



COUNTY OF SISKIYOU

Board of Supervisors

P.O. Box 750 • 201 Fourth Street
Yreka, California 96097
www.co.siskiyou.ca.us

(530) 842-8005
FAX (530) 842-8013
Toll Free: 1-888-854-2000, ext. 8005

February 21, 2012

CEQA Guidelines Update
c/o Christopher Calfee
1400 Tenth Street
Sacramento, CA 95815

Dear Mr. Calfee:

The County of Siskiyou appreciates the opportunity to comment on the preliminary discussion draft of proposed changes to the CEQA Guidelines to implement SB 226 and provide CEQA streamlining for certain infill projects.

In developing these new CEQA Guidelines, OPR should not overlook the opportunity to consider areas where SB 226 may fall short of or be inconsistent with overarching statewide policies. Noting such issues in your analysis and narrative explanation would provide context to better explain the actual reach of the new regulations and also help inform the Legislature in the development of clarifying or correcting amendments to SB 226.

Among other things, SB 226 added section 21094.5 to the Public Resources Code, simplifying CEQA requirements for the review of certain "infill" development projects. However, section 21094.5(e)(5) limits the scope of eligible infill areas to (1) those located in incorporated areas or (2) unincorporated "islands" surrounded by incorporated areas with a total area population exceeding 100,000 people.

Requiring a connection to incorporated areas creates a fictitious distinction that unnecessarily limits infill opportunities in unincorporated areas. This limitation ignores realities of development patterns, efficient delivery of municipal services, and statewide policies related to development and transportation.

There are many areas of the state where full municipal services are in place but are not provided by city governments. In fact, there are many communities where visitors do not even realize that city governments have not been established. Instead, things such as water service, wastewater disposal, fire and emergency medical service, and road maintenance are provided by various combinations of special districts or private entities. A vacant parcel or dilapidated structure in one of these communities is no different than a similar parcel or structure located in an incorporated city, and similar infill streamlining should be applicable.

Jim Cook
District 1

Ed Valenzuela
District 2

Michael Kobseff
District 3

Grace Bennett
District 4

Marcia H. Armstrong
District 5

Infill streamlining is a prime example of the kinds of incentives and disincentives that are established to influence where development or redevelopment will be directed. The reasons for streamlining CEQA review for infill projects in incorporated areas are equally valid for infill projects in unincorporated communities. Where an "urban" landscape already exists, infill development can take advantage of existing public services and contribute to the maximum realization of economies of scale. At the same time, infill development does not require the range of resource and environmental considerations that are applied to the development of "raw" land. These considerations also apply to incorporated areas with populations under 100,000 people.

By excluding unincorporated and less populated areas from infill streamlining, the Legislature and OPR are actually undermining statewide policies such as those advanced by AB 32 and SB 375. The ability of infill projects to reduce vehicle-miles-traveled and greenhouse gas emissions is equally relevant to smaller, unincorporated areas. In fact, opportunities may be proportionally greater in smaller communities than in large cities that have many more alternatives for the development of residential or business properties.

The narrative explanation for the new regulations also notes the state's economic conditions and the burdens of transportation costs, particularly on lower-income residents. These considerations are particularly important in rural areas such as Siskiyou County, where travel distances are often longer, fuel costs are higher, household incomes are well below the state average, and unemployment rates are more than double the statewide level. Infill projects that have the potential to locate new residences and business within existing communities are particularly valuable in rural communities.

Thank you for considering these comments as you develop the new CEQA regulations for SB 226.

Sincerely,

A handwritten signature in cursive script that reads "Grace Bennett". The signature is written in black ink and includes a long, sweeping horizontal line extending to the right.

Grace Bennett
Chair, Siskiyou County Board of Supervisors