



September 1, 2009

Christopher Calfee, Special Counsel
ATTN: CEQA Guidelines
California Resources Agency
1017 L Street, #2223
Sacramento, CA 95814
CEQA.Rulemaking@resources.ca.gov

Re: Comments on Proposed Amendments to the State CEQA Guidelines Addressing Analysis and Mitigation of Greenhouse Gas Emissions Pursuant to SB 97

Dear Mr. Calfee:

TransForm appreciates the efforts of both the Office of Planning and Research and the Resources Agency has done in drafting the Proposed CEQA Guidelines. While we support several proposed changes to the Guidelines, including the removal of parking criteria from Appendix G. We are concerned about changes made in the language between OPR's earlier draft and the current version. Specifically, we are concerned about the focus on transportation levels of service (LOS) instead of project generated vehicle miles traveled (VMT) and auto-trips.

We hope that Resources will carefully consider our suggested improvements to the Proposed Guidelines and modify these documents accordingly.

The Proposed Changes to the Transportation Criteria in Appendix G Do Not Have a Clear Relationship to Environmental Effects and Greenhouse Gas Emissions

Questions in the CEQA checklist related to transportation have historically focused on *roadway capacity* instead of an environmental impact. The Statement of Reasons clearly recognizes the problem with this approach and corrects it: "an increase in traffic, by itself, is not necessarily an indicator of a potentially significant *environmental impact*." (Statement of Reasons at 64.)

Unfortunately, the revised language not only fails to change the focus of the question away from increasing traffic, it also increases the burden of important infill projects by adding criteria for environmentally friendly modes.

While this language provides somewhat greater latitude as to choices for performance measures and recognizes multiple modes which is a nominal improvement, the question still relies on a *capacity standard* as a proxy for environmental impact.

By focusing on capacity, transportation impacts to cars are emphasized while impacts to people, transit, bicyclists and other modes are ignored. For example, a Bus Rapid Transit or bicycle lane project that reduces vehicle capacity is typically assumed to have negative transportation impacts because it reduces capacity for cars, while the net benefits for the movement of people and the environment are ignored.

The current language is substantively similar to the original and seems to limit the range of measures to only those related to *capacity*.

Using a capacity standard as an indicator for potential environmental impacts is problematic for a number of reasons:

- Measures of transportation system capacity relative to demand or use have no direct or clear association with significant environmental effects;
- Projects that provide alternatives to personal vehicle travel (e.g. bicycle lanes, bus rapid transit) may reduce the environmental impacts of a transportation system while also reducing the system's capacity;
- Taken from another perspective, the proposed criteria appear to allow projects to generate traffic up to the capacity threshold, whether or not there are adverse environmental impacts.
- The most common mitigation for inadequate capacity—more capacity for vehicles—can result in substantial adverse environmental impacts.

For the above reasons, triggering environmental review based on level of service standards as suggested in question (b) in the checklist would also be problematic. The criteria in the Checklist should instead use measures directly related to the environmental impacts of a project. The two primary measures of environmental impacts from transportation are auto-trips and vehicle miles traveled (VMT). An auto-trips standard captures increases in vehicle volume, which correlate to increases in air pollutant emissions, community noise levels, pedestrian injury collisions, and other domains of environmental quality including neighborhood livability. In the same way, VMT is directly related to vehicle emissions.

While OPR's original draft proposed text which reads: "Would the project: Result in a substantial increase in the number of vehicle trips, roadway vehicle volume or vehicle miles traveled?" TransForm supports the following as a clearer and more meaningful guideline:

- "Would the project result in an increase in VMT per household or per capita that is the lower of either:
- 14,000 VMT per year per household, or
 - 70% of the per-household or per-capita average VMT for the local jurisdiction?"

With this substitution, TransForm supports OPR's earlier proposal for the guidelines, which took into account vehicle trips, vehicle volume, and vehicle miles travelled rather than level of service or the capacity of the existing circulation system.

Sincerely,



John Knox White
Program Director