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January 29, 2022

Via e-mail

Heather Adamson, Planning Director
Association of Monterey Bay Area Governments
24580 Silver Cloud Court
Monterey, CA 93940
hadamson@ambag.org

Re: 2045 MTP/SCS draft EIR

Dear Ms. Adamson:

I write on behalf of LandWatch Monterey County regarding the draft EIR for the 2045 Metropolitan Transportation Plan Sustainable Communities Strategy/Regional Transportation Plan (MTP/SCS).

These comments are informed by the attached comments and analysis prepared by Ben Gould of EcoDataLab regarding the sufficiency of the alternatives analysis in the draft EIR. LandWatch asks that the EIR be revised and recirculated to provide an informationally adequate analysis of an alternative that materially reduces vehicle miles traveled (VMT) and/or attains environmentally superior outcome without failing to meet the project's freight mobility objectives. Mr. Gould's comments demonstrate that such a revision is possible.

A. Revision and recirculation of an informationally adequate alternatives analysis

Although the draft EIR's Alternative 3, the Infill and Transit alternative, was intended to result in lower VMT, it does not actually result in a material VMT reduction. It is nonetheless environmentally superior to the other alternatives because it materially reduces a number of other impacts. However, the draft EIR suggests that it may be inconsistent with the freight mobility goal for the SCS/MTP.

In light of the draft EIR's analysis, LandWatch asked Ben Gould of EcoDataLab to review the draft EIR and the MTP/SCS to determine if Alternative 3 could be revised to further reduce VMT and/or to reduce congested VMT and daily truck hours of delay. Based on Mr. Gould's expert opinion, LandWatch asks that the Alternative 3 be revised to attain additional reductions in VMT and/or freight movement delays.

The purpose of alternatives analyses in an EIR is to consider options that would substantially reduce significant impacts. Since the point of an SCS is to meet VMT and greenhouse gas (GHG) emission reduction targets, an SCS EIR must analyze an alternative that do actually reduce VMT. (*Cleveland National Forest Foundation v. Dan Diego Ass'n of Governments* (2017) 17 Cal.App. 5th 413, 436-437.)

In *Cleveland National Forest*, the court set aside the EIR because the alternatives analysis for the RTP/SCS failed to include an alternative that actually reduced VMT:

> In this case, the EIR's discussion of project alternatives is deficient because it does not discuss an alternative which could significantly reduce total vehicle miles traveled. Although Alternatives 3a and 3b are labeled "transit emphasis" alternatives, the labeling is a misnomer. These alternatives mainly advance certain rapid bus projects, but leave the planned rail and trolley projects largely unchanged. In addition, these alternatives do not provide any new transit projects or significant service increases. In fact, the "transit emphasis" alternatives include fewer transit projects than some of the other non-"transit-emphasis" alternatives.
>
> The omission of an alternative which could significantly reduce total vehicle miles traveled is inexplicable given SANDAG's acknowledgment in its Climate Action Strategy that the state's efforts to reduce greenhouse gas emissions from on-road transportation will not succeed if the amount of driving, or vehicle miles traveled, is not significantly reduced. The Climate Action Strategy explained, "Lowering vehicle miles traveled means providing high-quality opportunities to make trips by alternative means to driving alone such as walking, bicycling, ridesharing, and public transit, and by shortening vehicle trips that are made. This can be accomplished through improved land use and transportation planning and related measures, policies and investments that increase the options people have when they travel." Accordingly, the Climate Action Strategy recommended policy measures to increase and prioritize funding and system investments for public transit and transit operations, increase the level of service on existing routes and provide new public transit service through expanded investments, and improve the performance of public transit with infrastructure upgrades. Given these recommendations, their purpose, and their source, it is reasonable to expect at least one project alternative to have been focused primarily on significantly reducing vehicle trips.
>
> Instead, it appears the project alternatives focused primarily on congestion relief. The Climate Action Strategy provides evidentiary support for the consideration of congestion relief alternatives as it notes, "Eliminating or reducing congestion can lead to more efficient travel conditions for vehicles and greenhouse gas savings." However, the transportation plan is a long-term plan and congestion relief is not necessarily an effective long-term strategy. As the Climate Action Strategy explains, "Measures to relieve congestion also may induce

> additional vehicle travel during uncongested periods, particularly over the long-term, which can partially or fully offset the greenhouse gas reductions achieved in the short-term from congestion relief. Induced demand (sometimes called the rebound effect) in transportation refers to the increase in travel that can occur when the level of service on a roadway or other facility improves. Travelers sometimes respond to faster travel times and decreased costs of travel by traveling more, resulting in increased vehicle miles traveled." (Fns. omitted.) Given the acknowledged long-term drawbacks of congestion relief alternatives, there is not substantial evidence to support the EIR's exclusion of an alternative focused primarily on significantly reducing vehicle trips. The error is prejudicial because it precluded informed public participation and decisionmaking. (§ 21005, subd. (a); *City of Maywood, supra*, 208 Cal.App.4th at p. 386.)

(*Id.*, emphasis added.)

Here, AMBAG's 2045 MTP SCS/RTP DEIR makes the same error.

Alternative 2, Alternative Transportation Modes, would dedicate more funding to alternative and active transportation projects in order to reduce VMT. Surprisingly the analysis concludes that it would actually increase VMT because "[a]lthough this alternative was designed to reduce VMT by providing or promoting alternative transportation modes, it did so by eliminating many roadway improvement projects, some of which would reduce congested and total VMT. As such, the overall VMT within the AMBAG region would increase under Alternative 2, resulting in an increase in GHG emissions." (DEIR, p. 7-19)

Similarly, Alternative 3, Infill and Transit Focus, does not actually attain its objective of materially reducing VMT. The VMT reduction is less than half of one percent, which the DEIR characterizes as "negligible." (DEIR, p. 7-34.)

As Mr. Gould explains, additional reductions in VMT and/or truck delays should be possible in a revised Alternative 3. First, as formulated in the draft EIR, Alternative 3 would spend about 10% less on total transportation projects than the EIR's preferred project. There appears to be no reason to budget fewer dollars for Alternative 3 than the preferred project. If Alternative 3 were revised to spend the same dollar amount as the preferred project, it could include additional projects that would reduce truck delay and further reduce VMT. Mr. Gould give six examples of such projects that could be added and points out that additional projects could also be added within the preferred project's budget.

Second, because bus rapid transit projects attain more VMT reduction per dollar spent than do rail projects, Alternative 3 could further reduce VMT by emphasizing bus rapid transit projects instead of rail projects. Mr. Gould identifies significant rail transit spending in Alternative 3 that could be replaced with bus rapid transit.

LandWatch asks that Alternative 3 be revised as Mr. Gould proposes and the EIR be recirculated to provide an opportunity for meaningful public comment an informationally adequate alternatives analysis.

B. Freight mobility

The DEIR argues that Alternative 3 "would substantially increase congested VMT and would result in increased delay for freight compared to the 2045 MTP/SCS and as such, would not meet mobility goals of the project." (DEIR, p. 7-36.)

First, transportation analysis thresholds of significance may not include a congestion metric such as Level of Service pursuant to SB 743. (Pub. Resources Code, § 21099(b)(3).) Nor should an analysis use "average work trip travel time during peak period" or truck delay hours for the same reason. It would be inappropriate for an agency to introduce a congestion metric to its significance determinations in its alternatives analysis.

Second, it is generally acknowledged that some degree of congestion is necessary to create incentives for alternative transportation mode choice. (See, e.g., the DEIR's discussion of induced travel at pp. 4.14-27 to 4.15-28.) If <u>any</u> reduction in mobility were deemed to be inconsistent with a project's goals, then it would be unlikely that any alternative that promotes alternative transportation could meet those goals.

Third, it is difficult to understand how congestion that occurs primarily at peak hours could result in a complete failure to meet the freight mobility goals. Freight movement systems routinely accommodate peak hour congestion in their planning and operations. It is not clear that the EIR's analysis considered the likelihood that goods movement decision makers would adjust delivery scheduling to reduce the effect of any increases in peak hour congestion.

Finally, the EIR does not provide sufficient information to allow the public to understand its conclusion regarding freight mobility. For example, Appendix C contains the bare conclusion, without supporting analysis, that Alternative 3 would add 231 hours of truck delay to the 8,281 hours of truck delay in the preferred project.

Accordingly, the EIR should address each of the following questions:

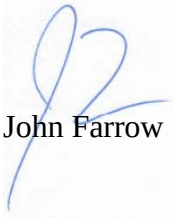
- The EIR should explain how the 231 hour increase was determined.
- The EIR should explain why adding this relatively small increment of truck delay would tip the scale from meeting to not meeting the project's freight mobility objective.
- The EIR should explain what level of truck delay would be consistent with the project's freight mobility goal.

- The EIR should explain whether its analysis considered adaptation strategies by goods movers to further minimize truck delay, including but not limited to scheduling deliveries during off-peak hours.
- The EIR should explain whether Alternative 3 could be revised to meet the truck mobility goal by changing the project mix or by implementing policies, including, but not limited to, working with goods movers to further minimize truck delays through such strategies as schedule adaptations.
- The EIR should determine whether an environmentally superior alternative is possible that does meet freight mobility goals, even if it does not materially reduce VMT.

Thank you for your consideration of these comments.

Yours sincerely,

M. R. WOLFE & ASSOCIATES, P.C.



John Farrow

JHF:hs

Attachments

- Ben Gould, email to John Farrow, January 29, 2022
- Ben Gould, letter to John Farrow, January 26, 2022
- Ben Gould, CV

Forwarded as separate Excel file

- Ben Gould, MTPSCS Project List Analysis.xlsx

Subject: AMBAG MTP/SCS DEIR Analysis
From: Ben Gould <ben@ecodatalab.com>
Date: 1/29/2022, 11:15 AM
To: John Farrow <jfarrow@mrwolfeassociates.com>

Dear John,

Per your request, I have reviewed the AMBAG MTP/SCS DEIR and analyzed the base project and alternatives considered.

Please see my analysis in the attached letter. Attachment 1 is an Excel file containing the detailed breakdown of projects considered by the base MTP/SCS as well as Alternative 3. My CV is also attached.

Please reach out if you have any questions.

Thank you,

Ben Gould

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Ben Gould, President

ben@ecodatalab.com | 510-725-9176

Attachments:

VMT Alt 3 Analysis Letter 012922.pdf	103 KB
Attachment 1 MTPSCS Project List Analysis.xlsx	535 KB
Ben Gould CV for Landwatch.pdf	64.4 KB

EcoDataLab

January 26, 2022

Via email

M. R. Wolfe & Associates, P.C.
Attn: John Farrow
580 California St., Suite 1200
San Francisco, CA 94104

Re: AMBAG MTP/SCS DEIR Alternative 3 Analysis

Dear Mr. Farrow,

At your request, I reviewed the Draft Environmental Impact Report (DEIR) for the Association of Monterey Bay Area Governments (AMBAG) 2045 Metropolitan Transportation Plan / Sustainable Communities Strategy (MTP/SCS) and analyzed the base project and alternatives considered.

I have spent 8 years working with local jurisdictions on climate and sustainable transportation issues, in a range of roles as an appointed official, legislative aide, city analyst, and as a private consultant. My educational background includes a Master of Public Policy and a Master of Science in Environmental Engineering from the University of California, Berkeley, where my graduate research focused on modeling climate policies for California jurisdictions. A full CV is attached.

In my professional evaluation, Alternative 3 was insufficiently developed. As proposed, the alternative would spend $1.4 billion less than the base project on transportation improvements and transit services across the region. This omitted spending could well achieve greater reductions in vehicle miles traveled and greenhouse gas emissions, and/or reduce the projects' impacts on congestion and truck delay to a level consistent with project objectives.

Background

The core of the 2045 MTP/SCS is a 20-year expenditures plan, determining the allocation of over $14 billion[1] in capital and operating expenses for regional transportation infrastructure and programs.

[1] Attachment 1 is an Excel spreadsheet containing each project listed in Appendix B and all Alternative 3 projects listed in Appendix G of the draft EIR. Total amount spent in the base project is calculated at $14.2 billion, based on the line item prices for each project as listed in the relevant appendix.

This plan is developed based upon certain forecasted projections of population and economic growth. These projections include 14% population growth (from 762,241 in 2015 to 869,776, a net increase of +107,535 people) and an increase of 65,000 jobs[2].

With this growth, some impacts are unavoidable – for instance, independent of the MTP/SCS, vehicle miles traveled (VMT) are expected to grow from 17,331,954 in 2020 to 20,041,051 in 2045, and total greenhouse gas (GHG) emissions from 14,996,815 lbs to 11,064,845 lbs[3]. However, the MTP/SCS aims to reduce some of these impacts – for example, under the proposed plan, VMT would only grow to 20,032,142 – a change of -8,909 miles per year, or -0.04%. Unfortunately, the proposed would also lead to slightly higher GHG emissions, increasing to 11,081,610 (a change of +16,765, or +0.15%).

Under the California Environmental Quality Act (CEQA), AMBAG is required evaluate the environmental impacts of the proposed project, as well as those of a reasonable range of alternatives. For this DEIR, AMBAG considered the following three alternatives:

- Alternative 1: "No Project," which considers no further transportation improvements beyond those currently planned through 2024.
- Alternative 2: "Alternative Transportation Modes," which considers prioritizing projects that advance non-automotive means of transportation both locally and regionally.
- Alternative 3: "Infill and Transit Focus," which prioritizes more compact and mixed land uses as well as more funding for regional and interregional transit.

Of the four possible options (base project + three alternatives), Alternative 3 was found to be the environmentally superior alternative. Alternative 3 was found to have the lowest environmental impacts across not only VMT and GHGs, but also aesthetics, agriculture and forestry resources, air quality, biological resources, cultural resources, energy, geology and soils, and tribal cultural resources. As has been found repeatedly in many other jurisdictions across California, more compact and transit-oriented land uses result in lower environmental impacts.

Although Alternative 3 is environmentally superior to the base project, the DEIR suggests that it may not meet the project's freight mobility objective because it "would substantially increase congested VMT and would result in increased delay for freight."[4] The DEIR also

[2] AMBAG 2045 MTP/SCS page 1-6 (26 of 174)
[3] AMBAG 2045 MTP/SCS DEIR Appendix C (page 236 of 565): https://ambag.org/sites/default/files/2021-12/AMBAG%202045%20MTP%20SCS%20RTP%20DEIR%20Appendix%20December%202021-PDF-A_0.pdf
[4] AMBAG 2045 MTP/SCS DEIR, Section 7.6 (page 7-36, 697 of 743): https://ambag.org/sites/default/files/2021-12/AMBAG%202045%20MTP%20SCS%20RTP%20DEIR%20December%202021-PDF-A_0.pdf

concludes that the VMT and GHG reductions in Alternative 3 would be "negligible (less than a one percent change)."

Per your request, I have evaluated these claims and the rigor of the DEIR's evaluation.

Alternatives Analysis

According to data provided in Appendix B of the DEIR, the proposed project includes 936 distinct projects, with a total estimated line item expenditure of $14.209 billion. Of these, only 101 projects ($2.678 bn) are unique to the base project – the remaining 835 ($11.530 bn) are common between both the base and alternative 3.

Alternative 3, meanwhile, consists of the 835 shared projects, plus a mere 11 additional projects, which add only $1.266 billion. As a result, Alternative 3 would spend only $12.797 billion, or about $1.4 billion (10%) less than the base project.

Critically, some of the projects included in the base project that are excluded from Alternative 3 would likely achieve further VMT reductions, improve congestion, reduce truck delays, or all of the above. These include the Live Oak Transit Hub (SC-VAR-P46-VAR), Watsonville Transit Hub (SC-VAR-P47-VAR), and Local Transit Service Restoration and Expansion for Santa Cruz Metro Transit District (SC-MTD-P14-MTD). Other projects with the potential to reduce congestion and truck delays that were omitted from Alternative 3 include improvements to US 101 and State Route 156 (e.g. MON-CT030-SL, MON-CT031-CT, and MON-CT023-CT). Collectively, these six projects have a line item cost of only $515.8 million. Presumably, they (and other projects) could be added to Alternative 3 without exceeding the $14.209 billion proposed to be spent on the base project.

Overall, the majority of the 101 projects proposed in the base MTP/SCS that are excluded from Alternative 3 could be included without exceeding available revenue. Many would likely have substantial effects in reducing truck delays and congestion. While some of these proposals may decrease the VMT savings currently anticipated, others would increase it, potentially cancelling out any impacts. Regardless, Alternative 3 would almost certainly remain the environmentally preferred scenario due to its lower impacts across the board.

Accordingly, the DEIR should consider a revised Alternative 3 that would spend the same total amount as the base project. Additional projects should be added that would further reduce VMT, freight truck delays, and/or congestion.

In addition, a revised Alternative 3 may be able to attain greater VMT reductions by changing the mix of VMT reducing projects to deemphasize rail projects and to increase bus rapid transit projects. Of the 11 projects proposed that are unique to Alternative 3, 90% of the expenditures goes to just 4 projects focused on building out regional rail infrastructure. While rail is critical for high throughput transit service and is a worthy long-term investment for a growing region, rail is also extremely capital intensive for relatively

small VMT reductions, particularly in areas lacking higher density of residents and destinations around transit stops. Bus Rapid Transit (BRT) can often be developed at lower cost than rail, begin operating sooner through the use of existing roadways, and may be able to serve a broader swathe of the community, attaining greater overall VMT reductions.

Alternative 3 includes a mere $78 million extra for BRT projects (including highway transit improvements). While the MTP/SCS and its DEIR do not include the full list of unconstrained projects, nor do they provide a project-by-project level analysis of VMT or freight mobility effects, it may be possible to see still greater reductions in emissions and VMT through greater investment in BRT or other potential transit projects. This could occur either as a shift away from rail infrastructure or simply by using the $1.4 billion in under-allocated funds under Alternative 3.

Overall, it is apparent that the claims that Alternative 3 would only negligibly reduce VMT and that it "would substantially increase congested VMT and would result in increased delay for freight" are in large part due to the fact that Alternative 3 would spend $1.4 billion less overall than the base project. Spending the same amount as the base project may be able to attain greater VMT reductions and/or reduce congested VMT and freight delays.

The DEIR should be revised to assemble and assess a revised Alternative 3 that (1) spends all available funding, on par with the base project evaluated; (2) allocates the additional spending to projects that would reduce VMT and/or freight delay; and (3) selects the most cost-effective VMT-reducing projects - for example, potentially through greater investment in BRT instead of rail projects.

Please let me know if you have any questions regarding this analysis.

Sincerely,

Ben Gould

Ben Gould

Ben Gould

(510) 725-9176 | ben@ecodatalab.com | linkedin.com/in/bgouldberkeley | Berkeley, CA

EXPERIENCE

President July 2020 – Present
EcoDataLab Berkeley, CA

- Providing greenhouse gas inventory development and climate policy analysis consulting services to nonprofits and local jurisdictions in CA, WA, and TX.
- Developed and built standardized off-the-shelf consumption-based emissions modeling software. Created a customizable jurisdiction-specific dashboard and automated policy analysis program to provide best practice recommendations at scale for local governments.

Sustainability Analyst January 2018 – February 2020
San Francisco International Airport San Francisco, CA

- Developed sustainability policy analyses and recommendations for the Airport Director and senior management including energy, carbon, water, waste, transportation, infrastructure, sustainable aviation fuel, and more.
- Led the creation of the Airport's Sustainability Performance Dashboard for tracking and analyzing electricity, natural gas, and water usage.
- Co-managed the Zero Emission Vehicle Readiness Roadmap. Increased the proposed number of EV chargers from roughly 600 to over 2,000 chargers by 2022, and adopted the Mayor's goal of 100% sustainable trips by 2040.
- Maintained and streamlined the Airport's greenhouse gas emissions model.

Graduate Student Researcher January 2016 – May 2017
CoolClimate Network, Energy and Resources Group, UC Berkeley Berkeley, CA

- Built an interactive web simulator for 21 policy variables to model their impact on household carbon footprints across all 58 counties and 700+ cities in California. Analyzed model outputs and provided recommendations for refinement.

Commissioner, Chair (2016, 2019, 2020) September 2014 – present
City of Berkeley Community Environmental Advisory Commission Berkeley, CA

- First to recommend banning natural gas in new construction in 2016, leading to first-in-the-nation law in 2019.

ADDITIONAL EXPERIENCE

Legislative Aide January 2017 – May 2017
Office of Berkeley City Councilmember Lori Droste Berkeley, CA

- Worked with the Councilmember to write legislation. Tracked, analyzed, and recommended votes on ongoing legislation.

Candidate March 2016 – Nov 2018
Ben Gould for Council 2018, Council 2017, Mayor 2016 Berkeley, CA

- Crafted detailed policy platforms across nearly a dozen topic areas. Earned support from State Senators, Mayors, Councilmembers, public and private-sector unions, political clubs, news organizations, and a wide range of policy experts.

Research Intern May 2015 – August 2015
The International Council on Clean Transportation San Francisco, CA

- Built an interactive web visualization of modeled global transportation emissions across 17 global regions, seven pollutants, seven vehicle classifications, and two fuels. Incorporated dynamic modeling of associated health impacts under different policy scenarios.
- Analyzed successes and failures from Brazil's P-7 (Euro V) emissions regulations for heavy-duty trucks. Identified noncompliance issues and drafted recommendations for policymakers.

EDUCATION

Master of Public Policy (MPP); M.S. in Environmental Engineering December 2017
University of California, Berkeley Berkeley, CA
Thesis: *Analysis of a Consumption-Based Model for State & Local Climate Action Policies*

Bachelor of Science, General Biology June 2013
University of California, San Diego San Diego, CA

Certificate, Sustainable Business Practices April 2013
University of California, San Diego Extension San Diego, CA

COMMUNITY SERVICE

Legislative Director, Fossil Free California Feb 2020 – Sept 2020
Board Member, Berkeley Neighbors for Housing & Climate Action Jan 2019 – Present
Chair, The Green Initiative Fund @ UC Berkeley January 2016 – May 2017
President & Co-Founder, Engineers for a Sustainable World @ Berkeley Aug '14 – Dec '15