

California Environmental Quality Act (CEQA)

What is CEQA?

CEQA is a state law enacted in 1970 to ensure the long term protection of the environment and to provide the people of California with clean air and water, enjoyment of aesthetic, natural and historic environmental qualities, and freedom from excessive noise. CEQA requires an environmental review of all discretionary land use projects.

What is the purpose of CEQA?

CEQA has four basic objectives:

1. To inform decision makers and the public about the significant environmental effects of proposed activities:
2. To identify ways to avoid or reduce environmental damage;
3. To prevent environmental impacts by requiring implementation of feasible alternatives or mitigation measures; and
4. To disclose to the public reasons for approval of projects with significant environmental effects.

To disclose to the public reasons for approval of projects with significant environmental

What is the Environment?

“Environment” means the physical conditions that exist within the area that will be affected by a proposed project, including land, air, water, minerals, plants, animals, noise, and objects of cultural or aesthetic significance.

What is a project?

“Project” means any action which has a potential for resulting in a physical change to the environment, directly or indirectly. Any activity involving the issuance to a person of

a lease, permit, license, certificate, or other entitlement for use is a project as defined by CEQA.

What is the purpose of Environmental Review?

The purpose of the environmental review process is to identify any impacts from a project, and to determine their significance. Measures may be incorporated into the project to mitigate the impacts, and a Negative Declaration may be recommended. If potentially significant impacts are identified, an Environmental Impact Report (EIR) may be required.

WHAT PROJECTS ARE EXEMPT FROM CEQA?

CEQA CONTAINS A LIST OF PROJECTS THAT HAVE BEEN DETERMINED BY THE STATE NOT TO HAVE SIGNIFICANT EFFECT ON THE ENVIRONMENT AND WHICH THEREFORE ARE EXEMPT FROM THE PROVISIONS OF CEQA.

WHAT IS A MITIGATED NEGATIVE DECLARATION (MND)?

A Negative Declaration is a written statement prepared by the City describing the reasons that a proposed project will not have a significant effect on the environment, and therefore does not REQUIRE THE PREPARATION OF AN EIR. TYPICALLY, MITIGATION MEASURES WILL BE ADOPTED AS A MITIGATED NEGATIVE DECLARATION (MND).

WHAT ARE THE MITIGATION MEASURES?

Mitigation measures are changes or requirements imposed on a proposed project that reduce or eliminate significant adverse environmental impacts.

WHAT IS AN ENVIRONMENTAL IMPACT REPORT (EIR)?

An EIR is a detailed report prepared under the requirements of CEQA describing and analyzing the environmental effects of a project and discussing ways to mitigate or avoid the effects. An EIR also contains an analysis of alternatives to the proposed

project.

How is the Environmental Review Process determined?

Every project application contains a questionnaire used by staff to perform a preliminary review of what level of CEQA compliance review will be required, if any. If the project is exempt from CEQA that will be documented by staff and the application process will continue. The State CEQA Guidelines contain a standard checklist used to determine if technical studies and preparation of an EIR or MND will be required. Preparation of these documents by qualified professionals will be the responsibility of the project applicant, and the CEQA documents will be reviewed by City staff concurrent with the application review process. Public notice and review by outside agencies is part of the review process, as required by the CEQA. Every final action on a project application includes a formal CEQA determination, either a finding of exemption, adoption of an MND or certification of an EIR.

What is a mitigation monitoring program?

A mitigation monitoring program is a means of verifying that all mitigation measures are incorporated as a condition of approval of the construction and/or operation of the project and are completed within specified time frames. It is adopted with a mitigated Negative Declaration at the time of the project approval.

How much does the Environmental Review cost?

Planning application review fees are adopted by resolution of the Mayor and Common Council, and include preliminary CEQA compliance review and review of CEQA documents. A current fee schedule is available from the Community Development Department. Costs for the preparation of an EIR or MND vary depending upon the project and are the responsibility of the applicant. Further information can be obtained by calling the Community Development Department at (909) 384-5057.

NOTE: CEQA is available online at: <http://ceres.ca.gov/elaw/CEQA>