

## Letter 42

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### **Comment 42-1**

Revise Appendix G: Transportation/Traffic of OPR's proposal to include VMT.

### **Response 42-1**

The Office of Planning and Research explained why it revised its preliminary proposal regarding traffic impact analysis in its letter transmitting the proposed Guidelines amendments to the Natural Resources Agency. That letter explained:

After considering public input, OPR recommends inclusion of revised questions in the Environmental Checklist that recognizes the following: (a) the necessity of assessing traffic impacts on intersections, streets, highways, and freeways, (b) a lead agency's discretion to choose its own methodology, including LOS, to assess traffic impacts, (c) existing requirements in Congestion Management Programs, General Plans, ordinances, and elsewhere, and (d) traffic impacts to pedestrian, non-vehicular and mass-transit circulation.

The Natural Resources Agency intentionally left it to the discretion of the lead agency to choose the most appropriate methodology to assess impacts within its jurisdiction. Specifying a particular mode of analysis would limit that discretion. Absent a legislative directive to use a specific methodology, the Natural Resources Agency chose to emphasize a lead agency's discretion in the Appendix G checklist.

In light of the above, the Natural Resources Agency rejects this comment.

### **Comment 42-2**

Add Appendix G: Transportation/Traffic question (h) to include assessment of projects negatively impacting bicycling and walking.

### **Response 42-2**

In response to comments such as this, the Natural Resources Agency has further the transportation questions in Appendix G's checklist. Section XVI, 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 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. The Natural Resources Agency, therefore, rejects this comment.

**Comment 42-3**

Revise Appendix G: Transportation/Traffic question (a) to remove “capacity” and replace with “safety and access”.

**Response 42-3**

In response to comments similar to such as this, the Natural Resources Agency further revised question (a) of the Appendix G, section XVI checklist. Question (a) was refocused to allow consideration of the circulation system as a whole, not on a project’s impact to roadway capacity. As explained above, question (f) provides guidance on the consideration of a circulation system’s safety and access. No further revision to the text is required to respond to this comment.

**Comment 42-4**

Revise Appendix G: Transportation/Traffic question (a) by striking “exceed the capacity” and replacing with “impact the overall effectiveness”. This would address impacts to safety and access with an emphasis on the overall effectiveness of the transportation system.

**Response 42-4**

The Natural Resources Agency’s response to this comment is identical to Response 42-3. No further revision to the text is required to respond to this comment.

**Comment 42-5**

Revise Appendix G: Transportation/Traffic question (a) term “bicycle paths” to “bikeways”. This change would more accurately account for all types of bicycle facilities, consistent with Caltrans *Highway Design Manual*.

**Response 42-5**

Revisions to Appendix G, Section XVI question (a) calls for discussion of consistency with an applicable plan, ordinance, or policy. The question, however, is not intended to be exclusive and encourages lead

agencies to consider other aspects of a circulation system in an analysis. Furthermore, the revisions refocus question (a) to allow consideration of the circulation system as a whole, which includes the components of the bicycle infrastructure. The commenter's suggestion would not provide more clarity to lead agencies when assessing impacts. The Natural Resources Agency, therefore, rejects this comment.

#### **Comment 42-6**

Revise Appendix G: Transportation/Traffic question (g) listing "bus turnouts, bicycle racks" with "transit, bicycling, and walking".

#### **Response 42-6**

In response to comments similar to ones as this, the Natural Resources Agency further revised now checklist question (f). The question now provides: "(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 this revision sufficiently addresses this comment. No further revision to the text is required to respond to this comment.

#### **Comment 42-7**

Commenter strongly encourages removal of LOS and addition of VMT to Appendix G checklist.

#### **Response 42-7**

The Natural Resources Agency acknowledges the concern expressed by this and other 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
- Consistent with 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, and other objective measures of effectiveness.

Question (b) still refers to level of service standards, but does so in the context of a congestion management program. Government Code section 65088, and following, requires Congestion Management Agencies, in urbanized areas, to adopt Congestion Management Programs covering that agency's cities and county, and in consultation with local governments, transportation planning agencies, and air quality management districts. A CMP must, pursuant to statute, contain level of service standards for certain designated roadways. A CMP must also include a land use analysis program to assess the impact of land use decisions on the regional transportation system. A CMA may require that land use analysis to occur through the CEQA process. Thus, level of service standards cannot be deleted from the Appendix G checklist altogether.

The proposed amendments did amend question (b) to put level of service standards in the broader context of the entire CMP, which should also contain travel demand measures and other standards affecting the circulation system as a whole. Beyond this amendment, however, the Natural Resources Agency cannot remove level of service standards entirely from the Appendix G checklist.