

CEQA FAQ

City of East Palo Alto



What is CEQA?

The California Environmental Quality Act (CEQA) is a State law that requires state and local agencies to inform decision makers and the public about the potential environmental impacts of proposed projects, and to identify ways to avoid or mitigate those impacts, if feasible. If a project has the potential to cause adverse impacts, the public agency must prepare an Environmental Impact Report (EIR).

What is an EIR?

An EIR is a document that contains in-depth studies of potential environmental impacts (including construction and operation of a project), mitigation measures to reduce or avoid those impacts, and an analysis of alternatives. The EIR itself does not determine whether a project will be approved; instead, it is an informational and disclosure document taken under consideration during the City's decision-making process.

What is in an EIR?

Generally, an EIR covers the following environmental areas:

- Aesthetics
- Agriculture
- Air Quality
- Biological Resources
- Cultural Resources
- Energy
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Minerals
- Noise
- Population and Housing
- Public Services
- Recreation
- Transportation
- Tribal Cultural Resources
- Utilities and Service Systems
- Wildfire

An EIR also includes a project description, describes the environmental setting, identifies significant environmental impacts and potential adverse effects to the environment, technical studies looking at the topics listed above if there is the potential for an impact, mitigation measures to avoid or lessen the impacts, and alternatives to the project.

Project Information	
PROJECT NAME:	<u>University Circle Phase II Office Project</u>
PROJECT ADDRESS:	<u>1900, 1950, 2000, and 2050 University Circle</u>
PROJECT WEBSITE:	https://www.cityofepa.org/planning/project/university-circle-phase-ii
WHERE TO PROVIDE COMMENT	
The City of East Palo Alto invites you to comment on this project. Please email:	
universitycircleproject@cityofepa.org	
Include "University Circle Phase II" in the subject line. Also, please note that written correspondence is typically considered a public record and may be attached to staff reports, which are posted on the City's website.	

University Circle Phase II Office Project - Important Dates

Activity	Date
Planning Commission Public Scoping Meeting	June 22, 2020
Release of Draft EIR and 45-day Public Comment Period	November 5, 2021-December 20, 2021
Planning Commission Hearing on Draft EIR	November 29, 2021
City Council Hearing on Certification of Final EIR and Entitlements	First Quarter of 2022

Who must comply with CEQA, and who is responsible for approving an EIR?

A public agency must comply with CEQA when it undertakes an activity defined by CEQA as a “project”. A project is an activity undertaken by a public agency or a private activity which must receive some discretionary approval from a public agency which may cause either a direct physical change or a reasonably foreseeable indirect change in the environment. Discretionary approval means that there is an exercise of judgement or deliberation by a governing body, such as the Planning Commission or City Council, in determining whether a project will be approved, or a permit is issued. Discretionary approvals include Design Review Permits, Conditional Use Permits, and legislative actions such as Zoning Amendments and General Plan Amendments.

What are the major steps to the CEQA Process and when can I provide input on a CEQA document?

Major steps include:

Activity		Purpose	Public Participation Opportunity
1	Notice of Preparation (NOP)	Communicates to the public, agencies, and organizations an EIR is being prepared. Also serves to solicit input on the scope and content of the environmental information to be included in the EIR.	Public Meeting(s). A scoping meeting informs the public that the City is evaluating a project under CEQA and allows the City to solicit public comment and identify possible impacts.
2	Draft EIR (DEIR)	The DEIR is the first iteration of environmental analyses collecting the project description, identification of impacts, technical studies, mitigation measures and alternatives	DEIR includes publication of NOP public comments.
3	Notice of Availability (NOA)	An NOA signals that the DEIR is available for public review and comment for no less than 45 days. The NOA also identifies where the DEIR may be reviewed and how to submit comments on the DEIR.	Public Comment. The NOA is typically circulated to nearby property owners and occupants, posted at the site, posted on the city's project website, and filed with the State Clearinghouse. The public may submit comments at any time during the 45 day public comment period. Public Hearing. A public meeting is held to solicit comments from the Planning Commission and the public on the Draft EIR.
4	Final EIR	A Final EIR includes responses to public comments received after release of the DEIR and any additional relevant project information.	FEIR includes comments and responses to DEIR public comments.
5	Certification	A certification is an official position taken by the City indicating that the EIR has complied with CEQA for the identified project.	Public Hearing. The decision-making body certifies the EIR at a Public Hearing with a portion of the meeting is dedicated to public comment.

Public input is a critical component of the CEQA environmental review process. There are many opportunities to participate including via email, mail, or during public scoping meetings. Additionally, when a Draft EIR (DEIR) has been completed, the City must notify the public that the DEIR is available for review and comment through the Notice of Availability (NOA). The NOA will include general information about a project; the comment period, the date, time and location of public hearings, and the location where the DEIR and supplemental information is available for review. The public review and comment period is generally 45 days.

How is public input addressed in the Final EIR?

The Final EIR includes responses to public and agency comments. Commenters should provide detailed comments that focus on the sufficiency of the Draft EIR in identifying and analyzing the possible impacts on the environment and ways in which the significant effects of the project might be avoided or reduced (CEQA Guidelines Section 15204). Commenters should also provide an explanation and evidence supporting their comments (CEQA Guidelines Section 15204). The City, as the lead agency for the project, in turn, must evaluate all comments on environmental issues received on the Draft EIR and prepare a written response (CEQA Guidelines Section 15088). The written response must address the significant environmental issue raised and must be detailed, especially when specific comments or suggestions (e.g., additional mitigation measures) are not accepted.

Where can I learn more about the CEQA Process?

The California Governor's Office of Planning and Research provides additional material and links to learn about CEQA. Please visit <https://opr.ca.gov/ceqa> for more information.

KEY TERMS

Cumulative Impacts: two or more individual effects, which when combined, compound or increase other environmental impacts.

Discretionary Approval: an action which requires the exercise of judgment, deliberation or a decision on the part of the city, in the process of approving or disapproving a particular activity.

Environment: the physical conditions which exist within the area which will be affected by a proposed project, including land, air, water, minerals, flora, fauna, noise, and objects of historic or aesthetic significance.

Initial Study: the Initial Study is used to decide whether to prepare an EIR or a Negative Declaration. A Negative Declaration can be prepared if the proposed project will have no potential for significant impacts. If the Initial Study identified potentially significant effects resulting from the project, but the project is altered or the applicant agrees to conditions which will mitigate the identified significant impacts, then the lead agency may issue a Mitigated Negative Declaration. If the Initial Study finds substantial evidence that the project will have a significant effect on the environment, then an EIR must be prepared.

Lead Agency: the public agency that has the principal authority for carrying out or approving a project.

Less-than-Significant Impact: an impact that does not reach the standard of significance, indicating that there would be no substantial change in the environment. No mitigation is required for less-than-significant impacts.

Mitigation Measures: measures that will minimize, avoid, or eliminate a significant impact.

Project: An activity which may cause either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment, and which is any of the following: (1) An activity directly undertaken by any public agency; (2) An activity undertaken by a person which is supported, in whole or in part, through contracts, grants, subsidies, loans, or other forms of assistance from one or more public agencies; and (3) An activity that involves the issuance to a person of a lease, permit, license, certificate, or other entitlement for use by one or more public agencies.

Project-Specific Impact: all the direct or indirect environmental effects of a project other than cumulative effects and growth-inducing effects.

Public Review Period: a period of specified duration during which anyone may review and comment on an environmental document.

Significant Impact: a substantial, or potentially substantial, adverse change in the environment.