

SB 743 (Steinberg, 2013)
Directive for Amendments to CEQA Guidelines
March 24, 2014

BACKGROUND AND PURPOSE

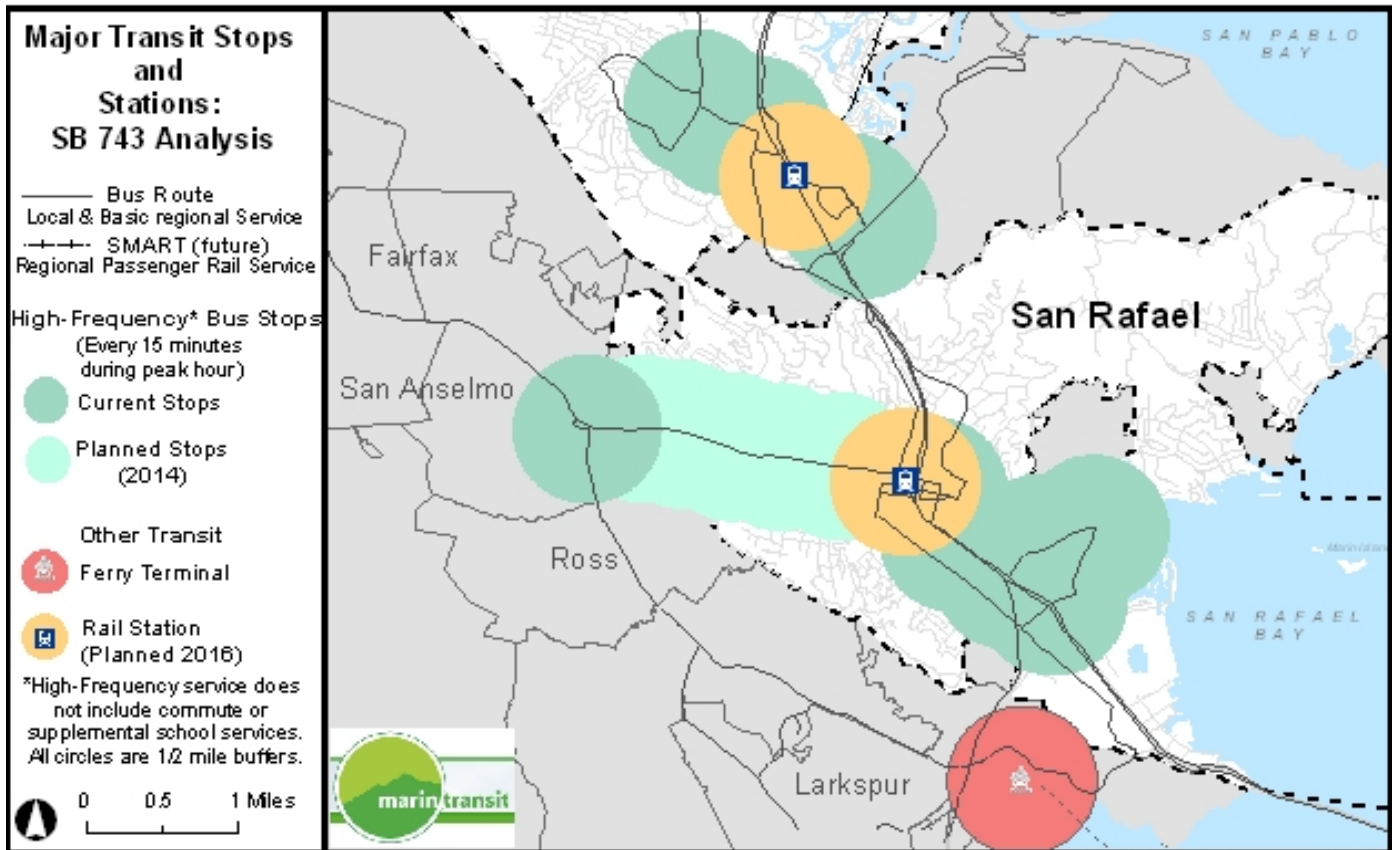
- AB32 (Global Warming Act)- 2006: mandatory reduction in GHG emissions by 2020 and 2040
- SB375 (Sustainable Communities Strategy)- 2008: regional land use plans coordinated with Regional Transportation Plans to reduce greenhouse gas emissions from cars and light trucks by 15% in 2035; Plan Bay Area- 2013: promotion of concentrated growth in inner, urban areas of the San Francisco Bay Region through tools such as “Priority Development Areas.” Intent = to reduce GHG emissions through new housing near transit (instead of new housing requiring long car commutes)
- SB743 signed by Governor Brown on 9/27/13. Bill directs changes to CEQA Guidelines to further promote reduction in GHG emissions per AB32. Referred to as the “Congestion Management Law.” State Office of Planning and Research (OPR) must make changes to the CEQA Guidelines to address so that the changes are effective January 1, 2015.

WHAT DOES SB 743 INTEND TO DO?

- Statewide change in CEQA review for development projects in “Transit Priority Areas.” (TPA). SB 743 definitions are:
 - *TPA: “area within one-half mile of a major transit stop that is existing or planned”*
 - *Major transit stop: “a rail transit station, a ferry terminal..., or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods.”*
- A number of questions of clarification have been raised about the “major transit stop” definition; the draft map below is an estimate of the TPAs in San Rafael, and is subject to change when the draft OPR guidelines are released this spring.
- For TPAs, CEQA review would exclude review of aesthetics and parking impacts, and replace LOS methodology for assessing traffic impacts with an alternative method of assessing transportation impacts resulting from greenhouse gas emissions.
- Right now, law does not affect areas outside a TPA, but SB743 provides the option to have this law apply citywide. The League of California Cities urged “OPR to delay the adoption of guidelines establishing alternative metrics outside TPAs...”
- Law also allows local jurisdictions to establish (by City resolution) “Infill Opportunity Areas”=
Infill Opportunity Area is a specific area designated by a City or County that is a TPA within a Sustainable Communities Strategy (Plan Bay Area) or high quality transit corridor included in a Regional Transportation Plan.
Infill Opportunity Areas are larger than a TPA because it includes corridors

SB 743 (Steinberg, 2013)
Directive for Amendments to CEQA Guidelines
March 24, 2014

DRAFT TPAs – SAN RAFAEL



SB 743 (Steinberg, 2013)
Directive for Amendments to CEQA Guidelines
March 24, 2014

WHAT DOES SB 743 NOT DO?

- Does not prevent local jurisdictions from considering capacity/congestion issues in TPAs
- Does not affect existing local General Plan policies and application (e.g., can continue using LOS method for assessing project merits and consistency with General Plan)
- Does not affect existing fee programs adopted by cities (e.g., can continue to require traffic mitigation fee if linked to needed, planned transportation improvements listed in General Plan)
- Does not affect projects already in the pipeline (applications deemed complete or NOP published)

WHY IS LOS METHODOLOGY BEING REPLACED?

- LOS method promotes a bias for infill because of “last-in development” problem
- Scale of LOS analysis is too small (localized, does not address regional transportation issues)
- LOS method promotes solutions that are auto-dependent (more lanes, street widening) and does not promote transit or bicycling
- LOS measures motorist convenience but not physical impacts to the environment

WHAT ARE ALTERNATIVE TRAFFIC METHODS BEING CONSIDERED BY OPR FOR CEQA REVISIONS?

“Vehicle Miles Traveled” (VMT) **	Automobile Trips Generated
Multi-modal LOS	Fuel Use
Vehicle Hours Traveled	

- ** “VMT” is the preferred methodology being studied and pursued by OPR. VMT counts the number of miles traveled by motor vehicles (and potentially other modes) that are generated by or attracted to the project (e.g., an office park). VTM captures:
- motorized trip generation rates, thereby accounting for the effects of project features
 - motorized trip lengths so it can also account for regional location

WHEN WILL THE DRAFT CEQA GUIDELINES REVISIONS BE COMPLETED AND AVAILABLE TO THE PUBLIC?

- Draft revisions expected to be completed in April 2014 and available for public review
- Draft revisions to include preferred alternative methodology for assessment of traffic (e.g., VMT)

WHAT WILL GO INTO EFFECT JANUARY 1, 2015?

- No CEQA review of aesthetics or parking impacts for projects in a TPA
- Change in method of CEQA traffic review from LOS method to “VMT” or similar for projects in a TPA
- City will continue to employ LOS methodology for assessing traffic as part of “merits review” of a development project
- City will continue to review aesthetics and parking for consistency with the SR General Plan 2020 and City zoning ordinance as part of “merits review” of a development project

INFORMATION ON SB 743

- Link to State legislation for SB743
http://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201320140SB743
- Link to website of Fehr & Peers, Transportation Engineering Consultants
<http://www.fehrandpeers.com/sb743/>