



**California Clean Energy Committee**

California Clean Energy Committee | 503 Del Oro Avenue, Davis, CA 95616-0420

Voice: 530-756-6141 | Facsimile: 530-756-5930

<http://www.californiacleanenergy.org>

November 18, 2019

SACOG  
1415 L St. #300  
Sacramento CA, 95814

Attention: MTP/SCS Comments or EIR Comments

Re: Comments on Final Environmental Impact Report  
2020 Metropolitan Transportation Plan/Sustainable Communities Strategy  
SCH No. 2019049139

To Whom It May Concern:

This letter will constitute comments by the California Clean Energy Committee (CCEC) on the Final Environmental Impact Report for the for the 2020 Metropolitan Transportation Plan/Sustainable Communities Strategy, issued September 23, 2019. These comments are classified by refer to the numbers SACOG assigned to its responses to the CCEC letter. No attempt is made here to repeat information that has been previously provided, all of which should be consider to be incorporated herein by reference.

It should be noted that SACOG's response to CCEC's comments was first received by CCEC along with the agenda notice for the SACOG Board meeting, set for Monday November 18, when the proposed MTP/SCS would be approved. This schedule has made it impossible to provide SACOG with a reply before the SACOG Board meeting on November 18. As it is, CCEC has had approximately one business day to prepare its response to comments and has been unable to undertake an extended review of the agency's response to comments and of the final EIR.

**Comment 6-7**

The response states that no specific alternative suggestion is provided. The alternative suggestion is a project design that incorporates the measures discussed in the comment letter.

**Comment 6-17**

The response asserts that there is no specification of why the comparison to the 2017 Scoping Plan is insufficient. As stated in the comment, comparison to the 2017 Scoping Plan is not sufficient because the scoping plan is a set of policies and objectives and not a set of regulations or requirements that could be used as a threshold.

**Comment 6-21**

The response points to a reduction in GHG emissions of 7 percent in mobile source emissions between 2030 and 2040 and rejects the criticism that emissions remain the same during that period. If there would be a 7 percent reduction, that does not resolve the problem which is that the proposed plan fails to show that during the 2030 to 2040 decade it would achieve expected progress toward the statewide goal of 80 percent below 1990 levels by 2050. The EIR chooses to ignore this issue, but the 2017 Scoping Plan requires a reduction from roughly 260 MMT emissions in 2030 to roughly 80 MMT in 2050. (2017 Scoping Plan, p. 18.) It should be recognized that those will be reductions in emissions that could not have been achieved earlier, likely because they are reductions that are difficult to achieve. SACOG should do the calculations and disclose that a 7 percent rate of decline during that decade is not consistent with the 2017 Scoping Plan. The following chart shows that the data in the 2017 Scoping Plan effectively calls for a 35% reduction in GHG emissions between 2030 and 2040. A 7 percent reduction clearly does not meet state goals.

<b>GHG Emission Reductions under 2017 Scoping Plan</b>			
	<b>2030</b>	<b>2040</b>	<b>2050</b>
<b>Target Emissions in 2017 Scoping Plan (MMT)</b>	<b>260</b>	<b>170</b>	<b>80</b>
<b>How Much of 2030 Emissions Remain</b>	<b>100%</b>	<b>65%</b>	<b>31%</b>

This should be fully discussed as a significant adverse impact due to inconsistency with the 2017 Scoping Plan.

### **Comment 6-23**

No explanation has been given of how the results would have differed if EMFAC2017 had been used. Nothing suggests that the EPA approval was necessary before EMFAC2017 could be used for CEQA analysis.

### **Comment 6-26**

CCEC has requested that SACOG explain how the CalEEMod model has calculated air quality and GHG emissions. SACOG's responses apparently state that SACSIM analyzes vehicle activity in the region in view of the built transportation network, consumer transportation demand, and land uses. The SACSIM computer analysis is output in the form of vehicle activity files. The assumptions or variations made in this process have not been explained or disclosed. Apparently, a number of land use scenarios and time frames were modeled in SACSIM. What they were or what data was relied upon should be disclosed.

EMFAC 2014 was an EPA-approved computer modeling program, which SACOG had available at the time the NOP was published. The vehicle activity files produced by SACSIM for some unidentified scenarios were read by EMFAC2014. EMFAC2014 contains data about the "vehicle fleet." SACOG does not explain what that data is. The historic data is based on DMV records and future data is based upon a variety of factors including federal and state policies that affect emissions. EMFAC2014 was apparently used to project GHG and air quality emissions. The core of the air quality and GHG analysis remains unsupported and utterly opaque.

The operation of CalEEMod, the inputs that were provided to it, the way it was used, the scenarios addressed, the outputs that were accepted, and the justification for it have not been provided. Essentially, the public is told that it is the recommended model that other agencies use. If anything has been consistent over the decades, it is that unwarranted and irreversible environmental destruction takes place under exactly that kind of cover. SACOG's obligation is to understand the tools that it adopts for environmental analysis and to convey that understanding to the public.

For example, we are told that "CalEEMod was used to estimate criteria air pollutant emissions for the baseline year (2016) and future years out to 2040)." (FEIR 3-85.) Similarly, SACOG asserts that CalEEMod was used "to estimate emissions of air pollutants and GHG emissions from different land use categories." (FEIR 3-85.) It states that CalEEMod based "transportation emissions were based on vehicle miles travelled estimates" produced by SACSIM." (FEIR 3-85.) Yet the agency asserts that mobile source emissions were calculated using EMFAC2014.

Nothing suggests that CalEEMod and the data and direction given to it cannot be explained with a reasonable amount of discussion so that a person of ordinary intelligence

can understand it. The central discussion of this EIR is opaque and beyond the ability of the public to understand or evaluate.

**Comment 6-42**

The comment states that the state guidance referred to in TRN-1 is a January, 2019 ARB advisory and the Technical Advisory on Evaluating Transportation Impacts in CEQA. Neither of these documents has been made available to the public as a part of the draft EIR, and referencing them in a response to comments only days before Board action on the project makes it impossible to address them.

**Comment 6-44**

The response to comments states that mitigation measures TRN-1 would need to be refined and matched to local conditions in subsequent project level environmental analysis. This is unsupported. There is no basis for blanket assertion that every mitigation measure needs tailoring to a specific project. The lead agency bears responsibility for formulating mitigation and cannot delegate that responsibility.

**Comment 6-45**

CCEC suggested that SACOG provide funding and expertise to enable member jurisdiction to update capital improvement programs (CIP) funded by developer fees which frequently are not consistent with SACOG smart growth policies. The agency does not provide a reasoned credible response to the suggestion. Instead it cites various competitive funding programs that serve SACOG goals and asserts that it does not have authority over local capital improvement programs. None of that addresses the point of the comment which is that providing assistance for updating local agencies' capital improvement programs would help direct developer fees toward more sustainable projects.

**Comment 6-46**

CCEC has recommended that the SACOG provide technical support and funding that would allow local agencies to evaluate and require rooftop and parking lot solar photovoltaic generation on new projects. SACOG does not provide a reasoned and supported response. The agency asserts that mitigation measure GHG-2 "requires" SACOG to coordinate and support local agencies in the manner suggested. Mitigation measure GHG-2 only requires SACOG to work with cities to adopt qualified GHG reduction plans. Preparing a plan does not constitute a feasible and enforceable mitigation measure because the plan may never be implemented. SACOG should adopt specific and enforceable mitigation whereby it commits to provide the technical assistance and funding necessary to implement tangible mitigation for the GHG impacts of its project. Mitigation measure GHG-2 does not require any action by SACOG that would actually mitigate the GHG impacts of the project. Climate action plans are notoriously ineffective, unfunded, aspira-

tional, ignored, and out-of-date. Putting SACOG technical expertise and reasonable financial resources behind the implementation of increased renewable energy resources would incrementally increase reliance on renewable energy and thereby mitigate this plan's adverse GHG impacts.

#### **Comment 6-51**

It can be added to this comment that the scope of this analysis is so broad that it serves no purpose. The EIR analyzes the entire residential and commercial energy consumption for the SACOG region, broken down by nothing other than the type of fuel, i.e., electricity, natural gas, gasoline, and diesel fuel. This is to pretend that the only determinant of energy usage in the region is the SACOG regional plan and that whether per capita energy consumption goes up or down in the region is the result of the plan. Obviously many other factors are at work so that the conclusions are speculative. Moreover, even if the conclusions could be justified in that way, the analysis is so general that it provides no information from which it can be determined what part of the plan may have contributed to the result.

The EIR calculates energy consumption for the entire SACOG and concludes that it is not inefficient. (DEIR 8-33.) The definition of the project is not to build every home and vehicle in the Sacramento region. The project definition is simply shifting and unclear. Further, the conclusion that the entire SACOG region is energy efficient because energy usage is expected to fall in view of state regulation is unsupported. For example, tens of thousands of homes in the SACOG are decades old and were built before modern energy efficiency standards were adopted. These homes are highly inefficient. Concluding that there will be region-wide energy efficiency by 2040 without demonstrating how the region's inefficient housing stock will be converted to energy efficiency is unsupported.

#### **Comment 6-61**

The EIR dismissed construction energy analysis asserting that it would be short-term in nature. SACOG's response conceded that construction would occur over the duration of the project. It then pointed to its conclusion that per capita energy consumption would decrease over the time frame of the proposed MTP/SCS. It concluded on that basis that the use of construction energy would not be inefficient. (FEIR 3-97.) The conclusion is unsupported. The fact that overall energy usage in the SACOG region is projected to fall on a per capita basis due to state programs does not demonstrate that energy will be used efficiently in the construction of transportation improvements under the MTP/SCS.

#### **Comment 6-62**

The EIR adopts a meaningless threshold for energy impacts of resulting in wasteful, inefficient or unnecessary consumption of energy. Under this standard, the agency can simply declare the standard satisfied and move on. At a minimum an inefficient use of energy

should include any usage of energy to do work that could be accomplished equally well by using another technology or practice that requires less energy and involves less financial cost. Similarly, any use of fossil fuels to do work should be deemed inefficient when that same work could be done relying to a significant degree on more renewable energy and at an equal or lower financial cost.

**Comment 6-63**

SACOG asserts that it would be speculative to estimate or quantify how the SAFE Rule would affect emissions from the transportation sector because of pending lawsuits to reverse the SAFE Rule. (FEIR 3-98.) The case is exactly the opposite. SACOG's projection of health effects, air quality emissions, GHG emissions, and energy usage in reliance upon computer models which assume that the revoked California standards still apply is speculative and unsupported.

**Comment 6-73**

The response asserts that the additional electric demand from millions of electric vehicles is not a foreseeable consequence of implementing the MTP/SCS. (FEIR 3-100.) This reflects a shifting project description. In the case of other impacts, SACOG asserts that the SAFE Rule should not be considered as limiting the deployment of ZEVs and more fuel efficient vehicles or as resulting in an increased mobile source emissions. Yet in the case of the electric demand from those vehicles, SACOG insists that the EVs are not a foreseeable result or part of the project.

**Comment 6-75**

The response to comment refers to the discussion of utility impacts, but that discussion fails to address the issue of how the increase in electric demand resulting from the project would be supplied with electric power and whether that demand would be served by increased fossil fuel generation.

**Comment 6-78**

CCEC urged SACOG to evaluate the extent to which the proposed project as designed will increase reliance upon renewable energy. (DEIR 3-61.) SACOG's response fails to identify any discussion of renewable energy use in the transportation sector or otherwise. (FEIR, 3-102.) It refers to an analysis of fossil fuel resources.

**Comment 6-79**

SACOG asserts that it is not required to address how different transportation modes will move toward operating on 100 percent renewable energy. (FEIR 3-102.) SACOG is entitled to formulate the analysis, but it is required to provide a supported and detailed

analysis of increased reliance on renewable energy under the proposed plan, whether or not it is able to control that impact. The energy setting should discuss the extent to which the transportation sector is currently relying on battery or fuel cell vehicles. There has been a variety of legislative, executive and administrative initiatives designed to transition the transportation sector toward greater reliance on renewable energy. (DEIR 8-9 to 8-13.) The EIR should address the extent to which the proposed plan is compliant with those policies.

**Comment 6-82**

The EIR should consider whether Sac RT could feasibly be transitioned to 100 renewable energy. Opportunities to increase reliance on renewable generation should be explored as part of the energy analysis, and the energy analysis should consider opportunities to increase reliance on renewable energy.

**Comment 6-83**

The response to comment does not provide a good-faith reasoned response to the comment which is specifically directed at refueling infrastructure for zero-emission trucking, not at electric vehicle charging. The response refers to mitigation measure GHG-2, which as has been pointed out, simply calls for a planning process and does nothing to ensure that mitigation will actually take place. Neither the response nor the EIR address the transition of trucking to renewable energy, which should be a part of the discussion of energy conservation.

**Comments 6-84 to 6-86**

The response to comments fails to point to any discussion in the EIR charging or fueling infrastructure for electric vehicles and hydrogen vehicles. The lack of such infrastructure in existing multifamily housing is a key obstacle to greater reliance on renewable energy in the transportation system. Taking steps toward the implementation of such infrastructure, such as marketing, providing technical support, or a subsidy, would mitigate for the significant GHG impacts of the proposed plan.

**Comment 6-87**

SACOG responds that the EIR quantifies energy consumption within the plan area but that it is "not a plan with the objective to achieve energy savings from the electricity and natural gas." As the EIR demonstrates, the regional transportation systems uses vast quantities of energy, and the efficiency of that usage is a vital public concern. This energy is now predominantly petroleum-based fuels, but the system will increasingly rely on electrical energy as the sector transitions away from fossil fuels over the MTP/SCS planning horizon. The energy threshold adopted calls upon the agency to evaluate the plan for wasteful, inefficient and unnecessary consumption of energy. Energy efficiency is

broadly defined and yet there is effectively no analysis, qualitative or quantitative, of the energy efficiency of the proposed regional transportation system in the EIR. Instead SACOG's nebulous analysis relies upon a conclusion that per capita energy consumption for all purposes across the entire region is expected to decline over the next two decades. Such an analysis does not support the conclusion that the entire region will be energy efficient and even less supports the conclusion that the transportation system proposed in the MTP/SCS will be energy efficient. CCEC has discussed various aspects of energy efficiency in its comment letter.

### **Comment 6-91**

SACOG's response asserts that it is not the role of the draft EIR to evaluate cost-effectiveness. It should be clear that CCEC is not urging the analysis of financial impacts. However, energy efficiency cannot be usefully evaluated in a financial vacuum. An energy usage is inefficient where the same level of energy service can be obtained using other more efficient technology, but that alternative technology must be of equivalent cost or economically feasible. In other words, energy inefficiency cannot be found where the cost of the alternative technology that would use less energy is unreasonable.

### **Comments 6-92 to 6-95**

CCEC's comment letter pointed out that it is energy inefficient to routinely allow freeway traffic to jam by routinely allowing an unlimited number of vehicles to access freeway lanes concurrently. SACOG responds by inquiring how the number of vehicles access freeway lanes to ensure that the system continues to operate at optimal efficiency. There are a number of systems available for this purposes which are described in the supporting documentation along with this letter. And SACOG itself is already started on a solution to this problem with it's HOT lanes program, but that program is far from eliminating the impact. The point is that traffic jams will continue and that this is an energy efficient practice that should be identified and disclosed as such in the EIR. The extent to which there is feasible mitigation is a separate question which should be addressed as well.

**Comment 6-96**

The EIR should evaluate the extent to which TDM has not been implemented in the region and identify that as an energy inefficient practice because TDM results in a greater proportion of the travelling public using energy efficient modes.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Eugene S. Wilson". The signature is fluid and cursive, with a large initial "E" and "W".

Eugene S. Wilson  
California Clean Energy Committee

## APPENDICES

Appendix 84 The Safer Affordable Fuel-Efficient (SAFE) Vehicles Rule Part One: One National Program, Federal Register, Vol. 84, No. 188.

Appendix 85 NREL, "Energy Efficiency Potential in the U.S. Single- Family Housing Stock (Dec., 2017).

Appendix 86 TakeChargeSac.org, Take Charge: Electric Vehicles in the Sacramento Region.

Appendix 87 Texas A&M Transportation Institute, Urban Mobility Report 2019.

Appendix 88 Victoria Transport Policy Institute, Market Principles: TDM Impacts on Market Efficiency and Equity (Mar. 23, 2016).

Appendix 89 Victoria Transport Policy Institute, Pricing Methods: Techniques for Collecting Road, Parking and Vehicle Fees (May 14, 2014).

Appendix 90 Victoria Transport Policy Institute, Road Pricing: Congestion Pricing, Value Pricing, Toll Roads and HOT Lanes (Sept., 2019).

Appendix 91 SemaConnect, Why More Residential Rental Units Need EV Stations (Sept. 20, 2018).

Appendix 92 Wikipedia, Energy Efficiency in Transport.