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February 17, 2009

Mr. Mark Nelson
Director of Community Development
City of Manteca
1001 W. Center Street
Manteca, CA 95337

Reference: Senate Bill 947 - CEQA Scoping Meetings and Consultation with
Transportation Planning Agencies

Dear Mark:

I am writing to inform you about Senate Bill 947, which modifies the California Environmental Quality Act ("CEQA") by imposing additional requirements upon a lead agency with regard to the notice provided to, and the necessary consultation topics to be engaged in, with transportation planning agencies. Senate Bill 947 became law on January 1, 2009 and specifically modifies Public Resources Code sections 21083.9 and 21092.4.

CEQA requires a lead agency to hold a public scoping meeting for any project of statewide, regional, or areawide significance. Under previous law, CEQA required a lead agency to provide notice of this public scoping meeting to certain public agencies and parties. Senate Bill 947 now requires that a lead agency provide notice of a public scoping meeting for any project of statewide, regional, or areawide significance (as defined by CEQA Guideline 15206(b)) to a "transportation planning agency or public agency required to be consulted pursuant to Section 21092.4." Although the term "transportation planning agency" is not defined, Section 21092.4(a) provides that consultation with transportation planning agencies includes such agencies, "that have transportation facilities within their jurisdiction that could be affected by the Project." Further, Senate Bill 947 broadened the definition of transportation facilities to include overpasses, on-ramps, and off-ramps within 10 miles of a project site. This newly expanded definition is in addition to the already existing definition of "major local arterials and public transit within five miles of the project site and freeways, highways, and rail transit service within 10 miles of the project site." (Section 21092.4(b)). Since I am aware that Manteca has recently faced issues concerning impacts on on-ramps in and around the City, I thought that you might be interested in this bill.

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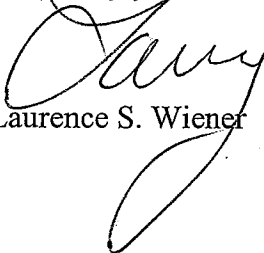
Mark Nelson
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Senate Bill 947 also mandates that for projects of statewide, regional, or areawide significance, certain topics be discussed in a lead agency's consultation with a transportation planning agency (or other agency that has transportation facilities within its jurisdiction that may be affected by a project). Previously, a lead agency was required to consult with a transportation planning agency, or other agency that has transportation facilities within its jurisdiction that may be affected by a project, to discuss a project's effect on major local arterials, public transit, freeways, highways, and rail transit service. Senate Bill 947 has added overpasses, on-ramps, and off-ramps to the list of topics to be discussed.

Based on the legislature's recent passage of Senate Bill 947, when dealing with a project of statewide, regional or areawide significance, Manteca will need to consider and consult with transportation planning agencies and any other agencies with transportation facilities, as more broadly defined above, that may be affected by a project and are within a 5 and 10 mile radius of the project site. Based on these recent legislative amendments, you may wish to update any current list of public agencies and transportation agencies that are usually notified or consulted with regarding projects of statewide, regional, or areawide significance.

If you should have any questions about any of this, please do not hesitate to contact me.

Very truly yours,



Laurence S. Wiener