

CEQA Improvement Regional Dialogue – Orange County

April 12, 2005 -- Digest Notes

Introductory Comments

- The Governor's mandate is to improve CEQA to advance the development of housing and to conserve the natural landscape. Housing development must occur in a way that preserves our natural environment. As part of the Governor's effort to achieve this goal, Secretary Chrisman assembled a state level Advisory Group composed of a wide range of interest and is working on two tracks. The long term track will consider how CEQA is working around housing, infrastructure and across the board to improve community outcomes. The short term track is looking at this year's legislative cycle with the aim of setting forth some specific, CEQA-related ideas. The Advisory Group process has been a transparent process. Written feedback from all members of the Advisory Group is made available online as are notes from each of the Regional Dialogues. This Orange County session is one of five regional dialogues taking place statewide.
- The directive for this two track approach (housing and more comprehensive approach to housing) is to identify incentives for advancing development in developed areas. The intention is to do this in a way that is sensitive to neighborhood and environmental concerns.
- NCCP model is voluntary "proactive resources planning" that would occur as part of a wider conservation effort
- The longer term track would amend existing planning law and establish a new chapter to CEQA to include environmentally attractive outcomes.
- The Urban Infill Outcomes subcommittee is considering what the outcomes would look like and ways to better integrate CEQA into planning efforts.

Public Policy Institute of California (PPIC) Presentation

- The PPIC paper on *CEQA Reform: Issues and Options* is posted on PPIC's website at: http://www.ppic.org/content/pubs/OP_405EBOP.pdf

Public Comments

- With respect to infrastructure, there is often a need to duplicate the review process to comply with NEPA and CEQA. In the RCIP, there are three processes that must be coordinated. Integration of these two laws does not force coordination. County circulation elements are done at the local level and are not reviewed by the federal approval process. There should be a review process that integrates these two review procedures.
- A uniform set of standards would reduce the number of challenges raised through CEQA. For example, the way that mobile source emissions are measured is not standardized under CEQA and opens itself up to challenges from a range of adversaries. Standards for impacts are difficult to establish as only 11% of localities complete their master plans.
- Need more clarification of the roles among lead agencies, local agencies, land use agencies, and/or project proponents. Lead agencies should have significance thresholds in requiring the use of better/more modernized construction equipment that

requires less maintenance. Construction requirements have been standardized by groups such as CalTrans, but other developers are not interested in standardization and are not required to adopt such standards.

- The CEQA guidebook should include a sample table of contents that would support lead agencies in the development of CEQA-related documents. An estimated 30% of housing costs can be attributed to environmental review processes and cutting back on these expenses would be very helpful.
- Frontloading would be a way to encourage community outcomes with benefits that are measurable at the regional scale (e.g. water, air, housing,). For example, watershed agencies are working on frontloading through the integrated regional water plans. This type of planning helps define problems and provides direction for taking positive steps toward mitigation.
- Subregional planning could be improved by simply improving the sharing of information and research. If issues are raised “up front” there would be cost savings.
- Different types of housing do not have different environmental impacts. But larger scale planning may be a better venue to address the issue of producing more affordable housing. There needs to be a way to support affordable housing and shift the “inappropriate” burdens of EIRs into arenas other than CEQA.
- Short form or abbreviated review process would help support an increase in housing production.
- How would a citizens group or concerned citizen raise concerns to challenge “inappropriate” projects? CEQA is the only thing that is protecting the environment, but what would ensure the interest of the environment in the absence of CEQA? Upholding environmental protections should be increased as a result of increased population. Project level scrutiny and public participation are critical pieces of CEQA. 10 year planning is not feasible as it does not allow for predicting changes in the future. It is not clear that CEQA is the main driver of housing prices and overall housing production.
- Cumulative impacts are difficult to prove on a small scale. How will CEQA be better at a larger scale? CEQA does serve the needs of Californians. The law should be strengthened.
- Bullet proofing CEQA is a costly process and serves to keep the public out.
- Streamlining CEQA is not about cutting corners, but improving the process. CEQA is not the same law as when it was passed in 1970 and should be adapted to meet current day concerns. The housing crisis is ongoing and growing and CEQA should be revisited to adapt to current needs. The City of Los Angeles passed Measure O – \$500 million bond – as a good first step, but it’s not a large enough pot of money.