

**FINAL**

**SANTA MONICA COLLEGE**

**GUIDELINES FOR IMPLEMENTATION OF THE  
CALIFORNIA ENVIRONMENTAL QUALITY ACT**

**January 2002**

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## Article I . INTRODUCTION

### 1000. BASIC PURPOSES OF CEQA.

The basic purposes of CEQA are to: (1) inform governmental decision makers and the public about potential significant environmental effects of proposed activities, (2) involve the public in the decision-making process, (3) identify ways in which damage to the environment can be avoided or significantly reduced, and (4) prevent significant, avoidable damage to the environment by requiring changes in projects through the use of alternatives or mitigation measures when such changes are feasible. (State CEQA Guidelines §15002)<sup>1</sup>

### 1001. PURPOSE OF SANTA MONICA COLLEGE CEQA GUIDELINES.

These Guidelines for Environmental Review constitute comprehensive procedures being adopted by Santa Monica College to comply with the California Environmental Quality Act (CEQA). These CEQA Guidelines will facilitate the College's role as the lead agency for future projects proposed by the College.

The purpose of the CEQA Guidelines is to protect both local and regional environmental resources in a reasonable manner. They contain criteria for determining whether CEQA applies to particular projects, and methods for conducting environmental review of projects that are not exempt. The intent is to translate State laws and judicial decisions into a concise guide for use by College officials and staff, residents, interested organizations, and other interested public agencies.

These Santa Monica College CEQA Guidelines summarize and implement State law. The reader may refer to the State CEQA Guidelines for more detail. (See footnote 1.) The official State CEQA Statute and Guidelines may be viewed at <http://ceres.ca.gov/ceqa/>. In the event issues arise which are not addressed in these Santa Monica College CEQA Guidelines, the State CEQA Guidelines shall govern.

Copies of these CEQA Guidelines will be available in the office of the Vice-President of Business and Administration. A fee covering reproduction costs may be charged. These Guidelines will also be available to the public on the College's Internet webpage.

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<sup>1</sup> For the convenience of the reader, references to the applicable provisions of the State CEQA Guidelines are provided. The full text of the State CEQA Guidelines may be found at §§ 15000, *et seq.*, of Chapter 3 of Title 14 in the California Code of Regulations.

**Article II.**  
**OVERVIEW AND SUMMARY OF PROCEDURES**

**1100. CEQA APPLICABILITY.**

A proposal must first be evaluated to determine whether it constitutes a "project" for purposes of CEQA and is, therefore, subject to CEQA review. The term "project" is defined as any discretionary action that may cause a physical change to the environment (see Section 1303 below). Nonetheless, even if the proposed activity is a "project" under CEQA, it may still be exempt from environmental review. (§15060(c))

**1101. EXEMPTIONS.**

Generally, there are two types of exemptions -- statutory and categorical. Statutory exemptions apply to projects that the State Legislature has ruled to have insignificant or less than significant effects. Such statutory exemptions include ministerial projects (as defined in State CEQA Guidelines § 15369) and emergency projects. Categorical exemptions, on the other hand, apply to certain classes of projects that the State Secretary for Resources has determined do not cause significant effects. These categorical exemptions include, but are not limited to, fences, remodelling, signs, landscaping, and other projects that the College's CEQA Compliance Officer has determined, in compliance with State law, are exempt. After approving an exempt project, the CEQA Compliance Officer may file a Notice of Exemption with the County Clerk. (§15061)

**1102. INITIAL STUDIES, NEGATIVE DECLARATIONS AND EIRs.**

Primary responsibility for administration of CEQA for the College shall be vested in the CEQA Compliance Officer. If the proposed activity is a project under CEQA, and is not exempt from review, the CEQA Compliance Officer will first prepare an Initial Study. The Initial Study will evaluate whether a Negative Declaration or an Environmental Impact Report (EIR) is needed. Information for the Initial Study will be derived from project descriptions and reference materials available to the CEQA Compliance Officer. If the Initial Study identifies potentially significant adverse environmental impacts, the CEQA Compliance Officer will seek to draft mitigation measures and include them as part of the project. If no significant impact is identified, or if mitigation measures have been drafted and included in the project reducing all potential impacts to less than significant levels, the Initial Study will conclude that there are no significant environmental impacts and a Negative Declaration is thus appropriate.

If one or more significant impacts are identified that have not been, or cannot be, adequately mitigated to an insignificant or less than significant level, the Initial Study will conclude that the project may have significant adverse environmental effects and that an EIR is required to more carefully evaluate the project. The CEQA Compliance Officer will then proceed with preparation of an EIR. (§15063)

**Article III.**  
**AUTHORITY PROVIDED BY CEQA**

CEQA is applied by the College during the consideration and evaluation of a project to mitigate or avoid significant effects on the environment. (§15040) CEQA gives the College authority to do any of the following, as may be appropriate.

**1200. MITIGATION.**

The Board of Trustees may determine that changes in any activities involved in a project are appropriate to lessen or avoid significant effects on the environment. (§15041)

**1201. DISAPPROVAL OF PROJECT.**

The Board of Trustees may decide to disapprove a project if necessary to avoid significant effects on the environment that would occur if the project were approved. (§15042)

**1202. APPROVAL OF PROJECT DESPITE UNMITIGATABLE SIGNIFICANT EFFECTS.**

The Board of Trustees may approve a project, even though it may cause a significant adverse effect on the environment, if the College makes a fully informed and publicly disclosed decision that there is no feasible way to lessen or avoid the effect. In doing so, the College will identify expected benefits from the project that outweigh the adverse impacts or the costs of mitigating the impacts of the project (i.e., a statement of overriding considerations as defined in State CEQA Guidelines § 15093). (§15043)

**1203. PREPARATION OF RESPONSIBLE AGENCY COMMENTS.**

The College, when acting as a responsible agency, may submit comments to a lead agency concerning environmental effects. (§15044)

**Article IV.**  
**APPLICABILITY OF CEQA**

**1300. GOVERNMENT ACTION.**

CEQA applies to discretionary government action. This may involve activities directly undertaken by the College, activities financed in whole or part by the College, or private activities that require approval by the College Board of Trustees. CEQA does not apply to ministerial activities of the College. (§§15002(i) & 15378)

**1301. TIME FOR COMPLIANCE.**

The College will comply with CEQA procedures as set forth in these Guidelines whenever the College proposes to carry out or approve an activity. CEQA review, preparation and certification of appropriate documentation will occur before granting authorization for such public projects. EIRs and Negative Declarations should be prepared as early as possible in the planning process to enable



environmental considerations to influence project program and design, yet late enough to provide meaningful information for environmental assessment. (§15004)

### **1302. DISCRETIONARY AND MINISTERIAL ACTIONS.**

CEQA applies in situations where the College is exercising its judgment in deciding how, and whether, to approve a proposed project. Such projects are called "discretionary" projects. A discretionary decision requires the exercise of judgment in deciding whether to approve or disapprove a particular activity. Discretionary projects may include the construction of new facilities, amendment of the College Master Plan, and other similar activities. (§15357)

On the other hand, the term "ministerial" describes a governmental decision involving little or no personal judgment by College officials as to the wisdom or manner of carrying out a project. These projects are not subject to CEQA review. For example, the issuance of course catalogs is a ministerial activity. (§15369)

### **1303. PROJECT.**

A "project" is defined as the whole of an action that might result in a physical change to the environment, directly or indirectly, and is:

- (a) An activity directly undertaken by the College including, but not limited to, construction of new buildings or facilities, installation of campus infrastructure, clearing or grading of land, expansion of existing College buildings or facilities, and adoption or amendment of the Master Plan for the College;
- (b) A physical project undertaken by a person which is supported in whole or in part through College contracts, grants, subsidies, loans, or other forms of assistance; or,
- (c) Any other activity involving the discretionary issuance to a person of a lease, permit, license, certificate or other entitlement granted by the College. (§15378)

### **1304. RESPONSIBILITY FOR COMPLIANCE.**

The Vice-President of Business and Administration shall serve as the College's CEQA Compliance Officer under these Guidelines and will ensure that these Guidelines are followed by the College. The CEQA Compliance Officer shall have primary responsibility for processing, reviewing or authorizing activities in compliance with these Guidelines. This includes preparing Initial Studies, deciding to prepare an EIR or Negative Declaration, retaining CEQA consultants, reviewing administrative drafts of EIRs and Negative Declarations, preparing and disseminating Notices of Exemption, Notices of Preparation, Notices of Determination and Notices of Completion.

The Board of Trustees shall be responsible for certifying EIRs and Negative Declarations, adopting Statements of Overriding Consideration, and approving discretionary projects. The Board of Trustees may, in appropriate circumstances, choose to confirm Notices of Exemption prepared by the CEQA Compliance Officer.

### **1305. ADVISORY ROLE OF THE CEQA COMPLIANCE OFFICER.**

The CEQA Compliance Officer, or that official's designee, may provide direction, guidance, advice and consultation to other College departments at their request with respect to interpretation of CEQA. Questions regarding whether and how CEQA applies to the operations of any department of the College should be directed to the CEQA Compliance Officer, i.e., the Vice-President of Business and Administration for the College.

### **1306. LEAD AGENCIES, RESPONSIBLE AGENCIES, TRUSTEE AGENCIES.**

A "lead agency" is the public agency that has the principal responsibility for carrying out or approving a project. The lead agency drafts the Initial Study and decides whether an EIR or Negative Declaration will be required. (§15051)

A "responsible agency" is any public agency, other than the lead agency, that has discretionary approval power over the project. For example, water or sewer connections, and street improvements for a given project may require City of Santa Monica review and approval, in which case the City would be a responsible agency. (§15381)

A "trustee agency" is a State agency that controls natural resources held in trust for the people of the State of California, and which may be affected by a proposed activity. (§15386)

## **Article V.**

### **DETAILED ENVIRONMENTAL REVIEW PROCEDURES**

#### **1400. INITIAL PROJECT REVIEW.**

Activities that are initiated by the College, funded in whole or part by the College, or require authorization or entitlement from the College are potentially subject to CEQA review. Most activities that are not exempt from CEQA will be reviewed or processed by the College's CEQA Compliance Officer.

#### **1401. REVIEW FOR EXEMPTION.**

All proposals or activities of the College must be reviewed to determine if one of the following exemptions is appropriate (§15002(k)(1)):

- (a) Not A Project Under CEQA. If a proposed activity is not a project, as defined in Section 1303 above, it is exempt from CEQA review. (§15378)
- (b) Statutory Exemptions. Certain activities have been exempted from CEQA by the Legislature. These exemptions include feasibility or planning studies, ministerial projects, and emergency actions. A list of the statutory exemptions relevant to the College CEQA Guidelines is included in Article VI of these Guidelines. This list may be updated from time to time. (§15260)
- (c) Categorical Exemptions. Certain classes or "categories" of projects have been determined by the State's Secretary for Resources to have an insignificant effect on the environment, and are known as categorical exemptions. Currently, the State CEQA

Guidelines recognize thirty-two classes of categorically exempt projects. A list of the categorical exemptions relevant to the College CEQA Guidelines is included as Article VII of these Guidelines. This list may be updated from time to time. (§15300)

One such categorical exemption, Class 14, exempts minor additions to existing schools within existing school grounds where the addition does not increase student capacity by more than 25% or ten classrooms, whichever is less. (See Section 3013 below.) Another of the categorical exemptions, Class 22, exempts the adoption, alteration or termination of educational or training programs which involve no physical changes other than alterations to the interior of existing school buildings. (See Section 3020 below.) The Class 22 exemption includes development of, or changes in, curriculum or training methods.

- (d) General Exemption. CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. However, subject to certain exceptions, any project that may cause significant environmental impacts, regardless of its listing as a statutory or categorical exemption, is subject to environmental review under CEQA. (§15061)

#### **1402. NOTICE OF EXEMPTION.**

If a determination is made that an activity is exempt from CEQA, then when and if the College approves or determines to carry out such a project, a Notice of Exemption may be filed with the County Clerk. This notice may be filed by the CEQA Compliance Officer. The notice will include a project description, the location, a finding that the project is exempt (including its exemption type) and a brief statement of reasons to support the finding. Filing a Notice of Exemption initiates a 35-day statute of limitations on legal challenges to the College's determination that the project is exempt. If such a notice is not filed, a 180-day statute of limitations shall generally apply to claimed exemptions. (§15062)

#### **1403. INITIAL STUDY AND DETERMINATION OF ENVIRONMENTAL SIGNIFICANCE.**

- (a) Purposes of an Initial Study. An Initial Study is a preliminary analysis prepared by the Lead Agency to determine whether to prepare an EIR or a Negative Declaration. Its purposes are to:
- (1) Provide the CEQA Compliance Officer with information for use when deciding whether to prepare an EIR or a Negative Declaration;
  - (2) Enable the College to consider whether to modify a project by mitigating any potentially significant adverse impacts before an EIR is prepared, thereby enabling the project to qualify for a Negative Declaration;
  - (3) Assist with the eventual preparation of an EIR, if one is required, by focusing on the effects considered to be significant, identifying the effects determined to be insignificant, explaining the reasons for determining the significance of each effect and

identifying whether a Program EIR, tiering, or another appropriate process can be used for evaluating a project;

- (4) Assess environmental impacts early in the design of a project;
  - (5) Document the factual basis for finding, in a Negative Declaration, that a project will not have a significant effect on the environment;
  - (6) Eliminate unnecessary EIRs; and,
  - (7) Determine whether a previously certified EIR can be used for the project. (§15063(c))
- (b) Project Information Required. A primary source of project information for the Initial Study is the Environmental Information Form, including a standard project impacts checklist. (See Appendix B.) This form will be utilized by the CEQA Compliance Officer to gather initial information about the project. (§15063(f))
- (c) Preparation and Content of Initial Studies. The Initial Study is normally prepared by the CEQA Compliance Officer. It includes the project description, environmental setting, environmental checklist, discussion of any impacts and mitigation measures, and the mitigation monitoring program (where applicable). Discussion statements should explain both affirmative and negative responses to each question or category of questions on the checklist (e.g., earth, air, etc.). Particularly complex projects may require special studies to complete the checklist.

All phases of project planning, implementation and operation must be considered in the Initial Study. In preparing the Initial Study, the CEQA Compliance Officer may need to consult with other College departments, outside public entities that may be responsible or trustee agencies for the project, and any individuals or organizations otherwise concerned. (§15063(d))

- (d) Determining Environmental Significance. A significant effect on the environment is any substantial adverse change in the physical conditions that exist at the proposed project. Current conditions include existing development, in addition to any projects that are approved but not yet constructed and any relevant reasonably foreseeable projects. If there is a preponderance of scientific and factual evidence that a project may have a significant effect, and the effect cannot be avoided or mitigated to a less than significant level (e.g., by mitigating the project), an EIR must be prepared.

There often is no iron-clad definition of what constitutes a significant effect because the significance of an activity may vary according to location. However, the evaluation must consider:

- (1) Primary or direct impacts, such as construction-related impacts of dust and noise;
- (2) Secondary or indirect impacts, such as those associated with growth resulting from additional infrastructure capacity (§15064(d)(2)); and,

- (3) Cumulative impacts, such as those resulting from the total effect of a group of proposed projects or programs, over time.

Significance will be judged by the intensity and longevity of the change, the size of the area affected, and deviation from existing conditions. (§15064)

- (e) Thresholds. The determination of whether or not a project will have a significant effect on the environment is based, in part, on the thresholds described in Article VIII. Thresholds are measures of environmental change that are quantitative for subjects like noise, air quality, and traffic; and qualitative for subjects like aesthetics, cultural resources and biology. They are intended to be used as guidelines and to augment existing CEQA provisions governing significance. Pending enactment of Article VIII, thresholds will be employed by the College on a case-by-case basis consistent with customary CEQA practices. (§15064.7)
- (f) Mandatory Findings of Significance. The CEQA Compliance Officer must prepare an EIR under any of the following circumstances:
  - (1) If the project has the potential to substantially degrade the quality of the environment, substantially reduce wildlife habitat, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of California history;
  - (2) If the project has the potential to achieve short-term environmental goals to the disadvantage of long-term goals;
  - (3) If the project has environmental effects that are individually limited, but cumulatively considerable. This means that the incremental effects of a project are significant when considering past projects, approved projects and probable future projects; or
  - (4) If the environmental effects will have substantial adverse effects on human beings, either directly or indirectly. For purposes of CEQA, economic and social effects are not considered environmental impacts, but may be used to help determine the significance of physical changes. (§15065)

#### **1404. PREPARATION OF NEGATIVE DECLARATIONS.**

- (a) When to Prepare a Negative Declaration. A Negative Declaration will be prepared for non-exempt projects when:
  - (1) The Initial Study shows that there is no substantial evidence that the project is likely to have a significant effect on the environment; or
  - (2) The Initial Study identified potentially significant effects, but:

- (i) By the time of completion of the Initial Study, the project is revised to avoid or mitigate the effects to a point where no significant effects are projected to occur; and
  - (ii) There is no substantial evidence that the project, as revised, may have a significant effect on the environment. (§15070)
- (b) Formulation of Mitigation Measures. If there is a potential for significant impacts, reasonable efforts should be made to identify and incorporate mitigation measures into the project design prior to completion of the Initial Study. If identified impacts can be mitigated to a non-significant level, the time and expense associated with preparation of an EIR can be avoided. Every known impact needs to be reduced in this fashion, or an EIR will be necessary. Creativity, reasonableness and practicality should be used in developing mitigation measures for identified impacts. Such mitigation measures can include:
- (1) Avoiding the impact altogether by eliminating a certain proposed action or parts of a proposed action;
  - (2) Minimizing impacts by limiting the degree or magnitude of the proposed action and its implementation;
  - (3) Repairing, rehabilitating, or restoring an impacted environment;
  - (4) Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the proposed action; and
  - (5) Compensating for the impact of a proposed action by replacing or providing substitute resources or environments. (§15370)
- (c) Mitigation Monitoring Programs. CEQA requires monitoring of mitigation measures. Lead agencies are required to monitor compliance with mitigation measures throughout project construction and implementation. The CEQA Compliance Officer is responsible for ensuring that mitigation monitoring occurs. For mitigation of complicated or technical impacts, a qualified consultant may sometimes be necessary. Accordingly, monitoring programs for each mitigation measure are required to be prepared and adopted as part of the environmental review process before a proposed project can be approved.

Monitoring programs will be tailored to report appropriately on a particular mitigation measure called for in the environmental review document, but generally will contain the following components: (a) procedures for monitoring the progress of mitigation during project construction and afterward, (b) a regular schedule for obtaining progress reports, (c) enforcement procedures, and (d) an on-site environmental coordinator to administer the program and act as a liaison between the CEQA Compliance Officer and the project team.

The CEQA Compliance Officer may also seek reporting or monitoring programs from outside agencies that have jurisdiction over the natural resources affected by the project. If outside agencies propose their own mitigation measures to be imposed on a particular project, such agencies are required to prepare and submit to the College's CEQA Compliance Officer a monitoring program related to those mitigation measures. (§15097)

- (d) Contents of Negative Declarations. A Negative Declaration consists of a description of the project, a location map, a summary of the conclusions reached in the Initial Study, a finding that the project will not have a significant impact, and a list of any mitigation measures included to avoid potentially significant effects. (§15071)
- (e) Public Notice. The CEQA Compliance Officer will notify the public of the intention to adopt a Negative Declaration and will provide opportunities to review it and any related documents. The notice should be posted in the County Clerk's Office at least twenty (20) days prior to approving the project and will be mailed to all persons and any responsible agencies or trustees who have previously filed a written request with the College for such a copy. As an additional form of dissemination not required by law, the CEQA Compliance Officer will also post this notice on the College webpage. (§15072) The CEQA Compliance Officer may, in his discretion, provide public notice in additional ways not required by law.

Public notice will also be provided in at least one of the ways specified in State CEQA Guidelines § 15072(b)(1)-(3). These include, but are not limited to, publication in a local newspaper, posting on and off the project site, and direct mailing to owners and occupants of properties located contiguous to the project. The CEQA Compliance Officer may select a method of compliance with this requirement.

If the Negative Declaration is to be reviewed by a responsible or trustee agency, a Notice of Completion and ten copies of the Initial Study and Negative Declaration will be sent to the State Clearinghouse. The review period for these materials shall be 30 days. (§15205).

- (f) Consideration and Approval of Negative Declarations. Prior to or concurrent with project approval, the College Board of Trustees will consider the proposed Negative Declaration, together with any comments received during the review process. The Board of Trustees will approve the Negative Declaration if a majority of the Board finds, on the basis of the entire record, that there is no substantial evidence of significant effects on the environment resulting from the proposed project. (§15074)
- (g) Notice of Determination. After project approval, the CEQA Compliance Officer will file a Notice of Determination with the County Clerk. This notice should be filed and posted within five working days following project approval. If the project requires a discretionary approval from any State agency, the notice will also be filed with the Governor's Office of Planning and Research. Filing and posting the Notice of Determination shall commence a 30-day statute of limitations on judicial challenges to CEQA compliance. As an

additional form of dissemination not required by law, the CEQA Compliance Officer will also post the Notice of Determination on the College webpage. (§15075) The CEQA Compliance Officer may, in its discretion, provide public notice in additional ways not required by law.

#### **1405. PREPARATION OF ENVIRONMENTAL IMPACT REPORTS (EIRs).**

- (a) Decision to Prepare an EIR. If the Initial Study determines that a project may have a significant effect on the environment which cannot be eliminated by changing the project or adding mitigation measures, the CEQA Compliance Officer will initiate the preparation of an EIR for the College. (§15064)
- (b) Notice of Preparation. After determining that an EIR is required, the CEQA Compliance Officer will prepare and distribute a Notice of Preparation (NOP) of the EIR. The purpose of this NOP is to inform responsible agencies, neighboring jurisdictions, area residents, and interested organizations that such an EIR is being prepared.

The NOP will be sent to adjacent property owners, individuals or organizations who have previously requested such notification, and to any affected local, regional, or Federal agencies. If any State agency is affected, the NOP will also be sent to the Office of Planning and Research for distribution. As an additional form of dissemination not required by law, the CEQA Compliance Officer will also post the NOP on the College webpage. Unless otherwise specified, the response period for the NOP shall be 30 days. (§15082)

- (c) Scope of an EIR. The breadth of analysis in the EIR will be determined by the Initial Study and responses to the NOP. The EIR should focus on potentially significant impacts, and it need not discuss items determined to be insignificant by the Initial Study and items not raised in response to the NOP.

At the discretion of the CEQA Compliance Officer, a community scoping meeting may be conducted for projects of unusual scope or complexity. Scoping is sometimes an effective way to bring together and evaluate the concerns of interested or affected individuals. (§15082)

- (d) Types of EIRs. In order to allow environmental review to occur as efficiently as possible, CEQA allows for the preparation of different types of EIRs. (§15160) Various types of EIRs are summarized below.

- (1) The most common type of EIR is a Project EIR. A Project EIR examines the environmental impacts of a specific development proposal. This type of EIR focuses on changes to the environment that would result from the project, examining all phases of the project including planning, construction and operation.

- (2) A Subsequent EIR may be appropriate if an EIR has already been prepared but there have been:



- (i) Substantial changes in a project which require major revisions to a previous EIR; or
  - (ii) Substantial changes in the circumstances affecting a project (such as environmental deterioration) which require major revisions of a previous EIR; or
  - (iii) New information of substantial importance that was not previously known and could not have been known with the exercise of reasonable diligence; provided that (w) the project will have one or more significant effects not discussed in the previous EIR, (x) previously identified significant effects of the project will be substantially more severe than described in the previous EIR, (y) mitigation measures or project alternatives previously found infeasible would now be feasible and would substantially reduce one or more significant effects, but the changes are nonetheless otherwise not acceptable to the College, or (z) mitigation measures or project 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 changes are not believed to be acceptable to the College. (§15162)
- (3) Where changes to a previous EIR are minor, with respect to either project characteristics or the environmental circumstances, a Supplement to an EIR (§15163) or an Addendum to an EIR (§15164) may be appropriate.
- (4) Other types of EIRs include: Program EIRs for multiple or phased projects (§15168), General Plan (or Master Plan) EIRs (§15166), Staged EIRs (§15167), Master Environmental Assessments (MEA) (§15169), and joint Environmental Impact Report/ Environmental Impact Statements (EIR/EIS) (§15170). The purposes and contents of such EIRs are set forth in the State CEQA Guidelines and will not be repeated here.
- (e) Contents of EIRs. The required contents of EIRs, as set forth in Article 9 of the State CEQA Guidelines, are hereby incorporated by reference. To assure that the content requirements are satisfied, the State CEQA Guidelines should be followed. (§15120) Normally an EIR will include the following: a table of contents or index (§15122), an executive summary often in the form of a table (§15123), a sufficiently detailed project description (§15124), a description of the environmental setting (§15125), a discussion of the environmental effects of the proposed project (§15126), an identification of any significant environmental impacts of the proposed project (§15126.2), a discussion of mitigation measures (§15126.4), a discussion of project alternatives (§15126.6), a statement of the reasons why various possible significant effects were determined not to be significant (§15128), a list of organizations and persons consulted (§15129) and a cumulative impacts discussion (§15130).
- (f) Preparation of Administrative Draft EIR. The pre-circulation draft of the EIR is referred to as the Administrative Draft, or sometimes the “screen check draft” prepared by an environmental science consultant or other qualified professional retained by the CEQA Compliance Officer to evaluate the environmental effects of a proposed project. This

Administrative Draft is considered a working document and will be reviewed by the CEQA Compliance Officer and any other members of College staff if requested to do so by the CEQA Compliance Officer. The Administrative Draft shall not be available for public review. The purpose of the CEQA Compliance Officer's review of Administrative Draft EIRs is to evaluate them for adequacy and accuracy prior to public circulation. Generally, the CEQA Compliance Officer's review of the Administrative Draft EIR will be concluded within a few weeks, at which time comments may be provided to the College's EIR consultant, who will then prepare the Draft EIR. Final approval of the Draft EIR before its release for public comment rests with the CEQA Compliance Officer.

The CEQA Compliance Officer will provide the EIR consultant with all the available and pertinent plans, maps, and other information that assist in preparing the Administrative Draft EIR. (§15084)

- (g) Notice of Completion of Draft EIRs. Once a Draft EIR has been completed and is ready for public circulation, a Notice of Completion will be filed with the Governor's Office of Planning and Research (OPR). The Notice of Completion will include a project description, the project location, a listing of where copies of the Draft EIR are available, and the public comment period. (§15085)
- (h) Public Review of Draft EIRs. At the time the Notice of Completion is filed with OPR, written notice of the availability of the Draft EIR will be mailed to adjacent property owners, individuals or organizations who have previously requested such notification, and to any affected local, regional, State or Federal agencies. As an additional form of dissemination not required by law, the CEQA Compliance Officer will also post the Notice of Completion on the College webpage. The CEQA Compliance Officer may, in its discretion, provide public notice in additional ways not required by law. The time for public review and comment on Draft EIRs shall be not less than 30 days and not longer than 60 days. (§15105)

Public notice of the Draft EIR will also be provided in at least one of the manners specified in State CEQA Guidelines § 15087(a)(1)-(3). These include, but are not limited to, publication in a local newspaper, posting on and off the project site, and direct mailing to owners and occupants of properties located contiguous to the project. The CEQA Compliance Officer may select its method for compliance with this requirement.

The public notice will include the name of the staff person at the College to contact about the Draft EIR, the length of the public review period, and the deadline for receipt of comments. Copies of the Draft EIR will be sent to all agencies that commented on the Notice of Preparation (copies for State agencies are to be distributed through the State Clearinghouse). The Draft EIR should be prepared in both electronic form (either a computer diskette or CD-ROM) and printed form for ease of distribution. If desired, the CEQA Compliance Officer may post the Draft EIR on the College webpage. (§15087)

- (i) Evaluation of Responses to Comments. After the review period for a Draft EIR closes, the CEQA Compliance Officer will assemble all written comments received from the public, including other public agencies. Those comments will then be transmitted to the

consultant for preparation of the Final EIR, including the "Response to Comments." The CEQA Compliance Officer may work with the consultant to assist with the determination of the following:

- (1) Which comments address environmental impacts and mitigation; written responses will be provided to this category of public comments;
- (2) Which comments address the merits of the project (as distinguished from environmental impacts of the project) and do not require a response, but should be noted for the record;
- (3) Which comments are beyond the scope of environmental review (such as legal interpretations); and
- (4) Which comments on impacts are too speculative for evaluation.

Written responses will be provided for all comments unless a response is not appropriate, in which case an explanation will be provided as to why a response is not warranted. (§15088)

- (j) Preparation of Final EIRs. The Final EIR will consist of the Draft EIR, comments received, a list of persons and organizations who submitted comments, the responses to public comments, and any corrections and additions to the Draft EIR. The Final EIR will be prepared by the College's consultant, working in consultation with the CEQA Compliance Officer. The Final EIR should be prepared in both electronic form (either a computer diskette or CD-ROM) and printed form for ease of distribution. If desired, the CEQA Compliance Officer may post the Final EIR on its webpage. (§15089)
- (k) Certification of Final EIRs. All Final EIRs prepared by the College will be submitted to the Board of Trustees for review and certification. Such review will be conducted at a public hearing. The Final EIR must be certified before the proposed project can be approved. In determining whether to certify a Final EIR, the Board of Trustees will determine whether the EIR has been prepared in compliance with CEQA. In certifying a Final EIR, the Board of Trustees must confirm that the Final EIR reflects the independent judgment and analysis of the College. (§15090)
- (l) Findings. The Board of Trustees may not approve or carry out a project for which an EIR identifies one or more significant environmental effects unless the Board of Trustees makes one or more written findings for each of the significant effects, accompanied by a brief explanation of the rationale for each finding. Findings must be supported by substantial evidence in the record of project review. The possible findings are:
  - (1) Changes have been incorporated into the project that avoid or substantially lessen the significant environmental effects as identified in the Final EIR.

- (2) Changes that would avoid or substantially lessen the significant environmental effects are within the jurisdiction of another public agency or have already been adopted by another agency.
- (3) Specific economic, legal, social, technological or other considerations render the mitigation measures or project alternatives identified in the EIR infeasible. (§15091)
- (m) Approval. After considering the Final EIR, the Board of Trustees may not approve a proposed project for which the EIR was prepared unless either (i) the proposed project, as approved, will not have a significant effect on the environment; or (ii) all avoidable significant adverse effects on the environment have been eliminated or substantially lessened, and any remaining significant effects on the environment are determined to be unavoidable based on the categories of findings described immediately above and are acceptable based on the overriding considerations described immediately below. (§15092)
- (n) Statement of Overriding Considerations. If the economic, legal, social, technological or other benefits of a proposed project outweigh the unavoidable adverse effects, such effects may be considered "acceptable." If the Board of Trustees approves a project that allows the occurrence of significant effects, it must adopt a Statement of Overriding Considerations that states specific reasons to support its action based on the Final EIR and/or other information in the record. (§15093)
- (o) Notice of Determination. After project approval, the CEQA Compliance Officer will file a Notice of Determination with the Office of Planning and Research, and with the County Clerk. This notice should be filed and posted within five working days following project approval. Filing and posting the Notice of Determination commences a 30-day statute of limitations on judicial challenges to CEQA compliance. As an additional form of dissemination not required by law, the CEQA Compliance Officer will also post the Notice of Determination on the College webpage. (§15094)

#### **1406. POLICY OF PUBLIC ACCOUNTABILITY.**

The College has a strong commitment to public participation and accountability. This commitment is reflected in these Guidelines. This commitment includes notifying the public of matters called for under these Guidelines, holding hearings on proposed projects and EIRs and Negative Declarations, making environmental studies available to the public, and posting matters of interest on the College webpage. The CEQA Compliance Officer shall have responsibility for ensuring that matters related to CEQA compliance are satisfied in the manner legally required and locally appropriate consistent with the College's commitment to public participation.

## **Article VI STATUTORY EXEMPTIONS**

### **2000. GENERAL.**

This Article describes various exemptions from CEQA granted by the legislature. The exemptions take several forms. Some exemptions are complete exemptions from CEQA. Other exemptions apply to only part of the requirements of CEQA, and still other exemptions apply only to the timing of CEQA compliance. (§ 15260)

### **2001. ONGOING PROJECTS.**

For any ongoing projects approved prior to November 23, 1970, the project is exempt from CEQA unless either of the following conditions exists:

- (a) A substantial portion of public funds allocated for the project have not been spent, and it is still feasible to modify the project to mitigate potentially adverse environmental effects, or to choose feasible alternatives to the project, including the alternative of “no project” or halting the project; provided that a project subject to the National Environmental Policy Act (NEPA) shall be exempt from CEQA as an ongoing project if, under regulations promulgated under NEPA, the project would be too far advanced as of January 1, 1970, to require preparation of an Environmental Impact Statement (EIS).
- (b) The College proposes to modify the project in such a way that the project might have a new significant effect on the environment. (§ 15261)

### **2002. FEASIBILITY AND PLANNING STUDIES.**

A project involving only feasibility or planning studies for possible future actions which the College has not approved, adopted, or funded does not require the preparation of an EIR or negative declaration but does require consideration of environmental factors. This section does not apply to the adoption of a plan that will have a legally binding effect on later activities. (§ 15262)

### **2003. ADOPTION OF LONG-RANGE LAND USE DEVELOPMENT PLANS.**

To the extent such activities and approvals are subject to the California Coastal Act (Pub. Res. Code §§ 30000, *et seq.*), CEQA does not apply to those activities and approvals taken by the College as necessary for the preparation and adoption of a long-range land use development plan. CEQA does apply to the certification of a long-range land use development plan by the California Coastal Commission. This provision shifts the burden of CEQA compliance from the College to the California Coastal Commission. (§ 15265)

#### **2004. MINISTERIAL PROJECTS.**

Ministerial projects are exempt from the requirements of CEQA. The determination of what is “ministerial” will be made by the CEQA Compliance Officer based on the College’s CEQA Guidelines and on an examination of the nature of the proposed project.

#### **2005. EMERGENCY PROJECTS.**

The following emergency projects are exempt from the requirements of CEQA:

- (a) Projects to maintain, repair, restore, demolish, or replace property or facilities damaged or destroyed as a result of a disaster in a disaster stricken area in which a state of emergency has been proclaimed by the Governor pursuant to the California Emergency Services Act, commencing with Section 8550 of the Government Code. This includes projects that will remove, destroy, or significantly alter an historical resource when that resource represents an imminent threat to the public of bodily harm or of damage to adjacent property or when the project has received a determination by the State Office of Historic Preservation pursuant to Section 5028(b) of Public Resources Code.
- (b) Emergency repairs necessary to maintain service essential to the public health, safety or welfare.
- (c) Specific actions necessary to prevent or mitigate an emergency. This does not include long-term projects undertaken for the purpose of preventing or mitigating a situation that has a low probability of occurrence in the short-term.
- (d) Projects undertaken, carried out, or approved to maintain, repair, or restore an existing highway damaged by fire, flood, storm, earthquake, land subsidence, gradual earth movement, or landslide, provided that the project is within the existing right of way of that highway and is initiated within one year of the damage occurring. This exemption does not apply to highways designated as official state scenic highways, nor any project undertaken, carried out, or approved to expand or widen a highway damaged by fire, flood, storm, earthquake, land subsidence, gradual earth movement, or landslide.
- (e) Seismic work on highways and bridges pursuant to Section 180.2 of the Streets and Highways Code. (§ 15269)

#### **2006. PROJECTS WHICH ARE DISAPPROVED.**

CEQA does not apply to projects which are rejected or disapproved. This exemption is intended to allow an initial screening of projects on the merits for quick disapproval prior to the initiation of the CEQA process whenever the College determines that the project cannot be approved. (§ 15270)

## **2007. EARLY ACTIVITIES RELATED TO THERMAL POWER PLANTS.**

CEQA does not apply to actions relating to any thermal power plant site or facility, including the expenditure, obligation, or encumbrance of funds by the College for planning, engineering, or design purposes, or for the conditional sale or purchase of equipment, fuel, water (except groundwater), steam, or power for such a thermal power plant, if the thermal power plant site and related facility will be the subject of an EIR or negative declaration or other document or documents prepared pursuant to a regulatory program certified pursuant to Public Resources Code Section 21080.5, which will be prepared by: (1) the State Energy Resources Conservation and Development Commission, (2) the Public Utilities Commission, or (3) the city or county in which the power plant and related facility would be located. This section acts to delay the timing of CEQA compliance from the early activities of a utility to the time when a regulatory agency is requested to approve the thermal power plant and shifts the responsibility for preparing the document to the regulatory agency. (§ 15271)

## **2008. OLYMPIC GAMES.**

CEQA does not apply to activities or approvals necessary to the bidding for, hosting or staging of, and funding or carrying out of, Olympic Games under the authority of the International Olympic Committee, except for the construction of facilities necessary for such Olympic Games. If the facilities are required by the International Olympic Committee as a condition of being awarded the Olympic Games, the lead agency need not discuss the “no project” alternative in an EIR with respect to those facilities. (§ 15272)

## **2009. RATES, TOLLS, FARES AND CHARGES.**

CEQA does not apply to the establishment, modification, structuring, restructuring or approval of rates, tolls, fares and other charges which the College finds are for the purpose of:

- (a) Meeting operating expenses, including employee wage rates and fringe benefits,
- (b) Purchasing or leasing supplies, equipment or materials,
- (c) Meeting financial reserve needs and requirements, or
- (d) Obtaining funds for capital projects, necessary to maintain service within existing service area.

The College shall incorporate written findings in the record of any proceeding in which such an exemption is claimed setting forth with specificity the basis for the claim of exemption. (§ 15273)

## **2010. FAMILY DAY CARE HOMES.**

CEQA does not apply to establishment or operation of a large family day care home, which provides in-home care for up to twelve children, as defined in Section 1596.78 of the Health and Safety Code. Furthermore, pursuant to the Health and Safety Code, the establishment or operation of a small family day care home is a ministerial action which is not subject to CEQA. (§ 15274)

## **2011. SPECIFIED MASS TRANSIT PROJECTS.**

CEQA does not apply to the following mass transit projects:

- (a) The institution or increase of passenger or commuter service on rail lines or high-occupancy vehicle lanes already in use, including the modernization of existing stations and parking facilities; nor
- (b) Facility extensions not to exceed four miles in length which are required for transfer of passengers from or to exclusive public mass transit guideway or busway public transit services. (§ 15275)

## **2012. TRANSPORTATION IMPROVEMENT AND CONGESTION MANAGEMENT PROGRAMS.**

CEQA does not apply to the development or adoption of a regional transportation improvement program, nor does CEQA apply to preparation and adoption of a congestion management program. (§ 15276)

## **2013. PROJECTS LOCATED OUTSIDE CALIFORNIA.**

CEQA does not apply to any project or portion thereof located outside of California which will be subject to environmental impact review pursuant to NEPA or pursuant to a law of that state requiring preparation of a document containing essentially the same points of analysis as in an environmental impact statement prepared under NEPA. Any emissions or discharges that would have a significant effect on the environment in the State of California are subject to CEQA where a California public agency has authority over the emissions or discharges. (§ 15277)

## **2014. LOWER INCOME HOUSING PROJECTS.**

- (a) CEQA does not apply to any development project which consists of the construction, conversion, or use of residential housing consisting of not more than 45 units in an urbanized area, provided that it is either:
  - (1) Affordable to lower-income households, as defined in Section 50079.5 of the Health and Safety Code, and the developer provides sufficient legal commitments to the appropriate local agency to ensure that the housing units will continue to be available to lower income households for a period of at least 15 years; or
  - (2) Affordable to low and moderate-income households, as defined in paragraph (2) of subdivision (h) of Section 65589.5 of the Government Code, at monthly housing costs determined pursuant to paragraph (2) of subdivision (h) of Section 65589.5 of the Government Code.

- (b) The development must also meet all the following criteria:



- (1) It is consistent with the local jurisdiction's general plan as it existed on the date the project application was deemed complete.
  - (2) It is consistent with the local zoning as it existed on the date the project application was deemed complete, unless the zoning is inconsistent with the general plan because the City, county, or city and county has not rezoned the property to bring it into consistency with the general plan.
  - (3) Its site has been previously developed or is currently developed with urban uses, or the immediately contiguous properties surrounding the site are or have been previously developed with urban uses.
  - (4) Its site is not more than two acres in area.
  - (5) Its site is, or can be, adequately served by utilities.
  - (6) Its site has no value as wildlife habitat.
  - (7) It will not involve the demolition of, or any substantial adverse change in, any district, landmark, object, building, structure, site, area, or place that is listed, or determined to be eligible for listing in the California Register of Historical Resources.
  - (8) Its site is not included on any list of hazardous waste or other facilities and sites compiled pursuant to Section 65962.5 of the Government Code, and the site has been subject to an assessment by a California registered environmental assessor to determine both the presence of hazard contaminants, if any, and the potential for exposure of site occupants to significant health hazards from nearby properties and activities.
- (c) For purposes of this section, "urbanized area" means an area that has population density of at least 1000 persons per square mile.
- (d) If hazardous contaminants are found on the site, they must be removed or any significant effects mitigated to a level of insignificance in order to apply this exemption. If a potential for exposure to significant health hazards from nearby properties and activities is found to exist, the effects of the potential exposure must be mitigated to a level of insignificance in order to apply this exemption. Any removal or mitigation to insignificance must be completed prior to any residential occupancy of the project.
- (e) This section does not apply if there is a reasonable possibility that the project would have a significant effect on the environment due to unusual circumstances or due to the related or cumulative impacts of reasonably foreseeable other projects in the vicinity. (§ 15280)

## 2015. AIR QUALITY PERMITS.

CEQA does not apply to the issuance, modification, amendment, or renewal of any permit by an air pollution control district or air quality management district pursuant to Title V, as defined in Section 39053.3 of the Health and Safety Code, or pursuant to an air district Title V program established under Sections 42301.10, 42301.11 and 42301.12 of the Health and Safety Code, unless the issuance, modification, amendment, or renewal authorizes a physical or operational change to a source or facility. (§ 15281)

## 2016. OTHER STATUTORY EXEMPTIONS.

The following is a list of existing statutory exemptions. Each subsection summarizes statutory exemptions found in CEQA. This list is merely a reference tool.

(a) The notification of discovery of Native American burial sites as set forth in Section 5097.98(c) of the Public Resources Code.

(b) Specified prison facilities as set forth in Sections 21080.01, 21080.02, 21080.03 and 21080.07 of the Public Resources Code.

\* \* \*

(d) Any activity or approval necessary for or incidental to project funding or authorization for the expenditure of funds for the project, by the Rural Economic Development Infrastructure Panel as set forth in Section 21080.08 of the Public Resources Code.

(e) The construction of housing or neighborhood commercial facilities in an urbanized area pursuant to the provisions of Section 21080.7 of the Public Resources Code.

(f) The conversion of an existing rental mobile home park to a resident initiated subdivision, cooperative, or condominium for mobile homes as set forth in Section 21080.8 of the Public Resources Code.

(g) Settlements of title and boundary problems by the State Lands Commission and to exchanges or leases in connection with those settlements as set forth in Section 21080.11 of the Public Resources Code.

\* \* \*

(j) The closing of any public school or the transfer of students from that public school to another school in which kindergarten or any grades 1 through 12 is maintained as set forth in 21080.18 of the Public Resources Code.

(k) A project for restriping streets or highways to relieve traffic congestion as set forth in Section 21080.19 of the Public Resources Code.

- (l) The installation of new pipeline or maintenance, repair, restoration, removal, or demolition of an existing pipeline as set forth in Section 21080.21 of the Public Resources Code, as long as the project does not exceed one mile in length.

**Article VII**  
**CATEGORICAL EXEMPTIONS**

**3000. CATEGORICAL EXEMPTIONS.**

The California State Secretary for Resources has found that the following classes of projects do not have a significant effect on the environment, and they are declared to be categorically exempt from the requirement for the preparation of environmental documents. (§ 15300) Most of those classes of exemptions are listed below. Those that are not listed below may be found in Article 19 of the State CEQA Guidelines.

**3001. RELATION TO MINISTERIAL PROJECTS.**

Section 21080 of the Public Resources Code exempts from the application of CEQA those projects over which public agencies exercise only ministerial authority. Since ministerial projects are already exempt, categorical exemptions should be applied only where a project is not ministerial under a public agency's statutes and ordinances. The inclusion of activities which may be ministerial within the classes and examples contained below shall not be construed as meaning that such activity is discretionary. (§ 15300.1)

**3002. EXCEPTIONS.**

- (a) Location. Classes 3, 4, 5, 6 and 11 are qualified by consideration of where the project is to be located -- a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply in all instances, except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state or local agencies.
- (b) Cumulative Impact. All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.
- (c) Significant Effect. A categorical exemption will not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.
- (d) Scenic Highways. A categorical exemption will not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway. This does not apply to improvements which are required as mitigation by an adopted negative declaration or certified EIR.
- (e) Hazardous Waste Sites. A categorical exemption will not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.

- (f) Historical Resources. A categorical exemption will not be used for a project which may cause a substantial adverse change in the significance of a historical resource. (§15300.2)

### **3003. EXISTING FACILITIES.**

Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. The types of "existing facilities" itemized below are not intended to be all-inclusive of the types of projects which might fall within Class 1. The key consideration is whether the project involves negligible or no expansion of an existing use.

Examples include, but are not limited to:

- (a) Interior or exterior alterations involving such things as interior partitions, plumbing, and electrical conveyances;
- (b) Existing facilities of both investor and publicly-owned utilities used to provide electric power, natural gas, sewerage or other public utility services;
- (c) Replacement or reconstruction of existing schools and hospitals to provide earthquake resistant structures which do not increase capacity more than 50 percent;
- (d) Replacement of a commercial structure with a new structure of substantially the same size, purpose and capacity;
- (e) Replacement or reconstruction of existing utility systems and/or facilities involving negligible or no expansion of capacity; and
- (f) Conversion of overhead electric utility distribution system facilities to underground including connection to existing overhead electric utility distribution lines where the surface is restored to the condition existing prior to the undergrounding. (§ 15301)

### **3004. NEW CONSTRUCTION OR CONVERSION OF SMALL STRUCTURES.**

Class 3 consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. The numbers of structures described in this section are the maximum allowable on any legal parcel. Examples of this exemption include, but are not limited to:

- (a) One single-family residence, or a second dwelling unit in a residential zone. In urbanized areas, up to three single-family residences may be constructed or converted under this exemption.

- (b) A duplex or similar multi-family residential structure totaling no more than four dwelling units. In urbanized areas, this exemption applies to apartments, duplexes and similar structures designed for not more than six dwelling units.
- (c) A store, motel, office, restaurant or similar structure not involving the use of significant amounts of hazardous substances and not exceeding 2,500 square feet in floor area. In urbanized areas, the exemption also applies to up to four such commercial buildings not exceeding 10,000 square feet in floor area on sites zoned for such use, if not public services and facilities are available and the surrounding area is not environmentally sensitive.
- (d) Water main, sewage, electrical, gas and other utility extensions, including street improvements, of reasonable length to serve such construction.
- (e) Accessory (appurtenant) structures including garages, carports, patios, swimming pools and fences. This exemption does not apply to public swimming pools.
- (f) An accessory steam sterilization unit for the treatment of medical waste at a facility occupied by a medical waste generator, provided that the unit is installed and operated in accordance with the Medical Waste Management Act (Health & Safety Code §§ 117600, *et seq.*) and accepts no offsite waste. (§ 15303)

### **3005. MINOR ALTERATIONS TO LAND.**

Class 4 consists of minor public or private alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy, mature, scenic trees except for forestry and agricultural purposes. Examples include, but are not limited to:

- (a) Grading on land with a slope of less than 10 percent, except that grading shall not be exempt in a waterway, in any wetland, in an officially designated (by federal, state or local government action) scenic area, or in officially mapped areas of severe geologic hazard such as an Alquist-Priolo Earthquake Fault Zone or within an official Seismic Hazard Zone, as delineated by the State Geologist;
- (b) New gardening or landscaping, including the replacement of existing conventional landscaping with water efficient or fire resistant landscaping;
- (c) Filling of earth into previously excavated land with material compatible with the natural features of the site;
- (d) Minor alterations in land, water and vegetation on existing officially designated wildlife management areas or fish production facilities which result in improvement of habitat for fish and wildlife resources or greater fish production;
- (e) Minor temporary use of land having negligible or no permanent effects on the environment, including carnivals, sales of Christmas trees, etc.;

- (f) Minor trenching and backfilling where the surface is restored;
- (g) Maintenance dredging where the spoil is deposited in a spoil area authorized by all applicable state and federal regulatory agencies;
- (h) The creation of bicycle lanes on existing rights-of-way; and
- (i) Fuel management activities within 30 feet of structures to reduce the volume of flammable vegetation, provided that the activities will not result in the taking of endangered, rare or threatened plant or animal species or significant erosion and sedimentation of surface waters. This exemption shall apply to fuel management activities within 100 feet of a structure if the public agency having fire protection responsibility for the area has determined that 100 feet of fuel clearance is required due to extra hazardous fire conditions. (§ 15304)

**3006. MINOR ALTERATIONS IN LAND USE LIMITATIONS.**

Class 5 consists of minor alterations in land use limitations in areas with an average slope of less than 20 percent, which do not result in any changes in land use or density, including but not limited to:

- (a) Minor lot line adjustments, side yard and set back variances not resulting in the creation of any new parcel;
- (b) Issuance of minor encroachment permits; and
- (c) Reversion to acreage in accordance with the Subdivision Map Act. (§ 15305)

**3007. INFORMATION COLLECTION.**

Class 6 consists of basic data collection, research, experimental management, and resource evaluation activities which do not result in a serious or major disturbance to an environmental resource. These may be strictly for information gathering purposes, or as part of a study leading to an action which a public agency has not yet approved, adopted or funded. (§ 15306)

**3008. ACTIONS FOR PROTECTION OF NATURAL RESOURCES.**

Class 7 consists of actions taken to assure the maintenance, restoration or enhancement of a natural resource where the regulatory process involves procedures for protection of the environment. Construction activities are not included in this exemption. (§ 15307)

**3009. ACTIONS FOR PROTECTION OF THE ENVIRONMENT.**

Class 8 consists of actions taken to assure the maintenance, restoration, enhancement, or protection of the environment where the regulatory process involves procedures for protection of the environment. Construction activities and relaxation of standards allowing environmental degradation are not included in this exemption. (§ 15308)

### **3010. INSPECTIONS.**

Class 9 consists of activities limited entirely to inspections, to check for performance of an operation, or quality, health or safety of a project, including related activities such as inspection for possible mislabeling, misrepresentation or adulteration of products. (§ 15309)

### **3011. ACCESSORY STRUCTURES.**

Class 11 consists of construction or replacement of minor structures accessory to (appurtenant to) existing commercial, industrial or institutional facilities, including but not limited to: (a) on-premise signs; (b) small parking lots; and (c) placement of seasonal or temporary use items such as lifeguard towers, mobile food units, portable restrooms or similar items in generally the same locations from time to time in publicly owned parks, stadiums or other facilities designed for public use. (§ 15311)

### **3012. SURPLUS GOVERNMENT PROPERTY SALES.**

Class 12 consists of sales of surplus government property except for parcels of land located in an area of statewide, regional or area wide concern. However, even if the surplus property to be sold is located in any of those areas, its sale is exempt if:

- (a) The property does not have significant values for wildlife habitat or other environmental purposes, and
- (b) Any of the following conditions exist:
  - (1) The property is of such size, shape or inaccessibility that it is incapable of independent development or use; or
  - (2) The property to be sold would qualify for an exemption under any other class of categorical exemption in these guidelines; or
  - (3) The use of the property and adjacent property has not changed since the time of purchase by the public agency. (§ 15312)

### **3013. MINOR ADDITIONS TO SCHOOLS.**

Class 14 consists of minor additions to existing schools within existing school grounds where the addition does not increase student capacity by more than 25 percent or ten classrooms, whichever is less. The addition of portable classrooms is included in this exemption. (§ 15314)

### **3014. MINOR LAND DIVISIONS.**

Class 15 consists of the division of property in urbanized areas zoned for residential, commercial, or industrial use into four or fewer parcels when the division is in conformance with the General Plan and zoning, no variances or exceptions are required, all services and access to the



proposed parcels to local standards are available, the parcel was not involved in a division of a larger parcel within the previous 2 years, and the parcel does not have an average slope greater than 20 percent. (§ 15315)

### **3015. TRANSFER OF OWNERSHIP OF LAND IN ORDER TO CREATE PARKS.**

Class 16 consists of the acquisition, sale, or other transfer of land in order to establish a park where the land is in a natural condition or contains historical or archaeological resources and either:

- (a) The management plan for the park has not been prepared, or
- (b) The management plan proposes to keep the area in a natural condition or preserve the historical or archaeological resources. CEQA will apply when a management plan is proposed that will change the area from its natural condition or cause substantial adverse change in the significance of the historic or archaeological resource. (§ 15316)

### **3016. OPEN SPACE CONTRACTS OR EASEMENTS.**

Class 17 consists of the establishment of agricultural preserves, the making and renewing of open space contracts under the Williamson Act, or the acceptance of easements or fee interests in order to maintain the open space character of the area. The cancellation of such preserves, contracts, interests, or easements is not included and will normally be an action subject to the CEQA process. (§ 15317)

### **3017. ANNEXATIONS OF EXISTING FACILITIES AND LOTS FOR EXEMPT FACILITIES.**

Class 19 consists of only the following annexations:

- (a) Annexations of areas containing existing public or private structures developed to the density allowed by the current zoning or pre-zoning of either the gaining or losing governmental agency whichever is more restrictive, provided, however, that the extension of utility services to the existing facilities would have a capacity to serve only the existing facilities; and
- (b) Annexations of individual small parcels of the minimum size for facilities exempted by Class 3, New Construction or Conversion of Small Structures. (§ 15319)

### **3018. CHANGES IN ORGANIZATION OF THE COLLEGE.**

Class 20 consists of changes in the organization or reorganization of local governmental agencies such as the College where the changes do not change the geographical area in which previously existing powers are exercised. Examples include but are not limited to:

- (a) Establishment of a subsidiary district; and
- (b) Consolidation of two or more districts having identical powers. (§ 15320)

### **3019. ENFORCEMENT ACTIONS.**

Class 21 consists of:

- (a) Actions to enforce or revoke a lease, permit, license, certificate, or other entitlement for use issued, adopted, or prescribed by the College or enforcement of a law, general rule, standard, or objective, administered or adopted by the College. Such actions include, but are not limited to:
  - (1) The direct referral of a violation of lease, permit, license, certificate, or entitlement for use or of a general rule, standard, or objective to the General or Special Counsel for the College for judicial enforcement; and
  - (2) The adoption of an administrative decision or order enforcing or revoking the lease, permit, license, certificate, or entitlement for use or enforcing the general rule, standard, or objective.
- (b) Law enforcement activities by peace officers of the College.

Construction activities are not included in this exemption. (§ 15321)

### **3020. EDUCATIONAL OR TRAINING PROGRAMS INVOLVING NO PHYSICAL CHANGES.**

Class 22 consists of the adoption, alteration, or termination of educational or training programs which involve no physical alteration in the area affected or which involve physical changes only in the interior of existing school or training structures. Examples include, but are not limited to:

- (a) Development of or changes in curriculum or training methods.
- (b) Changes in the grade structure in a school which do not result in changes in student transportation. (§ 15322)

### **3021. NORMAL OPERATIONS OF FACILITIES FOR PUBLIC GATHERINGS.**

Class 23 consists of the normal operations of existing facilities for public gatherings for which the facilities were designed, where there is a past history of the facility being used for the same or similar kind of purpose. For the purposes of this section, "past history" shall mean that the same or similar kind of activity has been occurring for at least three years and that there is a reasonable expectation that the future occurrence of the activity would not represent a change in the operation of the facility. Facilities included within this exemption include, but are not limited to, racetracks, stadiums, convention centers, auditoriums, amphitheaters, planetariums, swimming pools, and amusement parks. (§ 15323)

**3022. TRANSFERS OF OWNERSHIP OF INTEREST IN LAND TO PRESERVE EXISTING NATURAL CONDITIONS.**

Class 25 consists of the transfers of ownership of interests in land in order to preserve open space, habitat, or historical resources. Examples include, but are not limited to:

- (a) Acquisition, sale, or other transfer of areas to preserve the existing natural conditions, including plant or animal habitats.
- (b) Acquisition, sale, or other transfer of areas to allow continued agricultural use of the areas.
- (c) Acquisition, sale, or other transfer to allow restoration of natural conditions, including plant or animal habitats.
- (d) Acquisition, sale, or other transfer to prevent encroachment of development into flood plains.
- (e) Acquisition, sale or other transfer to preserve historical resources. (§ 15325)

**3023. ACQUISITION OF HOUSING FOR HOUSING ASSISTANCE PROGRAMS.**

Class 26 consists of actions to implement an adopted Housing Assistance Plan by acquiring an interest in housing units. The housing units may be either in existence or possessing all required permits for construction when the agency makes its final decision to acquire the units. (§ 15326)

**3024. LEASING NEW FACILITIES.**

Class 27 consists of the leasing of a newly constructed or previously unoccupied privately owned facility where the CEQA Compliance Officer determines that the building was exempt from CEQA. To be exempt under this section, the proposed use of the facility:

- (a) Must be in conformance with existing state plans and policies and with general, community, and specific plans for which an EIR or negative declaration has been prepared,
- (b) Must be substantially the same as that originally proposed at the time the building permit was issued,
- (c) Cannot result in a traffic increase of greater than 10% of front access road capacity, and
- (d) Will include the provision of adequate employee and visitor parking facilities.

Examples of Class 27 include, but are not limited to: (1) leasing of administrative offices in newly constructed office space; (2) leasing of client service offices in newly constructed retail space; and (3) leasing of administrative and/or client service offices in newly constructed industrial parks. (§ 15327)

**3025. COGENERATION PROJECTS AT EXISTING FACILITIES.**

Class 29 consists of the installation of cogeneration equipment with a capacity of 50 megawatts or less at existing facilities meeting the following conditions:

- (a) Will result in no net increases in air emissions from the industrial facility, or will produce emissions lower than the amount that would require review under the new source review rules applicable in the county, and
- (b) Will comply with all applicable state, federal, and local air quality laws. (§ 15329)

**3026. MINOR ACTIONS TO PREVENT, MINIMIZE, STABILIZE, MITIGATE OR ELIMINATE THE RELEASE OR THREAT OF RELEASE OF HAZARDOUS WASTE OR HAZARDOUS SUBSTANCES.**

Class 30 consists of any minor cleanup actions taken to prevent, minimize, stabilize, mitigate, or eliminate the release or threat of release of a hazardous waste or substance which are small or medium removal actions costing \$1 million or less. No cleanup action shall be subject to this Class 30 exemption if the action requires the onsite use of a hazardous waste incinerator or thermal treatment unit, with the exception of low temperature thermal desorption, or the relocation of residences or businesses, or the action involves the potential release into the air of volatile organic compounds as defined in Health and Safety Code Section 25123.6, except for small scale in situ soil vapor extraction and treatment systems which have been permitted by the local Air Pollution Control District or Air Quality Management District. All actions must be consistent with applicable state and local environmental permitting requirements including, but not limited to, air quality rules such as those governing volatile organic compounds and water quality standards, and approved by the regulatory body with jurisdiction over the site. Examples of such minor cleanup actions include, but are not limited to:

- (a) Removal of sealed, non-leaking drums or barrels of hazardous waste or substances that have been stabilized, containerized and are designated for a lawfully permitted destination;
- (b) Maintenance or stabilization of berms, dikes, or surface impoundments;
- (c) Construction or maintenance of interim or temporary surface caps;
- (d) Onsite treatment of contaminated soils or sludges provided treatment system meets Title 22 requirements and local air district requirements;
- (e) Excavation and/or offsite disposal of contaminated soils or sludges in regulated units;
- (f) Application of dust suppressants or dust binders to surface soils;
- (g) Controls for surface water run-on and run-off that meets seismic safety standards;
- (h) Pumping of leaking ponds into an enclosed container;
- (i) Construction of interim or emergency ground water treatment systems; and

- (j) Posting of warning signs and fencing for a hazardous waste or substance site that meets legal requirements for protection of wildlife. (§ 15330)

### **3027. HISTORICAL RESOURCE RESTORATION/REHABILITATION.**

Class 31 consists of projects limited to maintenance, repair, stabilization, rehabilitation, restoration, preservation, conservation or reconstruction of historical resources in a manner consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings (1995), Weeks and Grimmer. (§ 15331)

### **3028. IN-FILL DEVELOPMENT PROJECTS.**

Class 32 consists of projects characterized as in-fill development meeting all of the conditions:

- (a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations;
- (b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses;
- (c) The project site has no value as habitat for endangered, rare or threatened species;
- (d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality; and
- (e) The site can be adequately served by all required utilities and public services. (§ 15332)

**VIII.**  
**CEQA THRESHOLDS OF SIGNIFICANCE FOR  
ENVIRONMENTAL DOCUMENTS**

**SANTA MONICA COLLEGE**

**GUIDELINES FOR IMPLEMENTATION OF THE CALIFORNIA  
ENVIRONMENTAL QUALITY ACT**

**[ R E S E R V E D ]**

**Article IX**  
**GLOSSARY OF TERMS**

**5000. GENERAL.**

The definitions contained in this article apply to terms used throughout the Guidelines unless a term is otherwise defined in a particular section. (§15350)

**5001. APPROVAL.**

“Approval” means the decision by the College which commits the College to a definite course of action in regard to a project intended to be carried out by the College. Typically, this will mean the Board of Trustees vote to proceed with a project. Occasionally it may mean a decision by the Vice-President of Business and Administration for the College to proceed with a project. (§15352)

**5001.5 BOARD OF TRUSTEES.**

“Board of Trustees” means the seven member body that governs Santa Monica Community College District and is elected by the voters registered in the district. A Student Trustee also serves on the Board of Trustees and is elected by the Santa Monica College students.

**5002. CEQA.**

“CEQA” means the California Environmental Quality Act, which is codified at California Public Resources Code Sections 21000, *et seq.* (§15353)

**5002.5 CEQA COMPLIANCE OFFICER.**

“CEQA Compliance Officer” shall be the Vice President of Business and Administration for the College. The CEQA Compliance Officer shall have primary responsibility for processing, reviewing or authorizing activities in compliance with these Guidelines.

**5003. CATEGORICAL EXEMPTION.**

“Categorical exemption” means an exemption from CEQA for a class of projects based on a finding by the State Secretary for Resources that the class of projects does not have a significant effect on the environment. (§15354)

**5004. CUMULATIVE IMPACTS.**

“Cumulative impacts” refer to two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts.

(a) The individual effects may be changes resulting from a single project or a number of separate projects.

(b) The cumulative impact from several projects is the change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonable foreseeable probable future projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time. (§15355)

#### **5005. DISCRETIONARY PROJECT.**

“Discretionary project” means a project which requires the exercise of judgement or deliberation when the College decides to approve or disapprove a particular activity, as distinguished from situations where the College merely has to determine whether there has been conformity with applicable statutes, ordinances, or regulations. (§15357)

#### **5006. EFFECTS.**

“Effects” and “impacts” as used in these Guidelines are synonymous. They include: (1) direct or primary effects which are caused by the project and occur at the same time and place; and (2) indirect or secondary effects which are caused by the project and are later in the time or farther removed in distance, but are still reasonably foreseeable. Indirect or secondary effects may include growth-inducing effects and other effects related to induced changes in the pattern of land use, population density, or growth rate, and related effects on air and water and other natural systems, including ecosystems. (§15358)

#### **5007. EMERGENCY.**

“Emergency” means a sudden, unexpected occurrence, involving a clear and imminent danger, demanding immediate action to prevent or mitigate loss of, or damage to life, health, property, or essential public services. Emergency includes such occurrences as fire, flood, earthquake, or other soil or geologic movements, as well as such occurrences as riot, accident, or sabotage. (§15359)

#### **5008. ENVIRONMENT.**

“Environment” means the physical conditions which exist within the area which will be affected by a proposed project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance. The area involved shall be the area in which significant effects would occur either directly or indirectly as a result of the project. The “environment” includes both natural and man-made conditions. (§15360)

#### **5009. ENVIRONMENTAL DOCUMENTS.**

“Environmental documents” means Initial Studies, Negative Declarations, Mitigated Negative Declarations, Draft and Final EIRs, documents prepared as substitutes for EIRs and Negative Declarations under a certified program, and documents prepared under NEPA and used by a state or local agency in the place of an Initial Study, Negative Declaration, or EIR. (§15361)



**5010. ENVIRONMENTAL IMPACT REPORT -- EIR.**

“Environmental Impact Report” or “EIR” means a detailed statement prepared under CEQA describing and analyzing the significant environmental effects of a project and discussing ways to mitigate or avoid the effects. The term “EIR” may mean either a Draft or Final EIR depending on the context. (§15362)

**5011. ENVIRONMENTAL IMPACT STATEMENT -- EIS.**

“Environmental Impact Statement” or “EIS” means an environmental impact document prepared pursuant to the National Environmental Policy Act (NEPA). NEPA uses the term EIS in the place of the term EIR which is used in CEQA. (§15363)

**5012. FEASIBLE.**

“Feasible” means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors. (§15364)

**5013. INITIAL STUDY.**

“Initial Study” means a preliminary analysis prepared by the CEQA Compliance Officer to determine whether an EIR or Negative Declaration must be prepared or to identify the significant environmental effects to be analyzed in an EIR. (§15365)

**5014. LEAD AGENCY.**

“Lead agency” means the public agency which has the principal responsibility for carrying out or approving a project. The lead agency will decide whether an EIR or Negative Declaration will be required for the project and will cause the document to be prepared. (§15367)

**5015. MINISTERIAL.**

“Ministerial” describes a governmental decision involving little or no personal judgment by the public official as to the wisdom or manner of carrying out the project. The public official merely applies the law to the facts as presented but uses no special discretion or judgment in reaching a decision. A ministerial decision involves only the use of fixed standards or objectives measurements, and the public official cannot use personal, subjective judgment in deciding whether or how the project should be carried out. Common examples of ministerial permits include class registration, parking permits, and student graduation. (§15369)

**5016. MITIGATED NEGATIVE DECLARATION.**

“Mitigated negative declaration” means a Negative Declaration prepared for a project when the Initial Study has identified potentially significant effects on the environment, but (1) revisions in the project plans or proposals before the proposed Negative Declaration and Initial Study are released for the public review would avoid the effects or mitigate the effects to a point where clearly no significant effect on the environment would occur, and (2) there is no substantial evidence in light of the whole

record before the Board of Trustees that the project, as revised, may have a significant effect on the environment. (§15369.5)

**5017. MITIGATION.**

“Mitigation” includes:

- (a) Avoiding the impact altogether by not taking a certain action or parts of an action;
- (b) Minimizing impacts by limiting the degree or magnitude of the action and its implementation;
- (c) Rectifying the impact by repairing, rehabilitating, or restoring the impacted environment;
- (d) Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action; and
- (e) Compensating for the impact by replacing or providing substitute resources or environments. (§15370)

**5018. NEGATIVE DECLARATION.**

“Negative declaration” means a written statement by the College briefly describing the reasons that a proposed project, not exempt from CEQA, will not have a significant effect on the environment and therefore does not require the preparation of an EIR. (§15371)

**5019. NOTICE OF COMPLETION.**

“Notice of completion” means a brief notice filed with the OPR by the CEQA Compliance Officer as soon as it has completed a draft EIR and is prepared to send out copies for review. (§15372)

**5020. NOTICE OF DETERMINATION.**

“Notice of determination” means a brief notice to be filed by the College after it approves or determines to carry out a project which is subject to the requirements of CEQA. (§15373)

**5021. NOTICE OF EXEMPTION.**

“Notice of exemption” means a brief notice which may be filed by the CEQA Compliance Officer after he has decided to carry out or approve a project and has determined that the project is exempt from CEQA as being ministerial, categorically exempt, an emergency, or subject to another exemption from CEQA. (§15374)

## 5022. NOTICE OF PREPARATION.

“Notice of preparation” means a brief notice sent by the CEQA Compliance Officer to notify the Responsible Agencies, Trustee Agencies, and involved federal agencies that the College plans to prepare an EIR for the project. The purpose of the notice is to solicit guidance from those agencies as to the scope and content of the environmental information to be included in the EIR. (§15375)

## 5023. PROJECT.

(a) “Project” means the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment, and that is any of the following:

- (1) An activity directly undertaken by any public agency including but not limited to public works construction and related activities clearing or grading of land, improvements to existing public structures, enactment and amendment of zoning ordinances, and the adoption and amendment of local General Plans or elements thereof pursuant to Government Code Sections 65100-65700;
- (2) An activity undertaken by a person which is supported in whole or in part through public agency contracts, grants, subsidies, loans, or other forms of assistance from one or more public agencies; or
- (3) An activity involving the issuance to a person of a lease, permit, license, certificate, or other entitlement for use by one or more public agencies.

(b) “Project” does not include:

- (1) Proposals for legislation to be enacted by the State Legislature;
- (2) Continuing administrative or maintenance activities, such as purchases for supplies, personnel-related actions, general policy and procedure making (except as they are applied to specific instances covered above);
- (3) The submittal of proposals to a vote of the people of the State or of a particular community (*Stein v. City of Santa Monica*, 110 Cal. App. 3d 458 (1980));
- (4) The creation of government funding mechanisms or other government fiscal activities which do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment; or
- (5) Organizational or administrative activities of governments which are political or which are not physical changes in the environment (such as the reorganization of a school district or detachment of parkland).

(c) The term “project” refers to the activity which is being approved and which may be subject to several discretionary approvals by governmental agencies. The term “project” does not mean each separate governmental approval.

(d) Where the College agency could describe the project as either the adoption of a particular regulation under Subsection (a)(1) or as a development proposal which will be subject to several governmental approvals under Subsections (a)(2) or (a)(3), the lead agency shall describe the project as the development proposal for the purpose of environmental analysis. (§15378)

#### **5024. RESPONSIBLE AGENCY.**

“Responsible agency” means a public agency which proposes to carry out or approve a project, for which lead agency is preparing or has prepared an EIR or Negative Declaration. For the purposes of CEQA, the term “responsible agency” includes all public agencies other than the lead agency which have discretionary approval power over the project. (§15381)

#### **5025. SIGNIFICANT EFFECT ON THE ENVIRONMENT.**

“Significant effect on the environment” means a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance. An economic or social change by itself shall not be considered a significant effect on the environment. A social or economic change related to a physical change may be considered in determining whether the physical change is significant. (§15382)

#### **5026. SUBSTANTIAL EVIDENCE.**

(a) “Substantial evidence” as used in these guidelines means enough relevant information and reasonable inferences from this information that a fair argument can be made to support a conclusion, even though other conclusions might also be reached. Whether a fair argument can be made that the project may have a significant effect on the environment is to be determined by examining the whole record before the lead agency. Argument, speculation, unsubstantiated opinion or narrative, evidence which is clearly erroneous or inaccurate, or evidence of social or economic impacts which do not contribute to or are not caused by physical impacts on the environment does not constitute substantial evidence.

(b) Substantial evidence shall include facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts. (§15384)

#### **5027. TRUSTEE AGENCY.**

“Trustee agency” means a State agency having jurisdiction by law over natural resources affected by a project which are held in trust for the people of the State of California. Trustee agencies include:

- (a) The California Department of Fish and Game with regard to the fish and wildlife of the state, to designated rare or endangered native plants, and to game refuges, ecological reserves, and other areas administered by the Department;
- (b) The State Lands Commission with regard to state owned "sovereign" land such as the beds of navigable waters and state school lands;
- (c) The State Department of Parks and Recreation with regard to units of State Park System; and
- (d) The University of California with regard to sites within the Natural Land and Water Reserves System. (§15386)

**5028. URBANIZED AREA.**

"Urbanized area" means a central city or a group of contiguous cities with a population of 50,000 or more, together with adjacent densely populated areas having a population density of at least 1,000 persons per square mile. The College shall determine whether a particular area meets the criteria in this section either by examining the area or by referring to a map prepared by the U.S. Bureau of the Census which designates the area as urbanized. Maps of the designated urbanized areas can be found in the California EIR Monitor dated February 7, 1979. The maps are also for sale by the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402. The maps are sold in sets only as Stock Number 0301-3466. Use of the term "urbanized area" in Section 15182 is limited to areas mapped and designated as urbanized by the U.S. Bureau of the Census. (§15387)

# **APPENDIX A**

**LEVEL OF SERVICE FOR SIGNALIZED  
INTERSECTIONS**

**LEVEL OF SERVICE FOR UNSIGNALIZED  
INTERSECTIONS**

**SANTA MONICA COLLEGE**

**[ R E S E R V E D ]**

## **APPENDIX B**

### **Environmental Impacts Checklist**

# APPENDIX B

## SANTA MONICA COLLEGE

1900 Pico Boulevard  
Santa Monica, CA 90405

### CHECKLIST

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RESPONSIBLE AGENCIES

DATE

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PROJECT TITLE/NO.

CASE NO.

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PROJECT DESCRIPTION:

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ENVIRONMENTAL SETTING:

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PROJECT LOCATION

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**DETERMINATION**

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**On the basis of this initial evaluation:**

I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions on the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

I find the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

I find the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

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SIGNATURE

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TITLE

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**EVALUATION OF ENVIRONMENTAL IMPACTS:**

- 1) A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources cited in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once it has been determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
- 4) “Negative Declaration: Less Than Significant With Mitigation Incorporated” applies where the incorporation of a mitigation measure has reduced an effect from “Potentially Significant Impact” to “Less Than Significant Impact.” Mitigation measures must describe and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, “Earlier Analysis,” cross referenced).
- 5) Earlier analysis must be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR, or negative declaration. Section 15063 (c)(3)(D). In this case, a brief discussion should identify the following:

- a) Earlier Analysis Used. Identify and state where they are available for review.
  - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
  - c) Mitigation Measures. For effects that are “Less Than Significant With Mitigation Measures Incorporated,” describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) References to information sources for potential impacts (e.g., general plans, zoning ordinances) should be incorporated into the checklist. Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated
- 7) Supporting Information Sources: A sources list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form. However, the questions from this checklist that are relevant to a project’s environmental effects in whichever format is selected should be used.
- 9) The explanation of each issue should identify:
- a) The significance criteria or threshold, if any, used to evaluate each question; and
  - b) The mitigation measure identified, if any, to reduce the impact to less than significance.

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist below.

- Air Quality
- Aesthetics
- Biological Resources
- Cultural Resources
- Geology/Soils
- Hazards & Hazardous Materials
- Hydrology/Water Quality
- Noise
- Public Services
- Utilities/Service Systems
- Transportation/Traffic
- Mandatory Findings of Significance

**ENVIRONMENTAL IMPACTS**

(Explanations of all potentially and less than significant impacts are required to be attached on separate sheets)

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>I. AIR QUALITY.</b> The significance criteria established by the South Coast Air Quality Management District (SCAQMD) may be relied upon to make the following determinations. Would the project result in:				
a. Conflict with or obstruct implementation of the SCAQMD or Congestion Management Plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the air basin is non-attainment (ozone, carbon monoxide, & PM 10) under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>II. AESTHETICS.</b> Would the project:				
a. Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings, or other locally recognized desirable aesthetic natural feature within a city-designated scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Create a new shadow that would adversely affect a shadow-sensitive use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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**III. BIOLOGICAL RESOURCES.** Would the project:

- |   |                          |                          |                          |                          |
|---|--------------------------|--------------------------|--------------------------|--------------------------|
| a. Have a substantial adverse effect, either directly or through habitat modification, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c. Conflict with any local policies or ordinances protecting biological resources, such as tree preservation policy or ordinance (e.g., oak trees or California walnut woodlands)?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

**IV. CULTURAL RESOURCES:** Would the project:

- |   |                          |                          |                          |                          |
|---|--------------------------|--------------------------|--------------------------|--------------------------|
| a. Cause a substantial adverse change in significance of a historical resource as defined in State CEQA Section 15064.5?    | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b. Cause a substantial adverse change in significance of an archaeological resource pursuant to State CEQA Section 15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?                     | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d. Disturb any human remains, including those interred outside of formal cemeteries?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

**V. GEOLOGY AND SOILS.** Would the project:

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

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spreading, subsidence, liquefaction, or collapse?				
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>VI. HAZARDS AND HAZARDOUS MATERIALS.</b> Would the project:				
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for the people residing or working in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>VII. HYDROLOGY AND WATER QUALITY.</b> Would the proposal result in:				
a. Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Substantially deplete groundwater supplies or interfere with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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existing nearby wells would drop to a level which would not support existing land uses or planned land uses for which permits have been granted)?				
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in an manner which would result in flooding on- or off site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g. Place within a 100-year flood plain structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
h. Expose people or structures to a significant risk of loss, inquiry or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
i. Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>VIII. NOISE.</b> Would the project:				
a. Exposure of persons to or generation of noise in level in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Exposure of people to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>IX. PUBLIC SERVICES.</b> Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, construction of which could cause significant				

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environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

- a. Fire protection?
- b. Police protection?

**X. TRANSPORTATION/CIRCULATION.** Would the project:

- a. Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to ratio capacity on roads, or congestion at intersections)?
- b. Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?
- c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?
- d. Substantially increase hazards to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?
- e. Result in inadequate emergency access?
- f. Result in inadequate parking capacity?
- g. Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?

**XI. UTILITIES.** Would the project:

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

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regulations related to solid waste?

**XII. MANDATORY FINDINGS OF SIGNIFICANCE.**

- |    |   |                          |                          |                          |                          |
|----|---|--------------------------|--------------------------|--------------------------|--------------------------|
| a. | Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b. | Does the project have impacts which are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of an individual project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects).  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c. | Does the project have environmental effects which cause substantial adverse effects on human beings, either directly or indirectly?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |