January 21, 2022

San Diego County Board of Supervisors
1600 Pacific Highway
4th Floor, Room 402
San Diego, CA 92101
Via Email

RE: County Action to Comply With SB 743

Dear Chair Fletcher, and Supervisors Vargas, Anderson, Desmond, and Lawson-Remer,

In anticipation of the January 26th Board meeting where staff will be presenting analysis of the 13 topics that were requested at the May 19th, 2021 meeting, please keep in mind the following from the overview statement from that meeting: “The stated legislative intent behind SB 743 was to balance the needs of congestion management (traffic) with statewide goals to reduce greenhouse gas (GHG) emissions, encourage infill development, and improve public health through more active transportation.”

In explaining its technical advisory for SB 743, the Governor’s Office of Planning and Research (OPR) reinforces the relevance of GHG emissions to the VMT threshold by stating that “Tying VMT thresholds to GHG reduction also supports the two other statutory goals.” We strongly recommend that the County’s SB 743 plan meet all of the state’s goals.

Our comments below address the “short term” aspects of the County’s SB 743 program that have been identified by County PDS staff. We will address other aspects of SB 743 planning, which will take longer to develop and require environmental review, as they are brought forward.
1. SB 743 requires the lead agency to apply the Vehicle Miles Traveled (VMT) metric to evaluate transportation-related impacts caused by projects. It is intended to promote efficient development (particularly in infill/smart growth areas) and effective transportation alternatives/multimodal networks, which are expected to concomitantly reduce associated greenhouse gas emissions. The County’s SB 743 program and its new Technical Study Guide (TSG) must demonstrate how they meet those objectives. We support using the combined city/County regional VMT average as defined by SANDAG for the VMT significance threshold.

2. The TSG and any VMT exemptions must focus on promoting efficient land development that will support and promote viable multimodal transportation options. An SB 743 program that promotes density in appropriate locations and supports effective transportation alternatives will be significant inducements for more businesses to locate in those areas.

3. Only projects that conform to the current General Plan (GP) 2020 should be allowed to be considered for the VMT exemptions. No project that requires a GP amendment can use the VMT exemption process. The County will easily meet its regional housing needs without general plan amendments.

4. The VMT exemption process should not be so generous as to exempt most of the new developments from VMT analysis and mitigation unless it clearly demonstrates that it will produce the outcomes in bullet points 1-3. That would defeat the purpose of SB 743, which is to create more efficient land use and transportation options - and reduce VMT-related GHG emissions. The current staff proposal to exempt “infill” areas from VMT analysis is based in large part because their average VMT is closer to the regional average. However, that is not the case for village areas, and the County must provide substantial evidence why exempting the villages meets the intent of SB 743.

5. The 110 Average Daily Trips (ADT) exemption is inappropriate for projects that are outside of the infill (or infill+ village + buffer) areas because of the extremely high average VMT throughout most of the County (e.g., 32.5 VMT/resident) compared to the statewide VMT average (approximately 24 VMT/resident), upon which the State based its guidance for using 110 ADT. A lower ADT exemption value for areas outside of infill areas should be below 110 in order to reflect the difference between statewide (or regional) average VMT and the County’s average VMT.

6. The proposed affordable housing exemption (e.g., project with 100% affordable units) - "affordable" defined by the County as 120% of AMI (area median income) - could lead to little or
no "affordable" housing that meets the County’s requirement pursuant to the SANDAG RHNA (Regional Housing Needs Assessment) spectrum of affordable housing (i.e., acutely low-, extremely low-, very low-, low-, and moderate-income households) needs. This proposal should at very least be edited to include these lowest tiers of household incomes. We support the County meeting and sticking to its regional housing needs (RHNA) production targets, and not exceeding it using sprawl and VMT exclusions. We support County affordable housing using inclusionary housing requirements applied to all County housing development. Sprawl does not produce affordable housing, or housing located where low and lower income households need it to be.

7. We concur with the current proposal that areas of the County that are mapped as Very High Fire Severity must be excluded from any VMT exemptions. We believe that High Fire Severity should also be excluded from any VMT exemption, given the increased wildfire threats now evident from ongoing climate change.

Thank you for your attention to our priorities and also for the public outreach that staff has provided on this important process.

Sincerely,

SanDiego350
Bee Mittermiller and Steven Gelb, Co-Chairs, Transportation Committee
Southwest Wetlands Interpretive Association
Bill Tibbets, Secretary
Environmental Center of San Diego
David Grubb, Board Member
Unite Here! Local 30
Rick Bates, Lead Research & Policy Analyst
IBEW Local 569
Jeremy Abrams, Business Manager
Climate Action Campaign
Matthew Vasilakis, Co-Director of Policy
Alliance for Regional Solutions
John Van Cleef, President