

CEQA

The California Environmental Quality Act

Chapter 2.5. Definitions

(Added: Chapter 1154, Statutes of 1972)

Sections 21060 to 21069

21060. Application of Definitions

Unless the context otherwise requires, the definitions in this chapter govern the construction of this division.

21060.1. Agricultural Land

(a) "Agricultural land" means prime farmland, farmland of statewide importance, or unique farmland, as defined by the United States Department of Agriculture land inventory and monitoring criteria, as modified for California.

(b) In those areas of the state where lands have not been surveyed for classifications specified in subdivision (a), "agricultural land" means land that meets the requirements of "prime agricultural land" as defined in paragraph (1), (2), (3), or (4) of subdivision (c) of Section 51201 of the Government Code.

(Added: Chapter 812, Statutes of 1993)

21060.3. Emergency

"Emergency" means a sudden, unexpected occurrence, involving a clear and imminent danger, demanding immediate action to prevent or mitigate loss of, or damage to, life, health, property, or essential public services. "Emergency" includes such occurrences as fire, flood, earthquake, or other soil or geologic movements, as well as such occurrences as riot, accident, or sabotage.

(Added: Chapter 1312, Statutes of 1976)

21060.5. Environment

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

(Added: Chapter 1154, Statutes of 1972)

21061. Environmental Impact Report

"Environmental impact report" means a detailed statement setting forth the matters specified in Sections 21100 and 21100.1; provided that information or data which is relevant to such a statement and is a matter of public record or is generally available to the public need not be repeated in its entirety in such statement, but may be specifically cited as the source for conclusions stated therein; and provided further that such information or data shall be briefly described, that its relationship to the environmental impact report shall be indicated, and that the source thereof shall be reasonably available for inspection at a public place or public building. An environmental impact report also includes any comments which are obtained pursuant to Section 21104 or 21153, or which are required to be obtained pursuant to this division.

An environmental impact report is an informational document which, when its preparation is required by this division, shall be considered by every public agency prior to its approval or disapproval of a project. The purpose of an environmental impact report is to provide public agencies and the public in general with detailed information about the effect which a proposed project is likely to have on the environment; to list ways in which the significant effects of such a project might be minimized; and to indicate alternatives to such a project.

In order to facilitate the use of environmental impact reports, public agencies shall require that such reports contain an index or table of contents and a summary. Failure to include such index, table of contents, or summary shall not constitute a cause of action pursuant to Section 21167.

(Amended: Chapter 1312, Statutes of 1976)

21061.1. Feasible

"Feasible" means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors.

(Added: Chapter 1312, Statutes of 1976)

21061.2. Land Evaluation and Site Assessment

"Land evaluation and site assessment" means a decisionmaking methodology for assessing the potential environmental impact of state and local projects on agricultural land.

(Added: Chapter 812, Statutes of 1993)

21062. Local Agency

"Local agency" means any public agency other than a state agency, board, or commission. For purposes of this division, a redevelopment agency and a Local Agency Formation Commission are local agencies, and neither is a state agency, board, or commission.

(Amended: Chapter 222, Statutes of 1975)

21063. Public Agency

"Public agency" includes any state agency, board, or commission, any county, city and county, city, regional agency, public district, redevelopment agency, or other political subdivision.

(Added: Chapter 1154, Statutes of 1972)

21064. Negative Declaration

"Negative declaration" means a written statement briefly describing the reasons that a proposed project will not have a significant effect on the environment and does not require the preparation of an environmental impact report.

(Added: Chapter 1312, Statutes of 1976)

21064.5. Mitigated Negative Declaration

"Mitigated negative declaration" means a negative declaration prepared for a project when the initial study has identified potentially significant effects on the environment, but (1) revisions in the project plans or proposals made by, or agreed to by, the applicant before the proposed negative declaration and initial study are released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effect on the environment would occur, and (2) there is no substantial evidence in light of the whole record before the public agency that the project, as revised, may have a significant effect on the environment.

(Added: Chapter 1130, Statutes of 1993; Amended: Chapter 1230, Statutes of 1994)

21065. Project

"Project" means 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:

- (a) An activity directly undertaken by any public agency.
- (b) 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.
- (c) 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.

(Amended: Chapter 1230, Statutes of 1994)

21065.5. Geothermal Exploratory Project

"Geothermal exploratory project" means a project as defined in Section 21065 composed of not more than six wells and associated drilling and testing equipment, whose chief and original purpose is to evaluate the presence and characteristics of geothermal resources prior to commencement of a geothermal field development project as defined in Section 65928.5 of the Government Code. Wells included within a geothermal exploratory project must be located at least one-half mile from geothermal development wells which are capable of producing geothermal resources in commercial quantities.

(Added: Chapter 1271, Statutes of 1978)

21066. Person

"Person" includes any person, firm, association, organization, partnership, business, trust, corporation, limited liability company, company, district, county, city and county, city, town, the state, and any of the agencies and political subdivisions of those entities, and, to the extent permitted by federal law, the United States, or any of its agencies or political subdivisions.

(Amended: Chapter 272, Statutes of 1998)

21067. Lead Agency

"Lead Agency" means the public agency which has the principal responsibility for carrying out or approving a project which may have a significant effect upon the environment.

21068. Significant Effect on the Environment

"Significant effect on the environment" means a substantial, or potentially substantial, adverse change in the environment.

(Added: Chapter 1312, Statutes of 1976)

21068.5. Tiering or Tier

"Tiering" or "tier" means the coverage of general matters and environmental effects in an environmental impact report prepared for a policy, plan, program or ordinance followed by narrower or site-specific environmental impact reports which incorporate by reference the discussion in any prior environmental impact report and which concentrate on the environmental effects which (a) are capable of being mitigated, or (b) were not analyzed as significant effects on the environment in the prior environmental impact report.

(Added: Chapter 967, Statutes of 1983)

21069. Responsible Agency

"Responsible Agency" means a public agency, other than the lead agency which has

responsibility for carrying out or approving a project.

(Added: Chapter 1312, Statutes of 1976)

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