

Community Groups File Legal Challenge to Bay Area Planning Agencies for a Better, Smarter Growth Plan

Current Plan Doesn't Deliver on Public Transit, City Planning, or Climate Change Goals

SAN FRANCISCO — Today Earthjustice, Communities for a Better Environment, and the Sierra Club filed a lawsuit challenging the Metropolitan Transportation Commission and the Association of Bay Area Government's most recent regional transportation plan in Alameda County Superior Court.

Plan Bay Area is supposed to serve as a multi-decade regional plan to improve the reliability, accessibility, and affordability of public transportation in the Bay Area and reduce greenhouse gas emissions while overseeing smart growth to meet the demands of the area's growing population.

The Plan falls short of these goals. The Plan does not spend enough on public transportation, and instead invests in building new highways. The current Plan will result in more time on the roads and increased greenhouse gas emissions. The Plan also fails to protect West Oakland and other vulnerable communities from the health effects of cars, trucks, ships and rail that pass through their communities. The Plan will also displace low-income and residents of color from their communities.

The lawsuit challenges the environmental review of the agencies' Plan Bay Area under the California Environmental Quality Act.

The following are statements from the community groups involved:

Irene Gutierrez, Earthjustice associate attorney:

"The people of the Bay Area take pride in living in one of the most diverse, culturally and economically vibrant metropolitan areas in the world. We demand smart planning for growth – the kind that improves our quality of life, makes life easier and less expensive for residents all over the Bay Area, and allows our communities to thrive and grow. This requires responsible planning that reduces climate change pollution, plans for smart public transit growth, avoids toxic zones, and dirty and harmful air quality. Plan Bay Area does not achieve those goals. The people of the Bay Area deserve a much better plan."

Nile Malloy, Communities for a Better Environment, Northern California Program Director:

"By failing to plan for the inevitable boom of freight movement in our area, the plan creates a nightmare of toxic air quality for the communities closest to our highways, ports and shipping hubs. We can't accept this."

Matt Williams, Sierra Club San Francisco Bay Chapter, Executive Committee Member:

"Climate disruption is a threat to Bay Area families, yet our planning agencies have failed to reduce reliance on cars and trucks, the number one source of climate-disrupting air pollution in California. We need a Plan Bay Area that expands public transportation and creates more affordable housing near these transit systems. Bay Area planners should make getting around town easier, cleaner, and more affordable."

Monday's legal challenge cites the following problems with Plan Bay Area:

- Under the current Plan, people will be spending more time in their cars and more time on the roads. Through 2040 (the life-span of the current plan), the number of daily vehicle trips is expected to increase by 22%, and the number of miles travelled during peak travel times is expected to increase by 51%.
- The Plan does not spend enough on expanding inadequate public transportation systems, and in fact, invests valuable resources in building more highway lanes. Only seven percent of the Plan's total budget is dedicated to expanding public transportation.
- The Plan proposes housing developments without committing to investments in the public transportation serving those communities.
- The plan fails to protect the communities closest to major transportation hubs, highways, and ports from increased toxic air pollution, as the region increases freight movement around them. Instead it defers these issues for future study. Without smart planning, low-income communities and communities of color located near these hubs, like West Oakland, will suffer.
- The Plan fails to address the population growth and rising housing costs of the San Francisco Bay Area, which are causing more people to move to areas with inadequate public transportation. It will drive more people to rely on cars for their daily commutes, worsening air pollution, quality of life, and traffic.

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Earthjustice is a non-profit public interest law organization dedicated to protecting the magnificent places, natural resources, and wildlife of this earth, and to defending the right of all people to a healthy environment.

Communities for a Better Environment is a non-profit environmental justice organization whose mission is to empower low-income communities and communities of color to achieve environmental health and justice through local transformation.

The Sierra Club is America's largest and most influential grassroots environmental organization, with more than 2.1 million members and supporters nationwide. In addition to creating opportunities for people of all ages, levels and locations to have meaningful outdoor experiences, the Sierra Club works to safeguard the health of our communities, protect wildlife, and preserve our remaining wild places through grassroots activism, public education, lobbying, and litigation. For more information, visit <http://www.sierraclub.org>.

