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

RE: 2014 CEQA Guidelines Update

Dear Mr. Calfee:

Thank you for the opportunity to comment on *Updating Transportation Impacts Analysis in the CEQA Guidelines: Preliminary Discussion Draft of Updates to the CEQA Guidelines Implementing Senate Bill 743 (Steinberg, 2013)*, released August 6, 2014. The Los Angeles County Metropolitan Transportation Authority (Metro) commends the Office of Planning and Research for providing leadership and guidance to find alternative measures of analysis for traffic impacts. The fundamental shift from Level of Service (LOS) to Vehicle Miles Traveled (VMT) will promote more sustainable development patterns and encourage Transit Oriented Development (TOD).

Metro has been a champion for sustainability and has adopted a number of policy initiatives to address climate change, and promote sustainable transportation, a complete list of which is attached. In addition, Metro has incorporated policies that specifically address station area planning: the Metro TOD Planning Grants and the Metro First/Last Mile Strategic Plan. Metro supports the Office of Planning and Research's selection of Vehicle Miles Traveled (VMT) as an alternative to Level of Service (LOS) for analyzing transportation impacts and the proposed mitigation measures that would prioritize multi-modalism in the mitigations. Metro concurs with OPR that automobile delay should not be a significant effect on the environment under CEQA. The following suggestions are respectfully submitted to further enhance OPR's guidelines.

Methodology Clarification:

It is not clear that the intended comparisons for a given project to the "regional average VMT by land use type" are well established. Lack of clarity on this issue could lead to substantial confusion in implementing the new guidelines and result in wide variety impact determinations and mitigation.

Methodology should be revisited several years after implementation of the guidelines. This will allow for a trial period for the suggested methodology and allow for changes as needed.

Mitigation Clarification:

It is recommend that OPR clarify example #1 in Appendix F, Energy Conservation, II. EIR Contents, E: "Locating the project in an area of the region that already exhibits below average vehicle miles traveled." Clarify to avoid promoting projects located in areas where vehicle miles are below average

VMT due to the existing absence of origins or destinations (e.g., open space areas or undeveloped areas that currently lack transportation facilities or land uses). This example appears to promote greenfield development, and it is suggested that it be replaced with an example that promotes location efficiency and denser, infill developments.

Supported Mitigation Strategies:

Metro is supportive of the multi-modal considerations of the propose mitigation measure to reduce VMT and would like to emphasize our *strong support* of the following strategies:

- Improving and/or increasing access to transit
- Orienting the project toward transit, bicycle and pedestrian facilities
- Improving pedestrian and bicycle networks
- Improving transit service
- Providing bicycle parking
- Unbundling parking costs
- Parking or roadway pricing or cash-out programs
- Providing transit passes

Suggested Additional Mitigation Strategies:

The following are additional mitigation measures to reduce VMT that are recommended to reinforce regional multi-modal strategies and implementation of the SCS and subsequent planning.

- Implementation of local or regional plans and programs that are focused on multi-modal implementation, such as Metro's First/Last Mile Strategic Plan. For projects that are beyond ½ mile but less than 3 miles from high quality transit, mitigation could include application of first/last mile, multi-modal access strategies identified in an applicable plan.
- The application of such mitigations should allow impacts found to be less than significant after mitigation.
- Other multi-modal strategies not necessarily linked to first/last mile, such as the implementation of a complete streets policy or ordinance.
- Transit station improvements or expansions that would be necessary due to increased use of a transit station.
- Paying into an in-lieu fee for transit improvement or maintenance.

Metro recommends that OPR consider the identification of specific mitigation measures within each region, such as Metro's First/Last Mile Strategic Plan, which facilitate the development of regionally comprehensive multimodal transportation networks. The implementation of consistent mitigation measures could create consistency across agency assessments, as well as less variation in multimodal facility deployments across jurisdictional boundaries.

Notification to Transit Agencies:

The shift from LOS to VMT analysis will likely shift the significance of a traffic impact from potentially significant to less than significant. This may also change the notification process for that project. Metro recommends that notification to transit agencies be required of projects that may impact transit facilities or services. Notification to transit agencies is needed for two reasons: (1) to suggest mitigation measures to the lead agency, and (2) to adapt transit operations, or protect transit facilities. Transit agencies should be able to suggest mitigation measures that are taken into consideration by lead agencies. In addition, notification to the transit agency is needed to protect transit facilities and inform operations. Buildings planned adjacent to rail right-of-way may impact the safety of the rail line. Projects adjacent to bus operations may service and require that operators be notified or buses rerouted. Required notification would allow more efficient coordination surrounding such impacts.

Retention of Authority to Assess Impacts and Mitigations:

Lead agencies should retain substantial discretion to review projects and assess mitigation where appropriate, as it is an important opportunity to address funding needs associated with project-level impacts. Specific language should be included allowing for or supporting programmatic mitigation such as transportation impact fees where such approaches would support the implementation of a regional or local plan (e.g., RTP, Long Range Plan, Circulation Element of the General Plan, etc.).

Retroactive Implementation:

OPR should consider implementing the proposed changes as soon as possible, and to consider allowing application of the VMT analysis to projects that are undergoing environmental work at the time of the adoption of the guidelines, or as desired by Lead Agencies, to apply retroactively to project that would have environmental benefits.

If you have any questions regarding this response, please contact me at 213-922-5667 or by email at SullivanMa@metro.net. LACMTA looks forward to reviewing the final Updated Guidelines. Please send them to

Sincerely,



Marie Sullivan
Development Review Coordinator, Planning Department

Attachment: Metro Multi-modal and Sustainability Policies Recently Adopted

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- Health and Active Transportation Agenda (2011), which includes short and long term strategies for leveraging urban design, partnerships and project development to create environments that promote walking and biking, transit use, and public health. <http://goo.gl/ezZbBH>
- Metro/Southern California Association of Governments Joint-Work Program (2012), which supports the Regional Transportation Plan (RTP)/Sustainable Communities Strategy (SCS) and advance sustainable transportation options. <http://goo.gl/i0Wi4u>
- Countywide Sustainability Planning Policy and Implementation Plan (2012), which guides the integration of sustainability into the agency's planning functions. <http://goo.gl/RiyCNK>
- First Last Mile Strategic Plan (2014), which outlines a specific infrastructure improvement strategy designed to facilitate easy, safe, and efficient access to the Metro system. <http://goo.gl/wV&uQU>
- Complete Streets Policy (2014) which establishes a standard of excellence in multimodal design and identifies opportunities where Metro can help advance state, regional and local efforts to create a more complete and integrated transportation network that serves all users and supports environmental sustainability. <http://goo.gl/jaQkAu>