

**COUNTY OF SAN DIEGO
BOARD OF SUPERVISORS - LAND USE
WEDNESDAY, SEPTEMBER 15, 2021**

MINUTE ORDER NO. 1

**SUBJECT: NOTICED PUBLIC HEARING:
CONSIDER RESCINDING THE TRANSPORTATION STUDY GUIDE
IMPLEMENTING VEHICLE MILES TRAVELED ANALYSIS IN THE
UNINCORPORATED REGION (DISTRICTS: ALL)**

OVERVIEW

In 2013, the State of California passed Senate Bill 743 (SB 743), which changed how jurisdictions, including the County of San Diego (County), analyze transportation impacts from privately and publicly initiated projects under the California Environmental Quality Act (CEQA). The CEQA analysis can no longer use level of service (LOS) when analyzing transportation impacts. LOS focuses on road congestion by measuring average amount of delay experienced by vehicle drivers during the most congested time of day. SB 743 noted that while automobile delay explains how projects will affect drivers, it does not consider how projects and plans will change the number and length of driving trips and the corresponding effects on the environment.

Therefore, instead of using LOS, SB 743 identified Vehicle Miles Traveled (VMT) as the standard to evaluate a project's environmental impacts. VMT measures the amount and distance people drive to destinations, and the number of trips specific types of land uses will generate. The intent behind SB 743 was to balance the needs of congestion management (traffic) with statewide goals to reduce greenhouse gas (GHG) emissions, encourage infill development, and improve public health through more active transportation.

On June 24, 2020 (6), the Board of Supervisors (Board) adopted the Transportation Study Guide (TSG), a technical guide for analyzing transportation impacts using VMT. The TSG describes the process and procedures for project applicants to use when preparing transportation analyses beginning July 1, 2020. The TSG also included a methodology referred to as Local Mobility Analysis (LMA) to meet the County's General Plan requirement for a LOS D (stable flow of traffic with an acceptable level of delay) or better and ensure the safe operations of the roadways for all users.

In September 2020, Cleveland National Forest Foundation, Coastal Environmental Rights Foundation, and Sierra Club filed suit, alleging adoption of the TSG violated CEQA and SB 743. The case was most recently on the Closed Session agenda on September 1, 2021 (Item 21H). The case is pending and no decision has been issued.

On May 19, 2021 (1), the Board received an overview of options as part of the County's implementation of SB 743 and adoption of its TSG for VMT. The Board directed staff to explore 13 subject matter areas or items, and to track guidance from the California Governor's Office of Planning and Research related to VMT (Attachment B - May 19, 2021 Board of Supervisors Minute Order).

In its 2018 guidance, the Governor's Office of Planning and Research (OPR) recommended that, for projects in unincorporated county areas, the lead agency compare a project's VMT to "the region's" average VMT. However, the OPR Technical Advisory did not define a region and did not make any specific recommendations on the boundary that should be established for unincorporated areas to

analyze VMT. On June 29, 2021, OPR clarified that unincorporated areas of counties should use a threshold based on the regional average VMT, which includes the entire San Diego county region. In light of the clarification from OPR that unincorporated areas should use a threshold based on the regional average VMT for the entire San Diego county region, today's request is for the Board to adopt a resolution to rescind the current TSG, which had relied on an unincorporated area average for VMT.

The Board can receive the report and take no action today, which would leave the currently adopted TSG in place, or adopt the recommended actions to rescind the current TSG.

Today's action also includes direction for staff to return to the Board in January 2022 with additional information on the 13 items the Board directed staff to analyze related to VMT on May 19, 2021, including more opportunities for infill development, creation of transit accessible areas, opportunities for affordable housing, and VMT mitigation programs, and consider preparation of a revised TSG.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find and determine that the recommended action is not subject to the California Environmental Quality Act (CEQA) because it is an administrative activity of a local government that will not result in direct or indirect changes to the environment pursuant to CEQA Guidelines sections 15060(c)(2) and 15378(b)(5).
2. Adopt the Resolution titled: RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS RESCINDING THE TRANSPORTATION STUDY GUIDE DATED JUNE 2020 INCLUDING THE TRANSPORTATION CEQA THRESHOLD OF SIGNIFICANCE FOR VEHICLE MILES TRAVELED.
3. Direct staff to return to the Board in January 2022 with additional information on the 13 items related to VMT that the Board directed staff to analyze on May 19, 2021.

EQUITY IMPACT STATEMENT

An analysis of transportation impacts as measured by Vehicle Miles Traveled will reduce environmental and health impacts associated with traffic, including noise, air pollution and safety, and help accomplish the goals of Senate Bill 743 to balance the needs of congestion management with goals related to infill development, promotion of public health, and reduction of greenhouse gas emissions.

FISCAL IMPACT

There is no fiscal impact associated with these recommendations. There will be no change in net General Fund costs and no additional staff years. Vehicle miles traveled analysis will continue to be conducted for publicly or privately initiated projects. Private development costs will be paid for by the private sector through the entitlement process. Public project costs will be identified during project development and funded in future Operational Plans.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

Noting for the record that an Errata was submitted; ON MOTION of Supervisor Vargas, seconded by Supervisor Fletcher, the Board of Supervisors closed the Hearing and took action as recommended, adopting the following:

1. Found and determined that the recommended action is not subject to the California Environmental Quality Act (CEQA) because it is an administrative activity of a local government that will not result in direct or indirect changes to the environment pursuant to CEQA Guidelines sections 15060(c)(2) and 15378(b)(5).
2. Adopted the revised Resolution No. 21-152 entitled: RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS RESCINDING THE TRANSPORTATION STUDY GUIDE DATED JUNE 2020 INCLUDING THE TRANSPORTATION CEQA THRESHOLD OF SIGNIFICANCE FOR VEHICLE MILES TRAVELED.
3. Directed staff to return to the Board in January 2022 with additional information on the 13 items related to VMT that the Board directed staff to analyze on May 19, 2021.
4. Rescinded the Notice of Exemption that was filed with the adoption of the Transportation Study Guide.

AYES: Vargas, Lawson-Remer, Fletcher, Desmond

ABSENT: Anderson

State of California)
County of San Diego) §

I hereby certify that the foregoing is a full, true and correct copy of the Original entered in the Minutes of the Board of Supervisors.

ANDREW POTTER
Clerk of the Board of Supervisors



Signed
by Andrew Potter

