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February 14, 2012

Mr. Hasan Ikhata  
Executive Director  
Southern California Association of Governments  
818 West Seventh Street, 12<sup>th</sup> Floor  
Los Angeles, CA 90017-3435

Dear Hasan,

On behalf of the Orange County Council of Governments (OCCOG), I would like to commend the Southern California Association of Governments (SCAG) and its staff who worked hard to prepare the draft Regional Transportation Plan (RTP)/Sustainable Communities Strategy (SCS), the Program Environmental Impact Report (PEIR), and associated documents. This effort was monumental and unprecedented in our history and throughout the process collaboration between SCAG and Orange County stakeholders has been exceptional.

The 34 Orange County local jurisdictions and six special districts that comprise OCCOG thank you for the opportunity to comment on the Draft 2012 RTP and associated PEIR.

As you know, Orange County took upon itself the task of developing a subregional SCS. The continued cooperation of SCAG staff and the numerous references throughout the document where the RTP/SCS expressly states that it incorporates the Orange County Sustainable Communities Strategy (OC SCS) into the RTP/SCS document is greatly appreciated.

The OCCOG Technical Advisory Committee (OCCOG TAC), made up of member agency planning staff, created an ad hoc committee dedicated to the review of the Draft RTP/SCS and PEIR. This committee met four times since January 3, 2012, and has collectively spent hundreds of hours since reviewing the draft plan and documents. The OCCOG TAC review and analysis was considered in late January by the OCCOG Board and serves as the basis for OCCOG's comments.

The following general comments and recommendations are offered by OCCOG on the draft 2012-2035 RTP and SCS (draft RTP/SCS) and associated Appendices and draft PEIR (draft PEIR). OCCOG requests that this letter and its attachments be included in the public record as our collective comments on the draft RTP/SCS, PEIR and associated documents.

## 1. **GROWTH FORECASTS**

**Issue: Growth Projections:** The 2012 growth projections identify population, housing and employment data for the six-county SCAG region, from 2008 (existing) to 2020 and 2035. These growth projections represent the best available information from local jurisdictions, the business community, and landowners. However, as time passes, what is feasible for any given project can change. The triggers for change to adopted growth projections can range from factors such as market conditions, new information or data, infrastructure availability, changes in funding availability (such as the dissolution of redevelopment agencies statewide), and changes to jurisdictional boundaries resulting from future annexations and incorporations of previously designated unincorporated territory. SCAG should continue to adopt the 2012 growth projections at a countywide level, consistent with past approvals of the RTP growth forecasts.

A county level of geography accommodates internal adjustments to changing conditions as described above, without compromising the integrity of the overall growth projections. However, approving the growth projections at any lower level of geography, such as at the city level, would be challenged with continual revisions and shifts to the total number of housing, population and employment within a city, among cities, and between cities and counties as a result of the factors described above. Adoption of the data at a level lower than the county would limit jurisdictional control and create inflexibility in a regional planning document. In addition, the level of geography in which RTP/SCS growth forecast is adopted should not be determined by other processes. For example, the Regional Housing Needs Allocation (RHNA) allocations must be consistent with the RTP/SCS; state law does not require that they be identical. The RTP/SCS can be adopted at the county level and the RHNA process may proceed independently until it is completed after the appeals, trades, and transfers are completed. The RHNA allocations that were derived from the growth forecast can still be determined to be consistent with the RTP/SCS, even if changes are made to the city totals during the appeals, trades, and transfers process.

**Growth Projections Recommendation:** SCAG's adoption of the growth forecast numbers should be at the county level, consistent with past RTPs, and not at a smaller level of geography such as city, census tract, or traffic analysis level.

**Issue: Orange County Projections (OCP)-2010 Modified:** On January 26, 2012, the update to the OCP-2010 dataset known as "OCP-2010 Modified" was officially approved by the OCCOG Board of Directors and is a data amendment to the OC SCS. The dataset includes the 2010 Census population and housing data, along with the 2010 Employment Development Department Benchmark data, consistent with SCAG's updated growth forecast dataset. The dataset was provided to SCAG staff in December 2011 and this letter also serves as the formal notice of the update that should be incorporated into the 2012 RTP/SCS, PEIR, and related documents.

**OCP-2010 Modified Recommendation:** All documents, tables, maps, narrative, modeling runs, PEIR Alternatives (including Alternate C/3/Envision 2) referencing

the Orange County growth forecasts should be updated with the Orange County Projections-2010 Modified Growth Projections, as adopted by the OCCOG Board of Directors and consistent with the subregional delegation Memorandum of Understanding (MOU) between OCCOG, OCTA and SCAG.

## **2. DRAFT RTP/SCS**

**Issue: 2012 Draft RTP/SCS:** The RTP/SCS identifies strategies to reduce greenhouse gas (GHG) emissions from cars and light duty trucks. Because counties, jurisdictions and agencies have different needs and feasibility of implementation, we believe these strategies should be clearly identified as a menu of options that can be used to achieve the goal of reduced GHG emissions. However, the document can be construed to suggest that each of the strategies listed in the table on pages 150-153 are necessary to successfully implement the SCS, many of which are beyond SCAG's purview or control. It is requested that the language be clear that it is permissive.

### **2012 Draft RTP/SCS Requests:**

1. **Revise language on page 149: "The following tables list specific implementation strategies that local governments, SCAG, and other stakeholders may use or consider while preparing specific projects which that help can and should undertake in order to successfully implement the SCS."**
2. **Please provide SCAG analysis supporting the strategies in the Draft RTP/SCS Chapter 4.**
3. **Please describe what municipal obligations are anticipated as a result of adopting these strategies as a list to be accomplished rather than a menu of options.**

**Issue: OC SCS Strategies:** There are strategies in the OC SCS that are not included in the regional SCS. Similarly, there are some strategies in the regional SCS that are not consistent with the strategies in the OC SCS. This creates confusion and clarification is needed.

Under SB 375 and only within the SCAG region, subregional councils of government were allowed to prepare subregional plans that SCAG is then required to incorporate into the regional SCS. In Orange County, the OCCOG and the Orange County Transportation Authority (OCTA) developed a countywide or subregional OC SCS that was to be incorporated in whole into the SCAG SCS. Local agencies in Orange County developed the OC SCS and approved it in June 2011. SCAG has incorporated the OC SCS in its entirety into the regional SCS as an appendix to the regional SCS, but it is unclear what the standing is of the OC SCS. The OC SCS contains a set of strategies that were agreed upon by local governments, agencies and other stakeholders within

Orange County and was accepted by SCAG and should represent the SCS that is applicable to the Orange County region.

**OC SCS Strategies Recommendation:** Please revise the text in the last paragraph on page 106 to state: **“These subregional SCS documents are incorporated into the regional SCS and represent the SCS for each of these subregions.”**

### **3. DRAFT PEIR**

**Issue: Mitigation Monitoring Program Intent:** It is unclear how SCAG intends to implement the Mitigation Monitoring Program with regard to the proposed mitigation measures, as may be implemented by local agencies. Section 1-5 of the PEIR specifically provides that “Lead agencies shall provide SCAG with documentation of compliance with mitigation measures through SCAG’s monitoring efforts, including SCAG’s Intergovernmental Review (IGR) process.” It is infeasible for SCAG to require local jurisdictions to report when such mitigation measures are considered for any project. Noting that the SCAG region includes 6 counties, 14 subregional entities and 191 cities, this reporting requirement would surely fall short of expectations. Given this identified infeasibility, please clarify what obligations local agencies may have regarding SCAG’s mitigation monitoring efforts.

#### **Mitigation Monitoring Program Intent Requests/Recommendations:**

- 1. Does SCAG intend to require all jurisdictions that avail themselves of the mitigation measures to report to SCAG when such measures are considered for any project?**
- 2. SCAG’s approval of the PEIR needs to clearly state the intent and applicability of the mitigation measures and the PEIR reflective of our comments below and that mitigation measures do not supersede regulations under the jurisdiction of other regulatory agencies.**
- 3. Add language to Executive Summary and Introduction: **“Mitigation measures do not supersede regulations under the jurisdiction of other regulatory agencies.”****

### **4. Feasibility and Applicability**

On pages 1-5 and 1-7, the language should reflect that Lead agencies will determine the feasibility and applicability of measures and that the measures are intended to offer a menu of options available should a lead agency opt to utilize them. The PEIR makes the assertion on page 1-7 of the Project Description under Transportation Project Mitigation and Land Use Planning and Development Project Mitigation sections that the draft PEIR has made a preliminary determination that all of the mitigation measures in it are considered feasible. SCAG has not identified any analysis that supports the feasibility of the mitigation measures that are to be undertaken by entities other than

SCAG and SCAG staff has stated on numerous occasions that the mitigation measures were intended to be a menu of options for consideration by lead agencies.

**Issue: Mitigation Measures Impose Obligations Beyond Scope of SB 375.** Given the combination of the RTP and the SCS processes, as mandated by SB 375, we recognize that SCAG must undertake the difficult task of balancing the goal of having a coordinated regional transportation system with land use strategies that encourage a more compact use of land. However, a key principle of SB 375 is that it is not intended to supersede local agencies' authority to regulate land uses. Specifically, Government Code section 65080(b)(2)(K) provides, in relevant part that “. . . Nothing in a sustainable communities strategy shall be interpreted as superseding the exercise of the land use authority of cities and counties within the region. . .”

In light of the limitation expressed at Government Code Section 65080(b)(2)(K), we find language in the PEIR, and specifically the mitigation measures therein, imposing affirmative obligations on local agencies within the SCAG region to be inappropriate and contrary to law. The proposed language as recommended below would remedy the legal conflict with Section 65080(b)(2)(K), yet achieve SCAG's recognition that project-specific environmental review is the appropriate level of review for projects that have their own unique, site-specific circumstances.

The revisions are further consistent with OCCOG's understanding that SCAG intended to provide the mitigation measures as a "toolbox" to local agencies for use within their discretion if and when appropriate for projects within their respective jurisdictions. Indeed, from materials presented by SCAG, including the January 26, 2012 workshop held at the City of Anaheim Council Chambers, SCAG explained that **“This PEIR offers a “toolbox” of mitigation measures** for future project-level environmental analyses. . . It also includes suggested mitigation measures for local agencies to consider for implementation, if appropriate and feasible (phrased as “can and should”). This language is permissive and not mandatory upon local agencies.”

**Mitigation Measures Impose Obligations Beyond Scope of SB 375 Recommendations:**

1. Please provide SCAG analysis supporting the feasibility of mitigation measures in the PEIR.
2. Change language on page 1-7 found in 2 places under MITIGATION MEASURES, subheadings Transportation Project Mitigation and Land Use Planning and Development Project Mitigation: **“This Draft PEIR has made a preliminary determination that the proposed mitigation measures are feasible and effective. Therefore, it is reasonable to expect that these agencies will actually implement them where, in the agencies’ independent discretion, the measures are deemed applicable in light specific circumstances at the project level.”**

3. Change language on page 1-5, first paragraph: **“Mitigation Measures proposed in this PEIR are available as tools for implementing agencies and local lead agencies to use as they deem applicable. The implementing agencies and local lead agencies are responsible for ensuring adherence to the mitigation measures as 2012-2035 RTP/SCS projects are considered for approval over time.”**
4. Please make similar text amendments to other sections, including the Executive Summary, of the PEIR that reference how the mitigation measures are to be used by lead agencies.

5. **“Can and Should”**

As indicated in the PEIR on page 1-6, state law provides that it is appropriate to indicate in mitigation measures that they “can and should” be implemented where the authority to implement the measures rests with agencies other than SCAG. The language conveys to local agencies an affirmative obligation to address each mitigation measure, irrespective of whether such agencies deem the measures applicable to a particular project or duplicative of their own or other governmental agencies’ regulatory measures (as discussed in Section 14). OCCOG recognizes that SCAG’s use of the words “can and should” are derived from California Environmental Quality Act (CEQA), at Public Resources Code sections 21081 and 2155.2(b)(5)(B)(ii) and CEQA Guidelines, including section 15091(a)(2). Nevertheless, given the express limitation of SB 375 upon respective local agencies’ land use authority, OCCOG deems any language seemingly imposing affirmative obligations contrary to SB 375 inappropriate. As such, the use of the language “can and should” for mitigation measures addressed to local agencies is inappropriate.

**“Can and Should” Recommendations:** Change language in all mitigation measures identifying entities other than SCAG to read **“can and should consider where applicable and feasible.”** To clarify the intent that the mitigation measures are a menu of options for which feasibility has not been established for any given project, the “can and should” language should be changed in all mitigation measures identifying entities other than SCAG to read **“should consider where applicable and feasible.”**

6. **CEQA Streamlining:**

One of the key components of SB 375 was the inclusion of incentives that provided CEQA streamlining for projects consistent with the objectives of the bill as well as consistent with the SCS. As identified on pages 1-10 through 1-12, for projects to qualify for these incentives, mitigation measures from the applicable environmental document must be incorporated into the project. It is not clear, however, which measures would need to be incorporated into a project for it to qualify, particularly in light of the intent of SCAG for the measures to be a toolbox.

**CEQA Streamlining Recommendations:** Please clarify how the “menu of mitigation measures” from this PEIR is expected to be used by a lead agency as well as which ones lead agencies should address in order for a project to qualify the use of the CEQA streamlining provisions of SB375.

## **7. RTP/SCS Policies**

Please ensure that the discussion of the policies represented by the RTP/SCS in the draft PEIR is consistent with the policies actually in the RTP/SCS. In particular, the bullet list on the page 2-3 is stated to represent the land use strategies of the plan; however, the strategies listed are not specifically identified in the regional SCS. Including different language in the PEIR implies additional policy.

**RTP/SCS Policies Recommendation:** Amend the land use strategies identified on page 2-3 of the Project Description, under the section Purpose and Need for Action to reflect the strategies included in the SCS chapter of the RTP.

## **8. PEIR Mitigation Measures**

By far the most concerning portion of the Draft 2012 RTP/SCS to OCCOG members is the PEIR. Specifically, the proposed mitigation measures included in the PEIR extend to and impact a broad spectrum of technical and policy areas. Many examples of these concerns are included on Attachments 1 and 2 of this letter. In sum, the concerns are that the mitigation measures:

- Appear to go above and beyond the requirements of the Regional Transportation Plan and Senate Bill 375;
- Are measures already required by State and Federal law or are regulated by other agencies such as the South Coast Air Quality Management District, California Department of Housing and Community Development, Fish and Game, and the Regional Water Control Boards;
- Appear to run counter to local control; and
- Are financially infeasible for the agencies responsible for implementation.

## **PEIR Mitigation Measures Recommendations.**

1. In order for the mitigation measures to truly be considered a toolbox of options for consideration by various entities in the SCAG region as intended, all mitigation measures in the PEIR intended for entities other than SCAG should be moved into an appendix to the PEIR and renamed “Sustainability Strategies”. These strategies could then be identified for consideration by lead agencies as mitigation for future projects should

a lead agency choose to do so and deem them applicable and feasible. The PEIR would only retain mitigation measures applicable to SCAG. This action would also require that the Executive Summary, Introduction, and Project Description be updated to reflect the nature of the new appendix of Sustainability Strategies.

2. Remove language within mitigation measures that establishes policies not included in the RTP/SCS or modifies the measure to specify a policy or endorses specific technology which would limit agency authority.
3. In the draft PEIR, please replace text in all mitigation measures that identify policy for either SCAG or other entities with language that reflects either adopted SCAG policies or are policies that are included in the RTP and SCS. Mitigation measures should not be used to establish new policy for the region.

For example:

- MM-TR 17: “SCAG shall (for its employees) and local jurisdictions ~~can and~~ should institute where applicable and feasible teleconferencing, telecommute, and/or flexible work hour programs ~~to reduce unnecessary employee transportation.~~
- MM-TR 23: “Local jurisdictions should consider when applicable and feasible coordinated and controlled intersections so that traffic passes more efficiently through congested areas. Where traffic signals or streetlights are installed, require the use of a feasible, energy efficient Light Emitting Diode (LED) technology.”
- MM-TR 35: “Local jurisdictions should consider where applicable and feasible the adoption of a comprehensive parking policy that ~~discourages private vehicle use and~~ encourages the use of alternative transportation.”

## **9. SCAG Authority**

Several mitigation measures identify actions that SCAG shall undertake to mitigate impacts of the plan. Many appropriately direct SCAG to provide a discussion forum or serve as a central data repository for a broad range of topics that affect the region as a whole. However, many measures inappropriately direct SCAG to establish practices, standards, or policy in areas unrelated to what SCAG has purview over. Further, the measures often appear to be directed at policy implementation that is unrelated to the plan itself, such as implementing AB 32. Such measures will essentially require SCAG to establish policy in areas for which it has no authority. Additionally, it is not clear how SCAG would fund the work efforts because they are not directly related to its mission and, therefore, do not have funding. For example, MM-PS 118 states: “SCAG shall continue to develop energy efficiency and green building guidance to provide direction on specific approaches and models and to specify levels of performance for regionally



significant projects to be consistent with regional plans.” Green building practices and energy efficiency measures are already addressed by various state and federal agencies, as well as by other local organizations. Further, SCAG does not have the authority to specify levels of performance for land use or buildings.

**SCAG Authority Recommendation:** Remove the following mitigation measures for SCAG which it does not have purview for under the law or directed to do by the Regional Council through policy direction. List may not be exhaustive.

MM-BIO/OS 44	MM-LU 42	MM-LU 77	MM-PS 68
MM-BIO/OS 45	MM-LU 47	MM-LU 80	MM-PS 71
MM-BIO/OS 46	MM-LU 48	MM-LU 81	MM-PS 95
MM-BIO/OS 48	MM-LU 51	MM-LU 82	MM-PS 121
MM-GHG 3	MM-LU 53	MM-LU 83	MM-TR 17
MM-GHG 8	MM-LU 56	MM-NO 12	MM-TR 23
MM-GHG 11	MM-LU 57	MM-NO 16	MM-TR 28
MM-LU 9	MM-LU 60	MM-POP 1	MM-TR 35
MM-LU 21	MM-LU 61	MM-PS 3	MM-TR 83
MM-LU 22	MM-LU 64	MM-PS 14	MM-TR 85
MM-LU 24	MM-LU 65	MM-PS 25	MM-TR 96
MM-LU 26	MM-LU 69	MM-PS 37	MM-W 34
MM-LU 32	MM-LU 71	MM-PS 39	MM-W 59
MM-LU 34	MM-LU 74	MM-PS 41	MM-W 60
MM-LU 41	MM-LU 75	MM-PS 67	MM-W 65

## 10. **SCAG Mitigation Measures**

It would be helpful to understand how SCAG will implement the mitigation measures that it is assigned to do. Many of the mitigation measures will expand SCAG’s role into areas that are not currently under its purview and are under the jurisdiction of other entities. Many also constitute significant work efforts.

**SCAG Mitigation Measures Request:** Please explain how the actions and programs required by the measures SCAG is assigned to do would be funded to ensure that they are truly feasible for SCAG to undertake.

## 11. **Ensuring Outcomes**

SCAG has limited authority in many of the areas included in the measures and will not be able to ensure impacts are mitigated and that the outcomes identified do actually occur. SCAG can assist, offer information, educate, and provide discussion forums for topics outside its area of jurisdiction; however, it is not possible to “ensure” that outcomes are achieved for things that are outside of its purview.

**Ensuring Outcomes Recommendation:** Remove all references within mitigation measures that SCAG will “ensure” or “shall minimize impacts” that result from a mitigation measures.

**Example:**

**MM-CUL17:** ~~“Impacts to cultural resources shall be minimized through cooperation, information sharing, and SCAG’s shall, through cooperation, information sharing and ongoing regional planning efforts such as web-based planning tools for local government including CA lots, and direct technical assistance efforts such as Compass Blueprint’s Toolbox Tuesday series, provide information and assistance to local agencies to help them avoid impacts to cultural resources.~~ Resource agencies, such as the Office of Historic Preservation, shall be consulted during this process.”

## **12. Fees and Taxes**

Several mitigation measures indicate that local jurisdictions or other entities should implement new fees or propose taxes to pay for a variety of programs or for acquisition of land for preservation. Increases to fees or taxes are issues that could require voter approval and, thus not be approved. They also represent prescriptive means to accomplish the mitigation.

### **Fees and Taxes Recommendations:**

- 1. Reword measures to indicate that a new or increased fee, new tax, or other increase is only an option as a way to implement the mitigation. The following list may not be exhaustive.**

MM-BIO/OS55	MM-PS15	MM-TR30	MM-TR88
MM-LU29	MM-PS63	MM-TR37	MM-TR94
MM-LU53	MM-PS75	MM-TR47	MM-TR96
MM-LU54	MM-PS76	MM-TR52	MM-W6
MM-LU80	MM-PS78	MM-TR60	MM-W32
MM-LU81	MM-PS92	MM-TR69	MM-W52
MM-LU82	MM-PS106	MM-TR74	MM-W58
MM-LU83	MM-PS107	MM-TR75	
MM-POP4	MM-PS113	MM-TR80	
MM-PS12	MM-TR28	MM-TR84	

- 2. Please clarify whether it was assumed that these additional fees were considered feasible and if the new fees that are suggested were considered in the financial plan or economic analysis of the RTP.**

### **13. Guidance Documents**

Guidance documents are there as information sources for consideration; however, they do not represent regulation or establish standards that are required to be achieved. For example, MM-AQ19 inappropriately indicates that project sponsors should comply with the CARB Air Quality and Land Use Handbook (June 2005) which is only a guidance document.

**Guidance Documents Recommendation: Remove references that indicate a compliance with guidance documents from mitigation measures.**

### **14. Duplicative/Existing Regulations**

It is noted that many of the mitigation measures are duplicative of existing regulation or processes (e.g. CEQA review requirements). Under the CEQA, it is intended that measures be identified that will mitigate impacts of the project. Existing regulations are already assumed to be abided by in the evaluation of the impact and the significance of the impact is after all existing regulation is applied. Therefore, mitigation measures should address those actions that need to be undertaken in addition to existing regulation in order to mitigate the impact. Therefore, mitigation measures that simply restate existing regulation are not valid mitigation for purposes of CEQA. Further, it is possible for regulations to change over time. Because of this, restatement of the regulation in the mitigation measures could result in future conflict between the stated mitigation and the regulation. It has become common practice to state that existing regulation will be implemented. When this is done, it is common practice when compliance is used as a mitigation measure to simply state that the responsible entity will simply comply with the regulation. If mitigation measures that restate existing regulation are not removed, then it is requested that the wording of the measures be restated to simply read that compliance with all applicable laws and regulations will be undertaken. Language that could be used is: “Local jurisdictions, agencies, and project sponsors shall comply, as applicable, with existing federal, state, and local laws and regulations.” Similar language is included in some mitigation measures. It is offered that MM-PS 13 is a good example of the type of appropriate language and reads “Project sponsors can and should ensure that projects are consistent with federal, state, and local plans that preserve open space.”

The water section provides another example. The PEIR includes 68 mitigation measures in the Water Resources section regarding water quality. At least 35 of these are related to storm water runoff best management practices (BMPs) that are currently regulated through Municipal National Pollutant Discharge Elimination System (NPDES) Storm Water Permits issued by Regional Water Quality Control Boards. In the SCAG region, there are five water quality control boards each with its own Municipal NPDES Storm Water Permit. The regulations and requirements contained in these permits vary from each other. By listing specific measures in the PEIR that are not included in a project’s applicable Municipal NPDES Storm Water Permit, the PEIR creates conflicting compliance requirements. To eliminate potential conflict with existing regulations, the

mitigation measures regarding specific BMPs should be removed and replaced with a single requirement that each project must comply with its applicable Municipal NPDES Storm Water Permit.

**Duplicative/Existing Regulations Recommendations:**

1. Please remove all mitigation measures listed in Attachment 1 which are duplicative of existing regulations administered by or under the jurisdiction of other agencies. The list may not be exhaustive.
2. For each impact, please add the following language: **“Local jurisdictions, agencies, and project sponsors should comply, as applicable, with existing federal, state, and local laws and regulations.”**

**15. Draconian Mitigation Measures**

Many of the mitigation measures in the Draft PEIR are draconian and need to be removed. One prime example is MM-LU 85. It reads in part “Local jurisdictions can and should reduce heat gain from pavement and other hardscaping including: Reduce street rights-of-way and pavement widths to World War II widths (typically 22 to 34 feet for local streets and 30 to 35 feet for collector streets curb to curb)...” Although reduced street widths may be appropriate in some cases and have been implemented in many jurisdictions, it is inappropriate and counterproductive to require reduced street widths as a mitigation measure in the PEIR. Reduced street widths, for example, generally do not provide space for on-street parking which may result in greater, additional paved areas provided in separate parking lots. A second example is MM-LU15: “Project sponsors can and should ensure that at least one acre of unprotected open space is permanently conserved for each acre of open space developed as a result of transportation projects/improvements.” Measures should support the SCAG Energy and Environment Committee which recommended that the programs build upon existing open space land acquisition and open space programs in the region, tailoring programs to each individual county in the region. These include, but are not limited to, OCTA’s Measure M Mitigation Program, and Transportation Corridor Agency’s open space mitigation program, which has protected 2,200 acres in perpetuity to date. Open space conservation should be pursued in a voluntary manner, working with willing private sector landowners and not be overly prescriptive and specific.

**Draconian Mitigation Measures Recommendations: Remove mitigation measures that are very prescriptive, such as reducing street widths to WW II widths or specifying preferred technology.**

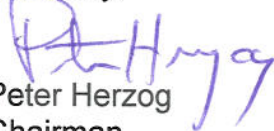
In addition to the above comments, detailed technical comments, language changes, and questions on the RTP/SCS, Appendices, and PEIR documents are included in Attachment 2.

## Conclusion

We recognize the immense efforts it took to prepare these documents. They represent incredibly complex technical work and have important and far-reaching policy impacts for our region. However, because of this importance and complexity, we would like to express concern about the timing of the release of the documents and hope that preparation of future RTP/SCS documents will take into account the need to accommodate adequate review, discussion and revision time for all of the documents. The current timeline of document releases, public comment period, and time allowed for the response to comments results in an inability to have credible discussion regarding possible changes because the timeline does not allow for recirculation or full discussion of requested changes. The documents were released over the holiday season and included the release of the draft PEIR document on December 30, 2011. The minimum 45-day public comment period closes on February 14, 2012. Only a few weeks are provided to prepare responses to comments and amend the documents to ensure that the Regional Council may consider the certification of the PEIR and the approval of the draft RTP/SCS on April 4, 2012.

We appreciate your consideration of all of the comments provided in this letter and its attachments and look forward to your responses. It is a shared goal to have an RTP/SCS adopted that is credible and defensible on all levels. If you have any questions, please do not hesitate to contact me or Dave Simpson, OCCOG's Executive Director.

Sincerely,



Peter Herzog  
Chairman

cc: OCCOG Member Agencies  
OCCOG Board of Directors  
OCTA Board of Directors  
Orange County City Managers Association

**Attachment 1: Mitigation Measures Duplicative of Existing Regulation**  
(Listed by type of regulation measures duplicates)

<b>Air Quality/AQMD</b>	<b>CDFG</b>	<b>Federal &amp; state law</b>	<b>Federal law</b>	<b>Resource agencies</b>
MM-AQ1	MM-BIO/OS1	MM-HM3	MM-LU14	MM-TR33
MM-AQ2	MM-BIO/OS3	MM-HM4	MM-LU30	MM-BIO/OS29
MM-AQ3	MM-BIO/OS4	MM-HM5		MM-BIO/OS30
MM-AQ4	MM-BIO/OS8	MM-HM6		MM-BIO/OS31
MM-AQ5	MM-BIO/OS10	MM-HM7	<b><u>NPDES</u></b>	MM-BIO/OS32
MM-AQ6	MM-BIO/OS11	MM-LU28	MM-AQ16	MM-BIO/OS33
MM-AQ7	MM-BIO/OS17	MM-NO18	MM-BIO/OS19	MM-BIO/OS34
MM-AQ8	MM-BIO/OS18	MM-PS13	MM-GEO5	MM-BIO/OS35
MM-AQ9	MM-BIO/OS21	MM-W36	MM-W1	MM-BIO/OS50
MM-AQ10	MM-BIO/OS22	MM-W37	MM-W13	MM-BIO/OS51
MM-AQ11	MM-BIO/OS23	MM-W38	MM-W58	
MM-AQ12	MM-BIO/OS24			
MM-AQ13	MM-BIO/OS25		<b><u>Flood control</u></b>	
MM-AQ14	MM-BIO/OS26		MM-HM8	
MM-AQ17	MM-BIO/OS27			
MM-AQ18	MM-BIO/OS28		<b><u>Local Agencies</u></b>	
	MM-BIO/OS14		MM-AV11	
	MM-BIO/OS7			
<b><u>State law</u></b>				
MM-AV3	MM-HM10	MM-PS4	MM-PS107	MM-W25
MM-AV6	MM-HM11	MM-PS8	MM-PS113	MM-W26
MM-AV12	MM-HM12	MM-PS10	MM-PS119	MM-W27
MM-BIO/OS20	MM-HM13	MM-PS12	MM-PS122	MM-W28
MM-CUL1	MM-HM14	MM-PS14	MM-TR29	MM-W29
MM-CUL2	MM-HM15	MM-PS16	MM-TR49	MM-W30
MM-CUL3	MM-HM16	MM-PS35	MM-TR55	MM-W31
MM-CUL4	MM-LU10	MM-PS36	MM-TR75	MM-W32
MM-CUL5	MM-LU11	MM-PS37	MM-TR89	MM-W39
MM-CUL6	MM-LU17	MM-PS42	MM-W6	MM-W43
MM-CUL7	MM-LU19	MM-PS43	MM-W8	MM-W46
MM-CUL8	MM-LU20	MM-PS48	MM-W9	MM-W47
MM-CUL9	MM-LU38	MM-PS55	MM-W10	MM-W48
MM-CUL10	MM-LU43	MM-PS56	MM-W11	MM-W49
MM-CUL11	MM-LU44	MM-PS57	MM-W12	MM-W50

MM-CUL12	MM-LU48	MM-PS59	MM-W15	MM-W51
MM-CUL13	MM-LU58	MM-PS61	MM-W16	MM-W52
MM-CUL15	MM-NO1	MM-PS67	MM-W17	MM-W54
MM-CUL16	MM-NO4	MM-PS69	MM-W18	MM-W55
MM-GEO1	MM-NO8	MM-PS71	MM-W19	MM-W56
MM-GEO2	MM-NO9	MM-PS73	MM-W20	MM-W61
MM-GEO3	MM-POP2	MM-PS77	MM-W21	MM-W62
MM-GEO4	MM-POP4	MM-PS89	MM-W22	MM-W64
MM-GEO6	MM-PS1	MM-PS92	MM-W23	MM-W66
MM-HM9	MM-PS2	MM-PS97	MM-W24	MM-W68

Attachment 2: Additional Technical Clarifications on documents are also offered as follows:

### 2012 RTP/SCS

#	TOPIC/ REQUEST	PAGE REFERENCE	RTP NARRATIVE, COMMENT & RECOMMENDATION
1	General Comment	all	<i>All chapter headings should include the Chapter number on each page for ease of reference.</i>
2	Clarification	1, left column	"The 2012 RTP/SCS includes a strong commitment to reduce emissions from transportation sources to <u>comply with SB 375</u> , <del>both</del> improve public health, and meet the National Ambient Air Quality Standards as set forth by the federal Clean Air Act. As
3	Clarification	4, right column	"This region needs a long-term, sustainable funding plan that <u>ensures the region receives its fair share of funding</u> , supports an efficient and effective transportation system that grows the economy, provides mobility choices, and improves our quality of life."
4	Clarification	page 7- Table 2 and page 95- Table 3.3	<i>Is additional \$0.15 gas tax the sum total of both state and federal taxes or \$0.15 each?</i>
5	Clarification	40, left column	"Strategic investments, <u>put forth by the private sector</u> , that would remove barriers associated with telecommuting are expected..."
6	Correction	page 42- Table 2.2	241 toll road completion year is <u>2030</u>
7	Please define in the text and add to a glossary	50, left column	"scrip"
8	Clarification	54, right column	"Express/HO T Lane Network Despite our concerted effort to reduce traffic congestion through years of infrastructure investment, the region's system demands continue to exceed available capacity <u>during peak periods</u> ."
9	Clarification	70, 78	Greenhouse Gases and Air Quality SCAG seems to rely on CEQA to achieve the "maximum feasible" reductions in emissions from transportation. However, this is not consistent with the intent of SB 375's goal of achieving specific thresholds of 8% by 2020 and 13% by 2035 through a sustainable communities strategy plan.



#	TOPIC/ REQUEST	PAGE REFERENCE	RTP NARRATIVE, RECOMMENDATION COMMENT &
			<i>Please provide clarification to this section indicating if the air quality and greenhouse gas CEQA mitigation measures obligate regional agencies and project developers to undertake more strategies, programs and mandates beyond those included in the OC SCS.</i>
10	Clarification	78, right column	<p>"Greenhouse Gases On road emissions (from passenger vehicles and heavy duty trucks) constitute 93 percent of the transportation sector total. <u>Emissions from passenger vehicles, which are the subject of SB 375 and this RTP/SCS, constitute % of the transportation sector's greenhouse gas emissions total.</u>"</p>
11	Clarification	80, left column	<p>Statements are made, such as the following, "the RTP has the ability to affect the distribution of that growth" (in population in the region). These statements could be interpreted to be contrary to SCAG's obligation under the Memorandum of Understanding with OCCOG to respect the strategies and local land use policies in the OC SCS.</p> <p><i>Please clarify how it is in SCAG's ability to affect local change when the OC SCS is consistent with acceptance of local land use plans and planned population and employment distribution?</i></p> <p><i>Recommended text change:</i> "Transportation projects including new and expanded infrastructure are necessary to improve travel time and can enhance quality of life for those traveling throughout the region. However, these projects also have the potential to <u>induce</u> attract more of the regional population growth in certain areas of the region. <u>This means that although</u> <del>Although</del> SCAG does not anticipate that the RTP would affect the total growth in population in the region, the RTP has the ability to affect the distribution of that growth."</p> <p><u>"In addition to induced population growth,</u> transportation projects in the RTP also have the potential to divide established communities, primarily through acquisition of rights-of-way."</p>

#	TOPIC/ REQUEST	PAGE REFERENCE	RTP NARRATIVE, RECOMMENDATION COMMENT &
		82, right column	<p>Text indicates that the RTP and projects in the RTP/SCS as “inducing” growth. It is noted that use of the term “induced growth” has a negative connotation and implies growth above and beyond what would occur naturally. However, it is stated in the RTP that the population, housing, and employment growth totals are fixed and only the distributions may change based on the plan. This means there will not be “new” growth and that the RTP and SCS may simply influence and shift the growth anticipated for the region. This moving of growth is the result of changes in distribution that are due to changes in land use or densities. Because of this, it is requested that references to “induced growth” be reworded to reflect the shifting of growth in the region.</p> <p><i>Recommended text change:</i> “Cumulative impacts from the projected growth <u>induced by the RTP</u> include increased impervious surfaces;...”</p>
12	Clarification	Chapter 3	<p>SCAG’s Financial Plan includes a significant portion of “New Revenue Sources and Innovative Financing Strategies” that are not currently in place or available. While some of the proposed revenues are within the control of SCAG or MPOs and County Transportation Commissions, the majority of the revenues (in terms of dollars) require either state or federal action to implement.</p> <p><i>Please explain what the implications are if these new revenue sources and innovative financing strategies do not become available?</i></p>
13	Clarification	page 95- Table 3.3	<p><del>“Mileage-based user fees would be implemented to replace gas tax and augment estimated at about \$0.05 (2011\$) per mile and indexed to maintain purchasing power starting 2025.”</del></p> <p>Suggested language is from page 31 of Growth Forecast Appendix:  <u>“Current gasoline tax, estimated at about \$0.05 (2011\$) per mile will increase through 2025, then in 2026 it would be replaced with a mileage-based user fee indexed to maintain purchasing power.”</u></p>

#	TOPIC/ REQUEST	PAGE REFERENCE	RTP NARRATIVE, RECOMMENDATION COMMENT &
14	Clarification	105, right column	“While the region was once known worldwide as the “capital of sprawl,” the region today <u>is projecting growth on only a small fraction of the</u> <del>has little</del> raw land <u>available in the region</u> <del>left to accommodate additional growth.</del> ”
15	Clarification	105, right column	“While the region was once known worldwide as the “capital of sprawl,” the region today <u>is projecting growth on only a small fraction of the</u> <del>has little</del> raw land <u>available in the region</u> <del>left to accommodate additional growth.</del> ”
16	Clarification	106	SCAG indicates that the OC SCS has been incorporated into the regional SCS. OCCOG was one of two subregions that undertook the arduous task and obligation of preparing an SCS.  <i>Please add clarifying text that these subregional SCSs, including the OC SCS, represent the Sustainable Communities Strategies applicable to those subregions.</i>
17	Clarification	110, right column	“Municipal water and sewer systems, for example, ensure clean water. At the same time, <del>concrete stormwater runoff channels harm water quality and sprawl eats into open space</del> as areas become more urbanized and the percentage of impervious surface is increased, the hydrologic regime is <u>dramatically altered. Drainage conveyances that once were natural and riparian are required to be engineered as hardened flood control channels to provide adequate protection of private property and public infrastructure from the increased frequency, duration, peak flow, and overall volume of stormwater runoff. With this armoring of once natural channels, water quality benefits from biofiltration are lost along with opportunities for infiltration and evapotranspiration, which can lead to hydromodification downstream in sections which are not yet engineered and hardened. Many strategies...</u> ”
18	Clarification	112, 117	The SCS documents the development of four scenarios to explore basic aspects of future growth. These scenarios were used in public outreach and the SCS and the associated Appendix states that “Using the public dialogue and feedback from the analysis of the SCS Scenarios, SCAG developed

#	TOPIC/ REQUEST	PAGE REFERENCE	RTP NARRATIVE, RECOMMENDATION COMMENT &
			<p>the 2012 RTP/SCS Plan alternatives.” (Similar references are also include at RTP/SCS p. 117, and SCS Background Documentation p. 71). The RTP/SCS and Appendix then describes a process that led to the Plan alternatives. Neither the RTP/SCS, Appendix or PEIR expressly state or illustrate the fundamental land use and socioeconomic foundation for the SCS.</p> <p><i>In order to confirm consistency with the OC SCS, it is requested that SCAG include appropriate tables, graphics and maps that provide the detail that confirm this consistency.</i></p>
19	Clarification	113, 122	<p>The regional SCS states that the scenarios/alternatives were developed using the Local Sustainability Planning Tool (LSPT). The LSPT is a sketch planning tool that flattens geographical areas to a 5-acre grid cell. The OC SCS land use data was provided at much greater level of detail in that specific parcel data and detail were provided by each jurisdiction. A cursory review of some LSPT data reveals inconsistencies regarding interpretation of Orange County land uses.</p> <p>It is acknowledged that the regional SCS states, "Land use inputs for OCCOG SCS were unchanged". Yet use of the LSPT and SCAG Development and Community Types presented in the SCS leave open the question as to whether the OC SCS was altered, as noted above.</p> <p><i>Please provide confirmation that the underlying OC SCS land use data was used without significant alteration and LSPT flattening and interpretation in the development of the regional SCS Plan and alternatives.</i></p>
20 17	Add to glossary	127, right column	“Gentrification”
21	Clarification	128, left column	<p>“Thus, this adjustment allowed the land use pattern to conform more closely to local <del>expectations</del> <u>general plans</u>, while reducing the amount of vehicle miles traveled.”</p> <p><i>Whose/What are “local expectations?”</i></p>

#	TOPIC/ REQUEST	PAGE REFERENCE	RTP NARRATIVE, COMMENT & RECOMMENDATION
22	Clarification	149, right column	<p><i>Revise language to clarify that SCAG intends policies, strategies, and measures are a menu of options.</i></p> <p><i>“The following tables list specific implementation strategies that local governments, SCAG, and other stakeholders <u>may use or consider while preparing specific projects which would help can and should undertake in order</u> to successfully implement the SCS.”</i></p>
23	Clarification	150-152	<p>The OC SCS was accepted by SCAG and represents the set of strategies and the growth distribution that outlines the best approach for how the requirements of SB 375 would be met within the subregion. Specifically, the OC SCS included 15 specific Sustainability Strategies, reflecting a menu of 222 practices and actions that OC agencies have agreed to pursue (or continue to pursue) to achieve GHG reductions that support SB 375.</p> <p><i>Why doesn't the regional SCS specifically acknowledge these 15 strategies yet include other strategies and performance measures not included in the OC SCS (e.g., Locational Efficiency)?</i></p>
24	Add to glossary	166, right column	“Greenfield”
25	Clarification	194, right column	<p>“In addition to these targeted outreach efforts, all regular and special meetings of the RTP task forces, the Transportation Committee (TC), <u>the CEHD, the EEC,</u> and the SCAG Regional Council are publicly noticed and ...”</p>
26	Clarification	201	<p><i>Please clarify whether the text stating “Long-term emission reduction for rail, with a goal of zero-emissions rail system” is intended to reflect a zero-emissions freight rail system, or whether this goal also applies to passenger rail.</i></p>
27	Clarification	202, 203- Table 7.1	<p>Unfunded operational improvements, of which several are listed on page 203, Table 7.1, include transit station improvements in Irvine, Fullerton, and Santa Ana, bus rapid transit (BRT) in Orange County, and high speed rail (HSR) Phase II.</p> <p><i>Please confirm that these are consistent with the OC SCS.</i></p>

#	TOPIC/ REQUEST	PAGE REFERENCE	RTP NARRATIVE, RECOMMENDATION COMMENT &
28	Clarification	207	Strategic Finance  <i>Please explain what will happen if reasonably foreseeable revenue sources of approximately \$200 million do not become available?</i>
29	Add to glossary	205	"Active transportation"

#### **GROWTH FORECAST APPENDIX**

#	TOPIC	PAGE REFERENCE	NARRATIVE, COMMENT & RECOMMENDATION
1	Updated growth forecast numbers	23, Table 13	In December 2011, Orange County provided SCAG with the revised growth forecast dataset, OCP-2010 Modified, per the OC SCS MOU (official OCCOG Board action 1/26/2012).  <i>Please incorporate revised Orange County numbers (i.e. OCP-2010 Modified) into all reports, tables, exhibits, alternatives, maps, and modeling runs for final RTP.</i>

#### **PERFORMANCE MEASURES APPENDIX**

#	TOPIC	PAGE REFERENCE	NARRATIVE, COMMENT & RECOMMENDATION
1	Clarification	1	The document states, "The performance measures are used to evaluate how well the RTP/SCS addresses the adopted goals and performance outcomes."  <i>Is there any formal role for the performance measures?</i>  ARB will evaluate for SB 375 compliance not based on these measures but based on ARB process.  <i>Please include language clarifying that this is a requirement to demonstrate compliance with federal requirements and not for the obligations under SB 375.</i>

#	TOPIC	PAGE REFERENCE	NARRATIVE, COMMENT & RECOMMENDATION
2	Clarification	1, end of first paragraph	Add statement: <u>“Performance measures and expected outcomes will be used to monitor the RTP/SCS at the regional level; these measures and outcomes are not proposed for use at the subregional or project-specific level.”</u>
3	Clarification	1, column 2	<p>The document states, “The Regional Council will formally adopt the goals and outcomes as part of the final 2012 RTP/SCS.”</p> <p><i>Does this bring any formal obligation to meet goals? Goals are general, flexible, and aspirational rather than specific, as on p.1.</i></p>
4	Clarification	13, Table 8	<p>The RTP/SCS claims an extra 2% CO<sub>2</sub>e emissions reduction in 2035 from the NHTS post-processing analysis. While the RTP/SCS meets the ARB SB375 goal without the extra 2%, we would like to note that the extra 2% could be important if the attorney general raises concerns about backsliding. Consequently, the reliability of the extra 2% reduction should be checked. Questions on the NHTS model are below.</p> <p>It would be useful to know the answers to better judge the quality, although we do note that the report does look like it meets the standards or best practice.</p>
5	Clarification	9	<p>NHTS Model Documentation Report</p> <p><i>Are the auto and bus accessibility variables included in the regression models for 30-mile rings?</i></p> <p><i>In “Number of trips” model – is number of cars, included as an independent variable, the actual or predicted value?</i></p> <p><i>The same question applies to other models.</i></p>
6	Clarification	23, Table 10	<p>NHTS Model Documentation Report</p> <p><i>Were the elasticities for the SCAG NHTS study calculated at sample means, or for each observation and then averaged for the sample?</i></p>

#	TOPIC	PAGE REFERENCE	NARRATIVE, COMMENT & RECOMMENDATION
7	Clarification	24, Test 3	<p>NHTS Model Documentation Report</p> <p>(Compare Trip-Based and NHTS Model): The final test was to compare the results of the Trip-Based Model and the NHTS Model for the same scenarios.</p> <p><i>Please describe the scenarios tested.</i></p>

#### **TRANSPORTATION FINANCE APPENDIX**

#	TOPIC	PAGE REFERENCE	NARRATIVE, COMMENT & RECOMMENDATION
1	Clarification	General	<p><i>What are the implications if revenues other than core revenues do not become available?</i></p> <p><i>Please describe any implications to the ability of the region to meet SB 375 GHG emission reduction targets or the federally required air quality conformity?</i></p>

#### **SCS BACKGROUND DOCUMENTATION APPENDIX**

#	TOPIC	PAGE REFERENCE	NARRATIVE, COMMENT & RECOMMENDATION
1	Please define	53, right column	<p>Housing Options and Mix:</p> <p>Define Larger-lot single family in text</p>
2	Clarification	71-74, 80-83	<p>Alternatives naming: A, B, C</p> <p>Names of Alternatives differ than those listed in the PEIR on pages ES-3 and 1-4.</p> <p><i>Please be consistent with naming protocol for alternatives between two/all documents.</i></p>



#	TOPIC	PAGE REFERENCE	NARRATIVE, COMMENT & RECOMMENDATION
3	Revise language to clarify	71, right column	<p>“Plan Alternative (B)  ... The alternative maintains city-level forecast control totals for both households and jobs, however, within city boundaries shifts are made to focus a much larger share of future growth in a more compact way around HQTAs, <u>except in Gateway and Orange County COG subregions per their SCS delegation agreements.</u> Future housing market demand is expected to shift significantly to small lot single-family, townhomes and multi-family <del>housing</del> housing.”</p>
4	Please define	71, right column	<p>Plan Alternative (B)</p> <p>Define small lot single family in text</p>
5	Revise language to clarify	71, right column	<p>Plan Alternative (C)  “As a result very suburban communities may experience no new <u>housing or employment</u> growth, while some urban areas with very good access to regional transit may experience significant increases in <u>housing or employment</u> growth.”</p>
6	Revise language to clarify	72, left column	<p>“While each alternative is distinctive, a number of parameters remained constant across each alternative: the regional RTP/SCS forecast total for <u>population</u>, households and jobs;...”</p> <p>“Detailed forecast: the detailed distribution of <u>population</u>, households, and jobs across the region...”</p>
7	Revise language to clarify	72, Table D1	<p>Alternatives A &amp; B:  “Controlled to TAZ-based RTP/SCS Forecast for 2020; Controlled to city-level RTP/SCS Forecast for 2020-2035, <u>except in Gateway and Orange County COG subregions per their SCS delegation agreements.</u>”</p> <p>Add statement to table notes: <u>Gateway and Orange County COG subregions’ local input data will not be changed per their SCS delegation agreements.</u></p>
8	Revise language to clarify	74, Table D2	<p>Alternatives A &amp; B:  Add statement: <u>Gateway and Orange County COG subregions’ local input data will not be changed per their SCS delegation agreements.</u></p>

#	TOPIC	PAGE REFERENCE	NARRATIVE, COMMENT & RECOMMENDATION
9	Clarification	75, right column	<p>“Development Types The alternatives are built on, and provides data at, the level of the TAZ, which includes housing units and employment.”</p> <p><i>Please clarify if TAZ is Tier 1, Tier 2, or both.</i></p>
10	Revise language to clarify	79, right column	<p>“Subregional SCSs submitted by the Gateway Cities Council of Governments (GCCOG) and the Orange County Council of Governments (OCCOG) will be <u>respected unchanged</u> and integrated into the alternatives (with possible revisions for Alternative C only).”</p>
11	Clarification	79	<p>The section includes the following language: “Subregional SCSs submitted by the Gateway Cities Council of Governments (GCCOG) and the Orange County Council of Governments (OCCOG) will be respected and integrated into the alternatives (with possible revisions for Alternative C only).”</p> <p><i>Please clearly indicate what the “possible revisions” are and what process would be used to coordinate with Orange County should changes to the socioeconomic data contained in the OC SCS be proposed?</i></p>
12	Revise language to clarify	80	<p>Alternative A Add statement: <u>Gateway and Orange County COG subregions’ local input data will not be changed per their SCS delegation agreements.</u></p>

#	TOPIC	PAGE REFERENCE	NARRATIVE, COMMENT & RECOMMENDATION
13	Revise language to clarify	81	<p>Alternative B</p> <p>It is not clear whether Alternative B is the SCS land use plan. If it is, statements in the appendix lead one to believe the OC SCS foundation has been altered. For example, adjustments made to land uses to locate proximate to High Quality Transportation Areas (HQTAs) and intensification of residential and employment development in HQTAs that diverge from local General Plans as well as implementation of a vehicle user fee are not part of the OC SCS.</p> <p><i>Is Alternative B the SCS land use plan?</i></p> <p><u>Add statement: Gateway and Orange County COG subregions' local input data will not be changed per their SCS delegation agreements.</u></p>
14	Clarification	115, left column	<p>Transit Zoning Code Santa Ana 2011</p> <p><i>Is this a duplicate of the 2010 Santa Ana project?</i></p>

# PEIR

#	TOPIC	PAGE REFERENCE	PEIR NARRATIVE, COMMENT & RECOMMENDATION
1	Revise language to clarify	ES-2	<p>ES contains matrix of mitigation measures which reference project sponsors, local agency, and project implementation agency without definitions. Add definitions into ES at end of ES.1:</p> <p><u>In general, the terms “local agency,” “project sponsor” and “project implementing agency” are used throughout this PEIR to identify agencies, organizations, companies and individuals that will act as lead agencies or project applicants for different types of individual projects. Individual projects that are anticipated to occur pursuant to the 2012-2035 RTP/SCS consist of planning projects (general plans, specific plans, climate action plans, etc.), development projects (including Transit Priority Projects (TPPs) and other similar projects), and transportation projects.</u></p> <p><u>In general, “local agency” is used to refer to a public agency that would propose a planning project or a public infrastructure project and/or an agency that would be lead agency for individual projects. “Project sponsor” is typically used to refer to an applicant (that could be public or private, an organization or an individual) that proposes a project. “Project implementing agency” is used to refer to an agency responsible for implementing a project. In this document, project-implementing agencies are those that are responsible for carrying out (reviewing, approving, constructing) transportation projects.</u></p>
2	Clarification	ES-3, 1-4, Chapter 4	<p>Alternatives’ Naming: No Project Alternative, Modified 2008 RTP Alternative, Envision 2 Alternative; Alternatives 1, 2, 3</p> <p>Names of Alternatives differ than those listed in the SCS Background Documentation appendix on pages 71-74 and 80-83.</p> <p><i>Please be consistent with naming protocol for alternatives between all documents.</i></p>

#	TOPIC	PAGE REFERENCE	PEIR NARRATIVE, RECOMMENDATION COMMENT &
3	Fix numbering	ES-31	Duplicate naming of GHG11 and GHG12
4	Please define	ES-42	LU63- What are the smart growth principles?
5	Please define	ES-42	LU64- What are the benchmarks for smart growth?
6	Fix numbering	ES-51	PS17 & PS18 are missing
7	Fix numbering	ES-53	Duplicate naming of PS36 & PS37
8	Please define	ES-67	TR 34- what are the identified transportation benchmarks?
9	Please define	ES-83, 3.13-42 MM-W43	Define climate change hydrology
10	Please define	ES-40, 3.8-21 MM-LU42	Define urban growth boundary
11	Please define	ES-57, 3.11-49 MM-PS68 & ES-74, 3.12-43 MM-TR96	Define parking cash out program/ cashouts
12	Clarification	1-5	<i>Besides IGR, what other monitoring efforts is SCAG in charge of? (that would require lead agencies to provide SCAG with documentation of compliance with mitigation measures)</i>
13	Language correction	1-6, paragraph 3	Language correction: "The latter <b>former</b> finding..."
14	Language correction	2-5	Sustainability section should be separated.  Language correction: <b>Sustainability.</b> The 2012-2035 RTP/SCS is subject to specific requirements for environmental performance.  <b><u>New paragraph:</u></b> "Beyond simply meeting these requirements, a ..."
15	Language correction	2-5, Table 2-2	"Align the plan investments and policies with <b>while</b> improving..."
16	Please define	2-14	Define "scrip"

#	TOPIC	PAGE REFERENCE	PEIR NARRATIVE, RECOMMENDATION COMMENT &
17	Narrative	2-21	<p>AB 32 is global warming solutions act. SB 375 was determined to be stand-alone legislation. RTP document is not forum to address global climate change and references distract from RTP goal and purpose. “Global warming” and “global climate change” are not interchangeable phrases. References should be removed or, where appropriate, language should be changed to “global warming”.</p> <p><del>Goods movement is also a major source of GHG emissions that contribute to global climate change.</del></p>
18	Clarification	2-27 paragraph 4	<p>Not in SCAG’s authority, nor funding available. Delete sentence:  <del>SCAG will work with local jurisdictions and community stakeholders to seek resources and provide assistance to address any possible gentrification effects of new development on existing communities and vulnerable populations.</del></p>
19	Clarification	2-27 paragraph 5	<p>“The 2012-2035 RTP/SCS land use development pattern accommodates over 50 percent of new housing and employment growth in HQTAs, while keeping jurisdictional totals consistent with local input.”</p> <p><i>Please confirm that there are no changes to the local land use inputs provided by Orange County.</i></p>

#	TOPIC	PAGE REFERENCE	PEIR NARRATIVE, RECOMMENDATION COMMENT &
20	Clarification	2-29	<p>“For purposes of SCAG’s SCS, a Development Type reflects an estimated average density of 22 residential units per acre. However, it is important to note that the designation is a potential ultimate average for the TAZ—and is not an absolute project-specific requirement that must be met in order to determine consistency with the SCS. In other words, the SCS was not developed with the intent that each project to be located within any given TAZ must exactly equal the density and relative use designations that are indicated by the SCS Development Type in order for the project to be found consistent with the SCS’s use designation, density, building intensity and applicable policies. Instead, any given project, having satisfied all of the statutory requirements of either a residential/mixed-use project or TPP, may be deemed by the lead agency to be consistent with the SCS so long as the project does not prevent achieving the estimated average use designations, densities and building intensities indicated by the Development Type within the TAZ, assuming that the TAZ will be built-out under reasonable local planning and zoning assumptions.”</p> <p><i>Does the above PEIR language create a requirement for average TAZ density levels in 2035 and a requirement that each local project not preclude those density levels?</i></p> <p><i>Additionally, please clarify whether in HQTAs, these densities could be exceeded as well as implications of an area that is already fully developed not redeveloping such that it ever achieves the identified densities.</i></p>
21	Please define	3.8-5 paragraph 3,	Define “open space”

#	TOPIC	PAGE REFERENCE	PEIR NARRATIVE, RECOMMENDATION COMMENT &
22	Revise language to clarify	4-39	<p>Envision 2 alternative contains growth projections that would place housing in flight paths, locate housing on sites for which housing is not allowed due to environmental contamination, would significantly impact existing industrial operations necessary to maintain quality jobs in the region, and does not include development projects that are legally allowed due to having existing entitlement for development. Because this alternative does not consider the existing health and safety of future residents nor the existing legal approvals of development in the region, it is not possible to determine if the alternative is actually superior to other alternatives. It is simply another alternative for consideration.</p> <p><i>Please remove references to the Envision 2 (or any other name of this alternative) as being environmentally superior.</i></p> <p><del>ENVIRONMENTALLY SUPERIOR</del> <u>ENVISION 2</u> ALTERNATIVE</p>
23	Revise language to clarify	4-40	<p>“Of the three alternatives, the Envision 2 Alternative would be considered <u>by State CEQA guidelines</u> as the environmentally superior alternative because it does not allow further use of land for single-family development...”</p>