



**OJAI VALLEY SANITARY DISTRICT**

A Public Agency

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**MEETING OF THE  
CEQA REVIEW/ENVIRONMENTAL COMMITTEE**

Date & Time:

July 12, 2017

Wednesday @ 9:30 a.m.

Location:

OVSD Board Room

Members:

Russ Baggerly

Stan Greene

William Ulrich

**A G E N D A**

1. **Select Chairman For The Committee**
2. **Call the Meeting to Order**
3. **Public Comment - (Items not on the agenda - 3 minute limit)**

**ITEMS FOR COMMITTEE CONSIDERATION, DISCUSSION & POSSIBLE  
RECOMMENDATION TO THE BOARD OF DIRECTORS**

4. **Review of California Environmental Quality Act (Pub. Res. Code Section 21000 et seq.) Requirements and Procedures in general and in relation to OVSD Activities**
5. **Reports**
  - b. Committee Members pursuant to Government Code §54954.2
  - c. General Manager on District Activities related to this Board Committee.
6. **Adjournment**

A staff report providing more detailed information is available for most agenda items, and may be reviewed in the District office during regular business hours. Copies of individual reports may be requested from Brenda Krout (646-5548).

ATTEST TO POSTING:

**Brenda Krout – Clerk of the Board**

**July 7, 2017 @ 1:30 P.M.**

**Date & Time Posted At District Office**

# ITEM #4

Memorandum

**Ojai Valley Sanitary District**

July 7, 2017

To: CEQA Review/Environmental Committee – Russ Baggerly, Stan Greene & Bill Ulrich

From: Jeff Palmer, General Manager 

Subject: Review of CEQA Procedures In General and In Relation to OVSD Activities

OVSD, as a public agency, is subject to the requirements of the California Environmental Quality Act (Pub. Res. Code section 21000 et seq.) for discretionary development projects within its jurisdiction. OVSD has adopted, through Resolution 2011-04, the Administrative Supplement which further outlines its compliance and implementation of CEQA.

CEQA is a landmark California environmental statute and regulation (title 14 Calif. Code of Regs., section 15000 et seq.["CEQA Guidelines"]). It is essentially an environmental impact review process by which agency projects document and analyze potentially significant environmental impact(s) of a proposed development project. New development, roads construction, grading, utility work, buildings and any other type of physical change require CEQA analysis. It also applies to public agency rulemaking (quasi-legislative) and permitting (quasi-adjudicatory) actions in order to ensure that these actions don't cause significant impacts to the environment. CEQA looks at water, air, traffic, noise, light, trees, plants, animals, fish, historic structures, cultural resources and other environmental media where a project might cause significant impacts.

CEQA is used to analyze a project and to inform the decision making body about a project's potential to cause a significant environmental impact. Besides being an environmental impact disclosure tool, CEQA requires mitigation measures to lessen potentially significant environmental impacts from the project and provide a reasonable range of feasible project alternatives. CEQA is also the process by which the public is able to view and comment on a proposed development project before the project is considered for approval, approval with conditions or denial.

CEQA can be reduced to a three-step process of (1) determining if the development is a project under CEQA; (2) determining if the project is exempt or not; and (3) conduct an initial study of the project to determine if the project may have a significant effect on the environment.

There are two types of CEQA exemptions – statutory and categorical. There are 33 classes or categories of exempt projects as outlined in the CEQA Guidelines and OVSD Administrative Supplement. For instance, digging in a public street to repair a cracked or collapsed sewer line is an exempt project from CEQA. But the Rebuilding the Treatment Plant in 1996 and the 2007 Ventura Avenue Improvement Project were not exempt and required full Environmental Impact Reports (EIR).

Ministerial projects are not subject to CEQA because no agency discretion is involved and are only subject to codes and standards. Window replacement, water heater replacement, pool construction and the like must comply with appropriate electrical and plumbing codes but generally are not subject to CEQA.

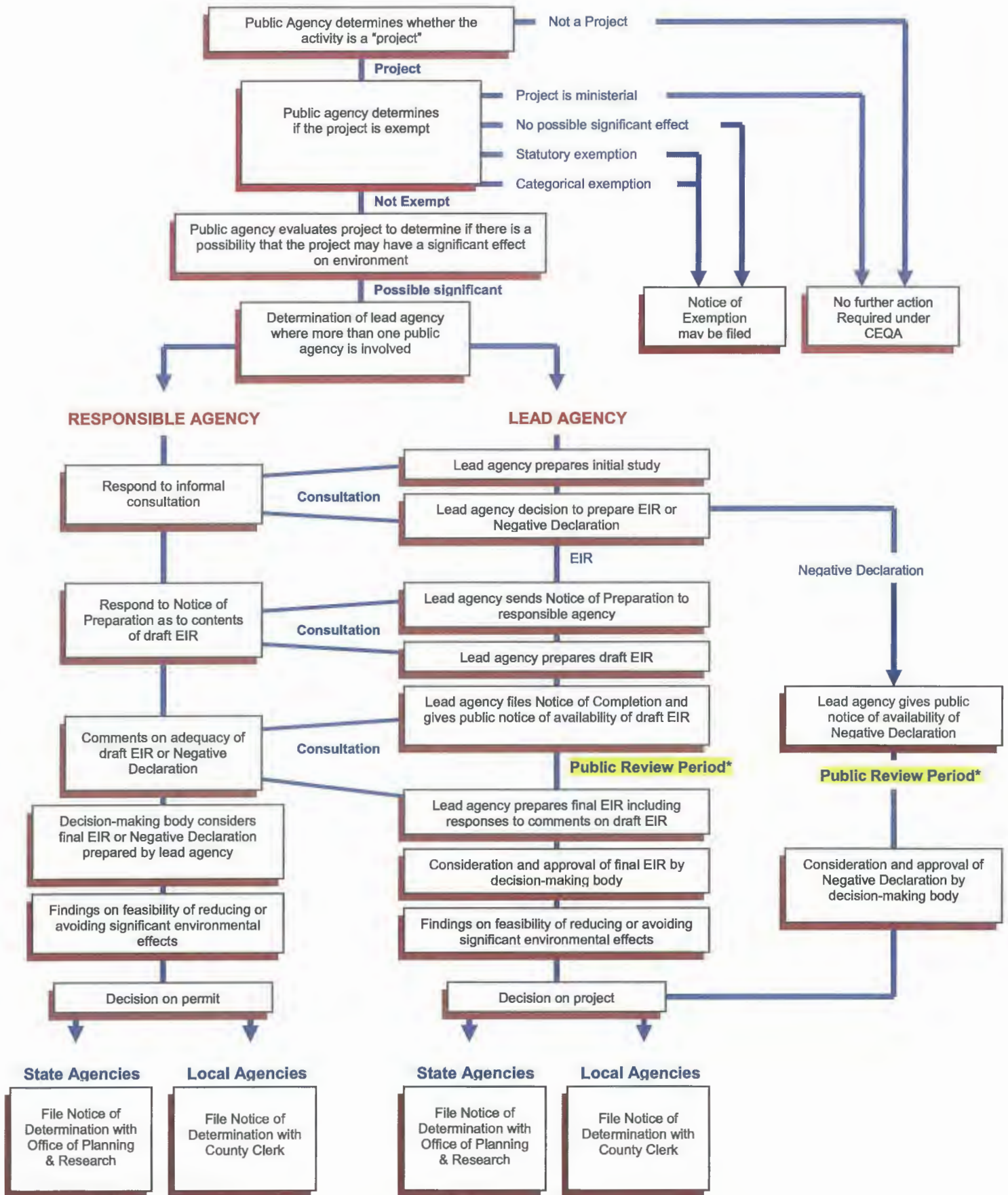
Statutory and categorically exempt projects also are not subject to CEQA because either the Legislature or the Office of Planning Research have determined that the project has a de minimis level of environmental impact or the project, for a variety of reasons, outweighs any environmental impact it might have. In our case, dig up repairs, line reconstruction, repairs and maintenance are CEQA exempt. As long as the work is in the same location and does not add capacity it is exempt.

A negative declaration is allowed when the CEQA process shows that there is no substantial evidence that the project may have a significant effect on the environment. A Mitigated Negative Declaration is permissible if project revisions or mitigation measures to a project with potentially significant environmental impacts would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur. A typical example is where traffic impacts are avoided by restricting construction traffic to certain hours to avoid commuter or school hours.

And finally, an Environmental Impact Report (EIR) is required to address a development project with the potential to cause significant environmental impacts.

There are nuances to CEQA, meaning that a project may mostly be ministerial but may have one area of impact that requires CEQA review. In that case, the entire project is subject to CEQA. There are no "mitigated exemptions". Once a project is defined and impacts are identified, the process must be followed to conclusion with public comment, hearing, approval and filing a Notice of Determination.

# CEQA Process Flow Chart



Source: California Environmental Resources Evaluation System, [http://ceres.ca.gov/topic/env\\_law/ceqa/flowchart/index.html](http://ceres.ca.gov/topic/env_law/ceqa/flowchart/index.html)

\* The public review and comment period shall not be less than 30 days and nor should it be longer than 60 days, per the CEQA Guidelines at [http://ceres.ca.gov/topic/env\\_law/ceqa/guidelines/](http://ceres.ca.gov/topic/env_law/ceqa/guidelines/)



## V. Compliance Timeline and Consultation Process Flowchart

