

COUNTY OF LOS ANGELES
ENVIRONMENTAL DOCUMENT REPORTING
PROCEDURES AND GUIDELINES

ADOPTED
BOARD OF SUPERVISORS
NOVEMBER 17, 1987



TABLE OF CONTENTS

	PAGE
I. APPLICABILITY	1
II. PURPOSE	1
III. DEFINITIONS	1
301 Approval	
302 Categorical Exemption	
303 Discretionary Project	
304 Lead County Agency	
305 Local Planning Agency	
306 Notice of Consultation	
307 Project	
IV. PRELIMINARY REVIEW AND INITIAL STUDY	5
401 Preliminary Review	
402 Initial Study	
V. NEGATIVE DECLARATIONS	7
501 Negative Declaration Process	
VI. ENVIRONMENTAL IMPACT REPORTS	8
601 Decision to Prepare an EIR	
602 Environmental Impact Report Process	
603 Findings for Projects with Significant Effects	
604 Statement of Overriding Considerations	
605 Final EIR	
606 Types of EIRs	
VII. GENERAL CONSIDERATIONS IN PREPARING AND EVALUATING ENVIRONMENTAL DOCUMENTS	12
701 Role as a Responsible Agency	
702 Standards for Adequacy of an EIR	
703 Incorporation by Reference	
704 Degree of Specificity of an EIR	
705 Tiering	
706 Fees	

VIII. CONSULTATION AND PUBLIC REVIEW

14

- 801 Consultation with Responsible Agencies Prior to Preparation of EIR or Negative Declaration
- 802 Consultation with Responsible Agencies After Completion of Draft EIR or Negative Declaration
- 803 Consultation with other Public Agencies, Persons, and Organizations, and County Departments
- 804 Notification of Availability of Environmental Documents
- 805 Availability of Environmental Documents
- 806 Public Hearing Procedures
- 807 Notice of Determination

IX. TIME LIMITS

17

- 901 Complete Applications
- 902 Initial Study
- 903 Notice of Preparation
- 904 Negative Declarations
- 905 EIRs
- 906 Notice of Determination

	<u>PAGE</u>
APPENDIX A: Initial Study Questionnaire (Private Projects)	A-1
APPENDIX B: Initial Study (Private Projects)	B-1
APPENDIX C: Initial Study (Public Projects)	C-1
APPENDIX D: Significant Effects	D-1
APPENDIX E: Negative Declaration	E-1
APPENDIX F: Content for Environmental Impact Reports	F-1
APPENDIX G: Categorically Exempt Projects	G-1
APPENDIX H: Ministerial Projects	H-1
APPENDIX I: Environmental Factors and County Agencies with Environmental Information	I-1
APPENDIX J: Notice of Exemption	J-1
APPENDIX K: Notice of Completion	K-1
APPENDIX L: Form to Mail Environmental Documents To the State	L-1
APPENDIX M: Notice of Determination	M-1
APPENDIX N: Notice of Consultation	N-1
APPENDIX O: Notice of Consultation (If Preliminary Environmental Determination is Submitted)	O-1
APPENDIX P: Notice of Preparation	P-1
APPENDIX Q: Notice of Preparation (When Determination and Consultation are Combined)	Q-1

CHAPTER I: APPLICABILITY

The requirements set forth in these Guidelines apply to projects which may have a significant effect on the environment that are either to be carried out by, or require discretionary approval of special districts and agencies governed by the Board of Supervisors, County of Los Angeles.

CHAPTER II: PURPOSE

The purpose of these Guidelines is to set forth definitions, procedures, and criteria to be used by the County of Los Angeles in implementation of the California Environmental Quality Act of 1970, Public Resources Code, Section 21000 et. seq. (CEQA) . A brief summary of the intent and requirements of the CEQA is included. The County Guidelines are intended to supplement , where appropriate, the state CEQA Guidelines by outlining specific procedures or provisions unique to County operations. In the event of any conflict, the State CEQA Guidelines shall prevail.

At the beginning of each Chapter there is a reference to corresponding portions of the State CEQA Guidelines. For information on General Responsibilities, Authority, and Lead Agency Determination, see Title 14, Division 6, Chapter 3, Article 1 (Sections 15000 et. seq.) ; Article 2 (Sections 15020 et. seq.); Article 3 (Sections 15040 et seq.); and Article 4 (Sections 15050 et. seq.) of the California Administrative Code.

CHAPTER III: DEFINITIONS

Only definitions which differ from those in the State CEQA Guidelines, Title 14, Division 6, Chapter 3, Article 20 (Sections 15350 et. seq.), of the California Administrative Code are identified in this chapter. The minor re-definitions are necessary to clarify their application to County procedures.

301. Approval

The action or determination to carry out a project as follows:

A. Public Projects:

- (1) If acquisition of real property is required for a project, approval occurs on the first date the specific site is approved by the Board of Supervisors or if there is no site approval involved, approval occurs on the first date expenditures are authorized for the real property acquisition or on the first date a gratis acquisition is obtained;
- (2) If no real property acquisition is required, approval occurs on the first date that construction plans, at any stage of design, are approved by the Board; or
- (3) If no plan approval by the Board is required, approval occurs on the first date public funds for the project are committed.

B. Private Projects:

- (1) If no public funds are involved in a project, approval occurs on the date the project is authorized to proceed or a discretionary permit, lease, license, certificate, or other entitlement for use is granted by the Board of Supervisors or other officials having final approval authority.

302. Categorical Exemption

An exemption from CEQA for a project meeting the criteria for a class of projects determined by the Secretary for Resources not to have a significant effect on the environment. Appendix G contains a list of projects, as determined by the Board of Supervisors, qualifying for these classes, and as a result, found not to have a significant effect on the environment.

303. Discretionary Project

A project which requires the exercise of judgement, deliberation, or decision on the part of the public agency or body in the process of approving or disapproving a particular activity, as distinguished from situations where the public agency or body merely has to determine whether there has been conformity with applicable statutes, ordinances or regulations .

304. Lead County Agency

A County department or special district which has the principal responsibility for carrying out a public project or approving a non-public project. The lead County agency will be responsible for the preparation of the environmental documents for the project.

305. Local Planning Agency

The Los Angeles County Regional Planning Commission and/or the Department of Regional Planning within the unincorporated County area. Within incorporated areas, the local planning agency is the planning department and/or planning commission of that city.

306. Notice of Consultation

A brief notice sent by the lead County agency to responsible agencies to solicit their guidance as to whether a project requires an EIR or a Negative Declaration. The notice may also request information on the scope and content of material to be covered in an EIR, if the responsible agency recommends an EIR be prepared.

307. Project

- A. The whole of an action, which has a potential for resulting in a physical change in the environment, directly or ultimately, 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 of 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.
 - (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) 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, emergency repairs to public service facilities, general policy and procedure making (except as they are applied to specific instances covered above), and feasibility or planning studies.
- (4) The submittal of proposals to a vote of the people of the State or of a particular community.
- (5) An activity undertaken, carried out, or approved by a public agency 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.
- (6) Any interim ordinance enacted pursuant to Section 65858 of the Government Code or any amendment to the Zoning Ordinance which is a procedural change rather than a substantive change affecting the zoning of property, land use regulations, development standards or other similar regulations.
- (7) Feasibility or planning studies for possible future actions which have not been approved, adopted, or funded.
- (8) Activities and approvals pursuant to the California Coastal Act (Section 30000 et. seq. of the Public Resources Code).
- (9) Actions to disapprove a proposal.
- (10) Establishment or changes to rates or charges for the purpose of meeting operating expenses.
- (11) Any project of less than one mile in length within a public street or highway or any other public right-of-way for the installation of a new pipeline or the maintenance, repair, restoration, reconditioning, relocation, replacement, removal, or demolition of an existing pipeline. For purposes of this section, "pipeline" includes subsurface facilities but does not include any surface facility related to the operation of the underground facility.

- 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 lead agency could describe the project as either the adoption of a particular regulation under sub-section (A) (1) or as development proposal which will be subject to several governmental approvals under sub-sections (A) (2) or (A) (3), the lead agency shall describe the project as the development proposal for the purpose of environmental analysis.

CHAPTER IV: PRELIMINARY REVIEW AND INITIAL STUDY

For more detailed information, see Title 14, Division 6, Chapter 3, Article 5 (Sections 15060 et. seq.) of the California Administrative Code.

401. Preliminary Review

- A. When a project is proposed, the lead County agency shall determine whether the project is ministerial (see Appendix H), categorically exempt (see Appendix G), an emergency project, or does not fall within the definition of a project (see Section 30B). Such projects are exempt from the requirements of CEQA and require no further consideration of environmental impact.
- B. Even though the formal environmental review period begins only after the lead County agency accepts an application as complete, the agency may begin its environmental analysis prior to this acceptance.
- C. A Notice of Exemption (see Appendix J) may be filed by either the lead County agency or by an applicant after the project has been approved. The Notice shall be filed with the County Clerk, who shall post the Notice for a period of 30 days.

402. Initial Study

- A. If a project is not exempt from the requirements of CEQA as determined by Section 401 (A), the lead County agency shall conduct an Initial Study, considering all phases of the project, to determine if there is substantial evidence that the project may have a significant effect on the environment.

- B. If a project is to be carried out by a private person or private organization, the lead County agency may require such person or organization to submit data and information which will enable the lead County agency to prepare the Initial Study. This data may be in the form of the Initial Study Questionnaire as shown in Appendix A.

- C. Prior to determining whether a Negative Declaration or an EIR will be required for a project, the lead County agency shall consult with all responsible agencies and with any trustee agencies responsible for natural resources potentially affected by the project to obtain their recommendations. The consultation may include a preliminary Initial Study determination by the lead County agency, provided sufficient information has been submitted for review. If an EIR is required, the consultation may be combined with the Notice of Preparation. See Section 801 for the consultation procedure.

- D. An Initial Study for a private project should be prepared according to the sample format in Appendix B. For County projects, the lead County agency shall prepare an Initial Study using the format in either Appendix B or Appendix C.

- E. The time limits for completing an environmental determination on a private project after accepting the application as complete are 30 days for an EIR and 45 days for a Negative Declaration.

- F. If the project will have no significant effect on the environment (considering both primary and secondary effects) as determined by the Initial Study and a review of the examples of possible significant effects included in Appendix D, the lead County agency shall prepare a Negative Declaration. If there is substantial evidence that the project may have a significant effect on the physical environment, the agency shall prepare a Draft EIR. The decision shall be based on information in the record of the lead County agency and may be guided by serious environmental controversy or disagreement between experts.

- G. Environmental effects dismissed in an Initial Study as clearly insignificant and unlikely to occur need not be discussed further in an EIR unless the lead County agency subsequently receives information inconsistent with the finding in the Initial Study. A copy of the Initial Study shall be attached to the EIR and may be attached to a Negative Declaration to provide the basis for limiting the impacts discussed.

- H. A Negative Declaration shall be prepared where the Initial Study shows that there is no substantial evidence that the project may have a significant effect on the environment or where the potentially significant effects identified in the Initial Study are mitigated to insignificant levels by revisions in the project plans made by the applicant or mutually agreeable conditions made a part of the case approval.

CHAPTER V. NEGATIVE DECLARATIONS

For more detailed information, see Title 14, Division 6, Chapter 3, Article 6 (Sections 15070 et. seq.) of the California Administrative Code.

501. Negative Declaration Process

- A. If the lead County agency determines that there is no substantial evidence that a project may have a significant effect on the physical environment or if potentially significant effects are reduced to insignificant levels by revisions to project plans or proposals or by a mutually agreeable condition of the case approval, a Negative Declaration shall be prepared by or under contract to the lead County agency. The format shown in Appendix E may be used.

- B. After drafting the Negative Declaration, the lead County agency shall consult with all responsible agencies, trustee agencies responsible for natural resources affected by the project, and every agency with jurisdiction by law (see Section 802). The lead County agency should consult with other agencies and persons having special expertise (see Section 803 (B)).

If any of these agencies is a State agency, 15 copies of the Negative Declaration shall be submitted to the State Clearinghouse for distribution and a 30 day review period. The transmittal form used for State consultation is shown in Appendix L.

- C. The lead County agency shall provide a public review period of a Negative Declaration for a reasonable period of time, but not less than 10 days, before approval of the Negative Declaration . (30 Days if the project has been submitted for State Clearinghouse review.) (See Section 804).
- D. Prior to the time the project is approved, the Board of Supervisors or other decision-making bodies or administrative officials having final approval authority shall consider the Negative Declaration, together with any comments received during the public review process, and approve or disapprove the Negative Declaration.
- E. The lead County agency shall complete a Negative Declaration for a private project within one hundred five (105) calender days from the date on which an application requesting approval of the project is received and accepted as complete. Such time limit may be extended once for 90 days, provided that compelling circumstances justify additional time and that the project applicant and lead County agency consent thereto.
- F. After making a decision to carry out or approve a project for which a Negative Declaration has been prepared, the lead County agency shall file a Notice of Determination (see Appendix M) within five (5) working days with the County Clerk, and if the project requires discretionary approval from a State agency, with the Governor's office of Planning and Research. The filing of the Notice of Determination with the County Clerk and the subsequent posting by the County Clerk starts a 30-day statute of limitations on court challenges to the approval under CEQA.

CHAPTER VI. ENVIRONMENTAL IMPACT REPORTS

For more detailed information, see Title 14, Division 6, Chapter 3, Article 7 (Sections 15080 et. seq.) and Article 9 (Sections 15120 et. seq.) of the California Administrative Code.

601. Decision to Prepare an EIR

- A. If the lead County agency finds that there is substantial evidence that the project may have a significant effect on the physical environment, the lead County agency must prepare or cause to be prepared an EIR. The lead County agency shall consider all aspects of the project, either individually or cumulatively, which may cause a substantial adverse change in the environment, regardless of whether the overall effect of the project is adverse or beneficial. A project shall be found to have a significant effect on the environment if it has the potential to degrade the quality of the physical environment, threaten to substantially reduce or eliminate a plant or animal community, or eliminate important examples of the major periods of California history or pre-history; has the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals; or will cause substantial adverse physical effects on human beings, either directly or indirectly.

02. Environmental Impact Report Process

- A. After making a determination to prepare an EIR, the lead County agency shall send a Notice of Preparation to each responsible agency and trustee agency responsible for natural resources affected by the project. These agencies shall respond within 30 days with specific detail on scope and content for the EIR. See Section 801 for consultation process and Appendix P for a sample format on a consultation letter .

If appropriate, this step may be combined with the consultation phase of the Initial Study. A sample letter of consultation is found in Appendix Q.

If a State agency is involved, a copy of the Notice of Preparation shall be sent to the Office of Planning and Research.

- B. Before completing a Draft EIR, the lead County agency should also consult with other agencies and persons as provided in Section 803 (A).
- C. The lead County agency may begin work on the Draft EIR without awaiting the responses to the Notice of Preparation; however, if necessary, the EIR is to be revised or expanded to conform to responses to such Notice.

- D. A Draft EIR shall be prepared by or under contract to the lead County agency according to the format shown in Appendix F.
- E. For private projects, the lead County agency may require the applicant to provide necessary data to assist in the preparation of an EIR by the lead County agency. Such data may be provided in the form of a Draft EIR. The lead County agency may not use the document as its own without independent evaluation and analysis.
- F. The lead County agency shall submit all Draft EIRs for review and comment (for a period not less than 30 calendar days from the date of mailing) to all responsible agencies and trustee agencies responsible for natural resources affected by the project and should consult with other organizations and persons, as provided in Sections 802 and 803 (B). Distribution to State agencies is made by submitting 15 copies to the State Clearinghouse. Appendix L contains the format used in transmitting the EIR to the State. The review period for the State Clearinghouse is 45 days. If no comment is received within the time specified, it shall be assumed, absent a written request for a specific extension of time, that no comment is to be made. Agencies reviewing the Draft EIR shall consider only those significant environmental factors within their area of expertise, and specifically comment on those factors which have not been considered or which may be inaccurate.
- G. Upon completion of a Draft EIR, the lead County agency shall file a Notice of Completion with the Governor's Office of Planning and Research (see Appendix K) and shall at the same time notify the public of the completion of the Draft EIR, pursuant to Section 804. When the Draft EIR is to be reviewed by State agencies, the cover form required by the State Clearinghouse shall serve as the Notice of Completion.
- H. The Draft EIR shall be available for Public review for at least 30 calendar days. The Draft EIR should be available in a library or libraries or other public building(s) nearest the project site. Notice of the availability of the Draft EIR shall be provided (See Section 804).
- I. After evaluating the comments from those who reviewed the Draft EIR, a Final EIR shall be prepared by the lead County agency. The responses shall describe the disposition of significant environmental issues raised and shall be based on factual information.

- J. Prior to the time the project is approved, the Final EIR shall be sent to the Board of Supervisors or other decision-making body for certification that the Final EIR has been completed in compliance with CEQA and the State and County Guidelines, and that they have reviewed and considered the information contained in the Final EIR prior to approval of the project. In addition, the Board of Supervisors or other decision making body shall determine that the project will or will not have a significant effect on the environment.

An advisory agency shall also review the Final EIR prior to a recommendation on the project.

- K. After the project for which an EIR has been prepared is approved, the lead County agency shall file a Notice of Determination (see Appendix M) within five (5) working days with the County Clerk and, if the project requires discretionary approvals from a State agency, the Governor's Office of Planning and Research. The filing of the Notice of Determination with the County Clerk and the subsequent posting by the County Clerk starts a 30-day statute of limitations on court challenges to the approval under CEQA.
- L. The lead County agency shall complete and certify the Final EIR for a private project within 12 months after the date on which an application requesting approval of such a project has been received and accepted as complete. Such time limit may be extended once for 90 days provided that compelling circumstances justify additional time and that the project applicant and lead County agency consent thereto.

603. Findings for Projects with Significant Effects

- A. If the Board of Supervisors or other County decision-making body has approved a Final EIR for a project which identifies one or more significant effects, the lead County agency must recommend that the Board of Supervisors or other County decision-making body make one or more of the following findings before the project is approved. If such finding(s) is not made, the project cannot be approved.
 - (1) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.
 - (2) Such changes or alterations are within the responsibility and jurisdiction of another public agency making the finding. Such changes have been adopted by such other agency, or can and should be adopted by such other agency.

- (3) Specific economic, social, or other considerations make infeasible the mitigation measures or project alternatives identified in the Final EIR.
- B. The findings required by Subsection A above shall be supported by substantial evidence in the record.
- C. The finding in Subsection (A) (2) shall not be made if the agency making the findings has concurrent jurisdiction with another agency to deal with identified feasible mitigation measures or alternatives.
- D. A project shall not be approved unless it will not have a significant effect on the environment or the effects are substantially lessened to the extent feasible and are acceptable due to overriding considerations.
- E. As part of the findings, there shall be an explanation why other alternatives identified in the EIR were rejected in favor of the recommended proposal.

604. Statement of Overriding Considerations

- A. Where the decision of the Board of Supervisors or other decision-making body allows the occurrence of significant effects which are identified in the Final EIR but are not mitigated, it must state in writing the reasons to support its action based on the Final EIR and/or other information in the record. This statement may be necessary if a finding is made under Section 603 (A) (2) or 603 (A) (3) .
- B. If a statement of overriding considerations is made, the statement should be included in the record of the project approval and should be mentioned in the Notice of Determination.

605. Final EIR

- A. The lead County agency shall file a copy of the Final EIR with the local planning agency where significant effects may occur.
- B. The applicant shall provide a copy of the certified EIR to each responsible agency.

606. Types of EIRs

The State Guidelines (Article 11, Sections 15160 et. seq. and Article 12, Sections 15180 et. seq.) provide for a variety of methods to using previously prepared EIRs on a project and methods to supplement them to ensure their adequacy. The State CEQA Guidelines also encourage broader EIRs which can be used on subsequent projects. Part of the State CEQA Guidelines also provide for special situations for projects consistent with specific or general plans.

CHAPTER VII. GENERAL CONSIDERATIONS IN PREPARING AND
EVALUATING ENVIRONMENTAL DOCUMENTS

For more detailed information, see Title 14, Division 6, Chapter 3, Article 10 (Sections 15140 et. seq.), Article 11 (Sections 15160 et. seq.), Article 12 (Sections 15180 et. seq.); and Article 14 (Sections 15220 et. seq.) of the California Administrative Code.

701. Role as a Responsible Agency

- A. A responsible County agency should review and comment on Draft EIRs. Comments should focus on shortcomings, possible alternatives, and possible mitigation measures and should be as specific as possible.
- B. A responsible County agency shall consider the environmental document prepared by a lead agency and reach its own conclusions. If necessary, a subsequent or supplemental EIR can be prepared. The responsible County agency shall implement feasible alternatives or mitigation measures within its powers and shall make the findings required by Section 603.

702. Standards for Adequacy of an EIR

An EIR should be prepared with a sufficient degree of analysis to provide decision-makers with information which enables them to make a decision which intelligently takes account of environmental consequences. An evaluation of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in the light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate. The courts have not looked for perfection but for adequacy, completeness and a good faith effort at full disclosure.

703. Incorporation by Reference

- A. An environmental document may incorporate by reference all or portions of another document which is a matter of public record or is generally available to the public. The referenced document shall be briefly summarized and its relationship to the EIR or Negative Declaration explained.
- B. Where part of another document is incorporated by reference, such other document shall be made available to the public for inspection at a public place or public building. At the minimum, the incorporated document shall be made available to the public in an office of the lead agency in the County where the project would be carried out.

704. Degree of specificity of an EIR

The degree of specificity required in an EIR will correspond to the degree of specificity involved in the underlying activity which is described in the EIR.

705. Tiering

Agencies are encouraged to tier EIRs so as to eliminate repetitive discussions and focus the discussion at each level of environmental review. As the level of detail increases, the EIR should be limited to the effects not discussed previously.

706. Fees

- A. All lead agencies preparing EIRs or Negative Declarations for projects to be carried out by any person other than the lead agency itself may charge and collect a reasonable fee from such person or entity, in order to recover the estimated cost incurred in preparing and/or reviewing the EIR or Negative Declaration.
- B. Public agencies may charge and collect a reasonable fee from members of the public for a copy of an environmental document not to exceed the actual cost of reproducing a copy.

CHAPTER VIII. CONSULTATION AND PUBLIC REVIEW

For more detailed information, see Title 14, Division 6, Chapter 3, Article 13 (Sections 15200 et. seq.) of the California Administrative Code.

801. Consultation With Responsible Agencies Prior to Preparation of EIR or Negative Declaration

- A. Prior to determining whether a Negative Declaration or EIR is required for a project, the lead County agency shall consult with all responsible agencies and with any trustee agencies responsible for natural resources affected by the project. This first step of consultation may be done quickly and informally. A Notice of Consultation shall be sent to each responsible and trustee agency (See Appendix N).

This notice may be combined with the Notice of Preparation if a preliminary environmental determination is a part of the consultation material (See Appendix O).

- B. In response to consultation, a responsible agency must explain its reasons for recommending whether the lead County agency should prepare an EIR or Negative Declaration for a project. Where the agency recommends that an EIR be prepared for a project, the responsible agency should identify the significant environmental effects which it believes could result from the project or recommend that the project be modified to eliminate the significant effects.
- C. Immediately after making a determination to prepare an EIR, the lead agency shall send a Notice of Preparation (see Appendix N) by certified mail or any other method of transmittal which provides it with a record that the Notice was received, to each responsible agency and to those trustee agencies responsible for natural resources affected by the project. Appendix Q is a sample format for a Notice of Preparation when it is combined with the consultation process. When one or more agencies will be a state agency, the lead agency shall send the Notice of Preparation to each state responsible agency and each trustee agency with a copy to the office of Planning and Research. The Notice shall also be sent to any Federal agency involved in approving or funding the project.
- D. In order to expedite the consultation, after a Notice of Preparation has been sent indicating an EIR will be required, the lead County agency, a responsible agency, a trustee agency or a project applicant may request one or more meetings between representatives of the agencies involved to assist the lead County agency in determining the scope and content of the environmental information which the responsible agency may require. Such meetings shall be convened by the lead County agency as soon as possible, but no later than 30 days, after the meetings were requested. The responsible agency shall designate employee (s) or representative (s) to attend such meetings.

- E. As soon as possible, but not longer than 30 days after receiving a Notice of Preparation, the responsible agency is required to send a written reply to the lead County agency by certified mail or equivalent. The reply must specify with specific detail the scope and content of the environmental information which would be germane to the responsible agency's statutory responsibilities in connection with the proposed project. The response at a minimum shall identify the significant issues and possible alternatives mitigation which the responsible agency will need to have explored in the Draft EIR. The lead agency shall include this information in the EIR.

802. Consultation With Responsible Agencies After Completion of Draft EIR or Negative Declaration

- A. After completing the Draft EIR or Negative Declaration, the lead County agency shall also consult with and seek to obtain comments from each responsible agency.

If the environmental document is to be reviewed by a State agency or if the project is of statewide or regional concern, the lead County agency shall submit 15 copies of the environmental document to the State Clearinghouse (See Appendix L).

- B. A responsible agency should review and comment on Draft EIRs and Negative Declarations for projects which the responsible agency would later be asked to approve. Comments should focus on any shortcomings in the EIR, the appropriateness of using a Negative Declaration, or on additional alternatives or mitigation measures which the EIR should include. The comments shall deal only with those activities which fall within their area of expertise. Comments should be as specific as possible.

803. Consultation With Other Public Agencies, Persons and Organizations, and County Departments

- A. Prior to completing the Draft EIR, the lead County agency may consult directly with any person or organization it believes will be concerned with the environmental effects of the project.

- B. After completing the Draft EIR or Negative Declaration, the lead County agency shall also consult with and seek to obtain comments from other public agencies having jurisdiction-by-law and should also consult with persons having special expertise with respect to any environmental impact involved.

804. Notification of Availability of Environmental Document

The public notice of the preparation of a Negative Declaration and the public notice of the completion of a Draft EIR shall be provided as follows:

- A. Organizations and individuals previously requesting notice shall be informed directly.
- B. At least one of the following procedures:
 - (1) Publication in a newspaper having general circulation in the area affected by the proposed project.
 - (2) Posting of notice on and off site in the area where the project is to be located.
 - (3) Direct mailing to owners of contiguous property as such owners are shown on the latest equalized assessment roll.

The requirements of this section do not preclude a public agency from providing the public notice required herein at the same time and in the same manner as public notice otherwise required by law for such project.

805. Availability of Environmental Documents

- A. The Negative Declaration shall be available to the public at least 10 calender days prior to the approval of the project or the Negative Declaration. (30 days if project has been submitted for State Clearinghouse review).
- B. The Draft EIR shall be available for public review for at least 30 calender days.
- C. The Negative Declaration or Draft EIR should be available in a library or libraries or other public building(s) nearest the project site.

806. Public Hearing Procedures

While CEQA does not require a formal hearing, public participation is an essential part. If the lead County agency decides to hold a public hearing on the Draft EIR, the following procedures shall be utilized:

- A. An appropriate notice shall be published in a newspaper of general circulation with respect to the project at 10 calendar days prior to the hearing .
- B. The hearing shall be conducted by the lead County agency with the Draft EIR to be used as the outline for discussion.
- C. Hearings for environmental determinations may be incorporated into the normal hearing process if such a process is required for project approval.

807. Notice of Determination

After the project is approved, the lead County agency shall file a Notice of Determination (see Appendix M) within five (5) working days with the County Clerk and, if the project requires discretionary approvals from a State agency, with the Governor's Office Of Planning and Research. The Notice shall remain posted for at least 30 days and kept on file for a reasonable period thereafter.

CHAPTER IX. TIME LIMITS

For more detailed information, see Title 14, Division 6, Chapter 3, Article 8 (Sections 15100 et. seq.) of the California Administrative Code.

901. Complete Applications

On a private project, the lead County agency or responsible County agency shall determine the completeness on an application within 30 days of receipt.

902. Initial Study

The lead agency shall determine the type of environmental document necessary for a private project within 30 days after it has accepted an application as complete. During this time the lead agency shall make necessary consultations with other agencies. By mutual consent, this time may be extended for 15 days.

903. Notice of Preparation

A responsible agency or a trustee agency shall respond to a Notice of Preparation within 30 days.

904. Negative Declarations

- A. On a private project, the Negative Declaration shall be completed within 105 days after an application has been accepted as complete. This time may be extended once for 90 days.
- B. The Negative Declaration shall be available for public review for 10 days.
- C. The review period for a Negative Declaration submitted to the State Clearinghouse is 30 days.

905. EIRs

- A. On a private project, the EIR shall be completed and certified within 1 year after an application has been accepted as complete. This time may be extended once for 90 days.
- B. The EIR shall be available for public review for 30 days.
- C. The review period for an EIR submittal to the State Clearinghouse is 45 days.

906. Notice of Determination

The Notice of Determination shall be filed with the County Clerk within 5 working days after approval of the environmental document.

