



County of San Diego

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

Via email to: CEQA.Guidelines@ceres.ca.gov

COMMENTS ON UPDATING TRANSPORTATION IMPACTS ANALYSIS IN THE CEQA GUIDELINES, PRELIMINARY DISCUSSION DRAFT OF UPDATES TO THE CEQA GUIDELINES IMPLEMENTING SB 743

Dear Mr. Calfee,

The County of San Diego (County) has received and reviewed the Office of Planning and Research's (OPR) "Updating Transportation Impacts Analysis in the CEQA Guidelines", dated August 6, 2014, and appreciates this opportunity to comment. County Planning & Development Services (PDS), Department of Public Works (DPW) and Air Pollution Control District (APCD) have completed their review and have the following comments. The proposed update of the Transportation Impacts Analysis has the ability to create significant programmatic and fiscal impacts on the County, which were not accounted for in the guidelines, and are not fully understood at this time. This represents preliminary comments on these guidelines, as the full impact of this initiative is not fully understood.

The proposed guidelines would implement this rule statewide, which goes beyond the mandate in the legislation. The County would like to highlight that Senate Bill 743, Steinberg, chaptered September 27, 2013, directed the Governor's Office of Planning and Research (OPR) to prepare and submit guidelines for the implementation of CEQA establishing criteria for determining the significance of transportation impacts of projects within transit priority areas, and did not include a timeline for this to be implemented statewide. Infill areas and Transit Oriented Zones (TOZ) benefit from the switch to Vehicle Miles Traveled (VMT) as Level of Service (LOS) analysis can result in mitigation greater than the build out anticipated, however, areas where roadway improvements are still needed (particularly rural areas) would not benefit from the switch to VMT. The types of mitigation proposed for VMT analysis (bike racks, bus stops, park and rides) may not be useful in sparsely populated, rural areas. The needed

roadway infrastructure will not be forthcoming with development either. While VMT based analysis will be beneficial in TOZs, it is yet to be seen if VMT will be effective as a metric in suburban, semi-rural and rural areas. Specifically, in Subdivision (d), the County requests that the date the provisions are set to be applied statewide be extended by at least two years after the adoption of the amended Guidelines to allow enough time to prepare local ordinances, implement program changes, review existing Fees, and develop County-specific thresholds. Additionally, the County will be working with local and state partners to come up with ways to define and calculate VMT or other alternative methods to LOS, and explore ways that this can be implemented successfully statewide.

Comments on the Proposed Text for New Section 15064.3

1. Subdivision (b)(2), is not clear if “induced additional travel” is considered an impact when a part of a General Plan or Mobility Element’s planned expansion/build-out of roadway network and land use plan. The County recommends the addition of text to clarify that conformance with an adopted plan should be considered when induced travel is analyzed as an impact.
2. Subdivision (b)(3)(B) should consider queuing on freeway on-ramps as potential impacts to Local Safety. The County recommends that subdivision (b)(3)(B) be revised as follows:

“Contribute to queuing on freeway off-ramps or on-ramps where queues extend onto the highway mainline or local street.”
3. Subdivision (b)(4) language is ineffective and leaves ambiguity as to when evaluation should include areas outside an agency’s own political boundary. The Guidelines should make clear when and how evaluation should be conducted across agency boundaries.
4. Subdivision (d), the language should clarify if projects that are implementing the land use element of an adopted General Plan and are consistent with the sustainable community’s strategy are exempt under the Tiering findings in Section 15152.
 - a) Under Subdivision (d), Applicability (or other suitable section), the County requests some assurances that these Guideline amendments will not affect a lead agency’s ability to tier from existing adopted and certified CEQA documents. For example, it would be helpful to know whether these amendments constitute a substantial change in circumstances under Section 15162, or whether General Plan and Specific EIRs must be supplemented with new analysis before using Section 15183 for projects consistent with these plans.

Comments on Amendments to Appendix F – Energy Conservation

5. The County recommends the addition of the following to Section D.6
 - a) D.6.e., add “provide electric vehicle charging stations”.

- b) D.6.j., add “provide shared parking programs between facilities to reduce implementation of new parking”.
 - c) Add a new item D.6.p. as follows: “provide parklets in public spaces”. Parklets are areas dedicated for public use in the form of benches, tables, and greenery that convert parking spaces, unused bus stops, and other types of vehicular zones into areas utilized by more users.
6. The County suggests the consideration of applicable sustainability rating systems as analysis tools under the proposed CEQA New Section 15064.3. Several sustainability rating systems that are readily available include LEED™, ENVISION™ and Greenroads™. Projects using these ratings tools provide multiple environmental benefits, such as improving water quality, promoting water conservation, reducing air pollutant and greenhouse gas emissions, improving connectivity and accessibility to jobs, housing and services, increasing options for mobility including active transportation, and increasing transit ridership. A project that proposes buildings, infrastructure and roads can use more than one rating system.

Comments on Amendments to Appendix G – Environmental Checklist Form

7. Section XVI. b), the County recommends that OPR make clear that the “regional average” Vehicle Miles Traveled (VMT) is to be defined by the Metropolitan Planning Agency/Regional Transportation Planning Agency with an effective date and methodology to calculate various averages based on an adopted plan or base years for the following situations:
- a) In a region with various types of land use and transportation networks, there will be many below and many above the “average”.
 - b) Not every project can come in at or below the average, but they can be consistent with the local or regional plan adopted with corresponding impact and mitigation.
8. Section XVI. e), the County requests that the threshold for inadequate emergency access also refer to local plans/policies for a determination. This could be revised accordingly:
- “Result in an inadequate emergency access as established by local plans, policies or ordinances?”

The County appreciates the opportunity to comment on the updates to the Transportation Impacts Analysis in the CEQA Guidelines and looks forward to continued review of the proposed text changes when available. If you have any questions regarding our comments, please contact Sheri McPherson, Land Use/Environmental Planner, at (858) 694-3064, or by email at: sheri.mcpherson@sdcountry.ca.gov.

Mr. Calfee
November 21, 2014
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Sincerely,



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