



**VENTURA COUNCIL
OF GOVERNMENTS**

REQUEST FOR PROPOSAL

**PREPARATION OF A REGIONAL CEQA STREAMLINING
VEHICLE MILES TRAVELED (VMT)
ADAPTIVE MANAGEMENT AND MITIGATION PROGRAM
FOR VENTURA COUNTY**

Overview

The Ventura Council of Governments (VCOG), a joint powers authority representing the ten cities of Ventura County and the County of Ventura that facilitates regional cooperation and technical assistance on issues of mutual concern, invites proposals from qualified firms to prepare a Regional CEQA Streamlining Vehicle Miles Traveled (VMT) Adaptive Management and Mitigation Program (the “Project”).

The primary source of funding for this Agreement is allocated pursuant to the State of California (the “State”), Department of Housing and Community Development (“Department”) under the Regional Early Action Planning (REAP) Grant Program for regional products and services that lead to affordable housing), the regional component of the Local Government Planning Support Grants Program (as described in Health and Safety Code section 50515.02).

As such, VCOG encourages participation of all persons regardless of race, color, national origin, sex, religion, familial status, or disability.

The Project Goal is to develop a VMT Adaptive Mitigation Program and supporting analysis and metrics that can be incorporated by VCOG jurisdictions into the CEQA documentations of their respective 2021-2029 Housing Elements and subsequent Housing Element implementation programs and housing projects. The Project “streamlines” the CEQA process by avoiding having to prepare an EIR only to adopt overriding considerations for a VMT impact above a VMT threshold previously determined by each jurisdiction or other CEQA Lead Agency.

VCOG will administer the contract and participate in Project management with the Ventura County Transportation Commission (VCTC). The VCTC will take the lead in technical work in developing regional VMT metrics, identifying VMT mitigation projects and programs, and working with the selected consultant/team in assigning VMT miles avoided for each Project mitigation measure or program. Each jurisdiction will/have set its own VMT CEQA Threshold of significance separately from this Project. Each VCOG jurisdiction has the option to incorporate some or all of the Project mitigations into the jurisdiction’s CEQA review, and include their own VMT mitigations. The Project will be available to any CEQA Lead Agency and will be periodically updated by VCTC as funding and need arises.

Tasks 1 and 2 would be completed by the selected transportation/economic/CEQA consultant firm or team working closely with VCTC staff. After the award, the VCTC and consultant team would execute a contract with VCOG that would include the scope and approach, tasks, schedules, and deliverables. After the review period, consultants would prepare the Final VMT Program for VCTC Board adoption. VCOG and VCTC envision, ideally after notice to proceed, about a six month process to execute the tasks with bi-weekly and as-needed VCTC and VCOG oversight leading to adoption of the Final VMT by the end of 2021. Once adopted, consultants would conduct three scheduled training sessions in early 2022 for interested staff of CEQA lead agencies and area CEQA consultants.

The entire Project must be completed no later than March 31, 2023 per VCOG’s REAP grant contract.

With the Project under contract and in progress by mid-2021, VCOG member cities will be able to cite the Project in their respective 2021-2029 Housing Element CEQA documentations. A key metric is the number of housing units “CEQA-streamlined-enabled” by the Project.

A more detailed project discussion is attached taken from the approved REAP Project description (Attachment A).

I. Scope of Work

The Consultant is asked to provide VCOG/VCTC with a detailed statement of work based on Tasks 1 and 2 listed below that include the Consultant's proposed approach to developing the Project, with a specific focus on what metrics and direction will be requested from or developed by VCTC staff. If more than one firm is creating a consultant TEAM, one firm should be designated the lead for contracting and management purposes.

TASK

1 Development of the Draft VMT Program, Distribute for Review and Comments

1A. Develop draft VMT Adaptive Mitigation Program Criteria

Establish VMT Adaptive Mitigation Program criteria based on existing literature review and best practices. Program criteria should consider and be responsive to the unique land use and transportation features of Ventura County, including various measures to preserve open space and agricultural land uses, and that Ventura County has no dedicated sales tax for transportation projects. Draft VMT Adaptive Mitigation Program should rely on available data and modeling tools, such as the Ventura County Transportation Model (VCTM), to the extent practicable. Several cities are working on their own VMT metrics and thresholds and should be contacted, which VCTC and VCOG will assist with.

1B. Satisfy Mitigation Fee Act Requirements

Ensure proposed VMT mitigations constitutes a “public facility” (as defined by GC §66000(d)), and demonstrates a reasonable relationship between the program and the need for a “public facility” to include “public improvements”. Ensure proposed VMT mitigation measures identify the purpose of any imposed fee and the use to which the fee would be put. Demonstrate existence of reasonable relationship between fee’s use and type of development proposed.

1C. Evaluate Mitigation for CEQA Purposes

Ensure full cost is guaranteed and that there is no ‘additionality’ (i.e. the VMT Program is funding mitigation that is not already committed). Demonstrate essential nexus between condition and legitimate government interest and demonstrate rough proportionality between condition and adverse VMT impact of CEQA project.

1D. Identify Program Cost and Funding Period Commitment

Evaluate the program cost and funding period commitment for the VMT Adaptive Mitigation Program.

1E. Summarize VMT Adaptive Mitigation Program “Choices”

Consultant to work with VCOG, VCTC, and stakeholders identified in Task B7 to define VMT Adaptive Mitigation Program choices that best satisfy the requirements of VMT Adaptive Mitigation Program Criteria. Each VMT Program choice should have a metric to calculate the avoided VMT. Potential VMT mitigation proposals may include, but are not limited to:

- a) Encourage housing production proximate to jobs, services and transit options
- b) Increase diversity of land uses and
- c) Improvements to pedestrian network
- d) Provide traffic calming measures and low-stress bicycle network improvements
- e) Implement car-sharing program
- f) Increase transit service frequency and speed
- g) Encourage telecommuting and alternative work schedules
- h) Provide ride-sharing programs

1F. Determine VMT Mitigation Program Area

Establish a program geographic area large enough to result in reduced VMT outcomes, while acceptable to jurisdictions and stakeholders participating in the program.

1G. Evaluate Benefits to Disadvantaged Communities

Analyze the benefits provided by the proposed program to disadvantaged communities within Ventura County. VCOG and VCTC will identify these communities. Consultant to suggest one or more metrics such as how many CEQA lead agencies incorporate some of all of the VMT program in a CEQA review that ‘streamlines’ because of the VMT program, and how many housing units are involved in the streamlined CEQA review using this VMT program.

1H. Stakeholder Engagement

Working with VCOG and VCTC, develop a list of interested stakeholders and CEQA consultants and establish or leverage existing working groups to inform development of the VMT Adaptive Mitigation Program. Stakeholder engagement could include potential program beneficiaries, such as housing advocates, developers, universities, large employers, transportation agencies, and CEQA lead agencies.

1I. VCOG, VCTC, and Stakeholder Review and Comments

Distribute the Draft VMT Program for review and comment with a date certain due date.

Deliverables:	1A VMT Program Criteria
	1B Mitigation Fee Act Requirements Memorandum
	1C Nexus and Proportionality Memorandum
	1D Cost and funding period Memorandum
	1E Adaptive Mitigation Program “Choices” Memorandum
	1F Program Area Memorandum and Map
	1G Disadvantaged Communities Memorandum
	1H Record of Stakeholder Engagement
	1I List of Stakeholder

2 Final VMT Program, Nexus Report, Public Review, VCTC Adoption, and Training

2A. Final VMT Program

Consultants compiles and responds to stakeholder comments in consultation with VCTC and VCOG staff, prepares final VMT Adaptive Mitigation Program.

2B. Nexus Report

Based on the Program Criteria and guidance from VCOG, VCTC, and stakeholders group, consultant shall prepare the technical justification documentation required to initiate the recommended VMT Adaptive Mitigation Program. The Technical Justification Report will provide a formal essential nexus analysis between the program and legitimate government purpose as required by CEQA and the Mitigation Fee Act. This analysis will evaluate the nexus of the proposed VMT mitigation program structure to address CEQA’s required “essential nexus” clause. The VMT exchange or bank program nexus components will be reviewed and evaluated to substantiate that all legal and technical criteria are met to inform the administrative structure. This task shall include estimating VMT benefits of the proposed VMT Adaptive Mitigation Program and provide substantiating evidence as required to further mitigate project impacts under CEQA.

2C. Public Review

VCOG and VCTC will determine the public review format, noticing, and review period. The consultants will receive comments, organize as appropriate, and revise the Final VMT Program in consultation with

VCTC and VCOG staff.

2D. VCTC Adoption

Consultant will assist VCTC staff in preparing for and presenting the Project to the VCTC for adoption, attend VCTC adoption hearing(s) and assist in presentations.

2E. Training

VCOG and VCTC will establish the VMT Training format (recorded video, virtual, and in-person), send date-certain invitations for at least two virtual and one in-person up to two-hour trainings to CEQA lead agency staff and area CEQA consultants, and provide a facility and assist in the in-person training session. A minimum of five training events is required. Consultant will record the in-person trainings for VCTC use. VCTC will web-host training videos and documents as part of a VMT Program web-page.

- Deliverables:
- 2A Final VMT Program
 - 2B Nexus Report
 - 2C List of Comments and Changes to VMT Program
 - 2D Presentation content for VCTC Board adoption hearings
 - 2E Training videos or PPTs and recorded five training events

3 Management and Administration

Administrative activities and any activities not included in Tasks 1 and 2 would be in Task 3. This task should not exceed 5% of the quote and would run the entire length of the project.

- Deliverables:
- 3A E-mails and other correspondence
 - 3B Invoices and input for quarterly reports

II. Proposal Requirements

The Consultant is asked to include the following information in the proposal:

1. A description of the Consultants' firm(s) (TEAM), location of the office that would manage this project, TEAM personnel who would work on the project, and other pertinent information shall be included. If the Consultant plans to joint-venture, or to use the services of other Consultants or individuals outside of his/her firm, a description and the qualifications of other TEAM individuals who will be involved should be included.
2. Include the name, title, and address of the TEAM individuals with the authority to negotiate contracts with VCOG.
3. State the total timeframe proposed to complete Tasks B and C. The time required to complete each task identified in the Consultants' statement of work shall also be presented. This section should be presented in a graphic form.

III. VCOG's Selection Criteria

The following is VCOG's scoring criteria for the selection of a Consultant/Team:

- a. Understanding of VMT and CEQA in general and best practices and adherence to Section I. 30%
- b. Familiarity with the planning and development context in Ventura County and its jurisdictions, and direct professional work with Ventura County. 20%
- c. Competence, technical ability and experience of identified Consultants' personnel, quality of Consultants' related work experience. 20%
- d. Proposed fee. 30%

IV. Public Domain and Limitations

- a. All reports and pertinent data or materials are considered in the public domain once completed. All work products are subject to public records requests.
- b. SCAG, as the grantor to VCOG, retains contractual oversight and may request additional invoice backup documentation at its discretion to comply with applicable SCAG procurement policies and practice.
- c. The Request for Proposals does not commit VCOG to award a contract, to pay any costs incurred in preparation of the proposal or to procure or contract for services or supplies. VCOG reserves the right to accept or reject any or all proposals received as a result of this request, to negotiate with any qualified source, or to cancel in part or in its entirety this Request for Proposals, if it is in the best interests of VCOG to do so. VCOG may require the proposer selected to participate in negotiations, and to submit such price, technical, or other revisions of their proposals as may result from such negotiations.
- d. Neither VCOG nor SCAG shall not be obligated to pay for any increase in Project costs which exceeds VCOG or SCAG's obligated funding amount.
- e. The project must be completed no later than March 31, 2023.
- f. VCOG and/or SCAG reserve the right, in its sole discretion, to discontinue funding the Program and terminate the contract.

V. Proposal Submission Due Date is May 14, 2021 and General Information

- a. Proposals shall be submitted to:
Hugh Riley, VCOG Executive Director
Ventura Council of Governments
33 High Street, Suite 200
Moorpark, CA 93012

(e-mail ridgeriley@msn.com)
- b. E-mail one (1) PDF version of your proposal (file cannot exceed 10MB and should be one complete document without multiple parts) to ridgeriley@msn.com before the **Due Date/Time of May 14, 2021 at 5 p.m. PST**. Note, the VCOG Executive Director will reply via e-mail to confirm receipt of your submittal. If proposer does not receive a confirmation, then the VCOG Executive Director did not receive submittal.
- c. The VCOG Executive Director **must** receive proposals before the Proposal Due Date/Time. Note, your submittal must be completely uploaded **before** the Proposal Due Date/Time. Any proposal received after the Proposal Due Date/Time will be rejected (no exceptions).
- d. All submissions are considered a matter of public record.
- e. The quote proposal shall be signed by an authorized official of your firm.
- f. The quote proposal shall be valid for a minimum of 90 days.
- g. VCOG reserves the right to reject any and all proposals.
- h. The terms and scope of the contract will be arrived at on the basis of professional negotiations between VCOG and the Consultant. If VCOG and the Consultant fail to reach a contractual agreement, VCOG may renegotiate with any other top selected Consultant.
- i. Any questions must be emailed to the VCOG Executive Director no later than three (3) working days after the deadline to submit questions. Answers to the questions will be emailed to everyone typically

VI. Questions Regarding the Project or this RFP no later than May 3, 2021 at 5:00 pm

RFP and related questions may be sent directly to the VCOG Housing Specialist, Dr. Chris Williamson who will coordinate response with VCTC and/or SCAG staff. All proposal-related correspondence will be retained and made available to any party by request prior to the proposal due date, or automatically if a party sends a request for all RFP follow up correspondence to Dr. Williamson, at cbwplans@gmail.com. A message left at 213-509-1213 identifying the calling party as a VCOG bidder will also be acceptable and promptly returned.

VII. Insurance Requirements. Certificates of general liability and errors and omissions insurance will be required by the successful contractor that covers all TEAM members to confirm that the insurance policies required by the contract have been obtained. These certificates of insurance or other documentation of insurance are required from the contractor following award of the contract but no later than the Notice to Proceed. No work will be authorized until the required insurance documentation is received by VCOG staff.

VIII. Conflict of Interest. VCOG Staff shall not participate directly or indirectly in a procurement when a VCOG Board member or VCOG staff knows that: (1) any member of the VCOG Board member or employee's immediate family (immediate family member is defined as a parent; sibling; child by blood, adoption, or marriage; spouse; grandparent or grandchild) has a personal financial interest pertaining to the procurement; (2) a business or organization in which the VCOG Board member or employee, or any member of the VCOG Board member or employee's immediate family, has a personal financial interest pertaining to the procurement; or (3) any other person, business or organization with whom the VCOG Board member or employee or any member of the VCOG Board member or employee's immediate family is negotiating or has an arrangement concerning prospective employment is involved in the procurement. Upon discovery of an actual or potential conflict of interest, the VCOG Executive Director shall promptly consult with SCAG to determine if the contract award may proceed and/or conditions that may be required.

IX. Debarment. Contractors/vendors and subcontractors must not be debarred, suspended or otherwise excluded by the United States Government in compliance with the requirements of 7 Code of Federal Regulations (CFR) 3016.35, 28 CFR 66.35, 29 CFR 97.35, 34 CFR 80.35, 45 CFR 92.35, Executive Order 12549, and Public Contract Code (PCC) Section 6109. As part of the award process, prior to contract award VCOG will verify proposer, its principal and their named subcontractors are not on the Federal debarred, suspended or otherwise excluded list of vendors located at www.sam.gov, or the State of California, located at www.dir.ca.gov/dlse/debar.html. Upon verification that the proposer (its staff or subcontractors) is on either list VCOG shall exclude the proposer from any further consideration in the award process.

X. Protests. Proposers may not protest the contents of the specifications of the solicitation. VCOG's Policy on Contract Award Protests, can be viewed online at [https://www.venturacog.org/.](https://www.venturacog.org/) Any participating party may file a protest of a contract award or proposed contract award. The protest or appeal must be made in writing within ten (10) days of award notification and contain at least the following information:

- The name, address and telephone number of the protester;
- The signature of the protester;
- The bid number and date of bid closing; and
- A statement of the legal and/or factual grounds on which the protest or appeal is based, including copies of information relevant to the bid.

XI. Resolution of Protests. The Executive Director will investigate the grounds stated within the protest and respond within ten (10) calendar days. The Executive Director's decision shall stand.

XII. Procurement Files. VCOG will maintain records sufficient to detail the history of procurement, including, but not limited to:

- (i) Rationale for the method of procurement;
- (ii) Selection of contract type;
- (iii) Basis for contractor selection or rejection;
- (iv) Record of contract or price negotiation;
- (v) The basis for the contract price; and
- (vi) Documentation of no conflict of interest for evaluator(s).

VCOG will make all procurement files available for inspection upon request by a federal, state, or pass-through awarding agency.

XIII. Professional Services. Selection of persons or firms to provide professional services shall be based on demonstrated competence and on the professional qualifications necessary for the satisfactory performance of the services required. The price for the services shall be reasonable and competitive but VCOG is not required to award the contract to the lowest proposer.

XIV. Quote Proposal Noticing. Per the VCOG Purchasing Policy, solicitations are published in a newspaper of general circulation, posted on the VCOG and other websites reasonably related to the project, and by mail, fax, or email to persons and firms selected by the VCOG staff based on generally available listings of persons and firms likely to have interest and qualifications.

ATTACHMENT A

5	Regional CEQA Streamlining Vehicle Miles Traveled (VMT) Adaptive Management and Mitigation Program
<p>VCOG proposes Project 5, in partnership with the Ventura County Transportation Commission (VCTC), to develop and adopt a “CEQA environmental certification streamlining activity” consistent with SCAG REAP Guidelines. Project 5 is intended to streamline CEQA approvals for the initial adoption of 2021-2029 Housing Elements by VCOG jurisdictions, followed by implementing general and specific plan amendments; re-zonings; zoning code and development standards updates; formation of EIFD, CRIA, AHA, IFRD, and/or NIFTI districts;¹ and individual housing projects of all affordability levels (if not otherwise CEQA exempt). The VCTC VMT mitigation program would be periodically reviewed and updated by VCTC and continue to be available for the subsequent implementation of Housing Element programs and related actions after HCD certifications in early 2022. The final Project 5 deliverable would be a VCTC-adopted regional VMT-reduction optional adaptive management mitigation program for use by any CEQA lead agency to reduce a VMT significant impact to less than significant by choosing VMT-measurable mitigations from the VCTC list. VCOG jurisdictions (and other CEQA lead agencies) would set their own VMT thresholds of significance and may use other VMT mitigations in addition to, or instead of, Project 5.</p> <p>Project 5 would be similar to and informed by the City of Los Angeles Department of Transportation (LA DOT) Vehicle Miles Travelled (VMT) mitigation program, but with a particular focus on ways to enable housing production in harmony with the unique geographic, economic, and planning context of Ventura County where several cities are relatively distant from major job centers because of State-policy-protected agricultural “greenbelts” and mountain.</p> <p><u>SB743 and 2021-2029 Housing Elements</u></p> <p>Project 5 will be developed as quickly as feasible in early 2021 in conjunction with preparation of 2021-2029 Housing Elements (6th Housing Cycle). VCOG jurisdictions are looking to one another and to regional partners for direction and templates to comply with SB 743 to properly mitigate significant adverse VMT impacts with legally-adequate VMT-reduction projects and/or programs. SB 743 is intended to balance the needs of congestion management with statewide goals related to infill development, promotion of public health through active transportation, maintenance of agricultural on prime farmland, and reduction of greenhouse gas (GHG) emissions. Traffic congestion and vehicle delay can no longer be considered a significant impact on the environment within CEQA transportation analysis, shifting away from using Level of Service (LOS) to measure transportation impacts, to using VMT as a measure of significance. Using VMT to measure the impact of development projects, including housing, changes the way that such impacts are measured and mitigated, and many jurisdictions around the state (including the 11 VCOG jurisdictions) are working to update their respective CEQA guidelines and adopt project-level and cumulative VMT thresholds of significance.</p> <p>Housing development needs supportive community uses. There are other agencies and special districts in Ventura County, such as school and park districts, that could also utilize Project 5 for their respective</p>	

1 EIFD (Enhanced Infrastructure Financing District), CRIA (Community Revitalization and Investment Authority), AHA (Affordable Housing Authority), IFRD (Infrastructure and Financing Revitalization District), NIFTI (Neighborhood Infill Finance and Transit Improvement District)

projects, such as a new school, that require CEQA review. In addition to model updates and outputs to support VMT analysis, planning and transportation practitioners have expressed substantial interest to identify opportunities for collaboration, including regional VMT mitigation strategies. VMT mitigation typically involves modifying a development project to reduce its VMT generation or impacts during the CEQA review process. Once a jurisdiction has determined a potentially significant transportation impact, as measured by VMT, the jurisdiction can select from a pre-selected suite of VMT-reducing projects (mitigation exchange), which includes a fund that supports regional-scale efforts to reduce VMT (mitigation bank). One or more of these measures can be incorporated into the project design or as a condition of approval to reduce vehicle use and encourage sustainable modes of transportation, such as active transportation and transit use. Developing projects that do not exceed a jurisdiction's project or cumulative VMT significance threshold will likely be easier for some VCOG cities than it will be for others.

Ventura County Traffic Model

The Ventura County Traffic Model (VCTM) is an analytical tool for studying traffic patterns and traffic forecasting in Ventura County, developed and administered by the Ventura County Transportation Commission (VCTC). Results of the VCTM are based on known and predicted land uses and associated vehicle trip rates. The current version of the VCTM is based on 2016 land use assumptions, and aligns with the 2020 version of the Southern California Association of Governments (SCAG) Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS), with a planning horizon of 2045. VCTC's model must be consistent with the current RTP/SCS, and was updated in late 2020/early 2021 to align with the 2016 baseline consistent with the RTP/SCS. The 2021 update to the VCTM calculates VMT and produces validated results for per capita and per employee calculations, which can be used to analyze CEQA project transportation impacts in accordance with implementing guidance for SB 743. . The model updates include both the modeled VMT averages by Traffic Analysis Zone (TAZ) and City, as well as a spreadsheet tool that serves as a simple VMT look-up tool, which will be made available to local agencies when completed in the April 2021 timeframe. VCTC has also taken steps to make the VCTM available to the 11 VCOG cities and Ventura County, and supporting consultants, through a model request process that protects the integrity of the VCTM.

Consideration of LA DOT and VC APCD Mitigation Programs

Project 5 will closely consider two regional CEQA mitigation programs. The LA DOT, with support from SCAG, is in the process of developing a technical and mitigation strategy to assist local jurisdictions in the SCAG region to implement VMT-based CEQA transportation impact analysis, including technical guidance, evaluation of options, and cooperative engagement, and project-based VMT mitigation strategies, such as transit system improvements, bicycle and pedestrian network enhancements, and transportation demand management (TDM) programs. The LA DOT program will evaluate various local and regional VMT mitigation options, including the development of VMT exchange, banking, or fee-based programs.

Project 5 will also consider the Ventura County Air Pollution Control District's (APCD) project and cumulative air quality impact mitigation measure, which is widely used to avoid the costs and delays of preparing an EIR to adopt an air quality impact overriding consideration for projects where the only significant impact is the APCD regional non-attainment of air quality standards. In a similar manner, Project 5 allows CEQA lead agencies to streamline a wide range of housing-production-related actions by incorporating VCTC-adopted transportation impact mitigations into the CEQA project description and/or as a condition of approval, therefore avoiding preparation of an EIR or MND and the resulting exposure to CEQA-related legal challenges, while supporting projects and strategies that reduce VMT and greenhouse

gas emissions.

Consistency with SCAG Programs and Policies

Transportation impacts / VMT mitigation options developed through Project 5 will be fully consistent with the 2020 SCAG RTP/SCS and related policies. The adaptive aspect allows the CEQA lead agency to choose mitigations without fees or elements that may constrain development of housing. A VMT mitigation program was requested by senior staff of several VCOG cities and supported by several CEQA consultants who suggest that the mitigations be adapted from local or regional climate actions plans and active transportation plans, CAPCOA guidance, CEQA Guidelines, SB743, CARB 2017 VMT Scoping Plan, the Governor's Executive Order N-19-19, and similar programs, such as the Los Angeles DOT VMT program.

VCTC will also refer to existing plans and studies that identify projects and strategies that have a high potential to reduce VMT. Methodology used in the 101 Communities Connected multimodal corridor study identifies and evaluates existing planned projects based on their potential to reduce VMT and GHG emissions. Each VMT mitigation method will have established a legally defensible nexus to VMT reduction, per VMT mile.

Project 5 Timing, Deferred CEQA Mitigation?

The VMT Mitigation Program will likely not be completed by the time VCOG cities are circulating CEQA review of their respective 2021-2029 Housing Elements. By early 2021, VCTC will have completed development of the VMT baseline data by county, city, and Traffic Analysis Zone (TAZ), and developed a look-up tool for VMT per capita and per employee for different land use types. This baseline data will assist the jurisdictions to establish their own thresholds of significance, should they elect to use VCTM methodology and tools.

CEQA lead agencies may cite an under-development credible mitigation program under certain conditions. The essential rule for proper deferral of the specifics of mitigation was established in *Sacramento Old City Assoc. v. City Council of Sacramento* (1991) 229 Cal. App. 3d 1011. This case held that the lead agency must commit itself to mitigation by identifying and adopting one or more mitigation measures for the identified significant effect and the mitigation measure must also set out clear performance standards for what the future mitigation must achieve. Alternatively, the lead agency must provide a menu of feasible mitigation options from which the applicant or agency staffs can choose in order to achieve the stated performance standards. In the event Project 5 is not developed enough or formally adopted prior to the need to circulate Draft EIR's for 2021-2029 Housing Elements, VCOG jurisdictions may initially adopt their own VMT mitigations (with available guidance from VCOG and VCTC) and, later, substitute and/or add equivalent Project 5 mitigations.