

## Memorandum

Date: January 31, 2011  
To: ACTAC  
From: Saravana Suthanthira, Senior Transportation Planner  
Subject: 2011 CMP Update: Review of CMP Requirements and Recommendations

### Recommendations

It is recommended that the Alameda CTC Board review and provide input on the proposed options for using the Congestion Management Program as a tool to better manage and formulate strategies for an effective transportation system in Alameda County

### Summary

Alameda CTC is now the congestion management agency for Alameda County, taking over this role from the Alameda County Congestion Management Agency (ACCMA). In this role, Alameda CTC is required to use the Congestion Management Program (CMP) to identify strategies to address congestion problems in Alameda County. The Congestion Management Program document is required to be in conformance with the CMP legislation. The CMP was first adopted by the ACCMA Board in October 1991 and has been updated every two years since then.

The schedule and issues for the 2011 CMP update were approved by the Alameda CTC Board at its meeting on January 27, 2011. The Board directed staff to use this update of the CMP as an opportunity to take a fresh look at transportation issues and ways to formulate strategies to better address congestion problems in Alameda County through a review of the CMP legislation. This memorandum reviews the current CMP, the CMP legislation and related activities of the ACCMA and the Alameda CTC, and identifies potential areas for improvement and makes recommendations for next steps.

### Discussion

The CMP legislation (Attachment 1) stipulates that five specific elements form the core CMP, and also specifies certain other requirements and exemptions that the CMP is required to comply with. The five elements are:

- Traffic Level of Service Standards
- Performance Element
- Travel Demand Element
- Land Use Analysis Program
- Capital Improvement Program.

The following sections include detailed discussion and analysis of these core elements and the other CMP requirements. Table 1 provides an overview of the required elements and highlights major points.

### **Required CMP Elements:**

1. Traffic Level of Service Standards – Designation of the CMP roadway system

The designated CMP roadway system is the regionally significant core roadway network for Alameda County for moving the majority of people and goods. This system must be monitored biennially using the adopted Level of Service (LOS) standards, and if any segment fails to meet the minimum required standards (subject to application of mandated exemptions), then a deficiency plan is required to be prepared to improve the segment. Attachment 2 shows the CMP roadway network for Alameda County.

The law mandates that the designated CMP roadway system include all state highways and “principal arterials.” However, the law provides no guidance or definition as to what constitutes a principal arterial. Therefore, the 1991 CMP adopted an approach consistent with the core concept of the CMP legislation: identify a system of roadways that carry a majority of the vehicle trips countywide over time to be included in the CMP network. Using the countywide travel model and average minimum daily traffic volume of 30,000 trips as the threshold that would produce a system of roadways carrying at least 70% of the vehicle miles traveled (VMT) countywide, the CMA developed the CMP network shown in Attachment 2. Since then, the selection criteria (30,000 daily traffic volume) and the methodology (voluntary designation by the local jurisdiction) for adding new roadways to the CMP network have been reviewed periodically and will be reviewed as part of the 2011 update as described below.

The 2009 CMP suggested that the selection criteria for principal arterials should be reevaluated in the 2011 update, in light of the changed land use and travel patterns that have occurred in the county since 1991. Further, since the development of the CMP roadway system in 1991, only one roadway, a 1.7 mile segment of Hegenberger Road between I-880 and Doolittle Drive, has been added to the system. While there may be other roadways that meet the principal arterial criteria now and hence potentially could be added to the CMP system, adding a new principal arterial on the CMP system is considered to be a liability by the local jurisdictions largely because they will be required to prepare a deficiency plan to improve any newly added segment that drops to LOS F, without any new funding to support that effort. Therefore, the adopted approach to add any new roadways to the CMP roadway system in the existing CMP is through voluntary designation by the local jurisdictions.

*Recommendation:* The above dilemma prevents the agency from getting a truly complete picture regarding congestion and developing strategies in the context of a comprehensive countywide transportation system. In order to identify a true regionally significant system that carries highest volumes of traffic and keeping in mind the current fiscal situation and impacts being experienced by the local jurisdictions, the following are recommended for consideration:

- Reevaluate the criteria for identifying principal arterials including using the countywide model to assess the minimum daily traffic volume threshold that would carry 70% of county traffic.
- Identify the principal arterials that will be part of the CMP system applying the new criteria. The legislation states that any roadway that is once part of the CMP system cannot be removed;

therefore, if any of the existing CMP roadways don't meet the new criteria, they will still stay on the CMP system.

- For the addition of new roadways based on the newly established criteria:
  - Develop an approach for adding new roadways to the CMP network
  - Adopt a formal policy that gives preference to funding to improve any deficient segments. An adopted policy could provide additional encouragement to the local jurisdictions to nominate new roadways for the CMP roadway system. If adopted, this policy will apply to the existing and newly identified deficient segments.

2. Performance Element – Required application of performance measures

The CMP law states that a set of performance measures be adopted that will evaluate current and future multi-modal system performance for the movement of people and goods. At a minimum, these measures must incorporate highway and roadway system performance, and measures established for the frequency and routing of public transit and for the coordination of transit service provided by separate operators. In this regard, the CMP currently includes a set of multi-modal performance measures and prepares a 'Performance Report on the State of the Transportation System' annually using these performance measures on the Alameda County Transportation System (Attachment 3).

*Recommendation:* Based on direction from the Commission and a review of the legislation, the following recommendations are made to improve this element:

- Integrate the performance measures that are being developed for the Countywide Transportation Plan-Transportation Expenditure Plan (CWTP-TEP) process as they will better reflect the land use and transportation connection mandated by SB 375 related to reducing greenhouse gas emissions from automobiles and light trucks. The current measures should nest within new measures for the purposes of the tracking trends over time. Trends for the new measures could be reported if past data on the measures are available.
- For the required public transit performance measures as defined in the legislation, evaluate the existing public transit system in Alameda County in light of the current service-cuts and develop new measures. For assessing the coordination of transit services, identify better measures for reporting on gaps in transit coverage or lack of transit connectivity, and explore developing a strategy for improvement of the transit system.
  - As identified in the 2009 CMP, this could be done through developing a comprehensive countywide transit plan that is intended to address ways to improve transit frequency and service; improve coordination among operators, especially transfer opportunities in the county and with adjacent counties; identify and close gaps in the transit systems; and identify better access to transit.
- Incorporate a performance measure for goods movement in the new set of performance measures. It should provide a momentum to move the proposal identified in the 2009 CMP to develop a Countywide Goods Movement Plan.

3. Travel Demand Management Element – Promoting alternative transportation methods

The CMP legislation states that the Travel Demand Management (TDM) Element be adopted to promote alternative transportation methods, including, but not limited to carpools, vanpools, bicycles, and park-and-ride lots; improvements in the balance between jobs and housing; and other strategies, including but not limited to flexible work hours, telecommuting, and parking management programs. In this regard, the Alameda CTC currently implements the Guaranteed Ride Home program and distributes a checklist to local jurisdictions to follow-up on the programs implemented by them as part of the Annual Conformity Finding Process. The Guaranteed Ride Home program has been successful and has resulted in a reduction of 3,100 drive alone trips per week. Other Alameda CTC TDM related programs include Safe Routes to Schools Program, Senior Travel Training Program and Bicycle Education Training.

*Recommendation:* Because available TDM alternatives are numerous, a coordinated and comprehensive approach would be more successful in getting more people to switch to alternative modes. Also, in view of the current added focus on the alternative transportation methods to reduce auto travel in the context of SB 375, and the regional RTP/SCS efforts and countywide CWTP-TEP efforts, the following recommendations are made for improving this element:

- Explore options for promoting alternative transportation methods through developing a countywide comprehensive TDM program in the context of land use and transportation connection and the regional efforts in reducing greenhouse gas (GHG) emissions from autos and light trucks.
  - The 2009 CMP identified the need for developing a countywide TDM program in conjunction with Transit Oriented Developments (TODs), now Planned Development Areas (PDAs), and a Parking Management Program.
  - Some of the options that could be considered in a TDM program could include, but not be limited to, promoting shuttle services to improve transit connectivity in order to increase transit ridership; exploring ways to increase the use of under-used Park and Ride lots to support transit; and encourage jurisdictions to require a comprehensive TDM program, if TDM is proposed as a mitigation measure in an Environmental Impact Report (EIR).

4. Capital Improvement Program – Using performance measures

The legislation requires the Capital Improvement Program (CIP) to be developed using the adopted performance measures to determine effective projects that maintain or improve the performance of the multimodal system for the movement of people and goods and to mitigate transportation impacts identified pursuant to the CMP Land Use Analysis Program. It further adds that the program must conform to transportation-related vehicle emission air quality mitigation measures, and include any project that will increase the capacity of the multimodal system.

In terms of the conformance of CIP-CMP projects to the air quality mitigation measures, it is ensured through the Metropolitan Transportation Commission's Regional Transportation Improvement Program wherein the CIP is included. The Alameda CTC will continue to work to ensure that the intent of the legislation is met for the CIP.

5. Land Use Analysis Program – Assessment and mitigation of land use development impact on the transportation network

The intent of the legislation for the Land Use Analysis Program is to analyze the impacts of land use decisions made by local jurisdictions on the regional transportation systems, including an estimate of costs associated with mitigating those impacts. It encourages, to the extent possible, that impacts to the transportation system be identified using the performance measures adopted in the CMP. The legislation also states that this program may be implemented through the California Environmental Quality Act (CEQA) requirements and analysis to avoid duplication.

Currently, the CMP's Land Use Analysis Program requires local jurisdictions to inform the Alameda CTC about all (1) General Plan Amendments (GPAs) and (2) Notice of Preparations (NOPs) for Environmental Impact Reports (EIRs) for projects consistent with the General Plan. If it is determined that a CMP analysis is required based on applying trip generation criteria, a separate CMP analysis is required to be included in the environmental document using the countywide model to analyze the impact of the project on selected regional roadways, regional transit system, and countywide bicycle and pedestrian networks. A sample NOP/GPA response letter identifying these requirements is found in Attachment 4.

Recommendation: In order to effectively identify the impacts and related mitigation measures on the regional roadway, transit and bicycle and pedestrian network, the following recommendations are made:

- Update the NOP/GPA response letter to reflect the current focus on the PDAs and GHG emission reductions in view of SB 375.
- For projects that may cause impacts on roadways or intersections outside the jurisdiction proposing or reviewing the project, or that may affect longer corridors that traverse multiple jurisdictions, consider establishing a means for the project to contribute its fair financial share of any required mitigation measures. This may involve the collection and retention of the fair share contribution by Alameda CTC until such time the mitigation measure is implemented.
- Consider implementing a sub-regional transportation impact fee such as the Tri-Valley's Tri-Valley Transportation Development Fee (TVTDF) in the other three planning areas. If the respective jurisdictions agree, the Alameda CTC could assist in moderating this fee process.

**Other CMP Requirements**

6. Land Use Analysis Program – Ability to require trip generators in other county to participate in the respective county's Congestion Management Program

The CMP legislation states that – at the request of the agency, a local jurisdiction that owns, or is responsible for operation of, a trip generating facility in another county shall participate in the congestion management program of the county where the facility is located. Because many of the Alameda County travel corridors (e.g. I-80, I-580, I-680, I-880, SR 24) traverse other counties, and because we share these congested corridors with adjacent counties, the CMP should explore the potential for sharing the costs for certain mitigation measures identified in the EIRs.

*Recommendation:* Alameda CTC has formed partnerships to cost share on large projects such as SR 24 Caldecott Tunnel 4<sup>th</sup> Bore, I-680 Express Lanes and I-80 Integrated Corridor Mobility (ICM) project. The same opportunity for cross county partnerships could be explored in the CMP

Land Use Analysis Program. In this regard, the following recommendations are made to improve this element:

- For EIRs that identify transportation impacts in Alameda County corridors that traverse other counties and experience congestion because of the cross-county trips potentially generated by a specific development project, explore the potential of developing cross county partnerships for sharing the cost of implementing selected and related mitigation measures identified in the EIRs and of developing mutually agreeable strategies, solutions and improvements through the Land Use Analysis Program.

7. Infill Opportunity Zones – Update it to describe Infill Development Areas

The legislation regarding Infill Opportunity Zones had a sunset in December 2009. However, in view of the current regional and state level efforts regarding the importance of linking transportation and land use to reduce the greenhouse gas emissions through infill land use developments, it is important that a policy supporting designation of infill development areas in the county be included in the CMP. This will be consistent with the SCS requirement and CEQA requirements, and could streamline and promote the development of PDAs.

*Recommendations:* In this regard, the following recommendations are made:

- Explore ways of harmonizing policies, guidelines and regulations (e.g. deficiency plan) so that infill development is easier to implement.
- Investigate and develop criteria for designation of infill development areas in Alameda County and present it to the Commission for adopting a policy supporting such designation and for approval of those criteria.

8. Countywide Travel Demand Model – Model database to be consistent with the regional planning agency's database

This is for information purposes only as there is no further action needed. The legislation requires that the Alameda CTC as the CMA develop a computer model consistent with the data bases used by the Regional Planning Agency, in the case of Alameda County, Association of Bay Area Governments (ABAG), and that this model be used by the local jurisdictions to determine the quantitative impacts of development on the transportation system.

The Countywide transportation model is updated every two years to be consistent with ABAG's most recently adopted Projections, the land use and socio-economic database. Local jurisdictions up to this point have been permitted to redistribute housing and employment data to be more consistent with their adopted land use plans. However, with the SB 375 mandate, ABAG's Projections database will most likely be updated every 4 years, will be more closely coordinated with the local jurisdictions, will have to be more strictly defined with regional policies as defined in the Regional Transportation Plan and the Sustainable Communities Strategy and will be tied to the Regional Housing Needs Assessment (RHNA). These issues are being addressed as part of the CWTP-TEP update. ABAG recently developed the land use and socio-economic database for the Sustainable Community Strategy Base Case in close consultation with the jurisdictions, which Alameda CTC coordinated for Alameda County jurisdictions. It is expected that with these coordinated efforts between ABAG, local jurisdictions and Alameda CTC, the database developed

by ABAG will be directly used in the countywide transportation model and will have better local acceptance.

**Fiscal Impact**

None

**Attachments**

Attachment 1 - Copy of the CMP legislation

Attachment 2 – CMP Roadway Network

Attachment 3 – Summary of Performance Measures from the Annual Performance Report on the State of the Countywide Transportation System

Attachment 4 - Response Letter to Notice of Preparation (NOP) of Environmental Document

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**Table 1 – Summary of CMP Legislation Analysis, Current CMP Activities and Recommendations**

<b>CMP Element</b>	<b>Legislation Requirement</b>	<b>What is currently being done by Alameda CTC</b>	<b>Recommendation</b>
<b>Required CMP Elements</b>			
1. Traffic Level of Service Standards	<p>a. Adopt LOS standards for designated roadway system</p> <p>b. Roadway system to include all state highways and principal arterials</p> <p>c. Deficiency Plan to be prepared if roadway performs below LOS E that was not LOS F in 1991</p>	<p>a. Yes</p> <p>b. Yes</p> <p>b.1. Principal arterials are selected based on adopted approach since legislation provides no guidance</p> <p>b.2. Adding new principal roadways to the CMP network is voluntary as it has potential financial liability, which prevents Alameda CTC from getting complete picture of true regionally significant roadway network and related congestion.</p> <p>c. Yes</p>	<ul style="list-style-type: none"> <li>o Re-evaluate and update the criteria for selecting principal arterials</li> <li>o Identify new roadways that could be part of the CMP system applying the new criteria</li> <li>o Adopt a policy to give funding preference to improve deficient segments</li> <li>o Develop an approach for adding new roadways to the CMP network in future CMPs</li> </ul>
2. Performance Measures Element	a. Adopt a set of performance measures to evaluate multi-modal system performance for the movement of people and goods.	a. Yes – An annual performance report is prepared by Alameda CTC on the State of the Transportation System with respect to these measures	<ul style="list-style-type: none"> <li>o Integrate the performance measures developed from the CWTP-TEP and RTP/SCS process as appropriate</li> <li>o Evaluate the existing public transit system in the county, including developing a strategy for improvement of the transit system or a potential</li> </ul>

<b>CMP Element</b>	<b>Legislation Requirement</b>	<b>What is currently being done by Alameda CTC</b>	<b>Recommendation</b>
	<p>b. At a minimum these measures must include roadway and transit related measures</p>	<p>b. Yes, roadway, transit and bicycle measures are included</p>	<p>comprehensive countywide transit plan</p>
<p>3. Travel Demand Management Element</p>	<p>a. Adopt TDM to promote alternative transportation methods</p>	<p>a. Yes. Alameda CTC is currently implementing five different options</p>	<ul style="list-style-type: none"> <li>○ To be more successful in getting more people switch to alternative modes, explore developing a countywide comprehensive TDM program in the context of the SB 375 related efforts at local and regional level</li> </ul>
<p>4. Capital Improvement Program</p>	<p>a. Develop CIP using adopted performance measures b. CIP must conform to air quality mitigation measures</p>	<p>a. Yes b. Yes, ensured through the air quality conformity in the RTIP prepared by MTC</p>	<ul style="list-style-type: none"> <li>○ Continue to be in conformance with the legislation</li> </ul>
<p>5. Land Use Analysis Program</p>	<p>a. Adopt a program to analyze the impacts of land use decisions made by the local jurisdictions on the regional transportation systems</p>	<p>a. Yes, it's done through reviewing and commenting on General Plan Amendments (GPA), Notice of Preparation (NOP) for environmental documents and Environmental Impact Reports (EIR)</p>	<ul style="list-style-type: none"> <li>○ Update NOP/GPA response letter to reflect current focus on Preferred Development Areas and greenhouse gas related efforts in view of SB 375</li> <li>○ For long travel corridors that traverse more than one jurisdiction, explore the potential for contributing fair financial share for mitigation of impacts due to development projects into an escrow account, which can be used for that corridor improvement</li> <li>○ Consider implementing a sub-regional transportation impact fee in the other three Planning Areas similar to Tri Valley's Transportation Development Fee</li> </ul>

CMP Element	Legislation Requirements	What is currently being done by Alameda CTC	Recommendation
<b>Other CMP Requirements</b>			
6. Land Use Analysis Program	a. Ability to require trip generators in other counties to participate in the respective county's CMP	a. None yet	<ul style="list-style-type: none"> <li>o For congested cross county corridors, explore sharing the cost for implementing related mitigation measures</li> <li>o For long term corridor improvements for such corridors, explore establishing cross county partnerships to develop mutually agreeable strategies for improvements</li> </ul>
7. Infill Opportunity Zones	a. The legislation related to Infill Opportunity Zone had a sunset in December 2009	a. None yet	<ul style="list-style-type: none"> <li>o In view of the current efforts regarding importance of land use and transportation connection in the context of SB 375, explore ways of harmonizing policies, guidelines and regulation so that infill development is easier to implement</li> </ul>
8. Countywide Travel Demand Model	a. Model Database to be consistent with the Regional Planning Agency's (ABAG's) database	<p>a.1 Yes, countywide model is updated every two years to be consistent with ABAG's most recently updated database</p> <p>a.2 The database will potentially be directly used in the countywide model and will have better acceptance from the jurisdictions. Updates to the Countywide Model would only be required every four years</p>	<ul style="list-style-type: none"> <li>o None needed.</li> </ul>

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## APPENDIX A

**Congestion Management Program Legislation****GOVERNMENT CODE SECTION 65080**

**65088.** The Legislature finds and declares all of the following:

(a) Although California's economy is critically dependent upon transportation, its current transportation system relies primarily upon a street and highway system designed to accommodate far fewer vehicles than are currently using the system.

(b) California's transportation system is characterized by fragmented planning, both among jurisdictions involved and among the means of available transport.

(c) The lack of an integrated system and the increase in the number of vehicles are causing traffic congestion that each day results in 400,000 hours lost in traffic, 200 tons of pollutants released into the air we breathe, and three million one hundred thousand dollars (\$3,100,000) added costs to the motoring public.

(d) To keep California moving, all methods and means of transport between major destinations must be coordinated to connect our vital economic and population centers.

(e) In order to develop the California economy to its full potential, it is intended that federal, state, and local agencies join with transit districts, business, private and environmental interests to develop and implement comprehensive strategies needed to develop appropriate responses to transportation needs.

(f) In addition to solving California's traffic congestion crisis, rebuilding California's cities and suburbs, particularly with affordable housing and more walkable neighborhoods, is an important part of accommodating future increases in the state's population because homeownership is only now available to most Californians who are on the fringes of metropolitan areas and far from employment centers.

(g) The Legislature intends to do everything within its power to remove regulatory barriers around the development of infill housing, transit-oriented development, and mixed use commercial development in order to reduce regional traffic congestion and provide more housing choices for all Californians.

(h) The removal of regulatory barriers to promote infill housing, transit-oriented development, or mixed use commercial development does not preclude a city or county from holding a public hearing nor finding that an individual infill project would be adversely impacted by the surrounding environment or transportation patterns.

**65088.1.** As used in this chapter the following terms have the following meanings:

(a) Unless the context requires otherwise, "regional agency" means the agency responsible for preparation of the regional transportation improvement program.

(b) Unless the context requires otherwise, "agency" means the agency responsible for the preparation and adoption of the congestion management program.

(c) "Commission" means the California Transportation Commission.

(d) "Department" means the Department of Transportation.

(e) "Local jurisdiction" means a city, a county, or a city and county.

(f) "Parking cash-out program" means an employer-funded program under which an employer offers to provide a cash allowance to an employee equivalent to the parking subsidy that the employer would otherwise pay to provide the employee with a parking space. "Parking subsidy" means the difference between the out-of-pocket amount paid by an employer on a regular basis in order to secure the availability of an employee parking space not owned by the employer and the price, if any, charged to an employee for use of that space. A parking cash-out program may include a requirement that employee participants certify that they will comply with guidelines established by the employer designed to avoid neighborhood parking problems, with a provision that employees not complying with the guidelines will no longer be eligible for the parking cash-out program.

(g) "Infill opportunity zone" means a specific area designated by a city or county, pursuant to subdivision (c) of Section 65088.4, zoned for new compact residential or mixed use development within one-third mile of a site with an existing or future rail transit station, a ferry terminal served by either a bus or rail transit service, an intersection of at least two major bus routes, or within 300 feet of a bus rapid transit corridor, in counties with a population over 400,000. The mixed use development zoning shall consist of three or more land uses that facilitate significant human interaction in close proximity, with residential use as the primary land use supported by other land uses such as office, hotel, health care, hospital, entertainment, restaurant, retail, and service uses. The transit service shall have maximum scheduled headways of 15 minutes for at least 5 hours per day. A qualifying future rail station shall have broken ground on construction of the station and programmed operational funds to provide maximum scheduled headways of 15 minutes for at least 5 hours per day.

(h) "Interregional travel" means any trips that originate outside the boundary of the agency. A "trip" means a one-direction vehicle movement. The origin of any trip is the starting point of that trip. A roundtrip consists of two individual trips.

(i) "Level of service standard" is a threshold that defines a deficiency on the congestion management program highway and roadway system which requires the preparation of a deficiency plan. It is the intent of the Legislature that the agency shall use all elements of the program to implement strategies and actions that avoid the creation of deficiencies and to improve multimodal mobility.

(j) "Multimodal" means the utilization of all available modes of travel that enhance the movement of people and goods, including, but not limited to, highway, transit, non-motorized, and demand management strategies including, but not limited to, telecommuting. The availability and practicality of specific multimodal systems, projects, and strategies may vary by county and region in accordance with the size and complexity of different urbanized areas.

(k) "Performance measure" is an analytical planning tool that is used to quantitatively evaluate transportation improvements and to assist in determining effective implementation actions, considering all modes and strategies. Use of a performance measure as part of the program does not trigger the requirement for the preparation of deficiency plans.

(l) "Urbanized area" has the same meaning as is defined in the 1990 federal census for urbanized areas of more than 50,000 population.

(m) "Bus rapid transit corridor" means a bus service that includes at least four of the following attributes:

- (1) Coordination with land use planning.
- (2) Exclusive right-of-way.
- (3) Improved passenger boarding facilities.
- (4) Limited stops.
- (5) Passenger boarding at the same height as the bus.
- (6) Prepaid fares.
- (7) Real-time passenger information.
- (8) Traffic priority at intersections.

- (9) Signal priority.
- (10) Unique vehicles.

**65088.3.** This chapter does not apply in a county in which a majority of local governments, collectively comprised of the city councils and the county board of supervisors, which in total also represent a majority of the population in the county, each adopt resolutions electing to be exempt from the congestion management program.

**65088.4.** (a) 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.

(b) Notwithstanding any other provision of law, level of service standards described in Section 65089 shall not apply to the streets and highways within an infill opportunity zone. The city or county shall do either of the following:

(1) Include these streets and highways under an alternative area wide level of service standard or multimodal composite or personal level of service standard that takes into account both of the following:

(A) The broader benefits of regional traffic congestion reduction by citing new residential development within walking distance of, and no more than one-third mile from, mass transit stations, shops, and services, in a manner that reduces the need for long vehicle commutes and improves the jobs-housing balance.

(B) Increased use of alternative transportation modes, such as mass transit, bicycling, and walking.

(2) Approve a list of flexible level of service mitigation options that includes roadway expansion and investments in alternate modes of transportation that may include, but are not limited to, transit infrastructure, pedestrian infrastructure, and ridesharing, vanpool, or shuttle programs.

(c) The city or county may designate an infill opportunity zone by adopting a resolution after determining that the infill opportunity zone is consistent with the general plan and any applicable specific plan. A city or county may not designate an infill opportunity zone after December 31, 2009.

(d) The city or county in which the infill opportunity zone is located shall ensure that a development project shall be completed within the infill opportunity zone not more than four years after the date on which the city or county adopted its resolution pursuant to subdivision (c). If no development project is completed within an infill opportunity zone by the time limit imposed by this subdivision, the infill opportunity zone shall automatically terminate.

**65088.5.** Congestion management programs, if prepared by county transportation commissions and transportation authorities created pursuant to Division 12 (commencing with Section 130000) of the Public Utilities Code, shall be used by the regional transportation planning agency to meet federal requirements for a congestion management system, and shall be incorporated into the congestion management system.

**65089.** (a) A congestion management program shall be developed, adopted, and updated biennially, consistent with the schedule for adopting and updating the regional transportation improvement program, for every county that includes an urbanized area, and shall include every city and the county. The program shall be adopted at a noticed public hearing of the agency. The program shall be developed in consultation with, and with the cooperation of, the transportation planning agency, regional transportation providers, local governments, the department, and the air pollution control district or the air quality management district, either by the county transportation commission, or by another public agency, as designated by resolutions adopted by the county board of supervisors and the city councils of a majority of the cities representing a majority of the population in the incorporated area of the county.

(b) The program shall contain all of the following elements:

(1) (A) Traffic level of service standards established for a system of highways and roadways designated by the agency. The highway and roadway system shall include at a minimum all state highways and principal arterials. No highway or roadway designated as a part of the system shall be removed from the system. All new state highways and principal arterials shall be designated as part of the system, except when it is within an infill opportunity zone. Level of service (LOS) shall be measured by Circular 212, by the most recent version of the Highway Capacity Manual, or by a uniform methodology adopted by the agency that is consistent with the Highway Capacity Manual. The determination as to whether an alternative method is consistent with the Highway Capacity Manual shall be made by the regional agency, except that the department instead shall make this determination if either:

(i) The regional agency is also the agency, as those terms are defined in Section 65088.1

(ii) The department is responsible for preparing the regional transportation improvement plan for the county.

(B) In no case shall the LOS standards established be below the level of service E or the current level, whichever is farthest from level of service A except when the area is in an infill opportunity zone. When the level of service on a segment or at an intersection fails to attain the established level of service standard outside an infill opportunity zone, a deficiency plan shall be adopted pursuant to Section 65089.4.

(2) A performance element that includes performance measures to evaluate current and future multimodal system performance for the movement of people and goods. At a minimum, these performance measures shall incorporate highway and roadway system performance, and measures established for the frequency and routing of public transit, and for the coordination of transit service provided by separate operators. These performance measures shall support mobility, air quality, land use, and economic objectives, and shall be used in the development of the capital improvement program required pursuant to paragraph (5), deficiency plans required pursuant to Section 65089.4, and the land use analysis program required pursuant to paragraph (4).

(3) A travel demand element that promotes alternative transportation methods, including, but not limited to, carpools, vanpools, transit, bicycles, and park-and-ride lots; improvements in the balance between jobs and housing; and other strategies, including, but not limited to, flexible work hours, telecommuting, and parking management programs. The agency shall consider parking cash-out programs during the development and update of the travel demand element.

(4) A program to analyze the impacts of land use decisions made by local jurisdictions on regional transportation systems, including an estimate of the costs associated with mitigating those impacts. This program shall measure, to the extent possible, the impact to the transportation system using the performance measures described in paragraph (2). In no case shall the program include an estimate of the costs of mitigating the impacts of interregional travel. The program shall provide credit for local public and private contributions to improvements to regional transportation systems. However, in the case of toll road facilities, credit shall only be



allowed for local public and private contributions which are unreimbursed from toll revenues or other state or federal sources. The agency shall calculate the amount of the credit to be provided. The program defined under this section may require implementation through the requirements and analysis of the California Environmental Quality Act, in order to avoid duplication.

(5) A seven-year capital improvement program, developed using the performance measures described in paragraph (2) to determine effective projects that maintain or improve the performance of the multimodal system for the movement of people and goods, to mitigate regional transportation impacts identified pursuant to paragraph (4). The program shall conform to transportation-related vehicle emission air quality mitigation measures, and include any project that will increase the capacity of the multimodal system. It is the intent of the Legislature that, when roadway projects are identified in the program, consideration be given for maintaining bicycle access and safety at a level comparable to that which existed prior to the improvement or alteration. The capital improvement program may also include safety, maintenance, and rehabilitation projects that do not enhance the capacity of the system but are necessary to preserve the investment in existing facilities.

(c) The agency, in consultation with the regional agency, cities, and the county, shall develop a uniform data base on traffic impacts for use in a countywide transportation computer model and shall approve transportation computer models of specific areas within the county that will be used by local jurisdictions to determine the quantitative impacts of development on the circulation system that are based on the countywide model and standardized modeling assumptions and conventions. The computer models shall be consistent with the modeling methodology adopted by the regional planning agency. The data bases used in the models shall be consistent with the data bases used by the regional planning agency. Where the regional agency has jurisdiction over two or more counties, the data bases used by the agency shall be consistent with the data bases used by the regional agency.

(d) (1) The city or county in which a commercial development will implement a parking cash-out program that is included in a congestion management program pursuant to subdivision (b), or in a deficiency plan pursuant to Section 65089.4, shall grant to that development an appropriate reduction in the parking requirements otherwise in effect for new commercial development.

(2) At the request of an existing commercial development that has implemented a parking cash-out program, the city or county shall grant an appropriate reduction in the parking requirements otherwise applicable based on the demonstrated reduced need for parking, and the space no longer needed for parking purposes may be used for other appropriate purposes.

(e) Pursuant to the federal Intermodal Surface Transportation Efficiency Act of 1991 and regulations adopted pursuant to the act, the department shall submit a request to the Federal Highway Administration Division Administrator to accept the congestion management program in lieu of development of a new congestion management system otherwise required by the act.

**65089.1.** (a) For purposes of this section, "plan" means a trip reduction plan or a related or similar proposal submitted by an employer to a local public agency for adoption or approval that is designed to facilitate employee ridesharing, the use of public transit, and other means of travel that do not employ a single-occupant vehicle.

(b) An agency may require an employer to provide rideshare data bases; an emergency ride program; a preferential parking program; a transportation information program; a parking cash-out program, as defined in subdivision (f) of Section 65088.1; a public transit subsidy in an amount to be determined by the employer; bicycle parking areas; and other noncash value programs which encourage or facilitate the use of alternatives to driving alone. An employer may

offer, but no agency shall require an employer to offer, cash, prizes, or items with cash value to employees to encourage participation in a trip reduction program as a condition of approving a plan.

(c) Employers shall provide employees reasonable notice of the content of a proposed plan and shall provide the employees an opportunity to comment prior to submittal of the plan to the agency for adoption.

(d) Each agency shall modify existing programs to conform to this section not later than June 30, 1995. Any plan adopted by an agency prior to January 1, 1994, shall remain in effect until adoption by the agency of a modified plan pursuant to this section.

(e) Employers may include disincentives in their plans that do not create a widespread and substantial disproportionate impact on ethnic or racial minorities, women, or low-income or disabled employees.

(f) This section shall not be interpreted to relieve any employer of the responsibility to prepare a plan that conforms with trip reduction goals specified in Division 26 (commencing with Section 39000) of the Health and Safety Code, or the Clean Air Act (42 U.S.C. Sec. 7401 et seq.).

(g) This section only applies to agencies and employers within the South Coast Air Quality Management District.

**65089.2.** (a) Congestion management programs shall be submitted to the regional agency. The regional agency shall evaluate the consistency between the program and the regional transportation plans required pursuant to Section 65080. In the case of a multicounty regional transportation planning agency, that agency shall evaluate the consistency and compatibility of the programs within the region.

(b) The regional agency, upon finding that the program is consistent, shall incorporate the program into the regional transportation improvement program as provided for in Section 65082. If the regional agency finds the program is inconsistent, it may exclude any project in the congestion management program from inclusion in the regional transportation improvement program.

(c) (1) The regional agency shall not program any surface transportation program funds and congestion mitigation and air quality funds pursuant to Section 182.6 and 182.7 of the Streets and Highways Code in a county unless a congestion management program has been adopted by December 31, 1992, as required pursuant to Section 65089. No surface transportation program funds or congestion mitigation and air quality funds shall be programmed for a project in a local jurisdiction that has been found to be in nonconformance with a congestion management program pursuant to Section 65089.5 unless the agency finds that the project is of regional significance.

(2) Notwithstanding any other provision of law, upon the designation of an urbanized area, pursuant to the 1990 federal census or a subsequent federal census, within a county which previously did not include an urbanized area, a congestion management program as required pursuant to Section 65089 shall be adopted within a period of 18 months after designation by the Governor.

(d) (1) It is the intent of the Legislature that the regional agency, when its boundaries include areas in more than one county, should resolve inconsistencies and mediate disputes which arise between agencies related to congestion management programs adopted for those areas.

(2) It is the further intent of the Legislature that disputes which may arise between regional agencies, or agencies which are not within the boundaries of a multicounty regional transportation planning agency, should be mediated and resolved by the

Secretary of Business, Housing and Transportation Agency, or an employee of that agency designated by the secretary, in consultation with the air pollution control district or air quality management district within whose boundaries the regional agency or agencies are located.

(e) At the request of the agency, a local jurisdiction that owns, or is responsible for operation of, a trip-generating facility in another county shall participate in the congestion management program of the county where the facility is located. If a dispute arises involving a local jurisdiction, the agency may request the regional agency to mediate the dispute through procedures pursuant to subdivision (d) of Section 65089.2. Failure to resolve the dispute does not invalidate the congestion management program.

**65089.3.** The agency shall monitor the implementation of all elements of the congestion management program. The department is responsible for data collection and analysis on state highways, unless the agency designates that responsibility to another entity. The agency may also assign data collection and analysis responsibilities to other owners and operators of facilities or services if the responsibilities are specified in its adopted program. The agency shall consult with the department and other affected owners and operators in developing data collection and analysis procedures and schedules prior to program adoption. At least biennially, the agency shall determine if the county and cities are conforming to the congestion management program, including, but not limited to, all of the following:

- (a) Consistency with levels of service standards, except as provided in Section 65089.4.
- (b) Adoption and implementation of a program to analyze the impacts of land use decisions, including the estimate of the costs associated with mitigating these impacts.
- (c) Adoption and implementation of a deficiency plan pursuant to Section 65089.4 when highway and roadway level of service standards are not maintained on portions of the designated system.

**65089.4.** (a) A local jurisdiction shall prepare a deficiency plan when highway or roadway level of service standards are not maintained on segments or intersections of the designated system. The deficiency plan shall be adopted by the city or county at a noticed public hearing.

(b) The agency shall calculate the impacts subject to exclusion pursuant to subdivision (f) of this section, after consultation with the regional agency, the department, and the local air quality management district or air pollution control district. If the calculated traffic level of service following exclusion of these impacts is consistent with the level of service standard, the agency shall make a finding at a publicly noticed meeting that no deficiency plan is required and so notify the affected local jurisdiction.

(c) The agency shall be responsible for preparing and adopting procedures for local deficiency plan development and implementation responsibilities, consistent with the requirements of this section. The deficiency plan shall include all of the following:

- (1) An analysis of the cause of the deficiency. This analysis shall include the following:
  - (A) Identification of the cause of the deficiency.
  - (B) Identification of the impacts of those local jurisdictions within the jurisdiction of the agency that contribute to the deficiency. These impacts shall be identified only if the calculated traffic level of service following exclusion of impacts pursuant to subdivision (f) indicates that the level of service standard has not been maintained, and shall be limited to impacts not subject to exclusion.

(2) A list of improvements necessary for the deficient segment or intersection to maintain the minimum level of service otherwise required and the estimated costs of the improvements.

(3) A list of improvements, programs, or actions, and estimates of costs, that will (A) measurably improve multimodal performance, using measures defined in paragraphs (1) and (2) of subdivision (b) of Section 65089, and (B) contribute to significant improvements in air quality, such as improved public transit service and facilities, improved non-motorized transportation facilities, high occupancy vehicle facilities, parking cash-out programs, and transportation control measures. The air quality management district or the air pollution control district shall establish and periodically revise a list of approved improvements, programs, and actions that meet the scope of this paragraph. If an improvement, program, or action on the approved list has not been fully implemented, it shall be deemed to contribute to significant improvements in air quality. If an improvement, program, or action is not on the approved list, it shall not be implemented unless approved by the local air quality management district or air pollution control district.

(4) An action plan, consistent with the provisions of Chapter 5 (commencing with Section 66000), that shall be implemented, consisting of improvements identified in paragraph (2), or improvements, programs, or actions identified in paragraph (3), that are found by the agency to be in the interest of the public health, safety, and welfare. The action plan shall include a specific implementation schedule. The action plan shall include implementation strategies for those jurisdictions that have contributed to the cause of the deficiency in accordance with the agency's deficiency plan procedures. The action plan need not mitigate the impacts of any exclusions identified in subdivision (f). Action plan strategies shall identify the most effective implementation strategies for improving current and future system performance.

(d) A local jurisdiction shall forward its adopted deficiency plan to the agency within 12 months of the identification of a deficiency. The agency shall hold a noticed public hearing within 60 days of receiving the deficiency plan. Following that hearing, the agency shall either accept or reject the deficiency plan in its entirety, but the agency may not modify the deficiency plan. If the agency rejects the plan, it shall notify the local jurisdiction of the reasons for that rejection, and the local jurisdiction shall submit a revised plan within 90 days addressing the agency's concerns. Failure of a local jurisdiction to comply with the schedule and requirements of this section shall be considered to be nonconformance for the purposes of Section 65089.5.

(e) The agency shall incorporate into its deficiency plan procedures, a methodology for determining if deficiency impacts are caused by more than one local jurisdiction within the boundaries of the agency.

(1) If, according to the agency's methodology, it is determined that more than one local jurisdiction is responsible for causing a deficient segment or intersection, all responsible local jurisdictions shall participate in the development of a deficiency plan to be adopted by all participating local jurisdictions.

(2) The local jurisdiction in which the deficiency occurs shall have lead responsibility for developing the deficiency plan and for coordinating with other impacting local jurisdictions. If a local jurisdiction responsible for participating in a multi-jurisdictional deficiency plan does not adopt the deficiency plan in accordance with the schedule and requirements of paragraph (a) of this section, that jurisdiction shall be considered in nonconformance with the program for purposes of Section 65089.5.

(3) The agency shall establish a conflict resolution process for addressing conflicts or disputes between local jurisdictions in meeting the multi-jurisdictional deficiency plan responsibilities of this section.

(f) The analysis of the cause of the deficiency prepared pursuant to paragraph (1) of subdivision (c) shall exclude the following:

- (1) Interregional travel.
- (2) Construction, rehabilitation, or maintenance of facilities that impact the system.
- (3) Freeway ramp metering.
- (4) Traffic signal coordination by the state or multi-jurisdictional agencies.

- (5) Traffic generated by the provision of low-income and very low income housing.
- (6) (A) Traffic generated by high-density residential development located within one-fourth mile of a fixed rail passenger station, and
  - (B) Traffic generated by any mixed use development located within one-fourth mile of a fixed rail passenger station, if more than half of the land area, or floor area, of the mixed use development is used for high density residential housing, as determined by the agency.
- (g) For the purposes of this section, the following terms have the following meanings:
  - (1) "High density" means residential density development which contains a minimum of 24 dwelling units per acre and a minimum density per acre which is equal to or greater than 120 percent of the maximum residential density allowed under the local general plan and zoning ordinance. A project providing a minimum of 75 dwelling units per acre shall automatically be considered high density.
  - (2) "Mixed use development" means development which integrates compatible commercial or retail uses, or both, with residential uses, and which, due to the proximity of job locations, shopping opportunities, and residences, will discourage new trip generation.

**65089.5.** (a) If, pursuant to the monitoring provided for in Section 65089.3, the agency determines, following a noticed public hearing, that a city or county is not conforming with the requirements of the congestion management program, the agency shall notify the city or county in writing of the specific areas of nonconformance. If, within 90 days of the receipt of the written notice of nonconformance, the city or county has not come into conformance with the congestion management program, the governing body of the agency shall make a finding of nonconformance and shall submit the finding to the commission and to the Controller.

(b) (1) Upon receiving notice from the agency of nonconformance, the Controller shall withhold apportionments of funds required to be apportioned to that nonconforming city or county by Section 2105 of the Streets and Highways Code.

(2) If, within the 12-month period following the receipt of a notice of nonconformance, the Controller is notified by the agency that the city or county is in conformance, the Controller shall allocate the apportionments withheld pursuant to this section to the city or county.

(3) If the Controller is not notified by the agency that the city or county is in conformance pursuant to paragraph (2), the Controller shall allocate the apportionments withheld pursuant to this section to the agency.

(c) The agency shall use funds apportioned under this section for projects of regional significance which are included in the capital improvement program required by paragraph (5) of subdivision (b) of Section 65089, or in a deficiency plan which has been adopted by the agency. The agency shall not use these funds for administration or planning purposes.

**65089.6.** Failure to complete or implement a congestion management program shall not give rise to a cause of action against a city or county for failing to conform with its general plan, unless the city or county incorporates the congestion management program into the circulation element of its general plan.

**65089.7.** A proposed development specified in a development agreement entered into prior to July 10, 1989, shall not be subject to any action taken to comply with this chapter, except actions

required to be taken with respect to the trip reduction and travel demand element of a congestion management program pursuant to paragraph (3) of subdivision (b) of Section 65089.

**65089.9.** The study steering committee established pursuant to Section 6 of Chapter 444 of the Statutes of 1992 may designate at least two congestion management agencies to participate in a demonstration study comparing multimodal performance standards to highway level of service standards. The department shall make available, from existing resources, fifty thousand dollars (\$50,000) from the Transportation Planning and Development Account in the State Transportation Fund to fund each of the demonstration projects. The designated agencies shall submit a report to the Legislature not later than June 30, 1997, regarding the findings of each demonstration project.

**65089.10.** Any congestion management agency that is located in the Bay Area Air Quality Management District and receives funds pursuant to Section 44241 of the Health and Safety Code for the purpose of implementing paragraph (3) of subdivision (b) of Section 65089 shall ensure that those funds are expended as part of an overall program for improving air quality and for the purposes of this chapter.

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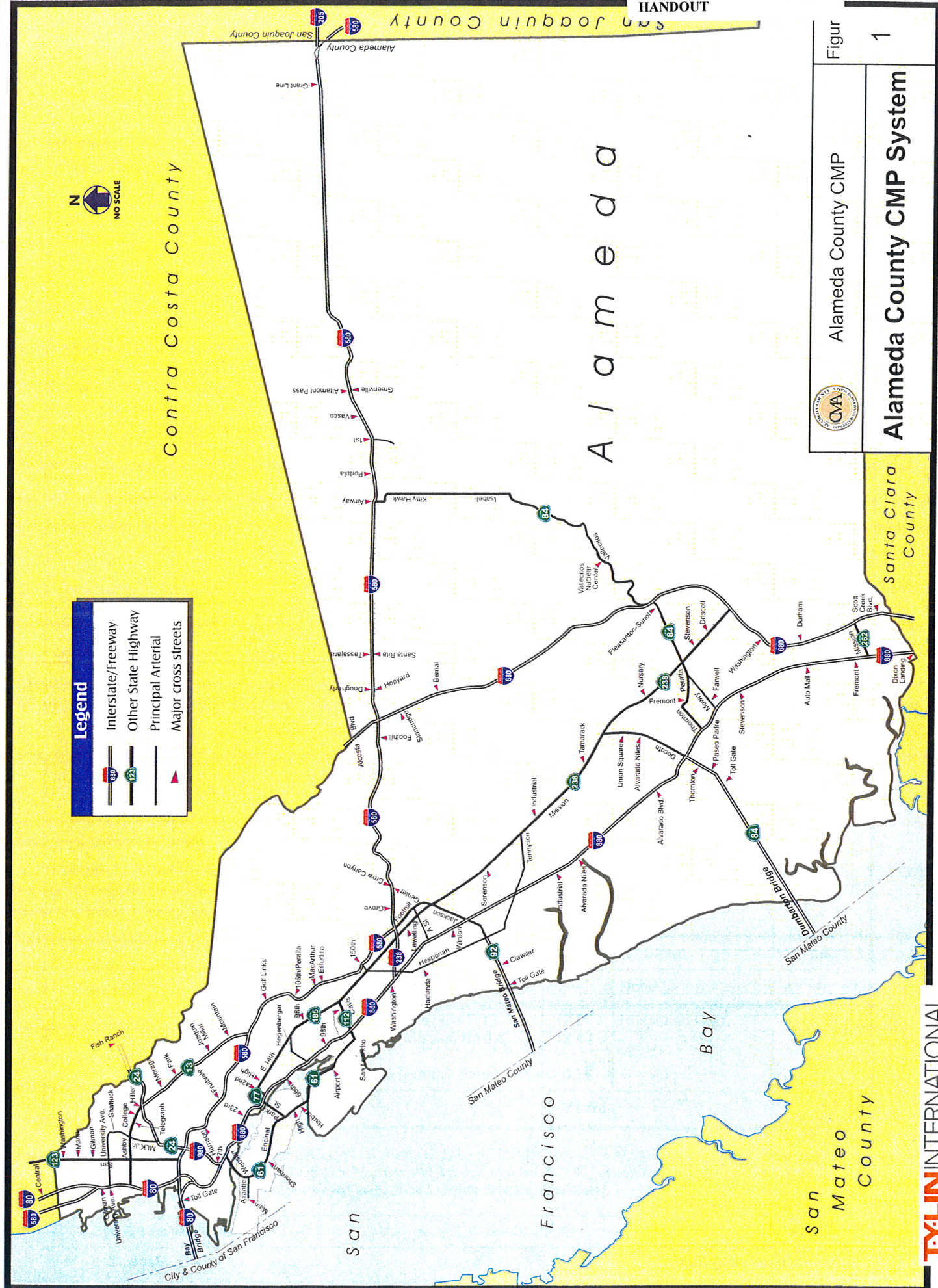


**Legend**

- Interstate/Freeway
- Other State Highway
- Principal Arterial
- Major cross streets

Contra Costa County

A l a m e d a



Alameda County CMP

Figur

1

**Alameda County CMP System**

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**Table ES.1—Performance of Alameda County Transportation System**

**ROADWAYS**

PERFORMANCE MEASURE	<b>Congestion (Level of Service)</b>
OBJECTIVE OF CMP	Mobility / Air Quality
2008-2009 RESULTS	<p>Freeways: Uncongested (LOS A, B, C): increased by 11 percent; Moderately congested (LOS D and E): decreased by 10 percent; Severely congested LOS F): decreased by one percent</p> <p>Arterials: Uncongested increased three percent; moderately congested decreased four percent; and severely congested remained the same.</p>
OBSERVATION	From 2006 to 2008, freeways improved and arterials remained steady.

PERFORMANCE MEASURE	<b>Average Speed</b>
OBJECTIVE OF CMP	Mobility / Air Quality / Land Use
2008-2009 RESULTS	<p>Freeways: 51 mph for the afternoon peak</p> <p>Freeways: 52 for the morning peak</p> <p>Arterials: 26 mph for the afternoon peak</p>
OBSERVATION	Average speeds increased slightly (1.6 to 3.2 miles per hour) for arterials and free-ways.

PERFORMANCE MEASURE	<b>Travel Time (Origin and Destination)</b>
OBJECTIVE OF CMP	Mobility / Air Quality / Land Use
2008-2009 RESULTS	In general, transit trips continue to take 2 to 5.5 times longer than auto for the 10 travel location pairs studied. Consistently, Fremont-Pleasanton has the highest transit travel times, which are over 5.5 times longer than auto.
OBSERVATION	Overall, auto travel time has reduced and transit times have increased since 2006. Most transit delay is associated with transfer between lines.



PERFORMANCE MEASURE	<b>Congestion (Vehicle Hours of Delay)</b>
OBJECTIVE OF CMP	Air Quality / Economic
2008-2009 RESULTS	<p>Congestion decreased on most of the top 10 corridors in 2008, with 53,000 VHD in 2008, which is down from 63,900 VHD in 2007, a decrease of 17 percent.</p> <p>Congestion on eastbound I-80 across the bridge in the afternoon peak decreased seven percent compared with 2007.</p> <p>Congestion on EB I-580 in the afternoon decreased by 29 percent compared to 2007</p>
OBSERVATION	The congestion reduced along most corridors in the county likely due to the economic downturn.

PERFORMANCE MEASURE	<b>Road Maintenance (PCI)</b>
OBJECTIVE OF CMP	Economic
2008-2009 RESULTS	<p>Excellent: 10 percent</p> <p>Very Good: 23 percent</p> <p>Good: 23 percent</p> <p>Fair: 23 percent</p> <p>Poor: 15 percent</p> <p>Very Poor: six percent</p>
OBSERVATION	Percentage of roads reported to be in good or satisfactory condition was stable (reduced by one percent). This is an average among 15 jurisdictions.

PERFORMANCE MEASURE	<b>Accidents</b>
OBJECTIVE OF CMP	Mobility / Air Quality / Economic
2008-2009 RESULTS	<p>The following changes in total number of accidents occurred since 2007:</p> <p>I-680 had a 25 percent reduction.</p> <p>I-580 had a 24 percent reduction.</p> <p>SR-84 had a 30 percent reduction.</p> <p>I-238 had an eight percent increase.</p>
OBSERVATION	<p>Accident rates generally reduced in 2008, with the exception of I-238.</p> <p>Reductions may have been influenced by lessened congestion associated with the economic downturn.</p>



## TRANSIT

PERFORMANCE MEASURE	<b>Ridership</b>
OBJECTIVE OF CMP	Air Quality / Economic / Land Use
2008-2009 RESULTS	Transit ridership in terms of total annual passenger boardings decreased by 2.3 percent in 2008 compared to 2007.
OBSERVATION	Likely due to the economic downturn.

PERFORMANCE MEASURE	<b>Service Coordination</b>
OBJECTIVE OF CMP	Mobility / Air Quality
2008-2009 RESULTS	Transfer facilities are located at BART, AMTRAK, ACE, Dublin and Livermore Transit Centers, two malls, Greyhound and ferry terminals
OBSERVATION	BART offers the greatest number of transfer opportunities.

PERFORMANCE MEASURE	<b>Vehicle Maintenance</b>
OBJECTIVE OF CMP	Air Quality
2008-2009 RESULTS	Bus Service: Miles between mechanical road calls reduced for Union City Transit, increased for LAVTA, and stayed stable for AC Transit. Rail: Mean time between service delays reduced by 11 percent for BART, beginning to reverse a five-year upward trend, and reduced by 17 percent for ACE.
OBSERVATION	Improvements in transit vehicle maintenance can be attributed to aggressive maintenance programs and operational improvements. Decreases in maintenance are attributed to aging fleets.



## TRANSIT

PERFORMANCE MEASURE	<b>Routing</b>
OBJECTIVE OF CMP	Mobility / Air Quality / Land Use
2008-2009 RESULTS	Transit service coverage and passenger boardings both reduced by two percent.
OBSERVATION	Reduction in transit service coverage and passenger boardings parallel the downturn in the economy.

PERFORMANCE MEASURE	<b>Frequency</b>
OBJECTIVE OF CMP	Mobility / Air Quality / Land Use
2008-2009 RESULTS	LAVTA cut fixed route service 30 percent the end of FY 2008-2009; Union City Transit terminated some of the Sunday service.
OBSERVATION	Reductions in transit frequency in 2008 show a response to the economic downturn, combined with a response to state budget cuts.

## BICYCLE

PERFORMANCE MEASURE	<b>Countywide Bike Plan</b>
OBJECTIVE OF CMP	Mobility / Air Quality
2008-2009 RESULTS	Twelve High Priority projects showed progress in environmental, design and funding in 2008.
OBSERVATION	Bicycle facilities are progressing.



## Pedestrian Access

The CMA Board and ACTIA adopted the first Countywide Strategic Pedestrian Plan in October 2006. The Pedestrian Plan identifies and prioritizes pedestrian improvements and programs to increase walking and improve safety on a countywide level. Performance measures to monitor progress toward the Plan's goals and objectives are being developed, and may include:

- Completed Projects
- Pedestrian Counts
- Pedestrian Collisions with Motor Vehicles

### ■ Completed Projects

Funding for capital projects in the Pedestrian Plan are focused in areas of countywide significance, defined as "places that serve pedestrians traveling to and from a variety of locations through Alameda County and beyond." Three targeted areas and corresponding capital projects and programs include providing access to:

- Transit
- Activity Centers
- Inter-jurisdictional Trails

Four projects of countywide significance completed in FY 2008-2009, include:

- City of Alameda: Atlantic/Webster Streets Intersection Improvements;
- Hayward: San Francisco Bay Trail Eden Landing;
- San Leandro: San Francisco Bay Trail Oakland/San Leandro Connector; and
- Oakland: San Francisco Bay Trail Tidewater Segment.

### ■ Pedestrian Counts

As shown in Appendix D-1 the UC Berkeley Traffic Safety Center in 2009 and MTC in 2002 collected data to measure pedestrian mobility trends. Pedestrians were counted in the weekday afternoons at three intersections in Berkeley, Dublin and San Leandro. In comparing the two data sources by year, two locations (Dublin and San Leandro) showed an increase, while Berkeley counts remained relatively stable. Additional research on pedestrian mobility is underway.

### ■ Pedestrian Collisions with Motor Vehicles

In 2008, the reported countywide motor-vehicle-involved pedestrian collisions, resulting in injuries and fatalities, increased by nearly 4 percent, to 682 pedestrians since 2004 (see Appendix D-2). The rate of collisions has remained steady with more people walking.

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# ALAMEDA

County Transportation  
Commission

ACCMA ■ 1333 Broadway, Suite 220 ■ Oakland, CA 94612 ■ PH: (510) 836-2560  
ACTIA ■ 1333 Broadway, Suite 300 ■ Oakland, CA 94612 ■ PH: (510) 893-3347

www.AlamedaCTC.org

Date:

To:

Address:

Email:

SUBJECT: Comments on the Notice of Preparation of a Draft Environmental Impact Report (DEIR) for City of xxxxxxxxxxxx

Dear Ms./Mr:

Thank you for the opportunity to comment on the Notice of Preparation (NOP) for a Draft Environmental Impact Report (DEIR) for the City of xxxxxxxxxxxx. The Project Area covers..... :

Details added here

The Alameda County Transportation Commission (Alameda CTC), on behalf of the Alameda County Congestion Management Agency (ACCMA) through the powers delegated to Alameda CTC by the joint powers agreement which created Alameda CTC, respectfully submits the following comments:

- The City of Oakland adopted Resolution No. .... on ..... establishing guidelines for reviewing the impacts of local land use decisions consistent with the Alameda County Congestion Management Program (CMP). If the proposed project is expected to generate at least 100 p.m. peak hour trips over existing conditions, the CMP Land Use Analysis Program requires the City to conduct a traffic analysis of the project using the Countywide Transportation Demand Model for projection years 2015 and 2035 conditions. Please note the following paragraph as it discusses the responsibility for modeling.
  - The CMP was amended on March 26<sup>th</sup>, 1998 so that local jurisdictions are responsible for conducting the model runs themselves or through a consultant. The Alameda CTC and ACCMA have a Countywide model that is available for this purpose. The City of ..... and the ACCMA signed a Countywide Model Agreement on ..... Before the model can be used for this project, a letter must be submitted to the Alameda CTC requesting use of the model and describing the project. A copy of a sample letter agreement is available upon request.

Potential impacts of the project on the Metropolitan Transportation System (MTS) need to be addressed. (See 2009 CMP Figure 2). The MTS roads in the city of ..... in the project study area are; .....

- The DEIR should address all potential impacts of the project on the MTS roadway and transit systems. These include MTS roadways as shown in the attached map as well as BART and AC Transit. Potential impacts of the project must be addressed for 2015 and 2035 conditions.
  - Please note that the ACCMA and Alameda CTC have *not* adopted any policy for determining a threshold of significance for Level of Service for the Land Use Analysis Program of the CMP. Professional judgment should be applied to determine the significance of project impacts (Please see chapter 6 of 2009 CMP for more information).
  - For the purposes of CMP Land Use Analysis, 2000 Highway Capacity Manual is used.
- The adequacy of any project mitigation measures should be discussed. On February 25, 1993, the ACCMA Board adopted three criteria for evaluating the adequacy of DEIR project mitigation measures:
  - Project mitigation measures must be adequate to sustain CMP service standards for roadways and transit;
  - Project mitigation measures must be fully funded to be considered adequate;
  - Project mitigation measures that rely on state or federal funds directed by or influenced by the CMA must be consistent with the project funding priorities established in the Capital Improvement Program (CIP) section of the CMP or the Regional Transportation Plan (RTP).

The DEIR should include a discussion on the adequacy of proposed mitigation measures relative to these criteria. In particular, the DEIR should detail when proposed roadway or transit route improvements are expected to be completed, how they will be funded, and what would be the effect on LOS if only the funded portions of these projects were assumed to be built prior to project completion.

- Potential impacts of the project on CMP transit levels of service must be analyzed. (See 2009 CMP, Chapter 4). Transit service standards are 15-30 minute headways for bus service and 3.75-15 minute headways for BART during peak hours. The DEIR should address the issue of transit funding as a mitigation measure in the context of the Alameda CTC / ACCMA policies discussed above.
- The DEIR should also consider demand-related strategies that are designed to reduce the need for new roadway facilities over the long term and to make the most



efficient use of existing facilities (see 2009 CMP, Chapter 5). The DEIR should consider the use of TDM measures, in conjunction with roadway and transit improvements, as a means of attaining acceptable levels of service. Whenever possible, mechanisms that encourage ridesharing, flextime, transit, bicycling, telecommuting and other means of reducing peak hour traffic trips should be considered. The Site Design Guidelines Checklist may be useful during the review of the development proposal. A copy of the checklist is enclosed.

- The EIR should consider opportunities to promote countywide bicycle routes identified in the Alameda Countywide Bicycle Plan, which was approved by the ACCMA Board in October 2006. The approved Countywide Bike Plan is available at <http://www.accma.ca.gov/pages/HomeBicyclePlan.aspx>.
- The Alameda Countywide Strategic Pedestrian Plan, developed by the Alameda County Transportation Improvement Authority (ACTIA), was adopted by both the ACTIA and ACCMA Boards in September 2006 and October 2006, respectively. The EIR should consider opportunities to promote pedestrian improvements identified in the Plan through the project development review process. The approved Plan is available at [http://www.actia2022.com/ped-toolkit/Full\\_Ped\\_Plan.pdf](http://www.actia2022.com/ped-toolkit/Full_Ped_Plan.pdf)
- For projects adjacent to state roadway facilities, the analysis should address noise impacts of the project. If the analysis finds an impact, then mitigation measures (i.e., soundwalls) should be incorporated as part of the conditions of approval of the proposed project. It should not be assumed that federal or state funding is available.
- Local jurisdictions are encouraged to consider a comprehensive Transit Oriented Development (TOD) Program, including environmentally clearing all access improvements necessary to support TOD development as part of the environmental documentation.

Thank you for the opportunity to comment on this Notice of Preparation. Please do not hesitate to contact me at 510.350.2334 if you require additional information.

Sincerely,

Laurel Poeton  
Engineering Assistant

Cc: Beth Walukas, Manager of Planning  
File: CMP – Environmental Review Opinions – Responses - 2010

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