

February 29, 2016

Christopher Calfee, Senior Counsel

Governor’s Office of Planning and Research

1400 Tenth Street

Sacramento, CA 95814

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

Dear: Mr. Calfee:

The Rural Counties Task Force (RCTF) submits the following comments in response to the *Revised Proposal on Updates to the CEQA Guidelines on Evaluating Transportation Impacts in CEQA - Implementing Senate Bill 743 (Steinberg, 2013)* prepared by the Governor’s Office of Planning and Research (OPR).

The RCTF represents the 26 Rural Regional Transportation Planning Agencies and Local Transportation Commissions in California that coordinate with local, state, and federal agencies to plan, design, and construct transportation projects that address statewide sustainability and environmental goals. The RCTF was established in 1988 in partnership with California Transportation Commission (CTC) to provide a direct opportunity for the rural counties to remain involved with changing statewide transportation policies and programs and serve in an advisory role.

The RCTF recognizes the need to establish an alternative to Level of Service (LOS) as a criteria for evaluating the significance of transportation impacts within congested urban Transit Priority Areas (TPAs) and infill opportunity zones, within a Metropolitan Planning Organization’s Sustainable Communities Strategy (SCS), in order to promote the statewide goals of reducing greenhouse gas (GHG) emissions. However, the RCTF has concerns with OPR’s proposal to apply the alternative metrics statewide to projects outside of the urban TPAs and designated infill opportunity zones. The RCTF recommends that OPR reconsider applying the proposed metrics statewide to avoid unintended consequences that are likely to result due to the distinct differences that exist between the rural and metropolitan areas.

The following comments are intended to provide recommendations for revisions to the Revised SB 743 Guidelines considering the implications of application to rural areas of the state.

Page 3 - Item 3 and Page 22-23, Threshold for residential development projects in unincorporated areas: For residential developments in unincorporated areas the VMT impacts should be determined using a threshold that is based on the average of all unincorporated areas in the county in addition to the “regional average”, instead of the recommended average VMT of the incorporated cities. Unincorporated rural areas should not be compared to the VMT average of more densely developed incorporated areas.

Page 8 – (c) Applicability: The two year period from adoption to implementation statewide is a good approach. However due to undetermined impacts to rural areas, we believe that implementation should be limited to congested urban TPAs. At a minimum, a five-year period from adoption to implementation statewide is a more reasonable target. Another option would be to tie implementation to the five-year updates of the Regional Transportation Plans. We appreciate OPR’s continued flexibility as the relevant studies laws and policies are assessed for impacts related to SB 743.

Page 23, Office Projects: Office projects that improve jobs/housing ratio balance may act to reduce VMT as they provide jobs for local residents who would otherwise commute long distances. Rural areas typically have a jobs/housing imbalance. Please consider this effect when evaluating the VMT impacts of office projects.

Page 24, First Paragraph. For retail developments, assessing the total change in VMT would require the use of a model to determine the existing VMT for the project area. This may place a significant burden on small rural jurisdictions through additional costs for traffic model analysis.

Page 25, Items 3 & 4: OPR needs to provide clarification in regards to the statement, “*VMT outcomes of RTP/SCSs should be examined over the full area they substantively affect travel patterns, including outside the boundary of the plan geography*”. It is unclear how the examination of VMT outcomes outside of the plan boundary could be accomplished and to what extent beyond the boundary is intended.

Pages 28 to 30, Causes and Evidence of Induced Demand: The large number of studies cited by OPR that demonstrate a causal link between projects that increase highway capacity and VMT increases linked to induced demand were in relation to congested urban highways. Review of available research revealed that adequate studies have not been conducted to quantify or validate induced demand associated with capacity increasing projects on rural highways to justify application of induced demand as a potential significant impact outside of congested urban areas.

Each project and location is unique. When you look at the application of induced demand, in a rural county due to sparse geography and terrain, the travel patterns tend be more established and static as compared to urban areas, and adding additional capacity to a roadway or highway in a rural area would not necessary result in a large increase in trips being made on the new facility.

Key corridors and principal arterials in rural areas generally are the most direct route between locations and parallel facilities often do not exist. It should also be noted that the current mode split for alternative modes of transportation in rural areas is generally low and the longer distances between destinations and terrain tend to limit bicycling and walking as viable alternatives to the automobile. Due to funding constraints, transit in rural areas, although it is available, is limited in its coverage and frequency and is not a convenient alternative to the automobile. Moreover, expanding transit services is often not possible within current operating funding sources.

Page 34, Mitigation Alternatives: The mitigation suggestions recommended for inclusion in CEQA Guidelines for a project that reaches the level of a significant impact under the proposed Induced VMT metric are not applicable in most rural locations and this will result in the unintended consequence of leaving a project without a way to mitigate its potential impacts and should be re-evaluated. Options to consider toll roads as mitigation for projects in rural areas are not likely to be widely accepted.

Given the challenges and complexities related to the implementation of SB 743 the RCTF recommend that its provisions should initially be implemented only in TPAs. This would allow OPR time to analyze the outcomes of the implementation process to determine if broader implementation is appropriate and applicable.

The RCTF appreciates the opportunity to provide comments on the revised proposal to amend the CEQA Guidelines to implement Senate Bill 743 and look forward to additional opportunities to work collaboratively with OPR to address these concerns as you move forward with rulemaking.

Sincerely,

Jerry Barton

Chair, Rural Counties Task Force

Copies:

Lisa Davey-Bates, Chair, North State Super Region

Dan Carrigg, Senior Director Legislative Affairs, California League of Cities

Mary Pitto, Regulatory Affairs Advocate, Rural County Representatives of California

Kiana Valentine, Legislative Representative, California State Association of Counties