

RESOLUTION NO. 143

A RESOLUTION ADOPTING LOCAL ENVIRONMENTAL GUIDELINES IMPLEMENTING THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND REPEALING ENVIRONMENTAL GUIDELINES HERETOFORE ADOPTED

SUNNYSLOPE COUNTY WATER DISTRICT

RESOLVED, by the Board of Directors of the Sunnyslope County Water District, San Benito County, California, that

WHEREAS, this Board has adopted Local Guidelines Implementing the California Environmental Quality Act, which Guidelines were based upon State Environmental Guidelines promulgated by the Secretary for Resources on December 17, 1973;

WHEREAS, said Local Guidelines were subsequently amended to conform to amendments made to said State Guidelines; and

WHEREAS, on December 26, 1974, said State Guidelines were further amended and Public Resources Code Section 21082 and Section 15050 of said amended State Guidelines require that local environmental procedures be consistent with said amended State Guidelines;

NOW, THEREFORE, it is hereby DETERMINED and ORDERED as follows:

1. That the "Local Guidelines Implementing the California Environmental Quality Act of 1970, as Amended", a copy of which is attached hereto and by reference incorporated herein, be, and is hereby adopted by this Board as the environmental guidelines of this District.

2. That local environmental guidelines heretofore adopted by this District be, and are hereby, repealed.

3. That the effective date of this resolution shall be as set forth in Section 9.3 of the local environmental guidelines attached hereto.

* * * * *

I hereby certify that the foregoing is a full, true and correct copy of a resolution duly and regularly adopted and passed by the Board of Directors of the Sunnyslope County Water District at a meeting thereof held on the 13th day of March, 1975, by the following vote:

AYES, and in favor thereof, Directors: Churchill, Loufbourrow,
Porteur, Renz, Hassler

NOES, Directors: None

ABSENT, Directors: None


Secretary, Sunnyslope County
Water District

APPROVED:


President

LOCAL GUIDELINES IMPLEMENTING THE
CALIFORNIA ENVIRONMENTAL QUALITY ACT OF 1970,
AS AMENDED

Denotes State
Guidelines
Section

SUNNYSLOPE COUNTY WATER DISTRICT

ARTICLE I - GENERAL

§§15001,
15005 and
15022

Section 1.1. Purposes. These Guidelines implement the purposes and provisions of the California Environmental Quality Act of 1970, as amended, Public Resources Code Sections 21000 et seq. (hereinafter referred to as "CEQA") and the Guidelines for Implementation of the CEQA of 1970 which have been adopted by the California Secretary For Resources (hereinafter referred to as "State EIR Guidelines"). The enhancement and long-term protection of the environment and the encouragement of public participation in achieving these goals are objectives of this measure.

§15012

Section 1.2. Objectives. From time to time and under circumstances as outlined by these Guidelines, environmental documents must be prepared as a prerequisite to approval of a project. The function of such documents is to inform the Board and the public of the environmental effects of proposed projects. The intent of the environmental review process is to enable the District to evaluate projects to determine whether they may have a significant effect on the environment, to examine and institute methods to reduce adverse impacts and to consider alternatives to projects as proposed. The environmental effects set forth in environmental documents are to be evaluated by the Board before a project is approved. The Board retains authority to balance environmental objectives with economic, social, and other relevant objectives of the proposed project.

ARTICLE II - DEFINITIONS

§15020

Whenever the following terms are used in these Guidelines, they shall have the following meaning unless otherwise expressly defined:

§15021

Section 2.1. Approval means a decision by the District which commits it to a definite course of action with regard to a particular project. As respects any project to be undertaken directly by the District, approval shall be deemed to occur on the date the Board adopts a resolution making the determination to proceed with a project, which in no event shall be later than the date of adoption of plans and specifications. As respects private projects defined in paragraphs (2) and (3) of Section 2.21A, approval shall be deemed to occur upon the earliest commitment to issue or the issuance by the District of a discretionary contract, grant, subsidy, loan, or other form of financial assistance, lease, permit, license, certificate, or other entitlement for use of the project. The mere acquisition of land by the District, on the other hand, shall not in and of itself be deemed to constitute approval of a project.

For purposes of these Guidelines, the environmental process must be completed as of the time of project approval.

Section 2.2. Board means the Governing Board of this District.

- §15023 Section 2.3. Categorical Exemption means an exemption from the requirement of preparing a Negative Declaration or an EIR even though the proposed project is discretionary in nature, as more particularly described in Section 3.5.
- §15024 Section 2.4. Discretionary Project means a project approval of which requires the exercise of independent judgment, deliberation or decision-making on the part of the District.
- Section 2.5. District means this District.
- §15050(c) Section 2.6. District's Staff means the Engineer-Manager
(11) and/or his designee, and any other person or persons designated by the Board.
- §15025 Section 2.7. Emergency means a sudden, unexpected occurrence demanding immediate action to prevent or mitigate loss or damage to life, health, property, or essential public services.
- §15026 Section 2.8. Environment means the physical conditions which exist in the area which will be affected by a proposed project including land, air, water, minerals, flora, fauna, ambient noise, objects of historic or aesthetic significance.
- §15026.5 Section 2.9. Environmental Documents means draft and final EIRs, initial studies, Negative Declarations, Notices of Completion and Notices of Determination.
- §15027 Section 2.10. EIR means a detailed statement setting forth the matters specified in Section 21100 of the Public Resources Code as more particularly described hereinafter in Section 7.1.
- §15028 Section 2.11. EIS - Environmental Impact Statement means an EIR prepared pursuant to the National Environmental Policy Act (NEPA).
- §15029 Section 2.12. Feasible means capable of being accomplished in a successful manner by reasonably available, economic, and workable means.
- §15029.5 Section 2.13. Initial Study means a preliminary analysis prepared by the District pursuant to Section 5.1 to determine whether an EIR or a Negative Declaration must be prepared for a project.
- §15029.6 Section 2.14. Jurisdiction by Law.
- A. Jurisdiction by law means the authority of any public agency to:
- (1) Grant a permit or provide funding for the project in question, or
- (2) Exercise authority over resources which may be affected by the project in question.
- B. In addition to other public agencies having jurisdiction by law over District projects, the following cities and counties have jurisdiction by law over District projects:
- (1) The city or county in which the project site is located.

(2) The city and/or county in which the major environmental effects of the project will occur.

(3) The city and/or county in which reside those citizens most directly concerned with the major environmental effects of the project.

C. Where an agency having jurisdiction by law must exercise discretionary authority over a project in order for the project to proceed, such agency is also a responsible agency or the lead agency with respect to the project.

§15030 Section 2.15. Lead Agency means the public agency which has the principal responsibility for preparing environmental documents and for carrying out or approving a project which may have a significant effect on the environment.

§15033 Section 2.16. Negative Declaration means a statement by the lead agency briefly presenting the reasons that the project, although not otherwise exempt, will not have a significant effect on the environment and therefore does not require an EIR.

§15034 Section 2.17. Notice of Completion means a brief notice filed with the Secretary for Resources by the District as soon as it has completed a draft EIR and is prepared to send out copies for review.

§15035 Section 2.18. Notice of Determination means a brief notice filed with the County Clerk after District approval of, or determination to carry out, a project for which a Negative Declaration or a final EIR has been approved by the District.

§15035.5 Section 2.19. Notice of Exemption means a brief notice filed with the County Clerk upon District approval of, or determination to carry out, a ministerial, categorically exempt or emergency project.

§15036 Section 2.20. Person includes any person, firm, association, organization, partnership, business, trust, corporation, company, district, county, city and county, city, town, the State, and any of the agencies' political subdivisions.

§15037 Section 2.21. Project.

A. Project means the whole of an action which has a potential for physical impact on the environment, directly or ultimately, that is any of the following:

(1) an activity directly undertaken by the District;

(2) an activity undertaken by a person which is supported in whole or in part through contracts, grants, subsidies, loans, or other forms of assistance from the District; or

(3) an activity involving the issuance by the District to a person of a lease, permit, license, certificate, or other entitlement for use.

B. Project does not include:

(1) anything specifically exempted by state law;

(2) proposals for legislation to be enacted by the State Legislature;

(3) continuing administrative or maintenance activities, such as purchases for supplies, personnel-related actions, general policy and procedure making, e.g. setting of rates (except as they are applied to specific instances covered above), feasibility or planning studies; or

(4) the submittal of proposals to a vote of the people of the state or of a particular community, e.g., of the District or of a zone or area within the District.

C. The word "project" refers to the underlying activity and not to the District's approval process.

§15039 Section 2.22. Responsible Agency means a public agency which proposes to undertake or approve a project, but is not the lead agency for the project. It includes all public agencies other than the lead agency which have approval power over the project.

§15040 Section 2.23. Significant Effect means a substantial adverse impact on the environment.

ARTICLE III - EXEMPT ACTIVITIES

§§15037,
15050(c)
(1)(A)
and
15060 Section 3.1. "No Project" Exemption. Activities which do not fall within the definition of project as set forth in Section 2.21 and activities for which it can be seen with a certainty that there is no possibility that the activity in question may have a significant effect on the environment do not require the preparation of a Negative Declaration or an EIR and, thus, are outside of the primary scope of these Guidelines.

§15072 Section 3.2. Feasibility and Planning Studies. Feasibility and planning studies of potential projects undertaken by the District are specifically excepted from the requirements of CEQA and thus, are outside the scope of these Guidelines, although such studies may contain considerations of environmental factors incident to the potential project.

Section 3.3. Emergency Projects. The following emergency projects do not require the preparation of a Negative Declaration or an EIR and, thus, are outside the primary scope of these Guidelines:

§15071 A. Projects undertaken, carried out, or approved by the District 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 Chapter 7 (commencing with Section 8550) of Division 1, Title 2 of the Government Code.

B. Emergency repairs to any of the District's facilities necessary to maintain service.

C. Projects undertaken as immediate action necessary to prevent or mitigate an emergency.

§§15032 and
15073 Section 3.4. Ministerial Projects.

A. Ministerial projects do not require the preparation

of a Negative Declaration or an EIR and, thus, are outside the primary scope of these Guidelines. Ministerial projects include activities which are undertaken or approved by a decision which a District officer or the District Board makes upon a given state of facts in a prescribed manner in obedience to the mandate of legal authority. With these projects, the officer or Board must act upon the given facts without regard to his, her or its own judgment or opinion concerning the propriety or wisdom of the act although the statute, ordinance or regulation may require, in some degree, a construction of its language by the officer or Board.

§15050(c) B. Ministerial projects include, but are not limited to,
(1)(B) the following:

(1) Individual utility service connections and disconnections.

(2) Agreements to install in-tract utility facilities to subdivisions, development of which has been approved by other appropriate governmental entities.

§§15050(c) Section 3.5. Categorical Exemptions. Subject to the
(1)(C), qualification set forth in subsection K, the following classes
15100, of projects, in accordance with and pursuant to Article 8 of
15100.1 the State Guidelines, have been determined not to have a signi-
and ficant effect on the environment, and therefore are declared
15100.4 to be categorically exempt from the requirement of preparing
a Negative Declaration or an EIR. The categorical exemptions
listed herein are not intended to be, and are not to be con-
strued to be, a limitation on the categorical exemptions set
forth in Article 8 of the State Guidelines nor are they to
be construed as a finding that the activity listed is dis-
cretionary, as opposed to ministerial, in nature.

§15101 A. Class I: Existing Facilities. Class I consists of the operation, repair, maintenance or minor alteration of all existing District facilities, structures, equipment or other property of every kind which activity involves negligible or no expansion of use beyond that previously existing, including but not limited to:

- (1) street improvements and conveyance facilities, including pipelines, conduits and service facilities;
- (2) service connection facilities, including all appurtenances;
- (3) public safety facilities;
- (4) storage reservoirs, ponds, disposal areas;
- (5) pump stations;
- (6) buildings and structures; and
- (7) treatment plants and waste disposal facilities.

§15102 B. Class II: Replacement or Reconstruction. Class II consists of replacement or reconstruction of any District facilities, structures or other property where the new facility or structure will be located on the same site as the replaced or reconstructed facility or structure and will have substantially the same purpose and capacity as the replaced or reconstructed facility or structure, including but not limited to:

- (1) street improvements and conveyance facilities, including pipelines, conduits and service facilities;

- (2) service connection facilities, including all appurtenances;
- (3) public safety facilities;
- (4) storage reservoirs, ponds, disposal areas;
- (5) pump stations;
- (6) buildings and structures; and
- (7) treatment plants and waste disposal facilities.

§15103

C. Class III: New Construction of Small Structures. Class III consists of construction of new small facilities or structures and installation of small new equipment or facilities, including but not limited to service extensions and appurtenances and auxiliary facilities required to serve newly constructed small structures as follows:

- (1) single family residence not in conjunction with the building of two or more such units;
- (2) motels, apartments and duplexes designed for not more than four dwelling units if not in conjunction with the building of two or more such structures;
- (3) stores, offices, and restaurants if designed for an occupant load of 20 persons or less, if not in conjunction with the building of two or more such structures;
- (4) Accessory (appurtenant) structures including garages, carports, patios, swimming pools and fences.

§15104

D. Class IV: Minor Alterations to Land. Class IV consists of minor alterations in the condition of land, water, and/or vegetation, which do not involve removal of mature, scenic trees except for forestry or agricultural purposes including but not limited to:

- (1) small, inconspicuous structures, improvements and facilities;
- (2) minor cutting or mowing of grass, weeds and brush for fire protection and aesthetic reasons;
- (3) grading on land with a slope of less than 10 percent except where it is to be located in a waterway, in any wetland, in an officially designated (by Federal, State or local governmental action) scenic area, or in officially mapped areas of severe geologic hazard;
- (4) new gardening or landscaping;
- (5) filling of earth into previously excavated land with material compatible with the natural features of the site;
- (6) minor alterations in land, water and vegetation on existing officially designated wildlife management areas of fish production facilities which result in improvement of habitat for fish and wildlife resources or greater fish production;
- (7) minor temporary uses having negligible or no permanent effects on the environment;
- (8) minor trenching and backfilling where the surface is restored.

§15106

E. Class V: Information Collection. Class V 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 activities may be undertaken strictly for information gathering purposes or as part of a study leading toward the undertaking of a project.

§15107 F. Class VI: Actions for Protection of Natural Resources. Class VI consists of actions taken by the District as authorized by state law or local ordinance to assure the maintenance, restoration or enhancement of a natural resource where the regulatory process involves procedures for the protection of the environment. Construction activities are not included in this exemption.

§15108 G. Class VII: Actions for Protection of the Environment. Class VII consists of actions taken by the District as authorized by state law or local ordinance to assure the maintenance, restoration or enhancement of the environment where the regulatory process involves procedures for the protection of the environment. Construction activities are not included in this exemption.

§15109 H. Class VIII: Inspection. Class VIII consists of inspection activities, including but not limited to inquiries into the performance of an operation and examinations of the quality, health or safety of a project.

§15111 I. Class IX: Accessory Structures. Class IX consists of the construction or placement of minor structures accessory to or appurtenant to existing commercial, industrial or institutional facilities, including small parking lots.

§15112 J. Class X: Surplus Property. Class X consists of sales of surplus District personal or real property, except land located in an area of statewide interest or potential area of critical concern as identified in the Governor's Environmental Goals and Policy Report prepared pursuant to Government Code Sections 65041 et seq.

§15100.2 K. Exceptions. The above categorical exemptions are inapplicable when the cumulative impact of successive projects of the same type in the same place over time is significant. In addition, Classes III through V and Class IX do not apply where the project may impact on an environmental resource of hazardous or critical concern where such resource has been designated, precisely mapped and officially adopted pursuant to law by federal, state or local agencies.

Section 3.6. Initial Review for CEQA Exemptions.

A. Preliminary Review. At the outset a proposed activity shall be examined by the District's staff for the purpose of determining whether it is an exempt activity described in this Article or whether it involves another agency which constitutes the lead agency primarily responsible for the carrying out of the project as described in Article IV.

B. Staff Finding of No Exemption. If in the judgment of District's staff the proposed activity does not fall within one of the categories described in subsection A it shall proceed with the project evaluation process as outlined in Article V. Any person proposing to undertake an activity may present his objection to the staff's determination to the Board at its next regular or special meeting.

C. Staff Finding of Exemption. If in the judgment of the District's staff, a proposed activity does fall within one of the categories enumerated in subsection A, it shall so find on a form entitled Preliminary Environmental Assessment, a copy of which is attached hereto as Exhibit "A".

D. Retention of Preliminary Environmental Assessment; Availability for Inspection. The Preliminary Environmental Assessment shall be retained at the District's office as part of its usual record-keeping process and shall be made available for public inspection during all regular District office hours. Except as otherwise may be determined by the Board, the date of completion and signing of the Preliminary Environmental Assessment by the District's staff shall be deemed to constitute the date of approval of the exempt activity.

Section 3.7. Notice of Exemption.

§§15035.5,
15074(a)
and
15074(b)

A. Preparation. Upon completion and signing of a Preliminary Environmental Assessment for a ministerial, categorically exempt or emergency project, the District's staff or the project's applicant may prepare a Notice of Exemption on a form attached hereto as Exhibit "B" which Notice shall contain the following:

- (1) a brief description of the project;
- (2) a finding that the project is exempt, including a citation to the State Guidelines section under which it is found to be exempt; and
- (3) a brief statement of reasons to support the findings.

In the event that the Notice of Exemption is prepared and filed by a project applicant rather than the District's staff, such Notice shall have attached to it a certified copy of the Preliminary Environmental Assessment prepared by the District's staff or other certified document or record of the District stating that the District has found the project to be exempt.

§§15050(c)
(9) and
15074(d)

B. Place of Filing. Upon completion of the Notice of Exemption it shall be filed with the county clerk of the county or counties in which the project is located and in the District's office where it shall be available for public inspection.

ARTICLE IV - LEAD AGENCY DETERMINATION

§15065

Section 4.1. Staff Determination of Lead Agency. Upon a determination that a proposed activity is discretionary in nature and is not otherwise exempt, consideration shall be given by the District's staff as to whether the District or another public agency is responsible for preparation of environmental documents for the project and is, therefore, the lead agency. The District's staff shall consider, among others, the following factors relating to the lead agency principle:

- A. If the project is to be carried out by a public agency, the lead agency shall be the public agency which proposes to carry out the project.
- B. If the project is to be carried out by a nongovernmental person, the lead agency shall be the public agency with the greatest responsibility for supervising or approving the project as a whole. The lead agency will generally be the agency with general governmental powers rather than an agency with a single or limited purpose which is involved by reason of the need to provide a public service or public utility to the project, such as the District; in such cases, the District will, upon request, provide data concerning all aspects of its activities required to

furnish service to the project to the agency drafting the EIR, and no separate EIR will be required in regard to such activities. Under this principle whenever any property to be served by the District required a change in zoning, conditional use permit, variance, subdivision or tract approval or other land use permits or entitlements, the governmental agency responsible therefor shall be the lead agency.

- C. Where more than one public agency equally meet the criteria set forth in subsection B the agency which is to act first on the project in question shall be the lead agency (following the principle that the environmental impact should be assessed as early as possible in governmental planning).
- D. Where the provisions of subsection A through C leave the District and one or more other agencies with an equal claim to be the lead agency, the District may, by agreement with such other agency or agencies, designate which agency will be the lead agency.

§§15061(c) &
15061(f)

Section 4.2. State Assisted or Approved Projects. Where a project is to be undertaken by the District but requires state approval or financial assistance, the state agency involved ordinarily will require the District to prepare the environmental documents and to submit such documents with the request for approval of the proposed project. If the District thereby, or through its own initiative, becomes responsible for preparing such documents, the District is the lead agency for the project, and the procedures set forth in these Guidelines relating to project evaluation and preparation of environmental documents, including the filing of a notice of determination for the proposed project, are applicable.

§15063(b)

Section 4.3. Federally Assisted or Approved Projects. Where a project is to be undertaken by the District but requires Federal approval or financial assistance, the Federal agency involved ordinarily will undertake an environmental evaluation of the project and may or may not request District preparation of environmental documents. Since the Federal agency documents are in satisfaction of NEPA requirements, the District remains obligated under CEQA to prepare environmental documents for the project and is therefore the lead agency for the project. The District may, however, adopt all or any part of the Federal agency environmental documents in preparing District environmental documents, provided that the final environmental documents of the District comply with these Guidelines (in particular that District EIRs contain discussions of growth-inducing impacts and mitigation measures as described in paragraphs (3) and (7) of Section 7.2C) and provided that the District satisfies procedures required by these Guidelines, including the filing of a notice of determination for the proposed project.

Section 4.4. Staff Finding that District is Lead Agency. If, in the judgment of the District's staff, the project does not involve another public agency which is the lead agency, it shall proceed with the project evaluation process as outlined in Article V, provided, however, that where other public agencies will have authority for approving or carrying out the project, the District's staff shall consult with such other agencies in the preparation of all environmental documents for the project. Any person proposing to undertake a project as defined in paragraphs (2) or (3) of Section 2.21A (i.e. a private project) may present his objections to the staff's determination to the

Board at its next regular or special meeting.

§§15064, Section 4.5. Staff Finding that Another Public Agency is
15065.5, Lead Agency. If, in the judgment of the District's staff,
15085(j) the project does involve another public agency which is the
and lead agency, it shall so find and shall designate the lead
15161(a) agency on the aforementioned Preliminary Environmental Assess-
 ment.

Unless otherwise required by the Board, no further environ-
mental assessment shall be necessary.

Whenever a determination is made that another public agency
constitutes the lead agency for undertaking or approving a
project, the District's staff shall, upon written request of
the lead agency, provide data concerning all aspects of the
District's activities required to furnish service to the
project and shall provide written comments upon environmental
documents submitted by the lead agency to the District for
review. In addition, prior to approving the project, the
Board shall consider the lead agency's EIR or Negative Declara-
tion on the project and shall certify that it has reviewed and
considered the information contained in such documents.

The Office of Planning and Research will resolve disputes
among public agencies as to which is the lead agency.

§15050(c)(2) ARTICLE V - INITIAL STUDY PROCEDURES

§15080 Section 5.1. Undertaking of Initial Study; by whom;
submission of data; costs. Upon a determination that a project
is discretionary and is not otherwise exempt, and that the
District is the agency with primary responsibility for approval
of the project, an initial study shall be undertaken for the
purpose of ascertaining whether the proposed project may have
a significant effect on the environment, that is, a substantial
adverse effect on the environment.

§15080 A. As to projects defined in paragraph (1) of Section
2.21A, the initial study shall be undertaken by the District's
staff or by private experts pursuant to contract with the
District.

B. As to projects defined in paragraphs (2) or (3) of
Section 2.21A, the person or entity proposing to carry out the
project shall submit all data and information as may be required
by the District to determine whether the proposed project may
have a significant effect on the environment. Such data and
information shall consider all factors enumerated in Section
5.2. All costs incurred by the District in reviewing the data
and information submitted by said person or entity, or in
conducting its own investigation based upon such data and
information for the purpose of determining whether the proposed
project might have a significant effect on the environment
shall be borne by the person or entity proposing to carry out
the project.

Section 5.2. Evaluating Environmental Significance.

§§15081(a) & A. In determining whether a project may have a significant
15081(b) effect on the environment, the District shall base its determin-
 ation, to the extent possible, on scientific and factual data

and shall consider both primary or direct and secondary or indirect consequences.

§15081(c)

B. Some examples of consequences which may have a significant effect on the environment are whether the project:

(1) is in conflict with environmental plans and goals that have been adopted by the community where the project is to be located;

(2) has a substantial and demonstrable negative aesthetic effect;

(3) substantially affects a rare or endangered species of animal or plant, or habitat of such a species;

(4) causes substantial interference with the movement of any resident or migratory fish or wildlife species;

(5) breaches any published national, state, or local standards relating to solid waste or litter control;

(6) results in a substantial detrimental effect on air or water quality, or on ambient noise levels for adjoining areas;

(7) involves the possibility of contaminating a public water supply system or adversely affecting ground water;

(8) could cause substantial flooding, erosion or siltation;

(9) could expose people or structures to major geologic hazards;

(10) is likely to generate growth.

§15080

C. In most instances, affirmative findings as to any of the foregoing, regardless of whether the overall effect of the project is adverse or beneficial, will require preparation of an EIR. In addition, where there is, or is anticipated to be, a substantial body of opinion that considers or will consider a particular effect to be adverse, an EIR should be prepared.

§15082

Section 5.3. Mandatory Findings of Significance. In every case where any of the following conditions are found to exist as a result of a project, the project shall be found to have a significant effect on the environment:

A. Impacts which have the potential to degrade the quality of the environment or curtail the range of the environment.

B. Impacts which achieve short-term, to the disadvantage of long-term, environmental goals. A short-term impact on the environment is one which occurs in a relatively brief, definitive period of time while long-term impacts will endure well into the future.

C. Impacts for a project which are individually limited, but cumulatively considerable. A project may affect two or

more separate resources where the impact on each resource is relatively small. If the effect of the total of those impacts on the environment is significant, an EIR must be prepared. This mandatory finding of significance does not apply to two or more separate projects where the impact of each is insignificant.

D. The environmental effects of a project will cause substantial adverse effects on human beings, either directly or indirectly.

§15084

Section 5.4. Staff Determination. Upon completion of the initial study described in Section 5.1, the District's staff shall determine either that the proposed project will not have a significant effect on the environment or that the proposed project may have a significant effect on the environment. Such determination shall be set forth on a form entitled Environmental Impact Assessment (a copy of which is attached hereto as Exhibit "C"). If the District's staff finds that the proposed project will not have a significant effect on the environment, it shall prepare and file a Negative Declaration in accordance with the provisions of Article VI. If, on the other hand, the District's staff finds that the proposed project may have a significant effect on the environment, it shall cause the preparation and filing of an EIR in accordance with the provisions of Article VII.

Section 5.5. Appeal. Any person aggrieved by the determination made by the District's staff pursuant to Section 5.4 may, within ten days following such determination, file with the Secretary of the District a request for appeal thereof to the Board. The Board shall hear its appeal at its next regular or special meeting and shall not prepare a Negative Declaration or an EIR for the project until such appeal has been heard and determined.

§15050(c)(3)

ARTICLE VI - NEGATIVE DECLARATION

§15083(b)

Section 6.1. Content and Form of Negative Declaration.

A. Contents. A Negative Declaration shall be a concise, statement containing the following information:

- (1) a brief description of the project;
- (2) a finding that the project will not have a significant effect on the environment;
- (3) a brief statement of reasons to support the finding that the project will not have a significant effect upon the environment; and
- (4) a statement indicating who prepared the initial study and where a copy of it may be obtained.

B. Form. The Negative Declaration should normally not exceed one page in length. A copy of the form of Negative Declaration is attached hereto marked Exhibit "D".

§§15050(c)
(5),
15066 and
15083(a)

Section 6.2. Prior Consultation with Responsible Agencies. Before completing the Negative Declaration, the District's staff shall consult with all responsible agencies in order to insure

that the Negative Declaration will reflect the concerns of such agencies.

§§15050(c)
(9) and
15083(c)

Section 6.3. Filing of Negative Declaration. Upon completion of a Negative Declaration, the District's staff shall cause a copy of the Negative Declaration, the environmental impact assessment and the initial study to be filed at the District's office, and to be available for public inspection. Notice of the preparation of the Negative Declaration shall be given to the project sponsor.

§§15050(c)
(5),
15050(c)
(6) and
15066

Section 6.4. Comments from Agencies Having Jurisdiction by Law. Following the filing the Negative Declaration at the District's office, the District's staff shall consult with and seek to obtain comments from agencies having jurisdiction by law and should consult with the persons having special expertise with respect to any environmental impact involved.

§§15050(c)
(6),
15050(c)
(7),
15050(c)
(8) and
15083(c)

Section 6.5. Board Approval or Disapproval of Project. Following the filing of the Negative Declaration at the District's office and the consultation with agencies having jurisdiction by law, but in no event sooner than ten days following the date of filing, the Board may consider the project at a regular or special meeting for purposes of approval or disapproval. At this time, District's staff should report on comments received pursuant to consultation under Section 6.4, and members of the public may appear before the Board and present their views prior to the Board's determination to approve or disapprove the project.

§§15050(c)
(9) and
15083(d)

Section 6.6. Notice of Determination. Following approval of the project, the District shall cause to be prepared a Notice of Determination on a form attached hereto as Exhibit "E" which shall contain the following:

- A. The decision of the District to approve the project;
- B. The determination of the District that the project will not have a significant effect on the environment; and
- C. A statement that no EIR has been prepared.

A copy of the Negative Declaration shall be attached to said notice and said notice shall then be filed with the county clerk of the county or counties in which the project is located and, if the project requires discretionary approval from a state agency, with the Secretary for Resources.

Section 6.7. Posting Notice of Determination. Simultaneously with the filing of the Notice of Determination, the District shall cause a Notice of Determination to be posted at the District's office.

§15053(a)

Section 6.8. Costs. As to projects covered by paragraphs (2) and (3) of Section 2.21A, the person or entity proposing to carry out the project requiring approval by the District shall bear all costs incurred by the District in preparing and filing the Negative Declaration.

§15050(c)(4)

ARTICLE VII - ENVIRONMENTAL IMPACT REPORT

§§15013,
15050(c)
(5),
15066 and
15085(b)

Section 7.1. Environmental Impact Reports in General. Following the initial study as described in Article V and, in general, as early in the planning process as possible so as to enable environmental constraints and opportunities to be considered in the project program and design, an EIR shall be prepared for all discretionary projects not otherwise exempt upon a finding by the District's staff that the project may have a significant effect on the environment. Before completion of the draft EIR, the District's staff shall consult with all responsible agencies in order to insure that the draft EIR will reflect the concerns of such agencies and should assure that, to the extent deemed appropriate by such staff, persons and organizations believed to be concerned with the environmental effects of the project have been consulted.

§§15027 and
15140

Section 7.2. Content of Draft EIR. The draft EIR shall contain the information described in subsections A through E below.

§15141

A. Description of Project. The description of the project shall contain the following information but should not supply extensive detail beyond that needed for evaluation and review of the environmental impact:

(1) The precise location and boundaries of the proposed project shall be shown on a detailed map, preferably topographic. The location of the project shall also appear on a regional map.

(2) A statement of the objectives sought by the proposed project.

(3) A general description of the project's technical, economic, and environmental characteristics, considering the principal engineering proposals and supporting public service facilities.

§15142

B. Description of Environmental Setting. An EIR must include a description of the environment in the vicinity of the project, as it exists before commencement of the project, from both a local and regional perspective. Knowledge of the regional setting is critical to the assessment of environmental impacts. Special emphasis should be placed on environmental resources that are rare or unique to that region. Specific reference to related projects, both public and private, both existent and planned, in the region, should also be included, for purposes of examining the possible cumulative impact of such projects.

§15143

C. Environmental Impact. All phases of a project must be considered when evaluating its impact on the environment: planning, acquisition, development and operation. The subjects described in paragraphs (1) through (7) below shall be discussed, preferably in separate sections or paragraphs. If such subjects are not discussed separately, the EIR shall include a table showing where each of the subjects is discussed.

(1) The Environmental Impact of the Proposed Action: Describe the direct and indirect impacts of the project on the environment, giving due consideration to both the short-term and long-term effects.

Such description should include specifics of the area, the resources involved, physical changes, alterations to ecological systems and changes induced in population distribution, population concentration, the human use of the land (including commercial and residential development) and other aspects of the resource base such as water, scenic quality and public services.

(2) Any Adverse Environmental Effects which Cannot be Avoided if the Proposal is Implemented: Describe any adverse impacts, including those which can be reduced to an insignificant level but not eliminated. Where there are impacts that cannot be alleviated without imposing an alternative design, their implications and the reasons why the project is being proposed, notwithstanding their effect, should be described. Describe impacts on any aesthetically valuable surroundings, or on human health.

(3) Mitigation Measures Proposed to Minimize the Impact: Describe avoidable adverse impacts, including inefficient and unnecessary consumption of energy, and the measures proposed to minimize these impacts. This discussion shall include an identification of the acceptable levels to which such impacts will be reduced, and the basis upon which such levels were identified. Where alternative measures are available to mitigate an impact, each should be discussed and the basis for selecting one alternative should be identified. Energy conservation measures as well as other appropriate mitigation measures shall be discussed. Examples of energy conservation measures recognized by the Secretary for Resources are set forth in Exhibit "F".

(4) Alternatives to the Proposed Action: Describe reasonable alternatives to the project, or to the location of the project, which could feasibly attain the basic objectives of the project, and why they were rejected in favor of the ultimate choice. The specific alternative of "no project" must also always be evaluated, along with the impact. Describe alternatives capable of substantially reducing or eliminating any environmentally adverse impacts, even if these alternatives substantially impede the attainment of the project objectives, and are more costly.

(5) The Relationship Between Local Short-Term Uses of Man's Environment and the Maintenance and Enhancement of Long-Term Productivity: Describe the cumulative and long-term effects of the proposed project which adversely affect the state of the environment. Special attention should be given to impacts which narrow the range of beneficial uses of the environment or pose long-term risks to health or safety. In addition, the reasons why the proposed project is believed by the sponsor to be justified now, rather than reserving an option for further alternatives, should be explained.

(6) Any Irreversible Environmental Changes Which Would Be Involved in the Proposed Action Should it be Implemented: Uses of non-renewable resources during the initial and continued phases of the project may be irreversible since a large commitment of such resources makes removal or non-use thereafter unlikely. Primary impacts and, particularly, secondary impacts (such as a highway

improvement which provides access to a non-accessible area) generally commit future generations to similar uses. Also irreversible damage can result from environmental accidents associated with the project. Irretrievable commitments of resources should be evaluated to assure that such consumption is justified.

(7) The Growth-Inducing Impact of the Proposed Action: Discuss the ways in which the proposed project could foster economic or population growth, either directly or indirectly in the surrounding environment. Included in this are projects which would remove obstacles to population growth (a major expansion of a waste water treatment plant might, for example allow for more construction in service areas). Increases in the population may further tax existing community service facilities so consideration must be given to this impact. Also discuss the characteristic of some projects which may encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively. It must not be assumed that growth in any area is necessarily beneficial, detrimental, or of little significance to the environment.

§15144

D. Organizations and Persons Consulted. The EIR shall include a section identifying all Federal, state and local agencies (including responsible agencies) organizations and private individuals consulted in preparing the EIR and the identity of the persons, firm or agency preparing the EIR.

§15145

E. Water Quality Aspects. Describe in the environmental setting section, and in other sections where applicable, water quality aspects of the proposed project which have been previously certified by the appropriate state or interstate organization as being in substantial compliance with applicable water quality standards.

Section 7.3. Preparation of Draft EIR; by Whom.

A. As to projects defined in paragraph (1) of Section 2.21A, the draft EIR shall be undertaken by the District's staff or by private experts pursuant to contract with the District.

§§15061(b)
15085(a)

B. As to projects defined in paragraphs(2) and (3) of Section 2.21A, the person or entity proposing to carry out the project shall submit a draft EIR, containing the information required by Section 7.2 above, for review and consideration by the District's staff. The District's staff shall analyze the draft EIR submitted pursuant to this subsection to verify its accuracy and objectivity prior to presenting it to the Board. The District's staff may require additional information and data, including a statement specifying other public agencies believed to be agencies having jurisdiction by law over the project.

§§15050(c)
(9),
15085(a)
and
15085(c)

Section 7.4. Completion of Draft EIR; Notice. Upon completion, the draft EIR shall be presented to the Board for review at a regular or special meeting. If the Board finds that the draft EIR is in order and that it reflects the independent judgment of the District, the Board shall authorize the District's staff to file a Notice of Completion with the Secretary

for Resources on a form attached hereto as Exhibit "G" or a cover form required by the State Clearinghouse with the State Clearinghouse. The State Clearinghouse filing shall be made where the draft EIR will be reviewed through the state review process. In all other cases, a Notice of Completion shall be filed. Filing shall be deemed complete when the appropriate Notice has been deposited in the United States mail addressed appropriately or when delivered in person to the appropriate office.

Simultaneously with the filing of a Notice of Completion or State Clearinghouse cover form, the District shall cause a copy of said Notice or form to be filed at the District's office and be available for public inspection.

§§15050(c)
(5),
15050(c)
(6),
15066, &
15161(a)

Section 7.5. Review of Draft EIR by Other Public Agencies and Persons with Special Expertise.

A. General.

§15085(d)

(1) After filing a Notice of Completion or a State Clearinghouse cover form, whichever is appropriate, the District's staff shall consult with and obtain comments from public agencies having jurisdiction by law with respect to the proposed project. The identity of those public agencies having jurisdiction by law over the project shall be determined on a case-by-case basis. In the event that review and comment by a state agency is sought, the draft EIR shall be submitted through the State Clearinghouse.

(2) The District may send copies of the draft EIR to public agencies or persons with special expertise with respect to any environmental impact involved whose comments relative to the draft EIR would be desirable.

§§15085(d)
(2) and
15163(b)
§15085(d)(3)

(3) Copies of the draft EIR should also be furnished to appropriate public libraries.

(4) In determining appropriate public agencies, persons and libraries to whom copies of the draft EIR should be transmitted under paragraphs (1) through (3) above, District's staff shall be guided by any listings of agencies, persons or libraries prepared by it with respect to various projects and project locations.

(5) Each public agency, person, and library to whom a draft EIR is sent under paragraphs (1) through (3) above shall be advised in writing that written comments may be submitted to the District within the time established for review under subsection B below.

§§15160(a),
15160(b)
and
15160(c)

B. Time for Review. At the time the Board authorizes the filing of the Notice of Completion it shall establish a time period so as to permit adequate review of and comment on the draft EIR by such public agencies or persons. The period of time, to be established in the discretion of the Board, shall be based upon the size and scope of the proposed project; however, in no event shall the review period be less than thirty (30) days after the date of mailing or of delivery in person, or, where review by a state agency through the State Clearinghouse is requested, less than the period provided in the state review system operated by the State Clearinghouse.

§15162

C. Failure to Comment. In the event a public agency or person whose comments on a draft EIR are solicited pursuant to subsection A above fails to comment within the time period established pursuant to subsection B above, it shall be presumed, absent a written request for a specific extension of time for review and comment, together with the reasons therefor, that such agency or person has no comment to make. Any extension of time granted by the District shall be reasonable under the circumstances, but ordinarily shall not cover a period greater than the time period initially established for review and comment pursuant to subsection B above.

§15160(d)

D. Continued Planning Activities. Continued planning activities concerning the proposed project, short of formal approval thereof, may continue during the period set aside for review and comment on the draft EIR.

§§15053(b)
and
15163(a)

Section 7.6. Availability of the Draft EIR for Review. Following the filing of the Notice of Completion or State Clearinghouse cover form as required by Section 7.4, copies of the draft EIR also shall be made available at the District's office for review or acquisition by members of the general public. Any person requesting a copy of the draft EIR from the District shall be charged the actual cost of reproducing it.

§§15085(d)
(4) and
15165

Section 7.7. Public Hearings.

A. General. From time to time, depending upon the nature and location of a proposed project, the Board, in its discretion, may find it desirable to conduct a public hearing on the environmental impact thereof. In such event the public hearing shall be conducted subsequent to the filing of the Notice of Completion, but in no event sooner than fourteen days thereafter. The draft EIR shall be used as the basis for discussion during any public hearing that may be held.

B. Notice. Notice of the time and place of the public hearing shall be published once in a newspaper of general circulation which is printed, published and circulated within the District. If there is no such newspaper, it may be published in a newspaper of general circulation within the District and it shall be posted at three public places within the District, one of which shall be at the principal offices of the District. Publication or posting shall be done at least fourteen (14) days prior to the date set for public hearing. Said notice also shall indicate where the draft EIR is available for review.

C. Public Hearing During Regular Meeting. A public hearing may be scheduled to be conducted during the course of a regular meeting of the Board.

D. Procedures for Conducting Public Hearings. The procedures for the manner of conducting the public hearings shall be prescribed by the Board at the time the hearing convenes. Members of the public who attend shall be afforded the opportunity to participate in the hearing process.

§15050(c)(8)

Section 7.8. Final EIR.

§15085(f)

A. Preparation. Following the receipt of comments on the draft EIR by other public agencies and persons with special expertise pursuant to Section 7.5, and if a public

hearing has been held pursuant to Section 7.7, following such hearing, comments that have been received shall be evaluated and then a final EIR shall be prepared by District's staff.

§§ 15027, 15050(c), (7), 15085(e), 15086, 15146(a) and 15146(b) B. Contents. The final EIR shall consist of the draft EIR or a revised draft EIR, a section containing a statement of the comments received through the review and consultation process set forth in Sections 7.5 and 7.7, either verbatim or in summary, a list of persons and public agencies commenting on the draft EIR, and a section containing the responses of the District to the significant environmental points that are raised in the review and consultation process.

The response of the lead agency to comments received may take the form of a revision of the draft EIR or may be an attachment to the draft EIR. The response shall describe the disposition of significant environmental issues raised (e.g. revisions to the proposed project to mitigate anticipated impacts or objections). In particular the major issues raised when the District's position is at variance with recommendations and objections raised in the comments must be addressed in detail giving reasons why specific comments and suggestions were not accepted, and factors of overriding importance warranting an override of the suggestions.

§15086 Where a project report is prepared in the review or budgetary process pertaining to a proposed project and an EIR has been prepared for such project, the final EIR shall be included as a part of the project report.

§§15050(c) (9) and 15085(g) Section 7.9. Certification of Final EIR by Board; Board Approval or Disapproval of Project. Following preparation of the final EIR, it shall be presented to the Board for review. If the Board finds the final EIR to be in order it shall, at a regular or special meeting, certify that the final EIR has been completed in compliance with the California Environmental Quality Act of 1970 and the State Guidelines and that the Board has reviewed and considered the information contained in the EIR. Thereupon the Board may proceed immediately to consider the proposed project for purposes of approval or disapproval. Members of the public may appear before the Board and present their views prior to the Board's determination to approve or disapprove the project.

§15085(b) Section 7.10. Notice of Determination. Following approval of the project, the District shall cause to be prepared a Notice of Determination on a form attached hereto as Exhibit "E" which shall contain the following:

- A. The decision of the District to approve the project;
- B. The determination of the Board as to whether the project will or will not have a significant effect on the environment; and
- C. A statement that an EIR has been prepared.

Said notice shall then be filed with the county clerk of the county or counties in which the project is located and, if the project requires discretionary approval from a state agency, with the Secretary for Resources.

§15088 Section 7.11. Statement of Overriding Considerations. If the Board approves a project for which serious adverse

environmental consequences have been identified in the EIR, the Board may direct that there be attached to the Notice of Determination a statement identifying the overriding interests which warrant project approval.

§15053(a)

Section 7.12. Costs. As to projects covered by paragraphs (2) and (3) of Section 2.21A, the person or entity proposing to carry out the project requiring approval by the District shall bear all costs incurred by the District in preparing and filing the EIR, as well as all publication costs incident thereto.

§15166

Section 7.13. Retention of Comments. All written comments received on a draft EIR through the formal consultation process, as well as all written comments that may be received independently of said process, shall be retained at the District's office for a period of at least one year following approval or disapproval of the project to which they relate. Said comments shall be made available for public inspection at all reasonable times.

ARTICLE VIII - EIRS AND PROJECT SCOPE

§15067

Section 8.1. Subsequent EIRs. Where an EIR has been prepared for a project no additional EIR need be prepared unless:

A. Substantial changes are proposed in the project which will require major revisions of the EIR, due to the involvement of new environmental impacts not considered in the previous EIR.

B. There are substantial changes with respect to the circumstances under which the project is to be undertaken, such as a change in the proposed location of the project, which will require major revisions in the EIR due to the involvement of new environmental impacts not covered in the previous EIR.

§15068

Section 8.2. Use of a Single EIR.

A. Two or More Projects. A single EIR may be utilized to describe more than one project when the projects are essentially the same in terms of environmental impacts. Any environmental impacts peculiar to any one of the projects must be separately set forth and explained.

B. Later Projects. An EIR on an earlier project may be utilized to apply to a later project if the environmental impacts of the projects are essentially the same. If there are environmental impacts applicable to the later project which were not associated with the earlier project, the earlier EIR must be supplemented to set forth and explain said impacts separately.

§15069

Section 8.3. Multiple and Phased Projects.

A. Phased Projects. Where individual projects are, or a phased project is, to be undertaken and where the total undertaking comprises a project with significant environmental effect, a single EIR must be prepared for the ultimate effect.

B. Interrelated Projects. Where an individual project is a necessary precedent for action on a larger project, or

commits the District to a larger project, the EIR must address itself to the scope of the larger project.

C. Similar Projects. Where one project is one of several similar projects of the District, but is not deemed a part of a larger undertaking or a larger project, one EIR may be prepared for all projects, or one for each project, but should in either case comment upon the combined effect.

ARTICLE IX - MISCELLANEOUS

Section 9.1. Partial Invalidity. In the event any part or provision of these Guidelines shall be determined to be invalid, the remaining portions hereof which can be separated from the invalid unenforceable provisions, shall nevertheless continue in full force and effect.

Section 9.2. Headings. Headings preceding the texts of the articles, sections and paragraphs hereof shall be solely for convenience of reference and shall not affect the meaning, construction or effect of such texts.

15014(b)
and
15070(c)

Section 9.3. Effective Date. These Guidelines, except Section 7.2C(3) shall be effective on April 1, 1975. Section 7.2C(3) shall be effective on January 7, 1975, provided, however, that any draft EIR which was completed and sent out for public review on or before January 6, 1975, in compliance with District guidelines theretofore in effect shall be deemed in compliance with these Guidelines.

* * * * *

EXHIBIT "A"

_____ DISTRICT

PRELIMINARY ENVIRONMENTAL ASSESSMENT

Name of Project:

Location:

Entity or Person Undertaking Project: (Check appropriate box)

_____ District

Other: Name _____
Address _____

Staff Determination

The District's staff, having undertaken and completed a preliminary review of this project in accordance with the District's guidelines entitled "Local Guidelines Implementing the California Environmental Quality Act of 1970, as Amended", has concluded that this project does not require further environmental assessment because:

- () 1. The proposed action does not constitute a project within the meaning of Section 3.1 and Section 2.21.
- () 2. The project constitutes a feasibility or planning study under Section 3.2.
- () 3. The project is an Emergency Project under Section 3.3.
- () 4. The project is a Ministerial Project under Section 3.4.
- () 5. The project is Categorically Exempt under Section 3.5.

Applicable Exemption Class _____

- () 6. The project involves another public agency which constitutes the lead agency.

Name of Lead Agency _____

Date: _____

_____ Authorized Person

EXHIBIT "B"

NOTICE OF EXEMPTION

TO: Secretary for Resources
1416 Ninth Street, Room 1311
Sacramento, California 95814

FROM:

County Clerk
County of _____

Project Title
Project Location - Specific
Project Location - City Project Location - County
Description of Nature, Purpose, and Beneficiaries of Project
Name of Public Agency Approving Project
Name of Person or Agency Carrying Out Project

Exempt Status: (Check One)

- Ministerial (Sec. 15073)
- Declared Emergency (Sec. 15071 (a))
- Emergency Project (Sec. 15071 (b) and (c))
- Categorical Exemption. State type and section number:

Reasons why project is exempt: _____

Contact Person Area Code Telephone Extension

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a notice of exemption been filed by the public agency approving the project? Yes _____ No _____

Date Received for Filing

Signature

Title

EXHIBIT "C"

_____ DISTRICT

ENVIRONMENTAL IMPACT ASSESSMENT

Name of Project:

Location:

Entity or Person Undertaking Project: (Check appropriate box)

_____ District

Other: Name _____
Address _____

Staff Determination

The District's staff, having undertaken and completed an initial study of this project in accordance with Article V of the District's guidelines entitled "Local Guidelines Implementing the California Environmental Quality Act of 1970, as Amended", for the purpose of ascertaining whether the proposed project might have a significant effect on the environment, has reached the following conclusion:

- () 1. The project will not have a significant effect on the environment; therefore, a negative declaration should be prepared.
- () 2. The project may have a significant effect on the environment; therefore, an EIR will be required.

Date: _____

Authorized Person

EXHIBIT "D"

NEGATIVE DECLARATION

Name of Project:

Location:

Entity or Person Undertaking Project: (Check appropriate box)

_____ District

Other: Name _____
Address _____

Project Description:

Finding: It is hereby found that the above named project will not have a significant effect upon the environment.

Reasons: The following reasons support the above finding:

(a)

(b)

(c)

(d)

Initial Study: An initial study of this project was undertaken and prepared in accordance with Article V of the District's local environmental guidelines for the purpose of ascertaining whether this project might have a significant effect on the environment by:

Place Where Copy of Initial Study May Be Obtained:

Date:

Authorized Person

EXHIBIT "E"

NOTICE OF DETERMINATION

TO: Secretary for Resources
1416 Ninth Street, Room 1311
Sacramento, California 95814

FROM: (Lead Agency)

County Clerk
County of _____

SUBJECT: Filing of Notice of Determination in compliance with
Section 21108 or 21152 of the Public Resources Code

Project Title	
State Clearinghouse Number (If submitted to State Clearinghouse)	
Contact Person	Telephone Number
Project Location	
Project Description	

This is to advise that the _____
(Lead Agency)
has made the following determinations regarding the above described
project:

- The project has been approved by the Lead Agency.
 disapproved
- The project will have a significant effect on the environ-
 will not ment.
- An Environmental Impact Report was prepared for this
project pursuant to the provisions of CEQA.
 A Negative Declaration was prepared for this project
pursuant to the provisions of CEQA. A copy of the
Negative Declaration is attached.

Date Received for Filing

Signature _____
Title _____
Date _____

EXHIBIT "F"

(Prepared by Secretary For Resources)

Energy Conservation

The California Environmental Quality Act was amended, effective January 7, 1975, to require that the discussion of mitigation measures in an EIR include a discussion of measures to reduce the inefficient and unnecessary consumption of energy. The following discussion is offered as assistance in meeting this requirement.

Energy conservation is the wise use of energy resources. The wisdom of a certain kind of energy use will vary according to the circumstances. In late 1974, a leading consideration in energy use is the reduction in dependence upon high priced imported petroleum. Other considerations are the reduction in pollution from energy use and finding ways to make resources in short supply last longer and be used for the most essential purposes.

Energy conservation measures, including both the available alternatives and those incorporated into the design and operation of a proposed project need to be discussed in EIR's. There are many ways in which a project may be designed or operated to make more efficient and wise use of energy. The following list of conservation measures provides examples that may be used in EIR's where relevant. The list is not exhaustive, and it is not necessary to discuss each example in every EIR.

- (1) Insulation and other protection from heat loss or heat gain to conserve fuel used to heat or cool buildings and mobile homes.
- (2) Use of resource conserving forms of energy such as solar energy for water and space heating, wind for operating pumps, falling water for generating electricity, and heat pumps.
- (3) Energy efficient building design including such features as orientation of structures to summer and winter sunlight to absorb winter solar heat and reflect or avoid summer solar heat.
- (4) Measures to reduce energy consumption in transportation such as:
 - (a) Providing access to alternative means of transportation for people such as bus lines, mass transit, bicycle lanes, pedestrian facilities, and car pooling.
 - (b) Use of small cars rather than large cars where possible.
 - (c) Use of alternative means of shipping which allow for energy savings.
- (5) Efficient lighting practices including use of indirect natural light, use of efficient lighting fixtures and/or sources, establishment of reasonable lighting criteria to prevent over illumination, and minimum use of architectural or display lighting.
- (6) Energy conserving construction practices.
- (7) Use of energy conservation devices such as flywheels.
- (8) Rate structures which discourage unnecessary energy consumption.
- (9) Use of human or animal power where such use is feasible.
- (10) Waste heat recovery.
- (11) Recycling and use of recycled materials.

EXHIBIT "G"

TO: State of California
The Resources Agency
Secretary for Resources
1416 Ninth Street, Room 1311
Sacramento, California 95814

DATE:

NOTICE OF COMPLETION

Project Title

Project Location - Specific

Project Location - City	Project Location - County
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Description of Nature, Purpose, and Beneficiaries of Project

Lead Agency	Division
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Address Where Copy of EIR is Available

Review Period

Contact Person	Area Code	Phone	Extension
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