



RESOLUTION NO. 20-624-1

A RESOLUTION OF THE SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS (SCAG) ADOPTING THE 2020-2045 REGIONAL TRANSPORTATION PLAN/SUSTAINABLE COMMUNITIES STRATEGY (CONNECT SOCIAL) PROGRAM ENVIRONMENTAL IMPACT REPORT (PEIR) ADDENDUM AND APPROVING CONNECT SOCIAL IN ITS ENTIRETY

SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS 900 Wilshire Blvd., Ste. 1700 Los Angeles, CA 90017 T: (213) 236-1800 www.scag.ca.gov

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WHEREAS, the Southern California Association of Governments (SCAG) is a Joint Powers Agency established pursuant to California Government Code Section 6502 et seq.;

WHEREAS, SCAG is the designated Metropolitan Planning Organization (MPO) for the counties of Los Angeles, Riverside, San Bernardino, Ventura, Orange, and Imperial, pursuant to Title 23, United States Code Section 134(d);

WHEREAS, SCAG is responsible for maintaining a continuing, cooperative, and comprehensive transportation planning process which involves the preparation and update every four years of a Regional Transportation Plan (RTP) pursuant to Title 23, United States Code Section 134 et seq., Title 49, United States Code Section 5303 et seq., and Title 23, Code of Federal Regulations Section 450 et seq.;

WHEREAS, SCAG is the multi-county designated transportation planning agency under state law, and as such is responsible for preparing, adopting and updating every four years the RTP and Sustainable Communities Strategy (SCS) pursuant to Government Code Section 65080 et seq.;

WHEREAS, pursuant to Senate Bill 375 (Steinberg, 2008) as codified in Government Code Section 65080(b) et seq., SCAG prepared an SCS as a component of the RTP document that demonstrates how the region will meet its greenhouse gas (GHG) reduction targets as determined by the California Air Resources Board (ARB);

WHEREAS, ARB set the per capita GHG emission reduction targets from automobiles and light trucks for the SCAG region at 8% below 2005 per capita emissions levels by 2020 and 19% below 2005 per capita emissions levels by 2035;

WHEREAS, pursuant to Government Code Section 65080(b)(2)(B), the SCS must: (1) identify the general location of uses, residential densities, and building intensities within the region; (2) identify areas within the region sufficient to house all the population of the region, including all economic segments of the population, over the course of the planning period of the regional transportation plan taking

Attachment: Resolution No. 20-624-1 including Exhibit A (Revised Mitigation Monitoring and Reporting Program) and Exhibit B (Errata to the

into account net migration into the region, population growth, household formation and employment growth; (3) identify areas within the region sufficient to house an eight-year projection of the regional housing need for the region pursuant to Government Code Section 65584; (4) identify a transportation network to service the transportation needs of the region; (5) gather and consider the best practically available scientific information regarding resource areas and farmland in the region as defined in subdivisions (a) and (b) of Section 65080.01; and (6) consider the state housing goals specified in Sections 65580 and 65581, (7) set forth a forecasted development pattern for the region, which, when integrated with the transportation network, and other transportation measures and policies, will reduce the GHG emissions from automobiles and light trucks to achieve the GHG reduction targets approved by the state board, and (8) allow the RTP to comply with air quality conformity requirements under the federal Clean Air Act;

WHEREAS, through the continuing, comprehensive and coordinated transportation planning process in conformance with all applicable federal and state requirement, SCAG developed and prepared the 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (“RTP/SCS,” “Connect SoCal” or “Plan”);

WHEREAS, Connect SoCal sets forth the long-range regional plan, policies and strategies for transportation improvements and regional growth throughout the SCAG region through the horizon year of 2045;

WHEREAS, Connect SoCal includes a regional growth forecast that was developed by working with local jurisdictions using the most recent land use plans and policies and planning assumptions;

WHEREAS, Connect SoCal includes a financial plan identifying the revenues committed, available or reasonably available to support the SCAG region's surface transportation investments. The financial plan was developed following basic principles including incorporation of county and local financial planning documents in the region where available, and utilization of published data sources to evaluate historical trends and augment local forecasts as needed;

WHEREAS, Connect SoCal includes a financially constrained plan and a strategic plan. The constrained plan includes transportation projects that have committed, available or reasonably available revenue sources, and thus are probable for implementation. The strategic plan is an illustrative list of additional transportation investments that the region would pursue if additional funding and regional commitment were secured; and such investments are potential candidates for inclusion in the constrained RTP/SCS through future amendments or updates. The strategic plan is provided for information purposes only and is not part of the financially constrained and conforming Connect SoCal;

WHEREAS, Connect SoCal includes a sustainable communities strategy which sets forth a forecasted development pattern for the region, which, when integrated with the transportation network, and other transportations measures and policies, if implemented, will reduce the GHG emissions from automobiles and light trucks to achieve the regional GHG targets set by ARB for the SCAG region;

WHEREAS, Connect SoCal must comply with all applicable provisions of federal and state law including but not limited to:

1. The Moving Ahead for Progress in the 21st Century Act (MAP-21, PL 112-141) and the metropolitan planning regulations at Title 23, United States Code Section 134 et seq., as was amended by the Fixing America's Surface Transportation Act (P.L. 114-94, December 4, 2015);
2. The metropolitan planning regulations at 23 C.F.R. Part 450, Subpart C;
3. California Government Code Section 65080 et seq.; Public Utilities Code Section 130058 and 130059; and Public Utilities Code Section 44243.5;
4. Sections 174 and 176(c) and (d) of the federal Clean Air Act [(42 U.S.C. §§7504 and 7506(c) and (d))] and U.S. Environmental Protection Agency (EPA) transportation conformity regulations, 40 C.F.R. Parts 51 and 93;
5. Title VI of the 1964 Civil Rights Act and the Title VI assurance executed by the State pursuant to Title 23, United States Code Section 324;
6. The Department of Transportation's Final Environmental Justice Strategy (60 Fed. Reg. 33896; June 29, 1995) enacted pursuant to Executive Order 12898, which seeks to avoid disproportionately high and adverse impacts on minority and low-income populations with respect to human health and the environment;
7. Title II of the 1990 Americans with Disabilities Act (42 U.S.C. §§ 12101 et seq.) and its accompanying regulations (49 C.F.R. §§ 27, 37, and 38); and
8. SB 375 (Steinberg, 2008) as codified in California Government Code §65080(b) et seq.;

WHEREAS, pursuant to the California Environmental Quality Act (CEQA) (Cal. Pub. Res. § 21000 et seq.) and CEQA Guidelines (Cal. Code Regs., Tit. 14, §15000 et seq.), SCAG, as the Lead Agency, prepared the Final Program Environmental Impact Report (PEIR) for Connect SoCal;

WHEREAS, SCAG has also prepared and adopted a Mitigation Monitoring and Reporting Program in compliance with Public Resources Code §21081.6 and CEQA Guidelines §15097;

WHEREAS, in non-attainment and maintenance areas for transportation-related criteria pollutants, the MPO, as well as the Federal Highways Administration (FHWA) and Federal Transit Administration (FTA), must make a transportation conformity determination on any updated or amended RTP in accordance with the federal Clean Air Act to ensure that federally supported highway and transit project activities conform to the purpose of the State Implementation Plan (SIP);

WHEREAS, transportation conformity is based upon a positive conformity finding with respect to the following tests: (1) regional emissions analysis, (2) timely implementation of Transportation Control Measures, (3) financial constraint, and (4) interagency consultation and public involvement;

WHEREAS, pursuant to Government Code §65080(b)(2)(F) and federal public participation requirements, including 23 C.F.R. §450.316(b)(l)(iv), SCAG must prepare the RTP/SCS by providing adequate public notice of public involvement activities and time for public review. On September 6, 2018, SCAG approved and adopted a Public Participation Plan, to serve as a guide for SCAG's public involvement process, including the public involvement process to be used for the Connect SoCal, and included an enhanced outreach program that incorporates the public participation requirements of SB 375 and adds strategies to better serve the underrepresented segments of the region;

WHEREAS, pursuant to Government Code §65080(b)(2)(F)(iii), during the summer 2019, SCAG held a series of RTP/SCS public workshops throughout the region, including residents, elected officials, representatives of public agencies, community organizations, and environmental, housing and business stakeholders;

WHEREAS, in accordance with the interagency consultation requirements, 40 C.F.R. §93.105, SCAG consulted with the respective transportation and air quality planning agencies, including but not limited to, extensive discussion of the Draft Connect SoCal Transportation Conformity Technical Report before the Transportation Conformity Working Group (a forum for implementing the interagency consultation requirements) throughout the RTP/SCS update process;

WHEREAS, the Transportation Conformity Technical Report contained in Connect SoCal makes a positive transportation conformity determination. Using the final motor vehicle emission budgets submitted by ARB and approved or found to be adequate by EPA, this conformity determination is based upon staff's analysis of the applicable transportation conformity tests;

WHEREAS, SCAG released the Draft Connect SoCal and the associated Draft Amendment No. 19-12 to the 2019 FTIP for a 60-day public review and comment period that began on November 14, 2019 and ended on January 24, 2020;

WHEREAS, SCAG followed the provisions of its adopted Public Participation Plan regarding public involvement activities for the Draft Connect SoCal and Draft PEIR. Public outreach efforts included publication of the Draft Connect SoCal and Draft PEIR on SCAG's website, distribution of public information materials, held three (3) duly-noticed public hearings (public hearings were video-conferenced to 5 regional offices in different counties), and 21 elected official briefings within the SCAG region to allow stakeholders, elected officials and the public to comment on the Draft Connect SoCal and the Draft PEIR;

WHEREAS, during the public review and comment period, SCAG received 107 verbal and written comment submissions on the Draft Connect SoCal;

WHEREAS, SCAG staff presented an overview of the comments received on the Draft Connect SoCal and Draft PEIR, and a proposed approach to the responses, to the Policy Committees and Regional Council on March 5, 2020;

WHEREAS, comment letters on the Draft Connect SoCal as well as staff responses were posted on the SCAG website on March 27, 2020, and included as part of the Final Connect SoCal, Public Participation and Consultation Technical Report, Appendix 2-4. SCAG also notified all commenters of the availability of the comments and responses;

WHEREAS, on May 7, 2020, SCAG's three Policy Committees met and each recommended that the Regional Council approve Resolution No. 20-621-1 to certify the proposed Final PEIR and approve the proposed Final Connect SoCal for purposes of federal transportation conformity only;

WHEREAS, the Regional Council had the opportunity to review and consider the proposed Final Connect SoCal and its related technical reports in its entirety as well as the staff report related to the proposed Final Connect SoCal, as part of a public meeting held on May 7, 2020;

WHEREAS, on or about May 7, 2020, the Regional Council adopted Resolution No. 20-621-1 wherein it certified the Final PEIR and approved Connect SoCal for federal transportation conformity purposes only, and postponed for up to 120 days approval of Connect SoCal in its entirety and for all other purposes;

WHEREAS, on May 14, 2020, SCAG staff submitted Connect SoCal and 2019 FTIP Amendment No. 19-12 to FHWA and FTA for a final transportation conformity determination in accordance with the Federal Clean Air Act and EPA transportation conformity regulations, 40 C.F.R. Parts 51 and 93;

WHEREAS, on June 5, 2020, FHWA and FTA jointly determined that transportation conformity requirements have been met for Connect SoCal and 2019 FTIP Amendment No. 19-12;

WHEREAS, staff engaged with a diverse array of stakeholders to consider the impacts of COVID-19 on Connect SoCal;

WHEREAS, staff worked with local jurisdictions to restore entitlements and their phasing as conveyed by jurisdictions, and conducted technical analysis to quantify all differences within the SCS and locally-approved General Plans and quantify the increase (or decrease) in housing, jobs or population between Connect SoCal and each local General Plan;

WHEREAS, on July 2, 2020, staff presented to each of the three Policy Committees and the Regional Council, a progress report describing modifications to the SCS and associated modeling and analysis;

WHEREAS, SCAG has prepared an Addendum to the Connect SoCal PEIR (Addendum) to evaluate the technical refinements for Connect SoCal and address two comment letters from the Center of Biological Diversity (CBD) received on May 1, 2020 and May 6, 2020, wherein CBD requested expanded background information related to environmental setting, environmental impacts, and consideration of other mitigation measures;

WHEREAS, while SCAG is not obligated to respond to late comments (as the public review period occurred from December 9, 2019 to January 24, 2020), in the interest of providing as much information to the public as possible, SCAG has addressed CBD's comments and incorporated additional information;

WHEREAS, pursuant to CEQA Guidelines Section 15164(a), an Addendum may be prepared by the Lead Agency that prepared the original EIR if some changes or additions are necessary, but none of the conditions have occurred set forth under CEQA Guidelines Section 15162 requiring preparation of a Subsequent EIR;

WHEREAS, the Addendum reflects SCAG's clarification and addition of information requested by CBD and analysis of the technical refinements and concludes that the PEIR is sufficient for addressing the potential environmental impacts and mitigation measures for the Plan;

WHEREAS, based on CBD's comment letters, SCAG has refined the mitigation measures and has prepared a Revised Mitigation Monitoring and Reporting Program (MMRP);

WHEREAS, SCAG has prepared an Errata to the Final Connect SoCal PEIR and to the adopted Findings as the previously adopted Final PEIR incorrectly identified Growth Forecast Guiding Principles as Plan Principles;

WHEREAS, pursuant to SB 375, Connect SoCal includes the SCS which is required to meet GHG reduction targets from automobiles and light trucks for 2020 and 2035 as set by ARB;

WHEREAS, the SCS must identify areas within the region sufficient to house an eight-year projection of the regional housing need for the region pursuant to Section 65080(b)(2)(B)(iii);

WHEREAS, the Regional Housing Needs Assessment (RHNA) is mandated by state housing law as part of the periodic process of updating local housing elements contained in General Plans. The RHNA quantifies the need for housing by income categories within each jurisdiction over a specified eight-year period and requires that local jurisdictions make available sufficient zoned capacity to accommodate this need;

WHEREAS, the state Legislature intended that housing planning be coordinated and integrated with the regional transportation plan and SCS. To achieve this goal, the RHNA allocation plan shall allocate housing units within the region consistent with the development pattern included in the SCS (Govt. Code § 65584.04(m));

WHEREAS, as a result of stakeholder outreach, SCAG staff received requests to clarify the limits of SCAG’s authority with respect to the TAZ-level growth forecast data used for Connect SoCal regional modeling purposes, and the relationship of such data with local jurisdictions’ implementation of their respective RHNA housing allocations; and

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

NOW THEREFORE, BE IT RESOLVED, the Regional Council hereby adopts the Addendum to the Connect SoCal PEIR and approves Connect SoCal in its entirety.

BE IT FURTHER RESOLVED by the Regional Council that:

1. The Addendum to the Connect SoCal PEIR has been completed in compliance with CEQA.
2. Based on substantial evidence provided in the Addendum, the Final PEIR and other materials in the record, SCAG determines that the impacts of the Plan fall within the analyses in the Final PEIR as the Plan has no new significant environmental impacts; no substantial increase in the severity of previously identified significant effects; no mitigation measures or alternatives previously found infeasible are now feasible; and no mitigation measures or alternatives which are considerably different from those in the Final PEIR that would substantially reduce significant effects are declined to be adopted. Thus, a subsequent or supplemental EIR is not required.
3. Some changes or additions are necessary to the PEIR, making an Addendum the appropriate CEQA document for Connect SoCal refinements (CEQA Guidelines 15164).
4. Pursuant to Public Resources Code section 21081.6, the Regional Council hereby adopts the Revised Mitigation and Monitoring and Reporting Program (MMRP) attached to this Resolution as Exhibit A and the Errata to the Findings of Fact, attached to this Resolution as Exhibit B.
5. In consideration of the certified Connect SoCal PEIR and the Addendum to the PEIR, the Regional Council hereby approves Connect SoCal and finds as follows:
 - a. Connect SoCal complies with all applicable federal and state requirements, including the metropolitan planning provisions as identified in the Code of Federal Regulations Title 23 Part 450 and Title 49, Part 613, and other state planning requirements as identified in California Government Code Section 65080. Specifically, Connect SoCal fully addresses the requirements relating to the development and content of metropolitan transportation plans as set forth in 23 C.F.R.§450.322 et seq., including issues relating to: identification of transportation facilities that function as an integrated metropolitan transportation system; operational and management strategies; safety and security; performance measures; environmental mitigation; the need for a financially constrained plan; consultation and public participation; and transportation conformity;

- b. The SCS prepared as part of Connect SoCal complies with the emission reduction targets established by ARB and meets the requirements of SB 375 (Steinberg, 2008) as codified in Government Code §65080(b) et seq. by achieving GHG emission reductions at 8% below 2005 per capita emissions levels by 2020 and 19% below 2005 per capita emissions levels by 2035;
 - c. Connect SoCal’s preferred land use scenario and corresponding forecast of population, household and employment growth is adopted at the jurisdictional level, and any corresponding sub-jurisdictional level data and/or maps are advisory only.
6. The Regional Council hereby directs staff to submit the SCS to ARB to review SCAG’s determination that the SCS meets the regional GHG emission reduction targets;
7. The Regional Council hereby clarifies the limits of SCAG’s authority with respect to the use of TAZ-level data and the relationship between the Connect SoCal growth forecast and local jurisdictions’ implementation of their respective RHNA allocations as follows:
- a. Pursuant to state planning law (SB 375), SCAG’s 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS), known as “Connect SoCal,” is required to meet greenhouse gas emissions (GHG) reduction targets from automobiles and light trucks for 2020 and 2035 as set by the California Air Resources Board (CARB). With regard to implementation of the sustainable communities strategy (SCS), SB 375 specifically provides that nothing in the SCS shall be interpreted as superseding the exercise of the land use authority of cities and counties within the region. Further, SB 375 may not be interpreted to authorize the abrogation of any vested right whether created by statute or by common law, and may not require a city’s or county’s land use policies and regulations, including its general plan, to be consistent with such plan. (Cal. Govt. Code § 65080(b)(2)(K)).
 - b. The Regional Housing Needs Assessment (RHNA) is mandated by state housing law as part of the periodic process of updating local housing elements contained in General Plans. The RHNA quantifies the need for housing by income categories within each jurisdiction over a specified eight-year period and requires that local jurisdictions make available sufficient zoned capacity to accommodate this need.
 - c. SCAG’s legislative platform reflects its support of consistency within state law regarding the sometimes competing demands contained within SB 375 and the RHNA.¹
- a. The limits of SCAG’s authority are reflected in the following Growth Forecast Guiding Principles contained in Connect SoCal, which are hereby clarified as follows (additions are in italics):

¹ See SCAG 2020 Legislative Platform at: <http://www.scag.ca.gov/programs/Documents/LegislativePriorities/SCAG-2020-legislative-platform-STATE.pdf>

- i. Connect SoCal will be adopted at the jurisdictional-level, and directly reflects the population, household and employment growth projections that have been reviewed and refined with feedback from local jurisdictions through SCAG’s Bottom-Up Local Input and Envisioning Process. The growth forecast maintains these locally informed projected jurisdictional growth totals, meaning future growth is not reallocated from one local jurisdiction to another.
- ii. Connect SoCal’s growth forecast at the Transportation Analysis Zone (TAZ) level is controlled to not exceed the maximum density of local general plans as conveyed by jurisdictions, except in the case of existing entitlements and development agreements. *TAZ-level growth projections are utilized by SCAG for regional modeling purposes and are not adopted as part of Connect SoCal nor included as part of the Forecasted Regional Development Pattern. The Forecasted Regional Development Pattern for Connect SoCal reflects the policies and strategies of the Plan and includes existing entitlements and development agreements conveyed by jurisdictions, as depicted in the Connect SoCal Sustainable Communities Technical Report.*
- iii. For the purpose of determining consistency with Connect SoCal for California Environmental Quality Act (CEQA), grants or other opportunities, lead agencies such as local jurisdictions have the sole discretion in determining a local project’s consistency; SCAG may also evaluate consistency for grants and other resource opportunities; consistency should be evaluated utilizing the goals and policies of Connect SoCal and its associated Program Environmental Impact Report (PEIR). *However, TAZ-level growth projections for households, employment or population reflected in TAZ Maps may not be utilized to determine consistency or inconsistency with Connect SoCal.*²
- iv. TAZ-level data or any data at a geography smaller than the jurisdictional-level has been utilized to conduct required modeling analyses and is therefore advisory only and non-binding, given that sub-jurisdictional forecasts are not adopted as part of Connect SoCal. TAZ-level data may be used by jurisdictions in local planning as they deem appropriate, and Connect SoCal does not supersede *or otherwise affect* local jurisdiction authority or decisions on future development, including entitlements and development agreements. There is

² “TAZ-level growth projections” refer to the disaggregation of the regional and jurisdictional population, household, employment growth forecasts developed as part of the final, adopted Connect SoCal, and is in contrast to other TAZ-level data such as locally envisioned growth projections (i.e., “local input”) or the 2016 base-year TAZ-level data developed by SCAG. “TAZ Maps” refer to visualizations in a map format of the TAZ-level growth projections within a TAZ boundary, which may be created by SCAG, and such maps are not developed, included, contained, approved or adopted as part of Connect SoCal.

no obligation by a jurisdiction to change its land use policies, General Plan, or regulations to be consistent with Connect SoCal.

- v. SCAG will maintain communication with agencies that use SCAG’s subjurisdictional-level data to ensure that the “advisory and nonbinding” nature of the data is appropriately maintained.
- b. TAZ-level growth forecast projections are used by SCAG staff for overall, regional-scale planning and modeling purposes in preparing Connect SoCal and to confirm data related to existing entitlements and development agreements. Given the scale at which their use is meaningful, these TAZ-level growth forecasts do not create any prescriptive or recommended cap or limit on the intra-jurisdictional locations of household/housing, employment or population within the boundaries of individual jurisdictions. SCAG is a regional planning organization and does not possess any land use authority, nor does it have enough information at the local level to constrain or otherwise affect individual projects and plans at an intra-jurisdictional scale.
- c. The SCS was developed to comply with state greenhouse gas reduction requirements pursuant to SB 375, and is intended to serve as an advisory and elective planning vision for consideration by other stakeholders and implementing agencies, and local control of land use decision-making is not intended to be constrained or limited in any way by Connect SoCal.
- d. In the event a project or plan located within a given TAZ boundary would exceed the projected growth as depicted within a TAZ Map utilized for overall, regional-scale modeling and forecasting, SCAG affirms that such TAZ Maps would not present a prescription, constraint or limit on household/housing, employment and population growth.
- e. SCAG confirms that the Connect SoCal TAZ-level growth projections reflected in TAZ Maps do not constitute a prescriptive “pattern” of future development in Connect SoCal for General Plan or zoning code amendments (including intra-jurisdictional RHNA compliance and housing element updates), or for any individual project approval. The distribution and types of RHNA housing units allocated within each local jurisdiction continues to be fully and completely subject to local control and subject to other applicable laws, and not be constrained or affected by the TAZ-level growth projections.
- f. SCAG recognizes that cities and counties will foreseeably update their housing elements as part of General Plans and amend zoning designations to accommodate the state-mandated RHNA sixth cycle allocation. For many cities and counties, the required RHNA General Plan and zoning changes may need to accommodate more housing units than reflected in the Connect SoCal’s household and population growth projections for individual or combined TAZs within the jurisdiction (“Exceedances”). Given SCAG’s use of TAZ-level growth projections for regional planning and modeling purposes, and the local jurisdictions’ obligations to comply with state housing laws

including RHNA, SCAG agrees that in the event of any Exceedances at the jurisdictional and/or intra-jurisdictional levels, such Exceedances may not be used to impede a local jurisdiction's compliance with the sixth cycle RHNA requirements, to assess impacts of a plan or project under CEQA, or affect eligibility for state funding.

- g. Nothing in this Resolution creates any affirmative enforcement obligation by SCAG against any third party;
- 8. That the foregoing recitals are true and correct and incorporated herein by this reference; and
- 9. SCAG's Executive Director or his designee is authorized to make minor modifications, finalize and transmit the final Connect SoCal in its entirety, including but not limited to submittal to ARB.

PASSED, APPROVED AND ADOPTED by the Regional Council of the Southern California Association of Governments at its regular meeting this 3rd day of September 2020.

Rex Richardson
President, SCAG
Councilmember, City of Long Beach

Attested by:

Kome Ajise
Executive Director

Approved as to Form:

Justine Block
Acting Chief Counsel