Is congestion an environmental impact?

LOS STANDARDS AND CEQA

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CEQA and Traffic: Legislative Intent

- Provide clean air and water
- Enjoy aesthetics, historic qualities
- Freedom from excessive noise
- Provide for wildlife and plants
- Ensure long-term protection of environment

CEQA Section 21000
Traffic and CEQA

- Statute does not address traffic increases as significant impacts
  - References traffic in context of exposure to noise and air pollution
- Guidelines reflect that increases in traffic may be considered significant environmental impacts
- But, social effects are not environmental effects unless they lead to physical environmental changes (CCR Section 15131)
Definition of Significant Impact

“Significant effect on the environment” means a substantial...change in any of the physical conditions...including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance...”

(CCR Section 15382)
Is Roadway Congestion a Significant Impact?

- Appendix G: Would project:
  - Cause an increase in traffic which is substantial in relation to...capacity of the street system?
  - Exceed a level of service standard..?
- Does this define an environmental or social impact? Is sitting in a car longer an *environmental* impact?
- …or does congestion lead to impacts?
  - Air pollution
  - Noise
Only CEQA Issue with variable standards in same lead agency

- City of Rocklin
  - LOS C for most streets
  - LOS D if within ½ mile of freeway

Is the environment different within ½ mile of a freeway?
Only CEQA Issue with variable standards in same lead agency

- City of Sacramento EIR at city edge. Significance criteria
  - LOS C if road is within City
  - LOS D if road is within County rural area
  - LOS E if road is within County urban area
  - LOS D if on freeway unless freeway is in downtown where impact is significant below LOS E

Does the environment change when one crosses jurisdictional boundaries or approaches downtown?
Does LOS have unintended consequences?

- If impact is significant, mitigation required if feasible
  - Forced widening: change character of community?
  - Build capacity to make car travel more convenient vs policies to reduce air, noise and greenhouse gas emissions
- If mitigation is not feasible, EIR is required
- Does mitigation lead to significant impacts (e.g., road widening removes biota or converts Farmland)
- Obstacle to smart growth: can we have high density, in-fill development near transit without tripping LOS thresholds? Does mitigation force solutions (more vehicle capacity) that compete against transit
A better way

- LOS can help define if transportation infrastructure is sufficient
- But only a significant effect if improvements required, and they cause substantial adverse physical environmental change

“Would the project result in substantial adverse physical impacts associated with the provision of new road facilities, the construction of which could cause significant environmental impacts?”