

SixTen and Associates

MANDATE REIMBURSEMENT SERVICES

PROGRAM: 121/02 CALIFORNIA ENVIRONMENTAL QUALITY ACT (K-14) CEQA 1.9

LEGAL REQUIREMENTS

Pursuant to Public Resources Code Sections: 21002.1, 21003, 21003.1, 21080.09, 21080.1, 21080.3, 21080.4, 21081, 21082, 21082.1, 21082.2, 21083, 21083.2, 21091, 21092, 21092.1, 21092.2, 21092.3, 21092.3, 21092.4, 21092.5, 21092.6, 21094, 21100, 21102, 21150, 21151, 21151.2, 21151.8, 21152, 21153, 21154, 21157, 21157.1, 21157.5, 21158, 21161, 21165, 21166, 21167, 21167.6, 21167.6.5, 21167.8, 21168.9.

Education Code Section 17025

Government Code Sections: 66031-66034

Title 5, California Code of Regulations Sections: 14011, 57121

Title 14, California Code of Regulations Sections: 15004, 15004, 15020, 15021, 15022, 15025, 15041, 15042, 15043, 15050, 15053, 15060, 15061, 15062, 15063, 15064, 15064.5, 15064.7, 15065, 15070, 15071, 15072, 15073, 15073.5, 15074, 15074.1, 15075, 15081.5, 15082, 15084, 15085, 15086, 15087, 15088, 15088.5, 15089, 15090, 15091, 15092, 15093, 15094, 15095, 15100, 15104, 15122, 15123, 15124, 15125, 15026, 15126.2, 15126.4, 15126.6, 15128, 15129, 15130, 15132, 15140, 15142, 15143, 15145, 15147, 15148, 15149, 15150, 15152, 15153, 15162, 15164, 15165, 15167, 15176, 15177, 15178, 15179, 15184, 15185, 15186, 15201, 15203, 15206, 15208, 15223, 15225, and 15367

SUMMARY OF DUTIES

Education Code

- 1) Pursuant to Education Code Section 17025, subdivision (a), submitting plans and obtaining the written approval of Department of General Services when requesting authorization for the construction of any new school, or for the addition to, or reconstruction or alteration of, any existing building, for lease-purchase to any school district.
- 2) Pursuant to Education Code Section 17025, subdivision (b), certifying the compliance of a project with Division 13 (commencing with Section 21000) of the Public Resources Code when requesting authorization for the construction of any new school, or for the addition to, or reconstruction or alteration of, any existing building, for lease-purchase to any school district.
- 3) Pursuant to Education Code Section 17025, subdivision (b), and notwithstanding any other law, for purposes of Division 13 (commencing with Section 21000) of the Public

Resources Code, complying with all the requirements of a "lead agency" with regard to any project funded for that district.

Government Code

- 4) Pursuant to Government Code Section 66031, subdivison (a)(1), mediating the acts or decisions of a district, county office or community college district made pursuant to the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code).
- 5) Pursuant to Government Code Section 66031, subdivison (d), notifying the court if a mutually acceptable person has been chosen to serve as a mediator.
- 6) Pursuant to Government Code Section 66034, appearing and participating in settlement conferences ordered by the court.

Public Resources Code

- A1) Pursuant to Public Resources Code Section 21002.1, subdivison (b), mitigating or avoiding the significant effects on the environment of projects that it carries out or approves whenever it is feasible to do so.
- A2) Pursuant to Public Resources Code Section 21002.1, subdivison (d), being responsible for considering the effects, both individual and collective, of all activities involved in a project.
- A3) Pursuant to Public Resources Code Section 21002.1, subdivison (e), reducing the time and cost required to prepare an environmental impact report, and focusing on potentially significant effects on the environment of a proposed project and focusing the discussion in the environmental impact report on those potential effects on the environment of a proposed project which the lead agency has determined are or may be significant.
- A4) Pursuant to Public Resources Code Section 21003, subdivison (a), integrating the requirements of this division with planning and environmental review procedures otherwise required by law or by local practice so that all those procedures, to the maximum feasible extent, run concurrently, rather than consecutively.
- A5) Pursuant to Public Resources Code Section 21003, subdivison (b), preparing and writing documents in an organized manner that will be meaningful and useful to decision makers and to the public.
- A6) Pursuant to Public Resources Code Section 21003, subdivison (c), omitting unnecessary descriptions of projects and emphasizing feasible mitigation measures and feasible alternatives to projects when preparing environmental impact reports.
- A7) Pursuant to Public Resources Code Section 21003, subdivison (d), developing information in individual environmental impact reports so as to be incorporated into a data base which can be used to reduce delay and duplication in preparation of subsequent environmental impact reports.
- A8) Pursuant to Public Resources Code Section 21003, subdivison (e), incorporating information developed in environmental impact reports and negative declarations into a data base which may be used to make subsequent or supplemental environmental determinations.
- A9) Pursuant to Public Resources Code Section 21003, subdivison (f), being responsible for carrying out the environmental review process in the most efficient, expeditious manner

in order to conserve the available financial, governmental, physical, and social resources with the objective that those resources may be better applied toward the mitigation of actual significant effects on the environment.

- A10) Pursuant to Public Resources Code Section 21003.1, subdivision (b), making information relevant to the significant effects of a project, alternatives, and mitigation measures which substantially reduce those effects available as soon as possible to interested persons and organizations.
- A11) Pursuant to Public Resources Code Section 21080.09, subdivision (b), (for community college districts only) preparing an environmental impact report when selecting a location for a particular campus and approving a long range development plan which considers the environmental effects relating to changes in enrollment levels for each campus.
- A12) Pursuant to Public Resources Code Section 21080.09, subdivision (c), (for community college districts only) when appropriate, addressing the approval of a project on a particular campus of public higher education, subject to the other provisions of this division, in a tiered environmental analysis based upon a long range development plan environmental impact report.
- A13) Pursuant to Public Resources Code Section 21080.1, subdivision (a), determining whether an environmental impact report, a negative declaration, or a mitigated negative declaration shall be required for any project which is subject to this division.
- A14) Pursuant to Public Resources Code Section 21080.3, subdivision (a), prior to determining whether a negative declaration or environmental impact report is required for a project, consulting with all responsible agencies and with any other public agency which has jurisdiction by law over natural resources affected by the project which are held in trust for the people of the State of California.
- A15) Pursuant to Public Resources Code Section 21080.4, subdivision (a), upon determination that an environmental impact report is required for a project, immediately sending notice of that determination by certified mail or an equivalent procedure to each responsible agency, the Office of Planning and Research, and those public agencies having jurisdiction by law over natural resources affected by the project that are held in trust for the people of the State of California.
- A16) Pursuant to Public Resources Code Section 21080.4, subdivision (b), meeting with any responsible agency, the Office of Planning and Research, or a public agency having jurisdiction by law over natural resources affected by the project that are held in trust for the people of the State of California, when requested, for the purpose of determining the scope and content of the environmental information that any of those responsible agencies, the office, or the public agencies may require.
- A17) Pursuant to Public Resources Code Section 21081, before approving or carrying out a project for which an environmental impact report has been certified which identifies one or more significant effects on the environment that would occur if the project is approved or carried out, assuring that both of the following occur:
 - (a) The district or county office makes one or more of the following findings with respect to each significant effect:
 - (1) Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.
 - (2) Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be,

adopted by that other agency.

(3) Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report.

(b) With respect to significant effects which were subject to a finding under paragraph (3) of subdivision (a), the public agency finds that specific overriding economic, legal, social, technological, or other benefits of the project outweigh the significant effects on the environment.

A18) Pursuant to Public Resources Code Section 21081.6, subdivision (a), adopting a reporting or monitoring program for the changes made to the project or conditions of project approval in order to mitigate or avoid significant effects on the environment and specifying the location and custodian of the documents or other material which constitute the record of proceedings upon which its decision is based.

A19) Pursuant to Public Resources Code Section 21081.6, subdivision (b), providing that measures to mitigate or avoid significant effects on the environment are fully enforceable through permit conditions, agreements, or other measures.

A20) Pursuant to Public Resources Code Section 21082, adopting by resolution, rule, or regulation, objectives, criteria, and procedures for the evaluation of projects and the preparation of environmental impact reports pursuant to this division.

A21) Pursuant to Public Resources Code Section 21082.1, subdivision (a), preparing any draft environmental impact report, environmental impact report, negative declaration, or mitigated negative declaration directly, or under contract to a third party.

A22) Pursuant to Public Resources Code Section 21082.1, subdivision (c), doing all of the following:

(1) Independently reviewing and analyzing any report or declaration required by this division.

(2) Circulating draft documents that reflect its independent judgment.

(3) As part of the adoption of a negative declaration or a mitigated negative declaration, or certification of an environmental impact report, finding that the report or declaration reflects the independent judgment of the lead agency.

(4) Submitting a sufficient number of copies of the draft environmental impact report, proposed negative declaration, or proposed mitigated negative declaration, and a copy of the report or declaration in an electronic form as required by the guidelines adopted pursuant to Section 21083, to the State Clearinghouse for review and comment by state agencies, if any of the following apply:

(A) A state agency is any of the following:

(i) The lead agency.

(ii) A responsible agency.

(iii) A trustee agency.

(B) A state agency otherwise has jurisdiction by law with respect to the project.

(C) The proposed project is of sufficient statewide, regional, or area wide environmental significance as determined pursuant to the guidelines certified and adopted pursuant to Section 21083.

A23) Pursuant to Public Resources Code Section 21082.2, subdivision (a), determining whether a project may have a significant effect on the environment based on substantial

- evidence in light of the whole record.
- A24) Pursuant to Public Resources Code Section 21082.2, subdivision (d), preparing an environmental impact report if there is substantial evidence, in light of the whole record before the lead agency, that a project may have a significant effect on the environment.
- A25) Pursuant to Public Resources Code Section 21083, implementing the guidelines developed by the Office of Planning and Research, specifically implementing the criteria for public agencies to follow in determining whether or not a proposed project may have a "significant effect on the environment" and the procedures for determining the lead agency pursuant to the provisions of Section 21165.
- A26) Pursuant to Public Resources Code Section 21083.2, subdivision (a), determining whether the project may have a significant effect on archaeological resources and, if so, addressing the issue of those resources in the environmental impact report.
- A27) Pursuant to Public Resources Code Section 21083.2, subdivision (b), if it can be demonstrated that a project will cause damage to a unique archaeological resource, requiring reasonable efforts to be made to permit any or all of these resources to be preserved in place or left in an undisturbed state.
- A28) Pursuant to Public Resources Code Section 21083.2, subdivision (c), to the extent that unique archaeological resources are not preserved in place or not left in an undisturbed state, requiring mitigation measures as provided in this subdivision.
- A29) Pursuant to Public Resources Code Section 21083.2, subdivision (i) making provisions for archaeological sites accidentally discovered during construction, including an immediate evaluation of the find. If the find is determined to be a unique archaeological resource, providing contingency funding and a time allotment sufficient to allow recovering an archaeological sample or to employ one of the avoidance measures that may be required under the provisions set forth in this section
- A30) Pursuant to Public Resources Code Section 21091, subdivision (a), providing a public review period for a draft environmental impact report of not less than 30 days. If the draft environmental impact report is submitted to the State Clearinghouse for review, the review period shall be at least 45 days, and providing a sufficient number of copies of the document to the State Clearinghouse for review and comment by state agencies.
- A31) Pursuant to Public Resources Code Section 21091, subdivision (b), providing a public review period for a proposed negative declaration or proposed mitigated negative declaration of not be less than 20 days. If the proposed negative declaration or proposed mitigated negative declaration is submitted to the State Clearinghouse for review, the review period shall be at least 30 days, and providing a sufficient number of copies of the document to the State Clearinghouse for review and comment by state agencies.
- A32) Pursuant to Public Resources Code Section 21091, subdivision (c), if a draft environmental impact report, proposed negative declaration, or proposed mitigated negative declaration is submitted to the State Clearinghouse for review and the period of review by the State Clearinghouse is longer than the public review period established pursuant to subdivision (a) or (b), whichever is applicable, providing a public review period at least as long as the period of review by the State Clearinghouse.
- A33) Pursuant to Public Resources Code Section 21091, subdivision (d)(1), considering any comments received on a draft environmental impact report, proposed negative declaration, or proposed mitigated negative declaration if those comments are received within the public review period.

- A34) Pursuant to Public Resources Code Section 21091, subdivision (d)(2)(A), evaluating any comments on environmental issues that are received from persons who have reviewed the draft and preparing a written response to those comments.
- A35) Pursuant to Public Resources Code Section 21091, subdivision (e)(3), when necessary, requesting a shortened review period in writing by the decision making body to the Office of Planning and Research.
- A36) Pursuant to Public Resources Code Section 21092, subdivision (a), providing notice of preparing an environmental impact report or a negative declaration or making a determination pursuant to Section 21157 within a reasonable period of time prior to certification of the environmental impact report or adoption of the negative declaration.
- A37) Pursuant to Public Resources Code Section 21092, subdivision (b)(1), specifying in the notice the period during which comments will be received on the draft environmental report or negative declaration, and including the date, time, and place of any public meetings or hearings on the proposed project, a brief description of the proposed project and its location, the significant effects on the environment, if any, anticipated as a result of the project, and the address where copies of the draft environmental impact report or negative declaration, and all documents referenced in the draft environmental impact report or negative declaration, are available for review. Conducting public meetings or hearings on the proposed project.
- A38) Pursuant to Public Resources Code Section 21092, subdivision (b)(3), giving the notice required by this section to the last known name and address of all organizations and individuals who have previously requested notice and be given by at least one of the following procedures:
 - (A) Publication, no fewer times than required by Section 6061 of the Government Code, in a newspaper of general circulation in the area affected by the proposed project. If more than one area will be affected, the notice shall be published in the newspaper of largest circulation from among the newspapers of general circulation in those areas.
 - (B) Posting of notice on- and off-site in the area where the project is to be located.
 - (C) Direct mailing to the owners and occupants of contiguous property shown on the latest equalized assessment roll.
- A39) Pursuant to Public Resources Code Section 21092.1, when significant new information is added to an environmental impact report after notice has been given pursuant to Section 21092, and consultation has occurred pursuant to Sections 21104 and 21153, but prior to certification, giving notice again pursuant to Section 21092, and consulting again pursuant to Sections 21104 and 21153 before certifying the environmental impact report.
- A40) Pursuant to Public Resources Code Section 21092.2, mailing the notices required pursuant to Sections 21080.4, 21083.9, 21092, 21108, and 21152 to any person who has filed a written request for notices with either the clerk of the governing body or, if there is no governing body, the director of the agency.
- A41) Pursuant to Public Resources Code Section 21092.3, posting the notices required pursuant to Sections 21080.4 and 21092 for an environmental impact report in the office of the county clerk of each county in which the project will be located. The notice required pursuant to Section 21092 for a negative declaration shall be so posted for a period of 20 days, unless otherwise required by law to be posted for 30 days.
- A42) Pursuant to Public Resources Code Section 21092.4, subdivision (a), for a project of

- statewide, regional, or area wide significance, consulting with transportation planning agencies and public agencies which have transportation facilities within their jurisdictions which could be affected by the project for the purpose of obtaining information concerning the project's effect on major local arterials, public transit, freeways, highways, and rail transit service within the jurisdiction of a transportation planning agency or a public agency which is consulted by the lead agency. Notifying a transportation planning agency or public agency which provides information to the lead agency of, and providing copies of, environmental documents pertaining to the project.
- A43) Pursuant to Public Resources Code Section 21092.5, subdivision (a), at least 10 days prior to certifying an environmental impact report, providing a written proposed response to comments made by that agency which conform with the requirements of this division.
- A44) Pursuant to Public Resources Code Section 21092.5, subdivision (b), notifying any public agency which comments on a negative declaration, of the public hearing or hearings, if any, on the project for which the negative declaration was prepared.
- A45) Pursuant to Public Resources Code Section 21092.6, subdivision (a), consulting the lists compiled pursuant to Section 65962.5 of the Government Code to determine whether the project and any alternatives are located on a site which is included on any list.
- A46) Pursuant to Public Resources Code Section 21094, subdivision (a), where a prior environmental impact report has been prepared and certified for a program, plan, policy, or ordinance, for a later project that meets the requirements of this section, examining significant effects of the later project upon the environment by using a tiered environmental impact report.
- A47) Pursuant to Public Resources Code Section 21094, subdivision (c), for purposes of compliance with this section, preparing an initial study to assist in making the determinations required by this section, which analyze whether the later project may cause significant effects on the environment that were not examined in the prior environmental impact report.
- A48) Pursuant to Public Resources Code Section 21094, subdivision (e), when tiering is used pursuant to this section, referring to the prior environmental impact report and stating where a copy of the prior environmental impact report may be examined.
- A49) Pursuant to Public Resources Code Section 21100, subdivision (a), preparing , or causing to be prepared by contract, and certifying the completion of, an environmental impact report on any project proposed to be carried out or approved that may have a significant effect on the environment.
- A50) Pursuant to Public Resources Code Section 21100, subdivision (b), including in any environmental impact report a detailed statement setting forth all of the following:
- (1) All significant effects on the environment of the proposed project.
 - (2) In a separate section:
 - (A) Any significant effect on the environment that cannot be avoided if the project is implemented.
 - (B) Any significant effect on the environment that would be irreversible if the project is implemented.
 - (3) Mitigation measures proposed to minimize significant effects on the environment, including, but not limited to, measures to reduce the wasteful, inefficient, and unnecessary consumption of energy.
 - (4) Alternatives to the proposed project.
 - (5) The growth-inducing impact of the proposed project.

- A51) Pursuant to Public Resources Code Section 21100, subdivision (c), including in each environmental impact report a statement briefly indicating the reasons for determining that various effects on the environment of a project are not significant and consequently have not been discussed in detail in the environmental impact report.
- A52) Pursuant to Public Resources Code Section 21102, accompanying each request for funds for any project, other than a project involving only feasibility or planning studies for possible future actions, with an environmental impact report.
- A53) Pursuant to Public Resources Code Section 21102, including environmental factors in feasibility and planning studies exempted by this section from the preparation of an environmental impact report.
- A54) Pursuant to Public Resources Code Section 21150, including a detailed statement setting forth the matters specified in Section 21100 when requesting allocation of any funds, other than funds solely for projects involving only feasibility or planning studies for possible future actions, for any project which may have a significant effect on the environment.
- A55) Pursuant to Public Resources Code Section 21151, subdivision (a), preparing, or causing to be prepared by contract, and certifying the completion of, an environmental impact report on any project intended to be carried out or approved which may have a significant effect on the environment.
- A56) Pursuant to Public Resources Code Section 21151, subdivision (c), if a nonelected decision making body certifies an environmental impact report, approves a negative declaration or mitigated negative declaration, or determines that a project is not subject to this division, responding to any appeal of that certification, approval, or determination in any hearing or proceeding before the elected decision making body.
- A57) Pursuant to Public Resources Code Section 21151.2, before acquiring title to property for a new school site or for an addition to a present school site, giving notice in writing to the planning commission having jurisdiction of the proposed acquisition.
- A58) Pursuant to Public Resources Code Section 21151.8, subdivision (a), before approving an environmental impact report or negative declaration for any project involving the purchase of a schoolsite or the construction of a new elementary or secondary school by a school district, making sure that all of the following occur:
 - (1) The environmental impact report or negative declaration includes information which is needed to determine if the property proposed to be purchased, or to be constructed upon, is any of the following:
 - (A) The site of a current or former hazardous waste disposal site or solid waste disposal site and, if so, whether the wastes have been removed.
 - (B) A hazardous substance release site identified by the State Department of Health Services in a current list adopted pursuant to Section 25356 for removal or remedial action pursuant to Chapter 6.8 (commencing with Section 25300) of Division 20 of the Health and Safety Code.
 - (C) A site which contains one or more pipelines, situated underground or above ground, which carries hazardous substances, acutely hazardous materials, or hazardous wastes, unless the pipeline is a natural gas line which is used only to supply natural gas to that school or neighborhood.
 - (2) Notifying in writing and consulting with the administering agency in which the proposed schoolsite is located, and with any air pollution control district or air quality management district having jurisdiction in the area, to identify facilities within one-fourth

of a mile of the proposed schoolsite which might reasonably be anticipated to emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste. The notification shall include a list of the locations for which information is sought.

(3) The governing board of the school district makes one of the following written findings:

(A) Consultation identified no such facilities specified in paragraph (2).

(B) The facilities specified in paragraph (2) exist, but one of the following conditions applies:

(i) The health risks from the facilities do not and will not constitute an actual or potential endangerment of public health to persons who would attend or be employed at the proposed school.

(ii) Corrective measures required under an existing order by another agency having jurisdiction over the facilities will, before the school is occupied, result in the mitigation of all chronic or accidental hazardous air emissions to levels that do not constitute an actual or potential endangerment of public health to persons who would attend or be employed at the proposed school. If the governing board makes such a finding, it shall also make a subsequent finding, prior to occupancy of the school, that the emissions have been so mitigated.

(4) Each administering agency, air pollution control district, or air quality management district receiving written notification to identify facilities pursuant to paragraph (2) has provided the requested information and provide a written response to the lead agency within 30 days of receiving the notification.

- A59) Pursuant to Public Resources Code Section 21152, subdivision (a), whenever a local agency approves or determines to carry out a project which is subject to this division, it shall file notice of the approval or the determination within five working days after the approval or determination becomes final, with the county clerk of each county in which the project will be located. The notice shall indicate the determination of the local agency whether the project will, or will not, have a significant effect on the environment and shall indicate whether an environmental impact report has been prepared pursuant to this division. The notice shall also include certification that the final environmental impact report, if one was prepared, together with comments and responses, is available to the general public. Making the notice of the approval or the determination available to the public.
- A60) Pursuant to Public Resources Code Section 21152, subdivision (b), whenever a determination is made that a project is not subject to this division pursuant to subdivision (b) of Section 21080 or pursuant to Section 21085 or 21172, and a local agency approves or determines to carry out the project, it, or the person specified in subdivision (b) or (c) of Section 21065, filing a notice of the determination with the county clerk of each county in which the project will be located. Any notice filed pursuant to this subdivision by a person specified in subdivision (b) or (c) of Section 21065 shall have a certificate of determination attached to it issued by the local agency responsible for making the determination that the project is not subject to this division pursuant to subdivision (b) of Section 21080 or pursuant to Section 21085 or 21172.
- A61) Pursuant to Public Resources Code Section 21152, subdivision (c), making all notices filed pursuant to this section available for public inspection, and posted within 24 hours

- of receipt in the office of the county clerk and retaining the notice for not less than nine months.
- A62) Pursuant to Public Resources Code Section 21153, subdivision (a), prior to completing an environmental impact report, consulting with, and obtaining comments from, each responsible agency, any public agency that has jurisdiction by law with respect to the project, and any city or county that borders on a city or county within which the project is located unless otherwise designated annually by agreement with the local lead agency and the city or county, and consulting with any person who has special expertise with respect to any environmental impact involved.
- A63) Pursuant to Public Resources Code Section 21153, subdivision (b), in the case of a project described in subdivision (a) of Section 21065, providing for early consultation to identify the range of actions, alternatives, mitigation measures, and significant effects to be analyzed in depth in the environmental impact report.
- A64) Pursuant to Public Resources Code Section 21154, whenever any state agency, board, or commission issues an order which requires a district or county office to carry out a project which may have a significant effect on the environment, limiting any environmental impact report prepared to consideration of those factors and alternatives which will not conflict with such order.
- A65) Pursuant to Public Resources Code Section 21157, subdivision (a), preparing a master environmental impact report when required or appropriate.
- A66) Pursuant to Public Resources Code Section 21157, subdivision (a)(2), preparing a master environmental impact report when planning a project that consists of smaller individual projects which will be carried out in phases.
- A67) Pursuant to Public Resources Code Section 21157, subdivision (b), when preparing a master environmental impact report, including in the document all of the following:
- (1) A detailed statement as required by Section 21100.
 - (2) A description of anticipated subsequent projects that would be within the scope of the master environmental impact report, that contains sufficient information with regard to the kind, size, intensity, and location of the subsequent projects, including, but not limited to, all of the following:
 - (A) The specific type of project anticipated to be undertaken.
 - (B) The maximum and minimum intensity of any anticipated subsequent project.
 - (C) The anticipated location and alternative locations for any development projects.
 - (D) A capital outlay or capital improvement program, or other scheduling or implementing device that governs the submission and approval of subsequent projects.
 - (3) A description of potential impacts of anticipated subsequent projects for which there is not sufficient information reasonably available to support a full assessment of potential impacts in the master environmental impact report.
- A68) Pursuant to Public Resources Code Section 21157.1, when preparing and certifying a master environmental impact report, allowing for the limited review of subsequent projects that were described in the master environmental impact report as being within the scope of the report, in accordance with the following requirements:
- (a) The lead agency for a subsequent project shall be the lead agency or any responsible agency identified in the master environmental impact report.

(b) The lead agency shall prepare an initial study on any proposed subsequent project. This initial study shall analyze whether the subsequent project may cause any significant effect on the environment that was not examined in the master environmental impact report and whether the subsequent project was described in the master environmental impact report as being within the scope of the report.

(c) If the lead agency, based on the initial study, determines that a proposed subsequent project will have no additional significant effect on the environment, as defined in subdivision (d) of Section 21158, that was not identified in the master environmental impact report and that no new or additional mitigation measures or alternatives may be required, making a written finding based upon the information contained in the initial study that the subsequent project is within the scope of the project covered by the master environmental impact report. Prior to approving or carrying out the proposed subsequent project, providing notice of this fact pursuant to Section 21092 and incorporating all feasible mitigation measures or feasible alternatives set forth in the master environmental impact report which are appropriate to the project. Whenever a lead agency approves or determines to carry out any subsequent project pursuant to this section, it shall file a notice pursuant to Section 21108 or 21152.

(d) Where findings cannot be made as required in subdivision (c), the lead agency shall prepare, pursuant to Section 21157.7, either a mitigated negative declaration or environmental impact report.

A69) Pursuant to Public Resources Code Section 21157.5, subdivision (a), preparing a proposed mitigated negative declaration for any proposed subsequent project if both of the following occur:

(1) An initial study has identified potentially new or additional significant effects on the environment that were not analyzed in the master environmental impact report.

(2) Feasible mitigation measures or alternatives will be incorporated to revise the proposed subsequent project, before the negative declaration is released for public review, in order to avoid the effects or mitigate the effects to a point where clearly no significant effect on the environment will occur.

A70) Pursuant to Public Resources Code Section 21157.5, subdivision (b), if there is substantial evidence in light of the whole record that a proposed subsequent project may have a significant effect on the environment and a mitigated negative declaration is not prepared, the lead agency shall prepare an environmental impact report or a focused environmental impact report pursuant to Section 21158.

A71) Pursuant to Public Resources Code Section 21158, subdivision (a), incorporating by reference in a focused environmental impact report the master environmental impact report and analyzing only the subsequent project's additional significant effects on the environment, as defined in subdivision (d), and any new or additional mitigation measures or alternatives that were not identified and analyzed by the master environmental impact report.

A72) Pursuant to Public Resources Code Section 21158, subdivision (c), analyzing, in a focused environmental impact report on any subsequent project, any significant effects on the environment where substantial new or additional information shows that the adverse environmental impact may be more significant than was described in the master environmental impact report. The substantial new or additional information may also show that mitigation measures or alternatives identified in the master environmental impact report, which were previously determined to be infeasible, are feasible and will

- avoid or reduce the significant effects on the environment of the subsequent project to a level of insignificance.
- A73) Pursuant to Public Resources Code Section 21161, upon completion of an environmental impact report, causing a notice of completion of that report to be filed with the Office of Planning and Research which shall briefly identify the project and shall indicate that an environmental impact report has been prepared.
- A74) Pursuant to Public Resources Code Section 21165, when a project is to be carried out or approved by two or more public agencies, making the determination of whether the project may have a significant effect on the environment and preparing, or causing to be prepared by contract, the environmental impact report for the project, if such a report is required by this division.
- A75) Pursuant to Public Resources Code Section 21166, when an environmental impact report has been prepared for a project pursuant to this division, preparing a subsequent or supplemental environmental impact report when one or more of the following events occurs:
- (a) Substantial changes are proposed in the project which will require major revisions of the environmental impact report.
 - (b) Substantial changes occur with respect to the circumstances under which the project is being undertaken which will require major revisions in the environmental impact report.
 - (c) New information, which was not known and could not have been known at the time the environmental impact report was certified as complete, becomes available.
- A76) Pursuant to Public Resources Code Section 21167, responding to legal actions or proceedings to attack, review, set aside, void, or annul acts or decisions on the grounds of noncompliance with this division.
- A77) Pursuant to Public Resources Code Section 21167.6, subdivision (b)(1), preparing and certifying the record of proceedings not later than 60 days from the date that the request specified in subdivision (a) was served upon the public agency. Upon certification, lodging a copy of the record of proceedings with the court and serving on the parties notice that the record of proceedings has been certified and lodged with the court. Subdivision (e) provides that the record of proceedings shall include, but is not limited to, all of the following items:
- (1) All project application materials.
 - (2) All staff reports and related documents prepared by the respondent public agency with respect to its compliance with the substantive and procedural requirements of this division and with respect to the action on the project.
 - (3) All staff reports and related documents prepared by the respondent public agency and written testimony or documents submitted by any person relevant to any findings or statement of overriding considerations adopted by the respondent agency pursuant to this division.
 - (4) Any transcript or minutes of the proceedings at which the decision making body of the respondent public agency heard testimony on, or considered any environmental document on, the project, and any transcript or minutes of proceedings before any advisory body to the respondent public agency that were presented to the decision making body prior to action on the environmental documents or on the project.
 - (5) All notices issued by the respondent public agency to comply with this division or with any other law governing the processing and approval of the project.

(6) All written comments received in response to, or in connection with, environmental documents prepared for the project, including responses to the notice of preparation.

(7) All written evidence or correspondence submitted to, or transferred from, the respondent public agency with respect to compliance with this division or with respect to the project.

(8) Any proposed decisions or findings submitted to the decision making body of the respondent public agency by its staff, or the project proponent, project opponents, or other persons.

(9) The documentation of the final public agency decision, including the final environmental impact report, mitigated negative declaration, or negative declaration, and all documents, in addition to those referenced in paragraph (3), cited or relied on in the findings or in a statement of overriding considerations adopted pursuant to this division.

(10) Any other written materials relevant to the respondent public agency's compliance with this division or to its decision on the merits of the project, including the initial study, any drafts of any environmental document, or portions thereof, that have been released for public review, and copies of studies or other documents relied upon in any environmental document prepared for the project and either made available to the public during the public review period or included in the respondent public agency's files on the project, and all internal agency communications, including staff notes and memoranda related to the project or to compliance with this division.

(11) The full written record before any inferior administrative decision making body whose decision was appealed to a superior administrative decision making body prior to the filing of litigation.

- A78) Pursuant to Public Resources Code Section 21167.6.5, subdivision (b), providing a petitioner or plaintiff, not later than 10 business days following service of the petition or complaint, with a list of responsible agencies and any public agency having jurisdiction over a natural resource affected by the project.
- A79) Pursuant to Public Resources Code Section 21167.8, subdivision (a), filing with the court a notice setting forth the time and place at which all parties shall meet and attempt to settle the litigation.
- A80) Pursuant to Public Resources Code Section 21167.8, subdivision (b), meeting and conferring with the other parties regarding anticipated issues to be raised in the litigation and attempting in good faith to settle the litigation and the dispute which forms the basis of the litigation at the time and place specified in the notice filed with the court.
- A81) Pursuant to Public Resources Code Section 21167.8, subdivision (d), participating in further settlement conferences when the court, in its discretion or at the request of any party, schedules a further settlement conference before a judge of the superior court.
- A82) Pursuant to Public Resources Code Section 21167.8, subdivision (f), not later than 10 days from the date on which the respondent or real party in interest has been served with the statement of issues from the petitioner or plaintiff, filing and serving on all other parties a statement of issues which that party intends to raise in any brief or at any hearing or trial.
- A83) Pursuant to Public Resources Code Section 21168.9, complying with orders that a court may make as a result of a trial, hearing or remand from an appellate court, including, in subdivision (a)(3), a mandate that a public agency take specific action as may be

necessary to bring the determination, finding, or decision into compliance with this division.

TITLE 5, CALIFORNIA CODE OF REGULATIONS

- B1) Pursuant to Title 5, California Code of Regulations, Section 14011, subdivision (h), preparing an environmental impact report, or negative declaration in compliance with the Environmental Quality Act, Public Resources Code, Division 13, (commencing with Section 21000 with particular attention to Section 21151.8). Pursuant to subdivision (k), following the recommendations of the State Superintendent of Public Instruction report based upon the Department of Transportation, Division of Aeronautics, findings, if the proposed site is within two miles of the center line of an airport runway or proposed runway as required by Education Code Section 17215. Pursuant to subdivision (l), following the standards for school site selection in Section 14010 of this article. Pursuant to subdivision (m), conducting a public hearing, as required in Education Code Section 17211, to evaluate the property using the standards described in Section 14010. Pursuant to subdivision (n), submitting the request for exemption from a standard in Section 14010 of this article, with a description of the mitigation that overrides the standard, to the California Department of Education. Pursuant to subdivision (o), certifying there are no available alternative school district-owned sites for the project deemed usable for school purposes by the California Department of Education or certify that the school district intends to sell an available alternative school district-owned site and use the proceeds from the sale for the purchase of the new school site.
- B2) Pursuant to Title 5, California Code of Regulations, Section 57121, subdivision (b), (for community college districts) including, in proposals for initial construction of facilities for a new campus, a long-range plan for physical development approved by the district governing board which shows the intended use of all portions of the land and approximate location of buildings and facilities.
- B3) Pursuant to Title 5, California Code of Regulations, Section 57121, subdivision (c), (for community college districts) submitting an Initial Study, pursuant to section 15080, Title 14, California Administrative Code, to the Chancellor's office concurrent with other required information.
- B4) Pursuant to Title 5, California Code of Regulations, Section 57121, subdivision (d), (for community college districts) submitting copies of the:
 - (a) Finding of Categorical Exemption (section 15023, Title 14, California Administrative Code);
 - (b) Negative Declaration (section 15083, Title 14, California Administrative Code); or
 - (c) Notice of Completion (section 15085(c), Title 14, California Administrative Code), whichever is appropriate.
- B5) Pursuant to Title 5, California Code of Regulations, Section 57121, subdivision (e), (for community college districts) submitting a copy of the findings of Categorical Exemption or Notice of Determination (section 15085(g), Title 14, California Administrative Code), whichever is appropriate, to the Chancellor's office concurrently with plans submitted for approval in accordance with section 81837 (approval by board of governors) of the Education Code.

TITLE 14, CALIFORNIA CODE OF REGULATIONS

Article 1. General

- C1) Pursuant to Title 14, California Code of Regulations, Section 15002, subdivision (e), complying with all CEQA procedures when carrying out an activity subject to its provisions, including:
 - (a) Preparing an EIR when the district finds substantial evidence that the project may have a significant effect on the environment.
 - (b) Preparing a "Negative Declaration" instead of an EIR when the district finds that there is no substantial evidence that a project may have a significant environmental effect.
 - (c) Soliciting and responding to comments from the public and from other agencies concerned with the project.
- C2) Pursuant to Title 14, California Code of Regulations, Section 15002, subdivision (k) taking at least the following three steps in deciding which document to prepare for a project subject to CEQA:
 - (a) Examining the project to determine whether the project is subject to CEQA at all. If the project is exempt, the process does not need to proceed any farther. The agency may then prepare a notice of exemption.
 - (b) If the project is not exempt, taking the second step and conducting an initial study to determine whether the project may have a significant effect on the environment.
 - (c) If the initial study shows that the project may have a significant effect, the lead agency takes the third step and prepares an EIR.
- C3) Pursuant to Title 14, California Code of Regulations, Section 15004, subdivision (b), preparing an EIR or Negative Declaration as early as feasible in the planning process. Pursuant to subdivision (b)(1), incorporating environmental considerations into project conceptualization, design and planning prior to acquisition of a site for a public project. Subdivision (c) requires that the environmental document preparation and review be coordinated in a timely fashion with existing planning, review, and project approval processes being used by the district.

Article 2. General Responsibilities.

- C4) Pursuant to Title 14, California Code of Regulations, Section 15020, complying with CEQA and these Guidelines.
- C5) Pursuant to Title 14, California Code of Regulations, Section 15021, subdivision (a), avoiding or minimizing environmental damage where feasible. In regulating public or private activities, giving major consideration to preventing environmental damage.
- C6) Pursuant to Title 14, California Code of Regulations, Section 15021, subdivision (d), balancing a variety of public objectives, including economic, environmental, and social factors.
- C7) Pursuant to Title 14, California Code of Regulations, Section 15022 adopting objectives, criteria, and specific procedures consistent with CEQA and these Guidelines for administering its responsibilities under CEQA, including the orderly evaluation of projects and preparation of environmental documents. The implementing procedures

should at least contain provisions for:

- (a) Identifying the activities that are exempt from CEQA.
 - (b) Conducting initial studies.
 - (c) Preparing negative declarations.
 - (d) Preparing draft and final EIRs.
 - (e) Consulting with and obtaining comments from other public agencies and members of the public with regard to the environmental effects of projects.
 - (f) Assuring adequate opportunity and time for public review and comment on the Draft EIR of Negative Declaration.
 - (g) Evaluating and responding to comments received on environmental documents.
 - (h) Assigning responsibility for determining the adequacy of an EIR or negative declaration.
 - (i) Reviewing and considering environmental documents by the person or decision making body who will approve or disapprove a project.
 - (j) Filing documents required or authorized by CEQA and these Guidelines.
 - (k) Providing adequate comments on environmental documents which are submitted to the public agency for review.
 - (l) Assigning responsibility for specific functions to particular units of the public agency.
 - (m) Providing time periods for performing functions under CEQA.
- C8) Pursuant to Title 14, California Code of Regulations, Section 15022, subdivision (c), revising implementing procedures to conform to amendments to these guidelines within 120 days after the effective date of the amendments.
- C9) Pursuant to Title 14, California Code of Regulations, Section 15025, subdivision (b), performing the following functions, without delegation:
- (a) Reviewing and considering a final EIR or approving a negative declaration prior to approving a project.
 - (b) The making of findings as required by Sections 15091 and 15093.

Article 3. Authorities Granted to Public Agencies by CEQA

- C10) Pursuant to Title 14, California Code of Regulations, Section 15041, having authority to require feasible changes in any or all activities involved in the project in order to substantially lessen or avoid significant effects on the environment, consistent with applicable constitutional requirements such as the "nexus" and "rough proportionality" standards established by case law.
- C11) Pursuant to Title 14, California Code of Regulations, Section 15042, avoiding one or more significant effects on the environment that would occur if the project were approved as proposed.
- C12) Pursuant to Title 14, California Code of Regulations, Section 15043, approving a project even though the project would cause a significant effect on the environment if the agency makes a fully informed and publicly disclosed decision that:
- 1) There is no feasible way to lessen or avoid the significant effect; and
 - 2) Specifically identified expected benefits from the project outweigh the policy of reducing or avoiding significant environmental impacts of the project.

Article 4. Lead Agency

- C13) Pursuant to Title 14, California Code of Regulations, Section 15050, subdivision (a), being responsible for preparing an EIR or negative declaration for the project.
- C14) Pursuant to Title 14, California Code of Regulations, Section 15053, subdivision (a), if there is a dispute over which of several agencies should be the lead agency for a project, the disputing agencies should consult with each other in an effort to resolve the dispute prior to submitting it to OPR.

Article 5. Preliminary Review of Projects and Conduct of Initial Study

- C15) Pursuant to Title 14, California Code of Regulations, Section 15060, subdivision (c), first determining whether an activity is subject to CEQA before conducting an initial study. An activity is not subject to CEQA if:
 - (a) The activity does not involve the exercise of discretionary powers by a public agency;
 - (b) The activity will not result in a direct or reasonably foreseeable indirect physical change in the environment; or
 - (c) The activity is not a project as defined in Section 15378.
- C16) Pursuant to Title 14, California Code of Regulations, Section 15060, subdivision (d), if the lead agency can determine that an EIR will clearly be required for a project, skipping further initial review of the project and begin working directly on the EIR process.
- C17) Pursuant to Title 14, California Code of Regulations, Section 15061, subdivision (a), once a lead agency has determined that an activity is a project subject to CEQA, determining whether the project is exempt from CEQA.
- C18) Pursuant to Title 14, California Code of Regulations, Section 15061, subdivision (c), including in its implementing procedures a listing of the projects often handled by the agency that the agency has determined to be exempt.
- C19) Pursuant to Title 14, California Code of Regulations, Section 15062, subdivision (a), upon deciding that a project is exempt from CEQA and the public agency approves or determines to carry out the project, filing a notice of exemption. The notice shall be filed, if at all, after approval of the project, and shall include a brief description of the project, a finding that the project is exempt from CEQA, and a brief statement of reasons to support the finding.
- C20) Pursuant to Title 14, California Code of Regulations, Section 15062, subdivision (c), when a public agency approves an applicant's project, either the agency or the applicant may file a notice of exemption. When a local agency files this notice, filing the notice of exemption with the county clerk of each county in which the project will be located, making available copies of the notices for public inspection, retaining them for not less than 9 months.
- C21) Pursuant to Title 14, California Code of Regulations, Section 15063, subdivision (a), following preliminary review, conducting an initial study to determine if the project may have a significant effect on the environment.
- C22) Pursuant to Title 14, California Code of Regulations, Section 15063, subdivision (b):
 - (a) If the agency determines that there is substantial evidence that any aspect of the project, either individually or cumulatively, may cause a significant effect on the environment, regardless of whether the overall effect of the project is adverse or

- beneficial, doing one of the following:
- (i) preparing an EIR, or
 - (ii) using a previously prepared EIR, or
 - (iii) determining which of a project's effects were adequately examined by an earlier EIR or negative declaration.
- (b) Preparing a negative declaration if there is no substantial evidence that the project or any of its aspects may cause a significant effect on the environment.
- C23) Pursuant to Title 14, California Code of Regulations, Section 15063, subdivision (d), containing in an initial study:
- (a) A description of the project including the location of the project;
 - (b) An identification of the environmental setting;
 - (c) An identification of environmental effects by use of a checklist, matrix, or other method, provided that entries on a checklist or other form are briefly explained to indicate that there is some evidence to support the entries.
 - (d) A discussion of ways to mitigate the significant effects identified, if any;
 - (e) An examination of whether the project would be consistent with existing zoning, plans, and other applicable land use controls;
 - (f) The name of the person or persons who prepared or participated in the initial study.
- C24) Pursuant to Title 14, California Code of Regulations, Section 15063, subdivision (g), as soon as a lead agency has determined that an initial study will be required for the project, consulting informally with all responsible agencies and all trustee agencies responsible for resources affected by the project to obtain the recommendations of those agencies as to whether an EIR or a negative declaration should be prepared.
- C25) Pursuant to Title 14, California Code of Regulations, Section 15064, subdivision (a)(1), if there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, preparing a draft EIR.
- C26) Pursuant to Title 14, California Code of Regulations, Section 15064, subdivision (a)(2), when a final EIR identifies one or more significant effects, making a finding under Section 15091 for each significant effect and, when necessary, making a statement of overriding consideration under Section 15093 for the project.
- C27) Pursuant to Title 14, California Code of Regulations, Section 15064, subdivision (c), considering the views held by members of the public in all areas affected in determining whether an effect will be adverse or beneficial.
- C28) Pursuant to Title 14, California Code of Regulations, Section 15064, subdivision (d), considering direct physical changes in the environment which may be caused by the project and reasonably foreseeable indirect physical changes in the environment which may be caused by the project.
- C29) Pursuant to Title 14, California Code of Regulations, Section 15064, subdivision (g), if there is disagreement among expert opinion supported by facts over the significance of an effect on the environment, treating the effect as significant and preparing an EIR.
- C30) Pursuant to Title 14, California Code of Regulations, Section 15064, subdivision (i):
- (a) Considering whether the cumulative impact is significant and whether the effects of the project are cumulatively considerable when assessing whether a cumulative effect requires an EIR .
 - (b) Determining in an initial study that a project's contribution to a significant cumulative impact will be rendered less than cumulatively considerable and thus

- is not significant.
- (c) Determining that a project's incremental contribution to a cumulative effect is not cumulatively considerable if the project will comply with the requirements in a previously approved plan or mitigation program which provides specific requirements that will avoid or substantially lessen the cumulative problem within the geographic area in which the project is located.
 - (d) Determining that the incremental impacts of a project are not cumulatively considerable when they are so small that they make only a de minimis contribution to a significant cumulative impact caused by other projects that would exist in the absence of the proposed project.
- C31) Pursuant to Title 14, California Code of Regulations, Section 15064.5, subdivision (b), identifying potentially feasible measures to mitigate significant adverse changes in the significance of an historical resource and ensuring that any adopted measures to mitigate or avoid significant adverse changes are fully enforceable through permit conditions, agreements, or other measures.
- C32) Pursuant to Title 14, California Code of Regulations, Section 15064.5, subdivision (f), making provisions for historical or unique archaeological resources accidentally discovered during construction.
- C33) Pursuant to Title 14, California Code of Regulations, Section 15064.7, subdivision (b), adopting by resolution, rule, or regulation; developing through a public review process; and being supported by substantial evidence, thresholds of significance for general use as part of the environmental review process.
- C34) Pursuant to Title 14, California Code of Regulations, Section 15065, finding that a project may have a significant effect on the environment and thereby preparing an EIR for the project where any of the following conditions occur:
- (a) The project has the potential to substantially 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 an endangered, rare or threatened species, or eliminate important examples of the major periods of California history or prehistory.
 - (b) The project has the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals.
 - (c) The project has possible environmental effects which are individually limited by cumulatively considerable effects.
 - (d) The environmental effects of a project will cause substantial adverse effects on human beings, either directly or indirectly.

Article 6. Negative Declaration Process

- C35) Pursuant to Title 14, California Code of Regulations, Section 15070, preparing, or arranging preparation of, a proposed negative declaration or mitigated negative declaration for a project subject to CEQA when:
- (a) The initial study shows that there is no substantial evidence, in light of the whole record before the agency, that the project may have a significant effect on the environment, or
 - (b) The initial study identifies potentially significant effects, but

- (i) Revisions in the project plans or proposals made by or agreed to by the applicant before a proposed mitigated negative declaration and initial study are released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur, and
 - (ii) There is no substantial evidence, in light of the whole record before the agency, that the project as revised may have a significant effect on the environment.
- C36) Pursuant to Title 14, California Code of Regulations, Section 15071, including in a negative declaration circulated for public review:
 - (a) A brief description of the project, including a commonly used name for the project, if any;
 - (b) The location of the project, preferably shown on a map, and the name of the project proponent;
 - (c) A proposed finding that the project will not have a significant effect on the environment;
 - (d) An attached copy of the initial study documenting reasons to support the finding; and
 - (e) Mitigation measures, if any, included in the project to avoid potentially significant effects.
- C37) Pursuant to Title 14, California Code of Regulations, Section 15072, subdivision (a), providing a notice of intent to adopt a negative declaration or mitigated negative declaration to the public, responsible agencies, trustee agencies, and the county clerk of each county within which the proposed project is located, sufficiently prior to adopting the negative declaration or mitigated negative declaration to allow the public and agencies the review period provided under Section 15105.
- C38) Pursuant to Title 14, California Code of Regulations, Section 15072, subdivision (b), mailing a notice of intent to adopt a negative declaration or mitigated negative declaration to the last known name and address of all organizations and individuals who have previously requested such notice in writing and giving notice of intent to adopt a negative declaration or mitigated negative declaration by at least one of the following procedures to allow the public the review period provided under Section 15105:
 - (a) Publication at least one time by the lead agency in a newspaper of general circulation in the area affected by the proposed project.
 - (b) Posting of notice by the lead agency on and off site in the area where the project is to be located.
 - (c) Direct mailing to the owners and occupants of property contiguous to the project.
- C39) Pursuant to Title 14, California Code of Regulations, Section 15072, subdivision (e), for a project of statewide, regional, or area wide significance, providing notice to transportation planning agencies and public agencies which have transportation facilities within their jurisdictions which could be affected by the project as specified in Section 21092.4(a) of the Public Resources Code.
- C40) Pursuant to Title 14, California Code of Regulations, Section 15072, subdivision (f), including in a notice of intent to adopt a negative declaration or mitigated negative declaration the following:
 - (a) A brief description of the proposed project and its location.
 - (b) The starting and ending dates for the review period during which the lead agency will receive comments on the proposed negative declaration or mitigated

- negative declaration.
 - (c) The date, time, and place of any scheduled public meetings or hearings to be held by the lead agency on the proposed project, when known to the lead agency at the time of notice.
 - (d) The address or addresses where copies of the proposed negative declaration or mitigated negative declaration including the revisions developed under Section 15050(b) and all documents referenced in the proposed negative declaration or mitigated negative declaration are available for review.
 - (e) The presence of the site on any of the lists enumerated under Section 65962.5 of the Government Code including, but not limited to lists of hazardous waste facilities, land designated as hazardous waste property, and hazardous waste disposal sites, and the information in the Hazardous Waste and Substances Statement required under subsection (f) of that section.
 - (f) Other information specifically required by statute or regulation for a particular project or type of project.
- C41) Pursuant to Title 14, California Code of Regulations, Section 15073, subdivision (a), providing a public review period pursuant to Section 15105 of not less than 20 days.
- C42) Pursuant to Title 14, California Code of Regulations, Section 15073, subdivision (c), attaching a copy of the proposed negative declaration or mitigated negative declaration and the initial study to the notice of intent to adopt the proposed declaration that is sent to every responsible agency and trustee agency concerned with the project and every other public agency with jurisdiction by law over resources affected by the project.
- C43) Pursuant to Title 14, California Code of Regulations, Section 15073, subdivision (d), sending copies of the proposed negative declaration or mitigated negative declaration to the State Clearinghouse for distribution to the state agencies, where one or more state agencies will be a responsible agency or a trustee agency or will exercise jurisdiction by law over natural resources affected by the project, or where the project is of statewide, regional, or area wide environmental significance.
- C44) Pursuant to Title 14, California Code of Regulations, Section 15073, subdivision (e), notifying, in writing, any public agency which comments on a proposed negative declaration or mitigated negative declaration of any public hearing to be held for the project for which the document was prepared.
- C45) Pursuant to Title 14, California Code of Regulations, Section 15073.5, subdivision (a), re-circulating a negative declaration when the document must be substantially revised after public notice of its availability has previously been given pursuant to Section 15072, but prior to its adoption.
- C46) Pursuant to Title 14, California Code of Regulations, Section 15073.5, subdivision (d), preparing a draft EIR and certifying a final EIR prior to approving the project, if during the negative declaration process there is substantial evidence in light of the whole record that the project, as revised, may have a significant effect on the environment which cannot be mitigated or avoided.
- C47) Pursuant to Title 14, California Code of Regulations, Section 15074, subdivision (b), considering, prior to approving a project, the proposed negative declaration together with any comments received during the public review process.
- C48) Pursuant to Title 14, California Code of Regulations, Section 15074, subdivision (c), specifying the location and custodian of the documents or other materials which constitute the record of proceedings upon which its decision is based, when adopting a

- mitigated negative declaration or mitigated negative declaration.
- C49) Pursuant to Title 14, California Code of Regulations, Section 15074, subdivision (d), adopting a program for reporting on or monitoring the changes which it has either required in the project or made a condition of approval to mitigate or avoid significant environmental effects, when adopting a mitigated negative declaration.
- C50) Pursuant to Title 14, California Code of Regulations, Section 15074.1, subdivision (b), prior to deleting and substituting for a mitigation measure, doing both of the following:
- (a) Holding a public hearing on the matter.
 - (b) Adopting a written finding that the new measure is equivalent or more effective in mitigating or avoiding potential significant effects and that it in itself will not cause any potentially significant effect on the environment.
- C51) Pursuant to Title 14, California Code of Regulations, Section 15075, subdivision (a), filing a notice of determination, after deciding to carry out or approve a project for which a negative declaration or mitigated negative declaration has been approved; and for projects with phases, filing a notice of determination after deciding to carry out or approve each phase.
- C52) Pursuant to Title 14, California Code of Regulations, Section 15075, subdivision (b), include in the notice of determination:
- (a) An identification of the project including its common name where possible, and its location.
 - (b) A brief description of the project.
 - (c) The date on which the agency approved the project.
 - (d) The determination of the agency that the project will not have a significant effect on the environment.
 - (e) A statement that a negative declaration or a mitigated negative declaration has been prepared pursuant to the provisions of CEQA.
 - (f) The address where a copy of the negative declaration or mitigated negative declaration may be examined.
- C53) Pursuant to Title 14, California Code of Regulations, Section 15075, subdivision (c), filing a notice of determination with OPR.

Article 7. EIR process

- C54) Pursuant to Title 14, California Code of Regulations, Section 15081.5, subdivision (a), preparing, or having prepared, an EIR for specified projects.
- C55) Pursuant to Title 14, California Code of Regulations, Section 15081.5, subdivision (b), preparing or having prepared an EIR for the selection of a California Community College campus location and approval of a long range development plan for that campus.
- C56) Pursuant to Title 14, California Code of Regulations, Section 15082, subdivision (a), immediately after deciding that an environmental impact report is required for a project, sending to each responsible agency a notice of preparation stating that an environmental impact report will be prepared, and to every federal agency involved in approving or funding the project and to each trustee agency responsible for natural resources affected by the project.
- C57) Pursuant to Title 14, California Code of Regulations, Section 15082, subdivision (d), when one or more state agencies will be a responsible agency or a trustee agency, sending a notice of preparation to each state responsible agency and each trustee

- agency with a copy to the State Clearinghouse in the Office of Planning and Research.
- C58) Pursuant to Title 14, California Code of Regulations, Section 15084, subdivision (a), preparing the draft EIR directly or under contract to a third party.
- C59) Pursuant to Title 14, California Code of Regulations, Section 15084, subdivision (d), choosing one of the following arrangements, or a combination of them, in preparing a draft EIR;
- (a) Preparing the draft EIR directly with its own staff.
 - (b) Contracting with another entity, public or private, to prepare the draft EIR.
 - (c) Accepting a draft prepared by the applicant, a consultant retained by the applicant, or any other person.
 - (d) Executing a third party contract or memorandum of understanding with the applicant to govern the preparation of a draft EIR by an independent contractor.
 - (e) Using a previously prepared EIR.
- C60) Pursuant to Title 14, California Code of Regulations, Section 15084, subdivision (e), subjecting the draft to their own review and analysis, before using a draft prepared by another person.
- C61) Pursuant to Title 14, California Code of Regulations, Section 15085, subdivision (a), filing a notice of completion with OPR in a printed hard copy or in electronic form on a diskette or by electronic mail transmission, as soon as the draft EIR is completed.
- C62) Pursuant to Title 14, California Code of Regulations, Section 15085, subdivision (b), including in the notice of completion:
- (a) A brief description of the project,
 - (b) The proposed location of the project,
 - (c) An address where copies of the draft EIR are available, and
 - (d) The period during which comments will be received on the draft EIR.
- C63) Pursuant to Title 14, California Code of Regulations, Section 15086, subdivision (a), consulting with and requesting comments on the draft EIR from:
- (a) Responsible agencies,
 - (b) Trustee agencies with resources affected by the project, and
 - (c) Any other state, federal, and local agencies which have jurisdiction by law with respect to the project or which exercise authority over resources which may be affected by the project, including water agencies consulted pursuant to section 15083.5.
 - (d) Any city or county which borders on a city or county within which the project is located, and
 - (e) For a project of statewide, regional, or area wide significance, the transportation planning agencies and public agencies which have transportation facilities within their jurisdictions which could be affected by the project.
- C64) Pursuant to Title 14, California Code of Regulations, Section 15087, subdivision (a), providing public notice of the availability of a draft EIR at the same time as sending a notice of completion to OPR, as provided under Section 15105. Mailing the notice to the last known name and address of all organizations and individuals who have previously requested such notice in writing by at least one of the following procedures:
- (a) Publication at least one time by the public agency in a newspaper of general circulation in the area affected by the proposed project. If more than one area is affected, the notice shall be published in the newspaper of largest circulation from among the newspapers of general circulation in those areas.

- (b) Posting of notice by the public agency on and off the site in the area where the project is to be located.
 - (c) Direct mailing to the owners and occupants of property contiguous to the parcel or parcels on which the project is located. Owners of such property shall be identified as shown on the latest equalized assessment roll.
- C65) Pursuant to Title 14, California Code of Regulations, Section 15087, subdivision (c), disclosing the following in the notice:
- (a) A brief description of the proposed project and its location.
 - (b) The starting and ending dates for the review period during which the lead agency will receive comments. If the review period is shortened, the notice shall disclose that fact.
 - (c) The date, time, and place of any scheduled public meetings or hearings to be held by the lead agency on the proposed project when known to the lead agency at the time of notice.
 - (d) A list of the significant environmental effects anticipated as a result of the project, to the extent which such effects are known to the lead agency at the time of the notice.
 - (e) The address where copies of the EIR and all documents referenced in the EIR will be available for public review. This location shall be readily accessible to the public during the lead agency's normal working hours.
 - (f) The presence of the site on any of the lists of sites enumerated under Section 65962.5 of the Government Code including, but not limited to lists of hazardous waste facilities, land designated as hazardous waste property, hazardous waste disposal sites and others, and the information in the Hazardous Waste and Substances Statement required under subsection (f) of that Section.
- C66) Pursuant to Title 14, California Code of Regulations, Section 15087, subdivision (g), furnishing copies of draft EIRs to public library systems serving in the area involve in order to make copies of EIRs available to the public.
- C67) Pursuant to Title 14, California Code of Regulations, Section 15088, subdivision (a), evaluating comments on environmental issues received from persons who reviewed the draft EIR, preparing a written response, and responding to comments received during the noticed comment period.
- C68) Pursuant to Title 14, California Code of Regulations, Section 15088, subdivision (b), describing in the written response the disposition of significant environmental issues raised. In particular, the major environmental issues raised when the lead agency's position is at variance with recommendations and objections raised in the comments must be addressed in detail giving reasons why specific comments and suggestions were not accepted.
- C69) Pursuant to Title 14, California Code of Regulations, Section 15088, subdivision (c), where the response to comments makes important changes in the information contained in the text of the draft EIR, either:
- (1) Revising the text in the body of the EIR, or
 - (2) Including marginal notes showing that the information is revised in the response to comments.
- C70) Pursuant to Title 14, California Code of Regulations, Section 15088.5, subdivision (a), recirculating an EIR when significant new information is added to the EIR after public notice is given of the availability of the draft EIR for public review under Section 15087

- but before certification.
- C71) Pursuant to Title 14, California Code of Regulations, Section 15088.5, subdivision (e), supporting a decision not to recirculate an EIR by substantial evidence in the administrative record.
- C72) Pursuant to Title 14, California Code of Regulations, Section 15088.5, subdivision (f), evaluating and responding to comments as provided in Section 15088.
- C73) Pursuant to Title 14, California Code of Regulations, Section 15088.5, subdivision (g), summarizing the revisions made to the previously circulated draft EIR, when recirculating a revised EIR, either in whole or in part, in the revised EIR or by an attachment to the revised EIR.
- C74) Pursuant to Title 14, California Code of Regulations, Section 15089, subdivision (a), preparing a final EIR before approving the project.
- C75) Pursuant to Title 14, California Code of Regulations, Section 15090, subdivision (a), certifying, prior to approving a project, that:
- (a) The final EIR has been completed in compliance with CEQA;
 - (b) The final EIR was presented to the decision-making body of the lead agency and that the decision-making body reviewed and considered the information contained in the final EIR prior to approving the project; and
 - (c) The final EIR reflects the lead agency's independent judgment and analysis.
- C76) Pursuant to Title 14, California Code of Regulations, Section 15091, subdivision (a), not approving or carrying out a project for which an EIR has been certified which identifies one or more significant environmental effects of the project unless making one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding.
- C77) Pursuant to Title 14, California Code of Regulations, Section 15091, subdivision (b), supporting the findings required by subsection (a) by substantial evidence in the record.
- C78) Pursuant to Title 14, California Code of Regulations, Section 15091, subdivision (d), when making the findings required in subsection (a)(1), adopting a program for reporting on or monitoring the changes which it has either required in the project or made a condition of approval to avoid or substantially lessen significant environmental effects. These measures must be fully enforceable through permit conditions, agreements, or other measures.
- C79) Pursuant to Title 14, California Code of Regulations, Section 15091, subdivision (e), specifying the location and custodian of the documents or other material which constitute the record of the proceedings upon which its decision is based.
- C80) Pursuant to Title 14, California Code of Regulations, Section 15092, subdivision (b), not deciding to approve or carry out a project for which an EIR was prepared unless either:
- (a) The project as approved will not have a significant effect on the environment, or
 - (b) The agency has:
 - (i) Eliminated or substantially lessened all significant effects on the environment where feasible as shown in findings under Section 15091, and
 - (ii) Determined that any remaining significant effects on the environment found to be unavoidable under Section 15091 are acceptable due to overriding concerns as described in Section 15093.
- C81) Pursuant to Title 14, California Code of Regulations, Section 15093, subdivision (a), balancing, as applicable, the economic, legal, social, technological, or other benefits of a

- proposed project against its unavoidable environmental risks when determining whether to approve the project.
- C82) Pursuant to Title 14, California Code of Regulations, Section 15093, subdivision (b), when approving a project which will result in the occurrence of significant effects which are identified in the final EIR but are not avoided or substantially lessened, stating in writing the specific reasons to support its action based on the final EIR and/or other information in the record. The statement of overriding considerations shall be supported by substantial evidence in the record.
- C83) Pursuant to Title 14, California Code of Regulations, Section 15093, subdivision (c), if an agency makes a statement of overriding considerations, including the statement in the record of the project approval and mentioning it in the notice of determination.
- C84) Pursuant to Title 14, California Code of Regulations, Section 15093, subdivision (c), if a local agency is the lead agency, filing the notice of determination with the county clerk of the county or counties in which the project will be located. If the project requires discretionary approval from a state agency, filing the notice of determination with OPR.
- C85) Pursuant to Title 14, California Code of Regulations, Section 15093, subdivision (d), retaining a notice of determination for not less than 9 months.
- C86) Pursuant to Title 14, California Code of Regulations, Section 15094, subdivision (a), filing a notice of determination within 5 working days after approval of the project by the lead agency, which includes:
- (a) An identification of the project including its common name where possible and its location.
 - (b) A brief description of the project.
 - (c) The date when the agency approved the project.
 - (d) The determination of the agency whether the project in its approved form will have a significant effect on the environment.
 - (e) A statement that an EIR was prepared and certified pursuant to the provisions of CEQA.
 - (f) Whether mitigation measures were made a condition of the approval of the project.
 - (g) Whether findings were made pursuant to Section 15091.
 - (h) Whether a statement of overriding considerations was adopted for the project.
 - (i) The address where a copy of the final EIR and the record of project approval may be examined.
- C87) Pursuant to Title 14, California Code of Regulations, Section 15095:
- (a) Filing a copy of the final EIR with the appropriate planning agency of any city, county, or city and county where significant effects on the environment may occur.
 - (b) Including the final EIR as part of the regular project report which is used in the existing project review and budgetary process if such a report is used.
 - (c) Retaining one or more copies of the final EIR as public records for a reasonable period of time.

Article 8. Time Limits

- C88) Pursuant to Title 14, California Code of Regulations, Section 15100, subdivision (a), adopting time limits to govern their implementation of CEQA consistent with this article.
- C89) Pursuant to Title 14, California Code of Regulations, Section 15104, convening a meeting with agency representatives to discuss the scope and content of the environmental information a responsible agency will need in the EIR as soon as possible but no later than 30 days after receiving a request for the meeting.

Article 9. Contents of Environmental Impact Reports

- C90) Pursuant to Title 14, California Code of Regulations, Section 15122, including in an EIR at least a table of contents or an index to assist readers in finding the analysis of different subjects and issues.
- C91) Pursuant to Title 14, California Code of Regulations, Section 15123, subdivision (a), including in an EIR a brief summary of the proposed actions and its consequences. The language of the summary should be as clear and simple as reasonably practical.
- C92) Pursuant to Title 14, California Code of Regulations, Section 15123, subdivision (b), identifying in the summary:
 - (a) Each significant effect with proposed mitigation measures and alternatives that would reduce or avoid that effect;
 - (b) Areas of controversy known to the lead agency including issues raised by agencies and the public; and
 - (c) Issues to be resolved including the choice among alternatives and whether or how to mitigate the significant effects.
- C93) Pursuant to Title 14, California Code of Regulations, Section 15124, containing the following information in the description of the project:
 - (a) The precise location and boundaries of the proposed project shall be shown on a detailed map, preferably topographic. The location of the project shall also appear on a regional map.
 - (b) A statement of the objectives sought by the proposed project to help the lead agency develop a reasonable range of alternatives to evaluate in the EIR and aid the decision makers in preparing findings or a statement of overriding considerations, if necessary. The statement of objectives should include the underlying purpose of the project.
 - (c) A general description of the project's technical, economic, and environmental characteristics, considering the principal engineering proposals if any and supporting public service facilities.
 - (d) A statement briefly describing the intended uses of the EIR, and including, to the extent that the information is known:
 - (i) A list of the agencies that are expected to use the EIR in their decision-making,
 - (ii) A list of permits and other approvals required to implement the project, and
 - (iii) A list of related environmental review and consultation requirements required by federal, state, or local laws, regulations, or policies. To the

fullest extent possible, the lead agency should integrate CEQA review with these related environmental review and consultation requirements.

- C94) Pursuant to Title 14, California Code of Regulations, Section 15125, subdivision (a), including in an EIR, a description of the physical environmental conditions in the vicinity of the project, as they exist at the time the notice of preparation is published, or if no notice of preparation is published, at the time environmental analysis is commenced, from both a local and regional perspective.
- C95) Pursuant to Title 14, California Code of Regulations, Section 15126, considering all phases of a project when evaluating its impact on the environment: planning, acquisition, development, and operation. Listing the subjects below, preferably in separate sections or paragraphs of the EIR, if they are not discussed separately, including in the EIR, a table showing where each of the subjects is discussed.
 - (a) Significant Environmental Effects of the Proposed Project.
 - (b) Significant Environmental Effects Which Cannot be Avoided if the Proposed Project is Implemented.
 - (c) Significant Irreversible Environmental Changes Which Would be Involved in the Proposed Project Should it be Implemented.
 - (d) Growth-Inducing Impact of the Proposed Project.
 - (e) The Mitigation Measures Proposed to Minimize the Significant Effects.
 - (f) Alternatives to the Proposed Project.
- C96) Pursuant to Title 14, California Code of Regulations, Section 15126.2, subdivision (a), identifying and focusing on the significant environmental effects of the proposed project, in an EIR.
- C97) Pursuant to Title 14, California Code of Regulations, Section 15126.4, including and discussing mitigating measures in an EIR.
- C98) Pursuant to Title 14, California Code of Regulations, Section 15126.6, subdivision (a), describing in an EIR, a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, evaluating the comparative merits of the alternatives, and selecting a range of project alternatives for examination and publicly disclosing its reasoning for selecting those alternatives.
- C99) Pursuant to Title 14, California Code of Regulations, Section 15126.6, subdivision (b), focusing the discussion of alternatives on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly.
- C100) Pursuant to Title 14, California Code of Regulations, Section 15126.6, subdivision (d), including in the EIR, sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project.
- C101) Pursuant to Title 14, California Code of Regulations, Section 15126.6, subdivision (e), evaluating the specific alternative of "no project" along with its impact.
- C102) Pursuant to Title 14, California Code of Regulations, Section 15126.6, subdivision (f), setting forth in the EIR, the rule of reason, which requires only those alternatives necessary to permit a reasoned choice. Of those alternatives, examining in detail in the EIR, only the ones that have been determined could feasibly attain most of the basic objectives of the project.

- C103) Pursuant to Title 14, California Code of Regulations, Section 15128, containing, in an EIR, a statement briefly indicating the reasons that various possible significant effects of a project were determined not to be significant and were therefore not discussed in detail in the EIR.
- C104) Pursuant to Title 14, California Code of Regulations, Section 15129, identifying, in an EIR, all federal, state, or local agencies, other organizations, and private individuals consulted in preparing the draft EIR, and the persons, firm, or agency preparing the draft EIR, by contract or other authorization.
- C105) Pursuant to Title 14, California Code of Regulations, Section 15130, subdivision (a), discussing in an EIR, cumulative impacts of a project when the project's incremental effect is cumulatively considerable, as defined in section 15065(c). Where a lead agency is examining a project with an incremental effect that is not "cumulatively considerable," a lead agency need not consider that effect significant, but shall briefly describe its basis for concluding that the incremental effect is not cumulatively considerable.
- C106) Pursuant to Title 14, California Code of Regulations, Section 15130, subdivision (b), reflecting in the discussion of cumulative impacts, the severity of the impacts and their likelihood of occurrence, but the discussion need not provide as great detail as is provided for the effects attributable to the project alone.
- C107) Pursuant to Title 14, California Code of Regulations, Section 15132, including in the final EIR:
 - (a) The Draft EIR or a revision of the draft.
 - (b) Comments and recommendations received on the Draft EIR either verbatim or in summary.
 - (c) A list of persons, organizations, and public agencies commenting on the Draft EIR.
 - (d) The responses of the lead agency to significant environmental points raised in the review and consultation process.
 - (e) Any other information added by the lead agency.

Article 10. Considerations in Preparing EIRs and Negative Declarations

- C108) Pursuant to Title 14, California Code of Regulations, Section 15140, writing EIRs in plain language and using appropriate graphics so that decision makers and the public can rapidly understand the documents.
- C109) Pursuant to Title 14, California Code of Regulations, Section 15142, preparing an EIR using an interdisciplinary approach which will ensure the integrated use of the natural and social sciences and the consideration of qualitative as well as quantitative factors.
- C110) Pursuant to Title 14, California Code of Regulations, Section 15143, focusing the the EIR on the significant effects on the environment and discussing them with emphasis in proportion to their severity and probability of occurrence.
- C111) Pursuant to Title 14, California Code of Regulations, Section 15145, if, after thorough investigation, a lead agency finds that a particular impact is too speculative for evaluation, noting its conclusion and terminating discussion of the impact.
- C112) Pursuant to Title 14, California Code of Regulations, Section 15147, including, in an EIR, summarized technical data, maps, plot plans, diagrams, and similar relevant information sufficient to permit full assessment of significant environmental impacts by reviewing agencies and members of the public.

- C113) Pursuant to Title 14, California Code of Regulations, Section 15148, citing in the EIR, all documents used in its preparation including, where possible, the page and section number of any technical reports which were used as the basis for any statements in the EIR.
- C114) Pursuant to Title 14, California Code of Regulations, Section 15149, subdivision (b), establishing requirements or conditions on project design, construction, or operation in order to protect or enhance the environment.
- C115) Pursuant to Title 14, California Code of Regulations, Section 15150, subdivision (b), stating in the EIR or negative declaration where the incorporated documents will be available for inspection.
- C116) Pursuant to Title 14, California Code of Regulations, Section 15150, subdivision (c), where an EIR or negative declaration uses incorporation by reference, briefly summarizing the incorporated part of the referenced document where possible or briefly describing if the data or information cannot be summarized.
- C117) Pursuant to Title 14, California Code of Regulations, Section 15150, subdivision (d), where an agency incorporates information from an EIR that has previously been reviewed through the state review system, including in the summary or designation described in subdivision (c), the state identification number of the incorporated document.
- C118) Pursuant to Title 14, California Code of Regulations, Section 15152, subdivision (f) providing a later EIR when the initial study or other analysis finds that the later project may cause significant effects on the environment that were not adequately addressed in the prior EIR, and providing a negative declaration when the provisions of Section 15070 are met.
- C119) Pursuant to Title 14, California Code of Regulations, Section 15153, subdivision (b), when a lead agency proposes to use an EIR from an earlier project as the EIR for a separate, later project, using the following procedures:
 - (a) Reviewing the proposed project with an initial study, using incorporation by reference if necessary, to determine whether the EIR would adequately describe:
 - (i) The general environmental setting of the project,
 - (ii) The significant environmental impacts of the project, and
 - (iii) Alternatives and mitigation measures related to each significant effect.
 - (b) If the lead agency believes that the EIR would meet the requirements of Subsection (1), providing public review as provided in Section 15087 stating that it plans to use the previously prepared EIR as the draft EIR for this project, and including in the notice as a minimum:
 - (i) An identification of the project with a brief description;
 - (ii) A statement that the agency plans to use a certain EIR prepared for a previous project as the EIR for this project;
 - (iii) A listing of places where copies of the EIR may be examined; and
 - (iv) A statement that the key issues involving the EIR are whether the EIR should be used for this project and whether there are any additional, reasonable alternatives or mitigation measures that should be considered as ways of avoiding or reducing the significant effects of the project.
 - (c) Preparing responses to comments received during the review period.
 - (d) Before approving the project:

- (i) Considering the information in the EIR including comments received during the review period and responses to those comments,
 - (ii) Deciding either on its own or on a staff recommendation whether the EIR is adequate for the project at hand,
 - (iii) Making or requiring certification to be made as described in Section 15090, and
 - (iv) Making findings as provided in Sections 15091 and 15093 as necessary.
- (e) After making a decision on the project, filing a notice of determination.

Article 11. Types of EIRs

C120) Pursuant to Title 14, California Code of Regulations, Section 15162, subdivision (a), determining, in order for a subsequent EIR to be prepared for that project, when an EIR has been certified or a negative declaration adopted for a project, on the basis of substantial evidence in the light of the whole record, one or more of the following:

- (a) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- (b) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- (c) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:
 - (i) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
 - (ii) Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - (iii) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
 - (iv) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

C121) Pursuant to Title 14, California Code of Regulations, Section 15162, subdivision (b), preparing a subsequent EIR if required under subsection (a), if changes to a project or its circumstances occur or new information becomes available after adoption of a negative declaration, otherwise, determining whether to prepare a subsequent negative declaration, an addendum, or no further documentation.

C122) Pursuant to Title 14, California Code of Regulations, Section 15164, subdivision (a), preparing an addendum to a previously certified EIR if some changes or additions are

- necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.
- C123) Pursuant to Title 14, California Code of Regulations, Section 15164, subdivision (e), including in an addendum to an EIR, their findings on the project, or elsewhere in the record, a brief explanation of the decision not to prepare a subsequent EIR pursuant to Section 15162, and supporting the explanation by substantial evidence.
- C124) Pursuant to Title 14, California Code of Regulations, Section 15165, preparing a single program EIR for the ultimate project as described in Section 15168, where individual projects are, or a phased project is, to be undertaken and where the total undertaking comprises a project with significant environmental effect.
- C125) Pursuant to Title 14, California Code of Regulations, Section 15167, subdivision (a), subdivision (b), when a staged EIR has been prepared, preparing a supplement to the EIR when a later approval is required for the project, and the information available at the time of the later approval would permit consideration of additional environmental impacts, mitigation measures, or reasonable alternatives to the project.
- C126) Pursuant to Title 14, California Code of Regulations, Section 15168, subdivision (c), examining subsequent activities in the program in the light of the program EIR to determine whether an additional environmental document must be prepared.
- C127) Pursuant to Title 14, California Code of Regulations, Section 15168, subdivision (e), when a law other than CEQA requires public notice when the agency later proposes to carry out or approve an activity within the program and to rely on the program EIR for CEQA compliance, including in the notice for the activity a statement that:
- (a) This activity is within the scope of the program approved earlier, and
 - (b) The program EIR adequately describes the activity for the purposes of CEQA.

Article 11.5. Master Environmental Impact Report

- C128) Pursuant to Title 14, California Code of Regulations, Section 15176, if using a Master EIR, including all of the following:
- (a) A detailed discussion as required by Section 15126.
 - (b) A description of anticipated subsequent projects that are within the scope of the Master EIR, including information with regard to the kind, size, intensity, and location of the subsequent projects, including, but not limited to all of the following:
 - (i) The specific type of project anticipated to be undertaken.
 - (ii) The maximum and minimum intensity of any anticipated subsequent project.
 - (iii) The anticipated location for any subsequent development projects, and, consistent with the rule of reason set forth in Section 15126.6(f), alternative locations for any such projects.
 - (iv) A capital outlay or capital improvement program, or other scheduling or implementing device that governs the submission and approval of subsequent projects, or an explanation as to why practical planning considerations render it impractical to identify any such program or scheduling or other device at the time of preparing the Master EIR.
- C129) Pursuant to Title 14, California Code of Regulations, Section 15177, subdivision (c), determining whether a subsequent project is within the scope of the Master EIR based

- upon a review of the initial study to determine whether there are additional significant effects or new additional mitigation measures or alternatives required for the subsequent project that are not already discussed in the Master EIR.
- C130) Pursuant to Title 14, California Code of Regulations, Section 15177, subdivision (d), prior to approval of the proposed subsequent project, incorporating all feasible mitigation measures or feasible alternatives appropriate to the project as set forth in the Master EIR and provide notice in the manner required by Section 15087.
- C131) Pursuant to Title 14, California Code of Regulations, Section 15177, subdivision (e), when approving a project pursuant to this section, filing a notice in the manner required by Section 15075.
- C132) Pursuant to Title 14, California Code of Regulations, Section 15178, subdivision (a), when a proposed subsequent project is identified in the Master EIR, but the lead agency cannot make a determination pursuant to Section 15177 that the subsequent project is within the scope of the Master EIR, and the lead agency determines that the cumulative impacts, growth inducing impacts and irreversible significant effects analysis in the Master EIR is adequate for the subsequent project, preparing a mitigated negative declaration or a focused EIR if, after preparing an initial study, the lead agency determines that the project may result in new or additional significant effects. Determining whether the cumulative impacts, growth inducing impacts and irreversible significant effects analyses are adequate based upon a review of the proposed subsequent project in light of the Master EIR.
- C133) Pursuant to Title 14, California Code of Regulations, Section 15178, subdivision (b), preparing a mitigated negative declaration for any proposed subsequent project if both of the following occur:
- (a) The initial study prepared pursuant to Section 15177 has identified potentially new or additional significant environmental effects that were not analyzed in the Master EIR; and
 - (b) Feasible mitigation measures or alternatives will be incorporated to revise the subsequent project before the negative declaration is released for public review pursuant to Section 15073 in order to avoid or mitigate the identified effects to a level of insignificance.
- C134) Pursuant to Title 14, California Code of Regulations, Section 15178, subdivision (c), preparing a focused EIR if the subsequent project may have a significant effect on the environment and a mitigated negative declaration pursuant to subdivision (b) of this section cannot be prepared, according to the following:
- (a) Incorporating, in the focused EIR, by reference the Master EIR and analyzing only the subsequent project's additional significant environmental effects and any new or additional mitigation measures or alternatives that were not identified and analyzed by the Master EIR.
 - (b) A focused EIR need not examine those effects upon, finding, prior to public release of the focused EIR, on the basis of the initial study, related documents, and commitments from the proponent of a subsequent project, have been mitigated in one of the following manners:
 - (i) Mitigated or avoided as a result of mitigation measures identified in the Master EIR which the lead agency will require as part of the approval of the subsequent project;
 - (ii) Examined at a sufficient level of detail in the Master EIR to enable those

- significant effects to be mitigated or avoided by specific revisions to the project, the imposition of conditions of approval, or by other means in connection with approval of the subsequent project; or
- (iii) The mitigation or avoidance of which is the responsibility of and within the jurisdiction of another public agency and is, or can and should be, undertaken by that agency.
- (c) Including the above findings in the focused EIR prior to public release pursuant to Section 15087.
 - (d) Analyzing any significant environmental effects when:
 - (i) Substantial new or additional information shows that the adverse environmental effect may be more significant than was described in the Master EIR; or
 - (ii) Substantial new or additional information shows that mitigation measures or alternatives which were previously determined to be infeasible are feasible and will avoid or reduce the significant effects of the subsequent project to a level of insignificance.
- C135) Pursuant to Title 14, California Code of Regulations, Section 15178, subdivision (d), filing a notice of determination pursuant to Section 15075 if a project has been approved for which a mitigated negative declaration has been prepared pursuant to this section and filing a notice of determination pursuant to Section 15094 if a project has been approved for which a focused EIR has been prepared pursuant to this section.
- C136) Pursuant to Title 14, California Code of Regulations, Section 15178, subdivision (e), upon determining that the cumulative impacts, growth inducing impacts and irreversible significant effects analysis in the Master EIR is inadequate for the subsequent project, the subsequent project is no longer eligible for the limited environmental review available under the Master EIR process, reviewing according to Article 7 (commencing with Section 15080) of these guidelines, and tiering the project specific EIR upon the Master EIR to the extent feasible under Section 15152.
- C137) Pursuant to Title 14, California Code of Regulations, Section 15179, the certified Master EIR shall not be used in accordance with this article if either (i) it was certified more than five years prior to the filing of an application for a later project, or (ii) a project not identified in the certified Master EIR as an anticipated subsequent project is approved and the approved project may affect the adequacy of the Master EIR, unless the lead agency does one of the following:
- (a) Reviews the Master EIR and finds that no substantial changes have occurred with respect to the circumstances under which the Master EIR was certified, or that there is no new available information which was not known and could not have been known at the time the Master EIR was certified; or
 - (b) Prepares a subsequent or supplemental EIR that updates or revises the Master EIR and which either (i) is incorporated into the previously certified Master EIR, or (ii) references any deletions, additions or other modifications to the previously certified Master EIR.

Article 12. Special Situations

- C138) Pursuant to Title 14, California Code of Regulations, Section 15184, whenever a state agency issues an order which requires a local agency to carry out a project subject to CEQA, the following rules apply:
- (a) If an EIR is prepared for the project, limiting the EIR to considering those factors and alternatives which will not conflict with the order.
 - (b) If a local agency undertakes a project to implement a rule or regulation imposed by a certified state environmental regulatory program listed in Section 15251, the project shall be exempt from CEQA with regard to the significant effects analyzed in the document prepared by the state agency as a substitute for an EIR. Complying with CEQA with regard to any site-specific effect of the project which was not analyzed by the certified state agency as a significant effect on the environment.
- C139) Pursuant to Title 14, California Code of Regulations, Section 15185, subdivision (b), the decision making body to which an appeal has been made shall consider the environmental document and make findings under Sections 15091 and 15093 if appropriate.
- C140) Pursuant to Title 14, California Code of Regulations, Section 15186, subdivision (a), consulting with other agencies in the case that CEQA establishes a special requirement for certain school projects, as well as certain projects near schools, to ensure that potential health impacts resulting from exposure to hazardous materials, wastes, and substances will be carefully examined and disclosed in a negative declaration or EIR.
- C141) Pursuant to Title 14, California Code of Regulations, Section 15186, subdivision (b), when a project located within one-fourth mile of a school involves the construction or alteration of a facility which might reasonably be anticipated to emit hazardous or acutely hazardous air emissions, or which would handle acutely hazardous material or a mixture containing acutely hazardous material in a quantity equal to or greater than that specified in subdivision (a) of Section 25536 of the Health and Safety Code, which may impose a health or safety hazard to persons who would attend or would be employed at the school, performing the following:
- (a) Consulting with the affected school district or districts regarding the potential impact of the project on the school when circulating the proposed negative declaration or draft EIR for review.
 - (b) Notifying the affected school district of the project, in writing, not less than 30 days prior to approval or certification of the negative declaration or EIR.
- C142) Pursuant to Title 14, California Code of Regulations, Section 15186, subdivision (c), when the project involves the purchase of a school site or the construction of a secondary or elementary school, the negative declaration or EIR prepared for the project shall not be approved or certified by the school board unless:
- (a) Notifying in writing and consulting with the county or city administering agency (as designated pursuant to Section 25502 of the Health and Safety Code) and with any air pollution control district or air quality management district having jurisdiction, to identify facilities within one-fourth mile of the proposed school site which might reasonably be anticipated to emit hazardous emissions or handle hazardous or acutely hazardous material, substances, or waste. Including in the notice a list of the school sites for which information is sought. Each agency or

- district receiving notice shall provide the requested information and provide a written response to the lead agency within 30 days of receiving the notification.
- (b) Making, on the basis of substantial evidence, one of the following written findings:
- (i) Consultation identified none of the facilities specified in paragraph (2).
 - (ii) The facilities specified in paragraph (2) exist, but one of the following conditions applies:
 - 1. The health risks from the facilities do not and will not constitute an actual or potential endangerment of public health to persons who would attend or be employed at the proposed school.
 - 2. Corrective measures required under an existing order by another agency having jurisdiction over the facilities will, before the school is occupied, mitigate all chronic or accidental hazardous air emissions to levels that do not constitute any actual or potential public health danger to persons who would attend or be employed at the proposed school. When the school district board makes such a finding, it shall also make a subsequent finding, prior to occupancy of the school, that the emissions have been so mitigated.

Article 13. Review and Evaluations of EIRs and Negative Declarations

- C143) Pursuant to Title 14, California Code of Regulations, Section 15201, including provisions in its CEQA procedures for wide public involvement, formal and informal, consistent with its existing activities and procedures, in order to receive and evaluate public reactions to environmental issues related to the agency's activities.
- C144) Pursuant to Title 14, California Code of Regulations, Section 15203, providing adequate time for other public agencies and members of the public to review and comment on a draft EIR or negative declaration that it has prepared.
- C145) Pursuant to Title 14, California Code of Regulations, Section 15205, subdivision (a), submitting draft EIRs and negative declarations to be reviewed by state agencies to the State Clearinghouse, and including, in addition to the printed copy, a copy of the document in electronic form on a diskette or by electronic mail transmission, if available.
- C146) Pursuant to Title 14, California Code of Regulations, Section 15205, subdivision (b), submitting the following environmental documents to the State Clearinghouse for review by state agencies:
- (a) Draft EIRs and negative declarations prepared by a state agency where such agency is a lead agency.
 - (b) Draft EIRs and negative declarations prepared by a public agency where a state agency is a responsible agency, trustee agency, or otherwise has jurisdiction by law with respect to the project.
 - (c) Draft EIRs and negative declarations on projects identified in Section 15206 as being of statewide, regional, or areawide significance.
 - (d) Draft EIRs, environmental assessments, and findings of no significant impact prepared pursuant to NEPA, the Federal Guidelines (Title 40 CFR, Part 1500, commencing with Section 1500.1).

- C147) Pursuant to Title 14, California Code of Regulations, Section 15205, subdivision (c), including with any environmental documents submitted to the State Clearinghouse, in addition to the printed copy, a copy of the document in electronic format, on a diskette or by electronic mail transmission, if available.
- C148) Pursuant to Title 14, California Code of Regulations, Section 15205, subdivision (d), when an EIR or negative declaration is submitted to the State Clearinghouse for review, setting the review period at least as long as the period provided in the state review system operated by the State Clearinghouse, and in exceptional circumstances, requesting shorter review periods.
- C149) Pursuant to Title 14, California Code of Regulations, Section 15205, subdivision (e), submitting no less ten copies of an EIR or negative declaration unless the State Clearinghouse approves a lower number in advance.
- C150) Pursuant to Title 14, California Code of Regulations, Section 15205, subdivision (f), submitting documents to the State Clearinghouse for distribution in order to comply with the review requirements of this section.
- C151) Pursuant to Title 14, California Code of Regulations, Section 15206, subdivision (a), submitting a draft EIR or negative declaration to the State Clearinghouse and to the appropriate metropolitan area council of governments for review and comment, and when such documents are submitted to the State Clearinghouse, including, in addition to the printed copy, a copy of the document in electronic format on a diskette or by electronic mail transmission, if available.
- C152) Pursuant to Title 14, California Code of Regulations, Section 15206, subdivision (b), determining that a proposed project is of statewide, regional, or areawide significance if the project meets any of the following criteria:
- (a) A proposed local general plan, element, or amendment thereof for which an EIR was prepared. If a negative declaration was prepared for the plan, element, or amendment, the document need not be submitted for review.
 - (b) A project has the potential for causing significant effects on the environment extending beyond the city or county in which the project would be located.
 - (c) A project which would result in the cancellation of an open space contract made pursuant to the California Land Conservation Act of 1965 (Williamson Act) for any parcel of 100 or more acres.
 - (d) A project for which an EIR and not a negative declaration was prepared which would be located in and would substantially impact specific areas of critical environmental.
 - (e) A project which would substantially affect sensitive wildlife habitats including but not limited to riparian lands, wetlands, bays, estuaries, marshes, and habitats for endangered, rare and threatened species as defined by Section 15380 of this Chapter.
 - (f) A project which would interfere with attainment of regional water quality standards as stated in the approved areawide waste treatment management plan.
 - (g) A project which would provide housing, jobs, or occupancy for 500 or more people within 10 miles of a nuclear power plant.
- C153) Pursuant to Title 14, California Code of Regulations, Section 15208, keeping on file comments which may be received on a draft EIR or negative declaration.

Article 14. Projects Also Subject to the National Environmental Policy Act (NEPA)

- C154) Pursuant to Title 14, California Code of Regulations, Section 15223, when planning to use an EIS or finding of no significant impact or to prepare such a document jointly with a federal agency, consulting as soon as possible with the federal agency.
- C155) Pursuant to Title 14, California Code of Regulations, Section 15225, subdivision (a), prior to using the federal document in this situation, giving notice, in the same manner as a notice of the public availability of a draft EIR under Section 15087, that it will use the federal document in the place of an EIR or negative declaration and that it believes that the federal document meets the requirements of CEQA.

Article 20. Definitions

- C156) Pursuant to Title 14, California Code of Regulations, Section 15367, deciding whether an EIR or negative declaration will be required for the project and causing the document to be prepared.

California State Clearinghouse Handbook

- D1) Pursuant to the California State Clearinghouse Handbook, pages 5-6, when submitting a draft negative declaration to SCH,
- (1) Sending at least 15 copies which contain:
 - (a) Description and title of the project;
 - (b) Location of the project, preferably shown on a map;
 - (c) Name of the project proponent;
 - (d) A proposed finding that the project will not have a significant effect on the environment;
 - (e) An attached copy of the Initial Study documenting reasons to support the finding; and
 - (f) Mitigation measures, if any, included in the project to avoid potentially significant effects.
 - (2) Referencing any previously assigned number, if applicable.
- D2) Pursuant to California State Clearinghouse Handbook, page 6, within five working days of approving a project for which a Negative Declaration has been adopted, filing a Notice of Determination (NOD) with the county clerk of the county or counties where the project is located and with SCH.
- D3) Pursuant to California State Clearinghouse Handbook, page 7, circulating a Notice of Preparation (NOP) to all Responsible and Trustee Agencies advising them of the district's intention to prepare a Draft EIR. This includes sending copies directly to all Responsible and Trustee Agencies. When there is a Responsible or Trustee state agency involved in a project, sending a copy of the NOP to the SCH, attaching the district's distribution list. The minimum content requirements for a NOP are:
- (1) Description of the project;
 - (2) Location of the project, indicated either on an attached map (preferably a topographical map), or by a street address in an urbanized area;
 - (3) Salient environmental issues; and

- (4) Probable environmental effects of the project.
- D4) Pursuant to California State Clearinghouse Handbook, page 7, using a project number for all subsequent environmental documents for a project.
- D5) Pursuant to California State Clearinghouse Handbook, page 7, submitting at least fifteen copies of any Draft EIR to SCH together with one copy of the NOC form.
- D6) Pursuant to California State Clearinghouse Handbook, page 8, after receiving all public comments, including those of state agencies, preparing written responses and including them in the Final EIR. Certifying the Final EIR before approving the project.
- D7) Pursuant to California State Clearinghouse Handbook, page 9, within five working days of approving a project for which an EIR was prepared, filing a Notice of Determination (NOD) with the county clerk of the county or counties where the project will be located and with SCH.
- D8) Pursuant to California State Clearinghouse Handbook, page 10, when requesting a shortened review process for draft Negative Declarations and EIRs, contacting the SCH prior to submitting a request for shortened review explaining why the shortened review is needed and identify prior approval from Responsible state agencies. The request shall include the following criteria:
- (1) The district is operating under an extension of the one-year period for completion of an EIR and would not otherwise be able to complete the EIR within the extended period.
 - (2) The district is under severe time constraints with regard to financing or exercising options which cannot be met without shortening the review period.
 - (3) The document is a supplement to a draft EIR or proposed negative declaration or mitigated negative declaration previously submitted to the State Clearinghouse.
 - (4) The health and safety of the community would be at risk unless the project is approved expeditiously.
 - (5) The document is a revised draft EIR, or proposed negative declaration or mitigated negative declaration, where changes in the document are primarily the result of comments from agencies and the public.
 - (6) The district shall provide evidence that there has been prior consultation with Responsible and Trustee state agencies.
 - (7) Before submitting a shortened review request, the district must have obtained verbal or written approval for a shortened review period from Responsible and Trustee state agencies. The request letter from the district must identify which state agencies have been contacted and the agencies' responses to the request.
- D9) Pursuant to California State Clearinghouse Handbook, page 10, when requesting a shortened review process, following the following procedures:
- (1) The request must be made to SCH in writing by the decision-making body of the district, or an authorized representative of the district, and shall be made on district letterhead. When submitted by a representative, a copy of the resolution or ordinance from the district board delegating authority should be attached.
 - (2) The request must explain the "exceptional circumstances" for making the request.
 - (3) The request must be accompanied by 15 copies of the environmental document.
 - (4) SCH approval of a shortened review period must be granted before issuing the public notice of availability.

- (5) The public review period must be at least as long as the review period set by SCH.
 - (6) The review period for a Negative Declaration shall not be shorter than 20 days. The district must specify the requested length of the shortened review period.
 - (7) The review period for a Draft EIR shall not be shorter than 30 days. The district must specify the requested length of the shortened review period.
 - (8) The district may use the Shortened Review Application form contained in the Handbook.
- D10) Pursuant to California State Clearinghouse Handbook, page 15, filing Notices of Completion at SCH.
- D11) Pursuant to California State Clearinghouse Handbook, page 15, providing public notice of the availability of a Draft EIR or a Negative Declaration which contains at least the following:
- (1) Description of proposed project;
 - (2) Location of proposed project;
 - (3) Specific period during which comments on proposed project will be accepted;
 - (4) Date, time, and place of any public meetings on proposed project;
 - (5) Address where copies of Draft EIR or Negative Declaration are available for review; and
 - (6) Environmental effects of the project, if any.
- D12) Pursuant to California State Clearinghouse Handbook, page 15, providing the notice of availability to all organizations and individuals who previously requested notice using at least one of the following notification methods:
- (1) Publication in a newspaper of general circulation in the area affected by the proposed project.
 - (2) Posting of the notice on- and off-site in the area where the project is to be located.
 - (3) Direct mailing to the owners and occupants of contiguous property shown on the latest equalized assessment roll.
- D13) Pursuant to California State Clearinghouse Handbook, page 15, filing a Notice of Determination (NOD) within 5 days after a district approves or determines to carry out a project with the county clerk of the county or counties where the project will be located and SCH.
- D14) Pursuant to California State Clearinghouse Handbook, pages 15-16, including in a Notice of Determination:
- For a Negative Declaration:
- (1) Identification of the project, including its common name or title, if possible;
 - (2) Location of the project;
 - (3) Brief description of the project;
 - (4) Date the agency approved the project;
 - (5) The determination by the approving agency that the project in its approved form will not have a significant effect on the environment;
 - (6) Statement that a Negative Declaration was prepared pursuant to the provisions of CEQA; and
 - (7) Address where a copy of the environmental document and record of project approval can be examined.
- For an Environmental Impact Report (EIR):

- (1) Identification of the project, including its common name or title, if possible;
- (2) Location of the project;
- (3) Brief description of the project;
- (4) Date the agency approved the project;
- (5) Determination by the approving agency whether the project in its approved form will have a significant effect on the environment;
- (6) Statement that an EIR was prepared pursuant to the provisions of CEQA;
- (7) Whether mitigation measures were made a condition of the approval of the project;
- (8) Whether a statement of overriding considerations was adopted for the project;
- (9) Whether findings were made pursuant to Section 15091 of the CEQA Guidelines; and
- (10) Address where a copy of the final EIR and record of project approval may be examined.

Additionally, the notice shall be mailed to any person who has filed a written request for such notice.

- D15) Pursuant to California State Clearinghouse Handbook, page 16, filing a Notice of Exemption (NOE) with the county clerk of the county or counties where the project is to be located. In addition the notice must be mailed to any person who has filed a written request for such notice.
- D16) Pursuant to California State Clearinghouse Handbook, pages 16, including in any Notice of Exemption (NOE):
- (1) A brief description of the project;
 - (2) A finding that the project is exempt, including a citation that references the CEQA Guidelines or statutory section under which it is found to be exempt; and
 - (3) A brief statement of reasons to support the finding.