

## REPORT TO THE CITY COUNCIL

---



**DATE:** October 1, 2019

**TITLE:** Supplemental CEQA (California Environmental Quality Act) Guidelines

**Prepared by:** Jennifer Mizrahi, City Attorney

---

### **RECOMMENDATION**

**Adopt the attached Policy, as a condition of settlement in the matter of Robert E. Garcia and Gary Garcia v. City of Desert Hot Springs (Riverside County Superior Court Case No. RIC1903260).**

### **BACKGROUND**

The California Environmental Quality Act (referred to as "CEQA" and found in Section 21000 et. seq. of the Public Resources Code of the State of California "PRC") together with the State CEQA Guidelines ("SG") promulgated by the California Office of Planning and Research are intended to enhance the long-term protection of the environment and to encourage public participation in the process. They present objectives, criteria, and procedures for the evaluation of projects and the preparation of Environmental Impact Reports and Negative Declarations.

It is the intent of the City of Desert Hot Springs to establish clear, standardized procedures with regards to the meaningful environmental review required by CEQA, including community involvement and transparency in the public approval process. In addition to the provisions of the Supplemental CEQA Guidelines, the City shall meet all of the substantive provisions of CEQA in order to ensure the discretionary actions of the City avoid or minimize, to the extent feasible, significant environmental impacts of a proposed project.

The Supplemental CEQA Guidelines implement CEQA and the State Guidelines. Amendments to CEQA and the State Guidelines shall automatically be included as part of the Supplemental CEQA Guidelines. If the Supplemental CEQA Guidelines conflict with CEQA or the State Guidelines, CEQA and the State Guidelines will prevail. The authority to adopt these Supplemental CEQA Guidelines is granted under Public Resources Code Section 21082, which requires public agencies to adopt local environmental review guidelines.

The Supplemental CEQA Guidelines present the process used by the City to conduct environmental reviews. Figure 1 shows a flow chart of the major stages of environmental review established by the Supplemental CEQA Guidelines.

### **FISCAL IMPACT**

None.

### **EXHIBIT**

1) Proposed Policy