

VIA EMAIL

February 13, 2014

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

Re: SB 743 Proposed CEQA Transportation Impact Criteria Modifications

Dear Mr. Calfee,

This letter is in response to the Preliminary Evaluation of Alternative Methods of Transportation Analysis memorandum (the "Memorandum"), prepared by the State of California Governor's Office of Planning and Research on December 30, 2013, concerning the measurements being considered to meet the Senate Bill 743 (SB 743) requirement to update the California Environmental Quality Act (CEQA) criteria used to establish the significance of adverse transportation and greenhouse gas emissions impacts. I support the updating of the criteria but, as outlined below, recommend that a more pragmatic set of criteria be utilized to evaluate the actual transportation impacts of a project rather than relying on any single criterion among from those set forward in your memorandum.

I am offering these suggestions as an experienced CEQA transportation analyst and transportation engineering practitioner. I having been preparing the transportation portion of CEQA analyses for 30 years (see Attachment A) and have seen how CEQA reviews have evolved over those years. Further, I have participated in numerous hearings for projects in which CEQA analyses were utilized as critical factors by decision makers. As a result, I am aware of the many community transportation concerns that a CEQA analysis can address. I have also worked with a number of institutions on planning going beyond CEQA. Finally, I have participated in the preparation of engineering-level plans for numerous roadway, bikeway, transit and other transportation facilities.

TRANSPORTATION IMPACTS SIGNIFICANCE CRITERIA BEING CONSIDERED FOR LAND-USE PROJECTS

Let me start by saying that an important issue the Memorandum properly addresses is the inappropriate treatment in most transportation sections of environmental assessments of automobile travel as the most important transportation mode. I fully concur that, for impact significance considerations, the availability of other modes needs to be considered.

However, the significance criteria alternatives listed in the Memorandum fall short of addressing the transportation impacts and needed mitigation in two important ways:

- 1. A single criterion is proposed to address all transportation subtopics; and**
- 2. It is incorrectly assumed that all automobile trips to a project site are added traffic.**

Regarding the first point, the transportation concerns for a land-use project are issues that must be adequately addressed in a CEQA document or elsewhere. If they are not addressed during the project approval considerations, the majority of the community constituents will reject any approval as inappropriate, and that has resulting political implications. Further, real world problems, both anticipated through proper planning and being dealt with when they occur, need to be solved. A single criterion for all transportation impacts fails to identify all issues associated with a project.

As to the second point, the assumption is incorrectly made that all trips, and resulting vehicle miles traveled (VMT), with one end at a project are added trips. Most importantly, that assumption fails to reflect the transportation advantages of infill projects in mixed-use districts, where many trips are intercepted and thereby shortened. The assumption that all project trips are added trips was originally made as a conservative, but appropriate, supposition for locations within or immediately adjacent to a project site. However, it has been inappropriately applied on an area-wide/regional basis. The fallacy of that assumption is especially critical for infill mixed-use district projects that are of the type SB 743 was designed to encourage.

Due to these two erroneous assumptions, the significance criteria set forward in the Memorandum, and implied analysis methodology, will encourage the development of single-use sprawl in low density areas with marginal transit service. There is substantial research and evidence that sprawl increases, rather than decreases, VMT per capita. The criteria should place greater emphasis on infill development in mixed-use districts with a high level of transit service. One need only compare the VMT per resident of a mixed-use central business district to that of a resident of a suburban single-family housing tract to understand what the appropriate emphasis needs to be.

In addition to residential uses in Central Business Districts (CBDs), a practical example of the advantages of infill development creating a mixed-use district can be found on the campus of the University of California, Los Angeles (UCLA). UCLA has increased density by adding housing and supporting facilities in recent years, and this has led to a reduction in the total automobile trips to and from the campus. An actual campus trip total reduction has occurred even though prior to the housing/facilities projects traffic to and from UCLA was already reduced through an aggressive Transportation Demand Management (TDM) program.

Addressing the methodological problems associated with the second problem will not be easy. It has been pointed out in professional transportation discussions regarding the proposed CEQA criteria changes that correctly measuring VMT (rather than merely assuming all trips with an end at a site represent a VMT increase) is a time-consuming and expensive process. As an example, please see the posting on the Institute of Transportation Engineers (ITE) Bulletin Board by Richard Perez on January 28, 2014 included as Attachment B. However, the below approach would use utilize existing data to facilitate the CEQA review of beneficial land-use projects while not encouraging sprawl in single-use districts with marginal transit service.

SIGNIFICANCE CRITERIA BY TRANSPORTATION SUBJECT AREA

The following recommended criteria would efficiently reflect the full range of actual transportation impacts of a project and thereby encourage the type of development favored by SB 743.

Regional/Area-wide Land-use Transportation Impacts

The Southern California Association of Governments (SCAG) Regional Transportation Plan (RTP), which includes the County of Los Angeles Congestion Management Program (CMP), encourages transit-oriented, infill development in mixed-use districts. It has been determined to be the most effective way to reduce automobile VMT demand on the regional system by reducing the trip length for existing uses. These plans utilized more extensive, detailed modeling analyses than are practical to repeat in the CEQA analyses for individual development projects. Therefore, in counties where the CMP were shown to reduce the existing VMT, the policy based on SB 473 should explicitly allow for projects consistent with those plans to be considered to have less-than-significant impacts. A project being found consistent with a CMP should rely on:

1. being the type of land use recommended to result in a better mix of uses (e.g., downtown housing); and
2. being in the range of the assumed density (e.g., higher than the average future density, but less than the maximum density).

Local Area Land-use Transportation Impacts

Projects will continue to have impacts on the local transportation system and the credibility of CEQA documents requires these impacts be addressed. However, the current analyses for most jurisdictions rely on an analysis based solely on automobile volume-to-capacity calculations. Therefore, as listed as an option in the Memorandum, the analyses should switch to a multi-modal analysis, but that shift to multi-modal analysis should apply only to the local area impacts. Specifically, I would recommend at least two viable modes (which may not include automobiles during peak commute hours) be shown as being available for the project area in order for there

not to be a significant traffic impact. Transit should require a minimum number of vehicles stopping within one-quarter mile of the site during the peak hours, and pedestrian facilities should only be considered a mode in high-density mixed-use districts like downtown San Francisco.

Access

This subtopic is included in most traffic studies, but usually only addresses whether sufficient automobile driveway capacity is proposed and defers details to the building permit process. Access reviews should also address the pedestrian mode (including linkages to transit stops if they are within walking distance of the site) and if access from project bicycle parking areas to the local bicycle lane network is adequate. Any automobile driveway access analysis should be related to the parking analysis, with less automobile parking requiring fewer driveways and gates.

Bicycle and Automobile Parking

Usually the question addressed is if sufficient parking will be provided. That approach is recommended to remain for the bicycle parking. However, that criterion should not remain for automobile parking. A significant impact would be found for developments not being required to charge the individual choosing to drive and park the full cost of the automobile space (land cost, construction cost, operating cost, etc.). A project would also cause a significant impact by exceeding maximum automobile parking levels.

Transit System Impacts

This potential impact has become a subtopic in recent years and the analysis methodology and criteria are badly in need of direction. The goal stated in the Memorandum is to simplify the criteria and transit system capacities are able to be upgraded as needed at this time. Therefore, this topic should be explicitly excluded in the criteria. Future expansion of transportation analyses can be added at a later date, should such impacts become potentially significant.

George Rhyner, PE
February 13, 2014
Greenhouse Gas/Transportation Criteria

However, ridership and financial considerations remain the constraint on transit system capacity at this time, rather than environmental concerns.

SUMMARY

As outlined above, the problem facing the State of California is that improper development has resulted in VMT demands that outstrip the automobile highway system capacity and increase greenhouse gas emissions. The replacement CEQA criteria should judge the true impacts on VMT and not favor smaller developments that are in an area which nominally meets a minimal transit-oriented definition.

Projects will continue to be judged based on multiple transportation issues, despite CEQA changes. Therefore, the State should set forward replacement measures that better address transportation impacts and lead to better mitigation available in mixed-use districts well served by transit.

A set of criteria, by subtopic area, is recommended to meet these real world needs.

Sincerely,



George Rhyner, PE
Senior Transportation Engineer
TE 2143, CE 47763

attachment

ATTACHMENT A

Author's Résumé

Curriculum Vitae

GEORGE RHYNER, R.C.E, T.E.

Senior Transportation Engineer
Crain & Associates
300 Corporate Pointe, Suite 470
Culver City, CA 90230
(310) 473-6508

EMPLOYMENT HISTORY

1982 to Present Senior Transportation Engineer, Crain & Associates

EDUCATION

M.S. in Civil Engineering (Infrastructure Planning and Management), Stanford University – 1982
B.S. in Civil Engineering (Transportation), Marquette University – 1981

PROFESSIONAL AFFILIATIONS

- State of California Registered Professional Traffic Engineer - Number 2143
- State of California Registered Professional Civil Engineer - Number 47763
- Member Institute of Transportation Engineers
- Member Urban Land Institute
- Member Westside Urban Forum

SPECIALIZED PROFESSIONAL COMPETENCE

- Over 25 years of experience in the preparation of transportation studies, parking studies and trip generation analyses.
- In-house environmental expert regarding CEQA/NEPA requirements for transportation and parking documentation as stand-alone traffic analyses and as part of large environmental documents. Performs peer reviews of environmental documents for a variety of project uses.
- Member of development teams for many Master Plans and Specific Plans throughout California, and responsible for determining local and regional transportation considerations and providing all transportation and parking analyses.
- Assists in the development of workable site plans, including review and redesign of project access, vehicular and pedestrian circulation, loading dock access, parking layouts and emergency access.
- Knowledgeable with regard to Transportation Demand Management Programs and specific measures tailored to specific land uses.

- Has served as on-call Project Manager for UCLA, Sony Studios, Oxnard Riverpark, City of Pasadena

CRAIN & ASSOCIATES PROJECT EXPERIENCE HIGHLIGHTS

- Barlow Respiratory Hospital, Los Angeles
- Broad Museum, Downtown Los Angeles
- Campbell Hall School Expansion, Los Angeles
- Children's Hospital of Los Angeles
- Crystal Cathedral, Garden Grove
- DreamWorks Studios, Glendale
- Fagan Canyon Expansion Area Specific Plan, Santa Paula
- Hollywood & Vine Legacy (W Hotel)
- El Dorado Specific Plan, Sacramento area
- Exposition Bikeway and Pedestrian Path, Santa Monica
- Santa Monica Bicycle Demonstration Project
- Loyola Marymount University
- Lytle Creek North Specific Plan, San Bernardino
- Lytle Creek Ranch Specific Plan, Rialto
- Lucas & Bixel Mixed Use (Good Samaritan site), Los Angeles
- Millennium Hollywood (Capitol Records site), Los Angeles
- NBC Master Plan, Burbank
- Neptune Legacy, Marina del Rey
- Orthopaedic Hospital, Los Angeles
- Oxnard Riverpark Specific Plan
- Pepperdine University, Malibu
- Playa del Oro, Westchester
- Porter Ranch Specific Plan, Los Angeles
- Primestor Shopping Center, South Gate
- Santa Monica Bicycle Technology Demonstration
- Santa Monica Transit Mall
- Seton Medical Center, Daly City
- Simon Wiesenthal Museum of Tolerance, Los Angeles
- Sony Pictures Studios Comprehensive Plan
- Sunset Bronson Studios, Hollywood
- Time Warner Cable Sports Network, El Segundo
- UCLA Long Range Development Plan
- Warner Bros. Master Plan, Burbank
- Woodfin Suites, Marina del Rey
- Yeshiva University, Los Angeles

ATTACHMENT B

**ITE Community Bulletin Board Post
Richard Perez – Re: California Throwing out Traffic Impacts as Insignificant
January 28, 2014**



Transportation Professionals
Engineers • Planners • Administrators

Print Message

RE:California Throwing out Traffic Impacts as Insignificant

✂ From: Richard Perez

✂ To: All Member Forum

✂ Posted:01-28-2014 02:09 AM

✂ Message:Pretty interesting discussion. My observations:

1. It is ludicrous to think that VMT is easier to come up with that LOS, so the premise is false from the start. Many years ago, I served on a committee of agency folks wrestling with how to measure VMT per capita with enough statistical confidence to monitor progress towards Oregon's goal of reducing it. The resources necessary were huge, and that was only to cover 4 MPO's. When I think of attempting to duplicate that in, say Downieville for a resort development, well, who has a calibrated travel demand model of sufficient detail to capture the impacts? And who has the staff and expertise to maintain this model? And if it's the developers' responsibility,...oh wait! This is supposed to streamline development! Har, har.

2. I've also heard the arguments for making LOS more multi-modal. We've looked into that and the data requirements are a deal-killer, not to mention that the outputs are VERY debatable. I came at this from the perspective of looking to implement our MPO's goal of implementing multi-modal concurrency.

In Washington, we have a concurrency process that is supposed to assure that adequate transportation capacity exists to absorb new development. This is because at the time that the Growth Management Act was passed, greater Seattle was growing like topsy and the public was incensed at the lack of adequate mitigation. In fact, transportation concurrency was one of the few measures in GMA that has any real teeth on a project-level basis. So the notion that inadequate capacity isn't an environmental impact would leave a lot of the public ready to attack Sacramento with torches and pitchforks. How tone-deaf can one be?

So we played around with multi-modal LOS and found that almost invariably we had better bike and ped LOS than our LOS standard allowed for motorized traffic, even on a 5-lane arterial with no bike lanes pushing 40,000 ADT. We also had a 4-lane undivided arterial with only 15,000 ADT that the public tells us is unsafe for all but the hardiest riders come in at LOS B. So, thus far, we have a very labor-intensive tool that has no credibility with the public. We also found that it is completely insensitive to the bicycle and pedestrian volumes we see in suburbia. With that kind of ground-truthing, would I be willing to defend a land use decision based on such an analysis? Well, no! Gee, how much of my inadequate budget should I invest in collecting data for that?

My bet is that if California implements this ill-concieved notion, it'll eventually create another outflow to other western states. And just in case you're wondering, no, I'm not trashing the idea to have the Kings move to Seattle - we already have too many taxpayer-subsidized sports stadiums as it is.

Richard Perez P.E.
City Traffic Engineer
City of Federal Way
Federal Way WA
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Original Message:
Sent: 01-28-2014 01:12 AM