

January 18, 2018

TO: Members of the Facility & Plan Review Subcommittee
Los Angeles County Solid Waste Management Committee/
Integrated Waste Management Task Force

FROM: Doan, Nam

**STAFF REPORT
SUMMARY OF THE PROPOSED CEQA GUIDELINES UPDATES**

Since 2013, the Office of Planning and Research (OPR) began the process to update the California Environmental Quality Act (CEQA) Guidelines. The CEQA Guidelines are administrative regulations governing implementation of the California Environmental Quality Act, the Guidelines explain how to determine whether an activity is subject to environmental review, what steps are involved for the review process, and the required content of environmental documents.

In November 2017, the final version of the OPR's proposed updates to the Guidelines were made available. The proposed package is intended to make the CEQA process easier and quicker to implement, and to better protect natural and fiscal resources to be consistent with other state environmental policies. The updates in the Guideline are categorized as either Efficiency Improvements, Substance Improvements, or Technical Improvements.

Efficiency Improvements

- Promotes use of existing regulatory standards in the CEQA process
- Updates the environmental checklist to conduct environmental review
- Determines whether a project is "within the scope" of a program EIR
- Enhances several exemptions, expands existing exemptions for projects
- Complies with CEQA in response to a court's remand

Substance Improvements

- Provides guidance regarding energy impacts analysis
- Proposes guidance on the analysis of water supply impacts
- Analyzes transportation impacts
- Analyzes impacts from greenhouse gas emissions

Technical Improvements

- Includes changes related to evaluation of hazards
- Clarifies the appropriate use of projected future conditions as the environmental baseline
- Changes related to pre-approval agreements, lead agency by agreement, common sense exemption, preparing initial study, etc.

The proposed amendments intended to increase the efficiency of the environmental review process, includes the update of the Environmental Checklist Form (Appendix G). Some updates in the checklist are under the following sections: air quality, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, and utilities and service systems.

The following are some of the updated considerations made to the Environmental Checklist Form (Appendix G):

Air Quality

- Focuses on a project's potential to cause adverse impacts to substantial number of people
- Proposes to include odor as one of several examples of potential localized air quality impacts

Cultural Resources

- Separates the consideration of paleontological resources from cultural resources, and includes consideration of paleontological resources among the relevant questions related to geology and soils

Energy

- Proposes to add relevant questions regarding potential energy impacts to the sample environmental checklist in Appendix G

Impervious Surfaces

- Proposes to add "impervious surfaces" to the considerations in the hydrology portion of the checklist

Groundwater

- Proposes changes are consistent with the new regime governing groundwater passed in 2014

Land Use Plans

- Proposes to clarify that the focus of the analysis should not be on the "conflict" with the plan, but instead, on any adverse environmental impact that might result from a conflict

The OPR has submitted the proposed updates to the CEQA Guidelines to the Natural Resources Agency. Over the next months, the Natural Resources Agency will begin the formal administrative rulemaking process under the Administrative Procedure Act. This will entail conducting additional public review with the possibility of further revisions. The OPR can update the technical advisory as appropriate. The new rules would go into effect after the Secretary for the Natural Resources Agency adopts the new Guidelines. The updated Guidelines will apply to new projects and would not affect on-going projects that have already commenced the environmental review process.