AGENDA HIGHLIGHTS

- PROPOSITION 1B CORRIDOR MOBILITY IMPROVEMENT ACCOUNT PROGRAM STATUS, FUNDING OPPORTUNITY, AND BUDGET AMENDMENT

- DRAFT 2050 REGIONAL TRANSPORTATION PLAN PROPOSED ADOPTION SCHEDULE

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BOARD OF DIRECTORS  
Friday, October 14, 2011

ITEM #  
RECOMMENDATION

1. PUBLIC COMMENTS/COMMUNICATIONS/MEMBER COMMENTS

Public comments under this agenda item will be limited to five public speakers. Members of the public shall have the opportunity to address the Board on any issue within the jurisdiction of SANDAG that is not on this agenda. Other public comments will be heard during the items under the heading “Reports.” Anyone desiring to speak shall reserve time by completing a “Request to Speak” form and giving it to the Clerk of the Board prior to speaking. Public speakers should notify the Clerk of the Board if they have a handout for distribution to Board members. Public speakers are limited to three minutes or less per person. Board members also may provide information and announcements under this agenda item.

CONSENT (2)

+2. REGIONAL MULTIMODAL TRANSPORTATION ANALYSIS STUDY  
(Heather Adamson)  
APPROVE

On March 18, 2011, the Transportation Committee released the draft report of the Regional Multimodal Analysis Study for a 30-day public review period. The draft report has been updated based on comments received. The Transportation Committee recommends that the Board of Directors approve the Regional Multimodal Transportation Analysis Study in substantially the same form as attached to the report.

REPORTS (3 through 5)

+3. PROPOSITION 1B CORRIDOR MOBILITY IMPROVEMENT ACCOUNT  
PROGRAM STATUS, FUNDING OPPORTUNITY, AND BUDGET AMENDMENT (First Vice Chair Jack Dale, Transportation Committee Chair; José A. Nuncio)*  
APPROVE

This report provides an update on the status of the Proposition 1B Corridor Mobility Improvement Account program and describes a funding opportunity and proposed budget amendment for the Interstate 5/Genesee Avenue Interchange and Widening project. The Transportation Committee recommends that the Board of Directors: (1) approve funding the Interstate 5/Genesee Avenue Interchange and Widening project with up to $56.3 million in TransNet funds, to fully fund this $94.1 million nearly ready-to-go project in partnership with the City of San Diego and Caltrans; (2) authorize the Executive Director to enter into any agreements reasonably necessary to carry out the project, including but not limited to cooperative or other agreements with other project participants; and (3) amend the FY 2012 Budget to add this project, as shown in Attachment 1.
4. **DRAFT 2050 REGIONAL TRANSPORTATION PLAN PROPOSED ADOPTION SCHEDULE** (First Vice Chair Jack Dale, Transportation Committee Chair; Heather Adamson and Rob Rundle)*

At its meeting on September 16, 2011, the Board of Directors reviewed the summary of comments and proposed changes to the Draft 2050 Regional Transportation Plan (RTP) and its Sustainable Communities Strategy (SCS) and accepted the proposed modifications, as recommended by the Transportation Committee. The changes will be incorporated into the Final 2050 RTP and its SCS, and evaluated in the Final Environmental Impact Report (EIR), prior to Board adoption scheduled on October 28, 2011. Staff will provide a status update on the recent California Air Resources Board meeting and the comments received on the Draft EIR.

5. **CLOSED SESSION - CONFERENCE WITH REAL PROPERTY NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTIONS 54956.8 AND 54956.9(C)*

The Board will be briefed by real property negotiators John Kirk, John Haggerty, Bruce Beach, and Jane Wiggans regarding acquisition of temporary and permanent easements on portions of parcels located in the City of San Diego, which are identified by ownership and assessor parcel number below:

- CLL Roselle LLC (340-080-40)
- Caryon Properties, LLC (341-321-37 & 38, 343-010-19)
- The Silverstone Company, LP (343-130-09)
- Edward G. Wong and Ellen G. Wong, Sorrento Creek Corporation (343-130-20, 343-130-01)
- Creekside Property Holdings, LLC (343-130-17)
- Helf Sorrento, LLC (343-130-16).

6. **CONTINUED PUBLIC COMMENTS**

If the five speaker limit for public comments was exceeded at the beginning of this agenda, other public comments will be taken at this time. Subjects of previous agenda items may not again be addressed under public comment.

7. **UPCOMING MEETINGS**

The next Board Business meeting is scheduled for Friday, October 28, 2011, at 9 a.m. There is no Board Policy meeting scheduled for November.

8. **ADJOURNMENT**

+ next to an agenda item indicates an attachment

* next to an agenda item indicates a San Diego County Regional Transportation Commission item
REGIONAL MULTIMODAL TRANSPORTATION ANALYSIS STUDY

Introduction

In July 2008, SANDAG initiated a study to develop a consistent methodology to identify the likely impact of future growth on the regional transportation network due to proposed developments. The Regional Multimodal Transportation Analysis Study, formerly known as the Fair Share Methodology Study, identifies recommended methods for calculating regional impacts for regional transportation projects. With input from a Stakeholders Working Group and a Technical Advisory Group, a recommended approach and draft report have been prepared (Attachment 3). The Transportation Committee released the Draft Regional Multimodal Transportation Analysis Study for a 30-day public review period on March 18, 2011, and recommends Board approval.

Discussion

Background

The purpose of the Regional Multimodal Transportation Analysis Study is two-fold:

1. Broaden mitigation measure options for areas well served by transit operations and/or with development patterns well suited for multimodal transportation features. The multimodal options could augment roadway segment and intersection improvements as part of a development project’s package of mitigation measures.

2. To encourage lead agencies to use this analysis study when conducting environmental review of development projects.

The current intergovernmental review (IGR) practice at SANDAG assesses regional transportation impacts of proposed developments on a project-by-project basis under the California Environmental Quality Act (CEQA). Through the IGR process, SANDAG comments on the environmental impact report prepared by the lead agency responsible for preparing CEQA documents associated with a project. This process of review and comment can be problematic and can lead to:

- Time-consuming negotiations;
- Inconsistent mitigation requirements;
- Poor coordination with other agencies; and
- Lack of adequate assessment of regional impacts.

Recommendation

The Transportation Committee recommends that the Board of Directors approve the Regional Multimodal Transportation Analysis Study in substantially the same form as shown in Attachment 3.
A consultant was hired to assist staff with preparation of the study. The Technical Advisory and Stakeholders Working Groups provided comments on the approach, preliminary findings, and recommendations. Attachment 1 shows the membership of the two groups.

**Summary of Study Development and Recommended Approach**

Three program alternatives were developed based on research of CEQA standards, current regional transportation plans, IGR comment letters, and practices in other regions in California. The alternatives included a Lead Agency Program, a Subregional Program, and a Regionwide Program. The three alternatives were assessed using evaluation criteria developed with input from the Technical Advisory and Stakeholders Working Groups. Each alternative was evaluated using a ranking scale to represent the relative effectiveness of each alternative to meet each criterion.

Based on this evaluation, it was recommended that the best characteristics of the Subregional and Lead Agency Program alternatives be combined into a fourth alternative. The recommended approach incorporates the benefits of the Subregional Program into the Lead Agency Program.

The key characteristics of the recommended approach are:

- Builds on the traffic impact study guidelines already adopted by SANDAG;
- Recommends a multimodal assessment for development projects that will generate a high percentage/amount of multimodal trips, such as transit;
- Provides a formula for determining net unfunded mitigation measures; and
- Provides a formula for allocating mitigation measures to individual projects.

**Review of Draft Report**

A preliminary draft report was presented to the Cities/County Transportation Advisory Committee (CTAC), San Diego Regional Traffic Engineers Council (SANTEC), and the Regional Planning Technical Working Group (TWG) at their January 2010 meetings. Comments on the preliminary draft report were incorporated into the draft report. Additionally, the preliminary draft report underwent CEQA legal review. At that time, with the 2050 Regional Transportation Plan (RTP) just underway, it was decided that the draft report should be developed with the benefit of the Draft 2050 RTP networks, which were only recently accepted by the Board of Directors.

The Draft Regional Multimodal Analysis Study report was released for a 30-day public comment period by the Transportation Committee on March 18, 2011. The draft report was presented to CTAC, SANTEC, and TWG at their April meetings. The close of the public comment period was April 18, 2011. Comments were received from the City of San Diego, Building Industry Association (BIA), and Linscott, Law & Greenspan, Engineers by the comment deadline. Additionally, comments were received after the deadline from the County of San Diego and from Traffic Relief Is Possible. The comments and responses are included as Attachment 2. Most of the comments related to concerns about a potential new development fee and implementation of the study. SANDAG staff met with the BIA and County of San Diego to specifically address their comments. The title of the study has been changed to more accurately reflect the purpose of the study. The Regional Multimodal Transportation Analysis is included as Attachment 3.
Next Steps

SANDAG will use this study to assist in the IGR process. Local lead agencies also will be encouraged to use this study when conducting environmental review of development projects.

GARY L. GALLEGOS
Executive Director

Attachments: 1. Technical and Stakeholders Working Group Membership
2. Comments and Responses on the Draft Regional Multimodal Transportation Analysis Study
3. Regional Multimodal Transportation Analysis: Alternative Approaches for Preparing Multimodal Transportation Analysis in Environmental Impact Reports, September 2011

Key Staff Contact: Heather Adamson, (619) 699-6967, had@sandag.org
Technical and Stakeholders Working Group Membership

Technical Advisory Group

- Building Industry Association (BIA)
- Caltrans
- City of San Diego
- Cities/County Transportation Advisory Committee (CTAC)
- County of San Diego
- Metropolitan Transit System (MTS)
- North County Transit District (NCTD)
- National Association of Industrial & Office Properties (NAIOP)
- Regional Planning Technical Working Group (TWG)

Stakeholders Working Group

- Endangered Habitats League (EHL)
- Move San Diego
- San Diego County Regional Airport Authority
- San Diego County Taxpayers Association
- San Diego Regional Chamber of Commerce
- San Diego Regional Economic Development Corporation
- Traffic Relief is Possible (TRIP)
- Unified Port of San Diego
- United States Department of Defense
- University of California, San Diego
# Draft Regional Multimodal Transportation Analysis Study
## Comments and Responses

<table>
<thead>
<tr>
<th>No.</th>
<th>Date</th>
<th>Name/Agency</th>
<th>Comment</th>
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<th>Chapter(s)</th>
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<tr>
<td>1</td>
<td>4/7/2011</td>
<td>Ann Gonsalves</td>
<td>Does SANDAG only comment on EIR's? (reference to Executive Summary page iv, 4th line, first paragraph).</td>
<td>Report revised to reflect comment.</td>
<td>Executive Summary</td>
</tr>
<tr>
<td>2</td>
<td>4/7/2011</td>
<td>Ann Gonsalves</td>
<td>How will sub-area and corridor studies be funded? (reference to Executive Summary page v, last sentence, 5th paragraph).</td>
<td>Sub-area and corridor studies are funded through various funding sources included in the Regional Transportation Plan.</td>
<td>Executive Summary</td>
</tr>
<tr>
<td>3</td>
<td>4/7/2011</td>
<td>Ann Gonsalves</td>
<td>Add &quot;of the&quot; so the following sentence reads as &quot;The key characteristics of the new Local Agency Program are:&quot; (reference to Executive Summary page v, first sentence, 6th paragraph).</td>
<td>Report revised to reflect comment.</td>
<td>Executive Summary</td>
</tr>
<tr>
<td>4</td>
<td>4/7/2011</td>
<td>Ann Gonsalves</td>
<td>Add comma and change &quot;measure&quot; to &quot;measures&quot; (reference to page 4, second paragraph, second line).</td>
<td>Report revised to reflect comment.</td>
<td>Chapter 1</td>
</tr>
<tr>
<td>5</td>
<td>4/7/2011</td>
<td>Ann Gonsalves</td>
<td>Are the Caltrans TIS Guidelines (December 2002) current? (reference to page 14, last sentence, last paragraph).</td>
<td>Yes, these are the current guidelines.</td>
<td>Chapter 3</td>
</tr>
<tr>
<td>6</td>
<td>4/7/2011</td>
<td>Ann Gonsalves</td>
<td>Why would the horizon year for the cumulative scenario not include buildout? (reference to page 17, Transportation Analysis Scenarios section, first paragraph, last sentence).</td>
<td>Report revised to reflect comment.</td>
<td>Chapter 3</td>
</tr>
<tr>
<td>8</td>
<td>4/7/2011</td>
<td>Ann Gonsalves</td>
<td>Change the word &quot;increases&quot; to &quot;improves&quot; (reference to page 26, Level of Service section, fifth line, first paragraph) and change the word &quot;vehicles&quot; to &quot;vehicle&quot; (reference to page 26, Level of Service section, second line, second paragraph).</td>
<td>Report revised to reflect comment.</td>
<td>Chapter 3</td>
</tr>
<tr>
<td>9</td>
<td>4/7/2011</td>
<td>Ann Gonsalves</td>
<td>Delete &quot;of trips&quot; (reference to page 27, second paragraph, last sentence).</td>
<td>Report revised to reflect comment.</td>
<td>Chapter 3</td>
</tr>
<tr>
<td>10</td>
<td>4/7/2011</td>
<td>Ann Gonsalves</td>
<td>Please define geographic area you intend in the Growth in Trips section. Usually growth in trips is on the facility (reference to page 27, third paragraph).</td>
<td>See discussion of geographic area (Chapter 3, Step 3, &quot;Boundaries of the Study Area&quot;). See discussion of select link analysis and consistency of approach under definitions for &quot;Project Trips,&quot; &quot;Growth In Trips,&quot; and &quot;Total Trips&quot; (Chapter 3, Step 7).</td>
<td>Chapter 3</td>
</tr>
<tr>
<td>11</td>
<td>4/7/2011</td>
<td>Ann Gonsalves</td>
<td>Why would the development that has already been approved but not constructed be excluded? Growth in trips is growth over existing. (reference to page 27, third paragraph).</td>
<td>The lead agency cannot seek mitigation from development that has been approved but not constructed (see Chapter 3, Step 7, &quot;Total Trips&quot;).</td>
<td>Chapter 3</td>
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# Draft Regional Multimodal Transportation Analysis Study

## Comments and Responses

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<tr>
<td>12</td>
<td>4/7/2011</td>
<td>Ann Gonsalves City of San Diego</td>
<td>Add the word &quot;also&quot; so the following sentence reads as &quot;The Local Cost Share may also...&quot; (reference to page 27, last paragraph, last sentence).</td>
<td>Report revised to reflect comment.</td>
<td>Chapter 3</td>
</tr>
<tr>
<td>13</td>
<td>4/7/2011</td>
<td>Ann Gonsalves City of San Diego</td>
<td>This seems to late to be full mitigation - how would the agency actually constructing/implementing the mitigation measure be assured that the developers/project proponent is holding these funds in reserve and will have them at the trigger point? (reference to page 28, Trigger Point Mitigation section).</td>
<td>See suggestions for a &quot;credit instrument&quot; (Chapter 3, &quot;Conclusion,&quot; second to last paragraph).</td>
<td>Chapter 3</td>
</tr>
<tr>
<td>14</td>
<td>4/15/2011</td>
<td>John P. Keating Linscott, Law &amp; Greenspan, Engineers</td>
<td>Do a case study of an approved project, such as Quarry Falls or UTC, to see how the proposed method compares to the conditions of approval.</td>
<td>Conducting case studies was not included in the scope of work for this study. Examples of how the methodology would be used is included in the report.</td>
<td>General</td>
</tr>
<tr>
<td>15</td>
<td>4/15/2011</td>
<td>John P. Keating Linscott, Law &amp; Greenspan, Engineers</td>
<td>Have more public review that includes private traffic engineering firms, the people that produce the bulk of the traffic studies in the County.</td>
<td>Comment noted.</td>
<td>General</td>
</tr>
<tr>
<td>16</td>
<td>4/15/2011</td>
<td>John P. Keating Linscott, Law &amp; Greenspan, Engineers</td>
<td>Consider holding off on this document and include it as an appendix to an updated version of the SANTEC TIS Guidelines.</td>
<td>Comment noted.</td>
<td>General</td>
</tr>
<tr>
<td>17</td>
<td>4/18/2011</td>
<td>Matthew Adams Building Industry Association</td>
<td>The stated intent of the Fair Share Methodology Guidelines (FSMG) is to craft a consistent approach for the identification of development impacts on the regional transportation system. Consistency is an important component of the land use process but there is significant concern throughout the industry that the quest for consistency will result in an expansion of mitigation (fees) requirements on new development.</td>
<td>Comment noted.</td>
<td>General</td>
</tr>
<tr>
<td>18</td>
<td>4/18/2011</td>
<td>Matthew Adams Building Industry Association</td>
<td>The industry is concerned that an objective of the FSMG is to 'expand' the traffic impact analysis to incorporate multiple modes on the regional transportation system. We believe that could result in new development being financially responsible for a disproportionate share of costs for infrastructure by requiring additional mitigation for multiple transportation modes.</td>
<td>The rationale for evaluating impacts on multiple modes is discussed in Chapter 3, Step 4, &quot;Thresholds of Significance.&quot; The Regional Multimodal Analysis Study (formerly the Fair Share Allocation Methodology Study) is designed to prevent a &quot;disproportionate&quot; share of costs being allocated to new development (see particularly Chapter 3, Step 7).</td>
<td>General</td>
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### Draft Regional Multimodal Transportation Analysis Study
#### Comments and Responses

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<tr>
<td>19</td>
<td>4/18/2011</td>
<td>Matthew Adams Building Industry Association</td>
<td>While the BIA is listed as a working group participant, we have raised this concern and at multiple meetings but have yet to receive a definitive response that higher mitigation costs will not result from implementation of the methodology proposed in this study. While the guidelines state that they do not call for the creation of a regional transportation impact fee, it very clearly states that it will incorporate developer participation into the local funding component of regional transportation projects.</td>
<td>The impact on developer mitigation costs will depend on application of the Regional Multimodal Analysis Study (formerly the Fair Share Methodology) by lead agencies as part of the environmental review process.</td>
<td>General</td>
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<tr>
<td>20</td>
<td>4/18/2011</td>
<td>Matthew Adams Building Industry Association</td>
<td>If it is the intent to exact additional revenues from the regulated community beyond its traditional areas of responsibility the BIA strongly opposes the draft guidelines.</td>
<td>Comment noted.</td>
<td>General</td>
</tr>
<tr>
<td>21</td>
<td>4/18/2011</td>
<td>Matthew Adams Building Industry Association</td>
<td>It is no secret that the building industry struggles with the worst economic climate in generations. Thousands of construction workers remain unemployed and the industry shows few signs of a substantial economic recovery. The guidelines will only add to the malaise that grips our industry and further impede efforts at economic recovery.</td>
<td>One of the primary objectives of the Regional Multimodal Analysis Study (formerly the Fair Share Methodology) is to “maintain conditions for economic investment” (see Chapter 1, “Study Objectives”).</td>
<td>General</td>
</tr>
<tr>
<td>22</td>
<td>4/18/2011</td>
<td>Matthew Adams Building Industry Association</td>
<td>The BIA of San Diego County respectfully requests that SANDAG respond to the inquiries and concerns raised by the regulated community prior to any consideration of the draft guidelines.</td>
<td>See response to comments 17-21.</td>
<td>General</td>
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**Comments received after the April 18, 2011 deadline**

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<tr>
<td>23</td>
<td>4/22/2011</td>
<td>Richard Crompton, County of San Diego</td>
<td>Any attempt to establish a local fee or program has the potential to increase costs or create the perception of increasing costs to private development is a sensitive issue that SANDAG should brief to local elected officials and affected industries before approval.</td>
<td>Comment noted.</td>
<td>General</td>
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<td>No.</td>
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<td>24</td>
<td>4/22/2011</td>
<td>Richard Crompton, County of San Diego</td>
<td>It is stated that the purpose of the report is two-fold: 1) to develop a methodology for regional transportation agencies to comment on transportation impact analysis during the environmental CEQA review of discretionary projects and, 2) to encourage local jurisdictions to use this study when preparing environment review of development projects. A methodology for calculating a fair share contribution towards regional transportation impacts, however, is only one step in determining appropriate mitigation for a development project. A mechanism to collect a regional fair share contribution is necessary before any fair share contribution can be required and collected. The report should clarify the relationship between project mitigation and the fair share contribution.</td>
<td>See discussion under Chapter 3, Step 5, &quot;Mitigation Measure Timing.&quot;</td>
<td>Chapter 3</td>
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<tr>
<td>25</td>
<td>4/22/2011</td>
<td>Richard Crompton, County of San Diego</td>
<td>Existing traffic impact fees for many local jurisdictions may not be consistent with the proposed fee methodology. For instance, most local traffic impact fees do not collect monies for transit projects. In the case of the unincorporated area, existing and future planned transit services are very limited. The report should clarify how the report recommendations would be applied to local jurisdictions especially to transit projects.</td>
<td>The report discusses the inclusion of transit in the Regional Multimodal Analysis Study (formerly the Fair Share Methodology) (see Chapter 3, Step 3, &quot;Regional Transportation System&quot;, and Step 4, &quot;Transportation Impact Analysis&quot; and &quot;Thresholds of Significance&quot;).</td>
<td>Chapter 3</td>
</tr>
<tr>
<td>26</td>
<td>4/20/2011</td>
<td>Richard Crompton, County of San Diego</td>
<td>Transit projects are implemented by separate transit agencies. Local jurisdictions do not have expertise, and may not have the legal authority, to develop and adopt impact fee programs to collect fair share contributions for transit projects.</td>
<td>Local jurisdictions may consult with transit agencies for assistance in identifying mitigation measures (see Chapter 3, Step 5). The Regional Multimodal Analysis Study (formerly the Fair Share Methodology Study) &quot;does not call for any type of...regional transportation impact fee&quot; (see Chapter 1, &quot;Purpose&quot;).</td>
<td>Chapter 1</td>
</tr>
<tr>
<td>27</td>
<td>4/22/2011</td>
<td>Richard Crompton, County of San Diego</td>
<td>It is also noted that the formulas will assume reasonably foreseeable local share toward regional transportation projects, but the percentage or amount is not specified. These local share percentages/amounts may exceed the local match contributions for federal and state grants and has been assumed in some local jurisdictions traffic impact fee programs.</td>
<td>The Regional Multimodal Analysis Study (formerly the Fair Share Methodology Study) adjusts for state and federal funding (see Chapter 3, Step 6).</td>
<td>Chapter 3</td>
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<td>28</td>
<td>4/22/2011</td>
<td>Richard Crompton, County of San Diego</td>
<td>In order for fair share contributions to be collected, an overall traffic impact fee program must be in place or a project currently scheduled that the development project can contribute towards. A regional transportation impact fee is needed to implement the proposed methodology which recommends calculation and further collection of a fair share contribution towards all projects identified in the RTP Reasonably Expected scenario. Local jurisdictions do not have the expertise, and may not have the legal authority, to develop and adopt impact fee programs to collect fair share contributions for transit projects.</td>
<td>See response to comments 24 and 26.</td>
<td>Chapter 3</td>
</tr>
<tr>
<td>29</td>
<td>4/22/2011</td>
<td>Richard Crompton, County of San Diego</td>
<td>The proposed fair share methodology recommends eliminating projects that do not meet the SANDAG/Caltrans Traffic Impact Study Guidelines project screening criteria (e.g. 1,000 ADT/100 peak hour trips, etc.). A mechanism to allow smaller projects to participate in fair share contributions without the burden of detailed traffic impact assessments should be established. The smaller project option would provide a mechanism for the collection of their contribution toward cumulative impacts in the region.</td>
<td>Comment noted.</td>
<td>General</td>
</tr>
<tr>
<td>30</td>
<td>4/22/2011</td>
<td>Richard Crompton, County of San Diego</td>
<td>The Draft Report does not provide any discussion as to how Fair Share Contributions are to be collected or distributed. The Draft Report should discuss how Fair Share Contributions are to be collected and by whom. In particular, the Draft Report should explain the mechanism/process for collecting the fair share contribution from a private development project for a regional transportation project.</td>
<td>See response to comment 24.</td>
<td>Chapter 3</td>
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<td>31</td>
<td>4/22/2011</td>
<td>Richard Crompton, County of San Diego</td>
<td>The Draft Report provides no monetary figures for the Fair Share program. Without potential revenue estimations within the Report, the potential impact to development cannot be measured effectively. The report should provide preliminary monetary estimates.</td>
<td>See response to comment 19.</td>
<td>General</td>
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<tr>
<td>32</td>
<td>4/22/2011</td>
<td>Richard Crompton, County of San Diego</td>
<td>The Draft Report should provide an example of a regional transportation project and explain how a private development project would determine a fair share contribution towards the transportation project. Detailed project costs are typically not determined until a regional transportation project is included in the Regional Transportation Improvement Plan (RTIP). All project cost estimates prior to the RTIP would be preliminary in nature and should not be the basis for a fair share calculation. Many of the SANDAG corridor studies and Caltrans reports cited in Table 3.1 are several years old with likely outdated project cost information.</td>
<td>See discussion under Chapter 3, Step 6, &quot;Total Cost.&quot;</td>
<td>Chapter 3</td>
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<tr>
<td>33</td>
<td>4/22/2011</td>
<td>Richard Crompton, County of San Diego</td>
<td>The Draft Report (pg. 1) identifies that the Fair Share Methodology Study &quot;Does not establish a legal standard for environmental review.&quot; The purpose of the study is not clear as it relates to the established environmental review process for each lead agency. The report should clarify the relationship between the lead agency’s environmental review process and the study recommendations.</td>
<td>See discussion under Chapter 1, &quot;Purpose,&quot; first paragraph.</td>
<td>Chapter 1</td>
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<td>34</td>
<td>4/22/2011</td>
<td>Richard Crompton, County of San Diego</td>
<td>The Draft Report (pg. 2) fails to recognize that SANDAG already has a fair share collection methodology in the RTCIP which requires local agencies to collect from new development. The County of San Diego currently collects this required amount as part of its TIF Program. The report should explain how the proposed fair share methodology relates to the RTCIP and local agency’s impact fee programs.</td>
<td>See discussion under Chapter 3, Step 7, &quot;Other Local Funding.&quot;</td>
<td>Chapter 3</td>
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<td>35</td>
<td>4/22/2011</td>
<td>Richard Crompton, County of San Diego</td>
<td>The Draft Report (pg. 9) should discuss local agencies that already have established &quot;Lead Agency Programs.&quot; The Report should provide a detailed list of all development mitigation programs in the county of San Diego, including the County of San Diego’s Transportation Impact Fee (TIF) program.</td>
<td>Comment noted.</td>
<td>General</td>
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<td>36</td>
<td>4/22/2011</td>
<td>Richard Crompton, County of San Diego</td>
<td>The Draft Report (pg. 18) should provide greater clarification on the role of transit within the Fair Share Methodology and in the estimation of the fair share contribution. The Draft Report simply states that if transit can accommodate “more than a minimal share” of a project’s trip, that the project should evaluate the need for transit services. It is not definitively clear when a particular project must also consider transit services within its fair share contribution. Without concise language outlining transit within the Fair Share Methodology, a project’s fair share contribution, to transit in particular, may or may not be equitable.</td>
<td>See guideline regarding “a seven percent or more share of work trips” (Chapter 3, Step 4, “Transportation Impact Analysis”).</td>
<td>Chapter 3</td>
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<td>37</td>
<td>4/22/2011</td>
<td>Richard Crompton, County of San Diego</td>
<td>The Draft Report (pg. 28) states that the Lead Agency should adopt a Project Fair Share allocation only if it is economically feasible and provides a statute definition of economic feasibility that states a mitigation measure is “capable of being accomplished in a successful manner within a reasonable period of time taking into account economic factors.” The Draft Report’s language to determine the economic feasibility of a mitigation measure or a project’s ability to fund its fair share is inadequate. Without clear and concise language defining “economic feasibility”, lead agencies may never have the legislative ability to pay its estimated fair share contribution outlined by this Report.</td>
<td>The Regional Multimodal Analysis Study (formerly the Fair Share Methodology Study) purposely provides flexibility in this regard as recommended by the Technical Advisory and Stakeholder Working Group (see Chapter 2, “Recommendation”).</td>
<td>Chapter 2</td>
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<td>38</td>
<td>4/22/2011</td>
<td>Richard Crompton, County of San Diego</td>
<td>The Draft Report (pg. 28) notes that a “…project should be reimbursed for any cost share that is greater than its fair share allocation.” It is unclear what this statement implies. This statement would only be meaningful if there was a regional traffic impact fee in place in which a reimbursement agreement could be entered into. The report should clarify how reimbursement would be implemented.</td>
<td>The lead agency has the flexibility under the Regional Multimodal Analysis Study (formerly the Fair Share Methodology Study) to determine how such a reimbursement would be implemented.</td>
<td>Chapter 3</td>
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<tr>
<td>39</td>
<td>4/22/2011</td>
<td>Richard Crompton, County of San Diego</td>
<td>The Draft Report (pg. 29) recommendations should identify all appropriate next steps. For example, one such step could be the preparation of a subregional study and creation of a regional transportation impact fee for that corridor. The overall task should be considered incomplete if the Regional Planning Agency is proposing fair share collection methodology but does not provide a mechanism to collect fair share contributions for transit and other increased regional transportation improvements or costs that are included in the proposed fair share calculation.</td>
<td>The role of sub-area and corridor studies is addressed in Chapter 2, &quot;Evaluation of Alternatives&quot;, and in Chapter 3, Step 3, &quot;Boundaries of Study Area.&quot; Also the Fair Share Methodology seeks to provide flexibility to the local jurisdictions as recommended by the Technical Advisory and Stakeholder Working Group (see Chapter 2, &quot;Recommendation&quot;).</td>
<td>Chapters 2 and 3</td>
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<td>40</td>
<td>6/2/2011</td>
<td>M.A Mareck and Pamela Stahl, Traffic Relief is Possible (TRIP)</td>
<td>As full participants since July 2008 of the Fair Share Methodology Study, we first note that it does seem to have the potential to streamline project approval or disapproval. Our overriding concern, however, continues. That concern is stated both in the Study's Problem Statement (p.3) and in the March 18, 2011 Transportation Committee Agenda Background statement for the Study (Agenda Item #10) - Lack of Adequate Assessment of Regional Impacts. In July 2008, as per the voter approved TransNet Extension Ordinance, &quot;...each local agency in the San Diego region [began to] contribute $2,000.00 in exactions from the private sector, for each newly constructed residential unit...&quot; (Section 9, Part A). The total inadequacy of this $2,000.00 fee is obvious. The Regional Transportation Plan's shortfalls persist - annually - and are very large. And our neighbor, Riverside County, has successfully imposed - per new residential unit - a regionwide development impact fee for transportation. Currently, that fee is more than $9,000.00. They also collect a regional impact fee for industrial and commercial development and San Diego does not, but should. This Fair Share Methodology Study, to be effective, must included a nexus study done by SANDAG to adequately assess and implement regionwide development impact fees for transportation.</td>
<td>The $2000.00 development impact fee is for regional arterials only. Not for the entire regional transportation network. A nexus study was conducted prior to the $2,000.00 fee going into effect. The nexus study found the fee to be adequate. The purpose of the Regional Multimodal Analysis Study (formerly known as the Fair Share Methodology Study) was to develop a methodology to determine the multimodal impacts on the regional transportation network that local agencies could use when developing projects. The purpose of the study was not to develop a new regional impact fee.</td>
<td>Chapters 2 and 3</td>
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<tr>
<td>41</td>
<td>6/2/2011</td>
<td>M.A Mareck and Pamela Stahl, Traffic Relief is Possible (TRIP)</td>
<td>It is important to point out that this draft of the Fair Share Methodology Study in Step 8: Economic Feasibility (p.28) states: &quot;The Lead Agency should adopt a Project Fair Share Allocation only if it is economically feasible.&quot; Such a provision would nullify the effectiveness of the Study, and simply continues the very basic problem with the Study itself identifies at outset. TRIP believes that the present economic conditions offer an ideal time to develop a fair share fee methodology. There are very few projects actually in the pipeline; developers in the meantime will be able to know how much they can afford to pay for land when the economy comes back and they are able to continue developments. To further emphasize TRIP's position regarding inadequate funding, we attach a March 29, 2011 San Diego Union Tribune editorial, &quot;A New Freeway, An Old Story.&quot;</td>
<td>The purpose of the Regional Multimodal Analysis Study (formerly known as the Fair Share Methodology Study) was to develop a methodology to determine the multimodal impacts on the regional transportation network that local agencies could use when developing projects. The purpose of the study was not to develop a new regional impact fee.</td>
<td>Chapters 2 and 3</td>
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Regional Multimodal Transportation Analysis: Alternative Approaches for Preparing Multimodal Transportation Analysis in Environmental Impact Reports

September 2011

San Diego Association of Governments
Acknowledgements

Technical Advisory & Stakeholders Working Groups

SANDAG established Technical Advisory and Stakeholders Working Groups for this study. The groups provided comments on approach, preliminary findings, and recommendations, and were instrumental in supporting the successful completion of the Regional Multimodal Analysis Study. The groups included representatives from the following organizations:

Building Industry Association
Caltrans
Cities/County Transportation Advisory Committee (CTAC)
City of San Diego
County of San Diego
Endangered Habitats League (EHL)
Metropolitan Transit System
Move San Diego
National Association of Industrial & Office Properties
North County Transit District
Regional Planning Technical Working Group (TWG)
San Diego County Regional Airport Authority
San Diego Regional Chamber of Commerce
San Diego Regional Economic Development Corporation
San Diego County Taxpayers Association
Traffic Relief is Possible (TRIP)
Unified Port of San Diego
United States Department of Defense
University of California, San Diego

San Diego Association of Governments

The following SANDAG staff provided valuable support throughout the study:

Heather Adamson, Project Manager
Elisa Arias
Coleen Clementson
Charles “Muggs” Stoll
Scott Strelecki

PREPARED BY

WILLDAN Financial Services

WITH

ROBERT D. SPENCER, Urban Economics
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   - Step 4: Project Impacts
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     - Planning Studies
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Appendix A: Caltrans TIS Guidelines ............................................................................. A-1
Appendix B: SANDAG TIS Guidelines ............................................................................. B-1
The Regional Multimodal Analysis is a tool that may be used to enhance traffic impact analysis (TIA) of development projects where use by transit, bicycle, and/or pedestrians is anticipated. Development projects that may benefit from a regional multimodal analysis include smart growth developments located in urban areas and other large trip generators. The Regional Multimodal Analysis is consistent with adopted SANDAG policy documents. The “Implementation” chapter of the Regional Comprehensive Plan (RCP) includes actions to support a more effective transportation planning and development review process:

- Strengthen the connection between local and regional plans, particularly between land use and transportation, through subregional planning programs and private sector participation.¹

- Develop and implement an improved IGR process where SANDAG and other public agencies assess proposed local development projects that have significant regional impacts, within the context of RCP goals and policy objectives.²

- Develop improved analytical tools, including a consistent measure of transportation level of service or other applicable performance measure, and enhanced transportation planning models

The current intergovernmental review (IGR) practice at SANDAG assesses regional transportation impacts of proposed developments on a project-by-project basis under the California Environmental Quality Act (CEQA). Through the IGR process, SANDAG comments on the environmental impact report prepared by the lead agency responsible for preparing CEQA documents associated with a development project. This includes review and comment on detailed traffic impact analysis and the transportation impacts and mitigation measures recommended therein.

SANDAG Traffic Impact Analysis Guidelines, CEQA guidelines, and the Congestion Management Process provide analysis guidelines and methodologies for the identification of traffic impacts and proposed mitigation measures. Development projects that may generate a high percentage of multimodal use such as transit may benefit from a more detailed multimodal transportation analysis. The benefits of a multimodal analysis may include the following:

- Verification of the benefits of smart growth projects located in an urban area
- Identification of projects or areas that may benefit from comprehensive Transportation Demand Management Techniques
- Identification of additional feasible multimodal mitigation measures


² Ibid., p. 362.
• Determination of need for additional transit service and phasing of needed service based upon additional project demand

• Ability to collect fairshare contributions toward existing established multimodal projects on a project by project basis

The purpose of this study is to develop an multimodal transportation analysis methodology that may be used in the preparation of transportation impact analysis during the environmental review process under CEQA that:

- Broaden mitigation measure options for areas well served by transit operations and/or with development patterns well suited for multimodal transportation features. The multimodal options could augment roadway segment and intersection improvements as part of a development project’s package of mitigation measures.

- Lead agencies can utilize this methodology to consider additional transportation mitigation options; and

- Regional transportation agencies can use to develop and comment on additional or alternative transportation mitigation options that may be feasible.

This study supplements current guidelines prepared by SANDAG and Caltrans for traffic impact analysis of development projects. It is the intent of SANDAG that this document will provide lead agencies an alternative approach and more flexibility in conducting environmental review of development projects to assess multimodal transportation impacts on the regional transportation system.

SANDAG established Technical Advisory and Stakeholders Working Groups for this study. The groups met six times during the course of the study, providing comments on approach, preliminary findings, and recommendations.

In discussions with the groups and SANDAG staff, three primary objectives were identified for this study:

- **Equity:** Promote more equitable treatment among development projects countywide with regards to mitigation of regional transportation system impacts.

- **Efficiency:** Streamline the intergovernmental review process of reviewing development project impacts on the regional transportation system.

- **Effectiveness:** Maintain conditions for economic investment.

Three alternative approaches to multimodal transportation analysis were initially developed for consideration based on current San Diego regional transportation plans, IGR comment letters, and practices in other regions in California. The alternatives included a Lead Agency Program, a Subregional Program, and a Regionwide Program.

The alternatives were evaluated using evaluation criteria developed with input from the Technical Advisory and Stakeholders Working Groups. Each alternative was evaluated using a ranking scale to represent the relative effectiveness of each alternative to meet each criterion.

The Subregional Program ranked highest primarily because the geographic scope is the most appropriate level for environmental analysis of impacts across all regional transportation
facilities. A sub-area or corridor scope balances the need for a comprehensive analysis of regional impacts with the need for detailed analysis of individual development projects.

The major disadvantage of the Subregional Program is that it would require significant effort on the part of SANDAG, Caltrans, and cooperating jurisdictions to conduct subregional studies and maintain those studies as land use and transportation conditions change over time.

The Lead Agency Program ranked second among the three alternatives. This alternative was most effective at maintaining project economic feasibility because project-by-project analysis can best adapt to changing market conditions, balancing the potential cost of mitigation with the economic feasibility of the development project. The disadvantage of this approach is that the cumulative effort across multiple project-level studies is probably greater than a single sub-area analysis.

Based on this evaluation, the best characteristics of the Subregional and Lead Agency Program alternatives were combined into a fourth alternative, the Local Agency Program. The Technical Advisory and Stakeholders Working Groups emphasized the need for sensitivity to economic feasibility particularly in the current economic environment, a key advantage of the Lead Agency Program alternative. So the recommendation revised the Lead Agency Program alternative to include benefits of the Subregional Program. As SANDAG completes sub-area and corridor studies (an ongoing effort under the Regional Transportation Plan), these studies may be able to supplant the Lead Agency Program.

The key characteristics new Local Agency Program are:

- Builds on the traffic impact study guidelines already adopted by SANDAG;
- Promotes the use of sub-area or corridor approach to assess multimodal impacts and the identification of feasible multimodal mitigation measures;
- Recommends a multimodal assessment for development projects that will generate a high percentage/amount of multimodal trips, such as transit. Completion of a regional multimodal assessment will not alter a local jurisdiction’s adopted transportation impact fee program, but if additional multimodal projects are found to be needed, a local jurisdiction could consider adding these projects to their transportation impact fee program during their next scheduled update;
- Provides a formula for calculating net unfunded mitigation measure costs; and
- Provides a formula for allocating mitigation measure costs to individual development projects.
1. Introduction

Background

SANDAG, Caltrans, and regional transit agencies are responsible for the regional transportation system in the San Diego region. Development projects generate new travel demand causing impacts on this system of highways, arterials, and transit facilities. The California Environmental Quality Act (CEQA) process provides the primary venue for regional transportation agencies to comment on these impacts. Comments are provided to the lead agency responsible for preparing the CEQA documents associated with a development project. The lead agency is typically the agency responsible for giving the development project land use approval, typically the city in which the project is located or, for unincorporated areas, the County.

The San Diego region has a long history of cooperation among local and regional agencies to foster a consistent approach for the identification of development projects impacts on the regional transportation system through the CEQA process. This history began in September 1998 when San Diego Regional Traffic Standards Task Force met for the first time. From those initial discussions came the Traffic Impact Study Guidelines most recently published by the San Diego Association of Governments (SANDAG) as part of the 2008 update for the Congestion Management Program.

Purpose

The purpose of this study is to develop a multimodal transportation analysis methodology that may be used in the preparation of transportation impact analysis included in environmental documents under CEQA. This study supplements current guidelines prepared by SANDAG and Caltrans for traffic impact analysis of development projects, such as the Traffic Impact Study Guidelines mentioned above. It is SANDAG’s intent that this document will provide local agencies a multimodal analysis approach and more flexibility when conducting environmental review of development projects to assess multimodal transportation impacts on the regional transportation system. The multimodal transportation analysis may be used to:

- Broaden mitigation measure options for areas well served by transit operations and/or with development patterns well suited for multimodal transportation features. The multimodal options could augment roadway segment and intersection improvements as part of a development project’s package of mitigation measures;
- Lead agencies can utilize this methodology to consider additional transportation mitigation options; and
- Regional transportation agencies can use to develop and comment on additional or alternative transportation mitigation options that may be feasible.

The Regional Multimodal Analysis:
Supplements existing regional traffic impact study guidelines that lead agencies may refer to when conducting environmental review;

- Does not establish a legal standard for environmental review;
- Does not necessitate or require modification of local jurisdictions’ existing transportation impact fee programs;
- Does not otherwise affect local, regional, state, or federal funding for transportation projects in San Diego County; and
- Does not call for any type of comprehensive funding program such as a regional transportation impact fee.

**The California Environmental Quality Act**

The basic goal of CEQA³ is to develop and maintain a high-quality environment now and in the future by requiring public agencies to:

- Identify the significant environmental effects of their actions; and, either
- Avoid those significant environmental effects, where feasible; or
- Mitigate those significant environmental effects, where feasible.

CEQA applies to projects proposed to be undertaken or requiring approval by State or local government agencies as well as projects proposed by private applicants. Projects are activities that have the potential to have a physical impact on the environment.

A lead agency is responsible for complying with CEQA. The lead agency is generally the agency primarily responsible for approving or carrying out the project, such as a city approving a new subdivision or a community college district building a new campus. If the lead agency finds that there is substantial evidence in light of the whole record that a project may have a significant impact on the environment after mitigation, then it must prepare an environmental impact report (EIR).

The purpose of an EIR is to provide State and local agencies and the general public with detailed information on:

- The significant environmental effects that a proposed project is likely to have;
- Ways that the significant environmental effects may be minimized; and
- Alternatives to the project.

CEQA enables substantial opportunity for public comment on the environmental impacts of a project. The purpose is to better inform the lead agency as it considers approval of the project. CEQA requires that lead agencies consult with regional agencies responsible for transportation facilities that could be affected by the project.⁴

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⁴ 14 California Code of Regulations, §15086(a)(5).
Regional transportation agencies such as SANDAG and Caltrans have developed an intergovernmental review (IGR) process to respond systematically to notifications from lead agencies about pending EIRs. These agencies have also developed guidelines for traffic impact analysis that they encourage lead agencies to use to evaluate impacts of the proposed project on the regional transportation system.

A development project often does not generate a significant regional transportation system impact by itself (a project-specific impact), but only in contributing to the cumulative impact of multiple projects. During the IGR process regional transportation agencies are most often concerned that each individual project provides its fair share of the measures needed to mitigate cumulative impacts. CEQA anticipates this situation, allowing a project to reduce its impact to a less than significant level if it provides its fair share of the mitigation measure needed to alleviate the cumulative impact.\(^5\)

**Problem Statement**

The current IGR practice at SANDAG assesses regional transportation impacts of proposed developments on a project-by-project basis following the requirements of the California Environmental Quality Act (CEQA). This can be sometimes problematic and can lead to:

- Time-consuming negotiations;
- Inconsistent mitigation requirements;
- Inconsistent and time constrained coordination with other agencies; and
- Lack of adequate assessment of regional impacts.

The current process can result in development projects with similar impacts being treated differently based on specific circumstances such as project location, project type, project funding sources, and local policies regarding traffic mitigation.

A standardized and coordinated methodology would streamline the environmental review process and ensure greater consistency in impact analyses and mitigation measures for development projects by providing guidance for both:

- Lead agencies to follow in conducting environmental reviews; and
- Regional agencies to use when commenting on environmental documents.

SANDAG Traffic Impact Analysis Guidelines, CEQA guidelines and the Congestion Management Process provide analysis guidelines and methodologies for the identification of traffic impacts and proposed mitigation measures.

Development projects that may generate a high percentage of multimodal use such as transit, may benefit from a more detailed multimodal transportation analysis. The benefits of a multimodal analysis may include the following:

- Verification of the benefits of smart growth projects located in an urban area

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\(^5\) Ibid., §15130(a)(3).
• Identification of projects or areas that may benefit from comprehensive Transportation Demand Management Techniques
• Identification of additional feasible multimodal mitigation measures
• Determination of need for additional transit service and phasing of needed service based upon additional project demand.
• Ability to collect fairshare contributions toward existing established multimodal projects on a project by project basis.

Finally, this approach could benefit development projects by reducing the time and cost associated with the transportation analysis required under CEQA. Advance knowledge of accepted analytic processes and mitigation practices will reduce costs for the developer by not requiring significant negotiations and rework of studies.

Policy Basis

The Regional Multimodal Analysis Study is consistent with adopted SANDAG policy documents. The “Implementation” chapter of the Regional Comprehensive Plan (RCP) includes actions to support a more effective transportation planning and development review process:

- Strengthen the connection between local and regional plans, particularly between land use and transportation, through subregional planning programs and private sector participation.6
- Develop and implement an improved IGR process where SANDAG and other public agencies assess proposed local development projects that have significant regional impacts, within the context of RCP goals and policy objectives.7
- Develop improved analytical tools, including a consistent measure of transportation level of service or other applicable performance measure, and enhanced transportation planning models.8

Public Participation

SANDAG established Technical Advisory and Stakeholders Working Groups for this study. The groups met during the course of the study, providing comments on approach, preliminary findings, and recommendations.

Study objectives

In discussions with the Technical Advisory and Stakeholders Working Groups and SANDAG staff, three primary objectives were identified for this study:

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7 Ibid., p. 362.
8 Ibid., pp. 363-364.
- **Equity:** Promote more equitable treatment among development projects countywide with regards to mitigation of regional transportation system impacts.
- **Efficiency:** Streamline the intergovernmental review process of reviewing development project impacts on the regional transportation system.
- **Effectiveness:** Maintain conditions for economic investment.

These objectives guided the evaluation of program alternatives described in the next chapter.
2. Alternatives Analysis

To develop a recommended Regional Multimodal Analysis, alternative approaches were developed and evaluated using a standard analytical framework, shown in Figure 2.1. This chapter describes the core of the work effort, including determining evaluation criteria, conducting research, and developing and evaluating alternatives.

Figure 2.1: Alternatives Analysis

The Technical Advisory and Stakeholders Working Groups provided input at every step of the process shown in Figure 2.1 through the course of six meetings, resulting in substantive changes in the approach and recommendations.

Evaluation Criteria

The evaluation criteria are presented in Table 2.1. Weighting factors reflect alignment with the study's major objectives discussed in Chapter 1: equity, efficiency, and effectiveness.
### Table 2.1: Evaluation Criteria

#### 1. Equity

**Weighting factor = 2**

**Objective:** Analyze development projects with similar impacts in a similar manner.

- a. Estimate a similar fair share for development projects with similar regional transportation impacts in similar locations.
- b. Estimate fair share in proportion to project impacts regardless of project size and accounting for existing deficiencies.
- c. Adjust for other transportation mitigation measures imposed on projects to avoid double charging.

#### 2. Applicability

**Weighting factor = 1**

**Objective:** Expand traffic impact analysis to incorporate multiple modes.

- a. Estimate fair share of impacts on multiple modes, specifically vehicles and transit.

#### 3. Predictability

**Weighting factor = 1**

**Objective:** Estimate fair share impacts in advance of project-level analysis.

- a. Enable project applicant to make a rough estimate of fair share impacts prior to doing fair share analysis.
- b. Enable regional agencies to forecast overall contributions from development projects.

#### 4. Efficiency

**Weighting factor = 2**

**Objective:** Improve the efficiency of the CEQA process.

- a. Minimize additional transportation impact analysis requirements for development projects during project-level CEQA review.
- b. Minimize additional transportation impact analysis requirements for regional agencies when preparing corridor and sub-area transportation plans.
- c. Maximize coordination and consistency of comments among regional agencies (SANDAG, Caltrans, MTS, and NCTD) and CEQA lead agency.

#### 5. Transparency

**Weighting factor = 1**

**Objective:** Avoid methodologies that are not clearly documented.

- a. Ensure that assumptions and methods are clearly documented and accessible.

#### 6. Effectiveness

**Weighting factor = 2**

**Objective:** Support economic development.

- a. Minimize disproportionate economic impacts among real estate industry sectors to support project feasibility.
- b. Promote effective use of funds to mitigate impacts in a timely manner.

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9 The intent is to base fair share impacts on the project’s contribution to the cumulative impacts caused by all development, whether subject to environmental review or not
The initial draft of the criteria was revised based on comments received from the Technical Advisory and Stakeholders Working Groups. Revisions included:

- Criteria 1(b) was expanded to include a reference to existing deficiencies.
- Criteria 2(a) was narrowed to exclude bicycle and pedestrian modes because these modes are more appropriately examined in the context of local rather than regional transportation impacts.
- Criteria 4(b) was added to capture the tradeoff among alternatives for additional analysis at the local versus regional level.
- Criteria 6(a) and 6(b) were added to reflect a key objective of the study.
- All criteria were weighted to emphasize those most closely aligned to the study’s objectives.

### Background Research

Research was conducted to assist in the development of alternatives in concert with input from the Technical Advisory Working Group. Key areas of investigation included:

- Research on the California Environmental Quality Act (CEQA) with a focus on:
  - Use of program environmental impact reports (EIRs) to streamline the CEQA process for development projects;
  - Definitions of thresholds of significance with specific emphasis on multimodal transportation impacts; and
  - Cumulative impacts and fair share mitigation.
- Analysis of comments on environmental documents for major development projects within San Diego County submitted by SANDAG and Caltrans to the lead agency as part of the intergovernmental review (IGR) process.
- Review of local and regional transportation plans and environmental documents within the San Diego region.
- Research on practices from other regions in California to mitigate the impacts of development on the regional transportation system.

Key findings and conclusions from this research include:

- CEQA:
  - Program EIRs that support fair share mitigation through implementation of a fee or similar requirement provide a reasonable approach to streamlining the CEQA process for development projects, potentially saving time and costs for developers.\(^\text{10}\)

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Fair share mitigation of cumulative impacts is expressly allowed by CEQA and subject to the same constitutional protections associated with any development exaction.11

Comment letters on CEQA documents from SANDAG, Caltrans, and the North County Transit District (NCTD):

- Impacts on the regional transportation system included:
  - Inter-city transportation systems, not local roads and related intra-city systems;
  - Capital and operating impacts;
  - Transit systems; and
  - Both cumulative and direct impacts.
- Mitigation was requested for regional transportation impacts when impacts were estimated or documented, though often a mitigation methodology was not specified.
- When transportation impact analysis was insufficient and mitigations could not be specified, recommended fair share participation in subregional transportation impact study and participation in recommended mitigations.
- SANDAG and Caltrans tended to focus more on cumulative regional transportation system impacts; NCTD focused more on direct local impacts on the regional transit system.

Transportation Impact Studies and Plans

- The Regional Transportation Plan (RTP) provides a foundation for all subregional and corridor-level transportation studies and plans.
- The transportation thresholds of significance for general plan EIRs focus primarily on vehicle, not multimodal, impacts.
- Caltrans studies (Transportation Concept Reports, Project Reports) can inform project-level CEQA analysis if current, e.g. consistent with adopted RTP.
- Subregional transportation studies (corridor studies and specific plans) provide the most useful level of analysis for determining project-level impacts on the regional transportation system.

Practices from Other Regions

- Regional transportation models are adapted for corridor and sub-area analyses, and made available to lead agencies for project-level environmental impact analysis.

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11 14 California Code of Regulations, §15130(a)(2) and §15126.4(a)(4).
Regional (countywide or sub-area) fair share mitigation programs are used primarily for vehicle impacts on the highway, interchange, and major arterial components of the regional transportation system.

There was limited use of program EIRs to streamline the CEQA process for development projects.

Alternatives Development

Based on this research three alternatives were developed for evaluation. The alternatives included a Lead Agency Program, a Subregional Program, and a Regionwide Program. The alternatives were developed to reflect different levels of geographic analysis for traffic impact studies conducted pursuant to the Regional Multimodal Analysis:

- The Regionwide Program anticipates a single regionwide analysis resulting in a fair share allocation of significant regional transportation system impacts to all applicable development projects within the region.
- The Subregional Program anticipates multiple analyses, one for each subarea in the region. Development projects within each subarea would use the regional multimodal analysis articulated in the applicable subregional analysis.
- The Lead Agency Program largely represents a continuation of current practice in which the fair share analysis would be conducted individually on each applicable development project, though now with the use of a common methodology.

See Table 2.2 for a description of each alternative.

Evaluation of Alternatives

The alternatives were analyzed using the evaluation criteria. Each alternative was evaluated using a ranking scale from one to three to represent the relative effectiveness of each alternative to meet each criterion. The results are shown in Table 2.3.

The evaluation was a qualitative process. Input from the Technical Advisory and Stakeholders Working Groups and SANDAG staff over the course of two meetings was used to refine the rankings. The scoring was ambiguous for several criteria that could be evaluated differently depending on the details of each alternative. As a result, the evaluation process provided useful guidance but not a definitive recommendation.

The Subregional Program ranked highest (see Table 2.3) primarily because the geographic scope is the most appropriate level for environmental analysis of impacts across all regional transportation facilities. A sub-area or corridor scope balances the need for a comprehensive analysis of regional impacts with the need for detailed analysis of individual development projects.
Table 2.2: Alternatives

<table>
<thead>
<tr>
<th>General Description</th>
<th>Alternative 1 Lead Agency Program</th>
<th>Alternative 2 Subregional Program</th>
<th>Alternative 3 Regionwide Program</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Screen</td>
<td>SANDAG TIS Guidelines(^1)</td>
<td>All projects subject to CEQA.</td>
<td>All projects subject to CEQA.</td>
</tr>
<tr>
<td>Study Area</td>
<td>SANDAG TIS Guidelines(^1)</td>
<td>Corridor or other sub-area, as appropriate.</td>
<td>Countywide.</td>
</tr>
<tr>
<td>Affected Transportation Network</td>
<td>SANDAG TIS Guidelines(^1)</td>
<td>RTP Adopted Scenario network including regional arterial system and local interchanges.</td>
<td>RTP Adopted Scenario network excluding regional arterial system and local interchanges.</td>
</tr>
<tr>
<td>Program EIR</td>
<td>To be determined by Lead Agency.</td>
<td>Sub-area program EIRs consistent with RTP Adopted Scenario.</td>
<td>RTP EIR.</td>
</tr>
<tr>
<td>Transportation Modeling Tool</td>
<td>To be determined by Lead Agency.</td>
<td>Refined RTP model based on SANDAG TransCAD model and/or sub-area simulation model.</td>
<td>Existing or refined SANDAG TransCAD model.</td>
</tr>
<tr>
<td>Mitigation Threshold</td>
<td>SANDAG TIS Guidelines(^1), Caltrans TIS Guidelines(^1), or Highway Capacity Manual.</td>
<td>To be determined by SANDAG and affected agencies and jurisdictions as part of sub-area program EIR.</td>
<td>Based on RTP performance measures.</td>
</tr>
<tr>
<td>Mitigation Measures</td>
<td>To be determined by Lead Agency.</td>
<td>To be determined by SANDAG and affected agencies and jurisdictions as part of sub-area program EIR.</td>
<td>Based on share of unfunded portion of RTP Adopted Scenario.</td>
</tr>
<tr>
<td>Fair Share Allocation(^2)</td>
<td>Project vehicle trip ends share of total vehicle trip ends, or Project vehicle and transit person trip ends share of total vehicle &amp; transit person trip ends.</td>
<td>Project vehicle trip ends share of total vehicle trip ends, or Project vehicle and transit person trip ends share of total vehicle &amp; transit person trip ends.</td>
<td>Project vehicle trip ends share of total vehicle trip ends, or Project vehicle and transit person trip ends share of total vehicle &amp; transit person trip ends.</td>
</tr>
</tbody>
</table>

\(^1\) TIS Guidelines refer to traffic impact study guidelines prepared by SANDAG and Caltrans to guide the preparation of traffic impact analyses for development projects.

\(^2\) "Total trip ends" may refer to either (1) total growth in trips or (2) total trips including existing trips, depending on how existing deficiencies and improvements to level of service, if any, are accounted for in mitigation measures.
Table 2.3: Evaluation of Regional Multimodal Analysis Alternatives

<table>
<thead>
<tr>
<th></th>
<th>Alternative 1</th>
<th>Alternative 2</th>
<th>Alternative 3</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Lead Agency Program (LAP)</td>
<td>Subregional Program (SP)</td>
<td>Regionwide Program (RP)</td>
<td></td>
</tr>
<tr>
<td><strong>Equity</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Similar Projects = Similar Impacts</td>
<td>2.0</td>
<td>3.0</td>
<td>1.0</td>
<td>RI^P least likely to incorporate differences in impacts across region.</td>
</tr>
<tr>
<td>Impacts Proportional To Project Size</td>
<td>2.0</td>
<td>2.0</td>
<td>2.0</td>
<td>All programs subject to same legal nexus requirements.</td>
</tr>
<tr>
<td>Adjust For Other Mitigations</td>
<td>2.0</td>
<td>2.0</td>
<td>2.0</td>
<td>All programs subject to same legal nexus requirements.</td>
</tr>
<tr>
<td>Average (weight = 2)</td>
<td>4.0</td>
<td>4.7</td>
<td>3.3</td>
<td></td>
</tr>
<tr>
<td><strong>Applicability</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Evaluate Impacts On All Modes</td>
<td>2.0</td>
<td>3.0</td>
<td>1.0</td>
<td>SP most effective because of geographic scope.</td>
</tr>
<tr>
<td><strong>Predictability</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rough Estimate By Project</td>
<td>1.0</td>
<td>3.0</td>
<td>2.0</td>
<td>SP most effective because of geographic scope. High variability with LAP</td>
</tr>
<tr>
<td>Forecast Total Mitigation</td>
<td>1.0</td>
<td>3.0</td>
<td>2.0</td>
<td>SP most effective because of geographic scope. High variability with LAP</td>
</tr>
<tr>
<td>Average</td>
<td>1.0</td>
<td>3.0</td>
<td>2.0</td>
<td></td>
</tr>
<tr>
<td><strong>Efficiency</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Minimize Project-level Analysis</td>
<td>1.0</td>
<td>3.0</td>
<td>2.0</td>
<td>SP most effective for U.S.2A streamlining because of geographic scope.</td>
</tr>
<tr>
<td>Minimize Regional Agency Analysis</td>
<td>3.0</td>
<td>1.0</td>
<td>2.0</td>
<td>SP requires multiple studies with periodic updates by regional agencies.</td>
</tr>
<tr>
<td>Consistency Among Regional Agencies</td>
<td>2.0</td>
<td>2.0</td>
<td>2.0</td>
<td>Regional agencies can pursue consistent methodology regardless of alternative.</td>
</tr>
<tr>
<td>Average (weight = 2)</td>
<td>4.0</td>
<td>4.0</td>
<td>4.0</td>
<td></td>
</tr>
<tr>
<td><strong>Transparency</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Clear Assumptions &amp; Methods</td>
<td>2.0</td>
<td>2.0</td>
<td>2.0</td>
<td>All programs have same potential to clearly document approach.</td>
</tr>
<tr>
<td><strong>Effectiveness</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Project Economic Feasibility</td>
<td>3.0</td>
<td>2.0</td>
<td>1.0</td>
<td>LAP best incorporates economic feasibility because of timing and scope.</td>
</tr>
<tr>
<td>Timely Mitigation</td>
<td>2.0</td>
<td>2.0</td>
<td>2.0</td>
<td>All alternatives have equal potential to ensure timely mitigation.</td>
</tr>
<tr>
<td>Average (weight = 2)</td>
<td>5.0</td>
<td>4.0</td>
<td>3.0</td>
<td></td>
</tr>
<tr>
<td><strong>Total Score</strong></td>
<td>18.0</td>
<td>20.7</td>
<td>15.3</td>
<td></td>
</tr>
</tbody>
</table>

The benefits of a sub-area or corridor approach are recognized in the RTP:

This corridor approach considers multiple facilities, modes, jurisdictions, and land uses. The objective is to select the most effective mix of strategies to improve mobility within a specific corridor.\(^{12}\)

The Subregional Program would more likely result in greater equity by determining the impact of all development within the sub-area in a comprehensive study. Other reasons that the Subregional Program ranked highest included:

- Impacts on multiple modes, particularly regional transit (bus and rail) needs, and the local feeder systems needed to serve regional routes.
- More predictable because a single transportation impact analysis would determine the mitigation requirements of development projects throughout the sub-area. A Regionwide Program is less likely to be as comprehensive an analysis of all components of the regional transportation system because of the broader geographic scale.\(^{13}\)

The major disadvantage of the Subregional Program is that it would require significant effort on the part of SANDAG and cooperating jurisdictions to conduct subregional studies and maintain those studies as land use and transportation conditions change over time.

The Lead Agency Program ranked second among the three alternatives. This alternative was most effective at maintaining project economic feasibility because project-by-project analysis can best adapt to changing market conditions, balancing the potential cost of mitigation with the economic feasibility of the development project. The disadvantage of this approach is that the cumulative effort across multiple project-level studies is probably greater than a single sub-area analysis.

The Regionwide Program ranked last among the three alternatives primarily because the wide geographic scope of the analysis would result in a loss of detail regarding regional transportation system impacts. The Regionwide Program would miss some mitigation measures because the measures would be too small to be captured by regionwide analysis. As a result, the Program ranked behind the other two alternatives on the following evaluation criteria:

- Equity: Lead agencies would determine certain regional transportation system impacts on a project-by-project basis, causing inequities when different mitigation measures are identified for projects with similar impacts.
- Applicability: Not all mitigation measures by mode (vehicles, transit) would be addressed.
- Effectiveness: Impacts on economic feasibility on a project-by-project basis would be difficult to evaluate.

\(^{12}\) San Diego Association of Governments (SANDAG), 2030 Regional Transportation Plan (2030 RTP) (adopted November 30, 2007), p. 6-35.

\(^{13}\) For example, countywide transportation modeling typically cannot adequately evaluate interchange and intersection impacts.
Recommendation

Based on this evaluation the best characteristics of the Subregional and Lead Agency Program alternatives were combined into a fourth alternative. The Technical Advisory and Stakeholders Working Groups emphasized the need for sensitivity to economic feasibility particularly in the current economic environment, a key advantage of the Lead Agency Program alternative. So the recommendation revised the Lead Agency Program alternative to include benefits of the Subregional Program. This new alternative is called the Local Agency Program. This alternative encourages the use of sub-area and corridor studies as they are completed by SANDAG (an ongoing effort under the RTP) to supplant the Lead Agency Program (see discussion under Step 3: Study Area in the next chapter).
3. Regional Multimodal Analysis

Introduction

SANDAG has invested significant resources developing tools for local agencies to use to improve mobility within the region. The Regional Multimodal Analysis builds on these existing tools to provide guidelines for:

- Identifying measures needed to mitigate the impacts on the regional transportation system caused by multiple development projects (as opposed to mitigation measures associated with only a single project); and
- Determining an approach to allocate responsibility for those mitigation measures across multiple development projects.

The Regional Multimodal Analysis is an enhancement of existing guidelines for traffic impact analysis (TIS) of development projects on the regional transportation system. These guidelines and related resources include:

- San Diego Association of Governments, Congestion Mitigation Strategies Research, December 2003, specifically the following work products:
  - Congestion Mitigation Strategies Toolbox (CMS Toolbox);
  - Trip Reduction Guidelines (Trip Reduction Guidelines); and
  - Trip Reduction Ordinance Framework (TRO Framework).

The Lead Agency is responsible for determining compliance with CEQA. The Lead Agency should consult the most recent edition of each of these documents for more guidance on specific steps of the Regional Multimodal Analysis. The Regional Multimodal Analysis relies primarily on SANDAG documents for specific methods and criteria. Differences with the current edition of the Caltrans TIS Guidelines (December 2002) are not significant.
Step 1: Project Screening

Traffic impact study guidelines typically screen out projects that are unlikely to generate a significant impact. Both the SANDAG and Caltrans TIS Guidelines contain project screening criteria. The Lead Agency should proceed with Step 2 if the auto vehicle trip generation of the Project meets one or more of the criteria listed below. Average percentage for transit, bicycle and pedestrian traffic can then be made based upon the overall trip generation anticipated by the project. The purpose of this initial step is to determine projects that might benefit or be subject to a Regional Multimodal Analysis, not to trigger additional CEQA analysis if not warranted. The criteria are based on the SANDAG TIS Guidelines.

- Greater than 1,000 average daily or 100 peak-hour trip ends if:
  - Project conforms to land use and transportation elements of the applicable general plan, specific, or community plan; and
  - The applicable general plan, specific, or community plan conforms to these guidelines for the analysis of regional transportation system impacts.

- Greater than 500 average daily or 50 peak-hour trip ends if Project does not conform to land use and transportation elements of the general plan or a specific plan.

- Equal to or greater than 20 peak-hour trips per day on an existing highway on- or off-ramp.

Project screening based on vehicle trip estimates requires assumptions of trip generation rates per unit of development. The SANDAG TIS Guidelines provide a detailed explanation of methods for estimating trip generation rates for development projects:

- First, the lead agency should consult the SANDAG TIS Guidelines to develop a preliminary estimate of trip generation based on rates from recognized local sources such as SANDAG’s (Not So) Brief Guide of Vehicular Traffic Generation Rates for the San Diego Region, or national sources such as Trip Generation, by the Institute of Transportation Engineers.

- Second, the Lead Agency should use anticipated rates for the percentage of multimodal trips (transit, pedestrian, bicycle) that would be anticipated based upon the overall trip generation for the proposed project. The Congestion Management Strategies (CMS) Toolbox and Trip Reduction Guidelines to reduce the preliminary estimate based on the characteristics of the Project that reduce auto trips such as transit-oriented design, transit-oriented locations, transportation demand management programs, and mixed use development may provide a guide for assessing the percentage of anticipated multimodal trips.

Step 2: Tiered Environmental Analysis

The Project may be able to rely on an existing program-level EIR for analysis of regional transportation system impacts. Before proceeding with a TIS for the Project the Lead Agency should determine if the Project is consistent with an existing program-level EIR such as the EIR for a general plan, specific plan, corridor plan, or other sub-area EIR. To
comply with CEQA and be consistent with the Regional Multimodal Analysis the program-level EIR must at a minimum have:

- Analyzed a land use plan that encompassed the size and location of the Project;
- Examined a reasonable range of alternatives to the adopted land use plan;
- Provided information about the potential environmental impacts of development on the regional transportation system facilities with the Project study area (Step 3);
- Analyzed transit system impacts on the regional transportation system if appropriate (Step 4); and
- Identified measures to mitigate significant environmental impacts on the regional transportation system (Step 5).

If the program EIR does not identify the cost of mitigation measures (Step 6) and provide a methodology for allocating mitigation costs to the Project (Step 7) then the Lead Agency will need to conduct those steps as part of a project-level environmental analysis.

If the analysis of regional transportation system impacts is not going to tier off of an existing program-level EIR then the Lead Agency should proceed with a TIS for the Project as described in the following steps.

Step 3: Study Area

This step addresses (1) the regional transportation system facilities included in the Regional Multimodal Analysis, and (2) the boundaries of the TIS study area.

Regional Transportation System

The Regional Transportation Plan (RTP) defines regional transportation investment priorities for the region. However, the RTP analysis focuses on overall corridor mobility and so lacks detailed investment programs for the more fine-grained components of the network such as local interchanges, intersections, arterials, and local transit service. To adequately identify environmental impacts on the regional transportation system the TIS should include evaluation of the following facilities:

1. Those segments of state highways to be improved in the currently adopted RTP;
2. Interchanges along segments included in (1);
3. Transit systems to be improved in the currently adopted RTP;
4. Transit systems providing feeder service to (3); and
5. SANDAG regional arterial system.

Boundaries of Study Area

The TIS study area should be based on the area of influence of the Project on the regional transportation system. Based on the SANDAG TIS Guidelines that area is defined as:

- All regional transportation system segments and intersections where the proposed project will add 50 or more peak-hour trips in either direction to the existing roadway traffic.
All freeway entrance and exit ramps where the proposed project will add a significant number of peak-hour trips to cause any traffic queues to exceed ramp storage capacities.

The Lead Agency could use the current SANDAG transportation forecasting model (currently TransCAD) to identify segments affected by the Project. The study area could be based on the extent of affected segments. More refined analysis of intersections and freeway ramps could follow as part of the transportation modeling developed specifically for the TIS (see Step 4).

Strict application of the SANDAG TIS Guidelines may result in a study area that is too limited for effective regional transportation system planning. Geographic analysis of regional transportation system impacts at the sub-area or corridor level is preferred. The sub-area or corridor level of analysis typically provides the most reasonable balance between the identification of specific project impacts and the development of a comprehensive plan for mitigating the impacts of growth on the regional transportation system.

The RTP identifies areas for sub-area and corridor analysis. For the purposes of the current study the status of these analyses was compiled and is shown in Figure 3.1 and Table 3.1 on the following pages. The table also lists Caltrans reports that are useful inputs to corridor studies. Both the corridor and Caltrans studies focus on major highways within each corridor, major transit routes, and parallel roadway routes. However, the completed corridor studies listed in Table 3.1 may not evaluate all regional transportation system facilities within the corridor.

Step 4: Project Impacts

Identifying impacts of the Project requires:

- Defining the transportation analysis scenarios;
- Determining how to address transit impacts;
- Conducting transportation impact analysis; and
- Determining thresholds of significance.

Transportation Analysis Scenarios

Both the SANDAG and Caltrans TIS guidelines contain fairly consistent definitions of the transportation analysis scenarios to be evaluated. With regard to the Regional Multimodal Analysis, the focus is on cumulative scenarios because a longer horizon is more likely to capture all the regional transportation system mitigation measures needed within a corridor or sub-area. As stated in the SANDAG TIS Guidelines the horizon year for the cumulative scenario should have a horizon of at least 20 years.

In addition, for those regional transportation facilities to be improved with mitigation measures (see Step 5) data regarding level of service or other applicable performance measures (see Step 7) will be needed for the following four scenarios:

---

1. Existing conditions (near the time of approval of the Project);
2. Existing conditions plus the Project;
3. Future conditions at the planning horizon with cumulative development but without the mitigation measure; and
4. Future conditions at the planning horizon with cumulative development and with the mitigation measure.
Figure 3.1: San Diego Region Corridor Study Areas
Table 3.1: SANDAG Corridor Studies and Caltrans Reports

<table>
<thead>
<tr>
<th>Status / Title</th>
<th>Completion Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Completed Corridor Studies</td>
<td></td>
</tr>
<tr>
<td>Rural Highway 94 Corridor Study</td>
<td>Jan. 2001</td>
</tr>
<tr>
<td>SR 67/125 Corridor Study</td>
<td>Jun. 2002</td>
</tr>
<tr>
<td>I-5 Central Corridor Study</td>
<td>Jun. 2003</td>
</tr>
<tr>
<td>I-805/I-5 Corridor Study</td>
<td>Jun. 2005</td>
</tr>
<tr>
<td>I-5 South Corridor Study</td>
<td>December 2010</td>
</tr>
<tr>
<td>I-805 Corridor System Management Plan</td>
<td>May 2010</td>
</tr>
<tr>
<td>I-5 North Coast Corridor System Management Plan</td>
<td>Jun. 2010</td>
</tr>
<tr>
<td>Corridor Studies In Process</td>
<td></td>
</tr>
<tr>
<td>SR 78 Corridor Study</td>
<td>Jun. 2012</td>
</tr>
<tr>
<td>Future Corridor Studies</td>
<td></td>
</tr>
<tr>
<td>I-8 Corridor Study</td>
<td>TBD</td>
</tr>
<tr>
<td>Caltrans Reports</td>
<td></td>
</tr>
<tr>
<td>I-5 South Project Study Report</td>
<td>May 2011</td>
</tr>
</tbody>
</table>

Source: SANDAG.

Transportation Impact Analysis (TIS)

The SANDAG and Caltrans TIS Guidelines provide substantial direction with regards to transportation impact analysis including:

- Trip generation;
- Traffic counts;
- Peak hour analysis;
- Transportation modeling; and
- Transportation impact methodologies.

The Lead Agency should consult the latest edition of these guidelines for direction.

For the Regional Multimodal Analysis the Lead Agency should explicitly consider the role that transit services, both current and planned, will play in serving the Project, particularly in the more urban areas. If transit will have the capacity to accommodate a seven percent or more share of work trips then the Lead Agency should explicitly evaluate the impact of the
Project on the need for transit services. Simply identifying transit services as a mitigation measure without analyzing direct impacts on the need for expanded services is not adequate for a multimodal analysis. The Lead Agency should provide a rationale if transit impacts are not explicitly analyzed.

**Thresholds of Significance**

Selecting the appropriate thresholds to determine significant impacts on the regional transportation system is a critical step in any environmental analysis. Under CEQA the Lead Agency selects thresholds appropriate for its community.

Historically lead agencies have focused on auto vehicle congestion metrics because of the high level of auto mode share in most areas. This focus typically exemplified by the use of “level of service” measures is now expanding to other transportation system metrics, particularly in urban areas, as:

- Auto congestion has surpassed significance thresholds; and
- Economic and environmental constraints limit the expansion of highway and roadway systems.

Work is underway in the State to develop a broader palette of impact metrics to incorporate multimodal mobility. Multimodal mobility is the capacity of the transportation system to accommodate person trips across all modes: auto, transit, bicycle, and pedestrian. Recent revisions to the State’s CEQA Guidelines reduce the current emphasis on measures of vehicle congestion. The upcoming 2010 Highway Capacity Manual is anticipated to include substantially more guidance on the analysis of impacts on transit and other modes.

The Lead Agency may follow adopted thresholds in applicable environmental documents (EIRs) for general or specific plans if those thresholds address regional transportation system impacts. Otherwise, the SANDAG TIS Guidelines provide direction with regard to thresholds for vehicle impacts on highways, roadways, intersections, and freeway ramps. However, the Guidelines provide little direction with regards to transit impacts. If the Lead Agency needs to analyze transit impacts (see Transportation Impact Analysis, above) and local EIRs provide insufficient direction, then the Agency should seek other sources such as the Caltrans TIS Guidelines and the Highway Capacity Manual.

**Step 5: Mitigation Measures**

The Lead Agency must adopt all feasible mitigation for significant impacts on the regional transportation system. The SANDAG TIS Guidelines include a brief discussion of alternative approaches to mitigation. Sources for mitigation measures include:

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15 The seven percent mode share criterion is based on the current (2006) work trip transit mode share of 6.4 percent rising to 7.3 percent under the RTP’s Reasonably Expected scenario in 2030. See SANDAG, 2030 RTP, Table 2-3, p. 2-7.

16 California Resources Agency, *Adopted Text of SB97 CEQA Guidelines Amendments*, revisions to California Code of Regulations, Title 14, Division 6, Chapter 3, Article 20, Appendix G (see new Section XVI(a) regarding transportation).
- SANDAG Regional Transportation Plan, Regional Transportation Improvement Program, and Short Range Transit Plan (including improvements associated with projects referenced in those plans even if not specifically described);
- SANDAG Corridor Studies and Corridor System Management Plans (see Table 3.1);
- Caltrans Transportation Concept Reports and Project Study Reports (see Table 3.1).
- SANDAG CMS Toolbox and TRO Framework;
- General plan circulation elements, specific plans, and project-level CEQA documents;
- Additional mitigation measures developed specifically for the Project, including interim measures required to mitigate near-term impacts prior to completion of final measures anticipated by the end of the planning horizon; and
- Alternative designs of the Project to avoid or reduce impacts.

Mitigation measures for regional transportation system impacts should be drawn from adopted local and regional transportation plans. Measures may also be reasonable extensions or phases of measures summarized in adopted plans, for example freeway improvements related to interchanges, auxiliary lane, and ramps. Measures should not represent new regional transportation system investments that have not been properly vetted through a prior regional transportation planning process.

**Mitigation Measure Timing**

A common challenge for the identification of feasible mitigation measures on the regional transportation system is the need to implement measures within a reasonable period of time. Through the RTP, regional transportation system improvements are planned decades in advance of their construction. Improvements are not specifically programmed with identified funding and an implementation schedule until they fall within the five-year window of the current Regional Transportation Improvement Program (RTIP). If a mitigation measure falls outside of the current adopted five-year RTIP, the Lead Agency should work cooperatively with SANDAG and Caltrans to attempt to identify a reasonable implementation schedule and funding plan for the measure. The ability of the Project to provide a fair share contribution to the mitigation measure may prompt the reprioritization of existing funds and enable implementation of the mitigation measure within a reasonable period of time.

**Planning Studies**

Another common challenge for the identification of feasible mitigation measures is the lack of current planning studies of specific regional transportation system components. These planning studies include Corridor Studies, Project Study Reports, and the other studies listed.

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17 The RTIP is prepared by SANDAG and is the region’s short-term five-year programming document for regional transportation projects. The RTIP must be consistent with the RTP.
in Table 3.1. Unlike a Project-level TIS, these planning studies can focus on a specific component of the regional transportation system, evaluate a range of alternatives, and recommend a preferred approach to mitigating cumulative impacts. These planning studies are often needed as input to a Project-level TIS to provide a feasible approach to mitigating Project impacts.

If a needed transportation improvement lacks the necessary planning to be evaluated as a mitigation measure, the Lead Agency should identify the scope, budget, and funding plan needed to complete the planning study in consultation with SANDAG and Caltrans. The Lead Agency could impose as a condition of approval that the Project fund its fair share of study costs. Though such a condition may not constitute a mitigation measure under CEQA, funding planning studies in this manner may be the most effective method to identify mitigation measures needed by future development projects.

**Step 6: Local Share**

The Project’s fair share contribution toward regional transportation system mitigation measures should be based on the Local Share for the planned improvement. Most regional transportation system improvements are funded with a combination of federal, state, and local funds. Many of the state and federal funding sources specify a minimum share of the total of an improvement that must be funded with local sources. The Local Share typically ranges from 10 to 20 percent, but may be as high as 100 percent for improvements that are not eligible for state or federal funds. In most cases fair share contributions to regional transportation improvements by development projects can leverage substantial state and federal funding through these funding formulas.

The Local Share is that portion of the total cost of a mitigation measure that is reasonably foreseeable to require funding from local revenue sources. Local Share is defined by the equation in **Figure 3.2**. Terms used in the equation are defined in the following sections.

**Figure 3.2: Local Share**

\[
\text{Local Share} = \text{Total} - \text{Reasonably Foreseeable State and Federal Funding}
\]

Estimates of funding for all mitigation measures should represent current dollars as of the date of the Project TIS. Clearly identifying the date of the estimate will facilitate updates for inflation if necessary following publication of the TIS.

**Local Share**

Local Share is that portion of the total mitigation measure that is reasonably foreseeable to require funding from local revenue sources. Local revenue sources include:

- Local sales taxes dedicated to transportation such as TransNet;
Local agency funding including local gas tax subventions, developer fees and contributions administered by local agencies, local general funds, and Prop. 42 funds;

- Local privatization/toll revenues such as the State Route 125 private toll road project; and

- Transportation Development Act (TDA) funds that are administered locally (one-quarter cent of the sales tax primarily dedicated to transit operating and capital purposes).\(^{18}\)

**Total Cost**

To estimate the Total Cost of the mitigation measure the Lead Agency should develop a description of the measure with sufficient detail to develop a conceptual-level cost estimate. A planning-level cost estimate is developed during the early phase of a project to compare costs of various technically feasible alternatives.\(^{19}\) Planning-level cost estimates should be based on preliminary understanding of the scope of the mitigation measure and typically include:

- Unit cost line items: Costs based on quantities representing the size of the mitigation measure. Quantities are multiplied by the estimated cost per unit to calculate the total line item cost. For example: (number of lane-miles x cost per lane mile = lane-mile costs). The cost per unit may be a lump sum cost representing a single cost estimate for a specific line item.

- Percent cost line items: Costs that are typically correlated with unit costs. Percent costs typically include “soft” costs such as design, engineering, environmental clearance, and project management. For example: (total unit costs x X% = design & engineering costs). Percent costs also include a contingency based on the degree of uncertainty in the overall cost estimate.

The Lead Agency should consult documents that may already have a cost estimate for the mitigation measure, including:

- SANDAG RTP and RTIP;

- Corridor plans, general plans, and other sub-area transportation plans; and

- Local agency capital improvement plans.

**Reasonably Foreseeable State and Federal Funding**

Reasonably Foreseeable State and Federal Funding is funding that can reasonably be expected within the planning horizon of the cumulative scenario from state and federal funding sources. Regional and state transportation planning agencies such as SANDAG and Caltrans routinely estimate reasonably expected funding levels by revenue source to provide a rational basis for policy planning and project programming.

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The Lead Agency should review adopted regional transportation plans such as the RTP and the RTIP, and work with SANDAG and Caltrans for guidance in developing estimates of Reasonably Foreseeable State and Federal Funding for the mitigation measure. Methods for determining Reasonably Foreseeable State and Federal Funding include:

- Applying the minimum local cost share required by the state and federal funding source(s) for which the mitigation measure would be eligible (see the Caltrans publication, *Local Agency Program Guidelines*, for a summary of all state and federal funding requirements)*;*
- Applying the average local cost share currently programmed for similar transportation improvement projects based on the current adopted RTIP; or
- If the mitigation measure is a programmed improvement project in the RTIP, applying the local cost share applicable to the project.

**Step 7: Fair Share Allocation**

The fair share allocation of the Local Share for a mitigation measure should be roughly proportional to the impact of the Project (“rough proportionality”). Mitigation measures associated with a regional transportation system typically are on routes that currently accommodate travel demand from existing development. Consequently, to assure rough proportionality the Lead Agency should determine whether or not existing development would benefit from the mitigation measure.

Whether or not existing development would benefit from the mitigation measure depends on a comparison of transportation system performance between:

- Existing conditions without the Project (“existing condition”); and
- Future conditions at the planning horizon with cumulative development and with the mitigation measure (“cumulative scenario”).

Existing development would not benefit from the mitigation measure as long as the measure would not improve transportation system performance under the cumulative scenario compared to existing conditions. Even if existing conditions were deficient (an “existing deficiency”), if the mitigation measure under the cumulative scenario would not improve performance above existing conditions then existing development would not benefit.

If existing development would not benefit from the mitigation measure then the Local Share should be allocated across all growth to determine the Project’s fair share. If existing development would benefit from the mitigation measure then the Local Share should be allocated across existing development and growth to determine the Project’s fair share. Thus, there are two alternative formulas for calculating the fair share allocation:

- **Alternative 1:** The Project’s fair share allocation is based on the Project’s share of the total growth in travel demand if the mitigation measure would not improve existing performance of the transportation facility at the planning horizon (based on level of service or other applicable performance measure).

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20 Available at [http://www.dot.ca.gov/hq/LocalPrograms/lam/lapg.htm](http://www.dot.ca.gov/hq/LocalPrograms/lam/lapg.htm).
Alternative 2: The Project’s fair share allocation is based on the Project’s share of total travel demand (existing plus growth) if the mitigation measure would improve existing performance of the transportation facility at the planning horizon (based on level of service or other applicable performance measure).

The calculation of the Fair Share Allocation for the Project is shown below by the equations in Figures 3.3 and 3.4. The only difference between the two formulas is whether the fair share allocation is based on the Project’s share of the growth in trips (Alternative 1) or the Project’s share of total trips (Alternative 2). Terms used in the equations are defined in the following sections. A numerical example follows each equation.

**Figure 3.3: Fair Share Allocation Alternative 1**

<table>
<thead>
<tr>
<th>No Improvement in Level of Service</th>
<th>Project Fair Share Allocation = ( \frac{\text{Project Trips Growth}}{\text{In Trips}} ) X ( \frac{\text{Local Share}}{\text{Other Local Funding}} )</th>
</tr>
</thead>
<tbody>
<tr>
<td>Existing LOS = D Future LOS = D</td>
<td>$100,000 = \frac{1,000}{100,000} \times \frac{10\text{ mil.}}{0} \longleftrightarrow \frac{100,000}{10\text{ mil.}} \times \frac{0}{0}</td>
</tr>
</tbody>
</table>
Project Fair Share Allocation

The Project Fair Share Allocation is that share of the Local Share of the mitigation measure represented by the impact of the Project.

Project Trips

Project trips are the auto vehicle trips generated by the Project and estimated for Step 1, unless transit impacts are included in the transportation impact analysis (see Step 4). Use vehicle and transit person trips if transit impact analysis is included. The Lead Agency should consider using select link data from a travel demand model to isolate the estimated number of trips generated by the Project on the specific transportation facility to be improved with the mitigation measure. In calculating Project Trips, Growth In Trips, and Total Trips of trips the Lead Agency should be consistent in either using trips or trip ends throughout the analysis.

Growth In Trips

Growth in Trips is the total growth in trips generated by the Project plus all other development that would impact the need for the mitigation measure, excluding development that has already been approved but not constructed. Use the same trip generation methodology and rates used to calculate Project Trips.

Total Trips

Total Trips is the sum of the following three trip end estimates:

2. Trips from existing development, including development that has been approved but not constructed at the time of Project approval for the same geographic area used to calculate Growth in Trips.
3. Trips at the planning horizon that may benefit from the mitigation measure but that start and end outside the geographic area used to calculate Growth in Trips. These trips are commonly referred to as “external” trips.

For each estimate above use the same trip generation methodology and rates used to calculate Project Trips.

Local Share

See Step 6 above for calculation of Local Share.

Other Local Funding

Other Local Funding dedicated to the mitigation measure may reduce the Local Cost Share. The Local Share should be reduced for local funding that is non-discretionary such as existing development impact fee programs that would fund the mitigation measure. These programs include, for example, the many existing city and county transportation impact fee programs, as well as the Regional Transportation Congestion Improvement Plan (RTCIP) developer impact fee required by the TransNet sales tax extension approved by voters in 2004. The Local Share may be reduced for local funding that is discretionary such as gas taxes, general funds, and certain TransNet funds.
Step 8: Economic Feasibility

The Lead Agency should adopt a Project Fair Share Allocation only if it is economically feasible. As defined by statute, economic feasibility means that the mitigation measure funded by the Project Fair Share Allocation is “capable of being accomplished in a successful manner within a reasonable period of time taking into account economic…factors.” 

Conclusion

The Lead Agency must impose all feasible mitigation measures as conditions of project approval. The Lead Agency could rely on one of the following three approaches, or a combination of approaches, if it requires mitigation by Project:

- **Upfront Mitigation.** The Project could provide its fair share allocation prior to issuance of a building permit for the Lead Agency to hold in reserve until implementation of the mitigation measure.

- **Incremental Mitigation.** The Project could provide its fair share allocation incrementally over time for the Lead Agency to hold in reserve based on the estimated implementation date of the mitigation measure.

- **Trigger Point Mitigation.** The Project could provide the fair share allocation in a lump sum at the time the mitigation measure is implemented.

For the two approaches that defer the allocation (Incremental and Trigger Point) several additional considerations apply. First, the allocation should be adjusted annually based on a formula to reflect cost inflation. Second, the Lead Agency should use a credit instrument to secure the allocation. Private development projects could use a special assessment or special tax lien placed on the Project. Development projects by public agencies would require legislative authorization and therefore may have to rely on a memorandum of understanding or similar instrument.

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21 California Public Resources Code, Section 210061.1.

This study represents the initial effort by SANDAG to develop a consistent methodology for determining the fair share of development project impacts on the regional transportation system. Consequently, this methodology may need to be adjusted as SANDAG, Caltrans, and local agencies gain experience with its implementation. The following recommendations should assist SANDAG in this effort.

- **Transit performance:** Development impacts are likely to increase on transit systems as transit plays an increasing role in providing mobility in the region. The current SANDAG TIS Guidelines do not address transit performance by defining level of service or other applicable performance measure. The next update to the SANDAG TIS Guidelines should address transit performance measures to assist Lead Agencies in evaluating transit impacts.

- **Subregional studies and CEQA streamlining:** The analysis that led to the Regional Multimodal Analysis Study determined that the subregional area of analysis is the most effective for determining development impacts on the regional transportation system. In addition, subregional studies have the potential to streamline the CEQA process and lower costs to development. Consequently, SANDAG should continue to conduct subregional transportation studies in cooperation with affected state and local agencies. SANDAG should, to the greatest extent feasible, conduct those studies in a manner so that they provide CEQA streamlining benefits to development projects, such as by completing a program EIR on proposed mitigation projects to streamline the analysis of regional transportation system impacts at the project level (see Step 2 of the Regional Multimodal Analysis).

- **Monitor implementation:** SANDAG should monitor implementation of the Regional Multimodal Analysis through its existing IGR process. SANDAG should track the use of the methodology across multiple development projects to identify changes that would better meet the study objectives explained in the *Introduction* of equity, efficiency, and effectiveness.

- **TIS Guidelines:** SANDAG should seek funding to formally update the TIS guidelines to incorporate recent studies.

The County of San Diego provided additional recommendations for future study. Additional work is needed to fully develop a Local Agency approach in the region. This document also identifies the steps needed to develop and implement a local agency approach throughout the region. These steps include the following:

- Identification of a multimodal analysis study area

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23 Taking the additional step in a corridor study to develop a programmatic CEQA document to streamline environmental analysis of individual development projects could significantly increase the scope and budget for these studies.
• Identification of development projects that may benefit from a regional multi-modal transportation analysis
• Preparation of corridor studies
• Identification of multimodal corridor improvements
• Identification of potential multimodal improvements and measures
• Identification of feasible mitigation measures
• Development of cost sharing programs

Until a complete Local Agency Program for Regional Multimodal Analysis is developed or established for a specific corridor or corridors, multimodal transportation analysis may be prepared and reviewed on a project by project basis. This document, however, may serve as a tool that local jurisdictions, traffic engineers and transportation planners may use to prepare multimodal transportation analysis to identify and evaluate the potential for additional multimodal mitigation measures for consideration.
Appendix A: Caltrans TIS Guidelines

The following report provides Caltrans guidelines for the preparation of traffic impact studies that was current at the time of this report’s production. Consult Caltrans for the most recent edition of these guidelines.
Appendix B: SANDAG TIS Guidelines

The following report provides SANDAG guidelines for the preparation of traffic impact studies that was current at the time of this report’s production. The guidelines were last published as Appendix D of the 2008 Final Congestion Management Program Update. Consult www.sandag.org/cmp for the most recent edition of these guidelines.
PROPOSITION 1B CORRIDOR MOBILITY IMPROVEMENT ACCOUNT PROGRAM STATUS, FUNDING OPPORTUNITY, AND BUDGET AMENDMENT

Introduction

In November 2006, California voters approved Proposition 1B, a $19.9 billion transportation infrastructure bond measure that provides funding for highways, transit, and local streets and roads, among other transportation programs. One of these programs, the Corridor Mobility Improvement Account (CMIA), set aside $4.5 billion statewide and was established as a competitive program for the purpose of focusing resources on highly congested freeway corridors. This report provides a summary of the CMIA program in the San Diego region and includes a recommendation to fund the Interstate 5 (I-5)/Genesee Avenue Interchange and Widening project.

Discussion

Successful Competition for CMIA Funds

The San Diego region has been highly successful in securing CMIA funds for the region. Of the $4.5 billion CMIA funds available, pursuant to state law Southern California receives 60 percent of total funding, or $2.7 billion (similar to North/South split for the State Transportation Improvement Program [STIP]). Of this amount, the San Diego region has been able to obtain nearly 22 percent of the funds, in excess of the region’s share of 12 percent on a STIP formula basis. Table 1 below summarizes the $589 million associated with this program that has been identified for the San Diego region and a brief status of each regional project that is receiving CMIA funds.

Recommendation

The Transportation Committee recommends that the Board of Directors: (1) approve funding the Interstate 5/Genesee Avenue Interchange and Widening project with up to $56.3 million in TransNet funds, to fully fund this $94.1 million nearly ready-to-go project in partnership with the City of San Diego and Caltrans; (2) authorize the Executive Director to enter into any agreements reasonably necessary to carry out the project, including but not limited to cooperative or other agreements with other project participants; and (3) amend the FY 2012 Budget to add this project, as shown in Attachment 1.

File Number 1500000
Table 1. Funds Associated with CMIA Program for San Diego Projects

<table>
<thead>
<tr>
<th>Project</th>
<th>Amount ($millions)</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. I-5 High-Occupancy Vehicle (HOV) Lanes/Lomas Santa Fe Interchange</td>
<td>$24.5</td>
<td>Opened to traffic in early 2009. First CMIA project in the state to begin construction</td>
</tr>
<tr>
<td>2. I-805 Southbound Widening (State Route 54 (SR 54) to Bonita Road)</td>
<td>$16.8</td>
<td>Opened to traffic in early 2011</td>
</tr>
<tr>
<td>3. I-15 Express Lanes (South)</td>
<td>$350.0</td>
<td>Opened to traffic in mid-2011</td>
</tr>
<tr>
<td>4. I-805 HOV Lanes (Carroll Canyon Road to SR 52)</td>
<td>$57.5</td>
<td>Planned as a design-build project with advertisement of solicitation anticipated in late 2011</td>
</tr>
<tr>
<td>5. I-15 Direct Access Ramp and Transit Station (Mira Mesa/ Scripps Ranch Area)</td>
<td>$40.2</td>
<td>Advertisement anticipated in early 2012</td>
</tr>
<tr>
<td>6. I-805 HOV Lanes (Palomar Street to SR 94)</td>
<td>$100.0</td>
<td>Advertisement anticipated in early 2012</td>
</tr>
<tr>
<td>Total</td>
<td>$589.0</td>
<td></td>
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</table>

Note: 1. Although the funds for the I-805 Southbound Widening (SR 54 to Bonita Road) are from the State Highway Operations Preservation Program, they were secured for the region through negotiations with California Transportation Commission as part of the CMIA program.

All of the projects listed above are part of the TransNet Early Action Program (EAP). As a reminder, the TransNet program strives to leverage its sales tax funds with other local, state, and federal funds to achieve an overall 50/50 ratio. In the case of the projects listed above, the construction phase was funded almost exclusively with CMIA funds, thereby allowing the initial development of other TransNet-eligible projects to be added to the EAP. In July 2010, the Board of Directors approved a robust TransNet Plan of Finance, which includes additional projects in the coastal rail corridor, I-805 widening from Carroll Canyon Road to State Route 52 (SR 52) and from Palomar Street to SR 94, and improvements at I-5 and SR 78, among others.

The latest CMIA-related actions are to work with the California Transportation Commission (CTC) to program the $100 million that was identified by the CTC in June 2011 for the I-805 high-occupancy vehicle (HOV) lanes between Palomar Street and SR 94 at the October CTC meeting.

Funding Opportunity

At this time, there is an opportunity to leverage state and local funds with TransNet funds to fund the I-5/Genesee Avenue Interchange and Widening project. This project would reconstruct the interchange at I-5 and Genesee Avenue, and widen I-5 between Genesee Avenue and Sorrento Valley Road to the north with a southbound auxiliary lane, thereby providing significant congestion relief at this location. The reconstruction of the interchange would replace the existing bridge with a wider bridge to accommodate six through lanes on Genesee Avenue, and more importantly, make the bridge longer to accommodate the future HOV lanes that are part of the TransNet program. The project also would construct some of the retaining walls that would be needed as part of the future HOV lanes project.
This $94.1 million project is environmentally cleared and is anticipated to be ready to advertise for construction within a year in early fall 2012. To date, Caltrans has committed nearly $13 million, the City of San Diego and local property owners have committed approximately $23.8 million, and the TransNet Environmental Mitigation Program (EMP) will provide a $1 million contribution toward mitigation, for total commitments of nearly $37.8 million. The current shortfall for the project is approximately $56.3 million. It is proposed that the regional funds previously identified for the improvements at I-805 between I-5 and SR 52 (associated with Project #4 in Table 1 above), which were subsequently replaced first with American Recovery and Reinvestment Act and then with CMIA, be redirected to this nearly ready-to-go project.

Funding of this TransNet-eligible project would be consistent with SANDAG policy to focus its funding on projects that are ready-to-go. A review of regional TransNet-eligible projects finds this project to be the next in line in terms of project readiness. Some of the projects and corridors reviewed included those on the I-805 corridor, the I-5 North Coast Corridor, and the SR 94/SR 125 Interchange project that have been started but are not at the same level of readiness. This project will complete some of the work that will be required as part of the ultimate widening of the I-5 North Coast Corridor, which is currently in the environmental phase. In addition, it will provide congestion relief and improved access to several of the region's major employment, hospital, commercial, and activity centers, including Sorrento Valley; the University of California, San Diego campus; the Torrey Pines biotechnology research and development area; and the Westfield University Towne Centre shopping mall. The funding recommendation is summarized below in Table 2:

**Table 2. I-5/Genesee Avenue Interchange and Widening Funding Plan**

<table>
<thead>
<tr>
<th>Source</th>
<th>Amount</th>
<th>Status</th>
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</thead>
<tbody>
<tr>
<td>City of San Diego and Local Property Owners</td>
<td>$23.8</td>
<td>Committed</td>
</tr>
<tr>
<td>Caltrans</td>
<td>$13.0</td>
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<td>SANDAG TransNet EMP Program</td>
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<td>SANDAG TransNet Major Corridor Program</td>
<td>$56.3</td>
<td>Recommended</td>
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<td>Total</td>
<td>$94.1</td>
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Although an analysis of the TransNet Plan of Finance will not be updated until later this fall, the replacement of $57.5 million in TransNet funds on the I-805 HOV Lanes project (Project #4 in Table 1) with CMIA funds as noted above means that the addition of up to $56.3 million for the I-5/Genesee project to the Plan of Finance is nearly a dollar-for-dollar exchange and would not result in additional financing demands. If other state or federal funds become available from lower than anticipated construction bids, staff will propose replacing the TransNet funds with those funds to reduce the TransNet amount, but the overall budget for the project would remain unchanged.

If approved, the SANDAG FY 2012 Budget would be amended to include the Capital Improvement Program for the project as shown in Attachment 1.

This CMIA program status and funding opportunity for the I-5/Genesee Avenue Interchange and Widening project was presented to the Independent Taxpayer Oversight Committee (ITOC) at its September 14, 2011, meeting. The ITOC members agreed with the staff recommendation and supported efforts to deliver projects that are ready-to-go.
**Next Steps**

Pending approval of this proposal, an agreement between the City of San Diego, Caltrans, and SANDAG would be developed to memorialize the respective responsibilities of the parties relative to the I-5/Genesee Avenue Interchange and Widening project. The 2010 Regional Transportation Improvement Program also would be amended at the next opportunity to reflect the programming change.

GARY L. GALLEGOS
Executive Director

Attachment: 1. I-5/Genesee Avenue Interchange and Widening CIP

Key Staff Contact: José A. Nuncio, (619) 699-1908, jnu@sandag.org
**PROJECT DESCRIPTION**

Reconstruction of I-5 Genesee Interchange to accommodate the City's east-west traffic needs and accommodate the regions' I-5 North Coast Corridor Project.

**PROJECT FEATURES**

New longer and wider Genesee Bridge, construction of retaining walls, construction of type 1 bicycle facility between Voigt and Sorrento Valley Road.

**SITE LOCATION**

**PROGRESS TO DATE**

Final Environmental Document was completed in June 2011. Design is 30% complete.

**MAJOR MILESTONES**

- Draft Environmental Document: Nov-10
- Final Environmental Clearance: Jun-11
- Ready to Advertise: Oct-12
- Begin Construction: Mar-13
- Open to Public: Mar-15
- Close-Out: Jul-17

**SANDAG EXPENDITURE PLAN ($000)**

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**SANDAG FUNDING PLAN ($000)**

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### FUNDING PLAN - TOTAL PROJECT ($000)

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<td>$849</td>
<td>$25</td>
<td>$0</td>
<td>$0</td>
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</table>

***$1M from the Environmental Mitigation Program has been used to early mitigate this project, this expense is included in CIP 1200200. Also, $963,000 in TransNet Major Corridor funds are programmed in the 2010 RTIP under the City of San Diego’s I-5/Genesee project, RTIP ID SD103.***
DRAFT 2050 REGIONAL TRANSPORTATION PLAN
PROPOSED ADOPTION SCHEDULE

File Number 3100500

Introduction

On April 22, 2011, the SANDAG Board of Directors accepted the Draft 2050 Regional Transportation Plan (RTP) and its Sustainable Communities Strategy (SCS) for public distribution and comment. The public comment period for the Draft 2050 RTP and its SCS closed on July 8, 2011. The Draft 2050 RTP/SCS Environmental Impact Report (EIR) was released for public comment on June 7, 2011, and its public comment period closed on August 1, 2011.

At its meeting on September 16, 2011, the Board of Directors reviewed the summary of comments and proposed changes to the Draft 2050 RTP and its SCS and accepted the proposed modifications, as recommended by the Transportation Committee. The accepted changes will be incorporated into the Final 2050 RTP and its SCS, and evaluated in the Final EIR, prior to Board adoption scheduled on October 28, 2011.

Discussion

California Air Resources Board (CARB) Meeting

On September 22, 2011, CARB heard an informational report on the SANDAG Draft SCS and an update on SCS development in other regions in California. The CARB staff reviewed the Draft SCS and focused on the technical aspects of the regional modeling and analyses that support the quantification of the greenhouse gas (GHG) reductions anticipated from implementation of the 2050 RTP/SCS. CARB staff concluded that both the 2020 and 2035 GHG reduction targets would be met with SCS implementation. If the SANDAG Board of Directors were to approve the Draft SCS, the CARB Board acknowledged its Executive Director could then accept the SANDAG finding that implementation of the 2050 RTP/SCS would meet the targets. Any modifications to the Draft SCS will be reviewed by CARB to determine the impact on GHG emissions.

Based on comments provided at the CARB meeting, RTP implementation actions for developing an Early Action Program for Active Transportation and a regional Complete Streets policy have been strengthened (Chapter 6, System Development). In addition, an implementation action was revised to clarify that alternative land use scenarios will be evaluated as part of the next Regional Comprehensive Plan update. Finally, an action was added to continue to make enhancements to travel demand models to improve estimates of GHG and vehicle miles traveled.
SANDAG received 22 letters of comment on the Draft 2050 RTP/SCS EIR, including four letters that were received after the comment period deadline. Responses to the Draft EIR comments will be provided in the Final EIR and presented to the Board at its October 28, 2011, meeting. In accordance with the California Environmental Quality Act, all responses to public agencies will be provided 10 days prior to the October 28, 2011, meeting. Attachment 1 lists the agencies, organizations, and individuals that submitted comment letters on the Draft 2050 RTP/SCS EIR.

Among the EIR comment letters received, several themes emerged where various commenters raised similar issues. To address these themes and to assist in the review of the information, SANDAG is developing 23 Master Responses that provide detailed information to address the issues raised. SANDAG also provided additional information to the specific comment letters where nuanced issues were not covered in the Master Responses. In addition to the Master Responses, SANDAG also provided responses to the individual comments, as is customary practice. The Master Responses will address the following issues:

- Impact Analysis and Mitigation Measures
- Draft EIR GHG Analysis: Relationship to Senate Bill 375 (Steinberg, 2008) (SB 375), Assembly Bill 32 (Nunez, 2006) (AB 32), and Executive Order S-3-5
- Recirculation
- Responsibility of Other Agencies to Implement Mitigation
- Previously Submitted Comment Letters
- Significant and Unavoidable Impacts
- Project Transportation Network Components
- Generated Traffic vs. Induced Traffic
- Project’s Overall Consistency with Intent and Goals of SB 375 and AB 1358 (Leno, 2007, Complete Streets Act)
- Project Funding and TransNet
- SCS Land Use Plan and How it Achieves the Intent of SB 375
- Regional Growth Forecast and Projections
- Project Description: Revisions from Draft to Final EIR
- Transportation Impact Thresholds
- Parking Mitigation Options
- Alternatives Selection and Analysis
- Fast Plan and 50-10 Plan
- Sea Level Rise and Adaptation Planning
- Health Risks Associated with Expanded Highways/Arterials
- GHG Impact Analysis
- GHG Mitigation Measures
- Arterial Project Selection
- GHG Reductions from Individual Projects
Next Steps

On October 28, 2011, the Board of Directors will be asked to certify the Final EIR prepared for the 2050 RTP/SCS, make a finding that the 2050 RTP and the 2010 Regional Transportation Improvement Program, as amended, are in conformance with the State Implementation Plan for air quality, make a finding that the SCS achieves the GHG reduction targets established by CARB, and adopt the Final 2050 RTP/SCS.

Pending the Board action, staff will submit the Final 2050 RTP/SCS to the U.S. Department of Transportation (DOT) and the U.S. Environmental Protection Agency, and request that U.S. DOT make its air quality conformity determination prior to December 10, 2011. The Final 2050 RTP/SCS also will be submitted to CARB for review to confirm the preliminary determination by its staff that the SCS, if implemented, would achieve the GHG reduction targets.

GARY L. GALLEGOS
Executive Director

Attachment: 1. Draft 2050 RTP/SCS EIR Comment Letters List

Key Staff Contacts: Heather Adamson, (619) 699-6967, had@sandag.org
Rob Randle, (619) 699-6949, rru@sandag.org
Draft 2050 Regional Transportation Plan (RTP)/
Sustainable Communities Strategy (SCS)
Environmental Impact Report (EIR) Comment Letters List

The comments submitted on the draft EIR and SANDAG responses will be included in Appendix G to the Final 2050 RTP/SCS. Each comment letter has been assigned a letter ‘A’ through ‘V’ as outlined below. The responses will be organized by a letter and number to correspond to the specific issue raised in each letter (i.e. A-1, A-2, A-3, etc.).

A. California Coastal Commission
B. California Department of Fish and Game
C. Governor’s Office of Planning and Research
D. City of Coronado
E. City of Lemon Grove
F. City of National City
G. City of San Diego
H. City of Solana Beach
I. County of San Diego
J. Endangered Habitats League
K. Move San Diego
L. Preserve Calavera
M. Rincon Band of Luiseno Indians
N. San Diego Mountain Biking Association
O. San Luis Rey Band of Mission Indians
P. Sierra Club (1)
Q. Sierra Club (2)
R. Save Our Forests and Ranchlands (SOFAR) and Center for Biological Diversity
S. Torrey Pines Community Planning Board (1)
T. Torrey Pines Community Planning Board (2)
U. Derek Galey
V. Office of the Attorney General
Governor’s Executive Order S-3-05
Global Warming Basis & Implications

http://www.dot.ca.gov/hq/energy/ExecOrderS-3-05.htm

Mike Bullock
mike_bullock@earthlink.net
760-754-8025

S-3-05, Signed in 2005

- GHG Emission Trajectory:
  - 2000 levels by 2010
  - 1990 levels by 2020 (AB 32)
  - 80% below 1990 levels by 2050
- Achieved by Plans & Status
  - Every 2 years
  - For transportation plans

CALTRANS & CARB → Cal EPA → Governor

The remaining charts are about transportation.

If the world achieves these reductions, our levels of atmospheric CO2_e will be capped at 450 PPM. However, 350 PPM is needed for climate stability. We are at 390 now. The world must stop burning fossil fuel by 2050.
Temperature-Change Probabilities Associated with 450 PPM C02

- Cap of 450 PPM
  - A 50% chance that temp change stays below 2°C
    - 2°C means
      - Loss of 97% of Corral Reefs
      - 1 to 3 Billion (of 7 B) people experience water stress
      - Loss of summer ice at North Pole
      - 58% unstable tundra
  - 30% chance of more than 3°C
    - Exponentially worse than 2°C

James Hanson: Present level of C02 “already in the dangerous zone” (385 PPM when written)

Our Climate Crisis

- Keeling Curve:
  
  ![Keeling Curve Image](http://en.wikipedia.org/wiki/An_Inconvenient_Truth#Scientific_basis)
Our Climate Crisis

• From: http://en.wikipedia.org/wiki/An_Inconvenient_Truth#Scientific_basis

S-3-05’s goal is to cap CO₂ at 450 PPM

Current Level = 390 PPM

Our Climate Crisis

• Earth & Space Research (ESR) website:
  http://www.esr.org/outreach/climate_change/mans_impact/man1.html

S-3-05’s Goal is to cap CO₂ at 450 PPM, which is off this chart.

Current level = 390 PPM
From Communities Tackle Global Warming, A Guide to SB 375 comes the words and plot shown as Figure 1.

In San Diego County, 41% of GHG emissions come from cars and light-duty trucks.

**SB 375’s Per-Capita VMT Reduction for 2035, to Support S-3-05**

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<thead>
<tr>
<th>Variable Name</th>
<th>Definition</th>
<th>Taken From</th>
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<tbody>
<tr>
<td>( f )</td>
<td>net factor of the emissions of Greenhouse Gas</td>
<td>Gold Line(^1)</td>
</tr>
<tr>
<td>( f_Pavley )</td>
<td>factor of the average statewide mileage</td>
<td>Green Line(^1)</td>
</tr>
<tr>
<td>( f_Fuel )</td>
<td>factor of the reduction of GHG due to low-carbon fuels</td>
<td>Purple Line(^1)</td>
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<tr>
<td>( f_Population )</td>
<td>factor of the population in the region of interest</td>
<td>CARB(^2)</td>
</tr>
<tr>
<td>( f_PerCapitaVMT )</td>
<td>factor of per capita driving</td>
<td>Computed</td>
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</table>

\(^1\)From the Chart constructed by Steve Winkleman, as shown in the "Guide to SB 375" report.


\[
f = f\_PerCapitaVMT \times f\_Population \times f\_Pavley \times f\_Fuel
\]

\[
f\_PerCapitaVMT = f / (f\_Population \times f\_Pavley \times f\_Fuel)
\]
Per-Capita VMT Reduction for 2035, as Required by S-3-05

\[ f_{\text{PerCapitaVMT}} = \frac{f}{(f_{\text{Population}} \times f_{\text{Pavley}} \times f_{\text{Fuel}})} \]

\[ f_{\text{PerCapitaVMT}} = \frac{0.525}{(1.313 \times 0.685 \times 0.9)} \]

\[ f_{\text{PerCapitaVMT}} = 0.649 \]

This is a 35.1% decrease in GHG or VMT.

Because \(0.649 \times 1.313 = 0.8515\), in 2035, the people in San Diego County must drive 15% less than they did in 2005, even with the 31.3% increase in population. **Therefore, why add lanes?**

Strategies to Achieve 35%

- Stop expanding freeways
  - No need, because we must drive less
  - Eliminate congestion with following strategies
- Reallocate freeway expansion funds to transit
- Pricing to increase fairness & choice
  - Parking demonstration projects to unbundle cost
  - State legislation
    - Unbundle the cost of all “free” parking
    - Equitable and environmentally-sound road-use fee pricing
- Smart growth, complete streets, bicycle education
21st Century Transportation Solutions

- Redesigned rail or monorail systems
  - Electric, automated, 24/7, frequent service
- Commitment to clean-bus technology
- Equitable driving fees to reduce taxes
- Unbundled car parking cost

S-3-05, Should You Care?

- AG Harris says yes
  - Letter to SANDAG, Sept. 16, 2011
  - Please read
- BAAQMD CEQA Air Quality Guidelines
  - “Should consider horizon-year goals consistent with climate stabilization predictions identified in the Governor’s Executive Order S-03-05
- San Jose has integrated S-03-05 into their CEQA analysis for their new general plan.
- Your plan must achieve 35% for 2035; not 13%
S-3-05, Discussion, 1 of 2

• Supervisor Roberts, on the global nature of issue, at Transportation Committee meeting: We will have little effect; talk to India and China
  – This kind of talk obscures moral responsibility
  – Counter to Golden Rule application*
  – Our responsibility is to do our part and thereby set a good (not a bad) example

*Emit GHG into the atmosphere (do onto others), as you would have them emit GHG into the atmosphere (as you would have them do unto you)

S-3-05, Discussion, 2 of 2

• Childish attacks on the AG letter
  – Chairman Stocks: “She doesn’t understand ...” (top cop versus top regulator
  – Board Member Downey, claiming that a reference was misrepresented (“We are not bad actors.”)
    • Irrelevant to primary thrust and misleading, in that such details are not the point
  – Board Member Downey, stating that letter does not allege laws were broken
    • Irrelevant and misleading
      Letter states that the Plan does not meet CEQA. How could a DEIR break a law anyway?
S-3-05, Discussion, 2 of 2

• Board Member Downey, at the Transportation Committee meeting: “Mr. Bullock doesn’t understand that we can’t achieve these reductions until the technology is developed”
  – Earth Science physics reacts to levels of CO2
    • S-3-05 must be achieved with the technology we have
    • This is not about our personal comfort level
  – This is fundamental to our climate crisis

• S-3-05 will remain violated, without major change

San Diego County Voter Preference

• Opinion poll of San Diego County Voters
  – Fairbank, Maslin Maullin, Metz & Associates
  – Sept 14, 2010

  Preference, Between Expanding Transit or Roads & Highways

  Expanding public transit, including buses and rail: 55%
  Expanding roads and highways: 32%
  Both, neither, don’t know: 13%
• Determination of need for additional transit service and phasing of needed service based upon additional project demand

• Ability to collect fairshare contributions toward existing established multimodal projects on a project by project basis

The purpose of this study is to develop an multimodal transportation analysis methodology that may be used in the preparation of transportation impact analysis during the environmental review process under CEQA that:

• Broaden mitigation measure options for areas well served by transit operations and/or with development patterns well suited for multimodal transportation features. The multimodal options could augment roadway segment and intersection improvements as part of a development project’s package of mitigation measures.

• Lead agencies can utilize this methodology to consider additional transportation mitigation options; and

• Regional transportation agencies can use to develop and comment on additional or alternative transportation mitigation options that may be feasible.

This study supplements current guidelines prepared by SANDAG and Caltrans for traffic impact analysis of development projects. It is the intent of SANDAG that this document will provide lead agencies an alternative approach and more flexibility in conducting environmental review of development projects to assess multimodal transportation impacts on the regional transportation system.

SANDAG established Technical Advisory and Stakeholders Working Groups for this study. The groups met six times during the course of the study, providing comments on approach, preliminary findings, and recommendations.

In discussions with the groups and SANDAG staff, three primary objectives were identified for this study:

• **Equity:** Promote more equitable treatment consistent analysis among development projects countywide with regards to mitigation of regional transportation system impacts.

• **Efficiency:** Streamline the intergovernmental review process of reviewing development project impacts on the regional transportation system.

• **Effectiveness:** Maintain conditions for economic investment.

Three alternative approaches to multimodal transportation analysis were initially developed for consideration based on current San Diego regional transportation plans, IGR comment letters, and practices in other regions in California. The alternatives included a Lead Agency Program, a Subregional Program, and a Regionwide Program.

The alternatives were evaluated using evaluation criteria developed with input from the Technical Advisory and Stakeholders Working Groups. Each alternative was evaluated using a ranking scale to represent the relative effectiveness of each alternative to meet each criterion.
• **Equity:** Promote more equitable treatment of consistent analysis among development projects countywide with regards to mitigation of regional transportation system impacts.

• **Efficiency:** Streamline the intergovernmental review process of reviewing development project impacts on the regional transportation system.

• **Effectiveness:** Maintain conditions for economic investment.

These objectives guided the evaluation of program alternatives described in the next chapter.
Background

- Current intergovernmental review process provides comments on proposed developments on a project-by-project basis
Purpose of the Study

- Develop consistent methodology to calculate impacts of development projects on the regional transportation network
- Broaden multimodal mitigation measures
- Encourage lead agencies to use this study
- Supplements current guidelines
- Assisted by Technical and Stakeholders Working Groups

Key Study Components

- Study objectives
- Evaluation criteria
- Research on CEQA & best practices
- Alternatives development
- Alternatives evaluation
- Recommendation
Alternatives Analysis

- Various alternatives were evaluated
- Focus of criteria:
  - Analyze projects with similar impacts in a similar manner
  - Analyze multimodal traffic impacts
  - Improve the efficiency of the review process
  - Ability to estimate impacts in advance
  - Ensure that the process is transparent

Recommended Approach

- Build on current guidelines
- Conduct multimodal analysis of development project impacts
- Provide a formula for calculating options for mitigation measures
- Provide a formula for allocating mitigation measures
Review of Draft Report

- Released for public comment period
- Comments received from five organizations
- Follow-up meetings with Building Industry Association and County of San Diego

Recommendation

The Transportation Committee recommends that the Board of Directors approve the Regional Multimodal Transportation Analysis Study in substantially the same form as shown in Attachment 3.
October 14, 2001 Addendum wrap-up.
To: SANDAG Board Members
From: TRIP (Traffic Relief is Possible)

Good morning.

My comments are brief. Our organization served for three years in the development of this study. We attended every meeting. The inclusive nature of the process by which the work teams were gathered, the Transportation Committee Staff’s expertise and their patience in holding firm to the principles of good planning while still being able to think out-of-the-box as they listened to the various concerns and observations of our region’s jurisdictions and organizations, and the sturdy attention to the goals of this study which Wildan insisted upon day-by-day and year-by-year, was a refreshing and encouraging experience for us.

TRIP’s wrap-up of our concerns:

As my colleague and TRIP’s July 1st letter to you state, our county has readily accessible to it a successful model from which to pattern a regional transportation impact fee system. That information is appended to the letter. Under Western Riverside County’s Transportation Uniform Mitigation Fee (TUMF), developers of residential, industrial and commercial property pay a development fee to fund transportation projects that will be required as a result of growth the projects create. The Western Riverside Council of Governments administers the TUMF.

Chapter 3 of our Regional Multimodal Analysis Study details the new alternative it has developed from its analysis of our current programs. This Lead Agency Alternative is the p-wayload of this three years of work. It is what we need to streamline our processes. But, it must be accompanied by a regional transportation Impact Fee system.

Viewing its responsibilities, as it must, in the long view — and, as crucial Trustees of the Public Interest — the Board of Directors can see that the present economic conditions offer an ideal time to develop a regional fair share fee methodology. There are very few projects actually in the pipeline; developers in the meantime will be able to know how much they can afford to pay for land when the economy comes back and they are able to continue developments.

We urge you to empower the practical potential of this study by directing staff to the proceed now with the regional study that must underly a clearly necessary regional transportation impact fee program. (We do remind you again of the careful review of this Study made by the County and included in the comment section, pp. 7 – 12, immediately preceding our own. The detail is very helpful and does repeatedly and clearly note the necessity of structuring a regional transportation impact fee system.)

Thank you.
October 14, 2011 Addendum
To: SANDAG Board Members
From: TRIP (Traffic Relief is Possible)

Good morning. You have before you the two letters our regional organization – TRIP – sent to you - and to the Transportation Committee - in regard to the Draft study.

The concerns we raise are concerns echoed very cogently and in more detail by the County’s Richard Crompton in the comment section of the study (pages 7 – 12). These concerns, however, brought neither questions nor comments from the Transportation Committee. The study was simply forwarded to you with a recommendation to approve.

We submit to you that this three-year study – a not inexpensive effort – could be very helpful; but, it will not be of any consequence if it does not include a clear structuring of a regional transportation impact fee system. That is “the next step.” Without it, the potential usefulness of this effort will be nil.

Our San Diego region has a chance to prevent happening to us what had to happen to Riverside County before they finally put together a regional transportation impact fee system.

In closing, we request our representatives explain why the Riverside taxpayers are not required to pay the $9,000.00 per residential unit as San Diego taxpayers will be charged. Riverside County’s nexus study proved to staff, elected officials and taxpayers, that each new residential unit caused a $9,000.00 impact on their regional transportation system. They put those facts to the voters and the voters approved their proposed solution.

You will find in our third attachment to our July 1st letter, Riverside County’s overview of its transportation fee program. That innovative program was patterned after the successful program in Coachella Valley. If this body wants its three-year study to have its full potential realized, we urge it to direct staff to proceed with the necessary nexus study. We don’t have to re-invent the wheel.
To: SANDAG Board Members
And Ad Hoc Technical Advisory Group Members
Fair Share Methodology Study

From: TRIP (Traffic Relief is Possible) Representatives
M.A. Mareck and Pamela Stahl
Re: Draft Fair Share Methodology Study

TRIP
1021 Madison Avenue
Escondido, CA. 92027
(760) 839 - 9128
jharmon@cts.com

April 5, 2011

As full participants since July, 2008 in the work of the Fair Share Methodology Study, we first note that it does seem to have the potential to streamline project approval or disapproval. Our overriding concern, however, continues. That concern is stated both in the Study’s Problem Statement (p. 3) and in the March 18, 2011 Transportation Committee Agenda Background statement for the Study (Agenda Item #10):

“LACK OF ADEQUATE ASSESSMENT OF REGIONAL IMPACTS.”

In July, 2008, as per the voter approved TransNet Extension Ordinance, “…each local agency in the San Diego region [began to] contribute $2,000.00 in exactions from the private sector, for each newly constructed residential unit…” (Section 9, Part A)

The total inadequacy of this $2,000.00 fee is obvious. The Regional Transportation Plan’s shortfalls persist – annually – and are very large. And our neighbor, Riverside County, has successfully imposed – per new residential unit – a region-wide development impact fee for transportation. Currently, that fee is more than $9000.00. They also collect a regional impact fee for industrial and commercial development and San Diego does not, but should.

This Fair Share Methodology Study, to be effective, must include a nexus study done by SANDAG to adequately assess and implement region-wide development impact fees for transportation.

It is important to point out that this draft of the Fair Share Methodology Study in Step 8: Economic Feasibility (p. 28) states:

“The Lead Agency should adopt a Project Fair Share Allocation only if is economically feasible.”

Such a provision would nullify the effectiveness of the Study, and simply continues the very basic problem which the Study itself identifies at its outset:

“LACK OF ADEQUATE ASSESSMENT OF REGIONAL IMPACTS.”

TRIP believes that the present economic conditions offer an ideal time to develop a fair share fee methodology. There are very few projects actually in the pipeline; developers in the meantime will be able to know how much they can afford to pay for land when the economy comes back and they are able to continue developments.

(Please see next page.)
To further emphasize TRIP's position regarding inadequate funding, we attach a March 29, 2011 San Diego Union Tribune editorial, "A New Freeway, An Old Story."

We request that you write to us specifically in regard to the essential concerns which our letter addresses.

Sincerely,

[Signature]

M.A. Mareck & Pamela Stahl
A new stretch of freeway opens today. The last gap in the state Route 52 extension between state Routes 125 and 67 in the East County is closed at last.

It's a big deal for Santee. The city will have a straight shot to the coast and a seamless link to Interstate 8 and the international border to the south. Daily commuters will save time and traffic on major arterials may drop 25 percent. Santee's 100-acre business park now is freeway-convenient. With improved highway access and raw land, Santee may be able to lure industrial parks.

The opening is a big deal for the region as well. Since the turn of the century, there have been just two openings: completion of a two-mile missing link of state Route 15 through Mid-City in 2000 and the 10-mile SR 125 toll road through South County in 2007.

Forget engineering challenges, and SR 52 had many. The greatest challenges today are financial. SR 15 through Mid-City took 50 years to complete. SR 125 was done as a toll road because the state lacked money and it is now in bankruptcy court. SR 52 ran out of money -- twice -- and only survived because of the will of the Santee community.

If San Diego wants new freeways in its future, it better have plenty of resolve.
To: SANDAG Transportation Committee Members and
SANDAG Board Members

From: TRIP (Traffic Relief is Possible) Representatives
M. A. Mareck and Pamela Stahl

Re: Draft Fair Share Methodology Study

July 1, 2011

TRIP
1021 Madison Ave.
Escondido, CA. 92027
(760) 839-9128
jharmon@cts.com

Please find here the current fee schedules (effective July 1, 2009) for the Western Riverside Transportation Uniform Mitigation Fee (TUMF), as well as the schedules that followed the 2002 voter approval of the TUMF ordinance. The ordinance is readily available online from Riverside County.

The Nexus Study that Riverside County did showed them the necessity for the fees that they implemented (the fee schedule here attached). San Diego’s needs are clearly very similar to those of Riverside County. Please note that the single family residential unit fee is four times the amount that San Diego collects. Riverside also has fees for industrial, retail and service square footage.

When are the taxpayers of San Diego County going to receive the kind of support that the taxpayers of Riverside County get from their elected officials?

We have attached two additional pieces of information: (1) the first paragraph of the Preamble to the Administrative Plan for Western Riverside County’s TUMF Program. The problem laid out in this paragraph is strikingly similar to the situation in San Diego County.
(2) Riverside County’s overview of its Transportation Uniform Mitigation Fee Program.

We urge you to give careful consideration to the Riverside County Program.
Implementation of a similar program in San Diego County would give significant relief to San Diego County taxpayers. It would also substantially address what the Draft Fair Share Methodology Study identifies as a basic San Diego County problem:
“LACK OF ADEQUATE ASSESSMENT OF REGIONAL IMPACTS.”
(p. 3, Draft Fair Share Methodology Study.)

Sincerely,

M. A. Mareck

Pamela Stahl
Administrative Plan for the
Western Riverside County Transportation Uniform Mitigation Fee
(TUMF) Program

Preamble

Future development within Western Riverside County will result in traffic volumes exceeding the
capacity of the Regional System of Highways and Arterials (RSHA or Regional System) as it
presently exists. The Regional System needs to be expanded to accommodate anticipated
future growth; current funds are inadequate to construct the Regional System needed to avoid
the unacceptable levels of traffic congestion and related adverse impacts.

The TUMF Program will provide significant additional funds from new development to make
improvements to the Regional System, complementing funds generated by Measure A and the
Reauthorized Measure A, local transportation fee programs, and other potential funding
sources. By establishing a fee on new development in the sub-region, local agencies can
establish a mechanism by which developers will effectively contribute their "fair share" toward
sustaining the regional transportation system. This is a twenty-year program and will be
influenced by a variety of market factors that could cause a shortfall or surplus in the revenue
projections. The TUMF Program shall be reviewed at fewer than five-year intervals to ensure
the integrity of the program with the first review occurring in June of 2005. The program is not
designed to be the only source of revenue to construct the identified facilities, and it will be
necessary for matching funds from a variety of available sources to be provided.

It is the intent that TUMF requirements may be met by paying cash, building eligible facilities or
through public financing, such as Community Facility Districts and Assessment Districts, or
private financing vehicles consistent with local jurisdiction policies.

General TUMF Program parameters, definitions and procedures are described in the TUMF
Program Ordinance adopted by participating Western Riverside County jurisdictions. The
Western Riverside Council of Governments (WRCOG) is designated as the TUMF Program
Administrator, and as such will work closely with member jurisdictions, the Riverside County
Transportation Commission, and the Riverside Transit Agency to coordinate transportation
expenditure programs to maximize the effectiveness of future transportation investments. The
Program Administrator, WRCOG, agrees to indemnify, defend and hold harmless any TUMF
Program participant, and its respective agents, officers, members, officials, employees, and
attorneys, whose TUMF Ordinance is challenged in court, from and against all claims, liabilities,
damages, or costs of any kind whatsoever, including attorneys' fees and court costs; provided,
however, that such indemnity and defense shall not extend or apply to challenges alleging
procedural defects in the adoption of the TUMF Ordinance.

"TUMF Administrative Plan" means the Administrative Plan for the Western Riverside County
TUMF Program prepared by WRCOG dated March 24, 2003, in substantially the form approved
by the WRCOG Executive Committee on April 7, 2003, as may be amended from time to time,
provided that, any material amendments to the TUMF Administrative Plan shall be approved by
WRCOG Executive Committee.

This Administrative Plan serves as the guideline to implement the TUMF Program and will be
amended as needed to address changing conditions over the life of the program.
When voters approved the extension of Measure A in 2002, they also approved an innovative program for western Riverside County, the Transportation Uniform Mitigation Fee or TUMF. Western Riverside County's TUMF was patterned after a program by the same name in the Coachella Valley.

Under the TUMF, developers of residential, industrial, and commercial property pay a development fee to fund transportation projects that will be required as a result of the growth the projects create. The Western Riverside Council of Governments administers the TUMF.

The TUMF funds both local and regional arterial projects. Local area projects receive 48.1% of all funds and the funds are programmed in each of five "zones" proportionately to the fees paid. These zone projects are proposed by local jurisdictions.

RCTC implements the Regional Arterial Program, which was adopted in September 2004. The program consists of 24 projects located throughout western Riverside County. To date, three projects have been completed and three are under construction. RCTC receives 48.1% of all fees to fund these regional projects. The balance, 3.8%, is allocated to transit projects programmed by the Riverside Transit Agency.

The TUMF is expected to create almost $3 billion in transportation projects for western Riverside County, with more than $1.4 billion programmed and implemented by RCTC.

For a list of TUMF projects currently programmed by RCTC, click here.
Dear Chairman Stocks and Honorable Members of the Board:

My name is Jessica Parra-Fitch, Policy Advocate at the Environmental Health Coalition, and I present to you a letter in support of Attorney General Kamala Harris’ comments regarding the DEIR for the 2050 RTP/SCS and a request to revise the DEIR due to its insufficient environmental justice analysis on behalf of the California Environmental Justice Alliance (CEJA), a state-wide coalition of base-building organizations dedicated to environmental health and justice. Please feel free to contact me with any questions or for further information at 619-474-02220 Ext. 115.

Sincerely,

Jessica Parra-Fitch
Policy Advocate  |  Environmental Health Coalition

California Environmental Justice Alliance
6325 Pacific Blvd., Suite 300
Huntington Park, CA 90255
www.caleja.org
October 5th, 2011

Honorable Jerome Stocks and Members of the Board
San Diego Association of Governments
401 B Street, Suite 700
San Diego, CA 92101

RE: 2050 Regional Transportation Plan/Sustainable Communities Strategy Draft Environmental Impact Report Revision Request

Dear Chairman Stocks and Honorable Members of the Board,

The California Environmental Justice Alliance (CEJA) urges the SANDAG Board to take heed of Attorney General of the State of California, Kamala Harris’ comments regarding the Draft 2050 Regional Transportation Plan (DRTP) and Sustainable Communities Strategy (SCS) by revising the DEIR and adopting an alternative that prioritizes transit.

CEJA is a coalition of base-building organizations committed to strengthening environmental health and justice by achieving state policy changes that build healthy communities. CEJA is comprised of six of the leading grassroots environmental justice organizations representing different regions of California. We are dedicated to improving the quality of life in the low-income, communities of color we serve and empowering our community members to have a voice in decisions that affect their lives.

CEJA strongly supports Attorney General Harris’ demand for a revision of the Draft Environmental Impact Report (DEIR) as a result of its inadequate environmental justice analysis. San Diego’s SCS has a critical role in shaping the future of California, as it will serve as the model for other Metropolitan Planning Organizations across the state. It is imperative that the SCS include transit networks that ensure compact urban development to increase mobility and decrease adverse health impacts.

Throughout California, low-income and people of color communities are on the front lines of environmental pollution and face higher health risks as a result. High levels of air pollution that aggravate the health of those most impacted by environmental hazards primarily come from freeways and diesel trucks. The DEIR for the 2050 DRTP/SCS shows that its strategies exacerbate these health impacts as particulate pollution increases over the life of the project. The 2050 DRTP emphasizes the Goods Movement Strategy and the DEIR recognizes that this strategy will largely be carried out by diesel trucks yet it fails to analyze the health effects this strategy will have on the public. Particulate pollution is of grave concern to communities already burdened by health-threatening environmental exposure. We urge SANDAG to conduct the comprehensive public health analysis CEQA requires with a focus on the Goods Movement Strategy.
In addition, CEJA is significantly concerned that the DRTP/SCS expands highways in the early years of the Plan and leaves most transit projects to the middle or end of the 40-year planning period. The Plan relies on unacceptable auto-centered strategies that temporarily reduce GHG emissions and defers transit investment. SB 375 requires SANDAG to integrate transportation and land use planning in the SCS in order to radically reduce GHG emissions. Therefore, we urge the SANDAG Board to prioritize the reduction of vehicle emissions and vehicle miles traveled by creating an affordable and effective multi-functional transit system with safe walking and biking options reversing its highway-heavy approach.

Furthermore, it is of utmost importance that the proper environmental justice analysis that CEQA requires be conducted as the DEIR is highly deficient in this regard. The current Environmental Justice analysis exclusively focuses on transit access by underserved communities but fails to evaluate the health impacts these communities will endure with the execution of the project. An adequate environmental justice analysis will identify the communities that will be disproportionately affected by the recognized increase in pollution. This analysis will also disclose the full scale of air pollution and the health effects it will produce while proposing mitigation measures for localized air quality impacts.

We urge SANDAG to revise the DEIR and adopt an alternative that prioritizes transit. The environmentally sustainable transportation system that fosters efficient concentrated land development and improves air quality in the region is within reach provided that safe, effective, and affordable transportation options that satisfy CEQA requirements are created.

SANDAG is at a defining moment in San Diego history and has the opportunity to create a healthy and dynamic future for the region and its communities. We urge the Board to correct the legal deficiencies in the DEIR of the DRTP/SCS with a full revision and mitigate the disproportionate environmental impacts many communities will suffer from with the project’s implementation.

Sincerely,

Antonio Diaz, Organizational Director, People Organizing to Demand Environmental & Economic Rights
Bill Gallegos, Executive Director, Communities for a Better Environment
Caroline Farrell, Executive Director, Center on Race, Poverty, and the Environment
Roger Kim, Executive Director, Asian Pacific Environmental Network
Penny Newman, Executive Director, Center for Community Action & Environmental Justice
Diane Takvorian, Executive Director, Environmental Health Coalition

cc: Gary Gallegos, Executive Director, San Diego Association of Governments
Message: Please include the 2050RTP Summary below for Directors for their information at the October 14 meeting. Thanks, 2050 Regional Transportation Plan’s Sustainable Communities centerpiece is a mismatch with San Diego’s needs making it a poor example for other regions. The “20-20 Vision” for San Diego’s transportation is severely distorted by out of balance emphasis on mass transit rather than the superior improve motor vehicles demonstrated by the Plan itself, to save energy, reduce emissions and provide Regional mobility without increasing traffic congestion. 20 TIMES more reduction in fuel use comes from already planned modest improvement in on-road vehicles. Mass transit costs 20 TIMES more per unit to produce its tiny 5% share of this energy savings. There Is More. 20 TIMES more mass transit funds are needed per passenger-mile to provide a tiny 4% of travel growth and 2.5% of total travel. And More. On road vehicles added accommodate 20 TIMES more travel growth than mass transit. In about two years as much as the entire added mass transit. All this for about the same capital expenditures for roads, $49 Billion, and mass transit with walk/bike path assist, $46 Billion. All this despite full blown optimistic mass transit rideshare in dense smart growth mass transit oriented communities. There are commendable ways to save energy and land use in modern community designs, but the impact of the elaborately described centerpiece leisure instead of productivity oriented Sustainable Communities Strategy impact on transportation is negligible and should be discarded as part of 2050RTP. More Bad News. Traffic congestion INCREASES, example; work tips require 12% more time, relative to the Plan’s common base in year 2008. SANDAG tries to hide this using the curious argument; after spending over $200 Billion, traffic congestion in the final years is a tiny amount better than the high congestion in a hypothetical “no build” example which provides no new roads or mass transit. A factor also is mass transit’s failure for significant help in peak periods. In SANDAG’s 11 Key Corridors, only three show some travel improvement. And More. The Greenhouse Gas reduction spec., met in 2035, slips from 13% to 9% by 2050 as California’s Attorney General has complained. The out years traffic congestion and mass transit peak period failures are causes. It is clear 20-20 vision that apparent beliefs there will never be performance better than current mass transit, and modest motor vehicle improvement has failed and caused major unbalance in fund allocations. The Good News. Fortunately the drastic revision needed is facilitated by already emerging new technologies. Thus significant changes before 2050 RTP approval: 1), Shift most funds from mass transit to support next generation motor vehicles expected to start in 2025. This will continue GHG reduction and with roads already identified by SANDAG, plus initial automated guideways, eliminate congestion increase. 2), Rather than un-successful attempts to substitute for motor vehicles. Concentrate remaining mass transit funds on better access for non-drivers, and a very few express routes between high activity centers. 3), Replace the SCS with a plan element reflecting this more productive approach. The San Diego Transportation Plan can then be a truly forward looking example for other California communities.
Phillip,

These items are for the October 14 BOD meeting. The Power Point File is for Agenda Item 1. The letter is for Agenda Item 4. (I was disappointed that the AG letter was not included in the Agenda, for the public to read.

Thanks and regards,

Mike Bullock
1800 Bayberry Drive
Oceanside, Ca 92054
760-754-8025
Retired Satellite Systems Engineer, 36 years
Co-author, "A Plan to Efficiently and Conveniently Unbundle Car Parking Cost"
Sierra Club San Diego's Transportation Chair
Honorable Jerome Stocks  
Chair, Board of Directors  
San Diego Association of Governments  
401 B Street, Suite 700  
San Diego, CA 92101

RE: Draft Environmental Impact Report for 2050 Regional Transportation Plan and Sustainable Communities Strategy

Dear Chairman Stocks and Honorable Members of the Board:

Attorney General Kamala D. Harris submits the following comments on the Draft Environmental Impact Report (DEIR) prepared for the San Diego Association of Governments’ (SANDAG) 2050 Regional Transportation Plan and Sustainable Communities Strategy (RTP/SCS). While we recognize the difficulty of SANDAG’s task – to prepare the first SCS in the State as required by SB 375 – our review of the DEIR for the RTP/SCS has revealed some significant legal problems, as set forth below. We believe that SANDAG has the ability to correct these problems and improve the RTP/SCS, which will benefit not only the San Diego region, but will help to set the standard for other Metropolitan Planning Organizations across California.

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1 The Attorney General submits these comments pursuant to her independent power and duty to protect the environment and natural resources of the State from pollution, impairment, or destruction, and in furtherance of the public interest. (See Cal. Const., art. V, § 13; Gov. Code, §§ 12511, 12600-12612; D’Amico v. Bd. of Medical Examiners (1974) 11 Cal.3d 1, 14-15.) This letter is not intended, and should not be construed, as an exhaustive discussion of the DEIR’s compliance with the California Environmental Quality Act (CEQA).

2 Senate Bill 375 (Chapter 728, Statutes of 2008).
Comments on the DEIR

Localized Air Pollution

The SANDAG region has some of the most serious local air quality problems in the State and the nation – in substantial part caused by vehicle emissions. The harm from these pollutants is not necessarily distributed equally throughout the region, but may be more concentrated in communities immediately adjacent to large-scale industrial and commercial development and major transportation corridors, and may more particularly affect certain segments of the population. As discussed below, our review of the DEIR indicates that SANDAG has set too low a bar for determining whether the air quality impacts of its RTP/SCS are significant, and, further, has failed to analyze the impacts of projected increases in pollution on communities that are sensitive or already overburdened with pollution, in violation of CEQA.

Background: Pollutants of Concern in the San Diego Air Basin

It is well established that “[t]he significance of an activity depends upon the setting.” (Kings County Farm Bureau v. City of Hanford (1990) 221 Cal.App.3d 692, 718 [citing Cal. Code Regs., tit. 14, § 15064, subd. (b)]; see also id. at 721.) Accordingly, the significance of any added pollutant emissions must be judged in the context of an air basin that already exceeds health-based federal air quality standards. (See ibid.) The San Diego area was ranked by the American Lung Association this year as having the seventh worst ozone problem, and the fifteenth worst particulate pollution problem, in the nation.3 Pollutants of concern in the San Diego air basin include ozone, the chemical commonly called “smog,” which may permanently decrease lung function;4 and particulate matter, which impairs lung function and can exacerbate asthma. Small particulate matter (2.5 microns in size or less), a component of diesel exhaust, is of particular concern, because it can penetrate deeply into the lungs, bypassing the body’s defenses, and can carry carcinogens on the surface of the particles.

The seriousness of the localized air pollution problem as it exists today in the region can hardly be overstated. The area exceeded the health-based federal ozone standard on 24 days in 2009, and it exceeded the federal particulate standard on 4 days. The basin exceeded the more stringent California standard for ozone on 127 days in 2009, and the fine-particle standard on 78 days. The area has a history of failing to meet applicable air quality objectives. The San Diego Air Pollution Control District (APCD) stated in its 2009 Regional Air Quality Strategy (RAQS) that it has not consistently met the Health and Safety Code’s 5% per year ozone reduction target during any year during the 2003-2006 time period, and that the APCD expects reductions of only about 3% per year during the 2006-2009 time period. (San Diego APCD 2009-RAQS, p. 2.)

4 Gauderman, et al., The Effects of Air Pollution on Lung Development from 10 to 18 Years of Age (Sept. 9, 2004) 351 The New England Journal of Medicine 1057-1068.
SANDAG’s Focus on “Conformity” with the State Air Pollution Plans Fails Adequately to Address the Region’s Serious Air Quality Problems.

Where an area exceeds federal air quality standards for air pollutants, federal law allows funding of the individual transportation projects listed in an RTP only if the RTP “conforms” to a federally approved state plan to meet those federal standards. The DEIR’s analysis of whether localized air pollution resulting from the RTP/SCS is significant under CEQA focuses almost exclusively on whether such conformity is achieved. There are significant problems with this limited approach, which substitutes a determination of whether certain federal laws are met for SANDAG’s obligation under CEQA to conduct a thorough analysis of the actual effects on the air and on public health that will result from the addition of the many hundreds of miles of highway expansion and extensions that are in the RTP/SCS.

California’s most recent federally approved plan was prepared in 2007, and therefore does not reflect current conditions. The DEIR acknowledges that the federal EPA is expected to soon reclassify the San Diego Air Basin as in “serious” nonattainment of the federal ozone standard, a designation that requires attainment of the federal standard by June of 2013. (DEIR, p. 4.3-6.) Demonstrating conformity with the 2007 plan emissions budgets does not, by itself, show that relevant health effects created by the new pollution generated by the RTP/SCS have been analyzed and disclosed, or even that the relevant federal standards will be met. Instead, EPA’s reclassification of the air basin as having worse air quality, and the imposition of such a short deadline for meeting the federal ozone standard, indicates a more serious air pollution problem that may require more stringent control measures to protect the public health.5

In addition, the DEIR fails to analyze whether the California standard for ozone, more stringent than the federal standard, will be met during the life of the RTP/SCS, or what the RTP/SCS’s contribution to current or future violations of that standard will be. The DEIR appears to rely solely on the RAQS to meet the state ozone standard. (See DEIR at p. 4.3-29-30.) Yet, as noted, the region has not consistently met the RAQS 5% per year ozone reduction target. The fact that U.S. EPA is expected to reclassify the Basin as in “serious” nonattainment of the less stringent federal ozone standard would indicate that the RAQS standards have not been enough to prevent deteriorating air quality. Thus, any assumption that the RAQS will consistently achieve the 5% reduction target in the future is unsupported, and any assertion that the RAQS will attain the state ozone standard at a time certain unfounded. A full analysis is

5 Even if conformity with federal standards in state-approved plans were an appropriate benchmark for significance under CEQA, the DEIR does not contain a quantitative analysis, using the most recent available air quality measurements as the baseline, to determine whether the federal air quality standards will actually be met, and what the public health consequences would be of adding the expected pollutant load from the RTP/SCS to existing conditions. (DEIR, at p. 4.3-14.)
needed to show that the emissions caused by the RTP/SCS at different time points during its life will not contribute significantly to violations of the state ozone standard in the San Diego Air Basin.

**SANDAG Has Failed Adequately to Address Impacts to Public Health and Communities Already Burdened with Pollution.**

We commend SANDAG for including in its DEIR a chapter entitled “Environmental Justice.” (DEIR, ch. 4.06.) That section appears to focus primarily on the RTP/SCS’s effect on access to transit by traditionally underserved communities. SANDAG has, however, failed to analyze other equally, if not more, significant effects of the RTP/SCS on communities currently experiencing environmental injustice. The principal omission of the DEIR is the lack of any discussion of the impacts of the increased air pollution that will result from carrying out the RTP/SCS on communities already severely impacted by air pollution. As noted, CEQA requires that the significance of environmental impacts be considered in context. (Kings County Farm Bureau, supra, 221 Cal.App.3d at 718.) Such context may appropriately include (1) whether the region includes communities or subpopulations that may be particularly sensitive to increases in pollution; and (2) whether such communities or groups are already at or near their capacity to bear any additional pollution burden.

The DEIR does not identify whether the area affected by the RTP/SCS includes particularly sensitive communities that will be affected disproportionately by the acknowledged increase in pollution. “[A] number of studies have reported increased sensitivity to pollution, for communities with low income levels, low education levels, and other biological and social factors. This combination of multiple pollutants and increased sensitivity in these communities can result in a higher cumulative pollution impact.” (Office of Environmental Health Hazard Assessment, *Cumulative Impacts: Building a Scientific Foundation* (Dec. 2010), Exec. Summary at p. ix.)

Research in other parts of California has shown that disadvantaged and minority communities are often exposed to unhealthful air more frequently and at higher levels than other groups. Identifying these communities is an essential part of describing the relevant CEQA setting.

Once such communities are identified, SANDAG must analyze how the health of the residents in these communities would be expected to be particularly affected. As discussed, residents already are experiencing serious air pollution that is impacting health and welfare, and it is reasonable to assume that these effects currently are more concentrated in certain areas of the region, for example, in communities adjacent to large-scale industrial or commercial operations or transportation corridors used by heavy-duty trucks. In addition, viewed at the individual community scale, there may be synergistic adverse effects. For example, research

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6 Available at [http://oeahha.ca.gov/ej/cipa123110.html](http://oeahha.ca.gov/ej/cipa123110.html).

has shown that increases in greenhouse gas emissions may result in localized ozone increases; such increases have been observed in California.\(^8\)

We believe that particulate pollution may be of special concern to already burdened communities. As discussed, diesel particulate emissions have serious health effects, since they impact respiratory function and can exacerbate asthma. Further, diesel particulates are known to the State of California to cause cancer,\(^9\) and have been listed by the Air Resources Board (ARB) as a toxic air contaminant.\(^10\) The DEIR shows that particulate matter pollution will increase over the life of the RTP/SCS. (DEIR, Table 4.3-5, p. 4.3-25.) It also reports that the ARB estimated in 2000 — over a decade ago — that a subset of particulate pollution, fine particulates emitted by diesel vehicles, created an additional cancer risk of 720 cancer cases per one million persons exposed in the San Diego Air Basin. (DEIR, p. 4.3-8.) For comparison purposes, a private business must provide a warning if it exposes individuals to a chemical that poses an increased cancer risk of ten cases in one million people exposed. (Cal. Code Regs., tit. 27, § 25703(b.).)

Despite this high cancer risk, and the DEIR’s own recognition that particulate pollution will increase over the life of the RTP/SCS, the DEIR does not analyze what public health effects the increase in particulate matter will cause. Nor does it estimate what portion of the increase in particulate pollution will be carcinogenic diesel particulate matter, and disclose the public health effects that increase may cause. Such an analysis is required under CEQA, so that both the decision maker and the public can know the full consequences of the decision being made. (Bakersfield Citizens for Local Control v. City of Bakersfield (2004) 124 Cal.App.4th 1184, 1219-1220.) We are especially concerned that no analysis is presented either of the current risk from particulate pollution, nor of the impact of the projected increase in particulate pollution, on already overburdened or sensitive communities. Given the increase in particulate emissions shown in the DEIR, given the emphasis in the RTP/SCS on the Goods Movement Strategy for the San Diego region (RTP/SCS, Chapter 6), and given the DEIR’s recognition that much of this goods movement will be accomplished by diesel trucks (DEIR, p. 4-16-8; see, also, RTP/SCS, Tech. Appdx. 4, p. 4 [estimating that roads and truckways will carry 90% by volume of goods through the region]), it is incumbent on SANDAG to fully analyze the public health consequences of the RTP/SCS in general, and of the Goods Movement Strategy, in particular.\(^11\)

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8 Jacobson, *Enhancement of Local Air Pollution by Urban CO2 Domes* (2010) Environ. Sci. Technol. 2497-2502. This phenomenon is of concern because, as discussed, under the RTP/SCS, vehicle miles travelled (VMT) trends up as the total number of vehicles on the road increases. (DEIR, pp. 4.12-16, 4.12-21, 4.12-24; contrast with Table TA 3.1, showing an overall decrease of 1% in VMT by 2050.) Increases in VMT cause increased emissions of greenhouse gases, which may in turn exacerbate localized pollution.


The goal of an RTP/SCS is a sustainable community, and no community can be sustainable unless its public health is protected. Thus, while the inclusion of a separate chapter of the DEIR on environmental justice is commendable, the current analysis is deficient, and should be redone and expanded to disclose the full scope of the air pollution and public health consequences of the RTP/SCS, and to propose mitigation measures for those consequences that are proportional to the seriousness of the impacts. (City of Marina v. Board of Trustees of the California State University (2006) 39 Cal.4th 341, 361-62.) We would be happy to work with SANDAG in making this part of the DEIR more meaningful.

SANDAG Has Failed Adequately to Consider Feasible Mitigation for Localized Air Quality Impacts.

Although it finds the RTP/SCS’s impacts on localized air pollution to be significant, the DEIR proposes almost no mitigation measures to reduce or offset these impacts. Instead, the DEIR states that “mitigation measures at the program level is [sic] infeasible” for ozone precursors and carbon monoxide, and defers all mitigation for these pollutants to individual project-level CEQA processes. (DEIR, pp. 4.3-46, 4.3-47, 4.3-48.) CEQA requires that project changes or mitigation either be adopted or shown through substantial evidence to be infeasible; the DEIR, however, does not make such a showing.

The DEIR offers virtually no evidence that program-level mitigation is actually infeasible, and the mitigation measures it does propose lack certainty and are incomplete. For example, compliance with future local land use plans (the scope of which is not now known) is identified as the only feasible mitigation for ozone-related impacts. (DEIR, p. 4.3-48.) Mitigation for fine particulate matter is not discussed separately from mitigation for coarse particulates, despite their different sizes, health impacts, and sources. The dust control measures in the DEIR are not shown to be effective against fine particulates, which come more from industrial processes and fuel combustion than from ground disturbance. The DEIR’s treatment of mitigation for conventional air pollution does not comply with CEQA’s substantive mandate to mitigate all significant impacts. (Pub. Resources Code, §§ 21002, 21081(a.).)

It is vital for the health of the San Diego region’s public that all feasible mitigation be adopted and carried out to prevent further deterioration of the already unhealthy air, and it is also vital for the region’s economy. Research shows consistently that the costs of reducing pollution are far outweighed by clean-air benefits such as increased worker productivity, increased agricultural outputs, and reductions in mortality and illness that result from cleaner air. The research cited above -- finding minority communities more severely affected by air pollution -- also calculated the significant costs associated with polluted air in other air basins. Costs ranged

12 On a nationwide basis, the Office of Management and Budget has estimated that the benefits of clean air regulations outweigh the costs by a ratio of about four to one. OMB, “Informing Regulatory Decisions: 2003 Report to Congress on the Costs and Benefits of Federal Regulations and Unfunded Mandates on State, Local, and Tribal Entities.”
from $1,250 per person per year in the South Coast Air Basin to $1,600 per person per year in the San Joaquin Valley Air Basin, due to increased health care costs and emergency room visits, missed work and school days, and even premature deaths.\textsuperscript{13} CEQA mandates that SANDAG improve its analysis of the feasibility of localized air pollution mitigation, and the economic benefits of cleaner air and healthier communities must be considered in the feasibility calculus.

**Climate Change Impacts: Greenhouse Gas Emissions**

Before discussing the DEIR’s treatment of GHG emissions, it is important first to establish the relevant context for evaluating significance. The climate is affected by the concentration of GHGs in the atmosphere. The concentration of carbon dioxide, the primary GHG, has increased from approximately 280 parts per million (ppm) in pre-industrial times to well over 380 ppm, according to the National Oceanic and Atmospheric Administration’s (NOAA) Earth Systems Research Laboratory.\textsuperscript{14} Almost all of the increase is due to human activities (such as fossil fuel use).\textsuperscript{15} The current rate of increase in carbon dioxide concentrations is about 1.9 ppm/year; present carbon dioxide concentrations are higher than any time in at least the last 650,000 years.\textsuperscript{16} GHGs persist in the atmosphere for decades and in some cases millennia.\textsuperscript{17}

The atmosphere and the oceans are reaching their capacity to absorb GHGs without significantly (and perhaps abruptly) changing the Earth’s climate. California is already seeing the effects of climate change. As the Resources Agency observed in its 2009 report, we already are experiencing sea level rise, coastal erosion, increased average temperatures, more extreme hot days and increased heat waves, fewer shifts in the water cycle, and increases in the frequency and intensity of wildfires. (Resources Agency, 2009 *Climate Adaptation Strategy* at p. 3.)\textsuperscript{18} These effects are expected to increase with rising GHG levels in the atmosphere.

The burdens of climate change will not be shared equally. Future climate scenarios are expected to disproportionately affect, for example, the urban poor, the elderly and children, traditional societies, agricultural workers and rural populations. (Office of Environmental Health Hazard Assessment, *Indicators of Climate Change in California: Environmental Justice Impacts* (Dec. 2010) at p. 2.)\textsuperscript{19}

\textsuperscript{13} Hall and Brajer, at 5.
\textsuperscript{14} See [http://www.epa.gov/climatechange/science/recentac.html](http://www.epa.gov/climatechange/science/recentac.html).
\textsuperscript{15} Id.
\textsuperscript{16} Id.
\textsuperscript{18} Available at [http://www.climatechange.ca.gov/adaptation/](http://www.climatechange.ca.gov/adaptation/).
\textsuperscript{19} Available at [http://oehha.ca.gov/multimedia/epic/epic123110.html](http://oehha.ca.gov/multimedia/epic/epic123110.html).
In order to stabilize the climate and avoid the most catastrophic outcomes of climate change, we must substantially reduce our annual GHG emissions over time, achieving a low-carbon future by midcentury. California has memorialized this overarching environmental objective in law. Under AB 32\textsuperscript{20}, by 2020, California must reduce its total statewide greenhouse gas emissions to the level they were in 1990. (Health & Saf. Code, § 38550). To achieve AB 32’s 2020 target, total statewide greenhouse gas emissions must be reduced by approximately 15 percent from current (2008) levels. AB 32 implements Executive Order S-03-05 (2005),\textsuperscript{21} which set the statewide 2020 target as an interim step to reducing statewide emission levels, by 2050, to 80 percent below 1990 levels. “The 2020 goal was established to be an aggressive, but achievable, mid-term target, and the 2050 greenhouse gas emissions reduction goal represents the level scientists believe is necessary to reach levels that will stabilize climate.” (Air Resources Board (ARB), Scoping Plan at p. 4.\textsuperscript{22})

The emissions reductions required to reach our statewide climate objective are substantial. In the longer term, we must reduce our total GHG emissions by approximately four percent per year between 2020 and 2030, and our per capita emissions by slightly less than five percent per year during the 2020 to 2030 period, with continued reductions required through midcentury. (These reductions required are graphically illustrated by the chart from ARB’s Scoping Plan, attached to this letter as Exhibit A.) One of the prime objectives of SB 375, a law supporting and complementary to AB 32, and of the requirement for Sustainable Communities Strategies, is to create a long-term downward trajectory for GHG emissions in California through transportation and land use strategies.

Given the seriousness of the climate change problem, and the enormity of our GHG reduction task, we are greatly concerned that, when viewed in context, the RTP/SCS seems to be setting the region on a course that is inconsistent with the State’s climate objectives. Specifically, per capita GHG emissions from cars and light-duty trucks increase as compared to the previous year after 2020 (see RTP, Table 301 at p. 3-3), while AB 32 requires that we must aggressively and steadily reduce total per capita GHG emissions during this time period. (See Exhibit A.) Moreover, the total number of vehicle miles travelled (VMT) driven in the San Diego region will steadily increase over the life of the RTP/SCS over the 2010 baseline by 10\%, 32\%, and 51\% in 2020, 2035, and 2050, respectively. (DEIR, pp. 4.12-16, 4.12-21, 4.12-24; 4.12-24, 4.12-25, 4.12-26, 4.12-27)

\textsuperscript{20} Cal. Health and Safety Code, § 38,500, \textit{et seq}.  
\textsuperscript{21} The DEIR states that the Executive Order “does not constitute a ‘plan’ for GHG reduction, and no state plan has been adopted to achieve the 2050 goal.” (DEIR, pp. 4.8-29 to 4.8-30.) The DEIR therefore does not find the RTP/SCS’s failure to meet the Executive Order’s goals to be a significant impact. This position fails to recognize that Executive Order S-3-05 is an official policy of the State of California, established by a gubernatorial order in 2005, and designed to meet the environmental objective that is relevant under CEQA (climate stabilization). SANDAG thus cannot simply ignore it.  
\textsuperscript{22} Available at http://www.arb.ca.gov/cc/scopingplan/document/adopted_scoping_plan.pdf. The Scoping Plan was readopted by ARB on August 24, 2011.
contrast with Table TA 3.1.) Under the most optimistic figures presented in the DEIR, total VMT will drop only 1% over current levels by 2050. Moreover, the DEIR predicts that the 14.33 million metric tons of greenhouse gases (expressed as MMT of carbon dioxide equivalent) emitted by cars and light duty trucks in 2010 (DEIR, p. 4.8-5) will fall to 12.04 MMT in 2020 (DEIR, p. 4.8-20), based largely on statewide tailpipe and fuel standards, but will then begin rising again, to 12.94 MMT in 2035 and 14.74 MMT in 2050. (DEIR, pp. 4.8-23, 4.8-25, respectively.) Thus, although SANDAG will meet the SB 375 goals for per capita GHG targets for cars and trucks set for it by ARB in 2020 and 2035, the DEIR shows that total GHG emissions from cars and light-duty trucks in 2050 will increase over the 2010 emissions level.

The DEIR finds the impact of the RTP/SCS on GHG emissions to be not significant in 2020 (DEIR, p. 4.8-20), significant in 2035 (DEIR, p. 4.8-23), and significant in 2050 (DEIR, p. 4.8-25). SANDAG must, however, make a determination whether the project as a whole has significant climate change impacts. We believe strongly that it does. What the DEIR shows is that the suite of strategies relied on by SANDAG, which include a heavy reliance on roadway expansion projects, does not deliver GHG reductions that are sustainable in the long term. In fact, infrastructure and land use decisions made in the early years of the RTP/SCS may lock in transportation inefficiencies and preclude any realistic possibility of meeting the Executive Order’s goal of an 80% reduction in GHG emissions. The DEIR states that “[t]otal land-use based GHG emissions in 2050 are projected to be 21.85 MMT CO2e, or 50 percent greater than GHG emissions in 2010 (Table 4.8-11).” (DEIR at p. 4.8-24.) The DEIR should address the impact of the draft RTP/SCS on this important long-term policy in greater detail.

The DEIR is legally deficient for the additional reason that it does not analyze potential changes to the project design or specific mitigation measures for the GHG emissions impacts from land use; it makes only a generalized promise to prepare future RTPs “to incorporate policies and measures that lead to reduced GHG emissions.” (DEIR, p. 4.8-35.) Further, the DEIR proposes some mitigation measures for GHG emissions attributable to transportation, but does not include any transportation mitigation that relates to land use, nor does it show that any such measures would be infeasible. We believe that CEQA requires much more analysis of potential mitigation measures, and that postponing this discussion and analysis until future RTP/SCS’s and individual projects is a violation of CEQA’s substantive provisions. (Public Res. Code §§ 21002, 21081(a); see Communities for a Better Environment v. City of Richmond (2010) 184 Cal.App.4th 70, 89-96.) SANDAG has the authority to approve the RTP/SCS even if it will have substantial environmental impacts, and CEQA will not second-guess the wisdom of that choice, so long as substantial evidence supports SANDAG’s findings. (Public Res. Code § 21081(b).) However, SANDAG may not approve an environmentally damaging project until and unless it has adopted all feasible mitigation measures or shown that further mitigation – including land use mitigation – is infeasible. The DEIR does not yet do so.

We recognize that this is the first SCS prepared in California, and that SANDAG is charting new territory. However, the legal requirements of CEQA, including the requirement to mitigate significant impacts to the extent feasible, are not satisfied simply because the RTP/SCS meets the targets contained in SB 375 for 2020 and 2035. CEQA demands a full analysis and all
feasible mitigation of every significant impact resulting from the implementation of the RTP/SCS, throughout the full life of the Plan. The DEIR does not now provide this for GHG emissions.

Comments on RTP/SCS

Although we are not commenting directly on the legal adequacy of the RTP/SCS under SB 375, we concur in the comments submitted to SANDAG by the California Office of Planning and Research (OPR). As discussed above, we are particularly concerned that per capita greenhouse gas (GHG) emissions associated with cars and light-duty trucks (and associated copollutants like particulate matter) begin to rise after 2020. (See OPR comment letter at pp. 3-4; Draft RTP at p. 3-3, Table 3.1; see also DEIR at Tables 4.3-5, p. 4.3-25.) As OPR notes, this “implies that future growth will be unavoidably less transportation efficient, which counters SB 375’s underlying purpose.” (OPR comment letter at p. 3.) If the RTP/SCS in fact runs counter to SB 375’s purpose to reduce transportation-related GHG emissions over time, this would bear on whether the effects of the plan should be considered significant under CEQA.

In addition, OPR’s comments discuss a failure of the DEIR and RTP/SCS to fully disclose the methodology by which VMT was projected, making it difficult or impossible for the lay public to determine for itself whether the information presented in the two documents is accurate and supported by substantial evidence. This lack of transparency is also a crucial flaw under CEQA, a statute whose purposes include accountability as to governmental decisions that affect the environment. (Laurel Heights Improvement Ass’n v. Regents of the University of California (1989) 47 Cal.3d 376, 392 [holding that “the EIR . . . is a document of accountability” for the public officials who certify it].)

Conclusion

We appreciate the difficulty of preparing the first SCS in California. We believe that SANDAG has not yet prepared a DEIR on the RTP/SCS that fully satisfies CEQA’s requirements, and urge SANDAG to redo several parts of the DEIR, as described in our comments herein. This RTP/SCS presents SANDAG with an opportunity to integrate transportation and land-use planning in a way that reduces GHG emissions and harmful air pollution, and that produces other benefits such as increased mobility and better public health for all the region’s residents, particularly its sensitive and already overburdened communities. We
would be happy to work with SANDAG to take the additional steps needed to take full advantage of this opportunity. We appreciate your consideration of our comments.

Sincerely,

Timothy R. Patterson
Supervising Deputy Attorney General

Susan Durbin
Deputy Attorney General

For Kamala D. Harris
Attorney General

cc: Gary Gallegos, Executive Director, San Diego Association of Governments
Julie D. Wiley, General Counsel, San Diego Association of Governments

Attachment
EXHIBIT A

Emissions Trajectory Towards 2050

(ARB, Scoping Plan, Figure 6, at p. 118.)