

## Letter 39

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### **Comment 39-1**

Commenter recommends changes to CEQA Guidelines Initial Study Checklist, Transportation/Traffic section (a). Alternative language would broaden checklist question to generally consider physical impacts of new road facility construction.

### **Response 39-1**

In response to comments such as this, the Natural Resources Agency revised the proposed amendments to Appendix G, Section XVI - Transportation/Traffic checklist. See Response 9-1 for additional discussion.

Revisions to subsection (a) change 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. Specifically, the revisions recognize 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 Government v. City of Eureka*, (2007) 147 Cal.App.4th 357, 371-373 (lead agency has discretion to choose its methodology).) However, this discretion does not allow a lead agency to rely on speculative or unreasonable methodologies or measures for analysis. If metrics for measuring the capacity of an entire circulation system do not exist or are not considered sufficient by a lead agency, lead agencies remain free to consider level of service, and/or any other measure or metric, so long as they consider the transportation system in its entirety. The Natural Resources Agency believes these changes will adequately encompass the commenter's suggested revisions. Also, section 15064(d) already requires analysis of indirect effects. No further revision to the text is required to respond to this comment.

### **Comment 39-2**

Commenter believes as proposed revision to section (a) will adversely impact smart growth, in-fill, and supportive modes of transportation servicing such types of development.

### **Response 39-2**

As explained above, the Natural Resources Agency revised Appendix G, Section XVI, subsection (a) to change the focus from an increase in traffic at a given location to the effect of project on the overall circulation system in the project area.

In addition, subsection (f), now asks whether a project: “Conflict[s] with adopted policies, plans, or programs regarding public transit, bikeways, or pedestrian facilities, or otherwise substantially decreases the performance or safety of such facilities.” Consequently, if a lead agency has a plan or policy in place relative to pedestrian or bicycle mobility, or transit operations, subsection (f) will provide suggested guidance on how a lead agency may approach analysis of potential impacts relative to the criteria and parameters contained in such policies or plans. Further, performance and safety may be considered by a lead agency when determining the potential for significant impacts from traffic.

No further revision to the text is required to respond to this comment.

**Comment 39-3**

Commenter believes proposed revision to section (a) will adversely discourage aforementioned development types which carry GHG reduction and intrinsic values to the area.

**Response 39-3**

See Responses 39-1 and 39-2. While the comment asserts that the question will adversely impact smart growth, no explanation is provided to support this view. No further revision is necessary to respond to this comment.