



August 24, 2009

Mr. Christopher Calfee  
Special Counsel  
California Resources Agency  
1017 L St., #2223  
Sacramento, CA 95814

RE: SMAQMD Comments on Proposed CEQA Guidelines Amendments

Dear Mr. Calfee:

The Sacramento Metropolitan Air Quality Management District is one of 35 local air districts in the state of California. The District has a very active Land Use and Transportation section and works closely with the 7 cities and the County of Sacramento on their land use projects, helping them to identify and mitigate air quality impacts. As a CEQA "commenting" agency, we comment on hundreds of land use projects each year and increasingly, have worked with local lead agencies on their analyses of climate change in CEQA documents. We closely followed the development of the OPR's Preliminary Draft CEQA Guideline Amendments for Greenhouse Gas Emissions and appreciate the opportunity to comment now to the Resources Agency. We offer the following comments on the draft document:

- §15093(d) *When an agency makes a statement of overriding considerations, the agency may consider adverse environmental effects in the context of region-wide or statewide environmental benefits.* The District commends this language as it supports infill development which may have a local impact but overall regional benefit, especially as it relates to transportation-related impacts.
- §15183.5(2) *A greenhouse gas reduction plan, once adopted following certification of an EIR or adoption of an environmental document, may be used in the cumulative impacts analysis of later projects.* The District commends the statement in that the Guidelines grant the ability to tier off of a "greenhouse gas reduction plan" once it has gone through a CEQA process. Currently, there's a great deal of debate among lead agencies about whether Climate Action Plans require a CEQA analysis. This particular section appears to clearly state those plans need a CEQA review if they will be used for tiering.
- Appendix F / II.D.2 – In the OPR version of the revised guidelines, this item read: *Mitigation measures may include the potential of siting, orientation, and design to*

*minimize energy consumption, including transportation energy, water conservation and solid-waste reduction.* The Resources Agency version of the revised guidelines has removed water conservation and solid waste reduction. The District would like to know the reason for the removal as it appears that project siting has a powerful influence on energy needed for both water use and solid-waste activities.

- Appendix G / VII - The District supports the inclusion of and wording of the new GHG checklist section.
- Appendix G / XVI(a) - The District believes there's a missing word in this section. The word "NOT" is missing. The question should read "*Would the project exceed the capacity of an existing circulation system based on an applicable measure of effectiveness.....taking into account all relevant components of the circulation system, including, but **NOT** limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit*" The District applauds the addition of reference to alternative modes of transportation in this revision.
- Appendix G / XVI(b) - *Would the project conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways.*

While the District applauds the mention of an array of congestion management programs and not just Level of Service (LOS), we remain concerned that the requirement to respond to this question could have well known but unintended consequences such as unnecessary widening of streets and roads. Many municipalities have had to create a "work around" to deal with these consequences. For example, some cities create policies which allow Level of Service E around transit stations simply because such a congestion level works well in that situation. We recommend that the question be amended to suggest planners examine congestion on all applicable transportation modes, including roads, bikes, pedestrian and transit. In addition, there should be mention of a need to consider the land use context of the project and the duration of the congestion. The District suggests the following revised language be used:

- *Would the project conflict with an applicable transportation management program which measures congestion, connectivity, or accessibility on all applicable transportation modes, including designated roads or highways, carpool lanes, bus lanes, bicycle lanes or paths, sidewalks or transit? Such a program could include, but not be limited to multi-modal level of service standards, travel demand measures, connectivity indexes, average vehicle trip generation or other standards established by the county congestion management agency. The program should take into account the project's land use context as well as the duration of the congestion.*

- Appendix G / XVI(f) - *"Would the project result in inadequate parking capacity?"*  
The District believes that this question can often lead to creating an over supply of parking which, in turn, could induce automobile use. In fact, it is not uncommon for projects that make it to the environmental analysis stage to be over-parked. For example, a recent office project was reviewed which contained a 3,000 space parking garage that was within walking distance of a light rail station. It was grossly over-parked and the presence of so much parking would undercut transit ridership. The current CEQA Guidelines question would not address an over-parked project like this one.

It may be very beneficial to still have the CEQA Environmental Checklist guide planners to analyze the effects of parking. That analysis should be a comprehensive examination of whether the parking supply is appropriate for the project, given the context of the project. The analysis should take into account the multi-modal transportation system that serves the project. Suggested language would be:

- *Would the project conflict with an applicable parking demand management assessment which measures automobile parking adequacy and alternative vehicle parking adequacy, including bike parking, NEV parking, and car share parking. The program should take into account the project's land use context as well as the duration of the parking demand.*

Thank you for the opportunity to comment.

Sincerely,

A handwritten signature in black ink, appearing to read "Larry Greene". The signature is fluid and cursive, with a long horizontal stroke at the end.

Larry Greene  
Executive Director/Air Pollution Control Officer