

## Letter 20

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### **Comment 20-1**

Commenter urges removal of “impacts on motor vehicle traffic flows” from the list of significance thresholds.

### **Response 20-1**

The comment incorrectly suggests that “impacts on motor vehicle traffic flows” are listed among suggested significance thresholds. First, the CEQA Guidelines do not establish thresholds of significance for potential environment impacts. Second, SB 97 did not authorize the Natural Resources Agency to develop thresholds as part of this CEQA Guidelines update. Similar comments suggested that the Appendix G, Initial Study Checklist should be amended to deemphasize vehicular transportation impacts by removing “level of service” standards.

The Natural Resources Agency acknowledges the concern expressed by some comments that the use of level of service metrics in CEQA analysis has led to an auto-centric focus. The Office of Planning and Research and the Natural Resources Agency have participated in extensive outreach with stakeholder groups to revise question (a) in the transportation section of Appendix G to accomplish the following goals:

- Assess traffic impacts on intersections, streets, highways and freeways as well as impacts to pedestrian, non-vehicular and mass-transit circulation
- Recognize a lead agency’s discretion to choose methodology, including LOS, to assess traffic impacts
- Harmonize existing requirements in congestion management programs, general plans, ordinances, and elsewhere

In response to public comments submitted on proposed amendments, the Natural Resources Agency further refined question (a) to shift the focus from the capacity of the circulation system to consistency with applicable plans, policies that establish objective measures of effectiveness.

Some comments advocated leaving the existing text in question (a) of the transportation section of Appendix G intact. As explained in the Initial Statement of Reasons,

[Q]uestion (a) changes the focus from an increase in traffic at a given location to the effect of a project on the overall circulation system in the project area. This change is appropriate because an increase in traffic, by itself, is not necessarily an indicator of a potentially significant environmental impact. (Ronald Miliam, AICP, Transportation Impact Analysis Gets a Failing Grade When it Comes to Climate Change and Smart Growth; see also Land Use Subcommittee of the Climate Action Team LUSCAT Submission to CARB Scoping Plan on Local Government, Land Use, and Transportation Report (May, 2008) at pp. 31, 36.) Similarly, even if some projects may result in a deterioration of vehicular level of service – that is, delay experienced by drivers – the overall effectiveness of the circulation system as a whole may be improved. (*Ibid.*) Such projects could include restriping to provide bicycle lanes or creating dedicated bus lanes. Even in such cases, however, any potential adverse air quality or other impacts would still have to be addressed as provided in other sections of the checklist. Finally, the change to question (a) also recognizes that the lead agency has discretion to choose its own metric of analysis of impacts to intersections, streets, highways and freeways. (Pub. Resources Code, § 21081.2(e); *Eureka Citizens for Responsible Gov't v. City of Eureka, supra*, 147 Cal.App.4th at 371-373 (lead agency has discretion to choose its methodology).) Thus, “level of service” may or may not be the applicable measure of effectiveness of the circulation system.

(Initial Statement of Reasons, at pp. 64-65.) Further, evidence presented to the Natural Resources Agency indicates that “mitigation” of traffic congestion may lead to even greater environmental impacts than might result from congestion itself. (See, e.g., Cervero, Robert. (July, 2001). *Road Expansion, Urban Growth, and Induced Travel: A Path Analysis*. Journal of the American Planning Association, Vol. 69 No. 2. American Planning Association (confirming “induced demand” phenomenon associated with capacity improvements).)

#### **Comment 20-2**

OPR’s submitted amendment recommendations preserve mitigating traffic impacts by expanding roadways to increase vehicular flow at the disadvantage to pedestrian and bicycle amenities.

#### **Response 20-2**

In response to comments, the Natural Resources Agency revised the amendments to Appendix G, Section XVI subsection (a) which states:

“(Would the project) conflict with an applicable plan, ordinance, or policy establishing a measure of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?”

In addition, subsection (f) which states:

“(Would the project) conflict with adopted policies, plans, or programs regarding public transit, bikeways, or pedestrian facilities, or otherwise substantially decrease the performance or safety of such facilities?”

The Natural Resources Agency believes these amendments preserve a lead agency’s discretion to, and therefore should, consider a project’s effect on the overall circulation system and take into consideration all modes of transportation.

Furthermore, CEQA already requires a lead agency to consider if a mitigation measure would cause one or more significant effects and further discuss those effects before approving a project. (Section 15126.4(a)(D).) No further revision to the text is required to respond to this comment.

**Comment 20-3**

Commenter urges removal of “impacts on motor vehicle traffic flows” from the list of significance thresholds. Through its removal, obstacles to projects that would otherwise improve walking, bicycling, and transit rider-ship thus reduce GHG emissions would be removed.

**Response 20-3**

See Response 20-1 for discussion. No further revision to the text is required to respond to this comment.

**Comment 20-4**

As a result of current practice to mitigating traffic impacts, roads have become unsafe and continuing to do so will further discourage people from utilizing alternative modes of transportation to the automobile.

**Response 20-4**

See Response 20-1 and 20-2 for discussion. No further revision to the text is required to respond to this comment.