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STATE OF CALIFORNIA
GOVERNOR'S OFFICE *of* PLANNING AND RESEARCH



KEN ALEX
DIRECTOR

State Seeks Public Comment On New Rules to Streamline Projects Benefitting Public Transportation, Walking and Biking

MEDIA CONTACT: 916-445-4571

SACRAMENTO—Following 18 months of public workshops and incorporating hundreds of public comments, the Office of Planning and Research today announced a proposal to streamline CEQA for projects that boost public transportation, walking and biking, and reduce the need for traveling long distances by car.

“These new rules help remove a quirk of California environmental law that made it harder to build projects that improve air quality and reduce greenhouse gas emissions,” said Ken Alex, Director of the Governor’s Office of Planning and Research. “Not only does this proposal remove barriers to infill development, walking, biking and public transportation—it also explicitly recognizes that such projects have less-than-significant impacts under environmental law.”

SB 743 required the state to change how impacts on transportation are evaluated under the California Environmental Quality Act (CEQA), removing barriers to infill development, public transportation projects and projects that increase walking and biking. Under current environmental rules, increases in car traffic are considered an environmental impact that must be mitigated—often by building more roads for more cars—even if that mitigation actually increases greenhouse gas emissions.

The new rules would streamline CEQA review for projects that increase infrastructure for transit, bicycles and pedestrians and reduce the need for traveling long distances by car. The new rules will also make it easier for developers to complete residential, commercial and mixed-use infill projects that improve air quality by reducing the number of miles driven by cars.

Public agencies will have two years to prepare for the transition to the new rules. Cities that are already moving ahead with the changes can begin implementing them as soon as formal rulemaking is complete.

“The implementation of SB 743 will allow other cities throughout California to better align their project review and analysis with local goals to enhance livability and economic vitality, and

encourage walking, biking, and transit,” said Fred Dock, Director of the City of Pasadena’s Department of Transportation.

Transportation currently accounts for approximately half of California’s overall greenhouse gas emissions.

Today’s release marks the beginning of a forty-five day initial public comment period before finalizing the proposal and submitting to the California Natural Resources Agency to commence the formal rulemaking process under the Administrative Procedure Act. The regulations are anticipated to be effective statewide in 2019.

A draft of the proposed rules is available here:

https://www.opr.ca.gov/docs/Revised_VMT_CEQA_Guidelines_Proposal_January_20_2016.pdf

The public can comment on the rules by submitting comments to CEQA.Guidelines@resources.ca.gov by 5:00pm on February 29, 2016.