

Ted James, AICP, Consulting
1626 19th Street, Suite 26, Bakersfield, CA 93301
(661) 321-9292 office; 332-3243 cell
tjames751@hotmail.com

November 20, 2014

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

**RE: Comments on the Preliminary Discussion Draft of CEQA Guidelines
Revisions Implementing SB 743**

Dear Mr. Calfee:

This correspondence provides comments on the State Office of Planning and Research's (OPR's) Preliminary Discussion Draft of California Environmental Quality Act (CEQA) Guidelines Revisions to implement Senate Bill 743. The comments focus on the unique nature of Kern County's region as it relates to the application of a vehicle miles traveled-based approach to traffic analysis and the determination of CEQA significant traffic effects.

GENERAL COMMENTS;

Kern County's Unique Geography and Dispersed Urban and Employment Centers are Incompatible with a Vehicle Miles Traveled (VMT) Metric of Traffic Analysis

Kern County is uniquely characterized with an expansive geography (8,161 square miles) consisting of diverse valley, desert and mountain landscapes containing agriculture, oil production, renewable energy, aerospace, military, recreation and other activities. These economic pursuits and uses occur in a setting of dispersed communities that will create challenges in implementing VMT-based modeling and analytical approaches. Accordingly, it is important that the CEQA Guidelines Revisions recognize flexibility by local CEQA Lead Agencies in local model development and process control. Kern's uniqueness in landscapes, dispersed urban centers and industries having expansive rural footprints is recognized in Kern COG's recently adopted 2014 Regional Transportation Plan/Sustainable Communities Strategy.

It is also important that the CEQA Guidelines revisions recognize and discount for the large amount of "pass-through" traffic from automobiles and trucks traveling through the region on the County's major transportation routes (Interstate 5, State Route 99 and State Route 58). These largely "pass-through" vehicle trips should be appropriately removed from VMT modeling methodology consideration so as not to bias a CEQA traffic significance determination for a project.

Infill Projects in Transit Priority Areas Should Be Exempt from Traffic Analysis and a CEQA Traffic Significance Determination In Order to Facilitate CEQA Streamlining

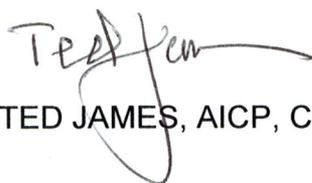
OPR's proposed Guideline's revisions should be streamlining rather than complicating CEQA administration. OPR's proposal intends to expand CEQA by mandating evaluation and mitigation of "vehicle miles traveled" as a new CEQA impact. Infill development in Transit Priority Areas should be promoted as a progressive planning tool to increase density, reduce distances between uses and promote alternate modes of transportation. The Guideline's revisions should reflect that these types of projects have a presumption of reduced: number of trips, trip lengths and miles traveled. Since neither VMT or LOS traffic modeling methodologies properly compare infill developments in Transit Priority Areas, there should be a presumption of reduced traffic impacts below a level of significance,

OPR's Guidelines Revisions Inappropriately Converts Project-Level CEQA Review Into a Regional Land Use Planning Process that Usurps Local Land Use Controls

The proposed Guidelines revisions effectively converts project-level CEQA review into a regional land use planning process. It undermines the SB 375 (Sustainable Communities Strategy) planning framework with a VMT-based traffic modeling analysis that has planning implications that go far beyond CEQA's existing framework. This is exhibited in the proposed Guidelines revision "Appendix F" which incorporates mitigation mechanisms including: "increasing access to common goods and services, such as groceries, schools and daycare," "incorporating affordable housing into the project," and "improving the jobs/housing fit of a community." This regime would apply on a project-level basis, regardless of the regional planning decision made in the overall SB 375 or local general plan framework. Decisions on these planning priorities should properly reside at the local level (city or county) to ensure that residents have the opportunity to effectively define their own communities.

Thank you for the opportunity to comment on the proposed CEQA Guidelines revisions to implement SB 743. Please contact me if you have questions on these revisions.

Sincerely,



TED JAMES, AICP, Consulting