

Outline – (week 10)

- Freewrite
- Resource Area: Geology (finish)
- Process: EIR and commenting
- Presentations

Freewrite:

- Please describe three common ways
 - geological impacts and
 - water impactsof human activities are linked together.

Resource Area: Geology

- Geology
 - Expose people to substantial adverse effects including loss, injury or death due to:
 - ✦ fault rupture
 - **California Department of Conservation:**
 - Alquist Priolo Earthquake Fault Zone maps
 - http://www.consrv.ca.gov/CGS/rghm/ap/Map_index/F4B.htm#SE
 - ✦ ground shaking
 - <http://www.consrv.ca.gov/cgs/smip/Pages/shakemap.aspx>

Shaking in CA

http://www.abag.ca.gov/bayarea/eqmaps/map_sba.html

What's Shaking in San Jose

More geologic thresholds

- Seismic Ground Failure
 - sink holes
 - liquefaction: solid turns to liquid
- landslides
 - US Geological Survey (USGS)
<http://walrus.wr.usgs.gov/hazards/offquake.html>
 - Association of Bay Area Governments:
<http://quake.abag.ca.gov>

Earthquake-induced landslide

- Northridge, CA
- Photo: USGS

Santa Clara County landslide risk

Geology thresholds continued

- Substantial soil erosion or loss of topsoil?
 - Natural Resource Conservation Service has definitions and maps
 - <http://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx>
- Located on expansive or unstable soil?
 - Most cities have maps in general plans, not online yet
 - <http://geology.com/articles/soil/>

Some mitigations

- Geology
 - Engineer project to avoid failure

– <http://www.scec.org/resources/catalog/hazardmitigation.html>

– Avoid landslide/liquefaction areas

- Erosion (very common)
 - for erosion control info
 - ✦ <http://www.abag.ca.gov/bayarea/enviro/erosion/erosion.html>

The assessment process

- Phase one - Scoping
 - Define project
 - Check for exemptions
- Phase two – Focusing - Initial Study
 - Checklist and explanations
- Phase three - Evaluation of significance
 - Negative Declaration or
 - Environmental Impact Report
- Decision
 - **Public Notice of Intent to Adopt N.D.**
- posted at
 - county clerk's office for 20 days
 - for projects of regional importance: sent to State Clearinghouse (SCH) and posted online - 30 Days
- mailed to
 - responsible agencies
 - any party requesting a copy in advance
- and either
 - published in newspaper
 - posted on and near project site, or
 - mailed to owners and occupants of contiguous properties

Introduction to the EIR process

- READ CHAPTER 5!!!
- Differences between EIR and ND:
 - Alternatives are required
 - Do not need to mitigate all impacts
 - Timing!
 - ✦ ND = 8 month maximum
 - ✦ EIR = 2 year maximum
 - Drafting process:
 - ✦ final EIR must respond to comments on draft

Preparation of Draft EIR

- Who prepares it?
 - Lead agency (or consultants)
- Style?
 - simple and straightforward,
 - Analytic rather than encyclopedic
 - cite all relevant materials completely
- Length?
 - body under 150 pages (300 at most),
 - additional technical info in appendices
- Focus?
 - Significant Environmental Impacts
 - As specific as the project

Required components of Draft EIR (DEIR)

- Table of Contents
- Summary
- Project Description - including
 - *clear statement of objectives*
 - precise location w/local and regional map
 - physical parameters
 - required approvals
 - future phases
- Checklist (like Initial Study)

Impact assessments by resource area

- Environmental Setting
- Threshold
- Impact Significance
 - For EIR, significance standard is higher than for initial study
 - ♦ “Rule of reason:” disagreement among experts does not mandate “significant” determination
- Explanation
- Mitigations
- Mitigation Monitoring Program

***Alternatives**

- Not required for ND or Mitigated ND!
- Start with a broad list of alternatives, e.g.:
 - ♦ different sites
 - ♦ different layouts on site
 - ♦ entirely different strategies to achieve objectives
- Screen alternatives
 - Feasible?
 - Meet project objectives?
 - Avoid some significant impacts?
- Choose
 - a range of feasible alternatives (enough to permit “reasoned choice between them”
 - ♦ usually 3 to 5 *and*
 - a “no-project” alternative
- Evaluate environmental impacts of each selected alternative (*including* no project)
- identify environmentally superior alternative (*other than* no-project)

DEIR Circulation

- Minimum of 30 days
 - 45 days for larger projects
 - ♦ Send 10 copies of most DEIRs to SCH
- State Clearinghouse (SCH)
 - distributes to Responsible Agencies
 - posts notices weekly on ceres.ca.gov/planning/ead/index.html
- Notice of Completion to
 - county clerk,
 - all agencies,
 - publish in newspaper, on site, or mail to contiguous properties

Final EIR (FEIR)

- Final EIR must carefully respond to all environmental comments
- May be a revision of DEIR, more commonly simply a separate document with responses
- Responsible agencies must receive FEIR at least 10 days before decision date
- Circulation of FEIR to the public is *recommended not required*.

Certification

- Before approving project...
- Lead agency *certifies* that EIR
 - was prepared in conformance w/CEQA
 - was presented to decisionmakers *before* approving project
 - reflects independent judgement of lead agency

After FEIR Certification

- Decisionmakers have three choices if significant environmental impacts remain:
- disapprove project
 - require changes that reduce or avoid them
 - approve project with a Statement of Overriding Considerations
 - ♦ summarizes unavoidable impacts
 - ♦ lists specific social, economic, or other factors that justify approving project

Notice of Determination

- After approving project, lead agency
- files a Notice of Determination with
 - ♦ county clerk and possibly State OPR
 - ♦ Must be filed within 5 days of decision
 - statute of limitations
 - ♦ 30 days from NOD to file lawsuit
 - ♦ If NOD is not filed w/in 5 days, then statute of limitations is 180 days

PRESENTATIONS

- Pick up comment sheets
- Get with your group
- Pick up a camera
- Find your assigned room
- Set up camera and projector/computer
- Load your presentations on to one computer
- Test equipment
- Assign a timekeeper
 - no more than 7 minutes per presentation
- Turn in final IS, ND or NOP and comment sheets to GHG 405
- Return equipment to 1st floor of IRC (by DMH)

Questions:

What was the muddiest part of today’s class?

What one question would you like to be

answered?

*What was the most interesting part of
today's class?*