

TO: Regional Transportation Commission

FROM: Kim Shultz, Senior Transportation Planner

REGARDING: Highway 1 HOV Lanes Project –
Public Review Period for the Draft Environmental Document

RECOMMENDATIONS

Staff recommends that the Regional Transportation Commission discuss the proposed duration of the public review period for the Highway 1 HOV Lanes Draft Environmental Document.

BACKGROUND

Caltrans is the lead agency for the Highway 1 HOV Lanes environmental process and determines the length of the public review period for the environmental documents. At the June 2007 RTC meeting, Commissioner Coonerty asked Caltrans whether the proposed 60-day public review period for the Highway 1 HOV Lanes Draft Environmental Document could be extended to 90 days. Caltrans communicated in correspondence from Rich Krumholz ([Attachment 1](#)) the intent of providing a 45-day review period. In October 2007, the RTC considered a staff recommendation for a 60-day public review period and voted to recommend that Caltrans establish a 30-day public review period.

At its February 2008 meeting, the RTC discussed the public review period for the Highway 1 HOV Lanes environmental documents as part of the discussion on the Regional Transportation Improvement Program (RTIP) and decided to discuss the duration period for public review of the Highway 1 HOV Lanes environmental documents at a future meeting.

DISCUSSION

The Highway 1 HOV Lanes project schedule adopted by the Project Development Team (PDT) early in the development process provided a 60-day public review period beginning with release of the complete body of draft environmental studies. The California Environmental Quality Act (CEQA) guidelines and the Public Resource Code direct the public review period for draft Environmental Impact Reports (EIRs) must be no less than 30 days following the date of the notice of availability, or 45 days where the draft EIRs are submitted to the State Clearinghouse.

Caltrans routinely follows this guidance allowing a 45-day review period for draft EIRs ([Attachment 1](#)). Caltrans maintains that the review period not be longer than 60 days, except in unusual circumstances, and "... that a 45-day review period is a practice most agencies, environmental groups, and individuals are aware of, and appreciate."

The extended 60 day review period originally recommended by the PDT and RTC staff was based on the scope of the project, level of community interest, and diverse public opinion. The Speaker's Bureau public outreach program is intended to assist the public's understanding of the project thereby help in the review and critique of the draft environmental documents within the timeframe provided.

SUMMARY

Staff recommends that the Regional Transportation Commission discuss the proposed duration of the public review period for the Highway 1 HOV Lanes draft environmental documents.

Attachments:

1. Correspondence, dated September 19, 2007, from Richard Krumholz, re Review Period for the Highway 1 HOV Lanes Draft Environmental Documents

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