

Introduced by Senator Denham

February 9, 2004

An act to amend Section 21084 of the Public Resources Code, relating to environmental quality.

LEGISLATIVE COUNSEL'S DIGEST

SB 1194, as introduced, Denham. California Environmental Quality Act: environmental impact reports: guidelines.

The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared by contract, and certify the completion of, an environmental impact report on any project that they propose to carry out or approve that may have a significant effect on the environment. CEQA requires the Office of Planning and Research to prepare and develop proposed guidelines for the implementation of the act by public agencies that include a list of classes of projects that have been determined not have a significant effect on the environment.

This bill would make a technical, nonsubstantive change in those provisions relating to the list of classes of projects that is required to be included in those guidelines.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

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

- 1 SECTION 1. Section 21084 of the Public Resources Code is
- 2 amended to read:
- 3 21084. (a) The guidelines prepared and adopted pursuant to
- 4 Section 21083 shall include a list of classes of projects ~~which~~ that

1 have been determined not to have a significant effect on the
2 environment and ~~which~~ that shall be exempt from this division. In
3 adopting the guidelines, the Secretary of the Resources Agency
4 shall make a finding that the listed classes of projects referred to
5 in this section do not have a significant effect on the environment.
6 (b) No project which may result in damage to scenic resources,
7 including, but not limited to, trees, historic buildings, rock
8 outcroppings, or similar resources, within a highway designated as
9 an official state scenic highway, pursuant to Article 2.5
10 (commencing with Section 260) of Chapter 2 of Division 1 of the
11 Streets and Highways Code, shall be exempted from this division
12 pursuant to subdivision (a). This subdivision does not apply to
13 improvements as mitigation for a project for which a negative
14 declaration has been approved or an environmental impact report
15 has been certified.
16 (c) No project located on a site which is included on any list
17 compiled pursuant to Section 65962.5 of the Government Code
18 shall be exempted from this division pursuant to subdivision (a).
19 (d) The changes made to this section by Chapter 1212 of the
20 Statutes of 1991 apply only to projects for which applications have
21 not been deemed complete on or before January 1, 1992, pursuant
22 to Section 65943 of the Government Code.
23 (e) No project that may cause a substantial adverse change in
24 the significance of an historical resource, as specified in Section
25 21084.1, shall be exempted from this division pursuant to
26 subdivision (a).

