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**transportation
 authority**

28 August 2009

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RE: Comments on Proposed CEQA Guidelines Changes in Response to AB 32 & SB 375

Dear Mr. Calfee & Mr. Peterson:

On behalf of the Transportation Authority, and based on a review of the proposed guidelines by our Attorneys at Nossaman LLP, I extend our support for the guidelines changes as drafted, and offer the following specific comments:

1. We support the overall approach envisioned in new Section 15064.4, "Determining the Significance of Impacts from Greenhouse Gas Emissions." Maintaining lead agency discretion under CEQA regarding the choice of a model or methodology to analyze greenhouse gas emissions, determining a threshold of significance, and otherwise managing the analysis of greenhouse gas emissions is consistent with existing law and practices.
2. It would be beneficial to amend the he discussion in the *Initial Statement of Reasons for Regulatory Action* relative to Consistency with a Plan or Regulation. Specifically, it would be desirable to acknowledge in the statement that the ARB Scoping Plan expresses the State's strategy to meet AB 32 goals, and agencies should be able to rely on it during the interim period before regulations are adopted.
3. We support the Transportation/Traffic changes to the Initial Study Checklist. Specifically, we believe it is beneficial to change ". . . the focus from an increase in traffic at a given location to the effect of a project on the overall circulation system in the project area." This change recognizes that the increasing emphasis on more dense, mixed use development may prove beneficial in the larger environmental context, even if there are significant local increases in traffic.

Thank you for the opportunity to comment on the proposed guidelines, and for your consideration of our comments.

Sincerely,



Robert K. McCleary
 Executive Director

c.c. Authority members; Bay Area CMA Directors; Doug Kimsey, MTC