



California Environmental Quality Act  
(CEQA)

- Adopted by state Legislature in 1970 as Public Resources Code §21000-21177
- Overarching goal is to develop and maintain a high-quality environment now and in the future
- Specifically, California's public agencies must *identify* the significant environmental effects of their actions; and *avoid* or *mitigate* significant effects

California Environmental Quality Act  
Projects

- CEQA applies to "**projects**" proposed to be *undertaken, funded* or requiring *approval* by State and/or local government agencies
- Projects are activities which have the potential to have a physical impact on the environment
- Projects may include the enactment of zoning ordinances, the issuance of conditional use permits and the approval of tentative subdivision maps
- Projects may be exempt either statutorily or categorically

California Environmental Quality Act  
Process

- Inform governmental decision makers and the public about the potential significant environmental effects of proposed activities
- Identify ways that environmental damage can be avoided or significantly reduced
- Require changes in projects through the use of alternatives or mitigation measures when feasible
- Disclose to the public the reasons why a project was approved if significant environmental effects are involved

California Environmental Quality Act  
Natural Communities  
CEQA Guidelines, Appendix G

- Have a substantial effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulation or by the California Department of Fish and Game or US Fish and Wildlife Service
  - DFG List of Natural Communities Recognized by the Natural Diversity Data Base
- Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act

California Environmental Quality Act  
Natural Communities  
CEQA Guidelines, Appendix G

- DFG list of Natural Communities Recognized by Natural Diversity Data Base
  - 37.308.02 Central Maritime Chaparral

California Department of Fish and Game  
<http://www.dfg.ca.gov/whdab/pdfs/natcomlist.pdf>



Fort Ord, Monterey County



Pebble Beach, Monterey County



Quail Hollow, Santa Cruz County



Hearst Ranch, San Luis Obispo County



Morro Bay Dunes, San Luis Obispo County

California Environmental Quality Act  
Species  
CEQA Guidelines, Appendix G

- Have a substantial effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Dept of Fish and Game or US Fish and Wildlife Service State listed species
  - Federally listed species
  - Candidate species
  - CNPS List 1B species
  - Locally significant species
- Interfere substantially with the movement of any native resident or migratory fish or wildlife species



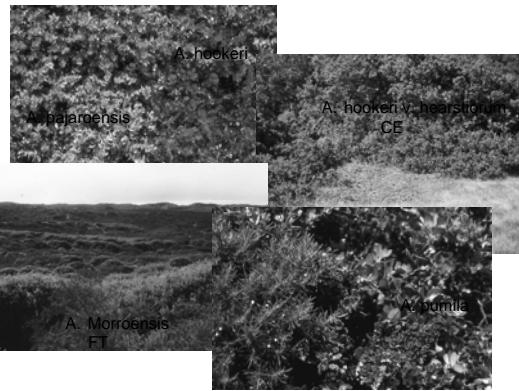
California red-legged frog  
FT



Piperia yadonii  
FT



Erysimum amplexicaule



A. hookeri

A. Morroensis

A. hookeri v. hearstorum  
CE

A. Morroensis  
FT

A. humilis

## California Environmental Quality Act

### Hierarchy of Mitigation

- Avoiding the impact altogether
- Minimizing the impacts by limiting the degree or magnitude of the action
- Rectifying the impact by repairing, rehabilitating or restoring the impacted environment
- Reducing or eliminating the impact over time
- Compensating for the impact by replacing or providing substitute resources

(CEQA Guidelines §15370)



Quail Hollow Quarry, Santa Cruz County



Manzanita County Park, Monterey County



Montana de Oro State Park, San Luis Obispo County

### California Environmental Quality Act

#### Resources

- Resources Agency CEQA website  
<http://ceres.ca.gov/ceqa/index.html> and  
<http://ceres.ca.gov/planning/ead/index.html>
- California Department of Fish and Game  
<http://www.dfg.ca.gov/>
- DFG and CEQA  
<http://www.dfg.ca.gov/hcpb/ceqacesa/ceqa/ceqa.shtml>
- DFG and species/habitats  
<http://www.dfg.ca.gov/hcpb/species/species.shtml>  
<http://www.dfg.ca.gov/hcpb/species/habitats/habitats.shtml>
- Guide to CEQA related websites  
<http://ice.ucdavis.edu/ceqa/>

### California Endangered Species Act

#### (CESA)

- Adopted by state Legislature in 1986 as Fish & Game Code, Chapter 1.5 - Endangered Species §2050-2115
- Policy of the State to *conserve, protect, restore* and *enhance* any endangered species or any threatened species and its habitat; and consistent with conserving the species, to *acquire lands* for habitat for these species.
- Administered by the California Department of Fish & Game (DFG) and the Fish & Game Commission (FGC)

### California Endangered Species Act

#### conservation

- “**Conserve**”, “**conserving**” and “**conservation**” mean to use, and the use of, all methods and procedures which are necessary to bring any endangered species or threatened species to the point at which the measures provided pursuant to the Act are no longer necessary (CESA §2061).
- These methods and procedures include, but are not limited to, all activities associated with scientific resources management, such as research, census, law enforcement, habitat acquisition, restoration and maintenance, propagation, live trapping, and transplantation.

### California Endangered Species Act

#### taking, import, export or sale

- No person shall *import* into this state, *export* out of this state, or *take, possess, purchase, or sell* within this state, any species, or any part or product thereof, that the commission determines to be an endangered or threatened species, or attempt any of those acts, except as otherwise provided (CESA §2080).

California Endangered Species Act

authorization of take

- DFG may authorize acts that are otherwise prohibited pursuant to §2080 as follows:
- Through permits or memoranda of understanding, DFG may authorize individuals, public agencies, universities, zoological gardens, and scientific or educational institutions, to import, export, take or possess any endangered species, threatened species, or candidate species for *scientific, educational, or management* purposes (CESA §2081(a)).

California Endangered Species Act

authorization of take

- DFG may authorize, by permit, the take of endangered species, threatened species, and candidate species (CESA §2081 (b)), if:
  - The take is *incidental* to an other wise lawful activity
  - The impacts of the authorized take is *minimized* and *fully mitigated*
  - The measures required shall be *roughly proportional* in extent to the impact of the authorized taking on the species
  - The applicant *ensures adequate funding* to implement the measures required
  - No permit would be issued if issuance would *jeopardize* the continued existence of the species

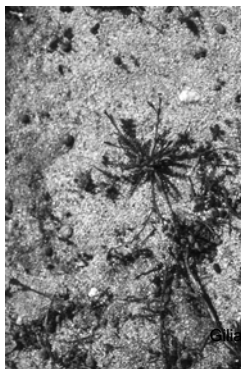
California Endangered Species Act

authorization of take

- Take may also be authorized by:
  - Through a consistency determination by the Director of DFG that a *federal incidental take statement or permit* is consistent with CESA (CESA §2080.1)
  - Through issuance of authorization under the *Natural Communities Conservation Planning Act* (Fish & Game Code, Chapter 10, §2800-2835)



Eriodictyon allissimum  
CE, FE



Cholla tenuiflora ssp. arenaria  
CT, FE



Erysimum zeretifolium  
CE, FE

## California Endangered Species Act

### resources

- Department of Fish and Game home page  
<http://www.dfg.ca.gov/>
- DFG - CESA  
<http://www.dfg.ca.gov/hcpb/ceqacesa/cesa/cesa.shtml>
- CESA regulations  
<http://www.dfg.ca.gov/legal/879regs.htm>
- DFG - species information  
<http://www.dfg.ca.gov/hcpb/species/species.shtml>



## California Coastal Act

### Environmentally Sensitive Habitat Area (ESHA)

- Environmentally Sensitive Habitat Area (ESHA) - Any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments (CA Coastal Act, Section 30107.5) .
- Prohibits any significant disruption of habitat values, and limits development within ESHA to uses that are dependent on the resources. It also requires development adjacent to ESHA be sited and designed to prevent significant degradation and be compatible with the continuance of the habitat (CA Coastal Act, Section 30240) .

