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PLANNING & PROGRAMMING COMMITTEE
MAY 19, 2004

SUBJECT: 2004 CONGESTION MANAGEMENT PROGRAM

ACTION: ADOPT THE 2004 CONGESTION MANAGEMENT PROGRAM FOR LOS ANGELES COUNTY

RECOMMENDATION

Adopt the 2004 Congestion Management Program (CMP) for Los Angeles County, with amendments to clarify that MTA will work with public and private industry stakeholders to explore self-help revenue generating strategies.

ISSUE

Since 1992, MTA has been designated as the Congestion Management Agency (CMA) for Los Angeles County, and thereby has two statutory requirements for the CMP. In January 2004, MTA made its annual determination regarding how the County and 88 local jurisdictions have complied with the CMP requirements. State statute also requires MTA to update the CMP biennially with new data on the performance of the countywide transportation system, growth trends, and new program-level developments. The Draft 2004 CMP fulfills these requirements and reaffirms MTA's commitment to provide outreach that helps cities maintain CMP compliance.

Since 1990, local improvements credited through the CMP have eliminated approximately 5.6 million daily vehicle miles traveled, representing \$613 million in annual savings to the public in time and fuel. These improvements greatly benefit local and regional mobility needs and support the county's transportation system.

POLICY IMPLICATIONS

State statute requires the MTA to update and readopt the CMP biennially to demonstrate that Los Angeles County is linking land use decisions with impacts to the transportation system and is ultimately devising transportation solutions. Los Angeles County also uses the CMP to meet federal Congestion Management System (CMS) requirements, which mirror the State's CMP requirements.

OPTIONS

The MTA Board could elect not to adopt the CMP, which would violate State statute. In that case, Los Angeles County would still have to comply with the federal CMS requirements to monitor and mitigate congestion.

FINANCIAL IMPACT

Approving the 2004 CMP would have no direct impact on the MTA budget. However, Los Angeles County jurisdictions receive more than \$93 million annually in Section 2105 State gas tax subventions, as well as other state and federal transportation funds, for maintaining CMP conformance. By also fulfilling federal CMS requirements, the CMP preserves MTA's role in the programming of federal funds for highway and transit projects.

DISCUSSION

The purpose of the CMP in Los Angeles County is to report on and assess the current and historical performance of the countywide transportation system, the impacts of local growth decisions on transportation, and to work in partnership with local jurisdictions to mitigate congestion resulting from local growth through a countywide deficiency plan process. Local jurisdictions have also adopted a Transportation Demand Management (TDM) Ordinance to implement "transit friendly" infrastructure as part of new development, and a Land Use ordinance calling for the analysis of new development's impact on the CMP highway and transit system through the CEQA process (The Executive Summary of the Draft 2004 CMP is provided in Attachment A. A complete copy of the document is available from the MTA Board Secretary's Office or on mta.net).

Under the CMP's Deficiency Plan, local jurisdictions have been responsible for implementing transportation improvements that offset the congestion impacts of new development within their city annually. Local agencies earn CMP "credits" for implementing any of the more than 50 land use, capital improvement, transportation systems management (TSM), transit, TDM, and other strategies contained in the "CMP Toolbox of Mitigation Strategies" (examples include signal synchronization, transit pass subsidies, and development around transit stations). The credits earned for implementing these strategies are banked by local jurisdictions to offset the "debits" accrued through new development. Local jurisdictions must fulfill all of the above requirements to maintain CMP compliance and preserve their eligibility to receive Proposition 111 gas tax subvention funds (Section 2105) and other State and federal funds programmed in the MTA Transportation Improvement Program (TIP).

2004 CMP Update

The 2004 CMP will be the seventh CMP adopted for Los Angeles County since 1990. Nearly 800 copies of the Draft 2004 CMP were distributed in early January 2004 with public comments requested by February 6, 2004. In accordance with CMP statute, a public hearing

was held on January 29, 2004. One representative from a jurisdiction in the County provided testimony. A transcript of that public hearing is available from the MTA Board Secretary's office.

Additionally, five letters were received regarding the Draft 2004 CMP. There are two categories of comments: 1) those that are technical in nature, are neutral, or are in favor of adopting the Draft 2004 CMP; and 2) those comments proposing changes to the CMP. Copies of the comment letters and staff responses are contained in Attachment B.

2004 CMP Highlights

The 2004 CMP provides updated performance monitoring for the CMP highway and roadway system and information on land use development trends. It also details implementation of transportation system improvements, transportation demand management measures and other mobility enhancements. Through the CMP, local jurisdictions have implemented 5,600 local mitigation strategies that have eliminated approximately 5.6 million daily vehicle miles traveled, representing \$613 million in annual savings to the public in time and fuel costs since 1990.

Since the adoption of the first CMP in 1992, MTA has worked closely with Los Angeles' 89 local jurisdictions. The main focus of activity has been to ensure smooth implementation of CMP requirements so that they may maintain CMP compliance and continued eligibility for state gas tax. Over the last several years some cities have raised concerns regarding the current debit/credit Deficiency Plan approach, with increasing numbers citing their difficulty in maintaining conformance.

MTA staff has been closely working with the county's jurisdictions and the CMP Policy Advisory Committee (PAC) to investigate alternatives to the current debit/credit Deficiency Plan approach. As a result, on July 8, 2003, the CMP PAC unanimously recommended to the MTA Board that a CMP Congestion Mitigation Fee Nexus Study be performed to explore the feasibility of such a fee program.

As part of its approval of the 2003 Short Range Transportation Plan (SRTP), the MTA Board authorized work to explore the feasibility of implementing a congestion mitigation fee. The MTA Board also authorized the suspension of the credit/debit Countywide Deficiency Plan while options are explored. The 2004 CMP reflects these MTA Board actions and implications on the annual conformance process. For example, CMP Deficiency Plan requirements for maintaining a positive credit balance are suspended until a new Deficiency Plan approach is approved. However, reporting on all new development activity, and adopting the self-certification resolution will continue to be an annual requirement.

On February 4, 2004, the MTA Technical Advisory Committee recommended that 1) nexus study-related comments submitted as part of the 2003 SRTP be brought forward for inclusion in the 2004 Draft CMP public comments, and 2) that staff conduct a briefing with Board staff as soon as possible. MTA received thirty-five public comment letters during the SRTP public review period that varied in breadth and focus. Seven letters addressed the CMP Nexus Study:

South Bay Cities COG and Caltrans were supportive of a study; County of Los Angeles was neutral; and City of Long Beach, City of Lancaster, the Newhall Land and Farming Company, and Building Industry Association of Southern California (Greater L.A/Ventura Chapter) were in opposition. These comments raised issues that will be addressed through further study.

Over the past six months, MTA staff has solicited input and comment on the pending CMP Congestion Mitigation Fee study. These included meetings with the CMP PAC, a CMP Technical Working Committee, and MTA Technical Advisory Committee. Currently, staff is meeting with key public and private sector stakeholders to pursue a broader approach to explore a number of local funding strategies. Staff plans to work collectively with key stakeholders on a two-phase process to build consensus on local funding strategies that could address both local and regional unmet transportation needs.

NEXT STEPS

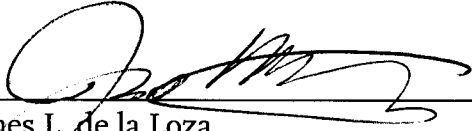
Upon Board adoption, MTA staff will incorporate minor amendments into the Final 2004 CMP to reflect the broader effort to identify local transportation needs and potential local funding sources. Staff will distribute the Final 2004 CMP document to all 88 local jurisdictions, the County of Los Angeles, Caltrans, and other public agencies and private stakeholders. Staff will also continue helping local jurisdictions comply with CMP requirements.

Over the next year, MTA will work with Board staff, the CMP PAC, subregions, cities, the private sector, and other stakeholders to study new financing strategies that address local transportation concerns and priorities, while also addressing the CMP's requirement to mitigate the impact of growth on the regional transportation system. Following extensive outreach, MTA staff will provide the Board with alternatives that could fund needed transportation improvements while satisfying CMP Deficiency Plan requirements.

ATTACHMENTS

- A. Draft 2004 CMP Executive Summary
- B. Public Comments Received on the Draft 2004 CMP and staff responses
- C. Copies of Comment Letters on Draft 2004 CMP

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ATTACHMENT A

EXECUTIVE SUMMARY

1.1 INTRODUCTION

The 2004 Congestion Management Program (CMP) marks the twelve-year anniversary since the program became effective with the passage of Proposition 111 in 1990. In 1992, the CMP forged new ground in linking transportation, land use, and air quality decisions for one of the most complex urban areas in the country. The hallmark of the CMP is that it is intended to address the impact of local growth on the regional transportation system. This document represents the seventh CMP adopted for Los Angeles County.

The CMP was created for the following purposes:

- To link local land use decisions with their impacts on regional transportation and air quality;
- To develop a partnership among transportation decision makers on devising appropriate transportation solutions that include all modes of travel.

The CMP alone does not solve all the mobility issues within Los Angeles County. Many mobility issues are localized traffic concerns and are not addressed through the CMP. Nevertheless, the CMP is an important tool addressing transportation needs throughout Los Angeles County. The CMP also demonstrates the benefits of nine years of highway monitoring, eight years of local growth monitoring, and thirteen years of local transportation improvements.

As the nature of congestion has evolved since 1992, the countywide strategy for tackling deficiencies on our transportation system is also evolving. MTA is working with stakeholders countywide to explore the feasibility of implementing a congestion mitigation fee to meet future CMP Deficiency Plan requirements. The goal is to develop a new and improved CMP Deficiency Plan approach that allows cities to address deficiencies on the regional transportation

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“The CMP alone does not solve all mobility issues within Los Angeles County.”

network caused by growth. Section 1.5 discusses this further and explains the changes to local governments' CMP reporting requirements, including a new streamlined reporting process.

This document contains specific information about the program and its ongoing requirements. The Appendices contain revised reporting forms, standard material related to the monitoring data, and additional technical guidance and assistance for local jurisdictions.

1.2 CONGESTION MANAGEMENT PROGRAM HIGHLIGHTS

The following points highlight some of the key trends and results of this unique program.

CMP Highway and Roadway System

- The Los Angeles County freeway system is a mature system that is operating at its designed capacity and is not prone to large changes in congestion levels.
- Half of the freeway system operates at LOS E and F, the two most congested levels, in the morning and afternoon rush hours. Almost mimicking this pattern, 40% of the arterial intersections operate at LOS E and F in the morning rush hours, and half of the intersections operate at LOS E and F in the afternoon.
- Freeway monitoring data indicates a highly complex travel pattern for Los Angeles County, with many freeway segments experiencing congestion in both directions during the morning and afternoon rush hours. This differs from the traditional suburb-to-downtown commute pattern.

Land Use Growth Trends

- From 1995 through 2003, building permits were issued for the construction of 101,499 residential dwelling units and 180.6 million square feet of non-residential (commercial, industrial, and office) building space.
- Historically, growth has not been evenly dispersed across Los Angeles County jurisdictions. Sixty percent of the growth occurs in the same top 10 to 15 most active

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“The Los Angeles County freeway system is a mature system that is operating at its designed capacity and it is not prone to large changes in congestion levels.”

jurisdictions. The ten fastest growing cities for since 1995 are:

- | | |
|------------------------|--------------|
| 1. City of Los Angeles | 6. Industry |
| 2. Los Angeles County | 7. Carson |
| 3. Long Beach | 8. Burbank |
| 4. Santa Clarita | 9. Torrance |
| 5. Lancaster | 10. Palmdale |

- Conversely, forty-six cities (just over half of all jurisdictions) have very limited growth and account for less than 10% of new development.
- At a sub-regional level, the percentage of countywide growth is as follows (see Exhibits 3-1 and 3-2 for sub-area definitions):
 - City of Los Angeles 20%
 - Gateway 18%
 - San Gabriel Valley 17%
 - Los Angeles County 16%
 - San Fernando Valley Cities/North County 16%
 - South Bay 10%
 - Westside 3%
- Sub-areas with the greatest residential growth were the County of Los Angeles, City of Los Angeles, and the San Fernando Valley Cities/North County area.
- In looking at commercial, industrial and office growth:
 - The Gateway area had significantly more industrial growth than other sub-regions, followed by the San Gabriel Valley and South Bay areas.
 - The greatest commercial growth was in the San Fernando Valley Cities/North County and Los Angeles County areas.
 - The greatest office growth was in the San Fernando Valley Cities/North County and the City of Los Angeles, accounting for 50% for the entire County.

“Historically, growth has not been evenly dispersed across Los Angeles County’s jurisdictions. Sixty percent of the growth occurs in the same top 10 to 15 most active.”

Mobility Improvements

- From 1990 through 2003, local jurisdictions have implemented 5,600 local mitigation strategies that have eliminated or accommodated approximately 5.6 million vehicle miles of travel each day - a \$613 million annual savings to the public in time and fuel costs.
- Following an historical trend, Transportation System Management and Capital Improvement Projects were the most implemented projects and accounted for 79% percent of the mobility benefit.
- Of all the 65 CMP congestion management strategies, land use strategies continue to be implemented the least among local jurisdictions. As a result, between 1990 and 2003, land use strategies have generated only 3% of the total mobility benefit.
- Transit service improvements have doubled since 1997. From 1997 to 2003, transit service increased its role in congestion management, accounting for 6% of all mobility improvements in 1997 to 12% in 2003.

1.3 CMP REQUIREMENTS

The CMP for Los Angeles County has been developed to meet the requirements of Section 65089 of the California Government Code.

As required by statute, Los Angeles' CMP has the following elements:

- A system of highways and roadways, with minimum levels of service performance measurements designated for highway segments and key roadway intersections on this system.
- A performance element that includes performance measures to evaluate multimodal system performance.
- A transportation demand management (TDM) element that promotes alternative transportation strategies.
- A Land Use Analysis program to analyze the impacts of local land use decisions on the regional transportation

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system, including an estimate of the costs of mitigating those impacts.

- A seven-year capital improvement program of projects that benefit the CMP system.
- A Deficiency Plan.

Los Angeles' CMP has also been developed to meet the federal requirements for a Congestion Management System (CMS) initially enacted in the Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991, and continued in the Transportation Equity Act for the 21st Century (TEA-21) in 1998. The federal CMS requirement was modeled after California's CMP. Like the CMP, CMS requires monitoring, performance measures, and, in certain cases, mitigation measures. Without the CMP, the Southern California Association of Governments (SCAG) would need to develop a separate CMS for Los Angeles County. This would give SCAG the federal authority to require the implementation of mitigation strategies for capacity enhancing highway and transit projects. The 2004 CMP functions as the Los Angeles County portion of the Congestion Management System.

1.4 LOCAL CMP REQUIREMENTS

While many levels of government are involved in developing and implementing the CMP, local jurisdictions have significant implementation responsibilities. These responsibilities include assisting in monitoring the CMP highway and transit system, implementing a transportation demand management ordinance, implementing a program to analyze the impacts of local land use decisions on the regional transportation system, and participating in the Countywide Deficiency Plan.

Jurisdictions are required to conform to local CMP requirements in order to receive their portion of state gas tax revenue allocated by Section 2105 of the California Streets and Highways Code. The 88 cities, plus the County of Los Angeles, collectively receive over \$93 million annually for maintaining compliance. In addition, compliance with the CMP is necessary to preserve their eligibility for state and federal funding for transportation projects.

Since the adoption of the first CMP, MTA has worked closely with Los Angeles County's 89 local jurisdictions and others

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interested in CMP implementation. The main focus of activity has been to ensure smooth implementation of CMP requirements for local jurisdictions so that they maintain CMP compliance and continued eligibility for state gas tax and other transportation funds. To date, the County of Los Angeles and all but one of the 88 cities have maintained CMP conformance and their eligibility for these funds.

Individuals identified as CMP contacts at each local jurisdiction receive regular notices explaining approaching CMP deadlines. MTA often contacts local jurisdictions directly in order to monitor implementation progress. Members of the Policy Advisory Committee (PAC) are kept informed of CMP implementation developments and are consulted from time to time. Other mechanisms are used for public outreach and consultation as well. A telephone hotline provides a convenient mechanism for people to request CMP documents (213-922-2830).

1.5 CHANGES TO LOCAL RESPONSIBILITIES FOR 2004

The Countywide Deficiency Plan requires local agencies to offset a portion of the impact that their new development has on the regional transportation system. Historically, each local jurisdiction's responsibilities has been tracked through a point system that reflects the impact of local growth ("debits") and benefits of transportation improvements ("credits"). In recent years, cities have raised concerns regarding this Deficiency Plan approach, citing their difficulty in maintaining conformance and questioning its effectiveness.

As part of its approval of the 2003 Short Range Transportation Plan, the MTA Board authorized a nexus study to evaluate the feasibility of implementing a congestion mitigation fee. A fee would help ensure that new growth directly mitigates its traffic impacts on the regional transportation system by helping fund needed local transportation improvements. Such a fee could mirror mitigation fees implemented in Orange and Riverside counties (and now being studied in San Bernardino County). The purpose of the nexus study will be to identify and justify a mitigation fee that would meet CMP Deficiency Plan requirements.

***"...the MTA Board
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to evaluate the feasibility
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congestion mitigation fee."***

While this study is underway, CMP Deficiency Plan requirements for maintaining a positive credit balance will be suspended. However, reporting on all new development activity and adopting the self-certification resolution will continue to be annual reporting requirements (please see Chapter 7 and Appendices C and D). The following table summarizes past and current CMP reporting requirements and other responsibilities for local jurisdictions.

CMP Requirement	Previous Requirement	New Requirement
Transportation Mitigation and Improvement Reporting (Credits)	Yes	No
Land Use Reporting (Debits)	Yes	Yes
Land Use Analysis Program	Yes	Yes
TDM Ordinance Program	Yes	Yes
Biennial Highway Monitoring	Yes	Yes
Biennial Transit Monitoring	Yes	Yes

Historically, the CMP for Los Angeles County has been developed with the assistance and input of numerous agencies and individuals representing a wide range of organizations and interests throughout the County. Along with the PAC, MTA uses a consensus approach to updating any element of the CMP. The development and exploration of a congestion mitigation fee through the nexus study will continue this tradition. The PAC will be meeting regularly to assist MTA in identifying challenges and solutions, and to ensure the nexus study provides an equitable and meaningful approach to mitigating deficiencies on the region’s transportation network. Recommendations will be brought back to the MTA Board at a future date and will be amended into the CMP at that time if appropriate.

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ATTACHMENT B

RESPONSES TO PUBLIC COMMENTS RECEIVED ON THE DRAFT 2004 CONGESTION MANAGEMENT PROGRAM (CMP) FOR LOS ANGELES COUNTY

NOTE: The Draft 2004 CMP was distributed for review and comment on January 9, 2004. Nearly 800 copies were distributed and comments were requested by February 6, 2004. The following reflects staff responses to all comments received on the Draft 2004 CMP through the mail.

No.	Comment (Main Points)	Response
1	<p>James A Noyes Director of Public Works</p> <p>Patrick V. DeChellis Assistant Deputy Director, Program Development Division Department of Public Works County of Los Angeles</p> <p>A congestion mitigation fee can provide a much clearer means to address the regional transportation needs than the current debit and credit balance approach under the present Congestion Management Program. It can be used to supplement much needed funds to implement regional transportation improvements that are constantly being put off due to the transportation budget cuts. It can also relieve local agencies from development and implementation of transportation improvements needed for mitigating development project impacts on the freeway system under the California Environmental Quality Act. Generally, we believe the proposed congestion mitigation fee program provides a much more comprehensive and equitable way of addressing regional transportation needs and local agency participation in this program. We do, however, have the following questions regarding the congestion mitigation fee approach that should be addressed.</p> <ul style="list-style-type: none"> ▪ What will happen to the existing credits? We understand the fees may be developed subregionally. Will credits be 	<p>MTA agrees a carefully crafted congestion mitigation fee program could achieve many of the goals outlined in this letter. Said Congestion Mitigation Fee Program could provide the much needed supplemental funding to help implement regional transportation improvements that are currently being threatened by the state budget deficit. In addition, a fair and equitable Congestion Mitigation Fee Program is another method of addressing regional transportation needs with local agency participation.</p> <p>MTA will work with the County of Los Angeles and other stakeholders to address both the technical and</p>

No.	Comment (Main Points)	Response
2	<p>included in the formulation of these fees?</p> <ul style="list-style-type: none"> ▪ How will the Countywide fee program impact the developments within the most economically challenged areas? Will the fee(s) encourage or discourage developments in these areas? ▪ Some cities and the County of Los Angeles already have established transportation fees. How will the Congestion Management Program congestion mitigation fee impact these fee programs? The congestion mitigation fee nexus study should look at how the Congestion Management Program congestion fee may be integrated with local traffic impact fee programs to avoid any “doubling” of fees. ▪ Who will administer the fees collected? Will the MTA collect the fees or local agencies? ▪ What will be the process for prioritizing transportation improvements to be implemented through the program? ▪ What other funding sources will be used for this program? <p>We have been, and will continue to be, an active participant on the Policy Advisory Committee under whose auspices the 2004 Congestion Management Program is being drafted. We support the Policy Advisory Committee’s efforts and hope that answers to the above questions will be addressed by the Policy Advisory Committee.</p>	<p>programmatic concerns outlined in this comment letter in the coming months. Technical concerns outlined in this comment letter will be addressed in the Congestion Mitigation Fee Program Nexus Study.</p> <p>MTA looks forward to working with the County of Los Angeles and other stakeholders during the Congestion Mitigation Fee Program Nexus Study.</p>
	<p>Allyn D. Rifkin Principal Transportation Engineer Department of Transportation City of Los Angeles</p> <p>The report does not include the complete data contained in the local implementation reports. LADOT feels that it is premature to stop reporting on the current debit/credit system. Although the MTA staff is embarking on a nexus study to explore the feasibility of implementing a countywide congestion mitigation fee to replace the debit/credit system, there is still a need to report on the congestion</p>	<p>All local reporting requirements and data collection remain the same in the 2004 CMP document with the exception of reporting transportation improvement credit claims. The following bullets highlight the local reporting and data collection requirements:</p> <ul style="list-style-type: none"> ▪ Reporting traffic counts and Levels of Service at

No.	Comment (Main Points)	Response
	<p>management progress consistent with the current monitoring process. Until there is a full understanding of how the amended monitoring would satisfy requirements of the applicable congestion mitigation laws, we have no guarantee that the State of California would not reclaim those funds that are subject to the applicable restrictions. We are further concerned that by not including the data in the report, the City of Los Angeles efforts to generate traffic mitigation credit during the last reporting period would not be properly counted.</p>	<ul style="list-style-type: none"> ▪ selected intersections (biennial requirement); ▪ Implementation of the locally-adopted CMP TDM ordinance; ▪ Following CMP transportation impact analysis guidelines for projects requiring an Environmental Impact Report (EIR) as incorporated in the locally-adopted CMP Land Use Analysis Program; ▪ Adoption of a Local Development Report (LDR), reporting new development activity, development adjustments and exempted development activity; and ▪ After holding a noticed public hearing, adoption of a resolution self-certifying CMP conformance which incorporates the LDR mentioned above. <p>MTA will work with its stakeholders to ensure that as the Congestion Mitigation Fee Program evolves, all CMP statutory requirements will be met to protect local jurisdiction subvention (Section 2105) funds.</p>
3	<p>Stephen J. Buswell District 7 – IGR/CEQA Program Manager Office of Public Transportation and Regional Planning California Department of Transportation</p> <p>02/06/2004</p> <p>We acknowledge the suspension of the CMP traditional debit/credit methodology used to offset new development traffic impacts to the CMP Roadway System. The methodology had been used by the local jurisdictions to address traffic congestion deficiencies per their deficiency plans. Consequently, with the suspension, this Department is especially sensitive to the text in Appendix B Section B.4 “Study Area” and B.9.1 “Criteria for Determining a Significant Impact.”</p>	<p>The locally-adopted CMP statutory Land Use Analysis Program will continue to be one of the five requirements for CMP conformance while the Deficiency Plan requirement for maintaining a positive credit balance is suspended.</p>

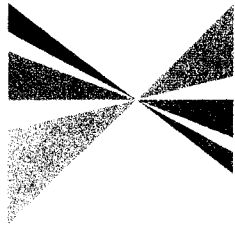
No.	Comment (Main Points)	Response
	<p>We request that the last bullet of Section B.4, which indicates the requirement to consult Caltrans, be moved to first place for emphasis and to reduce inattention to it.</p> <p>We request that a sentence similar to that in Section B.4 be added to Section B.9.1 to emphasize the need to consult Caltrans regarding thresholds of significant impacts on State facilities. Depending on the location and existing Level of Service (LOS), Caltrans may need to use more stringent criteria.</p>	<p>Comment noted. The bullets in this section are not placed in any order of importance.</p> <p>The Los Angeles County CMP relies on the California Environmental Quality Act (CEQA) process for implementation of the Land Use Analysis Program. CMP requirements build on the CEQA requirements and process, and require more detailed and additional analysis. CMP statute does not preclude other agencies from requiring different or more stringent criteria under CEQA.</p>
4	<p>Section B.9.1 does not take into consideration cumulative impacts. We request that CMP transportation impact guidelines be modified to take cumulative impacts more into consideration. Considering cumulative effects would allow for collecting relatively small contributions, from each of many projects, towards funding of pre-established or future improvements to the CMP Roadway System or to equivalent mobility enhancing projects.</p> <p>Sumire Gant Acting Manager Traffic and Transportation Bureau City of Long Beach</p> <p>02/06/2004</p>	<p>The CMP Land Use Analysis Program relies on the CEQA process for determination of thresholds of significance for cumulative impacts. However, the Countywide Deficiency Plan approach was designed to account for and address the cumulative impacts of all types and sizes of development. The proposed Congestion Mitigation Fee Program would continue this commitment of addressing cumulative impacts while also providing new revenue for mobility enhancing projects.</p> <p>MTA will work with the City of Long Beach and other stakeholders to ensure that existing local fee programs are honored. MTA is sensitive to the concerns of agencies with existing fee programs and will ensure that the Congestion</p>

No.	Comment (Main Points)	Response
5	<p>group to assist in the development of a scope of work for the nexus study, and applaud your efforts to include diverse views in the development of that study. The City currently administers a citywide traffic impact fee on new development which has been in effect for the past ten years. Imposing a countywide fee would prove overly burdensome to development in Long Beach if it were to be considered in addition to the existing fee, and the City would strongly oppose transferring the existing fee with a countywide fee, particularly since it would in effect usurp local control either by requiring MTA approvals or the requirement to meet additional guidelines proposed by MTA. The city currently uses the funds to address congestion on the local and regional transportation system serving Long Beach, and would oppose any changes imposed by the MTA or any other outside agency.</p> <p>Hasan Ikhata Director Department of Planning and Policy Southern California Association of Governments</p> <p>The Final 2004 CMP should state its efforts in providing consistency with the CMPs developed for the adjacent counties in the SCAG region.</p> <p>The Final 2004 CMP should outline/tabulate changes and progress between the last 2002 CMP and the 2004 CMP.</p>	<p>Mitigation Fee Program Nexus Study will coordinate with such programs.</p> <p>State statute (Government Code Section 65089.2(a)) indicates that SCAG is responsible for determining the consistency and compatibility of the region's individual CMP programs. The Final 2004 CMP will incorporate by reference the 2002 CMP which contains information and responsibilities of the entire Los Angeles County CMP program, including SCAG's role (Appendix I). This includes, among others, chapters on the CMP Transportation Demand Management (TDM) program, the CMP statute, and roles and responsibilities of the various agencies involved in the CMP process.</p> <p>Chapter 1, Section 1.5 highlights changes in local responsibilities since the 2002 CMP. In addition, all the monitoring and growth data has been updated and can be found in Chapters 1, 2, 3, and 4 and Appendix A</p>

No.	Comment (Main Points)	Response
6	<p>SCAG is in the process of finalizing and adopting the 2004 RTP to replace the 2001 RTP. The 2004 RTP contains new socio-economic data and is based on the newly validated Transportation Model and data. The next CMP should be consistent with the 2004 RTP.</p> <p>Mony Patel Supervising Transportation Planner City of Los Angeles Department of Transportation Bureau of Transportation Programs and Development Review</p> <p><i>Oral Comment made at CMP public hearing.</i></p> <p>Mr. Patel inquired why the draft 2004 CMP document discusses the proposed Nexus Study if the Nexus Study has not yet been formally approved by the MTA Board.</p>	<p>The next CMP will be consistent with the most recently adopted SCAG socio-economic data and Transportation Model.</p> <p>The biennially-updated CMP document has historically discussed proposed changes or alternatives to any of the five statutory CMP elements.</p>

ATTACHMENT C

SOUTHERN CALIFORNIA



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Riverside County: Marion Ashley, Riverside County • Ron Loveridge, Riverside • Jeff Miller, Corona • Greg Pettis, Cathedral City • Ron Roberts, Temecula • Charles White, Moreno Valley

San Bernardino County: Paul Biane, San Bernardino County • Bill Alexander, Rancho Cucamonga • Edward Burgnon, Town of Apple Valley • Lawrence Dale, Barstow • Lee Ann Garcia, Grand Terrace • Susan Longville, San Bernardino • Gary Oviatt, Ontario • Deborah Robertson, Rialto

Ventura County: Judy Mikels, Ventura County • Glen Becerra, Simi Valley • Carl Morehouse, San Buenaventura • Toni Young, Port Hueneime

Orange County Transportation Authority: Charles Smith, Orange County

Riverside County Transportation Commission: Robin Lowe, Hemet

Ventura County Transportation Commission: Bill Davis, Simi Valley

February 6, 2004

Mr. Steve Fox, Project Manager
Congestion Management Program
Los Angeles County Metropolitan Transportation Authority
One Gateway Plaza
Mail Stop 99-23-2
Los Angeles, California 90012-2952

Ref: Draft 2004 Congestion Management Program

Dear Mr. Fox:

We appreciate the opportunity to comment on the Draft 2004 Congestion Management Program (CMP) for Los Angeles County. Under the California Government Code – Section 65089, SCAG, as the Metropolitan Planning Organization (MPO) and the Regional Transportation Planning Agency (RTPA), is required to perform an evaluation of CMPs developed by the Congestion Management Agencies (CMAs) in the SCAG region.

The Los Angeles County Metropolitan Transportation Authority (LACMTA) is the designated CMA for Los Angeles County and is responsible for preparing the biennial CMP. The Draft 2004 CMP was prepared in response to the State CMP requirements and is an update to the current 2002 CMP. Additionally, the Draft 2004 CMP was prepared to meet the Federal Congestion Management System (CMS) requirements for the Los Angeles County portion of the SCAG region. The following evaluations of the CMPs are required and are based on SCAG's Regional Consistency and Compatibility Criteria for CMPs:

- Consistency between countywide modeling methodology and databases and SCAG's model and database [Section 65089 (c)].
- Consistency with the Regional Transportation Plan (RTP – including the related socio-economic data) [Section 65089.2(a)].
- Compatibility with other CMPs developed within the SCAG region [Section 65089.2(a)].
- Incorporation of the CMP into the Regional Transportation Improvement Program (RTIP) [Section 65089.2(b)].

SCAG's review and analysis of the Draft 2004 CMP are reflected in the below listed findings and comments.

SCAG's Findings

- The Draft 2004 CMP addresses congestion relief in Los Angeles County through findings listed in the highway/roadway system, growth, mobility

improvements, land use analysis program, performance procedures, and new directions for the CMP.

- The Draft 2004 CMP states that the efficiency of its highway and road way system rely on biennial participation of the local jurisdictions and Caltrans in a traffic monitoring process that collects data at more than 230 strategic locations on the CMP system.
- The Draft document contains the implementation and monitoring programs for the recommended CMP strategies. It reflects the current highway performance and contains guidelines for biennial highway monitoring - outlined in Appendix A. This Appendix lists the monitoring locations/stations (freeways and arterial intersections) to be monitored.
- The Draft 2004 CMP indicates the overall congestion levels for freeways and arterial intersections have remained relatively constant between 1992 and 2003.
- The Draft 2004 CMP has a chapter that addresses growth. It contains the land use data. It is based on the local jurisdictions annual report of their respective building activities (construction and demolition). The CMP uses the net growth or net development that occurs within each jurisdiction and it is the responsibility of that local jurisdiction to mitigate the growth impacts on the transportation system.
- The Draft 2004 CMP states that the mobility improvements have been accomplished through the local jurisdictions' actions - by implementing mitigation strategies that offset the adverse traffic impacts of the new developments through capital improvements program (CIP), transportation system management (TSM), transit services, transportation demand management (TDM), and land use.
- The Draft 2004 CMP states that transit service continues to increase its contribution to congestion mitigation, noting that transit service was responsible for 12% of the total daily VMT reduced by local jurisdictions through the CMP Deficiency Plan program between 1990 and 2003.
- The Draft 2004 CMP relies on the California Environmental Quality Act (CEQA) process for implementation of the Land Use Analysis Program. The Land Use Analysis Program is an information sharing process that seeks to improve communication between public agencies, private entities, and the general public regarding the impact of new development on the CMP system.
- The Draft 2004 CMP discusses the transportation impact analysis (TIA) that is to identify site-specific impacts and mitigation and its guidelines are outlined in Appendix B.
- The Draft 2004 CMP discusses new directions for the CMP. This is in response to the local jurisdictions' concerns – exploring an alternative to the current debit/credit approach to implement the CMP's Deficiency Plan. As directed by the LACMTA Board, a nexus study is being undertaken by the LACMTA to address the feasibility of implementing a congestion mitigation fee program that would fund transportation improvements that mitigate new deficiencies in Los Angeles County.

- The Draft 2004 CMP is consistent with SCAG's 2002 RTIP.
- The Draft 2004 CMP modeling, both in methodology and database, is consistent with the SCAG regional model used for development of the 2001 RTP.
- The Draft 2004 CMP is consistent with SCAG's 2001 RTP goals, objectives, and policies.
- The Draft 2004 CMP is consistent with the federal requirements for CMS, and reflects the Los Angeles County portion of SCAG's CMS.

SCAG's Comments

- The Final 2004 CMP should state its efforts in providing consistency with the CMPs developed for the adjacent counties in the SCAG region.
- The Final 2004 CMP should outline/tabulate changes and progress between the last 2003 CMP and the 2004 CMP.

SCAG is in the process of finalizing and adopting the 2004 RTP to replace the 2001 RTP. The 2004 RTP contains new socio-economic data and is based on the newly validated Regional Transportation Model and data. The next CMP should be consistent with the 2004 RTP.

We look forward to receiving the Final 2004 CMP for final approval. If you have any question on SCAG's comments, please contact me at (213) 236-1944 or Mr. Charles Keynejad, Senior Regional Planner at (213) 236-1915.

Sincerely,



Hasan Ikhrata, Director *J.P.*
Department of Planning and Policy

Doc # 94942 - Keynejad



COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

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JAMES A. NOYES, Director

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

February 5, 2004

IN REPLY PLEASE
REFER TO FILE: PD-1

Mr. Steve Fox, Manager
Congestion Management Program
Los Angeles County Metropolitan
Transportation Authority
One Gateway Plaza, 99-23-2
Los Angeles, CA 90012-2932

Dear Mr. Fox:

DRAFT 2004 CONGESTION MANAGEMENT PROGRAM

We have reviewed the Draft 2004 Congestion Management Program for Los Angeles County and have the following comments.

As part of an ongoing development of the deficiency program, the Los Angeles County Metropolitan Transportation Authority is proposing to explore the feasibility of implementing a Countywide congestion mitigation fee in lieu of the current debit and credit system. This type of congestion mitigation fee can provide a much clearer means to address the regional transportation needs than the debit and credit balance approach under the present Congestion Management Program. It can be used to supplement much needed funds to implement regional transportation improvements that are constantly being put off due to the transportation budget cuts. It can also relieve local agencies from development and implementation of transportation improvements needed for mitigating development project impacts on the freeway system under the California Environmental Quality Act. Generally, we believe the proposed congestion mitigation fee program provides a much more comprehensive and equitable way of addressing regional transportation needs and local agency participation in this program. We do, however, have the following questions regarding the congestion mitigation fee approach that should be addressed.

- What will happen to the existing credits? We understand the fees may be developed subregionally. Will the credits be included in the formulation of these fees?
- How will the Countywide fee program impact the developments within the most economically challenged areas? Will the fee(s) encourage or discourage developments in these areas?

Mr. Steve Fox
February 5, 2004
Page 2

- Some cities and the County of Los Angeles already have established transportation fees. How will the Congestion Management Program congestion mitigation fee impact these fee programs? The congestion fee nexus study should look at how the Congestion Management Program congestion fee may be integrated with local traffic impact fee programs to avoid any "doubling" of fees.
- Who will administer the fees collected? Will the MTA collect the fees or local agencies?
- What will be the process for prioritizing transportation improvements to be implemented through the program?
- What other funding sources will be used for this program?

We have been, and will continue to be, an active participant on the Policy Advisory Committee under whose auspices the 2004 Congestion Management Program is being drafted. We support the Policy Advisory Committee's efforts and hope that answers to the above questions will be addressed by the Policy Advisory Committee.

If you have any questions, please contact Mr. Kit Bagnell at (626) 458-3943.

Very truly yours,

JAMES A. NOYES
Director of Public Works



PATRICK V. DeCHELLIS
Assistant Deputy Director
Programs Development Division

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CITY OF LONG BEACH

DEPARTMENT OF PUBLIC WORKS

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February 6, 2004

Brad McAllester, Deputy Executive Officer
Los Angeles County Metropolitan Transportation Authority
One Gateway Plaza
Los Angeles, CA 90012-2952

Re: 2004 Congestion Management Program

Thank you for the opportunity to comment on the MTA's 2004 Congestion Management Program. The CMP was developed in 1990 to address the impact of local growth on the regional transportation system. The City of Long Beach has been working well within the existing debit and credit system and would be opposed to the development of a Countywide Traffic Impact Fee, or Congestion Mitigation Fee. I have been working with the CMP PAC and technical working group to assist in the development of a scope of work for the nexus study, and applaud your efforts to include diverse views in the development of that study. The City currently administers a citywide traffic impact fee on new development which has been in effect for the past ten years. Imposing a countywide fee would prove overly burdensome to development in Long Beach if it were to be considered in addition to the existing fee, and the City would strongly oppose transferring the existing fee with a countywide fee, particularly since it would in effect usurp local control either by requiring MTA approvals or the requirement to meet additional guidelines proposed by MTA. The city currently uses the funds to address congestion on the local and regional transportation system serving Long Beach, and would oppose any changes imposed by the MTA or any other outside agency.

Thank you for your consideration. If you have any questions, please call me at 562/570-6618.

Sincerely,



Sumire Gant
Acting Manager
Traffic and Transportation Bureau

cc. Doug Kim
Heather Hills
James de la Loza

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February 6, 2004

Mr. Steve Fox
Los Angeles County
Metropolitan Transit Authority
1 Gateway Plaza, MS 99-23-2
Los Angeles, CA 90012 - 2952

**Re: Draft 2004 Congestion Management Program (CMP)
IGR/CEQA No. 040127EA**

Dear Mr. Fox:

Thank you for including the California Department of Transportation in the review of the 2004 Draft Congestion Management Program. We have reviewed the report provided and offer the following comments, mostly relevant to Appendix B (Guidelines for CMP Transportation Impact Analysis).

We acknowledge the suspension of the CMP traditional debit/credit methodology used to offset new development traffic impacts to the CMP Roadway System. The methodology had been used by the local jurisdictions to address traffic congestion deficiencies per their deficiency plans. Consequently, with the suspension, this Department is especially sensitive to the text in Appendix B Sections B.4 "Study Area" and B.9.1 "Criteria for Determining a Significant Impact".

B.4 Study Area

All CMP arterial monitoring intersections, including monitored freeway on- or off- ramp intersections, where the proposed project will add 50 or more trips during either the a.m. or p.m. weekday peak hours (of adjacent street traffic).

Mainline freeway monitoring locations where the project will add 150 or more trips, in either direction, during either the a.m. or p.m. weekday peak hours.

In this last scenario, a development could generate 149 trips in all cardinal directions and be exempt from addressing traffic congestion deficiencies.

Section B.4 is repeatedly used in traffic studies to avoid evaluating impacts at ramp intersections and on main-line freeways, even in cases where the closest freeway facilities may already be operating at or over capacity during peak hours. We request that the last bullet item of Section B.4, which indicates the requirement to consult Caltrans, be moved to first place for emphasis and to reduce inattention to it.

Mr. Steve Fox
February 6, 2004

Page 2 of 2

B.9.1 Criteria for Determining a Significant Impact

A significant impact occurs when the proposed project increases traffic demand on a CMP facility by 3% of capacity ($V/C \geq 0.02$), causing LOS F ($V/C > 1.0$). If the facility is already at LOS F, a significant impact occurs when the proposed project increases traffic demand on a CMP facility by 2% of capacity ($V/C \geq 0.02$). The lead agency may apply a more stringent criteria if desired.

We request that a sentence similar to that in Section B.4 be added to Section B.9.1 to emphasize the need to consult Caltrans regarding thresholds of significant impacts on State facilities. Depending on the location and existing Level of Service (LOS), Caltrans may need to use more stringent criteria.

Section B.9.1 does not take into consideration cumulative impacts. We request that CMP transportation impact guidelines be modified to take cumulative impacts more into consideration. Considering cumulative effects would allow for collecting relatively small contributions, from each of many projects, towards funding of pre-established or future improvements to the CMP Roadway System or to equivalent mobility enhancing projects.

The "Streets and Highways Code" gives jurisdiction to this Department over the State Highway system and under CEQA, as a responsible or commenting agency, the Department endeavors to obtain mitigation measures that offset any worsening of existing LOS. Our statewide Transportation Impact Study Guidelines of 2002 includes the following trip generation thresholds:

1. Generates over 100 peak hour trips assigned to a State highway facility.
2. Generates 50 to 100 peak hour trips assigned to a State highway facility and, affected State highway facilities are experiencing noticeable delay; approaching unstable traffic flow conditions (LOS "C" or "D").
3. Generates 1 to 49 peak hour trips assigned to a State highway facility – the following are examples that may require a full TIS or some lesser analysis:
 - a. Affected State highway facilities experiencing significant delay; unstable or forced traffic flow conditions (LOS "D" or "E").
 - b. The potential risk for a traffic incident is significantly increased (i.e. congestion related collisions, non-standard sight distance considerations, increase in traffic conflict points, etc.).
 - c. Change in local circulation networks that impact a State highway facility (i.e. direct access to State highway facility, a non-standard highway geometric design, etc.).

You may refer to the following website for a complete copy of our TIS guidelines:
<http://www.dot.ca.gov/hq/traffops/development/operationalsystems/reports/tisguide.pdf>

For CEQA compliance, there is a need for conformity between Caltrans' TIS Guidelines and CMP Transportation Guidelines.

We appreciated the opportunity to have reviewed the 2004 Draft CMP. If you have any questions or wish to discuss our comments, you may reach me at (213) 897 – 4429 and refer to IGR number 040127/EA.

Sincerely,



STEPHEN J. BUSWELL
District 7 - IGR/CEQA Program Manager

CITY OF LOS ANGELES

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February 5, 2004

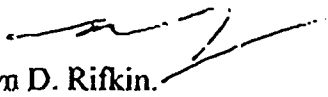
Steve Fox, Program Manager
Long Range Planning
LACMTA
One Gateway Plaza
Mail Stop 99-23-2
Los Angeles, CA 90012-2952**DRAFT 2004 CONGESTION MANAGEMENT PROGRAM SUMMARY REPORT**

The City of Los Angeles, Department of Transportation (LADOT) has reviewed the Draft Report on the 2004 Congestion Management Program.

The report does not include the complete data contained in the local implementation reports. LADOT feels that it is premature to stop reporting on the current debit/credit system. Although the MTA staff is embarking on a nexus study to explore the feasibility of implementing a countywide congestion mitigation fee to replace the debit/credit system, there is still a need to report on the congestion management progress consistent with the current monitoring process. Until there is a full understanding of how the amended monitoring would satisfy requirements of the applicable congestion management laws we have no guarantee that the State of California would not reclaim those funds that are subject to the applicable restrictions. We are further concerned that by not including the data in the report, the City of Los Angeles efforts to generate traffic mitigation credit during the last reporting period would not be properly counted.

If you have any questions regarding these comments, please contact Armen Hovanesian of my staff at (213) 580-5209.

Sincerely,


Allyn D. Rifkin
Principal Transportation Engineer
Department of Transportation

