
SENATE COMMITTEE ON ENVIRONMENTAL QUALITY

Senator Allen, Chair

2021 - 2022 Regular

Bill No: SB 1410
Author: Caballero
Version: 3/31/2022
Urgency: No
Consultant: Genevieve M. Wong

Hearing Date: 4/27/2022
Fiscal: Yes

SUBJECT: California Environmental Quality Act: transportation impacts

DIGEST: Only permits that a Vehicle Miles Traveled metric be applied in transit priority areas when analyzing transportation impacts under CEQA and requires that the criteria for determining significance of transportation impacts within transit priority areas only promote greenhouse gas reduction, removing the requirement that the criteria promote the development of multimodal transportation networks and diversity of land uses.

ANALYSIS:

Existing law, the California Environmental Quality Act (CEQA):

- 1) Requires lead agencies with the principal responsibility for carrying out or approving a proposed discretionary project to prepare a negative declaration (ND), mitigated negative declaration (MND), or environmental impact report (EIR) for this action, unless the project is exempt from CEQA. (Public Resources Code §21000 et seq.). If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, the lead agency must prepare a draft EIR. (CEQA Guidelines §15064(a)(1), (f)(1))
- 2) Requires the Office of Planning and Research (OPR) to prepare and develop proposed guidelines for the implementation of CEQA by public agencies. Requires the guidelines to include objectives and criteria for the orderly evaluation of projects and the preparation of EIRs and NDs. Also requires the guidelines to include criteria for public agencies to follow in determining whether a proposed project may have a significant effect on the environment. (PRC §21083)
- 3) Requires OPR to prepare, develop, and transmit to the Secretary of the Natural Resources Agency for certification and adoption proposed revisions to the CEQA Guidelines establishing criteria for determining the significance of transportation impacts within transit priority areas (TPAs). Requires the

criteria to promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses. (PRC §21099(b)(1))

- 4) Authorizes OPR to adopt CEQA Guidelines establishing alternative metrics to the metrics used for “traffic levels of service” (LOS) for transportation impacts outside of TPAs. Authorizes the alternative metrics to include the retention of LOS, where appropriate and as determined by OPR. (PRC §21099(c)(1))
- 5) Defines “transit priority area” as an area within one-half mile of a major transit stop that is existing or planned, if the planned stop is scheduled to be completed within the planning horizon included in a Transportation Improvement Program or applicable regional transportation plan.

This bill:

- 1) Instead requires the criteria for determining the significance of transportation impacts of projects within TPAs to only promote the reduction of greenhouse gas (GHG) emissions, thereby no longer requiring the criteria to promote the development of multimodal transportation networks or a diversity of land uses.
- 2) Requires that the alternative metrics adopted only apply to projects within a TPA.

Background

- 1) *Overview of the CEQA Process.* CEQA provides a process for evaluating the environmental effects of a project, and includes statutory exemptions, as well as categorical exemptions in the CEQA guidelines. If a project is not exempt from CEQA, an initial study is prepared to determine whether a project may have a significant effect on the environment. If the initial study shows that there would not be a significant effect on the environment, the lead agency prepares a negative declaration. If the initial study shows that the project may have a significant effect on the environment, the lead agency prepares an EIR.

Generally, an EIR must accurately describe the proposed project, identify, and analyze each significant environmental impact expected to result from the proposed project, identify mitigation measures to reduce those impacts to the extent feasible, and evaluate a range of reasonable alternatives.

- 2) *LOS and the transition to VMT.* LOS is a measure used by traffic engineers to determine the effectiveness of elements of transportation infrastructure. It

measures the presence of traffic and how quickly cars can move through a street.

Some contend that LOS is outdated and neglects transit, pedestrian crossings, and bicycles, and believe that an over-reliance on LOS considerations by planners had led to widening intersections and roadways to move automobile traffic faster at the expense of other modes of transportation.

In response, SB 743 (Steinberg, Chp. 386, Stats. 2013) required OPR to update the criteria for analyzing transportation impacts of projects to replace LOS in TPAs (areas within a one-half mile of a major transit stop, existing or planned). According to SB 743, “New methodologies under [CEQA] are needed for evaluating transportation impacts that are better able to promote the state’s goals of reducing [GHG] emissions and traffic-related air pollution, promoting the development of multimodal transportation system, and providing clean, efficient access to destinations.” Under SB 743, the criteria was required to promote the reduction of GHG emissions, the development of multimodal transportation networks, and a diversity of land uses. For areas outside of a TPA, OPR was authorized to adopt guidelines that would establish alternative metrics to LOS. Additionally, OPR could retain LOS as a part of those alternative metrics outside of a TPA, if and where OPR deemed appropriate.

Pursuant to SB 743, OPR proposed, and the California Natural Resources Agency (CNRA) certified and adopted, changes to the CEQA Guidelines that identify Vehicle Miles Traveled (VMT) as the most appropriate metric to evaluate a project’s transportation impacts and to apply VMT statewide (both within and outside of TPAs). VMT measures the amount and distance of automobile travel attributable to a project. Those Guidelines took effect July 2020 and agencies are now required to analyze the transportation impacts of a project using a VMT metric instead of LOS.

- 3) *VMT and GHG emission reduction.* According to OPR’s *Technical Advisory on Evaluating Transportation Impacts on CEQA*, published in December 2018,

“The transportation sector has three major means of reducing GHG emissions: increasing vehicle efficiency, reducing fuel carbon content, and reducing the amount of vehicle travel. The California Air Resources Board (CARB) has provided a path forward for achieving these emission reductions from the transportation sector in its 2016 Mobile Source Strategy. CARB determined that it will not be possible to achieve the State’s 2030 and post-2030 emission goals without reducing VMT growth. Further, in its 2018 Progress Report on California’s Sustainable Communities and Climate Protection Act, CARB

found that despite the State meetings its 2020 climate goals, ‘emissions from statewide passenger vehicle travel per capita [have been] increasing and going in the wrong direction,’ and ‘California cannot meet its [long-term] climate goals without curbing growth in single-occupancy vehicle activity.’ CARB also found that ‘[w]ith emissions from the transportation sector continuing to rise despite increases in fuel efficiency and decreases in the carbon content of fuel, California will not achieve the necessary [GHG] emissions reductions to meet mandates for 2030 and beyond without significant changes to how communities and transportation systems are planned, funded, and built.’

“Thus, to achieve the State’s long-term climate goals, California needs to reduce per capita VMT. This can occur under CEQA through VMT mitigation. Half of California’s GHG emissions come from the transportation sector, therefore, reducing VMT is an effective climate strategy, which can also result in co-benefits. Furthermore, without early VMT mitigation, the state may follow a path that meets GHG targets in the early years, but finds itself poorly positioned to meet more stringent targets later.”

Comments

- 1) *Purpose of Bill.* According to the author, “SB 1410 is a critical measure to undo the unintended consequences of applying VMT statewide through a previous law: SB 743. Because of that bill’s passage, the Governor’s Office of Planning and Research (OPR) was tasked with evaluating the metrics used to measure the impacts on traffic congestion and the environment for proposed developments. Effective July 2020, OPR replaced the prior metric, Levels of Service which required traffic and road improvements, with VMT, which relies on a fee per unit to support a public transportation system. We are only just beginning to see the consequences of this change. Now, developers must mitigate VMT through the CEQA process, and in areas without access to reliable high quality public transportation and other multimodal options, developers must charge a fee which ultimately drives up the overall costs. For housing development, especially in rural parts of the state, where public transportation is sparse or non-existent. VMT mitigation increases project costs, which is ultimately passed on to the homebuyer or renter. SB 1410 limits VMT to infill development in urbanized communities with transit priority areas, which was its original intent, and will prevent exorbitant cost increases on housing development in rural and suburban areas.”
- 2) *The road to VMT.* SB 743 required OPR to update the CEQA Guidelines to establish criteria for determining the significance of transportation impacts of projects within TPAs and, for transportation impacts outside of TPAs,

authorized OPR to adopt guidelines for establishing alternative metrics to LOS. Updating the CEQA Guidelines required OPR undergo a thorough and public vetting process of the proposed revisions, which started in December 2013 and concluded December 2018 with the adoption of regulations.

In January 2016, OPR issued its *Revised Proposal Updates to the CEQA Guidelines on Evaluating Transportation Impacts In CEQA*. According to that document, OPR received nearly 200 comment letters on the preliminary discussion draft and included OPR's responses to some of the comments that represented major themes in the input received. The revised draft was submitted to CNRA for that agency's formal rulemaking process. The proposal was then submitted to the Office of Administrative Law (OAL) for review. The regulations were adopted in December 2018, and took effect July 1, 2020.

This bill would undo OPR's determination that it is appropriate to apply VMT statewide, both within, and outside of, TPAs, to achieve the state's climate goals.

- 3) *Only promoting reduction of GHGs emissions in TPAs.* SB 1410 proposes to remove "the development of multimodal transportation networks" and "diversity of land uses" from criteria that is used for determining the significance of transportation impacts within TPAs and instead requires that the criteria only promote GHG emission reductions. Removing these two elements means removing the consideration of alternative transportation options, such as public transit or active transportation, and consideration of the incorporation of different types of land uses, such as maintaining open-space, when determining whether a project would have a significant transportation impact.

By only promoting the reduction of GHG emissions, SB 1410 ignores the availability for (and benefit of) alternative transportation options and sustainable land development and shifts the focus to a reliance on electric vehicles. According to some stakeholders, the state cannot depend on electrification alone to obtain its GHG emission goals.

According to the author, OPR advises project applicants, in quantifying VMT impacts and mitigation, to use the California Air Pollution Control Officers Association's (CAPCOA) "*Quantifying Greenhouse Gas Mitigation Measures*," which are expressed in terms of GHG reduction. The sponsors are concerned that if criteria used to determine the significance of transportation impacts includes promoting the development of multimodal transportation networks and a variety of land uses, and if the project uses GHG reduction

pursuant to OPR's recommendation, that there is potential for litigation.

It does not appear that OPR specifically recommended the CAPCOA report to quantify VMT impacts under SB 743, but rather had used it as a factor to develop its own recommended level of significance. The CAPCOA report was published in 2010, almost 3 years before SB 743. OPR used that report as a source of substantial evidence to help support their own recommended finding, but it was not the only source. Removing the considerations of multimodal transportation networks and diversity of land-uses would undermine the very purpose of SB 743.

- 4) *What metric would apply outside of TPAs?* As introduced, SB 1410 specifically requires LOS be retained for projects outside of a TPA and limits the VMT metric to being applied within TPAs. Recent amendments struck the specific requirement that LOS be retained for projects outside of a TPA. This has led to differing interpretations of what metric applies in those areas.

One interpretation is if VMT is only applied within TPAs, it is implied that, as the other alternative, LOS is applied in areas outside of TPAs.

A second interpretation is that by striking the specific requirement, neither VMT nor LOS apply and there is no transportation specific analysis required in those areas. Instead, only the general requirement to analyze potentially significant transportation impacts related to air quality, noise, safety, or any other impacts associated with transportation applies.

According to the author, the intent of the recent amendment was to address a scenario where a project in an area outside of a TPA had already analyzed the project using VMT. The amendment was intended to ensure that projects that already did a VMT analysis would not have to go back and do a LOS analysis in future phases of the same project.

- 5) *Why not LOS?* According to OPR's website, auto delay, as measured by LOS, was never an ideal metric for evaluating the actual environmental impacts of a given project. Many are concerned that using an LOS metric can lead to building more highway lanes rather than building more efficiently. VMT, on the other hand, allows for consideration of existing and potential multimodal transportation options, in relation to the project's surrounding land-uses, allowing for greater density and closer proximity of housing, jobs, and essential services. Some other challenges of using LOS as a measure of transportation impacts in CEQA include:

- Burdens most recent infill development with costly mitigation that undermines neighborhood quality.
- Leads to more sprawl instead of encouraging more walkable neighborhoods.
- Forces cities to prioritize cars over people walking, biking, and taking transit, which leads to more car travel and exacerbates regional congestion.
- Causes development to be more spread out, making it harder for residents to reach their daily destinations without driving long distances.
- By generating more vehicle travel, LOS leads to an array of environmental impacts and impacts to human health.

6) *Other ways to mitigate than a fee.* Sponsors of the bill argue that requiring projects to use a VMT metric has caused an increase in housing prices in rural areas. Because rural areas will have higher VMT, it is argued that the project applicant mitigates the high VMT by paying an in-lieu fee; and that fee is added into the purchase price of a home, causing housing to be more expensive. However, fees are not the only way to mitigate and reduce a project's VMT. A project could choose a location that is near amenities and promotes good planning principals. A project could incorporate design elements that don't generate a lot of VMT, such as bike paths to grocery stores or schools, or designing a project layout to incentivize less driving. According to OPR's *Technical Advisory on Evaluating Transportation Impacts in CEQA*, other potential measures to reduce VMT include, but are not limited to: (more options listed in OPR's technical advisory)

- Improve or increase access to transit.
- Project design (street grid instead of cul-de-sacs).
- Incorporate affordable housing into the project.
- Incorporate neighborhood electric vehicle network.
- Orient the project toward transit, bicycle and pedestrian facilities.
- Improve pedestrian or bicycle networks, or transit service.
- Provide traffic calming.
- Provide bicycle parking.
- Limit or eliminate parking supply.
- Implement or provide access to a commute reduction program.
- Provide car-sharing, bike sharing, and ride-sharing programs.
- Provide transit passes.
- Shifting single occupancy vehicle trips to carpooling or vanpooling.
- Providing telework options for office projects.

- Providing on-site amenities at places of work, such as priority parking for carpools and vanpools, secure bike parking, and showers and locker rooms.

Some of the above-mentioned measures would not impose additional costs on a project, and some may even reduce costs. For example, reducing parking could actually reduce construction costs. The technical advisory also provides examples of project alternatives that may reduce VMT:

- Locate the project in an area of the region that already exhibits low VMT.
- Locate the project near transit.
- Increase project density.
- Increase the mix of uses within the project or within the project's surroundings.
- Increase connectivity and/or intersection density on the project site.

- 7) *Choose your own mitigation.* Sponsors of the bill point to jurisdictions such as San Diego County and Fresno as examples of jurisdictions proposing to implement a VMT mitigation fee.

VMT mitigation fees are typically established based on a nexus study commissioned by either a project applicant or jurisdiction to determine the necessary fee structure to mitigate VMT for a particular region or project. Different regions, due to trying to reach differing attainment goals and what they choose to apply those fees towards, *if they so choose to apply a VMT mitigation fee*, will have different fee structures. A jurisdiction that is looking to help fund a large transportation infrastructure plan will likely impose higher VMT mitigation fees to cover those costs in comparison to a jurisdiction that put the fees towards a less complex project. If a jurisdiction is imposing a high VMT mitigation fee, it is likely because the identified mitigation measure that the fee will be used for is more expensive.

It is also possible that a jurisdiction has chosen a high VMT mitigation fee because that jurisdiction wants to discourage sprawl and wants developments to occur closer to already existing amenities. It is the jurisdiction's choice.

Not all jurisdictions have chosen to impose a mitigation VMT fee. For example, no jurisdiction in the Sacramento County region has implemented a VMT fee. Such jurisdictions have opted for other ways to mitigate.

- 8) *Choose your own threshold.* Under CEQA Guidelines 15064.3(b)(3), lead agencies have discretion to choose the most appropriate methodology to

evaluate a project's VMT, including whether to express the change in absolute terms, per capita, per household, or any other measure. A lead agency may use models to estimate a project's VMT, and may revise those estimates to reflect professional judgment based on substantial evidence. While OPR recommends a per capita 15 percent reduction compared to existing development in its Technical Advisory, an agency could choose to utilize a different percentage as a threshold as long as it is supported by substantial evidence. Further, the threshold, whatever percentage is chosen, is based off of comparing the project's VMT to existing development VMT *of that area*. As such, VMT per capita can be measured as *regional* VMT per capita or *city* VMT per capita. The VMT of a project in Yuba City would be compared to the VMT of already existing development in Yuba City, or, if done on a regional basis, compared to existing development within a particular region of Yuba City. Thus, applying the VMT metric encourages development in areas that are "more efficient" than other areas within that same area. OPR's website also contains resources on how to mitigate in rural areas.

According to the author, almost all jurisdictions – rural, urban, or otherwise – have chosen to rely on OPR's recommended 15 percent reduction in per capita VMT in hopes that, if challenged, a court will consider OPR's recommendation to meet the "substantial evidence" threshold. According to the author, some are concerned that, despite relying on OPR's technical advisory, a court will still find a 15 percent reduction to be insufficient mitigation. Further, creating their own thresholds of significance, it is argued, will require more work and more resources to develop.

VMT has been in effect for less than 2 years; it is unclear if any courts have found usage of the 15 percent recommendation to be insufficient.

- 9) *Is there evidence of causation between VMT and increasing housing costs?*
According to sponsors, using VMT to analyze transportation impacts imposes higher housing costs because developers will be required to charge a fee, which will ultimately be passed onto the homebuyer or renter. However, this may not always be the case.
- a) *Courts have not found that VMT regulations will increase housing costs.*
In 2019, The Two Hundred (Petitioners) challenged the VMT regulations and filed a petition for writ of mandate and complaint against OPR, CNRA, and OAL (collectively Respondents). Specifically, Petitioners sought to declare the regulations as unlawful, unconstitutional, invalid, and void, and to have the regulations set aside.

In response, the Respondents filed three motions challenging the petition - including a demurrer by OPR and CNRA. A demurrer is a defense asserting that even if all of the factual allegations in a complaint are assumed true, they are insufficient to establish a valid cause of action. When ruling on a demurrer, the court assumes the truth of all material facts properly pleaded. OPR and CNRA demurred to 11 of 15 of the petitioner's causes of action, arguing that the petitioners failed to allege facts sufficient to state a cause of action. This analysis discusses the demurrers and causes of action that relate to costs to housing.

In two causes of action, the petitioners alleged that the VMT Regulations violate the Federal Fair Housing Act and the California's Fair Employment and Housing Act as having a disparate impact or discriminatory effect on members of minority communities in various ways, but primarily by increasing the cost of housing. Respondents demurred to both claims on the grounds that Petitioners did not allege a sufficient causal connection between VMT Regulations and any actual adverse impact on either housing costs or minority home ownership.

Ultimately, the Court sustained the Respondent's demurrer for these causes of action, agreeing that they were insufficiently plead and that the compliant failed to state sufficient facts to constitute a legal claim. In its final ruling on the demurrers and motion to strike, the Court said that the Petitioners "*must do more than merely allege, in conclusory fashion, 'the VMT Regulations will cause housing prices to rise'*"

- b) *A VMT analysis is cheaper to conduct.* According to OPR, "over 50 percent of developed areas within the state could forego transportation analysis and mitigation entirely. This includes affordable housing, housing within ½ mile of transit, housing projects generating fewer than 110 trips per day, and new housing developments in exiting low-VMT neighborhoods – which are found in every region of the state, including rural and suburban areas. For projects that do require a transportation analysis, using the VMT metric saves 80 percent of the cost and time to do the analysis. Because the analysis is simpler, it can reduce the risk of lawsuits. If a project would increase VMT beyond the amount selected by the local government, then changes to the project will be incorporated that improve the design or provide benefits to residents and the environment. Future residents of these housing projects will appreciate that they are built to allow residents to drive less, reducing transportation costs."

c) *Mitigation only occurs when there is an impact.* A VMT mitigation fee only adds costs to a project when (1) there is an impact to mitigate and (2) the jurisdiction or project applicant has chosen a VMT mitigation fee as a mitigation measure. If there is no impact, there is no mitigation. While a VMT mitigation fee is one way to mitigate a VMT, it is not the only way.

10) *One less tool in the toolbox.* “Achieving California’s long-term criteria pollutant and GHG emissions goals will require four strategies to be employed: (1) improve vehicle efficiency and develop zero emission technologies, (2) reduce the carbon content of fuels and provide market support to get these lower-carbon fuels into the marketplace, **(3) plan and build communities to reduce vehicular GHG emissions and provide more transportation options, and (4) improve the efficiency and throughput of existing transportation systems.**” California Air Resources Board (May 2014) *First Update to the Climate Change Scoping Plan*, pp. 46 (emphasis added).

If California wants to meet its various GHG emission reduction goals, including 80 percent reduction in GHGs below 1990 levels by 2050, there will need to be substantial reductions in existing VMT to curb GHG emissions and other pollutants as well as implementation of other measures, including increased fuel efficiency and decreased fuel carbon content. SB 1410 instead removes one of the main tools that the state will need to accomplish its GHG emission reduction goals.

11) *Would apply to all projects.* According to the author’s statement, the primary concern with VMT is the impact it may have on housing costs in areas outside of transit priority areas. However, this bill, if enacted, would apply LOS to all projects located outside of a transit priority area, not just residential projects. If the concern is the impact on housing costs, should LOS be applied to all types of development projects?

12) *The Administration has already declined to delay implementation of SB 743.* In May 2020, the author and a coalition of Senators and Assemblymembers submitted a letter to Governor Newsom requesting that the Governor extend the implementation of the VMT regulation for 2 years – until July 1, 2022. The updated CEQA Guidelines, including VMT implementation, took effect July 1, 2020.

13) *Committee amendments.* Given all of the above, reverting back to LOS for areas outside of a TPA may not be the best step to help the state meet its climate goals. ***Instead, the committee may wish to amend the bill to delete the bill’s contents and insert language that would (1) create a grant program,***

available upon appropriation, for purposes of providing financial assistance to local jurisdictions to implement VMT, including establishing regional thresholds of significance, and (2) require OPR to conduct a study on the impacts of VMT, in collaboration with other interested entities, including academic and research institutions with expertise in transportation impacts and VMT, to be completed no later than January 1, 2025. This will help provide funding to local jurisdictions so that they can apply a VMT analysis specifically tailored to their unique area and will help inform the Legislature on the impacts of VMT.

SOURCE: California Building Industry Association

SUPPORT:

National Diversity Coalition
Neighborhood Partnership Housing Services INC
Orange County Business Council
Rural County Representatives of California (RCRC)
The Two Hundred

OPPOSITION:

350 Bay Area Action
350 Sacramento
Active San Gabriel Valley
Alliance for Environmental Leadership
Alliance of Nurses for Healthy Environments
American Lung Association of California
CA Coalition for Clean Air
California Bicycle Coalition
California Environmental Justice Alliance
California Environmental Voters
California Native Plant Society
California State Council of Service Employees International Union (seiu California)
California Walks
Center for Biological Diversity
Central California Asthma Collaborative
Civicwell
Climate Action Campaign
Climate Resolve
Climateplan

City of Sacramento
Defenders of Wildlife
Endangered Habitats League
Environmental Center of San Diego
Foothill Conservancy
Friends Committee on Legislation of California
Friends of Coyote Hills
Friends of Harbors, Beaches and Parks
Friends of Hope Valley
Friends of Loma Alta Creek
Leadership Counsel for Justice and Accountability
Los Angeles Walks
Mayor Darrell Steinberg, City of Sacramento
Mountain Area Preservation
Move LA
Nrdc
Planning and Conservation League
Regional Asthma Management and Prevention
Sacramento Splash
Safe Routes to School National Partnership
San Diego County Bicycle Coalition
Santa Cruz Climate Action Network
Seamless Bay Area
Sierra Club California
So Cal 350 Climate Action
Sonoma Ecology Center
Southwest Wetlands Interpretive Association
Spur
The Climate Center
Transform
2 individuals

ARGUMENTS IN SUPPORT: According to the sponsor of the bill, California Building Industry Association, “Ironically, the purpose of SB 743 was to streamline infill development. Instead, the VMT regulations have resulted in a punitive housing tax that is further putting out of reach the American dream of homeownership for many in lower-income and predominately communities of color who must travel long distances to work. At this time, California is deeply entrenched in a housing crisis in terms of both affordability and supply. The imbalance between supply and demand has driven California housing costs to be the highest in the nation. VMT regulations further exacerbate the housing crisis, especially at a time when our state is already dealing with significant economic challenges due to the COVID-19 pandemic.”

ARGUMENTS IN OPPOSITION: According to a coalition including, among others, Planning and Conservation League, ClimatePlan, Natural Resources Defense Council, Sierra Club, and California Environmental Justice Alliance, “Arguments by proponents of the bill that assert that VMT regulation is adding to the costs of housing are incomplete and misleading. Like all impact mitigation, VMT mitigation only adds costs to a project where there is an impact. VMT impacts relative to the existing per capita VMT of the locale must be mitigated, for example, where housing is being built that is not in proximity to jobs, services, and alternative mobility options. It was precisely the purpose of SB 743 to add cost to inefficient development, to incentivize development that is more efficient, ultimately lowering the cost of efficient housing and infrastructure.

“Cumulatively, the cost of development, including housing, in ever-growing efficient areas will go down because:

1. Development in low VMT areas is largely exempt from conducting new transportation impact analysis, lowering environmental review costs.
2. Mitigation from VMT increasing projects will be used to reduce costs of low-VMT infrastructure and housing.
3. Cost of living will be reduced (and quality of life increased) by reduced transportation costs, and improved health outcomes associated with less air pollution and increased options for active transportation.

“SB 743 was one of the most transformative laws passed in the nation in the last decade. As with all transformative public policy, there will be growing pains. The new transportation impact analysis has only been enacted for less than two years, and there are indeed implementation challenges, but these challenges can, and are, being worked out administratively.”

-- END --