



November 21, 2014

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

Subject: Comments on "Updating Transportation Impacts Analysis in the CEQA Guidelines, Preliminary Discussion Draft of Updates to the CEQA Guidelines Implementing Senate Bill 743," dated August 6, 2014

Dear Mr. Calfee:

PlaceWorks appreciates the opportunity to submit our comments on the Draft CEQA Guidelines prepared pursuant to SB 743. We are a private firm with offices in Southern and Northern California that serves both public and private sector clients in the fields of comprehensive planning, environmental analysis and science, urban design, landscape architecture, economics, school planning, and GIS. (We were formerly known as The Planning Center|DC&E.) We have actively participated in the discussions and review of OPR materials distributed since passage of SB 743, and look forward to being part of the ongoing discussion and practical solutions to successfully implement this legislation. The following comments focus on concerns we have as CEQA practitioners.

Potential Conflict between General Plan Consistency and SB 743. For jurisdictions with general plan level of service (LOS) policies, the updated guidelines present an inherent conflict between addressing *Land Use and Planning* and *Transportation/Traffic* impacts. Under the Appendix G Checklist question X.(b), an environmental document needs to address whether a project "would conflict with any applicable land use plan, policy or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan)." An LOS analysis would be required to determine whether a project was consistent with a GP LOS policy, and if a project exceeds the minimum LOS (per policy), typically this would be considered a significant CEQA impact requiring mitigation. Yet under SB 743 and the updated guidelines, auto delay cannot be considered a significant impact. Moreover, under the new guidelines, a traffic-inducing roadway improvement (typically the mitigation for LOS) would be considered a significant impact in itself. The Guidelines need to provide direction on how to address these dilemmas.

Significance Threshold and Mitigation. The preliminary guidelines recommend that vehicle miles traveled (VMT) be used as the metric to evaluate transportation impacts for land use projects and stipulate that a project that results in VMT greater than the regional average may have a significant impact. We foresee difficulty in substantiating a direct nexus between several of the recommended mitigation measures in Appendix F and the VMT threshold. In practice, how do you determine and measure whether the application of such measures (e.g., providing bicycle parking, transit passes) mitigates an impact (assumed to be a project with above-average VMT) to less than significant?

Transportation Projects That Induce Travel. By definition, this new provision would cause almost all projects that increase roadway network capacity to result in significant impacts (with safety exceptions, etc.). It appears that this provision evolved from the broad goal of SB 743 to promote reduction of GHG and encourage multi-modal transportation. These draft guidelines, however, essentially create a specific significance criteria, which was not directed by the legislation. The flexibility to determine whether specific projects (including transportation projects that induce travel) result in significant impacts should be left to lead agencies. Moreover, similar to the General Plan conflict (LOS policy noted above), this provision



appears to create direct conflicts with some area-wide and regional plans and the missions of their implementing agencies (e.g., Caltrans, Orange County Transportation Authority).

As a planning and environmental services firm, we applaud any effort to reduce reliance on the automobile and reduce GHG emissions. However, we are concerned about some implications of SB 743 and the draft implementing guidelines. Such concerns include 1) changes to the structure for funding transportation improvements (often heavily reliant on CEQA mitigation), 2) consistent application of new metrics to address cumulative impacts across jurisdictional boundaries, and 3) how to inform the public regarding changes to long-standing methodologies for evaluating community traffic. We also understand that these issues are fundamentally related to the General Plan Guidelines update currently in progress. We sincerely appreciate the complexity of both efforts and appreciate the work undertaken by OPR.

Please contact us with any questions or for any clarification needed regarding our comments.

Sincerely,

PLACEWORKS

A blue ink signature of JoAnn C. Hadfield, written in a cursive style.

JoAnn C. Hadfield
Principal

A blue ink signature of William Halligan, Esq., written in a cursive style.

William Halligan, Esq.
Principal