

**Comment 1 for Update on Bay Area Draft Sustainable Communities Strategy  
(abagmtc2013) - Non-Reg.**

First Name: Marty

Last Name: Martinez

Email Address: [marty@saferoutespartnership.org](mailto:marty@saferoutespartnership.org)

Affiliation: Safe Routes to School National Partnersh

Subject: MTC RTP comments attached

Comment:

MTC RTP comments attached

Attachment: '[www.arb.ca.gov/lists/com-attach/1-abagmtc2013-B2VWMQR8WVUAZ1Un.pdf](http://www.arb.ca.gov/lists/com-attach/1-abagmtc2013-B2VWMQR8WVUAZ1Un.pdf)'

Original File Name: Bay Area RTP comments May 2013 - final.pdf

Date and Time Comment Was Submitted: 2013-06-14 14:21:53

No Duplicates.

**Comment 2 for Update on Bay Area Draft Sustainable Communities Strategy  
(abagmtc2013) - Non-Reg.**

First Name: Shawn

Last Name: Dolan

Email Address: sdolan50@msn.com

Affiliation: Virtual Technology LLC

Subject: Bay Area Sustainable Communities Strategy

Comment:

The sustainable communities strategy must include current technology for the management, control and abatement of visible particulate emission sources, stationary, mobile and fugitive. Technology exists to rapidly, efficiently, and indiscriminately identify and quantify visible emission sources. These sources arguably contribute the most to the health effects and outcomes experienced throughout the bay area. It is no longer acceptable to rely on 1970 based methods to quantify particulate emissions. 2012 technology is approved for use by the EPA and should be incorporated into the sustainability plan.

Attachment: "

Original File Name:

Date and Time Comment Was Submitted: 2013-06-20 15:31:30

No Duplicates.

## **Comment 3 for Update on Bay Area Draft Sustainable Communities Strategy (abagmtc2013) - Non-Reg.**

First Name: Richard

Last Name: Marcantonio

Email Address: rmarcantonio@publicadvocates.org

Affiliation: Public Advocates Inc.; 6 Wins Network

Subject: Deficiencies in MTC/ABAG SCS

Comment:

By statute, ARB is required to review each adopted SCS, and make a determination whether "the strategy submitted would, if implemented, achieve the greenhouse gas emission reduction targets established by" ARB. (Gov. Code sec. 14522.2(b)(2)(I)(ii).) ARB's determination must be based on proper modeling methods, as described in the Calif. Transp. Commission's RTP Guidelines.

The attached report prepared by UC Davis Prof. Deb Neimeier and her colleague, Dr. Alex Karner, demonstrates that MTC/ABAG did not consistently model land-use outcomes (pp. 2-6), and did not comply with the CTC Guidelines (pp. 6-8). The Urban Sim land-use model was used to forecast the housing distribution for several EIR alternatives. That was not the case, however, for the preferred alternative. There, instead of allowing Urban Sim to forecast how much of the housing distribution would fall within "Priority Development Areas" (PDAs), MTC/ABAG manually assigned 80% of the housing growth to PDAs; Urban Sim was only used to model the distribution of those units within each PDA.

Had the preferred alternative been modeled properly (and consistently with the alternatives), the resulting housing distribution would have been far less compact, raising serious questions about whether the region's GHG targets would be met.

As a result, it has not been demonstrated that, if implemented, Plan Bay Area will achieve the region's GHG reduction targets.

Before ARB determines whether it can approve Plan Bay Area as meeting the requirements of SB 375, it should review MTC/ABAG's modeling methods carefully, and provide guidance on necessary corrective actions.

Attachment:

[http://www.publicadvocates.org/sites/default/files/library/ssr\\_technical\\_memorandum\\_5\\_16\\_13.pdf](http://www.publicadvocates.org/sites/default/files/library/ssr_technical_memorandum_5_16_13.pdf)

Attachment: 'www.arb.ca.gov/lists/com-attach/3-abagmtc2013-UjQAb1M8UWNWPAZZ.pdf'

Original File Name: FINAL SSR\_MTC DEIR Tech Memo\_FINAL\_rev3.pdf

Date and Time Comment Was Submitted: 2013-06-25 15:02:15

No Duplicates.

**Comment 4 for Update on Bay Area Draft Sustainable Communities Strategy  
(abagmtc2013) - Non-Reg.**

First Name: Kara

Last Name: Vuicich

Email Address: [kvuicich@alamedactc.org](mailto:kvuicich@alamedactc.org)

Affiliation: Alameda County Transportation Commission

Subject: Alameda County Transportation Commission Comment Letter on ABAG/MTC SCS  
Comment:

Please see the attached comment letter from Alameda CTC Executive  
Director Arthur Dao.

Attachment: '[www.arb.ca.gov/lists/com-attach/4-abagmtc2013-VDUBZVIyV2MAawh8.pdf](http://www.arb.ca.gov/lists/com-attach/4-abagmtc2013-VDUBZVIyV2MAawh8.pdf)'

Original File Name: [abagmtc2013\\_AlamedaCTC\\_comments.pdf](#)

Date and Time Comment Was Submitted: 2013-06-26 10:46:45

No Duplicates.

**Comment 5 for Update on Bay Area Draft Sustainable Communities Strategy  
(abagmtc2013) - Non-Reg.**

First Name: Deirdre

Last Name: Ashby

Email Address: deirdre.ashby@sierraclub.org

Affiliation: Sierra Club, SF Bay Chapter

Subject: Sierra Club comments re "Plan Bay Area" RTP/SCS

Comment:

This letter is submitted on behalf of the Loma Prieta, Redwood, and SF Bay Chapters of the Sierra Club, which jointly hold jurisdiction in the nine counties of the Bay Area Region. We thank the ARB staff and Board for your attention to our concerns.

Attachment: 'www.arb.ca.gov/lists/com-attach/5-abagmtc2013-UTJXMAR3U2JWDwNv.doc'

Original File Name: CARB letter v4.doc

Date and Time Comment Was Submitted: 2013-06-26 11:14:11

No Duplicates.

**Comment 6 for Update on Bay Area Draft Sustainable Communities Strategy (abagmtc2013) - Non-Reg.**

First Name: Michael  
Last Name: Rawson  
Email Address: mrawson@pilpca.org  
Affiliation: The Public Interest Law Project

Subject: PILP Comments on Draft Plan Bay Area  
Comment:

Please find summarized below and attached, detailed comments from the Public Interest Law Project on the draft Plan Bay Area. Please contact us with any questions or concerns, either at the e-mail address above, or contact Craig Castellanet at ccastellanet@pilpca.org. Thank you.

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June 26, 2013

Clerk of the Board  
Air Resources Board  
1001 I Street  
Sacramento, California

RE: Air Resources Board Hearing on Draft Plan Bay Area  
Dear Members of the Board:

The Public Interest Law Project is a state support center for local legal services programs serving lower income households in California. We write on behalf of individuals in need of affordable housing in the Bay Area in safe, healthy and "high opportunity" neighborhoods with access to affordable transit and proximate to good jobs. The draft Plan Bay Area undermines rather than maximizing social equity by steering of 70% of new residential development to Preferred Development Area's (PDAs) self-nominated by local governments rather than also to other high opportunity areas with similar access to transportation and employment opportunities. This skewed allocation, drawn from the legally flawed methodology used by ABAG in its proposed Regional Housing Need Allocation (RHNA), violates state Housing Element Law and state and federal civil rights laws. Its incorporation in the draft Plan deprives the Board of the basic information necessary to approve the Plan. Accordingly, unless ABAG/MTC amends the Plan to incorporate an adequate methodology and adjusted RHNA, the Board must reject the Plan pursuant to Government Code §65080(b)(2)(J)(ii).

The Legal Deficiencies Deprive the ARB of the Bases to Accept or Reject the Plan

We and several local, regional and state organizations, brought the serious deficiencies to the attention of ABAG, MTC, the state Department of Housing and Community Development (HCD) and the

federal Department of Housing and Urban Development (HUD) almost a year ago in a detailed letter, and that letter is attached to this submission. Both HCD and HUD responded, notifying ABAG of serious legal inconsistencies of the methodology and allocation. Those letters are also attached to this submission and as established in the most recent letter from HCD—sent to ABAG just last week—ABAG has yet to bring the RHNA allocation into compliance with the law.

Government Code §65080(b)(2)(B) provides that an SCS must consider state housing goals, and California's state housing goals reside in California's Housing Element Law (Government Code §§65580-65589.8).

The Housing Element Law provides that each local government must make adequate provision for its share of the regional housing needs of all economic segments of the community. And it makes clear that the regional Council of Governments (in this case ABAG) must distribute the housing needs according to objective factors and not on local government's voluntarily electing to accept an allocation.

Government Code §65080(b)(2)(J)(ii) in turn establishes that the ARB's acceptance or rejection of an SCS must be based on a determination that the SCS would achieve the greenhouse gas emission reduction targets established by the Board. It is not possible per se for the Board to make this determination when the submitted SCS is predicated on an illegal methodology and regional housing needs allocation. Any determination would necessarily be arbitrary, lacking sufficient basis.

**\*\*PLEASE SEE THE ATTACHED FILE FOR PILP'S COMPLETE COMMENTS\*\***

Attachment: 'www.arb.ca.gov/lists/com-attach/6-abagmtc2013-WipQPwZrVXZXDIU2.pdf'

Original File Name: PILP Comment Ltr- Plan Bay Area 6-26-13.pdf

Date and Time Comment Was Submitted: 2013-06-26 11:05:51

No Duplicates.



**Comment 1 for Update on Bay Area Draft Sustainable Communities Strategy  
(abagmtc2013). (At Hearing)**

First Name: Stuart  
Last Name: Cohen  
Email Address: webmaster@TransFormCA.org  
Affiliation:

Subject: Transform  
Comment:

Please see the attached comments submitted at the June 27, 2013  
Board Hearing.

Attachment: [www.arb.ca.gov/lists/com-attach/7-abagmtc2013-ViUAcgZyBTcLfwRw.pdf](http://www.arb.ca.gov/lists/com-attach/7-abagmtc2013-ViUAcgZyBTcLfwRw.pdf)

Original File Name: Stuart Cohen.pdf

Date and Time Comment Was Submitted: 2013-06-28 10:29:45

No Duplicates.

**Comment 2 for Update on Bay Area Draft Sustainable Communities Strategy  
(abagmtc2013). (At Hearing)**

First Name: Bay Area Plan  
Last Name: Bay Area Plan  
Email Address: info@OneBayArea.org  
Affiliation:

Subject: Bay Area Plan  
Comment:

Please see the attached comments submitted at the June 27, 2013  
Board Hearing.

Attachment: [www.arb.ca.gov/lists/com-attach/8-abagmtc2013-UjBTNFMrV1tVMlcl.pdf](http://www.arb.ca.gov/lists/com-attach/8-abagmtc2013-UjBTNFMrV1tVMlcl.pdf)

Original File Name: Bay Area Plan.pdf

Date and Time Comment Was Submitted: 2013-06-28 10:29:45

No Duplicates.

**Comment 3 for Update on Bay Area Draft Sustainable Communities Strategy  
(abagmtc2013). (At Hearing)**

First Name: Sen. Don  
Last Name: Perata  
Email Address: peratadon@gmail.com  
Affiliation: CA. Infill Builders

Subject: In Support of Plan Bay Area EIR  
Comment:

Please see the attached comments submitted at the June 27, 2013  
Board Hearing.

Attachment: [www.arb.ca.gov/lists/com-attach/9-abagmtc2013-UiEGZVY5Uy5SCwFl.pdf](http://www.arb.ca.gov/lists/com-attach/9-abagmtc2013-UiEGZVY5Uy5SCwFl.pdf)

Original File Name: Sen. Don Perata.pdf

Date and Time Comment Was Submitted: 2013-06-28 10:29:45

No Duplicates.