AMENDMENTS TO SENATE BILL NO. 317
AS AMENDED IN ASSEMBLY AUGUST 26, 2011

Amendment 1
In the heading, below line 1, insert:

(Principal coauthor: Assembly Member Perea)

Amendment 2
In the title, strike out lines 1 and 2 and insert:

An act to add Division 13.6 (commencing with Section 21200) to the Public Resources Code, relating to environmental quality.

Amendment 3
On page 2, before line 1, insert:

SECTION 1. Division 13.6 (commencing with Section 21200) is added to the Public Resources Code, to read:

DIVISION 13.6. SUSTAINABLE ENVIRONMENTAL PROTECTION ACT

21200. This division shall be known and may be cited as the Sustainable Environmental Protection Act.

21200.5. The Legislature finds and declares all of the following:
(a) The Legislature adopted the California Environmental Quality Act (Division 13 (commencing with Section 21000)) (CEQA) in 1970 in recognition that the maintenance of a quality environment for the people of this state is a matter of statewide concern.
(b) Guidelines implementing CEQA have evolved and expanded, and currently provide that project impacts be evaluated based on 84 criteria covering the following 17 environmental topical areas:
(1) Air quality.
(2) Biological resources, including protected species and habitat types.
(3) Cultural resources, including archaeological resources.
(4) Geology and soils, including seismic and landslide risk.
(5) Greenhouse gas emissions.
(6) Hazards and hazardous materials, including toxic chemical exposures, brownfields or contaminated site issues, and accident risks.
(7) Hydrology and water quality, including flooding and sea level rise.
(8) Land use planning, including consistency with land use plans.
(9) Public services, including fire and police protection, schools, parks, and other public facilities.
(10) Traffic and transportation, including transit, vehicular, bicycle, and pedestrian transportation, emergency access, and roadway safety.

(11) Utilities and service systems, including wastewater, water supply, stormwater, landfill, and waste management systems.

(12) Aesthetics.

(13) Agriculture and forestry resources.

(14) Mineral resource availability.

(15) Noise.

(16) Population and housing growth.

(17) Recreational resources.

(c) In the years before and the 40 years following the enactment of CEQA, Congress and the Legislature have each adopted more than 100 laws to protect environmental quality in those environmental topical areas required to be independently mitigated under CEQA described in subdivision (b). The Legislature has enacted environmental protection laws that are as or more stringent than federal law, and California environmental laws are often at the cutting edge of environmental protection nationally and even globally. These environmental protection laws, all enacted after 1970, include, but are not limited to, the following:

(1) Air quality, including air pollution and toxic air contaminants: the federal Clean Air Act (42 U.S.C. Sec. 7401 et seq.) and the federal Acid Precipitation Act of 1980 (42 U.S.C. Sec. 8901 et seq.), and California air quality laws, including Division 26 (commencing with Section 39000) of the Health and Safety Code, the Protect California Air Act of 2003 (Chapter 4.5 (commencing with Section 42500) of Part 4 of Division 26 of the Health and Safety Code), the Carl Moyer Memorial Air Quality Standards Attainment Program (Chapter 9 (commencing with Section 44275) of Part 5 of Division 26 of the Health and Safety Code), the California Port Community Air Quality Program (Chapter 9.8 (commencing with Section 44299.80) of Part 5 of Division 26 of the Health and Safety Code), the California Clean Schoolbus Program (Chapter 10 (commencing with Section 44299.90) of Part 5 of Division 26 of the Health and Safety Code), the Air Pollution Permit Streamlining Act of 1992 (Article 1.3 (commencing with Section 42320) of Chapter 4 of Part 4 of Division 26 of the Health and Safety Code), and the California air pollution control laws, including the Air Toxics “Hot Spots” Information and Assessment Act of 1987 (Part 6 (commencing with Section 44300) of Division 26 of the Health and Safety Code), the Atmospheric Acidity Protection Act of 1988 (Chapter 6 (commencing with Section 39900) of Part 2 of Division 26 of the Health and Safety Code), the Connelly-Areias-Chandler Rice Straw Burning Reduction Act of 1991 (Section 41865 of the Health and Safety Code), and the Lewis-Presley Air Quality Management Act (Chapter 5.5 (commencing with Section 40400) of Part 3 of Division 26 of the Health and Safety Code).

(2) Biological resources, including protected species and habitat types: the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), the federal Migratory Bird Treaty Act (16 U.S.C. Sec. 703 et seq.), the federal Bald and Golden Eagle Protection Act (16 U.S.C. Sec. 668), Section 404(b) of the federal Clean Water Act (33 U.S.C. Sec. 1344(b)), the federal Marine Mammal Protection Act of 1972 (16 U.S.C. Sec. 1361 et seq.), the federal Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 (16 U.S.C. Sec. 4701 et seq.), the California Endangered Species Act (Chapter 1.5 (commencing with Section 2050) of Division 3 of the Fish
and Game Code), Sections 1602, 3503.5, 3511, 3513, and 4700 of the Fish and Game Code, the Oak Woodlands Conservation Act (Article 3.5 (commencing with Section 1360) of Chapter 3 of Division 2 of the Fish and Game Code), Article 3 (commencing with Section 355) of Chapter 3 of Division 1 of the Fish and Game Code, Division 5 (commencing with Section 5000) of the Fish and Game Code, Division 6 (commencing with Section 5500) of the Fish and Game Code, and subdivision (e) of Section 65302 of the Government Code.

(3) Cultural resources, including archaeological resources: Section 106 of the federal National Historic Preservation Act (16 U.S.C. Sec. 470(f)), the federal American Indian Religious Freedom Act (42 U.S.C. Sec. 1996), Section 7050.5 of the Health and Safety Code, and Section 5097.9.


(6) Hydrology and water quality, including flooding and sea level rise: the federal Water Pollution Control Act (33 U.S.C. Sec. 1251 et seq.), the National Contaminated Sediment Assessment and Management Act (33 U.S.C. Sec. 1271 et seq.), the federal
Safe Drinking Water Act (33 U.S.C. Sec. 300f et seq.), Section 1602 of the Fish and Game Code, the Integrated Regional Water Management Planning Act (Part 2.2 (commencing with Section 10530) of Division 6 of the Water Code), the Stormwater Resource Planning Act (Part 2.3 (commencing with Section 10560) of Division 6 of the Water Code), the Porter-Cologne Water Quality Control Act (Division 7 (commencing with Section 13000) of the Water Code), the Safe Drinking Water and Toxic Enforcement Act of 1986 (Chapter 6.6 (commencing with Section 25249.5) of Division 20 of the Health and Safety Code), the Urban Water Management Planning Act (Part 2.6 (commencing with Section 10610) of Division 6 of the Water Code), Part 2.10 (commencing with Section 10910) of Division 6 of the Water Code, the Water Conservation in Landscaping Act (Article 10.8 (commencing with Section 65591) of Chapter 3 of Division 1 of Title 7 of the Government Code), the Storm Water Enforcement Act of 1998 (Chapter 5.9 (commencing with Section 13399.25) of Division 7 of the Water Code), the Water Recycling Law (Chapter 7 (commencing with Section 13500) of Division 7 of the Water Code), Chapter 7.3 (commencing with Section 13560) of Division 7 of the Water Code, and Part 2.75 (commencing with Section 10750) of Division 6 of the Water Code.


(8) Public services, including fire and police protection, schools, parks, solid waste, recycling, and other public facilities: Chapter 2 (commencing with Section 17921) of Part 1.5 of Division 13 of the Health and Safety Code, Sections 65996, 65997, and 66477 of the Government Code, Title 7.3 (commencing with Section 66799) of the Government Code, the Used Oil Recycling Act (Article 9 (commencing with Section 3460) of Chapter 1 of Division 3 of this code), the California Beverage Container Recycling and Litter Reduction Act (Division 12.1 (commencing with Section 14500), Division 12.3 (commencing with Section 16000), Division 12.4 (commencing with Section 16050), and Division 12.7 (commencing with Section 18000) of this code), the Fiberglass Recycled Content Act of 1991 (Division 12.9 (commencing with Section 19500) of this code), the California Integrated Waste Management Act of 1989 (Division 30 (commencing with Section 40000) of this code), the California Fire Code (Part 9 of Title 24 of the California Code of Regulations), and Sections 1270 and 6773 of Title 8 of the California Code of Regulations.

(9) Traffic and transportation, including transit, vehicular, bicycle, and pedestrian transportation, emergency access, and roadway safety: the federal Safe, Accountable,
Flexible, Efficient Transportation Equity Act: A Legacy for Users (23 U.S.C. Sec. 101 et seq.), Titles 23 and 49 of the United States Code, and Chapter 2.3 (commencing with Section 65070), Chapter 2.5 (commencing with Section 65080), and Chapter 2.8 (commencing with Section 65088) of Division 1 of Title 7 of the Government Code.

(10) Utilities and service systems, including wastewater, water supply, stormwater, landfill and waste management systems: Part 2.10 (commencing with Section 10910) of Division 6 of the Water Code, Part 2.55 (commencing with Section 10608) of Division 6 of the Water Code, the Urban Water Management Planning Act (Part 2.6 (commencing with Section 10610) of Division 6 of the Water Code), and the Water Conservation in Landscaping Act (Article 10.8 (commencing with Section 65591) of Chapter 3 of Division 1 of Title 7 of the Government Code).

(11) Aesthetics: the federal Highway Beautification Act of 1965 (23 U.S.C. Sec. 131), Article 2.5 (commencing with Section 260) of Chapter 1 of Division 1 of the Streets and Highways Code, the Outdoor Advertising Act (Chapter 2 (commencing with Section 5200) of Division 3 of the Business and Professions Code), and subdivision (e) of Section 656302 of the Government Code.

(12) Agriculture: the federal Soil and Water Conservation Act of 1977 (16 U.S.C. Sec. 2001 et seq.) and the Williamson Act (Chapter 7 (commencing with Section 51200) of Part 1 of Division 1 of Title 5 of the Government Code); and forestry resources: the Z'berg-Nejedly Forest Practice Act of 1973 (Chapter 8 (commencing with Section 4511) of Part 2 of Division 4) and corresponding regulations (Chapter 4 (commencing with Section 895), Chapter 4.5 (commencing with Section 1115), and Chapter 10 (commencing with Section 1600) of Division 1.5 of Title 14 of the California Code of Regulations), Protection of Forest, Range and Forage Lands (Part 2 (commencing with Section 4101) of Division 4), and the Wild and Scenic Rivers Act (Chapter 1.4 (commencing with Section 5093.50) of Division 5).

(13) Mineral resources: the federal Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. Sec. 1201 et seq.) and the Surface Mining and Reclamation Act of 1975 (Chapter 9 (commencing with Section 2710) of Division 2).

(14) Noise: the federal Noise Control Act of 1972 (43 U.S.C. Sec. 4901 et seq.), the federal Aviation Safety and Noise Abatement Act of 1979 (49 U.S.C. Sec. 47501 et seq.), Article 5 (commencing with Section 65300) of Chapter 3 of Division 1 of Title 7 of the Government Code, the California Noise Insulation Standards (Part 2 of Title 24 of the California Code of Regulations), the California Employee Noise Exposure Limits (Article 105 (commencing with Section 5095) of Group 15 of Subchapter 7 of Chapter 4 of Division 1 of Title 8 of the California Code of Regulations).

(d) Over the same 40-year period since the enactment of CEQA, the Legislature has also adopted environmental protection laws affecting three topical areas for which the United States Congress has not taken any action to adopt federal environmental law of general application in California, as follows:

(I) Geology and soils, including seismic and landslide risk: the Alquist-Priolo Earthquake Fault Zoning Act (Chapter 7.5 (commencing with Section 2621) of Division 2 of this code), the Seismic Hazards Mapping Act (Chapter 7.8 (commencing with Section 2690) of Division 2 of this code), the California Building Code (Title 24 of the California Code of Regulations), Chapter 12.2 (commencing with Section 8875) of Division 1 of Title 2 of the Government Code, subdivision (g) of Section 65302 of
the Government Code, and the Surface Mining and Reclamation Act of 1975 (Chapter 9 (commencing with Section 2710) of Division 2 of this code).

(2) Population and housing growth: Article 10.6 (commencing with Section 65580) of Chapter 3 of Division 1 of Title 7 of the Government Code and Chapter 13 (commencing with Section 75120) of Division 43.

(3) Recreational resources: Section 66477 of the Government Code and the Public Park Preservation Act of 1971 (Chapter 2.5 (commencing with Section 5400) of Division 5 of this code).

(e) When enacting CEQA and subsequent amendments, the Legislature declared its intent to ensure that all public agencies give major consideration to preventing environmental damage, while providing a decent home and satisfying living environment for every Californian and to create and maintain conditions under which humankind and nature can exist in productive harmony to fulfill the social and economic requirements of present and future generations.

(f) Environmental laws, including implementing plans, programs, regulations, and permit requirements that have been adopted since the 1970 enactment of CEQA, are designed to ensure California continues as a national and international leader in protecting the environment, health, safety, and welfare of California and those within its borders.

(1) At the local level, the California Constitution and California law require cities, counties, and cities and counties to adopt land use plans in order to develop and implement an orderly planning process for protecting and enhancing the quality of the community and the environment while providing for jobs, revenues, recreational and other services, housing, and other community needs.

(2) Pursuant to Chapter 728 of the Statutes of 2008, metropolitan planning organizations (MPOs) are directed to prepare sustainable communities strategies (SCSs) to reduce regional greenhouse gas emissions from the land use and transportation sector. Additionally, many cities and counties have adopted, or are in the process of adopting, land use plans such as general plan updates, zoning code revisions, specific plans, community plans, and area plans to encourage both renewable energy production and higher density, transit-oriented development patterns.

(3) In response to the challenges of climate change and in furtherance of energy independence and security, the Legislature has established significant new mandates for the development and use of renewable energy and higher density development patterns that promote transit utilization and conserve water and energy resources.

(4) With recent mandates and policies encouraging denser development patterns to promote transit, energy and water efficiency, job and housing growth is prioritized in areas that are already well populated and include urbanized conditions such as regional freeway congestion and local roadway congestion, and neighborhood-scale challenges such as parking and evolving aesthetic values. By directing growth into higher density, transit-oriented development patterns, SCS and local land use plan and zoning code adoption and implementation generally cause significant unavoidable density-related adverse environmental impacts under CEQA, such as traffic and parking and related air quality emissions. Additionally, infrastructure and services in many urbanized areas are challenged and require upgrades that are beyond the fiscal ability or jurisdictional authority, or both, of a city or county, resulting in findings of additional significant unavoidable impacts for CEQA purposes. Impacts from higher density
development land use plans and zoning code revisions (urbanization impacts) are evaluated and in many instances approved by decisionmakers as an appropriate policy decision based on climate, energy security, agricultural or open-space preservation, or other inherent policy choices that are informed by the EIR’s environmental analysis and public disclosure process.

(g) Environmental laws and regulations identify compliance obligations that apply uniformly to similarly situated projects and activities, and provide critical environmental protections that go well beyond the ad hoc review process created by CEQA. Environmental laws and regulations identify compliance obligations of general applicability and thereby provide greater clarity than the project-by-project ad hoc review process that was created for CEQA in 1970.

(h) CEQA requires a public and environmental review process for the review and adoption of land use plans and zoning code revisions, including requirements to avoid or minimize the significant environmental impacts of land use plan and zoning code implementation. For plan or zoning code changes for which an environmental impact report (EIR) was prepared and certified, CEQA mandates inclusion of mitigation measures and alternatives to avoid or minimize significant unavoidable impacts.

(i) The court, in Friends of Westwood v. City of Los Angeles (1987) 191 Cal.App.3d 259, determined that the CEQA process is required even for projects that complied with the density, use type, and intensity restrictions in applicable land use plans and the zoning code.

(j) Applying CEQA’s existing requirements at a project-specific level can often undermine the policy goals and objectives of applicable land use plans. A project that brings higher density to an area, with corresponding jobs, revenues, or housing, also brings traffic and parking demands, with associated air quality and other impacts, as well as a host of other urbanized effects as disclosed in the land use plan EIR. Where urbanized effects have been mitigated on the plan level to the extent feasible, the reanalysis of these impacts at the project level can be problematic.

(k) Duplicative CEQA review of projects that comply with the density, use type, and intensity requirements of land use plans that have already undergone an EIR process was not intended by the Legislature and creates unacceptable delays and uncertainties in the plan implementation process. Avoidance of duplicative review will reduce litigation and the considerable political uncertainty that has resulted for communities and project proponents who attempt to implement land use plans, notwithstanding previously disclosed significant unavoidable urbanized impacts.

(l) Development of projects consistent with the density, use type, and intensity requirements of land use plans should be encouraged by avoiding duplicative environmental review of those projects if project approval is conditioned on implementing applicable mitigation measures included in the EIR prepared for the applicable land use plans.

(m) Public agencies are subject to public notice and disclosure requirements when approving projects, including the Ralph M. Brown Act (Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5 of the Government Code) and the Bagley-Keene Open Meeting Act (Article 9 (commencing with Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2 of the Government Code), and are also authorized to require comprehensive project applications and to condition project approvals under their police powers and other laws, not including CEQA.
(n) Public agencies are encouraged to create and maintain electronic records where feasible to reduce paperwork and increase efficiency. The prompt commencement and resolution of litigation filed under this division and CEQA is dependent upon the prompt availability of the respondent public agency's record of proceedings for the challenged agency action. There are no practical means by which records of proceedings which are predominantly maintained in electronic format can be readily accessed, organized, and produced by any party other than the respondent public agency. Where all or most of the respondent agency's record of proceeding is maintained by the respondent agency or its designee in an electronic format, timely production of the record of proceedings requires that the record be prepared by the respondent agency.

(o) In enacting this division, it is the intent of the Legislature to further the purposes of CEQA by integrating environmental and planning laws and regulations adopted over the last 40 years, while avoiding the sometimes conflicting and often duplicative ad hoc environmental review and mitigation requirements under CEQA.

(p) In enacting this division, it is also the intent of the Legislature to continue to foster public disclosure and informed public participation of the environmental consequences of projects.

(q) In enacting this division, it is the intent of the Legislature to preserve the authority of a lead agency, consistent with the jurisdiction and authority of that agency, to disapprove projects or to condition approvals of projects on terms that may require more stringent environmental protections or project approval conditions than those required by applicable environmental or planning laws.

21201. For the purposes of this division, the following definitions shall apply:

(a) "Applicable environmental law" is a law related to an environmental topical area listed in subdivision (b) of Section 21200.5 that is relevant to a project and that does any of the following:

1. Includes a policy determination, or directs or authorizes the adoption by an implementing agency of regulations, plans, or permits, licenses, or authorization applications and approval processing procedure and practices to implement that policy determination, regarding a standard applicable to a topical area requiring analysis and mitigation under CEQA.

2. Identifies quantitative and qualitative analytical methods or approaches, or directs or authorizes the adoption by an implementing agency of regulations, plans, or permits, licenses, or authorization applications and approval processing procedures and practices that include those analytical methods or approaches, regarding a standard.

3. Identifies required or permissible practices for mitigating or minimizing adverse impacts to a topical area requiring analysis and mitigation under CEQA, or directs or authorizes the adoption by an implementing agency of regulations or plans, or directs or authorizes an implementing agency to review and approve permits, licenses, or authorization applications that include avoidance, minimization, mitigation, conditions or other requirements to achieve a standard applicable to a topical area requiring analysis and mitigation under CEQA.

(b) "Applicable plan" means a planning document for which an environmental impact report, supplemental environmental impact report, or environmental impact report addendum was certified, including either of the following:

1. A land use plan, such as a general plan, specific plan, or sustainable communities strategies adopted by a city, county, city and county, metropolitan planning
organization, or other local, regional, or state agency that establishes use designations, densities, and building intensities.

(2) A plan to improve or maintain public facilities or infrastructure to be funded in whole or in part by public funds and which has been adopted by a local, regional, or state agency.

(e) "Applicable mitigation requirements" means all mitigation measures included in an applicable plan with the exception of mitigation measures the lead agency determines, based on substantial evidence, are not required to mitigate a potentially significant impact of a proposed project.

(d) "CEQA" means the California Environmental Quality Act (Division 13 (commencing with Section 21000)).

(e) "Implementing agency" means any state or federal agency, board, or commission, any county, city and county, city, regional agency, public district, or other political subdivision.

(f) "Standard" means a quantitative or qualitative level of protection, preservation, enhancement, pollution, reduction, avoidance, or other measure for a topical area requiring analysis and mitigation under CEQA.

21202. (a) An environmental document prepared pursuant to CEQA shall disclose all applicable environmental laws.

(1) An environmental document prepared under CEQA and that discloses an applicable environmental law described in paragraph (1) of subdivision (a) of Section 21201 shall disclose the applicable compliance requirements of that law, and compliance with the applicable standards for impacts that occur or might occur as a result of approval of the project shall be the exclusive means of evaluating and mitigating environmental impacts under CEQA regarding the subject of that law, notwithstanding any other provision of law.

(2) An environmental document prepared under CEQA and that discloses an applicable environmental law described in paragraph (2) of subdivision (a) of Section 21201 shall disclose the applicable analytical methods or approaches, and the disclosure of those analytical methods or approaches shall be the exclusive means of evaluating potential project impacts under CEQA regarding the relevant law, notwithstanding any other provision of law.

(3) An environmental document prepared under CEQA and that discloses an applicable environmental law described in paragraph (3) of subdivision (a) of Section 21201 shall disclose the applicable mitigation and minimization methods or approaches typically used by implementing agencies as part of their review and approval or permits, licenses, or authorization applications, and compliance with mitigation and minimization practices shall be the exclusive means of mitigating environmental impacts under CEQA regarding the subject of the relevant law, notwithstanding any other provision of law.

(b) The disclosure obligations set forth in this section are intended to foster informed environmental review and public participation in the environmental and public review process required by CEQA or other applicable laws and regulations, such as the Ralph M. Brown Act (Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5 of the Government Code) and the Bagley-Keene Open Meeting Act (Article 9 (commencing with Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2 of the Government Code).
21203. (a) A cause of action shall not be commenced under Section 21167 for noncompliance with CEQA under either of the following circumstances:

(1) If the cause of action relates to an environmental topical area listed in subdivision (b) of Section 21200.5 and the environmental document discloses compliance with any applicable environmental law pertaining to a topical area or any regulation, plan, permit, license, or authorization application and approval processing procedures adopted by an implementing agency as directed or authorized by that applicable environmental law.

(2) If the environmental document for the project discloses compliance with applicable environmental law pertaining to a topical area or any regulation, plan, permit, license, or authorization application and approval processing procedures adopted by an implementing agency as directed or authorized by that applicable environmental law; the project conforms to the use designation, density, or building intensity in a land use plan or was included in any other applicable plan identified in subdivision (b) of Section 21201; and the lead agency incorporates applicable mitigation requirements included in the certified environmental impact report, supplemental environmental impact report, or environmental impact report addendum prepared for the applicable plan into the environmental document prepared for the project.

(b) This section does not prohibit a cause of action otherwise authorized by law to enforce compliance with any other existing local, state, and federal law, regulation, or applicable plan.

21204. (a) Except for projects with potentially significant aesthetic impacts on an official state scenic highway established pursuant to section 262 of the Streets and Highways Code, a lead agency shall not be required to evaluate aesthetics pursuant to CEQA or this division, and the lead agency shall not be required to make findings pursuant to subdivision (a) of Section 21081 on or relating to aesthetic impacts.

(b) This section does not change the authority of a lead agency to consider aesthetic issues and to require mitigation or avoidance of adverse aesthetic impacts pursuant to discretionary powers provided by laws other than CEQA or this division.

21204.5. This division does not modify the obligation of a lead agency to evaluate the potential for a project to effect Native American resources and to comply with Section 5097.98, including the obligation to discuss and confer with the appropriate Native Americans, as identified by the Native American Heritage Commission and the obligation to avoid, mitigate, and minimize adverse impacts to significant Native American resources.

21205. This division applies only to projects for which the lead agency or applicant has agreed to provide to the public in a readily accessible electronic format an annual compliance report prepared pursuant to the mitigation monitoring and reporting program required by paragraph (1) of subdivision (a) of Section 21081.6.

21206. This division does not preclude any state agency, board, or commission, or any city, county, city and county, regional agency, public district, redevelopment agency, or other political subdivision from requiring information or analysis of the project under consideration, or imposing conditions of approval for that project, under laws and regulations other than this division and CEQA.

21207. (a) An environmental document, prepared pursuant to CEQA, shall be required to consider only those environmental topical areas listed in subdivision (b)
of Section 21200.5 and only to the extent those environmental topical areas are relevant to the project.

(b) Subdivision (b) of Section 21200.5 is not intended to affirm, reject, or otherwise affect court decisions concerning the consistency of the guidelines provisions within the provisions of CEQA.

(c) This section does not preclude a lead agency from modifying or updating its analytical methodologies for those topical areas.

SEC. 2. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because a local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by this act, within the meaning of Section 17556 of the Government Code.

Amendment 4
On page 2, strike out lines 1 to 14, inclusive

- 0 -