

## Lockey, Heather@CNRA

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**From:** Kyle Jones <kyle.jones@sierraclub.org>  
**Sent:** Thursday, March 15, 2018 4:17 PM  
**To:** CEQA Guidelines@CNRA  
**Subject:** Sierra Club Comments  
**Attachments:** SCCA OPR CEQA.docx

Mr. Calfee,

Please find the comments from Sierra Club California on the CEQA Guidelines update.

Thanks,  
Kyle Jones

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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: Office of Planning and Research's Proposed Update to Guidelines for Implementation of the California Environmental Quality Act**

Dear Mr. Calfee:

Sierra Club California submits the following comments on the Office of Planning and Research's (OPR) update on the Guidelines for Implementation of the California Environmental Quality Act (CEQA). CEQA is a critical law for California that mandates agencies publicly evaluate environmental impacts of their actions and mitigate these impacts. CEQA holds polluters responsible for harms on our communities and the environment and provides a voice for the public. We have identified several areas within the proposed update that we believe need to be addressed or highlighted.

**Section 15064.3 (b)(1)**

We oppose a presumption that land use projects within one-half mile of transit have less than a significant transportation impact. There are numerous types of projects that could still induce traffic, such as projects that draw in people from areas not connected to the transit, or development of luxury housing where residents may not use transit.

Regardless, all projects must evaluate their transportation impacts, and a lead agency's determination as to whether or not an impact is significant is still a case-by-case basis. This presumption could have agencies believing they can ignore these impacts, causing unmitigated impacts to occur, in violation of CEQA. The presumption needs to be removed.

**Section 15064.3 (b)(2)**

We oppose allowing roadway capacity projects to continue to use Level of Service as an appropriate methodology to determine impacts. The switch to vehicle miles traveled as a methodology is part of California's recognition that reducing the amount of car trips taken is imperative to reducing greenhouse gas emissions in line with our goals. Types of projects should not be exempt from a stricter analysis, especially those types of projects like road widening where the project can induce traffic and cause more vehicle miles traveled.

## **Section 15126.2 (b)**

We support the consideration of wasteful energy as a component of CEQA. The addition of this section will help California's existing efforts to reduce energy consumption, and prevent needless greenhouse gas emissions.

## **Appendix G X. Hydrology and Water Quality**

We are concerned that the Appendix G change to groundwater impacts may miss numerous impacts throughout the state by limiting impacts to those interfering with sustainable groundwater management of a basin. The Sustainable Groundwater Management Act only covers alluvial sources of groundwater in the state and does not include fractured rock aquifers. For alluvial basins, only medium and high priority basins are required to conform to sustainability requirements.

OPR should revert to the previous language and add "or would the project impede sustainable groundwater management of the basin." This will prevent impacts from going unmitigated in areas not managed under the Sustainable Groundwater Management Act, and still prevent interference with the implementation of the Act.

The above changes would better conform your updates to the CEQA guidelines with other California policies and laws, and prevent pollution from harming California communities. We urge you to consider these comments and make conforming changes.

Sincerely,

A handwritten signature in blue ink, appearing to read "KJ", is positioned above the typed name.

Kyle Jones  
Policy Advocate