

November 10, 2014

Christopher Chalfee
Governor's Office of Planning & Research
1400 Tenth Street
Sacramento, CA

RE: COMMENTS ON PROPOSED CHANGES TO CEQA GUIDELINES

Dear Mr. Chalfee:

Thank you for the opportunity to respond to the draft revisions to the CEQA Guidelines regarding transportation impacts.

My comments are based on my long experience working with CEQA. I received a Masters in Urban and Regional Planning from MIT, have worked as an administrative analyst for a Santa Cruz County Supervisor since 1975, and, since 1995, have taught a course at the University of California, Santa Cruz (UCSC) entitled Environmental Assessment, which focuses on CEQA and its policy and planning implications.

First, let me say that I am agreement with most of the proposed changes to the CEQA Guidelines. However, I do have two serious concerns, both of them with the proposed provisions in Section 15064.3(b)(1) Vehicle Miles Traveled and Land Use Projects.

1) My first and most serious concern is with the following proposed language: "Development projects that locate within one-half mile of either an existing major transit stop or a stop along an existing high quality transit corridor generally may be considered to have a less than significant transportation impact."

Two of the major objectives of the proposed CEQA Guideline revisions and State climate change policies are to reduce vehicle miles travels and the emission of greenhouse gases. In my view, the proposal to essentially exempt developments within half a mile of a high quality transit corridor runs counter to and undermines these policy objectives. Depending on a number of variables, a proposed development meeting this criterion might or might not assist in the achievement of the State's objectives. For example, if job locations in a community are widespread or economic realities require long commutes away from transit lines, a large development could cause significant increases in vehicle miles traveled and, if the corridor is already congested, significantly increase emissions of greenhouse gases.

As an alternative approach, I would suggest eliminating this language and simply determine a proposed development's significance based on the vehicle miles traveled the project would generate. Since the overall objective is to reduce vehicle miles traveled, all projects should be measured against this standard. There is no other way to assure that developments near transit corridors will achieve this objective.

I understand that the proposed language includes the word "generally" to allow for situations when a development near a tranit corridor wouldn't be exempt from a determination of significance. However, I think this approach will cause more problems than it will solve. Not only does the language create uncertainty as to when the

exemption will apply but it will undoubtedly result in a significant amount of litigation before the issue is resolved, if it ever is. Having a clear standard seems like a more reasonable approach.

2) My second concern is with the proposal to use the regional average vehicle miles traveled as the threshold of significance for transportation impacts. As you know, development patterns in California are extremely variable. Moreover, this is also true within regions. There are some regions that are overwhelming urbanized, some that are overwhelmingly rural, and some that have a mixture of both to varying degrees. Employing a regional average for determining the significance of vehicle miles traveled is too blunt an instrument. This is particularly true given that no regional land use authority exists. Individual jurisdictions have no authority to control development in other parts of their region, which could have a major effect on vehicle miles traveled.

I would recommend that the threshold of significance be changed to the city or county's average. This approach would probably create methodological issues but, if the vehicle miles traveled average can be determined regionally, it should be able to determine it on the jurisdictional level. Moreover, this criterion would provide an incentive to jurisdictions to take steps to reduce their average vehicle miles traveled in order to decrease the scale of developments that would be determined to have a significant transportation impact.

Thank you again for the opportunity to comment on the proposed Guideline revisions and I hope my comments and suggestions are helpful.

Sincerely,

Andy Schiffrin