

Introduced by Senator RubioFebruary 24, 2012

An act to add Division 13.6 (commencing with Section 21200) to the Public Resources Code, relating to environmental quality.

LEGISLATIVE COUNSEL'S DIGEST

SB 1380, as introduced, Rubio. Environmental quality: environmental impact report: environmental standards.

(1) 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 agencies to make specified findings in an EIR.

This bill would require a public agency to disclose in an EIR the environmental standards established by specified statutes and the regulations, plans, policies, and permitting programs promulgated, adopted, or issued pursuant to those statutes that are applicable to the project. Because a lead agency would be required to make this additional disclosure in an EIR, this bill would impose a state-mandated local program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

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

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

1 SECTION 1. Division 13.6 (commencing with Section 21200)
2 is added to the Public Resources Code, to read:

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4 DIVISION 13.6. CALIFORNIA ENVIRONMENTAL
5 STANDARDS ACT
6

7 21200. (a) The Legislature finds and declares that
8 environmental and health and safety standards established by
9 relevant statutes and the regulations, plans, policies, and permitting
10 programs promulgated, adopted, or issued pursuant to those statutes
11 address potential impacts associated with a wide variety of projects
12 within the state, including, but not limited to, renewable energy
13 projects, clean technology projects, infill projects, transportation
14 projects, and public port projects.

15 (b) Findings adopted by a public agency pursuant to Section
16 21081 shall disclose environmental standards established by
17 relevant statutes and the regulations, plans, policies, and permitting
18 programs promulgated, adopted, or issued pursuant to those statutes
19 that are applicable to the project the public agency is proposing to
20 carry out or approve.

21 (c) For the purposes of this section, “relevant statutes” means
22 any of the following:

- 23 (1) Sections 17213 and 17213.1 of the Education Code.
- 24 (2) Subdivisions (b) and (c) of Section 7050.5 of the Health and
25 Safety Code.
- 26 (3) Chapter 2 (commencing with Section 17920) of Part 1.5 of
27 Division 13 of the Health and Safety Code.
- 28 (4) Chapter 6.5 (commencing with Section 25100) of Division
29 20 of the Health and Safety Code.
- 30 (5) Section 25356.1.5 of the Health and Safety Code.

- 1 (6) Section 25395.94 of the Health and Safety Code.
- 2 (7) Chapter 6.95 (commencing with Section 25500) of Division
- 3 20 of the Health and Safety Code.
- 4 (8) The California Global Warming Solutions Act of 2006
- 5 (Division 25.5 (commencing with Section 38500) of the Health
- 6 and Safety Code).
- 7 (9) Division 26 (commencing with Section 39000) of the Health
- 8 and Safety Code.
- 9 (10) Sections 355 and 356 of the Fish and Game Code.
- 10 (11) The Oak Woodlands Conservation Act (Article 3.5
- 11 (commencing with Section 1360) of Chapter 4 of Division 2 of
- 12 the Fish and Game Code).
- 13 (12) Section 1602 of the Fish and Game Code.
- 14 (13) The California Endangered Species Act (Chapter 1.5
- 15 (commencing with Section 2050) of Division 3 of the Fish and
- 16 Game Code).
- 17 (14) Division 4 (commencing with Section 3000) of the Fish
- 18 and Game Code.
- 19 (15) Division 5 (commencing with Section 5000) of the Fish
- 20 and Game Code.
- 21 (16) Division 6 (commencing with Section 5500) of the Fish
- 22 and Game Code.
- 23 (17) The federal Endangered Species Act of 1973 (16 U.S.C.
- 24 Sec. 1531 et seq.).
- 25 (18) The federal Migratory Bird Treaty Act (16 U.S.C. Sec. 703
- 26 et seq.).
- 27 (19) The federal Bald and Golden Eagle Protection Act (16
- 28 U.S.C. Sec. 668 et seq.).
- 29 (20) The Elder California Pipeline Safety Act of 1981 (Chapter
- 30 5.5 (commencing with Section 51010) of Part 1 of Division 1 of
- 31 Title 5 of the Government Code).
- 32 (21) Chapter 2.5 (commencing with Section 65080) of Division
- 33 1 of Title 7 of the Government Code.
- 34 (22) Chapter 4.9 (commencing with Section 65995) of Division
- 35 1 of Title 7 of the Government Code.
- 36 (23) Section 66477 of the Government Code.
- 37 (24) The Natural Gas Pipeline Safety Act of 2011 (Article 4.5
- 38 (commencing with Section 955) of Chapter 4 of Part 1 of Division
- 39 1 of the Public Utilities Code).

- 1 (25) The Alquist-Priolo Earthquake Fault Zoning Act (Chapter
2 7.5 (commencing with Section 2621) of Division 1 of the Public
3 Resources Code).
- 4 (26) The Seismic Hazards Mapping Act of 1990 (Chapter 7.8
5 (commencing with Section 2690) of Division 1 of the Public
6 Resources Code).
- 7 (27) The California Integrated Waste Management Act of 1989
8 (Division 30 (commencing with Section 40000) of the Public
9 Resources Code).
- 10 (28) The Stormwater Resource Planning Act (Part 2.3
11 (commencing with Section 15060) of Division 6 of the Water
12 Code).
- 13 (29) Part 2.10 (commencing with Section 10910) of Division 6
14 of the Water Code.
- 15 (30) The Porter-Cologne Water Quality Control Act (Division
16 7 (commencing with Section 13000) of the Water Code).
- 17 (31) Section 1344 of Chapter 33 of the United States Code.
- 18 SEC. 2. No reimbursement is required by this act pursuant to
19 Section 6 of Article XIII B of the California Constitution because
20 a local agency or school district has the authority to levy service
21 charges, fees, or assessments sufficient to pay for the program or
22 level of service mandated by this act, within the meaning of Section
23 17556 of the Government Code.