



Welcome to the online source for the California Code of Regulations

☐ BARCLAYS OFFICIAL CALIFORNIA CODE OF REGULATIONS

- ☐ TITLE 1. GENERAL PROVISIONS
- ☐ TITLE 2. ADMINISTRATION
- ☐ TITLE 3. FOOD AND AGRICULTURE
- ☐ TITLE 4. BUSINESS REGULATIONS
- ☐ TITLE 5. EDUCATION
- ☐ TITLE 7. HARBORS AND NAVIGATION
- ☐ TITLE 8. INDUSTRIAL RELATIONS
- ☐ TITLE 9. REHABILITATIVE AND DEVELOPMENTAL SERVICES
- ☐ TITLE 10. INVESTMENT
- ☐ TITLE 11. LAW
- ☐ TITLE 12. MILITARY AND VETERANS AFFAIRS
- ☐ TITLE 13. MOTOR VEHICLES
- ☐ TITLE 14. NATURAL RESOURCES
 - ☐ DIVISION 1. FISH AND GAME COMMISSION-DEPARTMENT OF FISH AND GAME
 - ☐ DIVISION 1.5. DEPARTMENT OF FORESTRY AND FIRE PROTECTION
 - ☐ DIVISION 2. DEPARTMENT OF CONSERVATION
 - ☐ DIVISION 3. DEPARTMENT OF PARKS AND RECREATION
 - ☐ DIVISION 4. DEPARTMENT OF BOATING AND WATERWAYS
 - ☐ DIVISION 5. SAN FRANCISCO BAY CONSERVATION AND DEVELOPMENT COMMISSION
 - ☐ DIVISION 5.2. COLORADO RIVER BOARD OF CALIFORNIA
 - ☐ DIVISION 5.3. CALIFORNIA TAHOE CONSERVANCY
 - ☐ DIVISION 5.4. CALIFORNIA TAHOE REGIONAL PLANNING AGENCY
 - ☐ DIVISION 5.5 CALIFORNIA COASTAL COMMISSION
 - ☐ DIVISION 5.6. STATE COASTAL CONSERVANCY
 - ☐ DIVISION 5.7. SANTA MONICA MOUNTAINS CONSERVANCY
 - ☐ DIVISION 5.8. SAN GABRIEL AND LOWER LOS ANGELES RIVERS AND MOUNTAINS CONSERVANCY
 - ☐ **DIVISION 6. RESOURCES AGENCY**
 - ☐ DIVISION 6.3. OFFICE OF PLANNING AND RESEARCH
 - ☐ DIVISION 7. CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
 - ☐ DIVISION 8. ENVIRONMENTAL AFFAIRS AGENCY
 - ☐ DIVISION 9. DELTA PROTECTION COMMISSION
 - ☐ DIVISION 10. SAN JOAQUIN RIVER CONSERVANCY
 - ☐ DIVISION 11. COACHELLA VALLEY MOUNTAINS CONSERVANCY
 - ☐ DIVISION 13. SAN DIEGO RIVER CONSERVANCY
 - ☐ DIVISION 14. SIERRA NEVADA CONSERVANCY
 - ☐ DIVISION 16. SACRAMENTO-SAN JOAQUIN DELTA CONSERVANCY
- ☐ TITLE 15. CRIME PREVENTION AND CORRECTIONS
- ☐ TITLE 16. PROFESSIONAL AND VOCATIONAL REGULATIONS
- ☐ TITLE 17. PUBLIC HEALTH
- ☐ TITLE 18. PUBLIC REVENUES
- ☐ TITLE 19. PUBLIC SAFETY
- ☐ TITLE 20. PUBLIC UTILITIES AND ENERGY
- ☐ TITLE 21. PUBLIC WORKS
- ☐ TITLE 22. SOCIAL SECURITY

Title 23. Waters

Division 3. SWRCB & RWQCB

Ch.27. CEQA Implementation Regs

- ☐ **TITLE 23. WATERS**
 - ☐ DIVISION 1. CENTRAL VALLEY FLOOD PROTECTION BOARD
 - ☐ DIVISION 1.5 FLOOD PLAIN MANAGEMENT (DEPARTMENT OF WATER RESOURCES AND RECLAMATION BOARD)
 - ☐ DIVISION 2. DEPARTMENT OF WATER RESOURCES
 - ☐ **DIVISION 3. STATE WATER RESOURCES CONTROL BOARD AND REGIONAL WATER QUALITY CONTROL BOARDS**
 - ☐ CHAPTER 1. GENERAL PROVISIONS
 - ☐ CHAPTER 1.5. RULES OF PRACTICE AND PROCEDURE
 - ☐ CHAPTER 2. APPROPRIATION OF WATER
 - ☐ CHAPTER 2.5. WATER RIGHTS FOR STOCKPONDS
 - ☐ CHAPTER 2.7. WATER DIVERSION AND USE REPORTS
 - ☐ CHAPTER 3. DETERMINATION OF RIGHT TO THE USE OF WATER
 - ☐ CHAPTER 4. RECORDATION OF WATER EXTRACTIONS AND DIVERSIONS
 - ☐ CHAPTER 4.5. PROCEDURES FOR PROTECTING INSTREAM BENEFICIAL USES [REPEALED]
 - ☐ CHAPTER 5. FEES
 - ☐ CHAPTER 6. REVIEW BY STATE BOARD OF ACTION OR FAILURE TO ACT BY REGIONAL BOARD
 - ☐ CHAPTER 7. CLEAN WATER GRANT PROGRAM [REPEALED]
 - ☐ CHAPTER 8. OTHER FEDERAL GRANT PROGRAMS [REPEALED]
 - ☐ CHAPTER 9. WASTE DISCHARGE REPORTS AND REQUIREMENTS
 - ☐ CHAPTER 9.1. ENFORCEMENT PROCEDURES
 - ☐ CHAPTER 9.2. REPORTABLE QUANTITIES AND REPORTING REQUIREMENTS
 - ☐ CHAPTER 10. LICENSING AND REGULATION OF USE OF OIL SPILL CLEANUP AGENTS [REPEALED]
 - ☐ CHAPTER 11. CERTIFICATION OF CONFORMANCE WITH WATER QUALITY STANDARDS [REPEALED]
 - ☐ CHAPTER 12. CERTIFICATION UNDER SECTION 169 OF THE INTERNAL REVENUE CODE OF 1954, AS AMENDED [REPEALED]

- ☐ CHAPTER 13. REGISTRATION AND REGULATION OF LIQUID WASTE HAULERS [REPEALED]
- ☐ CHAPTER 14. CLASSIFICATION OF WASTEWATER TREATMENT PLANTS AND OPERATOR CERTIFICATION [REPEALED]
- ☐ CHAPTER 15. DISCHARGES OF HAZARDOUS WASTE TO LAND
- ☐ CHAPTER 16. UNDERGROUND TANK REGULATIONS
- ☐ CHAPTER 17. UNDERGROUND TANK TESTER REGULATIONS
- ☐ CHAPTER 18. PETROLEUM UNDERGROUND STORAGE TANK CLEANUP FUND REGULATIONS
- ☐ CHAPTER 19. CERTIFICATION UNDER THE CALIFORNIA POLLUTION CONTROL FINANCING AUTHORITY ACT [REPEALED]
- ☐ CHAPTER 20. STANDARDS FOR THE REMOVAL OF SEWAGE FROM VESSELS
- ☐ CHAPTER 20.1. DESIGNATION OF MARINE TERMINALS TO PROVIDE ADEQUATE SEWAGE RETENTION DEVICE PUMPOUT FACILITIES
- ☐ CHAPTER 21. CERTIFICATION FOR SMALL BUSINESS CONCERNS APPLYING FOR SMALL BUSINESS ACT LOANS TO MEET WATER POLLUTION CONTROL REQUIREMENTS [REPEALED]
- ☐ CHAPTER 22. STATE POLICY FOR WATER QUALITY CONTROL
- ☐ CHAPTER 23. WATER QUALITY CONTROL PLANS
- ☐ CHAPTER 24. GRANT AND LOAN PROGRAMS
- ☐ CHAPTER 25. CLEAN WATER GRANT PROGRAM [REPEALED]
- ☐ CHAPTER 26. CLASSIFICATION OF WASTEWATER TREATMENT PLANTS AND OPERATOR CERTIFICATION
- ☐ **CHAPTER 27. REGULATIONS FOR IMPLEMENTATION OF THE ENVIRONMENTAL QUALITY ACT OF 1970**
 - ☐ ARTICLE 1. GENERAL
 - [§ 3720. Purpose.](#)
 - [§ 3721. Definitions.](#)
 - [§ 3722. Compliance with Permit Streamlining Act.](#)
 - [§ 3723. Master Environmental Assessment.](#)
 - ☐ ARTICLE 2. EXEMPTIONS
 - [§ 3730. Ministerial Project Exemption.](#)
 - [§ 3733. Waste Discharge Requirements Adopted Pursuant to Water Code Division 7, Chapter 5.5.](#)
 - ☐ ARTICLE 3. APPLICATIONS FOR WASTE DISCHARGE, WATER RECYCLING REQUIREMENTS, OR OTHER ENTITLEMENTS FOR USE
 - [§ 3740. Submission of Information.](#)
 - [§ 3741. Additional Information Requirements.](#)
 - [§ 3742. Denial or Limitation of Waste Discharge Requirements, Water Recycling Requirements, or Other Entitlement for Use.](#)
 - ☐ ARTICLE 4. APPLICATIONS FOR FUNDING
 - [§ 3750. Submission of Information.](#)
 - [§ 3751. Limitation of Funding.](#)
 - ☐ ARTICLE 5. PROCESSING OF ENVIRONMENTAL DOCUMENTS
 - [§ 3760. Time Limits in Action by Responsible Agency. \[Repealed\]](#)
 - [§ 3761. Determination As to Completeness of Application. \[Repealed\]](#)
 - [§ 3762. Availability of Environmental Documents.](#)
 - [§ 3763. Public Participation and Hearings.](#)
 - [§ 3764. Charges for Preparation of Environmental Documents. \[Repealed\]](#)
 - ☐ ARTICLE 6. EXEMPT REGULATORY PROGRAMS
 - [§ 3775. Applicability.](#)
 - [§ 3775.5. Early Public Consultation.](#)
 - [§ 3776. Roles of State Board and Regional Boards.](#)
 - [§ 3777. Substitute Environmental Documentation: Requirements for Adoption or Approval of Plans or Policies.](#)
 - [§ 3778. Consultation.](#)
 - [§ 3779. Notice of Filing of Draft SED: Public Comments.](#)
 - [§ 3779.5. Final Substitute Environmental Documentation \(SED\).](#)
 - [§ 3780. Approval.](#)
 - [§ 3781. Notice of Decision.](#)
 - [§ 3782. Exempt Regulatory Programs. \[Repealed\]](#)
 - [Appendix A](#)
 - [Appendix B](#)
 - [Appendix C](#)
- ☐ CHAPTER 28. CERTIFICATIONS
- ☐ CHAPTER 29. CONTRACTING WITH PRIVATE ARCHITECTURAL, LANDSCAPE ARCHITECTURAL, ENGINEERING, ENVIRONMENTAL, LAND SURVEYING, OR CONSTRUCTION PROJECT MANAGEMENT FIRMS
- ☐ CHAPTER 30. ELECTRONIC SUBMITTAL OF INFORMATION
- ☐ DIVISION 4. REGIONAL WATER QUALITY CONTROL BOARDS
- ☐ DIVISION 5. PREVENTION OF WASTE, UNREASONABLE USE OR DIVERSION OF WATER (STATE WATER RESOURCES CONTROL BOARD AND DEPARTMENT OF WATER RESOURCES)
- ☐ DIVISION 6. DELTA STEWARDSHIP COUNCIL
- ☐ TITLE 25. HOUSING AND COMMUNITY DEVELOPMENT
- ☐ TITLE 26. TOXICS
- ☐ TITLE 27. ENVIRONMENTAL PROTECTION
- ☐ TITLE 28. MANAGED HEALTH CARE



Welcome to the online source for the California Code of Regulations

23 CA ADC § 3720

23 CCR § 3720

Cal. Admin. Code tit. 23, § 3720

Barclays Official California Code of Regulations [Currentness](#)

Title 23. Waters

Division 3. State Water Resources Control Board and Regional Water Quality Control Boards

Chapter 27. Regulations for Implementation of the Environmental Quality Act of 1970

Article 1. General

➔ § 3720. Purpose.

(a) The purpose of this Chapter is to specify the objectives, criteria and procedures to be followed by the state board and the regional boards in implementing the California Environmental Quality Act. (CEQA). (Pub. Resources Code, div. 13, (commencing with section 21000).)

(b) This Chapter does not apply if the board determines that the activity is not subject to CEQA.

(c)(1) The State CEQA Guidelines (Cal. Code Regs., tit. 14, div. 6, ch. 3 (commencing with section 15000)), including all subsequent amendments thereto, are hereby incorporated by reference as if fully set forth in this Chapter. Except as provided in paragraph (2), to the extent that there are any direct conflicts between this Chapter and the State CEQA Guidelines, the State CEQA Guidelines prevail.

(2) Article 6 of this Chapter contains the exclusive procedural requirements for the implementation of the boards' regulatory programs that have been certified by the Secretary for Natural Resources as meeting the requirements of section 21080.5 of the Public Resources Code.

(d) Nothing in this Chapter limits the boards' authority to protect water resources under other provisions of law.

Note: Authority cited: Section 21082, Public Resources Code. Reference: Sections 21000-21175, Public Resources Code.

HISTORY

1. New subchapter 15 (articles 1-6, sections 3720-3782, not consecutive, and appendices A-C) filed 1-18-82; effective thirtieth day thereafter (Register 82, No. 4).

2. Change without regulatory effect renumbering chapter heading filed 11-10-93 pursuant to section 100, title 1, California Code of Regulations (Register 93, No. 46).

3. Amendment of section and Note filed 1-19-2011; operative 2-18-2011 (Register 2011, No. 3).

23 CCR § 3720, 23 CA ADC § 3720

This database is current through 9/16/11 Register 2011, No. 37

END OF DOCUMENT



Welcome to the online source for the California Code of Regulations

23 CA ADC § 3721

23 CCR § 3721

Cal. Admin. Code tit. 23, § 3721

Barclays Official California Code of Regulations [Currentness](#)

Title 23. Waters

Division 3. State Water Resources Control Board and Regional Water Quality Control Boards

Chapter 27. Regulations for Implementation of the Environmental Quality Act of 1970

Article 1. General

➡ § 3721. Definitions.

- (a) "Board," "state board," and "regional board" have the same meaning as set forth in section 640 of Title 23.
- (b) "Notice of Decision" means a brief notice to be filed by the board with the Secretary for Natural Resources after it has adopted or approved a standard, rule, regulation, plan, or related project in accordance with an exempt regulatory program. A sample of this notice appears in Appendix B.
- (c) "Notice of Filing" means a brief notice of availability to be posted on the board's website, and provided to any person who requests it in writing, upon completion of the written documentation prepared for a proposed activity in accordance with an exempt regulatory program. A sample of this notice appears in Appendix C.

Note: Authority cited: Section 21082, Public Resources Code. Reference: Section 21080.5, Public Resources Code; and Section 13050, Water Code.

HISTORY

1. Amendment of section and Note filed 1-19-2011; operative 2-18-2011 (Register 2011, No. 3).

23 CCR § 3721, 23 CA ADC § 3721

This database is current through 9/16/11 Register 2011, No. 37

END OF DOCUMENT

© 2011 Thomson Reuters. No Claim to Orig. U.S. Govt. Works.
Adobe Reader is required to view PDF images.



[Docs In Sequence](#) [Table of Contents](#)



Welcome to the online source for the California Code of Regulations

23 CA ADC § 3722

23 CCR § 3722

Cal. Admin. Code tit. 23, § 3722

Barclays Official California Code of Regulations [Currentness](#)

Title 23. Waters

Division 3. State Water Resources Control Board and Regional Water Quality Control Boards

Chapter 27. Regulations for Implementation of the Environmental Quality Act of 1970

Article 1. General

➡ **§ 3722. Compliance with Permit Streamlining Act.**

The board shall complete review and take action with regard to development projects subject to the Permit Streamlining Act (Chapter 4.5 (commencing with section 65920) of Division 1 of Title 7 of the Government Code) within the time limits set forth in Article 5 (commencing with section 65950) of the Permit Streamlining Act in accordance with these regulations, except as provided by Water Code section 13264.

Note: Authority cited: Sections 21082 and 21100.2, Public Resources Code. Reference: Sections 65950-65957, Government Code; and Section 13264, Water Code.

HISTORY

1. Amendment of section heading, section and Note filed 1-19-2011; operative 2-18-2011 (Register 2011, No. 3).

23 CCR § 3722, 23 CA ADC § 3722

This database is current through 9/16/11 Register 2011, No. 37

END OF DOCUMENT

© 2011 Thomson Reuters. No Claim to Orig. U.S. Govt. Works.
Adobe Reader is required to view PDF images.



[Docs In Sequence](#) [Table of Contents](#)



Welcome to the online source for the California Code of Regulations

23 CA ADC § 3723

23 CCR § 3723

Cal. Admin. Code tit. 23, § 3723

Barclays Official California Code of Regulations [Currentness](#)

Title 23. Waters

Division 3. State Water Resources Control Board and Regional Water Quality Control Boards

Chapter 27. Regulations for Implementation of the Environmental Quality Act of 1970

Article 1. General

➡ **§ 3723. Master Environmental Assessment.**

For purposes of Section 15169 of the State CEQA Guidelines, the following documents have been prepared and designated by the state board as a master environmental assessment for the particular hydrographic area under consideration:

(a) All water quality control plans, and amendments and supplements to such plans, adopted by the regional boards and approved by the state board pursuant to Article 3, Chapter 4 of Division 7 of the Water Code.

(b) All water quality control plans adopted by the state board pursuant to Water Code Section 13170.

Note: Authority cited: Section 21082, Public Resources Code. Reference: Section 21003, Public Resources Code.

HISTORY

1. Amendment of first paragraph and Note filed 1-19-2011; operative 2-18-2011 (Register 2011, No. 3).

23 CCR § 3723, 23 CA ADC § 3723

This database is current through 9/16/11 Register 2011, No. 37

END OF DOCUMENT

© 2011 Thomson Reuters. No Claim to Orig. U.S. Govt. Works.

Adobe Reader is required to view PDF images.



[Docs In Sequence](#) [Table of Contents](#)

Westlaw, part of Thomson Reuters

[© 2011 West](#) | [Privacy](#) | [Accessibility](#)





Welcome to the online source for the California Code of Regulations

23 CA ADC § 3775

23 CCR § 3775

Cal. Admin. Code tit. 23, § 3775

Barclays Official California Code of Regulations [Currentness](#)

Title 23. Waters

Division 3. State Water Resources Control Board and Regional Water Quality Control Boards

Chapter 27. Regulations for Implementation of the Environmental Quality Act of 1970

Article 6. **Exempt Regulatory Programs**

➡ **§ 3775. Applicability.**

This article applies only to those regulatory programs or portions thereof that are administered by the board and that have been certified as an exempt regulatory program by the Secretary for Natural Resources in accordance with subdivision (c) of Public Resources Code Section 21080.5. **Such programs include the Water Quality Control (Basin)/208 Planning Program of the state board and regional boards, and includes all water quality control plans, state policies for water quality control,** and all components of California's water quality management plan as defined in Code of Federal Regulations, title 40, sections 130.2(k) and 130.6. This article contains the exclusive procedural requirements for those certified regulatory programs.

Note: Authority cited: Section 21082, Public Resources Code. Reference: Section 21080.5, Public Resources Code.

HISTORY

1. Amendment filed 1-19-2011; operative 2-18-2011 (Register 2011, No. 3).

23 CCR § 3775, 23 CA ADC § 3775

This database is current through 9/16/11 Register 2011, No. 37

END OF DOCUMENT

© 2011 Thomson Reuters. No Claim to Orig. U.S. Govt. Works.
Adobe Reader is required to view PDF images.



[Docs In Sequence](#) [Table of Contents](#)



Welcome to the online source for the California Code of Regulations

23 CA ADC § 3775.5

23 CCR § 3775.5

Cal. Admin. Code tit. 23, § 3775.5

Barclays Official California Code of Regulations [Currentness](#)

Title 23. Waters

Division 3. State Water Resources Control Board and Regional Water Quality Control Boards

Chapter 27. Regulations for Implementation of the Environmental Quality Act of 1970

Article 6. Exempt Regulatory Programs

➡ **§ 3775.5. Early Public Consultation.**

(a) Prior to circulating the draft **Substitute Environmental Documentation** described in section 3777, the board shall seek early public consultation. **Early public consultation may include one or more scoping meetings.**

(b) **The purpose of a scoping meeting is to seek input from public agencies and members of the public on the range of project actions, alternatives, reasonably foreseeable methods of compliance, significant impacts to be analyzed, cumulative impacts if any, and mitigation measures that will reduce impacts to a less than significant level; and to eliminate from detailed study issues found not to be important.** Scoping may also assist in resolving concerns of affected federal, state, and local agencies, the proponent of the action, and other interested persons.

(c) **Scoping meetings should be held in the watershed or general vicinity of where the project is to take place, if practicable.** The board shall give notice of the time and location of the scoping meeting at least 10 days in advance of the meeting. Notice of a scoping meeting shall be posted on the board's website and should be provided to all of the following:

- (1) Any county or city where the project is located;
- (2) Any public agency that has jurisdiction by law with respect to the project; and
- (3) Any organization or individual who has filed a written request for the notice.

Note: Authority Cited: Section 21082, Public Resources Code. Reference: Sections 21080.5 and 21082.1, Public Resources Code.

HISTORY

1. New section filed 1-19-2011; operative 2-18-2011 (Register 2011, No. 3).

23 CCR § 3775.5, 23 CA ADC § 3775.5

This database is current through 9/16/11 Register 2011, No. 37

END OF DOCUMENT

© 2011 Thomson Reuters. No Claim to Orig. U.S. Govt. Works.
Adobe Reader is required to view PDF images.





Welcome to the online source for the California Code of Regulations

23 CA ADC § 3776

23 CCR § 3776

Cal. Admin. Code tit. 23, § 3776

Barclays Official California Code of Regulations [Currentness](#)

Title 23. Waters

Division 3. State Water Resources Control Board and Regional Water Quality Control Boards

Chapter 27. Regulations for Implementation of the Environmental Quality Act of 1970

Article 6. Exempt Regulatory Programs

➔ **§ 3776. Roles of State Board and Regional Boards.**

(a) The state board shall be the lead agency with respect to its adoption or revision of any state policy for water quality control or other plans, policies, or regulations that it adopts or revises.

(b) **The regional board shall be the lead agency** with respect to adoption or amendment of any of its regional water quality control plans or guidelines, as described in Water Code sections 13240 through 13244 and 13245.5. Substitute environmental documentation adopted or approved by the regional board is final upon such adoption or approval, subject to subdivision (d), below. The Notice of Decision shall be filed upon approval of the regional water quality control plan or guidelines by the state board, and if applicable, the Office of Administrative Law.

(c) Pursuant to its approval authority under Water Code sections 13245 through 13246, the state board shall review the substitute environmental documentation of the regional board, and consider the regional board's findings under section 3777 subdivisions (d), (e), and (f) . **The state board may make its own findings, or may incorporate by reference the regional board's findings.**

(d) Notwithstanding subdivision (c), above, the state board shall become the lead agency if, following resubmission of a regional water quality control plan or revision thereof that it has previously returned to the regional board for reconsideration, the state board revises and approves such plan pursuant to Water Code section 13245. In such event, the state board need not duplicate the CEQA processes performed by the regional board, and need not recirculate the substitute environmental documentation prepared by the regional board unless recirculation would be required pursuant to California Code of Regulations, title 14, section 15088.5.

Note: Authority cited: Section 21082, Public Resources Code. Reference: Sections 21000-21177, Public Resources Code; Sections 13140-13147 and 13240-13247, Water Code.

HISTORY

1. Amendment of section heading, repealer and new section and amendment of Note filed 1-19-2011; operative 2-18-2011 (Register 2011, No. 3).

23 CCR § 3776, 23 CA ADC § 3776

This database is current through 9/16/11 Register 2011, No. 37

END OF DOCUMENT

© 2011 Thomson Reuters. No Claim to Orig. U.S. Govt. Works.
Adobe Reader is required to view PDF images.





Welcome to the online source for the California Code of Regulations

23 CA ADC § 3777

23 CCR § 3777

Cal. Admin. Code tit. 23, § 3777

Barclays Official California Code of Regulations [Currentness](#)

Title 23. Waters

Division 3. State Water Resources Control Board and Regional Water Quality Control Boards

Chapter 27. Regulations for Implementation of the Environmental Quality Act of 1970

Article 6. Exempt Regulatory Programs

➔ **§ 3777. Substitute Environmental Documentation: Requirements for Adoption or Approval of Plans or Policies.**

(a) Any water quality control plan, state policy for water quality control, and any other components of California's water quality management plan as defined in Code of Federal Regulations, title 40 sections 130.2(k) and 130.6, proposed for board approval or adoption must include or be accompanied by Substitute Environmental Documentation (SED) and supported by substantial evidence in the administrative record. The Draft SED may be comprised of a single document or a compilation of documents. **The Draft SED must be circulated prior to board action approving or adopting a project,** as specified in sections 3778 and 3779. The Draft SED shall consist of:

- (1) A written report prepared for the board, containing an environmental analysis of the project;
- (2) A completed Environmental Checklist, a sample of which is contained in Appendix A to this Chapter. The sample Environmental Checklist may be modified as appropriate to meet the particular circumstances of a project. The issues identified in the Environmental Checklist must be evaluated in the checklist or elsewhere in the SED; and
- (3) Other documentation as the board may include.

(b) The Draft SED shall include, at a minimum, the following information:

- (1) A brief description of the proposed project;
- (2) An identification of any significant or potentially significant adverse environmental impacts of the proposed project;
- (3) An analysis of reasonable alternatives to the project and mitigation measures to avoid or reduce any significant or potentially significant adverse environmental impacts; and
- (4) An environmental analysis of the reasonably foreseeable methods of compliance. The environmental analysis shall include, at a minimum, all of the following:
 - (A) An identification of the reasonably foreseeable methods of compliance with the project;
 - (B) An analysis of any reasonably foreseeable significant adverse environmental impacts associated with those methods of compliance;
 - (C) An analysis of reasonably foreseeable alternative methods of compliance that would have less significant adverse environmental impacts; and
 - (D) An analysis of reasonably foreseeable mitigation measures that would minimize any unavoidable significant adverse environmental impacts of the reasonably foreseeable methods of compliance.

(c) In the preparation of the environmental analysis contained in subdivision (b)(4), the board may utilize numerical ranges or averages where specific data are not available; however, the board shall not be required to engage in speculation or conjecture. The environmental analysis shall take into account a reasonable range of environmental, economic, and technical factors, population and geographic areas, and specific sites, but the board shall not be required to conduct a site-specific project level analysis of the methods of compliance, which CEQA may otherwise require of those agencies who are responsible for complying with the plan or policy when they determine the manner in which they will comply.

(d) As to each impact identified in subdivisions (b)(2) and (b)(4)(B), the SED shall contain findings as described in State CEQA Guidelines section 15091, and if applicable, a statement described in section 15093.

(e) If the board determines that no fair argument exists that the project could result in any reasonably foreseeable significant adverse environmental impacts, the SED shall include a finding to that effect in lieu of the analysis described in subdivision (b)(3).

(f) If the board determines that no fair argument exists that the reasonably foreseeable methods of compliance with the project could result in any reasonably foreseeable significant adverse environmental impacts, the SED shall include a finding to that effect in lieu of the analysis described in subdivisions (b)(4)(C) and (b)(4)(D).

Note: Authority cited: Section 21082, Public Resources Code. Reference: Reference: Sections 21080.5 and 21159, Public Resources Code.

HISTORY

1. Amendment of section heading, section and Note filed 1-19-2011; operative 2-18-2011 (Register 2011, No. 3).

23 CCR § 3777, 23 CA ADC § 3777

This database is current through 9/16/11 Register 2011, No. 37

END OF DOCUMENT

© 2011 Thomson Reuters. No Claim to Orig. U.S. Govt. Works.
Adobe Reader is required to view PDF images.



[Docs In Sequence](#) [Table of Contents](#)

Westlaw, part of Thomson Reuters
[© 2011 West](#) | [Privacy](#) | [Accessibility](#)





Welcome to the online source for the California Code of Regulations

23 CA ADC § 3778

23 CCR § 3778

Cal. Admin. Code tit. 23, § 3778

Barclays Official California Code of Regulations [Currentness](#)

Title 23. Waters

Division 3. State Water Resources Control Board and Regional Water Quality Control Boards

Chapter 27. Regulations for Implementation of the Environmental Quality Act of 1970

Article 6. Exempt Regulatory Programs

➡ **§ 3778. Consultation.**

Upon completion of the Draft SED, the board shall consult with other public agencies having jurisdiction by law with respect to the proposed project, or which exercise authority over resources that may be affected by the proposed project, and may consult with persons having special expertise with regard to the potential environmental effects involved in the proposed project. The board may consult with such persons by transmitting a copy of the written report or by other appropriate means.

Note: Authority cited: Section 21082, Public Resources Code. Reference: Section 21080.5, Public Resources Code.

HISTORY

1. Amendment of section and Note filed 1-19-2011; operative 2-18-2011 (Register 2011, No. 3).

23 CCR § 3778, 23 CA ADC § 3778

This database is current through 9/16/11 Register 2011, No. 37

END OF DOCUMENT

© 2011 Thomson Reuters. No Claim to Orig. U.S. Govt. Works.

Adobe Reader is required to view PDF images.



[Docs In Sequence](#) [Table of Contents](#)

Westlaw, part of Thomson Reuters

[© 2011 West](#) | [Privacy](#) | [Accessibility](#)





Welcome to the online source for the California Code of Regulations

23 CA ADC § 3779

23 CCR § 3779

Cal. Admin. Code tit. 23, § 3779

Barclays Official California Code of Regulations [Currentness](#)

Title 23. Waters

Division 3. State Water Resources Control Board and Regional Water Quality Control Boards

Chapter 27. Regulations for Implementation of the Environmental Quality Act of 1970

Article 6. Exempt Regulatory Programs

➔ **§ 3779. Notice of Filing of Draft SED; Public Comments.**

(a) Upon completion of the Draft SED, the board shall post on its website a Notice of Filing in a format similar to the one contained in Appendix C and shall provide a copy to any person who requests it in writing. **The Notice of Filing shall indicate the applicable written comment period and date of the public hearing on the adequacy of the Draft SED.** The written comment period and the public hearing on the adequacy of the Draft SED may, but need not, be held contemporaneously with the comment period and the public hearing for the project.

(b) **Written Comments:** The board shall prescribe a written comment period on the adequacy of the Draft SED. **The written comment period shall be for a period of not less than 45 days,** which may be shortened to 30 days in exceptional circumstances as determined by the board, or if the board makes the determinations specified in subdivisions (e) and (f) of section 3777. The board may allow a longer written comment period. The board may refuse to accept written comments received after the noticed deadline. The board is not required to consider any written comment that is received after the deadline.

(c) **Oral Comments:** **The board shall conduct a public hearing for the receipt of oral comments either during or after the written comment period.** If the public hearing is conducted during the written comment period, it shall be at least 30 days after posting of the notice described in subdivision (a). The board is not required to consider any oral comment that is received after the public hearing.

(d) **The board shall prepare written responses to the significant environmental issues raised in the comments** received during the written comment period, including written comments, and oral comments received at the public hearing if the public hearing is held prior to the close of the written comment period. The board shall respond in writing or orally to significant environmental issues raised at the public hearing. The board is not required to respond to late comments. Copies of written responses shall be available for any person to review prior to the board's approval of the SED. Copies of written responses to public agency comments received during the written comment period shall be provided to those agencies at least 10 days prior to the board's approval of the SED. The comments received, and the responses thereto, shall be included in the record of the board action.

(e) At the close of the public hearing, the board may either take action or defer action to a subsequent meeting of the board. If the board defers action, the board must allow additional public comment on the Draft SED only if recirculation would be required for an environmental impact report pursuant to California Code of Regulations, title 14, section 15088.5, in which case the board may limit any additional public comment to the significant new information contained in the recirculated Draft SED. If the board defers action and recirculation would not be required, the board may consider the responses to comments, approve the SED, and adopt the project at a subsequent board meeting without accepting any additional public comment.

(f) The state board, when considering approval of a regional board's adoption of an amendment to its water quality control plan or guideline, shall prescribe a comment period of not less than 30 days. The state board may refuse to accept any comments received after the noticed deadline. All comments submitted to the state board must be specifically related to the final amendment adopted by the regional board. If the regional board previously responded to the comment, the commenter must explain why it believes that the regional board's

response was inadequate. The commenter must include either a statement that each of the comments was timely raised before the regional board, or an explanation of why the commenter was unable to raise the specific comment before the regional board. The state board may refuse to accept any comments that do not include such a statement. The state board is not required to consider any comment that is not in compliance with this section.

Note: Authority cited: Section 21082, Public Resources Code. Reference: Section 21080.5, Public Resources Code.

HISTORY

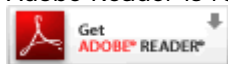
1. Amendment of section heading, repealer and new section and amendment of Note filed 1-19-2011; operative 2-18-2011 (Register 2011, No. 3).

23 CCR § 3779, 23 CA ADC § 3779

This database is current through 9/16/11 Register 2011, No. 37

END OF DOCUMENT

© 2011 Thomson Reuters. No Claim to Orig. U.S. Govt. Works.
Adobe Reader is required to view PDF images.



[Docs In Sequence](#) [Table of Contents](#)

Westlaw, part of Thomson Reuters
[© 2011 West](#) | [Privacy](#) | [Accessibility](#)





Welcome to the online source for the California Code of Regulations

23 CA ADC § 3779.5

23 CCR § 3779.5

Cal. Admin. Code tit. 23, § 3779.5

Barclays Official California Code of Regulations [Currentness](#)

Title 23. Waters

Division 3. State Water Resources Control Board and Regional Water Quality Control Boards

Chapter 27. Regulations for Implementation of the Environmental Quality Act of 1970

Article 6. Exempt Regulatory Programs

➔ **§ 3779.5. Final Substitute Environmental Documentation (SED).**

(a) Prior to adopting or approving a project, the board shall consider the materials generated pursuant to sections 3777 through 3779. The board may approve the SED prior to, or at the same time, as it adopts the project. Upon adoption of the resolution adopting the project, the SED shall become final.

(b) The Final SED includes:

- (1) The materials described in section 3777;
- (2) Comments and Responses to Comments, pursuant to section 3779;
- (3) The board resolution adopting the project; and
- (4) Other documentation as the board may prescribe.

(c) For each significant impact identified in subdivisions (b)(2) and (b)(4)(B) of section 3777, the board shall adopt findings as described in State CEQA Guidelines section 15091 for significant environmental effects identified in an environmental impact report, and if the project as adopted will result in the occurrence of significant effects that are not avoided or substantially lessened, the board shall adopt a statement described in State CEQA Guidelines section 15093 for similar significant effects identified in an environmental impact report.

Note: Authority cited: Section 21082, Public Resources Code. Reference: Section 21080.5, Public Resources Code.

HISTORY

1. New section filed 1-19-2011; operative 2-18-2011 (Register 2011, No. 3).

23 CCR § 3779.5, 23 CA ADC § 3779.5

This database is current through 9/16/11 Register 2011, No. 37

END OF DOCUMENT

© 2011 Thomson Reuters. No Claim to Orig. U.S. Govt. Works.
Adobe Reader is required to view PDF images.





Welcome to the online source for the California Code of Regulations

23 CA ADC § 3780

23 CCR § 3780

Cal. Admin. Code tit. 23, § 3780

Barclays Official California Code of Regulations [Currentness](#)

Title 23. Waters

Division 3. State Water Resources Control Board and Regional Water Quality Control Boards

Chapter 27. Regulations for Implementation of the Environmental Quality Act of 1970

Article 6. Exempt Regulatory Programs

➡ **§ 3780. Approval.**

(a) The board shall not adopt or approve a project that would cause significant adverse impacts if there are feasible alternatives or feasible mitigation measures available that would substantially lessen any significant adverse impact that the project may have on the environment.

(b) If the board makes a finding as described in State CEQA Guidelines section 15091, subdivision (a)(1), it shall also adopt a program for monitoring or reporting as described in State CEQA Guidelines section 15097 for mitigated negative declarations and environmental impact reports.

Note: Authority cited: Section 21082, Public Resources Code. Reference: Section 21080.5, Public Resources Code.

HISTORY

1. Amendment of section and Note filed 1-19-2011; operative 2-18-2011 (Register 2011, No. 3).

23 CCR § 3780, 23 CA ADC § 3780

This database is current through 9/16/11 Register 2011, No. 37

END OF DOCUMENT

© 2011 Thomson Reuters. No Claim to Orig. U.S. Govt. Works.

Adobe Reader is required to view PDF images.



[Docs In Sequence](#) [Table of Contents](#)

Westlaw, part of Thomson Reuters

[© 2011 West](#) | [Privacy](#) | [Accessibility](#)





Welcome to the online source for the California Code of Regulations

23 CA ADC § 3781

23 CCR § 3781

Cal. Admin. Code tit. 23, § 3781

Barclays Official California Code of Regulations [Currentness](#)

Title 23. Waters

Division 3. State Water Resources Control Board and Regional Water Quality Control Boards

Chapter 27. Regulations for Implementation of the Environmental Quality Act of 1970

Article 6. Exempt Regulatory Programs

➡ **§ 3781. Notice of Decision.**

(a) Upon final adoption of a project subject to this Article, and upon approval by the Office of Administrative Law, if required, the state board shall file a Notice of Decision in a format similar to the one in Appendix B to this Chapter with the Secretary for Natural Resources.

(b) When a regional board adopts or amends a water quality control plan or guideline and it is approved by the state board, and, if required, the Office of Administrative Law, the state board shall file, on behalf of the regional board, the Notice of Decision with the Secretary for Natural Resources.

Note: Authority cited: Section 21082, Public Resources Code. Reference: Section 21080.5, Public Resources Code.

HISTORY

1. Amendment of section and Note filed 1-19-2011; operative 2-18-2011 (Register 2011, No. 3).

23 CCR § 3781, 23 CA ADC § 3781

This database is current through 9/16/11 Register 2011, No. 37

END OF DOCUMENT

© 2011 Thomson Reuters. No Claim to Orig. U.S. Govt. Works.

Adobe Reader is required to view PDF images.



[Docs In Sequence](#) [Table of Contents](#)

Westlaw, part of Thomson Reuters

[© 2011 West](#) | [Privacy](#) | [Accessibility](#)





Welcome to the online source for the California Code of Regulations

◀ Doc 3 of 3

23 CA ADC Appendix A

23 CCR Appendix A

Cal. Admin. Code tit. 23, Appendix A

Barclays Official California Code of Regulations [Currentness](#)

Title 23. Waters

Division 3. State Water Resources Control Board and Regional Water Quality Control Boards

Chapter 27. Regulations for Implementation of the Environmental Quality Act of 1970

Article 6. Exempt Regulatory Programs

▶ **Appendix A**

Environmental Checklist Form

(To Be Completed By Lead Agency)

Appendix to the State Water Board's CEQA regulations

Cal. Code. Regs., tit. 23, div. 3, ch. 27 sections 3720-3781

THE PROJECT

1. Project title:

2. Lead agency name and address:

3. Contact person and phone number:

4. Project location:

5. 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. The description may be a summary with a reference to other documents that contain the detailed project description.)

EVALUATION OF THE ENVIRONMENTAL IMPACTS IN THE CHECKLIST

1. The board must complete an environmental checklist prior to the adoption of plans or policies for the Basin/208 Planning program as certified by the Secretary for Natural Resources. The checklist becomes a part of the Substitute Environmental Documentation (SED).

2. For each environmental category in the checklist, the board must determine whether the project will cause any adverse impact. If there are potential impacts that are not included in the sample checklist, those impacts should be added to the checklist.

3. If the board determines that a particular adverse impact may occur as a result of the project, then the checklist

boxes must indicate whether the impact is "Potentially Significant," "Less than Significant with Mitigation Incorporated," or "Less than Significant."

- a. "Potentially Significant Impact" applies if there is substantial evidence that an impact may be significant. If there are one or more "Potentially Significant Impact" entries on the checklist, the SED must include an examination of feasible alternatives and mitigation measures for each such impact, similar to the requirements for preparing an environmental impact report.
- b. "Less than Significant with Mitigation Incorporated" applies if the board or another agency incorporates mitigation measures into the SED that will reduce an impact that is "Potentially Significant" to a "Less than Significant Impact." If the board does not require the specific mitigation measures itself, then the board must be certain that the other agency will in fact incorporate those measures.
- c. "Less than Significant" applies if the impact will not be significant, and mitigation is therefore not required.
- d. If there will be no impact, check the box under "No Impact."

4. The board must provide a brief explanation for each "Potentially Significant," "Less than Significant with Mitigation Incorporated," "Less than Significant," or "No Impact" determination in the checklist. The explanation may be included in the written report described in section 3777(a)(1) or in the checklist itself. The explanation of each issue should identify: (a) the significance criteria or threshold, if any, used to evaluate each question; and (b) the specific mitigation measure(s) identified, if any, to reduce the impact to less than significant. The board may determine the significance of the impact by considering factual evidence, agency standards, or thresholds. If the "No Impact" box is checked, the board should briefly provide the basis for that answer. If there are types of impacts that are not listed in the checklist, those impacts should be added to the checklist.

5. The board must include mandatory findings of significance if required by CEQA Guidelines section 15065.

6. The board should provide references used to identify potential impacts, including a list of information sources and individuals contacted.

ISSUES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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 forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Boards.

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)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?

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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
V. CULTURAL RESOURCES - Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

- 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 an applicable plan, policy or regulation 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? [] [] [] []
- IX. 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?
- X. 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

which might have an adverse physical effect on the environment?

XVI. TRANSPORTATION/TRAFFIC - Would the project:

- a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including, but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?
- b) 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) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?

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?
- Explanations of Impact Assessment (may also follow checklist sections)

PRELIMINARY STAFF DETERMINATION

- The proposed project COULD NOT have a significant effect on the environment, and, therefore, no alternatives or mitigation measures are proposed.
- The proposed project MAY have a significant or potentially significant effect on the environment, and therefore alternatives and mitigation measures have been evaluated.

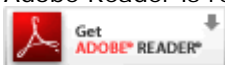
Note: Authority cited: Section 21082, Public Resources Code. Reference: Sections 21080(c), 21080.1, 21080.3, 21080.5, 21082.1, 21083, 21083.05, 21083.3, 21093, 21094, 21151, Public Resources Code; Sundstrom v. County of Mendocino, 202 Cal.App.3d 296 (1988); and Leonoff v. Monterey Board of Supervisors, 222 Cal.App.3d 1337 (1990).

HISTORY

1. Repealer and new Appendix A filed 1-19-2011; operative 2-18-2011 (Register 2011, No. 3).

23 CCR Appendix A, 23 CA ADC Appendix A
 This database is current through 9/16/11 Register 2011, No. 37
 END OF DOCUMENT

© 2011 Thomson Reuters. No Claim to Orig. U.S. Govt. Works.
 Adobe Reader is required to view PDF images.





Welcome to the online source for the California Code of Regulations

Doc 2 of 2

23 CA ADC Appendix B

23 CCR Appendix B

Cal. Admin. Code tit. 23, Appendix B

Barclays Official California Code of Regulations [Currentness](#)

Title 23. Waters

Division 3. State Water Resources Control Board and Regional Water Quality Control Boards

Chapter 27. Regulations for Implementation of the Environmental Quality Act of 1970

Article 6. Exempt Regulatory Programs

Appendix B

Notice of Decision

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

FROM:.....

SUBJECT: Filing of Notice of Decision in Compliance with
 Section 21080.5 of the Public Resources Code

Project Proponent: _____
 Project Title: _____
 Contact Person: _____ Telephone No.: _____
 Project Location: _____
 Project Description: _____

This is to advise that the _____ has made the
 following determination regarding the above described
 project:

The project has been: _____ approved
 _____ disapproved

Date Received for Filing: _____
 Signature of Person Filing Notice _____

 Title

Note: Authority cited: Section 21082, Public Resources Code. Reference: Division 13, Public Resources Code.

23 CCR Appendix B, 23 CA ADC Appendix B
 This database is current through 9/16/11 Register 2011, No. 37
 END OF DOCUMENT

© 2011 Thomson Reuters. No Claim to Orig. U.S. Govt. Works.
 Adobe Reader is required to view PDF images.





Welcome to the online source for the California Code of Regulations

◀ Doc 2 of 2

23 CA ADC Appendix C

23 CCR Appendix C

Cal. Admin. Code tit. 23, Appendix C

Barclays Official California Code of Regulations [Currentness](#)

Title 23. Waters

Division 3. State Water Resources Control Board and Regional Water Quality Control Boards

Chapter 27. Regulations for Implementation of the Environmental Quality Act of 1970

Article 6. Exempt Regulatory Programs

➡ **Appendix C**

Notice of Filing

TO: Any Interested Person FROM: _____
: _____
: _____

SUBJECT: Notice of Filing submitted under California Code of Regulations, Title 23, Section 3779.

Name of Board: _____

Project Title: _____

Contact Person: _____ Telephone No.: _____

Project Location: _____

Project Description: _____

This is to advise that the [name of board] is proposing to adopt or amend the [name of plan or policy] in accordance with a regulatory program exempt under Section 21080.5 of the Public Resources Code from the requirement to prepare an environmental impact report under the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) and with other applicable laws and regulations.

The [name of board] will accept written comments as set forth in the notice published. Written comments must be submitted to the [name of board] by [date] at [time], and shall be submitted to [name and address]. A public hearing for the receipt of oral comments is scheduled for [date] at [time].

Date: _____

Signature of Person Transmitting Notice

Title

Note: Authority cited: Section 21082, Public Resources Code. Reference: Section 21080.5, Public Resource Code.

HISTORY

1. Amendment of Appendix C and Note filed 1-19-2011; operative 2-18-2011 (Register 2011, No. 3).



Welcome to the online source for the California Code of Regulations

BARCLAYS OFFICIAL CALIFORNIA CODE OF REGULATIONS

- + TITLE 1. GENERAL PROVISIONS
- + TITLE 2. ADMINISTRATION
- + TITLE 3. FOOD AND AGRICULTURE
- + TITLE 4. BUSINESS REGULATIONS
- + TITLE 5. EDUCATION
- + TITLE 7. HARBORS AND NAVIGATION
- + TITLE 8. INDUSTRIAL RELATIONS
- + TITLE 9. REHABILITATIVE AND DEVELOPMENTAL SERVICES
- + TITLE 10. INVESTMENT
- + TITLE 11. LAW
- + TITLE 12. MILITARY AND VETERANS AFFAIRS
- + TITLE 13. MOTOR VEHICLES

TITLE 14. NATURAL RESOURCES

- + DIVISION 1. FISH AND GAME COMMISSION-DEPARTMENT OF FISH AND GAME
- + DIVISION 1.5. DEPARTMENT OF FORESTRY AND FIRE PROTECTION
- + DIVISION 2. DEPARTMENT OF CONSERVATION
- + DIVISION 3. DEPARTMENT OF PARKS AND RECREATION
- + DIVISION 4. DEPARTMENT OF BOATING AND WATERWAYS
- + DIVISION 5. SAN FRANCISCO BAY CONSERVATION AND DEVELOPMENT COMMISSION
- + DIVISION 5.2. COLORADO RIVER BOARD OF CALIFORNIA
- + DIVISION 5.3. CALIFORNIA TAHOE CONSERVATION
- + DIVISION 5.4. CALIFORNIA TAHOE REGIONAL COMMISSION
- + DIVISION 5.5 CALIFORNIA COASTAL COMMISSION
- + DIVISION 5.6. STATE COASTAL COMMISSION
- + DIVISION 5.7. SANTA MONICA MOUNTAIN CONSERVANCY
- + DIVISION 5.8. SAN GABRIEL AND LOWER LOS ANGELES RIVERS AND MOUNTAINS CONSERVANCY

Title 14. Natural Resources
Division 6. Resources Agency
 (Agency that oversees CEQA)
Ch.27. CEQA Implementation Guidelines

DIVISION 6. RESOURCES AGENCY

- + ARTICLE 1. DEFINITIONS
- + ARTICLE 2. GENERAL PROVISIONS
- + ARTICLE 3. SPECIAL PROVISIONS
- + CHAPTER 2.5. DREDGING PROJECTS IN SAN FRANCISCO BAY

CHAPTER 3. GUIDELINES FOR IMPLEMENTATION OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

- + ARTICLE 1. GENERAL
- + ARTICLE 2. GENERAL RESPONSIBILITIES
- + ARTICLE 3. AUTHORITIES GRANTED TO PUBLIC AGENCIES BY CEQA
- + ARTICLE 4. LEAD AGENCY
- + ARTICLE 5. PRELIMINARY REVIEW OF PROJECTS AND CONDUCT OF INITIAL STUDY
- + ARTICLE 6. NEGATIVE DECLARATION PROCESS
- + ARTICLE 6.5. STATUTORY EXEMPTIONS [REPEALED]
- + ARTICLE 7. EIR PROCESS
- + ARTICLE 8. TIME LIMITS
- + ARTICLE 9. CONTENTS OF ENVIRONMENTAL IMPACT REPORTS
- + ARTICLE 10. CONSIDERATIONS IN PREPARING EIRS AND NEGATIVE DECLARATIONS

- ARTICLE 11. TYPES OF EIRS
- ARTICLE 11.5. MASTER ENVIRONMENTAL IMPACT REPORT
- ARTICLE 12. SPECIAL SITUATIONS
- ARTICLE 12.5. EXEMPTIONS FOR AGRICULTURAL HOUSING, AFFORDABLE HOUSING, AND RESIDENTIAL INFILL PROJECTS
- ARTICLE 13. REVIEW AND EVALUATION OF EIRS AND NEGATIVE DECLARATIONS
- ARTICLE 14. PROJECTS ALSO SUBJECT TO THE NATIONAL ENVIRONMENTAL POLICY ACT (NEPA)
- ARTICLE 15. LITIGATION
- ARTICLE 16. EIR MONITOR
- ARTICLE 17. EXEMPTION FOR CERTIFIED STATE REGULATORY PROGRAMS**
- ARTICLE 18. STATUTORY EXEMPTIONS
- ARTICLE 19. CATEGORICAL EXEMPTIONS
- ARTICLE 20. DEFINITIONS
- CHAPTER 4. RESOURCES AGENCY -CONFLICT OF INTEREST CODE
- DIVISION 6.3. OFFICE OF PLANNING AND RESEARCH
- DIVISION 7. CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
- DIVISION 8. ENVIRONMENTAL AFFAIRS AGENCY
- DIVISION 9. DELTA PROTECTION COMMISSION
- DIVISION 10. SAN JOAQUIN RIVER CONSERVANCY
- DIVISION 11. COACHELLA VALLEY MOUNTAINS CONSERVANCY
- DIVISION 13. SAN DIEGO RIVER CONSERVANCY
- DIVISION 14. SIERRA NEVADA CONSERVANCY
- DIVISION 16. SACRAMENTO-SAN JOAQUIN DELTA CONSERVANCY
- TITLE 15. CRIME PREVENTION AND CORRECTIONS
- TITLE 16. PROFESSIONAL AND VOCATIONAL REGULATIONS
- TITLE 17. PUBLIC HEALTH
- TITLE 18. PUBLIC REVENUES
- TITLE 19. PUBLIC SAFETY
- TITLE 20. PUBLIC UTILITIES AND ENERGY
- TITLE 21. PUBLIC WORKS
- TITLE 22. SOCIAL SECURITY
- TITLE 23. WATERS
- TITLE 25. HOUSING AND COMMUNITY DEVELOPMENT
- TITLE 26. TOXICS
- TITLE 27. ENVIRONMENTAL PROTECTION
- TITLE 28. MANAGED HEALTH CARE



Welcome to the online source for the California Code of Regulations

14 CA ADC § 15250

14 CCR § 15250

Cal. Admin. Code tit. 14, § 15250

Barclays Official California Code of Regulations [Currentness](#)

Title 14. Natural Resources

Division 6. Resources Agency

Chapter 3. **Guidelines for Implementation of the California Environmental Quality Act**

Article 17. Exemption for Certified State Regulatory Programs

§ 15250. General.

Section 21080.5 of the Public Resources Code provides that a regulatory program of a state agency shall be certified by the Secretary for Resources as being exempt from the requirements for preparing EIRs, negative declarations, and initial studies if the Secretary finds that the program meets the criteria contained in that code section. A certified program remains subject to other provisions in CEQA such as the policy of avoiding significant adverse effects on the environment where feasible. This article provides information concerning certified programs.

Note: Authority cited: Section 21083, Public Resources Code. Reference: Section 21080.5, Public Resources Code.

HISTORY

1. New Article 17 (Sections 15250-15253) filed 7-13-83; effective thirtieth day thereafter (Register 83, No. 29).
2. Editorial correction of 7-13-83 order redesignating effective date to 8-1-83 filed 7-14-83 (Register 83, No. 29).
3. Change without regulatory effect amending Note filed 10-6-2005 pursuant to section 100, title 1, California Code of Regulations (Register 2005, No. 40).

14 CCR § 15250, 14 CA ADC § 15250

This database is current through 9/16/11 Register 2011, No. 37

END OF DOCUMENT

© 2011 Thomson Reuters. No Claim to Orig. U.S. Govt. Works.

Adobe Reader is required to view PDF images.



[Docs In Sequence](#) [Table of Contents](#)



Welcome to the online source for the California Code of Regulations

14 CA ADC § 15251

14 CCR § 15251

Cal. Admin. Code tit. 14, § 15251

Barclays Official California Code of Regulations [Currentness](#)

Title 14. Natural Resources

Division 6. Resources Agency

Chapter 3. Guidelines for Implementation of the California Environmental Quality Act

Article 17. Exemption for Certified State Regulatory Programs

➡ **§ 15251. List of Certified Programs.**

The following programs of state regulatory agencies have been certified by the Secretary for Resources as meeting the requirements of Section 21080.5:

- (a) The regulation of timber harvesting operations by the **California Department of Forestry** and the State Board of Forestry pursuant to Chapter 8, commencing with Section 4511 of Part 2 of Division 4 of the Public Resources Code.
- (b) The regulatory program of the **Fish and Game Commission** pursuant to the Fish and Game Code.
- (c) The regulatory program of the **California Coastal Commission** and the regional coastal commissions dealing with the consideration and granting of coastal development permits under the California Coastal Act of 1976, Division 20 (commencing with Section 30000) of the Public Resources Code.
- (d) That portion of the regulatory program of the **Air Resources Board** which involves the adoption, approval, amendment, or repeal of standards, rules, regulations, or plans to be used in the regulatory program for the protection and enhancement of ambient air quality in California.
- (e) The regulatory program of the **State Board of Forestry** in adopting, amending, or repealing standards, rules, regulations, or plans under the Z'berg-Nejedly Forest Practice Act, Chapter 8 (commencing with Section 4511) of Part 2 of Division 4 of the Public Resources Code.
- (f) The program of the **California Coastal Commission** involving the preparation, approval, and certification of local coastal programs as provided in Sections 30500 through 30522 of the Public Resources Code.
- (g) The **Water Quality Control (Basin)/208 Planning Program of the State Water Resources Control Board** and the **Regional Water Quality Control Boards**.
- (h) The permit and planning programs of the **San Francisco Bay Conservation and Development Commission** under the McAteer-Petris Act, Title 7.2 (commencing with Section 66600) of the Government Code; and the planning program of the San Francisco Bay Conservation and Development Commission under the Suisun Marsh Preservation Act, Division 19 (commencing with Section 29000) of the Public Resources Code.
- (i) The pesticide regulatory program administered by the **Department of Pesticide Regulation** and the county agricultural commissioners insofar as the program consists of:
 - (1) The registration, evaluation, and classification of pesticides.
 - (2) The adoption, amendment, or repeal of regulations and standards for the licensing and regulation of pesticide dealers and pest control operators and advisors.
 - (3) The adoption, amendment, or repeal of regulations for standards dealing with the monitoring of pesticides

and of the human health and environmental effects of pesticides.

(4) The regulation of the use of pesticides in agricultural and urban areas of the state through the permit system administered by the county agricultural commissioners.

(j) The power plant site certification program of the **State Energy Resources Conservation** and Development Commission under Chapter 6 of the Warren-Alquist Act, commencing with Public Resources Code Section 25500.

(k) The regulatory program of the **State Water Resources Control Board to establish instream beneficial use protection programs.**

(l) That portion of the regulatory program of the **South Coast Air Quality Management District** which involves the adoption, amendment, and repeal of regulations pursuant to the provisions of the Health and Safety Code.

(m) The program of the **Delta Protection Commission** involving the preparation and adoption of a Resource Management Plan for the Sacramento-San Joaquin Delta (Pub. Resources Code § 29760 ff.), and the Commission's review and action on general plan amendments proposed by local governments to make their plans consistent with the provisions of the Commission's Resource Management Plan (Pub. Resources Code § 29763.5).

(n) The program of the **Department of Fish and Game** for the adoption of regulations under the Fish and Game Code.

(o) The program of the **Department of Fish and Game** implementing the incidental take permit application process under the California Endangered Species Act ("CESA"), Fish and Game Code sections 2080 and 2081, and specifically the regulation governing the Department of Fish and Game's role as a "lead agency" when issuing incidental take permits, found at California Code of Regulations, Title 14, section 783.5(d).

(p) The regulatory program of the **Department of Fish and Game** for review and approval of voluntary local programs for routine and ongoing agricultural activities, as authorized by the California Endangered Species Act, Fish and Game Code section 2086.

Note: Authority cited: Sections 21083 and 21080.5, Public Resources Code. Reference: Section 21080.5, Public Resources Code.

HISTORY

1. New subsection (m) filed 3-1-89; operative 3-31-89 (Register 89, No. 10).
2. New subsection (n) filed 11-9-94; operative 12-9-94 (Register 94, No. 45).
3. New subsection (o) filed 8-27-98; operative 8-27-98 pursuant to Government Code section 11343.4(d) (Register 98, No. 35).
4. New subsection (p) and amendment of Note filed 3-29-99; operative 3-29-99 pursuant to Government Code section 11343.4(d) (Register 99, No. 14).
5. Change without regulatory effect amending subsection (i) and Note filed 2-1-2001 pursuant to section 100, title 1, California Code of Regulations (Register 2001, No. 5).
6. New subsection (q) filed 3-4-2003; operative 3-4-2003 pursuant to Public Resources Code section 21083 (Register 2003, No. 10).
7. Amendment of subsection (h), repealer of subsection (j) and subsection relettering filed 7-11-2006; operative 7-11-2006 pursuant to Public Resources Code section 21083 (Register 2006, No. 28).

14 CCR § 15251, 14 CA ADC § 15251

This database is current through 9/16/11 Register 2011, No. 37

END OF DOCUMENT



Welcome to the online source for the California Code of Regulations

14 CA ADC § 15252

14 CCR § 15252

Cal. Admin. Code tit. 14, § 15252

Barclays Official California Code of Regulations [Currentness](#)

Title 14. Natural Resources

Division 6. Resources Agency

Chapter 3. Guidelines for Implementation of the California Environmental Quality Act

Article 17. Exemption for Certified State Regulatory Programs

➔ **§ 15252. Substitute Document.**

(a) The document used as a substitute for an EIR or negative declaration in a certified program shall include at least the following items:

(1) A description of the proposed activity, and

(2) Either:

(A) Alternatives to the activity and mitigation measures to avoid or reduce any significant or potentially significant effects that the project might have on the environment, or

(B) A statement that the agency's review of the project showed that the project would not have any significant or potentially significant effects on the environment and therefore no alternatives or mitigation measures are proposed to avoid or reduce any significant effects on the environment. This statement shall be supported by a checklist or other documentation to show the possible effects that the agency examined in reaching this conclusion.

(b) The notice of the decision on the proposed activity shall be filed with the Secretary for Resources.

Note: Authority cited: Section 21083, Public Resources Code. Reference: Section 21080.5, Public Resources Code.

HISTORY

1. Redesignation of first paragraph and subsections (a)-(b)(2) as subsections (a)-(a)(2)(B) and new subsection (b) filed 9-7-2004; operative 9-7-2004 pursuant to Public Resources Code section 21083(e) (Register 2004, No. 37).

2. Change without regulatory effect amending Note filed 10-6-2005 pursuant to section 100, title 1, California Code of Regulations (Register 2005, No. 40).

14 CCR § 15252, 14 CA ADC § 15252

This database is current through 9/16/11 Register 2011, No. 37

END OF DOCUMENT



Welcome to the online source for the California Code of Regulations

14 CA ADC § 15253

14 CCR § 15253

Cal. Admin. Code tit. 14, § 15253

Barclays Official California Code of Regulations [Currentness](#)

Title 14. Natural Resources

Division 6. Resources Agency

Chapter 3. Guidelines for Implementation of the California Environmental Quality Act

Article 17. Exemption for Certified State Regulatory Programs

➔ **§ 15253. Use of an EIR Substitute by a Responsible Agency.**

(a) An environmental analysis document prepared for a project under a certified program listed in Section 15251 shall be used by another agency granting an approval for the same project where the conditions in subdivision (b) have been met. In this situation, the certified agency shall act as lead agency, and the other permitting agencies shall act as responsible agencies using the certified agency's document.

(b) The conditions under which a public agency shall act as a responsible agency when approving a project using an environmental analysis **document prepared under a certified program in the place of an EIR** or negative declaration are as follows:

(1) The certified agency is the first agency to grant a discretionary approval for the project.

(2) The certified agency consults with the responsible agencies, but the consultation need not include the exchange of written notices.

(3) The environmental analysis document identifies:

(A) The significant environmental effects within the jurisdiction or special expertise of the responsible agency.

(B) Alternatives or mitigation measures that could avoid or reduce the severity of the significant environmental effects.

(4) Where written notices were not exchanged in the consultation process, the responsible agency was **afforded the opportunity to participate in the review of the property by the certified agency in a regular manner designed to inform the certified agency of the concerns of the responsible agency before release of the EIR substitute for public review.**

(5) The certified agency established a consultation period between the certified agency and the responsible agency that was at least as long as the period allowed for public review of the EIR substitute document.

(6) The certified agency exercised the powers of a lead agency by considering all the significant environmental effects of the project and making a finding under Section 15091 for each significant effect.

(c) Certified agencies are not required to adjust their activities to meet the criteria in subdivision (b). Where a certified agency does not meet the criteria in subdivision (b):

(1) The substitute document prepared by the agency shall not be used by other permitting agencies in the place of an EIR or negative declaration, and

(2) Any other agencies granting approvals for the project shall comply with CEQA in the normal manner. A

permitting agency shall act as a lead agency and prepare an EIR or a negative declaration. Other permitting agencies, if any, shall act as responsible agencies and use the EIR or negative declaration prepared by the lead agency.

Note: Authority cited: Section 21083, Public Resources Code. Reference: Sections 21002.1(d), 21080.5 and 21165, Public Resources Code.

HISTORY

1. Change without regulatory effect amending subsections (a) and (c) and amendingNote filed 10-6-2005 pursuant to section 100, title 1, CaliforniaCode of Regulations (Register 2005, No. 40).

14 CCR § 15253, 14 CA ADC § 15253

This database is current through 9/16/11 Register 2011, No. 37

END OF DOCUMENT

© 2011 Thomson Reuters. No Claim to Orig. U.S. Govt. Works.
Adobe Reader is required to view PDF images.



[Docs In Sequence](#) [Table of Contents](#)

Westlaw, part of Thomson Reuters
[© 2011 West](#) | [Privacy](#) | [Accessibility](#)

