



DEPARTMENT OF TRANSPORTATION TRANSPORTATION PLANNING

2850 Fairlane Court, Placerville, CA 95667
Phone (530) 621-4650, Fax (530) 642-0508

December 7, 2021

TO: Board of Supervisors

FROM: Natalie K. Porter, Supervising Civil Engineer

Subject: Resolution to Adopt the Tahoe Regional Planning Agency's Project Impact Assessment Guidelines as El Dorado County Vehicle Miles Traveled Threshold of Significance and for Evaluation of Project Impacts in the Tahoe Basin under California Environmental Quality for Implementation of Senate Bill 743

PURPOSE AND SUMMARY

The Department of Transportation (Transportation) is recommending the Board receive the workshop information on the Tahoe Regional Planning Agency's (TRPA) Project Impact Assessment Guidelines for the implementation of Senate Bill 743; and approve and authorize the Chair to sign the Resolution Adopting the Tahoe Regional Planning Agency's Project Impact Assessment Guidelines as El Dorado County Vehicle Miles Traveled Threshold of Significance and for Evaluation of Project Impacts in the Tahoe Basin Under the California Environmental Quality Act (CEQA) for implementation of Senate Bill 743 for projects in the unincorporated areas of the Tahoe Basin.

On October 6, 2020, the El Dorado Board of Supervisors adopted Resolution 141-2020, the Vehicle Miles Traveled thresholds of significance for analyzing transportation impacts for land use projects under CEQA. On July 20, 2021, the Board adopted Resolution 088-2021, the El Dorado County Vehicle Miles Traveled Threshold of Significance for Evaluation of Transportation Project Impacts CEQA, for transportation projects. Today's workshop will present a Vehicle Miles Traveled threshold of significance and process for evaluating project impacts for land use and transportation projects under CEQA within the unincorporated areas in the Tahoe Basin.

BACKGROUND

On September 27, 2013, the Governor signed into law SB 743. SB 743 was originally enacted to address transportation issues related to the development of the Golden One Center in downtown Sacramento. The legislative intent of SB 743 was to 1) ensure that the environmental impacts of traffic, such as noise, air pollution, and safety concerns, continue to be properly addressed and mitigated through CEQA; and 2) more appropriately balance the needs of congestion management with statewide goals

related to infill development, promotion of public health through active transportation, and reduction of greenhouse gas emissions.

In January 2019, the Natural Resources Agency finalized updates to the CEQA Guidelines including the incorporation of SB 743 modifications. The CEQA Guidelines changes were approved by the Office of Administrative Law and are now in effect. Specific to SB 743, Section 15064.3(c) states, "A lead agency may elect to be governed by the provisions of this section immediately. Beginning on July 1, 2020, the provisions of this section shall apply statewide."

The County has previously adopted Resolution 141-2020 and Resolution 088-2021 to define thresholds of significance for land use and transportation projects, respectively, on the West Slope, but has not yet defined similar thresholds of significance for projects in unincorporated areas of the Tahoe Basin.

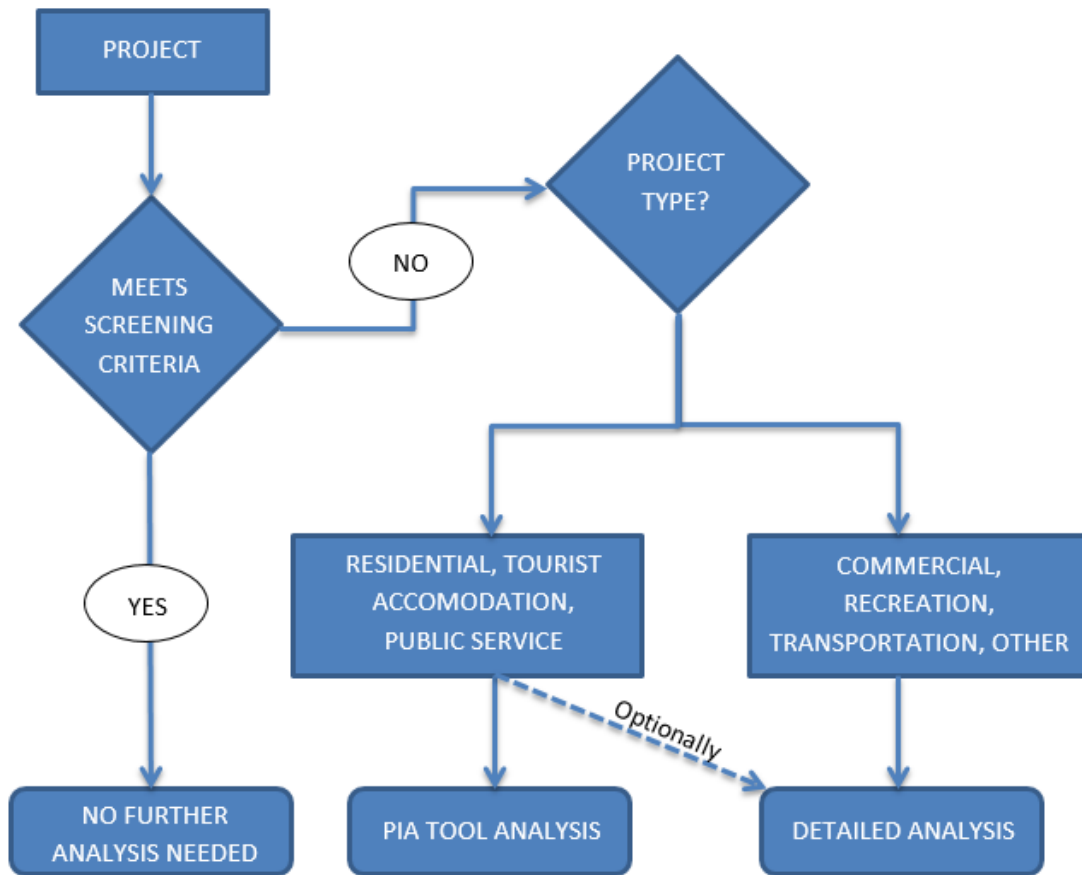
DISCUSSION

SB 743 changes how transportation impacts are measured under CEQA, from using vehicle level of service (LOS) to using vehicle miles traveled (VMT). The State Office of Planning and Research (OPR) have determined that the appropriate metric for the change is VMT. This change is intended to capture the impacts of driving on the environment compared to the impact on drivers. LOS or other delay metrics may still be used to evaluate the impact of projects on drivers as part of the County's land use entitlement reviews and impact fee programs. However, LOS will no longer be allowed to be used as the metric for evaluating transportation impacts under CEQA. As part of SB 734, Public Resources Code section 21099(b)(2) now provides that "level of service or similar measures of vehicular capacity or traffic congestion shall not be considered a significant impact on the environment" for purposes of CEQA. To implement SB 743, lead agencies will need to determine appropriate VMT methodologies, thresholds, and feasible mitigation measures.

California Code of Regulations, Title 14, Chapter 3, Section 15064.7. Thresholds of Significance, section (a) states, "A threshold of significance is an identifiable quantitative, qualitative or performance level of a particular environmental effect, non-compliance with which means the effect will normally be determined to be significant by the agency and compliance with means the effect normally will be determined to be less than significant."

TRPA VMT Analysis Process Overview

As discussed in the Project Impact Assessment (PIA) Guidelines as prepared by TRPA, not all projects will require a detailed VMT analysis. The following figure presents a flowchart that summarizes the typical process for determining whether or not a VMT analysis is required for a plan or project in the Tahoe Basin.



The following types of projects, which involve development in the Lake Tahoe Basin and affect the regional transportation system, may require a VMT analysis:

- Transportation infrastructure modification or expansion, including capital improvement projects on roads and highways
- Land use entitlements requiring a TRPA permit
- Adoption or amendment of area plans, community plans, or plan area statements
- Land use activities advanced by other agencies that is subject to TRPA review under the Bi-State Compact

Screening Criteria

Some project types are presumed to result in a less-than-significant VMT impact absent any evidence to the contrary. These projects are exempt, or “screened,” from further VMT analysis. These projects include:

- Deed-restricted affordable, moderate, and achievable housing;
- Low VMT generating projects;
- Certain kinds of transportation projects; and
- Projects fully analyzed in an area plan.

Deed-restricted housing refers to projects in which 100 percent of the units are deed-restricted to affordable, moderate, or achievable income levels (as defined below) and are in an area eligible for Residential Bonus Units (areas within one-half mile of existing transit stops).

- Affordable: Deed-restricted for persons whose income is no more than 80 percent of the county median income.
- Moderate: Deed-restricted for persons whose income is no more than 120 percent of the county median income.
- Achievable: Deed-restricted for persons whose income is no more than the county's achievable median income percentage (determined as specified in section 90.2 of the TRPA Code of Ordinances).

Projects that produce below a certain level of average daily VMT are exempted from further analysis. The level of screened VMT generation depends on the project's location:

- Within Centers and within one-half mile of Center boundaries: Up to 1,300 average daily VMT is considered low-VMT generating.
- Other Areas: Up to 715 average daily VMT is considered low-VMT generating.

The Low VMT screen is based on net project-generated VMT.

Transit and active transportation projects, other than mobility hubs, are exempt from further VMT analysis. Active transportation projects include enhancements to the pedestrian and bicycle networks. Mobility hubs will be analyzed on a case-by-case basis.

TRPA also recognizes that certain other transportation projects may not result in a significant increase in VMT. The projects listed in the PIA Guidelines are consistent with both OPR guidance and Resolution 088-2021 adopted by the Board of Supervisors for transportation projects on the West Slope. These project types are listed below:

- Rehabilitation, maintenance, replacement, safety, and repair projects designed to improve the condition of existing transportation assets (e.g., highways; roadways; bridges; culverts; Transportation Management System field elements such as cameras, message signs, detection, or signals; tunnels; transit systems; and assets that serve bicycle and pedestrian facilities) and that do not add additional motor vehicle capacity
- Roadside safety devices or hardware installation such as median barriers and guardrails
- Roadway shoulder enhancements to provide "breakdown space," dedicated space for use only by transit vehicles, to provide bicycle access, or to otherwise improve safety, but which will not be used as automobile vehicle travel lanes

- Addition of an auxiliary lane of less than one mile in length designed to improve roadway safety
- Installation, removal, or reconfiguration of traffic lanes that are not for through traffic, such as left, right, and U-turn pockets, two-way left turn lanes, or emergency breakdown lanes that are not utilized as through lanes
- Addition of roadway capacity on local or collector streets provided the project also substantially improves conditions for pedestrians, cyclists, and, if applicable, transit
- Conversion of existing general purpose lanes (including ramps) to managed lanes or transit lanes, or changing lane management in a manner that would not substantially increase vehicle travel
- Addition of a new lane that is permanently restricted to use only by transit vehicles
- Reduction in number of through lanes
- Grade separation to separate vehicles from rail, transit, pedestrians or bicycles, or to replace a lane in order to separate preferential vehicles (e.g., HOV, HOT, or trucks) from general vehicles
- Installation, removal, or reconfiguration of traffic control devices, including Transit Signal Priority (TSP) features
- Installation of traffic metering systems, detection systems, cameras, changeable message signs and other electronics designed to optimize vehicle, bicycle, or pedestrian flow
- Timing of signals to optimize vehicle, bicycle, or pedestrian flow
- Installation of roundabouts or traffic circles
- Installation or reconfiguration of traffic calming devices
- Adoption of or increase in tolls
- Addition of tolled lanes, where tolls are sufficient to mitigate VMT increase
- Initiation of new transit service
- Conversion of streets from one-way to two-way operation with no net increase in number of traffic lanes
- Removal or relocation of off-street or on-street parking spaces
- Adoption or modification of on-street parking or loading restrictions (including meters, time limits, accessible spaces, and preferential/reserved parking permit programs)
- Addition of traffic wayfinding signage
- Rehabilitation and maintenance projects that do not add motor vehicle capacity
- Addition of new or enhanced bike or pedestrian facilities on existing streets/highways or within existing public rights-of-way
- Addition of Class I bike paths, trails, multi-use paths, or other off-road facilities that serve non-motorized travel
- Installation of publicly available alternative fuel/charging infrastructure
- Addition of passing lanes, truck climbing lanes, or truck brake-check lanes in rural areas that do not increase overall vehicle capacity along the corridor

Projects that have been fully analyzed in a conforming TRPA area plan are exempt from further analysis. To be considered under this screening criterion, a project must meet all of the following requirements:

- The project must have been specifically described in the project description for the area plan's environmental document (IEC, EA, OR EIS).
- The project's impacts must have been fully analyzed in accordance with the PIA Guidelines in the area plan's environmental document.
- The project must incorporate the mitigation measures described in the area plan's environmental document.

TRPA PIA Guidelines – Comparison with OPR Guidance

Staff compared the TRPA PIA Guidelines with OPR Guidance and El Dorado County Resolutions 141-2020 and 088-2021 and identified four areas that the TRPA Guidelines differ from OPR Guidance and our West Slope thresholds.

OPR Guidance has defined a *Screening Threshold for Small Projects* as "...projects that generate or attract fewer than 110 trips per day..." The County took a similar approach in adopting our thresholds in Resolution 141-2020 by setting 100 trips as the threshold for the assumption of a project creating a less-than-significant impact to remain consistent with the existing threshold in El Dorado County's General Plan Policy TC-Xe.

TRPA has had an existing policy in place that sets the low VMT threshold based on project location, and has transitioned the metric for determining compatibility with this screen from daily vehicle trip ends (DVTE) to VMT by using the regional average in-basin trip length of 6.53 miles, per the 2018 TRPA Travel Demand Model.

The screening threshold of 715 VMT for areas outside of town and regional centers equates to 110 daily trips recommended by the OPR guidance when considering the average in-basin trip length of 6.53 miles. However, the threshold for projects located in town and regional centers of 1,300 VMT is based on 200 daily trips. 1,300 VMT is consistent with existing TRPA policy and the less-than-significant impacts traditionally observed for projects located within these areas and their one-half mile buffer areas.

Additionally, OPR guidance for screening projects includes a presumption of less than significant impact for residential, retail, and office projects of any size, when located near a major transit stop or along a high-quality transit corridor, criteria geared toward urban areas and thus not appropriate in Tahoe. The low-VMT screen for town and regional centers and their half-mile buffer supports the same policy aim as the OPR guidance "major transit stop" and "high-quality transit corridor" screen, by encouraging development near transit, and is equivalent to OPR Guidance because project size in Tahoe is limited by the 1,300 VMT equivalent of 200 DTVE.

Furthermore, the low-VMT screen for town and regional centers differs from OPR guidance because that guidance does not recognize trip length, which can vary depending on project location and the underlying land use types and transportation contexts, and because it best reflects the appropriate mechanisms for projects in the Tahoe region to mitigate their impacts based on their VMT. That is, when a project's impact with VMT is below the low-VMT screen, it is best able to mitigate its impacts by advancing regional VMT mitigating projects and programs from the TRPA Regional Transportation Plan (RTP) by paying the mobility mitigation fee, and, when a project is above the low-VMT screen, by implementing mitigations at the project level and paying fees. The RTP supports the low-VMT screen by providing effective VMT reductions for low-VMT screened projects to advance by paying mobility mitigation fees and, where applicable, contributing to the mobility mitigation fund.

Finally, the updated screening criteria function differently than that in the OPR guidance in that all projects, including those that qualify for screening, excepting active transportation projects, will be required, at a minimum, to mitigate through paying the mobility mitigation fee. This is stricter than OPR guidance which requires no mitigation of VMT by projects below 110 daily trips.

As a result, this framework, through overall implementation, will garner equivalent mitigation as compared to a screen based on OPR guidance.

It is worth recognizing that OPR guidance for high-quality transit screening fits closely with TRPA's Regional Plan (<https://www.trpa.gov/regional-plan/>) and Regional Transportation Plan (<https://www.trpa.gov/rtp/>) to incentivize development in and near Town Centers and to focus transportation projects and programs in and between those locations. As such, the TRPA project impact assessment process matches the intent of OPR's recommendations.

Thresholds of Significance

Thresholds for SB 743 need to be established in order to evaluate a project's transportation impact related to VMT. Thresholds of significance for the proposed system have been determined based on analysis and guidance from OPR, input from stakeholders and the Transportation Technical Advisory Committee, and adapted for the needs of the Tahoe region:

- 15% below the sub-regional average VMT for residential uses (e.g. VMT/Resident for Residential and VMT/Tourist Accommodation Unit) and 15% below the sub-regional average VMT for Public Service projects (per thousand square feet of development)
- No-net increase in VMT for commercial, recreation and transportation projects
- Other projects will be determined on a case-by-case basis

The framework uses sub-regional (i.e., countywide) standards of significance for residential, tourist accommodation uses, and public service uses. These standards of

significance are designed to encourage applicants to reduce VMT by locating projects in the most efficient parts of the county.

Where a project replaces existing VMT generating land uses that leads to a net overall decrease in VMT, the project will lead to a less-than-significant transportation impact. If the project leads to a net overall increase in VMT, then the standards of significance apply.

Projects exceeding the thresholds of significance will be required to mitigate their impacts to reduce the VMT to less than the threshold of significance.

Mitigation

Mitigation requirements are established in Subparagraph 65.2.4.C of the TRPA Code of Ordinances. The code requires payment of the mobility mitigation fees for all new projects. Fee revenue is used by the region's jurisdictions and implementing agencies to provide the transportation infrastructure necessary to implement VMT reduction policies in the Regional Plan.

Additional mitigation beyond payment of the mobility mitigation fee will be required of any project that (a) is not screened, and (b) generates more average daily VMT than the corresponding standard of significance. Non-screened projects that are above the defined standard of significance can be mitigated in two ways:

- **Project-Level Mitigation** – All non-screened projects that exceed the standard of significance must first exhaust project-level mitigation. Project-level mitigation may consist of design-related strategies, like pedestrian infrastructure or end-of-trip facilities such as showers for bicycle commuters. This mitigation may also include long-term programs, like employee carpool programs or shuttles to link employees to work locations. The goal of project-level mitigation is to reduce the number of automobile trips generated by the residents, employees, or visitors; or to reduce the distance that projects residents, employees, or visitors drive; or to reduce the automobile trips or trip distances generated elsewhere in the basin.
- **Additional Contribution to the Mobility Mitigation Fund** – Projects that have exhausted all applicable site-specific mitigation strategies may make a contribution to the mobility mitigation fund. This is separate from and above and beyond payment of the mobility mitigation fee.

Appendix D of the PIA Guidelines provides a list of sample mitigation measures. Additional studies and compilations of mitigation measures are ongoing and should be considered as they become available. The transportation analyst may identify, and TRPA may approve, other additional strategies if supported by substantial evidence. As data and research continues, emerging strategies may be applied at TRPA's discretion.

RECOMMENDATION

Transportation is recommending the Board receive the workshop information on the Tahoe Regional Planning Agency's (TRPA) Project Impact Assessment Guidelines for the implementation of Senate Bill 743; and approve and authorize the Chair to sign the Resolution Adopting the Tahoe Regional Planning Agency's Project Impact Assessment Guidelines as El Dorado County Vehicle Miles Traveled Threshold of Significance and for Evaluation of Project Impacts in the Tahoe Basin Under the California Environmental Quality for implementation of Senate Bill 743 for projects in the unincorporated areas of the Tahoe Basin.

CONTACT

Rafael Martinez, Director
Department of Transportation