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

Subj: Preliminary Discussion Draft: Updates to CEQA Guidelines Implementing Senate Bill 743 (Steinberg, 2013)

Dear Mr. Calfee,

The Alameda County Community Development Agency (CDA) Planning Department is pleased to participate locally in the robust discussions on the proposed SB 743 CEQA Guidelines Implementation currently underway throughout the state. We are participating locally through the Bay Area SB 743 Working Group convened by the Alameda County Transportation Commission (ACTC).

Alameda County planning department staff appreciates the enormous level of effort OPR staff is engaged in to develop a new transportation impact metric for CEQA review as mandated by SB743. Specifically, the statute replaces Level of Service (LOS) with Vehicle Miles Traveled (VMT), which will now be the standard for determining a project's potential transportation impacts under CEQA. Although it is a sea-change in the way we measure a project's potential greenhouse gas (GHG) impact, we understand the application of this change will further the goals of the Sustainable Communities Strategy (SCS), and we support this "next step" in the state's efforts to decrease California's carbon footprint.

With this intention, we offer the following comments for your consideration as the discussion draft continues to be fine-tuned.

Development of Relevant VMT Thresholds of Significance

One of the key features of the proposal is to use "regional" VMT averages as the threshold of significance against which a project's impacts will be measured. The Alameda County Planning Department's jurisdiction includes all of unincorporated Alameda County. This is a diverse area that is comprised of urban, suburban and rural land. A "one-size-fits-all" approach suggested by the proposed CEQA Guidelines, with the use of regional averages, we believe, will not effectively assist public agencies in identifying whether or not a project has a significant impact on circulation. For example, an 80-unit residential development located in the rural eastern portion of the county, or in many of our suburban communities will very likely result in more VMT per capita than if the same project is built within the more dense urban areas such as our identified Priority Development Areas (PDAs).

- **Recommendation:** We request that OPR allow each region via MPOs or CMAs to collaborate with local jurisdictions to determine meaningful and separate VMT thresholds for each type of place, i.e., urban, suburban, and rural areas, to identify a

true representation of the context where a project is located. This could be achieved using Traffic Analysis Zone (TAZ) data on VMT that is available in larger MPO regions. For smaller counties or regions where this data may not be readily available, allow the use of locally identified data sources.

Establishing Feasible Mitigation Measures for Agriculture and Resource Operations in Rural Areas

Eastern Alameda County is home to a significant number of viticulture businesses (see Livermore Valley Winegrowers Association www.lvwine.org), landfills and quarries. Truck traffic for each of these industries varies, but can have significant volumes at certain times of the year, especially during the harvest season (late summer through fall). VMT-related mitigation measures typically used, such as those listed in the Discussion Draft Guidelines text of proposed amendments: *Appendix F: Energy Conservation - D6. Potential Measures to Reduce Vehicle Miles Traveled* clearly are not applicable in this context.

- **Recommendation:** Proposed investments for California's Cap and Trade Program include funds to develop low carbon transportation, and for improving water and agricultural operational efficiency. OPR should partner with the California Air Resources Board (CARB) to develop a pilot-program for this sector of industry in Alameda County, which could be replicated in agriculture and resource areas throughout the state.

Transportation Impacts on Alameda County Roadways from Development in Neighboring Jurisdictions

Alameda County has a number of major transportation facilities that are used as a pass-through route by commuters. In the past, we have successfully pursued legal challenge to planned large residential developments in neighboring counties that will cause an increase in traffic and congestion here, particularly during peak travel periods. VMT does not appear to be a useful metric to analyze inter-regional travel impacts on jurisdictions, especially as a mechanism to exact traffic impact fees from the jurisdictions where the traffic originates.

- **Recommendation:** While the guidelines do not preclude the use of established measures such as LOS for traffic impact fees, a nexus to VMT as intended in the statute should be developed by OPR and regional partners to further support a consistent applicability of the new metric.

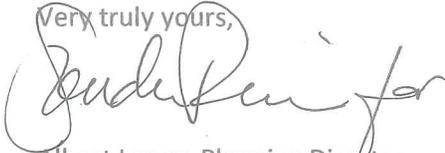
New Timeline for Mandatory Compliance/Recirculation of Final Draft reflecting OPRs Revisions

As currently drafted, the Guidelines propose the new metric to be phased in. Initially it is to be applied to Transit Priority Areas (TPAs) only, and then required Statewide beginning January 1, 2016. The changes required under SB 743 represent a radical departure from the way transportation impacts are to be measured in CEQA analysis. As could be expected, the comment period has generated a large volume of substantial concerns and comments, often calling for significant changes to policies in the Discussion Draft. OPR has indicated that comments received will be incorporated and submitted to the Resources Agency for formal rulemaking.

- **Recommendation:** The Alameda County Planning Department respectfully requests OPR consider implementing the following actions:
 - a) Incorporate comments received to date and revise, and recirculate a Final Draft of the REVISED Guidelines.
 - b) Designate the initial roll-out phase as a trial period of 18 months for representative pilot projects. This phase should include TPAs, PDAs, and rural and suburban areas with applicable project types to analyze the effectiveness of the program as proposed in the Final Draft Guidelines.
 - c) If necessary, further revise guidelines based on the conclusions drawn from the trial period pilot projects.

Again, thank you for the opportunity to contribute to this important and historic process. We look forward to collaboration with our local and regional partners in implementing SB743. Please do not hesitate to contact Cindy Horvath, Senior Transportation Planner at (510) 670-6511 if you have any questions regarding this letter.

Very truly yours,



Albert Lopez, Planning Director
Alameda County Community Development Agency

