

**ASSEMBLY BILL**

**No. 605**

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**Introduced by Assembly Member Dickinson**

February 16, 2011

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An act to add Section 21083.10 to the Public Resources Code, relating to the environmental quality.

LEGISLATIVE COUNSEL'S DIGEST

AB 605, as introduced, Dickinson. Environmental quality: California Environmental Quality Act: transportation impacts.

(1) The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of, an environmental impact report (EIR) on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment.

This bill would require the Office of Planning and Research, in consultation with specified entities, to prepare and adopt guidelines that would, among other things, establish the percentage reduction in the projected trip generation and vehicle miles traveled for a project as compared to the average for trip generation and vehicle miles traveled for that project type that would assist a region in meeting the greenhouse gas emission reduction targets established by the State Air Resources Board for the automobile and light truck sector for that region, and

develop a list of mitigation measures that a project may incorporate to reduce the project’s projected trip generation and vehicle miles traveled. The bill would provide that a project meeting or exceeding the percentage reduction in trip generation and vehicle miles traveled or a project that incorporates the listed mitigation measures sufficient to allow the project to meet the percentage reduction would not need to consider the transportation-related impact of the project in environmental documents prepared pursuant to CEQA. Because a lead agency would be required to determine whether a project would meet the percentage reduction established by the guidelines, this bill would impose a state-mandated local program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
 State-mandated local program: yes.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 21083.10 is added to the Public Resources
- 2 Code, to read:
- 3 21083.10. (a) The Office of Planning and Research, in
- 4 consultation with the California Transportation Commission, the
- 5 State Energy Resources Conservation and Development
- 6 Commission, local governments, and other appropriate entities,
- 7 shall prepare and adopt guidelines to do all of the following:
- 8 (1) Determine the statewide averages for trip generation and
- 9 vehicle miles traveled for various types of projects.
- 10 (2) Determine the projected trip generation and vehicle miles
- 11 traveled that a project might have.
- 12 (3) Establish the percentage reduction in the projected trip
- 13 generation and vehicle miles traveled of a project as compared to
- 14 the average for trip generation and vehicle miles traveled for that
- 15 project type that would assist a region in meeting the greenhouse
- 16 gas emission reduction targets established by the State Air
- 17 Resources Board pursuant to subparagraph (A) of paragraph (2)
- 18 of subdivision (b) of Section 65080 of the Government Code for
- 19 the automobile and light truck sector for that region.

1 (4) Develop a list of mitigation measures that a project may  
2 incorporate to reduce the project's projected trip generation and  
3 vehicle miles traveled through the use of any of the following  
4 strategies:

- 5 (A) Density of the project.
- 6 (B) The use mix of the project.
- 7 (C) Pedestrian access to transit in the project.
- 8 (D) Pedestrian fabric within the project.
- 9 (E) Improvements to the pedestrian fabric provided by the  
10 project in the existing area surrounding the project.
- 11 (F) Effective trip management programs.

12 (b) The Secretary of the Natural Resources Agency shall certify  
13 and adopt the guidelines pursuant to Section 21083.

14 (c) A project that meets or exceeds the percentage reduction in  
15 trip generation and vehicle miles traveled established pursuant to  
16 paragraph (3) of subdivision (a) shall not be required to consider  
17 the transportation-related impacts of the project in an environmental  
18 document prepared pursuant to this division.

19 (d) A project that incorporates mitigation measures in the list  
20 developed pursuant to paragraph (4) of subdivision (a) resulting  
21 in a reduction of the projected trip generation and vehicle miles  
22 traveled of the project meeting the level established pursuant to  
23 paragraph (3) of subdivision (a) shall not be required to consider  
24 the transportation-related impacts of the project in an environmental  
25 document prepared pursuant to this division.

26 SEC. 2. No reimbursement is required by this act pursuant to  
27 Section 6 of Article XIII B of the California Constitution because  
28 a local agency or school district has the authority to levy service  
29 charges, fees, or assessments sufficient to pay for the program or  
30 level of service mandated by this act, within the meaning of Section  
31 17556 of the Government Code.