Western Riverside Council of Governments
Planning Directors' Committee

AGENDA

Thursday, September 8, 2016
9:00 a.m.

City of Moreno Valley
Council Chambers
14177 Frederick Street
Moreno Valley, CA 92552
(951) 413-3000

Please Note Meeting Location

In compliance with the Americans with Disabilities Act and Government Code Section 54954.2, if special assistance is needed to participate in the WRCOG Planning Directors' Committee meeting, please contact WRCOG at (951) 955-0186. Notification of at least 48 hours prior to meeting time will assist staff in assuring that reasonable arrangements can be made to provide accessibility at the meeting. In compliance with Government Code Section 54957.5, agenda materials distributed within 72 hours prior to the meeting which are public records relating to an open session agenda item will be available for inspection by members of the public prior to the meeting at 4080 Lemon Street, 3rd Floor, Riverside, CA, 92501.

The WRCOG Planning Directors' Committee may take any action on any item listed on the agenda, regardless of the Requested Action.

1. CALL TO ORDER (Matt Bassi, Chair)

2. SELF INTRODUCTIONS

3. PUBLIC COMMENTS

At this time members of the public can address the WRCOG Planning Directors' Committee regarding any items with the subject matter jurisdiction of the Committee that are not separately listed on this agenda. Members of the public will have an opportunity to speak on agendized items at the time the item is called for discussion. No action may be taken on items not listed on the agenda unless authorized by law. Whenever possible, lengthy testimony should be presented to the Committee in writing and only pertinent points presented orally.

4. CONSENT CALENDAR

All items listed under the Consent Calendar are considered to be routine and may be enacted by one motion. Prior to the motion to consider any action by the Committee, any public comments on any of the Consent Items will be heard. There will be no separate action unless members of the Committee request specific items be removed from the Consent Calendar.

A. **Summary Minutes from the July 14, 2016, WRCOG Planning Directors' Committee meeting are available for consideration.** **P. 1**

***Requested Action*:** *1. Approve Summary Minutes from the July 14, 2016, WRCOG Planning Directors' Committee meeting.*

B. **HERO Program Activities Update** ***Michael Wasgatt*** **P. 9**

***Requested Action*:** *1. Receive and file.*

C. **Clean Cities Coalition Activities Update** ***Christopher Gray*** **P. 25**

***Requested Action*:** *1. Receive and file.*

D. **TUMF Program Update** **Christopher Gray** **P. 51**

***Requested Action*:** *1. Receive and file.*

E. **BEYOND Framework Fund Program Update** ***Andrea Howard*** **P. 55**

***Requested Action*:** *1. Receive and file.*

F. **CEQA Cases in the WRCOG Subregion and the SCAG Region** ***Christopher Gray*** **P. 67**

***Requested Action*:** *1. Receive and file.*

5. REPORTS/DISCUSSION

A. **Regional Streetlight Program Activities Update** ***Tyler Masters, WRCOG*** **P. 97**

***Requested Action*:** *1. Receive and file.*

B. **Update on Analysis of Fees and Their Potential Impact on Economic Development in Western Riverside County** ***Christopher Gray, WRCOG*** **P. 101**

***Requested Action*:** *1. Receive and file.*

C. **Alternative Compliance Framework Introduction** ***Christopher Gray, WRCOG*** **P. 105**

***Requested Action*:** *1. Receive and file.*

D. **Upcoming Grant Opportunities for Local Jurisdictions** ***Christopher Gray, WRCOG*** **P. 109**

***Requested Action*:** *1. Receive and file.*

E. **WRCOG Committees Update** ***Jennifer Ward, WRCOG*** **P. 113**

***Requested Action*:** *1. Receive and file.*

6. ITEMS FOR FUTURE AGENDAS *Members*

Members are invited to suggest additional items to be brought forward for discussion at future WRCOG Planning Directors' Committee meetings.

7. GENERAL ANNOUNCEMENTS *Members*

Members are invited to announce items/activities which may be of general interest to the WRCOG Planning Directors' Committee.

8. NEXT MEETING: **The next WRCOG Planning Directors' Committee meeting is scheduled for Thursday, October 13, 2016, at 9:00 a.m. at a location to be determined.**

9. ADJOURNMENT

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Planning Directors' Committee **Item 4.A**
July 14, 2016
Summary Minutes

1. CALL TO ORDER

The meeting of the WRCOG Planning Directors' Committee (PDC) was called to order at 9:03 a.m. by Chair Richard MacHott in the Riverside Transit Agency Conference Room.

2. SELF INTRODUCTIONS

Members present:

Brian Guillot, City of Banning (2nd-Vice Chair)
Keith Gardner, City of Calimesa
Cathy Perring, City of Eastvale
Deanna Elliano, City of Hemet
Richard MacHott, City of Lake Elsinore (Chair)
Rick Sandzimier, City of Moreno Valley
Cynthia Kinser, City of Murrieta
Doug Darnell, City of Riverside
Luke Watson, City of Temecula
Matt Bassi, City of Wildomar (Vice Chair)
Dan Fairbanks, March Joint Powers Authority

Staff present:

Jennifer Ward, Director of Government Relations
Christopher Gray, Director of Transportation
Christopher Tzeng, Program Manager
Tyler Masters, Program Manager
Andrea Howard, Staff Analyst
Rebekah Manning, Staff Analyst

Guests present:

Joe Forgiarini, Riverside Transit Agency (RTA)
Leif Lovegren, RTA
Paul Rodriguez, Rodriguez Consulting Group
Joe Punsalan, KTU+A
Deborah Meier, WSP | Parsons Brinckerhoff

3. PUBLIC COMMENTS

None.

4. CONSENT CALENDAR – *(Kinser/MacHott) 10 yes; 0 no; 1 abstain. Items 4.A through 4.C were approved by a vote of those members present. The Cities of Canyon Lake, Corona, Jurupa Valley, Menifee Norco, Perris, San Jacinto, the County of Riverside, the Riverside County Office of Education, and the Morongo Band of Mission Indians were not present. The City of Wildomar abstained from item 4.A only.*

A. Summary Minutes from the April 14, 2016, WRCOG Planning Directors' Committee meeting are available for consideration.

Action: *1. Approved Summary Minutes from the April 14, 2016, WRCOG Planning Directors' Committee meeting.*

B. HERO Program Activities Update

Action: *1. Received and filed.*

C. WRCOG Clean Cities Coalition Update

Action: *1. Received and filed.*

5. REPORTS/DISCUSSIONS

A. Selection of WRCOG Planning Directors' Committee Chair, Vice-Chair, and 2nd Vice-Chair positions for Fiscal Year 2016/2017

Action: *1. The WRCOG Planning Directors' Committee selected Matt Bassi, City of Wildomar; Brian Guillot, City of Banning; and Steven Weiss, County of Riverside, to serve as the Planning Directors' Committee Chair, Vice-Chair, and 2nd Vice-Chair positions, respectively, for Fiscal Year 2016/2017.*

(Elliano/Kinser) 11 yes; 0 no; 0 abstain. Item 5.A was approved by a unanimous vote of those members present. The Cities of Canyon Lake, Corona, Jurupa Valley, Menifee Norco, Perris, San Jacinto, the County of Riverside, the Riverside County Office of Education, and the Morongo Band of Mission Indians were not present.

B. Riverside Transit Agency First Mile Last Mile Study

Joe Punsalan, KTU+A, provided an update on RTA's First and Last Mile Mobility Plan aimed at improving safety and connectivity in RTA's service area. The outreach process is underway, focusing on a community survey which may be completed through the end of August. Preliminary survey results indicate the most common access issue is caused by missing sidewalks followed by auto traffic and personal safety concerns. The study is currently finalizing their selection of six pilot study areas. An existing conditions assessment will be performed for each pilot station. The study will then develop a framework for jurisdictions to improve transit access in the future.

A question was asked whether any of the considered pilot stations are at or near a Metrolink station.

Mr. Punsalan confirmed that there are several; including those located in downtown, urban core areas.

C. WRCOG Active Transportation Plan (ATP) Update

Christopher Tzeng provided an update on the agency's ATP which is being led by Fehr & Peers. The ATP is currently completing its existing conditions analysis to identify gaps, key challenges, and to inform the development of goals, objectives & performance metrics. The existing conditions analysis revealed that a County-wide, annual average of approximately 300 pedestrian or bike collisions with an automobile; the majority of which are with pedestrians and bicyclists aged 10-19 years. The analysis showed pedestrian collision hot-spots in the cities of Hemet and Riverside, while bicycle collisions have been less concentrated.

In addition to improving connectivity and access, the plan is also looking to impact health outcomes and has examined key health indicators such as heart disease and asthma. Data shows that adult obesity in the County is higher than the national average and a diabetes mortality rate County-wide of 19.1% and 32% in the City of Banning alone.

Committee member Brian Guillot asked how accident hot-spots are defined.

Chris Gray responded that many accidents have been concentrated around poorly designed off-ramps and interchanges.

Committee member Richard MacHott asked whether the plan is looking to identify any correlations with socio-economic conditions or age.

Mr. Gray responded that the study is looking to identify correlations. Mr. Gray further noted that in a study conducted in Los Angeles, the most serious injuries were found to occur in only 10% of the locations indicating a strong correlation with problems in the built environment.

Committee member Deanna Elliano asked how the ATP data is intended to be applied.

Mr. Gray responded that one part of the goal of the ATP is to develop data that may be used to support future grant seeking opportunities at the jurisdictional level and to support updated General Plans and Specific Plans. WRCOG's goal is to reduce the burden to jurisdictions to perform independent studies to inform future efforts.

D. Riverside County Traffic Analysis Model (RIVTAM) Update

Christopher Tzeng provided an overview on the agency's RIVTAM Update. Traffic Analysis Models, like RIVTAM, produce travel demand forecasts using socio-economic and transportation data as inputs. These forecasts are then used in a wide-range of studies including, but not limited to, General Plans; Specific Plans; corridor studies; interchange studies; and environmental documents, such as Environmental Impact Reports (EIR's). Following development of RIVTAM in 2009, an MOU was executed between the following six agencies: Riverside County Transportation and Land Management Agency (TLMA), Western Riverside Council of Governments (WRCOG), Coachella Valley Council of Governments (CVAG), Riverside County Transportation Commission (RCTC), Southern California Association of Governments (SCAG), and California Department of Transportation (Caltrans).

Mr. Tzeng explained that WRCOG is proposing an update of the original RIVTAM (developed in 2009) as the socio-economic, land use and roadway network data the model utilizes is outdated. The proposed RIVTAM update will provide updates to socio-economic forecasts and the roadway network, employ new data from the recent SCAG regional transportation model, and foster an opportunity to correct any issues related to

RIVTAM. Rather than proceeding directly to an update, WRCOG proposes that, in coordination with the original MOU signatories, WRCOG conduct a review of RIVTAM users and other agencies by conducting a survey. Data from the Survey would then be shared with the other MOU signatories. Once the Needs Assessment is complete, WRCOG would then ask to reconvene the group of MOU signatories to review the conclusions. WRCOG's aim is to release an RFP by January of 2017.

Committee member MacHott commented that the RIVTAM update would require buy-in from all consultants so that they all use updated data and share that data on a regular basis.

Mr. Gray confirmed Mr. MacHott's comments and noted that the Needs Assessment process would aim to identify implementation challenges with using the existing RIVTAM experienced to-date, and to work collaboratively with all parties to ensure a more comprehensive buy-in.

Committee member Guillot asked whether it would be appropriate to consolidate a list of cities interested in participating in the RIVTAM and suggested that a scoping agreement might be useful.

Mr. Gray confirmed that a scoping agreement could be beneficial and noted that WRCOG also plans to confer with MPO's and other agencies who have administered similar Traffic Analysis Models to identify potential areas for improvement of the administrative process.

Mr. Gray commented that every city is provided with the same model, but that WRCOG is considering developing an option for cities to dedicate additional funding for WRCOG to develop a more detailed study for the city.

E. Update on Analysis of Fees and Their Potential Impact on Economic Development in Western Riverside County

Christopher Tzeng provided an update of the development Fee Analysis Study. The Fee Analysis Study will provide WRCOG jurisdictions an analysis on fees charged on new development to pay for a range of infrastructure and/or capital facilities; discuss the effect of other development costs, such as the cost of land and interest rates, within the overall development framework; and analyze the economic benefits of transportation investment.

Following input received from the WRCOG PDC and Public Works Committee (PWC) in May the analysis will include the following development prototypes:

- Single-Family Unit: 50 units composed of 2,700 square foot homes on 7,300 square foot lots
- Multi-Family Development: 200 units composed of a 260,000 square foot building
- Industrial Development (High-Cube Industrial): 265,000 square foot building
- Retail Development: 10,000 square foot building
- Office Development: 20,000 square foot building

A comment was made that the size of the industrial development prototypes is relatively small.

Mr. Gray responded that the square footage is based on the approximate average for industrial space across the region and noted that the square footage was included because some fees assessed are based on square footage.

Mr. Tzeng continued to explain that fees included in the analysis include school development impact fees, water and sewer connection capacity fees, city capital facilities fees, and regional transportation fees (such as TUMF). The initial analysis is looking solely at development impact fees, not considering jurisdictions' processing fees.

To-date, the focus of the analysis has been on collecting fee schedules and applying them to the development prototypes. Draft initial fee estimates have been sent to each jurisdiction's representatives on the PDC and PWC. WRCOG has received comments from several jurisdictions and anticipates feedback from the remaining jurisdictions in the near-term. The comments have been and will continue to be used to refine the fee estimates for specific jurisdictions and, when applicable, all jurisdictions. WRCOG recognizes that cities have a range of fees and the analysis is seeking to provide jurisdictions with the best "universal" analysis of fees.

The next steps of the Analysis will involve continued follow-up with jurisdictions to collect outstanding comments and then to proceed with generating reports for each jurisdiction. Simultaneously, the Analysis will be working compile similar fee estimates for non-WRCOG jurisdictions' fees. Future data analysis, as it pertains to WRCOG jurisdictions, will include developing feasibility analyses to provide insights into costs of new development in Western Riverside County, identifying overall feasibility of the development products, and identifying economic benefits of regional transportation infrastructure.

Committee member Kinser noted that some of the most significant fees are now from the water districts.

Mr. Gray commented that WRCOG has held outreach meetings with the development community. These meetings have conveyed a shared feeling that while fees are not widely liked, they are tolerated well enough when their purpose is understood. However when fee purposes are not understood because there is a lack of transparency or effective communication, the development community is less tolerant of fees.

Committee member Guillot requested that the final analysis include a glossary of fees and potentially an explanation of what each fee is applied to.

Committee member MacHott commented that the study should include a disclaimer that it is a moment in time assessment and will not reflect ongoing changes.

Mr. Gray confirmed that such a notice will be included in the final analysis.

Mr. Gray concluded that the analysis should be concluded around September of 2016.

F. WRCOG Transportation Work Plan

Chris Gray provided an overview of the overall WRCOG transportation work plan. The following is a summary of all activities the transportation department is working on:

- TUMF Administrative Plan
    - WRCOG Executive Committee approved the proposed revisions at its June 24, 2016 meeting
- Five-Year Expenditure Report
    - Report is expected to be completed in August 2016
- On-Call Engineering Services
    - RFP was released in early June 2016
    - Selected firm will prepare a Reimbursement Manual, review TUMF Project invoices, and review ATP cost estimates
- Fee Analysis Study
    - Initial comparison of WRCOG agency fees complete in June
    - The full analysis is expected to be completed for presentations to agencies in September
- TUMF TIP Update
    - Staff will distribute draft TIP's and Project Worksheets in the fall
    - TIP's will be finalized for Executive Committee approval by February 2017
- 2016 TUMF Nexus Study Update
    - Draft study will be released in summer 2016
    - Executive Committee expected to take action in December 2016
- Active Transportation Plan
    - Existing conditions and health outcomes analysis were completed in June 2016
    - Non-Motorized Vehicle Network will be developed in fall 2016
    - Cost analysis will be conducted in early 2017
- RIVTAM Update
    - WRCOG has held a meeting with RIVTAM MOU signatories to discuss an update
    - Staff will be conducting a comprehensive feedback review and developing a work plan
    - RFP likely going out in Fall 2016/Spring 2017
- GIS Update
    - RFP will be distributed in fall 2016 to potentially transition to an online GIS database of TUMF and other records for access by member agencies
- On-Call Transportation Planning/Modeling Services
    - WROCG to issue an RFP for services like modeling and Nexus Study support
    - RFP to be distributed in Spring 2017 after Nexus Study is complete
- Grant Writing Services
    - WRCOG has proposed to hire grant writers to work directly for member agencies
    - Use of grant writers for Cap-and-Trade funds, Active Transportation, Caltrans, and TIGER grants
    - Would be funded through excess Hero revenues
    - RFP to be distributed in Fall 2016
    - WRCOG looking to partner with RCTC and other agencies

Committee member Brian Guillot shared concern that using a single grant writer for the region might reduce the ability of a single grant to stand-out competitively.

Mr. Gray commented that another option might simply provide funding to be applied towards independently contracted grant writing services.

Jennifer Ward commented that a primary aim of the proposed grant writing service is to reduce the barriers of staffing and financial limitations from being able to apply for funding at all.

G. Regional Streetlight Program Activities Update

Tyler Masters provided an update on the Streetlight Program. Mr. Masters reminded attendees that the Program aims to assist jurisdictions with streetlight system purchase, LED retrofits, and establishment of a regional contract to manage operations and maintenance of the region's streetlights. Through this process, the Program will enhance public safety, reduce utility costs and energy consumption, and create smarty city opportunities.

The Streetlights Program is currently working to establish a Regional Streetlight Demonstration Area in the City of Hemet. The Demonstration Areas will be installed and implemented Mid-August 2016 through early 2017. The Demonstration Area will provide stakeholders the opportunity to view and offer feedback on the variety of streetlight fixtures available. WRCOG is seeking to emphasize community inclusion and will be seeking opportunities to engage local and regional residents and other community stakeholders to provide feedback on the program and demonstration area. WRCOG staff will develop press kits, including press releases, sample social media language, education flyers, and survey information.

Mt. Palomar has been especially engaged and is working with the program to help determine best LED fixtures. A WRCOG educational bus tour of the demonstration area is being planned for the month of November. Mr. Masters noted that PDC members are encouraged to participate in the upcoming bus tour and asked that members notify WRCOG staff of any stakeholders who may wish to participate.

H. WRCOG Water Quality Framework Study Update

Chris Gray mentioned that WRCOG has convened a working group of representatives from Riverside County Flood Control & Water Conservation District, local jurisdictions, consultants, the building industry, and regional water quality control board representatives to continue discussions on the potential for a regional approach to stormwater and water quality management, and explore the feasibility for an alternative compliance program in Western Riverside County. WRCOG will notify PDC members of future working group meetings.

I. WRCOG Committees Update

Jennifer Ward announced that WRCOG's Executive Committee voted to fund the BEYOND Framework Fund program for a second round. The Program will again be funded at $1.8 million with specific allocations for each jurisdiction. Round II of BEYOND will offer an additional $200,000 set aside for collaborative projects and

$100,000 set aside for Healthy Communities projects, both available on a competitive basis.

<u>6. ITEMS FOR FUTURE AGENDAS</u>

There were no items for future agendas.

<u>7. GENERAL ANNOUNCEMENTS</u>:

Jennifer Ward announced that WRCOG would be convening a stakeholder workshop and bus tour of opportunity sites on August 29 and 30 to discuss the Affordable Housing & Sustainable Communities (AHSC) grant program administered by the State Strategic Growth Council (SGC).

<u>8. NEXT MEETING</u>: The next WRCOG Planning Directors' Committee meeting is scheduled for August 11, 2016 at a location to be determined.

<u>9. ADJOURNMENT</u>: The meeting of the WRCOG Planning Directors' Committee adjourned at 11:15 a.m.

Item 4.B

Western Riverside Council of Governments
Planning Directors' Committee

Staff Report

Subject: **HERO Program Activities Update**

Contact: **Michael Wasgatt, Program Manager, wasgatt@wrcog.cog.ca.us, (951) 955-8301**

Date: **September 8, 2016**

Requested Actions:

1. Receive and file.

WRCOG's HERO Program provides financing to property owners to implement a range of energy saving, renewable energy, and water conserving improvements to their homes and businesses. Improvements must be permanently fixed to the property and must meet certain criteria to be eligible for financing. Financing is paid back through a lien placed on the property tax bill. The HERO Program was initiated in December 2011 and has been expanded (an effort called "California HERO") to allow for jurisdictions throughout the state to join WRCOG's Program and allow property owners in these jurisdictions to participate.

Overall HERO Program Activities Update

Residential: As of this writing, more than 96,600 homeowners in both the WRCOG and California HERO Programs have been approved to fund more than $5.6 billion in eligible renewable energy, energy efficiency and water efficiency projects.

WRCOG Subregion: Over 33,200 property owners located in Western Riverside County have been approved for funding through the WRCOG HERO Program, totaling over $1.4 billion. Over 20,600 projects, totaling over $396 million, have been completed (Attachments 1 & 2).

Statewide Program: As of this writing, 352 jurisdictions outside the WRCOG and San Bernardino Associated Governments subregions have adopted Resolutions of Participation for the California HERO Program. Over 63,300 applications have been approved for the California HERO Program to fund over $4.2 billion in eligible renewable energy, energy efficiency and water efficiency projects. Over 33,700 projects have been completed, totaling nearly $718 million (Attachment 3).

The table below provides a summary of the total estimated economic and environmental impacts for projects completed in both the WRCOG and the California Programs to date:

Economic and Environmental Impacts Calculations	
KW Hours Saved – Annually	**515 GWh**
GHG Reductions – Annually	**134,017 Tons**
Gallons Saved – Annually	**318 Million**
$ Saved – Annually	**$67 Million**
Projected Annual Economic Impact	**$1.9 Billion**
Projected Annual Job Creation/Retention	**9,466 Jobs**

Commercial Program: To date, the SAMAS Commercial PACE Program has funded 34 projects for over $3.4 million. There are a number of different steps in the financing of a commercial project; these include the application, lender acknowledgement, construction, and funded phases. The following is an overview of commercial projects:

Approved Pipeline:

Completed and funded:	34 projects = $3.4+ million
Completed construction:	4 projects = $3.8+ million
Mid-construction:	5 projects = $296,000
PPA:	6 projects = $941,579
Investor Review:	21 projects = $11.8+ million
Assessment Contract:	13 projects = $1.7+ million
Grand total:	83 projects = $21.8+ million

Application Pipeline:

Pending applications:	29 projects = $10.7+ million
In-Process:	25 projects = $10.1+ million
Lender Acknowledgement:	46 projects = $7.1+ million
Grand total:	100 projects = $28+ million

Currently, the largest commercial project in the subregion is the Temecula Towne Center project at $2.9M. The Towne Center project included streetlight retrofits, a new cool roof, and new water fixtures.

Additional Property Assessed Clean Energy (PACE) Providers in the WRCOG Subregion

Background: On June 6, 2016, the Executive Committee established an Ad Hoc Committee to review and complete the vetting process and provide recommendations on the possible inclusion of additional PACE providers under the WRCOG "umbrella" for the subregion. The Ad Hoc Committee consists of representation from the Cities of Banning, Jurupa Valley, Moreno Valley, and Wildomar, with assistance from WRCOG staff and WRCOG's Bond Counsel (Best Best & Krieger).

In mid-June 2016, WRCOG staff distributed a solicitation to PACE providers to provide an opportunity for them, if interested, to operate their Program in the WRCOG subregion under the WRCOG PACE "umbrella." Under this structure, WRCOG would serve as the bond issuer. WRCOG would then retain oversight of the Program and be responsible for Program management, ensuring the application of consistent consumer protections among these Programs throughout the subregion, for example, and recording the assessments on the property.

To date, WRCOG staff has received documentation from CaliforniaFIRST, PACE Funding, and Spruce to begin the vetting process for these Programs to operate under WRCOG's umbrella. WRCOG staff is currently in the process of conducting site visits with these Programs, and working with the Program administrators and the Ad Hoc Committee members to determine next steps forward. Based on the information received from the providers thus far, the Ad Hoc Committee recommended that the Administration & Finance Committee bring CaliforniaFIRST under WRCOG's PACE umbrella upon approval of the Executive Committee at its meeting on September 12, 2016.

Prior WRCOG Actions:

August 12, 2016:	The WRCOG Technical Advisory Committee received report.
August 1, 2016:	The WRCOG Executive Committee 1) received summary of the Revised California HERO Program Report; 2) conducted a Public Hearing Regarding the Inclusion of the Cities of Blue Lake, Dorris, Etna, Fremont, Portola Valley, San Leandro, Sutter Creek, Tehama, Yuba City, and the County of Shasta Unincorporated Areas, for purposes of considering the modification of the Program Report for the California HERO Program to

increase the Program Area to include such additional jurisdictions and to hear all interested persons that may appear to support or object to, or inquire about the Program; 3) adopted WRCOG Resolution Number 30-16; A Resolution of the Executive Committee of the Western Riverside Council of Governments Confirming Modification of the California HERO Program Report so as to expand the Program Area within which Contractual Assessments may be offered; 4) adopted WRCOG Resolution Number 31-16: A Resolution of the Executive Committee of the Western Riverside Council Of Governments Amending Resolution Number 24-16 to Authorize the Levy of Special Assessments in Fiscal Year 2016/2017 on Additional Parcels of Property Within Kern County Pursuant to the California HERO Program; 5) adopted WRCOG Resolution Number 32-16: A Resolution of the Executive Committee of the Western Riverside Council Of Governments Amending Resolution Number 29-16 to Authorize the Levy of Special Assessments in Fiscal Year 2016/2017 on Additional Parcels of Property within Yolo County Pursuant to the California HERO Program; and 6) authorized the WRCOG Executive Director to execute the Compliance Certification and Hold Harmless Statement for the County of Tulare County.

WRCOG Fiscal Impact:

HERO revenues and expenditures for the WRCOG and California HERO Programs are allocated annually in the Fiscal Year Budget under the Energy Department.

Attachments:

1. WRCOG Program Summary.
2. WRCOG HERO Snapshot.
3. California HERO Snapshot.

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Item 4.B

HERO Program Activities Update

Attachment 1

WRCOG HERO Program Summary

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HERO Program Summary Update

(Launch through 08/26/16)

City	Approved Apps	Approved Amount
Banning	449	$11,704,493
Calimesa	146	$5,466,275
Canyon Lake	499	$25,853,810
Corona	2,779	$148,711,282
County	5,354	$259,510,788
Eastvale	766	$47,498,977
Hemet	963	$23,557,418
Jurupa Valley	1,805	$71,415,885
Lake Elsinore	1,206	$44,776,466
Menifee	2,206	$76,203,702
Moreno Valley	4,104	$134,791,640
Murrieta	2,412	$110,691,658
Norco	648	$36,494,262
Perris	811	$24,855,187
Riverside	5,386	$223,069,297
San Jacinto	635	$17,707,826
Temecula	2,257	$114,963,996
Wildomar	793	$30,235,032
	33,219	$1,407,507,993

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Item 4.B
HERO Program Activities Update

Attachment 2
WRCOG HERO Snapshot

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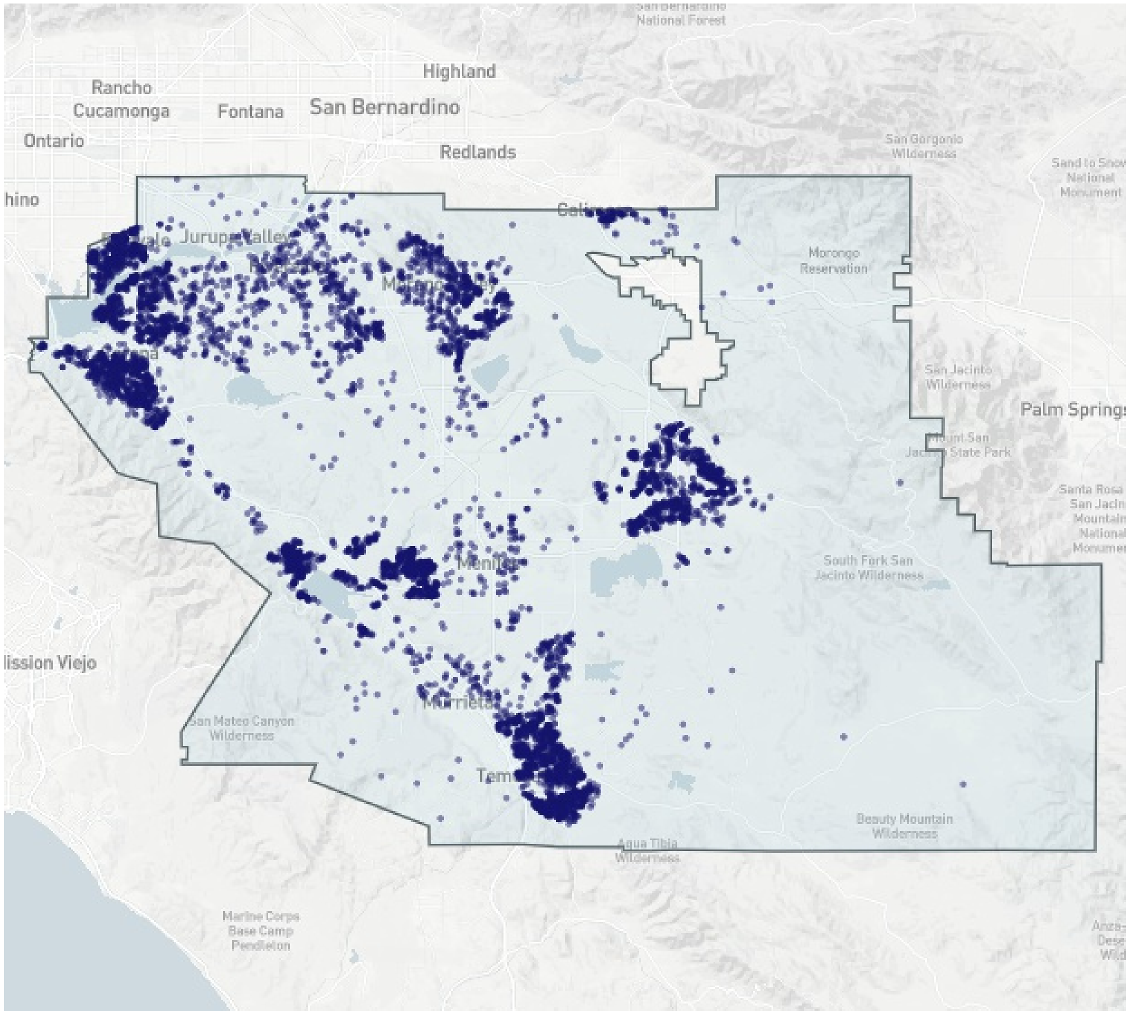
WRCOG - Western Riverside Council of Governments

17,843 Homes Improved

12/14/2011
HERO Launch Date

460,539
Housing Count

01/01/2011 - 08/26/2016
Report Range



Improvements

Type	Total Installed	Bill Savings
Energy	23.5K	$274M
Solar	11.7K	$490M
Water	1,363	$8.97M

Lifetime Impact

Applications Submitted	49.1K
Applications Approved	33.2K
Funded Amount	$396M
Economic Stimulus	$686M
Jobs Created	3,364
Energy Saved	2.95B kWh
Emissions Reduced	800K tons
Water Saved	997M gal

Learn how these numbers are calculated at https://www.herogov.com/faq

855-HERO-411
gov@heroprogram.com

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Item 4.B

HERO Program Activities Update

Attachment 3

California HERO Snapshot

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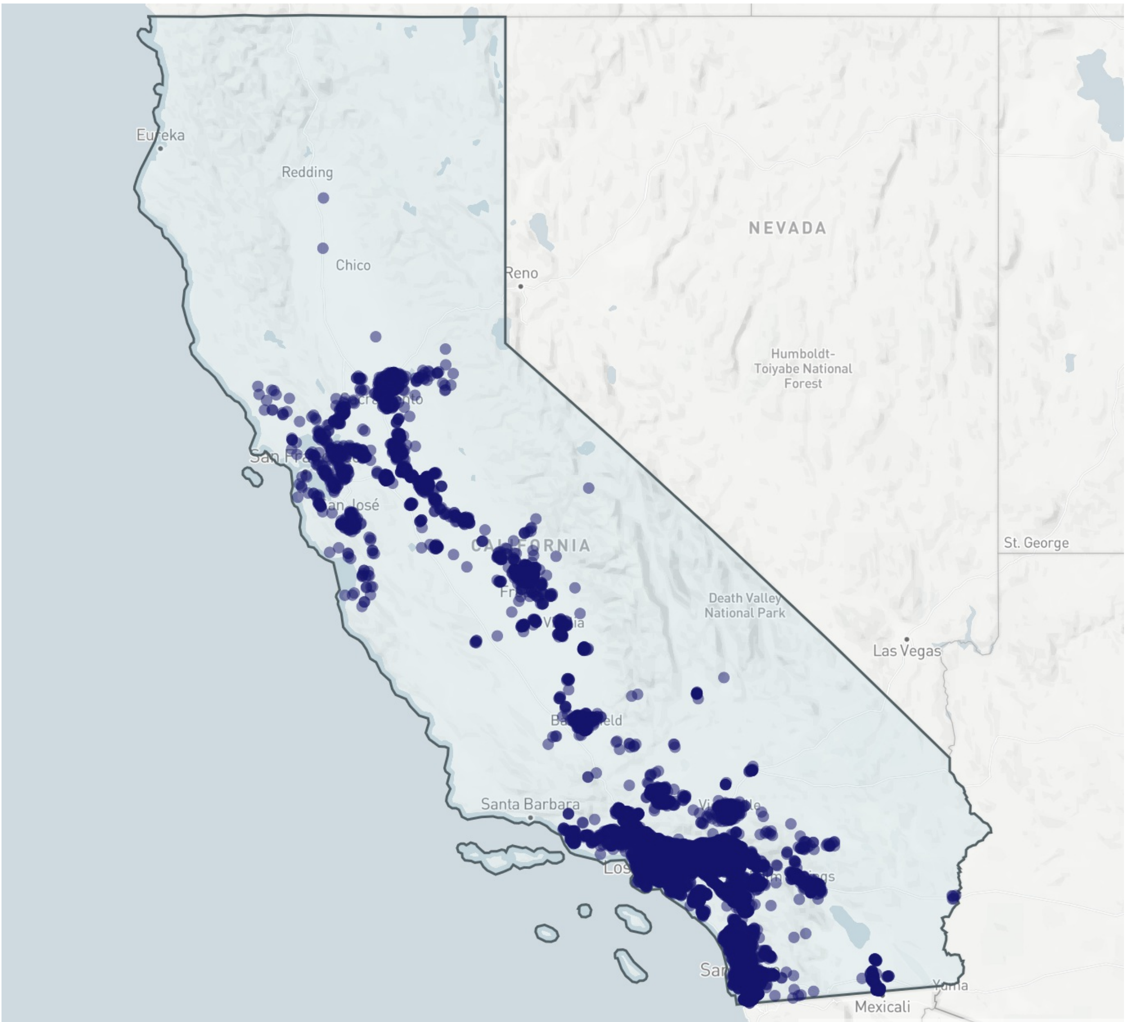
California HERO Program

30,124 Homes Improved

02/10/2014
HERO Launch Date

5,644,800
Housing Count

02/10/2014 - 08/26/2016
Report Range



Improvements

Type	Total Installed	Bill Savings
Energy	41.2K	$494M
Solar	17.7K	$842M
Water	2,933	$22.7M

Lifetime Impact

Applications Submitted	85.9K
Applications Approved	63.4K
Funded Amount	719M
Economic Stimulus	$1.24B
Jobs Created	6,102
Energy Saved	4.60B kWh
Emissions Reduced	1.22M tons
Water Saved	2.48B gal

Learn how these numbers are calculated at https://www.herogov.com/faq

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Western Riverside Council of Governments
Planning Directors' Committee

Staff Report

Subject: **Clean Cities Coalition Activities Update**

Contact: **Christopher Gray, Director of Transportation, gray@wrcog.cog.ca.us, (951) 955-8304**

Date: **September 8, 2016**

Requested Action:

1. Receive and file.

The WRCOG Clean Cities Coalition administers several programs focusing on reducing the use of petroleum fuel and developing regional economic opportunities for deploying alternative fuel vehicles and advanced technologies. Additionally, the Coalition provides programs for students to think critically and independently about air quality and how to live healthier lives.

Good Neighbor Guidelines for Siting New and/or Modified Warehouse / Distribution Facilities

WRCOG adopted a Good Neighbor Guidelines for Siting New and/or Modified Warehouse / Distribution Facilities to guide local jurisdictions in siting and to try to integrate the new / modified facility well with its surroundings. These Guidelines focus on the relationship between land use, permitting, and air quality. They are intended to assist developers, property owners, elected officials, community organizations, and the general public in addressing some of the complicated choices associated with siting warehouse / distribution facilities and understanding the options available when addressing environmental issues. Strategies are recommended in the Guidelines to help minimize the impacts of diesel particulate matter (PM) from on-road trucks associated with warehouses and distribution centers on existing communities and sensitive receptors located in the City.

Warehouse and distribution centers have been a large part of this region's growth in economy and jobs, and these centers are forecasted to continue. Besides the region's economy, these centers affect other aspects of the region, such as air quality, transportation infrastructure, travel behavior, congestion, and land use. WRCOG is working to update the Guidelines (attached) to better reflect advances in research and "clean" technology to better assist jurisdictions in siting and integrating the facilities with its surroundings.

For local jurisdictions interested in the guidelines and examine the possibility of adopting their own guidelines, the guidelines and references utilized in the update are attached. WRCOG staff will continue to reach out to staff at the South Coast Air Quality Management District staff to coordinate the report with updated information.

Electric Vehicle (EV) Charging Equipment Rebates

The South Coast Air Quality Management District (AQMD) provided funding, available for government and non-profit agencies, to purchase additional EV chargers. This funding was provided on a reimbursement basis and can fund the entire cost of a typical EV charger, including both the purchase and installation of these chargers. This funding was available on a first-come first-serve basis and was restricted to certain areas in Los Angeles, San Bernardino and Western Riverside Counties. The amount of the rebate was up to $7,500 per charger, an additional $5,000 for solar panels associated with plug-in EVs, and grant funds were limited to no more than $42,500 per site.

The following Western Riverside County agencies were able to secure over $120,000 of the $300,000 reimbursement opportunity of the funding from this program:

- City of Murrieta – received approval for up to $5,000 in reimbursement
- County of Riverside – received approval for up to $42,500 in reimbursements
- Riverside County Transportation Commission
- WRCOG – received approval for up to $30,000 in reimbursements
- Eastern Municipal Water District
- University of California, Riverside
- City of Norco – Naval Weapons Station

AQMD staff has indicated that additional grant applications were received and the Program is currently oversubscribed, meaning there is a backlog of projects to be funded. Our understanding is that AQMD staff have requested additional funding from the Environmental Protection Agency, which may be forthcoming.

Prior WRCOG Action:

August 12, 2016: The WRCOG Technical Advisory Committee received report.

WRCOG Fiscal Impact:

This item is informational only; therefore there is no fiscal impact.

Attachments:

1. Good Neighbor Guidelines for Siting New and/or Modified Warehouse/Distribution Facilities Report – Update.
2. Good Neighbor References.

Item 4.C

Clean Cities Coalition Activities Update

Attachment 1

Good Neighbor Guidelines for Siting New and/or Modified Warehouse/Distribution Facilities Report – Update

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Good Neighbor Guidelines
For Siting New and/or Modified
Warehouse/Distribution Facilities

(DRAFT, July 27, 2016)

Regional Air Quality Task Force

Western Riverside Council of Governments

4080 Lemon Street, 3rd Fl., MS 1032
Riverside, CA 92501-3679
(951) 955-7985

Acknowledgements

The Western Riverside Council of Governments, in conjunction with the Regional Air Quality Task Force (RAQTF), prepared the Good Neighbor Guidelines for Siting New and/or Modified Warehouse/Distribution Facilities ("Good Neighbor Guidelines") that were adopted in 2005. Beginning in 2003, WRCOG staff relied on the Regional Air Quality Task Force to provide critical and constructive input on developing and implementing environmental policies and actions.

Since the Good Neighbor Guidelines were first adopted, there have been advances on this subject matter on multiple fronts. Research on the planning of these facilities and the collaborative process has been documented by air quality agencies. "Clean" technology in vehicles and trucks has progressed, as well as new innovations that will help in mitigating the impacts of a warehouse/distribution facility. WRCOG would like to update the Good Neighbor Guidelines to better reflect these advances in order to assist jurisdictions in siting and integrating the facilities with its surroundings, as warehouse/distribution facilities continue to be a large part of this region's economic growth.

Introduction

Many communities within the region either have a separate air quality element or address air quality issues in their land use section of their General Plan. Warehouse/distribution centers will be a large part of this region's growth in economy and jobs, and these centers will have an effect on air quality. The RAQFT looked into possible policies for local governments to voluntarily adopt when siting new warehouse/distribution centers. It should be noted that air quality agencies, such as, SCAQMD and CARB have broadly addressed this issue with in their Guidance Documents and Air Quality Handbook, but have not created stand alone documentation. The Guidelines that follow appear to be the first stand alone document that local governments can use when siting warehouses.

The "Good Neighbor Guidelines for Siting New and/or Modified Warehouse/Distribution Facilities," (referred to as "Good Neighbor Guidelines") are intended to assist planning departments, developers, property owners, elected officials, community organizations, and the general public as a tool to potentially help address some of the complicated choices associated with permitting warehouse/distribution facilities and understanding the options available when addressing environmental issues. These Good Neighbor Guidelines are designed to help minimize the impacts of diesel particulate matter (PM) from on-road trucks associated with warehouses and distribution centers on existing communities and sensitive receptors located in the subregion.

Sensitive receptors are considered:

- Residential Communities;
- Schools;
- Parks;
- Playgrounds;
- Day care centers;
- Nursing homes;
- Hospitals;
- And other public places where residents are most likely to spend time.

Objective

WRCOG developed air quality measures that can be considered and potentially adopted by local governing bodies to address adverse air quality issues in the inland region through their planning activities.

WRCOG developed the Good Neighbor Guidelines to help achieve the following objectives:

- **Provide local governments with specific strategies that can be considered and implemented to minimize potential diesel impacts from new warehouse and distribution centers;**

- **Educate existing warehouse and distribution centers about strategies that can be implemented to minimize potential diesel impacts from their operations.**

Some communities in western Riverside County, because of their proximity to freeways, arterial highways, rail lines, and warehouse/distribution facilities experience higher diesel emissions exposure associated with warehouse/distribution centers than others. In particular, warehouse/distribution center projects sited close to sensitive receptors (homes, schools, parks, day care centers, nursing homes, hospitals and other places public places) can result in adverse health impacts. The reverse is also true – siting sensitive receptors too close to an existing source of diesel emissions can also be a problem. For these reasons, the World Health Organization and International Agency for Research on Cancer has classified diesel emissions as carcinogenic to humans. The carcinogenic effects of diesel emissions exposure are but not limited to lung cancer, respiratory issues, skin and eye irritations, and lightheadedness or nausea[6].

Audience

These Good Neighbor Guidelines focus on the relationship between land use, permitting, and air quality, and highlight strategies that can help minimize the impacts of diesel emissions associated with warehouse/distribution centers.

The California Resources Air Board (CARB) defines warehouses/distribution centers as facilities that serve as a distribution point for the transfer of goods. Such facilities include cold storage warehouses; goods transfer facilities, and inter-modal facilities such as ports. These operations involve trucks, trailers, shipping containers, and other equipment with diesel engines.

For the purpose of these Guidelines, warehouse/distribution center means a building or premises in which the primary purpose is to store goods, merchandise or equipment for eventual distribution and may include office and maintenance areas. A warehouse or distribution center includes 3 or more loading bays, or is expected to have more than 150 diesel truck trips per day. For the purpose of these Guidelines, a warehouse and distribution center is not intended to include "big box" discount or warehouse stores that sell retail goods, merchandise or equipment, or storage and mini-storage facilities that are offered for rent or lease to the general public.

While the primary users of these Guidelines will likely be agencies responsible for land use planning and air quality, they may also be useful for:

- Planners;
- Architects;
- Developers;
- Elected officials;
- School districts;
- Community advisory councils;
- Public/community organizations.

Purpose

The purpose of the Good Neighbor Guidelines is to provide local government and developers with a variety of strategies that can be used to reduce diesel emissions from heavy-duty trucks that are delivering goods to and from warehouse and distribution centers.

In 1998, the SCAQMD conducted its second Multiple Air Toxics Emissions Study (MATES II) [1]. Considered the nation's most comprehensive study of toxic air pollution to date, the study found that:

- Diesel exhaust is responsible for about 70 percent of the total cancer risk from air pollution;
- Emissions from mobile sources -- including cars and trucks as well as ships, trains and planes -- account for about 90 percent of the cancer risk. Emissions from businesses and industry are responsible for the remaining 10 percent; and
- The highest cancer risk occurs in south Los Angeles County -- including the port area-- along major freeways

In 2013, the SCAQMD conducted its fourth Multiples Air Toxics Emissions Study (MATES IV)[5]. Improvements in toxic air pollution mitigation from multiple jurisdictions were notable through the data collected in the study. The study found that:

- Diesel emissions across the basin were substantially reduced – especially near Ports and central Los Angeles – but still accounts for highest contribution to air toxic risks.
- Revised OEHHA calculation method for air toxic risk at monitoring sites yielded a higher residual risk than previous studies – does not necessarily mean air toxic concentrations have worsened.
- Mira Loma showed the highest concentrations of air pollution in the Inland Empire – similar to those near the Ports and central Los Angeles.

The RAQTF recommended the Good Neighbor Guidelines be approved by WRCOG member jurisdictions and considered for all new warehouse/distribution centers that attract diesel trucks and other diesel-powered engines. Implementation of the recommended guidance for proposed facilities is technically more feasible than retroactive application to existing warehouse/distribution centers. However and as previously mentioned, there is an educational component of these Guidelines aimed at existing facilities. There are mechanisms in the planning process that will encourage developers to incorporate the recommended guidelines upfront in the design phase of a project.

The RAQTF recommended that jurisdictions consider these Guidelines when issuing permits such as conditional use permits, or zoning permits. In addition, the recommended Guidelines can be used to mitigate potentially significant adverse environmental impacts that are identified under the California Environmental Quality Act (CEQA). The recommended Guidelines are intended to be used for new warehouses and can be incorporated in the design phase of the proposed warehouse or distribution center. Many of the recommended guidelines can, however, be incorporated into existing facilities.

The recommended Guidelines format identifies the overall goal, benefits and the recommended strategies that can be implemented to achieve the goal. The Guidelines include a series of strategies that can be implemented in part or whole, or tailored to the specific needs of a project. The purpose of the guidelines is to provide a general framework for planners and developers regarding how they can achieve a specified goal.

It should be noted that CARB has adopted two airborne toxic control measures that will reduce diesel particulate materials (PM) emissions associated with warehouse/distribution centers. The first will limit nonessential (or unnecessary) idling of diesel-fueled commercial vehicles, including those entering from other states or countries. This measure prohibits idling of a vehicle for more than five minutes at any one location. The second measure requires that transport refrigeration units (TRUs) operating in California become cleaner over time. The measure establishes in-use performance standards for existing TRU engines that operate in California, including out-of-state TRUs. The requirements are phased-in beginning in 2008, and extend to 2019.[2]

CARB also operates a smoke inspection program for heavy-duty diesel trucks that focuses on reducing truck emissions in California communities. Areas with large numbers of distributions centers are a high priority.

While CARB has these measures in place, local agencies need to acknowledge that the enforcement of these measures is through the California Highway Patrol and do not provide a swift resolve to local air quality issues. Local agencies can adopt local control measures, like the ones being mentioned, that can be enforced by code enforcement and law enforcement officials and provide a more immediate effect to the region's air quality.

Recommended Local Guidelines

1. Goal: Minimize exposure to diesel emissions to neighbors that are situated in close proximity to the warehouse/distribution center.

Benefits:

1. Reduces exposure of diesel emissions to residences and other sensitive receptors.
2. Reduces potential future health, odor and noise related issues, particularly when in close proximity to residential neighborhoods.

Recommended Strategies:

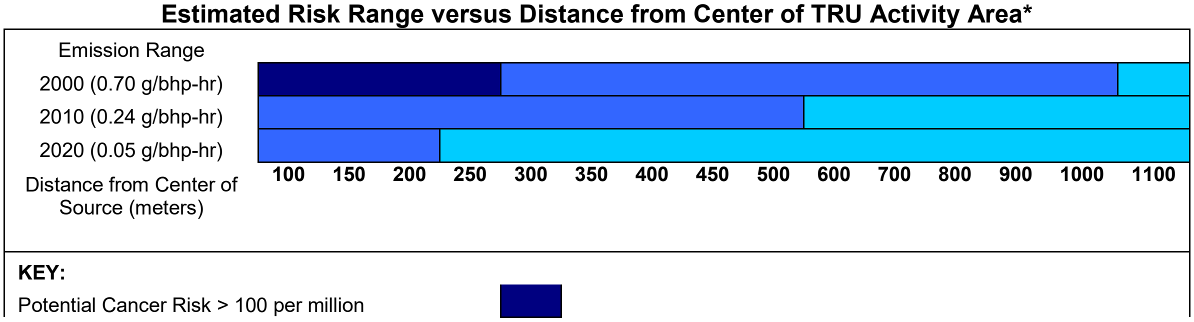
- Create buffer zone of at least 400 meters (roughly 1,300 feet, can be office space, employee parking, greenbelt) between warehouse/distribution center and sensitive receptors (housing, schools, daycare centers, playground, hospitals, youth centers, elderly care facilities, etc.);
- Site design shall allow for trucks to check-in within facility area to prevent queuing of trucks outside of facility;
- Take into account the configuration of existing distribution centers and avoid locating residences and other new sensitive land uses near entry and exit points[3];
- Design warehouse/distribution center so that interior vehicular circulation shall be located away from residential uses or any other sensitive receptors.
- Avoid new siting of warehouses/distribution facilities in “hot spots”, where Diesel PM, noise, and other air toxins already have a significant negative impact on the area’s health;
- Warehouses/distribution centers should provide particulate traps or filters to residents and schools within 1500m of the facility.
- Local jurisdictions should make recommendations and mitigation measures on specific plan EIR’s for warehouses/distribution centersLandscaping may be an option around the warehouse/distribution center to minimize the aesthetic impact of industrial parks or zones.

Why do we suggest buffer zones?

The reduction of potential cancer risk levels at locations where TRUs operate is a direct result of the reduction of diesel PM emissions. Figure 1-1 compares the cancer risk range at various distances assuming 300 hours of TRU activity per week. For year 2000, the current fleet average emission rate of 0.7 g/bhp-hr was used. In 2020, the statewide fleet PM emission rate would be reduced 92 percent from the 2000 baseline year to 0.05 g/bhp-hr. Figure 1-1 below illustrates the significant reduction of the estimated near source risk as the diesel PM emission rate is reduced from the current fleet emission rate to the much lower emission rate in 2020.[4]

Figure 1-1

Estimated Risk Range versus Distance from Center of TRU Activity Area*



Potential Cancer Risk ≥ 10 and < 100 per million

Potential Cancer Risk > 10 per million

*Assumes 300 hours per week of TRU engine operation at 60% load factor.

2. Goal: Eliminate diesel trucks from unnecessarily traversing through residential neighborhoods.

Benefits:

1. Reduces exposure of diesel emissions to residences and other sensitive receptors.
2. Reduces or eliminate trucks in residential neighborhoods.
3. Reduces truckers travel time and distance if key destinations are clearly identified.
4. Reduces noise levels in residential neighborhoods from trucks and other goods movement operations;
5. Improves community aesthetic with less industrial and logistic activity in the neighborhood;

Recommended Guidelines:

- Require warehouse/distribution centers to clearly specify on the facility site plan primary entrance and exit points away from residential areas and heavily-used public areas;
- Require warehouse/distribution centers to establish specific truck routes and post signage between the warehouse/distribution center and the freeway and/or primary access arterial that achieves the objective. The jurisdiction may not have an established truck route, but may take the opportunity to consider the development of one;
- Provide food options, fueling, truck repair and or convenience store on-site or within the warehouse/distribution center complex;
- Provide incentive to purchase neighborhood electric vehicles (NEV) for truckers to leave site temporarily while truck is being serviced, loaded/unloaded, queuing, or parked;
- Require warehouse/distribution centers to provide signage or flyers identifying where food, lodging, and entertainment can be found, when it is not available on site;

3. Goal: Eliminate trucks from using residential areas and repairing vehicles on the streets.

Benefits:

1. Reduces exposure of diesel emissions to residences and sensitive receptors.
2. Reduces noise levels near residences and sensitive receptors;
3. Improves community aesthetic and cleanliness;

Recommended Guidelines:

- Allow homeowners in the trucking business to acquire permits to park vehicles on property, residential areas or streets;
  Note: Some jurisdictions already restrict parking of oversized vehicles on residential streets regardless of ownership.
- Establish overnight parking within the warehouse/distribution center;
- Establish a Park & Ride program with the local jurisdiction for truckers to park vehicles overnight and have reasonable transportation between destinations without having to move the diesel-powered vehicle.
- Allow warehouse/distribution facilities to establish an area within the facility for repairs.

- Provide signage for the surrounding areas to inform truckers on parking and/or repairs on surface streets are prohibited.

4. Goal: Reduce and/or eliminate diesel idling within the warehouse/distribution center

Benefits:

1. Reduces exposure of diesel emissions to residences and other sensitive receptors.
2. Reduces noise levels across the facility as well as surrounding areas;

Recommended Guidelines:

- Require the installation of electric hook-ups to eliminate idling of main and auxiliary engines during loading and unloading, and when trucks are not in use;
- Train warehouse managers and employees on efficient scheduling and load management to eliminate unnecessary queuing and idling of trucks within the facility;
- Require signage that informs truck drivers of the California Air Resources Board (CARB) regulations (which include anti-idling regulations);
- Post signs requesting that truck drivers turn-off engines when not in use;
- Restrict idling within the facility to less than five (5) minutes.
- Provide a climate-controlled space for truckers and promote its use rather than truckers sitting in their cabs with an idling engine.
- Recommend that TRU's or other auxiliary diesel engines be plugged into an electrical source rather than running off diesel.

5. Goal: Establish a diesel minimization plan for on- and off-road diesel mobile sources to be implemented with new projects.

Benefits:

1. Reduces exposure of diesel emissions to residences and sensitive receptors.
2. Establishes long-term goal for facility to eliminate diesel emissions at the facility.
3. Reduces on- and off-road diesel emissions that are associated with use of the facility.

Recommended Guidelines:

- Encourage warehouse/distribution center fleet owners to replace their existing diesel fleets with new model vehicles and/or cleaner technologies, such as electric or compressed natural gas;
- Require all warehouse/distribution centers to operate the cleanest vehicles available;
- Provide incentives for warehouses/distribution centers and corporations which partner with trucking companies that operate the cleanest vehicles available;
- Encourage the installation of clean fuel fueling stations at facilities.
- Encourage warehouse/distribution centers to use their existing diesel vehicles with cleanest emissions, while minimizing the hours of use of inefficient and high-emissions vehicles.

6. Goal: Establish an education program to inform truck drivers of the health effects of diesel particulate and the importance of reducing their idling time.

Benefits:

1. Educates truck drivers of the health effects of diesel particulate to encourage drivers to implement diesel reduction measures.

Recommended Guidelines:

- Provide warehouse/distribution center owners/managers with informational flyers and pamphlets for truck drivers about the health effects of diesel particulates and the importance of being a good neighbor. The following information should include:
  - Health effects of diesel particulates;
  - Benefits of minimizing idling time;
  - ARB idling regulations;
  - Importance of not parking in residential areas.
- Encourage warehouse/distribution center owners to partner with the EPA's SmartWay Program, which aims at moving goods cleanly while improving warehouse operations and reducing their impacts on surroundings.

7. Goal: Establish a public outreach program and conduct periodic community meetings to address issues from neighbors.

Benefits:

1. Informs the community regarding proactive strategies that the warehouse/distribution center has or is doing to reduce exposure to diesel particulate.
2. Allows the warehouse/distribution center to be more proactive.
3. Encourages partnerships to develop solutions for both parties.

Recommended Guidelines:

- Encourage facility owners/management to conduct periodic community meetings inviting neighbors, community groups, and other organizations;
- Encourage facility owners/management to have site visits with neighbors and members of the community to view measures that the facility has taken to reduce/and or eliminate diesel particulate emissions;
- Encourage facility owners/management to coordinate an outreach program that will educate the public and encourage discussion relating to the potential for cumulative impacts from a new warehouse/distribution center.
- Provide facility owners/management with the necessary resources and encourage the utilization of those resources such as, the California Air Resources Board (ARB) and the South Coast Air Quality Management District regarding information about the types and amounts of air pollution emitted in an area, regional air quality concentrations, and health risks estimates for specific sources;
- Require the posting of signs outside of the facility providing a phone number where neighbors can call if there is an air quality or noise issue.

Recommended Regional Guidelines

The following guidelines can be implemented at the regional level for the siting of new and/or modified warehouses/distribution center (s):

- Develop, adopt and enforce truck routes both in and out of a jurisdiction, and in and out of facilities;

- Have truck routes clearly marked with trailblazer signs, so trucks will not enter residential areas;

- Promote the benefits of fleets rapidly adopting cleaner technologies;

- Provide incentives for local fleets to acquire cleaner technologies that can reduce idling;

- Adopt and implement the regional idling ordinance (being developed by this task force) to minimize idling at delivery locations warehouses, truck stops, etc;

- Provide local warehouses/distribution facilities incentives to reduce idling (i.e. reduce noise);

- Identify or develop secure locations outside of residential neighborhoods where truckers that live in the community can park their truck, such as a Park & Ride;

- Educate the local enforcement agencies (including law enforcement) on diesel emissions minimization strategies (specifications, how, etc.);

- Educate local governments of potential air quality impacts;

- Provide food options, fueling, truck repair and or convenience store on-site to minimize the need for trucks to traverse through residential neighborhoods; or NEV's if these accommodations are not available.

GLOSSARY OF KEY TERMS

Buffer Zone: An area of land separating one parcel or land from another that acts to soften or mitigate the effects of one land use on the other.

California Environmental Quality Act (CEQA): A California law that sets forth a process for public agencies to make informed decisions on discretionary projects approvals. The process helps decision-makers determine whether any potential, significant, adverse environmental impacts are associated with a proposed project and to identify alternatives and mitigation measures that will eliminate or reduce such adverse impacts.

Distribution Center: See Warehouse

Hot Spot: An area of land that experiences high concentrations of air toxics and diesel emissions as a result of goods movement and other transportation.

Idling: The operation of the engine of a vehicle while the vehicle is not in motion.

Land Use Agency: Local government agency that performs functions associated with the review, approval, and enforcement of general plans and plan elements, zoning, and land use permitting. For the purpose of these Guidelines, a land use agency is typically a local planning department.

Mobile Source: Sources of air pollution such as automobiles, motorcycles, trucks, off-road vehicles, boats, trains and airplanes.

Ordinance: A law adopted by a City Council or County Board of Supervisors. Ordinances usually amend, repeal or supplement the municipal code; provide zoning specifications; or appropriate money for specific purposes.

Risk: For cancer health effects, risk is expressed as an estimate of the increase chances of getting cancer due to facility emissions over a 70-year lifetime. This increase in risk expressed as chances in a million (e.g., 1,400 in a million).

Stationary Sources: Non-mobile sources such as manufacturing facilities, power plants, and refineries.

Warehouse(s): For the purpose of these Guidelines, warehouse/distribution center means a building or premises in which the primary purpose is to store goods, merchandise or equipment for eventual distribution and may include office and maintenance areas. A warehouse or distribution center includes 3 or more loading bays, or is expected to have more than 150 diesel truck trips per day. For the purpose of these Guidelines, a warehouse and distribution center is not intended to include "big box" discount or warehouse stores that sell retail goods, merchandise or equipment, or storage and mini-storage facilities that are offered for rent or lease to the general public

Zoning Ordinances: City councils and county boards of supervisors adopts zoning ordinances that set forth land use classifications, divides the county or city into land use zones as delineated on the official zoning, maps, and set enforceable standards for future development.

References

1. *Multiple Air Toxics Emissions Study (MATES II) (2000).* South Coast Air Quality Management District.

2. Air Quality and Land Use Handbook: A Community Health Perspective. (April 2005) California Air Resources Board.

3. Air Quality and Land Use Handbook: A Community Health Perspective. (April 2005) California Air Resources Board.

4. Air Quality and Land Use Handbook: A Community Health Perspective. (April 2005) California Air Resources Board.

5. *Multiple Air Toxics Emissions Study (MATES IV) (2013).* South Coast Air Quality Management District.

6. IARC: Diesel Engine Exhaust Carcinogenic (2012). International Agency for Research on Cancer; World Health Organization.

Item 4.C

Clean Cities Coalition Activities Update

Attachment 2

Good Neighbor References

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Good Neighbor Guidelines Update - References

MATES III: Multiple Air Toxics Exposure Study. *South Coast Air Quality Management District*. 2008.	The Multiple Air Toxics Exposure Study is a monitoring and evaluation study conducted in the South Coast Basin between 2004 and 2006. Consisting of several elements: it monitors and updates emissions inventory of toxic air contaminants, and a modeling effort to categorize risks across the basin. The study focuses on the carcinogenic effects from exposure to toxic air contaminants. Though limited in estimating mortality, It provides a good reference for creating mitigation efforts regarding goods movement and air quality.	MATES III Findings and Discussion.pdf MATES III Executive Summary.pdf MATES III Regional Modeling and Evaluation MATES III Presentation
MATES IV: Multiple Air Toxics Exposure Study. *South Coast Air Quality Management District.* 2015.	The Multiple Air Toxics Exposure Study is a monitoring and evaluation study conducted in the South Coast Basin between 2012 and 2013. Consisting of several elements: it monitors and updates emissions inventory of toxic air contaminants, and a modeling effort to categorize risks across the basin. The study focuses on the carcinogenic effects from exposure to toxic air contaminants. Though limited in estimating mortality, It provides a good reference for creating mitigation efforts regarding goods movement and air quality. An update to this study was the increased focus on ultrafine particulates in the air.	MATES IV Full Report MATES IV Presentation
Health Risk Assessment Guidance for Analyzing Cancer Risks from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis. *South Coast Air Quality Management District.* 2003.	This document provides guidance for analyzing the cancer risks from mobile-source diesel emissions. Diesel particulate matter was found to be a toxic air contaminant through the Multiple Air Toxics Exposure Study in 2000, which found DPM accounts for more than 70% of associated cancer risks in the South Coast Basin. Furthermore, this study assessed other popular air toxic contaminants that also pose a public health risks as well as their sources. Measures for regulation and mitigation of toxic air quality with regards to goods movement and transportation are listed.	Health Risk Assessment

Air Quality Update for the Inland Empire. *South Coast Air Quality Management District.*2013.	South Coast AQMD presented this document to the Press Enterprise Public Forum in 2013. It provided updates for the air quality updates for the Inland Empire from 1990 through 2013. Apart from drops in air toxic concentrations, there have been improved risk assessment standards which may show increases in air toxics. MATES II is mentioned and shows what areas are mostly affected by bad air quality and how they mitigate the issue. Expected problems are identified along with multiple programs and tactics to address future challenges.	Air Quality Update For Inland Empire, 2013.
Goods Movement and Distribution Centers. *South Coast Air Quality Management District*. 2013.	This presentation gives an overview of goods movement system and distribution centers in the South Coast Basin. Projected growth raises concerns regarding air quality and health, as the emissions surrounding goods movement are considered detrimental to our health. The South Coast AQMD's role in warehouse development is explained in air quality mitigation and possible solutions are recommended such as EIR review, construction/operation changes, and goals to be reached in the coming years.	Goods Movement and Distribution Centers
Update On Warehouses In the Inland Empire. *South Coast Air Quality Management District.* 2013.	This presentation identifies the emission sources and future growth of warehouses and other goods movement operations in the Inland Empire. Descriptions of local and regional impacts from diesel emissions sources are identified. Moreover, there are summaries of CEQA reviews on the goods movement industry in the Inland Empire. Furthermore, there are suggested mitigation measures and policy implications from the regional and state governments.	SCAQMD 2013 Inland Empire Warehouses Update.pdf

SANBAG Freight Movement Strategy - Working Paper. *San Bernardino Associated Governments*. 2014.	San Bernardino County is identified as a major goods movement corridor due to the Cajon Pass's connection to the Midwest. The benefits and negative impacts of goods movement are analyzed with respect to the County and its current air quality issue. Goods movement is identified as a major contributor to smog and toxic air in San Bernardino County. An evaluation of S.B. County's role in current and future goods movement and air quality mitigation efforts are stated along with expected challenges and solutions.	SANBAG 2014 Freight Movement Strategy
San Diego County General Plan EIR: Air Quality. *San Diego Association of Governments.* 2013.	This document summarizes information from the Air Quality/Global Climate Change Analysis 2012 prepared for San Diego's General Plan EIR. Furthermore, it evaluates existing conditions for air quality plans in the County, hazardous air pollutants, and ways of reaching air quality goals. The document concludes by providing air quality mitigation measures regarding toxic air pollutants and odors.	San Diego County EIR Air Quality Mitigation
Guidance Document for Addressing Air Quality Issues in General Plans and Local Planning. *South Coast Air Quality Management District*. 2005.	Local government planning, zoning, and permitting can be a tool to be used to reduce air toxic emissions and associated health risks. This document explores various ways local government can mitigate warehouse impacts and associated risks through careful land use. Sources of air toxics are identified and guidelines are recommended based on proximity to sensitive receptors, truck routes and travel time/distance, and planning future residences near eco- and health-friendly facilities.	Guidance Document for Addressing Air Quality Stationary Sources of Air Pollution
Mira Loma Case Study on Mixed Use Zoning: The Consequences of Incompatible Land Uses in Rural-Residential Areas. *California Air Resource Board.* 2004.	A case study conducted in the Mira Loma area of Riverside County, shows the mixed use zoning implemented. Moreover, the consequences due to mixed use zoning in Mira Loma are shown including the worst levels of particulate matter in the nation. Furthermore, the study shows how planning/zoning can help mitigate the impacts from mixed use zoning, more specifically warehouse/distribution centers associated with the inland port.	Mira Loma Case Study On Mixed Use Zoning

Inland Ports of Southern California – Warehouses, Distribution Centers, Intermodal Facilities: Impacts, Costs, and Trends. *Center for Community Action and Environmental Justice*. 2009.	As globalization and the expansion of international trade increases, imports and the goods movement industry are also growing. The impacts, costs, and trends of the goods movement industry are detailed from the point of arrival in the Ports of Los Angeles/Long Beach to the distribution facilities across Southern California. The inland port is identified and evaluated from an economic, environmental, and public health standpoint.	Inland Ports of Southern California
Air Toxics Hot Spots Program – Guidance Manual for Preparation of Health Risk Assessments. *Office of Environmental Health Hazard Assessment.* 2015.	The Air Toxics Hot Spots program was designed to provide government agencies and general public information on the extent of airborne emissions and their potential health impacts. This program also developed a health risk assessment based on reference exposure levels and the tiered analysis of the risk estimates. This document helps address the permitting of existing, new, or modified stationary sources of toxic emissions	Air Toxics Hot Spots Program
Sustainable Freight: Pathways to Zero and Near-Zero Emissions. *California Air Resources Board*. 2015.	Southern California must take effective actions to transition to a zero-emission freight transportation system. This document analyses CARB strategies and provides steps to attaining healthy air quality, climate, and sustainability goals. Moreover, it shows how private and public entities can work conjunctively to fund infrastructural projects, vehicle and equipment purchases, technological and transport system management.	Sustainable Freight: Zero and Near-Zero Emissions
IARC: Diesel Engine Exhaust Carcinogenic. *World Health Organization: International Agency for Research on Cancer.* 2012.	As a result of week-long meetings with international experts, the WHO has reclassified diesel engine exhaust as a Group 1 carcinogen, meaning repeated exposure will likely cause cancer in humans. Since 1998, diesel exhaust has been a high priority for the IARC and WHO since the studies on specific workers raised awareness on the emissions carcinogenicity. Due to the large scale exposure to emissions in the South Coast Basin, it raises serious concern for the health of all those impacted.	Diesel Emissions Carcinogenic

Warehouse Truck Trip Study Data Results and Usage. *South Coast Air Quality Management District.* 2014.	This study provides guidance on how to quantify warehouse truck emissions for CEQA air quality analysis. Daily truck trips to and from a warehouse or distribution center were accounted for. Upon examining the data, some solutions are proposed with the steps to attain air quality goals. Furthermore, this study also explains the mitigation measures and how local governments are applying them.	Warehouse Truck Trip Study
Storing Harm: the Health and Community Impacts of Goods Movement, Warehousing, and Logistics. *Trade, Health, and Environmental Impact Project.* 2012.	Southern California has experienced increased goods movement as a result of higher import rates. As imports and goods movement increase, more warehouses and distribution facilities in the region are being built. This document analyses a case study of the Inland Valley's goods movement industry and its negative impacts on public health. Policy recommendations are suggested as well as proactive measures for expected challenges in the future.	Storing Harm
SCAQMD Role in Warehouse Development. *South Coast Air Quality Management District.* 2013.	This presentation idenitifies the role that South Coast AQMD has with regards to warehouse development. SCAQMD must only provide comments and analysis on air quality, and does not have authority in land use decisions. Air quality impacts to the community are noted as well as mitigation measures that can be taken to resolve the land use and air quality issue.	SCAQMD Role in Warehouse Development

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Item 4.D

Western Riverside Council of Governments
Planning Directors' Committee

Staff Report

Subject: **TUMF Program Update**

Contact: **Christopher Gray, Director of Transportation, gray@wrcog.cog.ca.us, (951) 955-8304**

Date: **September 8, 2016**

Requested Action:

1. Receive and file.

WRCOG's Transportation Uniform Mitigation Fee (TUMF) Program is a regional fee program designed to provide transportation and transit infrastructure that mitigates the impact of new growth in Western Riverside County. Each of WRCOG's member jurisdictions participates in the Program through an adopted ordinance, collects fees from new development, and remits the fees to WRCOG. WRCOG, as administrator of the TUMF Program, allocates TUMF to the Riverside County Transportation Commission (RCTC), groupings of jurisdictions – referred to as TUMF Zones – based on the amounts of fees collected in these groups, and the Riverside Transit Agency (RTA). The TUMF Nexus Study is intended to satisfy the requirements of California Government Code Chapter 5 Section 66000-66008 (also known as the California Mitigation Fee Act) which governs imposing development impact fees in California. The Study establishes a nexus or reasonable relationship between the development impact fee's use and the type of project for which the fee is required.

TUMF Program Update

The TUMF Program is a development impact fee and is subject to the California Mitigation Fee Act (AB 1600, Govt. Code § 6600), which mandates that a Nexus Study be prepared to demonstrate a reasonable and rational relationship between the fee and the proposed improvements for which the fee is used. AB 1600 also requires the regular review and update of the Program and Nexus Study to ensure the validity of the Program. The last TUMF Program Update was completed in October 2009.

In September 2015, the WRCOG Executive Committee took action to delay finalizing the Nexus Study and include the growth forecast from the 2016 SCAG Regional Transportation Plan / Sustainable Communities Strategy, which was approved by SCAG in spring 2016, and has been integrated into the TUMF Nexus Study. While the technical work on the 2016 TUMF Nexus Study is nearing completion, staff has met with various regional stakeholders, including elected officials, representatives of the development community, jurisdictional staff, and others, to discuss the status of the TUMF Nexus Study and what the next steps would be, given that the previous Nexus Study was delayed.

Instead of forwarding only a final draft Nexus Study and fee schedule, staff has prepared a number of options to proceed with the Nexus Study.

These options as currently defined include:

Option 1: Do nothing and continue to use the 2009 Nexus Study and fee structure

The outcome of the implementation of Option 1 includes no change in the TUMF schedule from the schedule that is currently in effect and has been since 2009. Without the adoption of the Nexus Study Update, more than 25 project additions that were approved for inclusion in the TUMF Network by the Executive Committee in March 2015 would not be part of the TUMF Program. Facilities that would not be included in the TUMF Program are as follows:

- Eucalyptus Avenue (Redlands Avenue to Theodore Street) – widen 2 to 4 lanes
- Eucalyptus Avenue (Frederick Street to Moreno Beach Drive)
- Eucalyptus Avenue (Moreno Beach Drive to Redlands Avenue) – widen 0 to 4 lanes
- Theodore Street / SR-60 Interchange
- Theodore Street (SR-60 to Eucalyptus Avenue) – widen 2 to 4 lanes
- Day Street / SR-60 Interchange
- Ironwood Avenue (Day Street to Perris Boulevard)
- Case Road (Goetz Road to I-215) with a 122' bridge – widen 2 to 4 lanes
- Limonite Avenue (Harrison Street to Hellman Avenue) with a 200' bridge – widen 0 to 4 lanes
- Corydon Road (Mission Trail to Grand Avenue) – widen 2 to 4 lanes
- Franklin Street / I-15 Interchange
- Lake Street / I-15 to Temescal Canyon Road with 107' bridge – widen 2 to 6 lanes
- Lake Street (Temescal Canyon Road to Mountain Avenue) – widen 2 to 6 lanes
- Nichols Road / I-15 Interchange
- Nichols Road (I-15 to Lake Street) – widen 2 to 4 lanes
- Temescal Canyon Road (Indian Truck Trail to Lake Street) – correcting arterial segment mileage
- Temescal Canyon Road (I-15 to Lake Street) with 246' bridge – approve 2 to 4 lanes and realign bridge to 246'
- Whitewood Road (Murrieta Hot Springs Road to Jackson Avenue) – widen 0 to 4 lanes

Without adoption of the Nexus Study Update, the facilities mentioned above would be ineligible to receive TUMF funding.

Additionally, there are facilities in the TUMF Network that are eligible for additional funding based on updated information in the new Nexus Study as follows:

- French Valley Parkway / I-15 Interchange and Overcrossing – restore $12.9 million to cover loss of State and Federal Funds
- Foothill Parkway (Lincoln Avenue to Paseo Grande) – restore $7 million to cover loss of State and Federal Funds
- Scott Road / I-215 Interchange – currently ineligible for any additional TUMF Funding based on the 2009 Nexus Study which assumed that 100% of the interchange cost would be funded through a CFD which no longer can fund the interchange
- Cajalco Road / I-15 Interchange – upgrade facility from a Type 2 Interchange to a Type 1 Interchange

Another outcome of this option relates to the validity of the Nexus Study, which, if not updated, may jeopardize the integrity of the Program, as in part reflected by the issues with the projects described above.

Option 2: Complete the 2016 Nexus Study with the recommended fee levels

Implementation of this option would result in a fee schedule that would generate additional revenue for the Program. The effect of this fee increase would be to provide approximately $5 million – $10 million per year in additional TUMF funding based on current levels of development.

Option 3: Complete 2016 Nexus Study with reduced fees (compared to Option 2 above) by way of one or more of the sub-options below:

- 3A: Phase-in of fees

Phasing in the fees could result in the loss of approximately $5 million – $10 million per year. If you assume a 3-year phase in period, the net loss to the program could be $15 million – $30 million total. The actual impact of this phased in approach would need to be verified based on phase in scenario identified (number of years, phase in percentage, etc.). Local agencies would have to provide supplemental funding to fill any gaps generated by this shortfall. The shortfall that produced by the phase in could be made up with a local match contribution or delivery of soft costs, among another options.

- 3B: Phase-in of fees for either residential or non-residential uses

  Implementation of this option would provide the opportunity for a phase in of selected land use categories, such as the retail land use category. Initial review of the preliminary estimates show that a 4-year phase-in for only the retail land use category would result in a total Program shortfall of approximately $5 million – $10 million. Under this approach, the retail fees would be phased-in with the other fees being increased. Similar to Option 3A, local agencies would have to provide supplemental funding to fill any gaps generated by this shortfall.

- 3C: Require local match for projects

  The implementation of a local match would require member jurisdictions to seek additional funding sources for the delivery of projects and to maintain Program funding. We anticipate that a local match requirement of approximately 10% would result in a reduction in network costs of approximately $300 million and would have the net effect of a commensurate reduction in the fee levels.

- 3D: Reduce contributions for non-construction-related costs

  Implementation of this option would reduce the cost of the TUMF Network by removing associated soft costs for facilities and/or the contingency component of the Program. One option would be to remove contingency costs, which account for 10% of the total network costs and would be similar to Option 3C in terms of effects on the network costs and fee levels.

Option 4: Remove projects from the TUMF Network to reduce costs

Another option would be to remove facilities from the TUMF Network to reduce the overall network costs. Staff is proposing to review all facilities against the criteria as defined in Section 4 (The TUMF Network) of the TUMF Nexus Study. These criteria include the number of lanes, projected traffic volumes and roadway capacity. The projects for potential removal include the following facilities based on previous model runs:

- Menifee Road (Ramona Expressway to Nuevo Road)
- Potrero Boulevard (4th Street to SR-79 Beaumont Avenue)
- SR-79 Eastern Bypass
- McCall Boulevard (Menifee Road to Warren Road)
- Ellis Road (SR-74 to I-215)
- I-10 Bypass

These projects are potential candidates for removal based on traffic volume projections that show that these roadways no longer have sufficient traffic volume to require four travel lanes, which is a minimum guideline for the TUMF Network. Staff will be evaluating all of the TUMF Network roadways once the final set of model runs is complete. As an example, staff estimates that removal of the above projects could result in a reduction in program costs of approximately $200 million.

<u>Ad Hoc Committee</u>: At its August 1, 2016, meeting, the Executive Committee directed staff to form an Ad Hoc Committee to review the options previously described in regard to the TUMF Nexus Study Update. The Executive Committee took action to appoint Mayor Jeff Hewitt (City of Calimesa), Mayor Pro Tem Jeffrey Giba (City of Moreno Valley), and Mayor Rusty Bailey (City of Riverside) to the Ad Hoc Committee. Members from the WRCOG Public Works Committee (PWC) and Technical Advisory Committee (TAC) will assist the Ad Hoc Committee members in making any recommendations to the Executive Committee.

At the August 18, 2016 meeting, the Technical Advisory Committee recommended that representatives from the Cities of Menifee, Lake Elsinore, and Wildomar be included in the Ad Hoc Committee and that only one member jurisdiction representative serve on the Ad Hoc Committee. It is anticipated that the Ad Hoc Committee would meet in between meetings of the Executive Committee, TAC, and PWC in order to receive updates from these Committees and help formulate and guide the development of a preferred option for eventual consideration by the Executive Committee.

WRCOG and the TUMF consultant, Parsons Brinckerhoff, are in the process of conducting final models and reviewing all inputs and outputs to finalize the draft TUMF Nexus Study. The draft TUMF Nexus Study will be the basis for which the Ad Hoc Committee develops a preferred option in regard to any fee change. Below is a schedule for the Nexus Study update:

- October – November: Ad Hoc Committee will convene to review the Nexus Study options
- October – December: WRCOG staff will meet with stakeholders and hold workshops to review revisions that were made to the Nexus Study in response to comments received
- November – January 2017: Ad Hoc Committee and standing Committees to develop recommendations to the WRCOG Executive Committee
- February 2017: WRCOG Executive Committee review of the recommendation option to proceed with the TUMF Nexus Study

Prior WRCOG Actions:

August 18, 2016: The WRCOG Technical Advisory Committee 1) appointed three members of the Technical Advisory Committee to serve on the Ad Hoc Committee; and 2) recommended that only one member jurisdiction representative serve on the Ad Hoc Committee.

August 11, 2016: The WRCOG Public Works Committee 1) appointed six members of the Technical Advisory Committee to serve on the Ad Hoc Committee.

August 1, 2016: The WRCOG Executive Committee 1) directed staff to convene an Ad Hoc Committee composed of three members of the Executive Committee, two members of the Technical Advisory Committee, and two members of the Public Works Committee to discuss potential options related to completion of the Nexus Study; and 2) appointed three members of the Executive Committee to serve on the Ad Hoc Committee.

WRCOG Fiscal Impact:

TUMF Nexus Study Update activities are included in the Agency's adopted Fiscal Year 2016/2017 Budget under the Transportation Department.

Attachment:

None.

Item 4.E

Western Riverside Council of Governments
Planning Directors' Committee

Staff Report

Subject: **BEYOND Framework Fund Program Update**

Contact: **Andrea Howard, Staff Analyst, howard@wrcog.cog.ca.us, (951) 955-8515**

Date: **September 8, 2016**

Requested Action:

1. Receive and file.

The BEYOND Framework Fund (BEYOND) is an economic development and sustainability local assistance funding program intended to help member agencies develop and implement projects that can improve the quality of life in Western Riverside County by addressing critical growth components such as economy, water, education, environment, health, and transportation. In Round I of BEYOND, WRCOG's Executive Committee allocated $1.8 million for use by WRCOG member agencies. On June 24, 2016, the EC approved the allocation of an additional $2 million to renew program funding for a second round. WRCOG staff is currently working to develop updated program guidelines and application materials for BEYOND Round II.

Background

The cornerstone of BEYOND is WRCOG's Economic Development and Sustainability Framework. The Framework was approved by WRCOG's Executive Committee in 2012, and can be accessed on WRCOG's website at www.wrcog.cog.ca.us/community/sustainability. It serves, as the title implies, as a framework or guide for members to improve their communities. The overarching aim of the Framework is to foster economic development by supporting optimized quality of life in the WRCOG subregion. While defining "quality of life" may be difficult, it is generally recognized that major contributing factors include such critical components as education, water quality and supply, health, transportation, energy, and environment. When attention is given to each of these components, undoubtedly the subregion's quality of life improves, and as such the potential for economic investment and growth increases.

BEYOND Framework Fund – Round I

The total Round I funding allocation of $1.8 million for BEYOND (approved by the Executive Committee in June 2015) is broken-down by member agency below. The Executive Committee has indicated that the distribution formula will be revisited for each upcoming fiscal year. WRCOG staff is preparing to present alternative Round II allocation options for consideration by the Executive Committee.

Member Agency	Total Funds Allocated	Member Agency	Total Funds Allocated
Banning	$39,300	Norco	$38,650
Calimesa	$36,177	Perris	$85,280
Canyon Lake	$36,537	Riverside	$169,740
Corona	$147,600	San Jacinto	$41,471
Eastvale	$83,549	Temecula	$140,357
Hemet	$86,597	Wildomar	$39,814
Jurupa Valley	$88,942	County of Riverside	$161,402

Lake Elsinore	$83,238	Eastern Municipal Water District	$35,000
Menifee	$87,039	Western Municipal Water District	$35,000
Moreno Valley	$153,294	Riverside County Superintendent of Schools	$35,000
Murrieta	$140,126	Morongo Band of Mission Indians	$35,000

For Round I of the program, WRCOG received and approved a total of 32 distinct BEYOND project applications. The funding allotted to the 32 approved projects is equal to the full Round I Program allocation of $1.8 million.

The Framework goals, which guide BEYOND project eligibility, are grouped into six categories: Economic Development, Education, Health, Transportation, Water and Wastewater, and Energy and Environment. As required by BEYOND criteria, all funded projects demonstrate support for one or more of the goals identified in the Framework. Below is a listing of how many projects are in support of each of the goal areas:

Economic Development:	13
Education:	3
Health:	15
Transportation:	10
Water and Wastewater:	7
Energy and Environment:	6

Among the approved projects are local pilot initiatives, collaborative projects, and projects utilizing BEYOND funds as required matching funds for grant applications. Approved projects include initiatives fully-funded by BEYOND funding as well as larger projects leveraging multiple funding sources. As a requirement of the program, each project will submit bi-annual progress reports detailing the successes and challenges encountered during project implementation. These project reports are intended to provide insights regarding how WRCOG might be able to provide better support for BEYOND projects in addition to providing information that another jurisdiction might be able to utilize to emulate any of the BEYOND projects. The first progress report is due September 9, 2016. A summary description of all approved projects is attached.

An updated timeline for the BEYOND Framework Fund – Round I is provided below:

Program Milestones	Date
Call for Concept Proposals	October 26, 2015
Notification of Concept Approval Status	November 25, 2015
Approved Concept Project Applications Due	January 8, 2015
Notice of Project Approval Status	January 29, 2015
Projects Completed By	July 31, 2017
Final Progress Reports & Invoices Due	August 31, 2017

More information, BEYOND Program Guidelines, and Application materials can be found on WRCOG's website at www.wrcog.cog.ca.us/community/beyond-program.

BEYOND Framework Fund – Round II

On June 24, 2016, the WRCOG Executive Committee approved funding for the BEYOND Framework Fund Round II in the amount of $2 million: $1.8 million for individual projects to be allocated on a non-competitive basis, and an additional $200,000 to support collaborative projects between two or more WRCOG jurisdictions. WRCOG staff will present various funding allocation options for Committee consideration in the coming months. WRCOG staff is also in the process of updating program guidelines and application materials, which will be finalized after approval of the Round II funding allocation formula. The funding allocation formula, program guidelines, and application materials are all scheduled to be finalized by fall 2016. Subsequent to finalization of these program elements, WRCOG staff will issue a call for concept proposals for Round II funding.

Prior WRCOG Actions:

July 21, 2016: The WRCOG Administration & Finance Committee received report.
May 19, 2016: The WRCOG Technical Advisory Committee received report.

WRCOG Fiscal Impact:

Funding for Round I of the BEYOND Framework Fund Program, totaling $1.8 million, was allocated in the Agency's Fiscal Year 2015/2016 Budget and future funding will be programed by way of Budget Amendments. Funding for Round II of the BEYOND Framework Fund Program, totaling $2 million, was allocated in the Agency's Fiscal Year 2016/2017 Budget and future funding will be programed by way of Budget Amendments.

Attachment:

1. BEYOND Framework Fund Summary Project Overview.

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Item 4.E

BEYOND Framework Fund Program Update

Attachment 1

BEYOND Framework Fund Summary Project Overview

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Summary of Approved Projects

City / Agency	Project Name	Goal Area(s) Supported	Project Description
City of Banning	Park Facilities Improvements		The City of Banning has been approved to leverage BEYOND money as matching funds to finance an expansion and facilities update of Lions Park. If no match is available, they have proposed using the funds for smaller park facilities updates.
City of Calimesa	Clean Energy Vehicles for Calimesa		The City of Calimesa is utilizing BEYOND funding as a match with AQMD AB 2766 funds to replace two vehicles in the City's hybrid/electric fleet.
City of Canyon Lake	Canyon Lake Water Monitoring		The City of Canyon Lake is dedicating BEYOND funds to facilitate more frequent water testing of the Lake as necessitated by anticipated increases of run-off from El Nino storms.
City of Corona	Corona Innovation Center		The City of Corona is utilizing BEYOND funds to support improvements to a previously underutilized facility for use as a business development center.
City of Eastvale	Safe Routes To Schools (SRTS): Radar Display Signs		The City of Eastvale is utilizing BEYOND funds to support its Safe Routes to School campaign through the purchase and installation of 12 radar speed display signs.
City of Hemet	Downtown Specific Plan		The City of Hemet is applying BEYOND funds, in conjunction with a SCAG planning grant, to support development of the City's updated Specific Plan and related documents.
City of Jurupa Valley	Farmer's Market		The City of Jurupa Valley's Farmers' Market BEYOND project is utilizing funds to make requisite updates to the City's zoning code to allow for a Farmers' Market and will also support the establishment of the Farmer's Market.
	Healthy Jurupa Valley Support		The City of Jurupa Valley's Healthy Jurupa Valley BEYOND project funds are supporting the initiative's five action teams which work to promote and implement healthy living initiatives in the city.
	Pedestrian and Bicycle Mobility Improvements		The City of Jurupa Valley's Pedestrian and Bicycle Mobility Improvements BEYOND project will dedicate funds to identify city arterials appropriate for walking and biking corridors. Funds will then be used to install appropriate signage and perform necessary walkway upgrades.
	Chamber of Commerce Partnership		The City of Jurupa Valley's Chamber of Commerce BEYOND project is supporting an initiative to build a partnership with the Chamber of Commerce and to develop educational programs that will promote the City's economic vitality.

Summary of Approved Projects

City / Agency	Project Name	Goal Area(s) Supported	Project Description
City of Lake Elsinore	Rosetta Canyon Park - Artificial Turf		The City of Lake Elsinore is devoting BEYOND funds to finance a portion of the City's artificial turf installation at Rosetta Canyon Community Park which will include five softball/baseball fields, and one soccer/football field.
City of Menifee	Citywide Branding Effort - An Economic Driver		The City of Menifee is dedicating BEYOND funds to support a two-stage economic development project beginning with a comprehensive evaluation of the City's economic environment, Stakeholder attitudes and perceptions, to inform the second stage development of a citywide branding effort.
City of Moreno Valley	Community Enhancement Program		The City of Moreno Valley is dividing funds between 12 initiatives including a water station installation, materials and supplies support for three Safe Routes to School events, the replacement of 38 computers at the employment resource center, and bike rack installations.
City of Murrieta	Murrieta Energy Efficiency Project		The City of Murrieta is utilizing BEYOND funds to finance energy improvement projects identified utilizing an energy audit under the direction of the Energy Network and the Western Riverside Energy Leadership Partnership (WRELP).
City of Norco	Two-Pronged Economic Development Marketing Strategy		The City of Norco is utilizing BEYOND funds to support a two-pronged branding effort highlighting Norco as a dynamic business, and friendly environment; and hospitable destination of choice focusing on equine and related attractions.
City of Perris	Gateway Enhancement Signage Program		The City of Perris is dedicating a portion of the City's BEYOND allocation to support the Gateway Enhancement Signage program--an effort to overcome perception challenges faced by the city and to optimize economic opportunities by installing a series of entry, way finding, and branding signs throughout the City's gateway streets and places of interest.
	Green City Farm Program		The City of Perris is dedicating a portion of its BEYOND allocation to fund the Green City Farm project which will develop a Community Garden Demonstration Center exhibiting best practices in water-wise gardening, and healthy living opportunities.
City of Riverside	Marketplace SPOT + TOD		The City of Riverside is using BEYOND moneis to fund a SPOT+TOD project which is a community-based development plan and policy framework that will plan for a pedestrian bridge from Metrolink to downtown and development of the Metrolink area as a node of activity.

Updated: July 13, 2016

Summary of Approved Projects

City / Agency	Project Name	Goal Area(s) Supported	Project Description
City of San Jacinto	Healthy San Jacinto		The City of San Jacinto is leveraging BEYOND funding to meet a portion of its required match for its Strategic Growth Council Sustainable Communities Grant, which is funding the development of a comprehensive downtown specific plan. BEYOND funds will be specifically dedicated to the development of a Healthy San Jacinto Coalition which will mobilize community efforts around creating a healthy and sustainable community.
City of Temecula	Global Citizens Special needs Vocation Training (Teen Job Readiness)		The City of Temecula is dedicating a portion of its BEYOND allocation to support the Global Citizens Teens with Special Needs program which provides jobs readiness training for adults with special needs. This project includes a comprehensive curriculum training participants for jobs in the viticulture and hospitality industries.
	Sam Hick's Monument Park Sustainable Landscaping Project		The City of Temecula is dedicating a portion of its BEYOND allocation to support the Sam Hicks Monument Park Project which will replace existing landscaping with indigenous plants and permeable surfaces and install drip irrigation and interpretive signage.
	Emergency Management - Video Vignette		The City of Temecula is requesting to dedicate a portion of its BEYOND allocation to support the production of a video vignette which will educate the public about best practices for local emergency preparedness efforts before, during, and after a catastrophic event.
	TVE2 Stem and Youth Enrichment Program		The City of Temecula is dedicating a portion of its BEYOND allocation to support the TVE2 Stem and Youth Enrichment Program. BEYOND funds are being used to purchase 25 computer stations for the Junior Women's STEM Program , Future Physician Leaders , and Youth Legal Program.
	Grow Temecula Valley		The City of Temecula is dedicating a portion of its BEYOND allocation to support the Grow Temecula Valley project's effort to promote buying local food and to highlight the region for tourists.
	Sixth Street Sidewalk Improvements		The City of Temecula is dedicating a portion of its BEYOND allocation to support the Sixth Street Sidewalk Improvements project to regrade the sidewalks and install rolled curbs, promoting mobility for all abilities.
City of Wildomar	Website Improvements Project		The City of Wildomar is making improvements to the City website and updating its server to enhance the user interface for business owners and developers utilizing online permitting capabilities and optimized website capabilities.

City / Agency	Project Name	Goal Area(s) Supported	Description
RCOE	RCOE Foundation Scholars Program		With BEYOND funds and an $85,000 grant from SCE, the Riverside County Superintendent of Schools' RCOE Foundation anticipates awarding between 7-14 student scholarships to "opportunity youth"/ at-risk students enrolled in RCOE programs such as Alternative Education, Court and Community Schools, County Foster Youth programs, Come Back Kids Charter and Riverside County Education Academy students. Student scholarships are anticipated to range between $2,500 and $5,000 per student.
Riverside County	County: Riverside County Sustainability Inventory		The County is utilizing funds to identify existing sustainability plans and measure the scope of these against a common standard. The County will then develop a single, comprehensive plan for sustainability and greenhouse gas reduction that can be implemented across departments.
	Riverside University Health System - Public Health: Healthy Development Checklist		The County has allot $25,000 of its allocation to the Department of Public Health to support development of a "Healthy Development Checklist" that will serve as a tool for planners to make recommendations to improve County of Riverside's residents' health through community design.
Eastern Municipal Water District	Diamond Valley Lake & Skinner Lake Trails		Eastern Municipal Water District is engaging Fehr & Peers to develop up to five project description sheets and photosimulations for Diamond Valley Lake & Lake Skinner trails or related active transportation facilities which will describe proposed active transportation routes, route segments, or intersections.
Western Municipal Water District	Customer Handbook: Using Water Efficiently in the Landscape		WMWD will dedicate funds to support the creation of a water wise Landscaping web-based handbook with engaging written content, photos, links, and embedded videos. WMWD anticipates water savings of 7,240 acre feet and greater per year.
Morongo Band of Mission Indians	Dial-A-Ride Expansion		The Morongo Band of Mission Indians is utilizing BEYOND funding to purchase an additional vehicle and fund a new full-time employee to operate an expanded Dial-A-Ride route to support transportation to jobs, medical services, education centers and other needs.

Summary of Approved Projects

City / Agency	Project Name	Goal Area(s) Supported	Description
EMWD / WMWD	Water Task Force		Eastern Municipal Water District and Western Municipal Water District have each dedicated a portion of their BEYOND allocation to fund the ongoing operation of the Water Task Force which may help to cover administrative costs, guest speaker expenses, marketing and meeting expenses.

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Western Riverside Council of Governments
Planning Directors' Committee

Staff Report

Subject: **CEQA Cases in the WRCOG Subregion and the SCAG Region**

Contact: **Christopher Gray, Director of Transportation, gray@wrcog.cog.ca.us, (951) 955-8304**

Date: **September 8, 2016**

Requested Action:

1. Receive and file.

Members of the Administration & Finance Committee have requested WRCOG staff to analyze California Environmental Quality Act (CEQA) cases in Western Riverside County. On August 10, 2016, WRCOG staff provided information to the WRCOG Administration & Finance Committee an analysis of California Environmental Quality Act (CEQA) cases in Western Riverside County. This report summarizes the number of cases, case types, and case petitioner(s).

Active CEQA cases in Western Riverside County

CEQA is a statute that requires state and local agencies to identify the significant environmental impacts of their actions and to avoid or mitigate those impacts, if feasible. Projects that undergo the approval process at a governmental agency are subject to challenges and many WRCOG jurisdictions have experienced project delays and/or project termination.

As of July 15, 2016:

- The WRCOG subregion has 16 active CEQA cases (Riverside County has 20)
  - 1 additional case includes WRCOG subregion – Riverside County Comprehensive General Plan update and Climate Action Plan preparation
- Five cases are inter-agency (public agency petitioner and public agency respondent)
- Five cases are in the City of Moreno Valley on the World Logistics Center
  - Please note: Moreno Valley has recently settled with the County of Riverside and Riverside County Transportation Commission regarding their lawsuit
- 13 cases involved new construction
  - Seven of the 13 cases involve new industrial / warehouse / logistics center construction
- 15 of the 20 cases are challenges that the contested project will have impacts on air quality, greenhouse gases, noise, traffic, transportation, and/or water supply / resources
- Some of the more active petitioner's include:
  - Friends of the Northern San Jacinto Valley
  - Residents for Intelligent Planning
  - Advocates for Better Community Development
  - Raymond Johnson of Johnson & Sedlack is the Attorney for Petitioner(s) for five cases

CEQA cases in the SCAG Region

According to a report authored by Jennifer Hernandez, David Friedman, and Stephanie DeHerrera of Holland & Knight, “In the Name of the Environment”, approximately 33 percent of the CEQA lawsuits filed between 2013 and 2015 were aimed to stop approved housing projects within the SCAG region. The SCAG region accounts for 48 percent of California’s population. The next closest types of lawsuits were lawsuits targeting public services and infrastructure and agency plan/regulations related – accounting for about 14 percent each of lawsuits filed in the SCAG region.

A few more items the study noted were:

- 99 percent of residential units targeted by CEQA lawsuits in the SCAG region were located entirely within the boundaries of existing cities or in unincorporated county locations surrounded by existing development.
- Higher density residential projects, which includes transit-oriented development, have made up 71 percent of CEQA lawsuits in the SCAG region.
    - It is important to note these higher density residential projects were often located in areas long planned for high density
- The expansion of CEQA to require project-level review of GHG to assess global warming impacts enhances petitioners ability to block projects.
    - New buildings must comply with California’s stringent energy and water conservation measures, which results in lower GHG emissions per unit. Projects with deeper financial backing are able to conduct studies to “prove the negative”.

In conclusion, the Holland & Knight study stated:

> “CEQA litigation has increased in our most recent study period, and in the SCAG region is being used primarily to challenge the higher density, infill housing projects that are most often supported by environmental and climate policy activists. Building new housing is critically needed to help address the acute housing shortage, and housing affordability challenges, that have caused California to have the highest poverty rate in the nation. Using CEQA litigation as a surrogate for unlegislated density and climate policies continues to create compliance uncertainty and judicial unpredictability, and this outcome disproportionately affects the young, the poor and the talented new Californians that need housing – and will help shoulder the tax burdens imposed by the current generation of political leaders. Ending CEQA litigation abuse would be an outstanding legacy that would benefit many future generations inside and outside California and complements the state’s global commitment to environmental and climate leadership.” (Hernandez, Friedman, and DeHerrera 14)

Prior WRCOG Actions:

August 18, 2016: The WRCOG Technical Advisory Committee received report.
August 10, 2016: The WRCOG Administration & Finance Committee received report.

WRCOG Fiscal Impact:

CEQA case activities are included in the Agency’s adopted Fiscal Year 2016/2017 Budget under the Transportation Department.

Attachment:

1. “In the Name of the Environment” Report, by Jennifer Hernandez, David Friedman and Stephanie DeHerrera, Holland & Knight. 2016.

Item 4.F

CEQA Cases in the WRCOG Subregion and the SCAG Region

Attachment 1

“In the Name of the Environment” Report, by Jennifer Hernandez, David Friedman and Stephanie DeHerrera, Holland & Knight.

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Holland & Knight

IN THE NAME OF THE ENVIRONMENT

13,946 Housing Units – and 200-bed Homeless Shelter – Targeted by Recent CEQA Lawsuits Filed in Los Angeles Region

Jennifer Hernandez, David Friedman and Stephanie DeHerrera | Holland & Knight

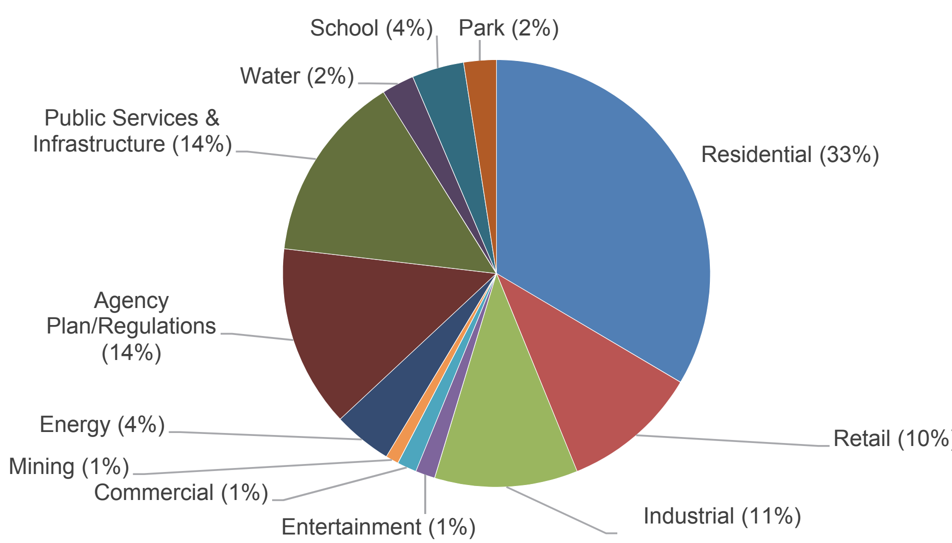
13,946 Housing Units – and 200-bed Homeless Shelter – Targeted by Recent CEQA Lawsuits Filed in Los Angeles Region
"In the Name of the Environment"

By Jennifer Hernandez, David Friedman and Stephanie DeHerrera

In 2015, we published "In the Name of the Environment," the first comprehensive statewide report of all lawsuits filed under the California Environmental Quality Act (CEQA) during a three-year study period (2010-2012) that began during the Great Recession and ended with the beginning of the current economic recovery.[i] Our team is now completing an update to this statewide report that covers the most recent three years (2013-2015). The governor's May budget revision proposal to require "by right" ministerial approvals of infill multifamily housing projects that comply with local zoning requirements, include affordable units and meet other qualifying criteria (By Right Proposal), prompted us to accelerate a portion of the update and share the facts about CEQA lawsuits that target housing projects in California's most populous region: the six counties and 191 cities within the Southern California Association of Governments (SCAG). About 48 percent of all Californians live in the SCAG region, which includes all Southern California counties except San Diego.[ii]

In our statewide report, projects that included the construction of residential units were targeted by 21 percent of CEQA lawsuits. In the updated study of the SCAG region (SCAG Update), where soaring rent and home prices, especially in coastal communities, have been widely reported as creating a housing supply and affordability crisis,[iii] a whopping 33 percent of the CEQA lawsuits filed between 2013 and 2015 were aimed at stopping approved housing projects. Figure 1 shows regional CEQA lawsuit targets by project types:

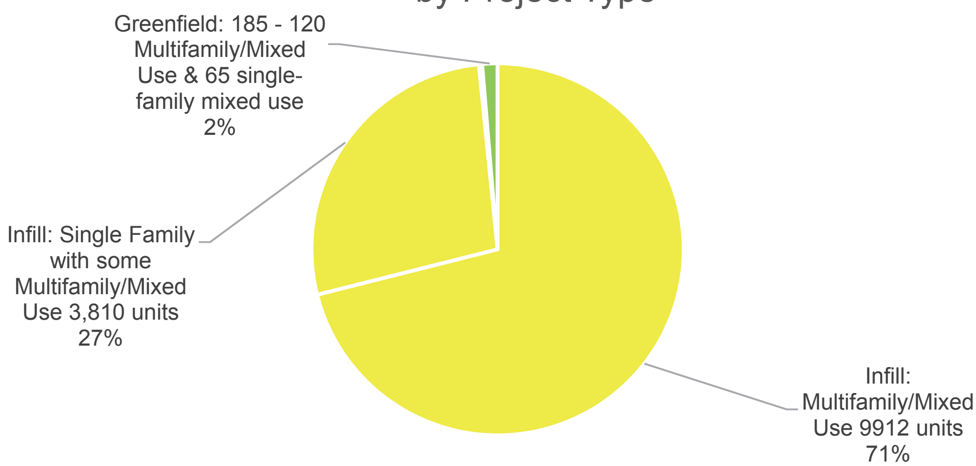
Figure 1: CEQA Lawsuits Targeting Taxpayer-Funded & Privately-Funded Projects (SCAG, 2013-2015)



99 Percent of Targeted Residential Units in SCAG Region Were Proposed in Existing Communities

Although vast areas of the SCAG region are “greenfields” – a combination of natural open space, agricultural and grazing lands and sparsely developed rural areas – about 99 percent of the residential units targeted by CEQA lawsuits in the SCAG region were located entirely within the boundaries of existing cities or in unincorporated county locations that were surrounded by existing development. In our statewide report, we called these “infill” locations, consistent with the infill definition used by the Governor’s Office of Planning & Research (OPR).[iv] We included this metric to address policy arguments made by defenders of the CEQA lawsuit status quo that CEQA is critical to combatting development “sprawl” into natural, agricultural and rural greenfield lands. Figure 2 of the statewide report showed that only 20 percent of all types of construction projects targeted by CEQA lawsuits challenged greenfield projects. Figure 2 below shows even more vividly that within the SCAG region, 99 percent of CEQA lawsuits are aimed at housing units within the region’s existing communities – and only about 1 percent of the residential units targeted in CEQA lawsuits were located on greenfield natural, agricultural and rural lands outside existing cities and established county communities.

Figure 2: Housing Units Targeted by CEQA Lawsuits In SCAG Region (2013-2015) by Project Type



Note: Infill: Construction or Remodel of One Single Family Home: 39 units (too small to show as wedge on chart)

Of the 13,946 housing units challenged in the SCAG region during the three-year study period, 13,855 (more than 99 percent) were within existing cities and developed county communities, and only 185 were in greenfield unincorporated county areas not already surrounded by development.

The Ever-Shrinking "Infill" Definition

Prompted in part by our statewide report, the term "infill" has emerged a flashpoint of political debate. The critiques of our statewide report, for example, opined that infill was a product type (high-density, multifamily, served by public transit) or should be used in only higher density urbanized areas and not to a vacant lot in a smaller city's downtown. The governor's By Right Proposal has renewed this debate, by requiring an infill site to be surrounded on 75 percent of its edges (exclusive of waterfront) by existing development. In sharp criticisms of the By Right Proposal, the Planning & Conservation League (PCL) responded that the By Right Proposal contribute to "sprawl" because it covers cities with densities of fewer than 5,000 people per acre.

Restricting the applicability of the By Right Proposal according to PCL's density-based infill definition would exclude the entirety of major California cities such as Sacramento, San Diego, San Francisco and San Jose.[v] It is also noteworthy that, notwithstanding its reputation for "sprawl" development patterns, the U.S. Census Bureau has concluded that the Los Angeles region already has the highest density of any urbanized area in the nation, at just under 7,000 people per square mile. Even the less dense Bay Area is the second-most densely populated urban area in the nation, at 6,226 per square mile.[vi] Many communities in Los Angeles, including, for example, portions of the Hollywood, Westside and downtown areas that are flashpoints of density debates – and account for greatest concentration of anti-housing unit CEQA lawsuits – have population densities well in excess of the Los Angeles urbanized area average, also as reported by the U.S. Census.

Other major environmental organizations opposed to the governor's By Right Proposal promoted even more restrictive infill boundaries dependent on distance to frequent transit service: a one-half mile radius around either a ferry terminal, train or light rail line (which collectively comprise far less than 1 percent of California lands), or a bus stop requiring up to eight shifts of bus drivers to provide 15-minute service intervals for at least one hour during each of the morning and evening weekday peak commute periods, plus additional minimum service standards on weekends.[vii]

In the vast SCAG region, where the City of Los Angeles alone covers 600 square miles, rapidly-evolving transportation technologies (e.g., electric cars, bikes and scooters), roadway designs discouraging single occupancy vehicles and increasing transportation capacity within existing rights-of-way (e.g., computer-based signalization of ramps, as well as additions of carpool and express lanes), and transportation services (e.g., car share, rideshare, employer-based transit and on-demand services such as those provided by Uber and Lyft) provide a dramatically evolving and expanding suite of multimodal solutions that the region's transportation needs demand. In the midst of this explosion of transportation options, ridership on public transit systems is continuing to fall, notwithstanding substantial increases in public funding of transit infrastructure.[viii] Limiting infill to the half-mile radius around a bus stop staffed by eight shifts of drivers and 15-minute headways in an era of declining bus ridership would disqualify as infill huge parts of large cities such as Los Angeles, Hollywood and Santa Monica that do meet the PCL 5,000 people per acre density criteria. What is even more remarkable (and less understood by environmental density advocates) is that most dense cities in California include smaller and less wealthy cities such as Bell Garden, Maywood and Cudahay – all of which make the top 10 list for the most dense cities in California.[ix]

These definitions of infill are not useful policy tools, as they would exclude large portions of (or even the entirety of) major cities, the precise locations where new housing must be developed in order to meet the state's rapidly growing housing needs without causing loss of natural open space and agricultural lands.

We continue to use the OPR definition of infill in this SCAG Update: 99 percent of the targeted housing units were within existing city limits or within unincorporated county areas entirely surrounded by development.

Higher Density Multifamily Housing Targeted In 71 Percent of CEQA Lawsuits

In our earlier statewide report, multifamily housing projects – primarily rental apartments, including those built above retail or office space in mixed use projects – were the most frequent housing project type targeted by CEQA lawsuits: 45 percent of CEQA housing lawsuits challenged these types of projects.

In our SCAG Update, these higher density residential projects, which are favored by smart growth and climate advocates seeking to promote a rapid shift toward a higher density, transit-oriented housing patterns, have emerged as the dominant target (71 percent) of CEQA lawsuits.

As we reported at length in our statewide report, these higher density projects, particularly apartments, were often located in areas long planned for high density, such as Hollywood, where lawsuits have been a staple in heated policy disputes about the land use and transportation future of these established, and evolving, communities. On one side, residents and interested parties who seek to preserve the existing character of California communities, including a California vision of bungalows and backyards, and who oppose a new California vision of "balcony kids" raised in high-rise buildings and going to urban schools and parks that serve ever-increasing populations, have used CEQA lawsuits to stop plans and projects promoting density. New battlegrounds for this side of the policy debate, which includes supporters from the progressive left to the conservative right, also promise to hit the ballot box with citizen initiatives, such as an initiative proposed in the City of Los Angeles that would create new legal and policy barriers to increased density.[x] On the other side of the debate, environmental, business and a different subset of progressives (e.g., young urbanites) and conservatives (e.g., retired homeowners seeking to build an accessory dwelling unit in a larger home or lot to accommodate in-laws, kids or others priced out of the local housing market) support increasing density to reduce greenhouse gas emissions, conserve water and energy, promote healthier lifestyles by avoiding long automobile commutes and accommodate housing demand closer to employment centers with existing infrastructure service. CEQA lawsuits allow this fundamental policy disagreement to be repeatedly fought through multiyear court battles for each land use plan and each project (even projects that comply with plans).

Although CEQA creates an unusually costly crucible for this density debate, it is a cost perceived to be paid primarily by developers that is not generally translated by the public or media to result in smaller housing supplies and higher housing costs for all, despite an increasing number of non-partisan reports documenting how California's housing shortage and affordability crisis have caused California's poverty levels to skyrocket to the highest in the nation.[xi] The state's insufficient housing supply and soaring housing prices have doomed about nine million people to substandard and unaffordable housing, often located far from available jobs, and have caused an explosion in the state's homeless population.

Notwithstanding liberal progressive support for CEQA, its litigious structure also favors the wealthy and harms the poor. CEQA lawsuits pick at whether nearly 100 environmental topics have been adequately studied and adequately mitigated. Projects with the greatest financial resources are often most able to run the judicial review gauntlet with thousands, and sometimes tens of thousands, of pages of environmental documentation. Conversely, projects with lower profit margins, or financed by finite resources such as a government grant, cannot afford to "armor up" with the cast of technical experts retained to proactively prepare defensive paperwork against all possible litigation claims.

Stories Behind the Stats

Our statewide report included anecdotes to help illustrate the stories behind the CEQA statistics. Some stories that made the cut for this regional update include:

Proposed Homeless Shelter Had Zoning, But Not CEQA – Project Derailed, Notwithstanding California's "By Right" Emergency Shelter CEQA Exemption

Both in the SCAG region and in the Bay Area,[xii] projects to house the homeless were targeted by CEQA lawsuits – a fact made more noteworthy given that the California State Legislature and governor just agreed to direct $2 billion in funding approved by voters to pay for mental health services and to help build supportive housing for the homeless and mentally ill. Legislative leaders brushed aside concerns that without corresponding policy reforms, CEQA lawsuits would be used to delay, derail and drive up the cost of these taxpayer-funded, critically-needed housing projects.[xiii]

In Santa Ana, a 200-bed homeless shelter was sued by two adjacent business property owners who alleged that the project would cause adverse traffic and pedestrian/bicycle safety impacts, cause public transportation delays, increase demand at the site for emergency and other civil services, and cause adverse parking and noise impacts. The project was a "by right" use under Santa Ana's zoning ordinance, which had been amended in 2013 to comply with Senate Bill (SB) 2 (Cedillo), a 2008 state law requiring cities to designate at least one zone in a city where emergency shelters would be allowed “by right” (i.e., without a conditional use permit that could be denied by the city, and without CEQA review). SB 2 did not extend the CEQA exemption to an agency’s acquisition of property on a site designated for “by right” use as a homeless shelter. Since they could not file a CEQA lawsuit to block construction of homeless shelter, the two adjacent property owners sued to block the agency’s acquisition of the site, which was necessary for the viability of the project as homeless shelter projects virtually always require funding and/or property provided by a public agency. Neighbors and other stakeholders also objected to the project, and it was ultimately abandoned after the CEQA lawsuit was filed. Other proposals for emergency shelters in Santa Ana also struggled and were abandoned based on community opposition.[xiv] Affordable housing stakeholders are lobbying the governor to close this loophole in his By Right Proposal, which does not extend CEQA relief to agency decisions to help fund, acquire or provide properties for affordable housing.

CEQA Lawsuits Challenge Two Nearly Identical 80-Unit Infill Affordable Housing Projects: One Survived, One Still Stalled by CEQA’s “Gotcha” Mandate to “Prove the Negative”

In 2015, the city council for the City of Orange unanimously approved the construction of a 100 percent affordable housing development, including 82 two- and three-bedroom apartments in four 3-story buildings on a converted industrial site. A controversial former Orange councilmember, who had been called out in the press for anti-Islamic comments and for fabricating a discussion with a Mexican-American that never occurred,[xv] sued to block the project under CEQA nearly two years after the project had obtained zoning approvals, and at the edge of a 2015 deadline to qualify for the public financing, which would be required to complete the project. The project qualified for streamlined CEQA processing as an infill project and for bonus units authorized for affordable projects under state law. With a happy ending, the CEQA lawsuit failed to stop the project. One of the fortunate new residents, a single mom with two sons, reported that the family moved from an expensive one-bedroom unit where the landlord prohibited them from using the kitchen and indoor bathroom.

Not as fortunate were the future residents of the Highland Park Transit Village, an 80-unit project of a similar scale (3- to 4-story structures) that included a mix of market rate and affordable housing in the City of Los Angeles. The project site was a city-owned property used for surface parking (alternate parking would be provided for nearby businesses in new underground spaces built as part of the project). The newly-formed petitioner group that sued the project included cultural preservation activists, environmental justice advocates and individual residents who endeavored to save the Los Angeles area’s substantial rural, cultural and environmental resources for future residents. The project site was located a block away from the historic Route 66 corridor – the highway that spans several states – and was challenged as adversely impacting this “cultural resource” and the aesthetics of the neighborhood, and causing greenhouse gas (GHG) emissions that contribute to global warming.

The trial court rejected the cultural and aesthetics allegations, but ruled against the city on the GHG issue – in another vivid example of the ongoing legal uncertainty caused by the expansion of CEQA to require project-level review of GHG to assess global warming impacts more than 10 years ago.[xvi] Although there is overwhelming evidence that the construction of this 80 apartment project would not contribute to climate change, including, but by no means limited to, the fact that new buildings must comply with California's stringent energy and water conservation measures (which result in lower GHG emissions per unit), as well as the fact that smaller housing units located within existing, transit-served neighborhoods have low per capita and per unit GHG. However, these facts were so obvious that they were not documented in painstaking detail by the city or project applicant as part of the "prove the negative" paper chase that wealthier projects pay to have completed during the pre-litigation CEQA paperwork process. After a CEQA lawsuit is filed, agencies are not generally allowed to file new documentation to "prove the negative" (i.e., provide the absence of a significant adverse environmental impact). This project was sent back to the drawing board after the judge vacated the city's approvals.

More than 50 CEQA lawsuits remain pending against the City of Los Angeles.

CEQA Reform Update

Our 2015 statewide report described legislative CEQA reform activities over the past decade, and suggested three reforms to curtail CEQA litigation abuse while still preserving the CEQA compliance process, including requirements to ensure comprehensive evaluation and feasible mitigation, meaningful public input and accountability by the public officials charged with review, approval or denial of projects that are subject to CEQA.

Our CEQA litigation abuse reform proposals included: 1) extending CEQA transparency to those filing lawsuits and ending anonymous CEQA lawsuits funded by shadowy interests using CEQA for private gain rather than environmental protection; 2) ending duplicative CEQA lawsuits for projects that comply with previously-approved projects and plans for which a CEQA process has already been completed, and 3) reserving the extraordinary judicial remedy of vacating project approvals to projects that could actually harm the natural environment, public health or irreplaceable tribal resources – while preserving the litigation remedy of requiring adequate study and mitigation of project impacts.

While the 2016 CEQA reform season has just reached the mid-year mark, the only CEQA reform legislation enacted to date is a "buddy bill" to benefit . . . the Legislature's own office renovation project. The governor's By Right Proposal remains under consideration by the Legislature, and would dramatically reduce CEQA litigation risks for the type of multifamily housing projects most often targeted by CEQA lawsuits in the SCAG region. Finally, two bills that would have extended CEQA's transparency mandate to CEQA lawsuits were defeated in policy committees on party-line votes, one of which ironically occurred at the same hearing that the CEQA litigation status quo advocates were united in urging more transparency at the Coastal Commission.

Meanwhile, with critics noting the absence of any authorizing legislation, in January 2016, the OPR proposed the most dramatic new expansion to CEQA in decades by adding two new impacts to the nation's most litigious and quixotic environmental law: "vehicle miles travelled" and "induced traffic."

CEQA Reform for Me, Not Thee. The only significant CEQA legislation to be enacted by this year's Legislature is the extension of the "Kings Arena" remedy reform to the proposal to remodel the Legislature's own office building. This CEQA litigation reform pathway was enacted in SB 743 (Steinberg, 2013) to allow Sacramento to meet the construction deadlines demanded by the National Basketball Association to keep the Kings in Seattle, and effectively prohibited a judge deciding a CEQA lawsuit from vacating the arena approvals or otherwise preventing construction of the project, while allowing judges to order corrections to deficient CEQA studies (which could result in more mitigation while allowing the project itself to proceed). As described in our statewide report, legislative leaders in 2013 were tone-deaf to a chorus of objections, including charges of hometown hypocrisy, by editorials published by several of California's major newspapers that observed that there are many of projects deserving this level of protection from CEQA lawsuits that are often filed for non-environmental reasons. Maintaining its tone-deaf track record, the 2016 Budget Bill extended the Kings Arena remedy reform to its own legislative office renovation project. The Legislature can now rest easy that its office renovation can be completed on-time, and on-budget, without those delay and cost over-run risks of a pesky CEQA lawsuit.

"Labor unions, environmentalists are biggest opponents of Gov. Brown's affordable housing plan."[xvii] This May 24, 2016 headline by LA Times reporter Liam Dillon reported the controversy that erupted within the core Democratic Party labor, environmental, affordable housing and poverty constituencies when the governor proposed to require "by right" approvals for attached housing projects such as apartments and condominiums on infill locations that already had approved zoning for such uses. For qualifying projects, the By Right Proposal would not require additional CEQA processing for housing units, since the zoning approval had itself triggered prior CEQA review and approval. The By Right Proposal was released as part of the governor's revised May budget and followed a series of non-partisan reports confirming that the severity of California's housing supply and affordability crisis had caused California to have the highest poverty rate in the nation, and that CEQA and other local permit processing obstacles have caused jobs-rich coastal areas to have an increasingly acute jobs-housing imbalance that condemns working Californians to ever-longer and more congested commutes (and higher tailpipe emissions of greenhouse gases as well as other pollutants). The By Right Proposal also required "by right" projects to include deed-restricted affordable units and to meet other qualifying criteria.

In his budget message, the governor documented the average cost of building a single affordable housing apartment-scale unit in different areas of California:[xviii]

Governor's 2016 May Revise Budget Proposal

2011-2015 Affordable Housing Construction by County[1]

(Dollars in Thousands)

	Cost Per Unit
San Francisco	$591
San Mateo	442
Santa Cruz	436
Alameda & Contra Costa	418
Santa Clara	405
Ventura	400
Los Angeles	372
Napa & Sonoma	356
San Diego	350
Orange	340
San Luis Obispo	335
Solano & Yolo	312
El Dorado, Nevada & Placer[2]	311
Monterey & San Benito	310
San Bernardino	298
Sacramento	287
Santa Barbara	283
Imperial & Riverside	281
San Joaquin[2]	269
Colusa & Lake	261
Butte, Glenn, Sutter & Yuba	256
Kern	255
Shasta[2]	255
Madera, Merced & Stanislaus	244
Del Norte, Humboldt & Mendocino	237
Fresno	212
Kings & Tulare	207
STATEWIDE	**$332**

[1] Reflects all new construction projects for counties receiving tax credits from the Tax Credit Allocation Committee. Some projects include total development costs, while others exclude land cost.

[2] Figures for counties with fewer affordable housing projects were subject to a small sample size.

Based on this data and several authoritative, non-partisan reports documenting local obstacles to new housing approvals, the governor concluded that California could not spend its way to funding the necessary number of housing units, and the necessary range of affordability, required to meet the acute needs of California's existing population.

The governor himself had recently acknowledged the political difficulty of changing CEQA over labor objections, given his remarks of just a few weeks earlier that CEQA reform was politically impossible because unions use CEQA litigation threats as a "hammer" to force project sponsors (public or private) to enter into project labor agreements (PLA).[xix] PLAs are typically confidential agreements that give effective control of construction jobs to the union leaders using this CEQA litigation tactic.

Notwithstanding the expected labor challenge, the governor also was responding to other strong Democratic Party voices urging increased investment of state taxpayer dollars into affordable housing; the By Right Proposal also expressly links the availability of $400 million in funding to subsidize affordable housing to enactment of the By Right Proposal.

Mayors of cities feeling the most acute housing crunches, including Los Angeles Mayor Eric Garcetti and several Bay Area mayors, weighed in with general support for the By Right Proposal, as did a broad coalition of business leaders and associations that have long identified housing as a key challenge for keeping and growing businesses in California. Other cities and counties objected to the state's insistence on a "by right" approval process that bypasses local control to disapprove projects, including projects that comply with local zoning requirements.

Several of the state's most powerful building trades, who pioneered and remain the most active in filing or threatening to file CEQA lawsuits as a "hammer" to secure PLAs, have indeed emerged as the most vociferous opponents of the By Right Proposal.[xx] Other public and private sector unions remain aligned with the building trades, and remain in strong opposition to the By Right Proposal, notwithstanding the fact that the housing availability and affordability crunch have condemned union stalwarts such as teachers, nurses, first responders and service workers to experience daily commute times of two and three hours or more – to "drive until they qualify" for the less costly rents and home prices in the inland areas of the SCAG region.

How unaffordable is housing? The "standard rule" is that people should not spend more than about 30 percent of their income on housing (rent or mortgage payments), and those paying in excess of 50 percent of their income on housing costs are considered "severely" burdened by housing costs.[xxi] In a recent analysis completed by the California Infill Federation, workers in even the generally more affordable San Gabriel Valley are literally "off the charts" in being unable to afford to purchase housing; with a median housing price of $611,000, even assuming that buyers can amass the $140,530 required for a 20 percent down payment and other one-time expenses, the estimated monthly mortgage payment assuming taxes and insurance would consume 71 percent of a teachers' salary ($59,000), 83 percent of a public safety worker's salary ($57,500), 197 percent of a retail clerk's or barista's likely income ($22,000), 73 percent of a UPS delivery driver's wages ($65,500), and 72 percent of a nurse's salary (66,600).[xxii]

Negotiations over the By Right Proposal continue, with no outcome expected before August.

Transparency's Good for the Coastal Commission, But Not CEQA. Two bills were introduced this year – Assembly Bill 2026 (Hadley) and SB 1248 (Moorlach) – that would have prohibited anonymous CEQA lawsuits, while allowing those concerned with being "outed" as project opponents to confidentially disclose their identity and interest solely to the judge deciding the case. Both of these bills fell in committee hearings on party-line votes. In an irony born of the Legislature's committee calendar, AB 2026 was considered at the same hearing as legislation requiring greater disclosure and transparency in Coastal Commission proceedings. The identical labor and environmental advocates who supported Coastal Commission transparency testified against CEQA transparency. The building trades representative testifying in "strong opposition" to CEQA litigation transparency concluded that prohibiting anonymous CEQA lawsuits would result in "dismantling CEQA."[xxiii]

End Traffic Congestion as a CEQA Impact in Transit-Served Areas by . . . Adding Two New Statewide Impacts to CEQA? Traffic congestion remains a flashpoint for voters, including those in the SCAG region. In another of our CEQA studies, air quality (mostly from tailpipe emissions) and traffic congestion were the two most commonly litigated CEQA topics in reported appellate court cases over a 15-year study period.[xxiv] There are decades of CEQA judicial opinions making traffic congestion a CEQA impact due to factors such as causing more air pollution (from the longer travel time), longer periods of higher noise volumes, and greater public safety impacts such as higher accident risks and emergency vehicle delays.

Prior CEQA court decisions, as well as other state and federal laws requiring reduced traffic congestion, create an environmental policy clash for climate advocates and urban designers seeking to promote high-density urban development that is expressly planned to discourage automobile use and promote transit as well as active transportation modes such as walking and biking, while also achieving other environmental benefits such as reduced consumption (on a per unit and per capita basis) of energy and water. Increased traffic congestion in these transit-oriented communities is a planned goal, and using CEQA to require studies and roadway improvements to "mitigate" congestion impacts undermines those environmental policy goals.

The Legislature agreed to eliminate use of traffic congestion as a CEQA impact in these planned higher density, transit-oriented communities, and in the 2013 Kings Arena remedy reform bill (SB 743) directed OPR to develop an alternate transportation metric under CEQA by the end of 2015. In anticipation, several local jurisdictions, including Pasadena and San Francisco, amended their local criteria for assessing whether an impact is "significant" under CEQA by eliminating traffic delay – measured with "Level of Service" grades for how long it takes to cross an intersection – as a CEQA transportation metric for each project. These jurisdictions have instead begun using vehicle miles travelled (VMT) as a CEQA transportation metric for the neighborhood where the project is located, allowing them to conclude that projects within areas of very frequent transit service have much lower per capita VMT than a regional average per capita VMT. VMT is a locational metric that corresponds to high frequency transit service (and the high density required to support such transit levels).

Instead of expressly endorsing this CEQA transportation metric as adopted by local agencies, OPR issued more than 60 pages of proposed changes to CEQA and "technical guidance" on how to implement these changes. The bottom line is that OPR's proposal, in its current form, is the most dramatic administrative expansion of CEQA in decades. It applies statewide, not simply in frequent transit neighborhoods, and is explained as necessary for the state to achieve the 80 percent reduction in GHG emissions from 1990 levels, without regard to population growth or any other environmental objective – the same 80 percent reduction mandate that the Legislature has repeatedly declined to impose as a blanket legal mandate.

OPR's 2016 CEQA Guidelines proposal includes adding two new impacts to CEQA:

- Vehicle Miles Travelled (VMT) Impact. Each public sector plan, program and project (and each private sector project) must calculate how many miles will be driven over the lifetime of a project in a passenger vehicle or light truck (even an electric vehicle). The "significance" of these VMT impacts must then be assessed, and feasibly mitigated, by each project.

- Induced Traffic Impact. Each project that adds or funds one or more new miles of capacity added to a highway or major roadway is a new CEQA impact, requiring a significance assessment and imposition of all feasible mitigation and/or a less impactful alternative. This new impact applies retroactively to long-planned transportation projects, even if the increase in capacity results from more efficient use of existing highway rights-of-way; even if the project is a carpool lane; even if the project was included in a voter-approved transportation bond measure (including the improvements in the proposed Los Angeles County Measure M2 under consideration for the November 2016 ballot); and even if the project has already been included in an approved regional or local plan for which CEQA has already been completed (and even if the California Air Resources Board has approved the plan as meeting applicable GHG reduction targets and applicable federal and state Clean Air Act mandates and even if the U. S. Environmental Protection Agency has agreed that it is meeting federal Clean Air Act targets). Only new toll road miles would get a pass from what OPR calls a statewide "road diet," notwithstanding social and economic equity critiques of toll roads.

OPR's 2016 proposal followed the firestorm of criticism OPR received from a similar proposal in 2014. Critics have noted that the OPR proposal would enable any party to use CEQA lawsuits to try to thwart decisions by voters, local officials, state and local transportation agencies, and regional, state and national environmental agencies, to provide for and enhance transportation mobility. Others have noted that the OPR proposal would further undermine the logistics industry (which by some accounts powers about 40 percent of the regional economy) by creating new obstacles to improved goods movement, even for the electric and automated fleets of the future, and undermine the viability and global competitiveness of the Ports of Long Beach and Los Angeles, along with transportation-dependent economic sectors, such as agriculture. Experienced CEQA lawyers have commented that the OPR proposal is extremely complex and will substantially increase both CEQA compliance costs and litigation risks.[xxv]

OPR is reviewing comments, and intends to proceed to the formal rulemaking process in October.

Conclusion

CEQA litigation has increased in our most recent study period, and in the SCAG region is being used primarily to challenge the higher density, infill housing projects that are most often supported by environmental and climate policy activists. Building new housing is critically needed to help address the acute housing shortage, and housing affordability challenges, that have caused California to have the highest poverty rate in the nation. Using CEQA litigation as a surrogate for unlegislated density and climate policies continues to create compliance uncertainty and judicial unpredictability, and this outcome disproportionately affects the young, the poor and the talented new Californians that need housing – and will help shoulder the tax burdens imposed by the current generation of political leaders. Ending CEQA litigation abuse would be an outstanding legacy that would benefit many future generations inside and outside California and complements the state's global commitment to environmental and climate leadership.

About the Authors: Holland & Knight's West Coast Land Use and Environmental Practice Group

Holland & Knight is a global law firm with more than 1,200 lawyers and other professionals in 27 offices throughout the world. Our lawyers provide representation in litigation, business, real estate and governmental law. Interdisciplinary practice groups and industry-based teams provide clients with access to attorneys throughout the firm, regardless of location.

The authors of this report are attorneys in the West Coast Land Use and Environmental Practice Group.

Jennifer Hernandez, co-chair of Holland & Knight's National Environmental Team, leads Holland & Knight's West Coast Land Use and Environment Practice Group. She is also a member of the firm's Directors Committee. Ms. Hernandez has written two books and more than 50 articles on environmental and land use topics, and has taught in law school and college classes at Stanford, Hastings, Berkeley and UC Davis. She is a graduate of Harvard University and Stanford Law School, received the California Lawyer of the Year Award from the California Bar Association, was named a top minority lawyer by The National Law Journal, and has for decades been included in the top ranks of land use and environmental practitioners and litigators by the legal ranking firms of Chambers USA, Best Lawyer and Superlawyers. Ms. Hernandez has spent decades on the boards of non-profit environmental advocacy groups, was appointed by President Bill Clinton as a trustee for the San Francisco Presidio, and has won numerous awards on environmental and land use pro bono advocacy work for minority and underserved communities – including the Big Brain Award from the Greenlining Institute and a Proclamation from then-Mayor Willie Brown naming October 9, 2002, as "Jennifer Hernandez Day in San Francisco" for her work as a "warrior on the brownfields." Ms. Hernandez grew up in Pittsburg, California as the daughter and granddaughter of steelworker members of the AFL-CIO.

David Friedman is of counsel in Holland & Knight's Government Section and practices in the firm's Los Angeles office. He focuses on land use and development, state and federal resource policy and regulatory counseling. His experience includes the analysis and legal support of project water supply assessments, endangered species impacts, and wetlands and water permitting. Dr. Friedman received his J.D. from UCLA Law School (Order of the Coif) and his Ph.D. from the Massachusetts Institute of Technology. Dr. Friedman served as a Fulbright Fellow in Japan, a National Science Foundation Fellow, a Senior Fellow at the New America Foundation and a fellow at the Progressive Policy Institute (the think tank for the Democratic Leadership Council under President Bill Clinton).

Stephanie DeHerrera is an associate in Holland & Knight's West Coast Land Use and Environment Practice Group. She received her J.D. from Hastings College of the Law, where she was a member of the board of the Hastings Constitutional Law Quarterly. Ms. DeHerrera previously interned in the San Francisco City Attorney's land use division and was program director at the Organizing and Leadership Academy.

Other Recent CEQA and Land Use/Environmental Publications

Holland & Knight's West Coast Land Use and Environmental Group periodically publishes analyses of California legal and policy data, including information documenting the use, and abuse, of CEQA. Other recent reports on CEQA include the following:

• **In the Name of the Environment: Litigation Abuse Under CEQA**, *Holland & Knight*, August 2015, our Statewide Study, is available at https://issuu.com/hollandknight/docs/ceqa_litigation_abuseissuu?e=16627326/14197714

• **CEQA Judicial Outcomes: Fifteen Years of Reported California Appellate and Supreme Court Decisions**, *Holland & Knight alert*, May 2015, available at https://www.hklaw.com/files/Uploads/Documents/Articles/0504FINALCEQA.pdf

• **California Environmental Quality Act, Greenhouse Gas Regulation and Climate Change**, *Chapman University Center for Demographics and Policy*, 2015, available at http://www.chapman.edu/wilkinson/_files/GHGfn.pdf

• **California's Social Priorities**, *Chapman University Center for Demographics and Policy*, 2015, available at http://www.chapman.edu/wilkinson/_files/CASocPrioFnSm2.pdf

• **The National Environmental Policy Act in the Ninth Circuit: Once the Leader, Now the Follower?** *Environmental Practice*, December 2014, available at https://www.hklaw.com/Publications/The-National-Environmental-Policy-Act-in-the-Ninth-Circuit-Once-the-Leader-Now-the-Follower-12-31-2014/

• **Analysis of Recent Challenges to Environmental Impact Reports**, *Holland & Knight alert*, December 2012, available at https://www.hklaw.com/publications/Analysis-of-Recent-Challenges-to-Environmental-Impact-Reports-12-01-2012/

• **Is CEQA "Fixed" – Do Infill CEQA Reforms Help or Handicap Your Project?** *Holland & Knight alert*, September 13, 2012, available at https://www.hklaw.com/files/Publication/04664546-629b-4477-a59e-c6ee4537a7c7/Presentation/PublicationAttachment/e1e11da8-a7ae-41dc-a105-db1b0210a5f1/IsCEQAFixed.pdf

• **Judicial Review of CEQA Categorical Exemptions from 1997-Present**, *Holland & Knight alert,* August 2012, available at https://www.hklaw.com/files/Publication/6c8c1fd0-7a6b-4c2f-822f-19c3ff4b95ec/Presentation/PublicationAttachment/4f319f3a-f238-4e9a-87c3-1a355deb0eaa/JudicialReviewofCEQACategoricalExemptions.pdf

Contact Us

Please contact us for more information on this report and our other publications, or for assistance with land use, environmental and real estate matters.

Jennifer L. Hernandez
Holland & Knight LLP
Partner | Leader, West Coast Land Use and Environmental Group
415.743.6927 | San Francisco
213.896.2400 | Los Angeles
jennifer.hernandez@hklaw.com

David Friedman
Holland & Knight LLP
Of Counsel
213.896.2431 | Los Angeles
david.friedman@hklaw.com

Stephanie DeHerrera
Holland & Knight LLP
Associate
415.743.6971 | San Francisco
stephanie.deherrera@hklaw.com

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[i] Our 2015 report, "In the Name of the Environment: Litigation Abuse Under CEQA," is available on our website: https://www.hklaw.com/publications/In-the-Name-of-the-Environment-Litigation-Abuse-Under-CEQA-August-2015/. As always, preparation of these reports is made possible by a team of dedicated land use, environmental, real estate, and litigation attorneys working in our California offices. A special thanks goes to Abigail Alter, Susan Booth, Bradley Brownlow, Carrie Friesen-Meyers, Daniel Golub, Tara Kaushik, Julia Kingsley, Jessica Lanier, Joanna Meldrum, Perla Parra, Tamsen Plume, Joseph Taboada and Genna Yarkin. As was the case with our statewide report, the authors are grateful to these and other parties who are focused on the need to modernize CEQA to end CEQA litigation abuse, but the opinions in this regional update are the authors' and should not be attributed to any other person or organization. Also, as was the case with our statewide report, this update cites to media reports and other specified sources for factual information and examples of CEQA lawsuits; the information included in these media reports were not independently investigated by the authors.

[ii] "Your Guide to SCAG (2013-14)," Southern California Association of Governments (2014), available at: https://www.scag.ca.gov and http://www.scag.ca.gov/Documents/scagGeneral2013.pdf

[iii] "Los Angeles Housing is Wildly Unaffordable," BuzzFeed News (8/16/15), reporting on housing affordability reports by UCLA and Zillow, available at: https://www.buzzfeed.com/jimdalrympleii/los-angeles-is-facing-a-housing-affordability-crisis?utm_term=.jn5RWBwy9P#.syv5o0j6ZV.

[iv] The Governor's Office of Planning & Research definition used in our reports follow: "The term "infill development" refers to building within unused and underutilized lands within existing development patterns, typically but not exclusively in urban areas. Infill development is critical to accommodating growth and redesigning our cities to be environmentally and socially sustainable," available at: http://www.opr.ca.gov/s_infilldevelopment.php.

[v] "Governor's By-Right Development Proposal (modified version), Planning & Conservation League (6/6/16), available on request from Holland & Knight.

[vi] "California Cities Most Densely Populated in US," San Francisco Chronicle report on US census data (3/117/12), available at: http://www.sfgate.com/bayarea/place/article/California-cities-most-densely-populated-in-U-S-3436611.php

[vii] "Development 'By Right' Proposal for Affordable Housing," State Buildings & Construction Trade Council, NRDC, et al (5/18/16), available at: http://twitdoc.com/view.asp?id=272010&sid=5TVU&ext=PDF&lcl=Development-By-Right-for-Affordable-Housing-Oppose-All-Assembly-Sen-.pdf&usr=dillonliam.

[viii] "Billions spent, but fewer people are using public transportation in Southern California," LA Times (2/15/16) available at: http://www.latimes.com/local/california/la-me-ridership-slump-20160127-story.html

[ix] "California Density City Population Rank," USA.Com, available at http://www.usa.com/rank/california-state--population-density--city-rank.htm

[x] "Activists seek ballot measure for moratorium on L.A. 'mega projects'," LA Times (11/18/15), available at: http://www.latimes.com/local/lanow/la-me-ln-ballot-measure-mega-projects-city-hall-20151118-story.html.

[xi] *See, e.g.,* "California's High Housing Costs: Causes and Consequences," California Legislative Analyst Office (2105), available at: http://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&cad=rja&uact=8&ved=0ahUKEwjX3cS7poPOAhXLLSYKHZgBAkAQFggfMAA&url=http%3A%2F%2Fwww.lao.ca.gov%2Freports%2F2015

%2Ffinance%2Fhousing-costs%2Fhousing-costs.pdf&usg=AFQjCNF0wGqQUrEYExtS_8stUkH6nWC9_w; "Struggling to Get By: the Real Cost Measure in California 2015," United Ways of California, available at: https://www.unitedwaysca.org/realcost.

[xii] We will report on the Bay Area homeless project targeted by a CEQA lawsuit in our upcoming regional update report on lawsuits filed between 2013-2015 in the Bay Area region.

[xiii] See, e.g., "California Lawmakers Approve $2 Billion Plan to Help the Homeless," Wall Street Journal (6/30/16), available at: http://www.wsj.com/articles/california-lawmakers-approve-2-billion-plan-to-help-the-homeless-1467317216.

[xiv] "Hundreds Turn Out to Protect Santa Ana Homeless Shelter," Voice of Orange County 98/20/14), available at http://voiceofoc.org/2014/08/hundreds-turn-out-to-protest-santa-ana-homeless-shelter/

[xv] "Orange Councilmember Jon Dumitru Caught Lying to Reporter While Slurring Longtime Resident, OC Weekly (8/18/10), available at: http://www.ocweekly.com/news/orange-councilmember-jon-dumitru-caught-lying-to-reporter-while-slurring-longtime-resident-6466742; *see also, http://www.ocweekly.com/news/update-cair-demands-apology-dumitru-tries-to-cover-his-illiterate-tracks-jon-dumitru-orange-councilmember-posts-anti-islam-facebook-status-update-6458307.*

[xvi] The judicial uncertainty surrounding GHG and CEQA reached a near-crescendo with the first major GHG CEQA lawsuit to reach the California Supreme Court, *Center for Biological Diversity v. California Department of Fish and Wildlife*, 62 Cal. 4th 204 (2015). In that case, the Supreme Court upheld a portion of the state's GHG analysis of a master planned community project but rejected another portion based on the absence of documentation on the record on an issue that had not been briefed or argued by any party – and also declined to opine at all on how to address GHG after 2020. The Supreme Court declined to uphold the GHG analysis in the EIR at issue in that case notwithstanding being urged to do so by the respondent on that CEQA lawsuit (a state agency that had been advised by the state's attorney general in crafting the GHG CEQA analysis), and notwithstanding being urged to do so by the Office of Planning and Research (the state agency charged with preparing the CEQA Guidelines interpreting CEQA's requirements), and notwithstanding being urged to do so by expert air quality agencies. The Supreme Court identified "potential" CEQA compliance "pathways" which "may" suffice for considering GHG emissions and climate change, and remanded the matter back to the lower courts for further consideration, kicking off the second decade of judicial uncertainty about CEQA and GHG.

[xvii]"Labor unions, environmentalists are biggest opponents of Gov. Brown's affordable housing plan," LA Times (5/24/16), available at: http://www.latimes.com/politics/la-pol-sac-labor-enviro-housing-20160524-snap-story.html.

[xviii] Table reprinted from the "Housing and Local Government" component of the governor's revised budget proposal (May 2016), available at: http://www.ebudget.ca.gov/2016-17/Revised/BudgetSummary/BSS/BSS.html.

[xix] "Governor Jerry Brown: The Long Struggle for the Good Cause," Blueprint (Spring 2016), available at: http://blueprint.ucla.edu/feature/gov-jerry-brown-the-long-struggle-for-the-good-cause/.

[xx] "Why construction unions are fighting Gov. Jerry Brown's plan for more housing," LA Times (7/20/16), available at: http://www.latimes.com/politics/la-pol-sac-jerry-brown-affordable-housing-union-fight-20160720-snap-story.html#nt=outfit.

[xxi] *See, e.g., "*Why the 30 Percent of Income Standard for Housing Affordability," United States Census Bureau (2006), available at: https://www.census.gov/**housing**/.../who-can-afford.pd.

[xxii] "Housing Realities," California Infill Federation (2016), copy available on request.

[xxiii]Assembly Natural Resources Committee, hearing on AB 2002 and AB 2026 (April 2016), audio and visual testimony available at: http://calchannel.granicus.com/MediaPlayer.php?view_id=7&clip_id=3592.

[xxiv] "CEQA Judicial Outcomes: Fifteen Years of Reported California Appellate and Supreme Court Decisions," *Holland & Knight alert*, May 2015, available at http://www.hklaw.com/files/Uploads/Documents/Articles/0504FINALCEQA.pdf

[xxv] While OPR has not posted OPR has not posted the reported 250 or so comments on the 2014 and 2016 VMT proposal on its website, Holland & Knight has received copies of stakeholder comments that are available on request.

Case Name	Region of Project	Date	Location of Project	Public or Private Project	Project Type	Project Subtype	Infill or Greenfield Project	Compliance Track
George Edwards v. City of La Habra Heights	SCAG	10/13	City of La Habra Heights	Public	Public Service & Infrastructure	City Hall	Infill	Exemption
Trancas PCH, LLC v. City of Malibu	SCAG	9/13	City of Malibu	Public	Agency Plan/ Regulation	City-Plan	N/A	Environmental Impact Report
Sherman Oaks Residents for a Safe Environment v. City of Los Angeles	SCAG	10/13	City of Los Angeles	Private	Residential	Multifamily Mixed Use	Infill	Environmental Impact Report
La Mirada Avenue Neighborhood Association of Hollywood v. City of Los Angeles, et al.	SCAG	5/13	City of Los Angeles	Private	Retail	Shopping Center	Infill	Environmental Impact Report
G.G. Verone, et al. v. City of West Hollywood, et al.	SCAG	9/13	City of West Hollywood	Private	Retail	Billboard	Infill	Exemption
Concerned Citizens of Shoreline Gateway, et al. v. City of Long Beach	SCAG	9/13	City of Long Beach	Private	Residential	Multifamily Mixed Use	Infill	Environmental Impact Report
StoptheMillenniumHollywood.com, et al v. City of Los Angeles, et al.	SCAG	8/13	City of Los Angeles	Private	Residential	Resort/ Multifamily Mixed Use	Infill	Environmental Impact Report
HEI/GC Hollywood and Vine Condominiums, LLC v. City of Los Angeles	SCAG	8/13	City of Los Angeles	Private	Residential	Multifamily Mixed Use	Infill	Environmental Impact Report
Union of Medical Marijuana Patients, Inc. v. City of Los Angeles	SCAG	7/13	City of Los Angeles	Public	Agency Plan/ Regulation	Local Marijuana Regulation	N/A	Exemption
Save the Plastic Bag Coalition v. City of Los Angeles	SCAG	7/13	City of Los Angeles	Public	Agency Plan/ Regulation	Local Plastic Bag Regulation	N/A	Environmental Impact Report
South Coast Air Quality Management District v. City of Los Angeles, et al.	SCAG	6/13	Multijurisdictional	Private	Public Service & Infrastructure	Railroad/ Non-Transit	Infill	Environmental Impact Report
Coalition for a Safe Environment, et al. v. City of Los Angeles, et al.	SCAG	6/13	Multijurisdictional	Private	Public Service & Infrastructure	Railroad/ Non-Transit	Infill	Environmental Impact Report
California Cartage Company, Inc. v. City of Los Angeles	SCAG	6/13	Multijurisdictional	Private	Public Service & Infrastructure	Railroad/ Non-Transit	Infill	Environmental Impact Report
Eastyard Communities for Environmental Justice, et al. v. City of Los Angeles, et al.	SCAG	6/13	Multijurisdictional	Private	Public Service & Infrastructure	Railroad/ Non-Transit	Infill	Environmental Impact Report
Long Beach Unified School District v. Los Angeles Harbor Department, et al.	SCAG	6/13	Multijurisdictional	Private	Public Service & Infrastructure	Railroad/ Non-Transit	Infill	Environmental Impact Report
Fast Lane Transportation, Inc. v. City of Los Angeles, et al.	SCAG	6/13	Multijurisdictional	Private	Public Service & Infrastructure	Railroad/ Non-Transit	Infill	Environmental Impact Report
City of Long Beach v. City of Los Angeles, et al.	SCAG	6/13	Multijurisdictional	Private	Public Service & Infrastructure	Railroad/ Non-Transit	Infill	Environmental Impact Report
Coalition for Preservation of the Arroyo, et al. v. City of Pasadena, et al.	SCAG	1/13	City of Pasadena	Public	Agency Property Management	Agency Property Management	N/A	Environmental Impact Report
Coalition for Open Government in Lancaster v. City of Lancaster, et al.	SCAG	1/13	City of Lancaster	Private	Retail	Shopping Center	Infill	Environmental Impact Report
City of Maywood v. Los Angeles Unified School District, et al.	SCAG	2/13	City of Maywood	Public	School	K-12	Infill	Environmental Impact Report
Ballona Wetlands Land Trust v. California Coastal Commission	SCAG	2/13	Marina del Rey (County of Los Angeles)	Public	Park	Passive	Infill	Certified Regulatory Program
Terry O'Brien, et al. v. City of Whittier, et al.	SCAG	3/13	City of Whittier	Private	Residential	Single Family Home/ Second Unit	Infill	Exemption
SCOPE (Santa Clarita Organization for Planning and the Environment) v. Castaic Lake Water Agency, et al.	SCAG	2/13	Multijurisdictional	Private, Public	Water	Transfer/ Agreement	N/A	No CEQA Compliance
California Clean Energy Committee v. City of Pasadena	SCAG	4/13	City of Pasadena	Public	Energy	Natural Gas/ Retrofit	Infill	Environmental Impact Report
Calvin Normore v. City of Santa Monica, et al.	SCAG	5/13	City of Santa Monica	Private	Residential	Multifamily Mixed Use	Infill	Environmental Impact Report
Smart Neighbors for Smart Growth v. Timothy White	SCAG	5/13	City of Riverside	Public	School	College/ University	Infill	Environmental Impact Report
Citizens for Quality Development v. City of Wildomar	SCAG	6/13	City of Wildomar	Private	Residential	Large Subdivision/ Mixed Use	Infill	Environmental Impact Report
Martha Bridges, et al. v. City of Wildomar	SCAG	6/13	City of Wildomar	Private	Residential	Large Subdivision/ Mixed Use	Infill	Environmental Impact Report
MVV, LP, et al. v. City of Corona	SCAG	6/13	City of Corona	Private	Residential	Large Subdivision/ Mixed Use	Infill	Environmental Impact Report
Temecula Agriculture Conservation Council v. County of Riverside	SCAG	11/12	County of Riverside	Private	Public Service & Infrastructure	Church	Greenfield	No CEQA Compliance
Compassionate Care Beneficiaries v. City of Murrieta	SCAG	10/13	City of Murrieta	Public	Agency Plan/ Regulation	Local Marijuana Regulation	N/A	Exemption
De Luz 2000 v. County of Riverside	SCAG	10/12	County of Riverside	Public	Agency Plan/ Regulation	County Regulation	N/A	Exemption
Sierra Club, et al. v. City of Moreno Valley	SCAG	1/13	City of Moreno Valley	Private	Industrial	Warehouse	Infill	Environmental Impact Report
Sierra Club, et al. v. City of Moreno Valley	SCAG	2/13	City of Moreno Valley	Private	Industrial	Warehouse	Infill	Environmental Impact Report
City of Irvine v. County of Orange, et al.	SCAG	1/13	County of Orange	Public	Public Service & Infrastructure	Prison/ Jail	Infill	Environmental Impact Report
Saddleback Canyons Conservancy, et al v. County of Orange, et al.	SCAG	1/13	County of Orange	Private	Residential	Large Subdivision/ Mixed Use	Greenfield	Environmental Impact Report
The Inland Oversight Committee v. City of Chino	SCAG	6/13	City of Chino	Private	Industrial	Warehouse	Infill	Environmental Impact Report

The Inland Oversight Committee, et al v. NoCity of Chino	SCAG	7/13	City of Chino	Private	Agency Plan/ Regulation	Fee/ Tax	N/A	No CEQA Compliance
The Inland Oversight Committee, et al v. City of Chino	SCAG	8/13	City of Chino	Private	Industrial	Warehouse	Infill	Environmental Impact Report
The Inland Oversight Committee, et al v. City of Chino	SCAG	10/16	City of Chino	Private	Residential	Large Subdivision/ Mixed Use	Infill	Negative Declaration
The Inland Oversight Committee v. City of Ontario	SCAG	2/13	City of Ontario	Private	Residential	Multifamily Mixed Use	Infill	Environmental Impact Report
Save Our Schools v. Barstow Unified School District Board of Education	SCAG	3/13	Multijurisdictional	Public	School	Closure	N/A	Exemption
CREED-21, et al. v. City of Barstow	SCAG	6/13	City of Barstow	Private	Retail	Shopping Center	Infill	Environmental Impact Report
Save Our Uniquely Rural Community Environment v. County of San Bernardino	SCAG	6/13	County of San Bernardino	Private	Public Service & Infrastructure	Church	Infill	Exemption
Joshua Tree Downtown Business Alliance v. County of San Bernardino	SCAG	7/13	Joshua Tree (County of San Bernardino)	Private	Retail	Store/ Center Occupancy	Greenfield	Negative Declaration
Kerri N. Tuttle, et al. v. County of San Bernardino, et al.	SCAG	7/13	Joshua Tree (County of San Bernardino)	Private	Retail	Store/ Center Occupancy	Greenfield	Negative Declaration
CREED-21 v. City of Chino	SCAG	10/13	City of Chino	Private	Industrial	Warehouse	Infill	Environmental Impact Report
Union of Medical Marijuana Patients, Inc. v. City of Upland	SCAG	11/13	City of Upland	Public	Agency Plan/ Regulation	Local Marijuana Regulation	N/A	No CEQA Compliance
Center for Biological Diversity v. Imperial County Air Pollution Control District, et al.	SCAG	6/15	Imperial County Air Control District	Public	Agency Plan/ Regulation	County-Regulation	N/A	Negative Declaration
Hector Casilia, et al v. County of Imperial, et al.	SCAG	11/13	City of Brawley	Private	Energy	Geothermal	Infill	Negative Declaration
Backcountry Against Dumps, et al v. Imperial County Board of Supervisors, et al.	SCAG	3/15	Wistaria Ranch	Private	Energy	Solar	Greenfield	Environmental Impact Report
Backcountry Against Dumps, et al v. Imperial County Board of Supervisors, et al.	SCAG	3/15	SW Imperial County	Private	Energy	Solar	Greenfield	Environmental Impact Report
Backcountry Against Dumps, et al v. Imperial County Board of Supervisors, et al.	SCAG	11/14	West-Central Imperial County	Private	Energy	Solar	Greenfield	Environmental Impact Report
Hollywoodians Encouraging Logical Planning (HELP), et al v. City of Los Angeles, et al.	SCAG	9/15	City of Los Angeles	Public	Agency Plan/ Regulation	City-Plan	N/A	Environmental Impact Report
Fix the City, Inc. v. City of Los Angeles, et al.	SCAG	12/15	City of Los Angeles	Public	Agency Plan/ Regulation	City-Plan	N/A	Environmental Impact Report
Fix the City, Inc. v. City of Los Angeles, et al.	SCAG	7/12	City of Los Angeles	Private	Agency Plan/ Regulation	City-Plan	N/A	Environmental Impact Report
Spirit of the Sage Council, et al v. City of Pasadena, et al.	SCAG	7/15	City of Pasadena	Public	Agency Plan/ Regulation	City-Plan	N/A	Negative Declaration
AES Southland Development, LLC, et al v. City of Redondo Beach, et al.	SCAG	7/15	City of Redondo Beach	Public	Agency Plan/ Regulation	City-Regulation	N/A	Exemption
PVE Business Need Parking Association v. City of Palos Verdes Estates, et al.	SCAG	5/14	City of Palos Verdes Estates	Public	Agency Plan/ Regulation	City-Regulation	N/A	No CEQA Compliance
Affordable Clean Water Alliance v. Santa Clarita Valley Sanitation District of Los Angeles County, et al.	SCAG	11/13	Santa Clarita Valley	Public	Agency Plan/ Regulation	County-Plan	N/A	Environmental Impact Report
Center for Biological Diversity v. County of Los Angeles, et al.	SCAG	7/15	County of Los Angeles	Public	Agency Plan/ Regulation	County-Plan	N/A	Environmental Impact Report
Union of Medical Marijuana Patients, Inc. v. City of Diamond Bar	SCAG	4/14	City of Diamond Bar	Public	Agency Plan/ Regulation	Local Marijuana Regulation	N/A	Exemption
Alliance for a Regional Solution to Airport Congestion v. City of Los Angeles, et al.	SCAG	11/15	City of Los Angeles	Public	Agency Plan/ Regulation	City-Regulation	N/A	Exemption
Neighborhood Planning Support, Inc. v. City of West Hollywood, et al.	SCAG	3/15	City of West Hollywood	Private	Commercial	Hotel	Infill	Negative Declaration
Communities for a Better Environment v. South Coast Air Quality District	SCAG	2/15	City of Carson	Private	Energy	Natural Gas/ Retrofit	Infill	Negative Declaration
Neighbors, Keith Munyan, et al v. City of Los Angeles	SCAG	9/15	City of Los Angeles	Private	Entertainment	Dance Hall/ Music	Infill	Negative Declaration
Griffith J. Griffith Charitable Trust, et al v. City of Los Angeles	SCAG	8/14	City of Los Angeles	Public	Entertainment	Outdoor Stage	Infill	Negative Declaration
L.I.M.P.I.A. v. California Department of Toxic Substances Control	SCAG	4/15	City of Irwindale	Private	Industrial	Hazardous Waste Facility	Infill	Environmental Impact Report
Creed-21, et al v. City of Santa Fe Springs, et al.	SCAG	6/15	City of Santa Fe Springs	Private	Industrial	Warehouse	Infill	Environmental Impact Report
City of Baldwin Park v. City of Irwindale, et al.	SCAG	1/15	City of Irwindale	Private	Mining	Aggregate	MAF	Environmental Impact Report
Youth for Environmental Justice, et al v. City of Los Angeles, et al.	SCAG	11/15	City of Los Angeles	Public	Mining	Oil & Gas	MAF	Exemption
Homeowners on Beachwood Drive United, et al v. City of Los Angeles, et al.	SCAG	7/15	City of Los Angeles	Public	Park	Passive Recreation	Infill	No CEQA Compliance
Stewards of Public Land v. City of Pasadena, et al.	SCAG	11/15	City of Pasadena	Private	Park	Active Recreation	Infill	Exemption

Griffith J. Griffith Charitable Trust, et al v. City of Los Angeles	SCAG	9/14	City of Los Angeles	Public	Park	Active Recreation	Infill	Environmental Impact Report
Angelenos for a Great Hyperion Bridge, et al v. City of Los Angeles.	SCAG	6/15	City of Los Angeles	Public	Public Service & Infrastructure	Highway	Infill	Negative Declaration
SEIU United Service Workers West, et al v. City of Los Angeles, et al.	SCAG	5/13	City of Los Angeles	Public	Public Service & Infrastructure	Airport	Infill	Environmental Impact Report
The Urban Wildlands Group, Inc. v. City of Los Angeles, et al.	SCAG	9/14	City of Los Angeles	Public	Public Service & Infrastructure	Electric Transmission Line	Infill	Exemption
The Tiara Group v. City of Los Angeles	SCAG	7/14	City of Los Angeles	Public	Public Service & Infrastructure	Fire/ Police Station	Infill	Negative Declaration
City of Long Beach v. State of California Department of Transportation, et al.	SCAG	7/15	Multijurisdictional	Public	Public Service & Infrastructure	Highway	Infill	Environmental Impact Report
City of Seal Beach v. State of California Department of Transportation, et al.	SCAG	7/15	Multijurisdictional	Public	Public Service & Infrastructure	Highway	Infill	Environmental Impact Report
Keep the Barham Ramp Association, et al v. California Department of Transportation, et al.	SCAG	12/14	City of Los Angeles	Private	Public Service & Infrastructure	Highway	Infill	Environmental Impact Report
MLK Marlton, LLC vs. City of Los Angeles, et al.	SCAG	12/14	City of Los Angeles	Private	Public Service & Infrastructure	Hospital	Infill	Negative Declaration
Bulwer Drive, LLC v. City of Los Angeles, et al.	SCAG	8/15	City of Los Angeles	Public	Public Service & Infrastructure	Street	Infill	Exemption
Enrich LA, et al v. City of Los Angeles, et al.	SCAG	6/14	City of Los Angeles	Public	Public Service & Infrastructure	Transit	Infill	Negative Declaration
Douglas P. Fay . County of Los Angeles, et al.	SCAG	1/14	County of Los Angeles	Public	Public Service & Infrastructure	Stormwater/ Flood Management	Infill	Negative Declaration
Citizens About Responsbile Planning v. City of Long Beach.	SCAG	12/15	City of Long Beach	Private	Residential	Large Subdivision/ Mixed Use	Infill	Environmental Impact Report
Citizens for Open and Public Participation v. City of Montebello	SCAG	7/15	City of Montebello	Private	Residential	Large Subdivision/ Mixed Use	Infill	Environmental Impact Report
Friends of Highland Park v. City of Los Angeles, et al.	SCAG	9/13	City of Los Angeles	Private	Residential	Multifamily/ Mixed Use	Infill	Negative Declaration
Westwood South of Santa Monica Boulevard Homeowners Association v. The City of Los Angeles, et al.	SCAG	8/13	City of Los Angeles	Private	Residential	Multifamily/ Mixed Use	Infill	Environmental Impact Report
Beverlywood Homes Association v. City of Los Angeles	SCAG	8/13	City of Los Angeles	Private	Residential	Multifamily Mixed Use	Infill	Environmental Impact Report
West Adams Heritage Association v. City of Los Angeles, et al.	SCAG	10/13	City of Los Angeles	Private	Residential	Multifamily/ Mixed Use	Infill	Exemption
La Mirada Avenue Neighborhood Association of Hollywood v. City of Los Angeles, et al.	SCAG	8/15	City of Los Angeles	Private	Residential	Multifamily/ Mixed Use	Infill	Environmental Impact Report
Concerned Citizens of Beverly Hills/ Beverly Grove v. City of Los Angeles, et al.	SCAG	5/15	City of Beverly Hills	Private	Residential	Multifamily/ Mixed Use	Infill	Negative Declaration
L&B CIP South Bay Industrial, LLC v. City of Los Angeles, et al.	SCAG	4/15	City of Los Angeles	Private	Residential	Multifamily/ Mixed Use	Infill	Environmental Impact Report
Beachwood Canyon Homeowners Association, et al v. City of Los Angeles, et al.	SCAG	1/15	City of Los Angeles	Private	Residential	Multifamily/ Mixed Use	Infill	Environmental Impact Report
Covina Residents for Responsible Development v. City of Covina, et al.	SCAG	4/14	City of Covina	Private	Residential	Multifamily/ Mixed Use	Infill	Negative Declaration
La Mirada Avenue Neighborhood Association of Hollywood v. City of Los Angeles, et al.	SCAG	5/14	City of Los Angeles	Private	Residential	Multifamily/ Mixed Use	Infill	Environmental Impact Report
Los Angeles Conservancy v. City of West Hollywood, et al.	SCAG	9/14	City of West Hollywood	Private	Residential	Multifamily/ Mixed Use	Infill	Environmental Impact Report
GE Realprop, LP v. City of Los Angeles, et al.	SCAG	10/14	City of Los Angeles	Private	Residential	Multifamily/ Mixed Use	Infill	Negative Declaration
SaveValleyVillage v. City of Los Angeles, et al.	SCAG	9/15	City of Los Angeles	Private	Residential	Multifamily/ Mixed Use	Infill	Negative Declaration
Lance Jay Robbins Paloma Partnership v. City of Los Angeles, et al.	SCAG	4/15	City of Los Angeles	Public	Agency Plan/ Regulation	City - Regulation	Infill	No CEQA Compliance
Mark Fudge v. California Coastal Commission, et al.	SCAG	3/15	City of Laguna Beach	Private	Commercial	Resort	Infill	Exemption
Lisa Seidman, et al v. City of Los Angeles	SCAG	8/15	City of Los Angeles	Private	Residential	Single Family Home/ Second Unit	Infill	Exemption
Save the Arcadia Highlands v. City of Arcadia, et al.	SCAG	3/15	City of Los Angeles	Private	Residential	Single Family Home/ Second Unit	Infill	Exemption
The Hyperion Avenue Heighborhood Association v. City of Los Angeles, et al.	SCAG	10/15	City of Los Angeles	Private	Residential	Small Subdivision	Infill	Negative Declaration
Coronado Street Citizens Coalition v. City of Los Angeles, et al.	SCAG	4/15	City of Los Angeles	Private	Residential	Small Subdivision	Infill	Negative Declaration
Bruce D. Kuyper, et al. v. City of Los Angeles, et al.	SCAG	3/15	City of Los Angeles	Private	Residential	Small Subdivision	Infill	Negative Declaration
Cartwright Avenue Neighbors v. City of Los Angeles, et al.	SCAG	3/15	City of Los Angeles	Private	Residential	Small Subdivision	Infill	Negative Declaration

George Abrahams v. City of Los Angeles, et al.	SCAG	9/15	City of Los Angeles	Private	Residential	Multifamily/ Mixed Use	Infill	Negative Declaration
Whittier Conservancy v. City of Whittier, et al.	SCAG	8/15	City of Whittier	Private	Residential	Multifamily/ Mixed Use	Infill	Environmental Impact Report
Santa Monica Coalition for a Livable City v. City of Santa Monica, et al.	SCAG	3/14	City of Santa Monica	Private	Residential	Multifamily/ Mixed Use	Infill	Environmental Impact Report
Bird Street Neighbors Coalition, et al. v. City of Los Angeles, et al.	SCAG	3/15	City of Los Angeles	Private	Residential	Single Family Home/ Second Unit	Infill	Negative Declaration
Sullivan Canyon Property Owners Association, Inc., et al v. City of Los Angeles, et al.	SCAG	12/15	City of Los Angeles	Private	Residential	Single Family Home/ Second Unit	Infill	Negative Declaration
Bel Air Homeowners Alliance v. City of Los Angeles, et al.	SCAG	10/14	City of Los Angeles	Private	Residential	Single Family Home/ Second Unit	Infill	Negative Declaration
Ventura Blvd. Associates, LLC v. City of Los Angeles, et al.	SCAG	5/15	City of Los Angeles	Private	Retail	Shopping Center	Infill	Negative Declaration
La Mirada Avenue Neighborhood Association of Hollywood v. City of Los Angeles, et al.	SCAG	5/13	City of Los Angeles	Private	Retail	Big Box	Infill	Environmental Impact Report
Southeast Asian Community Alliance, et al. v. City of Los Angeles.	SCAG	4/13	City of Los Angeles	Private	Retail	Big Box	Infill	No CEQA Compliance
Aaron Montenegro, et al v. City of El Monte	SCAG	11/15	City of El Monte	Private	Retail	Big Box	Infill	Environmental Impact Report
Citizens Advocating Rational Development v. City of Burbank, et al.	SCAG	4/14	City of Burbank	Private	Retail	Big Box	Infill	Environmental Impact Report
Keeping La Verne Strong, et al v. City of La Verne, et al.	SCAG	8/14	City of La Verne	Private	Retail	Big Box	Infill	Exemption
Westwood Homeowners Association, et al. v. City of Los Angeles, et al.	SCAG	1/15	City of Los Angeles	Private	Retail	Big Box	Infill	Exemption
Steven Walters, et al v. City of Redondo Beach	SCAG	9/13	City of Redondo Beach	Private	Retail	Car Dealership/ Carwash	Infill	Exemption
The Inland Oversight Committee v. City of West Covina, et al.	SCAG	11/14	City of West Covina	Private	Retail	Car Dealership/ Carwash	Infill	Negative Declaration
The Inland Oversight Committee, et al v. City of West Covina, et al.	SCAG	7/15	City of West Covina	Private	Retail	Car Dealership/ Carwash	Infill	Negative Declaration
United Walnut Taxpayers v. Mt. San Antonio Community College District, et al.	SCAG	3/15	City of Walnut	Private	School	College/ University	Infill	Environmental Impact Report
Sunset Coalition, et al v. City of Los Angeles, et al.	SCAG	9/15	City of Los Angeles	Private	School	K-12	Infill	Environmental Impact Report
Hyde Park Organizational Partnership for Empowerment v. City of Los Angeles, et al.	SCAG	7/14	City of Los Angeles	Private	School	K-12	Infill	Negative Declaration
Frank Bonvino v. Las Virgines Municipal Water District, et al.	SCAG	4/14	City of Calabasas	Public	Water	Storage	N/A	Negative Declaration
Golden State Water Company v. City of Claremont, et al.	SCAG	5/14	City of Claremont	Public	Water	Transfer/ Agreement	N/A	Environmental Impact Report
Capistrano Shores, Inc. v. City of San Clemente, et al.	SCAG	3/14	City of San Clemente	Public	Agency Plan/ Regulation	City-Plan	N/A	Environmental Impact Report
Surfrider Foundation, et al v. City of Huntington Beach, et al.	SCAG	6/15	City of Huntington Beach	Public	Agency Plan/ Regulation	City-Regulation	N/A	Environmental Impact Report
Friends of the Fire Rings v. South Coast Air Quality Management District, et al.	SCAG	3/14	City of Newport Beach	Public	Agency Plan/ Regulation	City-Regulation	N/A	No CEQA Compliance
Concerned Citizens to Protect Blythe's Resources v. City of Blythe, et al.	SCAG	7/15	Multijurisdictional	Private	Commercial	Hotel	Infill	Exemption
Coalition of Anaheim Taxpayers for Economic Responsibility, et al v. City of Anaheim, et al.	SCAG	5/14	City of Anaheim	Public	Entertainment	Convention Center	Infill	No CEQA Compliance
City of Irvine v. County or Orange, et al.	SCAG	1/14	Orange County	Public	Public Service & Infrastructure	Prison	Infill	Environmental Impact Report
Ocean View School District v. City of Huntington Beach, et al.	SCAG	12/13	City of Huntington Beach	Private	Public Service & Infrastructure	Waste Management	Infill	Environmental Impact Report
1300 Normandy Properties, LLC, et al v. County of Orange, et al.	SCAG	9/14	City of Anaheim	Public	Residential	Homeless Shelter	Infill	Exemption
Protect Our Homes and Hills, et al v. County of Orange, et al.	SCAG	7/15	City of Yorba Linda	Private	Residential	Large Subdivision/ Mixed Use	Infill	Environmental Impact Report
The Old Orchard Conservancy v. City of Santa Ana	SCAG	4/14	City of Santa Ana	Private	Residential	Large Subdivision/ Mixed Use	Infill	Environmental Impact Report
Hills for Everyone, et al v. City of La Brea, et al.	SCAG	7/14	City of La Brea	Private	Residential	Large Subdivision/ Mixed Use	Infill	Environmental Impact Report
Standard Pacific of Orange County, Inc., et al v. City of Walnut, et al.	SCAG	10/14	City of Walnut	Public	Residential	Large Subdivision/ Mixed Use	Infill	Exemption
Phillip A Luchesi, et al v. City of Cost Mesa, et al.	SCAG	12/15	City of Costa Mesa	Private	Residential	Multifamily/ Mixed Use	Infill	Negative Declaration
Stop the Dunes Hotel v. City of Newport Beach, et al.	SCAG	3/14	City of Newport Beach	Private	Residential	Multifamily/ Mixed Use	Infill	Environmental Impact Report

Jon Dumitru, et al v. City or Orange, et al.	SCAG	9/15	City of Orange	Private	Residential	Multifamily/ Mixed Use	Infill	Exemption
Los Alamitos Good Neighbors Association v. Los Alamitos Unified School District, et al.	SCAG	1/14	City of Los Alamitos	Public	School	K-12	Infill	Exemption
Alliance for Intelligent Planning v. City of Wildomar	SCAG	1/14	City of Wildomar	Public	Agency Plan/ Regulation	City-Plan	N/A	Environmental Impact Report
Protect Wine County v. County of Riverside	SCAG	2/14	City of Temecula	Public	Agency Plan/ Regulation	County-Plan	N/A	Environmental Impact Report
Protect Wine County v. County of Riverside	SCAG	8/14	Temecula Valley	Private	Agency Plan/ Regulation	County-Regulation	N/A	Exemption
J to the 5th, LLC, et al v. County of Riverside, et al.	SCAG	4/14	Temecula Valley	Public	Agency Plan/ Regulation	County-Plan	N/A	Environmental Impact Report
Albert Thomas Paulek, et al. v. Eastern Municipal Water District, et al.	SCAG	8/15	City of Lakeview	Public	Water	Transfer/ Agreement	N/A	No CEQA Compliance
Robertson's Ready Mix, Ltd. V. City of Banning, et al.	SCAG	1/15	City of Banning	Public	Agency Plan/ Regulation	Fee/ Tax	N/A	No CEQA Compliance
Advocates for Better Community Development v. City of Palm Springs, et al.	SCAG	10/15	City of Palm Springs	Private	Residential	Resort/ Multifamily Mixed Use	Infill	Negative Declaration
Friends of Riverside's Hills v. City of Riverside	SCAG	12/15	City of Riverside	Private	Industrial	Warehouse	Infill	Negative Declaration
California Clean Energy Committee v. City of Moreno Valley	SCAG	9/15	City of Moreno Valley	Private	Industrial	Warehouse	Infill	Environmental Impact Report
Socal Environmental Justice Alliance v. City of Moreno Valley, et al.	SCAG	9/15	City of Moreno Valley	Private	Industrial	Warehouse	Infill	Environmental Impact Report
Laborers International Union of North America, Local No. 1184 v. City of Moreno Valley, et al.	SCAG	9/15	City of Moreno Valley	Private	Industrial	Warehouse	Infill	Environmental Impact Report
Residents for a Livable Moreno Valley v. City of Moreno Valley, et al.	SCAG	9/15	City of Moreno Valley	Private	Industrial	Warehouse	Infill	Environmental Impact Report
Riverside County Transportation Commission v. City of Moreno Valley, et al.	SCAG	9/15	City of Moreno Valley	Private	Industrial	Warehouse	Infill	Environmental Impact Report
Albert Thomas Paulek, et al. v. City of Moreno Valley	SCAG	9/15	City of Moreno Valley	Private	Industrial	Warehouse	Infill	Environmental Impact Report
South Coast Air Quality Management District v. City of Moreno Valley, et al.	SCAG	9/15	City of Moreno Valley	Private	Industrial	Warehouse	Infill	Environmental Impact Report
California Clean Energy Committee v. City of Perris, et al.	SCAG	2/15	City of Perris	Private	Industrial	Warehouse	Infill	Environmental Impact Report
The Inland Oversight Committee, et al v. City of Eastvale, et al.	SCAG	12/14	City of Eastvale	Private	Industrial	Warehouse	Infill	Environmental Impact Report
CUMV v. City of Moreno Valley, et al	SCAG	4/14	City of Moreno Valley	Private	Industrial	Warehouse	Infill	Environmental Impact Report
Creed-21 v. City of Moreno Valley, et al.	SCAG	5/14	City of Moreno Valley	Private	Industrial	Warehouse	Infill	Environmental Impact Report
Los Ranchitos Homeowners Association v.City of Temecula, et al.	SCAG	10/15	City of Temecula	Public	Public Service & Infrastructure	Parking Structure	Infill	Exemption
Cornerstone Concerned Area Residents v. City of Wildomar, et al.	SCAG	1/15	City of Wildomar	Private	Public Service & Infrastructure	Church	Infill	Environmental Impact Report
Center for Biological Diversity, et al v. Riverside County Tranportation Commission, et al.	SCAG	5/15	San Jacinto Valley	Public	Public Service & Infrastructure	Highway	Greenfield	Environmental Impact Report
Martha Bridges and John Burkett v. City of Wildomar	SCAG	10/15	City of Wildomar	Private	Residential	Large Subdivision/ Mixed Use	Infill	Negative Declaration
Urge v. City of Murrieta, et al.	SCAG	1/15	City of Murrieta	Private	Residential	Large Subdivision/ Mixed Use	Infill	Negative Declaration
Creed-21, et al v. City of Jurupa Valley, et al.	SCAG	1/15	City of Jurupa Valley	Private	Residential	Large Subdivision/ Mixed Use	Infill	Negative Declaration
Alliance for Intelligent Planning v. City of Wildomar	SCAG	1/14	City of Wildomar	Private	Residential	Large Subdivision/ Mixed Use	Infill	Negative Declaration
Alliance for Intelligent Planning v. City of Wildomar	SCAG	4/14	City of Wildomar	Private	Residential	Large Subdivision/ Mixed Use	Infill	Negative Declaration
Martha Bridges and John Burkett v. City of Wildomar	SCAG	4/14	City of Wildomar	Private	Residential	Large Subdivision/ Mixed Use	Infill	Negative Declaration
Martha Bridges and John Burkett v. City of Wildomar	SCAG	1/14	City of Wildomar	Private	Residential	Large Subdivision/ Mixed Use	Infill	Negative Declaration
People for Proper Planning v. City of Palm Springs, et al.	SCAG	3/14	City of Palm Springs	Private	Residential	Large Subdivision/ Mixed Use	Infill	Negative Declaration
People for Proper Planning v. City of Palm Springs, et al.	SCAG	10/13	City of Palm Springs	Public	Agency Plan/ Regulation	City-Plan	N/A	Exemption
Ganahl Lumber Company v. City of Corona, et al.	SCAG	10/13	City of Corona	Private	Residential	Multifamily/ Mixed Use	Infill	Negative Declaration
Citizens to Enforce CEQA v. City of Murrieta	SCAG	2/14	City of Murrieta	Private	Residential	Multifamily/ Mixed Use	Infill	Negative Declaration

Advocates for Better Community Development v. City of Palm Springs, et al.	SCAG	2/13	City of Palm Springs	Private	Residential	Multifamily/ Mixed Use	Infill	Environmental Impact Report
North First Street, LP v. City of Palm Springs, et al.	SCAG	2/13	City of Palm Springs	Private	Residential	Multifamily/ Mixed Use	Infill	Environmental Impact Report
Friends of Riverside's Hills v. City of Riverside, et al.	SCAG	4/15	City of Riverside	Private	Residential	Multifamily/ Mixed Use	Infill	Negative Declaration
Creed-21, et al v. City of Wildomar, et al.	SCAG	4/15	City of Wildomar	Private	Retail	Big Box	Infill	Environmental Impact Report
Diamond Brothers Five & Six Partnership v. City of Menifee, et al.	SCAG	2/15	City of Menifee	Private	Retail	Shopping Center	Infill	Negative Declaration
Martha Bridges, et al. v. Mt. San Jacinto Community College	SCAG	11/14	City of Wildomar	Public	School	College/ University	Infill	No CEQA Compliance
Sierra Club v. Coachella Valley Conservation Commission, et al.	SCAG	4/14	Coachella Valley	Public	Agency Plan/ Regulation	Regional Plan	N/A	Environmental Impact Report
Colorado River Indian Tribes v. County of Riverside	SCAG	6/15	Multijurisdictional	Private	Energy	Solar	Greenfield	Environmental Impact Report
Socal Environmental Justice Alliance v. City of Moreno Valley, et al.	SCAG	3/15	City of Moreno Valley	Private	Industrial	Warehouse	Infill	Environmental Impact Report
Residents for a Livable Moreno Valley, et al v. City of Moreno Valley, et al.	SCAG	9/15	City of Moreno Valley	Private	Industrial	Warehouse	Infill	Environmental Impact Report
City of Riverside, et al v. City of Jurupa Valley, et al.	SCAG	4/15	City of Riverside	Private	Residential	Multifamily/ Mixed Use	Infill	Negative Declaration
Southern California Edison Company v. City of Jurupa Valley, et al.	SCAG	4/15	City of Riverside	Private	Residential	Multifamily/ Mixed Use	Infill	Negative Declaration
Socal Environmental Justice Alliance v. City of Moreno Valley, et al.	SCAG	11/15	City of Moreno Valley	Private	Retail	Big Box	Infill	Environmental Impact Report
California Unions for Reliable Energy v. County of San Bernardino et al.	SCAG	9/15	City of Daggett	Private	Energy	Solar	Infill	Exemption
Coalition for Responsible Solar, et al v. City of Adelanto, et al.	SCAG	6/14	City of Adelanto	Private	Energy	Solar	Infill	Negative Declaration
The Inland Oversight Committee, et al v. City of Chino, et al.	SCAG	2/15	City of Chino	Private	Industrial	Warehouse	Infill	Environmental Impact Report
Coalition to Keep Baldy Wild v. County of San Bernardino, et al.	SCAG	11/15	Mt. Baldy Community	Private	Public Service & Infrastructure	Tele-communications	Greenfield	Negative Declaration
Concerned Neighbors of Highland Hills v. City of Highland, et al.	SCAG	10/15	City of Highland	Private	Residential	Large Subdivision/ Mixed Use	Infill	Negative Declaration
Friends of Big Bear Valley, et al v. County of San Bernardino, et al.	SCAG	9/15	Fawnskin Community	Private	Residential	Multifamily/ Mixed Use	Greenfield	Environmental Impact Report
Friends of Fawnskin, et al v. County of San Bernardino, et al.	SCAG	6/14	Fawnskin Community	Private	Residential	Multifamily/ Mixed Use	Greenfield	Environmental Impact Report
The Inland Oversight Committee, et al v. City of San Bernardino, et al.	SCAG	7/15	City of San Bernardino	Private	Residential	Multifamily/ Mixed Use	Infill	Environmental Impact Report
Creed-21, et al v. City of Chino Hills, et al.	SCAG	2/15	City of Chino Hills	Private	Residential	Multifamily/ Mixed Use	Infill	Negative Declaration
Friends of Big Bear Valley v. County of San Bernardino	SCAG	5/15	Erwin Lake, Big Bear Valley	Private	Retail	Gas Station	Infill	Negative Declaration
Pilot Travel Centers, LLC v. City of Hesperia, et al.	SCAG	8/15	City of Hesperia	Private	Retail	Store/ Center Occupancy	Infill	Environmental Impact Report
Apple Valley Ranchos Water Company v. Town of Apple Valley, et al.	SCAG	12/15	Town of Apple Valley	Public	Water	Transfer/ Agreement	N/A	Environmental Impact Report
Camulos Ranch, LLC v. County of Ventura, et al.	SCAG	5/13	County of Ventura	Public	Park	Active Recreation	Greenfield	Exemption
Ventura Realty & Investment Company v. City of San Buena Ventura, et al.	SCAG	11/14	City of Ventura	Private	Public Service & Infrastructure	Parking Structure	Infill	Environmental Impact Report

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Item 5.A

Western Riverside Council of Governments
Planning Directors' Committee

Staff Report

Subject: **Regional Streetlight Program Activities Update**

Contact: **Tyler Masters, Program Manager, masters@wrcog.cog.ca.us, (951) 955-8378**

Date: **September 8, 2016**

Requested Action:

1. Receive and file.

WRCOG's Regional Streetlight Program will assist member jurisdictions with the acquisition and retrofit of their Southern California Edison (SCE)-owned and operated streetlights. The Program has three phases, which include 1) streetlight inventory; 2) procurement and retrofitting of streetlights; and 3) ongoing operations and maintenance. The overall goal of the Program is to provide significant cost savings to the member jurisdictions.

Program Update

At the direction of the WRCOG Executive Committee, WRCOG is developing a Regional Streetlight Program that will allow jurisdictions (and Community Service Districts) to purchase the streetlights within their boundaries that are currently owned / operated by SCE. Once the streetlights are owned by the member jurisdiction, the lamps will then be retrofitted to Light Emitting Diode (LED) technology to provide more economical operations (i.e., lower maintenance costs, reduced energy use, and improvements in public safety). Local control of its streetlight system allows jurisdictions opportunities to enable future revenue generating opportunities such as digital-ready networks, and telecommunications and IT strategies.

The goal of the Program is to provide cost-efficiencies for local jurisdictions through the purchase, retrofit, and maintenance of streetlights within jurisdictional boundaries, without the need of additional jurisdictional resources. As a regional Program, WRCOG is working with each of the jurisdictions to move through the acquisition process, develop financing recommendations, develop / update regional and community-specific streetlight standards, and manage the regional operations and maintenance agreement that will increase the level of service currently being provided by SCE.

Regional Demonstration Area Update

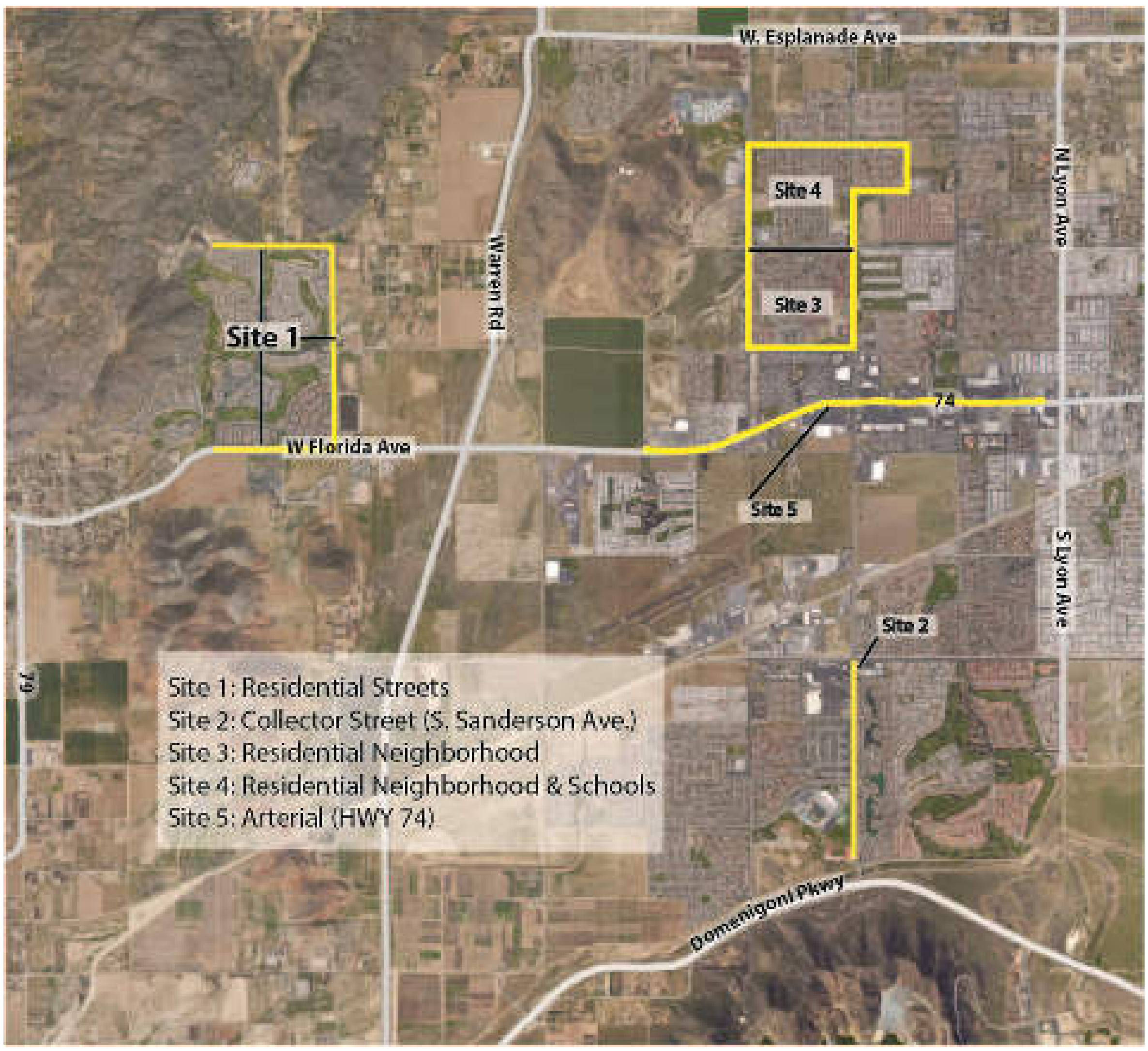
WRCOG will be conducting a Regional Streetlight Demonstration Area in five different locations throughout the City of Hemet to showcase various LED streetlights from 11 different vendors. The Demonstration Areas incorporate multiple land use types (residential, commercial, industrial, etc.) that stakeholders will be able to view and provide feedback. The Demonstration Areas will allow community stakeholders (i.e., jurisdictional elected officials and staff, engineers, public safety personnel, community and environmental groups, and residents), inside and outside the Western Riverside County subregion, to experience and provide feedback on a variety of LED lights in a "real-life" context.

To gain additional input, staff will coordinate multiple educational tours for stakeholders in October / November 2016. The use of electronic and physical surveys will be used to gain feedback from the public. Results from the surveys will be used to assess preferences of the LED lights and rank the selection of viable LED lights to use for the Program. The Streetlights will be marked with a designated pole tag to help stakeholders identify which lights are or are not part of the Program.

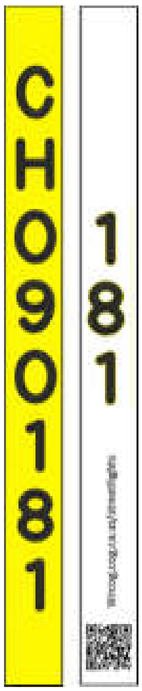
A media kit is being developed and will include sample press releases, brochures and informational items, a “frequently asked questions” sheet, signage, social media language, and a map of the Demonstration Areas. The media kit will be available for all member jurisdictions to distribute to their community by early September 2016.

While the lights will be installed in August 2016, the Demonstration Areas will officially kick-off on September 1, 2016, and will be active through early 2017. Recommendation and selection of the new lighting fixtures will be provided to WRCOG Committees at the conclusion of the Demonstrations Areas.

The following is a map depicting Demonstration Area locations and a sample of the streetlight pole identification tag that will be used.



Map of Demonstration Areas



City of Hemet streetlight pole identification tag on the left.

Demonstration Area Streetlight tag identification tag on the right.

Prior WRCOG Actions:

August 18, 2016:	The WRCOG Technical Advisory Committee recommended, for those jurisdictions interested in using financing for the acquisition and retrofitting of streetlights, that they utilize Bank of America Public Capital Corporation (which was deemed the most responsive during the bid process by WRCOG staff and its Financial Advisor, Public Financial Management, for being able to provide the most competitive financing for the Regional Streetlight Program).
August 10, 2016:	The WRCOG Administration & Finance Committee recommended, for those jurisdictions interested in using financing for the acquisition and retrofitting of streetlights, that they utilize Bank of America Public Capital Corporation (which was deemed the most responsive during the bid process by WRCOG staff and its Financial Advisor, Public Financial Management, for being able to provide the most competitive financing for the Regional Streetlight Program).

WRCOG Fiscal Impact:

Activities for the Regional Streetlight Program are included in the Agency's adopted Fiscal Year 2016/2017 Budget under the Energy Department.

Attachment:

None.

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Western Riverside Council of Governments
Planning Directors' Committee

Staff Report

Subject: **Update on Analysis of Fees and Their Potential Impact on Economic Development in Western Riverside County**

Contact: **Christopher Gray, Director of Transportation, gray@wrcog.cog.ca.us, (951) 955-8304**

Date: **September 8, 2016**

Requested Action:

1. Receive and file.

WRCOG's Transportation Department administers the TUMF Program. WRCOG allocates TUMF to the Riverside County Transportation Commission (RCTC), groupings of jurisdictions – referred to as TUMF Zones – based on the amounts of fees collected in these groups, and the Riverside Transit Agency (RTA). WRCOG has received comments from public and private stakeholders regarding the impact of TUMF on the regional economy and the fees' effect on development in the subregion. WRCOG is conducting a study to analyze fees / exactions required and collected by jurisdictions / agencies in, and immediately adjacent to the WRCOG subregion.

Fee Analysis Study

In July 2015, WRCOG distributed the draft 2015 TUMF Nexus Study for review and comment. During the comment period, WRCOG received various comments from public and private stakeholders regarding the impact of TUMF on the regional economy and the fees' effect on development in the subregion. In response to the comments received on the draft Nexus Study, WRCOG released a Request for Proposal (RFP) to solicit firms interested in performing an analysis of fees / exactions required and collected by jurisdictions / agencies in and immediately adjacent to the WRCOG subregion. In March 2016, the WRCOG Executive Committee authorized a Professional Services Agreement with Economic & Planning Systems (EPS), in association with Rodriguez Consulting Group (RCG), to conduct the fee analysis.

The Fee Analysis Study (Study), expected to be completed by the end September 2016, will provide WRCOG jurisdictions with comprehensive fee comparisons. The Study will also discuss the effect of other development costs, such as the cost of land and interest rates, within the overall development framework. Another key element of the Study will be an analysis documenting the economic benefits of transportation investment.

Jurisdictions for Fee Comparison: In addition to the jurisdictions within the WRCOG subregion, the Study will analyze jurisdictions within the Coachella Valley, San Bernardino County and the northern portion of San Diego County. The inclusion of additional neighboring / peer communities will allow for consideration of relative fee levels between the WRCOG subregion and jurisdictions in surrounding areas that may compete for new development. At its April 14, 2016, meeting, the WRCOG Planning Directors' Committee provided input on the additional jurisdictions to be studied – an additional 11 jurisdictions surrounding the WRCOG region were selected for comparison.

Land Uses and Development Prototypes: Fee comparisons are being conducted for five key land use categories – "development prototypes," including single-family residential, multi-family residential, office, retail, and industrial developments. Since every development project is different, and because fee structures are often complex and derived based on different development characteristics, it is helpful to develop "development prototypes" for each of the land uses studied. The use of consistent development prototypes increases the extent to which the fee comparison is an "apples-to-apples comparison."

Development prototypes were selected based on recent trends in new development in Western Riverside County. The proposed prototypical projects being analyzed are as follows:

- **Single-Family Residential Development:** 50 unit residential subdivision with 2,700 square foot homes and 7,200 square foot lots
- **Multi-Family Residential Development:** 200 unit market-rate, multi-family residential development in 260,000 gross square foot of building space
- **Retail Development:** 10,000 square foot retail building
- **Office Development**: 20,000 square foot, Class A or Class B office building
- **Industrial Development:** 265,000 square foot "high cube" industrial building

Fee Categories: The primary focus of the Study is on the array of fees charged on new development to pay for a range of infrastructure / capital facilities. The major categories of fees include: 1) school development impact fees; 2) water / sewer connection / capacity fees; 3) City capital facilities fees; 4) regional transportation fees (TUMF in Western Riverside County), and 5) other capital facilities / infrastructure / mitigation fees charged by other regional / subregional agencies. As noted in prior fee comparisons, these fees typically represent 90 to 95 percent of the overall development fees on new development. Additional processing, permitting, and entitlement fees are not included in this analysis. The initial analysis focuses on development impact fees, as these fees are much larger than planning / processing fees for comparison purposes.

Service Providers and Development Prototypes: The system of infrastructure and capital facilities fees in most California jurisdictions is complicated by multiple service providers and, often, differential fees in different parts of individual cities. Multiple entities charge infrastructure / capital facilities fees, e.g., City, Water Districts, School Districts, and Regional Agencies. Additionally, individual jurisdictions are often served by different service providers (e.g., more than one Water District or School District) with different subareas within a jurisdiction, sometimes paying different fees for water facilities and school facilities. In addition, some City fees, such as storm drain fees, are sometimes differentiated by jurisdictional subareas.

For the purposes of the Study, an individual service provider was selected where multiple service providers were present, and an individual subarea was selected where different fees were charged by subarea. An effort was made to select service providers that cover a substantive portion of the jurisdiction, as well as to include service providers that serve multiple jurisdictions (e.g., Eastern Municipal Water District).

Completed To-Date: After identification of the cities for fee evaluation and development prototypes by land use, the focus of the Study efforts has been on collecting fee schedules and applying them to the development prototypes. The research effort has involved: 1) reviewing available development impact fee schedules online; 2) reaching out to service providers (Jurisdiction, Water Districts, School Districts) where fee levels or fee calculations were difficult to discern; 3) conducting necessary fee calculations; and 4) presenting initial fee estimates for all 17 WRCOG cities.

WRCOG staff sent a PDF file that contained initial fee estimates per jurisdiction to each jurisdiction's representative on the WRCOG Planning Directors' Committee and Public Works Committee for review and comment. WRCOG staff presented an update of the fee analysis to these same Committees on July 14, 2016. Each WRCOG jurisdiction has finalized their initial fee analysis and a report will be produced for their use. The goal of this initial fee analysis is to provide jurisdictions in the WRCOG region the opportunity to review their fee collection structure while being able to compare it to the fee collection structure of neighboring jurisdictions. WRCOG is committed to presenting the findings in the best possible manner. This analysis is an informational item only.

The table below displays each development prototype's range of total fees, and the percentage of the total fees TUMF makes up.

WRCOG Development Impact Fee Summary *

Item	Average	Range Low	Range High
Single Family			
Total Fees per Unit	$44,933	$32,935	$59,366
TUMF as a % of Total Fees	19.7%	26.9%	14.9%
Multifamily			
Total Fees per Unit	$28,314	$19,262	$40,573
TUMF as a % of Total Fees	22.0%	32.3%	15.4%
Retail			
Total Fees per Sq.Ft.	$24.06	$14.88	$33.20
TUMF as a % of Total Fees	43.6%	70.5%	31.6%
Industrial			
Total Fees per Sq.Ft.	$4.65	$2.85	$9.60
TUMF as a % of Total Fees	30.5%	54.9%	14.8%
Office			
Total Fees per Sq.Ft.	$12.96	$6.53	$19.07
TUMF as a % of Total Fees	16.9%	33.6%	11.5%

* Average and ranges as shown encompass 20 jurisdictions, including 17 cities, the unincorporated County areas of Temescal Valley and Winchester, and March JPA.

Note: Total fees and TUMF as a % of total fees are not connected - i.e. low fees do not correlate to low TUMF percentage.

Ongoing / Next Steps: Fee information has also been collected for the non-WRCOG region jurisdictions and similar initial fee estimates are being compiled for each of them. Additionally, preliminary development feasibility analyses are being prepared to provide insights into the costs of new development in Western Riverside County, including development impact fees, as well as the overall economic / feasibility of these development products. Finally, research is beginning on the economic benefits of regional transportation.

Prior WRCOG Action:

May 12, 2016: The WRCOG Public Works Committee received report.

WRCOG Fiscal Impact:

The fee analysis study is included in the Agency's adopted Fiscal Year 2016/2017 Budget under the Transportation Department.

Attachment:

None.

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Item 5.C

Western Riverside Council of Governments
Planning Directors' Committee

Staff Report

Subject: **Alternative Compliance Framework Introduction**

Contact: **Christopher Gray, Director of Transportation, gray@wrcog.cog.ca.us, (951) 955-8304**

Date: **September 8, 2016**

Requested Action:

1. Receive and file.

Stormwater management is a complex issue of which the Municipal Separate Stormwater Sewer System (MS4) permit is the primary mechanism to regulate stormwater. New regulations have required Regional Water Boards to update their MS4 permits to require additional stormwater treatment measures when new development occurs. These regulations may increase cost and the need for more land; thus negatively affecting the feasibility of new development. As a result, Regulators allow Alternative Compliance Programs (ACP) to assist in complying with these new regulations. In 2016, WRCOG completed a study to understand the feasibility of an Alternative Compliance Program in the Southwest area of the region. WRCOG is interested in providing local jurisdictions an Alternative Compliance Framework so that jurisdictions are able to implement a program if they so choose – the Alternative Compliance Framework is a voluntary program.

Background

The management of stormwater generated by public and private sector projects is a complex issue that involves a wide variety of agencies, regulations, legal requirements, and other factors. The primary mechanism to regulate stormwater is the MS4 permit. These permits are overseen by Regional Water Quality Control Boards (Regional Boards) throughout California. Two Regional Boards have jurisdiction over the WRCOG subregion; the San Diego (southwest Riverside County) and the Santa Ana (remaining portion of the WRCOG subregion) Regional Boards. Note: the City of Banning is under jurisdiction of a third, the Colorado River Regional Board.

Within the past several years, new regulations have required Regional Boards to update their MS4 permits to require additional stormwater treatment measures when new development occurs. These additional treatment measures can be significantly more costly than current requirements for certain types of development. There may also be instances in which these treatment measures are infeasible based on the size of the development parcel and other considerations.

Recognizing that these new permit requirements could negatively affect the feasibility of new development, the regulators allow for Alternative Compliance Programs (ACP). In stormwater terms, alternative compliance refers to the use of an in-lieu fee or credit system which is tied to a regional program. Under the alternative compliance concept, private development may continue to address their stormwater requirements either on-site or through an ACP. In laymen's terms, developers who find it impossible or cost-prohibitive to comply with requirements for stormwater management on their development site could instead "pay into" a regional stormwater management system that consolidates mitigation of stormwater, and combines best practices for water quality management, into a single, regional site. ACPs are being considered by a variety of Regional

Boards throughout the State, though the San Diego Regional Board is among the most advanced in terms of developing a formal program.

An ACP can serve as an economic development tool by promoting flexible land development and can support the development of regional and community planning goals – such as Transit Oriented Development (TOD) in conjunction with future transit stations. TOD and infill development could benefit greatly from an ACP as it allows private development to meet regulatory requirements where on-site compliance is not feasible. It can also provide cost-effective and market-driven benefits, such as off-site options for public agency projects, funding for required regional Best Management Practices (BMPs), cost savings through centralizing BMP maintenance, obtains needed funding for "multiple-benefit" public projects (i.e., ecological restoration, parks, and other "green infrastructure"). Lastly, an ACP promotes regional solutions that can utilize uniform metrics and creates economies of scale.

With a grant from SCAG, WRCOG completed a study in 2016 analyzing feasibility of an ACP focusing on the Cities of Murrieta, Temecula, and Wildomar which are under the jurisdiction of the San Diego Water Board. This study concluded that an ACP would be beneficial and recommended that WRCOG evaluate potential options to develop such a program. The Riverside County Flood Control & Water Conservation District has also been directed by the Riverside County Board of Supervisors to explore the feasibility of an ACP.

Where do we stand now

WRCOG has convened a technical working group to further investigate the feasibility of developing an ACP. These meetings are facilitated by Alexa Washburn, WRCOG consultant, and members of this group include:

- County of Riverside
- Riverside County Flood Control & Water Conservation District (RCFC)
- San Diego Regional Water Quality Control Board
- Santa Ana Regional Water Quality Control Board
- San Diego County Flood Control District
- San Bernardino County Flood Control District
- Orange County Flood Control
- Building Industry Association of Southern California
- City of Temecula
- City of Hemet
- WRCOG Legal Counsel
- Stormwater Experts / Engineer Consultants

This group has met thrice to further explore an ACP to be administered by WRCOG. These initial meetings have concluded the following:

- There is a high level of interest in an ACP for the WRCOG subregion by a variety of stakeholders
- WRCOG would be ideally suited to establish and administer a program, in partnership with other agencies such as RCFC and the various Regional Boards
- An ACP would be within the realm of WRCOG's current JPA
- An ACP would have to be structured as a voluntary program, under which jurisdictions and property owners could choose to participate in the regional program or address their stormwater issues individually
- Given an ACP would be a voluntary program, WRCOG staff is approaching the ACP as an "Alternative Compliance Framework" for jurisdictions to consider. The Framework will give jurisdictions an approach to follow if they so choose to participate in an ACP.

The technical working group has expressed a desire to continue meeting regularly over the next several months to discuss how to establish a Framework. The MS4 Permit requires two studies to prepare an ACP: 1) a Watershed Management Area Analysis (WMAA), and 2) a Water Quality Equivalency (WQE) Study. RCFC developed a scope for this first study – the WMAA. The WMAA serves as the technical basis for an ACP, similar to how the Nexus Study is the technical basis for the TUMF.

Next steps

Given that the WMAA is a critical step towards developing an ACP, WRCOG staff has talked with RCFC staff and offered to assist with the Analysis. There is an agreement to utilize WRCOG's on-call engineering consultants to support a technical scope of work for the WMAA, and WRCOG will serve as project manager for the Study. WRCOG needs to authorize its on-call engineering consultants to perform tasks identified with RCFC in the WMAA scope of work. WRCOG will provide a briefing on the ACP concept and WRCOG's role in this process to subsequent meetings of the WRCOG Administration & Finance and Technical Advisory Committees.

Schedule

Over the next couple of months, staff will coordinate with RCFC on the WMAA. WRCOG staff will also continue coordination of technical working group meetings to discuss the different components of the Framework. To give jurisdictions an idea of the ACP timeframe, implementing a formal ACP will likely require 18 - 24 months.

What does WRCOG need to do?

While the technical studies proceed, WRCOG staff should continue with the technical working group meetings for the foreseeable future. Additionally, we would suggest regular briefings through the WRCOG Committee structure to build support for the program in the interim period.

Prior WRCOG Action:

None.

WRCOG Fiscal Impact:

The Alternative Compliance Framework is included in the Agency's adopted Fiscal Year 2016/2017 Budget under the Transportation Department.

Attachment:

None.

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Item 5.D

Western Riverside Council of Governments
Planning Directors' Committee

Staff Report

Subject: **Upcoming Grant Opportunities for Local Jurisdictions**

Contact: **Christopher Gray, Director of Transportation, gray@wrcog.cog.ca.us, (951) 955-8304**

Date: **September 8, 2016**

Requested Action:

1. Receive and file.

WRCOG is providing an update on potential grant opportunities that will become available in the near future. These grant opportunities are offered to assist member jurisdictions in moving forward with sustainable planning efforts. WRCOG will continue to monitor, provide updates, and offer assistance.

WRCOG BEYOND Framework Fund Program

In 2012, WRCOG's Executive Committee adopted an Economic Development and Sustainability Framework, which serves as a guide to support optimized quality of life outcomes in the WRCOG subregion. To accomplish this, the Framework identified six priority goal areas for WRCOG to support: Economy, Education, Health, Transportation, Water, and Energy & Environment. The Framework now functions as the cornerstone of WRCOG's BEYOND Framework Fund Program, which provides funding for member agencies to make progress toward the goal areas identified in the Framework.

On June 24, 2016, WRCOG's Executive Committee voted to renew funding for a second round of the BEYOND Program, providing an additional $1.8 million to member jurisdictions for local initiatives. In the coming months, WRCOG staff will provide additional details regarding the Program's funding parameters and anticipates opening the call for proposals in November 2016. Allocated funds may range from approximately $35,000 to just under $170,000, depending on the jurisdiction's population.

Potential projects that could be funded through this Program include, but are not limited to, the following:

- Park Facilities Improvements
- Hybrid / electrification of City fleets
- Specific Plans
- Energy Efficiency Projects
- Community Garden Demonstration Centers
- Website Improvements
- Economic Development Studies

WRCOG staff is available to answer questions about potential projects.

SCAG Sustainability Planning Grant Program

SCAG has developed a grant program that numerous jurisdictions within WRCOG have participated in. The SCAG Sustainability Planning Grant Program (formerly known as Compass Blueprint Grant Program) was established as an innovative vehicle to promote local jurisdictional efforts to test local planning tools. The Program provides direct technical assistance to SCAG member jurisdictions to complete planning and policy efforts that enable implementation of the regional Sustainable Communities Strategy. Grants are available in three categories:

1. Integrated Land Use – Sustainable Land Use Planning, Transit Oriented Developed (TOD) and Land Use, and Transportation Integration
2. Active Transportation – Bicycle, Pedestrian, and Safe Routes to School Plans
3. Green Region – Natural Resource Plans, Climate Action Plans (CAPs), and Greenhouse Gas (GHG) emissions reduction programs

Since the Program commenced in 2009, WRCOG and its member jurisdictions have been awarded 23 projects, and over $3,000,000 to advance planning efforts in the respective jurisdictions and the Western Riverside County region.

SCAG has funded a variety of projects and plans in the past; it is important to note that funded projects and plans must be able to demonstrate a nexus to transportation. In the past, projects funded by SCAG Sustainability Planning Grant Program have been planning projects; of note, certain elements of a General Plan, such as Circulation Elements, and partial General Plan updates, have been funded. Jurisdictions that are looking to update their General Plan and certain Elements are encouraged to look into the Sustainability Planning Grant Program as an instrument to fund the update.

A Call for Projects for the Sustainability Planning Grant Program is scheduled to be released in the early fall, in conjunction with SCAG's Active Transportation Program Phase III – MPO Component. WRCOG staff will provide updates and specifics as they become available.

Past projects funded through the Sustainability Planning Grant Program include:

- Specific Plans
- Corridor Plans
- Economic Development Strategies
- Community / Specific Area Visioning Projects
- Station Area Plans
- TOD District/Plans
- Bicycle / Pedestrian Master Plans

A complete list of past SCAG-funded projects is available on SCAG's Sustainability website (sustain.scag.ca.gov).

<u>Caltrans Active Transportation Program Phase III – MPO Component</u>

In 2013, the Active Transportation Program (ATP) was signed into legislation. The ATP consolidates existing federal and state transportation programs, including the Transportation Alternatives Program (TAP), Bicycle Transportation Account (BTA), and State Safe Routes to School Program (SR2S), into a single program within Caltrans to encourage increased use of active modes of transportation, such as biking and walking.

The ATP has set aside approximately $960 million in funding through three phases. Out of $360 million funded for Phase I (2014), SCAG distributed $78.2 million as part of the MPO component. Out of $360 million funded for Phase II (2015), SCAG distributed $76 million as part of the MPO component. For Phase III (2017), it is anticipated the State will fund $240 million, with SCAG distributing $50 million as part of the MPO component. Through Phase I and II, WRCOG and its jurisdictions have received over $25 million in funding.

A Call for Projects for the MPO component of Phase III is scheduled to be released in the fall by SCAG's ATP Department, in conjunction with the Sustainability Planning Grant Call for Projects. It is important to note that only planning projects are eligible for SCAG's ATP Call for Projects. WRCOG staff will provide updates and specifics as they become available.

Grant Funding Overlaps

There is potential overlap in the types of projects the three grant programs may potentially fund. Any Active Transportation planning-related project will be eligible for all three grant programs. Therefore, for example, jurisdictions who receive funding through the Caltrans ATP should not apply for the SCAG Sustainability Planning Grant or WRCOG BEYOND funds for the same project. If jurisdictions do not receive an ATP grant through the Caltrans program, jurisdictions should apply for a grant through either the SCAG or BEYOND programs.

Projects funded through the SCAG Sustainability Program and WRCOG's BEYOND Program may overlap, so jurisdictions are encouraged to coordinate their application efforts.

Grant Writing Request for Proposals from WRCOG

WRCOG has received requests in the past to assist jurisdictions in preparing proposals for grant opportunities, especially with the robust Caltrans ATP. WRCOG has identified funds to commence a grant writing program for its member jurisdictions and/or agencies. The specifics and amount for this program have not been determined. WRCOG staff would like to convene a focus group of agency staff to provide feedback on the specifics. Once the funds have been approved, WRCOG staff will proceed with a Request for Proposals from consultants to serve on a "bench" for assistance as grant writers to WRCOG member jurisdictions and/or agencies. The bench of consultants will then be made available to member jurisdictions and/or agencies on a first-come, first-serve basis. The consultants will assist jurisdictions and/or agencies on the grant application process only.

Cap-and-Trade Program

The State of California's Cap-and-Trade Program is a market-based regulation designed to reduce greenhouse gases (GHGs) from multiple sources. The program sets a firm limit or "cap" on GHGs and minimizes the compliance costs of achieving Assembly Bill 32 goals. Trading creates incentives to reduce GHGs below allowable levels through investments in clean technologies.

Eligible projects must be to reduce GHG emissions. These projects are to be completed through programs implemented by state, local and regional agencies, local and regional collaborations, and nonprofit organizations coordinating with local governments. Research, development, and deployment of innovative technologies, measures, and practices related to programs and projects funded by Cap-and-Trade auction proceeds.

On August 31, 2016, an agreement was made on an expenditure plan for the unallocated cap-and-trade proceeds. Under current law, 60 percent of annual auction proceeds are allocated on an ongoing basis to public transit, affordable housing, sustainable communities, and high-speed rail. The agreement invests $900 million of the remaining unallocated funds for Fiscal Year 2016/2017, and reserves approximately $462 million for appropriation in future years.

The agreement includes the following appropriations:

- $368 million to the Air Resources Board, broken down as follows:
  - $133 million to the Clean Vehicle Rebate Program.
  - $80 million to the Enhanced Fleet Modernization Program and Plus-Up Pilot Project; up to $20 million of this amount may be used for other light-duty equity pilot projects.
  - $150 million for heavy-duty vehicles and off-road equipment investments.
  - $5 million for black carbon wood smoke programs.
- $140 million to the Office of Planning and Research for the Strategic Growth Council to provide transformative climate communities grants.
- $135 million to the Transportation Agency for the Transit and Intercity Rail Program.
- $80 million to the Natural Resources Agency for the Urban Greening program.
- $65 million to the Department of Food and Agriculture, including:

    - $50 million for the early and extra methane emissions reductions from dairy and livestock operations.
    - $7.5 million for the Healthy Soils Program.
    - $7.5 for the State Water Efficiency and Enhancement Program (SWEEP).
- $40 million to the Department of Forestry and Fire Protection, including:
    - $25 million for the Healthy Forest Program.
    - $15 million for urban forestry programs.
- $40 million to the Department of Resources Recycling and Recovery for waste diversion and greenhouse gas reduction financial assistance.
- $20 million to the Department of Community Services and Development for weatherization and renewable energy projects.
- $10 million to the Department of Transportation for the Active Transportation Program.
- $2 million to the Office of Planning and Research for the Strategic Growth Council to provide technical assistance to disadvantaged communities.

Cap-and-trade investments in California, including expenditures in the August 31, 2016, agreement, total $3.2 billion.

Prior WRCOG Action:

None.

WRCOG Fiscal Impact:

This item is informational only; therefore there is no fiscal impact.

Attachment:

None.

Item 5.E

Western Riverside Council of Governments
Planning Directors' Committee

Staff Report

Subject: WRCOG Committees Update

Contact: Jennifer Ward, Director of Government Relations, ward@wrcog.cog.ca.us, (951) 955-0186

Date: September 8, 2016

Requested Action:

1. Receive and file.

WRCOG staff will provide a verbal update on recent activities occurring at the following WRCOG standing Committee meetings. Upcoming meetings will take place on the dates listed below:

- **Public Works Committee**
  Next Meeting: Thursday, September 8, 2016, at 2:00 p.m.

- **Executive Committee**
  Next Meeting: Monday, September 12, 2016 at 2:00 p.m.

- **Administration & Finance Committee**
  Next Meeting: Wednesday, September 14, 2016 at 2:00 p.m.

- **Technical Advisory Committee**
  Next Meeting: Thursday, September 5, 2016, at 9:30 a.m.

- **Finance Directors' Committee**
  Next Meeting: Thursday, September 22, 2016, at 10:00 a.m.

Prior WRCOG Action:

None.

WRCOG Fiscal Impact:

This item is informational only; therefore there is no fiscal impact.

Attachments:

1. WRCOG Executive Committee Recap: July 11, 2016.
2. WRCOG Executive Committee Recap: August 1, 2016.

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Item 5.E

WRCOG Committees Update

Attachment 1

WRCOG Executive Committee

Recap: July 11, 2016

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Western Riverside Council of Governments

Executive Committee Meeting Recap

July 11, 2016

HERO

- California HERO currently has 347 associate member jurisdictions who have adopted Resolutions of Participation. There have been over 49,700 funded projects in both the WRCOG and California HERO Program areas. This equates to the creation or retention of an estimated 8,639 jobs and a reduction of over 102,219 tons of greenhouse gasses annually.
- WRCOG has issued a RFP for an audit of Renovate America for purposes of ensuring compliance with WRCOG's HERO Program Manual and adherence to WRCOG's Consumer Protection Policies.

Regional Streetlight Program Demonstration Areas in Hemet

- Many WRCOG member agencies are partnering to examine the purchase, retrofit, and maintenance of the subregion's approximately 63,000 streetlights. A regional management approach coupled with the retrofitting of current inefficient bulbs with LED lights is projected to save up to $5 million in annual utility costs.
- The City of Hemet is partnering with WRCOG to provide a regional Streetlight Demonstration Area in the City, during the months of August through December. A number of City-owned streetlights will be retrofitted with different variations of Light Emitting Diode (LED) fixtures in both residential and commercial areas to allow for elected officials, public safety officials, businesses and residents to view a range of lights and partake in surveys to express preferences and objections.
- A press kit and surveys are being generated to advertise the demonstration areas and facilitate feedback from the member agencies and the public.

TUMF (Transportation Uniform Mitigation Fee)

- Work continues on the TUMF Nexus Study Update as well as an examination of the full range of fees among WRCOG jurisdictions and in bordering communities. This examination will also look at the economic impacts of transportation infrastructure, as well as how TUMF fee fluctuations over time compare to other fluctuating development costs.

WRCOG Executive Fellowship

- The WRCOG Executive Fellowship on launched on July 5, 2016 and placed 19 Fellows from UCR and CBU in member agencies positions throughout the subregion. In addition to the workplace experience, Fellows will engage in offsite professional development sessions and networking opportunities throughout their tenure. The Fellowships will conclude in March 2017.

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Item 5.E

WRCOG Committees Update

Attachment 2

WRCOG Executive Committee
Recap: August 1, 2016

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Western Riverside Council of Governments

Executive Committee Meeting Recap

August 1, 2016

HERO

- California HERO currently has 348 associate member jurisdictions who have adopted Resolutions of Participation. In the WRCOG subregion, over 17,000 homes have been improved. This equates to the creation or retention of an estimated 3,285 jobs and a reduction of over 784,000 tons of greenhouse gasses.
- The Additional PACE Provider Ad Hoc Committee will meet on Wednesday, August 3, 2016 to review and vet three potential additional Providers. Staff has already completed one Provider site visit to review the operations of a Program, and will visit the remaining two Provider offices on August 23 and 24.

Transportation

- The Executive Committee established an Ad Hoc Committee to discuss potential options in relation to completing the Nexus Study. An update will be provided at a later Executive Committee meeting.

BEYOND Framework Fund – Round II

- On June 24, 2016, the WRCOG Executive Committee approved funding for the BEYOND Framework Fund Round II in the amount of $2 million: $1.8 million for individual projects to be allocated on a non-competitive basis, and an additional $200,000 to support collaborative projects between two or more WRCOG jurisdictions. The Executive Committee has indicated that the distribution formula used for Round I of financing (currently at a tiered/per capita formula) will be revisited for each upcoming fiscal year. WRCOG staff will present various funding allocation options for Committee consideration in the coming months.

Potential Office Relocation:

- WRCOG currently occupies a portion of the third floor at the County Administrative Center (CAC) and is now at capacity with nearly 30 employees. At this point, it is necessary for the agency to reconfigure the work space to accommodate all staff or for the Agency to relocate. Relocation have been discussed with the Administration & Finance Committee previously, and the Executive Committee has now directed staff to spend the next 60 days researching buildings in the subregion to purchase or lease to accommodate the growing number of staff at WRCOG. An update will be provided at a later Executive Committee meeting.