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MTC-ABAG Plan Bay Area Public Comment  
101 8th Street Oakland,  
California 94607

**Re: Public Comment on Draft Plan Bay Area and Draft Plan Bay Area Draft  
Environmental Impact Report**

I write on behalf of Quiet and Safe San Rafael and myself to comment on the Draft Plan Bay Area and Draft Plan Bay Area Draft Environmental Impact Report (State Clearinghouse No. 2012062029).

Quiet and Safe San Rafael is a group of residents in North San Rafael from 10 neighborhoods which number over 4,700 households and 9,000 residents. We have come together out of concerns arising from the planning of the North San Rafael / Civic Center Primary Development Area. After hundreds of conversations and dozens of meetings that have occurred since September 2012, it is clear that this plan does not reflect the views of hundreds, if not thousands of residents.

We hope that you consider this letter very carefully. This letter identifies potentially serious issues that now documented and on the record, if left unaddressed by the plan may present liability and legal issues. Given the number and severity of the issues it seems unrealistic that the plan timetable of certifying a final valid EIR and adoption of a plan can occur by June as stated in the schedule update published November 9<sup>th</sup> 2012 and an extension of this timeline by six months at a minimum should occur.

**1. Plan Fails to Present Valid, Substantiated and Measurable Rationale**

To ensure accountability and defensibility the plan must be based on the following rational process, such as developed by the Bureau of Public Roads in 1963. The analysis on page 122 of the Draft Bay Area Plan lines up as follows with such a rational process:

- a) **Requirement:** Quantitative output criteria by which the plan, and alternatives can be judged  
**Issue with Plan:** Multiple goals are invalid (detailed below)
- b) **Requirement:** Accurate presentation of travel needs, preferences and behaviors  
**Issue with Plan:** The plan, and it's proposed allocation of discretionary transportation

expenditures<sup>1</sup>, does not reflect that car and light truck are the preferred methods of transit of most residents

- c) **Requirement:** Project rankings in terms of cost per each criteria-related benefit

**Issue with Plan:** Scores are based on flawed assumptions where causality is not accurately substantiated (land use and transit preference, subsidization of specific housing types and development and rental or sale of that housing type), and peer-reviewed reports are not considered (e.g. impact of proximity to freeways and transit on health<sup>2</sup>).

Furthermore the plan does not weight the scores of specific targets, or if it does so clearly identify the weighting given (Table 4 on page 116). If no weighting was deemed necessary this is not explained. It seems unrealistic that all targets are given equal weightings.

- d) **Requirement:** Alternatives that consist of collections of potential projects

**Issue with Plan:** Alternatives are not presented that adequately reflect that car and light truck are the preferred methods of transit of most residents<sup>3</sup>. For instance, there is no alternative that has a highway emphasis. There is no transparency into additional alternatives considered (if any were considered).

The plan identifies that the “no project” alternative is projected to reduce passenger vehicles (presumed to mean cars and light trucks) CO<sub>2</sub> emissions by 23% over the existing condition in 2010. The preferred alternative which is costly and intrusive into basic economic and personal freedoms is projected to reduce emissions by 25%. The plan does not consider if this extra 2% is worth all of the costs.<sup>4</sup>

MTCO <sub>2</sub> E Comparative Emissions	Existing Condition 2010	Alternative 1 - No Project	Alternative 2 - Proposed Plan
Pass Vehicles	19,383,000	14,970,000	14,631,000
%Change from Existing		-23%	-25%
Difference Between Plans 1 and 2			-2%

The plan also presents an apparent inconsistency where Table 3.1.29 in the Draft EIR shows marked differences when compared to Draft Plan Bay Area. In the Draft Plan Bay Area the reductions in per capita CO<sub>2</sub> emissions appear to reflect exaggerated benefits for the proposed plan, when compared to the MTCO<sub>2</sub> emissions from the equivalent table in the Draft EIR (Table 3.1-29).

MTCO <sub>2</sub> E Comparative Emissions	Existing Condition 2010	Alternative 1 - No Project	Alternative 2 - Proposed Plan
Pass Vehicles (Draft EIR Table 3.1-29)	19,383,000	14,970,000	14,631,000

<sup>1</sup> Draft Plan Bay Area, Page 12, Figure 2 “Plan Bay Area – Discretionary Investment Summary”

<sup>2</sup> Environmental Health Perspectives, a peer-reviewed journal:

[http://www.huffingtonpost.com/2013/03/12/autism-pollution-study- n\\_2853542.html](http://www.huffingtonpost.com/2013/03/12/autism-pollution-study- n_2853542.html)

<sup>3</sup> Draft plan page 21, “Alternatives to Visioning Scenarios”

<sup>4</sup> Draft EIR, Table 3.1-29, Comparative Annual Land Use GHG Emissions

%Change from Existing (Draft EIR Table 3.1-29)		-23%	-25%
%Change from Target Analysis, Page 116, row 1, Draft Plan Bay Area		-8%	-18%

The plan makes no effort to measure these costs, and address this question.

- e) **Requirement:** Estimates of financial costs and the transportation, environmental and other benefits of each alternative  
**Issue with Plan:** Transit CO<sub>2</sub> and diesel particulate emissions known to exceed car and light truck emissions<sup>5</sup> per passenger mile are not accurately considered<sup>6</sup>.
- f) **Requirement:** A preferred alternative that proposes a list of projects in an attempt to balance the various criteria  
**Issue with Plan:** While a preferred alternative is proposed, the criteria by which this is identified flawed (see below).
- g) **Requirement:** Monitoring to ensure the plan is working as intended with feedback mechanisms that add or subtract projects if more money becomes available or if certain assumptions prove wrong.  
**Issue with Plan:** Insufficient evidence of historic causality and sensitivity analysis demonstrating indications that such monitoring is unlikely.

The lack of adherence to a rational approach, and consequent lack of defensibility means the EIR is inadequate.

Furthermore it means that the public, elected officials and ABAG and MTC representatives voting on the plan do not have the information to make an informed decision or provide effective feedback.

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<sup>5</sup> Based on Obama's fuel-efficiency standards:

<http://www.whitehouse.gov/blog/2011/07/29/president-obama-announces-new-fuel-economy-standards>

...the average car on the road in 2025 will use about two-thirds as much energy per vehicle mile as the average car today. This is based on the assumptions that new cars in 2025 will get the prescribed average 54.5 mpg; they will improve on a straight line between now and then; and the U.S. vehicle fleet will turn over at the rate of one-eighteenth every year, which is about the historic rate.

<sup>6</sup> Critique by Mass Transit Consultant Tom Rubin on "Public Transit Buses: A Green Choice Gets Greener"

<http://reason.org/news/show/does-bus-transit-reduce-greenhouse>

"Environmental assessment of passenger transportation should include infrastructure and supply chains" by researchers at UC Berkeley:

[http://iopscience.iop.org/1748-9326/4/2/024008/pdf/1748-9326\\_4\\_2\\_024008.pdf](http://iopscience.iop.org/1748-9326/4/2/024008/pdf/1748-9326_4_2_024008.pdf)

This report concludes that the complete life-cycle energy costs of rail transit are 255 percent of the operating costs, while highway transportation is only 163 percent of the operating costs.

Randal O'Toole, *Does Rail Transit Save Energy or Reduce Greenhouse Gas Emission?* Cato Institute, Policy Analysis 615, April 14, 2008:[http://www.cato.org/pub\\_display.php?pub\\_id=9325](http://www.cato.org/pub_display.php?pub_id=9325)

The plan follows requirements set by Senate Bill 375<sup>7</sup> which set targets of reducing CO2 emissions for cars and light trucks but not for transit. Instead of following SB375 at great cost, without question, and potentially with little or no effect the plan should serve as a shining example of leadership progressing reform of SB375.

**Questions:**

**Q1:** How does the plan adhere to a rational planning process?

**Q2:** Why do the MTCO2 emissions figures in table 3.1-29 of the Draft EIR for passenger vehicles which show alternative 1- no project would reduce emissions by 23% and alternative 2- proposed plan reduce emissions by 25%, when table 4 in Draft Bay Area Plan page 116 show that alternative 1 would reduce emissions by 8% and alternative 2 by 18%?

**2. Plan Invalidly Proposes Goal of “Increase Non-Auto Mode Share by 10 Percentage Points” and “Decrease Automobile Miles Traveled (VMT) Per Capita”<sup>8</sup>**

**(Transportation System Effectiveness, Goal #9a and 9b)**

The plan incorrectly represents these potential strategies as goals. Reducing total CO2 emissions (regardless of transit mode) is a valid and noble goal to help prevent climate change. However by imposing a bias towards transit the plan potentially increases total CO2 emissions, but this is masked from consideration leading to invalid conclusions. All alternatives include disproportionately high transit investments and low highway investments, there is no alternative presented with higher discretionary spending in highway investments.

Furthermore the model, and the alternatives presented, do not incorporate consideration that cars and light trucks emit more CO2 in congestion. This underscores the value of a strategy of reducing congestion not considered by the plan.

Trains in Austin, San Diego, and other cities – which have operational lifespans of 30 years - produce as much or more CO2 emissions per passenger mile than the average car in 2025<sup>9</sup>. Golden Gate Ferry’s CO2 is three times worse than cars, and Marin and Sonoma county buses

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<sup>7</sup> Draft Plan Bay Area, Page 2, A Legacy of Leadership “Among the new challenges are the requirements of California’s landmark 2008 climate law (SB 375, Steinberg): to decrease greenhouse gas emissions from cars and light trucks”. Page 3 “California Senate Bill 375: Linking Regional Plans to State Greenhouse Gas Reduction Costs”

<sup>8</sup> Draft Plan Bay Area, Page 19, Table 1: “Adopted Plan Bay Area Performance Targets”

<sup>9</sup> Critique by Mass Transit Consultant Tom Rubin on “Public Transit Buses: A Green Choice Gets Greener” to trains instead of buses:

<http://reason.org/news/show/does-bus-transit-reduce-greenhouse>

Randal O’Toole, *Does Rail Transit Save Energy or Reduce Greenhouse Gas Emission?* Cato Institute, Policy Analysis 615, April 14, 2008: [http://www.cato.org/pub\\_display.php?pub\\_id=9325](http://www.cato.org/pub_display.php?pub_id=9325)

“Environmental assessment of passenger transportation should include infrastructure and supply chains” by researchers at UC Berkeley:

[http://iopscience.iop.org/1748-9326/4/2/024008/pdf/1748-9326\\_4\\_2\\_024008.pdf](http://iopscience.iop.org/1748-9326/4/2/024008/pdf/1748-9326_4_2_024008.pdf)

This report concludes that the complete life-cycle energy costs of rail transit are 255 percent of the operating costs, while highway transportation is only 163 percent of the operating costs.

are also as bad as or worse than cars.

Such a goal causes an over-emphasis on modes of transport that are not practical for many residents. For instance, many Moms and Dads (of which I am one) need to drop off their kids at schools over 1 mile away on their way to work. It is unrealistic for them to switch modes to walk, bike or take transit which may make their school drop off and commute time prohibitive. It is not reasonable to expect these residents to sell their homes (costing 7% sales commission, after a potential drop in property value) and move to smaller homes without yards near transit.

Furthermore this invalid goal serves to needlessly increase transit time per mile travelled, and reduce commute radiuses which has other significant adverse impacts covered elsewhere in this letter.

**Questions:**

**Q3:** Why does the plan not specify that “Increase Non-Auto Mode Share by 10 Percentage Points” and “Decrease Automobile Miles Traveled (VMT) Per Capita” are targets and not strategies to achieve targets?

**Q4:** Does the plan identify CO2 emissions of transit based on actual/current ridership levels?

**Q5:** Why doesn’t the plan assess and state CO2 emissions per passenger mile of BART, Golden Gate Transit buses and ferries, MUNI buses, VTA light rail?

**Q6:** Why does the plan not recognize that many residents cannot practically commute via transit, walking or biking? (E.g. dropping kids at school, picking up groceries)

**Q7:** Why does the plan not recognize that many non-commute trips cannot be performed via transit, walking or biking? (E.g. buying furniture, heavy goods, conducting a journey with many stop-off points, residents who are disabled/older unable to walk long distances, connection times and commute times make travel time prohibitively long)

**3. Plan Excludes a Critical Target of Reducing or Minimizing Reduction of Travel Time**

The plan under-represents a critical aspect of transit planning – reducing average travel time (regardless of mode of transit). Travel time is critical for a number of reasons:

- a) It directly affects commute radius. This particularly hurts low income residents who are less able to find jobs.
  - b) It affects the available talent pool for businesses
  - c) If cities on the periphery fall out of the commute radius they may go into economic decline; for instance Novato, Salinas, Saratoga, Fairfield and Vallejo are all on the periphery. Many have stretched commute and budget to afford single family homes in these locations. If out of practical commute range for cars (and for many dropping off kids this may be the only practical mode) these communities will have a drop in quality of life and property values.
  - d) It makes the Bay Area enjoyable and attractive to live in for existing and new residents
- Instead the plan over-emphasizes goals that are prescriptive strategies such as requiring and encouraging particular modes of transit and land use. This focus on strategies and omission of a

key goal is a major plan oversight.

The plan does not appear to place a value (money, time wasted, employment, talent pool availability), or a score relating to reducing congestion and reducing travel time.

Had congestion relief, and travel time been taken into consideration (together with additional pertinent alternatives) the plan would not have arrived at the same conclusion.

**Questions:**

**Q8:** Why is reducing average travel time, regardless of mode of transit, not a goal with appropriate weighting?

**Q9:** Why does the plan not take into consideration commute radiuses, where this recognize recognizes that there are many cases where commutes rely through preference or constraints on car or light truck transit?

**Q10:** Why does the plan not provide adequate consideration of the impact of reduced commute radiuses? (E.g. if a town is removed from effective car and light truck commute radius this may have significant economic effects)

**Q11:** Why does the plan discriminate between different transit modes? (E.g. why not focus on commute or travel time?)

**Q12:** Why does the plan not take into consideration the importance of reducing congestion for the reasons stated above (pollution, reduced commute radius, wasted money...)?

**4. Plan Invalidly Defines Increasing Average Daily Time Walking or Biking per Person by 70 Percent As a Goal, When It Should Be a Strategy  
(Healthy and Safe Communities, Goal #5)**

The actual goal should be minimizing transit time. This invalid goal needlessly skews scoring and resulting investments away from cars and light trucks.

**Questions:**

**Q13:** Why is increasing average daily time walking or biking a goal, when it should be a strategy?

**5. Plan Invalidly Defines Reducing Per-Capita CO2 Emissions from Cars and Light Duty Trucks by 15 Percent  
(Climate Protection, Goal #1)**

The plan is based on California Senate Bill 375 which requires a reduction of greenhouse gas emissions only from cars and light trucks, excluding transit from consideration. However both the Plan, and the Senate Bill are questionable and the assumptions behind this should be questioned and reviewed.

The goal that is set is invalid and likely to result in a net increase in CO2 as when correctly

calculated car emissions<sup>10</sup> are below that of transit<sup>11</sup>. Alternatively significant public expenditure may be performed that does not reduce CO<sub>2</sub>, or that achieves a small reduction of CO<sub>2</sub> when the same expenditures could achieve an exponentially greater reduction via other methods—such alternatives were not considered by the plan, such as:

- subsidization of building insulation to reduce electricity generation for HVAC
- focusing on expenditures reducing vehicle congestion and CO<sub>2</sub> emissions
- encouraging development of lighter weight vehicles

These are just three of many other possible ways of reducing CO<sub>2</sub> at far less cost, with much higher likelihood of success than the plan.

**Questions:**

**Q14:** Why does the plan not set a leadership role and propose reducing all CO<sub>2</sub> emissions for transportation, as the plan over-emphasizes CO<sub>2</sub> emissions by transit costing significant amounts yet not achieving the intended true goal?

**Q15:** Why did the plan, and ABAG staff and MTC, not question and evaluate the logic of Senate Bill 375's over-emphasis on CO<sub>2</sub> emissions by cars and light trucks?

**6. Plan Invalidly Defines Multi-Modal Transit as a Goal**

Multi-modal transit is not a goal but a tactic of achieving a goal such as CO<sub>2</sub> reduction. It presumes that users want to have options and needlessly diverts billions of dollars to present choices that may not be adopted (and in many cases history has proven out will not be adopted). There is no assessment of causality that simply providing these other modes, at not inconsiderable expense, will cause them to be adopted, and adopted sufficiently to justify the investment and reduce passenger mile emissions. There is no sensitivity analysis in the plan to back up this causality. This target or goal is invalid.

**Questions:**

**Q16:** Why does the plan set multi-modal transit as a goal when it should be a strategy?

**Q17:** How does the plan assess that if multi-modal transit is provided users will switch to taking it, what sensitivity analysis is conducted or referenced to validate that the expenditures on multi-modal transit will lead to usage and desired benefits?

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<sup>10</sup> Based on Obama's fuel-efficiency standards, the average car on the road in 2025 will use about two-thirds as much energy per vehicle mile as the average car today. This is based on the assumptions that new cars in 2025 will get the prescribed average 54.5 mpg; they will improve on a straight line between now and then; and the U.S. vehicle fleet will turn over at the rate of one-eighteenth every year, which is about the historic rate.

<sup>11</sup> Randal O'Toole, *Does Rail Transit Save Energy or Reduce Greenhouse Gas Emission?* Cato Institute, Policy Analysis 615, April 14, 2008:[http://www.cato.org/pub\\_display.php?pub\\_id=9325](http://www.cato.org/pub_display.php?pub_id=9325)  
Reason.org: Does Bus Transit Reduce Greenhouse Gas Emissions, April 5, 2010  
<http://reason.org/news/show/does-bus-transit-reduce-greenhouse>

**7. Plan Does Not Sufficiently Consider that Traffic Congestion Adds to CO2, Reduces Commute Radius**

The plan does not present adequate consideration that the lack of investment and expansion of the road network will cause an increase in traffic congestion – instead the methodology results in an over-emphasis on transit. As a consequence congestion needlessly increases, and the resulting standing or slow traffic will cause additional CO2 emissions per passenger mile for the most used form of transit – cars and light trucks.

Furthermore the plan does not adequately take into consideration the impact of the time wasted from traffic congestion in a number of ways:

- a) A reduction in the distance that most residents (most residents do not use transit) can effectively commute. This in turn means that people are less able to find employment. This hurts low income groups the hardest.
- b) The reduction in commute distance for this majority that use cars and light trucks means that employers cannot draw from such a large talent pool, reducing the Bay Area's competitiveness
- c) Inconvenience and frustration

**Questions:**

**Q18:** How does the plan effectively assess proportionate investment in maintenance and expansion of highways and freeways?

**Q19:** How does the plan assess CO2 emissions caused by congestion?

**Q20:** How does the plan assess that congestion reduces commute radius, especially given that cars and light trucks are the preferred and often only practical mode of transportation?

**8. Plan Does Not Accurately Represent that Cars and Light Trucks are Residents Preferred Form of Transit (Based on Activity Not Survey Preference)**

In 2011, 15.6% of San Francisco Metropolitan Statistical Area commuters used transit. The plan does not invest discretionary funds proportionate to the populations preferred mode of transit and over-commits discretionary funding to transit.

Of the \$57bn<sup>12</sup> discretionary funding<sup>13</sup> 26% is committed to “maintain existing system” (of which some may not be car and light truck mode) and 7% is further split to “boost freeway and transit efficiency”. Restated – while less than 9.6% of commuters use transit, a disproportionately low amount of funding is allocated to users’ preferred form of transit – cars and light trucks.

ABAG and MTC appear not to have taken note of the comments made in 2007 by the Federal Highway Administration in response to Portland’s Metropolitan Planning Organizations which stated (amongst other critical comments in the same regard):

<sup>12</sup> Draft Plan Bay Area, Page 12 “Transportation Investments”, paragraph 2.

<sup>13</sup> Draft Plan Bay Area, Page 12, Figure 2 “Plan Bay Area – Discretionary Investment Summary”

*“The plan should acknowledge that automobiles are the preferred mode of transport by the citizens of Portland – they vote with their cars everyday”.*

**Questions:**

**Q21:** Why does the plan not acknowledge and use as a basis that only 15.6% of SF Metro Statistical Area commuters use transit?

**Q22:** Given that cars and light trucks are residents preferred mode of transportation how does the plan arrive at such large discretionary expenditures on transit and land use to encourage transit use?

**9. Plan Fails to Consider Impact of Concentrating Development in Locations With Disproportionately High Particulate Emissions, Ozone and Noise Levels That Are Near Transit**

The plan encourages through expenditure of grants and land use policy, that new housing be located near transit such as train tracks, freeways and highways. Goal #2 –adequate housing encourages such housing to ensure representation of all income levels .

As a consequence the plan causes low income groups, which may be disproportionately made up of ethnic minorities, to be encouraged to live in locations that are less healthy due to particulate emissions, high ozone levels, noise (e.g. railroad crossings and traffic). There are many reports not disclosed or discussed in the plan that identify causal links between proximity to freeways and highways, asthma, autism and cancer.

**References:**

i) LA County and Southern California Medical Center, University of Southern California Keck School of Medicine: ***“Residential Proximity to Freeways is Associated with Uncontrolled Asthma in Inner-City Hispanic Children and Adolescents”***

<http://www.ncbi.nlm.nih.gov/pubmed/20948882>

i) UCLA 2013 Study Published March 1<sup>st</sup>,

ii) Environmental Health Perspectives, a peer-reviewed journal:

[http://www.huffingtonpost.com/2013/03/12/autism-pollution-study- n\\_2853542.html](http://www.huffingtonpost.com/2013/03/12/autism-pollution-study- n_2853542.html)

iii) Keck School of Medicine, University of Southern California, 2005:

<http://www.usc.edu/uscnews/stories/11614.html>

This represents just a small sample - the number of reports similar to this are too numerous to list but may be easily found using Google.

Residents, press and elected officials who praise and support the plan for providing more low-income housing, if they were properly informed, may instead have objected had disclosure occurred revealing that the plan consigned low income and ethnic minorities to such known, unhealthy locations.

**Questions:**

**Q23:** Why does the plan not recognize that the compact infill development proposed will adversely impact low income and ethnic minorities by placing them in areas of higher diesel particulate and ozone emissions causing known negative health effects such as asthma, autism and other diseases?

**Q24:** Why does the plan not disclose that many studies exist relating proximity to freeways has adverse health impacts?

**10. Plan States that “Compact Infill Development Can Reduce Vehicle Use” Without Adequate Substantiation** (page 123, Draft\_Plan\_Bay\_Area.pdf)

The plan provides insufficient evidence that encouraging residents to live in compact infill development will *cause* those residents to switch from using vehicles to transit. Published studies exist that dispute such a causal effect, or state that significance is too low to be meaningful. For instance the 2008 study by David Brownstone of the University of California, Irvine on “Driving and the Built Environment”<sup>14</sup>.

No sensitivity analysis is included in the plan to provide adequate proof of such a linkage that such development will reduce vehicle use. Figure 2 on page 123 of Draft Plan Bay Area is misleading as it only considers transit use based on where residents currently live. It does not prove that by encouraging through subsidization, land use policy, or otherwise that residents who move to infill development near transit will have *a higher likelihood of switching* to using transit.

Furthermore sufficient evidence exists that proves that there is no such causality. For instance the city of Portland has conducted highly aggressive “compact infill development” policies combined with significant transit investment yet the historic results disprove such causality. In downtown Portland the share of weekday commuting on transit actually fell from 46% of trips to 36% during the past decade (according to annual surveys done by the city auditor), despite substantial expansion of the city’s Max light rail and streetcar system<sup>15</sup>.

**Questions:**

**Q25:** Where does the plan provide documented evidence of a causal effect that provision of compact infill housing will first cause residents to move to this housing and second cause residents who move to switch from using cars and light trucks to transit (and that they did not already use transit or plan to switch to transit)?

<sup>14</sup> Also reference Randal O’Toole, Smart Growth Plans are a Failure in Portland:

<http://www.cato.org/publications/commentary/smartgrowth-plans-are-failure-portland>

<sup>15</sup> Sustainable Planning is Not So Sustainable: <http://www.cato.org/publications/commentary/sustainable-planning-is-not-so-sustainable>

## 11. Plan Fails to Disclose Subsidization Required to Encourage Residents to Switch to Compact Infill Development Near Transit

The plan fails to identify through historic patterns, known by other regions and cities and a matter of public record, the true amount of subsidization required to encourage builders to develop such housing, and for residents to move to the new housing.

A survey by the National Association of Realtors in 2011<sup>16</sup> backed up by actual experience reveals that the vast majority of Americans prefer to live in single-family homes with privacy and yards. Plan Bay Area is likely to produce a surplus of multi-family housing, which means developers will need large subsidies to persuade them to build such high density projects.

Evidence exists that subsidies are required in order to encourage people to move to high density housing<sup>17</sup>. There is no sensitivity analysis published to ascertain and validate the amount of subsidization required to encourage a given number of residents to switch to this type of residence, or to cause developers to initiate and complete such projects.

This lack of specificity means that an unreasonable (in fact undefined) amount of public money – state, county or city - may be spent to achieve the stated goals. Readers are in no way alerted by the plan to rising property taxes, sales taxes or needed to raise revenue to cover these subsidies. Alternatively the plan does not provide sufficient (if any) consideration that existing services such as police, fire and schools will be reduced in quality.

Furthermore there is no evidence that the expenditures covered by the plan will achieve the stated goals. This unsubstantiated logic is used to propose land use policy and allocation of resources in various places throughout the plan. This logic and presumed causality appears to be a fundamental tenet of the plan.

### **Questions:**

**Q26:** Where does the plan provide documented evidence of the causal effect, such as sensitivity analysis , to identify how much subsidization will be required to cause residents to choose to move to compact infill locations?

<sup>16</sup> National Association of Realtors Community Preference Survey 2011. . Sample size 2,071 American Adults.

See page 17: <http://www.realtor.org/reports/2011-community-preference-survey>

Page 17. Strong preference for single family detached house (80%), single family attached house or townhouse (7%) in response to the question “Right now, if you could choose, which of the following would you prefer to live in?”

Page 19 , important community characteristics “Privacy from neighbors: 87% important, 45% very important).

<sup>17</sup> The Folly of “Smart Growth”, Randal O’Toole:

<http://www.cato.org/sites/cato.org/files/serials/files/regulation/2001/10/otoole.pdf>

Page 23: “Yet despite the shortage of single-family housing, Portland residents have failed to embrace Metro’s high-density developments. In 1999, apartment vacancy rates were at seven percent, the highest in the decade, and reached 11 percent for apartments built in the 1990s. In a market where single-family home prices have nearly doubled, apartment rents have failed to keep up with inflation

**Q27:** Where does the plan identify the impact on taxes or local services (E.g. fire, police, ambulance, schools...) of the increased compact infill development?

**12. Plan Fails to Consider and Identify Causality, Preventing Effective Feedback & Decision Making**

The plan fails to provide effective substantiation of causality, or normally required sensitivity analysis. For instance (and not limited to the items stated below):

a) When residents move to infill locations near transit this causes them to increasingly take transit

b) The amount of subsidies required to encourage a resident to move into an infill location near transit

c) The reduction of CO2 caused by switching passengers from cars and light trucks to transit. E.g. there is strong evidence that trains, ferries and many bus services have higher CO2 emissions per passenger mile than cars and light trucks in the appropriate timeframe (e.g. a train operational from 2015-2045 should be compared to car and light truck CO2 emissions at the midpoint of the train's lifespan - 2030).

The Plan Bay Area documents , and the inaccurately represented causality provides insufficient and/or potentially erroneous information whereby the public, elected representatives, and ABAG and MTC committee members base decisions such as support or opposition to the plan, or selection the alternatives presented.

Restated, decision makers and public have not be provided with reasonable due diligence to prepare the information needed to make far reaching decisions, and may select the wrong alternative, or a valid alternative may not have been identified, considered and presented.

**Questions:**

**Q28:** How does the plan provide complete and accurate facts, with substantiating logic such as sensitivity analysis that ensures policy makers, elected representatives and ABAG and MTC committee members can make accurate decisions?

**Q29:** How did the plan arrive at the alternatives presented? Why are there no alternatives that seek to reduce congestion and increase commute radius?

**Q30:** Do the alternatives considered and presented account for transit CO2 emissions, lowering car and light truck emissions, residents' transportation mode preference and on many occasions dependence on cars and light trucks as the only practical mode of transit? (E.g. elderly and disabled residents who cannot walk or bike).

**Q31:** Do the alternatives considered and presented take into consideration that CO2 emissions for short car and light truck journeys (e.g. driving to transit) are disproportionately higher than long journeys? (E.g. catalytic convertors take time to become effective)

## **CONCLUSION**

The Draft Plan Bay Area's DEIR is inadequate in numerous instances identified in this Comment Letter. ABAG must prepare an EIR that adequately analyzes the Project's Impact and meets CEQA guidelines.

Sincerely,

Richard Hall  
Quiet and Safe San Rafael