

CITY OF OAKLAND



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February 14, 2014

Christopher Calfee, Senior Counsel
Governor's Office of Planning and Research
1400 10th Street
Sacramento, CA 95812

Subject: Preliminary Evaluation of Alternative Methods of Transportation Analysis

Dear Mr. Calfee,

Senate Bill 743 is a major step forward in the analysis of transportation impacts under CEQA. The bill is critical to meeting statewide goals related to affordable housing, economic growth, and environmental stewardship. Yet, while SB743 establishes a framework for positive change, its ultimate success rests on the work of the Office of Planning and Research (OPR) to develop new CEQA Guidelines.

As such, the City of Oakland appreciates the opportunity to comment on the "Preliminary Evaluation of Alternative Methods of Transportation Analysis" published by OPR in December 2013, and we look forward to continuing to work with OPR as the new CEQA Guidelines are drafted.

The Preliminary Evaluation represents an excellent first step toward an effective replacement for LOS. The City of Oakland has long recognized the flaws inherent with applying LOS to evaluate transportation impacts in urban settings, and OPR provides a thorough and compelling overview of these flaws. With that in mind, we offer the following comments on the document and alternative methodologies under consideration:

- Both Vehicle Miles Traveled (VMT) and Auto Trips Generated (ATG) hold considerable promise to serve as the measure to assess CEQA transportation impacts. Either can be calculated with existing tools, and generally match the legislative intent of SB743.
- The ability of VMT to account for regional location is an important benefit as compared to ATG, whereas ATG does not appear to offer any particular advantages over VMT.

- Multi-modal Level of Service (MMLOS) is not an appropriate tool for assessing transportation impacts under CEQA for several reasons. Foremost, because auto LOS is part of MMLOS, all the flaws inherent to auto LOS are present within MMLOS. Moreover, there is no single accepted pedestrian and bicycle methodology for MMLOS, and in fact the methodologies are subject to considerable professional debate.
- Fuel Use has conceptual benefits but practical challenges. In particular, there are no accepted methods for calculating fuel use, and vehicle fuel efficiency effects that are extraneous to the transportation-land use relationship heavily influence the measure.
- The simplicity of presuming less than significant impacts in preferential locations may result in undesirable outcomes in practice. For instance, a suburban-style development adjacent to a rail station may be presumed to have less than significant impacts despite creating substantial single-occupant vehicle trips and transportation impacts.
- Many, if not most, of the flaws that OPR identifies with LOS are equally present in non transit-served areas. This suggests that LOS is inappropriate for assessing transportation impacts under CEQA in all areas, even if the measures and thresholds that replace LOS may differ somewhat between transit and non-transit areas.
- Local jurisdictions currently set their own CEQA thresholds (e.g., some choose LOS C while others choose LOS E). With a new measure comes the need to establish new thresholds. It is critical that OPR both provide guidance on how to set appropriate thresholds with the new measure, while preserving local autonomy to set thresholds that match local goals.
- Under the LOS paradigm, potential mitigations and their effects on LOS are well established. This will not be the case for any new measure. For instance, there is no established method for assessing the impact of a particular Travel Demand Management (TDM) program element on VMT (although there is presumably an effect). OPR guidance and/or resources in this area will be important to ensure consistent application of the new CEQA Guidelines.
- Most of the proposed measures (e.g., ATG, VMT) appear to eliminate the value of performing future year cumulative impact analysis using travel demand models (i.e., a particular project's VMT or ATG is unlikely to change significantly over time). The City of Oakland would welcome an approach that reduces reliance on future year regional traffic projections, but in any case we request that the effect on cumulative impact analysis be addressed explicitly in the new Guidelines.
- We note that the term "micro-simulation" as applied to typical LOS analysis is inconsistent with standard traffic engineering definitions. LOS analysis, as calculated using the Highway Capacity Manual, is deterministic whereas micro-simulation is generally defined as probabilistic or stochastic. This does not affect the substance of the document, but revising the terminology may improve understanding among transportation professionals.

In addition to the general comments above, we have several comments on the questions posed directly by OPR:

- 1C: We do not feel that consistency with existing design guidelines is a sufficient substitute for addressing safety impacts. Design guidelines provide minimum values for design criteria, but do not allow analysis of how a facility will actually serve users. The City of Oakland's current thresholds related to pedestrian and bicyclist safety could not be replaced by reliance on a particular design guideline.
- 3: We do not feel that parking impacts should be considered an environmental impact under CEQA in any location, as parking availability is a matter of convenience and not part of the physical environment. Parking management is critically important to transportation, but should be determined based on local policy.

Again, your Preliminary Evaluation is an important step on the path toward reforming transportation analysis under CEQA. We appreciate your consideration of our comments, and look forward to working with OPR on SB743 implementation.

Thank you for your leadership on this important issue. If you have any questions or would like to discuss these comments further, please contact Jamie Parks, jparks@oaklandnet.com or 510.238.6613.

Sincerely,



Scott Miller
City of Oakland Environmental Review Officer