

## ATTACHMENT 1A

### CEQA FINDINGS OF FACT

#### I. INTRODUCTION TO CEQA FINDINGS

These findings are made pursuant to the California Environmental Quality Act (CEQA, Public Resources Code §21000 et seq.) and the CEQA Guidelines (California Code of Regulations, Title 14, Section 15000 et seq.) by the Board of Directors (Board) of the San Diego Association of Governments (SANDAG) as the lead agency for the Amendment to the 2021 Regional Plan (proposed Amendment). These findings pertain to the Supplemental Environmental Impact Report (SEIR) for the Amendment to the 2021 Regional Plan, State Clearinghouse (SCH) #2022120212.

##### A. *Project Description Summary*

SANDAG, as the Regional Transportation Commission and federally designated Metropolitan Planning Organization (MPO) for the San Diego region, builds consensus, develops strategic plans, obtains and allocates resources, and provides information on a broad range of topics pertinent to the region's quality of life. As a regional Council of Governments, voting members of the agency consist of the County of San Diego and 18 cities in the region.

The SANDAG Board of Directors adopted the 2021 Regional Plan (approved Plan) on December 10, 2021. Following adoption of the approved Plan, the SANDAG Board directed staff to prepare a focused amendment to the approved Plan that removes the regional road usage charge. A road usage charge is a direct user fee whereby drivers pay to use the roadway network, whether the vehicle is powered by gas, electricity, or hydrogen, based on distance traveled or other factors. The proposed Amendment refines the financial strategies in the approved Plan in order to continue achieving the region's greenhouse gas (GHG) emissions target set by the California Air Resources Board (CARB) without the regional road usage charge. No roadway or transportation network elements of the approved Plan are altered or modified in the proposed Amendment.

The proposed Amendment also includes the following minor technical adjustments to the approved Plan. After adoption of the approved Plan, staff observed low traffic counts and employment at some large employment location sites and made minor corrections resulting in slight changes to regional employment figures. Staff also fixed a software bug resulting in more accurate traffic volumes on State Route (SR) 11. A full discussion of the activity-based modeling inputs is included in Attachment B, *Air Quality Planning and Transportation Conformity*, to the proposed Amendment.

##### B. *Project Objectives*

The basic project objectives for this proposed Amendment SEIR remain unchanged from the project objectives for the approved Plan PEIR. Those objectives are found in Chapter 2, *Project Description*, of the approved Plan PEIR. The proposed Amendment has the additional objective of removing the regional road usage charge while continuing to meet State and federal planning requirements, regional GHG reduction targets, and federal air quality conformity standards.

### **C. Type of EIR**

This EIR for the proposed Amendment is a Supplemental EIR. A lead agency may choose to prepare a supplement to an EIR when “[a]ny of the conditions described in Section 15162 would require the preparation of a subsequent EIR” and when “only minor additions or changes would be necessary to make the previous EIR adequately apply to the project in the changed situation” (CEQA Guidelines Section 15163 (a)(1)(2)). A supplement to an EIR “need only contain the information necessary to make the previous EIR adequate for the project as revised” (CEQA Guidelines Section 15163(b)).

### **D. Procedural Compliance with CEQA**

SANDAG published a Draft SEIR on July 13, 2023, and a Final SEIR on October 3, 2023, in compliance with CEQA requirements. SANDAG prepared the Final SEIR in accordance with CEQA and the CEQA Guidelines. As allowed for in CEQA Guidelines Section 15084(d)(2), SANDAG retained a consultant to assist with the preparation of the environmental documents. SANDAG, acting as lead agency, has directed, reviewed, and edited as necessary all material prepared by the consultant, and such material reflects SANDAG’s independent judgment. In general, the preparation of the SEIR included the following key steps and public notification efforts:

- A 30-day scoping process began with SANDAG’s issuance of the Notice of Preparation (NOP) of an SEIR on December 9, 2022. The 30-day comment period ended January 9, 2023. SANDAG held a virtual SEIR scoping meeting on December 21, 2022 to receive perspective and input from agencies, organizations, and individuals on the scope and content of the environmental information to be addressed in the SEIR.
- SANDAG issued the Draft SEIR on July 13, 2023. The Notice of Availability for the Draft SEIR was published in the *Union Tribune and Hispanos Unidos* and mailed to an extensive distribution list. The Draft SEIR was also posted on SANDAG’s website and was available for review at the SANDAG Office. In addition, the Draft SEIR was distributed to those who provided comments on the NOP, the SANDAG Board, SANDAG member agencies, the San Diego Central Library (which is capable of transferring the document to other local libraries), and other interested parties and stakeholders.
- The Notice of Completion for the Draft SEIR was filed with the State Clearinghouse on July 12, 2023. The Draft SEIR was available for a 47-day public review period starting July 13, 2023. Following the close of the public review period on August 28, 2023, SANDAG revised the Draft SEIR in response to comments received and provided written responses addressing all significant environmental issues raised. Revisions made to the Draft SEIR are shown throughout the Final SEIR in strikethrough and underline text.
- SANDAG published the Final SEIR on October 3, 2023, and posted the Final SEIR on its website. SANDAG provided written responses to all public agencies that commented on the Draft SEIR 10 days prior to certifying the SEIR. The SANDAG Board held a public hearing on October 13, 2023, to consider certification of the Final SEIR.

### ***E. Incorporation of Final SEIR by Reference***

The Final SEIR is hereby incorporated by reference into these Findings. The Final SEIR consists of: (1) the Draft SEIR, including revisions; (2) all appendices to the Draft SEIR (Appendices A–E), including revisions; and (3) comments received on the Draft SEIR; a list of persons, organizations, and public agencies commenting on the Draft SEIR; SANDAG’s responses to significant environmental issues raised in the review and consultation process; and other information (bound separately as “Appendix F”).

## **II. FINDINGS REGARDING ENVIRONMENTAL IMPACTS**

Pursuant to Public Resources Code §21081 and CEQA Guidelines §15091, no public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant effects on the environment that would occur if the project is approved or carried out unless the public agency makes one or more of the following findings with respect to each significant impact:

- Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.
- Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency.
- Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report. (The concept of infeasibility also encompasses whether a particular alternative or mitigation measure promotes the Project’s underlying goals and objectives, and whether an alternative or mitigation measure is impractical or undesirable from a policy standpoint. See *City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 410; *California Native Plant Society v. City of Santa Cruz* (2009) 177 Cal.App.4th 957.)

SANDAG has made one or more of these specific written findings regarding each significant impact associated with the proposed Amendment. Those findings are presented below, along with a presentation of facts in support of the findings. The Board certifies these findings are based on full appraisal of all viewpoints, including all comments received up to the date of adoption of these findings, concerning the environmental issues identified and discussed.

The SEIR evaluation included a detailed analysis of impacts on the five resource topics potentially affected by the proposed Amendment, and analyzed impacts of the proposed Amendment and alternatives to the proposed Amendment, including a No Project Alternative. The SEIR disclosed the environmental impacts that would result from the adoption and implementation of the proposed Amendment. Feasible mitigation measures were identified intended to avoid or substantially lessen significant environmental effects.

### III. FINDINGS REGARDING ENVIRONMENTAL IMPACTS FOUND NOT TO BE SIGNIFICANT

Public Resources Code Section 21081 and CEQA Guidelines Section 15091 do not require findings of fact for impacts that are less than significant. Nevertheless, for the sake of completeness, the SANDAG Board of Directors hereby finds that the following environmental impacts of the proposed Amendment either would not occur or are less than significant. These findings are based on the detailed impact analyses provided in Sections 4.1 through 4.5 of the SEIR and the cumulative impacts discussed in Chapter 5 of the SEIR. Under CEQA, no mitigation measures are required for impacts that are less than significant (CEQA Guidelines Section 15126.4(a)(3)).

#### A. Air Quality (SEIR Section 4.1)

##### **AQ-1 CONFLICT WITH OR OBSTRUCT IMPLEMENTATION OF THE REGIONAL AIR QUALITY STRATEGY AND/OR STATE IMPLEMENTATION PLAN**

The SANDAG Board of Directors finds that implementation of the proposed Amendment would be consistent with the State Implementation Plan (SIP) growth forecasts, and applicable rules, regulations, and programs adopted as part of the plans by the San Diego Air Pollution Control District (SDAPCD) and California Air Resources Board (CARB). The proposed Amendment would not change land use or anticipated growth within the region or introduce new transportation network or facility improvements beyond what was analyzed in the approved Plan PEIR. In addition, the emissions in 2025, 2035, and 2050 are less than the conformity budget emissions for Reactive Organic Gas (ROG) and nitrogen oxides (NO<sub>x</sub>) (see SEIR Table 4.1-1). Therefore, this impact (AQ-1) would be unchanged from what was identified in the approved Plan PEIR and would remain less than significant in 2025, 2035, and 2050.

Regarding cumulative impacts, the proposed Amendment's impacts related to conflicts with or obstruction of applicable air quality plans, in combination with similar impacts that would result in the southern California and northern Baja California region based on projections in adopted plans, would not cause a significant cumulative impact. Therefore, the proposed Amendment's incremental impacts related to conflicts with or obstruction of applicable air quality plans (AQ-1) are not cumulatively considerable in 2025, 2035, and 2050.

##### **AQ-6 EXPOSE SENSITIVE RECEPTORS TO CARBON MONOXIDE HOT-SPOTS**

The SANDAG Board of Directors finds that implementation of the proposed Amendment would not expose sensitive receptors to substantial concentrations of carbon monoxide (CO) because the 2015 Regional Plan EIR did not find a CO hotspot at congested intersections while assuming higher on-road source CO emissions; the proposed Amendment would also not create any CO hotspots. Therefore, this impact (AQ-6) would be unchanged from what was identified in the approved Plan PEIR and would remain less than significant in 2025, 2035, and 2050.

Regarding cumulative impacts, the proposed Amendment's impacts related to exposure of sensitive receptors to substantial concentrations of CO, in combination with similar impacts that would result in the southern California and northern Baja region based on projections in adopted plans, would not cause a significant cumulative impact. Therefore, the proposed Amendment's incremental impacts

related to exposure of sensitive receptors to substantial concentrations of CO (AQ-6) are not cumulatively considerable in 2025, 2035, and 2050.

**B. ENERGY (SEIR SECTION 4.2)**

**EN-1 RESULT IN A SIGNIFICANT ENVIRONMENTAL IMPACT DUE TO WASTEFUL, INEFFICIENT, OR UNNECESSARY CONSUMPTION OF ENERGY DURING PROJECT CONSTRUCTION OR OPERATIONS**

The SANDAG Board of Directors finds that implementation of the proposed Amendment would not result in an increase in overall per capita energy consumption, or otherwise use energy in an inefficient, wasteful, or unnecessary manner, because while total energy use would increase slightly compared to the approved Plan, per capita energy use would still decrease between 2016 and each horizon year (see SEIR Table 4.2-1). Therefore, this impact (EN-1) would be unchanged from what was identified in the approved Plan PEIR and would remain less than significant in 2025, 2035, and 2050.

Regarding cumulative impacts, the proposed Amendment's impacts related to overall per capita energy consumption and use of energy in an inefficient, wasteful, or unnecessary manner, in combination with similar impacts that would result in the southern California and northern Baja California region based on projections in adopted plans and other cumulative projects, would not cause a significant cumulative impact. Therefore, the proposed Amendment's incremental impacts related to overall per capita energy consumption relative to baseline conditions and use of energy in an inefficient, wasteful, or unnecessary manner (EN-1) are not cumulatively considerable in 2025, 2035, and 2050.

**EN-2 CONFLICT WITH OR OBSTRUCT A STATE OR LOCAL PLAN FOR RENEWABLE ENERGY OR ENERGY EFFICIENCY**

The SANDAG Board of Directors finds that implementation of the proposed Amendment would not result in increased reliance on fossil fuels and decreased reliance on renewable energy sources because while total energy use would increase slightly compared to the approved Plan, total energy use and per capita energy use would still decrease in each horizon year compared to the 2016 baseline. Therefore, this impact (EN-2) would be unchanged from what was identified in the approved Plan PEIR and would remain less than significant in 2025, 2035, and 2050.

The proposed Amendment's impacts related to reliance on fossil fuels and renewable energy sources, in combination with similar impacts that would result in the southern California and northern Baja California region based on projections in adopted plans and other cumulative projects would not cause a significant cumulative impact. Therefore, the proposed Amendment's incremental impacts related to reliance on fossil fuels and renewable energy sources (EN-2) are not cumulatively considerable in 2025, 2035, and 2050.

**C. Greenhouse Gas Emissions (SEIR Section 4.3)**

**GHG-1 DIRECTLY OR INDIRECTLY RESULT IN AN INCREASE IN GHG EMISSIONS COMPARED TO EXISTING CONDITIONS (2016)**

The SANDAG Board of Directors finds that implementation of the proposed Amendment would not directly or indirectly result in an increase in greenhouse gas (GHG) emissions compared to existing conditions because while total annual GHG emissions would increase slightly compared to the approved Plan, total annual regional emissions would be approximately 14 percent lower in 2025, 28 percent lower in 2035, and 31 percent lower in 2050, relative to 2016. Therefore, this impact (GHG-1) would be unchanged from what was identified in the approved Plan PEIR and would remain less than significant in 2025, 2035, and 2050.

Regarding cumulative impacts, the proposed Amendment's impacts related to increases in GHG emissions compared to existing conditions (2016), in combination with global emissions projections in adopted plans and other authoritative sources, would not cause a significant cumulative impact because the proposed Amendment's GHG emissions would decrease compared to 2016 levels. Therefore, the proposed Amendment's incremental impacts related to direct or indirect increases in GHG emissions compared to existing conditions (2016) (GHG-1) are not cumulatively considerable in 2025, 2035, and 2050.

**GHG-2 CONFLICT WITH THE SANDAG REGION'S ACHIEVEMENT OF SB 375 GHG EMISSIONS REDUCTION TARGET FOR 2035**

The SANDAG Board of Directors finds that implementation of the proposed Amendment would not conflict with the Senate Bill (SB) 375 emissions reduction target for 2035 because while per capita GHG emissions would increase slightly compared to the approved Plan, it would result in a 19 percent reduction in per capita CO<sub>2</sub> emissions from passenger cars and light-duty trucks from 2005 levels by 2035, which meets the 2035 target of a 19 percent reduction for the SANDAG region. Therefore, this impact (GHG-2) would be unchanged from what was identified in the approved Plan PEIR and would remain less than significant in 2035.

The proposed Amendment's impacts related to conflicts with SB 375 GHG emission reduction targets, in combination with global emissions projections in adopted plans and other authoritative sources, would not cause a significant cumulative impact because there are no conflicts with the SB 375 emissions reduction targets. Therefore, the proposed Amendment's incremental impacts related to conflicts with SB 375 GHG emission reduction targets (GHG-2) are not cumulatively considerable in 2035.

**GHG-3 CONFLICT WITH OR IMPEDE ACHIEVEMENT OF AN AT LEAST 30% REDUCTION IN PER CAPITA GHG EMISSIONS FROM THE ENTIRE ON-ROAD TRANSPORTATION SECTOR BY 2035 COMPARED TO EXISTING CONDITIONS (2016)**

The SANDAG Board of Directors finds that while per capita GHG emissions would increase slightly compared to the approved Plan, implementation of the proposed Amendment would reduce 2035 per-capita GHG emissions from the on-road transportation sector by 43 percent compared to 2016

levels, which is higher than the 30 percent reduction identified in SANDAG Board Resolution No. 2021-17. Therefore, this impact (GHG-3) would be unchanged from what was identified in the approved Plan PEIR and would remain less than significant in 2035.

The proposed Amendment's impacts related to conflicts with SANDAG Board Resolution No. 2021-17 in combination with adopted plans and other authoritative sources, would not cause a significant cumulative impact because there are no conflicts with SANDAG Board Resolution No. 2021-17. Therefore, the proposed Amendment's incremental impacts related to per capita GHG emission from the entire on-road transportation sector (GHG-3) are not cumulatively considerable in 2035.

**GHG-4 CONFLICT WITH OR IMPEDE THE IMPLEMENTATION OF LOCAL PLANS ADOPTED FOR THE PURPOSE OF REDUCING GHG EMISSIONS**

The SANDAG Board of Directors finds that implementation of the proposed Amendment would not conflict with or impede the implementation of adopted climate action plans (CAPs), GHG reduction plans, and/or sustainability plans. Therefore, this impact (GHG-2) would be unchanged from what was identified in the approved Plan PEIR and would remain less than significant in 2025, 2035, and 2050.

Regarding cumulative impacts, the proposed Amendment's impacts related to conflicts with local plans, in combination with global emissions projections in adopted plans and other authoritative sources, would not cause a significant cumulative impact because there are no conflicts with adopted CAPs, GHG reduction plans, and/or sustainability plans. Therefore, the proposed Amendment's incremental impacts related to conflicts with local plans adopted for the purpose of reducing GHG emissions (GHG-4) are not cumulatively considerable in 2025, 2035, and 2050.

***D. Transportation (SEIR Section 4.5)***

**TRA-1 CONFLICT WITH A PROGRAM, PLAN, ORDINANCE, OR POLICY ADDRESSING THE CIRCULATION SYSTEM, INCLUDING TRANSIT, ROADWAY, BICYCLE, AND PEDESTRIAN FACILITIES**

The SANDAG Board of Directors finds that the proposed Amendment would not alter the transportation network improvements and programs included in the approved Plan, with the exception of the removal of the regional road usage charge. As outlined in Attachment A of the proposed Amendment, the proposed Amendment would still be able to fund the transportation network improvements and programs without the inclusion of the regional road usage charge. Additionally, implementation of the proposed Amendment would decrease the vehicular mode share and increase walking, biking, and transit mode shares compared to baseline conditions. Therefore, this impact (TRA-1) would be unchanged from what was identified in the approved Plan PEIR and would remain less than significant in 2025, 2035, and 2050.

Regarding cumulative impacts, the impacts related to conflicts with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities would not create significant cumulative impacts. Other adopted plans and related projects did not identify an impact related to conflicts with a program, plan or ordinance in the region. Therefore, the

proposed Amendment's less-than-significant transportation impacts associated with conflicts with a program, plan, or ordinance (TRA-1) are not cumulatively considerable in 2025, 2035, and 2050.

#### **IV. FINDINGS REGARDING SIGNIFICANT AND UNAVOIDABLE ENVIRONMENTAL IMPACTS**

The SANDAG Board hereby finds that mitigation measures that have been identified in the SEIR will lessen the following significant environmental impacts but not to a less-than-significant level. These findings are based on the discussion of impacts in the detailed issue area analyses in Sections 4.1 to 4.5 of the SEIR and the cumulative impacts discussed in Chapter 5 of the SEIR as well as relevant responses to comments in the Final SEIR.

Impacts within the following resource categories will remain significant and unavoidable with implementation of all feasible mitigation measures:

- Air Quality
- Noise and Vibration
- Greenhouse Gas Emissions
- Transportation

Findings regarding significant environmental impacts of the approved Plan that were not revised by the SEIR are described in the CEQA Findings of Fact for the approved Plan adopted by the SANDAG Board of Directors on December 10, 2021. This section of the SEIR findings is limited to significant impacts shown in the approved Plan PEIR that were revised by the SEIR, consistent with CEQA Guidelines § 15163(e).

##### **A. Air Quality (SEIR Section 4.1)**

#### **AQ-2 RESULT IN A CUMULATIVELY CONSIDERABLE NET INCREASE IN NONATTAINMENT OR ATTAINMENT CRITERIA POLLUTANTS, INCLUDING VOC, NOX, PM10, PM2.5, AND SOX**

##### **Significant Impact**

Implementation of the proposed Amendment would not result in a change in sulfur dioxide (SO<sub>x</sub>) emissions compared to the approved Plan, but would result in a small increase in particulate matter (PM) less than 10 microns in diameter (PM<sub>10</sub>) and a more severe cumulatively considerable net increase in PM<sub>10</sub> emissions in 2050. Therefore, this impact (AQ-2) would be unchanged from what was identified in the approved Plan PEIR and would remain significant.

##### **Mitigation Measures**

##### **2050**

The following mitigation measures identified in Section 4.3 of the approved Plan PEIR would still be applicable to the proposed Amendment and would help reduce criteria pollutants.

- **AQ-2a. Secure Incentive Funding**
- **AQ-2b. Zero Emission Trains**



As identified in Section 4.3 of the approved Plan PEIR and discussed in further detail in Sections 4.8, *Greenhouse Gas Emissions*, and 4.16, *Transportation*, of the approved Plan PEIR, mitigation measures GHG-5a, GHG-5b, GHG-5d, GHG-5f, and TRA-2 would also reduce PM10, PM2.5, and SO<sub>x</sub> emissions; these mitigation measures would remain applicable to the proposed Amendment. Section 4.5, *Transportation*, of the SEIR, includes minor updates to mitigation measure TRA-2. Section 4.3, *Greenhouse Gas Emissions*, of the SEIR includes an additional mitigation measure, GHG-5g, that would also reduce air quality impacts associated with the proposed Amendment.

- **GHG-5a. Allocate Competitive Grant Funding to Projects that Reduce GHG Emissions and for Updates to CAPs or GHG Reduction Plans**
- **GHG-5b. Establish New Funding Programs for Zero-Emissions Vehicles and Infrastructure**
- **GHG-5d. Develop and Implement Regional Digital Equity Strategy and Action Plan to Advance Smart Cities and Close the Digital Divide**
- **GHG-5f. Implement Measures to Reduce GHG Emissions from Development Projects**
- **GHG-5g. Prepare/Develop a Regional Climate Action Plan**
- **TRA-2. Achieve Further VMT Reductions for Transportation and Development Projects**

Implementation of mitigation measures AQ-2a, AQ-2b, GHG-5a, GHG-5b, GHG-5d, GHG-5f, GHG-5g and TRA-2 would reduce this significant impact, though not to a less-than-significant level.

### **Findings and Rationale**

The SANDAG Board finds that the provisions of mitigation measures AQ-2a, AQ-2b, GHG-5a, GHG-5b, GHG-5d, GHG-5f, GHG-5g, and TRA-2 have been required in, or incorporated into, the proposed Amendment to reduce PM10 and SO<sub>x</sub>. The SANDAG Board of Directors finds that specified provisions of these mitigation measures are SANDAG's responsibility to implement, while other provisions are within the responsibility and jurisdiction of other transportation project sponsors, cities, the County, and other public agencies, and that such provisions can and should be adopted by these other agencies.

Implementation of mitigation measures GHG-5a, GHG-5b, GHG-5d, GHG-5f, and GHG-5g would reduce PM10 and PM2.5 emissions from tire wear, brake wear, and vehicle exhaust. In addition, mitigation measure TRA-2 would reduce criteria pollutants through project-level VMT reduction measures. Implementation of mitigation measure AQ-2a would reduce PM10 and SO<sub>x</sub> emissions from onroad sources by securing funding to implement ways to reduce all emissions, including PM10 and SO<sub>x</sub> emissions from mobile sources. Implementation of mitigation measure AQ-2b would reduce exhaust PM10 and SO<sub>x</sub> emissions from commuter trains by replacing diesel fuel combustion with zero-emission energy sources. Mitigation measure AQ-2b would reduce SO<sub>x</sub> emissions so that they would be less than cumulatively considerable, and therefore less than significant.

However, for mitigation measure AQ-2a and other PM-reducing mitigation measures, it cannot be guaranteed that PM10 emissions would be reduced to where they would be less than cumulatively

considerable. Therefore, impacts related to cumulatively considerable net increases in air pollutant emissions would remain significant and unavoidable.

The SANDAG Board finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make certain mitigation measures or alternatives identified in the SEIR infeasible. Because no feasible mitigation measures or alternatives have been found to reduce the impact to a less-than-significant level, this impact (AQ-2, as revised by the SEIR, remains significant and unavoidable.

**AQ-4 EXPOSE SENSITIVE RECEPTORS TO SUBSTANTIAL PM10 AND PM2.5 CONCENTRATIONS (2025, 2035, 2050)**

**Significant Impact**

Implementation of the proposed Amendment by 2025 would eliminate 24-hour PM10 CAAQS exceedances in Chula Vista and reduce the area of annual PM10 CAAQS threshold exceedance in Escondido. However, exceedances of the annual PM10 CAAQS would remain. Therefore, this impact (AQ-4) in 2025 would be unchanged from what was identified in the approved Plan PEIR and would remain significant.

Implementation of the proposed Amendment by 2035 would eliminate exceedances of the 24-hour PM10 CAAQS in the Chula Vista domain but would increase the area of annual PM10 CAAQS exceedance in Escondido. Therefore, because the proposed Amendment would expose new areas to exceedances of the annual PM10 CAAQS not previously identified in the approved Plan PEIR this would be a substantially more severe significant impact in 2035.

Implementation of the proposed Amendment by 2050 would increase the area of threshold exceedance for the annual PM10 CAAQS and would substantially contribute or create new violations of annual PM10 CAAQS in the Oceanside domain not previously identified in the approved Plan PEIR. Therefore, this would be a substantially more severe impact in 2050 compared to the approved Plan PEIR.

**Mitigation Measures**

The following mitigation measures identified in Section 4.3 of the approved Plan PEIR would still be applicable to the proposed Amendment and would help reduce PM emissions and exposure to PM emissions.

- **AQ-2a. Secure Incentive Funding**
- **AQ-4. Reduce Exposure to Localized Particulate Emissions**

As identified in Section 4.3, *Greenhouse Gas Emissions*, of the approved Plan PEIR, the following mitigation measures identified in Sections 4.8 and 4.16 of the approved Plan PEIR would further reduce PM10 and PM2.5 emissions and would remain applicable to the proposed Amendment. Section 4.5 of the SEIR includes minor updates to mitigation measure TRA-2. Section 4.3, *Greenhouse Gas Emissions*, of the SEIR includes an additional mitigation measure, GHG-5g, that would also reduce air quality impacts associated with the proposed Amendment.

- **GHG-5a. Allocate Competitive Grant Funding to Projects that Reduce GHG Emissions and for Updates to CAPs or GHG Reduction Plans**
- **GHG-5b. Establish New Funding Programs for Zero-Emissions Vehicles and Infrastructure**
- **GHG-5d. Develop and Implement Regional Digital Equity Strategy and Action Plan to Advance Smart Cities and Close the Digital Divide**
- **GHG-5f. Implement Measures to Reduce GHG Emissions from Development Projects**
- **GHG-5g. Prepare/Develop a Regional Climate Action Plan**
- **TRA-2. Achieve Further VMT Reductions for Transportation and Development Projects**

Implementation of mitigation measures AQ-2a, AQ-4, GHG-5a, GHG-5b, GHG-5d, GHG-5f, GHG-5g, and TRA-2 would reduce this significant impact, but not to a less-than-significant level.

**Findings and Rationale**

The SANDAG Board finds that the provisions of mitigation measures AQ-2a, GHG-5a, GHG-5b, GHG-5d, GHG-5f, GHG-5g, TRA-2, and AQ-4 have been required in, or incorporated into, the proposed Amendment to reduce this significant impact of exposing sensitive receptors to substantial PM10 and PM2.5 concentrations. The SANDAG Board finds that specified provisions of these mitigation measures are SANDAG’s responsibility to implement, while other provisions are within the responsibility and jurisdiction of other transportation project sponsors, cities, the County, and other public agencies, and that such provisions can and should be adopted by these other agencies.

Implementation of mitigation measure AQ-2a would help secure incentive funding to reduce PM emissions from mobile sources. Implementation of mitigation measures GHG-5a, GHG-5b, GHG-5d, GHG-5f, GHG-5g, and TRA-2 would reduce PM10 and PM2.5 emissions from tire wear, brake wear, vehicle exhaust, and through project-level VMT reduction measures. Mitigation measure AQ-4 would reduce the exposure of sensitive receptors to localized PM emissions with the implementation of design measures. Although mitigation would reduce impacts, there is no guarantee that all projects would be reduced to below a level of significance. Impacts would remain significant for the Escondido area for 2025, 2035, and 2050; the El Cajon area for 2035 and 2050; and the Chula Vista and Oceanside areas for 2050. Thus, impacts would be significant and unavoidable.

The SANDAG Board of Directors finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make certain mitigation measures or alternatives identified in the SEIR infeasible. Because no feasible mitigation measures or alternatives have been found to reduce the impact to a less-than-significant level, this impact (AQ-4), as revised by the SEIR, remains significant and unavoidable.

**AQ-4                    EXPOSE SENSITIVE RECEPTORS TO SUBSTANTIAL TAC CONCENTRATIONS (2025, 2035, 2050)**

### **Significant Impact**

Implementation of the proposed Amendment would not expose existing sensitive receptors, but would expose new receptors to substantial concentrations of TAC emissions in 2025, 2035, and 2050. Implementation of the proposed Amendment by 2025 would increase the incremental area of threshold exceedance for new land uses, result in new cancer risk exceedances for new recreational land uses, and result in new chronic hazard exceedances for new recreational and school land uses.

Implementation of the proposed Amendment by 2035 would increase the incremental area of threshold exceedance for new sources and new land uses and result in new chronic hazard exceedances for new recreational and school land uses.

Implementation of the proposed Amendment by 2050 would increase the incremental area of threshold exceedance for new sources and new land uses, result in new cancer risk exceedances for new recreational sources and land uses, result in new chronic hazard exceedances for schools exposed to new sources, and result in new chronic hazard exceedances for new recreational and school land uses. Therefore, this would be a substantially more severe significant impact in 2025, 2035, and 2050 compared to the approved Plan PEIR.

### **Mitigation Measures**

The following mitigation measures identified in Section 4.3 of the approved Plan PEIR would still be applicable to the proposed Amendment and would help reduce TAC emissions.

- **AQ-2a. Secure Incentive Funding**
- **AQ-4. Reduce Exposure to Localized Particulate Emissions**
- **AQ-5a. Reduce Exposure to Localized Toxic Air Contaminant Emissions**
- **AQ-5b. Reduce Exposure to Localized Toxic Air Contaminant Emissions during Railway Design**

The following mitigation measures identified in Sections 4.8 and 4.16 of the approved Plan PEIR would further reduce TAC emissions and would remain applicable to the proposed Amendment. Section 4.5 of the SEIR, includes minor updates to mitigation measure TRA-2. Section 4.3 of the SEIR includes an additional mitigation measure, GHG-5g, that would also reduce air quality impacts associated with the proposed Amendment.

- **GHG-5a. Allocate Competitive Grant Funding to Projects that Reduce GHG Emissions and for Updates to CAPs or GHG Reduction Plans**
- **GHG-5b. Establish New Funding Programs for Zero-Emissions Vehicles and Infrastructure**
- **GHG-5d. Develop and Implement Regional Digital Equity Strategy and Action Plan to Advance Smart Cities and Close the Digital Divide**
- **GHG-5f. Implement Measures to Reduce GHG Emissions from Development Projects**

- **GHG-5g. Prepare/Develop a Regional Climate Action Plan**
- **TRA-2. Achieve Further VMT Reductions for Transportation and Development Projects**

Implementation of mitigation measures AQ-2a, AQ-4, AQ-5a, AQ-5b, GHG-5a, GHG-5b, GHG-5d, GHG-5f, GHG-5g, and TRA-2 would reduce this significant impact, but not to a less-than-significant level.

### **Findings and Rationale**

The SANDAG Board finds that the provisions of mitigation measures AQ-2a, AQ-4, AQ-5a, AQ-5b, GHG-5a, GHG-5b, GHG-5d, GHG-5f, GHG-5g, and TRA-2 have been required in, or incorporated into, the proposed Amendment to reduce this significant impact of exposing sensitive receptors to substantial TAC concentrations. The SANDAG Board finds that specified provisions of these mitigation measures are SANDAG's responsibility to implement, while other provisions are within the responsibility and jurisdiction of other transportation project sponsors, cities, the County, and other public agencies, and that such provisions can and should be adopted by these other agencies.

Implementation of mitigation measure AQ-2a would help secure incentive funding to reduce PM emissions from mobile sources. Implementation of mitigation measure AQ-5a would reduce TAC emissions and TAC emission exposure on existing and new receptors through design and siting requirements. Implementation of mitigation measure AQ-5b would reduce diesel emission exposure on existing and new receptors through undergrounding and design. Implementation of mitigation measures GHG-5a, GHG-5b, GHG-5d, GHG-5f, GHG-5g, and TRA-2 would reduce PM10 and PM2.5 emissions from tire wear, brake wear, vehicle exhaust, and through project-level VMT reduction measures which would reduce TAC emissions and associated concentrations. Although mitigation would reduce impacts, there is no guarantee that all projects would be reduced to below a level of significance for every project. Thus, impacts would be significant and unavoidable.

The SANDAG Board finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make certain mitigation measures or alternatives identified in the SEIR infeasible. Because no feasible mitigation measures or alternatives have been found to reduce the impact to a less-than-significant level, this impact (AQ-5), as revised by the SEIR, remains significant and unavoidable.

### ***Cumulative Air Quality Impacts (SEIR Section 5.2.1)***

#### **Significant Impacts**

Because cumulative air quality impacts throughout the southern California and northern Baja California region would be significant in 2025, 2035, and 2050, and because the proposed Amendment's incremental air quality impacts are significant in 2025, 2035, and 2050, the proposed Amendment's incremental air quality impacts (AQ-2, AQ-4 and AQ-5) are cumulatively considerable in 2025, 2035, 2050.

## **Mitigation Measures**

Implementation of mitigation measures AQ-2a, AQ-2b, AQ-4, AQ-5a, AQ-5b, GHG-5a, GHG-5b, GHG-5d, GHG-5e, GHG-5f, GHG-5g, and TRA-2 would reduce significant air quality impacts related to violating any air quality standard or contributing substantially to an existing or projected air quality violation, construction-related emissions above mass emission thresholds, exposing sensitive receptors to substantial PM10 and PM2.5 concentrations, or TAC concentrations, but not to less-than-significant levels.

## **Findings and Rationale**

The SANDAG Board finds that the provisions of mitigation measures AQ-2a, AQ-2b, AQ-4, AQ-5a, AQ-5b, GHG-5a, GHG-5b, GHG-5d, GHG-5e, GHG-5f, and TRA-2 have been required in, or incorporated into, the proposed Amendment to reduce significant air quality impacts. The SANDAG Board finds that specified provisions of these mitigation measures are SANDAG's responsibility to implement, while other provisions are within the responsibility and jurisdiction of other transportation project sponsors, cities, the County, and other public agencies, and that such provisions can and should be adopted by these other agencies.

Implementation of mitigation measures AQ-2a, AQ-2b, AQ-4, AQ-5a, AQ-5b, GHG-5a, GHG-5b, GHG-5d, GHG-5e, GHG-5f, GHG-5g, and TRA-2 would reduce the proposed Amendment's significant cumulative air quality impacts. However, while these mitigation measures reduce the proposed Amendment's significant air quality impacts, it cannot be guaranteed that all future project-level impacts can be mitigated to a less-than-significant level.

The SANDAG Board finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make certain mitigation measures or alternatives identified in the SEIR infeasible. Because no feasible mitigation measures or alternatives have been found to reduce the proposed Amendment's incremental contributions to cumulatively significant air quality impacts to less-than-significant levels, these impacts (AQ-2, AQ-4, and AQ-5), as revised by the SEIR, remain cumulatively considerable post-mitigation.

### ***B. Greenhouse Gas Emissions (SEIR Section 4.3)***

#### **GHG-5 EXPOSE SENSITIVE RECEPTORS TO SUBSTANTIAL PM10 AND PM2.5 CONCENTRATIONS (2025, 2035, 2050)**

### **Significant Impact**

The projected emissions in the San Diego region in 2030 would not meet the 2030 SB 32 reference point of 15.6 million metric tons (MMT) carbon dioxide equivalent (CO<sub>2</sub>e) or the 2022 Scoping Plan reference point of 13.4 MMTCO<sub>2</sub>e following implementation of the proposed Amendment. The 2022 Scoping Plan reference point was published after the approved Plan PEIR was adopted (November 2022). Thus, this impact was not identified in the approved Plan PEIR and is a new significant impact in 2030. The total regional GHG emissions in 2045 and 2050 would exceed the 2045 and 2050 reference points of 3.9 and 5.2 MMTCO<sub>2</sub>e, respectively (based on the goals of EO B-55-18, EO S-3-05,

and AB 1279). Therefore, this impact (GHG-5) is considered significant in the year 2045 because the proposed Amendment would not meet the reduction goal of AB 1279 or the 2022 Scoping Plan. AB 1279 and the 2022 Scoping Plan were published after the approved Plan PEIR was adopted (September and November 2022, respectively); thus, this impact was not identified in the approved Plan PEIR. Therefore, this is a new significant impact in 2045 and 2050.

### **Mitigation Measures**

The following mitigation measures identified in the approved Plan PEIR would still be applicable to the proposed Amendment and would help reduce regional GHG emissions by reducing VMT, increasing use of zero-emission fuels, sequestration of carbon from the atmosphere, and other measures; they would reduce inconsistency of the proposed Amendment's GHG emissions with the State's ability to achieve the SB 32, EO B-55-18, EO S-3-05, and AB 1279 GHG reduction goals. However, even full implementation of all identified mitigation measures would not be sufficient to reduce the proposed Amendment's GHG emissions to below the regional reference points based on SB 32, EO B-55-18, EO S-3-05, and AB 1279.

#### **Program-Level Mitigation**

- **GHG-5a. Allocate Competitive Grant Funding to Projects that Reduce GHG Emissions and for Updates to CAPs or GHG Reduction Plans**
- **GHG-5b. Establish New Funding Programs for Zero-Emissions Vehicles and Infrastructure**
- **GHG-5c. Implement Nature-Based Climate Solutions to Remove Carbon Dioxide from the Atmosphere**
- **GHG-5d. Develop and Implement Regional Digital Equity Strategy and Action Plan to Advance Smart Cities and Close the Digital Divide**

#### **Project-Level Mitigation**

- **GHG-5e. Implement Measures to Reduce GHG Emissions from Transportation Projects**
- **GHG-5f. Implement Measures to Reduce GHG Emissions from Development Projects**

The following additional mitigation measure is proposed in the SEIR to further reduce regional GHG emissions:

- **GHG-5g. Prepare/Develop a Regional Climate Action Plan.** SANDAG shall prepare a regional Priority Climate Action Plan by April 2024, and a Comprehensive Climate Action Plan by October 2025, that include measures to reduce GHG emissions and help achieve the 2045 targets established by AB 1279 and CARB's Final 2022 Scoping Plan Update.

As discussed in further detail in Sections 4.3, *Air Quality*, 4.16, *Transportation*, and Section 4.18, *Water Supply*, of the approved Plan PEIR, mitigation measures AQ-3b, AQ-3c, AQ-4, TRA-2, WS-1a, and WS-1b would also reduce emissions of GHGs by decreasing overall pollutant emissions from equipment,

vehicles, and water consumption and would remain applicable to the proposed Amendment. Section 4.5, *Transportation*, of the SEIR, includes minor updates to mitigation measure TRA-2.

- **AQ-3b. Reduce Diesel Emissions During Construction from Off-Road Equipment**
- **AQ-3c. Reduce Diesel Emissions During Construction from On-Road Vehicles**
- **AQ-4. Reduce Exposure to Localized Particulate Emissions**
- **TRA-2. Achieve Further VMT Reductions for Transportation and Development Projects**
- **WS-1a. Implement Water Conservation Measures for Transportation Network Improvements**
- **WS-1b. Implement Water Conservation Measures for Development Projects**

Implementation of mitigation measures AQ-3b, AQ-3c, AQ-4, TRA-2, WS-1a, WS-1b, GHG-5a, GHG-5b, GHG-5c, GHG-5d, GHG-5e, GHG-5f, and GHG-5g would reduce this significant impact, but not to a less-than-significant level.

### **Findings and Rationale**

The SANDAG Board finds that the provisions of mitigation measures AQ-3b, AQ-3c, AQ-4, TRA-2, WS-1a, WS-1b, GHG-5a, GHG-5b, GHG-5c, GHG-5d, GHG-5e, GHG-5f, and GHG-5g have been required in, or incorporated into, the proposed Amendment to reduce this significant impact of inconsistency with the State's ability to achieve the GHG reduction goals of SB 32, EO B-55-18, EO S-3-05, AB1279, and the 2022 Scoping Plan. The SANDAG Board finds that specified provisions of these mitigation measures are SANDAG's responsibility to implement, while other provisions are within the responsibility and jurisdiction of other transportation project sponsors, cities, the County, and other public agencies, and that such provisions can and should be adopted by these other agencies.

Implementation of mitigation measures AQ-3b, AQ-3c, AQ-4, TRA-2, WS-1a, WS-1b, GHG-5a, GHG-5b, GHG-5c, GHG-5d, GHG-5e, GHG-5f, and GHG-5g would reduce this significant impact related to inconsistency with the State's ability to achieve the GHG reduction goals of SB 32, EO B-55-18, EO S-3-05, AB1279, and the 2022 Scoping Plan. The discussion of mitigation measures for Impact GHG-5 in the approved Plan PEIR (in Section 4.8) evaluates the effectiveness of plan-level mitigation measures to be implemented by SANDAG. The effectiveness of the actions included in the mitigation measures in reducing GHG emissions has been demonstrated by CAPCOA and the Center for Resource Efficient Communities and the Center for the Built Environment (CAPCOA 2010, Center for Resource Efficient Communities and the Center for the Built Environment 2021). Implementation of project-specific mitigation measures by the County of San Diego and cities will also reduce total GHG emissions under the proposed Amendment. However, SANDAG does not have the authority to require other agencies to implement these measures. It is the responsibility of the implementing agency to determine and adopt project-specific mitigation measures.

Implementation of mitigation measures GHG-5a through GHG-5g, as well as mitigation measures AQ-3b, AQ 3c, AQ-4, TRA-2, WS-1a, and WS-1b, would substantially lessen the amount of proposed Amendment GHG emissions in 2030, 2045, and 2050. However, even full implementation of all



identified mitigation measures would not be sufficient to reduce the proposed Amendment's GHG emissions to below the regional 2030, 2045, and 2050 reference points based on SB 32, EO B-55-18, EO S-3-05, and AB 1279. Therefore, this impact (GHG-5) remains significant and unavoidable.

The SANDAG Board finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make additional mitigation measures or project alternatives infeasible. Because no feasible mitigation measures or project alternatives have been found to reduce the impact to a less-than-significant level, this impact (GHG-5), as revised by the SEIR, remains significant and unavoidable.

### ***Cumulative Greenhouse Gas Emissions Impacts (SEIR Section 5.2.3)***

#### **Significant Impacts**

Because cumulative global greenhouse gas emissions by 2030, 2045 and 2050 would be significant, and because the proposed Amendment's incremental greenhouse gas emissions impacts are significant in 2030, 2045, and 2050, the proposed Amendment's incremental greenhouse gas emissions impacts (GHG-5) are cumulatively considerable in 2030, 2045, and 2050.

#### **Mitigation Measures**

Implementation of mitigation measures AQ-3b, AQ-3c, AQ-4, TRA-2, WS-1a, WS-1b, GHG-5a, GHG-5b, GHG-5c, GHG-5d, GHG-5e, GHG-5f, and GHG-5g would reduce the proposed Amendment's significant greenhouse gas emissions impact related to inconsistency with the State's ability to achieve the GHG reduction goals of SB 32, EO B-55-18, EO S-3-05, and AB1279, but not to a less-than-significant level.

#### **Findings and Rationale**

The SANDAG Board finds that the provisions of mitigation measures AQ-3b, AQ-3c, AQ-4, TRA-2, WS-1a, WS-1b, GHG-5a, GHG-5b, GHG-5c, GHG-5d, GHG-5e, GHG-5f and GHG-5g have been required in, or incorporated into, the proposed Amendment to reduce the proposed Amendment's significant greenhouse gas emissions impact. The SANDAG Board finds that specified provisions of these mitigation measures are SANDAG's responsibility to implement, while other provisions are within the responsibility and jurisdiction of other transportation project sponsors, cities, the County, and other public agencies, and that such provisions can and should be adopted by these other agencies.

Implementation of mitigation measures AQ-3b, AQ-3c, AQ-4, TRA-2, WS-1a, WS-1b, GHG-5a, GHG-5b, GHG-5c, GHG-5d, GHG-5e, GHG-5f, and GHG-5g would reduce the proposed Amendment's significant greenhouse gas emissions impact. However, for the reasons stated in the Impact GHG-5 finding above, these measures do not reduce this significant impact to a less-than-significant level.

The SANDAG Board finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make certain mitigation measures or alternatives identified in the SEIR infeasible. Because no feasible mitigation measures or alternatives have been found to reduce the proposed Amendment's incremental contributions to cumulatively significant greenhouse gas emissions impacts to a less-than-significant level, this impact (GHG-5), as revised by the SEIR, remains cumulatively considerable post-mitigation.

### **C. Noise And Vibration (SEIR Section 4.4)**

**NOI-1            GENERATION OF A SUBSTANTIAL TEMPORARY OR PERMANENT INCREASE IN AMBIENT NOISE LEVELS IN THE VICINITY OF THE PROJECT IN EXCESS OF STANDARDS ESTABLISHED IN LOCAL GENERAL PLANS OR NOISE ORDINANCES, OR APPLICABLE STANDARDS OF OTHER AGENCIES; OR GENERATE A SUBSTANTIAL ABSOLUTE INCREASE IN AMBIENT NOISE (2025, 2035, 2050)**

#### **Significant Impact**

Implementation of the proposed Amendment would result in a slight increase (less than 0.1dB) in operational noise from an increase in traffic volume. This slight increase in noise level would not result in new or substantially more severe significant noise impacts that exceed applicable standards or represent substantial increases in ambient noise levels. Therefore, this impact (NOI-1) would be unchanged from what was identified in the approved Plan PEIR and would remain significant in 2025, 2035, and 2050.

#### **Mitigation Measures**

The following mitigation measures identified in Section 4.13 of the approved Plan PEIR would still be applicable to the proposed Amendment and would help reduce noise impacts.

- **NOI-1a. Implement Construction Noise Reduction Measures for Development Projects and Transportation Network Improvements**
- **NOI-1b. Implement Operational Noise Reduction Measures for Transportation Network Improvements**
- **NOI-1c. Implement Operational Noise Reduction Measures for Development Projects**

Implementation of mitigation measures NOI-1a, NOI-1b, and NOI-1c would reduce this significant impact, but not to a less-than-significant level.

#### **Findings and Rationale**

The SANDAG Board finds that the provisions of mitigation measures NOI-1a, NOI-1b, and NOI-1c have been required in, or incorporated into, the proposed Amendment to reduce this significant impact of generating noise levels in excess of applicable standards.

The SANDAG Board finds that specified provisions of these mitigation measures are SANDAG's responsibility to implement, while other provisions are within the responsibility and jurisdiction of other transportation project sponsors, cities, the County, and other public agencies, and that such provisions can and should be adopted by these other agencies.

Implementation of mitigation measures NOI-1a, NOI-1b, and NOI-1c would reduce significant impacts related to generating noise levels in excess of applicable standards. However, it cannot be guaranteed that all future project-level impacts would be mitigated to a less-than-significant level.

The SANDAG Board finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make additional mitigation measures or project alternatives infeasible. Because no feasible mitigation measures or project alternatives have been found to reduce the impact to a less-than-significant level, this impact (NOI-1), as revised by the SEIR, remains significant and unavoidable.

**NOI-2                    GENERATION OF EXCESSIVE GROUNDBORNE VIBRATION OR GROUNDBORNE NOISE LEVELS (2025, 2035, 2050)**

**Significant Impact**

The proposed Amendment would not change land use or anticipated growth within the region or introduce new transportation network or facility improvements from what was analyzed in the approved Plan PEIR. Because no new construction or changes to rail operations are anticipated, groundborne vibration and groundborne noise impacts would remain unchanged from the approved Plan PEIR.

The proposed Amendment would remove the regional road usage charge, which would result in a minor increase in traffic volume. However, as previously discussed in the approved Plan PEIR, vehicles accessing the highway or local road system would not produce significant vibration at distances of more than 25 feet. Therefore, the removal of the regional road usage charge would not result in new or substantially more severe significant vibration impacts at nearby receptors. Therefore, this impact (NOI-2) would be unchanged from what was identified in the approved Plan PEIR and would remain significant in 2025, 2035, and 2050.

**Mitigation Measures**

The following mitigation measures identified in Section 4.13 of the approved Plan PEIR would still be applicable to the proposed Amendment and would help reduce noise impacts.

- **NOI-2a. Implement Construction Groundborne Vibration and Noise Reduction Measures**
- **NOI-2b. Implement Groundborne Vibration and Noise Reduction Measures**

Implementation of mitigation measures NOI-2a and NOI-2b would reduce this significant impact, but not to a less-than-significant level.

**Findings and Rationale**

The SANDAG Board finds that the provisions of mitigation measures NOI-2a and NOI-2b have been required in, or incorporated into, the proposed Amendment to reduce this significant impact of substantial increases in groundborne vibration or groundborne noise levels. The SANDAG finds that specified provisions of these mitigation measures are SANDAG's responsibility to implement, while other provisions are within the responsibility and jurisdiction of other transportation project sponsors, cities, the County, and other public agencies, and that such provisions can and should be adopted by these other agencies.

Implementation of mitigation measures NOI-2a and NOI-2b would reduce significant impacts related to substantial increases in groundborne vibration or groundborne noise levels; however, it cannot be guaranteed that all future project-level impacts would be mitigated to a less-than-significant level.

The SANDAG Board finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make additional mitigation measures or project alternatives infeasible. Because no feasible mitigation measures or project alternatives have been found to reduce the impact to a less-than-significant level, this impact (NOI-2), as revised by the SEIR, remains significant and unavoidable.

#### ***Cumulative Noise and Vibration Impacts (SEIR Section 5.2.4)***

##### **Significant Impacts**

Because cumulative noise and vibration impacts throughout the San Diego and northern Baja California region by 2025, 2035 and 2050 would be significant, and because the proposed Amendment's incremental noise and vibration impacts are significant in 2025, 2035, and 2050, the Amendment's incremental noise and vibration impacts (NOI-1 and NOI-2) are cumulatively considerable in 2025, 2035, and 2050.

##### **Mitigation Measures**

Implementation of mitigation measures NOI-1a, NOI-1b, NOI-2a, and NOI-2b would reduce significant noise and vibration impacts related to increasing noise levels in excess of applicable standards, and exposing persons to or generating excessive groundborne vibration and noise exceeding applicable quantitative thresholds, but not to less-than-significant levels.

##### **Findings and Rationale**

The SANDAG Board finds that the provisions of mitigation measures NOI-1a, NOI-1b, NOI-2a, and NOI-2b have been required in, or incorporated into, the proposed Amendment to reduce the significant cumulative noise and vibration impacts. The SANDAG Board finds that specified provisions of these mitigation measures are SANDAG's responsibility to implement, while other provisions are within the responsibility and jurisdiction of other transportation project sponsors, cities, the County, and other public agencies, and that such provisions can and should be adopted by these other agencies.

Implementation of mitigation measures NOI-1a, NOI-1b, NOI-2a, and NOI-2b would reduce the proposed Amendment's significant cumulative noise and vibration impacts. However, while these mitigation measures reduce the proposed Amendment's significant noise and vibration impacts, it cannot be guaranteed that all future project-level cumulative impacts can be mitigated to a less-than-significant level.

The SANDAG Board finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make certain mitigation measures or project alternatives infeasible. Because no feasible mitigation measures or alternatives have been found to reduce the proposed Amendment's incremental contributions to cumulatively

significant noise and vibration impacts to less-than-significant levels, these impacts (NOI-1 and NOI-2), as revised by the SEIR, remain cumulatively considerable post-mitigation.

#### **D. Transportation (SEIR Section 4.5)**

**TRA-2 CONFLICT OR BE INCONSISTENT WITH CEQA GUIDELINES SECTION 15064.3 BY NOT ACHIEVING THE SUBSTANTIAL VMT REDUCTIONS NEEDED TO HELP ACHIEVE STATEWIDE GHG REDUCTION GOALS (2025, 2030, 2035, 2045, 2050)**

#### **Significant Impact**

Implementation of the proposed Amendment under Years 2025, 2030, 2035, 2045, and 2050 would result in a smaller decrease in VMT per capita than needed to achieve the State's Year 2030, Year 2045, and ultimate VMT per capita reduction goals. In addition, implementation of the proposed Amendment would result in an increase of 865,419 daily VMT by 2025, 1,961,115 daily VMT by 2030, 3,056,810 daily VMT by 2035, 3,056,810 daily VMT by 2045, and 5,772,450 daily VMT by 2050, compared to the VMT Baseline Year 2019 conditions, which is considered a substantial increase.

The increase in daily VMT associated with the proposed Amendment under 2025 conditions is approximately 0.48% more than the approved Plan. Therefore, this impact (TRA-2) in 2025 would be unchanged from what was identified in the approved Plan PEIR and would remain significant. As discussed in the SEIR, this impact (TRA-2) in Year 2035 and 2050 is a substantially more severe significant impact compared to the approved Plan PEIR. Year 2030 and 2045 conditions were not analyzed in the approved Plan PEIR; however, as the changes under the proposed Amendment were determined in the SEIR to result in a substantial increase in the severity of this significant impact under Year 2035 and 2050 conditions, the same was assumed for Year 2030 and 2045 conditions, to be conservative. Therefore, a substantially more severe the significant impact under Year 2030 and 2045 conditions would occur under the proposed Amendment.

#### **Mitigation Measures**

The following mitigation measures identified in the approved Plan PEIR would still be applicable to the proposed Amendment as discussed in Section 4.3, *Greenhouse Gas Emissions*, and would further reduce both the total VMT and VMT per capita:

- **GHG-5a. Allocate Competitive Grant Funding to Projects that Reduce GHG Emissions and for Updates to CAPs or GHG Reduction Plans**
- **GHG-5d. Develop and Implement Regional Digital Equity Strategy and Action Plan to Advance Smart Cities and Close the Digital Divide**
- **GHG-5f. Implement Measures to Reduce GHG Emissions from Development Projects**

In addition, mitigation measure TRA-2 for Impact TRA-2 from the approved Plan PEIR has been revised for the proposed Amendment and is still relevant and proposed below:

**TRA-2. Achieve Further VMT Reductions for Transportation and Development Projects.** During the project design and project-level CEQA review phases of transportation network improvements or land use development projects, SANDAG shall, and other transportation project sponsors, the County of San Diego, cities, and other local jurisdictions can and should implement project-level VMT reduction measures in addition to those included in the Regional Plan. VMT reducing measures include, but are not limited to, the following:

- **Require TDM Strategies.** SANDAG shall and other transportation project sponsors, the **County** of San Diego, cities, and other local jurisdictions can and should require all transportation network improvements or land use development projects, that are identified to have a significant VMT-related impact, to implement feasible TDM strategies to help offset their impacts. This mitigation measure will further reduce the proposed ~~Plan's Amendment's~~ VMT because the potential VMT reductions associated with four TDM programs, which include pooled rides (private), vanpool, carshare, and the implementation of a regional TDM ordinance, were not incorporated into ABM2+. Strategies such as free shuttles, parking facilities for carshare, and site design features to facilitate walking, biking, and transit can and should be used by land development projects to reduce VMT-related impacts. Additional project-level TDM measures not included in the proposed ~~Plan Amendment~~ can and should also be used, including walking, school bus programs, school pool programs, subsidized transit passes, unbundled parking, preferential parking programs for carpools/vanpools, and bike sharing programs.
- **Reduce Parking Minimums.** The County of San Diego, cities, and other local jurisdictions can and should evaluate the feasibility of reducing their currently required parking minimums. Reducing the parking minimums for different land use types, where appropriate, can decrease project-level VMT by up to ~~12.5~~ 13.7 percent (CAPCOA ~~2021-2010~~).
- **Implement Additional Active Transportation Facilities Not Included in the Proposed ~~Amendment Plan~~.** To further reduce local VMT-related impacts and take advantage of the regional bike network, SANDAG shall and other transportation project sponsors, the County of San Diego, cities, and other local jurisdictions can and should implement additional active **transportation** facilities that provide connections from the regional bicycle network to local neighborhoods. The proposed ~~Amendment Plan~~ includes funding for Complete Streets investments in Mobility Hub areas including implementation of bicycle and pedestrian facilities that provide local connections throughout Mobility Hub areas; however, the associated VMT reductions from this funding could not be modeled, so this mitigation measure would achieve further VMT reductions. Direct access to bicycle facilities can reduce project-related VMT by ~~0.65~~ 0.8 percent, while incorporating new pedestrian facilities can reduce project VMT by up to ~~2~~ 6.4 percent (CAPCOA ~~2021-2010~~).
- **Road Diet and Traffic Calming.** The County of San Diego, cities, and other local jurisdictions can and should implement road diets or other traffic calming measures within their local roadway network, where feasible, to further reduce VMT-related impacts that may be **associated** with land development projects or local transportation projects. Road diet and traffic calming measures would also be eligible for Complete Streets funding in Mobility Hub areas. The reduction of existing travel lanes in favor of multi-modal facilities or additional

public space can help to calm and deter vehicular trips within an area or along a roadway segment. Traffic calming measures can reduce VMT by 0.5 percent (CAPCOA 2010). It should be noted that the proposed Amendment Plan includes funding, through grants, for local jurisdictions to implement road diets.

Implementation of mitigation measures GHG-5a, GHG-5d, GHG-5f, and TRA-2 would reduce this significant impact, but to not a less-than-significant level.

### **Findings and Rationale**

The SANDAG Board of Directors finds that the provisions of mitigation measures GHG-5a, GHG-5d, GHG-5f, and TRA-2 have been required in, or incorporated into, the proposed Amendment to reduce this significant impact of an increase in total annual VMT. The SANDAG Board of Directors finds that specified provisions of these mitigation measures are SANDAG's responsibility to implement, while other provisions are within the responsibility and jurisdiction of other transportation project sponsors, cities, the County, and other public agencies, and that such provisions can and should be adopted by these other agencies.

Implementation of mitigation measures GHG-5a, GHG-5d, GHG-5f, and TRA-2 would reduce significant impacts related to an increase in total annual VMT. As outlined in Tables S-19 through S-22 in Attachment A of the proposed Amendment, there are TDM strategies included in the proposed Amendment that could not be incorporated into ABM2+ and were therefore not assumed in the transportation impact analysis. As noted within Attachment A, these strategies could further reduce the total VMT generated within the region by a total of 1.1 percent by Year 2050. These reductions were calculated based on their influence on the total VMT generated within the region. As such, it is reasonable to assume that these strategies would have a similar effect on the region's VMT per capita, as the majority of trips within the region are home based. However, as noted in the mitigation section above, TDM strategies generally are required and implemented at the project level, by local agencies, to be most effective. The VMT reductions associated with these project-level TDM measures can vary greatly based on the project type, location, and size; therefore, an overall regionwide reduction cannot be estimated at the program level.

SANDAG cannot require local agencies implementing development projects, or other transportation project sponsors, to adopt the above mitigation measures, and it is ultimately the responsibility of the CEQA lead agency to determine and adopt mitigation. In addition, the State has indicated that additional State policy actions and funding would be required to close the VMT gap between what the Metropolitan Planning Organizations (MPOs) could achieve through implementation of their SCSs and reductions needed to meet State goals.

As outlined in Tables 4.5-4 through 4.5-8 of the SEIR, the regional VMT per capita is more than 1.1 percent higher than the threshold to meet, or keep pace with, the State's GHG reduction goals under each horizon year. Therefore, the full implementation of the proposed mitigation, under any horizon year, would not reduce the identified impact to a less-than-significant level for any horizon year (2025, 2030, 2035, 2045, or 2050). Additionally, the identified VMT reductions associated with the proposed mitigation measures would not significantly reduce the daily VMT generated within the San Diego region to a point where it would no longer be considered substantial. Therefore, this impact would remain significant and unavoidable under the proposed Amendment.

The SANDAG Board of Directors finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make additional mitigation measures or project alternatives infeasible. Because no feasible mitigation measures or project alternatives have been found to reduce the impact to a less-than-significant level, this impact (TRA-2), as revised by the SEIR, remains significant and unavoidable.

### ***Cumulative Transportation Impacts (SEIR Section 5.2.5)***

#### **Significant Impacts**

Because cumulative transportation impacts throughout the southern California and northern Baja California region by 2025, 2035, 2045, and 2050 would be significant, and because the proposed Amendment's incremental transportation impacts are significant in 2025, 2035, 2045, and 2050, the proposed Amendment's incremental transportation impacts (TRA-2) are cumulatively considerable in 2025, 2035, 2045, and 2050.

#### **Mitigation Measures**

Implementation of mitigation measures GHG-5a, GHG-5d, GHG-5f, and TRA-2 would reduce significant impacts related to an increase in total annual VMT and reductions in per capita VMT smaller than State goals. However, these mitigation measures would not reduce this impact (TRA-2) to a less-than-significant level.

#### **Findings and Rationale**

The SANDAG Board of Directors finds that the provisions of mitigation measures GHG-5a, GHG-5d, GHG-5f, and TRA-2 have been required in, or incorporated into, the proposed Amendment to reduce the Amendment's significant transportation impacts related to increases in total annual VMT. The SANDAG Board of Directors finds that specified provisions of these mitigation measures are SANDAG's responsibility to implement, while other provisions are within the responsibility and jurisdiction of other transportation project sponsors, cities, the County, and other public agencies, and that such provisions can and should be adopted by these other agencies.

Implementation of mitigation measures GHG-5a, GHG-5d, GHG-5f, and TRA-2 would reduce the Plan's significant cumulative transportation impacts. However, for the reasons stated on the Impact TRA-2 finding above, these mitigation measures would not reduce this impact (TRA-2) to a less-than-significant level.

The SANDAG Board of Directors finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make certain mitigation measures or alternatives infeasible. Because no feasible mitigation measures or alternatives have been found to reduce the Amendment's incremental contributions to cumulatively significant transportation impacts to less-than-significant levels, this impact (TRA-2), as revised by the SEIR, remains cumulatively considerable post-mitigation.



## **V. FINDING REGARDING SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES (SEIR SECTION 7.2)**

CEQA requires that an EIR must address any significant irreversible environmental changes that would be caused if the proposed project were implemented (CEQA Guidelines Section 15126.2(c)). An impact would come under this category if (1) the project would involve a large commitment of nonrenewable resources; (2) the primary and secondary impacts of the project would generally commit future generations to similar uses; (3) the project involves uses in which irreversible damage could result from any potential environmental incidents associated with the project; and (4) the proposed consumption of resources is not justified.

The proposed Amendment does not include any new transportation network improvements, land use changes, or construction beyond what was identified in the approved Plan PEIR. As detailed in Section 4.2, *Energy*, and in Table 4.2-1 of the SEIR, implementation of the proposed Amendment and removal of the regional road usage charge would increase vehicle miles traveled, which would result in an increased and irreversible consumption of nonrenewable energy resources in the form of on-road vehicle gasoline and diesel fuel. However, as determined in Section 4.2, the proposed Amendment would not result in wasteful, inefficient, or unnecessary use of energy because per capita energy use would still decrease between 2016 and each horizon year, and energy impacts would be less than significant.

## **VI. FINDING REGARDING GROWTH-INDUCING IMPACTS (SEIR SECTION 7.1)**

The SANDAG Board of Directors has reviewed and considered the information on growth-inducing impacts, including the information provided in comments on the Draft SEIR and the responses to those comments in the Final SEIR. The CEQA Guidelines (§15126.2(d)) require a discussion of growth-inducing impacts of a project. A project may be considered growth inducing when it:

- Fosters economic growth, population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment;
- Removes obstacles to population growth or additional housing;
- Burdens existing community service facilities beyond current/projected capacities; or
- Encourages or facilitates other activities that could significantly affect the environment.

Growth inducement would be caused by the provision or extension of utilities and public services. For example, the development of water, wastewater, fire, or other services in previously underserved areas; the extension of transportation routes into undeveloped areas; and the establishment of major new employment opportunities would all induce growth.

The proposed Amendment does not include any transportation network changes or new construction and would not support additional housing, population, and economic growth beyond what was identified in the approved Plan PEIR. Therefore, the proposed Amendment is not considered growth-inducing.

## VII. FINDINGS REGARDING ALTERNATIVES EVALUATED IN SEIR

The SANDAG Board of Directors has reviewed and considered the information on alternatives provided in the SEIR, including the information provided in comments on the Draft SEIR, the responses to those comments in the Final SEIR, and all comments received up to the date of adoption of these findings.

### A. *Legal Requirements for Alternatives*

Public Resources Code Section 21002 provides that “public agencies should not approve projects as proposed if there are feasible alternatives...which would substantially lessen the significant environmental effects of such projects.” “Feasible” means “capable of being accomplished in a reasonable period of time taking into account economic, environmental, legal, social, and technological factors” (CEQA Guidelines Section 15364).

The concept of feasibility also encompasses whether a particular alternative promotes the proposed Amendment’s underlying goals and objectives, and whether an alternative is impractical or undesirable from a policy standpoint. (See *City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 410; *California Native Plant Society v. City of Santa Cruz* (2009) 177 Cal.App.4th 957.)

The issue of alternatives feasibility arises twice in the CEQA process, once when the EIR is prepared, and again when CEQA findings are adopted. When assessing feasibility in an EIR, the EIR preparer evaluates whether an alternative is “potentially” feasible. Potentially feasible alternatives are suggestions by the EIR preparers that may or may not be adopted by lead agency decision-makers. The fact that an alternative is more costly, or that budgets and funding priorities would need to be revised to implement an alternative, does not automatically mean that an alternative is financially infeasible for purposes of EIR evaluation.

When CEQA findings are made after EIR certification, the lead agency decision-making body independently evaluates whether the alternatives are actually feasible, including whether an alternative is impractical or undesirable from a policy standpoint. (See *California Native Plant Society v. City of Santa Cruz* (2009) 177 Cal.App.4th 957.) In making this determination, the decision-making body considers information in the Draft EIR, additional information in the Final EIR and elsewhere in the administrative record, and policy factors. (See Guidelines Section 15091(a)(3).) Where the feasibility of alternatives evaluated in the EIR is dependent upon changes in existing laws, regulations, or funding patterns, the decision-making body must consider the likelihood that such changes will occur within the time frame for implementation of the proposed project.

An EIR must only evaluate reasonable alternatives to a project that could feasibly attain most of the project objectives and evaluate the comparative merits of the alternatives (CEQA Guidelines Section 15126.6(a)). In all cases, the consideration of alternatives is to be judged against a rule of reason. The lead agency is not required to choose the environmentally superior alternative identified in the EIR if the alternative is infeasible.

## **B. Project Objectives**

Project alternatives, as described in Chapter 6 of the SEIR, were intended to achieve the following approved Plan basic objectives, which remained unchanged for the SEIR e:

- Focus population and employment growth in mobility hubs and existing urban areas to protect sensitive habitat and natural resource areas.
- Provide transportation investments that support compact land development patterns and reduce sprawl.
- Meet greenhouse gas emissions targets established for the San Diego region by the California Air Resources Board and the SANDAG Board of Directors.
- Provide transportation investments and land use patterns that promote social equity.
- Provide transportation investments and land use patterns that reduce vehicle miles traveled and improve air quality.
- Provide multi-modal access to employment centers and key destinations for all communities.
- Enhance the efficiency of the transportation network for moving people and goods through the deployment of new technologies.

The proposed Amendment has the additional objective of removing the regional road usage charge while continuing to meet State and federal planning requirements, regional GHG reduction targets, and federal air quality conformity standards. SEIR Table 6-2 describes the ability of alternatives analyzed in the SEIR to meet basic project objectives.

## **C. Alternatives Analyzed in the SEIR**

The range of alternatives analyzed in detail in the SEIR includes two action alternatives (Alternatives 2 and 3) that were evaluated in the approved Plan PEIR in addition to a No Project Alternative (the approved Plan [Alternative 1]) and two additional alternatives (Alternatives 4 and 5) developed as part of the proposed Amendment. The SEIR considered in detail the following alternatives to the proposed Amendment:

- No Project Alternative (the Approved Plan)
- 2019 Transportation Network with New Value Pricing and User Fee Policies
- All Growth in Mobility Hubs and More Progressive Value Pricing and User Fee Policies
- Progressive Pricing and no Regional Road Usage Charge
- All Growth in Mobility Hubs, Progressive Pricing, and No Regional Road Usage Charge

These five alternatives are summarized in the text and Table 1 below and are described in detail in Chapter 6 of the SEIR.

**Table 6-1  
Summary of Alternatives Considered in Detail**

| <b>Components</b>   |   | <b>Alternative 1:<br/>No Project</b>    | <b>Alternative 2:<br/>2019 Transportation<br/>Network with New<br/>Value Pricing and User<br/>Fee Policies</b> | <b>Alternative 3:<br/>All Growth in Mobility<br/>Hubs and More<br/>Progressive Value<br/>Pricing and User Fee<br/>Policies</b> | <b>Alternative 4:<br/>Progressive Pricing<br/>and No Regional Road<br/>Usage Charge</b> | <b>Alternative 5:<br/>All Growth in Mobility<br/>Hubs, Progressive<br/>Pricing, and No<br/>Regional Road Usage<br/>Charge</b> |
|---|---|---|--|--|---|---|
| <i>Land Use Pattern</i>                                     |   | Approved Plan,<br>SCS land use pattern  | 2019 Federal Regional<br>Transportation Plan<br>(2019 Federal RTP) land<br>use pattern                         | Land use pattern<br>focusing all regional<br>growth in mobility hubs   | Approved Plan,<br>SCS land use pattern  | Land use pattern<br>focusing all regional<br>growth in mobility hubs  |
| <i>Transportation Network</i>                               |   | Approved Plan<br>transportation network | 2019 Federal RTP<br>transportation network   | Approved Plan<br>transportation network  | Approved Plan<br>transportation network   | Approved Plan<br>transportation network   |
| <i>Value<br/>Pricing<br/>and User<br/>Fees<br/>Policies</i> | <i>Toll Pricing</i>                         | Approved Plan                           | Approved Plan  | Approved Plan  | Increase toll pricing by<br>100% for all horizon<br>years                               | Increase toll pricing by<br>100% for all horizon<br>years   |
|   | <i>Regional Road<br/>User Charge</i>        | Approved Plan                           | None   | Increase regional road<br>usage charge by 50%<br>compared to the<br>approved Plan  | None  | None  |
|   | <i>Parking Costs</i>                        | Approved Plan                           | 2019 Federal RTP   | Increase parking costs<br>by 50% compared to the<br>approved Plan  | Increase parking costs<br>by 100% compared to<br>approved Plan                          | Increase parking costs<br>by 100% compared to<br>approved Plan  |
|   | <i>Transit Costs</i>                        | Approved Plan                           | 2019 Federal RTP<br>(No planned transit fare<br>discounts)   | Free transit by 2035   | Free transit by 2035  | Free transit by 2035  |
|   | <i>Microtransit<br/>Costs</i>               | Approved Plan                           | N/A  | Free Microtransit by<br>2035   | Free Microtransit by<br>2035  | Free Microtransit by<br>2035  |
|   | <i>Micro-<br/>Transponder<br/>Ownership</i> | Approved Plan                           | Approved Plan  | Approved Plan  | Approved Plan   | Approved Plan   |
|   | <i>Telework<br/>Assumptions</i>             | Approved Plan                           | Approved Plan  | Approved Plan  | Approved Plan   | Approved Plan   |

| <b>Components</b> |                      | <b>Alternative 1:<br/>No Project</b> | <b>Alternative 2:<br/>2019 Transportation<br/>Network with New<br/>Value Pricing and User<br/>Fee Policies</b> | <b>Alternative 3:<br/>All Growth in Mobility<br/>Hubs and More<br/>Progressive Value<br/>Pricing and User Fee<br/>Policies</b> | <b>Alternative 4:<br/>Progressive Pricing<br/>and No Regional Road<br/>Usage Charge</b> | <b>Alternative 5:<br/>All Growth in Mobility<br/>Hubs, Progressive<br/>Pricing, and No<br/>Regional Road Usage<br/>Charge</b> |
|-------------------|----------------------|--------------------------------------|--|--|---|---|
|                   | <i>Micromobility</i> | Approved Plan                        | Approved Plan  | Approved Plan  | Approved Plan   | Approved Plan   |
|                   | <i>Funding</i>       | Approved Plan                        | 2019 Federal RTP (\$130 billion)   | Approved Plan  | Approved Plan   | Approved Plan   |

Note: The SEIR includes updated results from the approved Plan PEIR for Alternatives 1, 2, and 3 with the model corrections described in Chapter 2, *Project Description*, of the SEIR.

## ***Alternative 1: No Project (the Approved Plan)***

### **Description**

CEQA requires a No Project Alternative to be analyzed in the EIR. The No Project Alternative assumes that all of the plans and policies included in the approved Plan would be implemented, including the regional road usage charge, and is further described in Chapter 2, *Project Description*, of the approved Plan PEIR.

This alternative would accomplish all of the basic objectives identified in the proposed Amendment but would not accomplish the additional objective of the proposed Amendment because it includes the regional road usage charge. Alternative 1 could lessen some of the Amendment's significant effects. As shown in Table 6-3 in SEIR Chapter 6, significant impacts that would be reduced (but not to a less-than-significant level) under Alternative 1 are:

- AQ-2 (2050)
- AQ-4 (2035, 2050)
- AQ-5 (2025, 2035, 2050)
- GHG-5 (2035, 2050)
- NOI-1 (2035, 2050)
- NOI-2 (2035, 2050)
- TRA-2 (2035, 2050)

### **Findings and Rationale**

The SANDAG Board finds that specific economic, financial, legal, social, technological or other considerations make Alternative 1 infeasible and rejects this alternative for the reasons explained below.

First, as described above, the No Project Alternative does not reduce any of the proposed Amendment's significant impacts to less-than-significant levels.

Second, the No Project Alternative does not meet the additional objective of the proposed Amendment because it includes the regional road usage charge, making this alternative undesirable from a policy standpoint. As a financial strategy, the regional road usage charge would have been an additional revenue source beyond the gas tax. The region's residents, including those in disadvantaged communities, would bear this increased cost in addition to the economic challenges posed in the aftermath of the recent pandemic and the more recent rise in inflation. For these reasons, the No Project Alternative is undesirable from a policy perspective.

## ***Alternative 2: 2019 Transportation Network with New Value Pricing and User Fee Policies***

### **Description**

Alternative 2 is the same as described in Chapter 6, *Alternatives Analysis*, of the approved Plan PEIR. This alternative consists of the 2019 Federal RTP transportation network and land use pattern, combined with the new value pricing and user fees policies in the approved Plan that are compatible with the 2019 Federal RTP network. This alternative could feasibly accomplish most of the basic objectives identified in the proposed Amendment but would not meet the mobility hub basic objective (Objective 1) because it does not include mobility hubs, and because it would not accomplish the

additional objective of the proposed Amendment because it does not meet the region’s GHG reduction target. As shown in Table 6-3 in SEIR Chapter 6, *Alternatives Analysis*, no significant impacts of the Amendment would be reduced under Alternative 2.

### **Findings and Rationale**

The SANDAG Board finds that specific economic, financial, legal, social, technological or other considerations make Alternative 2 infeasible and rejects this alternative for the reasons explained below.

First, Alternative 2 does not reduce any of the proposed Amendment’s significant impacts to less-than-significant levels. Alternative 2 would result in lower TACs compared to the proposed Amendment because it would not focus growth in Mobility Hubs or include diesel commuter rail lines; however, because Alternative 2 would result in higher per capita and overall VMT, it could result in an increase in TACs from roadways, and would still result in a significant impact related to TACs.

Second, Alternative 2 would not achieve multiple objectives of the proposed Amendment. Alternative 2 does not meet the region’s GHG emissions reduction targets set by CARB (additional objective) and it does not focus population and employment growth in mobility hubs and existing urban areas (objective 1). Failing to meet CARB GHG targets would mean that the SCS would not comply with SB 375 requirements. Also, Alternative 2 achieves some project objectives to a lesser extent than the proposed Amendment, also making this alternative undesirable from a policy standpoint. Providing transportation investments and land use patterns that promote social equality (objective 4) and reducing vehicle miles traveled and improving air quality (objective 5) would be met to a lesser extent because compared to the proposed Amendment the increase in total annual VMT would be slightly higher in 2025, 2035 and 2050, and on-road emissions would be higher in 2025, 2035, and 2050 compared to the proposed Amendment.

### ***Alternative 3: All Growth in Mobility Hubs and More Progressive Value Pricing and User Fee Policies***

#### **Description**

Alternative 3 is the same as described in Chapter 6, *Alternatives Analysis*, of the approved Plan PEIR. Alternative 3 consists of the approved Plan transportation network, a land use pattern that restricts all regional growth to the mobility hubs, and more progressive value pricing and user fees policies than what is included in the approved Plan. This alternative could feasibly accomplish most of the basic objectives of the proposed Amendment but would not accomplish the additional objective of removing the regional road usage charge.

Alternative 3 could lessen some of the Amendment’s significant effects: in particular, VMT and GHG emissions reductions due to more compact development and increased mode shift. As shown in Table 6-3 in Chapter 6, significant impacts of the Amendment that would be reduced (but not to a less-than-significant level) under Alternative 3 are:

- AQ-2 (2050)
- AQ-4 (2025, 2035, 2050)
- GHG-5 (2030, 2035, 2050)
- NOI-1 (2025, 2035, 2050)
- NOI-2 (2025, 2035, 2050)
- TRA-2 (2025, 2035, 2050)

Land use in Alternative 3 is similar to the approved Plan, but would focus all growth in proposed mobility hubs throughout the County to further reduce VMT and GHG emissions. The regional mobility hub areas are the same as the approved Plan.

Alternative 3 would include more progressive value pricing and user fee policies than those offered in the proposed Amendment including an increased regional road usage charge, as shown in Table 6-1. It also includes the same transportation network as the proposed Plan, and funding for Alternative 3 would be the same as for approved Plan.

### **Findings and Rationale**

The SANDAG Board finds that specific economic, financial, legal, social, technological or other considerations make Alternative 3 infeasible and rejects this alternative for the reasons explained below:

First, as described above, Alternative 3 does not reduce any of the proposed Amendment's significant impacts to less-than-significant levels. Alternative 3 would result in a small decrease of PM10 and PM2.5 emissions compared to the proposed Amendment. Thus, PM10 concentration impacts would be slightly lower compared to the proposed Amendment but would result in a similar significant impact. In addition, Alternative 3 would result in lower GHG emissions than the proposed Amendment but would not meet the reduction target reference points for 2030, 2045, and 2050 and thus would result in a similar significant impact as the proposed Amendment.

Second, Alternative 3 would also not achieve the additional objective of the proposed Amendment because it includes the regional road usage charge increased by 50 percent compared to the approved Plan road usage charge. As a financial strategy, the regional road usage charge would have been an additional revenue source beyond the gas tax, as would the 50 percent increase in parking costs compared to the approved Plan. The region's residents, including those in disadvantaged communities, would bear these increased costs in addition to the economic challenges posed in the aftermath of the recent pandemic and the more recent rise in inflation. For these reasons, the Alternative 3 is undesirable from a policy perspective.

This alternative also achieves objective 4 to a lesser extent than the proposed Amendment, making this alternative undesirable from a policy standpoint. Objective 4, providing transportation investments and land use patterns that protect social equity, would be met to a lesser extent because, compared to the proposed Amendment, Alternative 3 would result in more compact land use patterns and transportation projects in developed areas, which would result in greater displacement of people and housing units, including those located in disadvantaged communities.

Third, Alternative 3 is undesirable from a policy standpoint and legally infeasible because its land use pattern is inconsistent with the region's 6th Cycle Regional Housing Needs Assessment Plan. Since early 2018, SANDAG has been coordinating with California's Department of Housing and Community Development (HCD) and local jurisdictions on the Cycle 6 RHNA process. HCD's RHNA Determination for the San Diego region is based on the 2017 population forecast from the DOF and requires SANDAG and its member agencies to plan for a total of 171,685 housing units through the



2021–2029 planning period. The RHNA methodology allocates housing units to jurisdictions based on access to transit and total number of jobs.

SB 375 links the RHNA process to the region’s GHG emissions reduction goals by requiring that the SCS shall “identify areas within the region sufficient to house an eight-year projection of the regional housing need for the region pursuant to 65584. . .” The SCS includes a future land use pattern that focuses forecasted housing and job growth in areas that facilitate mixing of uses and alignment with transportation investments that must demonstrate achievement of GHG emissions reduction goals at target year 2035.

The 6th Cycle RHNA Plan was adopted by the SANDAG Board of Directors in July 2020 and accepted by HCD. The Housing Element Law (Government Code Sections 65580, et seq.) requires that local jurisdictions plan for the housing units allocated in the 6th Cycle RHNA Plan. Both federal transportation planning law and SB 375 require the SCS to be based on the latest planning assumptions, considering local general plans and other factors (Government Code § 65080(b)(2)(B)). Alternative 3 does not comply with the 6th Cycle RHNA allocation. Alternative 3 is therefore undesirable from a policy standpoint as well as legally infeasible.

#### ***Alternative 4: Progressive Pricing and No Regional Road Usage Charge***

##### **Description**

Alternative 4 consists of the approved Plan transportation network and land use pattern included in the SCS, with more progressive toll pricing and parking costs than what is included in the approved Plan or Alternative 3. Alternative 4 does not include the regional road usage charge. Funding for Alternative 4 would be the same as described for the approved Plan.

This alternative could feasibly accomplish the basic objectives and the additional objective of the proposed Amendment. Alternative 4 could lessen some of the Amendment’s significant effects. As shown in Table 6-3 in Chapter 6, significant impacts that would be reduced (but not to a less-than-significant level) under Alternative 4 are:

- AQ-2 (2050)
- AQ-4 (2025, 2035, 2050)
- AQ-5 (2025, 2035, 2050)
- GHG-5 (2030, 2035, 2050)
- NOI-1 (2025, 2035, 2050)
- NOI-2 (2025, 2035, 2050)
- TRA-2 (2025, 2035, 2050)

##### **Findings and Rationale**

The SANDAG Board finds that specific economic, financial, legal, social, technological or other considerations make Alternative 4 infeasible and rejects this alternative for the reasons explained below:

First, as described above, Alternative 4 does not reduce any of the proposed Amendment’s significant impacts to less-than-significant levels. Alternative 4 would result in a small decrease of PM10 and PM2.5 emissions compared to the proposed Amendment. Thus, PM10 concentration impacts would be slightly lower compared to the proposed Amendment but would result in a similar significant impact. In addition, Alternative 4 would result in lower GHG emissions than the

proposed Amendment but would not meet the reduction target reference points for 2030, 2045, and 2050 and would result in a similar significant impact as the proposed Amendment.

Second, Alternative 4 would not be desirable from a policy perspective because the region's residents, including those in disadvantaged communities, would bear increased toll pricing and parking costs (100 percent increases compared to the approved Plan) in addition to the economic challenges posed in the aftermath of the recent pandemic and the more recent rise in inflation.

***Alternative 5: All Growth in Mobility Hubs, Progressive Pricing, and No Regional Road Usage Charge***

**Description**

Alternative 5 consists of the approved Plan transportation network, a land use pattern focusing all regional growth in mobility hubs (as in Alternative 3), with more progressive toll pricing and parking costs than what is included in the approved Plan or Alternative 3 (as in Alternative 4). Alternative 5 does not include a regional road usage charge. Funding for Alternative 5 would be the same as described for the approved Plan. Alternative 5 is identified as the superior alternative in the Draft SEIR.

This alternative could feasibly accomplish the basic objectives of the proposed Amendment, as well as the additional road usage charge removal objective of the proposed Amendment. Alternative 5 could substantially lessen one or more of the Amendment's significant effects. As shown in Table 6-3 in Chapter 6, significant impacts that would be reduced (but not to a less-than-significant level) under Alternative 5 are:

- AQ-2 (2050)
- AQ-4 (2025, 2035, 2050)
- GHG-5 (2030, 2035, 2050)
- NOI-1 (2025, 2035, 2050)
- NOI-2 (2025, 2035, 2050)
- TRA-2 (2025, 2035, 2050)

**Findings and Rationale**

The SANDAG Board finds that specific economic, financial, legal, social, technological or other considerations make Alternative 5, the environmentally superior alternative, infeasible and rejects this alternative for the reasons explained below:

First, Alternative 5 does not reduce any of the proposed Amendment's significant impacts to less-than-significant levels. Alternative 5 would result in a small decrease of PM10 and PM2.5 emissions compared to the proposed Amendment. Thus, PM10 concentration impacts would be slightly lower compared to the proposed Amendment but would result in a similar significant impact. In addition, Alternative 5 would result in lower GHG emissions than the proposed Amendment but would not meet the reduction target reference points for 2030, 2045, and 2050 and would result in a similar significant impact as the proposed Amendment.

Second, Alternative 5 achieves objective 4 to a lesser extent than the proposed Amendment, making this alternative undesirable from a policy standpoint. Objective 4, providing transportation investments and land use patterns that protect social equity, would be met to a lesser extent because, compared to the proposed Amendment, Alternative 5 would result in more compact land use patterns and transportation projects in developed areas, which would result in greater

displacement of people and housing units, including those located in disadvantaged communities. This makes Alternative 5 undesirable from a policy standpoint.

Third, Alternative 5 is undesirable from a policy standpoint and legally infeasible because its land use pattern is inconsistent with the region's 6<sup>th</sup> Cycle RHNA Plan. The 6<sup>th</sup> Cycle RHNA Plan was adopted by the SANDAG Board in July 2020 and accepted by HCD. The Housing Element Law (Government Code Sections 65580, et seq.) requires that local jurisdictions plan for the housing units allocated in the 6th Cycle RHNA Plan. Both federal transportation planning law and SB 375 require the SCS to be based on the latest planning assumptions, considering local general plans and other factors (Government Code Section 65080(b)(2)(B)). Consistent with the reasoning provided for Alternative 3, Alternative 5 also does not comply with the 6th Cycle RHNA allocation. Alternative 5 is therefore undesirable from a policy standpoint as well as legally infeasible.

Fourth, Alternative 5 would not be desirable from a policy standpoint because the region's residents, including those in disadvantaged communities, would bear increased toll pricing and parking costs (100 percent increases compared to the approved Plan) in addition to the economic challenges posed in the aftermath of the recent pandemic and the more recent rise in inflation.

#### ***D. Alternatives Considered but Rejected (section 6.5)***

Public comments on the NOP for the proposed Amendment raised one alternative for consideration. This alternative was considered but rejected and is summarized below.

##### **D.1 La Playa Plan**

In a January 8, 2023, NOP comment letter, Katheryn Rhodes requested that the proposed Amendment include analysis of an alternative La Playa Plan (LPP) for a Full Tidelands Reclamation project. The letter presents the LPP alternative as an effective alternative to the proposed Amendment because it would significantly reduce GHG emissions impacts in the SANDAG region. The LPP alternative suggests several projects already included in the proposed Amendment (a central mobility hub, enhanced active transportation corridors, and improved fleet connectivity to San Diego International Airport [SDIA] facilities). Funding for the LPP would be subject to confirmation that SDIA is a Grandfathered Airport, which would allow normally restricted Federal Aviation Administration Airport revenue to be diverted towards airport transportation projects, including the proposed annexation of port tidelands.

##### **Reasons for Rejection**

The LPP alternative focuses on a limited geographical portion of the region. In addition, most of the major elements of the LPP alternative are already included in the proposed Amendment and/or Alternatives 3, 4, and 5 analyzed in the SEIR, such as a central mobility hub, enhanced active transportation corridors, and improved fleet connectivity to SDIA facilities.

The LPP alternative is an individual project in a limited geographical portion of the region rather than an alternative for the proposed Amendment as a whole, and CEQA does not require analysis of alternatives to individual components of a project (see *California Oak Foundation v. Regents of University of California* (2010) 188 Cal. App. 4th 227, 276–277). Because it is limited, this

alternative would not avoid or substantially reduce any of the proposed Amendment’s significant impacts. It also would not achieve any of the Amendment objectives, in particular the additional objective of removing the regional road usage charge. For these reasons, this alternative has been rejected from further consideration.

#### **VIII. FINDINGS ON RESPONSES TO COMMENTS ON THE DRAFT SEIR AND REVISIONS TO THE FINAL SEIR**

**Finding:** Appendix F of the SEIR includes the comments received on the Draft SEIR and responses to those comments. The focus of the responses to comments is on the disposition of significant environmental issues as raised in the comments, as specified by CEQA Guidelines §15088(b). The SEIR also includes minor clarifications and modifications. The Board of Directors has reviewed and considered the Final SEIR and all of this information.

The Board of Directors finds that responses to comments made on the Draft SEIR and revisions to the Final SEIR merely clarify, amplify, or make insignificant modifications to the analysis presented in the document and do not trigger the need to recirculate per CEQA Guidelines §15088.5.

**Rationale:** CEQA Guidelines §15088.5 provides:

(a) A lead agency is required to recirculate an EIR when significant new information is added to the EIR after public notice is given of the availability of the draft EIR for public review under Section 15087 but before certification.... “Information” can include changes in the project or environmental setting as well as additional data or other information....“Significant new information” requiring recirculation includes, for example...

(1) A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.

(2) A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.

(3) A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the environmental impacts of the project, but the project’s proponents decline to adopt it.

(4) The draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded. ...

(b) Recirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR.

The new information added to the SEIR does not involve a new significant environmental impact, a substantial increase in the severity of an environmental impact, or a feasible mitigation measure or alternative considerably different from others previously analyzed that SANDAG declines to adopt and that would clearly lessen the significant environmental impacts of the proposed Amendment.

## **IX. FINDING ADOPTING A MITIGATION MONITORING PROGRAM**

The SANDAG Board of Directors finds that a Mitigation Monitoring and Reporting Program (MMRP) has been prepared for the Amendment and has been adopted concurrently with these Findings (Public Resources Code, §21081.6(a)(1)). SANDAG will use the MMRP to track compliance with mitigation measures. The MMRP will remain available for public review during the compliance period.

## **X. FINDING REGARDING LOCATION AND CUSTODIAN OF RECORD**

The documents and other materials that constitute the record of proceedings on which SANDAG's Findings of Fact are based are located at 401 B Street, Suite 800, San Diego, California 92101. The custodian of these documents is Kirsten Uchitel, Senior Planner. This information is provided in compliance with Public Resources Code §21081.6(a)(2) and 14 Cal. Code Regs. §15091(e).

For purposes of CEQA and these Findings, the Record of Proceedings for the Project consists of the following documents, at a minimum:

- The Notice of Preparation and all other public notices issued by SANDAG and in conjunction with the Project.
- The Draft and Final SEIRs, including appendices and technical studies included or referenced in the Draft and Final SEIRs.
- All comments submitted by agencies or members of the public during the 47-day public comment period on the Draft SEIR.
- All comments and correspondence submitted to SANDAG with respect to the Project.
- The MMRP for the Project.
- All Findings and resolutions adopted by SANDAG decision makers in connection with the Project, and all documents cited or referred to therein.
- All reports, studies, memoranda, maps, staff reports, or other planning documents relating to the Project prepared by ICF, consultants to SANDAG.
- All documents and information submitted to SANDAG by responsible, trustee, or other public agencies, or by individuals or organizations, in connection with the Project, up through the date the SANDAG Board of Directors approved the Project.
- Minutes and/or verbatim transcripts of all information sessions, public meetings, and public hearings held by SANDAG, in connection with the Project.
- Any documentary or other evidence submitted to SANDAG at such information sessions, public meetings, and public hearings.
- Matters of common knowledge to SANDAG, including, but not limited to federal, state, and local laws and regulations.

- Any documents expressly cited in these Findings, in addition to those cited above.
- Any other materials required to be in the Record of Proceedings by Public Resources Code §21167.6(e).

## REFERENCES

- California Air Pollution Control Officers Association (CAPCOA). 2010. Quantifying Greenhouse Gas Mitigation Measures. Available: <http://www.aqmd.gov/docs/default-source/ceqa/handbook/capcoa-quantifying-greenhouse-gas-mitigation-measures.pdf>. Accessed: August 23, 2023.
- . 2021. Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity. Available: [https://www.calemod.com/documents/handbook/full\\_handbook.pdf](https://www.calemod.com/documents/handbook/full_handbook.pdf). Accessed: August 23, 2023