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VIA E-MAIL

James Goldstene
Executive Officer
California Air Resources Board
1001 I Street
P.O. Box 2815
Sacramento, CA 95812

Re: Comments on Climate Change Draft Scoping Plan (June 2008 Discussion Draft)

Dear Mr. Goldstene:

Thank you for the opportunity to provide comments to the California Air Resources Board (CARB) on the Climate Change Draft Scoping Plan. Under CARB's guideance, California is leading the nation as the state seeks to reduce greenhouse gas (GHG) emissions to 1990 levels by 2020 (under AB32), and move towards 80 percent reductions by 2050 (under the Governor's Executive Order). This enormous challenge will require a tremendous amout of work, innovation, new and creative partnerships, as well as personal action.

The San Francisco Bay Area Rapid Transit District (BART) believes that investment in transit is a vital and proven strategy for reducing greenhouse gas (GHG) emissions, while at the same time providing Californians with more travel choices, facilitating economic expansion, reducing our dependence on oil, and fostering more compact and livable regions. In 2007, BART provided over 1.3 billion passenger miles per year. Because each BART trip is estimated to produce only 14 percent of the per-mile GHG emissions generated by travel by private auto, our preliminary assessment is that BART riders reduce net greenhouse gas emissions by an estimated 0.4 million metric tons ("MMT") C02 per year by choosing transit.

We are submitting the following comments for your consideration:

1. **Regional Targets Too Low.** While the transportation sector contributes nearly 40 percent of statewide GHG emissions, the draft scoping plan only recommends 2 MMT (1 percent) of GHG emissions reductions from "Regional Targets" (such as from low-impact communities and investment in transit). The draft plan relies primarily on ambitious technological fixes such as cleaner fuels and vehicles (35 percent), overlooking proven transportation demand management strategies. [i] This seems inconsistent with the spirit of CARB's Haagen-Smit declaration, as well as research findings identified in *Growing Cooler*, which strongly indicate that reductions from two legs (fuels and vehicles) of the three-legged stool are insufficient to address the magnitude of the reductions needed, for 2020 and beyond. While still maintaining local control, the state should work collaboratively for more reasonable emissions reductions.

The very low emissions reductions recommended from the Regional Targets will have the effect of raising costs for other sectors (vehicles, fuels, energy), and risks relying on emissions reductions from ambitious technology fixes that may take decades to mature and be acceptable in the market place.

2. **Invest Now for 2050**. The Scoping Plan should put more emphasis now on laying the foundation for how the state can achieve the 2050 target, while accommodating the projected 60 millions residents. Cities, regions and the development community need to begin to make changes and investments to reap the benefits of reduced per capita vehicle miles traveled (VMT) enabled by a more compact land use pattern around transit.

3. **Sustain and Expand Transit Funding.** Transit agencies could lose significant operating funds under the current State budget proposal, which does not support the goals identified in the Draft Scoping Plan. Sustaining existing transit funding, and expanding funding to provide new transit services is essential. Keeping transit in a good state of repair is critical to retain and grow ridership, as 80 percent of BART customers say they have other ways of getting to where they are going -- but chose to ride transit. Most often that alternative is driving. Riders tell us that BART reliability (with a 95% on-time performance record) is what keeps their loyalty. Without reinvestment to get our core system to a state of good repair, this critical rider loyalty will certainly suffer – and lead to increased GHG emissions. BART, as one transit operator in the state, has an identified need of $19 billion to keep the system in a good state of repair and expand capacity to accommodate growing demand.

4. **Prioritize What We Are Already Spending**. While new resources are critical to reinvest and expand transit service, there are also opportunities over the coming decades to be much more efficient with existing transportation and land use funding sources that could be tied more directly to achieving Regional Targets. As one example, the Bay Area's Metropolitan Transportation Commission alone is developing their Regional Transportation Plan (RTP) to spend $223 billion on transportation operations, maintenance and new investments through 2035. In addition, there will be substantial amounts of private sector money used to shape the built environment. These should be harnessed to help the state achieve its GHG emission reduction goals.

5. **Cap-and-Trade Auction Revenues**. Transit and low-impact communities should be priority recipients of cap-and-trade auction revenues. In the Lieberman-Warner bill (S2191), transit was proposed to have a one percent share of allocation from auction proceeds. Supporters of transit and more compact development advocated that the share be expanded to at least a 10 percent share for metropolitan accessibility for climate stability (broken down to 6 percent for transit, and 4 percent as incentives for supporting land use strategies). It is worth noting that at the federal level, transportation emissions account for roughly one-third of GHG emissions, while CARB has indicated in California, transportation is at almost 40 percent. These additional resources could be performance-based, and provided as incentives to regions for achieving Regional Targets, in coordination with transit operators and local governments. This could mitigate inefficiencies in the marketplace (such as land use decisions) not directly influenced by a cap-and-trade system.

6. **Cap-and-Trade Offsets**. In the case that a cap-and-trade market system includes the "transportation sector," it is our understanding that transit, or land use changes that lead to reduced VMT, would not be eligible as an offset provider due to double-counting. If that is not the case, or if the transportation sector is not capped, transit investments and implementation of compact land use strategies should be eligible as an offset provider.

7. **Reduced VMT Avoids Unintended Consequences**. Consider the unintended consequences of policies, some of which could be minimized by prioritizing management of VMT through walkable development patterns around transit. There are potentially unintended consequences from continued high dependence on energy sources, even if those sources are less carbon dependent. The current

international food crisis and the relationship to bio-fuels is one example of a policy decision having unintended consequences. Emerging battery technology for electric vehicles and the relationship to sustainable practices is another unknown. Compact development supported by transit is a proven strategy with multiple co-benefits.

8. **Mode Shift Where Transit A Viable Travel Option.** A January 2008 Congressional Budget Office (CBO) Report analyzed the impacts of 2007 fuel increases on travel in California. They compared fuel price elasticity in corridors with rail transit versus corridors without rail transit. The CBO study found that the availability of rail transit increased travelers mode shift in response to rising gas prices. They found no short-run effect of gas prices on freeway traffic in corridors with no parallel rail transit service, but traffic decreased significantly in corridors with parallel rail service. A statewide (or interstate) cap-and-trade system that includes transportation fuels would have the effect of increasing the price of fuel at the pump. However, without viable transit alternatives, the CBO findings suggest there would only be a modest effect on reducing auto travel.

9. **Clarify State Transportation Bonds Share to Retire GHG** – Most state contributions to transit projects cover only a portion of the overall project costs. Does that state propose to retire 100 percent of the emissions reductions from a project, even if the state is only contributing a portion of the project funds (p. 13)? This should be clarified.

10. **High Speed Rail.** High Speed Rail (HSR) is singled out as a specific $40 billion transportation infrastructure recommendation, over which CARB has no regulatory control. What was the basis of singling out HSR (for inter-regional trips), to the exclusion of other types of regional transit projects in which the state is investing? HSR is not forecast to even begin carrying passengers until 2020.

11. **Additional Public Health Benefits.** The Public Health Analysis (p. 60) should consider the public health co-benefits of increased physical activity and reduced rates of obesity associated with creating walkable communities, often located around transit.

Your consideration of BART comments on the June 2008 Discussion Draft is appreciated. If you have any questions, please contact Val Menotti at 510.287.4794 or by email at vmenott@bart.gov.

Best Regards,

Dorothy W. Dugger
General Manager

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[i] As one indicator that compact land use near transit is a proven, effective strategy, a 2006 Metropolitan Transportation Commission (MTC) report found that non-San Francisco residents living within ½ mile of a rail transit station or a ferry terminal generated about half of the vehicle miles traveled (VMT) as compared to other non-San Francisco residents in the region.

As one example of what is achievable within two decades, a 2004 study (Lund, Cervero, Willson) on transit mode share for households near one suburban BART station (Pleasant Hill) showed that nearly 45 percent of residents commuted on transit (mostly BART) daily. Most of the surveyed properties had been built within 15 years of when the study took place.

Research has shown that transit enables a land use pattern that reduces VMT by reducing trip length, supporting walking and biking, encouraging trip chaining, and promoting reduced car ownership. A national study by ICF International found that every transit passenger mile reduced VMT by nearly a factor of two (Bailey, Mokhtarian, Little). While the ICF study examined all transit in the United States (even transit in less productive regions), other studies looking only at major metropolitan areas found that every transit passenger mile was correlated with a 4- to 9-fold decrease in VMT (Newman and Kenworthy; Holtzclaw; Neff).