

Attachment "G"

CEQA Appeals Draft

Re: CPC-2018-2657-CA, CPC-2018-2658-CE

To BABCNC

The point of the CEQA proposed ordinance is to have a 15 day period after a non-elected board (like CAPC) determines the project as exempt after an appeal tied to a entitlement request with an associated environmental case (ie : a DIR & a CE). Currently the determination of the CAPC is heard at hearing and a letter of determination is sent approx. (3) weeks later. The LOD is no longer appealable after the mailing date, hence plan stamping can occur and permits can be obtained. This proposed ordinance would expand that window to 15 days beyond the mailing date of the non-elected body. This would essentially prevent the clearance of plan stamping and the issuance of permits.

Currently, if a project has only a CEQA appeal they is no stay of work. This procedure would allow those to appeal file a two page form (for the low price of \$89) perhaps with no evidence of the claim.

Points to include in Letter to Planning

The BABCNC Board write a letter to the Planning Department (Azeen Khanmalek) to ask for additional processes for appealing CEQA clearances as presented in CPC-2018-2657-CA, CPC-2018-2658-CE. Reference 2008 proposed CEQA procedures.

CEQA procedures would be:

- CEQA appeals are heard within 60 days of filing
- Costs for filing a CEQA appeal costs need not to exceed \$500 (which is commensurate with other filing fees for a basic investigation with BOE or the filing for building permit appeal with LADBS).
- All complaints filed on CEQA appeals must include in the form some authentication of claim from licensed professionals (architects, biologists, etc.) in order to validate said claim.

