

California Legislature
Senate Committee on
Environmental Quality

BOB WIECKOWSKI
CHAIR



**INFORMATIONAL HEARING OF THE
SENATE ENVIRONMENTAL QUALITY COMMITTEE
BOB WIECKOWSKI, CHAIR**

Wednesday, April 15, 2015
9:30 a.m.
CALIFORNIA STATE CAPITOL
Room 3191

**OVERVIEW OF THE
CALIFORNIA ENVIRONMENTAL QUALITY ACT
(CEQA)**

BACKGROUND INFORMATION

BRIEF HISTORY AND CEQA TENETS

The impetus for CEQA can be traced back to the passage of the first federal environmental statute in 1969, the National Environmental Policy Act (NEPA). In response to this federal law, the California State Assembly created the Assembly Select Committee on Environmental Quality to study the possibility of supplementing NEPA through state law. That legislative committee, in 1970,

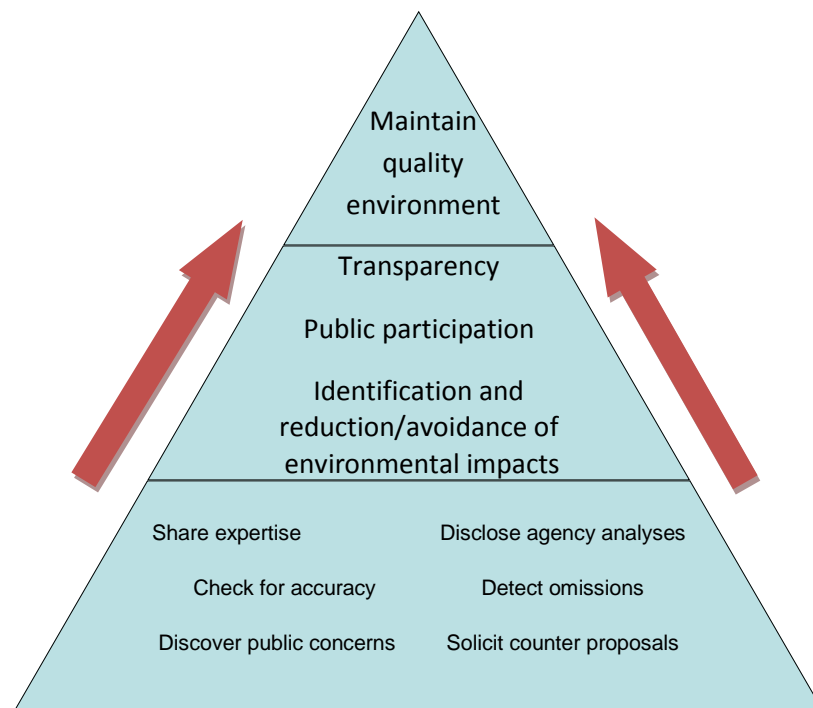
issued a report entitled *The Environmental Bill of Rights*, which called for a California counterpart to NEPA. Later the same year, acting on the recommendations of the select committee, the Legislature passed, and Governor Reagan signed, the CEQA statute.

Over the years, CEQA has been amended many times; sometimes with fundamental changes occurring along the way. For example, a key modification occurred in 1972 when the Legislature enacted AB 889, Chapter 1154, Statutes of 1972), codifying the holding in *Friends of Mammoth v. Board of Supervisors of Mono County* (1972) 8 Cal. 3rd, 104 Cal. Rptr. 76, which provided that CEQA applies not only to public projects but also to private activities requiring discretionary governmental approval. Another example is the incorporation of climate change into CEQA – SB 97 (Dutton), Chapter 185, Statutes of 2007, required the Office of Planning and Research (OPR) to amend the CEQA Guidelines to assist public agencies in the mitigation of greenhouse gas (GHG) emissions or the effects of GHG emissions. This new mandate essentially confirmed that GHG emissions are a significant effect under CEQA. CEQA today is not the same body of law as four decades ago.

However, what have stayed consistent are CEQA’s tenets, which aim to satisfy the state’s policy to develop and maintain a *quality environment*.

CEQA TENETS

CEQA’s tenets build toward California’s policy of developing and maintaining a quality environment.



CEQA establishes the policy of the state to “[d]evelop and maintain a high-quality environment now and in the future, and take all action necessary to protect, rehabilitate, and enhance the environmental quality of the state.” (PRC §21001(a)). Among other policies stated in the act, CEQA also establishes state policy to “tak[e] all action necessary to provide the people of this state with clean air and water, enjoyment of aesthetic, natural, scenic, and historic environmental qualities, and freedom from excessive noise.” (PRC §21001(b)). The statute rounds out these guiding principles by including the policy to “create and maintain conditions under which man and nature can exist in productive harmony to fulfill the social and economic requirements of present and future generations.” (PRC §21001(e)).

Keeping these policies in mind, CEQA provides the following three main objectives:

- **Inform** decisionmakers and the public of potential adverse environmental impacts of proposed activities carried out or approved by them;
- Provide for **public participation** in the environmental review process; and,
- Identify, and require the implementation of, feasible alternatives or measures that would **mitigate** (reduce or avoid) a proposed project’s adverse environmental impacts.

In order to realize these objectives, CEQA Guidelines §15200, details the purposes of an environmental review, as follows: share expertise, disclose agency analyses, check for accuracy, detect omissions, discover public concerns, and solicit counter proposals.

CEQA’s layers of tenets provide the overarching structure for this procedural statute, which is considered the backbone of California’s environmental body of law.

THE ENVIRONMENTAL REVIEW PROCESS IN A NUTSHELL

CEQA provides a process for evaluating the environmental effects of a project, and includes statutory exemptions as well as categorical exemptions in the CEQA Guidelines. When a project is not exempt from CEQA, the lead agency prepares an initial study to determine whether a project may have a significant effect on the environment. If the initial study shows that there would not be a significant effect on the environment, then the lead agency must prepare a negative declaration (ND). If the initial study shows potentially significant impacts but the applicant revises the project plan, which would avoid or mitigate those impacts, *before* the proposed ND and initial study are released for public review, then the lead agency must prepare a mitigated negative declaration (MND). If the initial study shows that the project may have a significant effect on the environment, then the lead agency must prepare an environmental impact report (EIR).

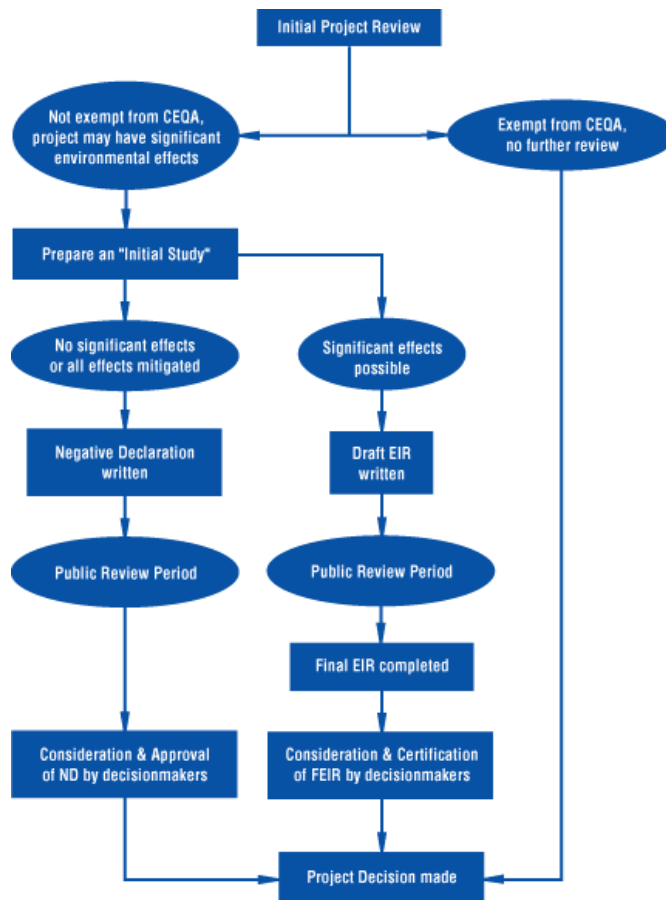
Generally, an EIR must accurately describe the proposed project, identify and analyze each significant environmental impact expected to result from the proposed project, identify mitigation measures to reduce those impacts to the extent feasible, and evaluate a range of reasonable alternatives to the proposed project. Prior to approving any project that has received an environmental review, an agency must make certain findings. If mitigation measures are required or incorporated into a project, the agency must adopt a reporting or monitoring program to ensure compliance with those measures.

If a mitigation measure would cause one or more significant effects in addition to those that would be caused by the proposed project, the effects of the mitigation measure must be discussed but in less detail than the significant effects of the proposed project.

One of the major objectives of CEQA is to advance better (more environmentally sound) projects, which are brought on by the preparation of EIRs. Thus, it is the very nature of CEQA that projects will be modified to protect the environment.

For an easier understanding of the CEQA process, below is an elementary flowchart of the environmental review process pursuant to CEQA.

SIMPLIFIED CEQA FLOW CHART



**Source: Governor’s Office of Planning and Research, The Planning Commissioner’s Book: Part Three*

In addition, CEQA contains many terms of art. For example, the common definition of the word, “project,” means a specific plan or design, a planned undertaking, or endeavor. A “project,” for purposes of CEQA, means the entirety of an action that has a potential of resulting in a physical change in the environment. For a better understanding of CEQA terms of art, Appendix 1 at the end of this document includes a glossary.

VOLUME OF ENVIRONMENTAL REVIEW DOCUMENTS

Thousands of environmental documents are produced each year. The chart below, provided by the Governor's Office of Planning and Research, shows the variety and volume of CEQA documents filed with the State Clearinghouse between 1999 and 2014.

SUMMARY OF CEQA DOCUMENT SUBMITTALS BY YEAR AND BY TYPE

| Year | NOP | ND/MND | EIR | NOD | NOE | EIS | EA | Other | Total Documents |
|------|-----|--------|-----|-------|-------|-----|----|-------|-----------------|
| 1999 | 602 | 2,007 | 481 | 1,808 | 2,699 | 22 | 41 | 177 | 7,837 |
| 2000 | 613 | 2,243 | 475 | 2,580 | 3,840 | 16 | 78 | 386 | 10,231 |
| 2001 | 703 | 2,612 | 524 | 2,851 | 6,083 | 13 | 75 | 422 | 13,283 |
| 2002 | 642 | 2,676 | 544 | 3,102 | 5,737 | 14 | 66 | 409 | 13,190 |
| 2003 | 757 | 2,972 | 577 | 3,243 | 6,078 | 8 | 57 | 360 | 14,052 |
| 2004 | 766 | 2,903 | 625 | 3,304 | 5,898 | 11 | 55 | 339 | 13,901 |
| 2005 | 797 | 3,076 | 636 | 3,087 | 5,649 | 16 | 59 | 370 | 13,690 |
| 2006 | 860 | 2,882 | 649 | 2,954 | 4,716 | 7 | 39 | 406 | 12,513 |
| 2007 | 803 | 2,805 | 583 | 2,755 | 4,137 | 11 | 37 | 444 | 11,575 |
| 2008 | 735 | 2,583 | 570 | 2,632 | 4,307 | 6 | 36 | 539 | 11,408 |
| 2009 | 534 | 2,205 | 477 | 2,391 | 3,747 | 6 | 46 | 463 | 9,869 |
| 2010 | 471 | 1,771 | 464 | 2,263 | 3,646 | 7 | 74 | 464 | 9,160 |
| 2011 | 436 | 1,645 | 396 | 2,260 | 3,894 | 8 | 45 | 412 | 9,098 |
| 2012 | 401 | 1,594 | 373 | 2,245 | 4,334 | 9 | 24 | 360 | 9,340 |
| 2013 | 471 | 1,532 | 348 | 2,102 | 4,451 | 9 | 30 | 325 | 9,268 |
| 2014 | 460 | 1,733 | 406 | 2,422 | 4,575 | 8 | 23 | 380 | 10,007 |

**Source: Governor's Office of Planning and Research*

Key:

NOP Notice of Preparation

EIR Draft Environmental Impact Report

ND/MND Negative Declaration/ Mitigated Negative Declaration

NOD Notice of Determination

NOE Notice of Exemption

EA Environmental Assessment (Federal)

EIS Draft Environmental Impact Report (Federal)

OTHER Other types of documents, including Final EIRs, Early Consultation Notices, plans, etc.

It should be noted that this chart is not all-inclusive of CEQA-related documents produced statewide because some are not submitted to the State Clearinghouse. For example, not all CEQA-exempted projects are required to submit a Notice of Exemption to the State Clearinghouse. Thus, the precise number of projects subject to, but exempted from, CEQA each year is unknown.

ISSUES ANALYZED IN AN ENVIRONMENTAL REVIEW

Pursuant to CEQA, an environmental review analyzing the significant direct and indirect environmental impacts of a proposed project, include, but are not limited to:

- Aesthetics
- Agriculture
- Air Quality
- Archeological Resources
- Biological Resources
- Geology/Soils
- Greenhouse Gas Emissions
- Hazards & Hazardous Materials
- Hydrology/Water Quality
- Land Use/Planning
- Mineral Resources
- Noise
- Population/Housing
- Public Services
- Recreation
- Transportation/Traffic
- Tribal Cultural Resources
- Utilities/Service Systems

An environmental review provides a forum for all of these issue areas to be considered *together* rather than individually siloed from one another.

For example, it would be prudent for a lead agency to know that a proposal to mitigate a significant impact (e.g. alleviate temporary traffic congestion, due to construction of a development project, by detouring traffic to an alternative route) may trigger a new significant impact (e.g. the detour may redirect the impact onto a sensitive resource, such as habitat of an endangered species). The environmental impact caused by the proposed mitigation measure should be evaluated as well. CEQA provides the opportunity to analyze a broad spectrum of a project's potential environmental impacts and how each impact may intertwine with one another.

Appendix G of the CEQA Guidelines includes a checklist of the various types of environmental impacts and sample questions to consider for each. Although the list of issues and questions is not exhaustive, to help provide a better understanding of the various subjects that may be covered and the potential impacts associated with them, a portion of CEQA Guidelines Appendix G is included in this background informational document's Appendix 2.

CEQA AND OTHER ENVIRONMENTAL LAWS

Activities subject to CEQA must also comply with other environmental laws, both federal and state. Some examples include: NEPA, the federal Endangered Species Act, the California Endangered Species Act, the federal Clean Water Act, the federal Clean Air Act, the California Air Resources Act, the Porter-Cologne Water Quality Control Act, the federal Land Policy and Management Act, the California Land Conservation Act (also known as the Williamson Act), the Migratory Bird Treaty Act, and the Comprehensive Environmental Response, Compensation and Liability Act. The number of federal and state environmental laws that exist is extensive. Depending on the activity, a project may be subject to several environmental laws. Regardless of whether a CEQA exemption applies, a project must still comply with other environmental laws and obtain the necessary permits and approvals from governmental agencies.

Pursuant to CEQA, an EIR must include a list of: 1) all permits and other approvals necessary to carry out the project; and, 2) related environmental review and consultation requirements required by federal, state, or local laws, regulations, or policies. A CEQA environmental review comprehensively lays out a project's regulatory compliance obligations, which helps inform both the decisionmakers and the public.

CEQA ENFORCEMENT (I.E. LITIGATION)

CEQA is a self-executing statute. Enforcement of CEQA is primarily through a civil lawsuit challenging a project's environmental review. Plaintiffs may include private individuals, organizations, and public agencies.

In addition, the California Attorney General has the authority to bring a suit for the purpose of enforcing compliance with CEQA and has shown a presence in CEQA in other manners, including: filing public comment letters alerting local agencies to potential violations of CEQA, filing and intervening in lawsuits, entering into settlements, and submitting amicus ("friends of the court") briefs in appellate cases.

Examples of CEQA litigation issues include: whether an activity is considered a “project” pursuant to the act or if an exemption applies to a project; the type of environmental review that should be required – whether a “fair argument” can be made that a project has potential significant impacts, which would then trigger an EIR as opposed to an ND or MND; adequacy of an EIR such as inadequate analysis of an issue area or cumulative impacts; and, procedural compliance like failure to consult with a responsible agency.

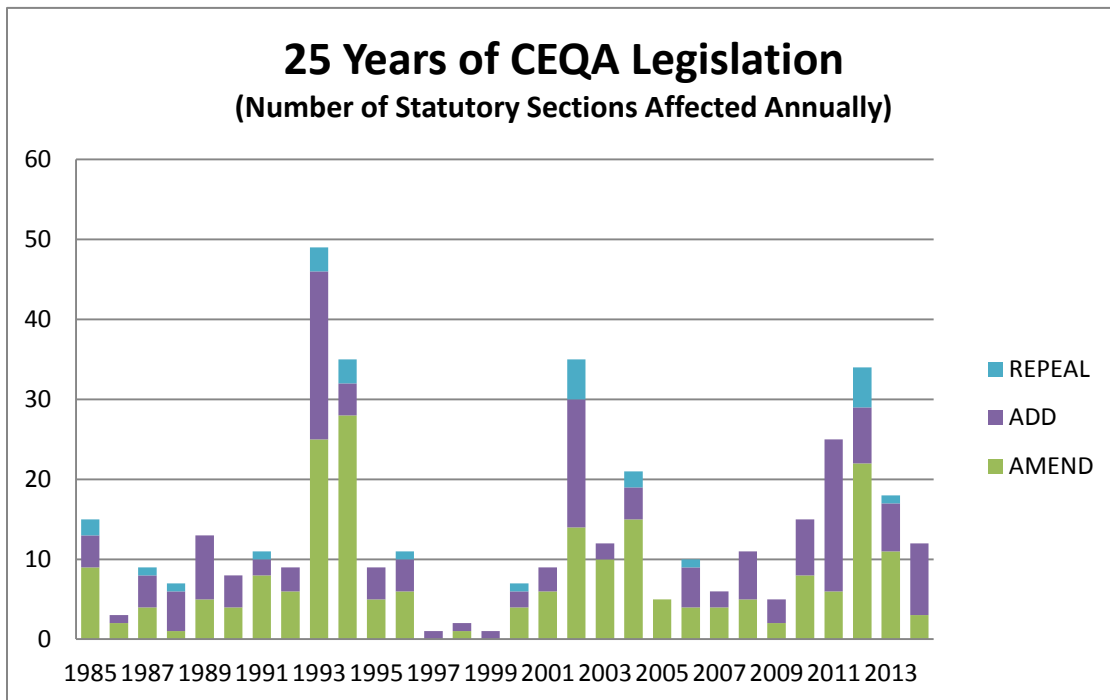
CEQA provides specified litigation requirements and procedures for actions against a public agency as grounds of noncompliance with the act. For example, CEQA contains pretrial procedural mandates that must be followed in order to pursue a CEQA lawsuit such as notification requirements and furnishing a copy of the pleading to the California Attorney General. Also, the act provides for special litigation considerations including pretrial settlement procedures, optional mediation procedures, and preference of CEQA actions over other civil actions in a court.

In general terms, there are a few remedies available when a court finds a CEQA violation. First, the court may order the defendant agency to comply with the act. Second, the court may void the agency action, or portions thereof. Lastly, the court may suspend all agency and pertinent project actions that could have an environmental impact until CEQA compliance is completed.

The total number of CEQA cases filed averages about 200 cases per year statewide. CEQA cases make up approximately 0.02% of 1,100,000 civil cases filed annually in California. A review of CEQA challenges in the City of Los Angeles from January 2011 through July 20, 2012, shows that of 1,182 projects reviewed under CEQA, 18 were challenged. In addition, the California Attorney General’s office conducted a case study of CEQA challenges in the City and County of San Francisco from July 2011 through December 2011 and found that 18 lawsuits were filed out of 5,203 projects considered under CEQA. The statistics shown above demonstrate that CEQA litigation is low considering the number of projects subject to CEQA each year as well as for the volume of civil litigation in general statewide.

CEQA LEGISLATION

CEQA has been in statute for approximately 45 years and has morphed over the decades. Legislation enacted over the past 25 years shows a total of 408 sections have been added, amended or repealed. Of the 408 modifications: 223 amend, 158 add, and 27 repeal various sections of CEQA.



As shown in the figure above, 109 changes, making up more than a quarter of the statutory revisions chaptered since 1985, occurred in the last five years.

Also, almost 50 changes occurred in one year, mostly due to the CEQA Revision Act of 1993. The CEQA Revision Act of 1993 contained several streamlining provisions, including: mandating a biennial update of the CEQA Guidelines, encouraging the use of mitigated negative declarations, adding a definition of “substantial evidence,” creating new procedures of preparing master and focused EIRs, expediting the responsible agency permit process, streamlining the process of granting CEQA compliance for environmentally mandated projects, and limiting judicial remedies.

Some suggest that CEQA impedes the types of projects that the state encourages, such as infill. However, a 2012 Office of Planning and Research survey of planning directors regarding barriers to infill, with an 87% response, shows that CEQA is *not* ranked in the top ten barriers – planning directors ranked it 12th.

In addition, many provisions of CEQA provide streamlined approaches, including:

- *Master and focused EIRs*;
- *Transit priority and residential project streamlining* (SB 375 (Steinberg, Ducheny), Chapter 728, Statutes of 2008);
- *Expedited review for environmental mandated projects*;
- *Special procedures for various types of housing projects* (SB 1925 (Sher, Polanco), Chapter 1039, Statutes of 2002);
- *Various litigation, mediation, tiering, and other revisions* (SB 1456 (Simitian), Chapter 496, Statutes of 2010);
- *Amendments to procedures relating to findings of overriding consideration* (AB 231 (Huber), Chapter 432, Statutes of 2010);
- *Infill project and other streamlining provisions* (SB 226 (Simitian), Chapter 469, Statutes of 2011); and,
- *Several categorical exemptions contained in the CEQA Guidelines.*

Many of these changes have improved the environmental review process overall and others have focused on types of projects encouraged by the state. CEQA has not stayed stagnant since its enactment, but rather has evolved over close to half a century.

CEQA GUIDELINES

The CEQA Guidelines (California Code of Regulations Title 14, §15000 et seq.), which have the force of law, explain and interpret the statute for both the public agencies required to administer CEQA and for the public generally. The fundamental purpose of the Guidelines is to make the CEQA process comprehensible to those who administer it, to those who are subject to it, and to those for whose benefit it exists. The Guidelines provide objectives, criteria and

procedures for the orderly evaluation of projects and the preparation of EIRs, NDs, and MNDs by public agencies. Also, interpretation of statutory changes and principles advanced by judicial decisions become incorporated into the Guidelines.

The Governor's Office of Planning and Research prepares and develops proposed amendments to the Guidelines at least every two years and transmits them to the Secretary of the Natural Resources Agency. The Secretary is responsible for certification and adoption of, and amendments to, the Guidelines.

CONCLUSION

CEQA is a complex, procedural statute, which compels public agencies, in a public setting, with public participation, to consider and decide on projects with full knowledge about the environmental conditions and consequences of their actions; and, a CEQA environmental review document, which is the result of a meticulous and methodical process, compiles all of the necessary facts in one place.

Considering that a project may have long-term or permanent environmental impacts, is it not prudent for these determinations to be made in a thoughtful, transparent manner, and that environmental damage caused by a project be minimized when feasible?

As stated in the first provision of CEQA, maintaining the quality of the environment now and in the future is a matter of statewide concern. (PRC §21000(a)).

APPENDIX 1

CEQA GLOSSARY

| | |
|--|---|
| Categorical Exemption | An exemption from CEQA for certain projects that the Secretary for Natural Resources has determined generally do not have a significant effect on the environment. |
| Cumulative Impacts | Two or more environmental effects that, when considered together, are considerable or which compound or increase other environmental impacts. |
| Direct Impacts | Primary environmental effects that are caused by a project and occur at the same time and place. |
| Environment | The physical conditions that exist within an area that will be affected by a proposed project. The conditions include land, air, water, minerals, flora, fauna, noise, and objects of historical or aesthetic significance. |
| Environmental Impact Report (EIR) | A detailed statement describing and analyzing the significant environmental effects and alternative identified in an EIR. |
| Findings | Written legal conclusions prepared by a public agency that explain the disposition of each significant environmental effect and alternative identified in an EIR. |
| Indirect Impacts | Also referred to as secondary effects, indirect impacts are caused by a project and occur later in time or at some distance from the project; however, they are still reasonably foreseeable. |
| Initial Study | A preliminary analysis prepared by a Lead Agency determining whether an EIR or Negative Declaration must be prepared, and identifying the significant environmental effects to be analyzed in an EIR. |
| Lead Agency | The public agency that has the principal responsibility for carrying out or approving a project. |
| Mitigation Measure | A change in a project designed to avoid, minimize, rectify, reduce, or compensate for a significant environmental impact. |

| | |
|---|--|
| National Environmental Policy Act (NEPA) | The federal law that provided the model for CEQA and requires federal agencies to prepare Environmental Impact Statements (EIS) for federal actions significantly affecting the human environment. |
| Negative Declaration | A written statement prepared by a Lead Agency that briefly describes the reasons why a proposed project will not have a significant effect on the environment and, therefore, does not require an EIR. |
| Notice of Completion | A brief notice filed with the Office of Planning and Research by the Lead Agency, as soon as it has completed a draft EIR. |
| Notice of Determination | A brief notice filed by a public agency after it approves or determines to carry out a project. |
| Notice of Exemption | A brief notice that may be filed by a public agency after it has decided to carry out or approve a project for which an exemption to CEQA applies. |
| Notice of Preparation | A brief notice sent by a Lead Agency notifying Responsible, Trustee, and involved federal agencies that it plans to prepare an EIR for a project. |
| Project | The entirety of an action that has a potential of resulting in a physical change in the environment. |
| Responsible Agency | A public agency that proposes to carry out or approve a project for which a Lead Agency is preparing or has prepared an EIR. |
| Significant Impact | A substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by a project. |
| Statement of Overriding Consideration | A written explanation prepared by a public agency that explains why it approved a project, despite the presence of significant, unavoidable environmental impacts. |
| Tiering | Refers to the concept of “multi-tiered” approach to preparing EIRs. The first-tier EIR covers general issues in a broader program-oriented analysis. Subsequent tiers incorporate by reference the general discussions from the broader EIR, while primarily concentrating on the issues specific to the action being evaluated. |

**Source: by Ronald E. Bass, Kenneth M. Bogdan, and Terry Rivasplata, CEQA Deskbook (Third Edition)*

APPENDIX 2

CEQA GUIDELINES APPENDIX G: SAMPLE QUESTIONS

| | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|---|---|---|--------------------------|
| <u>I. AESTHETICS.</u> Would the project: | | | | |
| a) Have a substantial adverse effect on a scenic vista? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Substantially degrade the existing visual character or quality of the site and its surroundings? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

II. AGRICULTURE AND FORESTRY RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

| | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|--------------------------------|--|------------------------------|--------------------------|
| a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d) Result in the loss of forest land or conversion of forest land to non-forest use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

III. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

| | | | | |
|---|--------------------------|--------------------------|--------------------------|--------------------------|
| a) Conflict with or obstruct implementation of the applicable air quality plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d) Expose sensitive receptors to substantial pollutant concentrations? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| e) Create objectionable odors affecting a substantial number of people? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

| | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|--------------------------------|--|------------------------------|-----------|
|--|--------------------------------|--|------------------------------|-----------|

IV. BIOLOGICAL RESOURCES:

Would the project:

| | | | | |
|--|--------------------------|--------------------------|--------------------------|--------------------------|
| a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

| | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|--------------------------------|--|------------------------------|--------------------------|
| <u>V. CULTURAL RESOURCES.</u> Would the project: | | | | |
| a) Cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d) Disturb any human remains, including those interred outside of formal cemeteries? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

| | | | | |
|--|--------------------------|--------------------------|--------------------------|--------------------------|
| <u>VI. GEOLOGY AND SOILS.</u> Would the project: | | | | |
| a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| ii) Strong seismic ground shaking? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| iii) Seismic-related ground failure, including liquefaction? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| iv) Landslides? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Result in substantial soil erosion or the loss of topsoil? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

| | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|--------------------------------|--|------------------------------|--------------------------|
| d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

VII. GREENHOUSE GAS EMISSIONS.

Would the project:

| | | | | |
|--|--------------------------|--------------------------|--------------------------|--------------------------|
| a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

VIII. HAZARDS AND HAZARDOUS MATERIALS.

Would the project:

| | | | | |
|--|--------------------------|--------------------------|--------------------------|--------------------------|
| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

| | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|--------------------------------|--|------------------------------|--------------------------|
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

IX. HYDROLOGY AND WATER QUALITY.

Would the project:

| | | | | |
|---|--------------------------|--------------------------|--------------------------|--------------------------|
| a) Violate any water quality standards or waste discharge requirements? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

| | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|--------------------------------|--|------------------------------|--------------------------|
| d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| f) Otherwise substantially degrade water quality? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| j) Inundation by seiche, tsunami, or mudflow? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <u>X. LAND USE AND PLANNING.</u> Would the project: | | | | |
| a) Physically divide an established community? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

| | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|--------------------------------|--|------------------------------|--------------------------|
| c) Conflict with any applicable habitat conservation plan or natural community conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

XI. MINERAL RESOURCES. Would the project:

| | | | | |
|---|--------------------------|--------------------------|--------------------------|--------------------------|
| a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

XII. NOISE -- Would the project result in:

| | | | | |
|---|--------------------------|--------------------------|--------------------------|--------------------------|
| a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

| | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|--------------------------------|--|------------------------------|-----------|
|--|--------------------------------|--|------------------------------|-----------|

XIII. POPULATION AND HOUSING. Would the project:

| | | | | |
|---|--------------------------|--------------------------|--------------------------|--------------------------|
| a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

XIV. PUBLIC SERVICES.

| | | | | |
|---|--------------------------|--------------------------|--------------------------|--------------------------|
| a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Fire protection? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Police protection? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Schools? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Parks? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Other public facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

XV. RECREATION.

| | | | | |
|--|--------------------------|--------------------------|--------------------------|--------------------------|
| a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|--------------------------|

| | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|--------------------------------|--|------------------------------|--------------------------|
| b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

XVI. TRANSPORTATION/TRAFFIC. Would the project:

| | | | | |
|---|--------------------------|--------------------------|--------------------------|--------------------------|
| a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| e) Result in inadequate emergency access? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

| | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|--------------------------------|--|------------------------------|-----------|
|--|--------------------------------|--|------------------------------|-----------|

XVII. UTILITIES AND SERVICE SYSTEMS.

Would the project:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|--------------------------|
| a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| g) Comply with federal, state, and local statutes and regulations related to solid waste? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE.

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|--------------------------|
| a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|--------------------------|

| | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|--------------------------------|--|------------------------------|--------------------------|
| b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

**Source: Association of Environmental Professionals*