

environmental information any agency may require. The Planning Director shall schedule any such meeting within 30 days if requested to do so by the Project Sponsor or any of the above-named agencies.

- d. The notice required by this section shall provide the above-named agencies and the federal agencies with sufficient information describing the project and the environmental effects to enable said agencies to make a meaningful response. Such notice shall include:
1. A description of the project;
 2. The location of the project, indicated either on an attached topographical map, or by a street address in an unbanded area; and
 3. The probable environmental effect of the project.

Section 505 - Revised Projects

Upon receipt of the Planning Director's determination that an EIR will be required, the project's sponsor may revise the project. If one or more of the significant effects on the environment are mitigated by the revised project, a revised Initial Study shall be prepared and the Planning Director shall make a new determination as to whether the project may have a significant effect on the environment. Where the significant effects of a project are clearly mitigated to a point where no significant environmental effects would occur, a MND shall be prepared instead of an EIR.

DIVISION VI PREPARATION OF AN EIR AND APPROVAL OF PROJECT

Section 601 - Fees

- a. If, pursuant to Division V of these rules, the Planning Director determines that an EIR will be required, the Planning Director shall prepare or cause to be prepared an EIR.
- b. The Planning Director shall notify the Project Sponsor of the amount of the required deposit and that the deposit and any data required by the Planning Director must be submitted not more than 30 days after receipt of the notice.

- c. It shall be conclusively presumed that the Project Sponsor has abandoned the project if any required deposit is not submitted within the required time period; provided, however, this time period may be extended only for an additional 30 days in the event that compelling circumstances justify the extension and the Project Sponsor requests the extension. Any application that, pursuant to this Section, is presumed abandoned shall thereupon immediately be returned to the Project Sponsor and no further processing shall occur.
- d. The Planning Director shall keep accurate records and accounts of all expenses incurred by the City in the preparation of the draft and final EIR, including administrative overhead.
- e. Within 5 working days of the completion of the final EIR, the Planning Director shall mail to the Project Sponsor an itemized statement of all expenses incurred by the City in preparing the EIR. If the total expenses incurred are less than the amount of the deposit, the Planning Director shall refund the difference to the Project Sponsor within 30 days of the completion of the final EIR.

Section 602 - Early Consultation

Prior to completing the draft EIR, the Planning Director may consult directly with any person or organization he or she believes will be concerned with the environmental effects of the project.

Section 603 - Contents and Format of EIR

EIRs shall contain the information outlined in State CEQA Guidelines 15020-15132.

Section 604 - NOC

- a. Upon the completion of a draft EIR by the Planning Director, the Planning Director shall file a NOC of the draft EIR. The notice shall include a brief description of the project, its proposed location, an address where copies of the EIR are available and the period during which comments will be received. A form of the NOC is Appendix O.

- b. The NOC shall be filed with the County Clerk of the County of Los Angeles and with the OPR.
- c. A copy of the draft EIR shall be forwarded to the OPR for review if a state agency is a responsible or trustee agency, if the project is of statewide, regional or areawide significance as that term is defined by State CEQA Guidelines, or if the EIR has been prepared for a general plan an element of the general plan, or an amendment of an existing general plan.

Section 605 - Consultation

- a. The City shall consult with and request comments on the draft EIR from:
 - 1. Responsible Agencies.
 - 2. Trustee agencies with resources affected by the project.
 - 3. Any other state, federal, and local agencies which have jurisdiction by law with respect to the project or which exercise authority over resources which may be affected by the project., including water agencies consulted pursuant to State CEQA Guideline 15083.5;
 - 4. Any city or county which borders on a city or county within which the project is located.
 - 5. For a project of statewide, regional, or areawide significance, the transportation planning agencies and public agencies which have transportation facilities within their jurisdictions which could be affected by the project. "Transportation facilities" includes: major local arterials and public transit within five miles of the project site, and freeways, highways and rail transit service within 10 miles of the project site.
 - 6. For a subdivision project located within one mile of a facility of the State Water Resources Development System, the California Department of Water Resources.
- b. The City may consult directly with:

1. Any person who has special expertise with respect to any environmental impact involved.
2. Any member of the public who has filed a written request for notice with the City.
3. Any person identified by the applicant whom the applicant believes will be concerned with the environmental effects of the project.

Section 606 - Public Notice and Review

- a. At the same time as the NOC is filed, public notice of the completion of the draft EIR shall be given. Such notice shall include:
 1. A brief description of the proposed project and its location.
 2. The starting and ending dates for the review period during which the City will receive comments. If the review period is shortened, the notice shall disclose that fact.
 3. The date, time, and place of any scheduled public meetings or hearings to be held by the City on the proposed project when known to the City at the time of notice.
 4. A list of the significant environmental effects anticipated as a result of the project, to the extent which such effects are known to the City at the time of the notice.
 5. The address where copies of the EIR and all documents referenced in the EIR will be available for public review. This location shall be readily accessible to the public during the City's normal working hours.
 6. The presence of the site on any of the lists of sites enumerated under Section 65962.5 of the Government Code including, but not limited to, lists of hazardous waste facilities, land designated as hazardous waste property, hazardous waste disposal sites and others, and the information in the Hazardous Waste and Substances Statement required under subsection (f) of that Section.

- b. Public Notice of the completion of the draft EIR shall be given by all the following procedures:
 - 1. Mailing to all organizations and individuals who have previously requested such notice and have provided the Planning Department with a self-addressed stamped envelope for that purpose.
 - 2. Publication once in a newspaper of general circulation in the area affected by the proposed project.
 - 3. Postings on the bulletin board at City Hall.
 - 4. Mailing to owners and occupants of contiguous properties.
 - 5. Providing to the County Clerk of Los Angeles County for posting.
- c. In order to insure that copies of all draft EIRs are made available to the public, the Planning Director should furnish copies to appropriate libraries.

Section 607 - Response to Comments

- a. Written comments from public agencies, organizations or individuals consulted by the Planning Department, and any written comments from the public received prior to the expiration of the period provided for in Section 606 of these rules shall be evaluated by the Planning Department as a part of the final EIR prepared by the Planning Department. Comments received after the review period may be evaluated as part of the final EIR, but if not evaluated shall be forwarded, along with the final EIR, to the decision-making body of the City.
- b. The Planning Department shall respond in writing to all comments that are required to be evaluated by this section. The response may take the form of a revision of the draft EIR or may be an attachment to the draft EIR. In either case, the response shall describe the disposition of all significant environmental issues raised by the comments. Where the response from the Planning Department is at variance with the recommendations or objections raised by the comments, reasons must be given why these specific comments or suggestions were not accepted.

- c. All comments received shall be kept on file of the office of the Planning Director for a reasonable period of time and shall be available for public inspection.

Section 608 - Preparation of a Final EIR

- a. The Planning Director shall, within 30 calendar days of the expiration of that time period provided by Section 606 of these rules, respond to all written comments received within that time period and prepare a final EIR.
- b. The final EIR shall consist of:
 - 1. The draft EIR or a revision of the draft EIR.
 - 2. Comments and recommendations received on that draft EIR, either verbatim or in summary.
 - 3. A list of all persons, organizations and public agencies commenting on the draft EIR.
 - 4. The responses of the Planning Department.

Section 609 - Certification of Final EIR

- a. Prior to approving a project the City shall certify that:
 - 1. The final EIR has been completed in compliance with CEQA;
 - 2. The final EIR was presented to the decision-making body of the City, and that the decision-making body reviewed and considered the information contained in the final EIR prior to approving the project; and
 - 3. The final EIR reflects the City's independent judgment and analysis.
- b. When an EIR is certified by a non-elected decision-making body within the City, that certification may be appealed to the City Council.

Section 610 - Notice of Public Hearing on the Project

- a. At least 10 days prior to any public hearing on the project for which a final EIR has been completed, public notice shall be given including the following information:
 1. A brief description of the project and its proposed location;
 2. The decision-making body of the City that will consider approval of the project;
 3. The date, time and place of the hearing;
 4. A statement that an EIR has been prepared for the project and the addresses of not less than two locations where it is available for inspection;
 5. A statement that prior to making a decision, the decision-making body of the City will certify the final EIR and all testimony, oral or written, pertaining to the EIR.

- b. The public notice shall be given the following procedures:
 1. Mailing to all organizations and individuals who have previously requested such notice and have provided the Planning Department with a self-addressed stamped envelope for that purpose;
 2. Publication once in a newspaper of general circulation in the area affected by the proposed project;
 3. By the same procedure as provided by the statute or ordinance applicable to the project for notice of public hearing;
 4. If no statute or ordinance applicable to the project provides a procedure for the giving of notice of public hearing pursuant to subsection (b)(3) of this section, notice shall also be given by mail to all owners of real property which is located within 300 feet of the exterior boundaries of the proposed project, as such owners are shown on the last equalized assessment roll. If the number of owners to whom notice would be mailed exceeds 1,000, as an

alternative to this mailed notice, notice may be given by publication of a one-quarter page display advertisement in a newspaper of general circulation in the area affected by the proposed project. A display advertisement so published shall also satisfy the publication requirement of subsection (b)(2) of this section.

- c. The public notices required by this section may be combined with any public notice otherwise required by law for the project.

Section 611 - Findings

- a. The City may not approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects of the project unless the City makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings are:
 - 1. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.
 - 2. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
 - 3. Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.
- b. The findings required by subsection (a) shall be supported by substantial evidence in the record.
- c. The finding in subsection (a)(2) shall not be made if the City has concurrent jurisdiction with another agency to deal with identified feasible mitigation measures or alternatives. The finding in subsection (a)(3) shall describe the specific reasons for rejecting identified mitigation measures and project alternatives.

- d. When making the findings required in subsection (a)(1), the City shall also adopt a program for reporting on or monitoring the changes which it has either required in the project or made a condition of approval to avoid or substantially lessen significant environmental effects. These measures must be fully enforceable through permit conditions, agreements, or other measures.
- e. The City shall specify the location and custodian of the documents or other material which constitute the record of the proceedings upon which its decision is based.
- f. A statement made pursuant to State CEQA Guideline 15093 does not substitute for the findings required by this section.

Section 612 – Notice of Determination (NOD)

- a. After approving a project for which an EIR has been prepared, the Decision-making body of the City which has approved the project shall within 5 working days of the approval of the project file a NOD with the Clerk of Los Angeles County and, if the project requires the discretionary approval from a state agency, with the OPR.
- b. The NOD shall include:
 - 1. An identification of the project, including its common name where possible and its location;
 - 2. A brief description of the project;
 - 3. The date the project was approved;
 - 4. The determination of the approving officer or body whether the project in its approved form will have a significant effect on the environment;
 - 5. A statement that an EIR was prepared and certified pursuant to CEQA.
 - 6. Whether mitigation measures were made a condition of the approval of the project;

7. Whether the findings were made pursuant to State CEQA Guideline 15091;
8. Whether a Statement of Overriding Considerations was adopted for the project pursuant to State CEQA Guideline 15093;
9. The address where a copy of the EIR and the record of project approval may be examined.

Section 613 - Mitigation Monitoring Program

When the City has made the findings required in Sections 403 and 611 of these rules relative to an EIR or adopted a MND, the City shall adopt a mitigation monitoring program in compliance with State CEQA Guideline 15097.

Section 614 - Disposition of Final EIR

The City shall:

- a. File a copy of the final EIR with the appropriate planning agency of any city, county, or city and county where significant effects on the environment may occur.
- b. Include the final EIR as part of the regular project report which is used in the existing project review and budgetary process if such a report is used.
- c. Retain one or more copies of the final EIR as public records for a reasonable period of time.
- d. Require the applicant to provide a copy of the certified, final EIR to each Responsible Agency.

DIVISION VII

TYPES OF EIRs AND SUBSEQUENT ENVIRONMENTAL DOCUMENTS

Section 701 - Project EIR

Section 701 – Project EIR and Limited Scope EIRs: The most common type of EIR examines the environmental impacts of a specific development project. This type of EIR should focus primarily on the changes in the environment that would result from a