



Bay Area Monitor

A Bimonthly Review of Regional Issues in the Bay Area

Vol. 30, No. 6 June/July 2005

Creating a Bay Area Master Plan for Water



Water-related agencies and their allies in the Bay Area are hoping that two grant applications will bring thousands of dollars to the region and help fund the creation of a regional water plan. However, after months of work preparing the applications and despite the impact of such a plan, few among the general public in the Bay Area know anything about the effort, and some local governments, agencies and stakeholders may need to be brought up to speed when they are asked to support the applications.

The grant money is available from Proposition 50 bonds, approved by voters in November 2002. Chapter 8 of Proposition 50 governs the creation and implementation of Integrated Regional Water Management Plans, known by the barely pronounceable acronym of IRWMPs. An IRWMP is intended to facilitate regional cooperation on issues of water supply, quality and reliability, water recycling and conservation, stormwater and flood water management, wetlands and habitat restoration and creation, and recreation and access. If adopted, a Bay Area IRWMP would help guide future water decisions in the region.

A substantial amount of the work toward creating a Bay Area IRWMP is already being done. The Bay Area IRWMP planning grant applications, which were submitted to the California Department of Water Resources and the State Water Resource Conservation Board in mid-May, are the products of over 2 years of cooperative effort. This head start is crucial, because if the region's applications meet the requirements and funds are awarded in December 2005, the final plan must be complete by

January 2007, approximately one year later. Money spent on the planning effort since the passage of Proposition 50 can count toward the region's required local match if the application is successful and state funds are received.

The Association of Bay Area Governments (ABAG) has taken an active role, initially through the ABAG-CalFed Task Force—a group of elected officials and water agencies, nongovernmental organizations and associations formed to maximize and focus CalFed investments in the region—and also as convener of a broader-based group of stakeholders that have been drawn into the planning process, the Bay Area Water Forum.

A Letter of Mutual Understanding setting out goals and a framework for preparation of the IRWMP was signed in 2004 by 13 public agencies, some of which—such as ABAG and Bay Area Clean Water Agencies—include multiple members. Under this Letter, the geographical scope of the IRWMP has been described as the nine Bay Area counties, although several counties have areas that are outside the San Francisco Bay Watershed.

As a mechanism to coordinate planning, the region's major water districts have defined four "service-function" subgroups, charged with integrating existing plans and identifying links between groups for further integration:

1. Water supply and reliability
2. Recycled water and wastewater management
3. Flood control and stormwater management
4. Watershed management and habitat protection

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Rethinking CEQA: A New Look at Environmental Impact Reports



For more information, including the PPIC report and the draft statutory language: http://ceres.ca.gov/topic/env_law/ceqa/

In early April, the Association of Bay Area Governments' Regional Planning Committee hosted a workshop on improving the California Environmental Quality Act (CEQA). The workshop was one of a series held around the state by the California Center for Regional Leadership to discuss proposed changes in CEQA. The changes have been under discussion by the CEQA Improvement Advisory Group, convened by California Secretary of Resources Mike Chrisman.

Workshop participants were presented with an analysis of the background and current situation regarding CEQA by Elisa Barbour of the Public Policy Institute of California (PPIC). Barbour and Michael Teitz have co-authored a PPIC report on CEQA reform. Sandra Ikuta, from the California Department of Resources, addressed the need for reform. There is particular interest in CEQA exemptions which would apply to infill development, as well as the concept of "front-loading" the planning process by allowing a Master Environmental Impact Report (MEIR) to be done for a large-scale project such as a General Plan which would then apply to smaller projects consistent with the MEIR project.

Discussion by RPC members and input from members of the public focused on the need for better statewide land-use policies and financial assistance to planning bodies such as cities and counties, rather than CEQA changes. Using a MEIR for significant environmental review at the General Plan level was criticized because General Plans are too broad to allow adequate understanding of project-level impacts, and the time between General Plan approval and development proposals means that the analysis often becomes outdated before the specific projects are considered. Several speakers urged more extensive use of specific plans and community-based planning. While participants expressed strong support for adding housing, specifically affordable housing, there was concern that changing CEQA requirements would decrease public participation in the planning process and increase the likelihood of legal challenges to the CEQA process if communities feel excluded. It was noted that an exemption recently added to CEQA for infill housing is rarely used, except in Berkeley.

Although there was agreement that better standards are needed for assessing cumulative impacts, other reasons for changing CEQA, such as the tendency to downsize proposed projects for community acceptance rather than valid environmental concerns, were not fully discussed.

The consensus that seemed to emerge at the end of the workshop was that while changes in the planning process may need to be made, the proposed changes in CEQA do not really address the needs. Reports from the other four workshops around the state indicate that this was a typical response to the proposals. *Leslie Stewart*

Thank you!

We appreciate the recent donations from:

Eric Zell & Associates

Paul McCauley

Sally Nielsen, Hausrath Economics Group

Richard B. Cunningham

Todd H. Everett, Strategic Mapping

The League of Women Voters of the Bay Area Education Fund is a 501(3)c organization. Donations are tax-deductible.



Bay Area Monitor
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A-Mailing and
Printing, Concord.

The *Bay Area Monitor* is produced as an educational project by the LWVBAEF. It is supported by the Alameda-Contra Costa Transit District, Bay Area Air Quality Management District, Bay Area Rapid Transit District, East Bay Municipal Utility District, East Bay Regional Park District, Golden Gate Bridge, Highway and Transportation District, Metropolitan Transportation Commission, the Peninsula Joint Powers Board (Caltrain) and the San Mateo County Transit District, the San Francisco Bay Area Water Transit Authority, and private donations to LWVBAEF.

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Bad Air Day Means Free Ride to Work—BART, Bus or Ferry

In 2004, the Bay Area Rapid Transit District (BART) wrapped several cars in the Spare the Air logo to advertise free morning commutes on Spare the Air days. This year there will be wrapped buses from 8 transit districts around the region carrying the Spare the Air message, and many more transit agencies will be participating in free morning rides throughout the region.

Following the successful program run by BART and the Livermore Amador Valley Transit Authority (WHEELS) in 2004, the Bay Area Air Quality Management District and the Metropolitan Transportation Commission are expanding the Spare the Air/Free Morning Transit Commute Program. Free morning commute rides will be available on all participating transit district vehicles from 4-9 am, for up to 5 Spare the Air days between June 1 and October 14 (except holidays). The program is part of the Air District's annual Spare the Air campaign and MTC's Clean Air in Motion program. It will be funded from the federal Congestion Mitigation and Air Quality (CMAQ) Improvement Program, and Transportation Fund for Clean Air funds. It is estimated that if all five days are used, the program will cost approximately \$4 million.

Nineteen transit operators plan to participate in the Spare the Air/free morning commute promotion:

- ACE
- AC Transit
- BART
- Benicia Transit
- Caltrain
- Central Contra Costa Transit Authority
- City of Alameda (ferries)
- Golden Gate Bridge, Highway and Transportation District
- Livermore Amador Valley Transportation Authority
- San Francisco MUNI
- Napa VINE
- SamTrans
- Santa Rosa CityBus
- Sonoma County Transit
- Tri Delta Transit
- Union City Transit
- WestCAT



- Vallejo Transit/Bay Ferry
- Santa Clara Valley Transportation Authority

Spare the Air alerts are issued when ozone levels are expected to exceed federal standards. This typically occurs on hot, windless days. The alerts will be publicized through the Air District's Spare the Air program and MTC's 511 telephone number and www.511.org transportation information Web site. The Spare the Air program includes other simple things Bay Area residents can do on high-pollution days to help keep air healthy, such as avoiding the use of gasoline powered equipment or postponing the use of household cleaners. MTC's Clean Air in Motion program provides funding for programs that reduce motor vehicle emissions, including car scrappage, car sharing and alternative fuel demonstration projects. *Leslie Stewart*

*For more information:
call 511; visit
511.org,
sparetheair.org and
the web sites of
participating transit
operators.*

Air District Looks Back—and Ahead



The Bay Area Air Quality Management District is celebrating its 50th anniversary—and looking ahead to the next 50 years of improving air quality. An Air District symposium at Yerba Buena Gardens in San Francisco on June 20, 2005 will have the theme of "Journey into the Future", echoing the district's 50th Anniversary theme of "Sparing the Air for a Healthier Future".

The invitational symposium will feature former New Jersey Governor and EPA Secretary Christine Todd Whitman and Dr. Stephen H. Schneider of Stanford, and will introduce a new district focus on the important issue of climate change. The full-day event will feature morning panels reviewing the progress that the district has made in cleaning up the air, while afternoon panels look ahead to a vision of the future, including the discussions of greenhouse gases and climate change. Panelists will include technical and academic experts.

On May 20, the Executive Committee of the Board of Directors voted to send a resolution on climate change to the full board for consideration at their June 1 meeting. If adopted by the Board, the resolution encourages the Bay Area Quality Management District to address climate change. It acknowledges the scientific evidence and potential effects on local weather conditions and the many climate change programs already underway in the region.

New Transit, New Riders: A Policy to Make The Promise Come True



Transit Extensions Subject to Corridor Thresholds (Resolution 3434)

*BART East Contra Costa
Rail Extension*
*BART Fremont to San
Jose*
*AC Transit Berkeley/
Oakland/San
Leandro Bus Rapid
Transit, Phase I*
*Caltrain Downtown
Extension/Transbay
Terminal Rebuild*
*MUNI Third Street LRT
Project, Phase 2 -
New Central Subway*
*Sonoma-Marin Rail
(SMART)*
Dumbarton Rail
*BART/Oakland Airport
Connector*
*Expanded Ferry
Service, Phase 1
(SF to: Berkeley,
Alameda/Oakland/
Harbor Bay, and
South San Francisco)*
*Expanded Ferry
Service, Phase 2
(Alameda to South
San Francisco;
Hercules, Antioch,
Treasure Island,
Redwood City and
Richmond to SF)*

Traditionally, transportation lines came first and then development sprang up alongside. Now scarce transit financing has led to a reversal—communities are being asked to promise and sometimes even deliver station-area growth before transit extensions will be funded and built. The latest example of this trend is a policy being developed for Metropolitan Transportation Commission (MTC) approval in June. The policy details how MTC will guide regional transportation funding for transit extension projects contained in MTC Resolution 3434 to corridors with adequate transit-oriented development (TOD) to support the new transit facilities.

TOD is the preferred method for achieving ridership by providing a base of local residents and/or workers near transit routes. Typically, TOD calls for a higher concentration of jobs or housing in the immediate area of the station, good access through feeder routes and pedestrian and bicycle facilities, and amenities in the station area such as small stores for quick errand-running during the daily commute.

Because each community is different, and transit services can vary from bus to heavy commuter rail and ferries, TOD is not a uniform concept that can be applied in exactly the same way every time. Urban area TOD may rely on office jobs and retail with little or no housing, while “end of the line” suburban TOD may be mixed-use with more housing and is likely to include access from surrounding areas by feeder buses. Flexibility is a strength, but also a challenge—examples of successful TOD can be persuasive, but communities may feel that TOD done in other areas is too dissimilar to their own situation. Other challenges include the need for changes in the traditional ways of allocating parking; reconsidering existing plans for station sites which include businesses whose customers come by car; and the struggle to include affordable housing, which generates more transit ridership, in developments which will easily sell units at market rate given the region’s tight housing market.

Most of these TOD challenges are particularly problematic for agencies such as the transit districts or MTC, because while they have a financial stake in the results, they do not have the final say in land

use decisions. This difficulty is demonstrated by the problem of meshing TOD with the typical timeframe for major transportation projects. While Santa Clara residents may want BART to arrive in San Jose in the next few years, the reality is that residents of any TOD built now around a planned BART station in Milpitas (for example) will have a long wait before they can take a BART train to work—and meanwhile, they will be adding congestion to local streets.

However, if other types of development are allowed on the future TOD area now, they may be too valuable to be replaced by TOD when the BART line does arrive, thereby frustrating any plans based on TOD being in place. This situation already exists in Fremont, where the NUMMI plant occupies land adjacent to a proposed station; this major industry is unlikely to be replaced by TOD and is unwilling to accept residential TOD as a neighbor, creating a jobs-heavy station where planners might otherwise have preferred mixed-use.

Several transit districts in the Bay Area, including the Bay Area Rapid Transit District (BART), and AC Transit, have already developed guidelines for evaluating investment in new routes or extensions. BART’s guidelines for extensions use thresholds measuring anticipated jobs and housing near stations to determine whether ridership will justify the expense of creating and operating the new service. BART, AC Transit and Santa Clara Valley Transportation Authority have design guidelines to help with the development of neighborhoods with good pedestrian access to transit stops and stations.

To address the need for cost-efficiency in transit expenditures while keeping local flexibility, MTC’s policy calls for looking at the entire transit corridor (or expansion project) when TOD potential is evaluated. In the case of the NUMMI plant, it would contribute to meeting any jobs threshold set for the corridor while residential thresholds could be met by other stations. Corridor-level thresholds vary by the mode of transit, with more expensive modes tied to higher thresholds (see table, page 5). Affordable housing is given additional weight so that fewer units are needed to meet the housing thresholds. It is up to local jurisdictions to adopt plans and

zoning for how and where housing and jobs will be sited within the half-mile radius around stations.

Corridor-level thresholds are one key component of the new policy. The other two are local station area plans and new Corridor Working Groups to ensure that the housing and jobs create lively, livable neighborhoods near stations and along key transit corridors. Physical transit extension projects using Resolution 3434 funding (*see sidebar, page 4*) must demonstrate that the thresholds can be met, either through existing development or through station area plans adopted by local jurisdictions. If new station area plans are needed, funding assistance will be available through MTC. The plans will be done by local governments working with transit agencies, ABAG, MTC and the local congestion management agencies (CMAs). A Caltrans grant to MTC will fund a study to determine appropriate parking requirements near transit. Existing TOD guidelines created by transit districts, ABAG and other agencies will be utilized for the station plans. A pilot project for station area planning grants is proposed to begin during Summer 2005 and will be used to refine the process for later funding cycles.

Corridor Working Groups consisting of county congestion management agencies, MTC, and transit districts will be charged with distributing the required housing and jobs within the project corridors. A working group must be formed for each transit extension eligible for Resolution 3434 funding which is subject to the corridor threshold requirements. Some of these groups are already in place in some form and can be adapted to meet the new requirements. They will be coordinated by the CMAs involved and will include the transit agency doing the extension, the local jurisdictions along the corridor, representatives from ABAG and MTC, and other stakeholders with some involvement in the planning or implementation of the project.

The Corridor Working Groups will decide by consensus how to meet corridor thresholds. They will coordinate the development of the station area planning with the development of the transit project, insuring that they move together to match riders with transit when the projects are complete. MTC

Corridor Thresholds Housing Units and Jobs - Average per Station Area					
	BART	Light Rail	Bus Rapid Transit	Commuter Rail	Ferry
Combined Housing Units and Jobs Threshold	13,000	8,000	6,000	5,000	1,500
Housing Unit Minimum (incl. in threshold)	3,500	3,000	2,500	2,000	300

will support the work of the Corridor Working Groups through ongoing studies of "best practices" and other implementation issues.

As a check on how realistic the thresholds are for the future of the planned transit projects, a consultant working for MTC evaluated four projects on the Resolution 3434 list: BART East Contra Costa Rail Extension, Sonoma-Marín Rail (SMART), the Dumbarton Rail Corridor, and BART from Fremont to San Jose. Census 2000 figures show that all of these projects except the Dumbarton Rail Corridor currently fall short of the required thresholds, while ABAG projections to 2030 show all except East Contra Costa Rail meeting the requirements. The consultants' results showed that all four projects could meet the thresholds under the proposed policy, based on analysis of land capacity and market demand for TOD. However, some advocacy groups feel that the thresholds have been set too low and the needed densities to support transit ridership will not be achieved, because actual developments are typically approved at less than the allowed densities.

Once in place, the new MTC policy will be a strong link between local land use decisions and funding for new transit service, without imposing strict regional planning guidelines from the top down. However, it will be important that communities in transit corridors work well together, or thresholds will not be met. If the cooperation, incentives and technical assistance included in MTC's policy and implementation strategies are not effective in creating workable station planning and other TOD

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510-891-4792;

AC Transit design guidelines are online at http://www.actransit.org/environment/urban_planning.wu

Water Plan, *from page 1*



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The Water Bond
Coalition is a
network of more
than 220 cities,
counties, and special
districts, located in
Northern and Coastal
California, concerned
with Proposition 50
funding. Links to the
Letter of Mutual
Understanding and
Proposition 50
Guidelines are on the
Coalition web site at
[http://www.
waterbondcoalition.
com](http://www.waterbondcoalition.com)

Each subgroup has a technical advisory body, and several members from each group sit on a Technical Coordinating Committee. Many agencies have staff representatives on more than one subgroup. Representatives of other groups such as regulatory agencies and environmental organizations have been invited to participate, and staff and consultants from ABAG and the California Bay-Delta Authority serve as resources. The growing pool of participants has broadened the Water Forum's membership far beyond the elected officials involved in the ABAG-CalFed Task Force.

The four subgroups have achieved varying levels of progress toward creating subsets of the final IRWMP. The Water Supply and Reliability group is coordinated by the Bay Area Water Agencies Coalition. Because many of its members are special districts charged with planning for water quality, supply and reliability, such as East Bay Municipal Utility District or Santa Clara Valley Water District, integration of plans has progressed fairly smoothly and rapidly and a draft of the plan was ready for review in early May.

The work of the wastewater/recycled water group has been slower but is expected to be complete by January 2007. The floodwater/stormwater management group has been hampered by the inability of the Bay Area Stormwater Management Agencies Association to participate because of funding. The ecosystem/habitat restoration group is working with the Coastal Conservancy, which will spend \$300,000 in funds from a different Proposition 50 program to assist with the creation of a Bay Area Watershed Management/Habitat Protection and Restoration Plan. When complete, that plan will be integrated into the IRWMP.

ABAG's Regional Planning Committee is drafting a Water and Land Use Element for inclusion in the IRWMP, to satisfy the need for close coordination between regional and local planning for land use and water resources.

Recognizing that the groups have been moving at different rates, the stakeholders decided to pursue two related planning grant applications based on compatible work plans that together will

create the components of the IRWMP. One grant and work plan will focus on water supply and water quality, wastewater, and recycled water. The second grant and work plan will include flood protection, storm water management, watershed management, habitat protection and restoration, and the relationship of water to land use planning in the region. The applications will be judged based on such factors as their effect on water supply reliability, improved water quality, pollution reduction in sensitive habitat areas, water quality and supply improvements for disadvantaged communities, and how they contribute to statewide priorities including watershed management and Delta water quality.

Under the terms of Proposition 50 and related legislation, approximately \$12 million is available statewide for planning grants in this funding cycle, with \$2 million of this designated for coastal watershed management plans. There is a top limit of \$500,000 per grant and a 25% match requirement. Northern California, defined as all of the state north of the Tehachapis, is eligible for 40% of the funds, but the Bay Area is not the only region competing for that money.

Meanwhile, the first funding cycle for implementation grants is also underway, with approximately \$148 million available for these. Projects in implementation grants must be consistent with a completed IRWMP, a "functional plan", or an IRWMP which will be completed by January 2007. These projects must meet objectives such as protecting communities from drought, reducing dependence on imported water, improving water quality, and improving water management in specific ways. Eligible projects can include desalination, removal of non-native plants and creation of wetlands, groundwater recharge, flood control, water banking, watershed management, and flood control and stormwater management, as well as other relevant projects. First-step applications for implementation grants are due in mid-July and a number of Bay Area agencies plan to submit them. Applications which are considered likely to be funded will

(continued on page 8)

Catching Up With Recent *Monitor* Topics

Regional Disaster Plan:

The regional disaster plan, *Taming Natural Disasters*, was adopted by the Association of Bay Area Governments Executive Board in March. The plan provides a template for multi-jurisdictional planning and response. Using the risk and vulnerability tools, with ABAG assistance, local jurisdictions and districts can create an "annex" tailored to their own circumstances, which becomes the Local Hazard Mitigation Plan required by the Federal Emergency Management Agency (FEMA) to receive FEMA hazard mitigation funds. FEMA has already approved ten annexes—ABAG, MTC, BART, the city and county of San Francisco, Santa Clara County, and the cities of Alameda, Gilroy, Milpitas, Santa Clara and Sunnyvale. Other cities, counties and districts will be creating their own annexes over the coming months. (December 2004/January 2005)

Port Security:

At the end of April, the Port of Oakland became the first large shipping port in the nation to automatically screen all arriving international cargo for radioactivity. The detectors will be screening 3500-5000 containers per day at the Oakland facility. Containers on trucks leaving the terminal are scanned by large radiation detectors similar to airport screening devices as the trucks drive slowly through the large portal structures. If a container registers a reading, the truck is sent through a second screener. If the second screening is also positive, the truck is moved out of the traffic lanes and screened with a handheld device. Inspectors also check the listed cargo, because some harmless items—including bananas, which are high in potassium, and earthenware with mineral glazes—have natural levels of radioactivity which can trigger alarms. Other large West Coast ports will have a full array of detectors soon, and they will also be added at land entry points near Tijuana and Blaine, Washington. (December 2004/January 2005)

Port Pollution:

Goods movement issues and the related air pollution and congestion concerns have been the subject of several meetings in West Coast port

cities in recent months. They are also the basis for a number of bills in the current session of the California legislature. Several of the bills would levy a fee per container with varying uses specified, from security to congestion and air pollution mitigation. Other bills would address air quality by requiring the ports of Los Angeles and Long Beach to cap net emissions at the 2001 level, or would treat ports and other areas that are heavily used by diesel-powered vehicles as stationary sources for air quality regulation. Some of the bills active at press time include: AB 1101 (Oropeza); AB 1406 (Karnette); SB 45 (Alarcon); SB 760, SB 762 and SB 764 (Lowenthal); and SB 848 (Dunn). (February/March 2005)

HOT Lanes:

Pilot projects for high-occupancy toll lanes (HOT lanes) may be coming to the Bay Area in more locations than the Sunol Grade on I-680. Current law authorizes two pilot projects in Santa Clara County as well as an additional one in Alameda County. This summer the Santa Clara Valley Transportation Authority (VTA) will be completing a study of all freeways in the county to identify HOT lane candidates. A federal grant is being sought to fund environmental and engineering work in anticipation of a HOT lane project. Meanwhile, Alameda County Congestion Management Agency (ACCMA) and VTA have formed the joint powers authority needed to develop and operate a HOT lane project on the southbound Sunol Grade. ACCMA is also studying how to address equity issues for low-income drivers who may otherwise be priced out of HOT lanes. (April/May 2005)

Publications of interest:

The California Air Resources Board (CARB) recently approved a new publication, *Air Quality and Land Use Handbook: A Community Health Perspective*. Developed over two years with input from local governments, community groups, environmental and business organizations, and local air districts, the handbook contains recommendations on how to consider air quality impacts on sensitive land (continued on page 8)

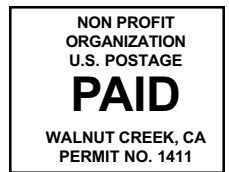


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*New Regional Policy for
Growth Near Transit,
page 4*

Recent Topics, *from page 7*

uses such as schools, homes and daycare centers when siting decisions are made for either the sensitive use or for neighboring uses. *The handbook is available from the CARB Public Information Office, 1001 I Street, First Floor, Environmental Services Center, Sacramento, CA 94814, and is also on the Internet at <http://www.arb.ca.gov/ch/landuse.htm>*

Access Now, a handbook for environmental justice communities interested in better transportation access, was published in late December by the Transportation and Land Use Coalition (TALC). TALC staffer and handbook author Jeff Hobson says the book introduces community members to issues they may want to work on for their neighborhood, as well as to transportation agencies and decision-makers in the Bay Area who can help or hinder progress toward solutions to transportation problems. Chapters such as *Safety and Access While Walking and Bicycling*, and *Reducing the Cost of Transportation*, include examples of what communities have already accomplished as models for others. The handbook is available in English and Spanish, and TALC is also providing training and technical assistance for communities using the guide. *For more information: Jeff Hobson, TALC, 510-740-3102 or the TALC Website, <http://www.transcoalition.org/access>*

TOD, *from page 5*

along corridors, either MTC will withhold funding and some communities will have to do without needed transit, or the policy will be circumvented and scarce transit dollars will be spent unwisely. Ultimately, the policy will be successful only if local officials see the value of it and work to implement TOD in communities that are waiting for new transit projects. *Leslie Stewart*

Water Plan, *from page 6*

be subject to a second round in which a fuller application is submitted for review.

Creating a regional water management plan which includes the roles of multiple agencies and other stakeholders is an ambitious but worthwhile effort. If the applications just submitted are approved, the Bay Area will receive substantial funding toward this goal. All participants in the process will need to put in additional time and resources to successfully complete a plan, particularly with a deadline of January 2007, and they will need to increase public outreach and input from other sectors as they do so.



Leslie Stewart