

12-11-2022

Craig-here is my one hour synopsis on how VMTs became the rule.

### California Led The Nation In Dealing With Air Pollution

1. California began to take action statewide, forming a Bureau of Air Sanitation within the California Department of Public Health, and requiring that department to establish air quality standards and set necessary controls on motor vehicle emissions of air pollutants. In 1966 California established the first tailpipe emissions standards in the nation.
2. A year later the **California Air Resources Board** (CARB) was established. Just three years later the federal Clean Air Act, expanding on the 1967 Air Quality Act, recognized California's earlier efforts, and authorized the state to set its own separate and stricter-than-federal vehicle emissions regulations to address the extraordinary circumstances of population, climate and topography that generated the worst air in the nation.
3. The **California Environmental Quality Act (CEQA)** is a [California](#) statute passed in 1970 and signed in to law by then-Governor [Ronald Reagan](#),<sup>[1][2]</sup> shortly after the [United States](#) federal government passed the [National Environmental Policy Act](#) (NEPA), to institute a statewide policy of environmental protection. CEQA does not directly regulate land uses, but instead requires state and local agencies within California to follow a protocol of analysis and public disclosure of environmental impacts of proposed projects and, in a departure from NEPA, adopt all feasible measures to mitigate those impacts.<sup>[3]</sup> CEQA makes environmental protection a mandatory part of every California state and local (public) agency's decision making process. It has also become the basis for numerous lawsuits concerning public and private projects.
4. Under that authority, only four years later CARB adopted the nation's first NO<sub>x</sub> emissions standards for motor vehicles, and led the way to the development of the catalytic converter that would revolutionize the ability to reduce smog-forming emissions from cars.
5. That was just the beginning. Under the provisions of the Clean Air Act, CARB has adopted, implemented and enforced a wide array of nation-leading air pollution controls, based on a strong foundation of science over the next five decades. This regulatory history reflects a longstanding partnership between state and federal air quality regulators during both Republican and Democratic presidential administrations. This partnership has allowed California to develop and implement air pollution control strategies that have proven to be a model for other states, the nation and other countries.
6. Senate Bill (SB) 743 was signed into law in 2013, with the intent to better align California Environmental Quality Act (CEQA) practices with statewide sustainability goals related to efficient land use, greater multi-modal choices, and greenhouse gas reductions.

From California, SB743 is the origin of where we started to shift from measuring "on drivers to measuring the impact of driving". Senate Bill **743 (SB 743)** requires project reviews under the California Environmental Quality Act ([CEQA](#)) to evaluate the transportation impacts of new developments in terms of greenhouse gas emissions, rather than automobile delay.

A simplistic way that CALTRANS adopted in 2020 to comply with SB743, is this simple chart:

## The Old Way

Measured how fast cars go during rush hour

Compelled communities to expand highways

Induced more driving, creating more congestion and emissions

## The New Way

Measures distance vehicles travel, measured as VMT (Vehicle Miles Traveled)

Encourages walkable communities with less traffic and more transportation options

Avoids expensive expansions

## Feds More Or Less Followed California's Lead In Air Quality

- A. In 1963, the first Clean Air Act was passed. The act provided permanent federal aid for research, support for the development of state pollution control agencies, and federal involvement in cross-boundary air pollution cases. An amendment to the act in 1965 directed the Department of Health, Education and Welfare (HEW) to establish federal **emission standards** for motor vehicles. (At this time, HEW administered air pollution laws).
- B. The 1970 amendments to the Clean Air Act were a major milestone, however, because the 1970 amendments marked the first time that Congress established national environmental standards and enforcement mechanisms.
- C. In 1970, Congress also established the [Environmental Protection Agency](#) (EPA), largely to implement and administer the Clean Air Act of 1970.
- D. On November 15, 1990 the Clean Air Act was revised with overwhelming bipartisan support and signed into law by President George H. W. Bush. Specifically the amendments were designed to curb four major threats to the environment and to the health of millions of Americans: acid rain, urban air pollution, toxic air emissions, and stratospheric ozone depletion. The amendments also established a national operating permits program to make the law more workable, and strengthened enforcement to help ensure better compliance with the Act.

As it is with anything governmental, air quality is complex, and funding from the Feds to the States follows the rules (quite subjective) in adhering to the ideal of cleaning up our air. Once climate change became "fashionable" as a reason (whether it is a virtue ideal or somewhat based in reality), it was an easy way to "force" compliance by using CEQA reviews to determine whether vehicle miles travelled were lessened with a potential project, or not. If not, it became easy to deny the project based upon CEQA rules.

Craig-I hope this helps.