

Neighborhood Advisory Committee

EIR Process Overview



Chapman University
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Presented by **DUDEK**

What is CEQA?

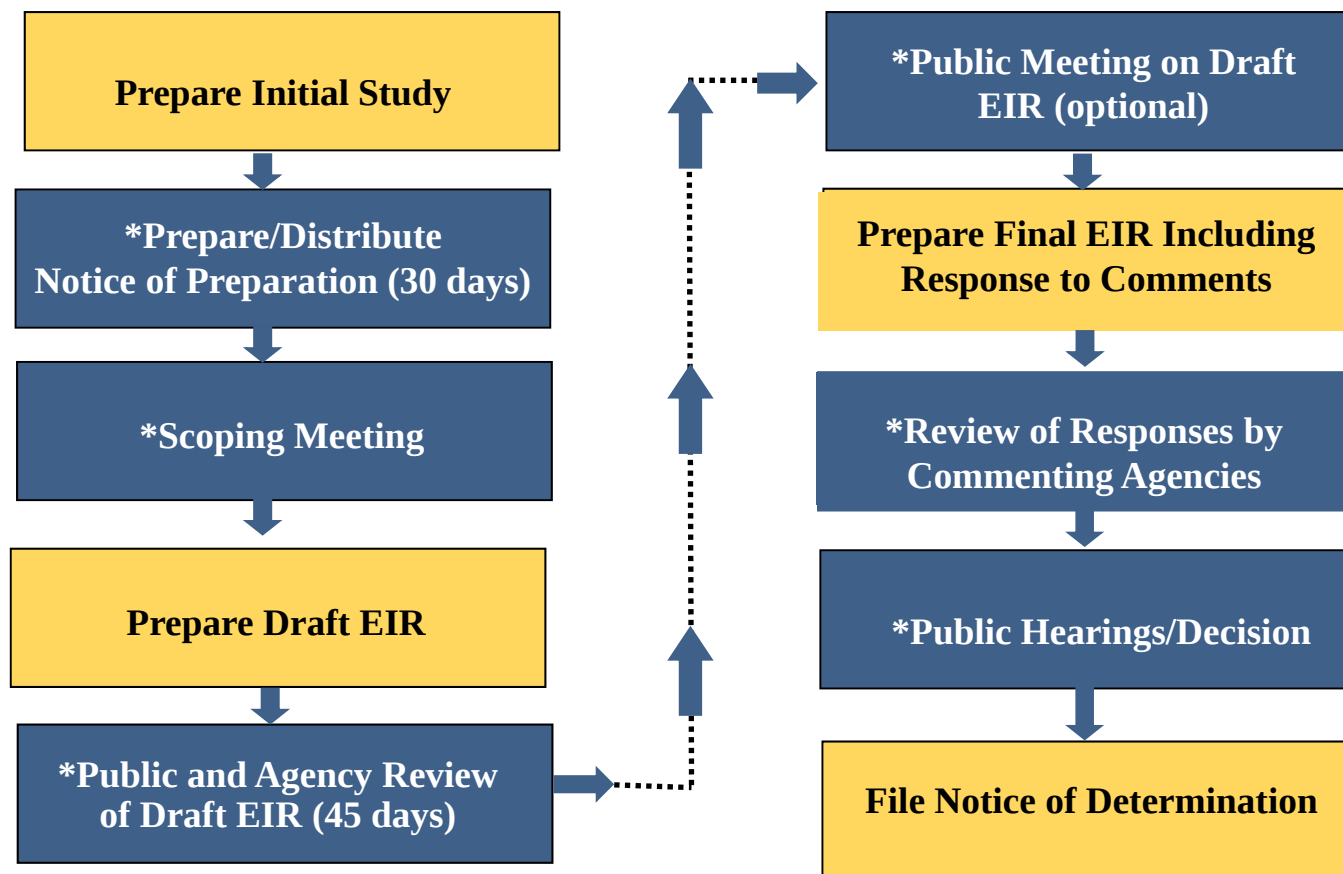
- California Environmental Quality Act (1970)
- Modeled after NEPA, but more stringent
- CEQA applies to 'ALL' projects subject to discretionary approval
- Requires State and Local agencies to evaluate and disclose the environmental implications of actions (e.g., projects, permits, etc.)
- CEQA is the foundation of environmental law and policy in California

Purpose of CEQA

- Inform decision-makers and public of project's impacts to environment (i.e. public involvement)
- Avoid or reduce environmental damage
- Require changes (if feasible) through evaluating alternatives and incorporating mitigation
- Disclose WHY project is/was approved even when environmental impacts are involved (full disclosure)

Preparing an Environmental Impact Report

General Overview of the EIR Process



**Opportunities for Public/Agency Input*

Initial Study

- Lead Agency's initial assessment of potential impacts
- Heavily relies on Appendix G of CEQA Guidelines
- Contents:
 - Project description (location, project objectives and characteristics)
 - Environmental setting
 - Preliminary determination of environmental impacts
- Determination of CEQA document

Notice of Preparation (NOP)

- Formal notice announcing preparation of an EIR
- Typical Contents:
 - project description
 - location
 - brief listing or discussion of probable environmental effects
 - Lead Agency contact for additional information
 - statement of NOP comment period and method for providing comments
 - scoping meeting information
- EIR can be initiated while waiting for comments from responsible agencies
- Responsible agencies and public have 30 days to review and comment on an NOP
- EIR cannot be released for public review until 30 days after distribution of the NOP

Scoping Meeting

- Required for statewide, regional and area wide projects
- Provides an opportunity for interested agencies/public to obtain information about project and
- An opportunity for the public to submit comments on scope of EIR
- Lead Agency, project applicant and EIR consultant may not have all answers at the scoping meeting

Contents of an EIR

- Table of contents
- Summary
- Project Description
- Environmental Setting/Existing Conditions
- Significance Thresholds
- Impacts
- Mitigation Measures
- Alternatives
- Cumulative Impacts
- Significant Irreversible Environmental Changes
- Growth inducing impacts
- Effects found not to be significant
- References, including organizations and persons consulted
- List of Preparers

Environmental Topics in an EIR

- Aesthetics
- Agriculture & Forestry Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Geology, Soils, Seismicity
- Greenhouse Gas Emissions
- Hazardous & Hazardous Materials
- Hydrology and Water Quality
- Land Use & Planning
- Mineral Resources
- Noise and Vibration
- Public Services (police, fire, schools, libraries)
- Parks and Recreation
- Population and Housing
- Recreational Resources
- Transportation and Traffic
- Utilities & Service Systems (water supply, wastewater infrastructure, solid waste, energy conservation)

EIR Public Review

- Notice of Availability will announce public review period and availability of EIR
- Mandated 45 day public review period
- An opportunity for the public to submit comments on data, analysis, conclusions and mitigation measures contained in the EIR
- Typically comments must be written

Public Meeting

- Provides an opportunity for interested agencies/public to obtain information about project
- An opportunity for the public to submit comments on analysis contained in the EIR
- Lead Agency, Project Applicant and EIR preparers can answer questions about the project/environmental analysis
- This meeting is not required per CEQA, but Lead Agencies often chose to hold such a meeting

Final EIR

- Summarizes the public review process
- Responses to comments on Draft EIR
- If necessary, the Draft EIR may be edited by one of the following ways:
 - embedded in responses
 - errata chapter
 - “track changes” throughout Draft EIR text
- No separate review period for Final EIR
- Written response to commenting public agencies (at least 10 days prior to certification)

EIR Certification Process

- **City Planning Commission and City Council will:**
 - consider and potentially approve the project
 - consider and potentially certify the EIR
- **Certification of the EIR must include:**
 - CEQA Findings of Fact
 - Adoption of a Mitigation Monitoring and Reporting Program (MMRP)
 - Statement of Overriding Considerations (if significant unavoidable impacts are identified)
- **Preparation/Filing of Notice of Determination**
 - Formal public notice of Lead Agency's EIR certification
 - Filed at County Clerk's Office no more than 5 working days after project approval/EIR certification
 - Starts a 30-day statute of limitations on legal challenges

Q & A

For further questions regarding the CEQA process for Chapman University projects within the City of Orange, please contact:

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- For information about CEQA implementation in the City of Orange, please consult the City's Local CEQA Guidelines available at:
www.cityoforange.org/depts/commdev/planning/advanced