

Overview of the California Environmental Quality Act and the EIR process

CEQA – California Environmental Quality Act

- Adopted in 1970 and is one of California's most important environmental laws (CA Public Resources Code and implementing guidelines)
- Requires public agency decision makers to document and consider the environmental implications of their actions
- Provides a series of analytical steps intended to promote the fundamental goals and purposes of environmental review: information, participation, mitigation and accountability
- An EIR is an objective disclosure document
- Does not in itself advocate for or against a project
- Nevertheless it must be certified before a project can be approved
- An EIR explains in detail the proposed project, environmental setting, probable impacts, feasible ways of reducing or eliminating impacts, cumulative effects and alternatives to the proposed project.

What does an EIR consider?

Land use and planning, such as zoning and other regulations; geophysical factors such as topography and soils; biological resources such as endangered plants and animals which may be affected; hydrology and water quality including drainage, sediment, runoff; air quality; transportation and circulation; aesthetics and visual resources; cultural resources such as archeological resources; noise during construction and long term; energy use; hazardous materials or other hazards; social and economic factors; public services and utilities; cumulative impacts; and alternatives – the EIR will consider project alternative and consider potential impacts and benefits of each in comparison to each other.

EIR process

An EIR is initiated with a "Notice of Preparation" to invite initial comments, and is followed by a formal public "Scoping Session" at which time all who are interested are invited to say what they think should be studied in the EIR.

Typically an EIR is managed by the County of Marin or other public agency and is conducted by a consultant under contract with that agency. A draft EIR is written in conformance with CEQA requirements, and is circulated for comment. A public hearing is held to receive comments from the public.

A final EIR which responds to comments on the draft EIR is completed and distributed for review, and there is an additional comment period. The board of the responsible agency (for the County of Marin it would be the Board of Supervisors) then conducts a public meeting and certifies the Final EIR as adequate and complete.

Typically this process takes 9-12 months.

The EIR does not control the decision on a project or any particular alternative, but provides critical information in the decision making process.