

# CEQA

The California Environmental Quality Act

## Final Adopted Revision to State CEQA Guideline 14 C.C.R. Section 15064(i) including nonsubstantial changes

Amend subsection (i) of Section 15064 of Title 14 of the California Code of Regulations to read:

~~(i) If an air emission or water discharge meets the existing standard for a particular pollutant, the Lead Agency may presume that the emission or discharge of the pollutant will not be a significant effect on the environment. If other information is presented suggesting that the emission or discharge may cause a significant effect, the Lead Agency shall evaluate the effect and decide whether it may be significant.~~

(1)(A) Except as otherwise required by Section 15065, a change in the environment is not a significant effect if the change complies with a standard that meets the definition in subsection (i) (3).

(B) If there is a conflict between standards, the lead agency shall determine which standard is appropriate for purposes of this subsection based upon substantial evidence in light of the whole record.

(C) Notwithstanding subsection (i)(1)(A), if the lead agency determines on the basis of substantial evidence in light of the whole record that a standard is inappropriate to determine the significance of an effect for a particular project, the lead agency shall determine whether the effect may be significant as otherwise required by this section, Section 15065, and the Guidelines.

(2) In the absence of a standard that satisfies subsection (i)(1)(A), the lead agency shall determine whether the effect may be significant as otherwise required by this section, Section 15065, and the Guidelines.

(3) For the purposes of this subsection a "standard" means a standard of general application that is all of the following:

(A) a quantitative, qualitative or performance requirement found in a statute, ordinance, resolution, rule, regulation, order, or other standard of general application;

(B) adopted for the purpose of environmental protection;

(C) adopted by a public agency through a public review process to implement, interpret, or make specific the law enforced or administered by the public agency;

(D) one that governs the same environmental effect which the change in the environment is impacting; and.

(E) one that governs within the jurisdiction where the project is located.

(4) This definition includes thresholds of significance adopted by lead agencies which meet the requirements of this subsection.

Note: Authority cited: Sections 21083 and 21087, Public Resources Code.  
Reference: Sections 21003, 21065, 21068, 21080, 21082, 21082.1, 21082.2, 21083 and 21100; *No Oil, Inc. v. City of Los Angeles* (1974) 13 Cal.3d 68.

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