

BCAG SB 743 Implementation – Local Plan and Policy Improvements

Opportunities for CEQA Streamlining

BACKGROUND

As part of the BCAG SB 743 Implementation Study, the project team evaluated local plans including general plans and climate action plans to identify potential opportunities for streamlining VMT impact analysis as allowed by the CEQA Guidelines. The two most relevant streamlining opportunities found are those in CEQA Guidelines Sections 15183 and 15177.¹

15183. PROJECTS CONSISTENT WITH A COMMUNITY PLAN OR ZONING

(a) CEQA mandates that projects which are consistent with the development density established by existing zoning, community plan, or general plan policies for which an EIR was certified shall not require additional environmental review, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site. This streamlines the review of such projects and reduces the need to prepare repetitive environmental studies.

15177. SUBSEQUENT PROJECTS WITHIN THE SCOPE OF THE MEIR

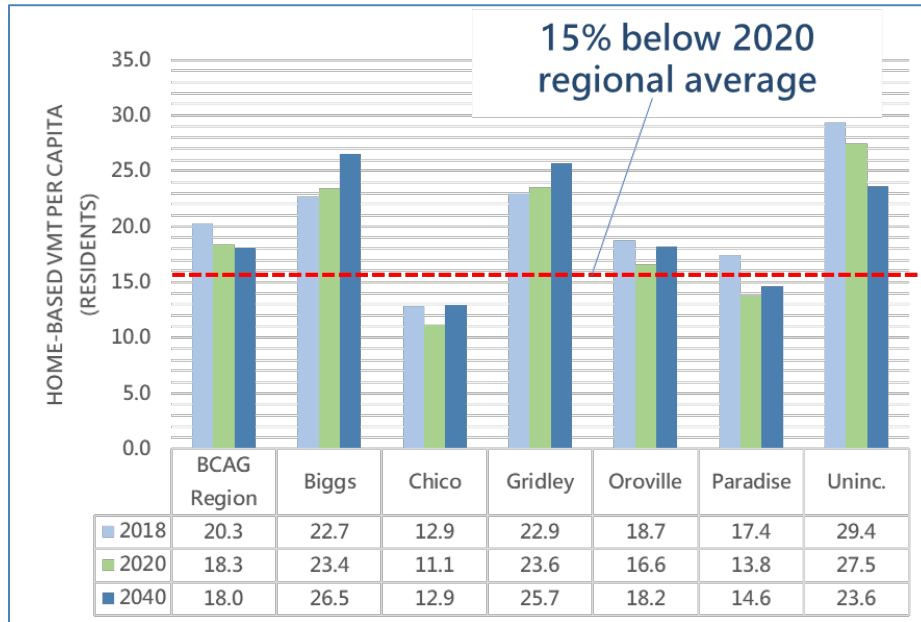
(a) After a Master EIR has been prepared and certified, subsequent projects which the lead agency determines as being within the scope of the Master EIR will be subject to only limited environmental review.

The potential desire for streamlining was identified based on the current VMT performance of each jurisdiction in Butte County and the VMT impact significance threshold recommended in the *Technical Advisory on Evaluating Transportation Impacts in CEQA* (Technical Advisory), California Governor's Office of Planning and Research (OPR), December 2018. The chart below shows home-based VMT per resident performance for each jurisdiction in Butte County compared against 15 percent below the regional average, which is a potential VMT impact significance threshold recommended in the OPR Technical Advisory. Incorporated cities could also choose to apply the 15 percent reduction at their jurisdictional level for residential projects.

Using the regional threshold benchmark in the chart would likely result in most residential projects outside Chico and Paradise having significant VMT impacts. Mitigating VMT impacts in these lower density communities may also have limited feasibility, which would lead to significant and unavoidable impacts requiring the preparation of an environmental impact report (EIR). In the past, residential projects in these areas tended to have negative declarations (NDs) or mitigated negative declarations (MNDs). A shift to requiring EIRs for these projects would increase development review times and costs. Similar outcomes may occur for non-residential projects.

¹ Section 15182 is another option for streamlining like 15183 but applicable to specific plans.

Residential VMT Performance of Butte County Jurisdictions



PLAN AND POLICY ASSESSMENT

The plan and policy assessment performed for this study did not identify any current plans as having performed VMT impact analysis that would comply with current CEQA requirements (see table below). Hence, individual land use projects cannot take advantage of potential CEQA streamlining without updates to these plans and new environmental reviews.

Summary of VMT Impact Analysis in Local Plans

Jurisdiction	Type of Plan	Did CEQA Review Include VMT Impact Analysis?(1)
Butte County	General Plan	No
Biggs	General Plan	No
Chico	General Plan	No
Gridley	General Plan	No
Oroville	General Plan	No
Paradise	General Plan	No
Notes:		
(1) = This question is assessed based on CEQA Guidelines Section 15064.3.		

OPPORTUNITIES FOR CEQA STREAMLINING

The general concept behind the CEQA streamlining provisions above is to address impacts at the 'plan level' while including sufficient detail in the impact analysis and mitigation to cover most subsequent 'projects' without having to conduct further analysis. The 15177 limits on subsequent reviews are more onerous than 15183 because they come with the requirement to use a master environmental impact

report (MEIR). MEIRs have their own unique requirements in CEQA including updates every 5 years to retain their streamlining benefits.

For local general plans and their associated EIRs to provide the streamlining benefits available through Sections 15183 and 15177, some type of plan update would be required to trigger their discretionary review and CEQA compliance. At a minimum, the plans should address VMT performance expectations for the jurisdiction and integrate those expectations into goals and policies for the circulation element. When this approach is taken, it can affect other elements such as land use due to the internal consistency requirements for general plans. Changes may also be necessary for related climate action plans (CAPs) or greenhouse gas (GHG) reduction plans as noted below.

- General plans contain population and employment growth that will increase total VMT. This growth in VMT is a starting point for considering any further reduction in VMT or the rate of VMT generation. As shown in the chart of home-based VMT per resident above, current plans for most jurisdictions do not produce VMT levels that would avoid a significant VMT impact under CEQA. Reassessing this outcome in a general plan update may lead to better VMT performance. It would also provide evidence to determine the level of VMT reduction that is likely feasible in the jurisdiction to help inform expectations for subsequent land use projects.
- Mitigation for VMT impacts could trigger changes in the land use element. Creating more land use efficient urban development patterns is one of the more effective methods for reducing the need to travel by vehicle. When land uses are in close proximity, opportunities to walk and bicycle increase the effectiveness of transit increases.
- CAPs often contain embedded VMT reductions that are not transparent. Lead agencies setting VMT reduction expectations as part of SB 743 VMT impact thresholds should verify their consistency with GHG reduction goals.
- CEQA analysis of air quality, GHG, and energy impacts may also contain embedded VMT reduction expectations. Like CAPs, lead agencies should verify consistency of VMT reduction expectations across these technical areas.

Given the information above, local jurisdictions that want to rely on CEQA streamlining can do so through updates of their general plans (or development/modification of community or specific plans) that include a new EIR analysis containing VMT impact analysis that complies with CEQA Guidelines Section 15064.3. Since VMT influences other general plan elements and environmental impact topics, any update to address VMT reduction expectations should be balanced against other competing objectives contained within the plan.