

AMENDED IN ASSEMBLY APRIL 5, 2010

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 2565

Introduced by Assembly Member Ammiano

February 19, 2010

An act to add Section 21092.7 to the Public Resources Code, relating to the environment.

LEGISLATIVE COUNSEL'S DIGEST

AB 2565, as amended, Ammiano. Environment: CEQA: ~~notices.~~
lead agency: documents.

The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of, an environmental impact report (EIR) on a project 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 also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. CEQA requires the lead agency to provide specified notices to a person who files a written request for the notices. If a draft EIR is submitted to the State Clearinghouse for review, CEQA requires the lead agency to provide a sufficient number of copies of the document to the State Clearinghouse for review and comment by state agencies.

~~This bill would authorize the lead agency, in lieu of providing an interested party and a public agency with a notice, response, or document as required by CEQA, to notify the interested party or public agency~~

~~of the availability of the notice, response, or document on the lead agency's Internet Web site. The bill would authorize the lead agency to post, maintain, and make available on the lead agency's Internet Web site, any notices, responses, and or other documents that are required to be made available to the public or to other public agencies. The bill would authorize the lead agency to also make copies of these documents available to the public or to other public agencies by digital copy, including, but not limited to, compact disc, email attachment, or other digital transfers of documents and would require the local agency to provide a copy of a CEQA document if a member of the public or a public agency requests a copy.~~

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

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

- 1 SECTION 1. Section 21092.7 is added to the Public Resources
- 2 Code, to read:
- 3 21092.7. (a) The lead agency may post, maintain, and make
- 4 available on the lead agency's Internet Web site, any notices,
- 5 responses, ~~and or other~~ documents that are required by this division
- 6 to be made available to the public or to other public agencies. *The*
- 7 *lead agency may also make copies of these documents available*
- 8 *to the public or to other public agencies by digital copy, including,*
- 9 *but not limited to, compact disc, email attachment, or other digital*
- 10 *transfers of documents.*
- 11 ~~(b) Notwithstanding other law, in lieu of providing an interested~~
- 12 ~~party and a public agency with a notice, response, or document as~~
- 13 ~~required by this division, the lead agency may notify the interested~~
- 14 ~~party or public agency of the availability of the notice, response,~~
- 15 ~~or document on the lead agency's Internet Web site.~~
- 16 (b) *If a member of the public or a public agency requests a copy*
- 17 *of a California Environmental Quality Act (CEQA) document, the*
- 18 *lead agency shall provide a copy of the document.*