

Lockey, Heather@CNRA

From: Sandra Genis <slgenis@stanfordalumni.org>
Sent: Thursday, March 15, 2018 2:39 PM
To: CEQA Guidelines@CNRA
Subject: guideline update
Attachments: ceqa guide ltr Christopher Calfee.docx

Attached and below are my comments on the proposed updates to the CEQA Guidelines

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Sandy Genis

"The EIR...is a document of accountability...The EIR process protects not only the environment but also informed self-government." (County of Amador v. El Dorado County Water Agency)

March 14, 2018

Christopher Calfee, Deputy Secretary and General Counsel
California Natural Resources Agency
1416 Ninth Street, Suite 1311
Sacramento, CA 95814
Fax: 916-653-8102
Email: CEQA.Guidelines@resources.ca.gov.

Subject: Proposed update to CEQA Guidelines

Dear. Deputy Secretary and General Counsel Calfee,

Thank you for this opportunity to comment upon the proposed revision to the Guidelines for the Implementation of the California Environmental Quality Act. By way of background I am a professional land planner with over thirty years' experience, primarily dealing with CEQA. I am also mayor of a city of approximately 110,000 in southern California.

Certain aspects of the proposed changes are helpful, for example the encouragement to local agencies to establish local thresholds. At the same time, I have concerns about potential pre-emption of local control and standards. I have significant concerns regarding proposed Section 156064.3 of the proposed guidelines. While it is ostensibly provided in response to SB 743 (Steinberg) it appears to go beyond the provisions of the bill.

SB 743 directs the Office of Planning and Research to develop alternate metrics to traditional congestion management metrics for transportation analyses, not to develop replacement metrics to eliminate congestion management. Indeed, SB 743 eliminates congestion management standards included in Government Code 65089 only in limited infill opportunity areas. Government Code Section 65089 would still apply in most areas of the State. If it had been the Legislature's intent

to eliminate congestion management planning, they could have and would have deleted provisions of GC Sec. 65089. They did not.

Further, the technical rationale for standards included in proposed Section 15064.3 is flawed. First, the rationale assumes that total vehicle miles travelled is not already included in analyses of air quality and greenhouse gases. The rational also assumes that congestion itself does not contribute to air emissions.

Typically, an environmental document prepared pursuant to CEQA would include an analysis of air quality impacts in general and greenhouse gases in particular. The analysis would address emissions from both fixed and mobile sources. Nearly any reasonably competent analysis of mobile source emissions would be based on numbers of trips multiplied by trip length, i.e. vehicle miles travelled. Thus emissions of greenhouse and other pollutants associated with VMT is already included in CEQA analyses.

Regarding air emission due to congestion, Reduction in emissions due to reduced congestion has been identified in various environmental impact reports for roadway projects in recent years. These have included State approved projects.

In addition, analyses of air quality impacts generally include identification of air pollution hot spots that may result from traffic congestion. Cars idling in gridlocked traffic waste energy and needlessly generate additional pollutant emissions which then concentrate in the congested area. This impact falls most heavily on persons in lower socioeconomic groups who live along transportation corridors in older, more congested parts of the region. Residents in the areas of the Ports of Los Angeles and Long Beach and our inner cities are most severely affected by what is clearly a matter of environmental justice. They are also less able to afford newer, cleaner vehicles.

Overall vehicle miles travelled could be an important factor in assessing impacts on regional transportation systems.. Historically Caltrans has, for the most part, assessed transportation impacts generated by a proposed project based primarily on trip volumes at localized portions of regional facilities, such as on- and off-ramps and occasionally adjacent stretches of throughway. Perhaps direction to Caltrans, rather than local governments could more effectively address regional transportation impacts.

I urge the Secretary to reject Section 15064.3 as currently proposed. Thank you for the opportunity to comment. Please keep me informed as this proposal proceeds.

Yours truly,

Sandra L. Genis

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