California Environmental Quality Act (CEQA)

Defines environmental impacts as "one or more environmental resources" being affected by a project that is discretionary in nature.

If a project is discretionary, it requires local government approval.

This approval is an action subject to review, therefore private development is also regulated by the CEQA review process.

The lead agency is typically cities or counties for private development projects.

CEQA and National Environmental Policy Act (NEPA)

NEPA applies more broadly to federal decisions, and CEQA is specific to state and local government actions.

Six states have extended the CEQA review process to the local level.

Agency Responses

The bill "exempts from CEQA residential, employment center, and mixed-use buildings in low income households.

Senate Bill 743 (SB 743)

The bill "exempts from CEQA residential, employment center, and mixed-use developments meeting specific criteria," ("Senate Bill No. 743").

Requires the Office of Planning and Research (OPR) to "establish" criteria for CEQA on January 1, 2016. However, lead agencies may still use LOS elsewhere as part of planning policy.

Level of Service (LOS) was eliminated from CEQA.

Projects meets LOS requirements.

Agency Responses

Definition in the legislation requires agencies and developers for streamlined infill development, because they lack the population to qualify for CEQA streamlining.

311 of the 482 cities in California (65%) disqualified.

Majority of cities call for a more concise and clear definition of "Regional VMT".

How will stakeholders engage in SB 743?

SB 743 can be strengthened through the repeal of LOS planning policy (i.e. congestion management) so that VMT is the sole criteria for transportation impacts.

Research Question

What are the implications of SB 743 on low income communities?

Vehicle Miles Traveled (VMT) By Proxy

This table depicts the transportation impact of three cities in Los Angeles County, and their determination of impact.

American Community Survey Results

A graph of cities and income suggests a weak relationship (R² = 0.297).

Conclusions

There is a significant problem with the lack of VMT data for specific land uses (e.g. ITE Trip Generation Manual), and lack of VMT data in smaller spatial aggregations.

A VMT proxy does not provide evidence of negative impacts on low income households.

Unprecedented nature of VMT creates uncertainty in how stakeholders will engage SB 743.

Desirable development can be promoted through threshold policy.

Policy Recommendations

SB 743 can be strengthened through the repeal of LOS planning policy (i.e. congestion management) so that VMT is the sole criteria for transportation impacts.

Metropolitan Planning Organizations should be charged with conducting travel surveys and translating existing data for use by local governments who lack expertise or financial resources.

SB 743

16-2609

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SB 743

100

1960s

Today

California Environmental Quality Act of 1969

California Global Warming Solutions Act of 2006 (AB 32)

Complete Streets Act of 2006 (AB 1054)

Sustainable Communities and Climate Protection Act of 2008 (SB 375)

Streamlined CEQA (SB 743, SB 2260)

EIR = Environmental Impact Report

MIT Threshold is more stringent than LOS policy

MIT Threshold is more stringent than LOS policy

Data at the census tract and median household income.

EIR = Environmental Impact Report

Change from LOS to VMT

Environmentally protected areas.

Population of these cities in Los Angeles county, and their determination of impact.

Threshold Policy’s Effect On Development

How will stakeholders engage in SB 743?

This framework of eight theoretical scenarios helps lead agencies understand the implications of different VMT thresholds, and the resultant development potential associated with that threshold.

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Where: VMT = distance traveled by vehicle = (Fsd × Vsd × Tsd)/Nsd + (Fcp × Vcp × Tcp)/Ncp + ( Fpt × Vpt × Tpt)/Npt

or

Where: VMT = distance traveled by vehicle = (speed × time × weighted mode of travel)/(number of passengers per vehicle)

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