



City of Anaheim
PLANNING DEPARTMENT

October 12, 2015

Ken Alex, Director
Governor's Office of Planning and Research
1400 10th Street
Sacramento, CA 95814

Sent by e-mail to: CEQA.Guidelines@resources.ca.gov

Subject: Proposed Updates to the CEQA Guidelines, Preliminary Discussion Draft,
dated August 11, 2015

Dear Mr. Alex:

Thank you for the opportunity to review and comment on the above-referenced document. City of Anaheim Planning Department Staff offers the following comments:

1. Please provide consistency between the requirements in 15168(c) and 15182. A simpler environmental determination would be to exempt all projects that are consistent with a specific plan for which an environmental impact report (EIR) was certified. The exemption could be subject to a checklist, as recommended in Section 15168(c)(4) and should require incorporation of all applicable mitigation measures as conditions of approval. This would help streamline the CEQA Guidelines and provide a consistent CEQA determination for all projects that are intended to implement a specific plan for which an EIR has been prepared. Staff also requests that the exemption include plans that are similar to a specific plan such as a strategic plan, community plan or master land use plan.
2. Please revise Section 15182(b)(1)(C) to reflect the regional/general nature of a sustainable communities strategy (SCS) or alternative planning strategy (APS). Projects should only be required to be consistent with the applicable policies of either of these two documents and not criteria specific to a project area, such as a general use designation, density or building intensity. For purposes of a SCS or APS, criteria such as general use designation, density or building intensity are typically very general and/or advisory in nature and may not reflect the subject specific plan or project specific constraints to development.
3. Please consider revising Section 15301 to:

Class 1 consists of the operation, repair, maintenance, permitting, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features involving negligible or no expansion of the

structure, facility, mechanical equipment or topographical feature historic use.

“Historic use” may be inappropriately interpreted as a use that has historic value, not that as a previous use of the building. In addition, the term “use” can be somewhat subjective as to whether it referring to the exact same use, the same class of use or use of the facility in general.

4. Section V. Energy a) of the Environmental Checklist Form should include a reference to Appendix F and/or Section 15126.2.
5. Section V. Energy b) “Incorporate renewable energy or energy efficiency measures into building design, equipment use, transportation or other project features?” of the Environmental Checklist Form should be eliminated. This question will not result in a significance finding listed on the checklist (i.e., less than significant with mitigation incorporated). The information to answer this question should be included as part of the analysis for Section V. Energy a) and described in Appendix F and/or Section 15126.2.
6. Please revise the wording for XIII Population and Housing c) of the Environmental Checklist Form as follows:

c) Result in a substantial imbalance in change to the regional jobs/housing fit ratio that would result in significant increases in commute lengths, and therefore, create impacts to air quality, energy and greenhouse gas emissions.

This change would specify the negative impacts that are trying to be avoided and provide more opportunities to mitigate the impacts associated with the jobs/housing ratio, as described on page 43. In addition, please consider how the “region” will be defined for this impact category. It may also be a challenge for practitioners to objectively determine anticipated commutes, cost of housing and wages associated with the proposed project.

7. Please eliminate XVI Transportation c) “Substantially induce automobile travel by increasing roadway capacity in congested areas (i.e., by adding new mixed-flow lanes) or by adding new roadways to a network?” from the Environmental Checklist Form. The elimination of congestion should be considered a positive environmental impact. The focus should only be on reducing vehicle miles traveled (as analyzed in question b)).
8. Please consider whether Section 15126.2 (b) is the appropriate location for Energy Impacts. Staff recommends creating a Section 15156 Energy Impact Analysis (after Section 15155 Water Supply Analysis; City or County Consultation with Water Agencies) instead. Please also consider incorporating all of the proposed Section 15126.2 and Appendix F into one comprehensive section in the CEQA Guidelines and then eliminating Appendix F.
9. Sections 15082 and 15107 need to be updated to reflect additional time that may be necessary to consult with tribal agencies pursuant to AB 52 and Section 21080.3.1. It would

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be helpful if the tribal consultation process was incorporated into the timing and requirements for issuance of the Notice of Preparation/Notice of Intent.

Thank you for the opportunity to review this preliminary discussion draft document. Please forward any subsequent notices and/or documents to my attention at the address listed at the bottom of the first page of this letter. If you have any questions, please do not hesitate to contact me at skim@anahem.net or (714) 765-4958.

Sincerely,



Susan Kim, AICP, LEED AP ND
Principal Planner