumulated science at influencing governments and populations to ignore inconvenient facts.

The NGOs (foundations and non-profit activist groups) comprise a third force on the issue. But, their ability to solve the problem ultimately depends on influencing governments and/or markets to act. Sadly, the NGOs have, to date, not shown a sufficient grasp of how to deploy technology and capital in ways that alter the dynamics of the energy or transportation markets. Being more comfortable operating in the political realm, the NGOs confine themselves to influencing markets mainly by lobbying governments rather than directly entering markets through strategic partnerships with corporate players in position to profit from changing dynamics.

An Example Strategy

The convergence of 1) strong demand for affordable housing, 2) autonomous vehicle (AV) technology, and 3) cost-competitive distributed clean energy assets offers a strategic opportunity.

The advent of AV technology means that the garages which are part of nearly every home in the country can be converted to apartments at a cost that is a fraction of their value when rented.

The business model for AVs is Transportation as a Service (TaaS). People pay for a TaaS subscription instead of owning a car. The result is safer, cheaper transportation plus tens of millions of empty 400 square foot apartment shells.

In much of the country, homes can be solar powered cheaper than grid powered. At neighborhood scale, batteries can be added to facilitate clean power microgrids which also charge the electric vehicles that comprise the AV fleets. When companies convert garages to apartments at scale they can include the solar + batteries + TaaS in order to profitably capture the cash flows presently going to fossil fueled transportation and fossil fueled electric grids.

The trillions of dollars of revenue to be won by those who provide affordable housing, or the trillions of dollars that will go to the TaaS winners, or the trillions of dollars that will accrue to the clean energy sources that supplant the fossil fuel industry have already justified enormous investment by the major players in each of those sectors of the economy, e.g. housing, transportation, and energy. Conventional market forces can be relied upon to reward those investments and transform those sectors. Unfortunately, we don't have time for conventional market forces to play out over the usual time horizons.

The Climate Imperative

What turns the above scenario from Schumpeter's normal creative destruction into an urgent societal imperative is the accelerating impact of climate change. The latest IPCC report makes painfully clear that humanity has, at most, about 10 years in which to completely eliminate fossil fuels and also begin extracting much of the CO₂ we have already added to the atmosphere. Failure to do so virtually guarantees widespread economic devastation and social collapse.

Normal market pressures and technological advances already at work will continue to push the automotive industry into 100% electric cars and then into fleets of electric AVs. Those pressures will take at least 10 years to begin an overhaul of the industry if political activity and competition in transportation alone are the driving forces. However, the climate imperative requires the overhaul to be complete in 10 years, not merely begun.

Normal market pressures and technology advances already at work will continue to force the bankruptcy of fossil-fueled energy systems as they are out-competed and replaced by clean energy alternatives already more cost-effective than antique power plants and albatross grids. Those pressures will take at least 10 years to start significantly pruning the grid and dismantling the fossil power plants. However, the climate imperative requires pruning and dismantling to be complete in 10 years, not merely underway.

NGOs and the Climate JV

Incumbent market players are rarely the innovators which instigate the creative destruction that completely changes their own industry and replaces the players. Those forces usually come from outside, often precipitated by new and/or converging technologies.

Humanity could get lucky by having a number of companies leapfrog the usual development processes to implement a business model that creates multi-sector conglomerates from day one as start-ups. The business model responsive to the climate imperative would use the large margin between the cost and value of converting garages to apartments to provide capital for deploying distributed clean energy assets and for prepaid TaaS subscriptions. The ROI from those solar panels + batteries + microgrids would handsomely reward the business model. Done in volumes of thousands of conversions per project, the start-ups will become conglomerates as soon as they've done a few hundred projects.

But, very few housing companies believe they could also become transportation and energy companies in the course of creating apartments scattered throughout suburbia. Left to purely market forces, most housing companies and/or developers would simply pocket the difference between the low conversion cost and high rental value as profit and move on to the next project. The readily available capital would not be deployed to meet the climate imperative at the speed and scale required.

A new kind of partnership is needed to form the start-up conglomerates with moral commitment to tackle the climate imperative via the massive profit opportunity derived from being the companies that simultaneously dominate transportation, energy, and housing.

NGOs and activists involved in climate change at the national level could approach large builders such as Lennar, KB Home, or Richmond American in the California market where housing costs are so high and the conversion of garages to apartments is already pre-approved by State law. The NGOs would simultaneously approach the largest Energy Service Companies (ESCOs) and/or the companies already specialized in microgrid management. The NGOs would also approach the autonomous vehicle (AV) companies such as Waymo, General Motors or Apple.

The NGOs will be proposing Joint Ventures in which: 1) the housing companies commit to converting garages to apartments in projects of thousands of units at a time within targeted communities jointly selected by the JV partners; and 2) the ESCOs will commit to operating the microgrids created with solar and battery assets installed by the housing companies within the communities selected by the JV partners; and 3) the AV companies will commit to offering Transportation as a Service (TaaS) subscriptions to all homes within the targeted communities selected by the JV partners.

Each JV will consist of a housing partner, a microgrid partner, an AV partner, and an NGO. The catalyst and glue will be the NGO whose main function will be to be sure the JV moves at the

scale and speed needed to have a meaningful impact on the climate change imperative. The NGO will be the most visible partner at the political and public relations level, and will maintain the JV's focus on 100% clean energy in the microgrids and 100% fossil free transportation.

What should be noted about these JVs is that each partner will be performing to its strengths and need nothing more than a strong profit motive in order to help quickly decarbonize energy and transportation while simultaneously solving the state's housing shortage. The key is forming the JV in the first place, and that can be driven by the NGOs that understand the urgency of tackling the climate imperative at enough speed and scale to make a difference.

The Strategic Imperative

Whether the above strategy relying on NGOs to be the instigators of start-up energy/transportation conglomerates offers a good solution is not the point of this paper. Other partnerships forcing change to carbon-intensive construction, agriculture, and/or manufacturing may prove better or easier to induce. The main point is that humanity needs very different strategies than the ones we have been using to meet the climate imperative. Doing more of what we've been doing is counterproductive. The Paris Accord was a remarkable international agreement among sovereign governments. However, the climate is now much closer to making the planet uninhabitable for humans than it was in 2016.

NGOs, governments, activists, and politicians advocating government action on climate change are inducing us to devote time and money to approaches which have demonstrably failed and will most likely continue failing. For example, we are busy passing laws that, at best, will reduce GHGs by a fraction of current emissions. Yet we simultaneously know that failure to quickly reduce them by 100% guarantees a succession of disasters. We also know that failure to extract a good portion of the billions of tons of GHGs we have already added to the atmosphere guarantees continued floods, fires, hurricanes, heat waves, and droughts of at least the severity we've experienced in 2021. Yet the level of government funding to achieve negative emissions is negligible relative to the cost of failure.

Given the above, the strategic imperative requires an immediate commitment to dramatically different and far bolder collective approaches than national governments and international bodies have ever attempted, or are capable of. New strategies that transcend national borders and create platforms for collective action driven by existing technologies, profit potential, and a strong moral desire for humanity to successfully meet this existential challenge are needed.

Such cooperation resulting in massive global changes in economies and societies precipitated by non-government entities and individuals is not unprecedented. The creation of the World Wide Web and subsequent explosion of the internet occurred without government drivers. The sooner we stop wasting the extremely limited time we have left on traditional political activism, the better will be our chances of facing the facts and acting boldly enough to solve the problem.

Final Plan Bay Area 2050 and Transportation List- Caltrans comments

Leong, Mark@DOT <Mark.Leong@dot.ca.gov>

Wed 10/20/2021 4:29 PM

To: Therese W. McMillan <tmcmillan@bayareametro.gov>

Cc: Adam Noelting <ANoelting@bayareametro.gov>; Dave Vautin <DVautin@bayareametro.gov>; info@PlanBayArea.org <info@PlanBayArea.org>; El-Tawansy, Dina@DOT <dina.el-tawansy@dot.ca.gov>; Finney, Jean@DOT <jean.finney@dot.ca.gov>

External Email

Dear Executive Director McMillan,

Thank you for including Caltrans in the review of Plan Bay Area 2050. Attached is our letter in response to the final Plan and Transportation List. If you have any questions regarding this letter, please contact Jean Finney, Deputy District Director, at (510) 715-7554 or jean.finney@dot.ca.gov.

Sincerely,

Mark Leong, Branch Chief
Local Development- Intergovernmental Review
Caltrans, District 4 | cell: 510-960-0868

California Department of Transportation

DISTRICT 4
P.O. BOX 23660, MS-1A | OAKLAND, CA 94623-0660
www.dot.ca.gov



October 20, 2021

Therese McMillan, Executive Director
Metropolitan Transportation Commission
375 Beale Street, Suite 800
San Francisco, CA, 94105

Re: Final Plan Bay Area (PBA) 2050 (Plan) and Transportation List (List)

Dear Executive Director McMillan:

Thank you for including the California Department of Transportation (Caltrans) in the review process for Plan Bay Area 2050 (Plan), including the Transportation Project List (List) and Native American Tribal Engagement and Government-To-Government Consultation Report. Following our review, Caltrans has concerns regarding the Plan and its associated documents. They include the Sonoma-Marín Area Rail Transit (SMART) extension beyond Windsor, and Tribal Coordination with the six federally-recognized Tribes.

SMART Corridor

In our Draft EIR and Plan response letter dated July 20, 2021, Caltrans stated that Strategy T11 21-T11-113 from the List did not include the Sonoma-Marín Area Rail Transit District (SMART) passenger rail extension as described in the California State Rail Plan. Following our review of the Plan, Caltrans remains concerned regarding MTC's response related to the SMART corridor. To further support inclusion of this rail corridor into the Plan, please note the following:

- Senate Bill (SB) 1 legislation named SMART as an example of an exemplary project fit for Solutions for Congested Corridors, which is a funding program that SMART cannot apply for without inclusion within the Plan;
- The previous Plan included environmental studies for the entire passenger and freight corridor to Cloverdale;
- Regional Measure (RM) 3 included \$30M for SMART extensions to Windsor and Healdsburg, indicating a regional commitment to extending past the current Plan designation to Windsor. The 2018 and forthcoming 2022 State Rail Plans also will include the entire corridor to Cloverdale with a phased implementation. The

"Provide a safe and reliable transportation network that serves all people and respects the environment"

State Rail Plan identified the Windsor Extension as an immediate, near-term priority. Caltrans has already partnered with SMART to submit a federal Rebuilding American Infrastructure with Sustainability and Equity (RAISE) application for the extension to Windsor and will support additional efforts to replace the RM3 funds currently in litigation;

- The corridor itself is multimodal in that it will deliver passenger and short line freight rail operations and a multiuse pathway, all leading toward improved mode shift; and
- There is public support from many Tribal communities, notably the Federated Indians of Graton Rancheria (FIGR). The FIGR supported SMART's last sales tax measure attempt and they continue to name this as their top transportation priority for the region.

In summary, the SMART extension is a critical rail priority for the North Bay with future bus connections from the north into Mendocino County. Additionally, completing the voter-approved corridor to Cloverdale allows for the critical development of the east-west route from Novato to Solano County to help address congestion and sea-level rise concerns on SR37. Caltrans looks forward to working with MTC to identify additional potential funding sources and support for the inclusion of this corridor into the Plan.

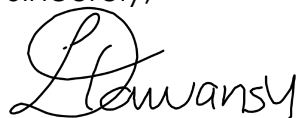
Tribal Coordination

The May 2, 2020 Transportation Management Area Planning Certification Review by the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) recommended that "MTC update their process to include documented concurrences from affected Tribal governments." The Dry Creek Rancheria Band of Pomo Indians informed Caltrans that they were not satisfied with the Government-to-Government Consultation that MTC conducted for the Plan, citing a lack of participation during the Tribal Summits. In addition, MTC did not include letters from Dry Creek Rancheria Band of Pomo and Cloverdale Rancheria in the October 2021 Tribal Engagement Report. The Tribe has also requested MTC include the SMART rail extension in the Plan. Completing SMART to Cloverdale will support some of the poorest Tribal communities who would have equitable access to services in Santa Rosa. We would welcome your suggestions toward improving Tribal engagement opportunities and offer our assistance if desired.

Therese McMillan, Executive Director
October 20, 2021
Page 3

Thank you again for including Caltrans in the review process for the Plan. Should you have any questions regarding this letter, please contact Jean Finney, Deputy District Director at (510) 715-7554 or jean.finney@dot.ca.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Dina A. El-Tawansy". The signature is fluid and cursive, with the first letter of the first name being a large capital 'D'.

DINA A. EL-TAWANSY
District Director