

VIA EMAIL

October 28, 2014

Chris Ganson  
Governor's Office of Planning and Research  
1400 Tenth Street  
Sacramento, CA 95814

Re: SB 743 Proposed CEQA Transportation Impact Criteria Modifications

Dear Mr. Chris,

It was a pleasure to talk with you and see your presentation at the Southern California Section of ITE meeting earlier this month. As you requested, I have prepared the following summary of my thoughts. I apologize for the below not being based on detailed research and references but time constraints allow only concerns to be raised, rather than properly researched.

I am concerned that the draft criteria fail to consider the range of projects to be analyzed. In particular, the distinction between the various VMT measures— such as:

1. **Gross VMT Generation** - This value would be a substantial revision and refinement of the current gross VMT estimations. The value would be compared to the regional average. Having the project or regional average based on all trips regardless of purpose would render the data meaningless. Therefore, determining the mix of trip purposes for each land use and the length for trips of that purpose is an essential element of this measure.
2. **Increase in Net VMT** – This value would depend upon transportation model. If the model is not conducted specifically for the project, the results from another model would need to be adapted. There are numerous potential shortcuts, but most shortcuts would serve to render this measure meaningless (see my September 21, 2014 letter to OPR). However, if done correctly, this measure would add the near-term effect on the trips to adjacent parcels as a consideration.
3. **Increase in Net VMT Considering Induced Trips/Land-uses** – This measure would consider not only the primary, but secondary, impacts of a land-use approval. However, accurate projections of project specific secondary land-use impacts would be difficult and financially infeasible for most projects. However, this is the closest measure to the actual impacts of the project.

Any of these VMT measures would find high-density residential development in a central business district as less having less than significant impacts, and low-density suburban residential as having significant adverse impacts. Therefore, the switch from LOS to VMT, regardless of the VMT measurement methodology, will achieve one goal that is the central focus

of SB743. The concern is the unintended consequences for the treatment of non-residential land-uses which are also evaluated under CEQA, such as base employment and of support services. For those land-uses, different methodologies and criteria cause different conclusions to be reached. I recommend that the consequence for the range of land use and infrastructure projects be carefully considered before guidelines are established.

Concern has been appropriately brought forward of the induced growth from motor vehicle network capacity increases, especially in suburban and rural areas. However, land-use projects also have induced growth as a secondary impact. That conclusion is supported by reviewing land-use model inputs with high degrees of correlation to land-use growth. The distance to jobs and services for a vacant site is primarily affected by land-use projects on other sites. Thus the growth inducing impacts of placing jobs in a low density, housing rich area deserves to be considered. Depending upon how you define VMT, the analysis would lead to different impact conclusions for an office project in a low density but jobs poor area.

As an example, a suburban office project in a low density, jobs poor area would have the following impacts by the above measurements:

1. **Gross VMT** – The office would have somewhat shorter than average trip lengths (depending on employee type) but lower than average alternative mode use, resulting in uncertain gross VMT compared to the regional average;
2. **Net VMT** - Extraordinarily long commute trips of the nearby residents would be shortened in the near-term, and thereby the office would likely be found as having a primary impact of a reduction in VMT; and
3. **Net VMT With Induced Trips** – Under this methodology, the office would likely be found to induce more low density residential growth in the suburban fringe and cause a long-term increase in VMT.

Thus the identified approaches all might lead to different conclusions. An example of where the question of a suburban office will be raised is “What is the impact an office/commercial project in the US-101 corridor from Warner Center north to Thousand Oaks, or Pleasanton?”

The alternative of locating more jobs and services in the Los Angeles or other CBD needs to be considered as well. Using the same three analysis methods, the conclusions would likely be:

1. **Gross VMT** – The project would have uncertain gross VMT results for the opposite reasons as the suburban case;
2. **Net VMT** – The office would be in a jobs rich area so the near-term impact of making the area more jobs rich would be increasing VMT; and
3. **Net VMT With Induced Trips** – Long-term implications would be increasing CBD housing and reducing trip lengths and VMT, assuming zoning regulations and the market allow/encourage high density CBD housing.

In this case again, the methodology and assumptions are critical to the results. A service land-use project would have similar considerations.

I am also concerned that the criteria/analysis methodology selection is not considering the basis for most land-use decisions. The shift from LOS to VMT is a fundamental shift from local impacts to area-wide/global impacts. The current LOS methodology is based on primary local impacts, and mostly ignores area-wide and global impacts with secondary local consequences. However, most jurisdictions will likely continue to be considered local near-term impacts as most suburban residents and local politicians are unlikely to accept other than living in low density residential areas. Specifically, they are unlikely to make the shift in thinking from “If it is not built here it will not be built at all.”, to “If it is not built here will it be built in a better place?”. Therefore, the SB743 goal of making TOD analyses and approvals easier is unlikely to be achieved without a comprehensive outreach to local decision makers setting forth that low density development has led to freeway traffic jams, clogged arterials and local cut-through traffic.

One last thought is that quantification of the benefits of mitigation is a vital CEQA function. The current measures focus on taking a less than significant project and making it even better rather than taking a marginally significant project and reducing its adverse impact. The benefits will be hard to quantify but multi-modal solutions for the complete range of projects are all part of the needed systematic change.

In summary, I am most strongly concerned that only the clear case (from a transportation point of view) of residential development needing to be more infill/high density/mixed use oriented has been considered. The question of if jobs growth needs to be directed to high-density, transit served areas, even if there is a currently more jobs than housing in an area needs to be considered in selecting a methodology for the guidelines. Service has similar considerations. The recommended criteria are critical to the direction to be followed. These are the concerns that have led to me strongly recommend the criteria be consistency with a CMP (or other regional land-use plan) shown to reduce VMT. Absent that consistency, extensive evidence would be required that the project itself will decrease VMT.

Please feel free to contact me to further discuss these concerns.

Sincerely,



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