

Transportation Solutions Defense and Education Fund

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March 12, 2017
By E-Mail to
BBeck@ccta.net
ctp@ccta.net

Tom Butt, Chair
Contra Costa Transportation Authority
2999 Oak Road, Suite 100
Walnut Creek, CA 94597

Re: Notice of Preparation for Draft Program EIR for the 2017 Countywide
Comprehensive Transportation Plan

Dear Mr. Butt:

The Transportation Solutions Defense and Education Fund ("TRANSDEF") is a non-profit environmental group advocating for the regional perspective in the planning of transportation, land use and air quality. In the past few years, we have focused on reducing the impacts of transportation on climate change.

We commented extensively on CCTA's 2014 Draft CCTP, its DSEIR, and the NOP for an RDSEIR. In addition we recently served on CCTA's EPAC, contributed a vision document for the TEP, and wrote the ballot arguments opposed to Measure X. In short, we have a strong familiarity with policy development at CCTA, and have identified its strengths and weaknesses.

These comments pertain to the Notice of Preparation ("NOP") for the Draft Program EIR for 2017 Countywide Comprehensive Transportation Plan ("CTP"). First, we appreciate CCTA's decision to start complying with the law by proceeding with an EIR. The proposed environmental documents from 2014-15 were determined attempts to evade CEQA.

TRANSDEF finds the NOP legally inadequate. It does not comply with the requirements of CEQA Guideline § 15082 (a)(1):

The notice of preparation shall provide the responsible and trustee agencies and the Office of Planning and Research with sufficient information describing the project and the potential environmental effects to enable the responsible agencies to make a meaningful response.

- The NOP failed to provide any useful detail for the three Transportation Investment Options, making it impossible to provide a meaningful response.
- The list of expected significant impacts (NOP, pp. 5-6) was missing at least the following significant impacts:
 - Increased countywide emissions of GHGs
 - Increased Vehicle Miles Travelled (VMT)
 - Inconsistency with Regional Transportation Plan Goals (several)
 - Impedes the attainment of Regional Transportation Plan goals
 - Impedes the attainment of State VMT reduction goals
 - Impedes the attainment of State GHG emissions reduction goals
 - Inconsistency with MTC's County Transportation Plan Guidelines

The NOP failed to perform its mandated duty to adequately inform its readers. It must be recirculated.

Environmental Baseline

TRANSDEF incorporates by reference our November 3, 2014 DSEIR comment letter. When the replacement NOP is recirculated, confirm that the document's analysis will be based on an existing conditions baseline.

Geographic Scope

CCTA's environmental reviews typically don't evaluate impacts outside of County boundaries. For example, Route 4 EIRs did not evaluate the impact of dumping large volumes of traffic on Highway 80. In large part, the failure to mitigate that impact is why the highway system does not work today. Please be sure to evaluate the impact of CCC's growth in VMT on the regional transportation network.

Growth Management Plan

The profound regulatory changes since the last SEIR require an extensive update to the Growth Management Plan. The County will choke on traffic if the 35% increase in VMT projected by the 2014 draft CTP is allowed to happen. In addition, the resulting increase in GHG emissions will impede the efforts of both the County, the region and the state to meet state targets for reducing GHG emissions. We recommend that the centerpiece of the new CTP be a new Growth Management Plan specifically designed to optimize these performance standards:

- Minimize future GHG emissions
- Minimize future VMT
- Minimize agricultural conversion (greenfield development)

To deter VMT growth, Peninsula cities have imposed vehicle trip caps on major employers, enforceable through sizeable monetary penalties. We suggest the Growth Management Plan tie sales tax subventions to compliance with trip caps (defined as the number of trips counted while entering the state highway on-ramps within each jurisdiction, during a specified peak period). If such a Growth Management Plan were enacted in Contra Costa, the fiscal consequences of exceeding the cap on a city's trips

would provide councils with powerful incentives to avoid making development decisions that generate additional auto trips. Councils would also be motivated to get involved in development decisions outside their city limits that could affect the city's trip count.

The attached excerpts from a Contra Costa Times Editorial demonstrate that civic leaders recognize the need to influence the location of new development. A new Growth Management Plan along the lines discussed here could well be the difference between a winning and losing ballot measure in the future.

Alternatives

The NOP is not legally adequate, because it does not describe the three Transportation Investment Options. There is nothing for commenters to react to. It must be recirculated, with fleshed out Options. To provide the maximal information to policymakers, the three options should represent distinctly different approaches to transportation policy. Obviously, one will represent the standard CCTA approach, Business as Usual.

TRANSDEF suggests that one of the three Transportation Investment Options be a Smart Growth Alternative designed to optimize these performance standards:

- Minimize future VMT
- Minimize future GHG emissions
- Maximize the use of alternative modes
- Minimize agricultural conversion (greenfield development)

We offer work we did back in 2004 as a model for how to implement such goals. The TRANSDEF Alternative was modeled in the 2005 RTP EIR. (See Attachment for its CCC project description.) We suggest CCTA take advantage of the Program EIR structure to include a specific approach to program-wide mitigation: a regional advance mitigation program.

We recommend that a common base for the three alternatives be identified, to make the differences between the options readily ascertainable. Each option would add distinctive projects and programs on top of that base, up to the level of fiscal constraint. (We understand that Complete Streets improvements are now a state project requirement, so they would be in the base.) To implement our recommendation above, a regional advance mitigation program should be included in the shared base, and not just in Option C.

We believe that Title VI will require the TEP to not discriminate against lower income groups in delivering benefits. For that reason, we suggest that the equity features of Option C need to be in the base, so they are part of each option.

A meaningful policy analysis requires that each capacity-expanding project that is not already under construction be reconsidered and not be placed in the common base. The CTP cannot respond effectively to the profound changes that have occurred in transportation policy and law if major resources continue to flow to projects that are now recognized as detrimental to this policy direction.

Capitol Corridor

The long-range implications of sea level rise suggest that it would be unwise to invest further in Capitol Corridor improvements on the UP right-of-way along San Pablo Bay. This route, although beautiful, is both excessively slow and will eventually be under water. A smarter strategy would be to plan to shift the Capitol Corridor to the BNSF line between Martinez and Richmond. Consistent with the concern we articulated above and in our vision document, it is critical that any rail extension to Brentwood be specifically conditioned on dense station area development. Continuing BART's pattern of suburban parking lots will induce more sprawl and unacceptable traffic congestion.

Substantial Evidence

An EIR must support its conclusions with substantial evidence. A full set of tables of VMT projections and GHG emissions projections is mandatory, to adequately inform the public. County-level emissions reductions resulting from the implementation of the CTP must be separately reported from the emissions reductions resulting from statewide measures. It is critical for the integrity of the analysis that the EIR not give the CTP credit for emissions reductions that do not result from the plan. The legislative intent for SB 375 called for emissions reductions from regional transportation and land use in addition to those of statewide measures. Technical appendices are needed to document where the numbers come from.

Impact Thresholds

Proper impact analysis requires the selection of proper impact thresholds. After the regulatory changes of the past decade, it would be unacceptable to again use "Significant Cumulative Impact, Project Contribution Not Cumulatively Considerable" as the significance threshold for a Net Increase in GHG Emissions. This threshold is especially egregious given California's accumulated body of policy, law and regulation that sets the absolute reduction of GHG emissions (and not the mere slowing of the rate of increase) as a state priority. It would be deeply violative of state policy to conclude that the CTP will result in an increase in GHG emissions, and then conclude that the increase isn't significant enough on a global scale to warrant mitigation.

The significance thresholds for GHG emissions should be 1). an increase over existing emissions levels, 2). a level that impedes the attainment of the state's 2020 GHG target, 3). a level that impedes the attainment of the state's 2030 GHG target, and 4). a level that impedes the attainment of the state's 2050 GHG target.

TRANSDEF appreciates this opportunity to comment on the NOP. We recognize that the immensity of change taking place in transportation policy is difficult to adjust to. We stand ready to assist in the transition to a more sustainable transportation system.

Sincerely,

/s/ DAVID SCHONBRUNN

David Schonbrunn,
President
David@Schonbrunn.org

Attachments

2005 TRANSDEF Smart Growth RTP FEIR Alternative
Contra Costa Times Editorial

2005 TRANSDEF Smart Growth RTP FEIR Alternative

TRANSDEF coordinated the development and submission of the Smart Growth Alternative ("Alternative") to MTC's 2005 RTP FEIR. The Alternative outperformed the adopted RTP on critical environmental and equity measures. Because it integrated transportation and land use in an RTP EIR, we believe it to be the first Sustainable Communities Strategy, long before SB 375. A complete write-up is available at transdef.org/RTP/RTP.html

In the Alternative, central Contra Costa County cities are served by a looping Rapid Bus system, connecting Walnut Creek, Concord, Pleasant Hill and Martinez.¹ All BART stations are served, along with a major new urban center developed on and around the Sun Valley Mall. Smaller community centers develop at existing strip malls and along underdeveloped arterials.

The Delta cities of Contra Costa County are tied into the region with a [new Delta DMU rail system](#)² running between North Concord BART and Brentwood. Development in the eastern part of the county would be focused on this line. Clyde and Port Chicago, retired from military use, will support thousands of units of new transit-oriented development, with the potential to demonstrate sustainable development on a large scale. Under-utilized commercial and industrial land along the line will also see redevelopment, reducing the pressure to sprawl across the prime agricultural lands around Oakley and Brentwood.

Recognizing that CCTA's planning needs to coordinate with the Tri-Valley, the Alternative has three new Rapid Bus lines that serve Livermore, Pleasanton, Dublin, and San Ramon. Connections are made to all BART stations and new ACE stations³ on Isabel Avenue in Livermore and at Vasco Road. All major employment centers are connected, including Bishop Ranch, Hacienda, and Lawrence Livermore National Labs. New development densifies formerly underused retail and commercial sites, and the excess parking facilities at many business parks are redeveloped for housing.⁴

¹ A transit headway spreadsheet and the GIS files identifying all routes are available.

² Please note that this was designed prior to the planning for eBART. Our proposal utilized existing rail rights of way.

³ The ACE reference is to an early version of our [proposal](#) for a major investment in ACE between Tracy and Fremont, creating a fast passenger-only line.

⁴ The 2030 Land Use spreadsheet is available. We matched the control levels of the adopted RTP, but did not convert any greenfield land or existing single-family neighborhoods. We relied instead on intensive multi-family development of greyfields--old shopping centers that were no longer economically productive. We recognize that the numbers will not be applicable to the CTP, but the pattern of development should be instructive. It is unknown to us whether MTC has changed the TAZ numbers and zone boundaries since then.

We must better utilize the freeways we have

Contra Costa Times Editorial

February 12, 2016

[Excerpts]

But we must motivate people to share rides, take public transit and live closer to jobs. Building more freeways is not realistic right now. We must better use those we have.

As for the other puzzle pieces, first, we must make public transit more accessible, reliable and affordable. That means better coordination between the Bay Area's 26 transit systems. (Or, perhaps, start with the question of whether we really need them all.)

We can't expect more people to ride BART if they can't find a parking space or get to a station by public transit. And we can't keep asking them to pay higher fares and more taxes while elected leaders refuse to reasonably control labor costs and responsibly plan for capital needs.

Second, there's housing. We must set limits, not on the number of units, but where we place them. That means in-fill development.

We must contain the sprawl rather than enabling it. Contra Costa transit officials, for example, should remember that as they plan a transportation sales tax increase. Sprinkling funds around to win support without regard to growth-inducing effects is not acceptable.