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From: Katie Jackson <katie.jackson@edcgov.us>
Sent: Thursday, March 15, 2018 3:03 PM
To: CEQA Guidelines@CNRA
Cc: Rafael Martinez; Andrew Gaber; Natalie Porter; Woody Deloria; Jerry Barton; ALee@sacog.org
Subject: Comments on Comprehensive CEQA Guidelines Update
Attachments: 2018-03-15 EDC Comments on CEQA Update.pdf

Good Afternoon,

Please find attached our comments on the Comprehensive CEQA Update, specifically Section 15064.3 on Transportation Impacts.

Thanks,
Katie

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Monday-Thursday

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March 15, 2018

Christopher Calfee
Deputy Secretary and General Counsel
California Natural Resources Agency
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Comments on Amendments and Additions to the State CEQA Guidelines

Mr. Calfee,

We appreciate the opportunity to comment on the Amendments and Additions to the State CEQA Guidelines. Specifically, our comments focus on the proposed Section 15064.3 "Determining the Significance of Transportation Impacts" and the associated Technical Advisory on Evaluating Transportation Impacts in CEQA, dated November 2017. In general, we support the intent to reduce greenhouse gases. The El Dorado County Community Development Services has the following comments on the Proposed Regulatory Text, released January 29, 2018 and the Technical Advisory:

The Proposed Regulatory Text (Section 15064.3 (a)) states "Generally, vehicle miles traveled is the most appropriate measure of transportation impacts." However, VMT by itself is not enough to quantify a reduction in greenhouse gas emissions.

- To reiterate our previous comments, while VMT does measure the number and length of each trip, it does not take into account the travel speed of each trip. Since vehicles emit different levels of greenhouse gases at different travel speeds, VMT by itself is not enough to quantify a reduction in greenhouse gases. For example, a short-distance trip in very congested conditions may result in more greenhouse gases than a longer trip with very little congestion.
- Furthermore, while VMT is sometimes categorized by travel speed, most travel demand models do not take intersection delay into account when calculating the congested speeds. Greenhouse gas emissions increase when vehicles are idling in traffic on congested roadways, but the proposed VMT metric does not take that factor into account.
- While we support OPR's goal of reducing greenhouse gases, the revised guidelines could unfairly hinder economic development in rural areas, while not adequately addressing greenhouse gas emissions.

The vast majority of the research cited on VMT and induced demand is based in urban areas and not applicable to rural areas. More research is needed for rural areas on all topics in order to develop substantial evidence for thresholds used in environmental documents.

- The Technical Advisory (page 8) states "fifteen percent reductions in VMT are typically achievable at the project level in a variety of place types. (*Quantifying Greenhouse Gas Mitigation Measures*, p 55

CAPCOA, 2010).” Most of the transportation mitigation strategies are “negligible in rural areas,” resulting in few options for mitigating potential VMT impacts in El Dorado County.

- Additionally, the Technical Advisory (page 20) acknowledges that the proposed induced demand methodology is not appropriate for rural areas, but rural is defined as “non-MPO.” El Dorado County is primarily rural land; however we are covered under the SACOG MPO.
- The research cited in the Technical Advisory is primarily based on urban or suburban areas. More research is needed for rural areas. Lead agencies need to be able to defend against lawsuits on CEQA documents; however it will be difficult to do that if there is limited data on how VMT and induced demand thresholds and mitigations are applied in rural areas. Implementation in rural areas should be optional until sufficient data is available to establish state-of-the-practice methodology, thresholds, and mitigation measures for rural areas. It is unclear at this point if the less than two years will be a sufficient time period.

The definition of “rural areas” in the Technical Advisory is too narrow. Generally rural areas are referred to as “rural Non-MPO” areas.

- While we support the provision for VMT thresholds to be determined on a case-by-case basis in rural areas, we believe the definition of “Rural Areas” is too narrow. For example, El Dorado County is in the SACOG MPO, however the vast majority of our County land is rural in nature. There are very few, if any, locations within our County that could be classified as “congested urban regions” for the purposes of estimating induced demand elasticities.
- We propose that the guidelines be revised so that each jurisdiction can designate urban, suburban, and rural areas within its own boundaries. This change would ensure that the methodology is applied accurately throughout California.

The Proposed Regulatory Text (Section 15064.3 (c)) states, “Beginning on July 1, 2019, the provisions of this section shall apply statewide.” This is contrary to the proposed language released by OPR in November 2017. Additionally, OPR’s senior planner Chris Ganson, stated that this was an error in the Proposed Regulatory Text during a recent webinar on this topic (UC Berkeley’s Tech Transfer PL-52 Webinar on March 7, 2018).

El Dorado County, as a predominantly rural county, respectfully request not requiring the use of VMT as the standard for transportation impacts statewide until substantive research has been collected for rural areas. It is clear that the original legislation was to implement the methodology for urban and city congested areas. It was not intended to apply to the rural areas in the state. Requiring the use of a standard, which is not supported by technical analysis or data, opens up the potential for lawsuits against any local jurisdiction that is not urban in character.

Sincerely,



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