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December 19, 2007

Mike McKeever
Executive Director
Sacramento Area Council of Governments (SACOG)
1415 L Street, Suite 300
Sacramento, CA 95814

RE: ECOS Comments on Draft 2035 Metropolitan Transportation Plan and
Draft Environmental Impact Report

Dear Mr. McKeever,

Attached please find our comments on the Draft 2035 Metropolitan Transportation Plan (MTP) and the MTP Draft Environmental Impact Report (DEIR) for the Sacramento Region. Many of these comments are a reiteration of those we have made in face to face meetings with you and your staff over the past few months. We are extremely grateful to you, and particularly to Project Manager Matt Carpenter, for spending so many hours with us, and for helping us to more fully understand the complexities of this very detailed and thorough plan.

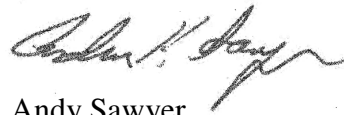
The Environmental Council of Sacramento (ECOS) is a coalition of individuals and organizations that advocates for coordinated land use and transportation planning to discourage urban sprawl and promote the preservation of the natural resources and open spaces of the greater Sacramento area. Our comments on the MTP and DEIR reflect the views of dozens of environmental activists working on behalf of their respective member organizations. These activists have strived not only to comprehend the complex transportation, air quality, and land use issues covered in the MTP, but to propose insightful solutions and alternatives that may lead to a better and more healthful future for the Region.

As you well know, our primary concern with the funding plan laid out in the MTP is the continued heavy investment in road and freeway infrastructure as opposed to expansion of transit. You have carefully explained the constraints in funding for transit operation and maintenance and in consideration of these constraints we have offered suggestions that in our minds equate to a compromise position. We have suggested some new funding sources for transit and recommended eliminating projects that call for the expansion of existing arterials, particularly those that call for road widenings to six lanes and new arterials or bridges that increase car traffic in downtown neighborhoods. We propose shifting these funds to projects that make our neighborhoods and streets more pedestrian and bike friendly. Furthermore, we recommend that all travel demand solutions and transportation control measures be put into full operation immediately and in lieu of any additional freeway auxiliary lanes or HOV lanes.

For SACOG and its member agencies charged with planning the future growth of our region, the stakes have never been higher. SACOG and the agencies that constitute it must recognize that we have to entirely reverse course when it comes to moving people and goods through the Region. A continuation of the car culture in our communities is just not sustainable and the people have spoken on this. Overwhelmingly, Sacramento area residents have stated their preferences for pedestrian-friendly, transit-oriented communities and it is now time to put their tax dollars to work to make it happen.

We look forward to hearing from you on these comments and to working with you in the future.

Sincerely,

A handwritten signature in black ink, appearing to read "Andy Sawyer". The signature is fluid and cursive, with a long, sweeping underline that extends to the right.

Andy Sawyer
President

Attachments (A and B)

cc: U.S. Representative Doris Matsui
State Senator Darrell Steinberg
Assembly Member Dave Jones
Matt Carpenter, MTP Project Manager
Tony Bizjak, Sacramento Bee
Mary Lynne Vellinga, Sacramento Bee



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Attachment A. ECOS Comments on the Draft MTP

General Comments

For far too long the Sacramento Region's transportation strategies have focused on improving the free flow of traffic, dominated by single passenger vehicles. With extreme air quality problems plaguing the Region, global warming, peak oil, an aging population, and dwindling open space and farmland, it is time to shift our transportation strategies as much as possible. Unfortunately, the 2035 Master Transportation Plan (MTP) falls far short of accomplishing this goal. The environmental community supports many of the goals and policies laid out in the 2035 MTP and we appreciate the enormity of the task before SACOG. Contrary to the project funding in the MTP, however, it is now time to devote the majority of our transportation funding directly to: (1) improving and expanding our transit infrastructure; (2) improving access to transit; and (3) creating viable alternatives to motorized transportation. We are asking for nothing short of a true paradigm shift.

The MTP is primarily a tool for directing the spending of transportation funds across jurisdictional boundaries and in the Introduction it states that the "Plan gives primary priority to transit expansion." This statement is contradicted by the "Summary of Budget Investments," where strategic bus and rail expansion is estimated at \$4.1 billion while more than \$11 billion is spent on road capital projects and \$12.4 billion on road maintenance and rehabilitation. Furthermore, the plan states that "there are no funds available to operate more [transit] service," and "...a modest amount of flexible funds must be invested in road improvements so that transit can move effectively through areas of congested traffic."

There are methods and strategies for increasing available funds for transit. Unfortunately, these options are not discussed directly in relation to the budget shortfall for transit infrastructure and the finance policies and strategies outlined in Chapter 5 do not consider innovative Regional solutions timed in a way to increase funding in the early years of the Plan where it is most needed. Such strategies include: employer taxes (Portland, Oregon); congestion pricing and toll roads (San Diego); parking surcharges; increased developer fees; and regional vehicle license fee surcharges. ECOS would like to see these ideas fully explored in this 28-year vision document. We also reject the statement that the funds supporting road expansion are "modest" as they clearly exceed transit modifications. We do not agree that these investments are needed in order to move transit more effectively. In San Francisco, a large number of buses and street cars move relatively freely through crowded streets on designated transit-only lanes.

ECOS recognizes that population growth is inevitable. How we respond to that growth is crucial. It is simply not sufficient to base a strategic transportation plan — a plan with nothing

less at stake than the health of the people of this Region — on the stated principles or policies of “smart growth” without the teeth to make these principles a reality. The draft 2035 MTP is the Region’s first MTP to be based on the Blueprint. In fact, development of many of the MTP transit projects is dependent on adherence to the Blueprint’s smart growth strategies. However, as stated in the introduction to the Plan, the Blueprint is a “voluntary strategy that relies on the individual actions of local governments for successful implementation.” Blueprint strategies require that participating planning agencies will provide for higher density growth in the urban core near existing jobs. Without this higher density growth, many of the planned transit improvements identified in the MTP will not be viable.

The 2035 MTP should provide a complete discussion of the basis for the land use projections that were used to select the best transportation alternatives and then explain how these projections will be met and tracked. In other words, the 2035 MTP must contain enforceable land use targets for the cities and counties within SACOG and discuss the strategies that will be used to achieve them. Here we suggest that SACOG review the Bay Area Metropolitan Transportation Commission (MTC) Resolution 3434. This resolution conditions funding for transit expansion on supportive land uses surrounding transit stations or corridors. A resolution of this nature could have prevented the low-density development plans recently adopted in Placer County (Placer Vineyards Specific Plan).

ECOS believes that local planning agencies and city and county elected representatives have not fully embraced the concept of smart growth; there is a low probability that they will do their utmost to adhere to Blueprint growth strategies in the future. ECOS has been fully supportive of the Blueprint process and heartily endorses the principles behind Blueprint. However, we strongly oppose the “preferred scenario map” in the Blueprint, which we feel does not follow smart growth principles. The Greenbriar project in the northern Natomas Basin is a prime example of how the scenario map jeopardizes valuable natural resources, wildlife habitat, and agricultural land.

We recognize and celebrate the fact that there have been some notable shifts in community planning in recent years toward higher-density, mixed-used and transit-oriented development. However, recent approval or consideration of relatively low-density developments such as Placer Vineyards, and what appears to be a near-complete failure to incorporate pedestrian-friendly, transit-oriented development in the Natomas Basin, gives us great cause for concern. City councils, county boards of supervisors and planning staffers across the region continue to push to expand their growth boundaries (e.g., the Urban Policy Area or “UPA” and the Urban Services Boundary or “USB” in Sacramento County) and spheres of influence (SOIs) and to annex new land for “greenfield” development.

A prime example of this lack of commitment to smart growth can be seen in the latest draft of Sacramento County’s General Plan. While ECOS has complimented the County for resisting pressure to expand its USB (see attached comments), we have also strongly urged the County to adopt specific higher density targets and holding capacities for the vacant lands and already urbanized infill and redevelopment areas within the UPA (in the range of 15-25 dwelling units per acre) and to commit to a minimum target for development approvals in these areas (e.g., 66% to 75% of total developable acreage) before considering development proposals for new growth

areas. A continuation of the failed development strategies of the past is simply not sustainable, especially when considering transportation.

The MTP proposes to support seven smart growth principles: transportation choice; housing choice; compact development; use of existing assets; creation of mixed use developments; preservation of open space and farmland; and distinctive, attractive, well-designed communities. In addition, the 2035 Draft MTP makes the following statements: “With strategic investments in our current transportation system, we can curb the growth in traffic congestion each household experiences.” And: “We can create opportunities for residents of the region to spend less time in their cars and protect our air quality while improving quality of life.” It is against the backdrop of these promises that ECOS offers the following specific comments.

Transportation Choices

As stated previously, more than half of the anticipated funding (\$23.7 billion) is dedicated to highway/road expansion and road rehabilitation and maintenance. It is not clear whether this figure includes the estimated \$6 billion in funding that would go to road improvements categorized under “local road, bicycle and pedestrian improvements.” There are more than 20 major road capital projects outlined in Table 2.1 including widening of bridges and roads to 6 lanes, auxiliary lanes, and new HOV lanes. Bus Rapid Transit on the other hand will reach a maximum of 10 lines throughout the entire Region. This lopsided spending and project planning does not lead one to believe that commuters or other travelers will actually be afforded a real “choice” of transportation options.

In addition, it is not clear how much of the transit expansion funds would be available in the “constrained” portion of the budget. Road capacity expansion, if it occurs prior to spending on transit capital improvements, will do nothing to increase transit ridership in the Region. And if, as stated in the Introduction, there are already more than a million empty seats in autos every morning, but fewer than 10,000 empty seats on buses, does it really make sense to increase road capacity? Could it be that people choose to travel alone in the comfort of their own cars (albeit slowly) rather than ride a crowded bus to work? What other factors could be at work when people choose cars over buses? This cannot be learned from the Master Transportation Plan because a Regional Transit Survey has not been conducted since 1999. ECOS urges SACOG to conduct a new transit survey as soon as feasible and employ state-of-the art market research concepts to understand our low transit ridership and learn how we can improve transit options.

Compact Mixed Use Developments in Attractive Communities

SACOG does not have regulatory authority over how each of the communities in the Region develops. At the present time, SACOG can only work to encourage development alternatives. ECOS suggests that SACOG take a stronger position regarding land use development. Appendix E of the draft MTP should more fully explain the relationship between local planning authorities and SACOG and describe how these entities will work together to implement the smart growth solutions afforded with the Blueprint. SACOG should explore ways to expand its authority and impose solutions if local planning agencies and governments continue to approve sprawl development. An example of this authority is the MTC Resolution 3434 previously described.

SACOG does have direct impact on the transportation projects selected in the MTP and how well these projects support compact land use developments. ECOS does not believe that all of the road expansion projects listed in the MTP, particularly those that call for 6-lane arterials, will support the goal of creating compact, livable, attractive, or pedestrian-friendly communities. Six-lane arterial roads are not bicycle or pedestrian friendly. A prime example of shifting funds from road expansion to alternative modes exists in the Fair Oaks Boulevard corridor. Here residents are demanding that the County step away from a plan to build a six-lane thoroughfare. Residents showed up in droves to protest the plan at a community workshop held in October 2007. This is occurring in other neighborhoods as well.

ECOS calls for a diversion of these funds toward improving bicycle and pedestrian mobility and safety. Far too small a portion of MTP funds — less than \$1.4 billion — are currently allocated to this spending category. Based on a review of the corridor level investments in Chapter 2 and the table of projects in the appendix, much of this spending appears to be contingent on increased funding (Plus 10%) and occurs late in the planning period. SACOG should shift more funding to these improvements and in the MTP should specifically note how much of each transit improvement project (i.e., 10%, 20% or 70%) relies on the Plus 10%. There should also be a date associated with each of these projects. The reader should not be forced to rifle through the appendices for these vital pieces of information. It is a critical strategic reality that if road expansions occur prior to transit improvements, there could be a big impact on our air quality and impacts on the ability to move people out of their automobiles. In addition, waiting to fund these projects will increase their costs and make them less viable.

Specifically, we question the need for a new \$100 million river crossing from Broadway in Sacramento to 15th Street in West Sacramento. For many years, people living in Sacramento's quaint Midtown, Curtis and Land Park neighborhoods have had to put up with the mess imposed by 3-lane, one-way expressways in their front yards. They particularly fear the dumping of more traffic into their already congested neighborhoods. SACOG should, if they have not done so already, immediately engage neighborhood activists in a discussion of this project. At a minimum, the project should be scaled down and the bridge should be designed primarily for bike, transit, pedestrian and emergency vehicle crossing.

In the same vein, expanded "carpool and bus" lanes on freeways leading to downtown will also impose greater hardship on Sacramento streets, which suffer one of the highest pedestrian fatality rates in the country. ECOS does not believe that these lanes will expand transit ridership and they have no proven impact on carpool ridership. In fact, these lanes during non-commute times will just fill up with more cars. Several studies at the Transportation Institute at U.C. Berkeley have demonstrated these effects. We call for a complete moratorium on freeway expansion. SACOG should immediately begin exploring the use of congestion pricing and High Occupancy Toll (HOT) Lanes, such as those currently under development in San Diego. HOT lanes would be used by people who want to pay a premium for faster speeds without carpooling. These lanes may ease congestion as prices are adjusted to the level of traffic. Funds from these HOT lanes could be used to increase transit opportunities for those less able to afford cars.

Land Use Allocation

None of the chapters in the main body of the text, and none of the appendices, explore the history of land use in the Region in any meaningful way or discuss any of the major controversial issues related to sprawl. We believe that SACOG should put this information front and center and discuss in detail how they plan to counter existing trends. At a minimum, we would expect a thorough discussion of the following to be included in the Land Use chapter and in the “Introduction and Need for a New Plan” section: land use controversies in the Natomas Basin (e.g., Greenbriar); the South Sacramento County Habit Conservation Plan and Elk Grove’s intent to expand southward into prime wildlife habitat; the Placer Vineyards Project; and the expansion of the City of Folsom south of Highway 50. ECOS has identified several other important growth issues that should be addressed in the MTP, primarily with regard to the Sacramento County General Plan (see attached letter). Of the additional 22,000 acres to be included in an expanded Sacramento County Urban Policy Area (UPA), only 2,000 acres represent infill opportunities. 20,000 greenfield acres is substantially more land than needed for anticipated growth in Sacramento County during the 28-year life of the MTP. Sacramento County has also identified very wide density ranges in their general plan, which allows for low density projects to encroach on greenfields. SACOG should clearly define their positions on all of these issues and explain how such county policies do or do not comply with Blueprint land use strategies so that the public can determine how SACOG will interact with local planning agencies in the future and whether additional measures are needed to fulfill the promises of smart growth.

While SACOG predicts that projected growth will occur along Blueprint principles, they caveat (in Appendix K) by saying “some outlying communities will experience faster growth than previously predicted.” A table in Appendix K (Figure 1: Comparison of New Housing Stock) provides only two categories (small lot/attached and large lot) to compare growth patterns in each jurisdiction. The accompanying table shows that 2004-2006 built units were 34% small lot/attached and 66% large lot, and that 2035 MTP projections rely on 62% small lot/attached. As this reads, a doubling in the amount of small/lot attached homes would be required to meet MTP 2035 projections. However, there is no description of the categories “small lot/attached” or “large lot” and there is no way to directly compare them to the dwelling units/acre typically seen in specific land use plans. Nor are these descriptions used directly in the transportation model. At a minimum, the housing density descriptions should be consistent with the definitions used in the Blueprint growth principles in order to make direct comparisons, such as: rural residential, large lot-single family, small lot-single family, and attached homes. (See: http://www.sacregionblueprint.org/sacregionblueprint/the_project/BP_Insert_JAN_2005.pdf).

Appendix K should compare the projected Blueprint development plans to the actual development in each location and use the metric of dwelling units per acre for comparison with area specific plans. The “Summary by Jurisdiction” section of Appendix K provides none of this detail. A quantifiable description of each jurisdiction’s variances from the preferred scenario over the past several years should be provided to allow for subsequent year-to-year comparisons. Furthermore, this Appendix should provide an assessment of the available land for development within existing USBs and should indicate how much of the near-term planned developments are within the areas defined by the Blueprint categories of “vacant land,” “additional urbanized land,” and “agricultural land converted from agricultural to urban uses.” The MTP and

subsequent updates could then describe at what densities these areas are expected to be developed. Again, this would provide a year-to-year comparison to evaluate how well Blueprint guidance is being adopted. A technical appendix should also include all of the assumptions for land use patterns that were used in the transportation model.

Overall, we find the MTP's discussion of land use allocation and the accompanying descriptions of growth patterns in individual communities to be woefully inadequate for what is without question the most important assumption in the MTP:

This MTP has been custom designed to match locally-determined Blueprint land uses, and its investment strategy will not succeed if land development patterns unfold substantially differently than the Blueprint calls for. In fact, about 75 percent of the improved performance that comes from this MTP is derived from local governments implementing Blueprint land uses. (Page 5-2)

We assume "improved performance" to mean a lower rate of growth in VMT and an increased transit mode share. The VMT growth rate is projected to decrease 1.1% (annual growth) over the life of the Plan. Less than half of this improvement is not expected to occur until after 2018 (Table 4-2). If local communities only half-heartedly adopt Blueprint growth strategies, it is likely that we could be faced with the same average annual growth in VMT in 2018 as we are currently experiencing. And needless to say, our air quality will deteriorate and congestion, which increases at 2-3 times the rate of VMT, will be staggering.

In the Blueprint document previously referenced, SACOG recommended that each local government:

...develop an individualized strategy for determining how — or if — it will pursue actions, over time that help to achieve the planning principles in the Blueprint Scenario as planning and growth decisions are made...

Each jurisdiction would be asked to pass a resolution in support of a growth allocation and accompanying 2030 map for their jurisdiction that reflect their jurisdiction's needs and interests. Each jurisdiction, at its choice, could also elect to include as part of the resolution a statement of what actions they will agree in principle to pursue that are supportive of implementing the growth allocation and the 2030 Map.

Was this recommendation followed? If not, why? How can the public expect to learn whether or not Blueprint growth strategies are being followed short of tracking each and every development request in each and every community? What commitment do we have that these agencies have or will embrace smart growth?

Open Space and Farmland Preservation

The "Land Conservation and Habitat" section of the MTP (Chapter 8) lists the major habitat preservation plans in the Region but contains no discussion of the impacts of the MTP on these

projects or the relationship between Blueprint growth projections and land preservation. A reader should not be forced to read the Draft Environmental Impact Report (DEIR) to learn about the impacts of the proposed transportation projects on habitat areas or farmland. For instance, Table 8-3 lists the classified farmland in the Region without any projections to 2035 on how these lands will be impacted. Will there be less agricultural land? If so, how much less farmland will there be? How do individual transportation projects impact the total acreage of farmland?

Here are a few of the areas where Blueprint growth projections, and therefore MTP transportation plans, may interfere with the preservation of open space and farmland:

- The Downtown-Natomas-Airport (DNA) light rail expansion. There is no question that North and South Natomas need transit urgently. However, the DNA line proposal is expensive and there are higher priorities for the Region's limited transit funds. The DNA line will also be slower than Bus Rapid Transit and therefore will not provide the level of service needed by those commuting to downtown Sacramento from Natomas or those who need a quick ride to the airport. We recommend close evaluation of the San Francisco airport BART extension as a comparison.
- SACOG serves as the Airport Land Use Commission for Sacramento and must ensure compatible land use surrounding the airport. Current plans for the airport include thousands of new parking spaces. This is inconsistent with a "transit friendly" MTP. A DNA light rail line in the flight path for the airport may also represent an incompatible land use.
- Placer Vineyards is a 5,200 acre lower-density suburban project that specifically defies Blueprint smart growth principles and threatens preservation of agricultural and open space lands as well as wildlife habitat. The United States Fish and Wildlife Service has identified critical vernal pool habitat and the Placer Vineyards Specific Plan encroaches on two of these designated census tracts.
- The City of Sacramento's Greenbriar Project, if it is eventually allowed, will have a huge impact on wildlife and the project's sponsors have been trying to avoid mitigation of loss of prime farmland. Greenbriar will add 3,500 new homes and result in the paving over of 550 acres of prime farmland.
- The City of Elk Grove and their proposed SOI expansion to the south will disrupt the previously agreed upon South Sacramento County Habitat Conservation Plan (SSCHCP) receiving area and has the potential to turn approximately 9,000 acres into more low-density sprawl. These acres are prime farmland that also serves as habitat for threatened species such as the Swainson's Hawk and Sandhill Crane.
- Rancho Murieta landowners are pressuring the county to approve a series of new developments despite the fact that Rancho Murieta already has serious groundwater and wastewater treatment issues impacting the Cosumnes River watershed. Further buildout of this isolated "island" development is a bad idea all around.

- The Sacramento County proposed general plan identifies very soft lines on expanding sprawl into agricultural reserve lands. This will lead to the approval of discontinuous subdivisions of larger parcels and small (1-5 acre) sites that will not provide for viable farming and ranching activities.
- In Galt, there is pressure to expand to the northwest to provide for a retirement community north of Twin Cities and East of Highway 99. This project would be detrimental to the Cosumnes watershed, impose huge impacts on Twin Cities road, and open up possibilities for additional development on prime farmland west of 99.
- There is pressure to expand into Clover Valley in Rocklin, which has been identified as having enormous environmental and historical importance (7,000 year-old Indian villages).

Traffic Congestion

Easing traffic congestion provides notable benefits in air quality and improves access for emergency vehicles. However, using congestion as a metric for improving our transportation systems leads to a classic “Catch 22.” Improving the flow of traffic will not encourage the use of public transportation. It is a hard pill to swallow but any Bay Area transplant will tell you it is a fact of life. Freedom from congestion is simply unrealistic in an urban area. The MTP should put less emphasis on reducing “Congested Vehicle Miles Traveled” and more emphasis on aggressively increasing transit ridership and the use of all non-vehicular transportation options (walking, biking, etc.). This MTP does not go far enough in developing these alternatives. There are many ways to improve traffic flow without creating new High Occupancy Vehicle (HOV) lanes or widening roads, including: congestion pricing, High Occupancy Toll (HOT) lanes, “just in time” traffic information systems, traffic metering, signal timing, parking taxes, transit passes, and reduced transit fees.

Air Quality

There is no detail on how the MTP will be implemented to improve air quality in the Region. A full discussion of regulatory authority is provided in the DIER but again, there is very little detail on what specific actions in the Plan will improve air quality. How will a reduction in VMT affect air quality? What is the status of the Region’s conformity plan? What is the history of the Region’s conformity? When will the transportation measures that are included in the MTP be modeled for conformity? All of these issues directly impact air quality. The Sacramento Valley has not achieved significant improvements in air quality over the past few decades and continues to be in non-attainment for federal 8-hour ozone air quality standards. This is made abundantly clear in Chapter 6 of the accompanying DEIR. Tables 6-3 and 6-4 show that, in many cases, the number of days that exceed the federal standards have increased from 1999 to the present.

Pages 6-11 through 6-12 of the DEIR discuss the use of transportation control measures (TCMs) to address emissions from mobile sources and refer to table 6-6. Table 6-6, however, does not list the TCMs. Furthermore, the TCMs are mentioned only once in the policy section of the main report with no specifics provided and are not referred to in any section of the appendices.

It is critical that the TCMs be incorporated into the MTP along with a full discussion of the strategy for implementation and timing.

There should be a more complete discussion of climate change and emissions of greenhouse gases (GHG) in the main body of the MTP. This issue is poorly understood by the public and the MTP should fully explain the relationship between VMT and GHG emissions. At a minimum, we recommend highlighting the discussion found on pages 9-15 through 9-16 of the DEIR, followed by a brief description of the impact/mitigation measures in the DEIR. Details of these could be included in the MTP appendices. It is also important to highlight the increased fuel efficiency of transit modes compared to single occupant vehicles (1/4 of the fuel use). The MTP (Chapter 6) should acknowledge that California's transportation sector is estimated to be nearly 40% of total GHG emissions and that of the 136 Million Metric Ton CO₂ Equivalents assigned to this sector, 79% are from passenger cars. Reducing vehicle trips per household will have a tremendous effect on reduction of GHG emissions. Research conducted by the California Air Resources Board and others indicates that smart growth urban development can reduce household VMT by as much as 30% and compact urban growth by an additional 10%.

Specific comments on the “Summary of Budget and Investments”

- The unlabeled table on page 2-1 categorizes program funding for road capital projects versus road maintenance and rehabilitation. Similarly, we would like to have transit capital funding categorized separately from transit operations and maintenance. These categories should match with the bullets at the top of page 2-2. On that page, transit capital improvements are estimated to be \$4.1 billion and transit operations are estimated at \$9.7 billion.
- The third bullet at the top of page 2-2 lists \$9.7 billion in road, bicycle and pedestrian improvements. Again, spending in these very disparate categories should be separated. The reader has to go one step further to the text to see that only \$1.4 billion of the \$9.7 billion will be spent on actual pedestrian and bicycle projects, with 27% of the remaining projects having some bicycle and pedestrian component.
- Under the detail starting with Programs and Planning on page 2-7, the percent increase in spending is not specified for each category. Each program should have a dollar budget amount and a percent increase above the previous MTP spending.

Finally, we were disappointed that none of the results of the citizen roundtable discussions (Tall Order) were directly incorporated into the MTP. At the very least, the issues from these workshops related to transportation alternatives should have been included in an Appendix.



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Attachment B. ECOS Comments on the Draft Environmental Impact Report (DEIR) for the 2035 MTP

In its analysis of the environmental impacts associated with the MTP, the DEIR must confront the paradox that even though the MTP is fundamentally a collection of transportation projects, it relies heavily on land use policies that encourage dense and well-placed development to minimize many of the traffic- and congestion-related impacts of the transportation plan. Although in 2004 the SACOG Board adopted a conceptual map and set of development principles (collectively known as “Blueprint”) that encourage the kind of development on which the DEIR relies, actual implementation of Blueprint compliant land use by local governments is entirely voluntary. The MTP therefore depends on a set of nonbinding actions with respect to land use that, while approved in principle by the SACOG Board, are not at this time enforced by SACOG.

The MTP’s reliance on implementation of Blueprint by local governments as a means of minimizing potential adverse environmental impacts associated with MTP transportation projects is problematic. Recent events indicate that it is not at all reasonable to assume that local governments will voluntarily comply with Blueprint. For example, the City of Elk Grove is considering adding an additional 5,000 to 8,000 acres of land to its sphere of influence — a proposal that would violate Blueprint. Placer County recently approved the Placer Vineyards project at densities lower than those called for under Blueprint. And on March 14, 2007, when the Sacramento County Board of Supervisors denied a request to expand the County’s Urban Services Boundary to include areas on the eastern edge of the county not contemplated by Blueprint, Supervisor Jimmie Yee indicated from the dais that he would be willing to reconsider the request “seven, eight, ten years from now.” Taken as a whole, the prospect of Blueprint being voluntarily implemented by the numerous cities and counties in the Sacramento area is uncertain at best.

Perhaps because of the complex relationship between transportation policy and land use and because of Blueprint’s uncertain prospects for the success, the DEIR’s treatment of Blueprint is neither clear nor straightforward. The lack of analytical clarity concerning the status of Blueprint and its relationship to the MTP is especially evident in two areas. First, in the assumptions on which the environmental analysis is predicated, the DEIR curiously assumes Blueprint compliance for each of the analyzed project alternatives, but it does not make the same assumption in analyzing the “no project” scenario. Second, when describing mitigation measures that would reduce land use-related impacts of the MTP, the DEIR apparently jettisons the assumption that local governments will fully implement Blueprint on their own and proposes a set of measures to increase the likelihood of Blueprint compliance. Furthermore, the DEIR fails to condition funding of MTP projects on Blueprint compliance. By failing to require inclusion of measures in the MTP that would put teeth in the Blueprint policy, the DEIR fails to

take feasible steps that would reduce the severity of many of the adverse environmental impacts associated with the MTP.

1. The analysis of the “no project” alternative is unjustifiably based on different land use assumptions than those used to analyze the other alternatives. The purpose of describing and analyzing a “no project” alternative is to compare the impacts of approving a proposed project with the impacts of not approving the proposed project. (CEQA Guidelines, Section 15126.6(e)(1).) The “no project” alternative is not ordinarily the same as the existing baseline condition against which a project’s environmental impact is determined. Rather, the “no project” alternative should explore what would be reasonably expected to occur in the foreseeable future if the project were not approved. (CEQA Guidelines, Section 15126.6(e)(2).) As a practical matter, the “no project” analysis often consists of comparing the proposed project to a project that could be built under existing policies and plans. (*Woodward Park Homeowners Assn. v. City of Fresno* (2007) 150 Cal.App.4th 683, 715.)

Consistent with the CEQA Guidelines cited above, the DEIR includes a “no project” alternative that represents “the existing conditions, as well as what would reasonably be expected to occur in the foreseeable future if the project were not approved, based on current plans.” (DEIR p. 22-8.) As a means of projecting likely development under current policies, the “no project” analysis reasonably assumes that the 2006 MTP projects would be carried out. However, the DEIR makes other assumptions about development under the “no project” scenario that appear much less reasonable. It assumes that land use patterns and population growth will also be consistent with the 2006 MTP. By contrast, each of the “build” alternatives analyzed assume “land use projections and population estimates based in year 2035.” (DEIR, p. 22-3.) The DEIR explains the difference between the 2006 and 2035 assumptions:

The land use pattern for the 2035 MTP is significantly more consistent with the Blueprint growth principles than the land use pattern that was the basis for the prior MTP. This is because many of SACOG’s members have chosen to actively implement the voluntary growth strategy, and the market is also headed in a direction that in many ways is consistent with Blueprint growth principles. (DEIR, p. ES-4.)

The “no project” scenario is thus distinct from the other alternatives not only in its assumptions about what transportation projects will be implemented but also in its assumptions about what land use policies have been or will be adopted by the cities and counties in the SACOG region. The DEIR justifies the difference between the 2006 MTP assumptions and the 2035 MTP assumptions by citing voluntary measures and market forces that are already driving the region toward Blueprint-consistent growth patterns. Consequently, the “build” scenarios get credit for the already-implemented voluntary efforts of the land use jurisdictions, as well as market trends toward denser growth, as if implementation of those alternatives was responsible for them. For the “no build” scenario, the DEIR apparently assumes that the trend toward denser Blueprint-style development completely collapses. Attributing the already-existing trend toward Blueprint-style land use to the MTP is not a reasonable assumption. The corollary assumption that the “no project” alternative would effectively stop that trend is equally unjustified.

Any difference in the projected land use and population patterns resulting from implementation of the various alternatives, including the “no project” alternative, should be borne out by modeling rather than built in to the analysis as an assumption. Given the crucial role of land use in determining traffic patterns and traffic-related environmental impacts, attempting to compare alternatives with different land use and population assumptions results in a distorted analysis of potential environmental impacts. Furthermore, this approach obscures the centrality of Blueprint to the region’s environmental health and welfare. Absent any reasonable basis for assuming that the MTP will result in voluntary implementation of Blueprint by local governments, the DEIR should begin with a common set of assumptions regarding land use and population applicable to all alternatives, including the “no build” alternative.

Alternately, if the MTP is amended to include measures that condition the funding of transportation projects undertaken by any local government on the implementation of Blueprint-consistent land use policies by that same local government agency, the assumption of more favorable land use policies under the “build” alternatives becomes justifiable and reasonable. As is discussed below, adoption of measures that would ensure local implementation of Blueprint land use policies would also address deficiencies in the DEIR’s proposed mitigation measures. ECOS therefore urges SACOG to amend the DEIR and MTP to include provisions that would condition any local government’s receipt of SACOG funds on its compliance with Blueprint.

2. The EIR fails to consider mitigation measures that would require local jurisdictions to demonstrate Blueprint compliance as a prerequisite to receiving SACOG funding for transportation projects. When an EIR identifies significant adverse impacts related to a project, it must also identify and describe feasible measures which could minimize those significant adverse impacts. (CEQA Guidelines, section 15126.4(a)(1).) Mitigation measures must be fully enforceable through permit conditions, agreements, or other legally binding instruments. (Pub. Resources Code, section 21081.6(b); CEQA Guidelines, section 15126.4(a)(2); see also *Vineyard Area Citizens for Responsible Growth v. City of Rancho Cordova* (2007) 40 Cal.4th 412, 444.) When several measures are available to mitigate an impact, each must be discussed and the basis for selecting a particular measure shall be identified. (CEQA Guidelines, section 15126.4(a)(1)(B).) When feasible mitigation measures would substantially lessen the significant environmental effects of the proposed project, an approving agency must include those measures in the project. (See Pub. Resources Code, section 21002.)

With respect to many of the traffic- and congestion-related impacts of the MTP, the DEIR clearly relies on local governments’ continued voluntary compliance with the SACOG Blueprint land use plan. In fact, the DEIR attributes 75% of the “improved performance” of the transportation system directly to land use rather than to the specific transportation projects included in the MTP. (DEIR, p. 22-7.) Further, as noted above, the impact analysis for each of the alternatives (other than the “no project” alternative) assumes that SACOG members with land use regulatory authority will ensure that future land use in the region is consistent with Blueprint. Despite the indispensable role of the Blueprint land use plan in reducing traffic and congestion related impacts of the MTP, the MTP contains no measures that condition implementation of future transportation projects on Blueprint compliance by local government agencies. Instead, compliance is assumed in the impact modeling.

Even though the DEIR presumes land use consistent with Blueprint when it estimates the impacts of the various “build” alternatives, it paradoxically acknowledges that local agencies’ continued compliance with the Blueprint is less than certain.¹ After noting that the MTP facilitates the conversion of 3.5% of the total surface area of the Sacramento region from nonurban uses to urban uses, the DEIR proposes to mitigate this impact by implementing a variety of projects designed to encourage local jurisdictions to follow Blueprint principles when approving development. (See Mitigation Measure LU-6, pp. 13-14 and 13-15.) Thus, Blueprint compliance is assumed for purposes of calculating the environmental impacts of the MTP while measures to encourage Blueprint compliance are cited as steps that will further mitigate the environmental impacts that will result even if local governments implement the Blueprint.

As mitigation for the MTP’s impact on regional land use patterns, the activities contemplated in Measure LU-6 do not constitute a fully enforceable mitigation term as required by CEQA. While Blueprint-friendly programs, like development of a form-based code handbook and establishment of a committee to review projects for Blueprint compliance on a voluntary basis, are no doubt valuable, they simply do not ensure that the region will continue to develop according to Blueprint principles. Mitigation measures are intended to be the “teeth” of the EIR that ensure the minimization of adverse environmental impacts. (*Environmental Council of Sacramento v. City of Sacramento* (2006) 142 Cal.App.4th 1018, 1039.) Though Mitigation Measure LU-6 envisions useful SACOG projects, as a mitigation measure it lacks bite.

Although SACOG does not directly control land use decisions made by local jurisdictions, it can and must ensure that the local governments who use funds disbursed by SACOG for MTP transportation projects are implementing land use policies that minimize the significant and unavoidable impacts identified in the DEIR. The DEIR already envisions project-level review of individual projects, at the request of local governments, for Blueprint compliance and thus sets the foundation for meaningful oversight of Blueprint compliance by SACOG. To the extent that the DEIR relies upon or assumes Blueprint compliance to minimize the environmental impacts of the transportation projects included in the MTP, it must also include measures that would allow SACOG to condition future project funding on MTP compliance. Please revise Mitigation Measure LU-6 accordingly.

In conclusion, the deficiencies that ECOS has identified in the DEIR relate to the muddled relationship between the MTP itself and the Blueprint land use policies which, though distinct from the MTP, are indispensable to the mitigation and minimization of its adverse environmental impacts. Amending the MTP and DEIR to include provisions that make funding of any city or county transportation project conditional upon Blueprint-consistent development within that city or county is necessary to make SACOG’s environmental analysis comply with CEQA. In addition, as a policy matter, including language that makes Blueprint enforceable would significantly strengthen the value of the MTP and the Blueprint as regional planning documents. ECOS therefore urges SACOG to amend the MTP and DEIR to incorporate the suggested conditional funding provisions.

¹ Some recent events that cast a shadow over the prospects for the long-term success of Blueprint are cited on p. 1 of this letter.