

**COUNTY OF SAN DIEGO
BOARD OF SUPERVISORS - LAND USE
WEDNESDAY, JANUARY 14, 2026**

MINUTE ORDER NO. 6

**SUBJECT: NOTICED PUBLIC HEARING:
RESOLUTION TO REVISE THE TRANSPORTATION STUDY GUIDE FOR
VEHICLE MILES TRAVELED TO REMOVE THE INFILL AREA AND SMALL
PROJECT SCREENING CRITERIA AND CEQA EXEMPTIONS (DISTRICTS:
ALL)**

OVERVIEW

The proposed action today revises the County's 2022 Transportation Study Guide (TSG) related to Vehicle Miles Traveled (VMT) to remove the thresholds for small project exemptions and infill areas to comply with recent court directives.

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). SB 743 identified Vehicle Miles Traveled (VMT) as the standard to evaluate a project's transportation-related environmental impacts. VMT replaces motorist delay and associated level of service (LOS) as the metric for traffic impact analysis under CEQA. VMT measures both the volume of daily vehicle trips generated, and the average distance people drive to and from destinations by specific types of land uses. 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 such as walking and biking.

On September 28, 2022 (6), the Board of Supervisors (Board) adopted the County's Transportation Study Guide (TSG). This 2022 TSG established a threshold for analyzing transportation impacts in the unincorporated area under the California Environmental Quality Act (CEQA) using vehicle miles traveled (VMT) as a metric, as required by State law. The County's 2022 TSG was challenged in court shortly after adoption, and as a result, the County has been ordered to revise two of its VMT thresholds.

In November 2022, the Cleveland National Forest Foundation (CNFF) and the Coastal Environmental Rights Foundation (CERF) filed a lawsuit against the County alleging the 2022 TSG violated CEQA because the thresholds regarding infill area and small projects were adopted without substantial evidence. In December 2023, the trial court found the County's infill area and small project exemptions were supported by substantial evidence and upheld the 2022 TSG. However, this ruling was appealed by CNFF and CERF, and in April 2025, the appellate court found that the County's infill area and small project thresholds were not supported by substantial evidence. The County petitioned the California Supreme Court to review the decision and was supported by amici briefs from the County Counsels' Association and the League of California Cities. Ultimately, however, the Court denied review of the case, rendering the appellate court's decision final. In October 2025, the trial court issued a writ of mandate ordering the County to revise its TSG to remove the infill area and small project thresholds.

The proposed action today revises the County's 2022 TSG to remove those thresholds to comply with the court's direction. Staff will continue evaluating VMT mitigation program options and will return in Summer 2026 for Board direction, as well as consideration of other potential revisions to the TSG.

The Board retains the ability to take future action related to the TSG and VMT. Additionally, today's court-mandated revisions to the TSG to remove the infill areas and small project exemptions would apply to in-process projects in the unincorporated area. However, staff have reviewed these projects and determined that most of them are consistent with the County's General Plan and qualify to streamline under CEQA using the 15183-exemption process, which allows projects to move forward without VMT mitigation. For the limited number of in-process projects that do not qualify for a 15183 CEQA exemption, staff have contacted those individual project applicants and are working with them to identify options to continue moving projects forward.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find that the proposed resolution complies with the CEQA and State and County CEQA Guidelines because the resolution is: (1) not a project as defined in the Public Resources Code section 21065 and CEQA Guidelines section 15378, and is therefore not subject to CEQA pursuant to CEQA Guidelines sections 15060(c)(3); (2) categorically exempt pursuant to section 15308 of the CEQA Guidelines because this action will enhance and protect the environment; and (3) subject to the common sense exemption, CEQA Guidelines section 15061(b)(3), because the resolution is an administrative action and it can be seen with certainty that there is no possibility that it may have a significant effect on the environment.
2. Adopt a resolution entitled, RESOLUTION TO REVISE THE TRANSPORTATION STUDY GUIDE FOR VEHICLE MILES TRAVELED TO REMOVE THE INFILL AREA AND SMALL PROJECT SCREENING CRITERIA (Attachment A).

EQUITY IMPACT STATEMENT

An analysis of transportation impacts as measured by VMT will reduce environmental and health impacts associated with transportation, including noise, air quality 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.

SUSTAINABILITY IMPACT STATEMENT

The revised 2022 TSG will reduce VMT and greenhouse gas (GHG) emissions within the unincorporated area, helping to meet the State and County's climate, health, and mobility goals through implementation of Senate Bill 743.

FISCAL IMPACT

There is no fiscal impact associated with the revisions to the 2022 TSG presented today. There will be no change in net General Fund costs and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Anderson, seconded by Supervisor Aguirre, the Board of Supervisors took action as recommended and adopted Resolution No., 26-005 entitled: RESOLUTION TO REVISE THE TRANSPORTATION STUDY GUIDE FOR VEHICLE MILES TRAVELED TO REMOVE THE INFILL AREA AND SMALL PROJECT SCREENING CRITERIA

AYES: Aguirre, Anderson, Lawson-Remer, Montgomery Steppe, Desmond

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