

INITIAL STUDY

THIS HANDOUT IS A SUMMARY OF REQUIREMENTS

INITIAL STUDY

INTRODUCTION

The attached environmental information form is required to be completed and submitted with all project applications in the City of Woodland. The purpose of the information form is to assist Community Development staff and interested person in reviewing the environmental impacts caused by a project and in making the appropriate California Environmental Quality Act (CEQA) determination. The form should be filled out as completely and accurately as possible. Full disclosure of environmental and land use data helps avoid uncertainty in respect to having a project comply with CEQA.

PRE-APPLICATION MEETING

Before submitting an application for development approval (i.e., variance, tentative map, and conditional use permit), the applicant needs to meet with Planning staff to determine what City regulations affect the project. Community Development staff will help the applicant determine whether the project is exempt from review or if formal environmental review will be required.

Upon request, Community Development staff can issue a formal determination on the process to use for a specific project to comply with CEQA. Such requests should be made in writing. The process assists both the applicant and staff in determining the significance of any environmental effects caused by the project.

EXEMPT PROJECTS

After the project description is well defined, a determination may be made that the project is exempt from CEQA. Projects which are typically exempt from CEQA include new homes (four units or less), additions to existing structures, lot lines adjustments and variances. If such a finding is made, then no further environmental action is required prior to the City taking an action on the project application. A Notice of Exemption may be filed with the County Clerk after approval of the project. This may be done by either the City or applicant, but is not required. Filing the Notice of Exemption starts a 35-day statute of limitations period on legal challenges to the decision that the project is exempt from CEQA.

FORMAL ENVIRONMENTAL REVIEW

Once the determination is made that the project is subject to formal CEQA review, the applicant will be requested to complete an environmental information form. After the environmental information form is received, a staff person prepares an initial study to determine environmental affects of the project. Based on the initial study, one of three findings will be made: (1) the project has no significant impacts and a negative declaration is appropriate, (2) the new project is covered by a program EIR; it can be reaffirmed by the previous documentation as long as no new impacts are identified and the project is within the scope of the previous project, or (3) the project will or may have significant impacts and an environmental impact report is required are described as follows: A negative declaration or EIR, in addition to the initial study, assist the decision-making body in understanding the environmental impact which may result from a project. The terms are:

- a. Negative Declaration – If a project is not exempt from further review (i.e. commercial construction, large-scale home construction or annexations to the City), an initial study is prepared by Community Development staff to determine if a “negative declaration” is appropriate to evaluate the affects the project has on the environment. A negative declaration and/or mitigated negative declaration are appropriate when the decision-making body can make a finding that the project would not have significant affects on the environment.

A negative declaration is subject to a 30-day review period prior to the City taking an action on the project. After approval of the project, the City files a Notice of Determination with the County Clerk’s office. Filing the Notice of Determination within five days of approval starts a 30-day statute of limitations period on court challenges to the approval under CEQA. Otherwise, the statute of limitations is 180 days.

- b. Reaffirmation of previous Environmental Impact Report – If a project is within the scope of a previously approved project where an environmental impact report (EIR) was prepared, it may be possible to use that EIR for the new project as well. As with all projects, an initial study is prepared for the new project. If it can be determined that no new environmental effects could occur or new mitigation be required, and that the new project is within the scope of the project covered by the program EIR, then the program EIR may be used and no further environmental documentation is needed

- c. Environmental Impact Report (EIR) – An EIR is applicable when findings are made that a project will produce significant impacts on the environment. Such impacts may include a significant increase in noise, a significant demand on public services (i.e., water and sewer) and the significant deterioration of air quality. An EIR will address how to mitigate significant impacts; however, it may not be possible to mitigate all impacts. In such cases, the City may adopt a Statement of Overriding Considerations that finds the benefits of the project outweigh the impacts.

A draft EIR typically has a minimum 45-day review period prior to the City taking an action on the project. After responses are prepared to comments received on the draft EIR, a final EIR is prepared and certified by the City. After certification by the City, the EIR is adopted as addressing the environmental impacts of the project. After approval of the project, the City files a Notice of Determination with the County Clerk’s office. Filing the Notice of Determination within 5 days starts a 30-day statute of limitations period on court challenges to the approval under CEQA. Otherwise, the statute of limitation is 180 days.

EIR's are prepared by independent, private consulting firms that are hired by the City. The firms work for the City but are paid by the applicant through a written agreement. The cost is dependent on the scope of work and level of analysis required.

MITIGATION

The negative declaration or EIR may include mitigations to reduce the significance of an impact in the conditions of approval. Example – build a sound wall to reduce the noise generated by a project to less-than significant levels. If the City adopts mitigations as part of the project approval, it will also adopt a mitigation monitoring plan to ensure the mitigations achieve the intention of allowing no significant environmental affects. This program may require the applicant to pay additional fees for the management of the mitigation monitoring plan and the required inspections.

TIME FRAME FOR PROCESSING

Review of environmental impacts is normally done while the project application is being reviewed. The time needed to process both applications will vary depending on the complexity of the project and its potential environmental impact. Environmental review must be completed before final action may be taken on the project application. Generally, action is taken on the environmental review and the project at the same public hearing. State law requires action on a development project within six (6) months from the date the applications are deemed complete if a negative declaration or exemption is issued for the project and within one (1) year if an EIR is required.

PROCESSING FEES

Application fees help pay for the preparation, processing, advertising and recording of a CEQA determination. Fees are non-refundable. See Community Development Fee Schedule.

Any project that affects wildlife or wildlife habitat will be charged to process a negative declaration application and there is a fee for processing an EIR application. Please check with Yolo County for current fees. Staff will discuss the application of this fee when effects are identified. This fee is charged by the State Department of Fish and Game to review the respective documents. These fees are due and payable prior to the scheduling of a public hearing for a project. Check should be made out to the County of Yolo and paid at the County Recorder’s office.

All billing is due and payable prior to an application being processed. For Environmental application fees please see City of Woodland Comprehensive Fee Schedule.*

- 1. Initial Study Assessment..... \$*
- 2. Negative Declaration..... \$*
- 3. Categorical Exemption..... \$*
- 4. Mitigated Negative Declaration \$*
- 5. Environmental Impact Reports \$*
(plus \$*43.00 per hour after first 16 hours)
- 6. Addendum to EIR..... \$*
(plus \$*43.00 per hour after first 10 hours)
- 7. Mitigation Plan \$*
(plus \$*43.00 per hour after first 10 hours)

For further information on the material presented, request a copy of Chapter 8B, Environmental Protection, of the City of Woodland Municipal code, or speak with a member of the Planning staff. For a complete listing of all fees refer to the Community Development Department Fee Schedule.

Figure 1

INITIAL DETERMINATION

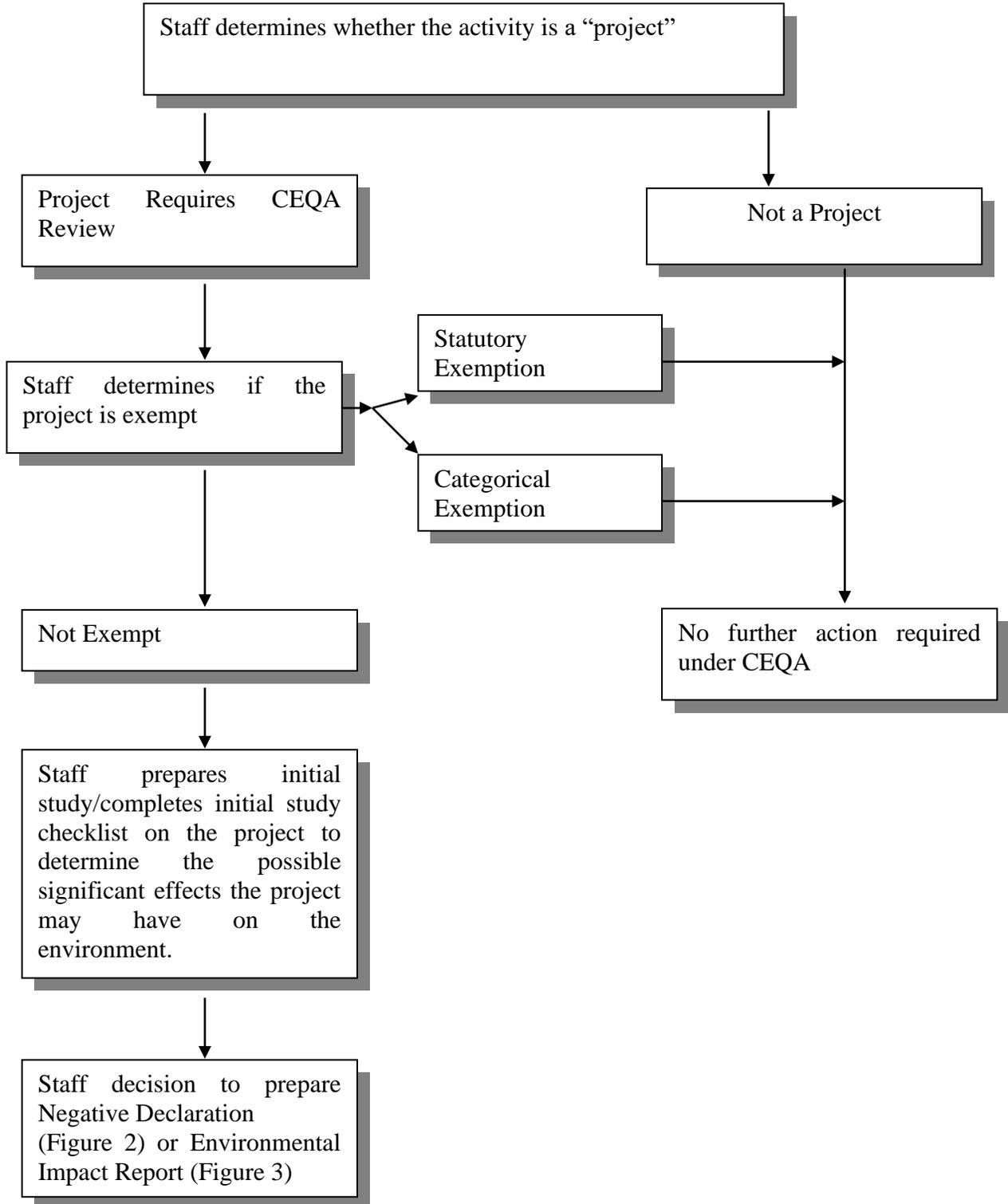


Figure 2

**NEGATIVE DECLARATION/MITIGATED
NEGATIVE DECLARATION**

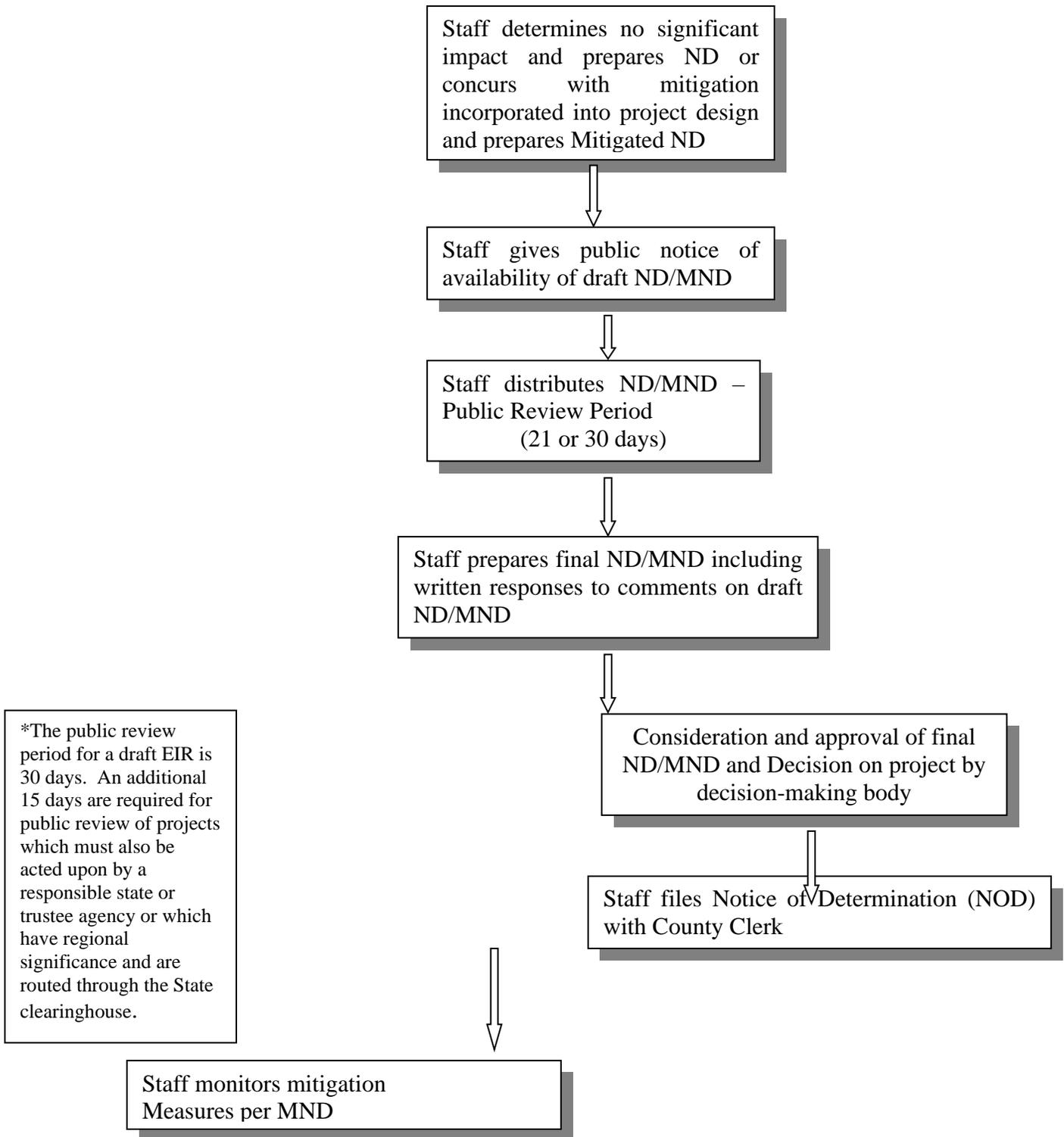


Figure 3

ENVIRONMENTAL IMPACT REPORT

