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February 29, 2016

Christopher Calfee, Senior Counsel
Governor's Office of Planning and Research
1400 Tenth Street
Sacramento, CA 95814

RE: 2016 Revised Proposal on Updates to the CEQA Guidelines on Evaluating Transportation Impacts in CEQA

Dear Mr. Calfee:

Thank you for the opportunity to comment on the *Revised Proposal on Updates to the CEQA Guidelines on Evaluating Transportation Impacts in CEQA (Guidelines)*, released January 20, 2016. The Los Angeles County Metropolitan Transportation Authority (Metro) commends the Office of Planning and Research for providing leadership and guidance to find alternative measures of analysis for traffic impacts.

Metro is tasked with implementing both public transit and highway improvements for some of the most heavily congested corridors in the country. Over the years, Metro has been a champion for sustainability and has incorporated policies that specifically address station area planning: the Metro TOD Planning Grants, the Metro First/Last Mile Strategic Plan, Countywide Sustainability Planning Policy, Complete Streets Policy, Metro Rail Design Criteria, Draft Active Transportation Strategic Plan (anticipated completion April 2016), and the Transit Oriented Communities pilot program. Metro supports the Office of Planning and Research's selection of Vehicle Miles Traveled (VMT) as an alternative to Level of Service (LOS) for analyzing transportation impacts and the proposed mitigation measures that would prioritize multi-modalism.

Metro acknowledges the Office of Planning and Research (OPR) for your efforts in refining the Guidelines from the August 2014 version, including addressing comments from Metro. In particular:

- We appreciate the use of a Technical Advisory to contain OPR's technical recommendations and best practices regarding the evaluation of transportation impacts under CEQA, including the most detailed guidance about thresholds of significance, analysis techniques and mitigation.
- The allowance for two-year opt-in period gives time to agencies that have indicated that they need more time to become acquainted with the new procedures.
- The inclusion of detailed suggestions of appropriate mitigations to reduce VMT. We think this information will assist lead agencies in identifying feasible mitigations, and will also create opportunities to implement improvements that we have identified as areas of high need. In particular, we are pleased to see first/last mile access improvements to transit included.

- As a builder and operator of public transit, we acknowledge the brief suggestion for fee based mitigation programs (page 26) that might provide a mechanism for a variety of projects to mitigate impacts by paying into a system to fund transit improvements.

The following suggestions are respectfully submitted to further enhance OPR's guidelines.

Section II: Revised Proposed Changes to the CEQA Guidelines

Proposed Changes to Existing Appendix G

Question C: The proposed wording for the question implies that all physical roadway projects will produce adverse results. A distinction must be made for goods movement, particularly where those projects are dedicated facilities or exclusive to zero and near-zero emissions vehicles, and bus-dedicated lane projects.

Notification to Transit Agencies:

Metro appreciates the reference to notification of transit agencies in the Technical Advisory but strongly supports language within the legislation (Section II) to ensure that transit agencies are notified (1) to suggest mitigation measures to the lead agency, and (2) to adapt transit operations, or lead agencies should consult with transit agencies, in particular for projects within one half mile of transit stops to protect transit facilities.

Transit agencies should be given an opportunity to suggest mitigation measures that must be taken into consideration by lead agencies. In addition, notification to the transit agency is needed to protect transit facilities and inform transit operations. Buildings planned adjacent to rail right-of-way may impact the safety of the rail line or the project may be impacted if noise or vibration from rail operations are transmitted into the proposed structure. Projects adjacent to bus operations may impact service operations and require that operators be notified or buses rerouted. Required notification would allow more efficient coordination surrounding such impacts. In addition, this section could be strengthened by discussion of the particular needs of transit vehicles as users of the roadway.

Induced Vehicle Travel and Transportation Projects:

Metro recommends that a distinction be made between roadway capacity projects that focus on passenger vehicles versus goods movement versus public transportation (bus) vehicles. Capacity projects that focus on goods movement have significant economic benefits and are a State priority. Public transportation (bus) projects, especially dedicated bus only lanes, can increase the efficiency and reliability of public transportation, thereby reducing VMT. It is critical that the Guidelines call for municipalities to assess projects and the system holistically. The goal of the legislation is to reduce GHG emissions via reducing VMT; one key way to do this is increased public transit ridership. Transit service should take precedent position over the auto and not be constrained by the language. Transit projects could be adversely affected with a broader interpretation of the Guidelines. Transit projects should be raised as a solution to accomplishing the goals of SB743 and should not be broadly defined in the same stroke as passenger automobile projects.

Section III: Technical Advisory on Evaluating Transportation Impacts in CEQA

Using Models to Estimate VMT:

As feasible, models should be calibrated with local data and be statistically validated. We suggest OPR facilitate webinars to assist agencies in the various VMT methods. Further, CEQA does not require perfection in impact measurement, it is important to make a reasonably accurate estimate of effects in order to make reasonably accurate estimates of impacts.

Lane Widths:

Reduction in lane widths should also be informed by operational needs of buses, which are substantially larger than passenger vehicles. It is critical that implementing municipalities coordinate these improvements with transit agencies to ensure safe operations for all modes.

Impacts to Transit:

We suggest that additional discussion, guidance, and examples be provided regarding fee programs. Additional guidance would be helpful for agencies that might consider implementing fee based mitigation programs. Additionally we would suggest that a fee based program might fund other VMT reducing mitigations such as active transportation projects and first/last mile improvements.

Recommendations for Considering Transportation Project VMT Effects:

Metro supports the shift to VMT, promotion of multi-modalism, and transit supportive planning. However, we stress that road diets and other traffic calming devices should be coordinated with transit agencies to ensure that the overall improvements do not worsen traffic conditions and hence lower bus speeds, reliability and necessitate the need for additional buses to in order to maintain reliability. Where proposed mitigation measures reduce transit speeds alternative mitigation measures that do not have adverse impacts on transit operations should be considered. To avoid conflicts with traffic plans and policies designed to improve public transit, it is imperative that lead agencies coordinate their projects with transit agencies. Lead agencies should be encouraged to plan proactively to accommodate transit vehicles along with other users of the roadway, including designating corridors that are a priority for transit.

In addition, Metro has concerns related to the proposed assessment of major roadway capacity projects as it relates to:

- The need to distinguish between passenger projects, goods movement projects, and public transportation (bus) projects.
 - Goods movement projects are an economic and environmental priority for the state. Considerations should be incorporated such as higher thresholds, exclusive facilities (truck only lanes) and incentives for advanced technology (zero and near zero emissions).
 - As discussed previously, public transportation (bus) capacity projects should be distinguished as their implementation would result in reduced VMT. Where the SB 743 and the draft guidelines consider building roadway capacity is likely an environmental impact, it should be noted that capacity and accommodations for transit vehicles that

use the roadway generally improve air quality and reduce congestion. We suggest specifically noting that the addition of dedicated bus lanes is an appropriate and effective mitigation for projects with VMT impacts.

- Develop models that adequately assess the regional effects of VMT.
- Recalibrate the fair share of VMT threshold so that the fair share is apportioned to capacity only projects.
- Grandfather in projects in sales tax measures and in the STIP adopted prior to formal implementation.

Supported Mitigation Strategies:

Metro would like to emphasize our *strong support* of the sample potential transportation safety mitigation measures outlined on page 45. These measures, where implemented, will provide support identified areas of critical need for Metro, including, but not limited to first/last mile connectivity to transit, transit expansion, active transportation and complete streets. However, as noted above, we strongly urge OPR to include language that requires local municipalities to coordinate these public improvements with transit agencies to ensure safe multi-modalism and to ensure public transportation reliability. It is critical that the Guidelines stress the importance of project specific context and the need to accommodate all modes, including public transportation.

Suggested Additional Mitigation Strategies:

Metro would like to resubmit the following mitigation measure recommendations to reduce VMT and to reinforce regional multi-modal strategies and implementation of the SCS and subsequent planning.

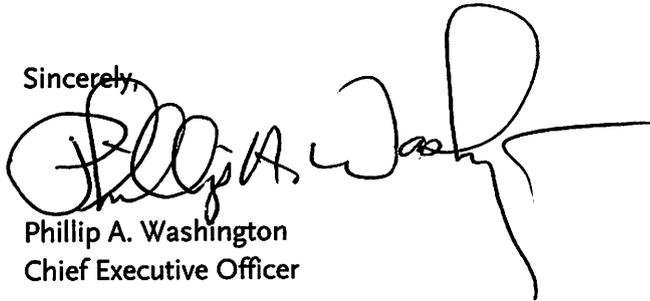
- Implementation of local or regional plans and programs that are focused on multi-modal implementation, such as Metro's First/Last Mile Strategic Plan. For projects that are beyond ½ mile but less than 3 miles from high quality transit, mitigation could include implementation of first/last mile, and multi-modal access strategies identified in an applicable plan.
- The application of such mitigations may reduce project impacts to less than significant levels.
- Other multi-modal strategies not necessarily linked to first/last mile, such as the implementation of a complete streets policy or ordinance.
- Transit station improvements or expansions that would be necessary due to increased use of a transit station.
- Paying an in-lieu fee for transit improvements or maintenance.
- As discussed above, addition of dedicated bus lanes is an appropriate and effective mitigation measure for projects with VMT impacts.

Addressing Tradeoffs and Finding Win-Win Safety Improvements

Based on the studies cited, surface roadway lanes can be redesigned from the traditional 12.0 foot widths to 9.2 – 10.8 foot widths with little or no down-side. It is critical that any consideration to narrow lane widths be consulted with transit agencies and informed by transit operations to ensure that there is not an increased risk of being sideswiped due to the narrowing of the dynamic envelope. The curb lane should be reserved for buses and other large vehicles and be wide enough to safely accommodate buses. The rule should also consider the removal of on-street parking and installation of off street parking to create a true transit/pedestrian environment.

Once again, thank you for the opportunity to comment and for incorporating many of our comments from the 2014 draft Guidelines. If you have any questions regarding this response, please contact Elizabeth Carvajal at 213-922-3084 or by email at CarvajalE@metro.net.

Sincerely,

A handwritten signature in black ink, appearing to read "Phillip A. Washington". The signature is stylized and includes a long horizontal line extending to the right.

Phillip A. Washington
Chief Executive Officer