



ADMINISTRATIVE REGULATION

Office of the City Manager

Number	AR 202
Responsible Department	Community Development
Established/Effective Date	March 2016
Lastest Revision Date	September 2023
Next Review & Reauthorizatoin Date	September 2025

SUBJECT: Process for Environmental Clearance


1. **Purpose:** To establish a system for uniform processing of environmental documents for City projects to ensure quality and budget control, improve interdepartmental communication, and comply with state and federal law.
2. **Authority:** Section 401 of the Huntington Beach City Charter.
3. **Application:** This regulation shall apply to all departments and all personnel.
4. **Definitions:**
 - 4.1. **CEQA** - California Environmental Quality Act
 - 4.2. **City Projects** - Projects for which the City is the applicant or co-applicant
 - 4.3. **NEPA** - National Environmental Policy Act
 - 4.4. **Project** - An action which has the potential for resulting in either a direct or a reasonably foreseeable indirect physical change in the environment
 - 4.5. **Scope of Work** - Project-specific tasks to be accomplished by City staff and/or consultants
5. **Policy:** The Planning Division of the Community Development Department shall serve as the lead for the environmental review and clearance for all City projects.
6. **Responsibilities:**
 - 6.1. **The Planning Division shall be responsible for:**
 - 6.1.1. Determining the appropriate level of environmental review, pursuant to CEQA, and NEPA.
 - 6.1.2. Assisting in the preparation of the environmental portion of a request for proposals, providing comments on scope of work, and reviewing the qualifications of potential environmental consulting firms.
 - 6.1.3. Managing the preparation of all Initial Studies, Negative Declarations, Mitigated Negative Declarations, and Environmental Impact Reports and their federal equivalents.
 - 6.1.4. Coordinating with City department(s) regarding the budget and overall project management responsibility for the subject project throughout the environmental process.
 - 6.1.5. Attending all public meetings regarding the subject project to provide staff support for the environmental aspect of the project.

7. Procedures:

- 7.1. The department initiating a project shall develop a written project description. The project description shall include but not limited to:
- 7.1.1. Site area and location
 - 7.1.2. Building square footage
 - 7.1.3. Grading
 - 7.1.4. Duration of construction
- 7.2. The department initiating a project shall provide the Planning Division a **minimum of three (3) weeks** to review the request and make a determination as to the appropriate environmental documentation.
- 7.3. The Planning Division shall respond by providing a determination as to the required environmental process based on the written description and other information provided or supplemental information that may be required.
- 7.4. Upon determining the required environmental process, the Planning Division will assist the requesting department with items identified in 6.1., as necessary.
- 7.5. The Planning Division and the department with budget and overall project management responsibility shall work to ensure that any changes in scope or project description are addressed immediately in terms of budget and timeline implications.

Distribution:

All employees may access the Administrative Regulations via the SurfNet or City website: www.huntingtonbeachca.gov/AR.



Director, Community Development
Initiating Department



Al Zelinka
City Manager



Approved as to Form
Michael Gates, City Attorney

Review Schedule

REVIEW DATE	DEPT. HEAD INITIAL	CITY MANAGER SIGNATURE

Attachment 1: AR 202 Process for Environmental Clearance

GENERAL GUIDELINE

“Environmental Status” section is necessary for all Request Council Actions (RCAs) to ensure the City complies with the California Environmental Quality Act (CEQA). In determining which environmental status option is appropriate you must first determine if the Council item qualifies as a “project” under CEQA.

Generally, under CEQA a “project” means the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.

If a Council item does not qualify as a “Project” under CEQA, choose Option A below.

- An example of when this would apply includes administrative activities of governments or a Council Item to receive a status report on a particular project or program, approval of appointment of a Board or Commissioner(s), or a contract to purchase new IT equipment for City Hall.

Option A. Not a Project CEQA Language

This action is not subject to the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly.

If your Council item qualifies as a “Project” under CEQA, you must then determine if the project has the potential for causing a significant effect on the environment. If it can be seen with certainty that there is no possibility that this activity will have a significant effect on the environment, then use Option B below.

- As an example, if the Council item is a contract to restripe the City Hall parking lot, the Council action would qualify as a project under CEQA (e.g. result in a direct physical change in the environment), but can be seen with certainty that the action will not result in a significant effect on the environment. This action is covered by the General Rule and is exempt from CEQA.

Option B. Project is Exempt from CEQA [General Rule]

This action is covered by the General Rule that the California Environmental Quality Act (CEQA) applies only to projects that have the potential for causing a significant effect on the environment (Section 15061.b.3 of the State CEQA Guidelines). It can be seen with certainty that there is no possibility that this activity will have a significant effect on the environment. Therefore, this activity is not subject to CEQA.

If your Council item qualifies as a "Project" under CEQA, City project managers who manage and develop projects that have the potential to result in a significant effect on the environment should consult with Community Development, Planning Division staff during the early planning stages of the project to determine if the project qualifies for a Categorical Exemption or if a (Mitigated) Negative Declaration or Environmental Impact Report will be required under CEQA.

- Option C below should be utilized for those projects that qualify for a Categorical Exemption, project specific language should be developed in consultation with Planning Division staff in all other instances (e.g. EIR, MND, etc.).

Option C. Categorical Exemption

This project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section [Enter specific section number advised by Community Development] under Class [Enter specific Class number advised by Community Development] of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential to have a significant effect on the environment.