

Memorandum

To: CALTRANS EXECUTIVE BOARD
CALTRANS DIVISION CHIEFS

Date: September 10, 2020

From: ELLEN GREENBERG *Ellen Greenberg*
Deputy Director
Sustainability

MICHAEL D. KEEVER *Michael D. Keever*
Deputy Director
Project Delivery

Subject: **CALTRANS POLICY ON TRANSPORTATION IMPACT ANALYSIS AND CEQA SIGNIFICANCE DETERMINATIONS FOR PROJECTS ON THE STATE HIGHWAY SYSTEM**

Purpose

The purpose of this memorandum is to communicate the California Department of Transportation (Caltrans) policy regarding analysis of transportation impacts under the California Environmental Quality Act (CEQA) for projects on the State Highway System (SHS). The Department documents *Transportation Analysis Framework (TAF)*, and *Transportation Analysis under CEQA (TAC)* guide implementation of the policy. The policy and guidance implement Senate Bill (SB) 743 (Steinberg, 2013) codified at Public Resources Code (PRC) section 21099.

Caltrans Policy on Transportation Impact Analysis and CEQA Significance Determinations for Projects on the State Highway System

Consistent with the language of Section 15064.3 of the CEQA Guidelines, Caltrans concurs that Vehicle Miles Traveled (VMT) is the most appropriate measure of transportation impacts under CEQA. The determination of significance of a VMT impact will require a supporting induced travel analysis for capacity-increasing transportation projects on the SHS when Caltrans is lead agency or when another entity acts as the lead agency.

Discussion

Capacity-increasing projects will require VMT analysis to determine whether significant, adverse transportation impacts are anticipated. The potential for projects to induce additional travel will be the basis for determinations of significance. VMT analysis methods include use of elasticity-based calculators, regional travel demand models, and use of the Statewide Travel Demand Model. Methods used should reflect the potential for capacity additions to induce vehicle travel. Caltrans' *Transportation Analysis Framework (TAF)* provides guidance for selection of appropriate methodologies.

Many types of projects will be largely unaffected by the use of VMT as a measure of transportation impacts because they are assumed to not lead to a measurable and substantial increase in vehicle travel. Caltrans *Transportation Analysis Under CEQA* (TAC) provides detail.

Note that for transportation projects not on the SHS, local agencies have the discretion to select a different measure of transportation impact consistent with CEQA and other applicable requirements.

Policy Implementation: Timing

All projects on the SHS that reach Caltrans' Milestone 020 ("Begin Environmental") on or after September 15, 2020, will include a VMT-based transportation impact significance determination in the draft environmental document.

For projects initiated on or after December 28, 2018 which have reached or will reach Caltrans' Milestone 020 ("Begin Environmental") before September 15, 2020, the April 13, 2020 Implementation Timing Memorandum (*VMT CEQA Significance Determinations for State Highway System Projects Implementation Timeline Memorandum*) should be consulted. An updated version of the April 13, 2020 memo is provided as an attachment to this file.

As of the date of this memo, many of the projects that reached Milestone M020 between December 28, 2018 and September 15, 2020 have already documented whether a VMT-based significance determination will be required pursuant to a process identified within a May 8, 2020 memo entitled "*Vehicle Miles Traveled (VMT) California Environmental Quality Act (CEQA) Determinations*" and an update to that memo issued July 15, 2020.

Other Resources Analyzed Under CEQA; NEPA Analysis

The guidance in the TAF and TAC does not supersede guidance for analysis of other resources under CEQA (such as air quality or noise) or under the National Environmental Policy Act (NEPA). Those analyses have their own distinct requirements.

Attachments:

1. VMT CEQA SIGNIFICANCE DETERMINATIONS FOR STATE HIGHWAY SYSTEM PROJECTS: IMPLEMENTATION TIMELINE MEMORANDUM UPDATE
2. VEHICLES MILES TRAVELED (VMT) CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) DETERMINATIONS
3. VEHICLES MILES TRAVELED (VMT) CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) DETERMINATIONS – UPDATE

Memorandum

To: TRANSPORTATION STAKEHOLDERS

Date: April 13, 2020

Updated:

September 10, 2020

From: ELLEN GREENBERG *Ellen Greenberg*
Deputy Director
Sustainability

MICHAEL D. KEEVER *Michael D. Keever*
Deputy Director
Project Delivery

Subject: **VMT CEQA SIGNIFICANCE DETERMINATIONS FOR STATE HIGHWAY SYSTEM PROJECTS: IMPLEMENTATION TIMELINE MEMORANDUM UPDATE**

1. Overview

This memorandum establishes the timing and application of changes to the California Department of Transportation (Caltrans') California Environmental Quality Act (CEQA) process to implement Senate Bill (SB) 743 for capacity-increasing projects on the State Highway System (SHS). The memo recognizes that many projects on the SHS will not be affected by these changes, as detailed in Attachment A.

The requirements established in this memorandum are consistent with the January 4, 2019 message distributed by Caltrans Division of Environmental Analysis (DEA). It recommended that Districts use Vehicle Miles Traveled (VMT) to analyze transportation impacts of projects with the potential to increase VMT and for which a Notice of Preparation (NOP) was issued after December 28, 2018, particularly for projects not anticipated to be approved until after July 1, 2020.

1.1 Policy Statement

The Caltrans Policy on Transportation Impact Analysis and CEQA Significance Determinations for Projects on the State Highway System is established in the September 10, 2020 Memorandum to Caltrans Staff from Ellen Greenberg, Deputy Director, Sustainability, and Michael Keever, Deputy Director, Project Delivery.

1.2 Guidance Documents

With contributions from State agency partners, transportation partners and stakeholders, the Caltrans Divisions of Traffic Operations (DTO) and Environmental Analysis (DEA) prepared the following guidance documents addressing the Department's transportation analysis and CEQA procedures:

- **Transportation Analysis Framework (TAF):** This document provides guidance for CEQA transportation/traffic analysis for projects on the SHS,

including direction to Caltrans Districts related to selecting methods for VMT analysis (including induced travel demand) in project-level environmental documents reflecting both project type and context (urban vs. rural).

- **Transportation Analysis under CEQA (TAC):** The TAC provides guidance for CEQA practitioners to assess transportation impacts of projects on the SHS using VMT as the primary measure of transportation impact, including how to determine significance of those impacts, and identifying potential mitigation measures.

For each of the documents, informational webinars were held during the review period and multiple technical roundtables provided opportunities for discussion and information sharing with stakeholders.

2. Implementation Timeline

- 2.1** Projects initiated on or after December 28, 2018 which reached or will reach Caltrans' Milestone 020 ("Begin Environmental") before September 15, 2020, will be evaluated by the Department in consultation with project sponsors on a case-by-case basis to determine if the use of a VMT-based transportation impact significance determination in the draft environmental document is warranted. If either of the following factors applies to a project, there is an expectation that the project will conduct a VMT-based significance determination:
- Project scope includes a new alignment and/or additional lane miles and project location is in a corridor/area with existing or projected congestion
 - A high level of public and stakeholder interest in the project.

Note that the final environmental document for a project would use the same metric for transportation significance determination as its draft document. If the traffic study requires re-initiation between draft and final, then the project will be subject to the requirements identified under 2.3 below.

- 2.2** Capacity-increasing projects on the SHS that reach Caltrans' Milestone 020 ("Begin Environmental") on or after September 15, 2020, will include a VMT-based transportation impact significance determination in the draft environmental document. The Project Development Team (PDT) shall apply Caltrans published guidance (TAF and TAC) in conducting the analysis of transportation impacts and making significance determinations based on the VMT metric.

- 2.3** Subsequent, supplemental, later tier, or other later CEQA documents which include a new traffic study shall follow the guidance for draft environmental documents per the applicable section below.
- 2.3.1** If the traffic study is re-initiated before September 15, 2020, the Department in consultation with project sponsors will determine whether VMT-based transportation impact significance determination will be included, based on the factors listed in item 2.1 above.
- 2.3.2** If the traffic study is re-initiated on or after September 15, 2020, for reasons which are not expected to result in a substantial change to the study's results, and subject to the approval of the Caltrans District Director and concurrence by Headquarters Division of Environmental Analysis, no VMT-based transportation impact significance determination will be required.
- 2.3.3** If the traffic study is re-initiated on or after September 15, 2020, and the later study may result in substantially different results as compared to the prior study, the PDT shall apply Caltrans-published guidance to conduct an analysis of VMT impacts and make a determination of transportation impact significance using VMT as a metric.

3. Additional Considerations

- 3.1** Most projects on the SHS are non-capacity increasing (see Attachment A). These projects, identified in Attachment A, are not anticipated to have significant transportation impacts under CEQA and would generally not require quantitative VMT analysis or mitigation.
- 3.2** Capacity-increasing projects will require VMT analysis to determine whether significant, adverse transportation impacts are anticipated. The potential for projects to induce additional travel will be the basis for determinations of significance. Potential VMT analysis methods include use of elasticity-based calculators, regional travel demand models, and use of the Statewide Travel Demand Model. Methods used will be required to reflect the potential for capacity additions to induce vehicle travel. Caltrans' Transportation Analysis Framework (TAF) addresses selection of appropriate methodologies.
- 3.3** Many capacity-increasing projects will result in significant, adverse transportation impacts and mitigation will be required to reduce those impacts. A Statement of Overriding Considerations may be required to

approve projects in the case mitigation cannot reduce adverse impacts to a less than significant level. Utilizing a Statement of Overriding Considerations would follow established CEQA guidance for allowing project approvals despite unavoidable environmental effects to one or more resources.

- 3.4** Note that a Statement of Overriding Considerations can only be made if an Environmental Impact Report (EIR) has been prepared. For new projects, PDTs should consider the likelihood of a significant impact determination when determining the appropriate level of document. PDTs should also evaluate whether projects currently scoped as Negative Declarations/Mitigated Negative Declarations (ND/MND) may require rescoping to an EIR if a significant impact to transportation appears to be likely using VMT as a metric, and a Statement of Overriding Considerations will ultimately be utilized. Utilizing a Statement of Overriding Considerations would follow established CEQA guidance for allowing project approvals despite unavoidable environmental effects to one or more resources.

ATTACHMENT A

Project types not likely to lead to a substantial increase in vehicle travel

The language below is based on the *“Technical Advisory on Evaluating Transportation Impacts in CEQA,”* Governor’s Office of Planning and Research, December 2018. The final six bullets on the list of project types not likely to lead to a measurable and substantial increase, beginning with “HOV bypass lanes on on-ramps” were added in 2020 based on discussion with OPR. These are expected to be added to OPR’s list of project types in a future update of the Technical Advisory. Note the deletion of the category of project described as “Addition of tolled lanes, where tolls are sufficient to mitigate VMT increase” which was also an outcome of discussion between Caltrans and OPR during the course of producing the TAC and TAF. Caltrans guidance will indicate that the project types listed would not likely lead to a measurable and substantial increase in vehicle travel. Please note that almost all projects programmed as part of the SHOPP are in categories included in the list below, and therefore will be unaffected by the requirements of SB 743.

Projects that would not likely lead to a measurable and substantial increase in vehicle travel, and therefore generally should not require an induced travel analysis, include:

- Rehabilitation, maintenance, replacement, safety, and repair projects designed to improve the condition of existing transportation assets (e.g., highways; roadways; bridges; culverts; transportation management system field elements such as cameras, message signs, detection, or signals; tunnels; transit systems; and assets that serve bicycle and pedestrian facilities) and that do not add additional motor vehicle capacity
- Roadside safety devices or hardware installation such as median barriers and guardrails
- Roadway shoulder enhancements to provide “breakdown space,” dedicated space for use only by transit vehicles, to provide bicycle access, or to otherwise improve safety, but which will not be used as automobile vehicle travel lanes
- Addition of an auxiliary lane of less than one mile in length designed to improve roadway safety
- Installation, removal, or reconfiguration of traffic lanes that are not for through traffic, such as left, right, and U-turn pockets, two-way left turn lanes, or emergency breakdown lanes that are not utilized as through lanes
- Addition of roadway capacity on local or collector streets provided the project also substantially improves conditions for pedestrians, cyclists, and, if applicable, transit

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- Conversion of existing general-purpose lanes (including ramps) to managed lanes or transit lanes, or changing lane management in a manner that would not substantially increase vehicle travel
- Addition of a new lane that is permanently restricted to use only by transit vehicles
- Reduction in number of through lanes
- Grade separation to separate vehicles from rail, transit, pedestrians or bicycles, or to replace a lane in order to separate preferential vehicles (e.g., HOV, HOT, or trucks) from general vehicles
- Installation, removal, or reconfiguration of traffic control devices, including transit signal priority (TSP) features
- Installation of traffic metering systems, detection systems, cameras, changeable message signs and other electronics designed to optimize vehicle, bicycle, or pedestrian flow
- Timing of signals to optimize vehicle, bicycle, or pedestrian flow
- Installation of roundabouts or traffic circles
- Installation or reconfiguration of traffic calming devices
- Adoption of or increase in tolls
- Initiation of new transit service
- Conversion of streets from one-way to two-way operation with no net increase in number of traffic lanes
- Removal or relocation of off-street or on-street parking spaces
- Adoption or modification of on-street parking or loading restrictions (including meters, time limits, accessible spaces, and preferential/reserved parking permit programs)
- Addition of traffic wayfinding signage
- Rehabilitation and maintenance projects that do not add motor vehicle capacity
- Addition of new or enhanced bike or pedestrian facilities on existing streets/highways or within existing public rights-of-way
- Addition of Class I bike paths, trails, multi-use paths, or other off-road facilities that serve non-motorized travel
- Installation of publicly available alternative fuel/charging infrastructure
- Addition of passing lanes, truck climbing lanes, or truck brake-check lanes in rural areas that do not increase overall vehicle capacity along the corridor
- HOV bypass lanes on on-ramps
- Local and collector roads in rural areas that don't include sidewalks where there would be no pedestrian traffic to use them
- Lanes through grade-separated interchanges without additional receiving lanes downstream
- Adding vehicle storage to a ramp without further reconfiguration

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- Park and Ride facilities
- Truck size and weight inspection stations

Memorandum

*Making Conservation
a California Way of Life*

To: DEPUTY DISTRICT DIRECTORS
ENVIRONMENTAL
DEPUTY DISTRICT DIRECTORS
PROJECT MANAGEMENT

Date: May 8, 2020

From: JEFF WILEY 
Acting Chief
Division of Project Management

PHILIP J. STOLARSKI 
Chief
Division of Environmental Analysis

Subject: **VEHICLES MILES TRAVELED (VMT) CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) DETERMINATIONS**

On April 13, 2020, the California Department of Transportation (Caltrans) posted the "VMT CEQA Significance Determinations for State Highway System Projects Implementation Timeline Memorandum" (Timing Memo) to the Caltrans 743 Implementation Website. Districts shall use the guidance provided in the Timing Memo to determine whether to make a CEQA significance determination for VMT. Note that Districts may choose to make a VMT CEQA determination on any project, even if the Timing Memo does not require this.

Applicability

Concurrence from the Headquarters Environmental Coordinator on the VMT-based transportation impact significance determination will be required for projects that:

- a) Met the M020 milestone on or after December 28, 2018, and before September 15, 2020;
- b) Will require preparation of a CEQA Environmental Document (Initial Study, (Mitigated) Negative Declaration, or Environmental Impact Report); and
- c) Have not yet completed a Draft Environmental Impact Report or (Mitigated) Negative Declaration.

Projects that achieved the M020 milestone prior to December 28, 2018, and meet criteria b and c above, are encouraged to obtain concurrence, but are not required to do so.

Projects meeting the M020 milestone on or after September 15, 2020, will not be required to obtain a concurrence, since these projects will all be required to base CEQA transportation impact determinations on VMT.

Projects that have circulated a draft environmental document prior to the issuance of this document are requested to provide notification to the Headquarters Environmental Coordinator.

Timing

For any project meeting the criteria above, concurrence shall be obtained on the earlier of the following dates:

- Prior to circulating a draft environmental document.
- By July 1, 2020, for projects that have met the M020 milestone by June 1.
- By October 1, 2020, for projects that meet M020 June 1 or later.

Concurrence Process

Concurrence will be obtained from the Caltrans Headquarters Environmental Coordinator in the Division of Environmental Analysis. Districts will prepare requests via e-mail addressed to their assigned Environmental Coordinator. The e-mail should include:

- Project identifying information such as county-route-postmile and EA.
- Actual M020 (Begin Environmental date) as recorded in the Project Resource and Schedule Management (PRSM) database.
- If the project had an M020 between December 28, 2018, and September 15, 2020, then justification for the District's determination of the metric to be used for CEQA transportation impacts must be provided (see Timing Memo).

The Environmental Coordinator will verify that the determination was done in compliance with the Timing Memo and provide a concurrence e-mail back to the District. If concurrence can't be achieved, then additional discussion with and justification from the District may be required. Concurrences will be retained by the Districts in their project files.

c: District Directors
Michael D. Keever, Deputy Director, Project Delivery

Memorandum

*Making Conservation
a California Way of Life*

To: DEPUTY DISTRICT DIRECTORS –
ENVIRONMENTAL
DEPUTY DIRECTORS –
PROJECT MANAGEMENT

Date: August 18, 2020

From: DONNA BERRY 
Chief
Division of Project Management

PHILIP J. STOLARSKI 
Chief
Division of Environmental Analysis

Subject: **VEHICLES MILES TRAVELED (VMT) CALIFORNIA ENVIRONMENTAL QUALITY ACT
(CEQA) DETERMINATIONS**

This memo is to formalize the July 15, 2020 email regarding the revision to the May 8, 2020 memo on “Vehicle Miles Traveled (VMT) California Environmental Quality Act (CEQA) Determinations” and a clarification to the April 13, 2020 VMT CEQA Significance Determinations for State Highway System Projects Implementation Timeline Memorandum (Timing Memo).

This memo provides additional guidance on the following two items:

1. A clarification to applying section 2.1 of the April 13, 2020 “Timing Memo.”
2. Additional direction regarding the concurrence process.

All other considerations within the May 8 Memo remain in effect.

“Timing Memo” Section 2.1 clarification:

Determinations of whether a project will conduct a VMT-based significance determination, is dependent on the considerations within Section 2.1 of the April 13, 2020 “Timing Memo.” To clarify this section, if **either** of the factors within Section 2.1 of the Timing Memo occurs on a project, then there is an expectation that the project will be doing a VMT-based significance determination.

- Project scope includes a new alignment and/or additional lane miles and project location is in a corridor / area with existing or projected congestion.
- A high level of public and stakeholder interest in the project.

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Additional directions regarding the Concurrence Process

To ensure consistent decisions on the need for VMT-based significance determinations and to ensure appropriate SB 743 Implementation Team members and Project Delivery management are aware of decisions, the following is effective immediately, for any project seeking concurrence that a VMT-based significance determination is not required:

- Prior to providing concurrence, the Headquarters Environmental Coordinator will share any requests received from a district with Jeremy Ketchum, Assistant Division Chief of Environmental Analysis. After receiving input from Jeremy, the Headquarters Environmental Coordinator will provide concurrence to the district, as appropriate.

If a district has determined it will conduct a VMT-based significance determination, there is no need to send the project to Jeremy for input prior to the Headquarters Environmental Coordinator providing concurrence. All determinations will be gathered by the Headquarters Environmental Coordinator and reported to Jeremy.

If you have any questions, please contact Jeremy Ketchum at <jeremy.ketchum@dot.ca.gov>.

c: District Directors
Michael D. Keever, Deputy Director, Project Delivery