

# Transportation Solutions Defense and Education Fund

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February 7, 2017  
By E-Mail

President Rebecca Saltzman & Board Members  
San Francisco Bay Area Rapid Transit District  
Kaiser Center  
Oakland, CA 94612

Via General Manager Crunican GCrunic@bart.gov

Re: Addendum for Proposed Dublin/Pleasanton Parking Garage Expansion

Dear Ms. Saltzman and Board Members:

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.

The Addendum for the Proposed Dublin/Pleasanton Parking Garage Expansion ("Project") is legally inadequate as an environmental document. BART is getting very bad legal advice. Under the requirements of Section 15162 of the CEQA Guidelines, it is clear to TRANSDEF that a subsequent EIR is mandatory. TRANSDEF has had specific experience on this topic.

The proposed Project's 2002 EIR is analogous to CCTA's 2009 Countywide Transportation Plan SEIR. Like BART, CCTA attempted to avoid doing a full EIR for its 2014 update of their Countywide Transportation Plan. They instead tried to pawn off on the public another Supplemental EIR. Attached please find TRANSDEF's comments outlining the changed circumstances surrounding the project. Even more has happened than is on that list: The Legislature passed SB 391, SB 743 and SB 32, and the Governor signed other Executive Orders. CCTA eventually dropped its proposal for a Supplemental EIR and is now proceeding with a full EIR.

Public agencies would often prefer to ignore the dramatic changes in the policy environment that resulted from the state's acknowledgment of climate change. The increased emissions of GHGs resulting from the increased auto use both directly caused by the Project and indirectly caused by the further facilitation of the auto-dependent lifestyle represent a significant impact that was not recognized back in 2002. A dramatic increase in transit service, to provide access to the BART station without the

environmental impacts that a garage would have, should be considered both as an alternative and as a potential mitigation measure.

TRANSDEF requests that the Addendum be withdrawn and that a focused EIR be scoped. Please place us on the Notice list for the NOP. We appreciate this opportunity to comment on this project.

Sincerely,

/s/ DAVID SCHONBRUNN

David Schonbrunn,  
President  
David@Schonbrunn.org

Attachment: Extract from TRANSDEF's 2014 Comments to CCTA:

Regulatory Changes Since the 2009 SEIR Require a Full EIR

The claim that “This [SEIR] approach is appropriate because of ... the few changes in the physical and regulatory setting for the CTP since 2009” is shockingly false. Profound regulatory and scientific changes have occurred between the 5/16/08 issuance of the Notice of Preparation for the 2009 SEIR and the 4/24/14 issuance of the Notice of Preparation for the 2014 SEIR:

9/30/08: SB 375 signed by the Governor  
12/11/08: ARB *Scoping Plan* adopted  
12/15/09: EPA Endangerment Finding, 74 Fed. Reg. 66496  
3/18/10: CEQA Guideline §15064.4 adopted  
9/15/10: BAAQMD *Clean Air Plan* adopted  
3/23/12: Executive Order B-16-2012 signed by the Governor  
5/31/12: BAAQMD CEQA Guidelines updated  
7/18/13: *Plan Bay Area* adopted  
9/27/13: IPCC 5th Assessment Report: *Climate Change--Physical Science Basis*  
3/31/14: IPCC 5th Assessment Report: *Impacts, Adaptation and Vulnerability*  
4/13/14: IPCC 5th Assessment Report: *Mitigation of Climate Change*

A complete revolution in transportation planning has taken place in the interim, such that planning for ever-increasing auto travel and congestion is now obsolete. These significant changes in the regulatory environment make updating the 2009 SEIR legally inadequate. These changes “result in new or more severe impacts from such “carry over” projects” (p. 1.1-7), thereby requiring a full EIR. Preparing a full EIR using an existing conditions baseline will mean these “carry over” projects from the 2009 CTP receive full environmental review. This in turn means these projects will be evaluated for feasible mitigation of their impacts or for replacement by a list of projects with fewer impacts.