

AMENDED IN ASSEMBLY JANUARY 4, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 1473

Introduced by Assembly Member Salas

February 27, 2015

An act to amend ~~Section 21060.5~~ Sections 21181, 21189.1, and 21189.3 of the Public Resources Code, relating to environmental quality.

LEGISLATIVE COUNSEL'S DIGEST

AB 1473, as amended, Salas. California Environmental Quality Act.

The California Environmental Quality Act (*CEQA*) requires a lead agency to prepare, or cause to be prepared, and certify the completion of an environmental impact report on a project, as defined, that it proposes to carry out or approve that may have a significant effect on the environment, as defined, or to adopt a negative declaration if it finds that the project will not have that effect.

~~This bill would make technical, nonsubstantive changes to a provision within the act.~~

The Jobs and Economic Improvement Through Environmental Leadership Act of 2011 authorizes the Governor to certify projects meeting certain requirements as environmental leadership development projects eligible for specified streamlining benefits under CEQA, including, among other things, the concurrent preparation of the record of proceedings for the project. The act provides that these streamlining benefits do not apply to a project if the Governor does not certify a project prior to January 1, 2016, and that the certification expires if the lead agency fails to approve the environmental leadership project prior to January 1, 2017. The act is repealed by its own terms on January 1, 2017.

This bill would extend the time by which the Governor may certify projects as environmental leadership projects to January 1, 2019, and would extend the time by which lead agencies are required to approve certified projects to January 1, 2020, in order for certified projects to benefit from the streamlining benefits. Because the bill would extend the time period in which lead agencies would be required to concurrently prepare the record of proceedings, the bill would impose a state-mandated local program. The bill would repeal the act on January 1, 2021.

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: ~~no~~-yes.
State-mandated local program: ~~no~~-yes.

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

1 *SECTION 1. Section 21181 of the Public Resources Code is*
2 *amended to read:*

3 21181. This chapter does not apply to a project if the Governor
4 does not certify ~~a~~ *the* project as an environmental leadership
5 development project eligible for streamlining provided pursuant
6 to this chapter prior to January 1, ~~2016~~; 2019.

7 *SEC. 2. Section 21189.1 of the Public Resources Code is*
8 *amended to read:*

9 21189.1. If, prior to January 1, ~~2017~~; 2020, a lead agency fails
10 to approve a project certified by the Governor pursuant to this
11 chapter, then the certification expires and is no longer valid.

12 *SEC. 3. Section 21189.3 of the Public Resources Code is*
13 *amended to read:*

14 21189.3. This chapter shall remain in effect until January 1,
15 ~~2017~~; 2021, and as of that date is repealed unless a later enacted
16 statute extends or repeals that date.

17 *SEC. 4. No reimbursement is required by this act pursuant to*
18 *Section 6 of Article XIII B of the California Constitution because*
19 *a local agency or school district has the authority to levy service*
20 *charges, fees, or assessments sufficient to pay for the program or*

1 *level of service mandated by this act, within the meaning of Section*
2 *17556 of the Government Code.*

3 ~~SECTION 1. Section 21060.5 of the Public Resources Code~~
4 ~~is amended to read:~~

5 ~~21060.5. "Environment" means the physical conditions that~~
6 ~~exist within the area that will be affected by a proposed project,~~
7 ~~including land, air, water, minerals, flora, fauna, noise, and objects~~
8 ~~of historic or aesthetic significance.~~

O