



Presentation Outline

- CEQA Background
- Three Step Process
- EIR Procedural Devices
- Reasonable Range of Alternatives
- Timing of Preparation
- Typical CEQA Compliance/EIR Schedule

California Environmental Quality Act (CEQA)

- Enacted 40 years ago in 1970. The environmental review process has become a means by which the public interacts with agency decision makers.
- CEQA applies to all "governmental agencies at all levels" in California, including "local agencies," "regional agencies," and "state agencies, boards, and commissions."

CEQA General Concepts

CEQA basics are to:

- Inform governmental decision makers & the public about potential, significant environmental effects of proposed activities.
- Identify ways that environmental damage can be avoided or significantly reduced.

CEQA General Concepts (continued)

- Prevent significant, avoidable damage to the environment by requiring changes in projects through the use of alternatives or mitigation measures.
- Disclose to the public the reasons why a governmental agency approved the project.

CEQA The Three Step Process

1. Determine whether the project is subject to CEQA. If exempt, no need to proceed any further.
2. If not exempt, conduct an initial study to determine if any significant effect on the environment. If none, prepare a negative declaration.
3. If determined that there maybe a significant effect, then lead agency prepares an EIR.

Environmental Impact Report (EIR)

- Pursuant to CEQA, the EIR is intended “to inform the public and responsible officials of the environmental consequences of their decisions before they are made.”
- The EIR process encourages public participation by forcing agencies to develop environmental information and to disseminate it to the public.

Environmental Impact Report (EIR)

- The EIR process is a mechanism for interagency consultation.
 - By issuing a notice of preparation (NOP), the lead agency contacts responsible and trustee agencies and invites their input regarding content of a draft EIR.
- The EIR process can improve projects by identifying feasible mitigation or alternatives.

Primary Procedural Devices Environmental Impact Report (EIR)

- Initial Study
- Notice of Preparation (NOP) of an EIR
- Draft EIR
- Public Review of Draft EIR
- Written Responses to Comments

Primary Procedural Devices Environmental Impact Report (EIR) (continued)

- Certification of Final EIR
- Findings
- Mitigation Monitoring and Reporting Program
- Statement of Overriding Considerations

Reasonable Range of Alternatives

- An EIR must describe a reasonable range of alternatives to the project that could feasible attain most of the basic objectives of the project while avoiding or substantially lessening any of the significant effects of the project.

CEQA Guidelines sec 15126.6(a).

- The project objectives will drive the development of alternatives for analysis.

CEQA Timing of Preparation

Choosing the precise time for CEQA compliance involves a balancing of competing factors

- CEQA requires agencies to prepare EIRs and negative declarations "as early as feasible in the planning process to enable environmental considerations to influence project program and design and yet late enough to provide meaningful information for environmental assessment". *CEQA Guidelines, sec.15004(b)*
- EIR preparation and review should run concurrently, not consecutively with the project planning, review and approval process. *CEQA Guidelines sec.15004(c)*

Typical Durations EIR Preparation & Certification

- Develop Project Description & Objectives
- IS/NOP & Public Scoping (2-4 mos)
- Draft EIR (6-8 mos)
 - conduct technical studies
 - evaluate environmental impacts
 - develop mitigation
 - develop project alternatives
 - internal reviews

Typical Durations EIR Preparation & Certification

- DEIR – Public Meetings & Review (1-2 mos)
- Written Responses to Comments (1-3 mos)
- Prepare Board Package (1-2 mos)
 - findings
 - prepare MMRP
 - statement of overriding conditions
 - resolution
 - internal reviews
- Board Hearing & EIR Certification (1-2 mos)
- Totals (12-21 mos)

Questions