

**CITY OF FAIRFIELD**

**RESOLUTION NO. 2020-205**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAIRFIELD ADOPTING THE CITY OF FAIRFIELD SENATE BILL 743 IMPLEMENTATION PROCEDURES WHICH INCLUDES THRESHOLDS OF SIGNIFICANCE AND MITIGATION MEASURES FOR VEHICLE MILES TRAVELED (VMT) AS REQUIRED BY THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) GUIDELINES IMPLEMENTING SB743 ADDRESSING ENVIRONMENTAL REVIEW OF TRANSPORTATION IMPACTS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

**WHEREAS**, the California Environmental Quality Act Guidelines (CEQA Guidelines) encourage public agencies to develop and publish generally applicable “thresholds of significance” to be used in determining the significance of a project’s environmental effects. CEQA Guidelines Section 15064.7(a) defines a threshold of significance as “an identifiable quantitative, qualitative or performance level of a particular environmental effect, noncompliance with which means the effect will normally be determined to be significant by the agency and compliance with which means the effect normally will be determined to less than significant”; and

**WHEREAS**, CEQA Guidelines Section 15064.7(b) requires that thresholds of significance must be adopted by ordinance, resolution, rule, or regulations, developed through a public review process, and be supported by substantial evidence. Pursuant to CEQA Guidelines Section 15064.7(c), when adopting thresholds of significance, a public agency may consider thresholds of significance adopted or recommended by other public agencies provided that the decision of the agency is supported by substantial evidence; and

**WHEREAS**, Senate Bill (SB) 743, enacted in 2013 and codified in Public Resources Code Section 21099, required changes to the CEQA Guidelines regarding the criteria for determining the significance of transportation impacts of projects. In 2018, the Governor’s Office of Planning and Research (OPR) proposed, and the California Natural Resources Agency certified and adopted, new CEQA Guidelines Section 15064.3 that identifies vehicle miles traveled (VMT) – meaning the amount and distance of automobile travel attributable to a project per land use unit per day – as the most appropriate metric to evaluate a project’s transportation impacts. As a result, automobile delay, as measured by Level of Service (LOS) and other similar metrics, no longer constitutes a significant environmental effect under CEQA. CEQA Guidelines Section 15064.3 went into effect on July 1, 2020; and

**WHEREAS**, the City of Fairfield retained DKS Associates (Consultant) to develop a strategy for local environmental review of transportation impacts using Vehicle Miles Traveled (VMT), the new metric; and

**WHEREAS**, Staff and the Consultant team, in response to the State guidelines, have developed the *City of Fairfield Senate Bill 743 Implementation Procedures* which identifies a 15% reduction below current VMT levels as the appropriate threshold of significance for transportation impacts, and sets forth screening criteria for new development projects. The screening criteria include project location, size, and land use; and

**WHEREAS**, staff and the Consultant team, using State guidelines, have also developed mitigation options for projects which cannot be determined to have less than significant impacts on the environment and screened from further VMT analysis using the screening criteria; and

**WHEREAS**, in accordance with CEQA Guidelines Section 15064.7, the thresholds of significance identified in the *Fairfield Senate Bill 743 Implementation Procedures* have been developed through a public review process and are supported by substantial evidence. The Planning Commission and City Council have held duly noticed public hearings on September 23, 2020 and October 20, 2020. City staff and the Consultant team presented substantial factual information regarding the proposed standards and criteria in staff reports and through oral presentations before the Planning Commission and City Council, who considered all public testimony and information presented during the public hearing regarding this program; and

**WHEREAS**, the City Council has determined that the *Fairfield Senate Bill 743 Implementation Procedures* establishes an appropriate threshold of significance under CEQA as required by State law.

**NOW, THEREFORE, THE COUNCIL OF THE CITY OF FAIRFIELD HEREBY RESOLVES:**

Section 1. The City Council hereby approves and adopts the recitals set forth above in support of this Resolution.

Section 2. The City Council has determined that the adoption of a new local CEQA threshold of significance for VMT impacts and the adoption of the *Fairfield Senate Bill 743 Implementation Procedures* will not have a significant environmental impact and is exempt from CEQA review under Section 15308 of the CEQA Guidelines. This action is being undertaken to comply with a State mandate (SB 743) and will be used in a regulatory process (CEQA review) that involves procedures for the protection of the natural environment.

Section 3. The City Council hereby adopts the *Fairfield Senate Bill 743 Implementation Procedures*, as attached hereto, as part of the City's Local CEQA Guidelines, thereby establishing the VMT thresholds of significance for transportation impact analysis pursuant to CEQA.

Section 4. The City Manager, or their designee, is authorized and directed to take all actions necessary to implement this resolution.

**PASSED AND ADOPTED** this 20<sup>th</sup> Day of October, 2020 by the following vote:

AYES: COUNCILMEMBERS: PRICE / BERTANI / MOY / TIMM / VACCARO

NOES: COUNCILMEMBERS: \_\_\_\_\_

ABSENT: COUNCILMEMBERS: \_\_\_\_\_

ABSTAIN: COUNCILMEMBERS: \_\_\_\_\_

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK