

Introduced by Senator HuffJanuary 6, 2014

An act to add Section 21080.38 to the Public Resources Code, relating to environmental quality, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 834, as introduced, Huff. California Environmental Quality Act: exemption: retooling of manufacturing facilities.

(1) The California Environmental Quality Act requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of, an environmental impact report 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. The act 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.

This bill would exempt from the requirements of the act a project or an activity related to the retooling or alteration for manufacturing purposes of an existing manufacturing facility within its existing footprint. Because a lead agency would be required to make a determination on the applicability of this exemption, the 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.

(3) This bill would declare that it is to take effect immediately as an urgency statute.

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

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

1 SECTION 1. Section 21080.38 is added to the Public Resources
2 Code, to read:

3 21080.38. This division does not apply to a project or an
4 activity related to the retooling or alteration for manufacturing
5 purposes of an existing manufacturing facility within its existing
6 footprint.

7 SEC. 2. No reimbursement is required by this act pursuant to
8 Section 6 of Article XIII B of the California Constitution because
9 a local agency or school district has the authority to levy service
10 charges, fees, or assessments sufficient to pay for the program or
11 level of service mandated by this act, within the meaning of Section
12 17556 of the Government Code.

13 SEC. 3. This act is an urgency statute necessary for the
14 immediate preservation of the public peace, health, or safety within
15 the meaning of Article IV of the Constitution and shall go into
16 immediate effect. The facts constituting the necessity are:

17 To facilitate the retooling or alteration of existing manufacturing
18 facilities thereby creating and retaining manufacturing jobs in the
19 state, it is necessary for this measure to take effect immediately.