

San Mateo County

Joint Comments from Departments of Public Works and Planning & Building October 10, 2014

Draft Update to Transportation Impact Analysis in CEQA Guidelines Issued by Governor's Office of Planning and Research on 8/6/14

1. Measure of Impact: From a CEQA permitting perspective, vehicle delay and LOS are no longer considered a significant impact on the environment. Instead, agencies must consider Vehicle Miles Traveled (VMT). VMT consists of Trip Generation and Trip Distance. We have a great tool to calculate trip generation by using the industry standard ITE manuals. However, we are not aware of the availability of tools for estimating distances of trips with the same level of accuracy for future projects. Although there are some models that can estimate VMT, their accuracy, to our knowledge, is highly questionable and has not been time tested. In addition, it is not clear how readily available these models will be to agencies?

The example given in Appendix D page 31 is incorrect, as it assumes an average of 10 mile per trip based on California Household Travel Survey; that figure is actually 6.0, greatly underestimating the VMT.

Short of knowing exactly what company will occupy each development well in advance and conducting a proper origin destination study, there is no scientific/accurate way of predicting trip distances to arrive at a reliable VMT figure. Ultimately, we believe that to do an accurate analysis, this method will result in an increased financial burden to local agencies over existing methodologies.

2. Threshold of Significance: The new guidelines require a Regional average VMT to be used as a threshold of significant impact. "Region" is defined as the entire geographical area under the jurisdiction of the local MPO. The Bay Area region under the jurisdiction of the MTC is a very large area and varies from point to point greatly. Even on a smaller scale, the County of San Mateo varies in demographics and travel habits greatly. There are highly congested urban areas with great transit on the Bayside, and highly rural areas with hardly any transit available on the coast side, with everything else in

between. Applying the same regional average VMT provided by the local MPO as a threshold of significance throughout the County will result in a threshold analysis that does not align itself with local conditions and circumstances.

Solution: MPO provide average VMTs for land uses in each transportation analysis zone (TAZ) for more accurate estimates. The guidelines should include provisions to make the MPO create VMTs for each location at no additional cost to the local jurisdictions AND the guidelines should not be implemented until the MPOs have a VMT map created for each location.

3. Induced VMT: Any increase in roadway capacity is now believed to result in additional vehicles and therefore increase in VMT and possibly cause a significant impact. Induced VMT is required to be calculated for all future projects. We believe there should be exceptions to the requirement that induced VMT's be calculated. As currently drafted, basic circulation improvements such as signal timing projects (or the installation of roundabouts perhaps) would be considered as having a negative consequence from the CEQA perspective through the generation of induced VMT. We suggest that the document specifies "physical roadway capacity" and considers exemptions for projects that do not increase, or that may even reduce, the operational space required to facilitate multimodal travel.

Although there is reference to studies estimating the induced VMT, there are no references to any before and after studies to actually validate induced VMT, let alone to provide an example of how this is to be calculated. There are some suggestions on how an induced VMT may be derived from a travel demand model from the MPO, however, this causes a problem:

In absence of general regulations on how VMT is to be uniformly calculated, developers may use this loose definition as an excuse for not mitigating traffic impacts of a future project. They can easily determine that any suggested mitigation will cause induced VMT and the agencies cannot prove otherwise. We believe that the guidelines, in their current configuration, may increase costs to the cities and counties by reducing the mitigation measures required by developers using this method.

4. Reliance on MPO Models: Too many of the thresholds for impact and average VMT calculations are based on the MPO models with unproven accuracy.

Regional MPO models are exactly that, they are regional. Although they may be a good source for regional data, the smaller the subject area gets, the more inaccurate the MPO models become. By the time the study area becomes a small group of local streets, the results predicted by a local MPO can hardly be considered accurate or reliable.

In addition, as interpreted, it seems lead agencies may enact considerable discretion regarding “the most appropriate measure”. Staff recommends introducing more specific VMT measures for various types of analyses, to reflect data applicability at the local and regional levels. An example would be associating the VMT-per-employee metric with commercial development review. Otherwise, staff is wary of potential, unintended consequences of discrepancies in performance standards if agencies were to apply an array of available VMT metrics for similar projects.

We further believe the guidelines, as proposed could potentially cost state and local jurisdictions in infrastructure upgrades that are currently the responsibility of the developer.

Most importantly, the language from the excerpt of public resources code 21099 section b(4) is especially vague. We request that clear definitive language be added to the guidelines to validate that local agency traffic analysis thresholds, guidelines and policies can still apply.

We hope that the OPR will consider all of these issues and address them in these guidelines so that a more uniform system is generated for measuring impacts of a development on all users of the roadway without putting the full financial burden on the local agencies.

We are currently reviewing the specifics of the guidelines in greater detail and expect to submit additional more specific comments in the future.