



RURAL COUNTY REPRESENTATIVES  
OF CALIFORNIA

February 26, 2016

Mr. Ken Alex, Director  
Governor's Office of Planning and Research  
1400 Tenth Street  
Sacramento, CA 95814

**RE: Revised Proposal on Updates to the CEQA Guidelines Evaluating  
Transportation Impacts in CEQA**

Dear Mr. Alex:

The Rural County Representatives of California (RCRC) appreciate this opportunity to comment on the Revised Proposal on Updates to the CEQA Guidelines Evaluating Transportation Impacts in CEQA Implementing Senate Bill 743 (Steinberg, 2013). RCRC is an association of thirty-five rural California counties and the RCRC Board of Directors is comprised of elected supervisors from each of those member counties.

The RCRC Board of Directors understands the need to promote sustainable growth, sustainable resources, and sustainable economic conditions in rural California. Our member counties are tasked with a variety of decision-making responsibilities related to development and land use in rural California communities and are challenged with environmental stewardship, economic vitality, and social equity at the local level. Our member counties are also committed to achieving realistic greenhouse gas (GHG) emission reductions through sustainable land use planning policies and facilitating infrastructure development and services to provide alternative transportation modes and healthier behavior options. From this perspective, we would like to offer the following comments:

The long practiced use of level of service (LOS), or automobile delay, as a criterion for determining the significance of transportation impacts of a project is often a barrier to infill development and can contribute to discouraging other transportation modes. SB 743 requires the Governor's Office of Planning and Research (OPR) to prepare proposed revisions to the CEQA Guidelines establishing alternative criteria for determining the significance of transportation impacts of projects *within transit priority areas within Metropolitan Planning Organizations (MPOs)*. SB 743 further *allows* OPR to establish alternative metrics for transportation impacts outside transit priority areas.

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SB 743 tacitly implies there may be a different implication for rural areas by not mandating a statewide application.

Our primary concern with the draft proposal is the mandated application of the proposed alternative metric, vehicle miles traveled (VMT), to the entire state only two years after its adoption. First, we appreciate that OPR has made the provisions voluntary for the first two years before becoming a mandate. However, we believe this timeframe should be increased to three years to allow more time to address the challenges of implementation and transition to a new implementation process. Second, we recommend it become a mandate for the transit priority areas in the five largest MPOs at the end of the voluntary three years and five years after adoption it become a mandate for the transit priority areas in the remainder of the MPOs. This will allow the larger MPOs that have the resources to work through the challenges and develop procedures that the smaller MPOs could then replicate. And finally, we recommend that it remain voluntary for the remainder of the State until OPR has been able to monitor implementation and evaluate its effectiveness after the five years have elapsed. It seems it would be valuable to test the VMT metric in the select areas of the State prior to its application in the more suburban and rural areas of the State where we know implementation may not make the most sense to achieve the State's goals and comes with significant costs and challenges.

SB 743 clearly states "it is the intent of the Legislature to balance the need for level of service standards for traffic with the need to build infill housing and mixed use commercial developments within walking distance of mass transit facilities, downtowns, and town centers and to provide greater flexibility to local governments to balance these sometimes competing needs." RCRC does not believe the intent was to mandate a change in metrics statewide in every application of transportation projects.

We reiterate from our previous comments that RCRC believes that choosing any alternative metric at this point is likely to cause unintended consequences, such as a new onslaught of litigation due to new uncertainties and speculation. Even the relationship between the VMT metric for CEQA evaluation and the LOS metric for those counties that still may use LOS in their general plans or fee programs will add to the uncertainties. It will be important to ferret out the difficulties with implementation of the proposed VMT before extending into other areas of the State, especially in rural areas where transit priority areas do not exist and where transit options are limited.

We commend OPR for moving the suggested mitigation measures and alternatives to the draft Technical Advisory. We agree that this makes it more clear what is a requirement versus a recommendation and provides flexibility for various regions of the State. We appreciate the recognition that VMT cannot be applied in the same manner in the urban transit priority areas as in a rural developed area. In fact, on

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page 25 under *Other Considerations* there is reference to *Rural Projects Outside MPOs* that can be interpreted that OPR recommends VMT only be applied to clustered small towns or small town main streets. While this may be helpful for infill development in rural towns, we believe it should still be the choice of the local jurisdiction.

There is not a mandate to require only one universal methodology to be applied statewide. There are diverse circumstances not only between urban, suburban, and rural areas of the State, but also within each of those categories. It would be helpful if the Guidelines provided a suite of options for evaluating transportation impacts and the flexibility for the jurisdictions to select that which is appropriate for a defined geographic area.

Our member counties are keenly aware of the importance of the conservation of agricultural and mineral lands and the proper management of forests and watersheds, and work to promote compact development in our developed core areas. The sustainable land use practices in rural areas benefit not only environmental resources and economic vitality, but GHG emission reductions as well. RCRC has long advocated that infill development exists within our rural counties at densities appropriate to the rural settings. However, much of the infill legislation and funding opportunities are focused in the urban areas, except when it comes to restrictive regulations.

Thank you for this opportunity to provide input into this important process. If you have any questions or wish to have further discussions, please do not hesitate to contact me at (916) 447-4806.

Sincerely,

A handwritten signature in black ink that reads "Mary Pitto". The signature is fluid and cursive, with the first name "Mary" and the last name "Pitto" clearly legible.

MARY PITTO  
Regulatory Affairs Advocate

cc: RCRC Board of Directors  
Christopher Calfee, Senior Counsel, OPR  
Jerry Barton, Chair, Rural Counties Task Force  
Daniel Landon, Executive Director, Nevada County Transportation Commission