



**ORANGE COUNTY  
COUNCIL OF GOVERNMENTS**  
*Technical Advisory Committee*

**Meeting Date / Location**

**Tuesday, February 2, 2010  
9:00 a.m. – 12:00 p.m.  
City of Orange  
Conference Room C  
300 Chapman Avenue  
Orange, California**

**Agenda Item**

**Staff**

**Page**

**INTRODUCTIONS**

(Chair Marika Modugno)

**PUBLIC COMMENTS**

(Chair Modugno)

At this time members of the public may address the TAC regarding any items within the subject matter jurisdiction, which are not separately listed on this agenda. Members of the public will have an opportunity to speak on agenda items at the time the item is called for discussion. NO action may be taken on items not listed on the agenda unless authorized by law. Comments shall be limited to three minutes per person and an overall time limit of twenty minutes for the Public Comments portion of the agenda.

Any person wishing to address the TAC on any matter, whether or not it appears on this agenda, is requested to complete a "Request to Speak" form available at the door. The completed form is to be submitted to the TAC Chair prior to an individual being heard. Whenever possible, lengthy testimony should be presented to the TAC in writing and only pertinent points presented orally.

**ADMINISTRATION**

- |           |  |                              |          |
|-----------|--|------------------------------|----------|
| <b>1.</b> | <b>OCCOG TAC Meeting Minutes</b><br>♦ <b>Draft OCCOG TAC minutes for January 12, 2010 meeting</b><br><br><u>Recommended Action:</u> Approve OCCOG TAC minutes of December 1, 2009, as presented or amended | (Secretary Adrienne Gladson) | <b>1</b> |
|-----------|--|------------------------------|----------|

**PRESENTATIONS, DISCUSSION AND ACTION ITEMS, REPORTS**

- |           |   |  |           |
|-----------|---|--|-----------|
| <b>2.</b> | <b>Orange County Projections (OCP 2010)</b><br><br><u>Recommended Action:</u> Receive report.   | (Deborah Diep, Center for Demographic Research) – 20 minutes |           |
| <b>3.</b> | <b>Orange County Sustainable Communities Strategy (SCS) Development</b><br>♦ MOU Development Status<br>♦ Update on OCCOG's high risk status<br>♦ Orange County SCS Timeline | (David Simpson, OCCOG Staff) – 30 minutes                    | <b>10</b> |

Agenda Item	Staff	Page
<ul style="list-style-type: none"> <li>Orange County SCS Next Steps – Development of a work plan, Board meetings</li> </ul> <p><u>Recommended Action:</u> Discussion. Receive report.</p>		
<p>4. <b>SCAG Meetings</b></p> <ul style="list-style-type: none"> <li>Regional Council and Policy Committee Meetings of January 7, 2010</li> <li>Plans and Programs TAC Meeting of December 9, 2009</li> <li>Subregional Coordinators Group Meeting of January 5, 2010</li> </ul> <p><u>Recommended Action:</u> Receive report.</p>	(Simpson, OCCOG Staff) – 20 minutes	11
<p>5. <b>SCAG 2012 Regional Transportation Plan and Growth Forecast</b></p> <ul style="list-style-type: none"> <li>Proposed Envision Tomorrow Tool and Dataset</li> </ul> <p><u>Recommended Action:</u> Receive report.</p>	(Chair Modugno) – 20 minutes	12
<p>6. <b>OCTA's Long Range Transportation Plan</b></p> <p><u>Recommended Action:</u> Receive report.</p>	(Greg Nord, OCTA) – 15 minutes	
<p>7. <b>Senate Bill 97 and SCAQMD's Proposed Greenhouse Gas Thresholds</b></p> <p><u>Recommended Action:</u> Discussion.</p>	(Chair Modugno) – 40 minutes	13
<p>8. <b>OCCOG Board Meeting of January 28, 2010</b></p> <p><u>Recommended Action:</u> Receive report.</p>	(Simpson, OCCOG Staff) – 20 minutes	54
<p>9. <b>Update on SCAQMD's Proposed Rule 2301</b></p> <p><u>Recommended Action:</u> Receive report.</p>	(Tracy Sato, City of Anaheim) – 5 minutes	
<b>REPORTS FROM THE CHAIR</b>	(Chair Modugno)	
<b>MATTERS FROM OCCOG TAC MEMBERS</b>		
<p><b>OTHER BUSINESS</b></p> <ul style="list-style-type: none"> <li>Proposition 84 "Planning" Grant Program Information</li> <li>Caltrans Transportation Planning Grant Workshop</li> </ul>	(Chair Modugno)	55
<b>ITEMS FOR NEXT MEETING</b>	(Chair Modugno)	

**IMPORTANT DATES OR UPCOMING EVENTS**

- ◆ February 3, 2010:  
First SB 375 Subregional Workshop Orange County  
9:00 a.m. to 12:00 p.m.  
First American Title, Garden Room #4  
Santa Ana, California
- ◆ February 5, 2010:  
Southern California Transit Forum  
8:30 a.m. – 5:00 p.m.  
Chapman University
- ◆ February 6, 2010:  
SCAG Regional Council and Policy Committee Meetings
- ◆ February 13, 2010:  
SCAG Plans and Programs TAC
- ◆ February 16, 2010:  
Caltrans Transportation Planning Grant Workshop  
Caltrans District 12  
6681 Marine Way, Room 242  
Irvine, California

**ADJOURNMENT**

**Adjourn to: March 2, 2010  
City of Orange Conference Room C  
300 Chapman Avenue  
Orange, California**



**ORANGE COUNTY  
COUNCIL OF GOVERNMENTS**  
*Technical Advisory Committee*

**Draft Summary Discussion and Action Minutes**

Meeting of January 12, 2010

The OCCOG Technical Advisory Committee (TAC) meeting of January 12, 2010 was called to order by Chair Marika Modugno, City of Irvine, at the Orange County Transportation Authority, Room 153, in the City of Orange, at 9:06 A.M. Attendees were invited by the Chair to introduce themselves. The list of meeting attendees is attached.

**PUBLIC COMMENT:**

There were no public comments.

**ADMINISTRATION**

**1. OCCOG TAC Meeting Minutes**

A motion by Doug Reilly, City of Laguna Woods, was made with a second by Tracy Sato, City of Anaheim, followed by the TAC unanimously approving the minutes of the December 1, 2009 meeting.

**2. OCCOG TAC Administration for Calendar Year 2010**

Chair Modugno covered this topic by explaining that she is proposing to change the date for the November OCTAC meeting to the second week of November so TAC members could attend the State Planning (CA-APA) conference in Carlsbad. A motion was offered by Tracy Sato, City of Anaheim, and second by Art Bashmakian, City of Westminster. The motion was unanimously approved to revise the meeting schedule for OCCOG TAC – Calendar Year 2010.

**PRESENTATIONS, DISCUSSION AND ACTION ITEMS, REPORTS**

**3. Orange County Projections (OCP 2010)/SCAG 2012 Regional Transportation Plan and Growth Forecast**

The purpose of this item is to recap the coordination of efforts for the next OCP and SCAG's growth forecast processes and share thoughts on the SCAG data that will be provided to jurisdictions.

Ms. Diep covered this topic by stating that SCAG is considering extending the Regional Transportation Plan (RTP) timeframe to 2040. SCAG staff has stated they expect to have a decision on the horizon year by mid-February. In light of the possible horizon year change from 2035 to 2040, CDR is holding off on bringing the OCP-2010 control totals to the OCCOG TAC for approval and recommendation to the OCCOG Board for approval until the issue has been

**DRAFT - OCCOG TAC Minutes**  
**Meeting of January 12, 2010**  
**Page 2**

decided. She shared that the OCP-2010 work effort is still underway. CDR will continue to work on the draft data and is currently holding dates in February and March for meetings with individual jurisdictions to review the draft 2010 Orange County Projections. She welcomed the participation of all local agency staff at these meetings in order to help CDR obtain all the key information they will need for the OCP-2010.

She expects to have more information at the next TAC meeting in February. The dates of the face-to-face meetings are anticipated to start on Monday, February 22, continue on February 24 and 25, with later dates set for March 8,10,11,15,16,17,18, 2010.

Action on this item was continued to the next meeting of the TAC contingent upon SCAG's final decision on the horizon year for the RTP.

**4. SCAG Framework and Guidelines for the Development of Subregional SCS/APS**

The TAC received a report on this subject from David Simpson, OCCOG Staff. He shared:

◆ OCTA Board Report/Action – December 14, 2009

Both the OCTA and OCCOG took action to complete a sub-regional SCS for Orange County in December.

◆ MOU Development Status

A number of technical issues were covered on issues related to RHNA which are of interest on the details of the MOU. There are a few technical aspects that need to be worked out. These details related to the agreement between OCCOG and OCTA to prepare the SCS with OCTA stepping forward to craft this document. There is a thought of establishing a sub committee of OCTA and COG members to hammer out the specifics. It is likely that these issues will be resolved in the next few weeks.

◆ Letter of Intent with SCAG was covered briefly.

◆ Orange County SCS Timeline

The scope of work associated with this work is lagging behind until the issues of the MOU are worked out. How this project will be completed and the anticipated timeline is currently being developed by OCTA staff. The RHNA question is a major concern of the OCCOG Board. By preparing a local SCS and accepting delegation, it means the sub region (OC) will be responsible in determining the actual RHNA totals for the sub region including the income level thresholds. OCTA is behind a bit in getting this work started including hiring a consultant for the technical aspects of the project. More information on this effort will be forthcoming in February.

**DRAFT - OCCOG TAC Minutes**  
**Meeting of January 12, 2010**  
**Page 3**

- ◆ Orange County SCS Next Steps – Development of a work plan, Board meetings

The work plan has yet to be developed and is expected to get closer to a draft timeline in February. As of today, it sounds like OC and Gateway are the only two sub regions to accept delegation to prepare their own SCS.

- ◆ Revised SCAG Draft Framework and Guidelines (dated December 15, 2009) for the SCS for the collaborative approach for SCS are available on the SCAG website. The final guidelines on this are expected in February.

## **5. SCAG Meetings**

The TAC received a report on this subject from David Simpson, OCCOG Staff. He shared a recap of the information below with additional information from Ms. Diep, CDR and Tracy Sato, City of Anaheim, as each of them attended different meetings in December and January.

- ◆ Regional Council and Policy Committee Meetings of January 7, 2010

The committee discussed the next round of RHNA with early discussion of growth totals as well as SCAG's SCS in addition to the sub regions agreeing to accept delegation.

- ◆ Plans and Programs TAC Meeting of December 9, 2009

The timelines for RHNA and SCS have a number of conflicts that would need to be worked out. The RTP is the main focus of this committee's responsibility but the work connected with crafting a SCS is the primary focus for now. This committee is focusing on the final framework and guidelines for the SCS.

- ◆ Subregional Coordinators Group Meeting of January 5, 2010

Charles Larwood, OCTA, went over a number of the items discussed at this meeting in a brief fashion as he attended this meeting via teleconference. SCAG is looking at releasing a GIS software program to let local jurisdictions see the possibilities to reducing GHG at the local level on a project by project basis. The data source for this tool matches the data SCAG shared with local agencies this past August at the 5.5 acre grid cell.

Ms. Sato, City of Anaheim, offered that if this data is in this model, it needs a disclaimer attached to it and it was not vetted by local jurisdictions for input. SCAG named this program "Envision Tomorrow" plan and is intended to be rolled out at the 2010 SCAG later this year through outreach programs.

Ms. Diep, CDR shared that after an impromptu meeting with SCAG staff and various subregional staff, she compiled and sent a list of their comments/concerns with the Envision Tomorrow tool to SCAG staff and will forward these comments with TAC members once the group at the meeting reviews the list. Though helpful, the tool has a

**DRAFT - OCCOG TAC Minutes**  
**Meeting of January 12, 2010**  
**Page 4**

number of limitations that need to be expressed at the outset with any users. The TAC took action to invite SCAG staff to a future meeting and for this item to be agendized to a future meeting.

**6. SCAG 2012 Regional Transportation Plan and Growth Forecast**

The TAC received a report on this subject from Chair Modugno who covered the highlights of the December 15, 2009, OCCOG TAC Workshop

This meeting was well attended. The effort is to move forward on this data with a final call for data to be with SCAG by the end of this week.

**7. OCTA's Long Range Transportation Plan**

The TAC received a report on this subject from Greg Nord who covered:

We are underway (IBI has been hired to craft this plan) with this effort. The revenue forecast is also being crafted to look a funding for the LRTP. The OC transit network is also being updated for 2020 to 2025 which OCTA hopes to be shared with local cities at the workshops with CDR in the Spring.

A member asked if the local transit is included in the LRTP, like the "Go Local" program. The answer is yes. A secondary question was asked about new programs to reduce VMT and GHG to be included in the OC-SCS. Mr. Nord relied, that it is possible, although the project list will likely be completed before the SCS process is finished.

The release of the full draft LRTP is expected to be released for public review later in summer or early fall with adoption anticipated in December 2010.

**8. Housing Element** - this is standing item on the agenda so members can monitor this topic as it continues to evolve. To better understand this discussion, refer to the SCAG Draft paper "The Linkage between the Sustainable Communities Strategy and the Regional Housing Needs Assessment (RHNA)"

This was on the agenda for an update and we anticipated this paper was to be updated by Joe Carrerra of SCAG in December. Since it has not, the TAC will continue to monitor this item so to keep TAC members informed.

**9. OCCOG Board Meeting:** Next Meeting January 28, 2010

David Simpson, OCCOG Staff gave the TAC an agenda preview for this meeting.

The Board will cover MOU, the contract and procurement issues for selecting a SCS consultant, the "At Risk" status of the COG, as well as the financial aspects related to local

**DRAFT - OCCOG TAC Minutes**  
**Meeting of January 12, 2010**  
**Page 5**

agencies contributing membership dues to the OCCOG. David Simpson, OCCOG staff shared what he understood the "At Risk" status was. It appears that this issue is moving towards resolution in the near term.

**REPORT FROM THE CHAIR**

Important dates and upcoming events:

Ms. Modguno covered that the first SB 375 workshop to move forward in preparation of the Orange County's SCS is set for February 3. One of the first tasks will be to determine what policies may be supported in Orange County to achieve the Green House Gas (GHG) reduction targets.

**MATTERS FROM OCCOG TAC MEMBERS**

A member asked about the CEQA guidelines for GHG issues. A staff member from Newport Beach answered that it was out and the amendments will follow. The transportation and traffic questions from the checklist have changed per SB 375. This is something we may wish to add to the next agenda for possible discussion by this group.

An inquiry on the Air Board's work on the status of air quality issues was asked about by a member. This is an issue of the OCCOG Board.

Member Sato shared that AQMD's Rule 2301 might be moving forward this year as well as a Best Management Practice's list for GHG reductions is also under review. For a good list of BMP's take a look at ULI's book, "Moving Cooler."

**OTHER BUSINESS**

None

**ITEMS FOR NEXT MEETING**

- ◆ Mr. Simpson will give an update on the High Risk list status for the COG and the status of OCCOG funding and budget
- ◆ SCAG's new "Envision Tomorrow" computer program and related tools; possible presentation of this program to the TAC
- ◆ SB 97 issues
- ◆ OCP-2010; control totals to be reviewed for approval & recommendation to Board if SCAG finalizes RTP horizon year.



**ADJOURNMENT**

The meeting was adjourned by Chair Modugno at 11:25 a.m. to Tuesday, February 2, 2010 at 9:00 a.m. at the City of Orange, Conference Room C.

Submitted by:

---

Adrienne Gladson, City of Brea  
OCCOG-TAC Secretary

**DRAFT - OCCOG TAC Minutes**  
**Meeting of January 12, 2010**  
**Page 7**

**Attendees List for January 12, 2010 Meeting**

Marika Modugno, TAC Chair, City of Irvine  
Scott Reekstin, City of Tustin  
Art Bashmakian, City of Westminster  
Minoo Ashabi, City of Costa Mesa  
Pat Dapkus, City of Huntington Beach  
Anna Pehoushek, City of Orange  
Elaine Lister, City of Mission Viejo  
Julie Molloy, City of Laguna Hills  
Nate Farnsworth, City of Rancho Santa Margarita  
Erica Roess, City of Aliso Viejo  
Jay Saltzberg, City of Buena Park  
Scott Martin, CDR  
Melanie McCann, City of Santa Ana  
Charles Larwood, OCTA  
Fern Nueno, City of Newport Beach  
Heather Allen, City of Fullerton  
Ron Santos, City of Lake Forest  
Dave Simpson, OCCOG/OCTA  
Greg Nord, OCTA  
Deborah Diep, CDR/CSUF  
Javier Minjares, SCAG  
Kori Nevarez, City of Cypress  
Tracy Sato, City of Anaheim  
Carla Walecka, TCA  
Adrienne Gladson, City of Brea  
Aileen Kenney, Caltrans  
Jay Bullock, Rancho Mission Viejo  
Valarie McFall, TCA  
Roy Ramsland, City of La Habra  
Carolyn Mamaradlo, OCTA  
Linda Smith, County of Orange  
Amy Mullay, City of Irvine  
Doug Reilly, City of Laguna Woods  
Maria Parra, City of Garden Grove



**ORANGE COUNTY  
COUNCIL OF GOVERNMENTS  
Technical Advisory Committee**

**Sign-In: Meeting of January 12, 2010**

Name	Agency	Phone Number	Email Address
MARIKA MODUGNO	CITY OF IRVINE	949. 729. 6456	mmodugno@cityofirvine.org
Art Bashmakian	City of Westminster	714 898 3311	abashmakian@westminster-ca.org
CARLA WATECKA	TCA	323/342-9373	cwatecka@aethtlink.net
PAT DAPIKUS	HUNTINGTON BEACH	714 536-5579	PDAPKUS@SURFCITYHB.ORG
Aileen Kennedy	Culver	(949) 724-2239	Aileen-Kennedy@dot.ca.gov
Mino Ashabi	COSTA MESA	714/754-5610	mashabi@ci.costa-mesa.ca.us
ELAINE LISTER	MISSION VIEJO	949. 470. 3029	elister@cityofmissionviejo.org
JAY SALTZBERG	BUENA PARK	714 562-2615	JSaltzberg@BuenaPark.com
Jay Bullock	Rancho Mission Viejo	562-760-6051	Jay.Bullock@Mac.Com
Erica Roess	City of Aliso Viejo	949- 425-2528	eroess@cityofaliso Viejo. ca. gov
Scott Martin	CSU Fullerton / CDR	657-278-4759	smartin@fullerton.edu
VALARIE McFALL	TCA	949. 754. 3475	mcfall@sightca.com
RON SANTOS	CITY OF LAKE FOREST	(949) 461-3449	rsantos@lakeforestca.gov
Julie Molloy	City of Laguna Hills	(949) 707-2671	jmolloy@ci.laguna-hills.ca.us
Roy Ramsland	City of LA HABRA	(562) 905-9724	ROYR@LAHABRACTY.COM
Javier Minjares	SCAG	(213) 236-1893	minjares@scag.ca.gov
Fern Nueno	City of Newport Beach	949-644-3227	fnueno@NewportBeachCA.gov

Name	Agency	Phone Number	Email Address
Carolyn Mammaradlo	OCTA	714 560 5740	cmammaradlo@octa.net
LINDA SMITH	County of Orange	714 834-5835	linda.smith@ocpw.ocgov.com
Nate Farnsworth	City of BSM	949-635-1800	nfarnsworth@cityofbsm.org
Anna Pehoushek	City of Orange	(714) 744-7228	apehoushek@cityoforange.org
Amy Mullay	City of Irvine	949-724-7454	amullay@ci.irvine.ca.us
Koti Nevarez	City of Cypress	(714) 229-6724	knevarez@ci.cypress.ca.us
Heather Allen	City of Fullerton	(714) 738-6884	heathera@ci.fullerton.ca.us
Dave Simpson			
Douglas Reilly	City of Laguna Woods	949-639-0561	dreilly@lagunawoodcity.org
Melanie McCann	City of Santa Ana	714.667.2746	mmccann@santa-ca.org
Adrienne Gladu	Brea	714-980-7674	adrienne.g@cityofbrea.net
MARIA PARKER	City of Garden Grove	714-741-5312	mariap@ci.garden-grove.ca.us
DEBORAH DIER	CDR		ddier@fullerton.edu
Tracy Sato	City of Anaheim	714-765-4942	tsato@anaheim.net



## ***OCCOG Technical Advisory Committee***

*February 2, 2010*

**Item 3:** **Orange County Sustainable Communities Strategy (SCS) Development**

**Recommended Action:** Discussion. Receive report.

### **Report**

---

Mr. David Simpson, OCCOG Staff, will provide an update to the OCCOG TAC on the development of the Orange County Sustainable Communities Strategy. This update will include discussion of the following:

- ◆ MOU Development Status
- ◆ Update on OCCOG's High Risk Status
- ◆ Orange County SCS Timeline
- ◆ Orange County SCS Next Steps – Development of a work plan, Board meetings

---

**Contact:** Ms. Marika Modugno, Chair, OCCOG TAC (City of Irvine)  
949/724-6456  
[mmodugno@cityofirvine.org](mailto:mmodugno@cityofirvine.org)

Mr. David Simpson, OCCOG Staff  
714/560-5570  
[dsimpson@octa.net](mailto:dsimpson@octa.net)





## ***OCCOG Technical Advisory Committee***

*February 2, 2010*

**Item 4: SCAG Meetings**

**Recommended Action:** Receive report.

### **Report**

---

The following SCAG meetings were conducted after the last OCCOG TAC meeting of January 12, 2010:

- ◆ Plans and Programs TAC meetings of January 12, 2010.

The following SCAG meetings will be conducted after the OCCOG TAC meeting of February 2, 2010:

- ◆ Regional Council and Policy Committee meetings of February 4, 2010
- ◆ Subregional Coordinators Group meeting of February 2, 2010.

Mr. David Simpson, OCCOG Staff, will brief the TAC on the key items not related to SB 375 that will be covered at the Regional Council and Policy Committee meetings and the Subregional Coordinators Group meetings to be held this month and the Plans and Programs TAC that was held in January. The agendas for the meetings are posted at [www.scag.ca.gov](http://www.scag.ca.gov) and are located on each committee's webpage included below.

- ◆ Regional Council: <http://www.scag.ca.gov/committees/rc.htm>
  - ◆ Energy and Environment Committee: <http://www.scag.ca.gov/committees/eec.htm>
  - ◆ Community, Economic and Human Development:  
<http://www.scag.ca.gov/committees/cehd.htm>
  - ◆ Transportation Committee: <http://www.scag.ca.gov/committees/tc.htm>
  - ◆ Plans and Programs TAC: <http://www.scag.ca.gov/pptac/index.htm>
  - ◆ Subregional Coordinators Group: <http://www.scag.ca.gov/agendas.htm>
- 

**Contact:** Ms. Marika Modugno, Chair, OCCOG TAC (City of Irvine)  
949/724-6456  
[mmodugno@cityofirvine.org](mailto:mmodugno@cityofirvine.org)

Mr. David Simpson, OCCOG Staff  
714/560-5570  
[dsimpson@octa.net](mailto:dsimpson@octa.net)



**Item 5:** **SCAG 2012 Regional Transportation Plan and Growth Forecast**

**Recommended Action:** Receive report.

## **Report**

---

At the Subregional Coordinators Group meeting of January 5, 2010 and at the Plans and Programs Technical Advisory Committee meeting of January 12, 2010, SCAG staff presented a draft sustainability tool titled Envision Tomorrow. According to the presentation by Fregonese Associates, Inc., Envision Tomorrow is a “suite of planning tools, including a scenario builder extension for ArcGIS and a Return on Investment (ROI) model.” Fregonese Associates, Inc. also noted that Envision Tomorrow:

- ◆ Allows quick land use scenario creation and evaluation using market feasible, prototype buildings,
- ◆ Works with both neighborhood and regional scales, and
- ◆ Compare scenarios based on a variety of land use metrics, as well as resource usage, transportation, and environmental impact.

Members of the OCCOG TAC have provided initial feedback to SCAG staff on the Envision Tomorrow tool, a copy of which will be distributed to the TAC members at the February 2, 2010 meeting. Additionally, SCAG staff will be in attendance at the March 2, 2010 meeting to provide TAC members with additional information, including a demonstration of the tool.

---

**Contact:** Ms. Marika Modugno, Chair, OCCOG TAC (City of Irvine)  
949/724-6456  
[mmodugno@cityofirvine.org](mailto:mmodugno@cityofirvine.org)

## **Senate Bill No. 97**

### **CHAPTER 185**

An act to add Section 21083.05 to, and to add and repeal Section 21097 of, the Public Resources Code, relating to the California Environmental Quality Act.

[Approved by Governor August 24, 2007. Filed with  
Secretary of State August 24, 2007.]

#### **LEGISLATIVE COUNSEL'S DIGEST**

SB 97, Dutton. CEQA: greenhouse gas emissions.

The California Environmental Quality Act (CEQA) requires a lead agency to prepare, or cause to be prepared, and certify the completion of, an environmental impact report on a project, as defined, that it proposes to carry out or approve that may have a significant effect on the environment, or to adopt a negative declaration if it finds that the project will not have that effect. CEQA requires the Office of Planning and Research (OPR) to prepare and develop proposed guidelines for the implementation of CEQA by public agencies.

The California Global Warming Solutions Act of 2006 designates the State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases that cause global warming in order to reduce emissions of greenhouse gases.

The bill would require the OPR, by July 1, 2009, to prepare, develop, and transmit to the Resources Agency guidelines for the feasible mitigation of greenhouse gas emissions or the effects of greenhouse gas emissions, as required by CEQA, including, but not limited to, effects associated with transportation or energy consumption. The Resources Agency would be required to certify and adopt those guidelines by January 1, 2010. The OPR would be required to periodically update the guidelines to incorporate new information or criteria established by the State Air Resources Board pursuant to the California Global Warming Solutions Act of 2006.

This bill would provide that in an environmental impact report, negative declaration, mitigated negative declaration, or other document required by CEQA for either transportation projects funded under the Highway Safety, Traffic Reduction, Air Quality and Port Security Bond Act of 2006, or projects funded under the Disaster Preparedness and Flood Prevention Bond Act of 2006, the failure to analyze adequately the effects of greenhouse gas emissions otherwise required to be reduced pursuant to regulations adopted under the Global Warming Solutions Act of 2006 does not create a cause of action for a violation of CEQA. The bill would provide that this provision shall apply retroactively for any of the above documents that are not final and shall be repealed on January 1, 2010.



*The people of the State of California do enact as follows:*

SECTION 1. Section 21083.05 is added to the Public Resources Code, to read:

21083.05. (a) On or before July 1, 2009, the Office of Planning and Research shall prepare, develop, and transmit to the Resources Agency guidelines for the mitigation of greenhouse gas emissions or the effects of greenhouse gas emissions as required by this division, including, but not limited to, effects associated with transportation or energy consumption.

(b) On or before January 1, 2010, the Resources Agency shall certify and adopt guidelines prepared and developed by the Office of Planning and Research pursuant to subdivision (a).

(c) The Office of Planning and Research and the Resources Agency shall periodically update the guidelines to incorporate new information or criteria established by the State Air Resources Board pursuant to Division 25.5 (commencing with Section 38500) of the Health and Safety Code.

SEC. 2. Section 21097 is added to the Public Resources Code, to read:

21097. (a) The failure to analyze adequately the effects of greenhouse gas emissions otherwise required to be reduced pursuant to regulations adopted by the State Air Resources Board under Division 25.5 (commencing with Section 38500) of the Health and Safety Code in an environmental impact report, negative declaration, mitigated negative declaration, or other document required pursuant to this division for either a transportation project funded under the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006 (Chapter 12.49 (commencing with Section 8879.20) of Division 1 of Title 2 of the Government Code), or a project funded under the Disaster Preparedness and Flood Prevention Bond Act of 2006 (Chapter 1.699 (commencing with Section 5096.800) of Division 5), does not create a cause of action for a violation of this division.

(b) Nothing in this section shall be construed as a limitation to comply with any other requirement of this division or any other provision of law.

(c) This section shall apply retroactively to an environmental impact report, negative declaration, mitigated negative declaration, or other document required pursuant to this division that has not become final.

(d) This section shall remain in effect only until January 1, 2010, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2010, deletes or extends that date.

**CEQA GUIDELINES**  
**SECTIONS PROPOSED TO BE ADDED OR AMENDED**

PROPOSED AMENDMENTS TO 14 SECTIONS  
OF THE CEQA GUIDELINES  
ARE INDICATED BY REDLINE/STRIKEOUT TEXT

*OPR proposes that the Resources Agency amend or add the following fourteen (14) sections of the State CEQA Guidelines. The complete text of each section is provided below with strikeouts to indicate deletions and underlines to indicate additions.*

#### **15064. Determining the Significance of the Environmental Effects Caused by a Project**

(a) Determining whether a project may have a significant effect plays a critical role in the CEQA process.

(1) If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, the agency shall prepare a draft EIR.

(2) When a final EIR identifies one or more significant effects, the Lead Agency and each Responsible Agency shall make a finding under Section 15091 for each significant effect and may need to make a statement of overriding considerations under Section 15093 for the project.

(b) The determination of whether a project may have a significant effect on the environment calls for careful judgment on the part of the public agency involved, based to the extent possible on scientific and factual data. An ironclad definition of significant effect is not always possible because the significance of an activity may vary with the setting. For example, an activity which may not be significant in an urban area may be significant in a rural area.

(c) In determining whether an effect will be adverse or beneficial, the Lead Agency shall consider the views held by members of the public in all areas affected as expressed in the whole record before the lead agency. Before requiring the preparation of an EIR, the Lead Agency must still determine whether environmental change itself might be substantial.

(d) In evaluating the significance of the environmental effect of a project, the Lead Agency shall consider direct physical changes in the environment which may be caused by the project and reasonably foreseeable indirect physical changes in the environment which may be caused by the project.

(1) A direct physical change in the environment is a physical change in the environment which is caused by and immediately related to the project. Examples of direct physical changes in the environment are the dust, noise, and traffic of heavy equipment that would result from construction of a sewage treatment plant and possible odors from operation of the plant.

(2) An indirect physical change in the environment is a physical change in the environment which is not immediately related to the project, but which is caused indirectly by the project. If a direct physical change in the environment in turn causes another change in the environment, then the other change is an indirect physical change in the environment. For example, the construction of a new sewage treatment plant may facilitate population growth in the service area due to the increase in sewage treatment capacity and may lead to an increase in air pollution.

(3) An indirect physical change is to be considered only if that change is a reasonably foreseeable impact which may be caused by the project. A change which is speculative or unlikely to occur is not reasonably foreseeable.

(e) Economic and social changes resulting from a project shall not be treated as significant effects on the environment. Economic or social changes may be used, however, to determine that a physical change shall be regarded as a significant effect on the environment. Where a physical change is caused by economic or social effects of a project, the physical change may be regarded as a significant effect in the same manner as any other physical change resulting from the project. Alternatively, economic and social effects of a physical change may be used to determine that the physical change is a significant effect on the environment. If the physical change causes adverse economic or social effects on people, those adverse effects may be used as a factor in determining whether the physical change is significant. For example, if a project would cause overcrowding of a public facility and the overcrowding causes an adverse effect on people, the overcrowding would be regarded as a significant effect.

(f) The decision as to whether a project may have one or more significant effects shall be based on substantial evidence in the record of the lead agency.

(1) If the lead agency determines there is substantial evidence in the record that the project may have a significant effect on the environment, the lead agency shall prepare an EIR (*Friends of B Street v. City of Hayward* (1980) 106 Cal.App.3d 988). Said another way, if a lead agency is presented with a fair argument that a project may have a significant effect on the environment, the lead agency shall prepare an EIR even though it may also be presented with other substantial evidence that the project will not have a significant effect (*No Oil, Inc. v. City of Los Angeles* (1974) 13 Cal.3d 68).

(2) If the lead agency determines there is substantial evidence in the record that the project may have a significant effect on the environment but the lead agency determines that revisions in the project plans or proposals made by, or agreed to by, the applicant would avoid the effects or mitigate the effects to a point where clearly no significant effect on the environment would occur and there is no substantial evidence in light of the whole record before the public agency that the project, as revised, may have a significant effect on the environment then a mitigated negative declaration shall be prepared.

(3) If the lead agency determines there is no substantial evidence that the project may have a significant effect on the environment, the lead agency shall prepare a negative declaration (*Friends of B Street v. City of Hayward* (1980) 106 Cal.App. 3d 988).

(4) The existence of public controversy over the environmental effects of a project will not require preparation of an EIR if there is no substantial evidence before the agency that the project may have a significant effect on the environment.

(5) Argument, speculation, unsubstantiated opinion or narrative, or evidence that is clearly inaccurate or erroneous, or evidence that is not credible, shall not constitute substantial evidence.

Substantial evidence shall include facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts.

(6) Evidence of economic and social impacts that do not contribute to or are not caused by physical changes in the environment is not substantial evidence that the project may have a significant effect on the environment.

(7) The provisions of sections 15162, 15163, and 15164 apply when the project being analyzed is a change to, or further approval for, a project for which an EIR or negative declaration was previously certified or adopted (e.g. a tentative subdivision, conditional use permit). Under case law, the fair argument standard does not apply to determinations of significance pursuant to sections 15162, 15163, and 15164.

(g) After application of the principles set forth above in Section 15064(f)(g), and in marginal cases where it is not clear whether there is substantial evidence that a project may have a significant effect on the environment, the lead agency shall be guided by the following principle: If there is disagreement among expert opinion supported by facts over the significance of an effect on the environment, the Lead Agency shall treat the effect as significant and shall prepare an EIR.

(h)(1) When assessing whether a cumulative effect requires an EIR, the lead agency shall consider whether the cumulative impact is significant and whether the effects of the project are cumulatively considerable. An EIR must be prepared if the cumulative impact may be significant and the project's incremental effect, though individually limited, is cumulatively considerable. "Cumulatively considerable" means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.

(2) A lead agency may determine in an initial study that a project's contribution to a significant cumulative impact will be rendered less than cumulatively considerable and thus is not significant. When a project might contribute to a significant cumulative impact, but the contribution will be rendered less than cumulatively considerable through mitigation measures set forth in a mitigated negative declaration, the initial study shall briefly indicate and explain how the contribution has been rendered less than cumulatively considerable.

(3) A lead agency may determine that a project's incremental contribution to a cumulative effect is not cumulatively considerable if the project will comply with the requirements in a previously approved plan or mitigation program (including, but not limited to, water quality control plan, air quality attainment or maintenance plan, integrated waste management plan, habitat conservation plan, natural community conservation plan, plans or regulations for the reduction of greenhouse gas emissions) which provides specific requirements that will avoid or substantially lessen the cumulative problem (~~e.g., water quality control plan, air quality attainment or maintenance plan, integrated waste management plan~~) within the geographic area in which the project is located. Such plans or programs must be specified in law or adopted by the public agency with jurisdiction over the affected resources through a public review process to implement, interpret, or make specific the law enforced or administered by the public agency. When relying on a plan

or program, the lead agency should explain how the particular requirements in the plan or program ensure that the project's incremental contribution to the cumulative effect is not cumulatively considerable. If there is substantial evidence that the possible effects of a particular project are still cumulatively considerable notwithstanding that the project complies with the specified plan or mitigation program addressing the cumulative problem, an EIR must be prepared for the project.

(4) The mere existence of significant cumulative impacts caused by other projects alone shall not constitute substantial evidence that the proposed project's incremental effects are cumulatively considerable.

Note: Authority cited: Section 21083, Public Resources Code. Reference: Sections 21003, 21065, 21068, 21080, 21082, 21082.1, 21082.2, 21083 and 21100, Public Resources Code; *No Oil, Inc. v. City of Los Angeles* (1974) 13 Cal.3d 68; *San Joaquin Raptor/Wildlife Center v. County of Stanislaus* (1996) 42 Cal.App.4th 608; *Gentry v. City of Murrieta* (1995) 36 Cal.App.4th 1359; *Laurel Heights Improvement Assn. v. Regents of the University of California* (1993) 6 Cal.4th 1112; and *Communities for a Better Environment v. California Resources Agency* (2002) 103 Cal.App.4th 98.

#### 15064.4. Determining the Significance of Impacts from Greenhouse Gas Emissions

(a) The determination of the significance of greenhouse gas emissions calls for a careful judgment by the lead agency consistent with the provisions in section 15064. A lead agency should make a good-faith effort, based on available information, to describe, calculate or estimate the amount of greenhouse gas emissions resulting from a project. A lead agency shall have discretion to determine, in the context of a particular project, whether to:

(1) Use a model or methodology to quantify greenhouse gas emissions resulting from a project, and which model or methodology to use. The lead agency has discretion to select the model it considers most appropriate provided it supports its decision with substantial evidence. The lead agency should explain the limitations of the particular model or methodology selected for use; or

(2) Rely on a qualitative analysis or performance based standards.

(b) A lead agency may consider the following when assessing the significance of impacts from greenhouse gas emissions on the environment:

(1) The extent to which the project may increase or reduce greenhouse gas emissions as compared to the existing environmental setting;

(2) Whether the project emissions exceed a threshold of significance that the lead agency determines applies to the project.

(3) The extent to which the project complies with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of greenhouse gas emissions. Such regulations or requirements must be adopted by the relevant public agency

through a public review process and must include specific requirements that reduce or mitigate the project's incremental contribution of greenhouse gas emissions. If there is substantial evidence that the possible effects of a particular project are still cumulatively considerable notwithstanding compliance with the adopted regulations or requirements, an EIR must be prepared for the project.

## 15064.7. Thresholds of Significance

(a) Each public agency is encouraged to develop and publish thresholds of significance that the agency uses in the determination of the significance of environmental effects. A threshold of significance is an identifiable quantitative, qualitative or performance level of a particular environmental effect, non-compliance with which means the effect will normally be determined to be significant by the agency and compliance with which means the effect normally will be determined to be less than significant.

(b) Thresholds of significance to be adopted for general use as part of the lead agency's environmental review process must be adopted by ordinance, resolution, rule, or regulation, and developed through a public review process and be supported by substantial evidence.

(c) When adopting thresholds of significance, a lead agency may consider thresholds of significance previously adopted or recommended by other public agencies, or recommended by experts, provided the decision of the lead agency to adopt such thresholds is supported by substantial evidence.

Note: Authority: Section 21083, Public Resources Code. Reference: Sections 21082 and 21083, Public Resources Code.

## 15065. Mandatory Findings of Significance

(a) A lead agency shall find that a project may have a significant effect on the environment and thereby require an EIR to be prepared for the project where there is substantial evidence, in light of the whole record, that any of the following conditions may occur:

(1) The project has the potential to: substantially degrade the quality of the environment; substantially reduce the habitat of a fish or wildlife species; cause a fish or wildlife population to drop below self-sustaining levels; threaten to eliminate a plant or animal community; substantially reduce the number or restrict the range of an endangered, rare or threatened species; or eliminate important examples of the major periods of California history or prehistory.

(2) The project has the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals.

(3) The project has possible environmental effects that are individually limited but cumulatively considerable. "Cumulatively considerable" means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.

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

(b)(1) Where, prior to the commencement of ~~preliminary-public~~ review of an environmental document, a project proponent agrees to mitigation measures or project modifications that would avoid any significant effect on the environment specified by subdivision (a) or would mitigate the significant effect to a point where clearly no significant effect on the environment would occur, a lead agency need not prepare an environmental impact report solely because, without mitigation, the environmental effects at issue would have been significant.

(2) Furthermore, where a proposed project has the potential to substantially reduce the number or restrict the range of an endangered, rare or threatened species, the lead agency need not prepare an EIR solely because of such an effect, if:

(A) the project proponent is bound to implement mitigation requirements relating to such species and habitat pursuant to an approved habitat conservation plan or natural community conservation plan;

(B) the state or federal agency approved the habitat conservation plan or natural community conservation plan in reliance on an environmental impact report or environmental impact statement; and

(C) 1. such requirements avoid any net loss of habitat and net reduction in number of the affected species, or

2. such requirements preserve, restore, or enhance sufficient habitat to mitigate the reduction in habitat and number of the affected species to below a level of significance.

(c) Following the decision to prepare an EIR, if a lead agency determines that any of the conditions specified by subdivision (a) will occur, such a determination shall apply to:

(1) the identification of effects to be analyzed in depth in the environmental impact report or the functional equivalent thereof,

(2) the requirement to make detailed findings on the feasibility of alternatives or mitigation measures to substantially lessen or avoid the significant effects on the environment,

(3) when found to be feasible, the making of changes in the project to substantially lessen or avoid the significant effects on the environment, and

(4) where necessary, the requirement to adopt a statement of overriding considerations.

Note: Authority cited: Section 21083, Public Resources Code. Reference: Sections 21001(c), 21082.2, and 21083, Public Resources Code; San Joaquin Raptor/Wildlife Center v. County of Stanislaus (1996) 42 Cal.App.4th 608; Los Angeles Unified School District v. City of Los



Angeles (1997) 58 Cal.App.4th 1019, 1024; and Communities for a Better Environment v. California Resources Agency (2002) 103 Cal.App.4th 98.

## 15086. Consultation Concerning Draft EIR

(a) The Lead Agency shall consult with and request comments on the draft EIR from:

(1) Responsible Agencies,

(2) Trustee agencies with resources affected by the project, and

(3) Any other state, federal, and local agencies which have jurisdiction by law with respect to the project or which exercise authority over resources which may be affected by the project, including water agencies consulted pursuant to section 15083.5.

(4) Any city or county which borders on a city or county within which the project is located.

(5) For a project of statewide, regional, or areawide significance, the transportation planning agencies and public agencies which have transportation facilities within their jurisdictions which could be affected by the project. "Transportation facilities" includes: major local arterials and public transit within five miles of the project site, and freeways, highways and rail transit service within 10 miles of the project site.

(6) For a state lead agency when the EIR is being prepared for a highway or freeway project, the State-California Air Resources Board as to the air pollution impact of the potential vehicular use of the highway or freeway and if a non-attainment area, the local air quality management district for a determination of conformity with the air quality management plan.

(7) For a subdivision project located within one mile of a facility of the State Water Resources Development System, the California Department of Water Resources.

(b) The lead agency may consult directly with:

(1) Any person who has special expertise with respect to any environmental impact involved.

(2) Any member of the public who has filed a written request for notice with the lead agency or the clerk of the governing body.

(3) Any person identified by the applicant whom the applicant believes will be concerned with the environmental effects of the project.

(c) A responsible agency or other public agency shall only make substantive comments regarding those activities involved in the project that are within an area of expertise of the agency or which are required to be carried out or approved by the responsible agency. Those comments shall be supported by specific documentation.

(d) Prior to the close of the public review period, a responsible agency or trustee agency which has identified what that agency considers to be significant environmental effects shall advise the lead agency of those effects. As to those effects relevant to its decision, if any, on the project, the responsible or trustee agency shall either submit to the lead agency complete and detailed performance objectives for mitigation measures addressing those effects or refer the lead agency to appropriate, readily available guidelines or reference documents concerning mitigation measures. If the responsible or trustee agency is not aware of mitigation measures that address identified effects, the responsible or trustee agency shall so state.

Note: Authority cited: Section 21083, Public Resources Code; Reference: Sections 21081.6, 21092.4, 21092.5, 21104 and 21153, Public Resources Code.

### 15093. Statement of Overriding Considerations

(a) CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable."

(b) When the lead agency approves a project which will result in the occurrence of significant effects which are identified in the final EIR but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the final EIR and/or other information in the record. The statement of overriding considerations shall be supported by substantial evidence in the record.

(c) If an agency makes a statement of overriding considerations, the statement should be included in the record of the project approval and should be mentioned in the notice of determination. This statement does not substitute for, and shall be in addition to, findings required pursuant to Section 15091.

(d) When an agency makes a statement of overriding considerations, the agency may consider adverse environmental effects in the context of region-wide or statewide environmental benefits.

Note: Authority cited: Section 21083, Public Resources Code; Reference: Sections 21002 and 21081, Public Resources Code; San Francisco Ecology Center v. City and County of San Francisco (1975) 48 Cal.App.3d 584; City of Carmel-by-the-Sea v. Board of Supervisors (1977) 71 Cal.App.3d 84; Sierra Club v. Contra Costa County (1992) 10 Cal.App.4th 1212; Citizens for Quality Growth v. City of Mount Shasta (1988) 198 Cal.App.3d 433.

### 15125. Environmental Setting

(a) An EIR must include a description of the physical environmental conditions in the vicinity of the project, as they exist at the time the notice of preparation is published, or if no notice of

preparation is published, at the time environmental analysis is commenced, from both a local and regional perspective. This environmental setting will normally constitute the baseline physical conditions by which a lead agency determines whether an impact is significant. The description of the environmental setting shall be no longer than is necessary to an understanding of the significant effects of the proposed project and its alternatives.

(b) When preparing an EIR for a plan for the reuse of a military base, lead agencies should refer to the special application of the principle of baseline conditions for determining significant impacts contained in Section 15229.

(c) 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 and would be affected by the project. The EIR must demonstrate that the significant environmental impacts of the proposed project were adequately investigated and discussed and it must permit the significant effects of the project to be considered in the full environmental context.

(d) The EIR shall discuss any inconsistencies between the proposed project and applicable general plans, specific plans and regional plans. Such regional plans include, but are not limited to, the applicable air quality attainment or maintenance plan or State Implementation Plan, area-wide waste treatment and water quality control plans, regional transportation plans, regional housing allocation plans, regional blueprint plans, greenhouse gas reduction plans, habitat conservation plans, natural community conservation plans and regional land use plans for the protection of the Coastal Zone, Lake Tahoe Basin, San Francisco Bay, and Santa Monica Mountains.

(e) Where a proposed project is compared with an adopted plan, the analysis shall examine the existing physical conditions at the time the notice of preparation is published, or if no notice of preparation is published, at the time environmental analysis is commenced as well as the potential future conditions discussed in the plan.

Note: Authority cited: Section 21083, Public Resources Code; Reference: Sections 21061 and 21100, Public Resources Code; E.P.I.C. v. County of El Dorado (1982) 131 Cal.App.3d 350; San Joaquin Raptor/Wildlife Rescue Center v. County of Stanislaus (1994) 27 Cal.App.4th 713; Bloom v. McGurk (1994) 26 Cal.App.4th 1307.

## 15126.2. Consideration and Discussion of Significant Environmental Impacts.

(a) The Significant Environmental Effects of the Proposed Project. An EIR shall identify and focus on the significant environmental effects of the proposed project. In assessing the impact of a proposed project on the environment, the lead agency should normally limit its examination to changes in the existing physical conditions in the affected area as they exist at the time the notice of preparation is published, or where no notice of preparation is published, at the time environmental analysis is commenced. Direct and indirect significant effects of the project on the environment shall be clearly identified and described, giving due consideration to both the short-term and long-term effects. The discussion should include relevant 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), health and safety problems caused by the physical changes, and other aspects of the resource base such as water, historical resources, scenic quality, and public services. The EIR shall also analyze any significant environmental effects the project might cause by bringing development and people into the area affected. For example, an EIR on a subdivision astride an active fault line should identify as a significant effect the seismic hazard to future occupants of the subdivision. The subdivision would have the effect of attracting people to the location and exposing them to the hazards found there.

(b) Significant Environmental Effects Which Cannot be Avoided if the Proposed Project is Implemented. Describe any significant impacts, including those which can be mitigated but not reduced to a level of insignificance. 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.

(c) Significant Irreversible Environmental Changes Which Would be Caused by the Proposed Project Should it be Implemented. Uses of nonrenewable resources during the initial and continued phases of the project may be irreversible since a large commitment of such resources makes removal or nonuse thereafter unlikely. Primary impacts and, particularly, secondary impacts (such as highway improvement which provides access to a previously inaccessible 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 current consumption is justified. (See Public Resources Code section 21100.1 and Title 14, California Code of Regulations, section 15127 for limitations to applicability of this requirement.)

(d) Growth-Inducing Impact of the Proposed Project. Discuss the ways in which the proposed project could foster economic or population growth, or the construction of additional housing, 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 tax existing community service facilities, requiring construction of new facilities that could cause significant environmental effects. 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.

Note: Authority cited: Section 21083, Public Resources Code. Reference: Sections 21002, 21003, and 21100, Public Resources Code; *Citizens of Goleta Valley v. Board of Supervisors*, (1990) 52 Cal.3d 553; *Laurel Heights Improvement Association v. Regents of the University of California*, (1988) 47 Cal.3d 376; *Gentry v. City of Murrieta* (1995) 36 Cal.App.4th 1359; and *Laurel Heights Improvement Association v. Regents of the University of California* (1993) 6 Cal.4th 1112; *Goleta Union School Dist. v. Regents of the Univ. Of Calif* (1995) 37 Cal. App.4th 1025.

## 15126.4. Consideration and Discussion of Mitigation Measures Proposed to Minimize Significant Effects.

### (a) Mitigation Measures in General.

(1) An EIR shall describe feasible measures which could minimize significant adverse impacts, including where relevant, inefficient and unnecessary consumption of energy.

(A) The discussion of mitigation measures shall distinguish between the measures which are proposed by project proponents to be included in the project and other measures proposed by the lead, responsible or trustee agency or other persons which are not included but the lead agency determines could reasonably be expected to reduce adverse impacts if required as conditions of approving the project. This discussion shall identify mitigation measures for each significant environmental effect identified in the EIR.

(B) Where several measures are available to mitigate an impact, each should be discussed and the basis for selecting a particular measure should be identified. Formulation of mitigation measures should not be deferred until some future time. However, measures may specify performance standards which would mitigate the significant effect of the project and which may be accomplished in more than one specified way.

(C) Energy conservation measures, as well as other appropriate mitigation measures, shall be discussed when relevant. Examples of energy conservation measures are provided in Appendix F.

(D) If a mitigation measure would cause one or more significant effects in addition to those that would be caused by the project as proposed, the effects of the mitigation measure shall be discussed but in less detail than the significant effects of the project as proposed. (*Stevens v. City of Glendale*(1981) 125 Cal.App.3d 986.)

(2) Mitigation measures must be fully enforceable through permit conditions, agreements, or other legally-binding instruments. In the case of the adoption of a plan, policy, regulation, or other public project, mitigation measures can be incorporated into the plan, policy, regulation, or project design.

(3) Mitigation measures are not required for effects which are not found to be significant.

(4) Mitigation measures must be consistent with all applicable constitutional requirements, including the following:

(A) There must be an essential nexus (i.e. connection) between the mitigation measure and a legitimate governmental interest. (*Nollan v. California Coastal Commission*, 483 U.S. 825 (1987)); and

(B) The mitigation measure must be "roughly proportional" to the impacts of the project. *Dolan v. City of Tigard*, 512 U.S. 374 (1994). Where the mitigation measure is an ad hoc exaction, it

must be "roughly proportional" to the impacts of the project. (*Ehrlich v. City of Culver City* (1996) 12 Cal.4th 854).

(5) If the lead agency determines that a mitigation measure cannot be legally imposed, the measure need not be proposed or analyzed. Instead, the EIR may simply reference that fact and briefly explain the reasons underlying the lead agency's determination.

(b) Mitigation Measures Related to Impacts on Historical Resources.

(1) Where maintenance, repair, stabilization, rehabilitation, restoration, preservation, conservation or reconstruction of the historical resource will be conducted in a manner consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings (1995), Weeks and Grimmer, the project's impact on the historical resource shall generally be considered mitigated below a level of significance and thus is not significant.

(2) In some circumstances, documentation of an historical resource, by way of historic narrative, photographs or architectural drawings, as mitigation for the effects of demolition of the resource will not mitigate the effects to a point where clearly no significant effect on the environment would occur.

(3) Public agencies should, whenever feasible, seek to avoid damaging effects on any historical resource of an archaeological nature. The following factors shall be considered and discussed in an EIR for a project involving such an archaeological site:

(A) Preservation in place is the preferred manner of mitigating impacts to archaeological sites. Preservation in place maintains the relationship between artifacts and the archaeological context. Preservation may also avoid conflict with religious or cultural values of groups associated with the site.

(B) Preservation in place may be accomplished by, but is not limited to, the following:

1. Planning construction to avoid archaeological sites;
2. Incorporation of sites within parks, greenspace, or other open space;
3. Covering the archaeological sites with a layer of chemically stable soil before building tennis courts, parking lots, or similar facilities on the site.
4. Deeding the site into a permanent conservation easement.

(C) When data recovery through excavation is the only feasible mitigation, a data recovery plan, which makes provisions for adequately recovering the scientifically consequential information from and about the historical resource, shall be prepared and adopted prior to any excavation being undertaken. Such studies shall be deposited with the California Historical Resources Regional Information Center. Archeological sites known to contain human remains shall be

treated in accordance with the provisions of Section 7050.5 Health and Safety Code. If an artifact must be removed during project excavation or testing, curation may be an appropriate mitigation.

(D) Data recovery shall not be required for an historical resource if the lead agency determines that testing or studies already completed have adequately recovered the scientifically consequential information from and about the archaeological or historical resource, provided that the determination is documented in the EIR and that the studies are deposited with the California Historical Resources Regional Information Center.

(c) Mitigation Measures Related to Greenhouse Gas Emissions.

Consistent with section 15126.4(a), lead agencies shall consider feasible means of mitigating greenhouse gas emissions that may include, but not be limited to:

(1) Measures in an existing plan or mitigation program for the reduction of emissions that are required as part of the lead agency's decision;

(2) Reductions in emissions resulting from a project through implementation of project features, project design, or other measures, such as those described in Appendix F;

(3) Off-site measures, including offsets, to mitigate a project's emissions;

(4) Measures that sequester greenhouse gases; and

(5) In the case of the adoption of a plan, such as a general plan, long range development plan, or greenhouse gas reduction plan, mitigation may include the identification of specific measures that may be implemented on a project-by-project basis. Mitigation may also include the incorporation of specific measures or policies found in an adopted ordinance or regulation that reduces the cumulative effect of emissions.

Note: Authority: Section 21083, Public Resources Code. Reference: Sections 5020.5, 21002, 21003, 21100 and 21084.1, Public Resources Code; *Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553; *Laurel Heights Improvement Association v. Regents of the University of California* (1988) 47 Cal.3d 376; *Gentry v. City of Murrieta* (1995) 36 Cal.App.4th 1359; *Laurel Heights Improvement Association v. Regents of the University of California* (1993) 6 Cal.4th 1112; and *Sacramento Old City Assn. v. City Council of Sacramento* (1991) 229 Cal.App.3d 1011.

## 15130. Discussion of Cumulative Impacts

(a) An EIR shall discuss cumulative impacts of a project when the project's incremental effect is cumulatively considerable, as defined in section 15065(a)(3). Where a lead agency is examining a project with an incremental effect that is not "cumulatively considerable," a lead agency need not consider that effect significant, but shall briefly describe its basis for concluding that the incremental effect is not cumulatively considerable.

(1) As defined in Section 15355, a cumulative impact consists of an impact which is created as a result of the combination of the project evaluated in the EIR together with other projects causing related impacts. An EIR should not discuss impacts which do not result in part from the project evaluated in the EIR.

(2) When the combined cumulative impact associated with the project's incremental effect and the effects of other projects is not significant, the EIR shall briefly indicate why the cumulative impact is not significant and is not discussed in further detail in the EIR. A lead agency shall identify facts and analysis supporting the lead agency's conclusion that the cumulative impact is less than significant.

(3) An EIR may determine that a project's contribution to a significant cumulative impact will be rendered less than cumulatively considerable and thus is not significant. A project's contribution is less than cumulatively considerable if the project is required to implement or fund its fair share of a mitigation measure or measures designed to alleviate the cumulative impact. The lead agency shall identify facts and analysis supporting its conclusion that the contribution will be rendered less than cumulatively considerable.

(b) The discussion of cumulative impacts shall reflect the severity of the impacts and their likelihood of occurrence, but the discussion need not provide as great detail as is provided for the effects attributable to the project alone. The discussion should be guided by standards of practicality and reasonableness, and should focus on the cumulative impact to which the identified other projects contribute rather than the attributes of other projects which do not contribute to the cumulative impact. The following elements are necessary to an adequate discussion of significant cumulative impacts:

(1) Either:

(A) A list of past, present, and probable future projects producing related or cumulative impacts, including, if necessary, those projects outside the control of the agency, or

(B) A summary of projections contained in an adopted ~~general plan or related planning document, or in a prior environmental document which has been adopted or certified, which described or evaluated regional or areawide conditions contributing to the cumulative impact~~ local, regional or statewide plan, or related planning document, that describes or evaluates conditions contributing to the cumulative effect. Such plans may include: a general plan, regional transportation plan, or greenhouse gas reduction plan. A summary of projections may also be contained in an adopted or certified prior environmental document for such a plan. Such projections may be supplemented with additional information such as a regional modeling program. Any such ~~planning~~ document shall be referenced and made available to the public at a location specified by the lead agency.

(2) When utilizing a list, as suggested in paragraph (1) of subdivision (b), factors to consider when determining whether to include a related project should include the nature of each environmental resource being examined, the location of the project and its type. Location may be important, for example, when water quality impacts are at issue since projects outside the



watershed would probably not contribute to a cumulative effect. Project type may be important, for example, when the impact is specialized, such as a particular air pollutant or mode of traffic.

(3) Lead agencies should define the geographic scope of the area affected by the cumulative effect and provide a reasonable explanation for the geographic limitation used.

(4) A summary of the expected environmental effects to be produced by those projects with specific reference to additional information stating where that information is available; and

(5) A reasonable analysis of the cumulative impacts of the relevant projects. An EIR shall examine reasonable, feasible options for mitigating or avoiding the project's contribution to any significant cumulative effects.

(c) With some projects, the only feasible mitigation for cumulative impacts may involve the adoption of ordinances or regulations rather than the imposition of conditions on a project-by-project basis.

(d) Previously approved land use documents including, but not limited to, general plans, specific plans, regional transportation plans, greenhouse gas reduction plans, and local coastal plans may be used in cumulative impact analysis. A pertinent discussion of cumulative impacts contained in one or more previously certified EIRs may be incorporated by reference pursuant to the provisions for tiering and program EIRs. No further cumulative impacts analysis is required when a project is consistent with a general, specific, master or comparable programmatic plan where the lead agency determines that the regional or areawide cumulative impacts of the proposed project have already been adequately addressed, as defined in section 15152(f), in a certified EIR for that plan.

(e) If a cumulative impact was adequately addressed in a prior EIR for a community plan, zoning action, or general plan, and the project is consistent with that plan or action, then an EIR for such a project should not further analyze that cumulative impact, as provided in Section 15183(j).

(f) An EIR shall analyze greenhouse gas emissions resulting from a proposed project when the incremental contribution of those emissions may be cumulatively considerable.

Note: Authority cited: Section 21083, Public Resources Code. Reference: Sections 21083(b), 21093, 21094 and 21100, Public Resources Code; *Whitman v. Board of Supervisors*, (1979) 88 Cal. App. 3d 397; *San Franciscans for Reasonable Growth v. City and County of San Francisco* (1984) 151 Cal.App.3d 61; *Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692; *Laurel Heights Homeowners Association v. Regents of the University of California* (1988) 47 Cal.3d 376; *Sierra Club v. Gilroy* (1990) 220 Cal.App.3d 30; *Citizens to Preserve the Ojai v. County of Ventura* (1985) 176 Cal.App.3d 421; *Concerned Citizens of South Cent. Los Angeles v. Los Angeles Unified Sch. Dist.* (1994) 24 Cal.App.4th 826; *Las Virgenes Homeowners Fed'n v. County of Los Angeles* (1986) 177 Cal.App.3d 300; *San Joaquin Raptor/Wildlife Rescue Ctr v. County of Stanislaus* (1994) 27 Cal.App.4th 713; *Fort Mojave Indian Tribe v. Cal. Dept. Of Health Services* (1995) 38 Cal.App.4th 1574; and *Communities for a Better Environment v. California Resources Agency* (2002) 103 Cal.App.4th 98.

## 15150. Incorporation by Reference

(a) An EIR or Negative Declaration may incorporate by reference all or portions of another document which is a matter of public record or is generally available to the public. Where all or part of another document is incorporated by reference, the incorporated language shall be considered to be set forth in full as part of the text of the EIR or Negative Declaration.

(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. The EIR or Negative Declaration shall state where the incorporated documents will be available for inspection. At a 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 or in one or more public buildings such as county offices or public libraries if the Lead Agency does not have an office in the county.

(c) Where an EIR or Negative Declaration uses incorporation by reference, the incorporated part of the referenced document shall be briefly summarized where possible or briefly described if the data or information cannot be summarized. The relationship between the incorporated part of the referenced document and the EIR shall be described.

(d) Where an agency incorporates information from an EIR that has previously been reviewed through the state review system, the state identification number of the incorporated document should be included in the summary or designation described in subdivision (c).

(e) Examples of materials that may be incorporated by reference include but are not limited to:

(1) A description of the environmental setting from another EIR.

(2) A description of the air pollution problems prepared by an air pollution control agency concerning a process involved in the project.

(3) A description of the city or county general plan that applies to the location of the project.

(4) A description of the effects of greenhouse gas emissions on the environment.

(f) Incorporation by reference is most appropriate for including long, descriptive, or technical materials that provide general background but do not contribute directly to the analysis of the problem at hand.

Note: Authority cited: Section 21083, Public Resources Code; Reference Sections 21003, 21061, and 21100, Public Resources Code.

## 15183. Projects Consistent with a Community Plan or Zoning

(a) CEQA mandates that projects which are consistent with the development density established by existing zoning, community plan, or general plan policies for which an EIR was certified shall not require additional environmental review, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site. This streamlines the review of such projects and reduces the need to prepare repetitive environmental studies.

(b) In approving a project meeting the requirements of this section, a public agency shall limit its examination of environmental effects to those which the agency determines, in an initial study or other analysis:

(1) Are peculiar to the project or the parcel on which the project would be located,

(2) Were not analyzed as significant effects in a prior EIR on the zoning action, general plan, or community plan, with which the project is consistent,

(3) Are potentially significant off-site impacts and cumulative impacts which were not discussed in the prior EIR prepared for the general plan, community plan or zoning action, or

(4) Are previously identified significant effects which, as a result of substantial new information which was not known at the time the EIR was certified, are determined to have a more severe adverse impact than discussed in the prior EIR.

(c) If an impact is not peculiar to the parcel or to the project, has been addressed as a significant effect in the prior EIR, or can be substantially mitigated by the imposition of uniformly applied development policies or standards, as contemplated by subdivision (e) below, then an additional EIR need not be prepared for the project solely on the basis of that impact.

(d) This section shall apply only to projects which meet the following conditions:

(1) The project is consistent with:

(A) A community plan adopted as part of a general plan,

(B) A zoning action which zoned or designated the parcel on which the project would be located to accommodate a particular density of development, or

(C) A general plan of a local agency, and

(2) An EIR was certified by the lead agency for the zoning action, the community plan, or the general plan.

(e) This section shall limit the analysis of only those significant environmental effects for which:

(1) Each public agency with authority to mitigate any of the significant effects on the environment identified in the planning or zoning action undertakes or requires others to undertake mitigation measures specified in the EIR which the lead agency found to be feasible, and

(2) The lead agency makes a finding at a public hearing as to whether the feasible mitigation measures will be undertaken.

(f) An effect of a project on the environment shall not be considered peculiar to the project or the parcel for the purposes of this section if uniformly applied development policies or standards have been previously adopted by the city or county with a finding that the development policies or standards will substantially mitigate that environmental effect when applied to future projects, unless substantial new information shows that the policies or standards will not substantially mitigate the environmental effect. The finding shall be based on substantial evidence which need not include an EIR. Such development policies or standards need not apply throughout the entire city or county, but can apply only within the zoning district in which the project is located, or within the area subject to the community plan on which the lead agency is relying. Moreover, such policies or standards need not be part of the general plan or any community plan, but can be found within another pertinent planning document such as a zoning ordinance. Where a city or county, in previously adopting uniformly applied development policies or standards for imposition on future projects, failed to make a finding as to whether such policies or standards would substantially mitigate the effects of future projects, the decisionmaking body of the city or county, prior to approving such a future project pursuant to this section, may hold a public hearing for the purpose of considering whether, as applied to the project, such standards or policies would substantially mitigate the effects of the project. Such a public hearing need only be held if the city or county decides to apply the standards or policies as permitted in this section.

(g) Examples of uniformly applied development policies or standards include, but are not limited to:

(1) Parking ordinances.

(2) Public access requirements.

(3) Grading ordinances.

(4) Hillside development ordinances.

(5) Flood plain ordinances.

(6) Habitat protection or conservation ordinances.

(7) View protection ordinances.

(8) Requirements for reducing greenhouse gas emissions, as set forth in an adopted land use plan, policy or regulation.

(h) An environmental effect shall not be considered peculiar to the project or parcel solely because no uniformly applied development policy or standard is applicable to it.

(i) Where the prior EIR relied upon by the lead agency was prepared for a general plan or community plan that meets the requirements of this section, any rezoning action consistent with the general plan or community plan shall be treated as a project subject to this section.

(1) "Community plan" is defined as a part of the general plan of a city or county which applies to a defined geographic portion of the total area included in the general plan, includes or references each of the mandatory elements specified in Section 65302 of the Government Code, and contains specific development policies and implementation measures which will apply those policies to each involved parcel.

(2) For purposes of this section, "consistent" means that the density of the proposed project is the same or less than the standard expressed for the involved parcel in the general plan, community plan or zoning action for which an EIR has been certified, and that the project complies with the density-related standards contained in that plan or zoning. Where the zoning ordinance refers to the general plan or community plan for its density standard, the project shall be consistent with the applicable plan.

(j) This section does not affect any requirement to analyze potentially significant offsite or cumulative impacts if those impacts were not adequately discussed in the prior EIR. If a significant offsite or cumulative impact was adequately discussed in the prior EIR, then this section may be used as a basis for excluding further analysis of that offsite or cumulative impact.

Note: Authority cited: Section 21083, Public Resources Code; Reference: Section 21083.3, Public Resources Code.

### 15183.5 Tiering and Streamlining the Analysis of Greenhouse Gas Emissions

(a) Lead agencies may analyze and mitigate the effects of greenhouse gas emissions at a programmatic level, such as in a general plan, a long range development plan, or a separate plan to reduce greenhouse gas emissions. Later project-specific environmental documents may tier and/or incorporate by reference that existing programmatic review. Project-specific environmental documents may rely on an EIR containing a programmatic analysis of greenhouse gas emissions as provided in section 15152 (tiering), 15168 (program EIRs), 15175-15179.5 (Master EIRs), 15182 (EIRs Prepared for Specific Plans), and 15183 (EIRs Prepared for General Plans, Community Plans, or Zoning).

(b) Greenhouse Gas Reduction Plans. Public agencies may choose to analyze and mitigate greenhouse gas emissions in a greenhouse gas reduction plan or similar document. A plan to reduce greenhouse gas emissions may be used in a cumulative impacts analysis as set forth below. Pursuant to sections 15064(h)(3) and 15130(d), a lead agency may determine that a project's incremental contribution to a cumulative effect is not cumulatively considerable if the

project complies with the requirements in a previously adopted plan or mitigation program under specified circumstances.

(1) Plan Elements. A greenhouse gas emissions reduction plan may:

(A) Quantify greenhouse gas emissions, both existing and projected over a specified time period, resulting from activities within a defined geographic area;

(B) Establish a level, based on substantial evidence, below which the contribution to greenhouse gas emissions from activities covered by the plan would not be cumulatively considerable;

(C) Identify and analyze the greenhouse gas emissions resulting from specific actions or categories of actions anticipated within the geographic area;

(D) Specify measures or a group of measures, including performance standards, that substantial evidence demonstrates, if implemented on a project-by-project basis, would collectively achieve the specified emissions level;

(E) Establish a mechanism to monitor the plan's progress toward achieving the level and to require amendment if the plan is not achieving specified levels;

(F) Be adopted in a public process following environmental review.

(2) Use with Later Activities. A greenhouse gas reduction plan, once adopted following certification of an EIR, may be used in the cumulative impacts analysis of later projects. An environmental document that relies on a greenhouse gas reduction plan for a cumulative impacts analysis must identify those requirements specified in the plan that apply to the project, and, if those requirements are not otherwise binding and enforceable, incorporate those requirements as mitigation measures applicable to the project. If there is substantial evidence that the effects of a particular project may be cumulatively considerable notwithstanding the project's compliance with the specified requirements in the greenhouse gas reduction plan, an EIR must be prepared for the project.

(c) Special Situations. Consistent with Public Resources Code sections 21155.2 and 21159.28, certain residential and mixed use projects, and transit priority projects, as defined in section 21155, that are consistent with the general use designation, density, building intensity, and applicable policies specified for the project area in an applicable sustainable communities strategy or alternative planning strategy accepted by the California Air Resources Board need not analyze global warming impacts resulting from cars and light duty trucks. A lead agency should consider whether such projects may result in greenhouse gas emissions resulting from other sources, however, consistent with these Guidelines.

#### 15364.5. Greenhouse Gas (Definition)

“Greenhouse gas” or “greenhouse gases” includes but is not limited to: carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons and sulfur hexafluoride. (Reference: Health and Safety Code section 38505(g).)

**CEQA GUIDELINES**  
**APPENDIX F**  
**ENERGY CONSERVATION**

PROPOSED AMENDMENTS TO APPENDIX F  
ARE INDICATED BY REDLINE/STRIKEOUT TEXT



# CEQA Guidelines

## Appendix F

### ENERGY CONSERVATION

#### I. Introduction

The goal of conserving energy implies the wise and efficient use of energy. The means of achieving this goal include:

- (1) decreasing overall per capita energy consumption,
- (2) decreasing reliance on natural gas and oil, and
- (3) increasing reliance on renewable energy sources.

In order to assure that energy implications are considered in project decisions, the California Environmental Quality Act requires that EIRs include a discussion of the potential energy impacts of proposed projects, with particular emphasis on avoiding or reducing inefficient, wasteful and unnecessary consumption of energy (see Public Resources Code section 21100(b)(3)). Energy conservation implies that a project's cost effectiveness be reviewed not only in dollars, but also in terms of energy requirements. For many projects, ~~lifetime~~ costs effectiveness may be determined more by energy efficiency than by initial dollar costs. A lead agency may consider the extent to which an energy source serving the project has already undergone environmental review that adequately analyzed and mitigated the effects of energy production.

#### II. EIR Contents

Potentially significant energy implications of a project ~~should~~ shall be considered in an EIR to the extent relevant and applicable to the project. The following list of energy impact possibilities and potential conservation measures is designed to assist in the preparation of an EIR. In many instances, specific items may not apply or additional items may be needed. Where items listed below are applicable or relevant to the project, they should be considered in the EIR.

A. Project Description may include the following items:

1. Energy consuming equipment and processes which will be used during construction, operation, and/or removal of the project. If appropriate, this discussion should consider the energy intensiveness of materials and equipment required for the project.
2. Total energy requirements of the project by fuel type and end use.
3. Energy conservation equipment and design features.

4. Identification of ~~Initial and lifecycle~~ energy ~~costs or~~ supplies that would serve the project.

5. Total estimated daily vehicle trips to be generated by the project and the additional energy consumed per trip by mode.

B. Environmental Setting may include existing energy supplies and energy use patterns in the region and locality.

C. Environmental Impacts may include:

1. The project's energy requirements and its energy use efficiencies by amount and fuel type for each stage of the project's ~~lifecycle~~ including construction, operation, maintenance and/or removal. If appropriate, the energy intensiveness of materials may be discussed.

2. The effects of the project on local and regional energy supplies and on requirements for additional capacity.

3. The effects of the project on peak and base period demands for electricity and other forms of energy.

4. The degree to which the project complies with existing energy standards.

5. The effects of the project on energy resources.

6. The project's projected transportation energy use requirements and its overall use of efficient transportation alternatives.

D. Mitigation Measures may include:

1. Potential measures to reduce wasteful, inefficient and unnecessary consumption of energy during construction, operation, maintenance and/or removal. The discussion should explain why certain measures were incorporated in the project and why other measures were dismissed.

2. The potential of siting, orientation, and design to minimize energy consumption, including transportation energy, water conservation and solid-waste reduction.

3. The potential for reducing peak energy demand.

4. Alternate fuels (particularly renewable ones) or energy systems.

5. Energy conservation which could result from recycling efforts.

E. Alternatives should be compared in terms of overall energy consumption and in terms of reducing wasteful, inefficient and unnecessary consumption of energy. F. Unavoidable Adverse

Effects may include wasteful, inefficient and unnecessary consumption of energy during the project construction, operation, maintenance and/or removal that cannot be feasibly mitigated.

G. Irreversible Commitment of Resources may include a discussion of how the project preempts future energy development or future energy conservation.

H. Short-Term Gains versus Long-Term Impacts can be compared by calculating the project's energy costs over the project's lifetime ~~of the project~~.

I. Growth Inducing Effects may include the estimated energy consumption of growth induced by the project.

**CEQA GUIDELINES**  
**APPENDIX G**  
**INITIAL STUDY CHECKLIST**

PROPOSED AMENDMENTS TO APPENDIX G  
ARE INDICATED BY REDLINE/STRIKEOUT TEXT

## CEQA Guidelines

### Appendix G

#### Environmental Checklist Form

NOTE: The following is a sample form and may be tailored to satisfy individual agencies' needs and project circumstances. It may be used to meet the requirements for an initial study when the criteria set forth in the CEQA Guidelines have been met. Substantial evidence of potential impacts that are not listed on this form must also be considered. The sample questions in this form are intended to encourage thoughtful assessment of impacts, and do not necessarily represent thresholds of significance.

1. Project title: \_\_\_\_\_

2. Lead agency name and address:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. Contact person and phone number: \_\_\_\_\_

4. Project location: \_\_\_\_\_

5. Project sponsor's name and address:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

6. General plan designation: \_\_\_\_\_

7. Zoning: \_\_\_\_\_

8. Description of project: (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary.)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

9. Surrounding land uses and setting: Briefly describe the project's surroundings:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.)

\_\_\_\_\_  
\_\_\_\_\_

## ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

Aesthetics  
Agriculture and Forest Resources  
Air Quality  
Biological Resources  
Cultural Resources  
Geology/Soils  
Greenhouse Gas Emissions  
Hazards & Hazardous Materials  
Hydrology/Water Quality  
Land Use/Planning  
Mineral Resources  
Noise  
Population/Housing  
Public Services  
Recreation  
Transportation/Traffic  
Utilities/Service Systems  
Mandatory Findings of Significance

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

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

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

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

I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has

been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

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

Signature

Date

Printed Name

#### EVALUATION OF ENVIRONMENTAL IMPACTS:

1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from "Earlier Analyses," as described in (5) below, may be cross-referenced).

5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:

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

## SAMPLE QUESTIONS

### I. AESTHETICS -- Would the project:

- a) Have a substantial adverse effect on a scenic vista?
- b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?
- c) Substantially degrade the existing visual character or quality of the site and its surroundings?
- d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?



II. AGRICULTURE AND FOREST RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and the forest carbon measurement methodology provided in the Forest Protocols adopted by the California Air Resources Board. Would the project:

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?

c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)) or timberland (as defined in Public Resources Code section 4526)?

d) Result in the loss of forest land or conversion of forest land to non-forest use?

e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?

III. AIR QUALITY -- Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

a) Conflict with or obstruct implementation of the applicable air quality plan?

b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?

d) Expose sensitive receptors to substantial pollutant concentrations?

e) Create objectionable odors affecting a substantial number of people?

#### IV. BIOLOGICAL RESOURCES -- Would the project:

- a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?
- b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?
- c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?
- d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?
- e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?
- f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

#### V. CULTURAL RESOURCES -- Would the project:

- a) Cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5?
- b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?
- c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?
- d) Disturb any human remains, including those interred outside of formal cemeteries?

#### VI. GEOLOGY AND SOILS -- Would the project:

- a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:
  - i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other

substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

ii) Strong seismic ground shaking?

iii) Seismic-related ground failure, including liquefaction?

iv) Landslides?

b) Result in substantial soil erosion or the loss of topsoil?

c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?

e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

**VII. GREENHOUSE GAS EMISSIONS -- Would the project:**

**a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?**

**b) Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?**

**VIII. HAZARDS AND HAZARDOUS MATERIALS -- Would the project:**

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

- e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?
- f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?
- g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?
- h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

~~VIII~~. HYDROLOGY AND WATER QUALITY -- Would the project:

- a) Violate any water quality standards or waste discharge requirements?
- b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?
- c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?
- d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?
- e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?
- f) Otherwise substantially degrade water quality?
- g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?
- h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?
- i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?

j) Inundation by seiche, tsunami, or mudflow?

**IX. LAND USE AND PLANNING** - Would the project:

a) Physically divide an established community?

b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

c) Conflict with any applicable habitat conservation plan or natural community conservation plan?

**XI. MINERAL RESOURCES** -- Would the project:

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

**XII. NOISE** -- Would the project result in:

a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

### XIII. POPULATION AND HOUSING -- Would the project:

- a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?
- b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?
- c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

### ~~XIII~~XIV. PUBLIC SERVICES

- a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

Fire protection?

Police protection?

Schools?

Parks?

Other public facilities?

### ~~XIV~~XV. RECREATION

- a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?
- b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

### XVI. TRANSPORTATION/TRAFFIC -- Would the project:

- a) ~~Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?~~ Exceed the capacity of the existing circulation system, based on an applicable measure of effectiveness (as designated in a general plan policy, ordinance, etc.), taking into account all relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?

b) ~~Exceed, either individually or cumulatively, a Conflict with an applicable congestion management program, including, but not limited to~~ level of service standards ~~and travel demand measures, or other standards~~ established by the county congestion management agency for designated roads or highways?

c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

e) Result in inadequate emergency access?

~~f) Result in inadequate parking capacity?~~

~~g)~~ Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?

## **XVII. UTILITIES AND SERVICE SYSTEMS -- Would the project:**

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?

e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

g) Comply with federal, state, and local statutes and regulations related to solid waste?

## XVIII. MANDATORY FINDINGS OF SIGNIFICANCE

a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

Note: Authority cited: Sections 21083 and 21087, Public Resources Code. Reference: Sections 21080(c), 21080.1, 21080.3, 21082.1, 21083, 21083.3, 21093, 21094, 21151, Public Resources Code; Sundstrom v. County of Mendocino, 202 Cal.App.3d 296 (1988); Leonoff v. Monterey Board of Supervisors, 222 Cal.App.3d 1337 (1990).





## ***OCCOG Technical Advisory Committee***

*February 2, 2010*

**Item 8:** **OCCOG Board Meeting of January 28, 2010**

**Recommended Action:** Receive report.

### **Report**

---

Mr. David Simpson, OCCOG Staff, will brief the TAC on the key highlights of the January 28, 2010 meeting of the OCCOG Board. Actions and discussions of the Board related to specific items on the TAC's agenda will be discussed relative to the respective item.

The agenda for the Board meeting is posted at <http://www.octa.net/occog2.aspx>. This link was also provided to the TAC members via e-mail prior to the Board meeting. Please bring your copy of the OCCOG Board agenda packet to the TAC meeting for reference purposes.

---

**Contact:** Ms. Marika Modugno, Chair, OCCOG TAC (City of Irvine)  
949/724-6456  
[mmodugno@cityofirvine.org](mailto:mmodugno@cityofirvine.org)

Mr. David Simpson, OCCOG Staff  
714/560-5570  
[dsimpson@octa.net](mailto:dsimpson@octa.net)

## **PROPOSITION 84 “PLANNING” GRANT PROGRAM INFORMATION**

The California Strategic Growth Council (SGC) met in December in Sacramento to review public input on draft guidelines for the Prop. 84 "Planning" Grant program and provide SGC staff with direction on developing final guidelines for Council adoption. See below for a summary of items discussed.

### **Revised Grant Schedule**

February 8 - Proposed Final Guidelines posted on web  
March 17 - Council adopts Final Guidelines  
March 29 - RFP released  
May 28 - Grant applications due  
August 19 - Staff recommendations posted on web  
September 1 - Council approves awards

### **Grant Focus Areas**

Focus Area #1 - Local Sustainable Planning (Cities and Counties)

- Specific Plans/Infill Plans/Zoning Ordinances
- Targeted General Plan Updates or Elements (incorporating sustainability community or climate change objectives)
- Climate Action Plans
- Other plans needed to meet AB 32 and SB 375 GHG emission reductions

Focus Area #2 - Regional SB 375 Plus (MPOs)

- Plans that support SB 375 and AB 32 GHG emission reductions (Blueprints, SCS)

Focus Area #3 - Regional Planning Activities with Multiple Parties (Cities, Counties, RTPAs, JPAs)

- Countywide Climate Action Plans (involving multiple agencies)
- Regional cap and trade plan or offset program
- Rural Blueprints or voluntary SB 375 programs
- Interregional Plans

### **Criteria**

- The overarching "super goal" is to achieve GHG emission reductions
- It's likely that many of the scoring criteria in the draft guidelines, which are based on numerous state planning objectives, will be retained

### **What type of Plans will be funded?**

- The Council identified a preference for comprehensive plans that address GHG reduction
- They will not consider "Single Issue" Plans (i.e., Health Impact Assessment, Economic Development, Water Management)

### **How will the funds be distributed?**

- The funds will be distributed in 3 cycles, with roughly \$20 million awarded in each cycle.
- The Council didn't provide a clear direction to staff, but there seemed to be a solid majority of Council members that did not want to designate a fixed allocation percentage to the three focus areas in the RFP.
- It was clear that the Council wants the majority of funds (somewhere between 65 and 80 percent) to go to local agencies.

**What other key factors will be considered?**

- Collaboration between local agencies and MPOs, on how Blueprint/SCS activities and local planning efforts will be coordinated, appears to be a key factor.
- Extra points will be awarded for grant proposals that address disadvantaged communities.



## NEWS RELEASE

**Date:** Tuesday, January 19, 2010

**District:** 12 –Orange County

FOR IMMEDIATE RELEASE

### **CALTRANS TO HOST TRANSPORTATION PLANNING GRANT WORKSHOP**

**IRVINE** – Caltrans will host a transportation planning grant workshop from 1:00 p.m. to 2:30 p.m. Tuesday, February 16, at Caltrans District 12 Traffic Management Center, 6681 Marine Way, 2nd floor (room 242), Irvine, CA.

The workshop will discuss the following grant programs for Fiscal Year 2010-2011: Community-Based Transportation Planning and Environmental Justice: Context Sensitive Planning. Transportation Funding for all these grant programs is available on a statewide, competitive basis.

Transportation planning grants are intended to promote a balanced, comprehensive multi-modal transportation system.

The 2010-2011 Transportation Planning Grant application package is available on the Caltrans web site at <http://www.dot.ca.gov/hq/tpp/grants.html>. For more information, please contact: Damon Davis at 949-440-3487 or Marlon Regisford at 949-724-2241.

