

June 2, 2011

Steve Kinsey, Chair
TAM Board of Commissioners
750 Lindaro St., Suite 200
San Rafael, CA 94901



Re: TAM Draft Response to the Sustainable Communities Strategy (SCS) Initial Vision Scenario

Dear Commissioners:

Marin Conservation League's purpose in writing this letter is to comment on TAM's draft revised response to ABAG on the Initial Vision Scenario, dated June 3. MCL has tracked the implementation of SB 375 since its passage in late 2008 and written articles about it in the MCL Newsletter and on our webpage in an attempt to make the planning terminology more understandable to the general public. We continue to feel a responsibility to educate our readers on the SCS process as it goes forward as well as to make our concerns known to TAM and ABAG and MTC.

We appreciate that TAM has organized an SCS Ad Hoc Committee to provide a "forum" in Marin County for consideration of the Initial Vision Scenario and for proposals that will lead up to selection of an SCS. In MCL's view, however, the Ad Hoc Committee is not a true forum, in that it has provided no opportunity for the public, or for organizations representing the public, such as MCL, to offer comments on the Initial Vision Scenario, Alternative Scenarios, or an SCS. Nonetheless, the list of "SCS Areas of Agreement for Marin County" is a useful starting point. We agree with a number of the points, and disagree with others, evident in our comments below.

As a general observation, MCL believes that a clearly defined role for the general public is lacking. Both the regional agencies who developed the IVS, and local agencies, who will be required to implement the SCS blueprint, are failing to educate the public in a meaningful way. One large public workshop on the IVS, repeated in each of the nine Bay Area counties, does not constitute public education. Indeed the workshops have provoked more negative responses than positive.

Nor are local Marin County jurisdictions, with a few exceptions, educating their own constituencies in any consistent fashion. Your June 3 draft letter states: "The responsibility to comment on the various proposals leading up to, and including, adoption of the SCS, lies solely with individual local governments." TAM appointed an Ad Hoc Committee to develop principles and common themes for Marin County, but its work is being done out of public view.

PHONE: 415.485.6257
FAX: 415.485.6259

EMAIL: mcl@marinconservationleague.org
URL: www.marinconservationleague.org

ADDRESS: 1623-A Fifth Avenue
San Rafael, CA 94901



Given the reality that the SCS will be a blueprint for future transportation and land use for our communities, it is alarming to consider how little the public knows about their future.

SCS AREAS OF AGREEMENT FOR MARIN COUNTY, AND MCL COMMENTS

1. Marin County endorses the value of regional planning with the intent to affect climate change by reducing greenhouse gas emissions (All Marin jurisdictions have already supported climate action on their own).

Comment. MCL recognizes in principle that we are part of a greater bay area community that carries obligations to address regional issues. Many laws, regulations, and policies that are regional in scope, such as bay and shoreline protections, air quality, and water quality regulations, to name a few, are implemented consistently throughout the region regardless of local preferences. Regional planning for local land use, on the other hand, raises a dynamic tension between the pursuit of larger goals that may be “good” for the region as a whole, and the realities of local government, local conditions, and local preferences. This tension was successfully resolved when local Marin County jurisdictions completed individual Climate Action Plans pursuant to the statewide requirements of AB 32. As a next step, SB 375 addresses only one goal of climate action – reducing greenhouse gas emissions from autos and light trucks, and at that, only one strategy, i.e., linking compact development, housing, and transit in a top-down regional land use blueprint for the future. Although the first iteration – the IVS – acknowledges that the Bay Region is made up of different community “types,” it poses a real threat to local control over the amount and location of growth that each community envisions in its own general plan. Until that tension is resolved by acknowledging the legitimacy of local preferences, the evolving SCS will be met with increasing resistance and hostility by a general public that has been largely precluded from the processes of crafting the SCS.

2. The County acknowledges the need to effectively coordinate jobs, housing and transportation investments that maintain a dynamic and growing regional economy that benefits everyone in the Bay Area, while retaining local control over the character of individual communities.

Comment. Continuing the theme of local control, some communities within the region are more welcoming of growth and development and accepting of transformation of small town suburban characteristics to more urban built environments. Some communities are not. Regional agencies, in developing the SCS, should strive to accommodate community-based differences in land use planning goals while still maintaining a viable economy and adequate housing.

3. Marin County recognizes the coming demographic changes to the region (particularly household formation trends and an aging population) and how that will impact housing needs and the demand for housing types other than traditional low density, detached single family development.

Comment. MCL recognizes that demographic changes will influence household formation trends (for example, reduced household size, including single occupant households, and increased need for affordable senior housing). A central problem with the SCS process, however, is that it attempts to solve two distinctly different problems with one solution: it conflates sound affordable housing policy with reduction of greenhouse gases. An enlightened housing policy would disperse affordable housing throughout the community, either at a modest increase in density over traditional single-family residential, as second units, mixed use, or rehabilitated older housing stock – so as to integrate into and diversify existing neighborhoods while maintaining prevailing character. See also # 13, below.

4. The jobs numbers are inflated and need to be reexamined by ABAG staff. The SCS job forecast for Marin is greater than the job growth rate we have experienced between 1995 and 2010. There are virtually no vacant commercially zoned sites remaining in Marin, and there is currently a vacancy rate in excess of 20% for office space.

Comment. After two decades of rapid job growth at a rate that far exceeded household formation in Marin, the growth rate has declined in the past fifteen years. We agree that the IVS jobs number should be reexamined and reduced in light of recent trends and limitations to growth, discussed in #6, below.

5. Regarding overall growth in jobs and housing, the current vacancy rates in Marin indicate that some time will be needed to allow economic recovery sufficient to support further growth. ABAG is encouraged to modify the early year expectations of housing and job growth reflecting that economic recovery is still occurring.

Comment. See #6, below

6. The total projected households for Marin is a reasonable proportion of the growth being planned for the Bay Area.

Comment. For many decades, MCL has been a key player with others in moderating growth in Marin County to be consistent with a geography and topography that physically limit the opportunities for growth, and the availability of services and infrastructure that must support development in the County. Marin County is reliant on water supplies that have absolute limits, an overburdened transportation network (not just the 101 corridor), underfunded local public transit system, and other infrastructure that can only support a limited rate of growth. Although the 10 percent household growth projected for the County over the next 25 years corresponds with projections in the 2007 Countywide Plan, we contend that this may be unrealistic even in a 2040 or 2050 timeframe, without bringing about a fundamental change to the fabric of all Marin communities, especially along the 101 corridor.

7. Marin has designated 84% of the total county area as preserved open space, the home of federal, state, and local parks and recreational areas and facilities. Marin's role in providing recreational space for the Bay Area should be taken into consideration in the allocation of regional transportation funds. There is a need for funding for roads, transit, and bike/ped facilities to support these Bay Area-wide recreational attractions. Funding is critical to maintain and grow our recreational economy.

Comment. MCL agrees with the premise that Marin plays a significant role in providing open space and recreational opportunity for the entire Bay Area and this should be recognized in the allocation of transportation dollars. The emphasis on recreation is an obvious ploy to gain transportation dollars to support recreational growth. Missing from this calculus is the significant role played by Marin's public parklands in maintaining essential ecological services – healthy watersheds, habitats largely free of fragmentation, and rich biological diversity. These are irreplaceable services that have intrinsic value as well as recreational value to the region.

8. As one of the Bay Area's top agricultural counties, Marin's economic vitality is dependent on sustaining its farm-to-market economy through the provision of goods movement corridors and appropriate land use development that protects its agricultural lands. Land use/transportation planning in Marin must include recognition of and provisions for protecting our agricultural contributions to the region.

Comment. Again, MCL agrees with the premise that Marin plays a significant role in the Bay Area by providing locally and regionally significant agricultural production and that this should be recognized in the allocation of transportation dollars.

9. Since the basis for the proposed density increases is the reduction of greenhouse gas emissions from passenger vehicles, Marin should be given credit for what will certainly be a high proportion of electric vehicle ownership, powered by Marin Clean Energy.

Comment. Electric vehicles certainly offer an attractive alternative to conventional fuel technology; so do affordable hybrids, which are likely to comprise a much more significant portion of vehicle ownership than expensive electric vehicles in Marin. The full life-cycle energy costs of electric vehicles, and the source of power for battery recharge, whether from renewable or nonrenewable sources, must be acknowledged before this promise becomes a viable negotiating tool.

10. Greenhouse gas emissions are being reduced through innovative programs such as Marin's Safe Routes to School program and Non-Motorized Transportation Pilot Program. Credit should be given to the affect these programs have and will continue to have on reducing greenhouse gases, through effective facilities and programs that support behavioral changes.

Comment. We suggest that the Non-Motorized Transportation Pilot Program be dropped from this point, since it was a one-time program whose grant funds have been fully allocated.

11. The desired increases in density in already developed areas is dependent upon not only sustaining transit funding, but successfully addressing the historical needs for additional funding of transit and alternative modes of transportation. Both efficiencies in existing systems along with additional revenues must be pursued regionally to achieve climate goals with maintaining a reasonable quality of life.

Comment. See #13, below.

12. ABAG, MTC, BCDC, and BAAQMD need to coordinate their CEQA guidelines and impact thresholds to support the implementation of the SCS, and not create impediments.

Comment. Implicit in this principle is the notion that the environmental benefits provided by protecting the Bay and its shoreline and providing the science and tools to adapt to future sea-level rise (BCDC); protecting air quality (BAAQMD); and identifying and mitigating environmental impacts before they can occur (CEQA) are merely “impediments” in the attempt to accommodate 2,000,000 more people in the Bay Area over the next 25 years! This does a huge injustice to the decades of effort and progress in cleaning up the Bay, our air, and our environment in general. Relief from CEQA if certain standards and criteria (for a sustainable community) are met is an unfortunate “incentive” that is offered in SB 375. Avoiding CEQA also further erodes local control. MCL does not support the frivolous use of CEQA merely to stop development, but has found over almost four decades of experience that CEQA provides tools for analysis and public access to information before decisions are made that few other laws can offer.

13. Development in Marin should be focused along the Highway 101 corridor and around SMART stations. Communities without Highway 101 frontage or SMART stations should encourage nodal mixed use development served by transit. (added)

Comment. MCL supports mixed use development served by transit. However, creating dense, new affordable housing developments along transportation corridors may appear to reduce greenhouse gas emissions – if development is supported by efficient, easy public transit, which is not the case in much of Marin County – but will not necessarily create livable or healthy communities. In particular, creating relatively dense housing in PDAs along the 101 corridor will exacerbate local traffic congestion, even while offering better access to public transit for longer commutes and reduced overall vehicle miles (the “paradox of densification”). Current planning around SMART stations is focused exclusively on developing housing. MTC and ABAG need to recognize that for transit to work efficiently and garner the maximum number of riders, stops must include at least one major employment center. Effective transit must be designed for home-to-work ridership if it is to relieve congestion on regional traffic arterials. Concentrating

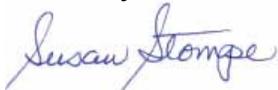
development along the 101 corridor in designated PDAs, especially in southern Marin, also must confront the risk of placing dense housing in areas subject to future sea level rise. Deflecting future growth to San Quentin, a "vision" that has questionable feasibility and has had no public or environmental scrutiny, is not ready for comment.

14. A subsequent land use/transportation plan ideally should be developed over time to refine and detail the development framework described above, with appropriate funding assigned to this planning effort. This planning should include design guidelines to assure that future development reduces vehicular trips, maximizes the use of convenient transit and retains community character. This countywide planning process must include extensive community input . There should be an opportunity at the completion of the regional SCS/RTP to revisit and revise the adopted SCS Scenario for Marin to refine the division of Marin's portion of the Bay Area's planned growth.

Comment. We agree: The countywide planning process must include extensive community input! This has not happened to date.

We appreciate the opportunity to submit our comments to TAM on the IVS and look forward to improved communication with the public as the SCS process moves forward.

Sincerely,



Susan Stompe
President

cc. Mr. Ezra Rapport, Executive Director, ABAG