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From: David DeVries <ddevries@lemongrove.ca.gov>
Sent: Tuesday, March 13, 2018 4:33 PM
To: CEQA Guidelines@CNRA
Cc: Lydia Romero; Arturo Ortuno; intern; Mike Viglione; Malik Tamimi
Subject: Written Comments - 2018 Amendments to CEQA Guidelines

To: Christopher Calfee, Deputy Secretary and General Counsel
California Natural Resources Agency
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Fax: 916-653-8102
Email: CEQA.Guidelines@resources.ca.gov.

Subject: Written Comments – 2018 Amendments to CEQA Guidelines

Thank you for allowing us the opportunity to comment on the 2018 Amendments and Additions to the State CEQA Guidelines (Reference http://resources.ca.gov/ceqa/?utm_source=Members+Only&utm_campaign=920424b1bd-EMAIL_CAMPAIGN_2018_01_12&utm_medium=email&utm_term=0_d35edd2df1-920424b1bd-79404881). Please consider modifying the State CEQA Guidelines as follows:

1. Vehicles Miles Traveled (VMT) should reflect/promote a jobs/housing balance as a part of the qualifying criteria for VMT reductions. Currently it is not addressed. **We recommend that Section 15064.3.b.1 be revised to include projects within one half mile of employment centers (zoned for 0.75 floor area ratio or more) to cause a less than significant transportation impact.**
2. Currently new housing projects are allowed to locate in areas with poor air quality without mitigation (e.g., Housing next to a freeway). Mitigation measures like planting broad leaf trees and installing HVAC and carbon filtration systems can help reduce exposure levels of new residents to be a less than significant impact. **We recommend that in addition to sensitive receptors (e.g., hospitals, schools, daycare facilities, elderly housing and convalescent facilities), require that, parks, housing and places of employment are included as either sensitive receptors or other land uses exposed to substantial pollutant concentrations as a part of CEQA Checklist III (Air Quality) c (previously d).**
3. A transit agency consultation should not be required for smart growth transit oriented development projects. This implies a similar process to tribal consultations. Transit agencies are notified of General Plan projects and their amendments and do not need further notification during a plan's implementation. **We recommend that Sections 15086(a)(5) & 150072(e) be revised as follows: For a project of statewide, regional, or area wide significance, the lead agency should "notice" transit agencies with facilities within one-half mile of the proposed project (not consult).**
4. Appendix G under current regulations asks whether a project would substantially adversely affect a federally protected wetland. California law protects all waters of the state, while the federal Clean Water Act governs only "navigable waters". Since nothing in CEQA's definition of environment limits consideration to federally regulated resources, **we recommend that Appendix G further define all waters of the State to be "navigable waters" in federally protected wetlands or another defined location. We desire lead agencies to consider impacts to wetlands that are protected by either the state or the federal government, but request that these areas be further defined. Wetlands are described as areas that are wet or seasonally wet which could include any location in the City.**

Thank you for considering our recommendations. Should you have questions, please do not hesitate to call or email me. Please reply to confirm receipt of this email.

Thanks,

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