July 28, 2009

Christopher Calfee, Special Counsel
ATTN: CEQA Guidelines
California Resources Agency
1017 L Street, #2223
Sacramento, CA 95814

Proposed California Environmental Quality Act (CEQA) Guidelines

Dear Mr. Calfee:

The Sacramento Area Bicycle Advocates (SABA) thanks you for the opportunity to make comments on the Proposed CEQA Guidelines. Our comments are primarily related to two issues: traffic safety and traffic congestion. In our opinion the changes made in the CEQA checklist regarding transportation and traffic are far too modest. The many significant threats to California posed by global warming, along with other environmental and quality of life issues, call for more significant changes to the guidelines. The changes we recommend will help reduce greenhouse gas emissions. We believe they also correct some long standing deficiencies in the existing guidelines.

Our major recommendations are:

We strongly recommend including in the guidelines additional guidance on thresholds of significance related to the impact of traffic on human beings. Motorists are adversely affected by traffic collisions. Bicyclists and pedestrians are disproportionately adversely affected as victims in traffic crashes. Projects that affect transportation safety, such as projects that increase vehicle capacity and result in increased vehicle speeds, vehicle volumes and street crossing distances, have direct adverse impacts on human beings. These impacts are discussed below.

The road safety question or questions in Appendix G need to be much more comprehensive. We recommend adding this question, “Would the project result in increased transportation safety risks for road users?” We believe, as described below, that increased safety risks represent a substantial adverse impact on human beings. Most people who die or are injured in road crashes are harmed due to causes unrelated to the few examples of hazards currently listed in the Appendix G question about unusual road design features such as dangerous intersections and sharp curves.

We recommend, as was originally proposed by the Governor’s Office of Planning and Research, that Level of Service (LOS) be removed entirely from Appendix G as a metric for environmental impact.

Minor recommendations are:

Appendix F
I. (2)
Recommend changing the phrase “decreasing reliance on natural gas and oil, and” to the phrase ”decreasing reliance on fossil fuels, such as coal, natural gas and oil, and…”
Rationale: Coal is the fossil fuel that produces the highest levels of GHG emissions, yet it is not mentioned.

II. D
Recommend adding as a mitigation measure “Minimizing transportation energy use by shifting trips made by modes consuming high levels of energy to modes that conserve energy such as human powered transportation: walking and bicycling.”
Rationale: Bicycling is the most energy efficient form of land transportation.

Discussion
§ 15064.7. Thresholds of Significance.
§ 15065 a. (4) says a mandatory finding of significance is required when “The environmental effects of a project will cause substantial adverse effects on human beings, either directly or indirectly.” However, over our years of reviewing environmental impact reports, our experience has been that the reports regularly fail to address the adverse effects of traffic collisions on human beings. This has been true for program level reports for regional transportation plans and for reports for individual transportation and land use projects.

Transportation accounts for about forty percent of California’s GHG emissions. A mode shift away from fossil fuel powered automobile trips to bicycle and pedestrian trips would have a significant effect on greenhouse gas emissions. Surveys have consistently shown that concerns about personal safety is *the* major reason people don’t choose to make trips by bike or allow their children to bike or walk to school. If safety is improved, more trips will be made by walking and bicycling.

The potential for a mode shift to bicycling and walking in California is high. A mode shift would decrease GHG emissions and could go a long way towards realizing 2020 and 2050 emission reduction goals. It’s hard to imagine reaching those goals without such a mode shift. In many European cities, where weather is less conducive to cycling than here, 20 percent or more of trips are made by bike. This is true in countries that historically have had high levels of bicycling, but also true in countries, such as Germany, that made conscious choices within the last few decades to increase levels of bicycling. In California, in places where more aggressive efforts have been made to support bicycling, the results have been quite good. At UC Davis, more than 40 percent of students get to campus by bike and in the city of Davis about 20 percent of all trips by students and residents are made by bike.

Safety has related substantial economic and social impacts. (A AAA study *Crashes vs. Congestion - What's the cost to society?,* finds that the annual $164B in economic costs of traffic crashes exceeds congestion costs. Congressman James Oberstar, Chair of the House Transportation and Infrastructure Committee, cites an even higher economic cost—over $200B annually--for traffic crashes in background information with a draft of The Surface Transportation Authorization Act Of 2009.)

Bicyclists and pedestrians are especially vulnerable road users and may suffer death or injury if margins of safety are reduced and the risks of crashes increase. These are direct and severe adverse physical impacts from transportation projects. Higher vehicle speeds in particular dramatically escalate the number of collisions and the degree of harm that results. Higher speeds mean less reaction time, making it more difficult to avoid crashes. When crashes occur, higher speeds significantly increase the severity of bodily injury and result in much lower survival rates.

Each year in the United States, 42,500 people are killed and 2.5 million people are seriously injured in more than six million motor vehicle crashes, which are now the leading cause of death of children and young adults ages three to 34. About 5,000 of the annual fatality totals are pedestrians and about 1,000 are bicyclists. Many more pedestrians and bicyclists are injured. These are huge numbers, eclipsing by far the extent of harm and the number of humans affected by many other environmental impacts considered under CEQA. California has about ten percent of the national total of traffic fatalities and injuries.

Analyzing and mitigating traffic collision impacts is essential and reasonable given the consequences and types of other impacts commonly evaluated under CEQA. If we are concerned about the impact on cultural and historic resources that affect our enjoyment of life, we should be at least as concerned about evaluating impacts that shorten or make difficult life itself.

Appendix G
XV Transportation/Traffic
Congestion and Level of Service (LOS)
Though Level of Service was not mentioned in the California Environmental Quality Act, existing CEQA guidelines for transportation/traffic have included traffic congestion and vehicular Level of Service in checklist questions. Traffic congestion and vehicular LOS are not environmental impacts. LOS measures driver comfort and delay. While drivers may not be pleased by congestion and delay, it is a stretch to consider transient driver irritation or longer trip times as environmental impacts.

During the same period that CEQA guidelines have inaccurately focused on LOS as a measurement of traffic impacts, the guidelines have promulgated a more superficial treatment of a more important issue: the safety of motorists, bicyclists and pedestrians. Safety, because of the clear, direct, physical adverse effects on human beings, clearly is an environmental impact. (§ 15065. Mandatory Findings of Significance. a. (4))

The proposed new checklist questions rightfully and belatedly deemphasize the importance of vehicular LOS, but the changes don't go far enough and aren't clear enough. The capacity of the circulation system and LOS are still explicitly addressed. The proposed question's wording ("Conflict with an applicable congestion management program, including, but not limited to level of service standards…") can be interpreted to mean that LOS *must* be one of the "congestion management programs" used.

There are unquestionable environmental impacts related to traffic. Air pollution, greenhouse gas emissions and noise are environmental impacts caused by motor vehicle traffic, but these impacts and other traffic impacts are addressed elsewhere in the CEQA guidelines. Congestion and LOS by themselves don't pass muster as environmental impacts.

By treating LOS as an environmental impact, the harmful effects on the environment are often exacerbated, not minimized. Efforts to decrease congestion and increase LOS can create threats to human safety and can directly and indirectly increase many other environmental impacts. The use of LOS as a measure of traffic impacts is fundamentally flawed since the consequences are so frequently environmentally counterproductive. Concerns about projected Levels of Service have resulted in projects that increase road capacity here and now. Yet sometimes LOS estimates use projections of traffic 20 or 30 years in the future. That's more than a generation hence and so long a time that estimates are fraught with uncertainty. But the projects that get built mean greater road capacity with wider streets and intersections encourages both motor vehicle trips and fossil fuel use. At the same time they discourage trips by bike, foot and transit—all modes that use less energy, produce less air and water pollution, result in less greenhouse gas emissions and in the case of bicycling and walking, create virtually no noise.

While LOS projections result in many road widening and other motor vehicle capacity increasing projects being built, LOS projections also result in bicycle projects *not* being built. For example, in the city of Sacramento plans to add bike lanes to some downtown one-way streets by eliminating a motor vehicle lane were considered infeasible because of LOS projections for the year 2030.

Higher LOS and increased road capacity directly and indirectly adversely impact human safety and health. The direct impact on human safety and the cloud of fear created by the widely recognized safety impacts discourage people from choosing to shift their vehicle trips to active transportation modes such as bicycling and waking. Safety concerns are almost invariably the number one reason cited by survey respondents for their not choosing to bicycle.

Over the last forty or fifty years, there has been a huge decline in the number of children walking and bicycling to school, declining from well over half of such trips to about 10-15 percent. At the same time that many parents are too worried about traffic safety to let their children walk or bike to school, some 25-30 percent of peak hour traffic is made up of parents driving their

children to and from school. The lack of physical activity by children has contributed to an epidemic of childhood obesity and diabetes, which conditions are in themselves substantial adverse impacts on human beings. The annual costs of obesity and physical inactivity in California is $41B according to a study by the California Center for Public Health Advocacy. That figure is expected to increase to $53B by 2011.

Reducing traffic congestion and increasing LOS can create a number of safety and operational problems for pedestrians and bicyclists, and can reduce mobility for those modes. For example, increasing LOS increases speed differentials, hampers bicyclists' lane changes and both bicyclists and pedestrians' ability to cross roads (due to greater crossing distances and signals timed for motorists), making these and other maneuvers more difficult and the use of these modes less desirable. Conversely, motorists' traffic congestion makes bicycling and walking relatively more desirable in terms of trip duration. Putting more bicyclists and pedestrians on the road increases their visibility, legitimacy and safety. Throughout the world, cities with slow moving motorists are the ones with higher percentages of bicyclists and pedestrians. Research has shown that with higher levels of bicycling and walking, bicycling and walking become safer. "Safety in numbers: more walkers and bicyclists, safer walking and bicycling," Peter L. Jacobsen, *Injury Prevention,* 2003.

Safety

There are questions related to safety in the checklist now, but road traffic safety receives less attention than it deserves. Safety risks are cited for air traffic patterns in c), but safety is not more broadly addressed for road transportation. Yet in the United States, there may be only one or two commercial airliner crashes a year, while automobile traffic crashes result in deaths equivalent to a Boeing 747 crash every few days. More people die in road crashes in a single week than die in several years' worth of aviation crashes nationwide or in decades of California air crashes.

In the Transportation/Traffic section, in d), two specific types of features, dangerous intersections and sharp curves, are mentioned as examples of road design hazards, but these examples fall short of covering all road safety risks, which are pervasive and immense. These risks are associated with speed, distracted and drunk driving, lane and road width, merges (especially at freeway interchanges), intersections, crossings, lack of facilities for bicyclists and pedestrians, signal timing and detection, pavement surface quality and maintenance.

Parking capacity

We enthusiastically support the removal of the question regarding parking capacity. Parking capacity is not an environmental issue.

SABA is an award-winning nonprofit organization with more than 1.400 members. We represent bicyclists. Our aim is more and safer trips by bike. We're working for a future in which bicycling for everyday transportation is common because it is safe, convenient and desirable. Bicycling is the

healthiest, cleanest, cheapest, quietest, most energy efficient and least congesting form of transportation.

Yours truly,

Walt Seifert
Executive Director