

Overview

The Bay Area League has asked all leagues covered to review [their positions](#). This document provides the ad hoc task force recommendations for each LWVBA position to Santa Clara County Council.

Note that the biggest gaps were found in the Regional Government & Planning position.

We further recommend that all positions, when created or updated, should be done so with greater consideration for diversity, equity and inclusion (DEI).

Ad Hoc Task Force Membership

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Bay Area Positions

- [Environment \(Natural Resources\)](#)
- [Hazardous Materials Management](#)
- [Housing \(Social Policy\)](#)
- [Regional Government & Planning](#)
- [Transportation - Airports](#)
- [Transportation - Surface](#)

Other Positions

- [Federal](#)
- [State](#)
- [County](#)
- [CS](#), [LAMV](#), [PA](#), [SJSC](#), [SWSCV](#)

Recommendation for Environment (Natural Resources)

The ad hoc task force finds the Environment Policy as follows:

- A. The position still relevant **Yes**
- B. The position actionable by the Leagues **Yes**
- C. The position has a regional scope? **Yes**
- D. The position aligns with the national, state and Bay Area positions? **Yes**
- E. Recommendation? **Update**

Notes:

We feel the position could be strengthened and expanded in the following ways:

- The statement regarding the shoreline could be amended to include support for measures that mitigating the impacts of sea level rise.
- Given that the entire Bay Area region is served by Community Choice Energy authorities, we could amend the position to explicitly include text similar to the National League's position on Climate Change to show our support for reductions in carbon emissions.
- Several pieces of legislation that went into effect in 2021 weaken or bypass CEQA requirements to address the lack of adequate housing in California. See article [here](#). We recommend updating the Environment Policy CEQA section to clarify the LWV position regarding the intersection of housing and environmental impacts.
- The term "sustainable" in the position's opening paragraph is now falling out of favor. Terms such as "regenerative" "reciprocity" are rising in favor. The concern with the word "sustainability" is that it implies that the provisions humans use will not be compromised in the future. The implication is that human beings have ownership over these things we call resources. The concept of "reciprocity" places humans as part of a greater whole, both nourishing and nourished by the natural world. We recommend we update our policies to remove "sustainability" in place of another term. Note that the National League does not use the word "sustainable" in the *Impact on Issues* document.

We also discussed President Biden's and Governor Newsom's 30x30 initiatives, which we feel are already covered by the position as written.

Recommendation for Hazardous Materials Management

The ad hoc task force finds the Hazardous Materials Management as follows:

- A. The position still relevant **Yes**
- B. The position actionable by the Leagues **Yes**
- C. The position has a regional scope? **Yes**
- D. The position aligns with the national, state and Bay Area positions? **Yes**
- E. Recommendation? **Update**

Notes:

We recommend that section 5 be updated to include mechanisms that require companies and industries to provide full life-span handling for disposing of chemical products in ways that do not negatively impact humans or the environment.

We've identified several other areas of regional concern that are covered by the existing position and that we describe as follows:

- Trichloroethylene (TCE) and tetrachloroethylene (PCE) plumes that still impact our region. Recent news from EPA regarding Sunnyvale - [Link](#)
- Lithium-ion car batteries will soon inundate our area. Companies that recycle lithium-ion batteries at scale are cropping up to process these batteries, a Class 9 hazardous waste. When disposed of improperly, lithium-ion batteries cause fires in garbage trucks and landfills. Efforts to educate the public to the hazards of these batteries are minimal at best, yet our elected and environmental leaders continue the drumbeat to electrify with an increasing reliance on these batteries.
- PFAS chemicals are found to be very dangerous, wide-spread and poorly regulated. These are often found as fire retardants at military bases and are used in fire fighting. Unfortunately, they have been seeping into groundwater and are being described as "forever chemicals." They are found in Bay Area fish. SFEI is having a meeting on Feb 4th. [Link](#) here. The LWV is in a good position to share educational information about the risks of these and other chemicals using resources such as provided in the [Six Classes website](#).

Housing (Social Policy): **Adopted: 5/2000**

The ad hoc task force finds the Transportation (Surface) position as follows:

- A. Is the position still relevant? **Yes**
- B. The position actionable by the Leagues? **Yes**
- C. The position has a regional scope? **Yes**
- D. The position aligns with the national and state positions? **Yes** (Federal, State)
- E. Recommendation? **Update**

Notes

Housing remains to be a top-of-mind issue in the Bay Area. Since the LWVBA policy was last ratified, many of its recommendations have become reality. The Regional Housing Needs Allocation process for the Housing Element has recently taken the spotlight with ABAG [getting approval](#) from HCD for the 2023-2031 cycle, along with funds to assist governments in creating plans to meet those goals (e.g. [SB2, REAP, LEAP](#)) and follow suit with housing project financing (e.g. AHSC, Homekey, IIG). However, there does not seem to be regional guidelines to encourage what the policy desires, so far just at the state level (e.g. housing-near-transit tied to SB9, higher-density via state or local density-bonuses, inclusionary zoning limited to local or very specific state laws like SB35, etc.); though this remains understandable due to the lack of authority of regional bodies.

A regional funding agency has since been created, with the Bay Area Housing Financing Agency created in 2020. However, due to the pandemic, it has since been unable to place a revenue-generating ballot measure to handle expensive endeavors, which perhaps could have included a commercial linkage fee as our policy promotes. It continues to be seen how this new agency interacts with existing governments and the housing market.

Much of the policy is still relevant, though perhaps future amendments could incorporate stronger enforcement and better implementation of said plans; RHNA, after all, is on its sixth 8-year cycle, though penalties for non-compliance (like SB35) are new. As the [federal policy goes](#): “Government at all levels should develop policies that will assure sufficient land at reasonable cost on which to develop housing ...”.

Regional Government & Planning: **Adopted: 5/2000**

The ad hoc task force finds the Regional Government & Planning position as follows:

- A. Is the position still relevant? **Yes**
- B. The position actionable by the Leagues? **Yes**
- C. The position has a regional scope? **Yes**
- D. The position aligns with the national, state and Bay Area positions? **Yes** ([Federal](#), [State](#))
- E. Recommendation? **Update**

Notes

Things have changed quite a bit since position was last updated. ABAG and MTC have since merged staff, though full merger of boards seems to have been delayed due to internal disputes and/or the pandemic. But even so, they work so closely that it is difficult to tell on-first-glance who is in charge of Plan Bay Area.

The position is vague on what defines an “existing regional agency.” Looking at the various “considerations” in the Regional Planning section opens up to bodies other than ABAG and MTC (e.g. BAAQMD, BCDC, BART, EBRPD, water boards). And given that [state policy](#) places an emphasis on administrative efficiency and cost-savings for consolidation, it is a difficult to figure out the overall cost-benefit analysis of mergers (e.g. since ABAG-MTC already merged staff, all that’s left is some decisions go to ABAG ExCom, some go to MTC).

The existing policy also seems to be envisioning a planning agency with much more powers than currently on-the-table. Planning agencies currently lean on others to execute plans, not go out and eminent domain property to itself build the physical project. Or the authority to review general plans, of which only a single section (Housing Element) is even sent for further review (by HCD, in this case). Local zoning maps didn’t even have to follow their own general plans until recently (SB1333 in 2018). Meanwhile, the existing agencies have little ability to generate funding on their own, with MTC only gaining money via tolls locally (in addition to the state/federal funding sources that make the bulk of their work).

The governance structure should be revisited. The current position promotes a directly-elected body, which would make it the first of its kind compared to all other COGs in the state. Though this would be by-definition better at distributing power per-capita, given MTC’s board distribution is fixed in statute without automatic reallocation/additions by population growth, it is hard to gauge the general political dynamics of these races, especially with vague direction over their scope of powers.

Other portions of this policy seem redundant or non-controversial. Inherently local jurisdictions will try to maintain their local identities, though the [state policy](#) does promote regional/state intervention if “local governments fail to regulate land use of local concern.” Urban growth boundaries still seem to be holding steady locally, though cities haven’t been doing a great job at transit-oriented and infill development, given the explosive, sprawl-ish growth in the Central Valley. And LAFCOs still seem kind of detached from everything.

Recommendation for Transportation (Surface): **Adopted: 5/2012**

The ad hoc task force finds the Transportation (Surface) position as follows:

- A. Is the position still relevant: **Yes**
- B. Is the position actionable by the Leagues: **YES**
- C. Does the position have a regional scope: **YES**
- D. Does the position align with the national and state positions? **YES**
- E. Do you recommend we keep, update, or drop the position? **UPDATE**

Notes:

Although this position was adopted 10 years ago in 2012, it is comprehensive and addresses transportation issues still current today. The LWVBA also has a Transportation Committee which has additional information and should be linked closely to this position.

We bring forward the following considerations

- Incorporate the LWVC's Transportation "Position in Brief" paragraph to better frame the "support" statements in the policy.
- Emphasize regional planning more strongly and imperatively in transportation planning to give it more emphasis in the position.
- Update the position to reflect the most up to date scientific data on noise, air, and hazardous material pollution.
- Add the link to the Transportation Committee and/or provide the links to identify transit agencies in the Bay Area, commercial bus carriers, and out of region transit services.
- Add the links to positions on Regional Planning, Air Quality, Land Use, and Hazardous materials

The position needs to be edited to reflect the League's emphasis on DEI.

Recommendations for Transportation (Airport): **Adopted: 5/2014**

The ad hoc task force finds the Transportation (Airport) position as follows:

- A. Is the position still relevant: **Yes**
- B. Is the position actionable by the Leagues: **Yes**
- C. Does the position have a regional scope: **Yes**
- D. Does the position align with the national and state positions? **N/A at National level**
- E. Do you recommend we keep, update, or drop the position? **Update**

Notes:

This position was adopted 8 years ago in 2014. Adding a “Position in Brief” that summarizes the main points would strengthen the initial impact of the position as would greater emphasis on Regional Planning.

Since many communities today need to deal with an “expansion” of an existing airport rather than building a new one, expansion needs to be added to the position.

We bring forward the following considerations:

- Strengthen the position by inserting a “Position in Brief” to introduce it and consider strengthening “support” statements by adding to or substituting with a stronger verb.
- Add greater emphasis on continuous monitoring, “contiguous neighborhood” impacts, and DEI considerations in light of the extensive and most recent scientific data now available regarding the impacts of noise, air, and hazardous material pollution, particularly on low income neighborhoods.
- Emphasize access to and connection with mass transit.
- Add links to positions on Regional Planning, Air Quality, Land Use, and Hazardous Materials.