

The last comprehensive update to the CEQA Guidelines occurred in the late 1990s. Beginning in 2011, the Governor's Office of Planning and Research and the Natural Resources Agency began informally collecting ideas on possible improvements to the CEQA Guidelines. In 2013, the process officially began. The December 28, 2018, finalized package of regulation updates to approximately thirty sections and three appendices is the result of more than five years of research and substantial public input.

What's in this package?

Efficiency Improvements: The package includes several changes intended to result in a smoother, more predictable process for agencies, project applicants and the public.

1. The package promotes use of existing regulatory standards in the CEQA process.
2. The package updates the environmental checklist that most agencies use to conduct their environmental review.
3. The package includes several changes to make existing programmatic environmental review easier to use for later projects.
4. The package enhances several exemptions. For example, consistent with Senate Bill 743 (Steinberg, 2013), it updates an existing exemption for projects implementing a specific plan to include not just residential, but also commercial and mixed-use projects near transit. It also clarifies the rules on the exemption for changes to existing facilities so that vacant buildings can more easily be redeveloped. Changes to that same exemption will also promote pedestrian, bicycle and streetscape improvements within an existing right of way.

Substantive Improvements: The package also contains substantive improvements related to environmental protection.

1. The package provides guidance regarding energy impacts analysis. Specifically, it requires an EIR to include an analysis of a project's energy impacts that addresses not just building design, but also transportation, equipment use, location, and other relevant factors.
2. The package includes guidance on the analysis of water supply impacts.
3. As directed in Senate Bill 743, the package includes a new section addressing the evaluation of transportation impacts.
4. The package updates the guideline addressing greenhouse gas emissions to reflect recent case law.

Finally, the package includes a new section to assist agencies in complying with CEQA following resolution of a court challenge, and help the public and project proponents understand the effect of the remand on project implementation.