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FIRST QUESTION

WORTH 0.5%
OF TOTAL GRADE

WRITE YOUR FULL NAME
AND ANSWER ON A SMALL PIECE
OF PAPER AND **HOLD ONTO IT.**

**WHAT IS THE MAIN DIFFERENCE BETWEEN A
GENERAL PLAN AND A SPECIFIC PLAN?**



legal requirements for general plans are quite specific, whereas the legal requirements for specific plans are very general and left to much interpretation



general plans can be legally binding,
whereas specific plans are non-enforceable.

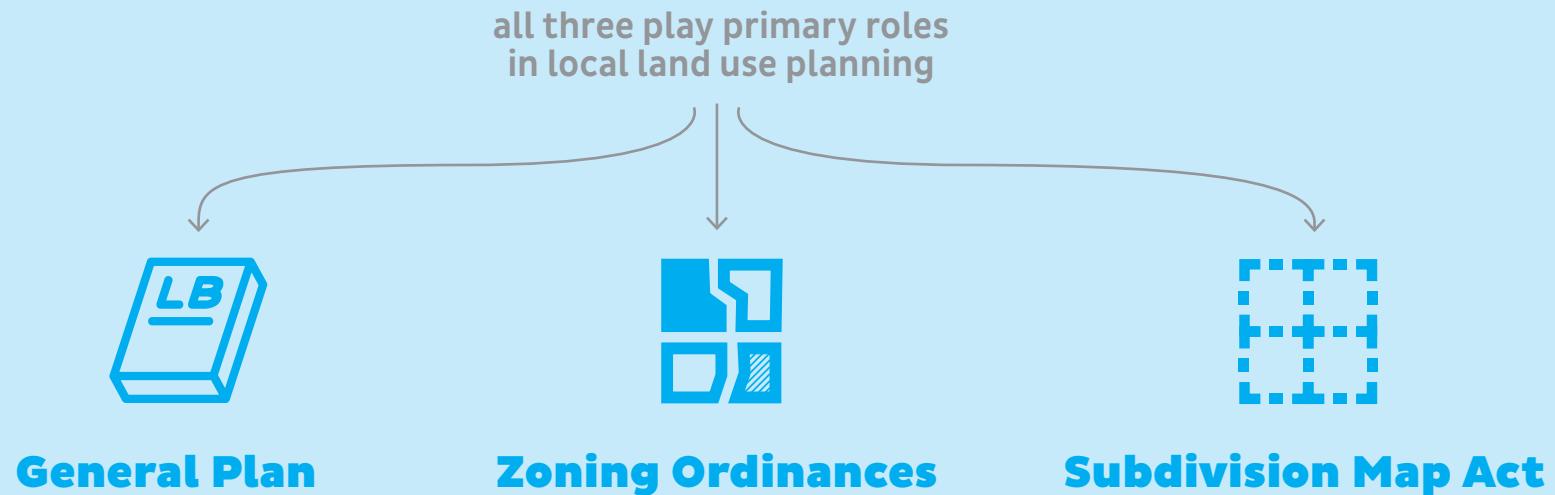


legal requirements for general plans are very general and left to much interpretation,
whereas the legal requirements for specific plans are quite specific



general plans are led by county governments and covers larger areas,
whereas specific plans are led by city governments and covers specific areas.

CEQA: AN INTRODUCTION

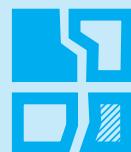


CEQA: AN INTRODUCTION

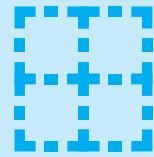
all three play primary roles
in local land use planning



General Plan



Zoning Ordinances



Subdivision Map Act

CEQA: AN INTRODUCTION



CEQA: AN INTRODUCTION



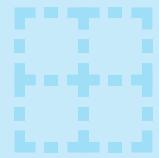
General Plan



Zoning Ordinances



Specific Plan



Subdivision Map Act



**Development
Agreements**



CEQA

CEQA: AN INTRODUCTION

CEQA has easily had as much influence on land use patterns in California as any planning law.

CEQA: AN INTRODUCTION



**CEQA
(California
Environmental
Quality Act)**

CEQA: AN INTRODUCTION

1960's

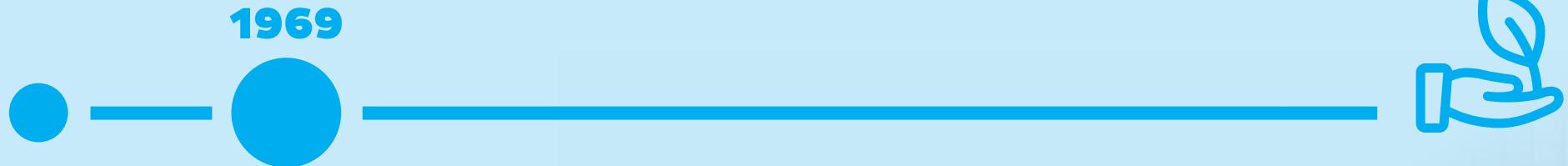


First wave of
environmental
consciousness
that swept the
United States



CEQA

CEQA: AN INTRODUCTION



**U.S. Congress enacted
and President Richard Nixon
signed the National Environmental
Policy Act (NEPA)**

Environmental Impact Study (EIS)
for federally funded or built projects



CEQA: AN INTRODUCTION



In response to NEPA, the CA State Assembly passed and Governor Ronald Reagan signed, the CEQA statute.

Environmental Impact Report (EIR)
for publicly funded or built projects

CEQA: AN INTRODUCTION

1993



CEQA

**CA measure passed encouraging
the use of “master EIRs” or
“program EIRs” for broad plans or
programs, which are followed by
“focused” or “tiered” EIRs for specific
projects**

**The bill also codified the
mitigated negative declaration, (MND)
a tool that was not recognized by law**

Environmental
Impact



CEQA: AN INTRODUCTION



CEQA'S ROLE: WHAT IT IS



- By law, CEQA has six functions:**

① INFORM decision makers and the public about significant environmental effects of a project

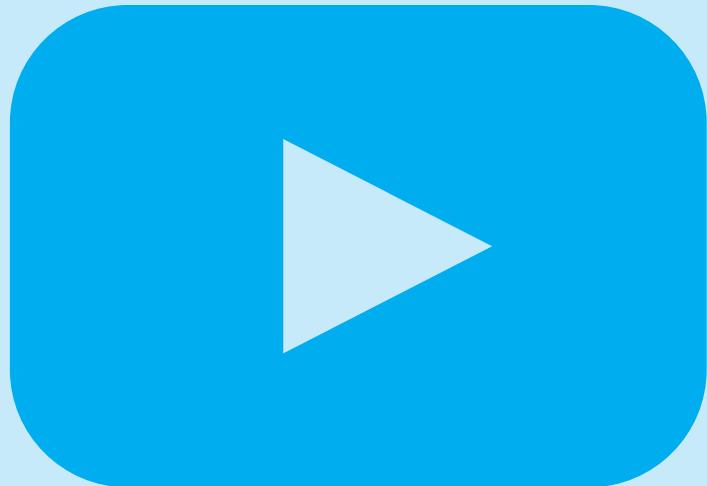
CEQA

CEQA'S ROLE: WHAT IT IS



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- 1 INFORM decision makers and the public about significant environmental effects of a project**



https://www.youtube.com/watch?v=7pq-UvE1j1Q&index=4&list=PLE4-CTjQUsn70U_m_ngQMdBUN-lpDaqlZ



CEQA'S ROLE: WHAT IT IS



- By law, CEQA has six functions:**

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- ② IDENTIFY ways environmental damage may be avoided or reduced a.k.a “mitigated”**

CEQA

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- Basically, its a law that spreads public awareness about a project environmental impacts and encourages full participation**

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- Basically, its a law that spreads public awareness about a project environmental impacts and encourages full participation**
- CEQA applies not only to government-funded public works projects, but to all privately-funded building projects as well.**

CEQA'S ROLE: WHAT IT ISN'T



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CEQA'S ROLE: WHAT IT ISN'T



- CEQA does not usurp local authority over land use decisions or establish a state agency to enforce the law**
- CEQA does not require local governments to deny all projects that would harm the environment, but decisions are left up to local governments**
- CEQA does not specify how to minimize environmental damage**

Almost everything that planners do requires review under CEQA. The preparation of general plans and zoning ordinances, entitlements for tall office buildings, maps for large subdivisions, a use permit for a retail store, designs for street projects, even planning for environmental restoration work—all require an examination of environmental consequences before they are approved.

CEQA'S ROLE: WHAT IT IS

- **CEQA “Projects”: 2 Components**

- ① Activities that have the potential to have a physical impact on the environment**
- ② Activities that are proposed to be undertaken, funded by or requiring approval by state and local government agencies**

CEQA'S ROLE: WHAT IT IS

- CEQA “Projects”: 2 Components

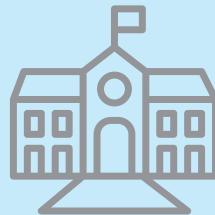
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- CEQA “Projects” in Local Planning

- ① Adoption of general plans, zoning ordinances, other plans
- ② Approval of projects - public or private - and issuance of development permits



GENERAL PLANS



PUBLIC PROJECTS



PRIVATE DEVELOPMENT

CEQA'S ROLE: WHAT IT IS

"ministerial actions" =
actions that do not require
any discretion

TYPE OF DECISION	LEGISLATIVE	QUASI-JUDICIAL	MINISTERIAL
BY WHOM	CITY COUNCIL	PLANNING COMMISSION	PLANNING STAFF
DOES WHAT	CREATES POLICY	HAS DISCRETION OVER HOW POLICY IS APPLIED TO INDIVIDUAL PROJECTS	APPLIES NONDISCRETIONARY POLICY TO INDIVIDUAL PROJECTS
EXAMPLES	GENERAL PLAN REVISIONS ZONING ORDINANCES	CONDITIONAL USE PERMITS ZONING VARIANCES	BUILDING PERMITS, OTHER PERMITS WHEN CONDITIONS ARE MET
APPEALS	SUBJECT TO INITIATIVE AND REFERENDUM	SUBJECT TO APPEAL TO CITY COUNCIL	NOT SUBJECT TO INITIATIVE, REFERENDUM, OR APPEAL
SUBJECT TO CEQA?	YES	YES	NO

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SUBJECT TO CEQA?	YES	YES	NO

what happens when a developer uses initiative and referendum to bypass CEQA?

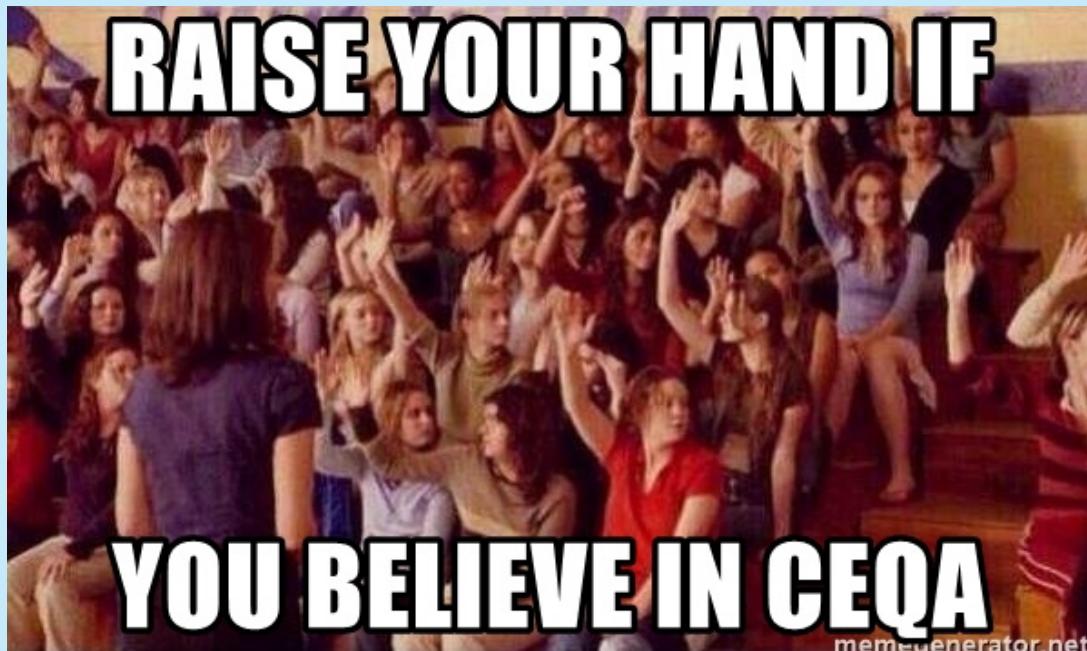


<https://www.youtube.com/watch?v=lx3jESagR9U>

**Although its impact has been undeniable,
there has been vigorous debate for
decades as to whether CEQA has been
a uniformly positive influence.**

CEQA: A HOT DEBATE

- **Supporters must constantly defend its usefulness and value, saying that it ensures a high-quality environment now and in the future**

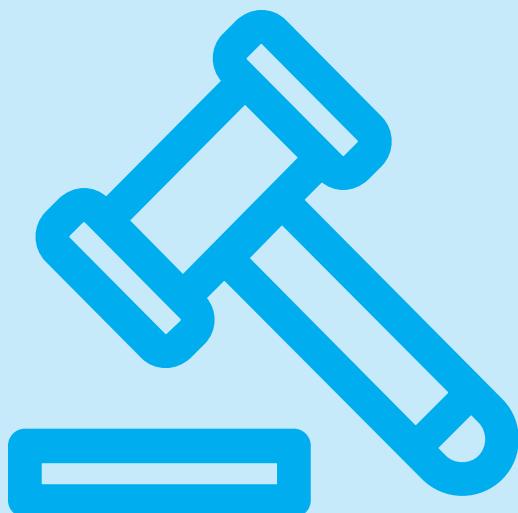


CEQA: A HOT DEBATE

- **Supporters must constantly defend its usefulness and value, saying that it ensures a high-quality environment now and in the future**
- **Opponents claim that it is nothing more than a “paper tiger” that slows the land use approval process, makes CA uncompetitive compared with surrounding states, none of which have a similar law, and even skews overall development patterns in an environmentally unfriendly fashion**



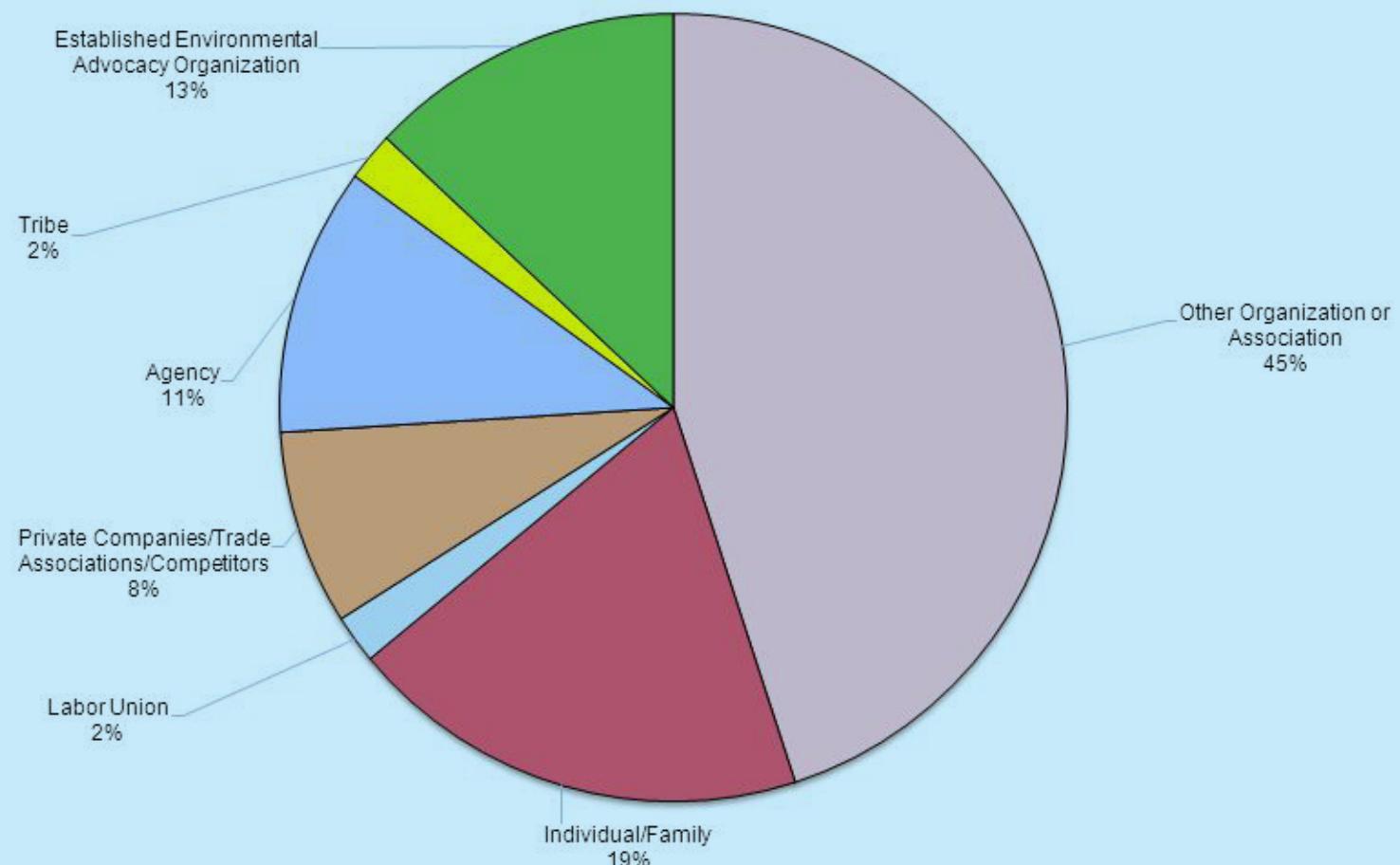
Indeed, CEQA is probably the most hotly debated planning-related law in California, and it is by far the most commonly litigated.”



CEQA: A HOT DEBATE

- As a result of the numerous CEQA-related litigations:

- ① Interest groups (environmentalists, homeowners, neighboring cities, competing businesses) have used the threat of CEQA litigation to obtain leverage over land use planning and, especially, over the review of particular development projects



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2 The litigation has given the courts an unusual opportunity to shape the law and how it is used throughout the state

- An example of courts having land use decisionmaking powers!
- Since its passage in 1970, CEQA has generated more than 300 appellate court decisions, the vast majority of these decisions have expanded CEQA's scope and requirements

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Citizens can sue about:

- ① Whether CEQA applies**

More than 40 years after CEQA became law, the definition of what is a “project” requiring environmental review remains a sticky issue, even for the California Supreme Court.

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Citizens can sue about:

- ② Whether an EIR should be prepared**
Citizen groups and other interests often challenge a project's negative declaration or mitigated negative declaration, which declares that an EIR is not necessary because a project would have no significant impacts.

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Citizens can sue about:

- ③ Whether the EIR is adequate**

Another common legal tactic is to challenge the adequacy of the EIR, arguing that some particular aspect of the discussion is incomplete.

These are often called “shotgun suits” because the plaintiffs need to hit only a small corner of the target to kill the prey (the EIR).

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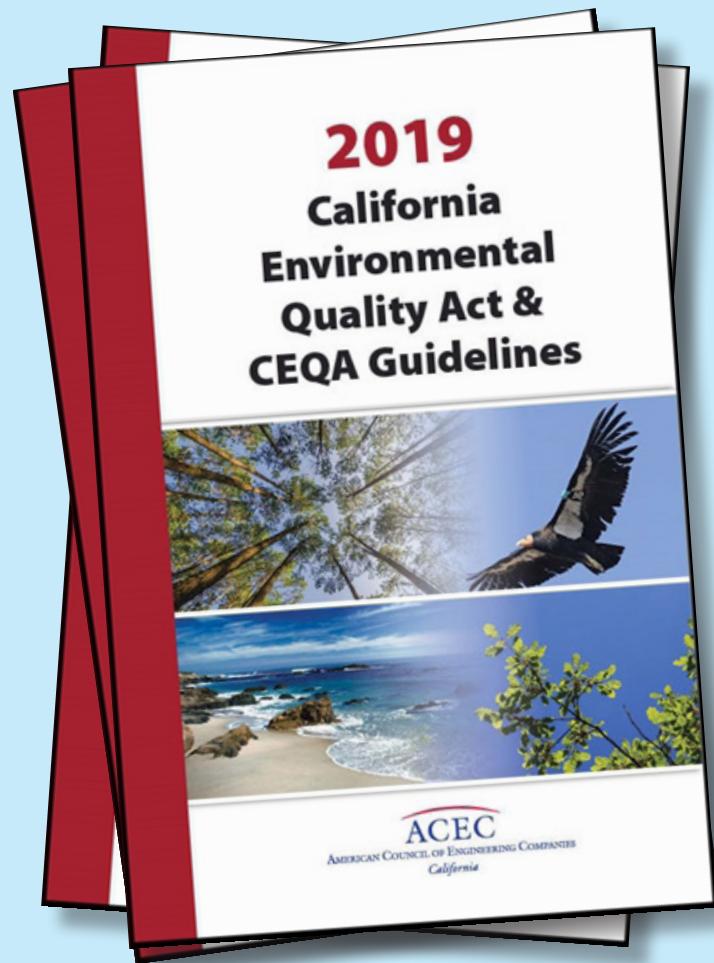
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Citizens can sue about:

- 4 Whether procedures were followed**

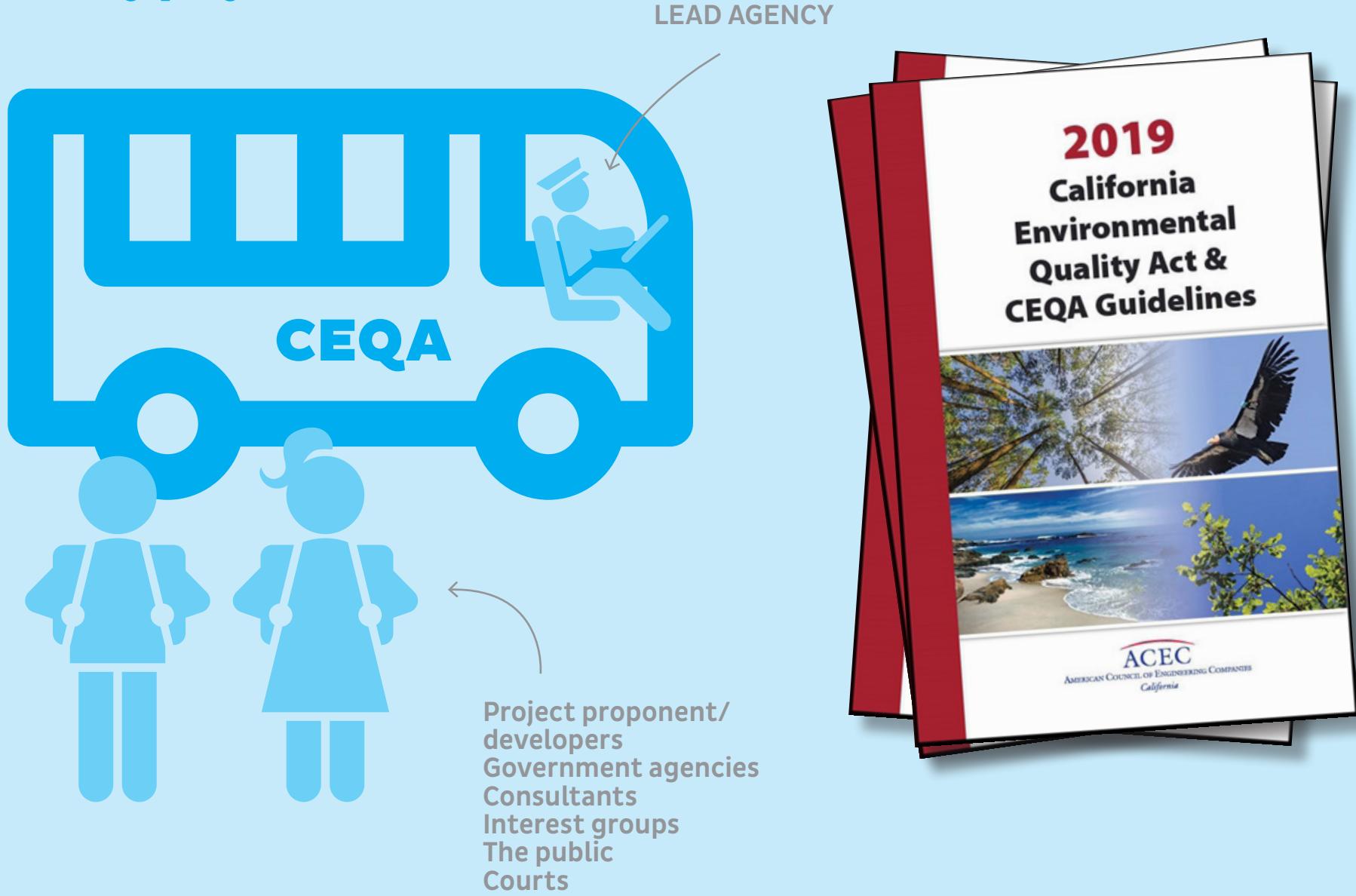
CEQA: THREE-STEP PROCESS

- Many players involved...
 - Agency with principal responsibility for issuing permits to project, i.e. city or county planning department
 - Responsible for seeing analysis is in accordance with CEQA, but consultants usually do work
 - Consult with "responsible agencies"



CEQA: THREE-STEP PROCESS

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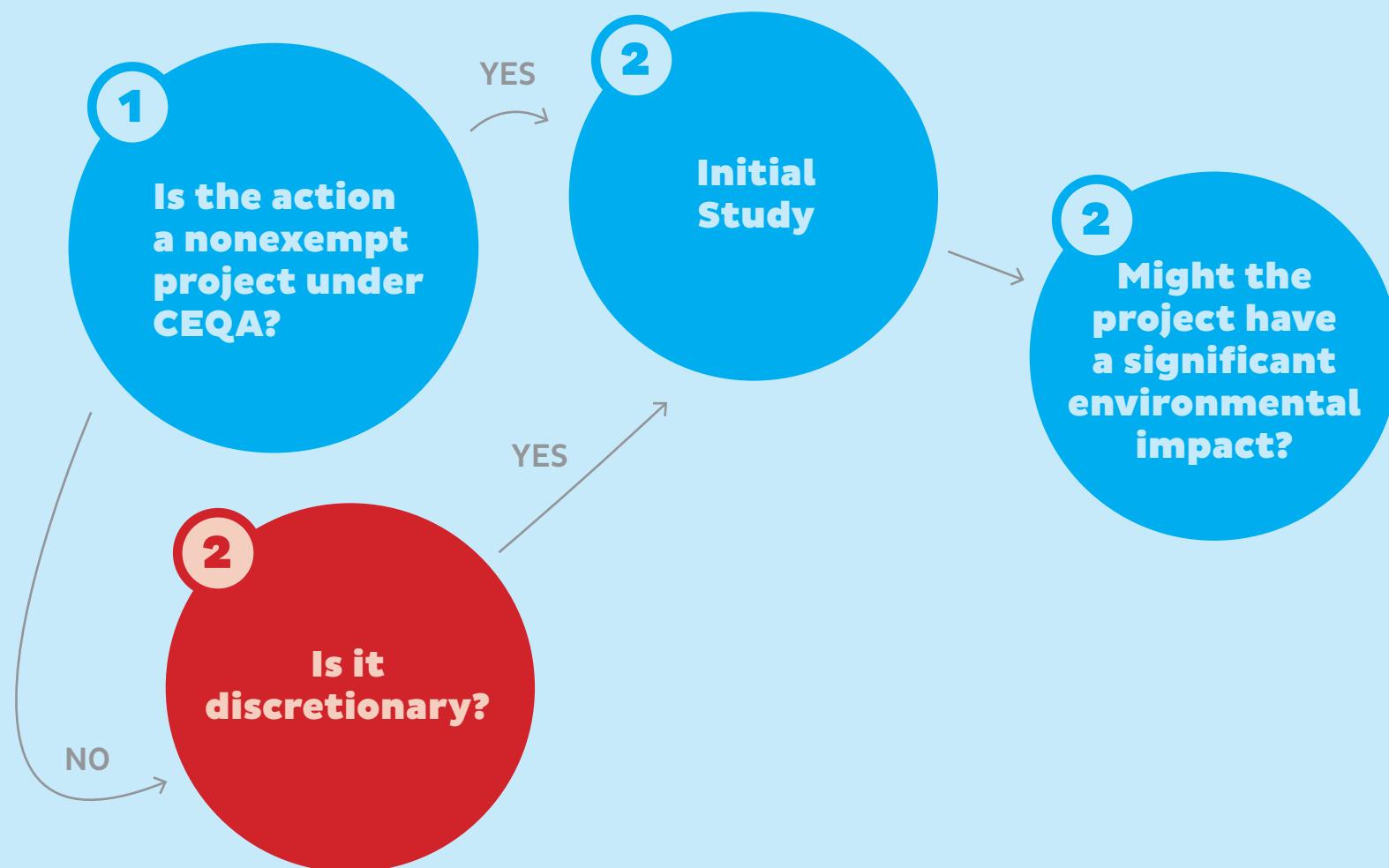


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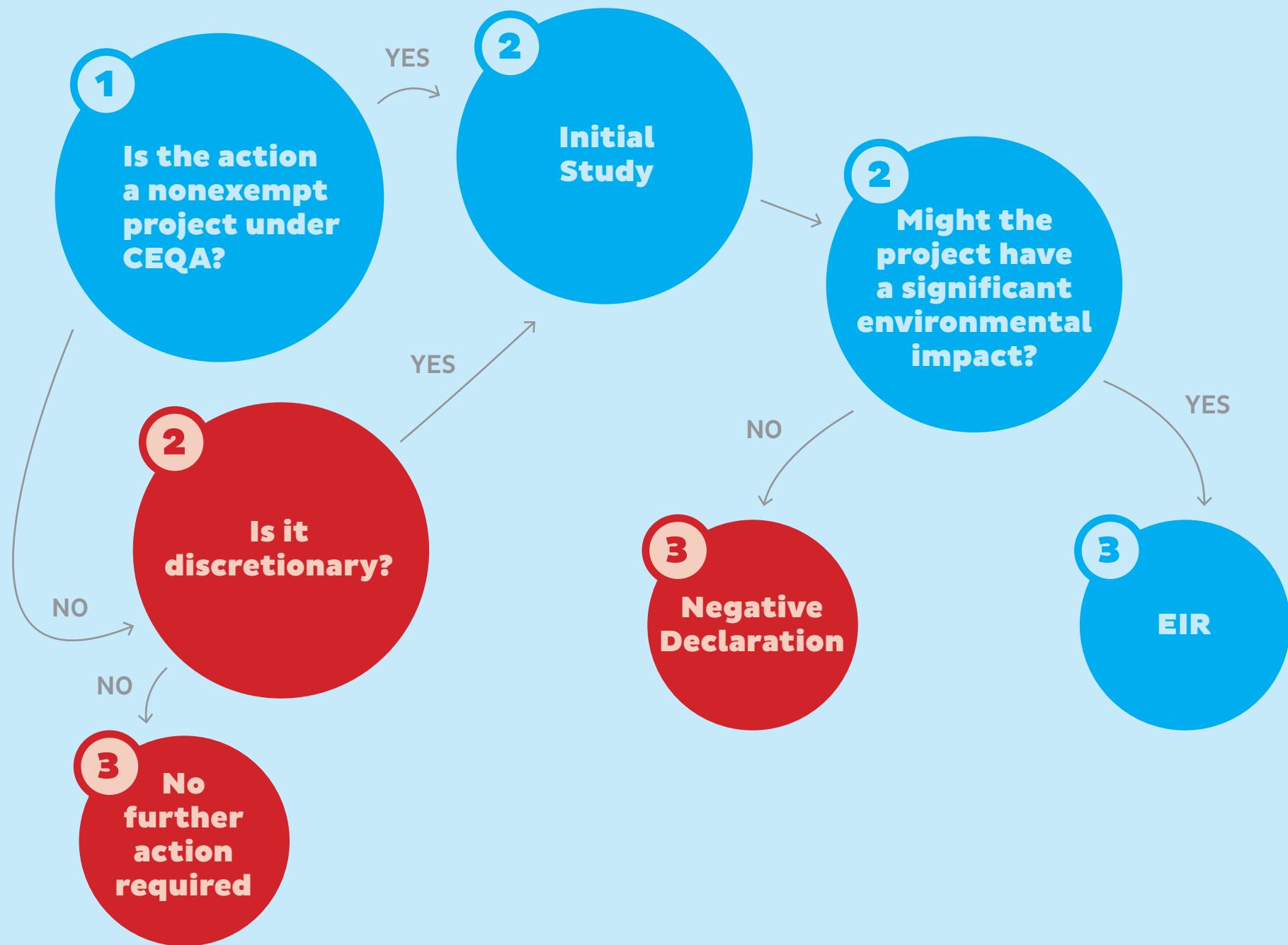
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**Is the action
a nonexempt
project under
CEQA?**

CEQA: THREE-STEP PROCESS



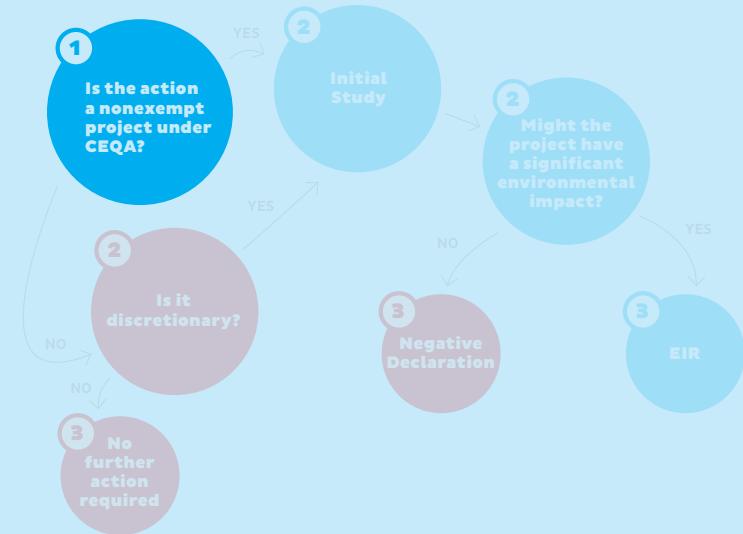
CEQA: THREE-STEP PROCESS



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- Is the Action in Question a “Project” Under CEQA?

- Any discretionary action involving the physical environment is a “project” subject to CEQA.



CEQA: THREE-STEP PROCESS

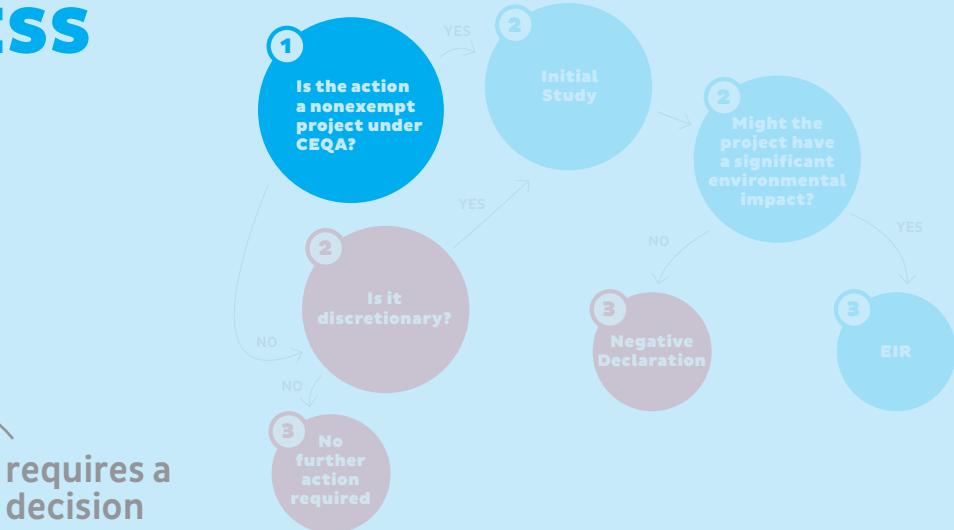
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housing
parks
roads
general plans
building permits

NOT: increase in taxes, policies, programs, etc.

These are called “ministerial actions,” or actions that do not require any discretion



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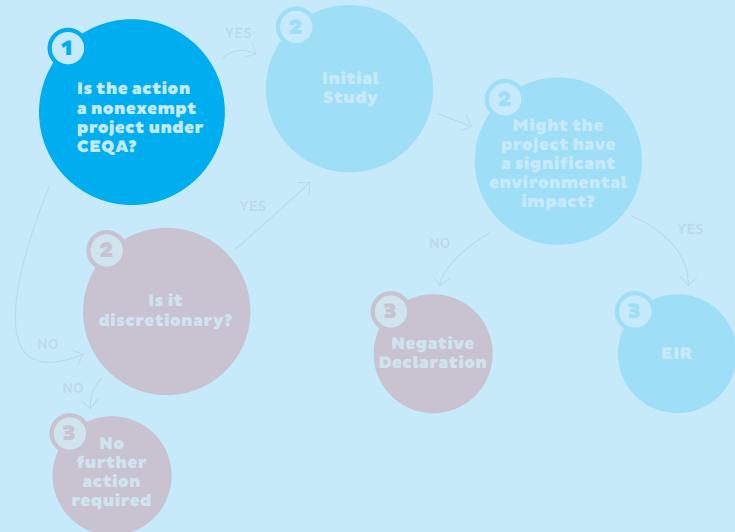
- **Exemptions (things that would null the CEQA process)**

- There are types of exemptions under CEQA: statutory and categorical.
- **Statutory exemptions** – Exemptions determined by the legislature include demolition permits, adoption of coastal and timberland plans, and some mass transit projects

Examples

In 1996, the legislature passed a statutory exemption for all actions taken by transit agencies to reduce their budgets.

In 2007, the legislature passed a statutory exemption for transportation and flood control projects funded by bonds approved the prior year from scrutiny for their contributions to global climate change



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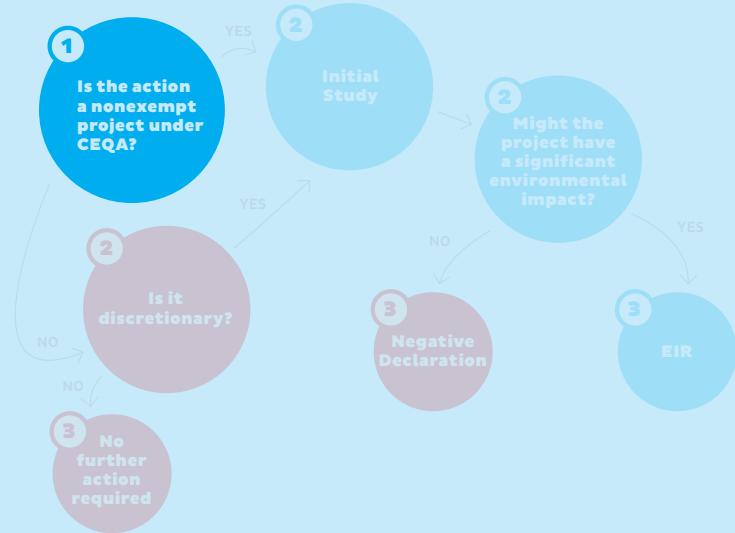
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A complete list of the legislature's statutory exemptions is contained in Article 18 of the CEQA Guidelines: <http://resources.ca.gov/ceqa/guidelines/art18.html>



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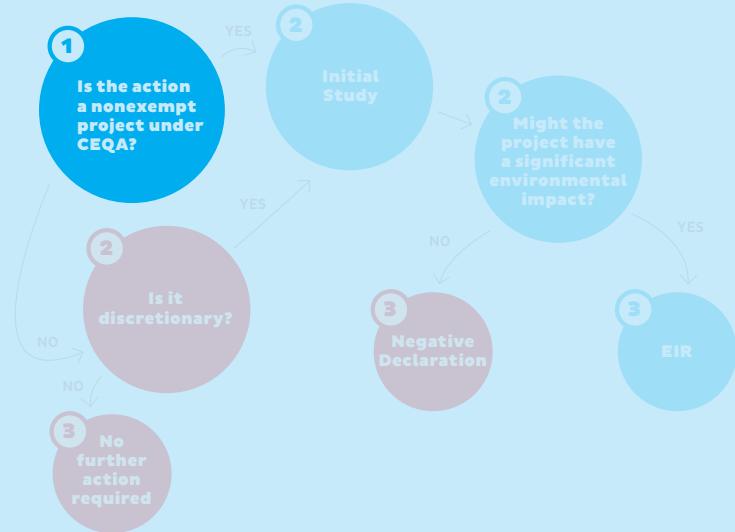
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Unlike statutory exemptions, categorical exemptions are not allowed to be used for projects that may cause a substantial adverse change in the significance of an historical resource (14 CCR Section 15300.2(f)).



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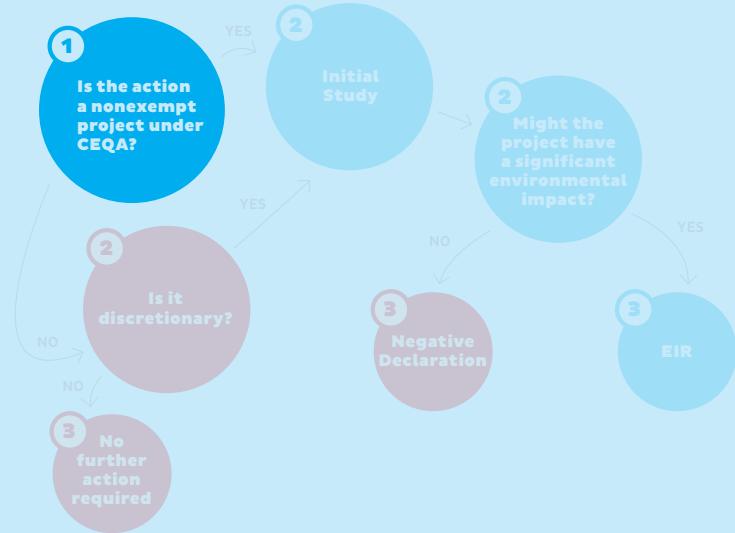


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- If it is determined that a statutory or categorical exemption could be used for a project, the lead agency may produce a notice of exemption, but is not required to do so.



CEQA: THREE-STEP PROCESS

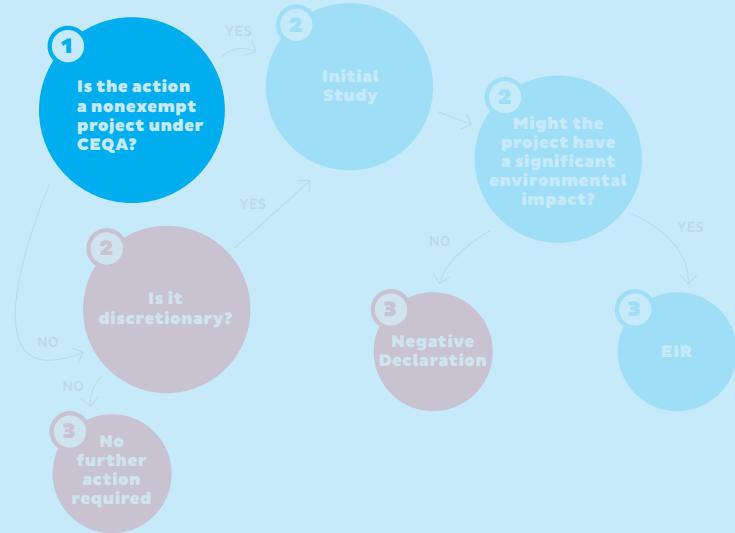
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- Exemptions = things that would null the CEQA process)

- If a member of the public feels that a categorical exemption is being improperly used because the project could have a significant adverse impact on historical resources, it is very important that any appeals be requested and comments be filed making the case for the exemption's impropriety



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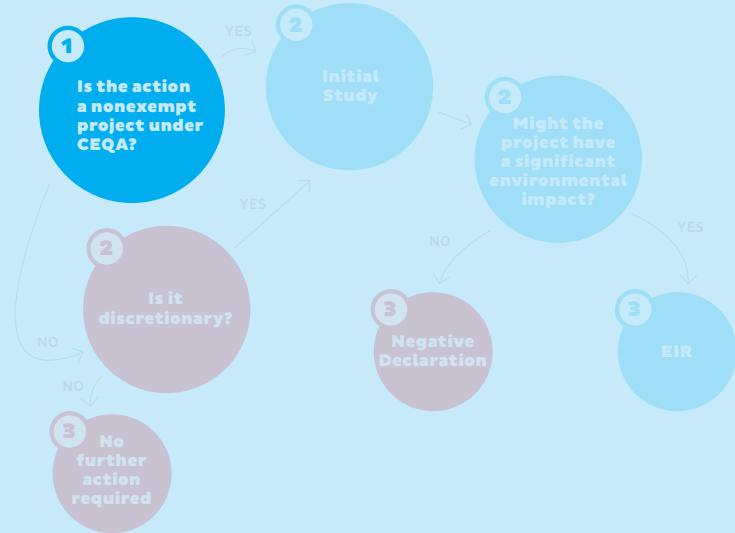
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- If a notice of exemption is filed, a 35-day statute of limitations will begin on the day the project is approved. If a notice is not filed, a 180-day statute of limitations will apply.



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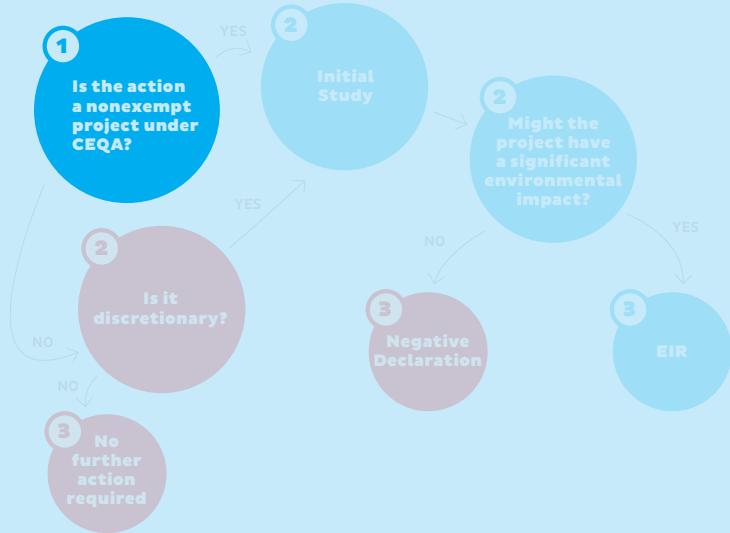
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- If a member of the public feels that a categorical exemption is being improperly used because the project could have a significant adverse impact on historical resources, it is very important that any appeals be requested and comments be filed making the case for the exemption's impropriety
- If a notice of exemption is filed, a 35-day statute of limitations will begin on the day the project is approved. If a notice is not filed, a 180-day statute of limitations will apply.
- As a result, lead agencies are encouraged to file notices of exemption to limit the possibility of legal challenge.

A complete list of the legislature's categorial exemptions is contained in Article 19 of the CEQA Guidelines: <http://resources.ca.gov/ceqa/guidelines/art19.html>

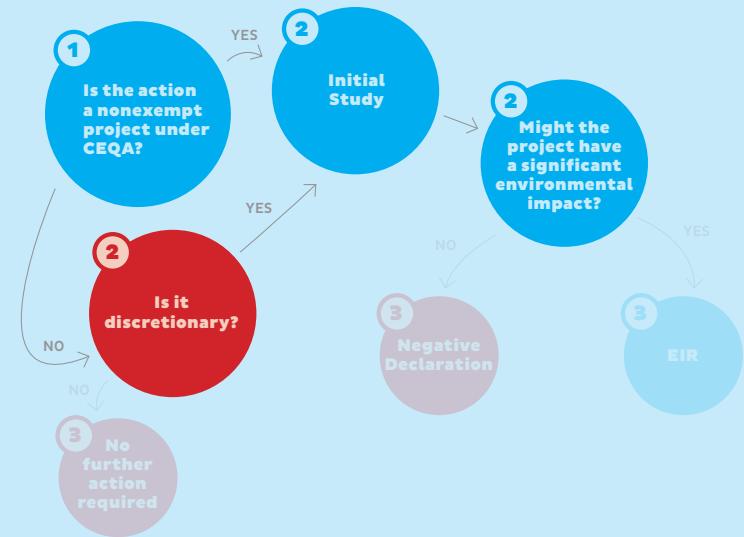


CEQA: THREE-STEP PROCESS



- Initial Study

- An assessment to determine if the project may produce “significant” environmental effects.

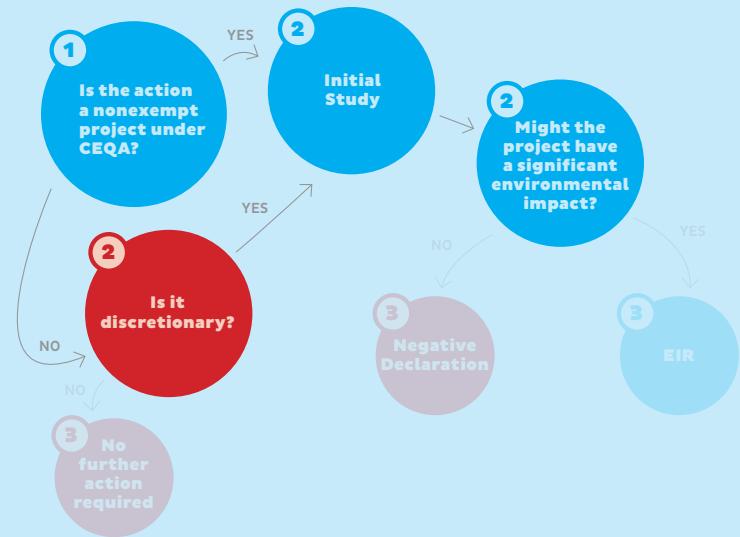


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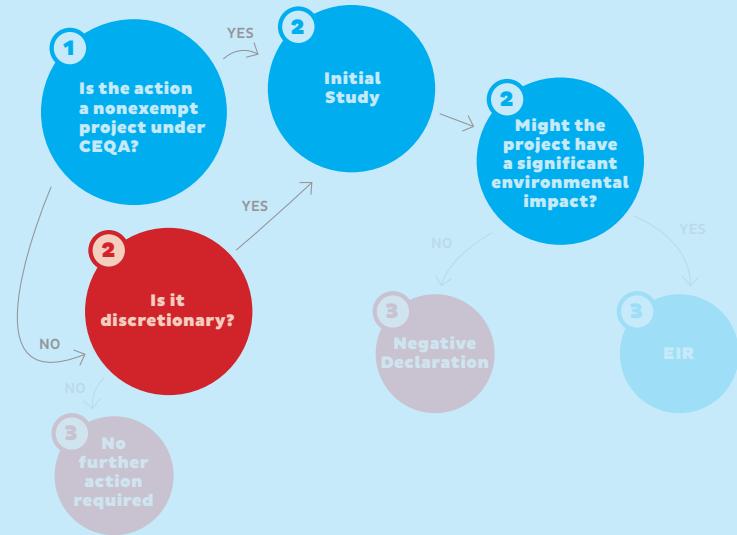


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- So, to a great extent, “significance” is in the eye of the beholder.
- The determination of what’s significant is left to each local government and, more frequently, to the professional judgment of the consultant or staff member preparing the CEQA analysis

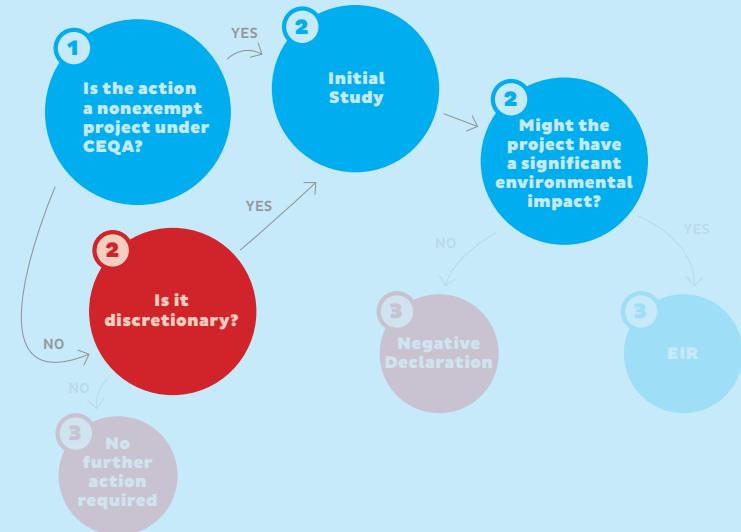


CEQA: THREE-STEP PROCESS



- Initial Study

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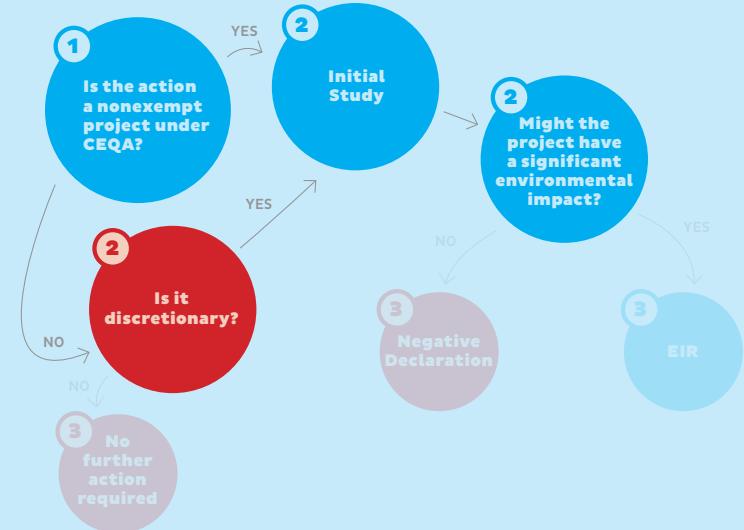


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- A threshold might be, for example, 500 vehicle trips per day and a project generating more than 500 trips per day would be said to have a “significant impact”.

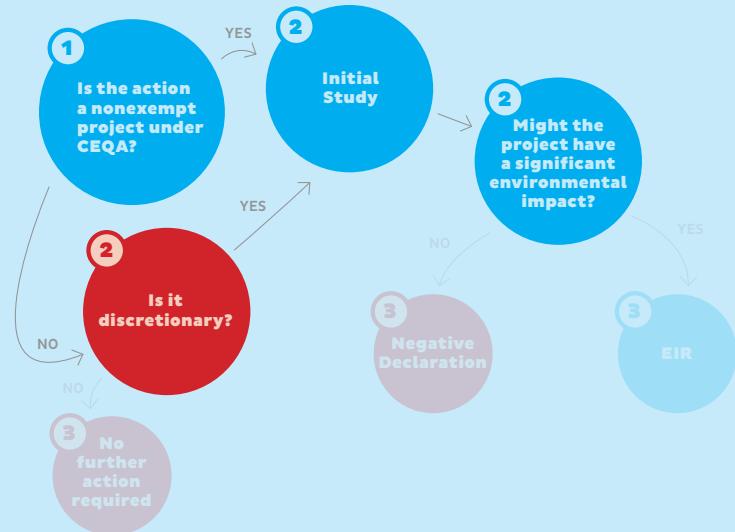


CEQA: THREE-STEP PROCESS



- Initial Study

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- A threshold might be, for example, 500 vehicle trips per day and a project generating more than 500 trips per day would be said to have a “significant impact”.
- In the Initial Study, a planner or consultant uses a checklist (typically based on Appendix G of the CEQA Guidelines: http://resources.ca.gov/ceqa/guidelines/Appendix_G.html) to assess all the environmental factors and determine if the project may have significant environmental impacts.

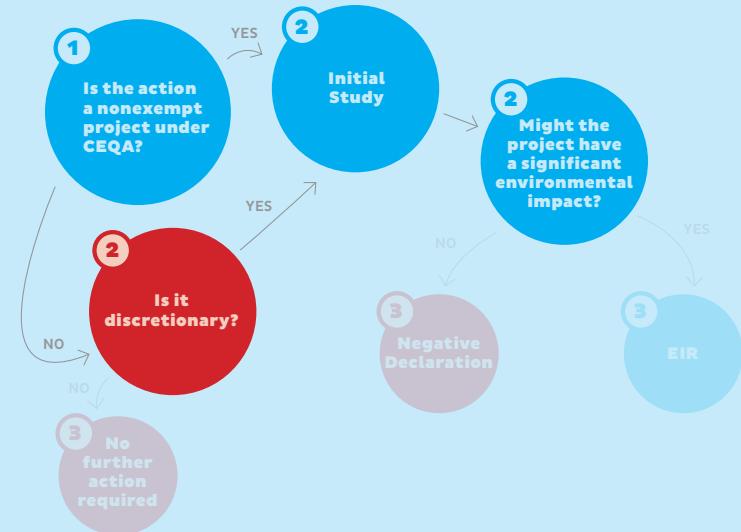


CEQA: THREE-STEP PROCESS



- Initial Study

- This checklist usually includes a long list of possible areas of environmental damage that government agencies should review—geology, air pollution, damage to plant and animal life, cultural resources, greenhouse gas emissions, and must provide a brief explanation for every answer except “no impact.”
- Essentially, planners must show their homework behind their answers.

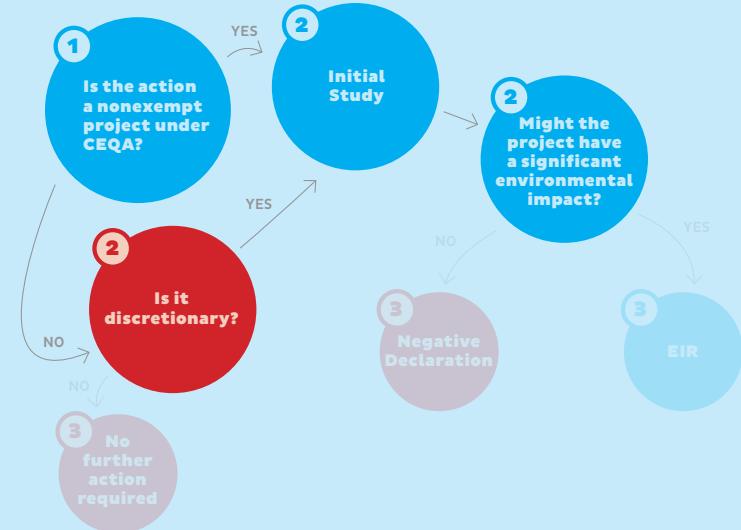


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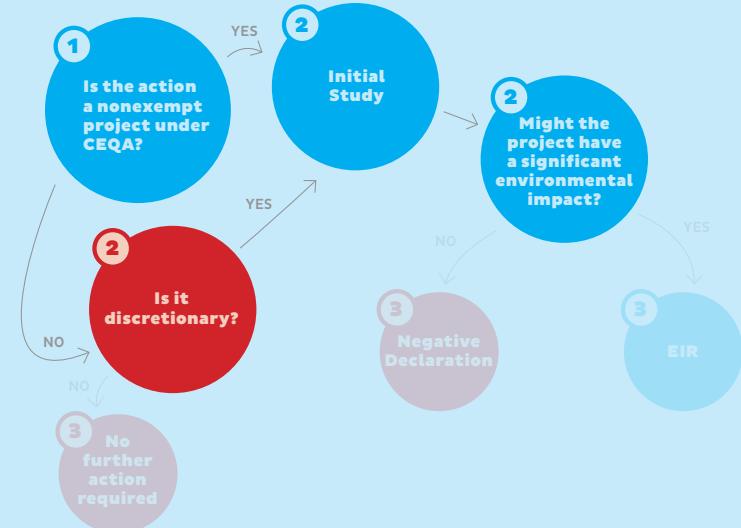


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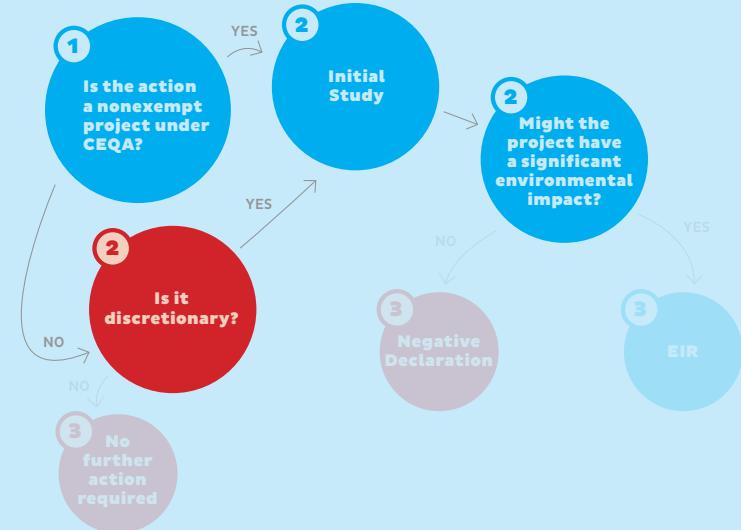


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- There must be evidence to support the lead agency's determination that there will be no significant impact as a result of the mitigated project.

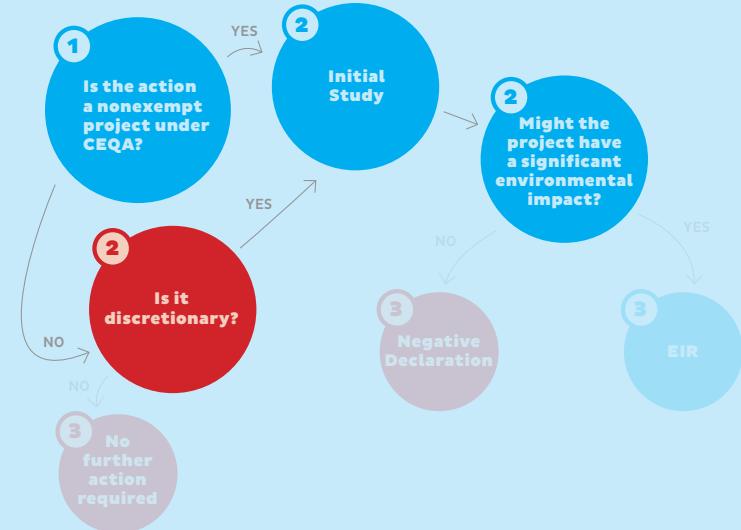


CEQA: THREE-STEP PROCESS



- Initial Study

- Additionally, the Office of Planning and Research makes clear that the project proponent must accept the project revisions or mitigations prior to the public review process
- This makes the mitigated negative declaration far different from the EIR, in which mitigations often result from the public review process

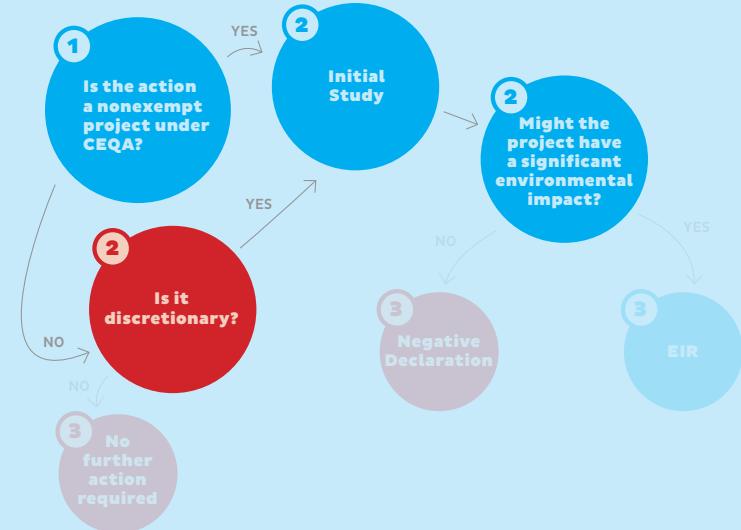


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- In a number of cases, courts have told a local government that its mitigated negative declaration was inadequate under CEQA, usually because there was evidence that not all impacts were being offset.

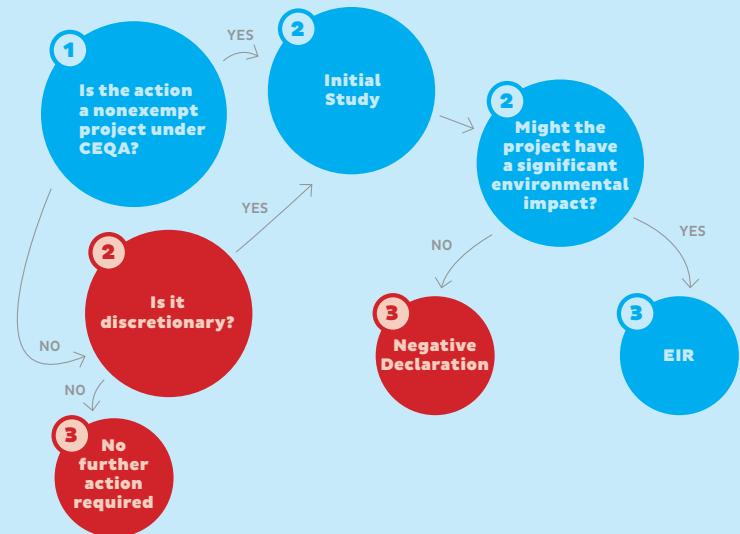


CEQA: THREE-STEP PROCESS



- **Environmental Impact Report**

- Environmental Impact Report (EIRs) are a broad-ranging document meant to provide lots of information to the public and decision makers about the environmental effects of a big project

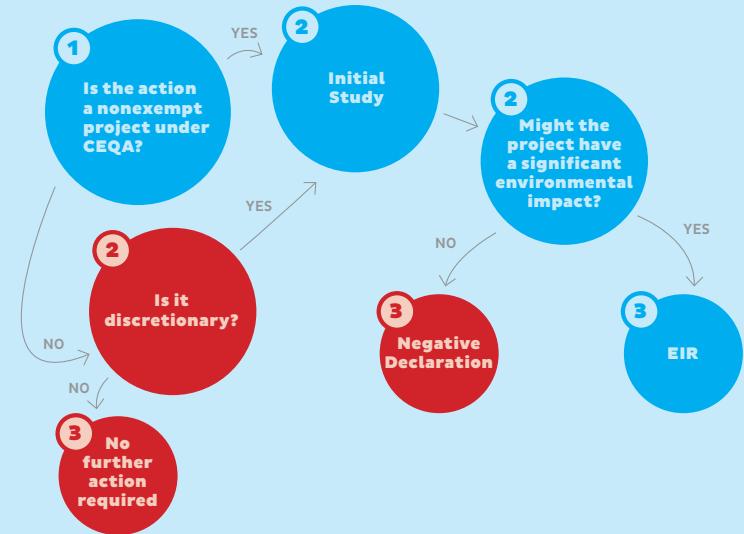


CEQA: THREE-STEP PROCESS



- Environmental Impact Report

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- Prepared for only the small minority of projects which, according to the initial study, “may” produce significant environmental effects, but, really, the EIR is the heart of CEQA



CEQA: THREE-STEP PROCESS



- Environmental Impact Report

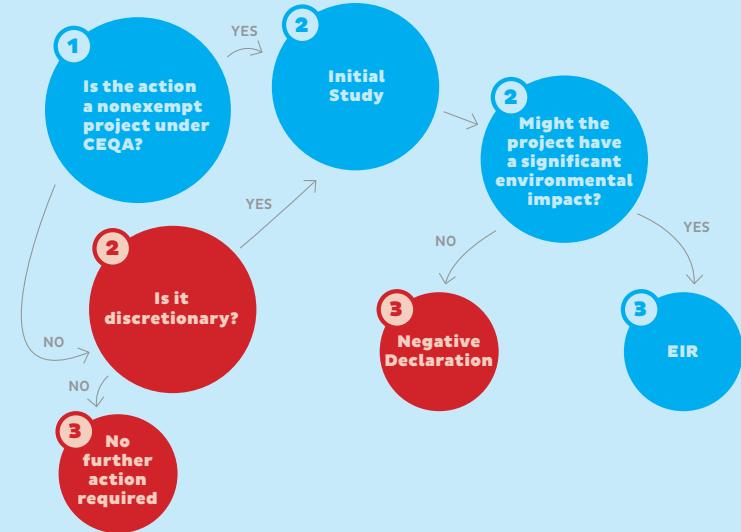
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- Because of ever-broadening court directives about what it must contain, the EIR has become expensive and time-consuming

City projects: City pays

Private projects: Developer pays, lead agency (or in some cases developer) hires consultant to prepare

A typical EIR can cost \$50,000 to \$200,000 and takes months to prepare; the team of consultants typically includes planners, geologists, traffic experts, biologists, even paleontologists

On large projects, EIRs often go through several rounds, take years to prepare, and cost \$1 million or more

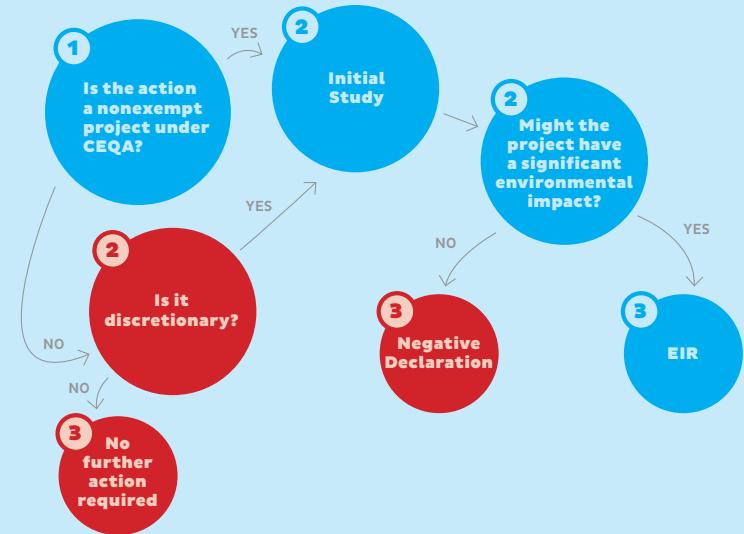


CEQA: THREE-STEP PROCESS



- Environmental Impact Report

- In the large majority of cities and counties, the planning department hires the EIR consultant, and payment is funneled from the developer through the local government to ensure greater objectivity

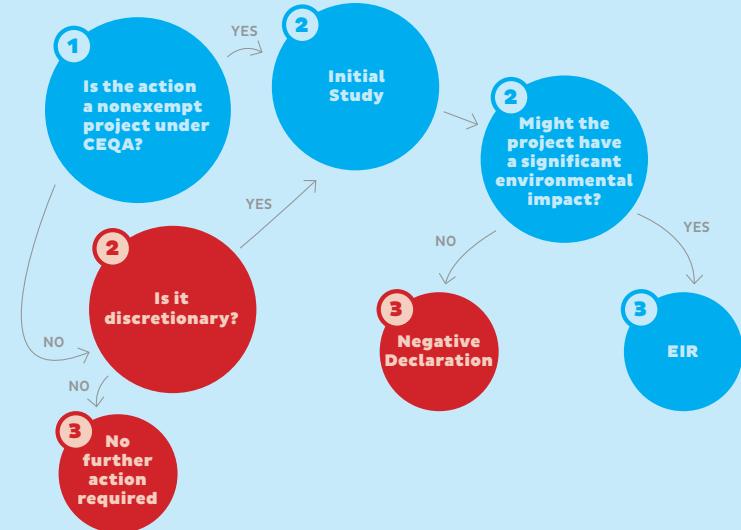


CEQA: THREE-STEP PROCESS



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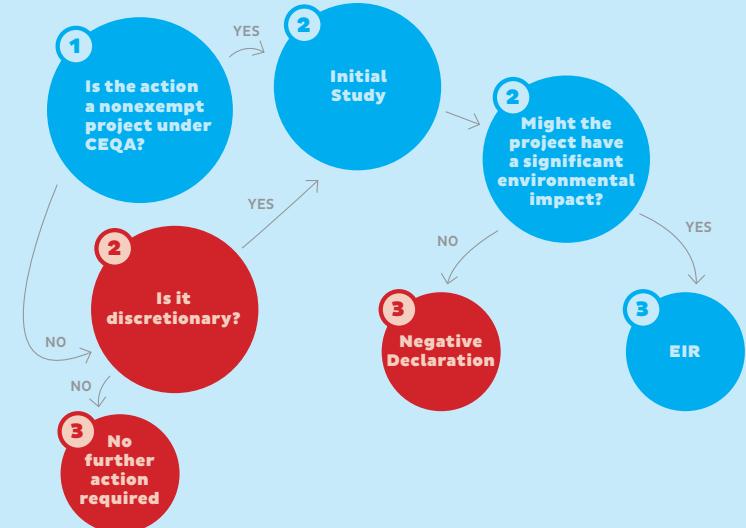
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- A lengthy environmental review process can kill a project if a developer does not have deep pockets

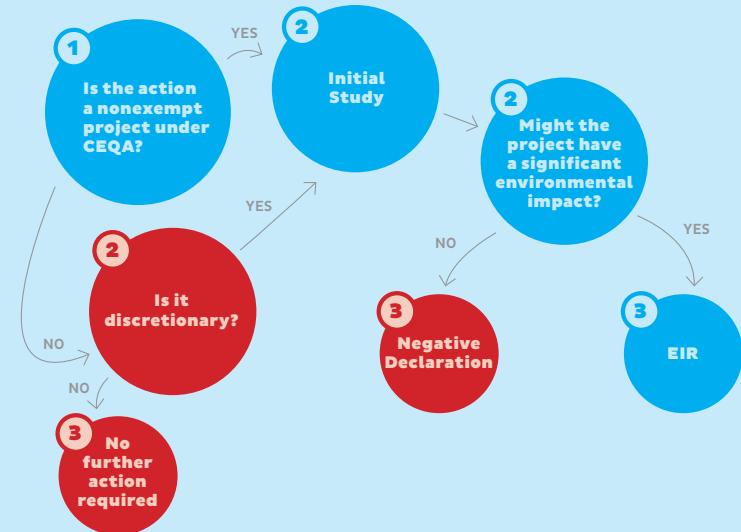
Furthermore, the EIR is likely to increase the cost of building a project, because the developer will be responsible for mitigating any likely environmental damage identified in the EIR



CEQA: THREE-STEP PROCESS

▪ Types of EIRs

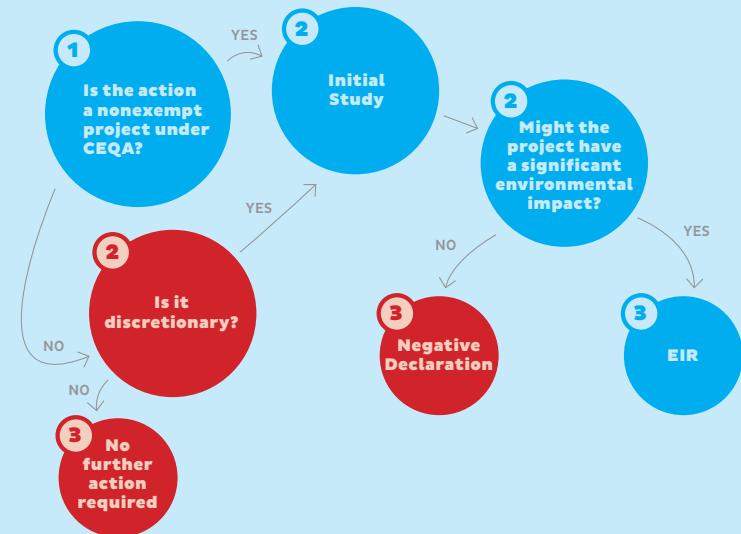
- EIRs come in all shapes and sizes, and the distinctions are important
- Sometimes EIRs are prepared for specific development projects, sometimes for large planning processes
- Development-Specific EIRs - The most common EIR deals with a specific development project, such as an office building, a hotel, a subdivision, or a new road
- General Plan EIRs - A city's general plan is also a project and, thus, extensive EIRs are usually prepared in conjunction with the writing or revision of a general plan and/or its elements. The general plan revision and its EIR are often prepared simultaneously, sometimes even as part of the same document
- Master and Program EIRs and tiering - CEQA encourages local governments to use master or program EIRs (they are very similar) to deal with a series of related actions that may occur under one program or in a specific geographic area
- **Master and program EIRs provide the first tier of review. A project-level EIR or a negative declaration typically serves as the second or third tier**



CEQA: THREE-STEP PROCESS

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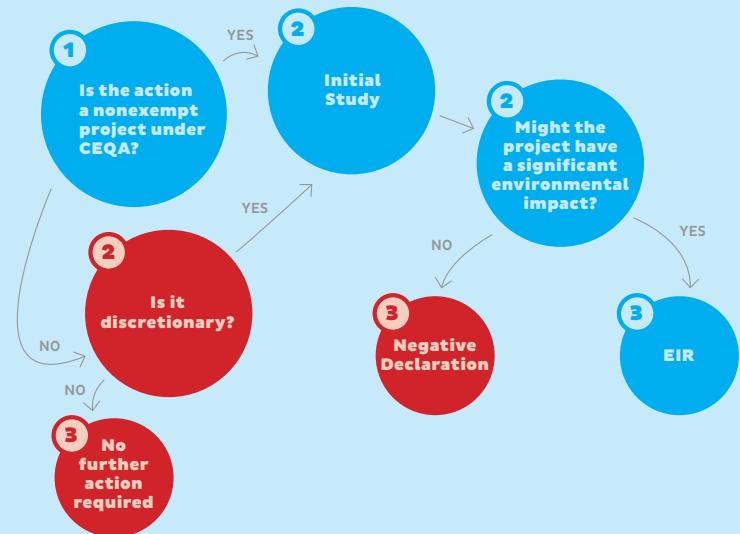
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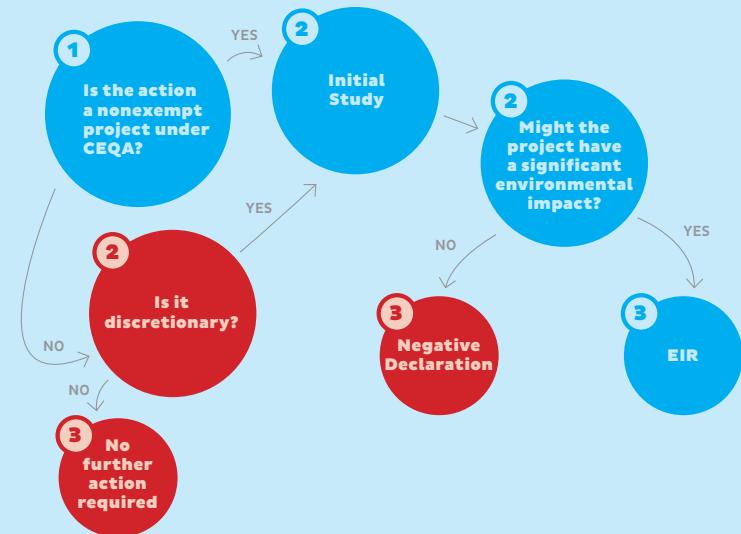
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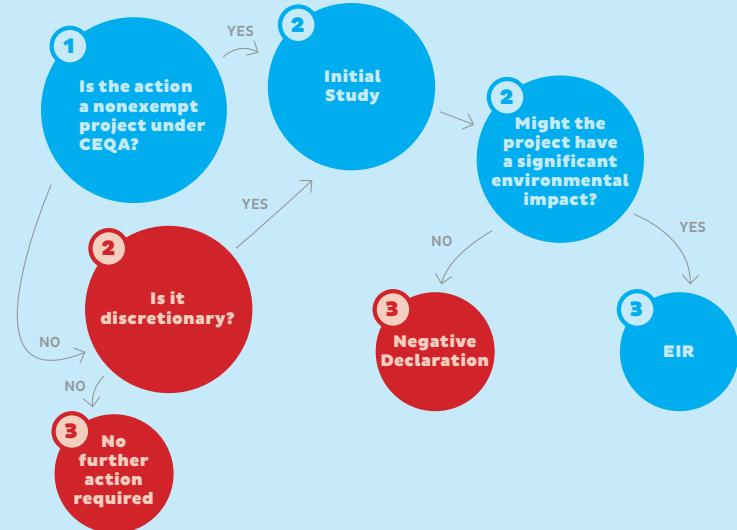
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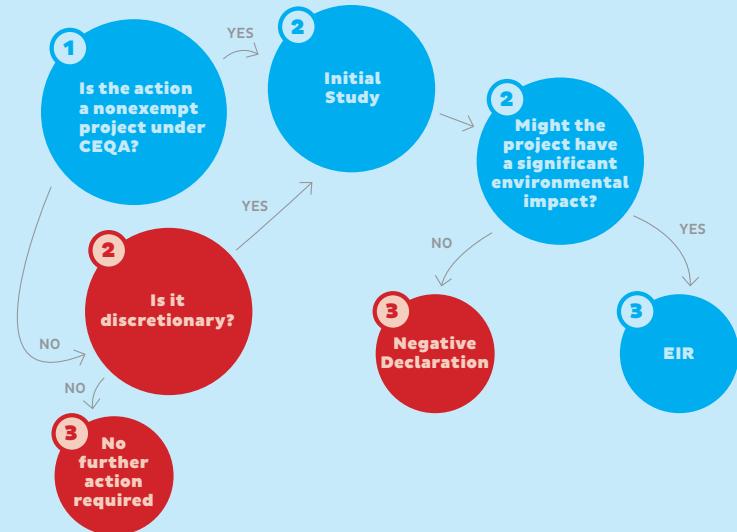
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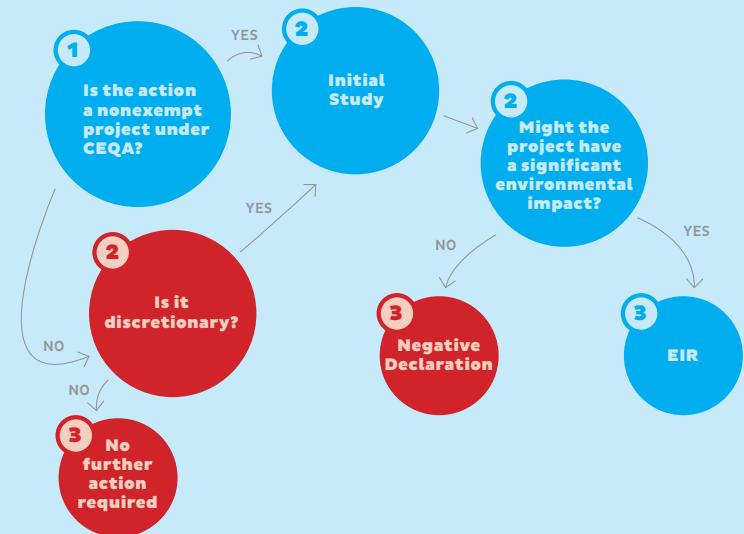
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CEQA: THREE-STEP PROCESS

- **Additions, supplements, etc.**

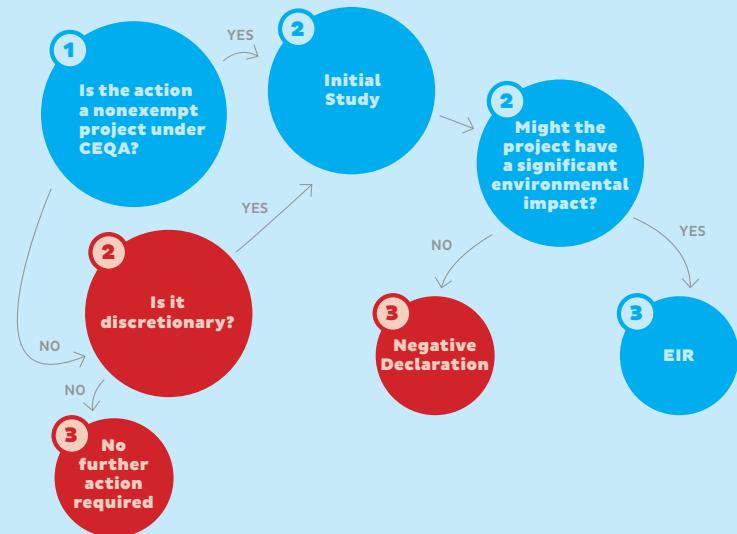
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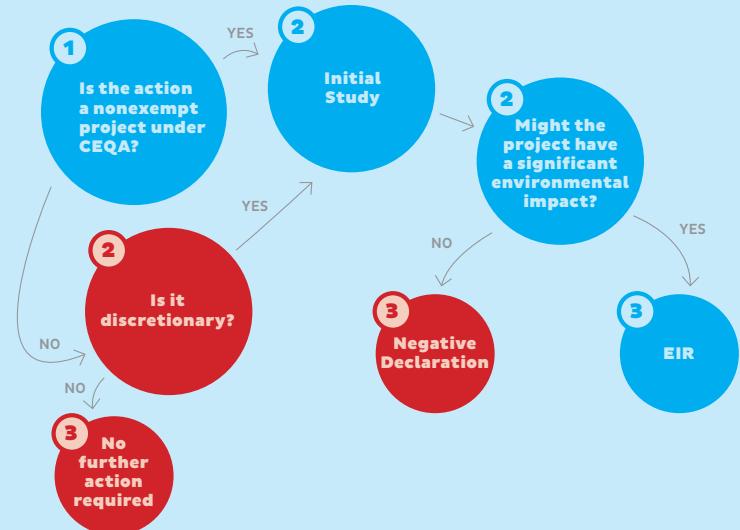
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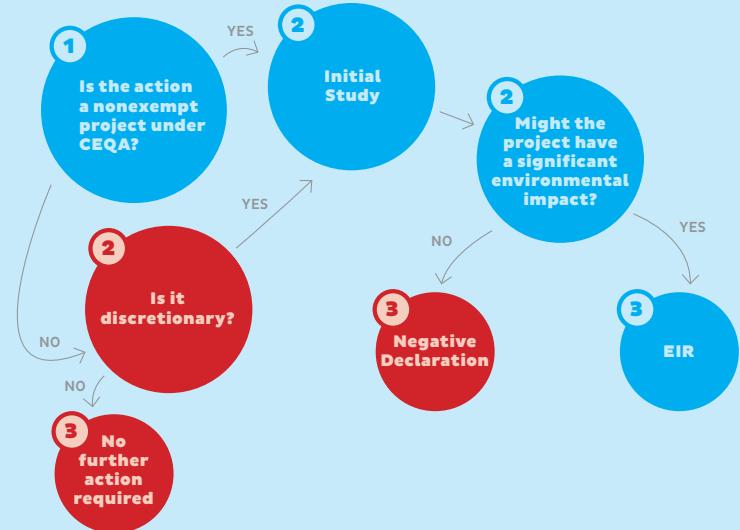
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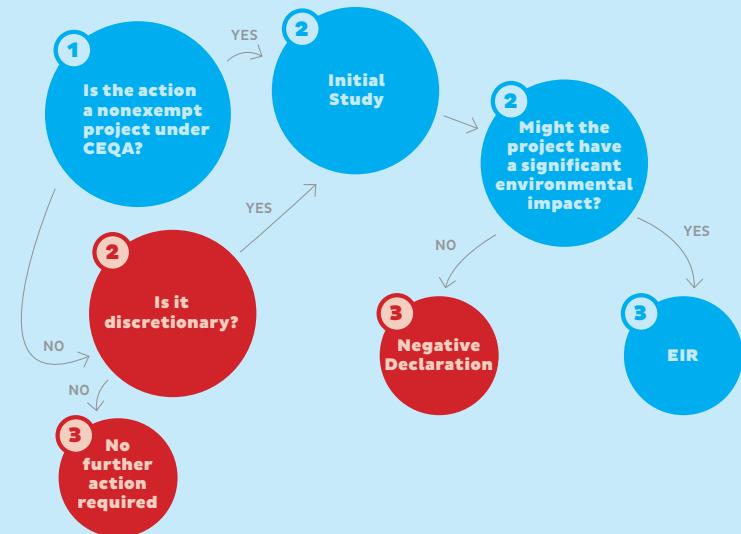
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- Unlike a supplemental EIR, which need deal only with the changes in the project, a subsequent EIR is less costly and time-consuming, and it does not open the entire environmental review process for discussion



CEQA: THREE-STEP PROCESS

- **Additions, supplements, etc.**

- **Draft and final EIRs – The draft EIR, or DEIR, is the original document, with all environmental analysis prepared by the local government staff or consultant**

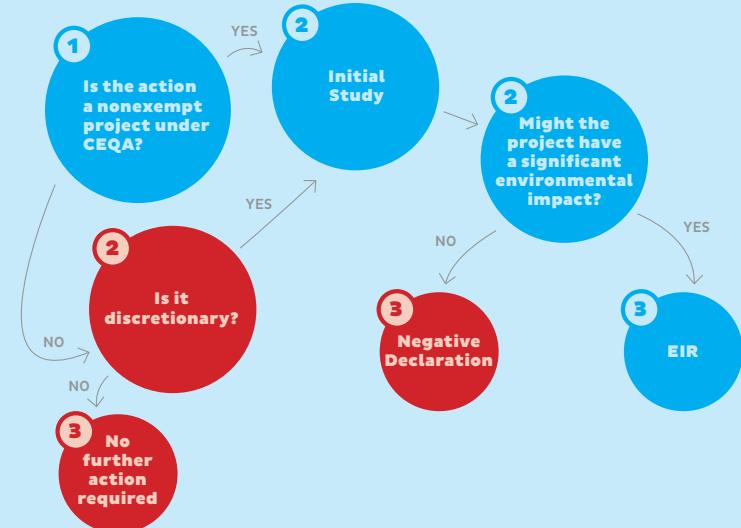


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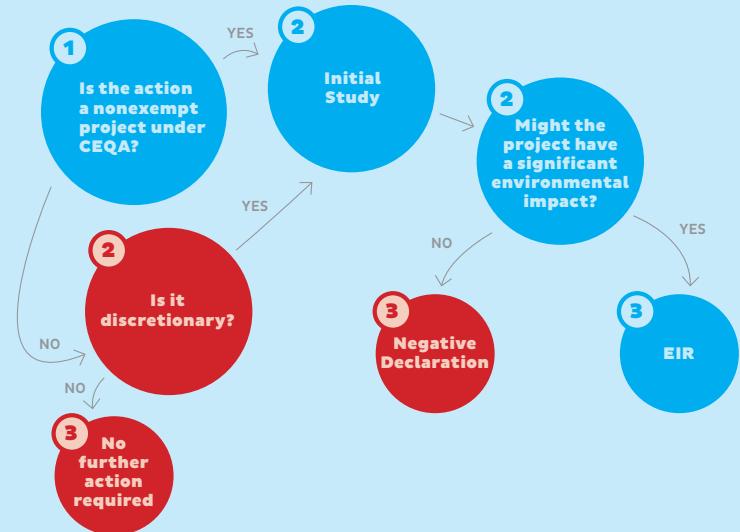
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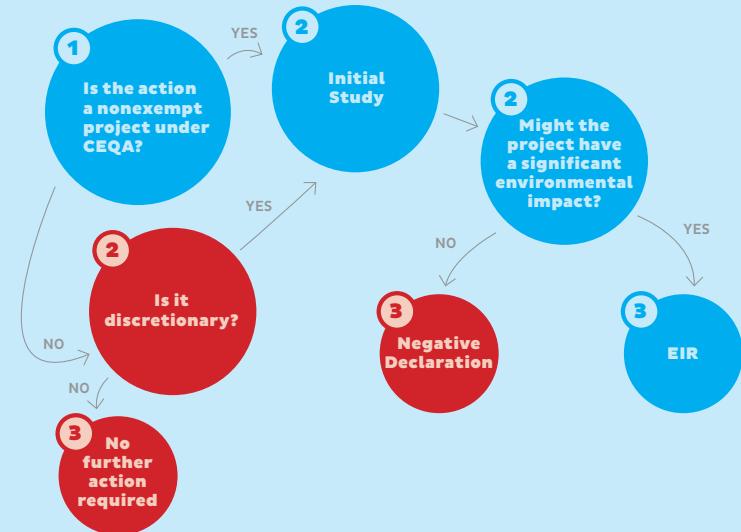
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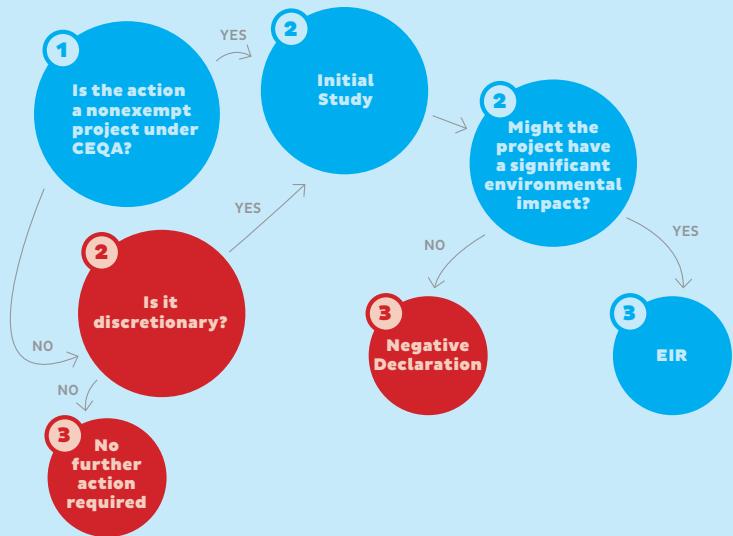
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- If additional environmental information is revealed after the draft EIR is circulated, that information must also be circulated for comment



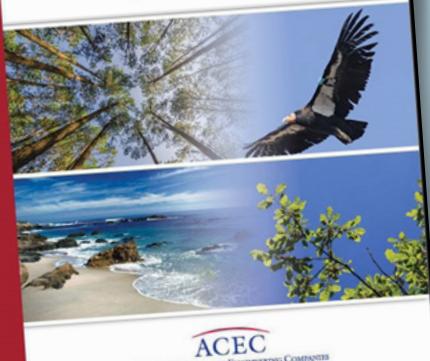
CEQA: THREE-STEP PROCESS

- Contents and Preparation of EIRs

- Both CEQA and the CEQA Guidelines contain requirements governing the organization and content of an environmental impact report



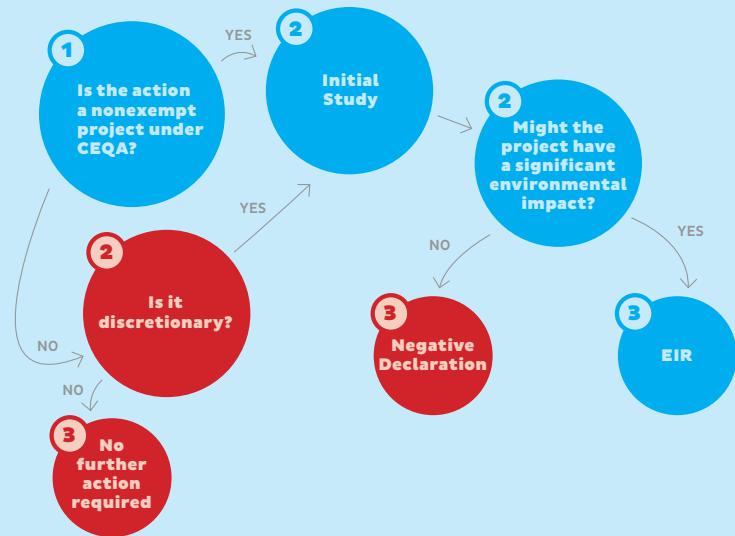
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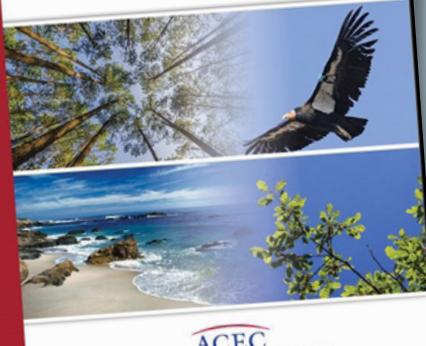
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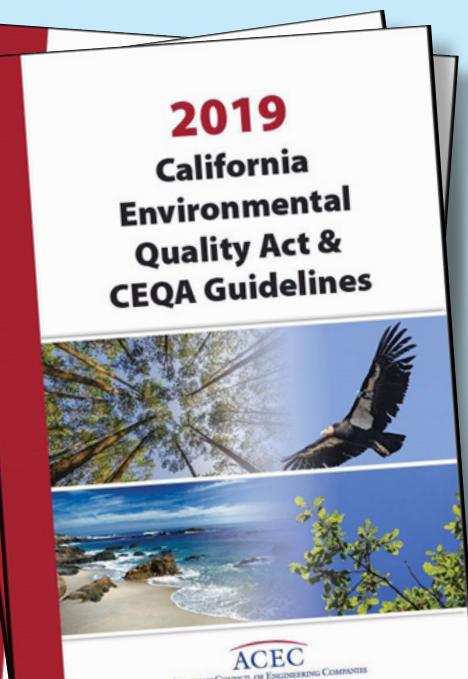
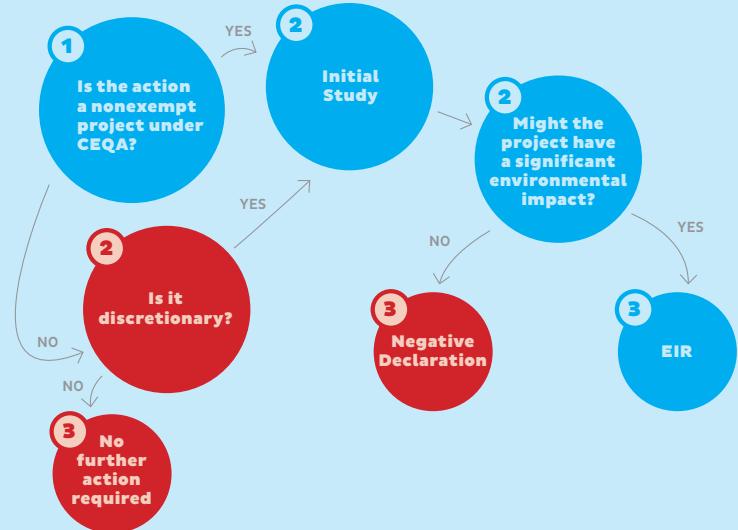
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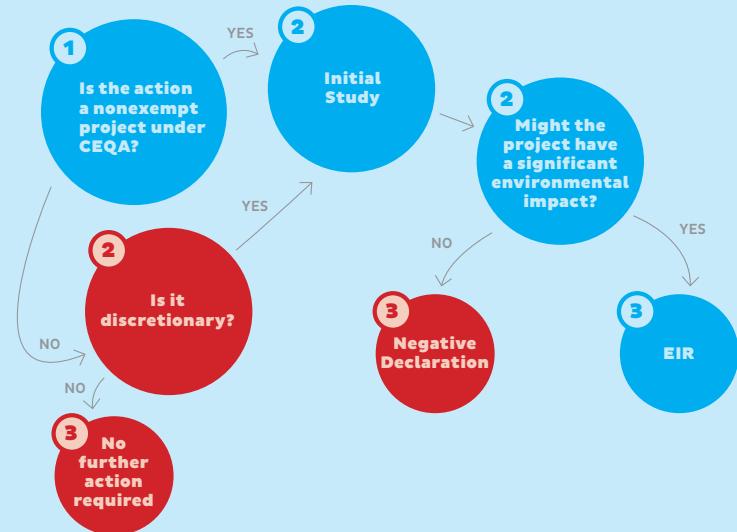
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- The EIR also must contain a table of contents and a summary of its contents, written in understandable language, that does not exceed 15 pages



CEQA: THREE-STEP PROCESS

- The EIR also must contain discussion of several important items relating to the impact of a project. They are:

- Significant environmental effects
- Unavoidable environmental effects
- Significant irreversible environmental change
- Alternatives to the proposed project
- Cumulative impact that the project might have in combination with other projects Growth-inducing impact of the project
- Mitigation measures that will minimize the environmental effects

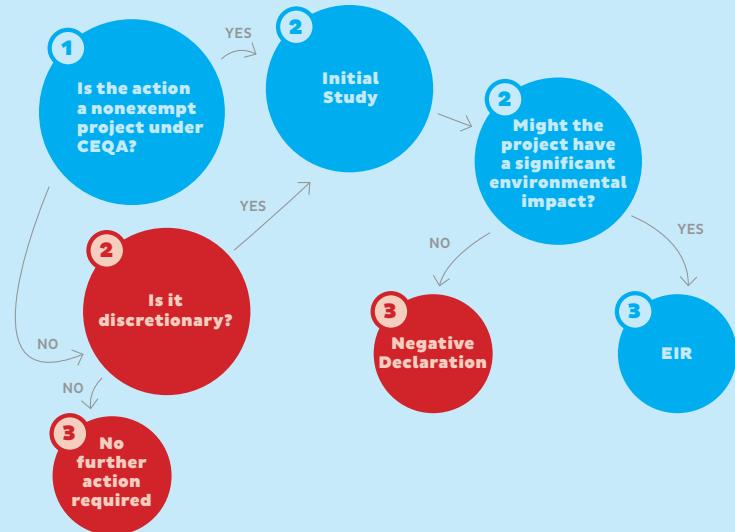


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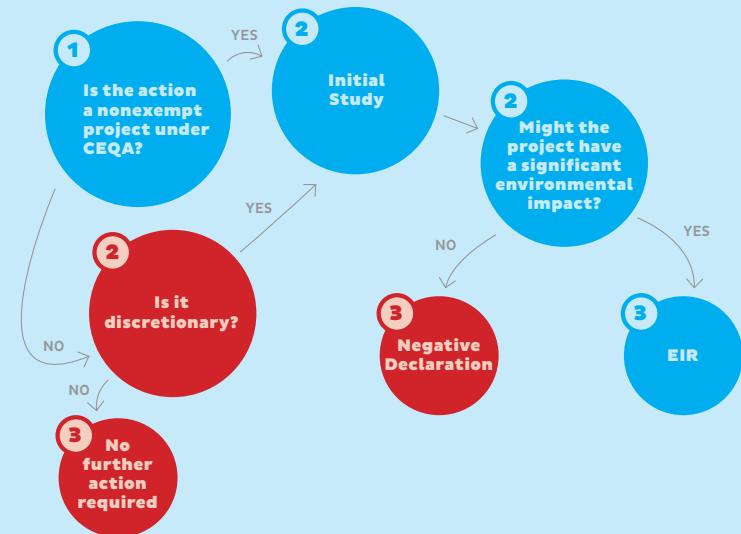


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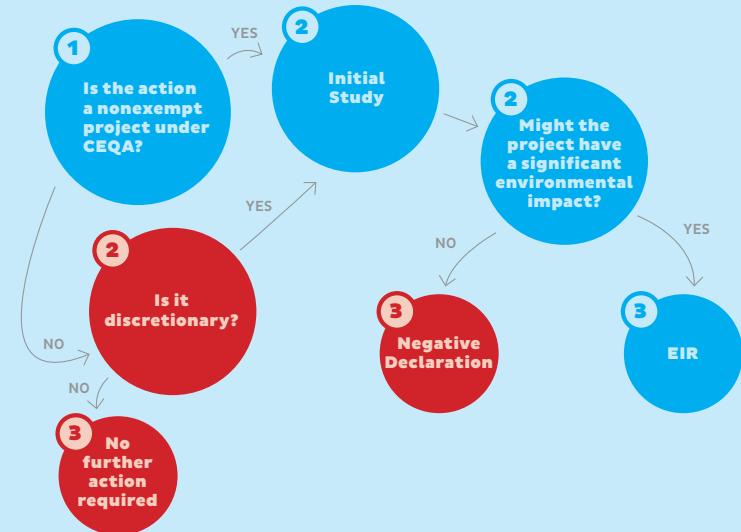
- The next three items have traditionally been called “back-of-the-book” items.



CEQA: THREE-STEP PROCESS

- Impact Analysis

- The impact analysis usually constitutes most of the EIR.
- In the EIR, any checklist item marked anything other than “no impact” receives its own detailed discussion: air quality, water supply, traffic, plant and animal life, greenhouse gas emissions and so forth.

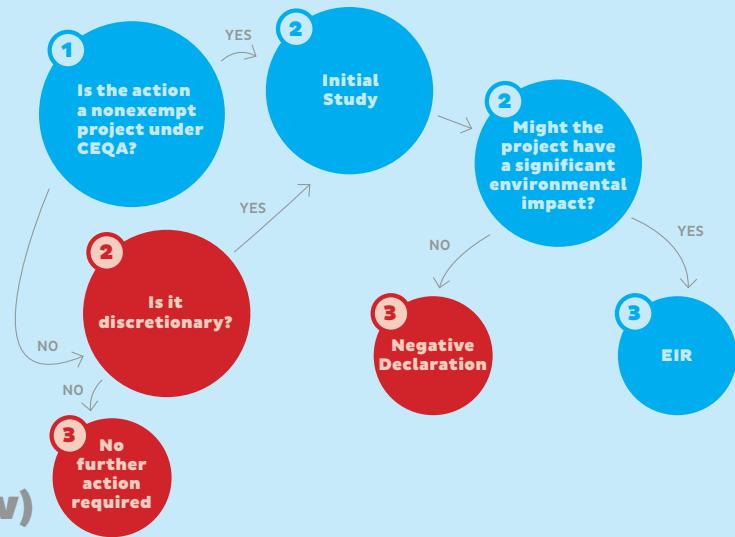


CEQA: THREE-STEP PROCESS

- Impact Analysis

- A typical format is to divide the impact analysis section into four parts:

- 1 The current environmental setting (which is required by law)
- 2 The impact analysis
- 3 A list of mitigation measures
- 4 A final description of the environmental setting after the project has been built and the mitigation measures have been implemented



CEQA: THREE-STEP PROCESS

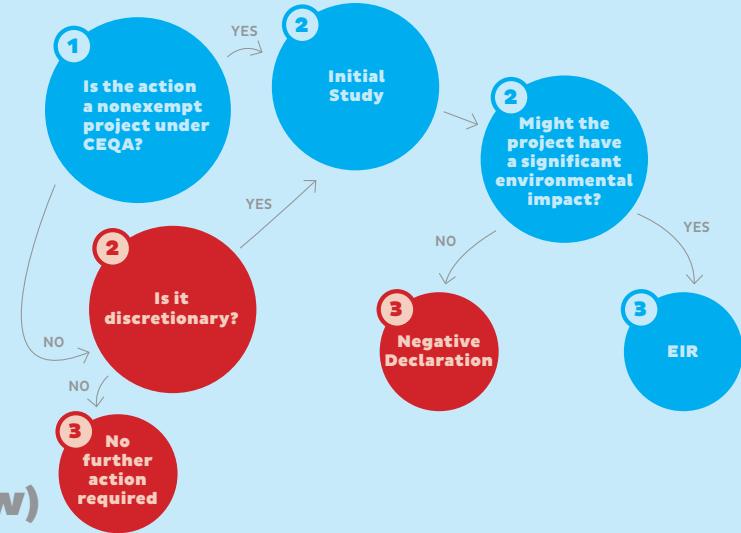
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Geographers + environmental scientists are also often involved in this process!



CEQA: THREE-STEP PROCESS

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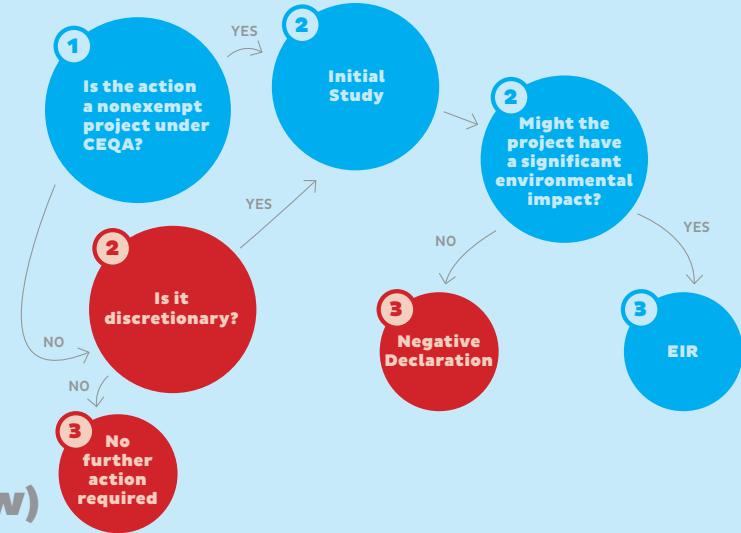
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- Sometimes these specialists are on the staffs of the planning consultants that do EIRs, and sometimes they are sub-consultants



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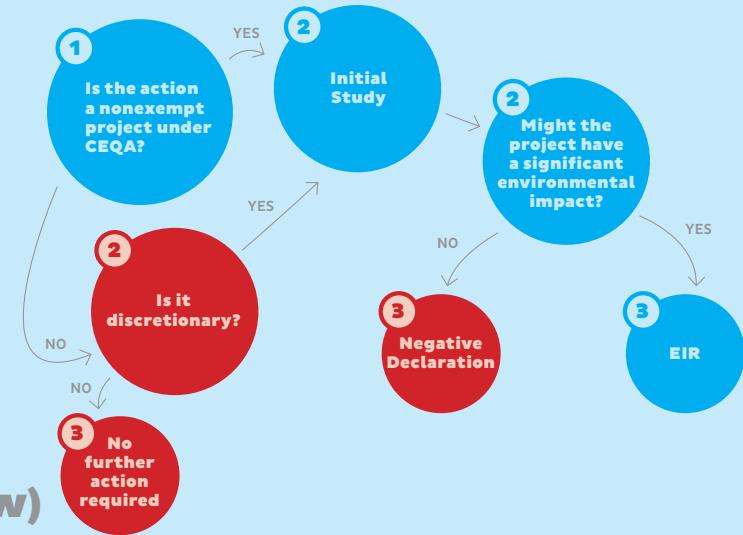
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Geographers + environmental scientists are also often involved in this process!

- Sometimes these specialists are on the staffs of the planning consultants that do EIRs, and sometimes they are sub-consultants
- Some of this specialized material is gathered specifically for the project in question, but most EIRs rely heavily on databases in common use





Traffic consultants may make counts of current traffic near the site, and to forecast the impact, they will use the “trip tables” from the Institute of Transportation Engineers to determine how many vehicle trips are likely to be generated from the construction of a certain number of houses or a certain amount of office space.

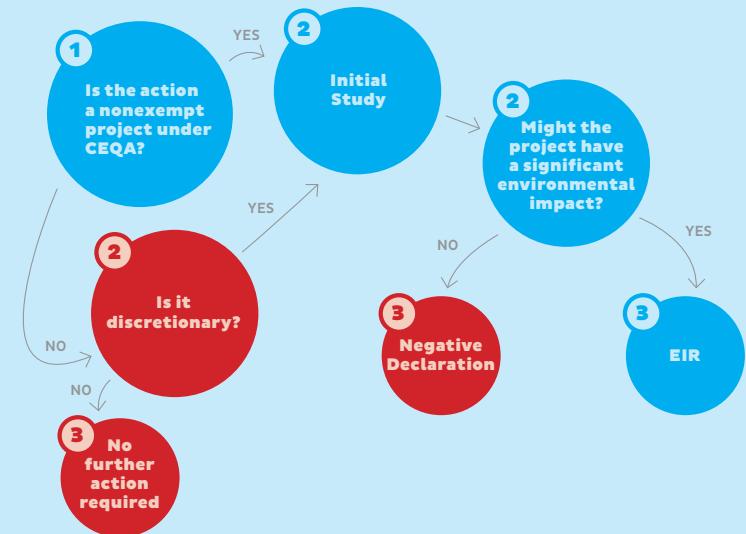
**Biologists may walk the site to survey plant and animal life,
and they may also use a state database of plants and animal life,
and compile their own databases if they do many
environmental surveys in the same area.**



CEQA: THREE-STEP PROCESS

- Impact Analysis

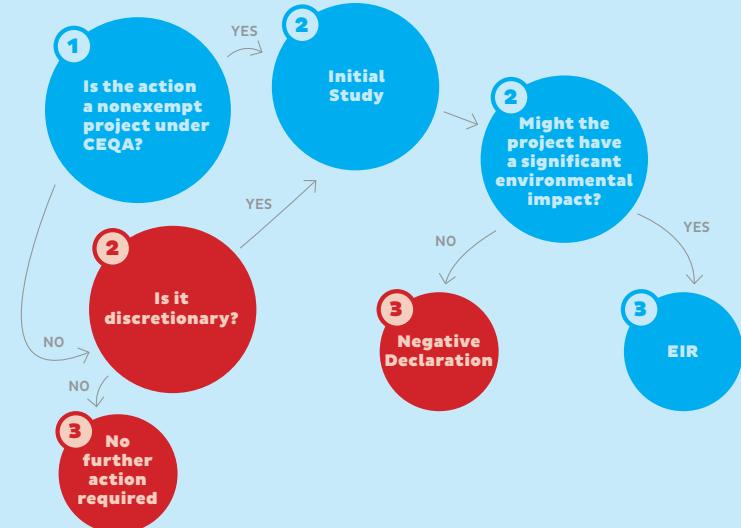
- The adequacy of these scientific inquiries may always be challenged in court



CEQA: THREE-STEP PROCESS

- Impact Analysis

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- The last-minute discovery of an endangered species on the property, for example, is almost certain to kill or delay a project

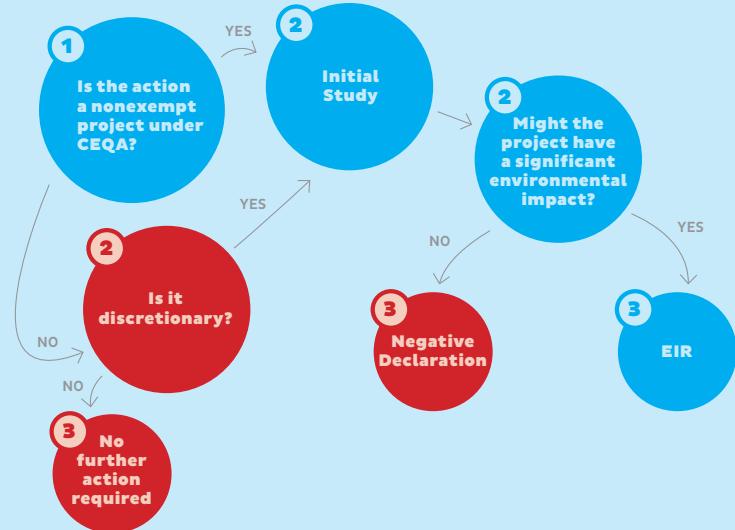


CEQA: THREE-STEP PROCESS

- Impact Analysis

- The adequacy of these scientific inquiries may always be challenged in court
- The last-minute discovery of an endangered species on the property, for example, is almost certain to kill or delay a project
- In addition to challenging a scientific analysis in court, an EIR is vulnerable to legal by way of “back-of-the-book items” and on the effectiveness of mitigation measures

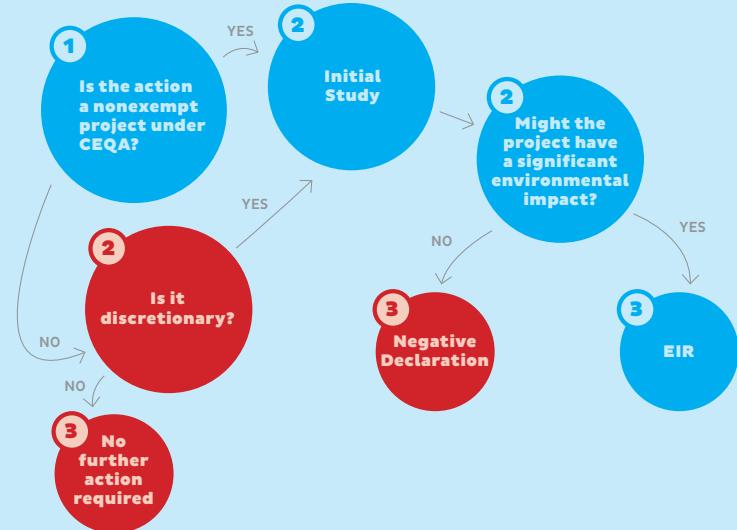
More and more litigation focuses on back-of-the-book items, because environmental attorneys recognized the traditionally weak treatment provided to these issues, and because there is often strong disagreement over which alternatives must be considered.



CEQA: THREE-STEP PROCESS

▪ Back-of-the-Book Items

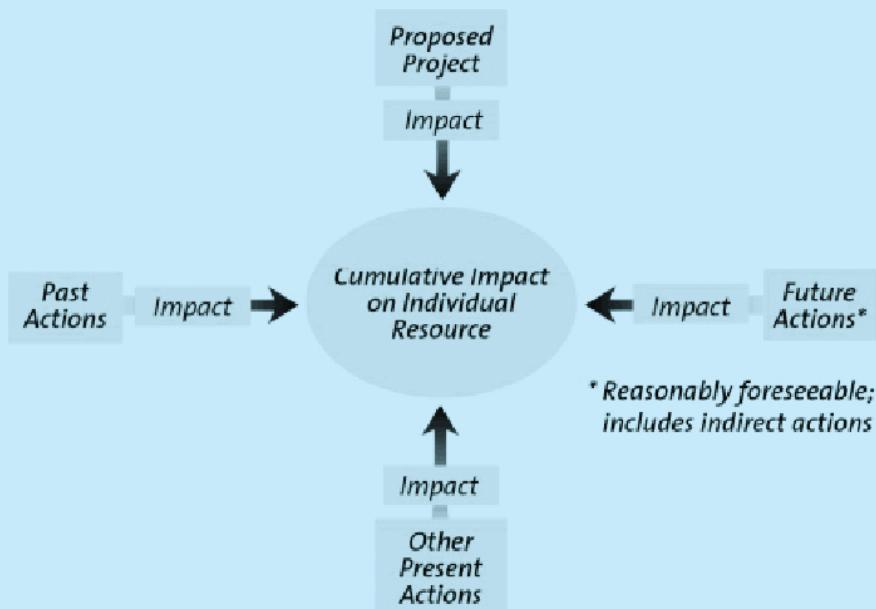
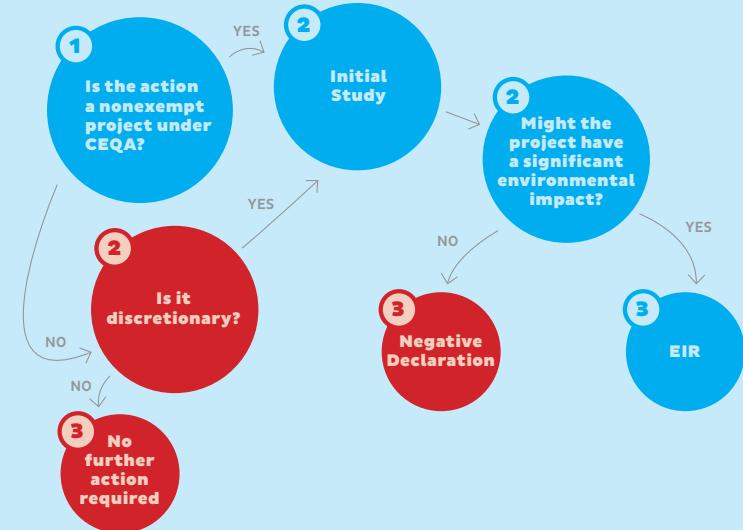
- **Cumulative Impact** – The main purpose of the cumulative impact requirement is to make sure that a community does not approve a series of small projects without considering the overall effect of these actions on the environment.



CEQA: THREE-STEP PROCESS

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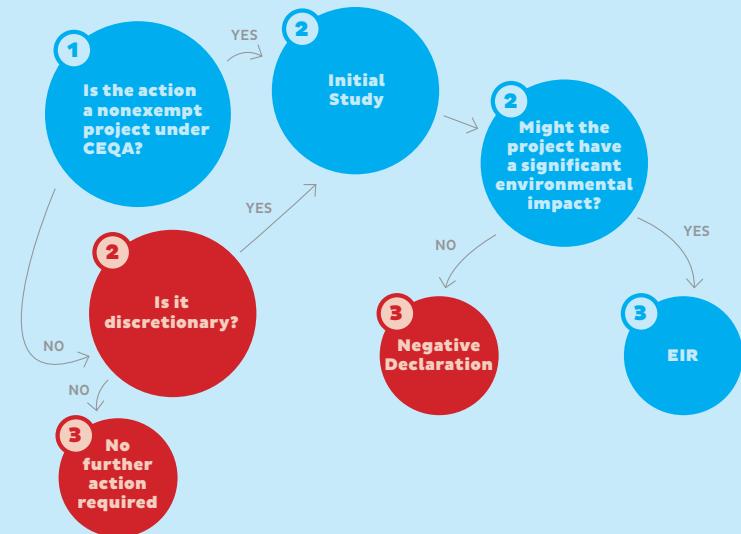
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- The cumulative impact analysis requirement makes it harder for developers to slice large projects into smaller pieces in order to avoid a full CEQA review, an unacceptable practice called “piece-mealing”.



CEQA: THREE-STEP PROCESS

▪ Back-of-the-Book Items

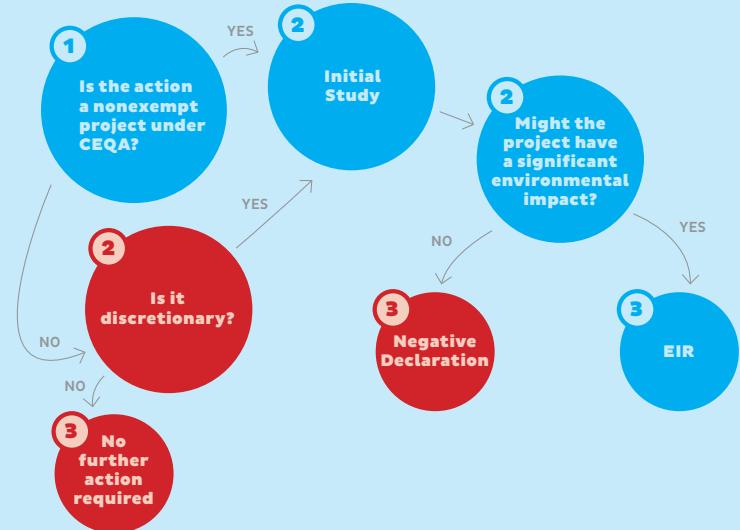
- **Growth-Inducing Impact** – The CEQA Guidelines call for a discussion of how a project either directly or indirectly fosters other growth, removes obstacles to growth, affects public services and facilities, or triggers other activities with significant environmental impacts.



CEQA: THREE-STEP PROCESS

▪ Back-of-the-Book Items

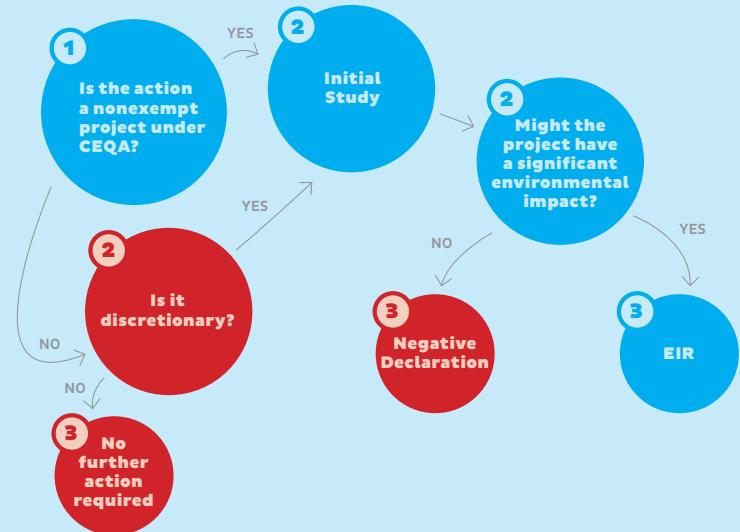
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CEQA: THREE-STEP PROCESS

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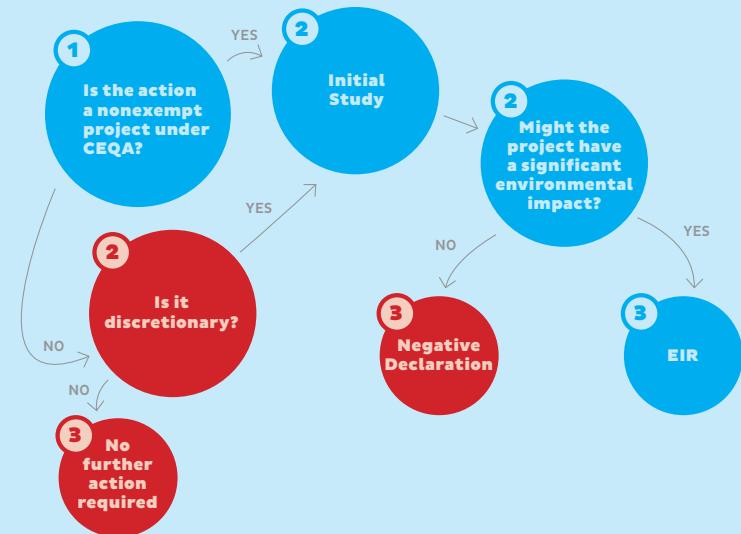
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- Unlike cumulative impacts, the question of growth-inducing impact has not been the subject of landmark court rulings.



CEQA: THREE-STEP PROCESS

- Back-of-the-Book Items

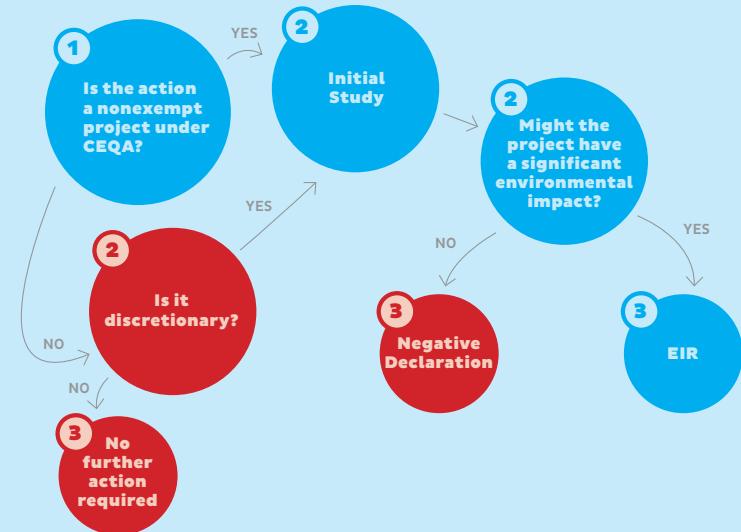
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CEQA: THREE-STEP PROCESS

▪ Back-of-the-Book Items

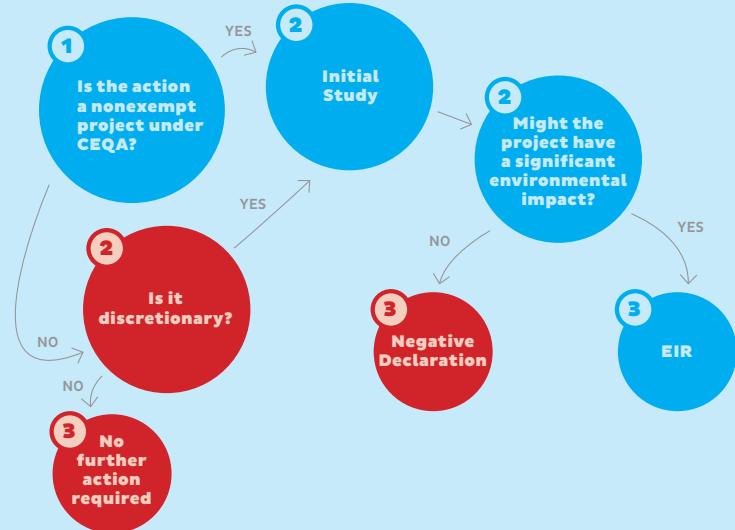
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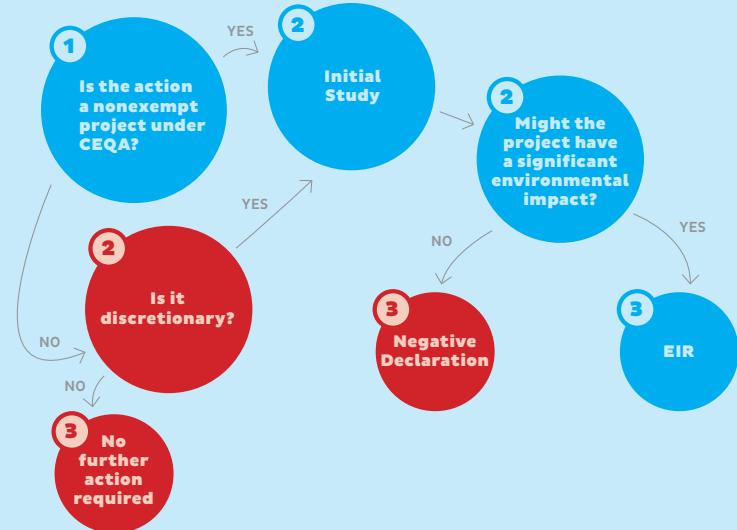
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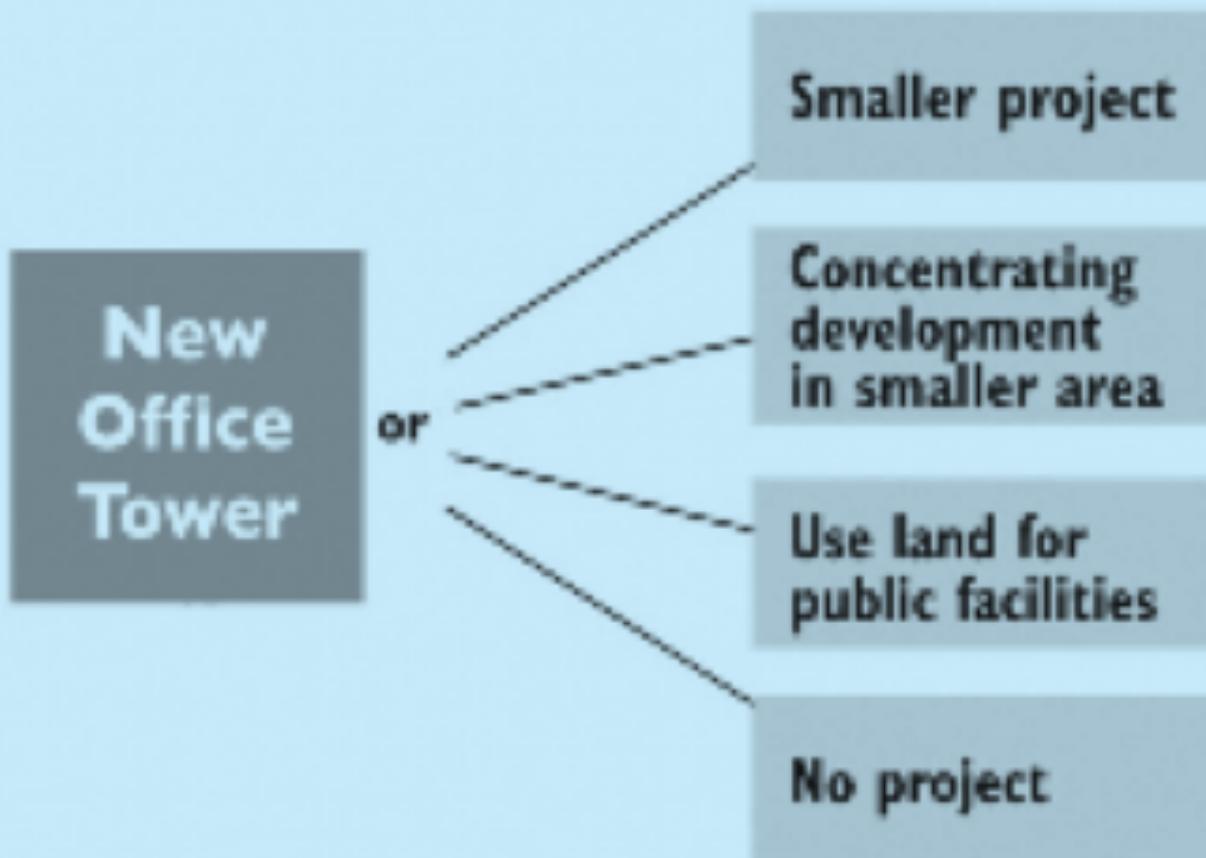
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- Many EIRs contain three to six alternatives, which are presented in a matrix for easy comparison of impacts, feasibility and an alternative’s ability to deliver on project objectives.
- One alternative that must be considered is the “no project” alternative, but this does not mean the lead agency must choose “no project.” Instead, the agency must identify a second environmentally superior alternative.



CEQA: THREE-STEP PROCESS

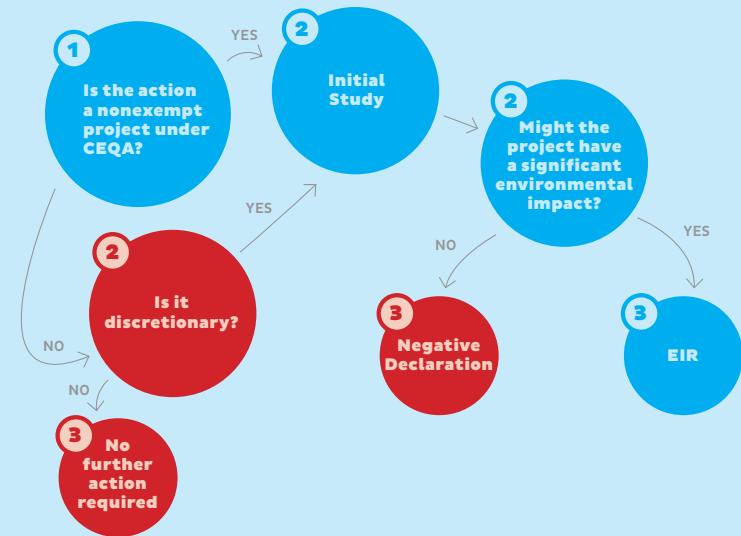
EIR Alternatives Analysis



CEQA: THREE-STEP PROCESS

- Governmental Action and Mitigation

- If an environmental impact report prepared under CEQA does identify “significant environmental effects,” then the governmental agency reviewing the project has four options:

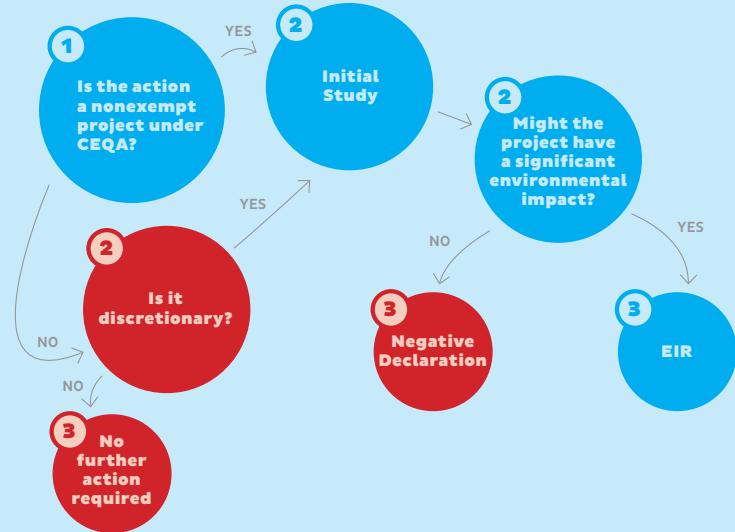


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- ① Deny the project – The discovery of significant environmental effects is, in and of itself, sufficient legal grounds to turn down a development project altogether.
- ② Approve an environmentally preferable alternative to the project, as identified in the EIR.
- ③ Approve the project, but only if “mitigation measures” are adopted to lessen the environmental impact.
- ④ Approve the project in spite of environmental effects and adopt a statement of overriding considerations, usually outlining the project’s economic or other social benefit.



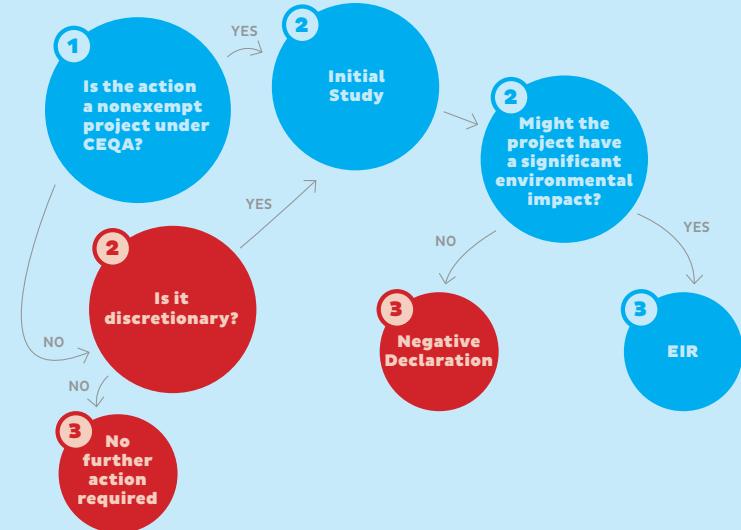
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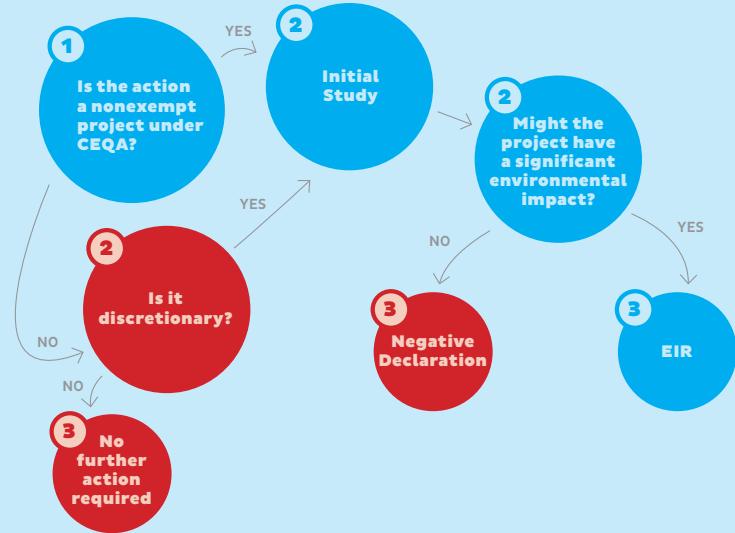
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- CEQA requires local governments to establish a program to monitor the mitigation measures they require of developers. Not surprisingly, government agencies monitor mitigations in different ways



CEQA REFORM



<https://www.youtube.com/watch?v=Pi2AwStrhn4>

The EIR could show the most horrendous environmental consequences of a particular activity. And a planning commission or city council could approve the project by saying, ‘Yes, we know about all these horrendous environmental effects; however, there are overriding considerations which permit us to approve the project anyway.

ASSIGNMENTS

- 1 READ CHAPTER TEN**
- 2 CONTINUE READING THE DEATH AND LIFE OF GREAT AMERICAN CITIES**
- 3 ATTEND YOUR PUBLIC HEARING**
- 4 WRITING ASSIGNMENT TWO PROMPT
(DUE IN TWO WEEKS, 3/28)**

ASSIGNMENTS

WRITING ASSIGNMENT TWO PROMPT (DUE IN TWO WEEKS, 3/28)

4 pages, single-sided, double-spaced, 1-inch margins, times new roman font

Prompt: Write a reflection on your experience attending a public hearing or meeting around urban planning issues. If your reflection, use the following questions to guide your paper (not all questions have to be addressed):

How did you learn about this public meeting and do you think it was well advertised?

How was finding/attending the meeting and was it hosted at a location that was accessible to the public?

Describe the types of people in attendance at the meeting. Would you say that it reflects the demographics of the surrounding community?

What formalities did you notice about the meeting? (sign-in, agenda, introductions, etc.)?

What were the topics of discussion and what was the discussion like?

Are there any topics that related to what we've learned so far in the class?

If you were in charge of running the meeting, how would you have done things differently?

LAST QUESTION

WORTH 0.5%
OF TOTAL GRADE

**ON THE OTHER SIDE OF YOUR PIECE OF
PAPER, WRITE YOUR RESPONSE AND
LEAVE IT UP FRONT.**

**WRITE A SHORT (2-4 SENTENCES) REFLECTION ON WHAT YOU
LEARNED FROM OUR GUEST PRESENTER, VICKY ROSEN?**