May 16, 2013

Amy Worth, Chair, and Members
Metropolitan Transportation Commission
Mark Luce, President, and Members
Association of Bay Area Governments

Re: Comments on Draft Plan Bay Area by Members and Supporters of The 6 Wins Network

Dear MTC Chair Worth, ABAG President Luce and Members:

Members and partners of the 6 Wins Network are pleased to submit the attached comments on the draft Plan Bay Area.

Two years ago, we brought forward for your consideration the Equity, Environment and Jobs (EEJ) scenario, which MTC/ABAG have now studied as Alternative 5 in the draft EIR. Based on MTC/ABAG’s own analysis, the EEJ outperforms the draft Plan across the board - from public health to the environment to social equity to potholes filled. Now is the time to make critical adjustments to the draft Plan based on the EEJ.

EEJ proposes three adjustments to the draft Plan Bay Area that will make all of us, and our children, healthier and more prosperous: (1) improving local transit service levels, (2) distributing more housing growth to suburban job and transit hubs, and (3) protecting vulnerable families from displacement. Specifically:

- The draft Plan directs $220 billion to transit operations. The EEJ alternative would increase that sum by only 5%.
- The draft Plan puts 95% of the housing growth into fifteen cities with Priority Development Areas (PDAs), and concentrates 70% of the RHNA in PDAs. A modest reduction in that concentration would allow us to plan for an adequate number of new affordable homes in all transit-connected suburban job-centers, where they are desperately needed. These are the “PDA-like places” which ABAG’s executive board agreed to emphasize in its unanimous July 2011 vote.
- The draft Plan dedicates $320 million to the region’s innovative One Bay Area Grant program (OBAG), which has already incentivized local affordable housing action consistent with the region’s goals. EEJ would incorporate into OBAG specific requirements to ensure strong local action to meet the region’s target of zero displacement.

These three modest changes are necessary to ensure that Plan Bay Area delivers an environmentally sound and prosperous future for all current and future Bay Area residents. The draft EIR identifies the EEJ as the “environmentally superior alternative,” and for good reason: it performs far better than the draft Plan on a whole host of performance measures tied to the targets and goals our region has chosen to pursue. For example, the EEJ outperforms the draft Plan on critical public health Performance
Measures (3a-c, 4 and 5) essential to reaching Plan Bay Area’s modest climate action targets and public health goals. By removing 83,000 cars from our congested roads, and increasing transit boardings by 165,000 per day, the EEJ alternative reduces daily VMT by 3.5 million miles, and annual emissions by over half a million tons a year more than the draft Plan. It puts tens of thousands fewer families at risk of flooding from sea-level rise and billions of dollars more into filling potholes on local streets and roads.

It does all this while also providing the greatest benefits to disadvantaged families and protecting them the most from displacement.

The EEJ alternative is not only superior in its benefits, but hard-headed in its design. For instance, unlike some alternatives that MTC analyzed in the past, it plays by exactly the same rules as the draft Plan. It puts only eligible funding sources toward transit operating purposes. And it includes all of the draft Plan’s “committed” projects.

We can reap the bulk of those benefits without a VMT fee. In fact, staff has several options by which to add $3 billion more in transit operating funds to the final Plan without a VMT fee.

In sum, the crucial elements of the EEJ alternative can readily be incorporated into the final Plan Bay Area. Three specific changes that build on the strengths of the draft Plan in relatively modest ways will yield outsized benefits in meeting the goals and targets we identified as a region at the outset of the planning process, as follows:

- **Transit operations**: Provide $3 billion in additional operating revenue for local transit service in the final Plan, and commit to adopt a long-range, high-priority “Regional Transit Operating Program” to boost transit operating subsidies by another $9 billion over the coming years, as new operating-eligible sources of funds become available.
- **SCS and RHNA housing distribution**: Shift 25,000 RHNA units from PDAs to “PDA-like places,” with a corresponding shift in the SCS.
- **Displacement protections**: Develop and incorporate into the SCS/RTP strong anti-displacement policies that future OBAG grant recipients will be required to adopt and implement, and provide substantial regional funding for community stabilization measures, such as land banking and preservation of affordable housing in at-risk neighborhoods.

You should direct staff to work with the 6 Wins and other stakeholders to develop these proposals for your consideration and adoption. Together, these three modifications, along with strong performance measure implementation and monitoring, will transform an inadequate draft Plan into a final Plan that will pay dividends to this generation and our children’s.

We ask that you direct staff to bring these three proposed amendments forward for your consideration and adoption at your June 14 meeting.
Enclosure:  Detailed Comments on the draft Plan Bay Area

Sincerely,

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**Asian Pacific Environmental Network**

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John Young, Executive Director  
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Jill Ratner, President  
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A. Comments on the Process

To reflect on what worked well in the planning process, and to ensure that we improve the process in the next planning cycle, we begin with an evaluation of some of the key decision-points in the process:

- **Needs Assessment:** In comments on the draft Public Participation Plan, many of us asked MTC/ABAG to conduct a needs assessment and prioritization at the outset. The failure to do so deprived us of the chance to craft the plan best able to meet those needs. **The next planning cycle should “start with the needs.”**

- **Congestion Management Agency Process:** Those same comments also asked MTC to “ensure transparency in the CMAs.” While MTC did issue a memo to the CMAs, it was too weak and came far too late in the process. In the next cycle, **the CMAs and any other agencies that will be nominating projects for inclusion in the Plan should be subject to fully transparent and inclusive processes.**

- **Targets and performance measures:** We applaud the early adoption of targets and performance measures. In the next cycle, the translation of goals into targets and metrics should better reflect the current state of the research. And, having adopted performance measures and analyzed alternatives against them, we should use them to:
  - Adopt the final Plan that incorporates the elements that perform best;
  - Monitor progress on performance measures in an annual report card; and
  - Adopt policy changes needed to meet public health and other targets.

- **Equity Analysis:** It was an improvement over past planning cycles to establish the Regional Equity Working Group and to conduct equity analyses at earlier stages before selecting a preferred alternative. Too often, however, the strong and constructive recommendations of the REWG and other advisory groups were ignored. One key recommendation that should be implemented next time is to **measure equity by first identifying gaps, and then assessing progress toward filling those gaps.**

- **Conducting a Project Performance Assessment** was the right decision. Many projects ranked low on benefit-cost ratio and targets promoted, but we have been unable to determine if any project was **eliminated from the Plan due to poor performance.**

- **Scenario development and study:** This was a low point in the process. Many of us asked repeatedly to be involved in developing scenarios. Instead, staff developed 5 scenarios without public input. Next time, **the public should be actively engaged from the first in scenario development.**

- **The EEJ scenario** was developed by the community and introduced for discussion, reflecting an unusually broad consensus of community and policy groups across the region. **It should have been studied before a “preferred” alternative was selected.**

- **Analyzing the EEJ Alternative:** We commend the agencies for their decision to study the EEJ scenario as an alternative under CEQA. While the draft Plan has many strengths, it falls far short in the outcomes it will produce. **With the relatively modest changes outlined in the cover letter, the final Plan can do a far better job in meeting the region’s goals.**

- **The “Trade-Offs” Process:** The lengthy process of setting targets and developing scenarios will have been for naught if it does not inform the final Plan. **We urge staff to work with the 6 Wins and other stakeholders to bring forward for public discussion and policy board vote the three modest elements of EEJ for incorporation into the final Plan Bay Area.**
B. The Environmentally-Superior EEJ Alternative Builds a Far Better Future for the Bay Area than the draft Plan.

The EEJ outperforms the draft Plan on most performance measures. The differences are significant both individually and cumulatively, and will compound over time.

By boosting transit operating funding by just 5 percent, the EEJ alternative would dramatically increase transit service levels near housing and jobs, reduce driving and VMT, and increase transit ridership by 165,000 trips each day over the draft Plan.

Dramatically reduced levels of driving, in turn, not only translate into less congestion on our roads than the draft Plan, but also result in dramatic public health and environmental benefits over the draft, including 568,000 fewer tons of GHG emissions per year, large reductions in TACs and criteria pollutants, and significant energy savings.

- The EEJ alternative will also provide the public health benefits associated with 250 more hours of active transportation (biking and walking) per day than the draft Plan.
- Public transit is also an essential lifeline for providing access to healthcare providers. As the Affordable Care Act is implemented, and healthcare is recognized as a basic human right in our society, increased local transit service will be an essential link to the accessibility of healthcare services.

By moving about 5 percent of our housing growth and our transportation investment out of areas prone to sea-level rise in PDAs, we would:

- Put 30,000 fewer residents in neighborhoods subject to flood risk due to sea level rise by 2050, and
- Leave enough money over to repave more than 3,400 miles of local streets and roads.

Finally, EEJ would also be fairer to the region’s most disadvantaged communities and families; it would

- Put 15,800 fewer struggling families at high risk of displacement, and
- Save low-income families $79 million a year in rent.

In short, the EEJ alternative offers the Bay Area substantial benefits in a wide range of areas. Since the 3 adjustments the EEJ alternative proposes will bring our region so much closer to where we want to be, and will do so more fairly than the draft Plan, we should incorporate those changes into the draft Plan.

C. The Final Plan Should Boost Local Transit Service by $3 Billion, and Commit to a “Regional Transit Operating Program.”

Two-thirds of all transit boardings in the Bay Area today occur on local bus lines, which provide a vital lifeline for low-income families, youth and seniors. Yet the history of local bus operations in the Bay Area is a history of service cuts and fare hikes that have reduced service in many parts of the region to levels lower than they were years ago.
The draft Plan will increase transit service levels overall by 27.3% over existing service levels, but 75% of that improvement will benefit the more affluent “choice” riders of heavy rail, commuter rail and ferry. Only 20% of that increase would benefit local transit riders, who are more likely to be transit-dependent, and more likely to be riders of color.

By contrast, the EEJ alternative not only gives existing transit service levels a much bigger boost – 37% over existing levels – it also does so more fairly. EEJ puts nearly 30% of its much larger service increase into local transit.

Not only does EEJ increase local transit service, MTC’s travel analysis shows that those service increases will boost ridership. Local transit boardings account for 90 percent of the EEJ alternative’s increase in transit boardings over the draft Plan’s. MTC’s analysis shows that investing in local transit service adds far more riders for far less money than any other kind of transit investment.

Finally, a regional youth bus pass will cost-effectively increase ridership, while also improving the access of our youth to opportunity and after-school jobs and activities, and improving the education and health of the next generation.

MTC staff identified over $3 billion in operations-eligible funding that could be shifted from capital to transit operating purposes. Let’s move those funds to boosting local transit service and reducing fares in the final Plan. And let’s commit to adopting a major pro-transit policy, parallel to Res. 3434. This “Regional Transit Operating Program” should set a target of $9 billion more for transit operations, as eligible new funding sources, like Cap and Trade, become available in the future.

D. The Housing Distribution and RHNA Should be Modified to Shift Some Housing Growth from PDAs to Transit-Oriented Suburban Job Centers.

ABAG expects PDAs to accommodate 80% of all new housing in the region by 2040, with 95% of the region’s housing growth in just 15 cities. But there are many other transit-oriented neighborhoods in the Bay Area – neighborhoods that also have many low-wage workers commuting in to jobs – that are equally in need of housing development. They differ from PDAs in only one way: they have not been designated locally for more housing.

Job centers that are served by transit have the same need for housing whether cities plan for it or not. One city’s failure to plan for needed housing has consequences for the entire region. There are also high-opportunity neighborhoods with good schools and other amenities that lack sufficient affordable housing options.

The draft Plan and the RHNA should allocate adequate housing to the PDAs, but should also allocate needed housing to other places in similar need.

In addition, the PDA feasibility study MTC and ABAG commissioned examined a representative sample of PDAs and found they are ready to accommodate only “62 percent of the housing growth allocated to them through 2040 in Plan Bay Area.”
Comments on draft Plan Bay Area

Re-allocating just 25,000 RHNA units from the PDA share to eligible non-PDA job centers and communities of opportunity will assure that housing is built where it is needed, and make up for the housing production that is not feasible in the PDAs.

That is also the fair thing to do. HUD noted in an April 9, 2013, letter that ABAG’s draft allocation of the Bay Area’s regional housing need may violate federal civil rights laws. PDAs are disproportionately home to low-income people of color, and intense development in PDAs will subject them to enormous displacement pressure. Moving some of that growth to suburban cities with jobs and transit, as EEJ does, will result in 42% less risk of displacement, and provide fair housing opportunities for the families of low-wage workers in the high-opportunity communities in which they work.


ABAG and MTC adopted zero displacement as one of the performance targets for the SCS, aiming to “House 100% of the region’s projected 25-year growth by income level … without displacing current low-income residents.”

The draft Plan falls dramatically short of achieving this goal. In fact, it places 36% of struggling renter families at high risk of displacement from their neighborhoods. This will continue, and exacerbate, a long-standing problem. For instance, San Francisco’s black population declined from a high of 88,000 in the 1970s to an estimated 46,779 by 2005, while Oakland lost a quarter of its black population from 2000 to 2010.

To meet our target, and honor our commitment not to achieve other goals at the expense of our most disadvantaged families, we need to also ensure that OneBayArea Grant (OBAG) investments are tied to strong local anti-displacement measures.

We commend MTC and ABAG for designing the OBAG grant program in a manner that begins to incentivize local planning for affordable housing by requiring HCD-certified Housing Elements. But the current round of the OBAG program fails to provide incentives to local jurisdictions for enacting protections against displacement or producing and preserving affordable housing.

As set forth in our cover letter, OBAG eligibility should be contingent on local adoption of strong policies that protect tenants, preserve neighborhoods and create and preserve affordable housing. In addition, substantial additional regional funds should be committed to land banking, acquisition and rehab, and affordable housing construction targeted to communities at high risk of displacement.