



Meeting Notice

1111 Broadway, Suite 800, Oakland, CA 94607 • PH: (510) 208-7400 • www.AlamedaCTC.org

Commission Chair
Supervisor Scott Haggerty, District 1

Commission Vice Chair
Councilmember Rebecca Kaplan,
City of Oakland

AC Transit
Director Elsa Ortiz

Alameda County
Supervisor Richard Valle, District 2
Supervisor Wilma Chan, District 3
Supervisor Nate Miley, District 4
Supervisor Keith Carson, District 5

BART
Director Thomas Blalock

City of Alameda
Mayor Marie Gilmore

City of Albany
Mayor Peggy Thomsen

City of Berkeley
Councilmember Laurie Capitelli

City of Dublin
Mayor Tim Sbranti

City of Emeryville
Vice Mayor Ruth Atkin

City of Fremont
Mayor William Harrison

City of Hayward
Councilmember Marvin Peixoto

City of Livermore
Mayor John Marchand

City of Newark
Councilmember Luis Freitas

City of Oakland
Vice Mayor Larry Reid

City of Piedmont
Mayor John Chiang

City of Pleasanton
Mayor Jerry Thome

City of San Leandro
Vice Mayor Michael Gregory

City of Union City
Mayor Carol Dufré-Vernaci

Executive Director
Arthur L. Dao

Planning, Policy and Legislation Committee

Monday, January 13, 2014, 10:30 a.m.*

*Or immediately following the I-580 Express Lane Policy Committee meeting

**1111 Broadway, Suite 800
Oakland, CA 94607**

Mission Statement

The mission of the Alameda County Transportation Commission (Alameda CTC) is to plan, fund and deliver transportation programs and projects that expand access and improve mobility to foster a vibrant and livable Alameda County.

Public Comments

Public comments are limited to 3 minutes. Items not on the agenda are covered during the Public Comment section of the meeting, and items specific to an agenda item are covered during that agenda item discussion. If you wish to make a comment, fill out a speaker card, hand it to the clerk of the Commission, and wait until the chair calls your name. When you are summoned, come to the microphone and give your name and comment.

Reminder

Please turn off your cell phones during the meeting. Please do not wear scented products so individuals with environmental sensitivities may attend the meeting.

Glossary of Acronyms

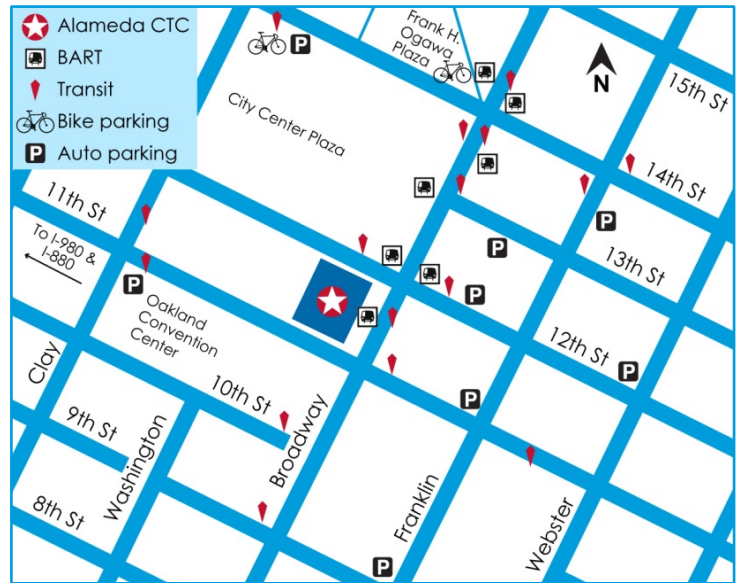
A glossary that includes frequently used acronyms is available on the Alameda CTC website at www.AlamedaCTC.org/app_pages/view/8081.

Location Map

Alameda CTC

1111 Broadway, Suite 800
Oakland, CA 94607

Alameda CTC is accessible by multiple transportation modes. The office is conveniently located near the 12th Street/City Center BART station and many AC Transit bus lines. Bicycle parking is available on the street and in the BART station as well as in electronic lockers at 14th Street and Broadway near Frank Ogawa Plaza (requires purchase of key card from bikelink.org).



Garage parking is located beneath City Center, accessible via entrances on 14th Street between 1300 Clay Street and 505 14th Street buildings, or via 11th Street just past Clay Street. To plan your trip to Alameda CTC visit www.511.org.

Accessibility

Public meetings at Alameda CTC are wheelchair accessible under the Americans with Disabilities Act. Guide and assistance dogs are welcome. Call 510-893-3347 (Voice) or 510-834-6754 (TTD) five days in advance to request a sign-language interpreter.



Meeting Schedule

The Alameda CTC meeting calendar lists all public meetings and is available at www.AlamedaCTC.org/events/upcoming/now.

Paperless Policy

On March 28, 2013, the Alameda CTC Commission approved the implementation of paperless meeting packet distribution. Hard copies are available by request only. Agendas and all accompanying staff reports are available electronically on the Alameda CTC website at www.AlamedaCTC.org/events/month/now.

Connect with Alameda CTC

www.AlamedaCTC.org



facebook.com/AlamedaCTC

[@AlamedaCTC](https://twitter.com/AlamedaCTC)

youtube.com/user/AlamedaCTC



Planning, Policy and Legislation Committee Meeting Agenda

Monday, January 13, 2014, 10:30 a.m.*

*Or immediately following the I-580 Express Lane Policy Committee

1111 Broadway, Suite 800, Oakland, CA 94607 • PH: (510) 208-7400 • www.AlamedaCTC.org

1. Pledge of Allegiance

2. Roll Call

3. Public Comment

Chair: Mayor Tim Sbranti, City of Dublin
Vice Chair: Supervisor Keith Carson, Alameda County District 5
Commissioners: Wilma Chan, Michael Gregory, John Marchand, Elsa Ortiz, Marvin Peixoto, Jerry Thorne
Ex-Officio Members: Scott Haggerty, Rebecca Kaplan
Staff Liaisons: Tess Lengyel
Executive Director: Arthur L. Dao
Clerk: Vanessa Lee

4. Consent Calendar

Page A/I

4.1. [November 4, 2013 PPLC Meeting Minutes](#)

1 A

Recommendation: Approve the November 4, 2013 PPLC meeting minutes.

4.2. [Congestion Management Program: Summary of the Alameda CTC's Review and Comments on Environmental Documents and General Plan Amendments](#)

5 I

5. Legislation

5.1. [Legislative Update](#)

19 A/I

6. Planning and Policy

6.1. Transportation Expenditure Plan Update (Verbal)

A/I

7. Committee Member Reports (Verbal)

8. Staff Reports (Verbal)

9. Adjournment

Next Meeting: February 3, 2014

All items on the agenda are subject to action and/or change by the Commission.

This page intentionally left blank



1. Pledge of Allegiance

2. Roll Call

A roll call was conducted and a quorum was confirmed.

3. Public Comment

There were no public comments.

4. Consent Calendar

4.1. October 14, 2013 PPLC Meeting Minutes

4.2. Congestion Management Program: Summary of the Alameda CTC's Review and Comments on Environmental Documents and General Plan Amendments

Commissioner Marchand motioned to approve the consent calendar. Commissioner Ortiz seconded the motion. The motion passed unanimously.

5. Legislation

5.1. Draft 2014 Alameda CTC Legislative Program

Tess Lengyel presented the draft 2014 Alameda CTC Legislative Program. Tess stated that the program is divided into 6 sections: transportation funding, project delivery, multi-modal transportation and land use, climate change, goods movement and partnerships. Tess reviewed key aspects of each category in the program and also reviewed the staff recommendations for each category.

Commissioner Peixoto wanted to know if the Commission was in support of the using transportation dollars to support the housing requirements in the program. Tess stated that staff is proposing to support affordable housing through legislation and policies; however, not by using scarce transportation dollars for affordable housing. She noted that the program supports transportation elements in affordable housing developments.

Commissioner Marchand wanted to get a better sense of the success rate for reducing gas emissions in connected to AB32? Tess stated that CARB is working on updates and is stating that it appears the state is on track for meeting targeted goals.

Commissioner Marchand motioned to approve this item. Commissioner Peixoto seconded the motion. The motion passed unanimously.

6. Planning and Policy

6.1. Transportation Expenditure Plan Update

Tess Lengyel provided an update on the Transportation Expenditure Plan. She stated that the Commission and members of the TEP ad-hoc and steering committee had been working on the plan since July. She updated the committee on polling results and stated that the Commission approved bringing the TEP to voters in Nov 2014, and that the Steering Committee will receive a markup of the TEP for review at the December Commission meeting.

This item was for information only.

6.2. Goods Movement Collaborative and Plan Update

Tess Lengyel informed the Committee that Alameda CTC staff is working on the first goods movement plan for Alameda County. She provided a brief overview of progress on the plan and introduced Michael Fischer from Cambridge Systematic to provide more details on the plan's development.

Mr. Fischer provided an overview of the approach for the project, including each phase of the plan development. He highlighted the importance of ensuring that the plan incorporates a broad based and collaborative outreach effort. He provided an update on the leadership team, technical team, stakeholder groups and future roundtables that will take place. Mr. Fischer concluded by providing an overview of the goods movement task schedule for the next 18-months.

Commissioner Haggerty wanted to know if the consultant team felt that Alameda CTC had dedicated enough resources and taken a comprehensive approach to the plan. Mr. Fischer stated that Alameda CTC has dedicated extensive resources to the plan and assured the Committee that the plan should be comprehensive and effective.

This item was for information only.

6.3. Cap and Trade Principles and AB 32 Scoping Plan Update

Tess Lengyel recommended that the Commission approve the Cap and Trade Principles and provided an update on the scoping plan update. Tess reviewed Cap and Trade principles, noting that the principals had been vetted through the nine-county CMA's as well as shared with MTC. She concluded by providing an update on the AB scoping plan updates.

Commissioner Thorne motioned to approve this item. Commissioner Gregory seconded the motion. The motion passed unanimously.

6.4. 2014 Level of Service Monitoring Request for Proposal

Saravana Suthanthira recommended that the Commission approve the release of a Request for Proposals (RFP) for preparation of the 2014 Level of Service (LOS) Monitoring Study and authorize the Executive Director, or a designee of the

Executive Director, to negotiate and execute a professional services agreement with consultants or consultant teams selected as a result of the RFP process in accordance with procurement procedures. Saravana reviewed the background of the CMP network and deficiency plans, data collection methods, scope of work and schedule for the study.

Commissioner Haggerty wanted to know when rural roads would be added into the network. Tess stated that this specific item is for monitoring of the existing network that was already approved by the Commission, but that staff would provide a schedule of when the expanded network would be updated in early 2014.

Commissioner Marchand motioned to approve this item. Commissioner Sbranti seconded the motion. The motion passed unanimously.

6.5. Presentation of Priority Development Investment and Growth Strategy Implementation

Tess Lengyel introduced this item by providing information on local and regional partnerships. She also reviewed PDA investments and growth strategies. Kara Vuicich provided information on the PDA inventory and the major aspects of developing the investment and growth strategy. She also reviewed key issues and next steps. Matt Nichols from City of Berkeley provided an update on Downtown Berkeley's area plan specifically modifications made to the Berkeley zoning codes to accommodate transportation demands. Jessica Von Borck from the City of Fremont reviewed Fremont's proposed projects and improvements in downtown Fremont.

This item was for information only.

7. Committee Member Reports

There were no committee member reports.

8. Staff Reports

There were no staff reports.

9. Adjournment/ Next Meeting

The meeting adjourned at 12:05 p.m. The next meeting is:

Date/Time: Monday, January 13, 2014 @10:30 a.m.

Location: Alameda CTC Offices, 1111 Broadway, Suite 800, Oakland, CA 94607

Attested by:



Vanessa Lee,
Clerk of the Commission

This page intentionally left blank



Memorandum

4.2

1111 Broadway, Suite 800, Oakland, CA 94607 • PH: (510) 208-7400 • www.AlamedaCTC.org

DATE: January 6, 2014

SUBJECT: Congestion Management Program (CMP): Summary of the Alameda CTC's Review and Comments on Environmental Documents and General Plan Amendments

RECOMMENDATION: Receive an update on the Alameda CTC's Review and Comments on Environmental Documents and General Plan Amendments

Summary

This item fulfills one of the requirements under the Land Use Analysis Program (LUAP) element of the Congestion Management Program (CMP). As part of the LUAP, Alameda CTC reviews Notices of Preparations (NOPs), General Plan Amendments (GPAs), and Environmental Impact Reports (EIRs) prepared by local jurisdictions and comments on them regarding the potential impact of proposed land development on the regional transportation system.

Since the last monthly update on November 4, 2013, staff reviewed three NOPs, one DEIR, three FEIRs and a Final Environmental Assessment/Draft Finding of No Significant Impact. Comments were submitted for four of these documents. The comment letters are attached.

Attachments:

- A. Comment Letter for Notice of Preparation of a DEIR for the City of Pleasanton East Pleasanton Specific Plan
- B. Comment Letter for City of Tracy Notice of Preparation of a DEIR for the Tracy Hills Specific Plan
- C. Comment Letter for City of Oakland Lake Merritt Station Area Plan DEIR
- D. Comment Letter for City of San Leandro Notice of Preparation of a DEIR for the Shoreline Development Project

Fiscal Impact:

There is no fiscal impact.

Staff Contact

[Tess Lengyel](#), Deputy Director of Planning and Policy

[Matthew Bomberg](#), Assistant Transportation Planner

This page intentionally left blank



November 25, 2013

Janice Stearn
Planning Manager
City of Pleasanton
Planning Division
P.O. Box 520
Pleasanton, CA 94566

SUBJECT: Response to Notice of Preparation of an Environmental Impact Report for the East Pleasanton Specific Plan (P13-1858)

Dear Ms. Stearn,

Thank you for the opportunity to comment on the Notice of Preparation of an Environmental Impact Report for the East Pleasanton Specific Plan. The Project location is generally east of Valley Avenue and Busch Road and north of Stanley Boulevard. The Specific Plan boundaries encompass approximately 1,110 acres located partially within the City of Pleasanton and partially within the unincorporated jurisdiction of Alameda County. The entire Specific Plan Area is within the Pleasanton General Plan Planning Area and Pleasanton's Sphere of Influence. The preferred project consists of 1,759 housing units, including 65 percent single-family and 35 percent multi-family units; 91,000 square feet of retail space; 442,000 square feet of office space; 1,057,000 of industrial space; 3 acres of destination use; 45 acres of public park; 35 acres of private open space; and 17 acres of public and institutional use.

The Alameda County Transportation Commission (Alameda CTC) respectfully submits the following comments:

Basis for CMP Review

- The City of Pleasanton adopted Resolution No. 92-135 on July 7, 1992 establishing guidelines for reviewing the impacts of local land use decisions consistent with the Alameda County Congestion Management Program (CMP). It appears that the proposed project will generate at least 100 p.m. peak hour trips over existing conditions, and therefore the CMP Land Use Analysis Program requires the City to conduct a transportation impact analysis of the project.

Use of Countywide Travel Demand Model

- The Alameda Countywide Travel Demand Model should be used for CMP Land Use Analysis purposes. The CMP was amended on March 26th, 1998 so that local jurisdictions are responsible for conducting travel model runs themselves or through a consultant. The City of Pleasanton and the Alameda CTC signed a Countywide Model Agreement on May 25, 2009. Before the model can be used for this project, a letter must be submitted to the Alameda CTC requesting use of the model and describing the project. A copy of a sample letter agreement is available

upon request. The most current version of the Alameda CTC Countywide Travel Demand Model is the August 2011 update.

Impacts

- The DEIR should address all potential impacts of the project on the Metropolitan Transportation System (MTS) roadway network.
 - MTS roadway facilities in the project area include Interstate 580, Interstate 680, Stanley Boulevard/1st Street/Sunol Boulevard, Santa Rita Road, Isabel Avenue, Vallecitos Road, and Airway Boulevard.
 - For the purposes of CMP Land Use Analysis, the Highway Capacity Manual 2010 freeway and urban streets methodologies are the preferred methodologies to study vehicle delay impacts.
 - The Alameda CTC has *not* adopted any policy for determining a threshold of significance for Level of Service for the Land Use Analysis Program of the CMP. Professional judgment should be applied to determine the significance of project impacts (Please see chapter 6 of 2011 CMP for more information).
- The DEIR should address potential impacts of the project on Metropolitan Transportation System (MTS) transit operators.
 - MTS transit operators potentially affected by the project include BART, ACE, and LAVTA.
 - Transit impacts to consider include the effects of project vehicle traffic on mixed flow transit operations, transit capacity, transit access/egress, need for future transit service, and consistency with adopted plans. See Appendix L of the 2013 CMP document for more details.
- The DEIR should address potential impacts of the project to cyclists on the Countywide Bicycle Network.
 - Countywide bicycle facilities in the project area include the Iron Horse Trail, Stoneridge Drive, and the Arroyo Mocho Trail.
 - Bicycle related impacts to consider include effects of vehicle traffic on bicyclist conditions, site development and roadway improvements, and consistency with adopted plans. See Appendix L of the 2013 CMP document for more details.
- The DEIR should address potential impacts of the project to pedestrians in Countywide Pedestrian Plan Areas of Countywide Significance.
 - The southern portion of the Project planning area overlaps with an Area of Countywide Pedestrian Significance
 - Bicycle related impacts to consider include effects of vehicle traffic on pedestrian conditions, site development and roadway improvements, and consistency with adopted plans. See Appendix L of the 2013 CMP document for more details.

Mitigation Measures

- Alameda CTC policy regarding mitigation measures is that to be considered adequate they must be:
 - Adequate to sustain CMP roadway and transit service standards;
 - Fully funded; and
 - Consistent with project funding priorities established in the Capital Improvement Program of the CMP, the Countywide Transportation Plan (CWTP), and the Regional Transportation Plan

(RTP) or the federal Transportation Improvement Program, if the agency relies on state or federal funds programmed by Alameda CTC

- The DEIR should discuss the adequacy of proposed mitigation measure according to the criteria above. In particular, the DEIR should detail when proposed roadway or transit route improvements are expected to be completed, how they will be funded, and the effect on service standards if only the funded portions of these mitigation measures are built prior to Project completion. The DEIR should also address the issue of transit funding as a mitigation measure in the context of the Alameda CTC mitigation measure criteria discussed above.
- Jurisdictions are encouraged to discuss multimodal tradeoffs associated with mitigation measures that involve changes in roadway geometry, intersection control, or other changes to the transportation network. This analysis should identify whether the mitigation will result in an improvement, degradation, or no change in conditions for automobiles, transit, bicyclists, and pedestrians. The HCM 2010 MMLOS methodology is encouraged as a tool to evaluate these tradeoffs, but project sponsors may use other methodologies as appropriate for particular contexts or types of mitigations.
- The DEIR should consider the use of TDM measures, in conjunction with roadway and transit improvements, as a means of attaining acceptable levels of service. Whenever possible, mechanisms that encourage ridesharing, flextime, transit, bicycling, telecommuting and other means of reducing peak hour traffic trips should be considered. The Alameda CTC CMP Menu of TDM Measures and TDM Checklist may be useful during the review of the development proposal and analysis of TDM mitigation measures (See Appendices G and H of the 2013 CMP).

Other

- For projects adjacent to state roadway facilities, the analysis should address noise impacts of the project. If the analysis finds an impact, then mitigation measures (i.e., soundwalls) should be incorporated as part of the conditions of approval of the proposed project. It should not be assumed that federal or state funding is available.

Thank you for the opportunity to comment on this NOP. Please contact me at (510) 208-7405 or Matthew Bomberg of my staff at (510) 208-7444 if you have any questions.

Sincerely,



Tess Lengyel
Deputy Director of Planning and Policy

cc: Matthew Bomberg, Assistant Transportation Planner

file: CMP/Environmental Review Opinions/2013

This page intentionally left blank



November 25, 2013

William Dean
Assistant Director
Development and Engineering Services Department
City of Tracy
333 Civic Center Plaza
Tracy, CA 95376

SUBJECT: Comments on the Notice of Preparation of an Environmental Impact Report for the Tracy Hills Specific Plan Amendment Project

Dear Mr. Dean,

Thank you for the opportunity to comment on the Notice of Preparation (NOP) of an Environmental Impact Report (EIR) for the Tracy Hills Specific Plan (THSP) Amendment Project. The proposed project includes an amendment to the previously adopted Tracy Hills Specific Plan, which establishes land use and development standards for an approximately 6,175 acre area located near the existing interchange around Corral Hollow Road and the proposed Lammers Road Interchange on Interstate 580. The property is bordered by the Delta Mendota Canal to the northeast, the Union Pacific Railroad to the northwest, undeveloped hillside to the west and southwest, South Corral Hollow Road to the Southeast, and the Tracy Municipal Airport and privately owned lands to the east.

The goals of the THSP amendment include implementing Tracy Hills Phase 1 and updating the Specific Plan to reflect the City's 2011 General Plan and Infrastructure Master Plans (IMPs). The proposed land use amendments include an increase in low density residential (from 0 to 249.8 acres), reduction in medium density residential (from 241.7 to 63.2 acres), reduction in high density residential (from 35.8 to 26.5 acres), increase in business park (from 0 to 169.8 acres), reduction in light industrial (from 91.8 to 0 acres), reduction in professional office and medical (from 8.4 to 0 acres), increase in highway commercial (from 8.4 to 23.2 acres), and reduction in neighborhood shopping (from 17.4 to 0 acres).

The Alameda CTC respectfully requests that the following items be considered for inclusion in the scope of the EIR:

- Given the scale of the project and the economic integration between the Central Valley and the Bay Area, it is possible that the project will result in impacts in Alameda County. The EIR should consider impacts to the interregional transportation facilities including:
 - Interstate 580 through the Altamont Pass and the Tri-Valley area
 - BART station parking capacity in the Tri-Valley area
- The EIR should seek to be consistent with adopted plans and policies as well as planning efforts currently underway. Future transportation network assumptions should be consistent with the investment priorities documented in Plan Bay Area and the Alameda Countywide

Transportation Plan. In addition, Alameda CTC is embarking on the development of modal plans including a countywide transit plan and a countywide goods movement plan, which will identify additional long range transportation investment priorities for transit and freight on Alameda County roadways and railways. These efforts are scheduled for completion in 2015 and the THSP planning effort should seek to coordinate with the plans to the extent that timing permits. Finally, BART is preparing a project-level Draft Environmental Impact Report for the BART to Livermore extension and ACE is conducting project-level and programmatic system enhancement and expansion analysis as part of the *ACEforward* program. Any assumptions in the THSP about future transit service between Tracy and the Bay Area should be consistent with these efforts.

- To the extent that the EIR may find impacts to Interstate 580 in Alameda County, mitigation measures that seek to maximize existing mega-regional transit and high occupancy vehicle connections should receive strong consideration. Improvements that enable residents and businesses of the THSP area to better take advantage of ACE service between Tracy and Alameda County as well as shuttle or bus services that take advantage of the growing express lane network through the Tri-Valley area may constitute suitable mitigation for impacts to Interstate 580.

Thank you for the opportunity to comment on this NOP. Please contact me at (510) 208-7428 or Matthew Bomberg of my staff at (510) 208-7444 if you have any questions.

Sincerely,



Tess Lengyel
Deputy Director of Policy and Planning

Cc: Matthew Bomberg, Assistant Transportation Planner
Cindy Horvath, Senior Transportation Planner, Alameda County Community Development Agency

File: CMP/Environmental Review Opinions/2013



December 19, 2013

Christina Ferracane
Strategic Planning
City of Oakland
Planning and Building Department
250 Frank Ogawa Plaza, Suite 3315
Oakland, CA 94612
cferracane@oaklandnet.com

SUBJECT: Comments on the Draft Environmental Impact Report (DEIR) for the Lake Merritt Station Area Plan

Dear Ms. Ferracane:

Thank you for the opportunity to comment on the Notice of Preparation of a Draft Environmental Impact Report (DEIR) on the Lake Merritt Station Area Plan in the City of Oakland. The project is on a 315 acre site bound by 14th Street to the north, I-880 to the south, Broadway and Franklin Street to the west, and 4th and 5th Avenue to the east. The Planning Area is an area within one-half mile radius of the Lake Merritt BART Station. In addition to the Lake Merritt BART Station, it includes Oakland Chinatown business and residential districts, Laney College and Peralta Community College District Administration facilities, the Oakland Public Library, the Oakland Museum of California, the Alameda County Courthouse and other County offices, the building currently occupied by ABAG and the MTC, the Lake Merritt Channel and a portion of the East Lake District.

The Lake Merritt Station Area Plan will be a 25-year plan, which addresses land use, buildings, design, circulation, BART and AC Transit improvements, streetscape improvements, parks and public spaces. It will look to add between 3,700 and 5,600 new housing units, up to 5,755 new jobs, and up to 412,000 square feet of additional retail. It will identify actions, regulations and policy for development projects on private property. The Plan will be a basis for development project review and other decision-making.

The Alameda County Transportation Commission (Alameda CTC) respectfully submits the following comments:

- The DEIR examines impacts to AC Transit bus travel times under existing conditions (p. 3.2-71), interim conditions (p. 3.2-95), and cumulative conditions (p. 3.2-123). In these sections, the DEIR looks at impacts to bus operations on 7th Street, 8th Street, Oak Street, and Madison Street. The DEIR neglects to look at impacts to operations on several streets with significant bus transit operations within or immediately adjacent to the Planning Area (e.g. Broadway, 11th Street, 12th Street, 14th Street, International Boulevard). Several of these streets are identified as Transit Priority Streets or Transit Preferential Streets in the Station Area Plan document itself. Presumably, bus operations on some streets do not need to be studied because bus operations

will be improved by the East Bay BRT project or because the project will add minimal vehicle volumes. The DEIR should be explicit as to why transit operations are studied on some streets but not others.

- The DEIR presents quantitative analysis indicating that several roadways will see significant increases in bus travel times under existing, interim, and cumulative conditions, but concludes that the impact will be less than significant due to the implementation of policies such as transit signal priority, bus bulbs, and improved management of curb space that are not reflected in the quantitative results. To the extent that the DEIR relies upon the implementation of these measures to prevent significant impacts to bus travel times, the DEIR and the Station Area Plan should be explicit about how these policies will be implemented.
- On page 3.2-151, the DEIR claims that there is no feasible mitigation measure available to improve conditions at the intersection of Jackson Street and 7th Street. The City of Oakland, City of Berkeley, and City of Alameda are jointly responsible for a Congestion Management Program Deficiency Plan for the State Route 260 eastbound (Posey Tube) to Interstate 880 Northbound connector which encompasses this intersection. Implementation of this Deficiency Plan would likely improve operations at the Jackson Street and 7th Street intersection.
- The DEIR proposes optimization of signal timing and corridor signal coordination to improve intersection level of service at a number of intersections along Oak Street and Madison Street (e.g. Mitigation Measure TRAN-17). In light of the Plan's priority on improving pedestrian conditions and implementation of bicycle facilities along these corridors, consideration could be given to coordinating signals such that traffic operates at a speed that is conducive to a comfortable, multimodal environment. Such an improvement would also support implementation of the Countywide Bicycle and Pedestrian Plans.

Thank you for the opportunity to comment on this DEIR. Please contact me at (510) 208-7405 or Matthew Bomberg of my staff at (510) 208-7444 if you have any questions.

Sincerely,



Tess Lengyel
Deputy Director of Planning and Policy

cc: Matthew Bomberg, Assistant Transportation Planner

file: CMP/Environmental Review Opinions/2013



December 19, 2013

Sally Barros
Senior Planner
City of San Leandro
835 East 14th Street
San Leandro, CA 94577

SUBJECT: Response to Notice of Preparation of a Draft Program Environmental Impact Report (DEIR) for the San Leandro Shoreline Development Project

Dear Ms. Barros,

Thank you for the opportunity to comment on the Notice of Preparation of a Draft Program Environmental Impact Report for the San Leandro Shoreline Development Project. The project is located in the San Leandro Shoreline Area, which encompasses approximately 1,800 acres of land situated on the eastern shore of the San Francisco Bay at the western end of Marina Boulevard. The proposed development site is the area generally west of Monarch Bay Drive between Marina Boulevard and Fairway Drive.

The San Leandro Shoreline Development Project is proposed as an integrated master planned development and a public/private partnership with the City on 52 acres of the City-owned marina. The proposed components of the Project include:

- 150,000 square foot office campus
- 200 room hotel
- 15,000 square foot conference center
- 354 units of housing (61 condominiums, 159 market rate apartments, 92 townhomes, and 42 single-family detached homes.)
- 3 new restaurants (totaling 21,000 square feet)
- Library/Community building
- Parking structure with 800 spaces
- Public amenities.

The Alameda County Transportation Commission (Alameda CTC) respectfully submits the following comments:

Basis for CMP Review

- The City of San Leandro adopted Resolution No. 92-260 on September 8, 1992 establishing guidelines for reviewing the impacts of local land use decisions consistent with the Alameda County Congestion Management Program (CMP). It appears that the proposed project will generate at least 100 p.m. peak hour trips over existing conditions, and therefore the CMP Land Use Analysis Program requires the City to conduct a transportation impact analysis of the project.

Use of Countywide Travel Demand Model

- The Alameda Countywide Travel Demand Model should be used for CMP Land Use Analysis purposes. The CMP was amended on March 26th, 1998 so that local jurisdictions are responsible for conducting travel model runs themselves or through a consultant. The City of San Leandro and the Alameda CTC signed a Countywide Model Agreement on April 1, 2008. Before the model can be used for this project, a letter must be submitted to the Alameda CTC requesting use of the model and describing the project. A copy of a sample letter agreement is available upon request. The most current version of the Alameda CTC Countywide Travel Demand Model is the August 2011 update.

Impacts

- The DEIR should address all potential impacts of the project on the Metropolitan Transportation System (MTS) roadway network.
 - MTS roadway facilities in the project area include Interstate 880 and Doolittle Drive.
 - For the purposes of CMP Land Use Analysis, the Highway Capacity Manual 2010 freeway and urban streets methodologies are the preferred methodologies to study vehicle delay impacts.
 - The Alameda CTC has *not* adopted any policy for determining a threshold of significance for Level of Service for the Land Use Analysis Program of the CMP. Professional judgment should be applied to determine the significance of project impacts (Please see chapter 6 of 2013 CMP for more information).
- The DEIR should address potential impacts of the project on Metropolitan Transportation System (MTS) transit operators.
 - MTS transit operators potentially affected by the project include BART and AC Transit.
 - Transit impacts to consider include the effects of project vehicle traffic on mixed flow transit operations, transit capacity, transit access/egress, need for future transit service, and consistency with adopted plans. See Appendix L of the 2013 CMP document for more details.
- The DEIR should address potential impacts of the project to cyclists on the Countywide Bicycle Network.
 - Countywide bicycle facilities near the project area include the Bay Trail and Doolittle Drive.
 - Bicycle related impacts to consider include effects of vehicle traffic on bicyclist conditions, site development and roadway improvements, and consistency with adopted plans. See Appendix L of the 2013 CMP document for more details.
- The DEIR should address potential impacts of the project to pedestrians in Countywide Pedestrian Plan Areas of Countywide Significance.
 - The project does not overlap with a pedestrian Area of Countywide Significance but the project should consider impacts to pedestrians in accordance with local policies.

Mitigation Measures

- Alameda CTC policy regarding mitigation measures is that to be considered adequate they must be:
 - Adequate to sustain CMP roadway and transit service standards;

- Fully funded; and
 - Consistent with project funding priorities established in the Capital Improvement Program of the CMP, the Countywide Transportation Plan (CWTP), and the Regional Transportation Plan (RTP) or the federal Transportation Improvement Program, if the agency relies on state or federal funds programmed by Alameda CTC
- The DEIR should discuss the adequacy of proposed mitigation measure according to the criteria above. In particular, the DEIR should detail when proposed roadway or transit route improvements are expected to be completed, how they will be funded, and the effect on service standards if only the funded portions of these mitigation measures are built prior to Project completion. The DEIR should also address the issue of transit funding as a mitigation measure in the context of the Alameda CTC mitigation measure criteria discussed above.
 - Jurisdictions are encouraged to discuss multimodal tradeoffs associated with mitigation measures that involve changes in roadway geometry, intersection control, or other changes to the transportation network. This analysis should identify whether the mitigation will result in an improvement, degradation, or no change in conditions for automobiles, transit, bicyclists, and pedestrians. The HCM 2010 MMLOS methodology is encouraged as a tool to evaluate these tradeoffs, but project sponsors may use other methodologies as appropriate for particular contexts or types of mitigations.
 - The DEIR should consider the use of TDM measures, in conjunction with roadway and transit improvements, as a means of attaining acceptable levels of service. Whenever possible, mechanisms that encourage ridesharing, flextime, transit, bicycling, telecommuting and other means of reducing peak hour traffic trips should be considered. The Alameda CTC CMP Menu of TDM Measures and TDM Checklist may be useful during the review of the development proposal and analysis of TDM mitigation measures (See Appendices G and H of the 2013 CMP).

Other

- For projects adjacent to state roadway facilities, the analysis should address noise impacts of the project. If the analysis finds an impact, then mitigation measures (i.e., soundwalls) should be incorporated as part of the conditions of approval of the proposed project. It should not be assumed that federal or state funding is available.

Thank you for the opportunity to comment on this NOP. Please contact me at (510) 208-7405 or Matthew Bomberg of my staff at (510) 208-7444 if you have any questions.

Sincerely,



Tess Lengyel
Deputy Director of Planning and Policy

cc: Matthew Bomberg, Assistant Transportation Planner
file: CMP/Environmental Review Opinions/2013

This page intentionally left blank



Memorandum

5.1

1111 Broadway, Suite 800, Oakland, CA 94607 • PH: (510) 208-7400 • www.AlamedaCTC.org

DATE: January 6, 2014

SUBJECT: Legislative Update

RECOMMENDATION: Receive an update on state and federal legislative activities

Summary

This memo provides an update on federal, state and local legislative activities including an update on the federal budget, federal transportation issues, legislative activities and policies at the state level, as well as an update on local legislative activities.

Alameda CTC's legislative program was approved in December 2013 establishing legislative priorities for 2014 and is included in summary format in Attachment A. The 2014 Legislative Program is divided into six sections: Transportation Funding, Project Delivery, Multi-Modal Transportation and Land Use, Climate Change, Goods Movement and Partnerships. The program was designed to be broad and flexible to allow Alameda CTC the opportunity to pursue legislative and administrative opportunities that may arise during the year, and to respond to political processes in Sacramento and Washington, DC. Each month, staff brings updates to the Commission on legislative issues related to the adopted legislative program, including recommended positions on bills as well as legislative updates.

Background

Federal Update

The following updates provide information on activities and issues at the federal level and include information contributed from Alameda CTC's lobbyist team (CJ Lake/Len Simon).

Overview

A brief retrospective of 2013:

- Barack Obama was re-elected as President of the United States and the Democrats and Republicans retained control of the Senate and House respectively.

- The first session of the 113th Congress began with the seating of 84 freshmen in the House (including 14 from California) and 12 freshmen in the Senate on January 3, 2013.
- In early January, Congress addresses short-term agreement to deal with the “fiscal cliff.”
- In March 2013, sequestration went into effect because Congress was unable to reach an agreement on how to avert it. This resulted in across the board cuts to defense and non-defense programs.
- In April 2013, President’s budget released three month after regular release since the Office of Management and Budget was waiting for deals to be made on fiscal cliff issues.
- In the ensuing months, the House and Senate passed very different budgets, over \$90 billion apart.
- In October 2013, the government shuts down for 17 days due to lack of a budget.
- In December 2013, a special Budget Conference Committee approved a small deal that set a budget for both FY14 and FY15.

More detail is included below, including some prospective actions on transportation in 2014.

Budget

In October of 2013, the Congress could not reach agreement on spending levels for FY 2014 and a partial federal government shutdown resulted. The shutdown lasted from October 1-16, 2013. On October 16, the Congress passed, and the President signed, a continuing resolution to fund the government at sequestration levels through January 15, 2014. In addition, the agreement produced a budget conference committee with a self-imposed deadline of December 13, 2014 to produce a budget deal of some kind. Part of the support for this shutdown came from Republicans who wanted to stop the implementation of the Patient Protection and Affordable Care Act (PPACA) which went into effect on October 1, 2013.

In the second week of December, the House and Senate budget conference produced an agreement on federal government spending levels for FY14-15. The agreement produced total spending levels of \$1.012 trillion for FY 14 and \$1.0136 trillion for FY15. The House and Senate Appropriations Committees will use these top-line numbers and new budget caps to draft the 12 different appropriations bills that will ultimately assign funding to departments and agencies of the federal government. The bills for FY14 are expected to be ready by the January 15th deadline. The House passed the budget deal on December 12th by a vote of 332-94 and the Senate passed the bill by a vote of 64-36 on December 18th.

Transportation

In the past year, the House and Senate Committees with jurisdiction over transportation policy have held a variety of hearings and special panel meetings on the future of the Highway Trust Fund; the implementation of MAP-21, transportation financing (gas tax reform, Public-Private Partnerships); and WRDA authorization. The House Special Panel on 21st Century Freight Transportation produced its recommendations on the new surface transportation bill when MAP-21 expires on September 30, 2014. This year also saw a change in the Secretary of Transportation from Ray LaHood (R-IL) to Anthony Foxx (D-NC). Below is the summary of activity for the year.

House Transportation and Infrastructure Special Panel on 21st Century Freight Transportation Recommendations (October 2013)

- Direct the Secretary of Transportation, in coordination with the Secretary of the Army and the Commandant of the U.S. Coast Guard, to establish a comprehensive national freight transportation policy and designate a national, multimodal freight network;
- Ensure robust public investment in all modes of transportation on which freight movement relies, and incentivize additional private investment in freight transportation facilities, to maintain and improve the condition and performance of the freight transportation network;
- Promote and expedite the development and delivery of projects and activities that improve and facilitate the efficient movement of goods;
- Authorize dedicated, sustainable funding for multimodal freight Projects of National and Regional Significance through a grant process and establish clear benchmarks for project selection. Projects eligible for such funding would have a regional or national impact on the overall performance of the multimodal freight network identified by the Secretary of Transportation;
- Direct the Secretary of Transportation, in coordination with the Secretary of the Treasury and the Secretary of the Army, to identify and recommend sustainable sources of revenue across all modes of transportation that would provide the necessary investment in the Nation's multimodal freight network and align contributions with use of, and expected benefit of increased investment in, such network; and
- Review, working through the Committee on Transportation and Infrastructure and the Committee on Ways and Means, the Secretary's freight funding and revenue recommendations and develop specific funding and revenue options for freight transportation projects prior to Congress' consideration of the surface transportation reauthorization bill in 2014.

Highway Trust Fund Sustainability

Discussions among Senate Environment and Public Works (EPW) Committee Chairman Barbara Boxer and Senator Patty Murray have focused on the need for any budget negotiations to provide full funding for the Highway Trust Fund (HTF). It is expected that the EPW Committee will be looking to the Senate Finance Committee and the House Ways and Means Committee to address solvency of the HTF, including potentially considering changing the current tax system from a retail tax on gasoline (tax at the pump) to a wholesale tax on gasoline (sales tax on refineries). Senator Boxer has noted that she would like to wait until the Finance Committee resolves the issue of transportation funding before marking up any MAP-21 reauthorization legislation.

Gas Tax Bills

On December 4, Congressman Earl Blumenauer (D-OR) introduced two bills H.R. 3636, the Update, Promote, and Develop America's Transportation Essentials (UPDATE) Act; and H.R. 3638, the Road Usage Fee Pilot Program Act of 2013 which would reform transportation funding. H.R. 3636 would raise the gas tax to 33.4 cents per gallon, nearly double the current rate of 18.4 cents, over the next few years. H.R. 3636 would also peg the tax rate to inflation so that its purchasing power doesn't decline over time.

The other bill, H.R. 3638, would let states look into charging drivers by the mile (vehicle miles travelled, VMT) by expanding a pilot program started in Blumenauer's home state of Oregon. The program would be voluntary and allow states to choose how exactly to test the concept of charging for road use.

Currently there are no co-sponsors on either bill (Democrat or Republican) but there is tacit support from some Republican members suggesting that there is more support for the measures than is widely reported. There has been no mention of a hearing on either bill yet, however, this may be considered as part of tax reform in the next session of Congress.

Pre Tax Transit Benefit

The transit commuter benefit is an employer-provided federal tax benefit that allows employees to save money on their daily commute by paying for their transit expenses with pre-tax dollars.

On January 1, 2013 when the American Taxpayer Relief Act of 2012 was signed into law, the maximum monthly excludable amount ("cap") of the transit portion of the commuter benefit was restored to the same level as the benefit for parking, to \$245 per month.

The increase in the *transit* portion of the commuter benefit is only temporary - it reverted to \$130 on January 1, 2014, because Congress was not able to enact new legislation to make the increase permanent or extend it for an additional period of time. In

comparison, the monthly limit for the *parking* portion of the commuter benefit, which also increased to \$245, is a *permanent* part of the tax code and increased on January 1, 2014 to \$250. The disparity between the two benefits is higher than any previous years. It is expected that some type of temporary fix could be included in a larger tax extenders package next year, as has happened in previous years.

Legislation was introduced earlier this year that would create permanent parity between the parking and transit/vanpool portions of the commuter benefit. In the House, Congressman Michael Grimm (R-NY) was joined by Congressman Jim McGovern (D-MA), Congressman Peter King (R-NY) and Congressman Earl Blumenauer (D-OR) in introducing H.R. 2288, the Commuter Parity Act. The Senate bill, S. 1116, the Commuter Benefits Equity Act, was introduced by Senator Charles Schumer (D-NY).

Further, current transportation policy (MAP-21) expires on September 30, 2014. While both the House and Senate are looking at re-authorization and issues with respect to financing moving forward they are at odds over the scope of a transportation policy re-authorization. The House would like to see a more expansive bill with policy changes while the Senate is interested in a simple bill that addresses financing, arguing that there is not a need for further policy changes.

State Update

The following update provides information on activities and issues at the state level and includes information contributed from Alameda CTC's state lobbyist, Platinum Advisors.

The State Legislature finished the first year of the 2013-14 session in mid-September and returns to Sacramento on January 6th.

Budget

Urging careful consideration by the Legislature before making new budgetary commitments, the Legislative Analyst released his fiscal forecast. The forecast assumes the continued growth in the economy as well as maintaining the State's current policies. Should the State's economy continue as expected, California would end 2014-15 with a \$5.6 billion reserve.

The revenue gains projected by the LAO are largely from increased personal income tax revenue, which includes volatile capital gains tax revenue. A statistic in the LAO's report is that personal income tax revenues will comprise 66.3% of all general fund revenue in 2014-15. The LAO points out that despite what appear to be strong numbers now, an economic downturn could immediately reverse the improving financial picture.

- 2012-13 – The LAO estimates that last fiscal year closed with \$1.65 billion more revenue than originally estimated. This bump is due primarily to higher income tax collections compared to the Budget Act. Because of the way the Proposition 98

guarantee was calculated, \$1.75 billion additional would go to schools leaving a \$234 million reserve. The Budget Act assumed a \$254 million reserve.

- 2013-14 – The Budget Act assumes a \$1.1 billion reserve, which the LAO believes, has increased to \$2.4 billion. Higher capital gains pushed income tax revenue up \$4.7 billion. Proposition 98 will take \$3.1 billion of this jump, and other spending will consume about \$300 million.
- 2014-15 - As compared to the Budget Act forecast, the LAO is now forecasting \$5.8 billion in higher revenue, \$3.3 billion in higher Proposition 98 spending, and \$1.5 billion in other spending on obligations such as debt service, health, and human services. This would leave an operating surplus of \$3.2 billion.

Given the volatility of income taxes, the still shaky economy, and the eventual end of the Proposition 30 tax hikes, the LAO recommends building an \$8 billion reserve by 2016-17. The LAO also encourages prioritizing expenditures toward unfunded retirement liabilities, paying off debt to schools and community colleges, using funds toward inflationary increases of existing programs, and using a small amount of the surplus toward new programs. The additional sales tax coming into the State as a result of Proposition 30 expires at the end of 2016 and the additional personal income tax sunsets at the end of 2018. Governor Brown stated his approval of the LAO's suggestions to build a reserve and pay down debt.

Transportation Funding

The California Alliance for Jobs and Transportation California submitted an initiative proposal aimed at creating a new funding program for transportation projects in California. Title and summary of the proposed initiative is expected to be completed by January 10th. This initiative would be placed on the November 2014 ballot; however, the sponsors have not made any decisions on whether to move forward with signature gathering. They submitted this proposal in order to keep their options open.

The California Road Repair Act would phase in a 1% fee based on the value of each vehicle registered in California. The fee would not apply to commercial trucks over 10,000 pounds if the excise tax on diesel fuel is increased by at least 3 cents per gallon by July 1, 2016.

The 1% fee would be phased in over four years at which point it is estimated to generate \$2.9 billion annually. In addition, the revenue cannot be used make any interest or principle payments on bonds, therefore it creates a pay as you go program. As specified in the Coalition's press release, the revenue would be allocated as follows.

- 25% of all new revenue to all cities in California distributed on a formula allocation based on population for local street and road projects.

- 25% of all new revenue to all counties in California based on a formula allocation equal to 75% of fee-paying vehicle and 25% road miles for local street and road projects.
- 40% of all new revenue for maintenance and rehabilitation of the State Highway System. Half of these funds would be programmed for projects based on the North-South split formula, where 60% is allocated to Southern California projects, and 40% to Northern California projects. The remaining 50% would be programmed for projects based on the “highest need” statewide.
- 10% of all new revenue to public transit operators for system maintenance, rehabilitation and vehicle replacement. The funds cannot be used for operations, and the revenue would be allocated based on the current State Transit Assistance Program formula.

Policy

AB 32 Scoping Plan

On October 1, 2013, California Air Resources Board released its Discussion Draft update of the AB 32 Scoping Plan. The existing AB 32 Scoping Plan was adopted in 2008 and focused on 2020 reduction goals. The updated plan will set the path to achieve 2050 reduction goals.

The update to the AB 32 Scoping Plan allowed CARB to review and revise the 2008 Scoping Plan, and address near and long term goals for reducing greenhouse gas emissions. The update focused on the following six sectors for post-2020 GHG emission reduction strategies:

- Energy
- Transportation, Land Use, Fuels, and Infrastructure
- Agriculture
- Water
- Waste Management
- Natural and Working Lands

The updated Scoping Plan will influence the Cap & Trade expenditure plan that is anticipated to be included in the Governor’s 2014-15 budget proposal that he will release in January 2014. Alameda CTC and its partners reviewed the updated Scoping Plan and submitted a letter commenting on the draft plan which is included in Attachment B.

Cap & Trade Lawsuits

The Sacramento Superior Court has rejected two lawsuits challenging the legality of California's Cap & Trade auction. The lawsuits filed by the California Chamber of Commerce and Morning Star Packaging Company claimed AB 32 did not authorize CARB to collect auction revenues in excess of the cost to administer AB 32 programs, and the auction is an illegal tax because AB 32 was not approved by a 2/3 vote of the Legislature. The Court found that CARB does have the authority to auction emission allowances and it is not an illegal tax that violates Prop 13. CalChamber plans to appeal this decision, so continued uncertainty around how Cap & Trade funds will flow continues.

The findings in this case may put pressure on the state to repay the \$500 million in Cap & Trade auction revenue loaned to the general fund in the 2013-14 budget, and appropriate Cap & Trade funds to AB 32 programs. To determine if it is a fee and not a tax, the Court opined that the auction revenue must be used to regulate and further the goals of AB 32, and not be used as a revenue raising effort. If the state does not repay the loan and use the funds to further AB 32 then the Appeal Court may reconsider whether it is a regulatory fee. As for determining the nexus on how the auction revenue is used, the Superior Court found that "all that is required is a reasonable relationship between the charges and the covered entities' responsibility for the harmful effects of GHG emissions." The appeal will likely challenge whether this is too broad of a test.

Legislation

Legislative coordination efforts: Alameda CTC is leading and participating in many legislative efforts at the local, regional, state and federal levels, including coordinating with other agencies and partners as well as seeking grant opportunities to support transportation investments in Alameda County.

Fiscal Impact: There is no fiscal impact.

Attachments

- A. Alameda CTC 2014 Legislation Program
- B. AB 32 Scoping Plan Comment Letter

Staff Contact

[Tess Lengyel](#), Deputy Director of Planning and Policy



2014 Alameda County Legislative Program

The legislative program herein supports Alameda CTC's transportation vision adopted in the 2012 Countywide Transportation Plan described below:

1111 Broadway, Suites 800
Oakland, CA 94607
(510) 208-7400
www.AlamedaCTC.org

“Alameda County will be served by a premier transportation system that supports a vibrant and livable Alameda County through a connected and integrated multimodal transportation system promoting sustainability, access, transit operations, public health and economic opportunities. Our vision recognizes the need to maintain and operate our existing transportation infrastructure and services while developing new investments that are targeted, effective, financially sound and supported by appropriate land uses. Mobility in Alameda County will be guided by transparent decision-making and measurable performance indicators. Our transportation system will be: Multimodal; Accessible, Affordable and Equitable for people of all ages, incomes, abilities and geographies; Integrated with land use patterns and local decision-making; Connected across the county, within and across the network of streets, highways and transit, bicycle and pedestrian routes; Reliable and Efficient; Cost Effective; Well Maintained; Safe; Supportive of a Healthy and Clean Environment.”

Issue	Priority	Strategy Concepts
Transportation Funding	<p>Increase transportation funding</p> <p>Protect and enhance voter-approved funding</p>	<ul style="list-style-type: none"> Support efforts to lower the two-thirds-voter threshold for voter-approved transportation measures. Support increasing the buying power of the gas tax and/or increasing transportation revenues through vehicle license fees, vehicle miles traveled or other reliable means. Support increased funding from new and/or flexible funding sources to Alameda County for operating, maintaining, restoring and improving transportation infrastructure and operations. Support efforts that protect against transportation funding diversions. Support increases in federal, state and regional funding to expedite delivery of Alameda CTC projects and programs. Support efforts that give priority funding to voter-approved measures and oppose those that negatively affect the ability to implement voter-approved measures. Support rewarding Self-Help Counties and states that provide significant transportation funding into transportation systems. Seek, acquire and implement grants to advance project and program delivery. Support Alameda County as the recipient of funds to implement grants and pilot programs
Project Delivery	<p>Advance innovative project delivery</p> <p>Ensure cost-effective project delivery</p>	<ul style="list-style-type: none"> Support environmental streamlining and expedited project delivery. Support contracting flexibility and innovative project delivery methods. Support HOT lane expansion in Alameda County and the Bay Area, and efforts that promote effective implementation. Support efforts to allow local agencies to advertise, award and administer state highway system contracts largely funded by locals Support efforts that reduce project and program implementation costs by reducing or eliminating the requirements for state or other agency reimbursements to implement projects on state/regional systems. Support accelerating funding and policies to implement transportation projects that create jobs and economic growth
Multimodal Transportation and Land Use	<p>Reduce barriers to the implementation of transportation and land use investments</p> <p>Expand multimodal systems and flexibility</p>	<ul style="list-style-type: none"> Support legislation that increases flexibility and reduces technical and funding barriers to investments linking transportation, housing and jobs. Support local flexibility and decision-making on land-use for transit oriented development and priority development areas. Support innovative financing opportunities to fund TOD and PDA implementation Support policies that provide increased flexibility for transportation service delivery through innovative, flexible programs that address the needs of commuters, youth, seniors, people with disabilities and low-income people and do not create unfunded mandates. Support investments in transportation for transit-dependent communities that provide enhanced access to goods, services, jobs and education. Support parity in pre-tax fringe benefits for public transit/vanpooling and parking.

Issue	Priority	Strategy Concepts
Climate Change	Support climate change legislation	<ul style="list-style-type: none"> • Support funding for innovative infrastructure, operations, and programs that relieve congestion, improve air quality, reduce emissions and support economic development. • Support the expansion of funding for housing that does not conflict with or reduce transportation funding
	Support cap-and-trade expenditure plan	<ul style="list-style-type: none"> • Support cap and trade funds derived from transportation fuels for transportation purposes.
	Support emerging technologies	<ul style="list-style-type: none"> • Support incentives for emerging technologies, such as alternative fuels and fueling technology, and research for transportation opportunities to reduce GHG emissions.
Goods Movement	Expand goods movement funding and policy development	<ul style="list-style-type: none"> • Support a multi-modal goods movement system and efforts that enhance the economy, local communities and the environment, and reduce impacts. • Support a designated funding stream for goods movement. • Support goods movement policies that enhance Bay Area goods movement planning, funding, delivery, and advocacy. • Ensure that Bay Area transportation systems are included in and prioritized in state and federal planning and funding processes.
	Expand partnerships at the local, regional, state and federal levels	<ul style="list-style-type: none"> • Support efforts that encourage regional cooperation and coordination to develop, promote and fund solutions to regional transportation problems and that support governmental efficiencies and cost savings in transportation. • Support policy development to influence transportation planning, policy and funding at the county, regional, state and federal levels. • Support efforts to maintain and expand local-, women-, minority- and small-business participation in competing for contracts.



TRANSMITTED ELECTRONICALLY

November 1, 2013

Mary Nichols
California Air Resources Board
Address
Sacramento, CA 95814

Re: Bay Area Congestion Management Association Comments on Draft Scoping Plan Update (2013)

Dear Ms. Nichols

Thank you for the opportunity to comment on CARB's first update of the AB 32 Scoping Plan, *Discussion Draft Scoping Plan Update* ("Plan Update"). The Bay Area Congestion Management Agency (CMA) Association represents the nine county transportation agencies (sales tax authorities and congestion management agencies) that are investing in projects and programs that create accessible, convenient, equitable and sustainable transportation to move people and goods, spur economic growth and enrich communities. The nine Bay Area CMAs plan, fund and deliver almost \$1 billion each year for projects and programs that support the Bay Area's economy and help move over 7 million people each day. We are also responsible for assisting with the implementation of the Bay Area's Sustainable Communities Strategy (SCS) that supports implementation of SB 375.

The Bay Area CMA Association supports the discussion draft recommendations for a plan that supports multimodal investments and advanced technologies in passenger and freight systems. Our long-range plans similarly support multimodal systems to address the transportation needs of Bay Area travelers and we are embarking on efforts to address regional goods movement needs and priorities. Toward these efforts, the Bay Area CMA Association makes the following overall comments on the *Plan Update* with the goal of reducing GHG emissions from transportation:

Ensure that there is significant funding that can be used now to implement transportation investments that reduce GHG emissions. The *Plan Update's* key recommendations for transportation focus on planning, changes to funding and market strategies and new regulations. These priorities support investments that expand clean passenger and freight technologies and equipment, low carbon fuels, and implementation of adopted SCSs. As the largest contributor to GHG emissions, the transportation sector has the highest requirement for GHG reductions, per Governor Brown's Executive Order [Executive Order B-16-2012](#), which specifically requires an 80 percent GHG reduction.

For the transportation industry to achieve its GHG reduction target, significant and reliable funding sources are needed now to move the Bay Area SCS from a plan into implementation. The strategies included in the SCS will result in long-term shifts in travel and land use patterns, but require an up-front investment in infrastructure and development incentives to realize their GHG emission reductions.

Without a significant commitment of funds this work cannot be implemented in a timely way to support the GHG reduction timelines and targets.

Direct significant Cap and Trade revenues to transportation investments that reduce GHG emissions

The State's new Cap and Trade program represents one of the most promising opportunities for investing in transportation strategies that support GHG reductions. Although the State has not yet allocated Cap and Trade funds, efforts are underway to define the program's allocation plan. While several sales have already been conducted, generating around \$1 billion to date, overall Cap and Trade revenues are expected to significantly increase in 2015 when transportation fuels are included in the program.

Given that the transportation sector accounts for 40% of State GHG emissions, the Bay Area CMA Association supports directing at least 40% of Cap and Trade revenues to transportation investments. Additionally, starting in 2015 the Bay Area CMA Association supports CARB working with the California State Transportation Agency and other regional and local transportation agencies to direct the additional revenues generated from transportation fuels to investments in the transportation sector. Directing fuel-based revenue to transportation programs that achieve GHG reductions will fulfill AB 32 goals and provide a "user fee" link between increased fuel prices and transportation investments that benefit those paying.

Support the successful planning and investment strategies developed and delivered by the regions and local agencies.

The nine Bay Area CMAs deliver almost \$1 billion each year for projects and programs that support the Bay Area's economy and mobility and reduce GHG emissions through cutting-edge transportation efforts such as:

- Bicycle and pedestrian infrastructure and programs
- Clean fuels and new technologies
- Express bus service
- Highway/roadway improvements to reduce congestion and support goods movement
- Mass transit operations and capital investments
- Transportation Demand Management programs
- Transit oriented development
- Senior and disabled transportation

Bay Area voters have approved local transportation measures that fund these investments. We are held accountable to strict delivery timelines through open and public processes and we report regularly to the public on how funds are expended. This accountability has resulted in significant investments that reduce congestion, improve access and efficiencies, and create safe, efficient and clean transportation systems. Recognizing and rewarding the efficiency and effectiveness of our delivery processes by directing funds and administration authority to regions and local agencies will enable the State to advance its GHG reduction goals.

In addition, the Bay Area CMA Association appreciates your acknowledgement of the local leadership needed in cities and counties to make the land use, infrastructure, and operations decisions that change the planning and implementation of our transportation systems. A continued recognition of local agencies' hard work and ongoing engagement in the GHG reduction efforts are essential for the State meet its goals.

Administer funding for transportation's GHG reduction program at the regional level.

The Bay Area CMA Association appreciates CARB's recognition of regional planning and local leadership in development of SCSs and the importance of supporting efforts both locally and regionally to implement these plans. In keeping with this key recommendation in the *Plan Update*, we recommend that CARB support that state funding for GHG reductions related to SCS implementation be administered at the regional level.

The Bay Area CMA Association appreciates your efforts on the AB 32 Scoping Plan Update, which will greatly influence transportation, fuels, and infrastructure in California and change the way we perceive and address energy efficiency, waste, water, and agriculture, as well as protect our natural resources and enrich communities throughout California. We see investment in the transportation sector as a key strategy to meet the State's ambitious GHG reduction goals.

Thank you for the opportunity to comment on the Draft Scoping Plan Update.

Sincerely,

Daryl Halls
Bay Area CMA Association Chair

cc.
Bay Area CMA Executive Directors
Steve Heminger, MTC Executive Director
Ezra Rapport, ABAG Executive Director

This page intentionally left blank