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Deputy Executive Director, Operations

**MTC PLANNING COMMITTEE  
May 10, 2013  
MINUTES**

**ATTENDANCE**

Chair Sperring called the MTC Planning Committee meeting to order at 9:30 a.m. Planning Committee members in attendance were: Commissioners Azumbrado, Haggerty, Halsted, Kinsey, Luce, and Mackenzie. Commission Chair Rein-Worth and Commission Vice-Chair Cortese were present in their ex-officio capacity. Commissioners' Bates, Campos, and Quan were also in attendance.

ABAG Administrative Committee members in attendance were: Cortese, Eklund, Gioia, Haggerty, Luce, Pierce, Quan, and Sperring.

**CONSENT CALENDAR: a) Minutes of April 12, 2013; b) Plan Bay Area Supplemental Project Performance Assessment; c) Air Quality Conformity Redetermination**

AGAG Administrative Committee member Mayor Pierce moved approval of the Consent Calendar, Supervisor Gioia seconded, Committee member Eklund abstained. Motion passed.

**DRAFT PLAN BAY AREA AND DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR) COMMENT PERIOD – REQUESTS FOR EXTENSION**

Mr. Kirkey stated that MTC and ABAG released the Draft Plan Bay Area on March 22, 2013, followed by the Draft Environmental Impact Report (DEIR) on April 2, 2013. Both documents are out for public review and comment until May 16, 2013. MTC and ABAG have received written and oral comments requesting an extension of the comment periods for both documents.

He noted that the public participation for the Plan began in 2010, and staff made several extensions along the way to allow for additional input from local jurisdictions, stakeholders, and citizens. Mr. Kirkey stated that to allow for a robust discussion of important issues that have been identified in the comment period and ensure compliance with the state and federal statutory requirements, he recommended that the MTC Planning Committee and ABAG Administrative Committee maintain the established comment period deadline of May 16, 2013 for the Draft Plan and DEIR.

Committee comment:

- ABAG Committee member Pat Eklund stated that the issue isn't necessarily commenting on the Plan Bay Area but the comment time for the Draft Environmental Impact Report. She stated that a lot of the environmental organizations have been struggling to get through the document, and to adequately review this document in 55 days.
- Commissioner Kinsey acknowledged that many who are concerned about the Draft Plan Bay Area in Marin County have expressed an interest in having an extension of time. He asked if there could be a short extension to the comment period since even two weeks could be useful. Mr. Ken Kirkey stated that to grant an extension, the Plan would not be able to be adopted in July 2013, and it would require a restart of the Regional Housing Needs Allocation (RHNA) process.
- Commissioner Rein-Worth asked for a description of what's involved in staff's work to review and respond to comments. Mr. Kirkey stated that staff has and will receive a large number of comments that, under law will need to be responded to. Many of the comments are related to transportation and land use, and some are related to the nexus of the two. Staff needs to do enough analysis in advance of the June Planning Committee meeting to make recommendations for revising the Draft Plan. Ms. Miriam Chion, ABAG, commented on the land use portion and stated that they received and will continue to receive many comments from different jurisdictions in terms of the housing allocation. Staff will need to do the appropriate analysis to address these comments. Any adjustment in any jurisdiction will impact other jurisdictions.
- ABAG Committee member Eklund asked if the July 18, 2013 date is a statutory date or could it be moved to August, 2013. Ms. Chion stated that the RHNA process has very specific timeframes, and staff has calculated every single day from the time they started the request for revisions/appeals and the final RHNA approval. Staff cannot change the July 18<sup>th</sup> date. Ms. Chion will provide the RHNA schedule to the committee members.
- Commissioner Luce stated that it is important to give staff as much time as possible to be able to respond to the comments.
- Mayor Pierce stated that this material is not new, and the public has had several opportunities to follow the process and review the material.
- Commissioner Kinsey expressed his support of staff's recommendation, but he is also going to let the folks in his community know that until action is taken on July 18, 2013, he will welcome them to send him their specific comments so he can see if the EIR did respond to those before the environmental document is certified.
- ABAG Committee member Eklund asked staff that if they receive additional comment after the close of the public comment period, will the letters be circulated to the Commission for their review and discussion. Mr. Steve Heminger stated that staff does have legal requirements and whenever the deadline is they are obligated for any comment received before that deadline to respond to it. He noted that the Commission and ABAG Executive Board are the decision-makers and staff will provide these two bodies with whatever information is provided to staff. He noted that if the comment period on the EIR is extended then the Plan must be extended as well. Secondly, he stated that this is a program EIR and every project will have to go through the CEQA process again.

- ABAG Committee member Eklund expressed her support of staff's recommendations recognizing that the Commission will be able to discuss some of the comments that are received after May, 16, 2013.
- Commissioner Campos does support giving more time for comment, but given the limitations he asked the public to get their comments in as quickly as possible as it does make sense to proceed.

Public comment:

- Susan Kurch, Co-founder of Citizen Marin, commented on the first public meeting in May 2011. She stated that the public felt like staff was moving forward with some plans and were not inviting the public to be a part of visioning how they were moving forward to address climate action and greenhouse gases. She commented on the Draft EIR and stated that there are still issues of unrealistic housing and job projections, questions on the inadequate evidence that high density housing near transportation will solve the problem of reducing greenhouse gas emissions, and that there's evidence that the transportation plan may not reduce greenhouse gas emissions because Target #7 finds that the plan will increase the amount of household income that needs to go for housing. Lastly, she stated that there are a total of 44 unavoidable impacts in the Draft EIR, which seems to warrant an extension of 6 months to review the Plan.
- Luke Teyssier, Marin County, urged the committee to extend the deadline for all of the reasons that have been given at the meeting.

Commissioner Spring asked for a motion to maintain the established comment period deadline of May 16, 2013 for the Draft Plan Bay Area and Draft Environmental Impact Report. Mayor Pierce of ABAG moved approval, Supervisor Gioia seconded. Commissioner Haggerty of MTC moved approval, Commissioner Mackenzie seconded. Motion passed unanimously by both committees.

**OTHER BUSINESS/PUBLIC COMMENT**

There being no other business, the meeting adjourned at 9:56 a.m. The Committee's next meeting is scheduled for Friday, June 14, 2013 at 9:30 a.m. in the Lawrence D. Dahms Auditorium, Joseph P. Bort MetroCenter, Oakland, CA.

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