

ASSEMBLY BILL

No. 2431

Introduced by Assembly Member Linder

February 19, 2016

An act to amend Section 21157.5 of the Public Resources Code, relating to environmental quality.

LEGISLATIVE COUNSEL'S DIGEST

AB 2431, as introduced, Linder. California Environmental Quality Act: subsequent projects.

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 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 authorizes the lead agency to prepare a mitigated negative declaration for a proposed subsequent project if certain conditions are met.

This bill would make nonsubstantive changes to that provision.

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 21157.5 of the Public Resources Code
2 is amended to read:

3 21157.5. (a) A proposed mitigated negative declaration shall
4 be prepared for ~~any~~ a proposed subsequent project if both of the
5 following occur:

6 (1) An initial study has identified potentially new or additional
7 significant effects on the environment that were not analyzed in
8 the master environmental impact report.

9 (2) Feasible mitigation measures or alternatives will be
10 incorporated to revise the proposed subsequent project, before the
11 negative declaration is released for public review, ~~in order~~ to avoid
12 the effects or mitigate the effects to a point where clearly no
13 significant effect on the environment will occur.

14 (b) If there is substantial evidence in light of the whole record
15 before the lead agency that the proposed subsequent project may
16 have a significant effect on the environment and a mitigated
17 negative declaration is not prepared, the lead agency shall prepare
18 an environmental impact report or a focused environmental impact
19 report pursuant to Section 21158.