

From: Gladwyn d'Souza
Sent: Thu 5/31/2012 3:41 PM
To: CEQA Guidelines
Subject: Comment on CEQA Streamlining for Infill Projects (SB 226)

Dear OPR,

Comments related to

http://www.opr.ca.gov/docs/Revised_DRAFT_Appendix_M_043012.pdf

Comment 1

Reason: Traffic is the number one reason why residents oppose projects. Definitions should align with public's concerns for health and safety.

Section II. Definitions

Change: Unless more specifically defined at the local level, "high-volume roadway" means freeways, highways, urban roads with 100,000 vehicles per day, or rural roads with 50,000 vehicles per day.

To: Unless more specifically defined at the local level, "high-volume roadway" means freeways, highways, urban roads with 50,000 vehicles per day, or rural roads with 25,000 vehicles per day.

Comment 2

Reason: numbers should reflect current concerns and objectives.

Section II. Definitions

Change: "Low vehicle travel area" means a traffic analysis zone that exhibits a below average existing level of vehicle travel as determined using a regional travel demand model. For residential projects, travel refers to either home-based or household vehicle miles traveled. For commercial and retail projects, travel refers to average non-work attraction trip length; however, where such data are not available, commercial projects may reference residential travel. For office projects, travel refers to commute attraction vehicle miles traveled per employee; however, where such data are not available, office projects may reference household or home-based VMT.

To: "Low vehicle travel area" means a traffic analysis zone that exhibits a below average existing level of vehicle travel as determined using a regional travel demand model. For residential projects, travel refers to either home-based, household vehicle miles traveled, or accessibility to destinations by mode. For commercial and retail projects, travel refers to average non-work attraction trip length; however, where such data are not available, commercial projects may reference residential travel. For office projects, travel refers to commute attraction vehicle miles traveled per employee; however, where such data are not available, office projects may reference household or home-based VMT.

Comment 3

Reason: Projects that don't include air district recommendations do not have an environmental benefit and should not get a CEQA waiver.

Section III.

Change: Residential Units Near High-Volume Roadways and Stationary Sources. If a project includes residential units located within 500 feet, or other distance determined to be appropriate by the local agency or local air district based on local conditions, of a high volume roadway or other readily identifiable stationary source of air pollutants, the project shall comply with any policies and standards identified in the local general plan, specific plan, zoning code, ordinance or community risk reduction plan for the protection of public health. If the local government has not adopted such plans or policies, the project shall include measures, such as enhanced air filtration and project design, that the lead agency determines, based on substantial evidence, will promote the protection of public health. Those measures may include, among others, the recommendations of the California Air Resources Board and local air districts.

To: Residential Units Near High-Volume Roadways and Stationary Sources. If a project includes residential units located within 500 feet, or other distance determined to be appropriate by the local agency or local air district based on local conditions, of a high volume roadway or other readily identifiable stationary source of air pollutants, the project shall comply with any policies and standards identified in the local general plan, specific plan, zoning code, ordinance or community risk reduction plan for the protection of public health. If the local government has not adopted such plans or policies, the project shall include measures, such as enhanced air filtration and project design, that the lead agency determines, based on substantial evidence, will promote the protection of public health. Those measures should include, among others, the recommendations of the California Air Resources Board and local air districts.

Comment 4

Reason: populations separated by high volume roads from schools are less likely to engage in low VMT activity because of an existing dangerous condition.

Section E.

Change: Elementary schools within one mile of fifty percent of the projected student population are eligible. Middle schools and high schools within two miles of fifty percent of the projected student population are eligible.

To: Elementary schools within one mile of fifty percent of the projected student population, not separated by a high volume roadway, are eligible. Middle schools and high schools within two miles of fifty percent of the projected student population, not separated by a high volume roadway, are eligible.

Comments related to

http://www.opr.ca.gov/docs/Revised_DRAFT_Proposed_CEQA_Guidelines_Section_15183_3_043012.pdf

Comment 1

Reason: CEQA waivers should be equitable and reflect SB375.

Section b 3 (A)

Change: Where an infill project is proposed within the boundaries of a metropolitan planning organization for which a sustainable communities strategy or an alternative planning strategy will be, but is not yet in effect, a residential infill project must have a density of at least 20 units per acre, and a retail or commercial infill project must have a floor area ratio of at least 0.75.

To: Where an infill project is proposed within the boundaries of a metropolitan planning organization for which a sustainable communities strategy or an alternative planning strategy will be, but is not yet in effect, a residential infill project must have a density of at least 50 units per acre, 20% of which are affordable, and a retail or commercial infill project must have a floor area ratio of at least 1.

Comments related to

http://www.opr.ca.gov/docs/Revised_DRAFT_Appendix_N_Infill_Environmental_Checklist_043012.pdf

Comment 1

Reason: Encompass all impediments to access that result in higher VMT.

Section XVI b.

Change: 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?

To: Conflict with an applicable congestion management program, including, but not limited to travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?

Comment 2

Reason: Populations separated by high volume roads from schools are less likely to engage in low VMT activity because of an existing dangerous condition.

Section: SATISFACTION OF APPENDIX M PERFORMANCE STANDARDS number 8

Change: The project is an elementary school and is within one mile of 50% of the student population, or is a middle school or high school and is within two miles of 50% of the student

population. Alternatively, the school is within ½ mile of an existing major transit stop or an existing stop along a high quality transit corridor. (Attach map and methodology.)

To: The project is an elementary school and is within one mile of 50% of the student population, not separated by a high volume road, or is a middle school or high school and is within two miles of 50% of the student population not separated by a high volume road. Alternatively, the school is within ½ mile of an existing major transit stop or an existing stop along a high quality transit corridor. (Attach map and methodology.)

Thank you,

Gladwyn d'Souza