

Christopher Calfee, Senior Counsel
Governor's Office of Planning and Research
1400 Tenth Street
Sacramento, CA 95814

Re: Comments on "Updating Transportation Impacts Analysis in the CEQA Guidelines"

Dear Mr. Calfee:

Thank you for the opportunity to provide comments on updates to the CEQA guidelines implementing SB 743. This letter is in response to your call for comments on the report titled "Updating Transportation Impacts Analysis in the CEQA Guidelines" written by the Office of Planning and Research (OPR) dated August 6, 2014. We believe our comments can help in achieving a more successful implementation of SB 743. Our comments are as follows:

1. Although briefly explained in the Bill text, we believe the terms "existing major transit stop" and "high quality transit corridor" should be clearly defined in the guideline or reference should be included.
2. Subdivision 4 of the Bill states "*This subdivision does not preclude the application of local general plan policies, zoning codes, conditions of approval, thresholds, or any other planning requirements pursuant to the police power or any other authority*". This can cause conflicts between General Plan and CEQA guidelines thresholds to determine significant impacts. Also subdivision (c) of the guidelines states that "*Neither this section nor Appendix F limits the exercise of any public agency's discretion provided by other laws, including, but not limited to, the authority of cities and counties to condition project approvals pursuant to general plans and zoning codes*". Public agencies' discretion needs to be clarified.
3. Last sentence of the subdivision (d) regarding the "statewide" applicability of the new guidelines after January 2016 is unclear. If it means that the provisions of the SB 743 shall be implemented statewide and not just in transit priority areas, we do not believe that it is a good idea. Considering the complexities of the implementation of SB 743, we suggest that the new CEQA guidelines first be implemented only in transit priority areas. The outcomes of the process should be analyzed and the decision to apply the guideline statewide or in other geographic areas should be based on lessons to be learnt. We suggest a minimum 2 year test period for the new guidelines.
4. Subdivision b(1) states "*A development project that is not exempt and that results in vehicle miles traveled greater than regional average for the land use type (e.g. residential, employment, commercial) may indicate a significant impact*". The word "may" needs to be clarified and it should be explained in the guideline that under what conditions VMTs greater than regional averages will not indicate a significant impact.

5. Average VMTs vary greatly within San Diego County depending on the characteristics of the cities and projects. Currently most of the SANDAG regional average VMTs are higher than City of Escondido averages (based on our engineering judgment of course). Using regional VMT averages to determine the significance of the impacts, might be acceptable in some regions, but for us, it would be better if sub-regional VMT averages were allowed and any local agency could have its own VMT averages, where appropriate. The Local agencies can work with their MPOs to find their own averages based on their MPO's 4-step models and travel OD surveys.
6. MPO regional 4-step models are mainly calibrated and validated based on major regional corridors and they might have major flaws in distributing and assigning the trips generated from a single project to road network and calculating the VMT of that project.
7. The way the guideline is currently written, using "per capita" average VMT is inappropriate and will lead to inconsistent results. Based on different household sizes similar projects with similar VMTs can have significant or insignificant impacts. If two similar projects' VMTs are divided by their different household sizes, the results would be different per capita VMTs and in comparison to regional per capita averages, one might lead to a significant impact while the other one might not.
8. The proposed possible mitigation measures provided in Appendix F do not include any physical improvement to the road network infrastructure. Intersection improvements such as adding turn pockets or network improvements such as adding a missing roadway link to the network of a city usually lead to energy savings and reduces gas emission and fuel consumption.
9. We suggest that OPR provide a complete example to clarify how the new CEQA transportation impact analysis would be conducted under these new proposed guidelines. As mentioned in the next comment, the current example on Appendix D is unclear and the data provided is insufficient.
10. The first sentence in Appendix D states "*This sample describes the steps in estimating the vehicle miles traveled associated with a project*". Based on the language, it seems like this sample is meant to help the agencies in calculating the future VMT of a project to compare the results with the regional average. But the calculations are done without using any models or without considering the specific characteristics of the project. The sample says "*In this simple estimate, only one trip length is assumed to be available and it represents the average weekday trip length for California based on the National Household Travel Survey*" and then it uses a "10 miles per trip" VMT rate which looks like a regional average. The purpose of the sample is not clear. If it's meant to clarify how to calculate a projects impact, a regional average should not be used. Because then there would be nothing left to compare the impact of the project with. You can't compare the impact calculated based on a regional average with the regional average itself!