

**Lockey, Heather@CNRA**

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**From:** Alicia Berhow <ABerhow@ocbc.org>  
**Sent:** Thursday, March 15, 2018 5:50 PM  
**To:** CEQA Guidelines@CNRA  
**Subject:** Orange County Business Council - SB743-CEQA Implementation Comments  
**Attachments:** SB743-CEQA Implemntation Guidelines - Comments.pdf

Dear Mr. Calfee,

Please see Orange County Business Council's attached comments regarding SB743.

Thank you for your consideration.

*Alicia Berhow*

Senior Vice President of Government Affairs  
Orange County Business Council



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March 15, 2018

Christopher Calfee  
Deputy Secretary and General Counsel  
California Natural Resources Agency  
1416 Ninth Street, Suite 1311  
Sacramento, CA 95814

Re: Comments on Proposed Updates to CEQA Guidelines

Dear Deputy Secretary Calfee:

Orange County Business Council (OCBC) is grateful for the opportunity to comment on the Proposed Updates to the CEQA Guidelines (Updates). OCBC represents the interests of America's sixth largest county by population. OCBC and its stakeholders are dedicated to promoting, protecting, and defending the region's environment, and to the economic development of Orange County. Our work, in part, includes growing a skilled workforce to fill high paying jobs, increase the supply, choices and affordability of workforce housing, and advance concurrent infrastructure improvements.

Without an adequate supply of housing--and the necessary traffic improvements required as mitigations for approvals of that housing--Orange County will continue to lose its skilled workers and young talent

The proposed Guidelines serve to complicate the CEQA review process where traffic analysis is concerned. Despite statements to the contrary, lead agencies will have to analyze traffic impacts in the context of both LOS and VMT creating significant uncertainty and enough opportunities for dispute to result in more challenges to land-use approvals based on findings and conclusions derived from arbitrary thresholds. California has a 3.5 million home shortfall today. The proposed rules are likely to exacerbate that crisis.

Delayed or overturned in-fill housing projects result in higher home prices and rents, thus pushing moderate-income workers to outlying communities. This, of course, will result in more traffic, not less, as these workers--priced out of the local housing market--will be forced to "drive until they qualify" for housing, then back to their jobs. In the end, the effects will be exactly the opposite of what the legislature and the Governor intended. And Orange County loses a skilled, young workforce to ever longer commutes.

Finally, with great respect, Mr. Calfee, you were the skilled architect of SB 743 proposed guidelines at OPR and are now leading rule-making at Natural Resources (a single-focus agency generally not interested in increased state housing production). We contend that another state agency, with independent, neutral eyes, such as Department of Housing and Community Development, be charged with developing rule-making. A quarterback should not be throwing the football to himself. Due process requires transparency and independent review.

Mr. Christopher Calfee  
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**In sum, OCBC urges rulemaking apply the original legislative intent of SB 743 to Transit Priority Areas, and not to all communities in California. Furthermore, the Guidelines and their interpretation have changed more than four times. We request that they be implemented two years after final adoption by the Administrative Law Agency in order to give the regulated community time to prepare.**

Sincerely,

A handwritten signature in black ink, appearing to read 'Lucy Dunn', with a long horizontal flourish extending to the right.

Lucy Dunn  
President and CEO

LD:AB:I