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1 Introduction

1.1 Statement of Purpose

This document is a Programmatic Environmental Impact Report (EIR) that identifies and describes potential environmental impacts associated with the 2022 Regional Transportation Plan and Sustainable Communities Strategy (RTP/SCS) proposed by the San Joaquin Council of Governments (SJCOG). The 2022 RTP/SCS is an update of the 2018 RTP/SCS, which was adopted in 2018 following certification of a Programmatic EIR.

Section 21000 et seq. of the California Public Resources Code, commonly referred to as the California Environmental Quality Act of 1970 (CEQA), requires the evaluation of environmental impacts associated with discretionary planning programs or proposed development projects proposed. As such, this EIR is an informational document for use by SJCOG, other agencies and the general public in their consideration and evaluation of the environmental consequences of implementing the proposed 2022 RTP/SCS.

This introduction section of the EIR describes the following aspects of the 2022 RTP/SCS and the EIR: project background; purpose and legal authority; implementation issues and future environmental review; EIR background; applicable agencies involved in the project; EIR scope, content, and format; and the environmental review process under CEQA.

1.2 Project Background

The proposed project, the 2022 RTP/SCS, is a long-range comprehensive plan for the region's multi-modal transportation system. As a Metropolitan Planning Organization (MPO), preparing an RTP is one of SJCOG's primary statutory responsibilities under federal and state law. Implementation of an RTP is the mechanism used in California by both MPOs and Regional Transportation Planning Agencies (RTPAs) to conduct long-range planning (at least 20-years into the future) in their regions. SJCOG must adopt an updated RTP every four years, or more frequently, if the region is to receive federal and state transportation dollars for public transit, streets/roads, and bicycle and pedestrian improvements. SJCOG adopted the 2018 RTP/SCS in June 2018; it provides a long-range plan for transportation in San Joaquin County.

In 2008, California enacted the Sustainable Communities and Climate Protection Act, also known as Senate Bill 375 (SB 375), which requires MPOs to include a Sustainable Communities Strategy (SCS) element in their RTP updates. The 2014 RTP was the first SJCOG plan to include the SCS. The California Air Resources Board (CARB) provided greenhouse gas (GHG) reduction targets for the preparation of the 2018 RTP/SCS, setting the targets at a 5 percent per capita reduction by 2020 and 10 percent per capita reduction by 2035 from year 2005 levels. The 2018 RTP/SCS met those targets. On March 22, 2018, CARB adopted updated regional targets for reducing GHG emissions from 2005 levels by 2020 and 2035. SJCOG was assigned a target of a 16 percent reduction in GHG emissions from per capita passenger vehicles by 2035, relative to 2005 emission levels.

The 2022 RTP/SCS programs available transportation funding through the year 2046 and includes lists of programmed and planned transportation projects to improve the transportation system during the 2022-2046 planning period. Some projects in the 2018 RTP/SCS have since been

completed or begun construction. Transportation projects yet to be completed have been incorporated into the 2022 RTP/SCS, along with a few additional new projects.

1.3 Purpose and Legal Authority

This EIR has been prepared in compliance with the CEQA Statutes and Guidelines. In general, the purpose of an EIR is to (see *State CEQA Guidelines* Section 15121(a)):

- a. Analyze the environmental effects of the adoption and implementation of the project;
- b. Inform decision-makers, responsible and trustee agencies and members of the public as to the range of the project's environmental impacts;
- c. Recommend a set of measures to mitigate significant adverse impacts; and
- d. Analyze a range of reasonable alternatives to the proposed project.

As the lead agency for preparing this EIR, SJCOG will rely on the EIR analysis of environmental effects in their review and consideration of the proposed 2022 RTP/SCS prior to approval. Responsible Agencies will rely on the EIR analysis prior to approval of their respective projects under their jurisdiction.

As discussed in further detail below in Section 1.4.1, *CEQA Streamlining Opportunities*, SB 375 provides streamlining benefits for certain transit-oriented projects consistent with an adopted SCS. Pursuant to these provisions of SB 375, this EIR has also been prepared to allow qualifying projects to streamline their environmental review.

1.4 Implementation Issues and Future Environmental Review

The 2022 RTP/SCS contains transportation projects that will be implemented over time. Implementation of the 2022 RTP/SCS will follow a schedule based on the funding and demand for individual transportation projects and improvements. Implementation of the SCS component of the 2022 RTP/SCS will require the cooperation of SJCOG member agencies and municipalities in the SJCOG region.

Implementation of the projects addressed in the 2022 RTP/SCS must individually demonstrate compliance with the requirements of CEQA and/or NEPA (for projects requiring federal funding or approvals). As appropriate, individual projects may be required to prepare a project level analysis to fulfill CEQA and/or NEPA requirements. The lead agency responsible for reviewing these projects shall determine the level of review needed, and the scope of that analysis will depend on the specifics of the particular project. These projects may, however, use the discussion of impacts in this program EIR as a basis of their assessment of these regional or cumulative impacts. These projects may also be eligible for CEQA streamlining under SB 375, as explained further below.

This program EIR is a first-tier document that addresses the environmental impacts that may affect the SJCOG region from adoption and implementation of the 2022 RTP/SCS. "Tiering" generally refers to using the analysis of a broader environmental document that covers the general impacts of a program or larger-scale project so that subsequent environmental documents for a related individual project can be narrow and focused on unique or unanalyzed issues. CEQA encourages the use of tiering to reduce the time and excessive paperwork involved in the review process by

eliminating repetitive analyses of issues addressed in the program EIR (CEQA Guidelines Section 15168). SB 375 enables certain qualifying projects to tier off the SCS or alternative planning strategy developed to meet California's climate change goals. Tiered documents may consist of initial studies or focused EIRs that may incorporate by reference portions of the program EIR from which they are tiered. If the potential environmental effects of subsequent actions are consistent with and adequately addressed by a certified program EIR, additional environmental analysis may be unnecessary.

1.4.1 Streamlining Under SB 375

SB 375 provides streamlining benefits for Transit Priority Projects (TPP) and certain mixed-use projects. (See California Public Resources Code [PRC] Sections 21155 et seq.) For details, see the Governor's Office of Planning and Research's flow charts on SB 375 streamlining (Governor's Office of Planning and Research 2011). A TPP is a project that meets all of the criteria summarized below. For the purposes of this EIR, geographic areas that meet the TPP requirements are referred to as Transit Priority Areas (TPAs).

- Consistent with the general land use designation, density, building intensity and applicable policies specified for the project area in the SCS;
- Located within half a mile of a major transit stop or high-quality transit corridor;
- Comprised of at least 50 percent residential use based on total building square footage, or as little as 26 percent residential use if the project has a floor area ratio of not less than 0.75; and
- Built out with a minimum of 20 dwelling units per acre (PRC § 21155).

For the purposes of this EIR, geographic areas that meet the TPP requirements are referred to as TPAs. One of three potential streamlining benefits may apply to a TPP pursuant to SB 375, as described below.

First, TPPs that meet a detailed criteria list set forth in PRC Section 21155.1 are termed Sustainable Communities Projects and are statutorily exempt from CEQA. Due to the extensive list of criteria that must be met to achieve this exemption, the exemption may only be available in limited circumstances.

Second, a TPP that does not qualify for the statutory exemption may be eligible to comply with CEQA using a Sustainable Communities Environmental Assessment (SCEA). An SCEA is similar to a streamlined negative declaration or mitigated negative declaration that requires a 30-day public review period (rather than the otherwise available 20-day public review period). In addition, unlike a negative declaration or mitigated negative declaration, a lead agency's decision to approve a TPP based on an SCEA is reviewed, if challenged, by a court under the substantial evidence standard (PRC Section 21155.2(b)(7)).

Third, a TPP that will result in one or more significant impacts after mitigation may be reviewed using a tiered TPP EIR as established by PRC Section 21155.2(c). A tiered TPP EIR is only required to address the significant or potentially significant effects of the TPP on the environment and is not required to include a discussion of (1) growth inducing impacts, (2) any project specific or cumulative impacts from cars and light duty truck trips generated by the project on global warming or the regional transportation network, (3) cumulative effects that have been adequately addressed and mitigated in prior applicable certified EIRs, (4) off-site alternatives, or (5) a reduced density alternative to address effects of car and light truck trips generated by the TPP (PRC Sections 21155.2 (c), 21159.28(a) and (b)).

In addition to the benefits provided for TPPs, SB 375 provides streamlining benefits for residential or mixed-use residential projects, as defined in PRC Section 21159.28(d), that are consistent with the use designation, density, building intensity and applicable policies specified for the project area in the SCS but do not meet the criteria for TPPs. Projects eligible for streamlining must incorporate mitigation measures required by an applicable prior environmental document, such as this EIR after it is certified by SJCOG.

Projects that qualify to use the SB 375 CEQA streamlining benefits would still need to obtain discretionary permits or other approvals from the lead agency and the local jurisdiction, in accordance with local codes and procedures, including any agreements related to zoning, design review, use permits and other local code requirements. The streamlining only applies to the CEQA processing of a project.

1.4.2 Streamlining Under SB 226

In 2011, the legislature enacted SB 226 to establish additional streamlining benefits applicable to infill projects that are consistent with the requirements set forth in *State CEQA Guidelines* section 15183.3 (PRC Sections 21094.5 (c), 21094.5.5).

Unlike the CEQA streamlining benefits established by SB 375, the benefits created by SB 226 may apply to non-residential projects including qualifying commercial, retail, transit station, school, or public office building projects (*State CEQA Guidelines*, Section 15183.3 (f)(1)).

1.4.3 Streamlining Under SB 743

SB 743 (2013) (PRC Section 21099 and 21555.4) created an exemption from CEQA for certain residential, employment center and mixed-use development projects that are consistent with a Specific Plan (see Public Resources Code Section 21155.4.) (A Specific Plan implements a General Plan within a smaller geographic area, such as a downtown core or along a transit corridor; see Government Code Section 65450 et seq.). The exemption applies if a project meets all of the following criteria:

- a. It is a residential, employment, or mixed-use project and is located within a transit priority area;
- b. The project is consistent with a specific plan for which an environmental impact report was certified; and
- c. It is consistent with an adopted SCS or alternative planning strategy.

The exemption cannot be applied if circumstances requiring preparation of a Subsequent or Supplemental EIR occur, for example if the project would cause new or worse significant environmental impacts compared to what was analyzed in the environmental impact report for the specific plan.

SB 743 also specifies that aesthetic and parking impacts of residential, mixed use residential, or employment center uses on infill sites within a TPA shall not be considered significant effects on the environment (see Public Resources Code Section 21099(d).)

1.4.4 Other Tiering Opportunities

Finally, for all other types of projects proposed to be carried out or approved by a lead agency within the region, the lead agency may utilize this EIR for the purposes of other allowed CEQA

tiering (PRC Sections 21068.5, 21093-21094, *State CEQA Guidelines* 15152, 15385). Tiering is the process by which general matters and environmental effects in an EIR prepared for a policy, plan, program or ordinance are relied upon by a narrower second-tier or site specific EIR (PRC Section 21068.5). Moreover, by tiering from this EIR (if certified by SJCOG), a later tiered EIR would not be required to examine effects that (1) were mitigated or avoided in this EIR, (2) were examined at a sufficient level of detail in this EIR to enable those effects to be mitigated or avoided by site specific revisions, the imposition of conditions, or by other means in connection with the approval of the later project (PRC Section 21094).

1.5 Environmental Impact Report Background

In compliance with the *CEQA Guidelines* (Section 15063), SJCOG, as the Lead Agency responsible for 2022 RTP/SCS, solicited preliminary public agency comments on the project through distribution of a Notice of Preparation (NOP) and receipt of public comments during a scoping meeting held virtually on January 13, 2021, from 12:00 p.m. to 1:00 p.m.

The NOP was distributed to affected agencies and the public for the required 30-day period from December 18, 2020 to January 27, 2021. Table 1-1 summarizes the issues relevant to the EIR that were identified in the NOP comments received (six agencies/individuals) and the EIR sections where the issues are addressed. The NOP and NOP comments and letters received are included in Appendix A of this EIR.

Table 1-1 NOP Comments and EIR Response

Comment/Request	How and Where it was Addressed
California Department of Fish and Wildlife	
CDFW recommends that the EIR provide baseline habitat assessments for special-status plant, fish and wildlife species located and potentially located within the project area and surrounding lands, including all rare, threatened, or endangered species.	Please refer to Section 4.3, <i>Biological Resources</i> , of the EIR for a discussion of potential impacts addressed at a programmatic level, including any potential conflict with existing conditions, regulations, or requirements.
CDFW recommends that prior to project implementation, including pre-construction, surveys be conducted for special-status species with potential to occur, following recommended survey protocols if available.	The EIR includes a programmatic discussion of potential project impacts and includes mitigation measures related to species specific surveying requirements. Please refer to Section 4.3, <i>Biological Resources</i> , of the EIR
CDFW recommends that the Project proponent seek appropriate take authorization under the California Endangered Species Act (CESA) prior to implementing the Project. In addition, CDFW requests biological mitigation monitoring and reporting proposals should be of sufficient detail and resolution to satisfy the requirements for a CESA Incidental Take Permit (ITP).	Please refer to Section 4.3, <i>Biological Resources</i> , of the EIR for a discussion of potential impacts and mitigation measures addressed at a programmatic level, including impacts related to CESA.
CDFW states that protected species such as golden eagle, white-tailed kite, greater sandhill crane, and California black rail may not be taken or possessed at any time (Fish and Game Code § 3511). CDFW recommends that the EIR should include measures to ensure complete take avoidance of these fully protected species.	Please refer to Section 4.3, <i>Biological Resources</i> , of the EIR for a discussion of potential impacts and mitigation measures to these species, addressed at a programmatic level.
CDFW requests the EIR should fully identify the potential impacts to the stream or riparian resources and provide adequate avoidance, mitigation, monitoring and reporting commitments for issuance of the Lake and Streambed Alteration (LSA) Agreement.	The EIR includes a discussion of potential impacts to wetland and riparian resources in Section 4.3, <i>Biological Resources</i> .

Comment/Request	How and Where it was Addressed
<p>CDFW requests the EIR identify reasonably foreseeable future projects in the project vicinity, disclose any cumulative impacts associated with these projects, determine the significance of each cumulative impact, and assess the significance of the project’s contribution to the impact.</p>	<p>The EIR includes a discussion of potential direct, indirect, and cumulative biological resource impacts in Section 4.3, <i>Biological Resources</i>.</p>
<p>CDFW anticipates that the Project will have an impact on fish and/or wildlife, and assessment of filing fees is necessary</p>	<p>SJCOG, as Lead Agency, will be required to pay any necessary filing fees to CDFW, as applicable.</p>
<p>Native American Heritage Commission (NAHC)</p>	
<p>The NAHC states that the project is subject to the requirements and provisions under Assembly Bill (AB 52) for tribal cultural resources. The NAHC recommends consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of the proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources.</p>	<p>The EIR includes a discussion of consultation efforts with tribes in the area and potential project impacts in Section 4.12, <i>Tribal Cultural Resources</i>.</p>
<p>San Joaquin Regional Transit District</p>	
<p>The District requests that the EIR include an analysis and discussion pertaining to any potential impacts on San Joaquin RTD’s current transit system including the following: safety; security; bus, bus rapid transit, intercity, and commuter services; transit stations; and accessibility.</p>	<p>The EIR includes a discussion of these impacts in Section 4.11, <i>Transportation</i>.</p>
<p>The District requests that the EIR include a discussion of equity pertaining to all modes of transportation and analyze any negative impacts concerning disproportionate impacts on communities.</p>	<p>Please refer to Chapter 5 and Appendix P of the RTP/SCS, for a discussion of identified communities of concern and impacts of the 2022 RTP/SCS on low-income populations, minority individuals and populations, and low mobility populations.</p>
<p>The District requests that all existing and planned intra and inter-county transportation systems, including rail (such as Altamont Corridor Express (ACE)) and express bus services such as San Joaquin RTD’s Commuter Bus service should be evaluated for impacts pertaining to public access and service connections to important destinations for the travelling public.</p>	<p>The EIR includes a discussion of impacts to active transportation in Section 4.11, <i>Transportation</i>.</p>
<p>The District requests that the EIR discuss future highway capacity projects, such as the I-205 managed lanes project, and include potential impacts to regional transit and opportunities for express bus lanes.</p>	<p>The EIR includes a list of proposed transportation projects in Section 2.0, <i>Project Description</i> and a discussion of transportation related impacts in Section 4.11, <i>Transportation</i>.</p>
<p>Delta Protection Commission</p>	
<p>The Delta Protection Commission requests that the EIR consider the Commission’s Land Use and Resource Management Plan and its policies when assessing the project’s consistency with applicable land use plans, policies, and regulations and to discuss the Delta Trail in the recreation and transportation setting sections.</p>	<p>The EIR includes a discussion of applicable land use plans, policies, and regulations Section 4.9, <i>Land Use and Planning</i>. In addition, the EIR includes a discussion of impacts to recreational facilities in Section 4.14, <i>Effects Considered to be Less than Significant</i>.</p>
<p>Delta Stewardship Council</p>	
<p>The Delta Stewardship Council requests consultation as part of the process in developing the RTP/SCS.</p>	<p>This comment pertains to the preparation of the RTP/SCS and does not relate to the EIR. The Delta Stewardship Council will be afforded the opportunity to comment on the EIR during public review as required under the CEQA process.</p>

Comment/Request	How and Where it was Addressed
The Delta Stewardship Council requests that the EIR discuss the project's consistency with the Delta Plan.	The EIR includes a discussion of applicable land use plans, policies, and regulations Section 4.9, <i>Land Use and Planning</i> .
Marian Rawlins	
The commenter requests that the EIR includes a discussion regarding the environmental issues of urban sprawl on rural landowners in the City of Manteca.	The EIR includes a programmatic analysis of impacts to visual resources in Section 4.1, <i>Aesthetics</i> , land use and planning issues in Section 4.9, <i>Land Use and Planning</i> , and transportation related impacts under the purview of CEQA in Section 4.11, <i>Transportation</i> .
NOP Scoping Meeting Comments	
Commenter requested information on transit-oriented development.	The EIR includes a discussion of the type of transit-oriented development proposed in Section 2.0, <i>Project Description</i> .
Commenter requested information regarding identification of environmental justice communities and potential environmental justice impacts.	Please refer to chapter 5 and Appendix P of the RTP/SCS, for a discussion of identified communities of concern and impacts of the 2022 RTP/SCS on low-income populations, minority individuals and populations, and low mobility populations.

1.6 Lead, Responsible, and Trustee Agencies

The *CEQA Guidelines* require the identification of “lead,” “responsible,” and “trustee” agencies. SJCOG is the “lead agency” for the proposed project because it has the principal responsibility for approving the project.

A “responsible agency” is a public agency other than the “lead agency” that has discretionary approval authority over certain components of a project (the *State CEQA Guidelines* define a public agency as a State or local agency, but specifically exclude federal agencies from the definition). A “trustee agency” refers to a State agency having jurisdiction by law over natural resources affected by a project which are held in trust for the people of the State of California (for example, the California Department of Fish and Wildlife). While no Responsible Agencies or Trustee Agencies are responsible for approvals associated with the adoption of the 2022 RTP/SCS, implementation of projects identified in the 2022 RTP/SCS will require permits and approvals from Lead, Trustee, and Responsible Agencies, which may include the following:

- County of San Joaquin
- City of Escalon
- City of Lathrop
- City of Lodi
- City of Manteca
- City of Ripon
- City of Stockton
- City of Tracy
- California Transportation Commission
- California Department of Transportation
- California Department of Fish and Wildlife
- California Department of Conservation
- Regional Water Quality Control Board
- Native American Heritage Commission
- U.S. Army Corps of Engineers
- U.S. Fish and Wildlife Service

- San Joaquin Valley Air Pollution Control District
- Delta Stewardship Council

1.7 EIR Scope, Content, and Format

This document includes discussions of environmental impacts related to several issue areas. The analysis of environmental impacts identifies impacts by category: significant and unavoidable (Class I), less than significant with mitigation incorporated (Class II), less than significant (Class III), and beneficial (Class IV). It proposes mitigation measures, where feasible, for identified significant environmental impacts. Environmental topic areas that are addressed in this EIR include:

- Aesthetics
- Air Quality
- Biological Resources
- Cultural Resources
- Energy
- Geology and Soils
- Greenhouse Gas Emissions/Climate Change
- Hydrology and Water Quality
- Land Use and Planning
- Noise
- Transportation and Circulation
- Tribal Cultural Resources
- Wildfire

This EIR has been organized into seven sections, which include:

1. **Introduction.** Provides the statement of purpose, project background, and information about the EIR content and format.
2. **Project Description.** Identifies the project applicant, presents and discusses the project objectives, project locations and specific project characteristics.
3. **Environmental Setting.** Provides a description of the existing physical setting of the SJCOG region, an overview of the progress in implementing the 2022 RTP/SCS, a description of the regional transportation system, and discusses the EIR baseline and approach to direct and cumulative analyses.
4. **Analysis of Environmental Issues.** Describes existing conditions found in the project area and assesses potential environmental impacts that may be generated by implementing the proposed project and cumulative development in San Joaquin County. These potential project impacts are compared to “thresholds of significance” to determine the nature and severity of the direct and indirect impacts. Mitigation measures (intended to reduce adverse, significant impacts below threshold levels) are proposed where feasible. Impacts that cannot be eliminated or mitigated to less-than-significant levels are also identified.
5. **Other CEQA-Required Discussions.** Identifies the spatial, economic, or population growth impacts that may result from implementation of the proposed project, as well as long-term effects of the project and significant irreversible environmental changes.
6. **Alternatives.** Presents and assesses the potential environmental impacts of three alternatives (including one no project) analyzed in addition to implementation of the 2022 RTP/SCS.
7. **References/Preparers.** Lists all published materials, federal, State, and local agencies, and other organizations and individuals consulted during the preparation of this EIR. It also lists the EIR preparers.

1.8 Environmental Review Process

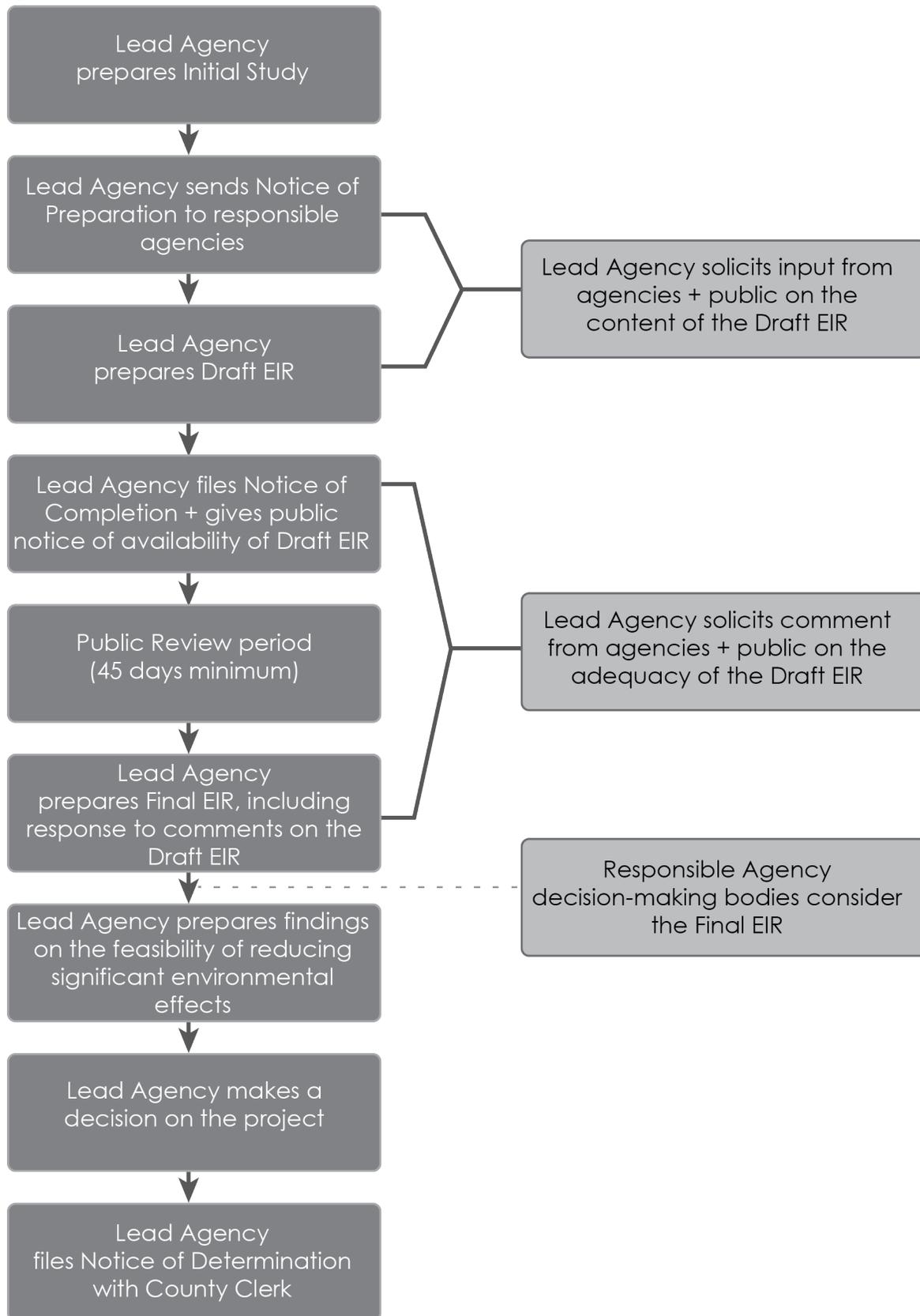
The environmental impact review process, as required under CEQA, is summarized below and illustrated in Figure 1-1. The steps are presented in sequential order.

1. **Notice of Preparation (NOP).** After deciding that an EIR is required, the lead agency (SJCOG) must file a NOP soliciting input on the EIR scope to the State Clearinghouse, other concerned agencies, and parties previously requesting notice in writing (*CEQA Guidelines* Section 15082; Public Resources Code Section 21092.2). The NOP must be posted in the County Clerk's office for 30 days. SJCOG filed the NOP with the County Clerk's office on December 15, 2021.
2. **Draft EIR Prepared.** The Draft EIR must contain: a) table of contents or index; b) summary; c) project description; d) environmental setting; e) discussion of significant impacts (direct, indirect, cumulative, growth-inducing and unavoidable impacts); f) a discussion of alternatives; g) mitigation measures; and h) discussion of irreversible changes.
3. **Notice of Completion (NOC)/Notice of Availability (NOA).** The lead agency must file an NOC with the State Clearinghouse when it completes a Draft EIR and prepare and provide a NOA of a Draft EIR. The lead agency must place the NOA in the County Clerk's office for 30 days (Public Resources Code Section 21092), post on their website along with the DEIR, and send a copy of the notice to anyone requesting it (*CEQA Guidelines* Section 15087). Additionally, public notice of Draft EIR availability must be given through at least one of the following procedures: a) publication in a newspaper of general circulation; b) posting on and off the project site; and c) direct mailing to owners and occupants of contiguous properties. The lead agency must solicit input from other agencies and the public and respond in writing to all comments received (Public Resources Code Sections 21104 and 21253). The minimum public review period for a Draft EIR is 30 days. When a Draft EIR is sent to the State Clearinghouse for review, the public review period must be 45 days unless the State Clearinghouse approves a shorter period (Public Resources Code 21091).
4. **Final EIR.** A Final EIR must include: a) the Draft EIR; b) copies of comments received during public review; c) list of persons and entities commenting; and d) responses to comments.
5. **Certification of Final EIR.** Prior to making a decision on a proposed project, the lead agency must certify that: a) the Final EIR has been completed in compliance with CEQA; b) the Final EIR was presented to the decision-making body of the lead agency; and c) the decision making body reviewed and considered the information in the Final EIR prior to approving a project (*CEQA Guidelines* Section 15090).
6. **Lead Agency Project Decision.** The lead agency may a) disapprove the project because of its significant environmental effects; b) require changes to the project to reduce or avoid significant environmental effects; or c) approve the project despite its significant environmental effects, if the proper findings and statement of overriding considerations are adopted (*CEQA Guidelines* Sections 15042 and 15043).
7. **Findings/Statement of Overriding Considerations.** For each significant impact of the project identified in the EIR, the lead agency must find, based on substantial evidence, that either: a) the project has been changed to avoid or substantially reduce the magnitude of the impact; b) changes to the project are within another agency's jurisdiction and such changes have or should be adopted; or c) specific economic, social, or other considerations make the mitigation measures or project alternatives infeasible (*CEQA Guidelines* Section 15091). If an agency approves a project with unavoidable significant environmental effects, it must prepare a written

Statement of Overriding Considerations that sets forth the specific social, economic, or other reasons supporting the agency's decision.

8. **Mitigation Monitoring Reporting Program.** When the lead agency makes findings on significant effects identified in the EIR, it must adopt a reporting or monitoring program for mitigation measures that were adopted or made conditions of project approval to mitigate significant effects.
9. **Notice of Determination (NOD).** The lead agency must file a NOD after deciding to approve a project for which an EIR is prepared (*CEQA Guidelines* Section 15094). A local agency must file the NOD with the County Clerk. The NOD must be posted for 30 days and sent to anyone previously requesting notice. Posting of the NOD starts a 30-day statute of limitations on CEQA legal challenges (Public Resources Code Section 21167[c]).

Figure 1-1 Environmental Review Process



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