WESTERN DISTRICT

INSTITUTE OF TRANSPORTATION ENGINEERS

February 14, 2014

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

Re: Preliminary Evaluation of Alternative Methods of Transportation Analysis

Dear Mr. Calfee:

Thank you for the opportunity to provide comments and suggestions regarding your efforts to amend CEQA (California Environmental Quality Act) Guidelines, as required by Senate Bill 743 (SB 743). This letter specifically responds to the Preliminary Evaluation of Alternative Methods of Transportation Analysis written by the Office of Planning and Research (OPR) dated December 30, 2013.

We represent over 2,000 California members of the Institute of Transportation Engineers (ITE), an international society of transportation engineers and planners. These members conduct transportation analysis for environmental documents under CEQA, and in some cases the National Environmental Policy Act (NEPA), and we understand the purpose of these analyses to identify potential environmental impacts. Our purposes in writing this letter are as follows:

- We would like to transmit certain specific comments and suggestions that represent a broad consensus of our profession.

- In addition, there are certain issues related to this topic where our profession has not reached a consensus, but our members have brought up important considerations that should be taken into account in revising the CEQA guidelines.

- We are organized and ready to assist OPR in the important task of revising CEQA guidelines. As you go through the process of testing alternatives and writing draft guidelines, we would like to be engaged in order to produce a set of revised guidelines that will meet the intent of SB 743 and serve the needs of the travelling public. By providing specific points of contact, we would like to facilitate your ability to engage our profession in this process.

2013 - 2014 Officers

Karen Aspelin, President
Carlos Ortiz, Vice President
Cathy Leong, Secretary-Treasurer
Walter Okitsu, Past President

Monica M. Suter, International Director
Jenny L. Grote, International Director
Jennifer Rosales, International Director

As you might expect, our members have taken an interest in this issue and we expect that many will be providing comments as individuals or representing various stakeholder groups. We are doing our best to make our members aware of this process and we are encouraging them to submit comments that reflect their individual work and experience with CEQA transportation analyses.

The remainder of this letter includes comments on OPR's Preliminary Evaluation, specific suggestions that represent a broad consensus of California ITE members, responses to OPR's specific questions, and contact information.

COMMENTS ON OPR'S PRELIMINARY EVALUATION

The Preliminary Evaluation of Alternative Methods of Transportation Analysis (Preliminary Evaluation) dated December 30, 2013 contains valuable information regarding the background and next steps in the process. However, the information in this document mischaracterizes certain aspects of transportation engineering and planning practice and we would recommend that revisions be made in subsequent documents that discuss this issue:

1. The use of the term level of service or LOS itself in the Preliminary Evaluation is inconsistent with the use of this term in typical practice. In our profession, level of service is a letter grade that is used to rate ranges of operations of various modes of travel, including travel by automobile, transit, bicycle, and walking. It is not the letter grading system that is in question, but the use of automobile congestion in environmental analysis. Where the Preliminary Evaluation refers to LOS, we believe that "roadway capacity analysis" is a more accurate description. The language of SB 743 recognizes the distinction when it talks about "level of service or similar measures of roadway capacity or traffic congestion". Furthermore, level of service analyses for other modes of travel (transit, bicycle, and pedestrian) may be helpful in promoting the reduction of greenhouse gases.

2. On pages three through six, the Preliminary Evaluation describes the difficulties in calculating roadway capacity/LOS as well the accuracy of the calculations. Despite any challenges, many transportation engineers believe that roadway capacity/LOS analysis is a highly useful tool in analyzing roadway operations that is used in the planning, design, and operation of roadway facilities. We believe the discussion should focus on how this analysis fits into the revised CEQA guidelines, rather than the difficulties in making the calculations.

3. ITE members are aware of the potential disadvantages in using roadway capacity/LOS calculations. We are aware of the challenges brought up by OPR in the Preliminary Evaluation and welcome the opportunity to work together to provide better information to

decision-makers and the public. In certain situations, roadway capacity/LOS analysis can mischaracterize transit, bicycle, and pedestrian improvements as detrimental to transportation.

4. The challenges with roadway capacity/LOS analysis are over-emphasized in the Preliminary Evaluation and the difficulties in using vehicle-miles travelled (VMT) are under-emphasized. VMT analysis is a useful tool that is applied in many transportation applications. However, VMT analysis requires estimates of both trip generation and trip length. Neither of these performance measures can be easily calculated or predicted with a high degree of accuracy. It is recommended that both roadway capacity/LOS analysis and VMT analysis continue to be used in various aspects of transportation analysis.

5. Mitigation measures for impacts to increases in VMT may be difficult to implement. For some projects, reductions may need to be in the form of transit subsidies (assuming reasonable access to transit), and/or increasing availability to travel modes that are not single occupant vehicles. In suburban and rural locations, such measures may be impractical. In addition, mitigation measures like reducing parking need to be balanced with the needs of businesses to be competitive and thrive, a community's needs for parking, and the desire to avoid traffic and parking intrusions into residential neighborhoods.

6. In writing the new guidelines it is recommended that the financial responsibilities for local agencies to fund transportation improvements be taken into account. If a proposed project results in significant traffic impacts under roadway capacity/LOS analysis, it is common practice that the project be required to financially participate in the necessary improvements. Many agencies also collect fees to mitigate minor impacts at other intersections and on roadway segments. Without growth and development, there would be little, if any, need for further improvements other than those that are the responsibility of the agency to mitigate pre-existing deficient conditions. The new guidelines should not require a change to VMT as a performance measure that would shift financial responsibility from the private developers to the public agencies who have extremely limited financial resources to address these development-related impacts.

7. An additional financial issue is that the new guidelines should not require procedures or analyses that would represent an unreasonable burden to local agencies in preparing the required studies.

ITE SUGGESTIONS FOR REVISING CEQA GUIDELINES

Following are some suggestions regarding the revisions to CEQA guidelines for transportation analyses:

8. Considerable thought should be put into the use of VMT or similar measures for the determination of significant impacts under CEQA. While VMT is a useful performance measure related to greenhouse gases, there is little or no current basis for the determination of significance. Given the wide variety of projects subject to CEQA transportation analyses and the differing settings in which projects are proposed, it will be a great challenge to develop broad significance criteria that are applicable to all situations and regions. Providing judgment-based criteria and giving flexibility to local agencies in determining their own criteria can be part of a viable solution to these issues. Data collection to determine VMT on a project level could be significant and it is recommended that the guidelines be flexible enough for local agencies to provide reasonable estimates for VMT or similar performance measures that are consistent with available resources.

9. While SB 743 requires that OPR write guidelines that de-emphasize roadway capacity/LOS analysis, such calculations will continue to be part of the overall decision-making process for various projects. For example, federal agencies require that such analyses be provided in order to meet federal guidelines for oversight and funding. In addition, local agencies require that roadway capacity/LOS calculations be conducted for certain projects in order to determine the level of roadway infrastructure that should be implemented to support development of the project. Since one of the overall objectives of CEQA is disclosure of information regarding CEQA projects, it is recommended that such analyses continue to be included in CEQA documents, regardless of whether they are used in the determination of the significance of impacts.

10. One concept that is useful in transportation analyses are guidelines that allow for more congested roadway operations in infill areas with alternative travel choices, while retaining guidelines that encourage less congested roadways in areas where automobile travel is the primary method of travel.

11. One of OPR's key decisions during this process is whether the new guidelines will apply only in transit priority areas, statewide, or in some other geographical area to be determined by OPR. At this time, it is recommended that any new guidelines and/or metrics be limited only to transit priority areas, since they have not yet been developed or evaluated. After new guidelines and/or metrics are established for transit priority areas, it may be appropriate to determine if they should be expanded to other areas. However, to do so before they are developed, implemented and evaluated, could lead to unintended and/or undesirable consequences for stakeholders and the travelling public. Roadway capacity analysis and LOS methodology, with or without its flaws, has been in use for many years and has undergone extensive evaluation to allow for its use in transportation analyses.

12. ITE members recognize the need for revisions to Appendix G of the CEQA Guidelines that include a checklist for the transportation/traffic analyses. We would like to be included in the ongoing process to determine the revised wording.

13. In order to minimize potential disruption caused by the change in CEQA guidelines, we recommend that all projects that have filed a Notice of Preparation prior to the date the new guidelines take effect should be permitted to use the new guidelines or the previous guidelines in completing their CEQA documents. Alternative rules regarding projects in transition may be possible, but the main point would be to allow local agencies time to adjust to the new guidelines.

All of the information presented above should be considered in light of local context. In much of rural California, travel by automobile is the only viable means of travel, while in many urban areas, travelers have a choice of multiple modes of transportation.

RESPONSES TO SPECIFIC OPR QUESTIONS

Q. Are these objectives (i.e. the objectives stated in the Preliminary Evaluation, pages six through eight) the right objectives?

A. Modal balance (i.e. analysis of appropriate balance of emphasis on different travel modes) and “livability” or “quality of life” are objectives that deserve consideration.

Q. Are there other objectives that should be considered?

A. Yes, modal parity, i.e. measuring how well the transportation network serves transit passengers, pedestrians and bicyclists, as well as auto traffic. This should include both existing as well as future scenarios. Livability or quality of life in relation to transportation analyses would relate to the public’s ability to travel to desired destinations within a reasonable amount of time.

Q. Are there environmental impacts related to transportation other than air quality (including greenhouse gas emissions), noise and safety? If so, what is the best measurement of such impacts that is not tied to capacity?

A. Other environmental impacts that should be considered include safety and economic impacts. Traffic congestion can lead to delay in goods movement, reduced travel time reliability, and increased emergency response times.

Q. Are there transportation-related air quality, noise and safety effects that would not already be addressed in other sections of an environmental analysis (i.e. the air quality section or noise section of an initial study or environmental impact report)? If so, what is the best measurement of such impacts that is not tied to capacity?

A. Transportation-related impacts have been evaluated hand in hand with air quality and noise impacts. Traffic injuries have not been adequately addressed using CEQA Initial Study questions, particularly the safety of vulnerable users, pedestrians, bicyclists, children and the elderly.

Q. Would consistency with roadway guidelines normally indicate a less than significant safety impact?

A. Consistency with design guidelines does not necessarily guarantee that there will be no significant safety impact. For example, consider a well-designed freeway off ramp that terminates in a signalized intersection that is congested during peak hours. If the traffic congestion causes vehicles waiting at the traffic signal to back up out onto the freeway, a safety impact will occur that is independent of the quality of the geometric design of the off ramp. One problem with tying design guidelines to CEQA is that design guidelines for transportation facilities are written for a completely different purpose than CEQA analyses and complications would develop by trying to make specific connections between CEQA guidelines and design guidelines.

Q. What are the best available models and tools to measure transportation impacts using the metrics evaluated above? SB 743 allows OPR to establish criteria "for models used to analyze transportation impacts to ensure the models are accurate, reliable, and consistent with the intent of" SB 743. Should OPR establish criteria for models? If so, which criteria?

A. Because of the wide variety of transportation studies conducted for CEQA documents, we would strongly recommend against requirements to use specific models and tools by OPR. There is no one model that fits all situations covered under CEQA and for many models, it is difficult to write a set of strict guidelines or criteria for use of the model. Within the transportation engineering and planning professions, it is widely recognized that the development, calibration, and operation of transportation models require a high degree of specialized expertise.

Q. SB 743 provides that parking impacts of certain types in certain locations shall not be considered significant impacts on the environment. Where the limitation does not apply, what role, if any should parking play in the analysis of transportation impacts?

A. Parking is a difficult issue to analyze and to consider as an environmental impact under CEQA for a variety of reasons. Scarcity of parking can be an inconvenience, but its effects can vary, depending on the context, location, and availability of alternative modes of travel that do not require the need for vehicle parking. In areas where there is a charge for parking, demand for parking will vary widely depending on its cost. Given that parking demand can be reduced by raising the price, and that charging for parking can be implemented relatively easily, (physically if not politically), it is difficult to consider the availability or lack of parking as an environmental impact, in certain areas. However, from the point of view of businesses and residents, parking is an important issue. Businesses rely on parking to be successful and residents view intrusion of parking into neighborhoods as an adverse impact.

This letter was prepared by the California SB 743 Task Force, a task force appointed by the Western District of the Institute of Transportation Engineers. The Western District oversees the thirteen Western states, including California. Within California, the Institute of Transportation Engineers is represented by seven sections throughout the state. The Presidents representing the seven California ITE Sections have supported the task force in preparing this letter and their names and contact information is shown below. This letter is also supported by the Orange County Traffic Engineering Council (OCTEC), a transportation society that serves professionals in Orange County.

Future correspondence should be directed to Erik Ruehr, Chair of the California SB 743 Task Force, who can represent the California ITE Section Presidents for correspondence purposes. Contact information is shown below:

Erik Ruehr, Chair
ITE California SB 743 Task Force
c/o VRPA Technologies
9520 Padgett Street, Suite 213
San Diego, CA 92126
(858) 566-1766
eruehr@vrpatechnologies.com

Thank you again for the opportunity to be involved in this discussion. We look forward to working with you in the months ahead.

Respectfully yours,

Institute of Transportation Engineers
California SB 743 Task Force

Erik Ruehr
VRPA Technologies
Chair, ITE California SB 743 Task Force
(858) 566-1766
eruehr@vrpatechnologies.com

Angie Louie
City of Sacramento
President, ITE Northern California Section
(916) 808-7921
alouie@cityofsacramento.org

Jia Hao Wu
W&S Solutions
President, ITE San Francisco Bay Area Section
(925) 380-1320
jiahao.wu@wu-song.com

Robert Sweeting
President, ITE Central Coast Section
City of Thousand Oaks
(805) 449-2438
rsweeting@toaks.org

Jill Gormley
President, ITE Central California Section
City of Fresno
(559) 621-8800
jill.gormley@fresno.gov

Jonathan Hofert
President, ITE Riverside – San Bernardino Section
Parsons Brinckerhoff
(909) 888-1106
hofertja@pbworld.com

Sri Chakravarthy
President, ITE Southern California Section
Kimley-Horn and Associates
(213) 261-4037
sri.chakravarthy@kimley-horn.com

Kathy Feilen
President, ITE San Diego Section
City of La Mesa
(619) 667-1347
kfeilen@ci.la-mesa.ca.us

Melissa Hewitt
President, Orange County Traffic Engineering Council
Kimley-Horn and Associates, Inc.
(213) 261-4040
melissa.hewitt@kimley-horn.com