

Letter 87

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Comment 87-1

Commenter appreciates the proposed amendments to question (f(existing question (g))), in the transportation section of Appendix G that add safety and performance considerations, but opines that the language is unclear.

Response 87-1

The Natural Resources Agency appreciates the support for the amendments to Appendix G related to safety and performance. Specific concerns regarding those amendments are addressed below.

Comment 87-2

Questions in the transportation section of Appendix G should either (1) address motorists' safety or (2) use an umbrella term to include "all road users". The Guidelines should also be consistent with the Complete Streets General Plan Guidelines under development by the Office of Planning and Research.

Response 87-2

Existing question (g) in the transportation section of Appendix G addresses alternative transportation. The purpose of the proposed amendments is to update the terminology related to such alternative transportation modes and to specifically include safety and the performance of transportation facilities as a consideration. Motorist safety is already encompassed in question (d) relating to safety and hazards.

AB1358, which the comment references, requires the Office of Planning and Research to develop an update to the General Plan Guidelines addressing the requirement that circulation elements "plan for a balanced, multimodal transportation network that meets the needs of all users of streets, roads, and highways for safe and convenient travel", and that such plans specifically address the needs of "bicyclists, children, persons with disabilities, motorists, movers of commercial goods, pedestrians, users of public transportation, and seniors." (Government Code, § 65302(b)(2).) The proposed amendments to Appendix G are not inconsistent with the Government Code; rather, the amendment to question (a) in particular acknowledges that circulation elements will address all transportation modes.

No revision is required in response to this comment.

Comment 87-3

Delete “performance” from question (f) of the transportation section of Appendix G because the term is unclear and difficult to apply in practice, and replace it with “convenience and desirability”. Also, the safety of all road users should be specifically mentioned in question (f).

Response 87-3

The Natural Resources Agency disagrees that the term “performance” is unclear and difficult to apply. The term “performance” is used throughout the CEQA Guidelines. For example, a threshold of significance refers to “an identifiable quantitative, qualitative or performance level of a particular environmental effect[.]” (State CEQA Guidelines, § 15064.7(a).) The existing Appendix G checklist also includes the concept of performance. (See, e.g., State CEQA Guidelines, Appendix G, § 13(a).) The General Plan Guidelines similarly suggest that circulation elements may establish performance standards for transportation routes, intersections and transit. (General Plan Guidelines, at p. 60.) Not only is the term “performance” frequently used in transportation planning and analysis, it also implies an ability to objectively measure such performance. The terms “convenience and desirability,” on the other hand are not widely used in transportation planning and analysis. More importantly, the Natural Resources Agency finds that those terms are highly subjective, and would not lead to consistent application in practice. Therefore, the Natural Resources Agency declines to replace the term “performance” with the phrase “convenience and desirability” as suggested in the comment.

As explained in Response 87-2, above, existing question (d) already addresses the safety of all users, and so further revision of question (f) is not necessary.

Comment 87-4

Question (f) of the transportation section of Appendix G may imply that there is an acceptable background level of deaths and injuries due to traffic crashes. The goal should be a zero level of fatalities and serious injuries due to traffic crashes.

Response 87-4

The Natural Resources Agency disagrees that question (f), as revised, would imply that there is an acceptable level of death and injury. By asking whether a project conflicts with adopted plans for alternative transportation modes or decreases the performance or safety of such facilities, the question asks about a project’s impacts on existing uses and users. Existing question (d), which is not proposed for revision, asks about the creation of new hazards to transportation users. Together, those questions permit analysis of threats to safety at existing facilities and the creation of new hazards. Notably,

Appendix G is not, nor should it be interpreted to be, a policy statement. Rather, its purpose is to assist lead agencies in investigating the potential environmental effects of proposed projects. No revision is required in response to this comment.

Comment 87-5

Any project that creates new traffic safety risks has an environmental impact since traffic injuries and fatalities adversely affect human beings. A new question should be added to Appendix G that asks: “Would the project result in increased risks of injuries and fatalities from traffic crashes for road users?”

Response 87-5

The Natural Resources Agency declines to revise Appendix G to add the proposed question because it finds the addition to be unnecessary. Existing Appendix G already asks, in the section on Mandatory Findings of Significance, “Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?” Notably, some risk is inherent in road travel. The question before lead agencies in considering a proposed project is whether that project creates a “substantial adverse effect” on human beings. For the reasons described above, the Natural Resources Agency rejects the suggested addition to Appendix G.