



City of Huntington Beach

File #: 20-1690

MEETING DATE: 6/15/2020

REQUEST FOR CITY COUNCIL ACTION

SUBMITTED TO: Honorable Mayor and City Council Members

SUBMITTED BY: Oliver Chi, City Manager

PREPARED BY: Ursula Luna-Reynosa, Director of Community Development

Subject:

Adopt Resolution No. 2020-43 supporting the delay of the implementation of Title 14 of the California Code of Regulations, Section 15064.3 (Vehicle Miles Traveled CEQA Analysis)

Statement of Issue:

This resolution would indicate the City Council's support for a one-year delay of the new California Environmental Quality Act (CEQA) transportation impact analysis (Vehicle Miles Traveled) requirements that are set to take effect on July 1, 2020. Because implementation of the new requirements would pose significant challenges during the COVID-19 pandemic and require substantial costs and staff resources, there is a statewide effort to urge Governor Newsom to delay implementation. If the City Council adopts the recommended action, Huntington Beach would join the Orange County Transportation Authority, the Orange County Council of Governments, and many members of the California State Legislature in supporting the delay.

Financial Impact:

Not applicable.

Recommended Action:

Adopt Resolution No. 2020-43, "A Resolution of the City Council of the City of Huntington Beach Requesting that the Governor of California Delay Implementation of Title 14 of the California Code of Regulations, Section 15064.3 (Vehicle Miles Traveled - CEQA Analysis)."

Alternative Action(s):

Do not adopt Resolution No. 2020-43, and direct staff accordingly.

Analysis:

In 2013, Governor Brown signed Senate Bill (SB) 743 (Steinberg, 2013), which created a process to change the way that transportation impacts are analyzed under CEQA. Specifically, SB 743 required the Governor's Office of Planning and Research (OPR) to amend the CEQA guidelines to provide an alternative to Level of Service for evaluating transportation impacts. Particularly within areas served by transit, those alternative criteria must "promote the reduction of greenhouse gas emissions, the

development of multimodal transportation networks, and a diversity of land uses.” Essentially, SB 743 shifts the focus of transportation impact analysis in CEQA from measuring the impact to the driver, to measuring the impact of driving. The metric for evaluating a project’s impacts shifts from vehicle delay (measured by how an intersection performs) to reducing vehicle miles traveled (VMT).

OPR completed amendments to the CEQA guidelines in December 2018, and the Natural Resources Agency adopted them in January 2019. Local city and county lead agencies are required to begin implementing VMT analysis starting July 1, 2020.

Given the current COVID-19 public health crisis and ensuing economic crisis, a major shift in evaluating transportation impacts in CEQA documents would likely contribute to furthering financial hardships that have already hit both the public and private sectors. Project proponents in all industry sectors will have to navigate the economic recovery with the added cost burdens associated with hiring technical experts and implementing mitigation measures, such as costly project changes and mitigation fees. In addition, lead agencies are facing staffing and budget constraints that would make it difficult to implement the new requirements and ensure the legal defensibility of CEQA documents, which could result in additional costs and time for project proponents and lead agencies.

Due to these factors, many government and private industry leaders are requesting that Governor Newsom delay implementation of the new regulations. The attached resolution requests that the Governor delay implementation of VMT requirements for a period of one year, starting July 1, 2021.

If the Governor does not delay implementation of VMT, the City will begin implementing the new requirements for all projects subject to CEQA starting July 1, 2020.

Environmental Status:

The adoption of Resolution No. 2020-43, which supports the delay of implementation of VMT analysis for projects subject to CEQA, is an administrative activity having no potential to result in a direct or reasonably foreseeable indirect physical change to the environment. As such, this action is not a project as defined in Section 15378 of the CEQA guidelines, and no further environmental analysis is required.

Strategic Plan Goal:

Non-Applicable - Administrative Item

Attachment(s):

1. Resolution No. 2020-43, “A Resolution of the City Council of the City of Huntington Beach Requesting that the Governor of California Delay Implementation of Title 14 of the California Code of Regulations, Section 15064.3 (Vehicle Miles Traveled - CEQA Analysis)”