

CEQA

The California Environmental Quality Act

Chapter 4.5. Streamlined Environmental Review

(Added: Chapter 1130, Statutes of 1993)

Sections 21156 to 21159.9

Article 2

MASTER ENVIRONMENTAL IMPACT REPORT

21157. Use; Content; Fee Program

(a) A master environmental impact report may be prepared for any one of the following projects:

- (1) A general plan, element, general plan amendment, or specific plan.
- (2) A project that consists of smaller individual projects which will be carried out in phases.
- (3) A rule or regulation which will be implemented by subsequent projects.
- (4) Projects which will be carried out or approved pursuant to a development agreement.
- (5) Public or private projects which will be carried out or approved pursuant to, or in furtherance of, a redevelopment plan.
- (6) A state highway project or mass transit project which will be subject to multiple stages of review or approval.
- (7) A regional transportation plan or congestion management plan
- (8) A plan proposed by a local agency for the reuse of a federal military base or reservation that has been closed or that is proposed for closure.
- (9) Regulations adopted by the Fish and Game Commission for the regulation of hunting and fishing.

(b) When a lead agency prepares a master environmental impact report, the document shall include all of the following:

- (1) A detailed statement as required by Section 21100.

(2) A description of anticipated subsequent projects that would be within the scope of the master environmental impact report, that contains sufficient information with regard to the kind, size, intensity, and location of the subsequent projects, including, but not limited to, all of the following:

(A) The specific type of project anticipated to be undertaken.

(B) The maximum and minimum intensity of any anticipated subsequent project, such as the number of residences in a residential development, and, with regard to a public works facility, its anticipated capacity and service area.

(C) The anticipated location and alternative locations for any development projects.

(D) A capital outlay or capital improvement program, or other scheduling or implementing device that governs the submission and approval of subsequent projects.

(3) A description of potential impacts of anticipated subsequent projects for which there is not sufficient information reasonably available to support a full assessment of potential impacts in the master environmental impact report. This description shall not be construed as a limitation on the impacts which may be considered in a focused environmental impact report.

(c) Lead agencies may develop and implement a fee program in accordance with applicable provisions of law to generate the revenue necessary to prepare a master environmental impact report.

(Amended: Added: Chapter 1130, Statutes of 1993. Amended: Chapter 1229, Statutes of 1994; Chapter 1294, Statutes of 1994; Chapter 444, Statutes of 1996)

21157.1. Review of Subsequent Projects

The preparation and certification of a master environmental impact report, if prepared and certified consistent with this division, may allow for the limited review of subsequent projects that were described in the master environmental impact report as being within the scope of the report, in accordance with the following requirements:

(a) The lead agency for the subsequent project shall be the lead agency or any responsible agency identified in the master environmental impact report.

(b) The lead agency shall prepare an initial study on any proposed subsequent project. This initial study shall analyze whether the subsequent project may cause any significant effect on the environment that was not examined in the master environmental impact report and whether the subsequent project was described in the master environmental impact report as being within the scope of the project.

(c) If the lead agency, based on the initial study, determines that a proposed subsequent project will have no additional significant effect on the environment, as defined in subdivision (d) of Section 21158, that was not identified in the master environmental impact report and that no new or additional mitigation measures or

alternatives may be required, the lead agency shall make a written finding based upon the information contained in the initial study that the subsequent project is within the scope of the project covered by the master environmental impact report. No new environmental document nor findings pursuant to Section 21081 shall be required by this division. Prior to approving or carrying out the proposed subsequent project, the lead agency shall provide notice of this fact pursuant to Section 21092 and incorporate all feasible mitigation measures or feasible alternatives set forth in the master environmental impact report which are appropriate to the project. Whenever a lead agency approves or determines to carry out any subsequent project pursuant to this section, it shall file a notice pursuant to Section 21108 or 21152.

(d) Where a lead agency cannot make the findings required in subdivision (c), the lead agency shall prepare, pursuant to Section 21157.7, either a mitigated negative declaration or environmental impact report.

(Added: Chapter 1130, Statutes of 1993. Amended: Chapter 1294, Statutes of 1994)

21157.5. Mitigated Negative Declaration

(a) A proposed mitigated negative declaration shall be prepared for any proposed subsequent project if both of the following occur:

(1) An initial study has identified potentially new or additional significant effects on the environment that were not analyzed in the master environmental impact report.

(2) Feasible mitigation measures or alternatives will be incorporated to revise the proposed subsequent project, before the negative declaration is released for public review, in order to avoid the effects or mitigate the effects to a point where clearly no significant effect on the environment will occur.

(b) If there is substantial evidence in light of the whole record before the lead agency that the proposed subsequent project may have a significant effect on the environment and a mitigated negative declaration is not prepared, the lead agency shall prepare an environmental impact report or a focused environmental impact report pursuant to Section 21158.

(Added: Chapter 1130, Statutes of 1993)

21157.6. Limit on Use of Master Environmental Impact Report

The master environmental impact report shall not be used for the purposes of this chapter if (1) the certification of the report occurred more than five years prior to the filing of an application for the subsequent project, or (2) if the approval of a project that was not described in the report may affect the adequacy of the environmental review in the report for any subsequent project, unless the lead agency reviews the adequacy of the master environmental impact report and does either of the following:

(a) Finds that no substantial changes have occurred with respect to the circumstances under which the master environmental impact report was certified or that no new information, which was not known and could not have been known at the time that

the master environmental impact report was certified as complete, has become available.

(b) Certifies a subsequent or supplemental environmental impact report which has been either incorporated into the previously certified master environmental impact report or references any deletions, additions, or any other modifications to the previously certified master environmental impact report.

(Added: Chapter 1130, Statutes of 1993. Amended: Chapter 1294, Statutes of 1994)

21157.7. *(Added: Chapter 1130, Statutes of 1993. Repealed: Chapter 1294, Statutes of 1994)*

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