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From: Pea Ce <pea-ce@live.com>
Sent: Thursday, March 15, 2018 4:47 PM
To: Calfee, Christopher@CNRA; CEQA Guidelines@CNRA
Cc: Pea Ce; randallcleveland@hotmail.com
Subject: CEQA Guidelines Update
Attachments: 3-15-18-CEQA Guidelines Update-PEACE-Pub Cmmt.pdf

Attached are our CEQA Guidelines Update comments. Please reply to confirm receipt.

Thx

Randall Cleveland

for the PEACE Team



PROTECTING **E**ARTH & **A**NIMALS **W**ITH **C**OMPASSION & **E**DUCATION

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Sent via email: Christopher.Calfee@RESOURCES.CA.GOV & CEQA.Guidelines@resources.ca.gov
March 15, 2018

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

Subject: CEQA Guidelines Update Comments

On a positive note. The CA Natural Resources Agency (CNRA) is to be commended for including the documents and keeping them to a reasonable size for faster access.

On a negative note. We have commented on CEQA projects where the lead agencies are within CA's Natural Resources Agency, yet neither we nor many of the other environmental and stakeholder organizations were ever noticed. The preponderance of those who were noticed appear to be developers or consultants. The only way we heard of this CEQA Update was via word of mouth. This is unacceptable.

To compensate for this disadvantage, we strongly request that the comment deadline be extended for at least another 15 to 30 days to formally notice all the environmental and other organizations who have commented on Natural Resources division projects in the past; and (2) to allow them enough time to properly review the hundreds of update project pages in order to comment effectively.

Irrelevant Rationale. There are both lead agencies and applicants who do not want to comply with CEQA. Even though the CEQA process protects natural resources and human welfare, some put profits and politics above conservation values. One of the stated reasons for this CEQA update is "streamlining." Another buzzword is "efficiency." When we see these words, it's a red flag alert that possibly the "wink-wink fix" is on, and public citizens beware. The purpose of CEQA is to keep the public informed and allow them to comment to make a project better. Streamlining and efficiency are the antithesis of CEQA's intent and should never be subordinate to an informed public and better environmental outcomes. The mandate to inform the public is thwarted as soon as anyone tosses "streamlining" especially into rationales for changes.

To stay the course and work toward beneficial environmental outcomes that CEQA can accomplish, instead of "streamline" or "efficiency," any CEQA update's purpose should be to "strengthen" CEQA's influence with positive outcomes for natural resources and human welfare in final approvals. Instead of capitulating to power, politics and profit, we strongly urge the CNRA to step up and make CEQA work for citizens and natural resources first and foremost.

Unacceptable Rationale. It was appalling to read in the Notice of Proposed Rulemaking, page 4, these words: “Finally, many of the changes are intended to make the CEQA process **easier to navigate by, among other things, improving exemptions, making existing environmental documents easier to rely on for later projects,** and clarifying rules governing the CEQA process.” [bold added]

“...improving exemptions”? “...easier to rely on for later projects”? Who on earth is trying to sabotage CEQA? Do we have to follow the money to find out? This is absurd and is another example of this update’s attempt to cut citizens completely out of the CEQA process.

“Easier to rely on for later projects” is a deliberate poke in the eye of citizens who are concerned about both human welfare and natural resources. Why would the CNRA cater to applicants and/or developers who, when conditions change, as they often are rapidly, do not want to lose money by having to change their plans? They already can change their plans without the public’s knowledge with “Subsequent” or “Supplemental” environmental reports. They’ll initiate amending projects for profit, but when environmental conditions change, there should be no built in “exemption” as if they have been granted priority “right to incur and impose significant impacts” on the community at a later date.

CNRA’s Mission and Mandate. We submit that, in spite of its possible weak areas, CEQA is the best, most effective, and sometimes the only, mechanism to protect the environment and hear from folks—neighbors, communities who will be victimized if not protected—as to what and how negative impacts will affect them. It’s quite shocking that the thrust of the update seems to be in the opposite direction. Scofflaws are cutting corners everywhere with lead agencies looking the other way, or they do not have the resources to regularly monitor activities. Perfect example is the Sierra apartments project in Rocklin. The FEIR has been legally challenged by Citizens’ Voice, but the developer began clear-cutting oaks two days ago—before there’s been any court action! This is what citizens have to deal with and why any CEQA update must ratchet down, hard, on lead agencies and applicants. Instead of streamlining, CNRA should be looking at every piece of litigation to amend loopholes and tighten the requirements in favor of environmental protection—not more impacts.

Update Language to Stop Conflict of Interest. Another example that the CEQA update should address: Also in Placer County and incorporated areas, lead agencies and applicants are one and the same entity—they are creating the environmental documents AND voting on them at the same time! Can anyone in CNRA see the conflict of interest here? We urge the CNRA to amend CEQA to put strong safeguards in place to prevent any potential skullduggery. One example in such instances might include a mandate for oversight by an outside, third party, possibly from the CNRA to review and monitor every activity. The goal would be to ensure an honest and fully transparent project, which we believe is the purpose of CEQA.

Thank you,
/s/ Randall Cleveland
Randall Cleveland
For the PEACE Team