



COUNTY SANITATION DISTRICTS OF LOS ANGELES COUNTY

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GRACE ROBINSON HYDE
Chief Engineer and General Manager

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Via E-mail: CEQA.Guidelines@resources.ca.gov

Christopher Calfee, Senior Counsel
Governor's Office of Planning and Research
1400 Tenth Street
Sacramento, CA 95814

Dear Mr. Calfee:

Comments on Proposed Updates to the CEQA Guidelines

On behalf of the Sanitation Districts of Los Angeles County (Sanitation Districts), we appreciate the opportunity to comment on the proposed updates to the CEQA Guidelines. In general, the Sanitation Districts believe that the proposed updates will clarify the affected portions of the guidelines.

The Sanitation Districts provide wastewater and solid waste management services to 5.5 million people in 78 cities and unincorporated areas of Los Angeles County. As a major public agency with responsibility for solid waste and wastewater management in Los Angeles County, the Sanitation Districts act as the responsible agency for CEQA when upgrading, expanding, or maintaining our facilities. Therefore, the Sanitation Districts harbor a keen interest in clarifying and streamlining the CEQA process.

The Sanitation Districts' comments on the CEQA Guidelines updates are included below. In cases where specific alternative language is identified, underlines and strikeouts are used to indicate added and deleted text, respectively.

1. **Section 15064.7 Thresholds of Significance.** The Sanitation Districts support the adoption of environmental standards as thresholds of significance. The purpose of the threshold of significance is to establish a level that is protective; the environmental document must contain measures to avoid or reduce project impacts so that the threshold of significance is met. Therefore, we propose the following change to subsection (d): "In adopting or using an environmental standard as a threshold of significance, a public agency shall explain how the particular requirements of that environmental standard **are protective of the environment and public health**~~will avoid or reduce project impacts, including cumulative impacts, to a less than significant level.~~" in addition, the proposed inclusion in subsection (d) of an "environmental standard" as a threshold of significance raises some concerns with regard to the language that "(A)n "environmental standard" is a rule of general application that is adopted through a public review process and is all of the following" inclusive of subsection (d)(4) which states that the standard "is designed to apply to the type of project under review." This language places limits without justification on the ability of a public agency to adopt

another public agency's environmental standard(s) if they believe they would be useful for their own purposes or activities, unless the environmental standards under review were designed for the same type of project. For example, if a standard was developed for construction of housing developments, that standard should also be applicable to other construction projects, such as that for a wastewater treatment facility. Subsection (d)(4) should state that the standard "is designed to apply to the type of **activity, project, or purpose** under review."

2. **Updates to and Reorganization of the Environmental Checklist, III. Air Quality.** The revised checklist question in subsection (d), as proposed, does not clarify that all of the conditions must be true for there to be an impact. Please revise the question to state: "Result in frequent and substantial emissions (such as odors, dust or haze) for a substantial duration **and** that adversely affect a substantial number of people?"
3. **Updates to and Reorganization of the Environmental Checklist, V. Energy Section.** Subsection (a) asks if the project would result in wasteful, inefficient, or unnecessary consumption of energy. "Wasteful" and "unnecessary" are subjective terms. Impacts cannot be assessed without definitions for these terms. Subsection (b) does not describe a potential impact. Incorporation of renewable energy or energy efficient measures are beneficial attributes that can be used as mitigation measures to counteract impacts described in subsection (a).
4. **Updates to and Reorganization of the Environmental Checklist, VIII Hazards and Hazardous Materials.** An addition to subsection (e), "within the vicinity of a private airstrip," has been included; however, "vicinity" has not been defined. Please state a distance, such as the two miles that has been specified for public and public use airports. Also in Subsection (e), "excessive noise" has been added. Please strike this reference, and add it in the noise section, as that is the most appropriate place for this impact.
5. **Updates to and Reorganization of the Environmental Checklist, X. Local Land Use and Planning.** Subsection (b) should be rewritten. The purpose of the checklist questions is to determine whether there is an impact; therefore, the word "impact" should not be used in the question itself. Our suggestion would be revise the question to read "**Create or cause a conflict to occur with any related restrictions such as a** land use plan, policy or regulation adopted for the purpose of avoiding or mitigating an environmental effect?"
6. **Updates to and Reorganization of the Environmental Checklist, XIII. Population and Housing Section.** The Sanitation Districts agrees that the question in subsection (a) should focus on whether a project would induce "unplanned" population growth, but we would also recommend that the terminology be "unplanned **and/or unanticipated in local or regional growth projections**" to reflect the reality that although not all growth can be anticipated, the addition of roads and improved infrastructure cannot occur in the absence of the related land use planning review and decision-making process.
7. **Updates to and Reorganization of the Environmental Checklist, XVII. Utilities and Service Systems.** Please revise subsection (f) to reflect that options exist for disposal other than landfills as follows: "Be served by a landfill **or other approved solid waste management facilities** with sufficient disposal capacity to accommodate the project's **anticipated** solid waste disposal needs?"
8. **Proposed Amendments to Section 15125.** The Sanitation Districts support the changes to this section regarding baseline definitions as they will allow the use of the most appropriate baseline for determining project impacts.
9. **Proposed Amendments to Section 15088.** The Sanitation Districts support the changes in this section regarding responses to comments. The clarifications of this section are very welcome, as

they provide guidance on a critical issue. Requiring the commenter to specify the significance and provide a good faith, reasoned application of evidence provided will streamline the response process and allow the response to accurately address the point of the comment.

10. **Proposed Amendments to Section 15126.2.** “Wasteful” and “unnecessary” can be defined in such broad terms that their use here does not add clarity. For instance, in the situation where a new park is developed, the lights for night use of sports fields could be considered wasteful and unnecessary or, on the other hand, an integral part of the project. Inefficient, however, is a comparative standard that can be measured, such as a comparison of incandescent and fluorescent light bulbs. Also, please delete the second sentence in subsection (b), ~~“This analysis should include the project’s energy use for all project phases and components, including transportation-related energy, during construction and operation.”~~ Projects are rationally bounded by the extent of the proposed work, since information such as where materials will come from and where workers will live once the project is put into operation are unknown and would require speculation.
11. **Proposed Amendments to Section 15370.** The Sanitation Districts support the addition to this section, since conservation easements are supported by permanent protection measures.

The Sanitation Districts very much appreciate the opportunity to engage in this effort and work collaboratively with the Governor’s Office of Planning and Research on modifications to CEQA.

Please address all future notices and updates on the study to the attention of Mary Jacobs at 1955 Workman Mill Road, Whittier, CA, 90601, or e-mail at mjacobs@lacsdc.org.

Very truly yours,



Christopher R. Salomon
Supervising Engineer
Planning Section

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