



ENVIRONMENTAL REVIEW GUIDELINES

PROCEDURES FOR IMPLEMENTING THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

November 14, 2024

1. Introduction

The following guidelines are adopted by the San Diego County Air Pollution Control District (SDAPCD) Governing Board to fulfill the requirements of the California Environmental Quality Act (CEQA), Public Resources Code 21000–21189.91 and related regulations in California Code of Regulations, Title 14, Division 6, Chapter 3, Sections 15000–15387 (CEQA Guidelines). Agencies are required to adopt implementing procedures and guidelines for administering their responsibilities under CEQA, including the orderly evaluation of projects and preparation of environmental documents.¹

The purpose of these guidelines is to guide SDAPCD staff in carrying out the requirements of CEQA and to assure the public that environmental impacts related to SDAPCD actions are thoroughly and consistently addressed. The guidelines achieve this purpose by providing objectives, criteria, and procedures for the orderly evaluation of projects and the preparation of CEQA documents pursuant to CEQA and its implementing State CEQA Guidelines. The SDAPCD CEQA Guidelines are intended to supplement the State CEQA Guidelines for practical application to specific projects approved or undertaken by the SDAPCD. The following procedures, therefore, do not replace or supplant the State CEQA Guidelines, but are to be used in conjunction with them. All definitions and requirements of the State CEQA Guidelines are included and made part of these procedures by this reference. If the application of any procedure contained in the SDAPCD Guidelines conflicts with any provision of the State CEQA Guidelines, the provision of the State CEQA Guidelines shall control.

2. CEQA Background

CEQA is California’s law designed to most comprehensively address environmental impacts. It was originally adopted by the Legislature in 1970 largely to “[e]nsure that the long-term protection of the environment, consistent with the provision of a decent home and suitable living environment for every Californian, shall be the guiding criterion in public decisions.”² Since adoption, CEQA has been amended on many occasions. The laws and rules governing the CEQA process are found in the CEQA statute (Public Resources Code Section 21000 et seq.), the CEQA Guidelines (California Code of Regulations, Title 14, Section 15000 et seq.), published court decisions interpreting CEQA, and locally adopted CEQA procedures.

CEQA is intended to prevent or minimize environmental damage from activities undertaken by public agencies; activities undertaken by private individuals or businesses that require a permit, funding, or other approval by a public agency; and any projects that have the potential to adversely affect the environment. This is accomplished by requiring public agencies to analyze the potential for adverse environmental effects generated by a project in their jurisdiction prior to approval, and, if significant adverse impacts are

¹ Pub. Res. Code § 21082; 15 C.C.R. § 15022.

² Pub. Res. Code § 21001(d).

identified, mitigating or avoiding these environmental impacts to the greatest extent feasible. CEQA is also a public disclosure statute. It is intended to require public disclosure of the environmental impacts of proposed projects to foster informed public comment and public agency decision-making about whether and under what circumstances to approve such projects.

The SDAPCD interprets CEQA as containing six primary goals:

1. To disclose to decision-makers and the public the environmental effects of proposed activities;
2. To identify ways to avoid or reduce environmental damage;
3. To prevent environmental harm by requiring avoidance or minimization of the harm or implementation of feasible alternatives or mitigation measures;
4. To disclose to the public reasons for agency approvals of projects with significant environmental effects;
5. To foster interagency coordination; and
6. To enhance public participation in the discussion of environmental impacts of SDAPCD's decision-making.

CEQA applies to any discretionary project that may have a significant effect on the environment. This includes public projects and private projects requiring public agency discretion and approval. A discretionary project is defined as “a project which requires the exercise of judgment or deliberation when the public agency or body decides to approve or disapprove a particular activity, as distinguished from situations where the public agency or body merely has to determine whether there has been conformity with applicable statutes, ordinances, or regulations.”³ A project means “the whole of an action, which has the potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment...”⁴ and includes:

1. Activities directly undertaken by a public agency (public works projects, regulations, planning documents);
2. Activities by private entities that are assisted by a public agency (contracts, grants, loans); or
3. Activities by private entities where public agency issues an entitlement (lease, permit).⁵

Once a public agency has determined they are considering approving a discretionary project, they must determine if the project qualifies for a statutory or categorical exemption, or if the project requires further evaluation in the form of a negative

³ 14 C.C.R. § 15357.

⁴ 14 C.C.R. § 15378.

⁵ *Ibid.*

declaration, mitigated negative declaration,⁶ or an environmental impact report. The SDAPCD will prepare administrative procedures for carrying out projects (e.g., adopting rules, regulations, and plans) consistent with these Guidelines to facilitate consistent and orderly evaluation under CEQA.

3. SDAPCD Roles and Responsibilities

3.1 Roles

Air districts have unique roles and responsibilities in implementing CEQA. The CEQA Guidelines describe air districts as single or limited purpose agencies.⁷ As such, CEQA limits the SDAPCD to addressing issues within its area of expertise—air quality—for most projects as a responsible or commenting agency. However, when the SDAPCD is the Lead Agency as described below, it must examine all potential environmental impacts of a project it will be approving. The SDAPCD exercises authority over most aspects of air resources in the County of San Diego.

The SDAPCD can have any one of three primary roles under CEQA depending on the project's nature and relation to the agency:

Lead Agency⁸: A lead agency is the public agency that has the principal responsibility for carrying out or approving a discretionary project that is subject to CEQA. The SDAPCD acts as lead agency for its own projects (e.g., adoption of rules, regulations, or plans). The SDAPCD also acts as lead agency for projects that require an SDAPCD permit and where the SDAPCD has greater approval authority over the proposed project compared to other public agencies.

Responsible Agency⁹: A responsible agency is a public agency with discretionary approval authority over a portion of a project for which a lead agency is preparing or has prepared a CEQA document. The SDAPCD acts as a responsible agency for projects that include equipment requiring an SDAPCD permit, but where another public agency, such as a city or county land use agency, is the lead agency (e.g., construction of a new industrial facility). Lead agencies must consult informally with responsible agencies at the Initial Study stage to obtain recommendations on whether to prepare an Environmental Impact Report (EIR) or a Negative Declaration.¹⁰ Lead agencies must also request comments from responsible agencies on draft EIRs and Negative Declarations.¹¹ The

⁶ Unless otherwise specified, “negative declaration” shall mean either a negative declaration or mitigated negative declaration throughout.

⁷ 14 C.C.R. § 15051(b)(1) (“The Lead Agency will normally be the agency with general governmental powers, such as a city or county, rather than an agency with a single or limited purpose such as an air pollution control district or a district which will provide a public service or public utility to the project.”).

⁸ 14 C.C.R. § 15367.

⁹ 14 C.C.R. § 15381.

¹⁰ 14 C.C.R. § 15063(g).

¹¹ 14 C.C.R. §§ 15072(a), 15086.

SDAPCD must consider the adequacy of an environmental document prepared by the Lead Agency prior to approving certain permits.¹²

Commenting Agency: The SDAPCD may comment on the air quality impacts of projects where another public agency is the Lead Agency, but for which the SDAPCD has no discretionary authority. CEQA requires lead agencies to consult with agencies that exercise authority over resources that may be affected by the project.¹³

3.2 Delegation of Tasks

CEQA Guidelines Section 15025 allows public agencies to delegate certain tasks to staff but also prohibits delegation of other responsibilities, which must be undertaken by the decision-making body. The SDAPCD Governing Board is the decision-making body for the adoption of rules, regulations, and plans. The Air Pollution Control Officer (APCO) or their designee is the decision-making body for approvals of SDAPCD permits.

Tasks that May Not be Delegated: The decision-making body may not delegate the following functions¹⁴:

- ✓ Reviewing and considering a Negative Declaration or final EIR prior to approving a project; and
- ✓ Making findings required by CEQA Guidelines Sections 15091 and 15093. These findings relate to mitigation of significant impacts and to statements of overriding consideration when impacts cannot be mitigated but the project will be approved.

Tasks that are Delegated to Staff: The SDAPCD Governing Board delegates the following CEQA functions to staff or consultants under contract with SDAPCD:

- ✓ Conducting preliminary reviews to determine whether a project is exempt from CEQA;
- ✓ Conducting an Initial Study and deciding whether to prepare a draft EIR or a Negative Declaration;
- ✓ Preparing a proposed Negative Declaration or EIR;
- ✓ Accomplishing environmental reviews within the time frames required by CEQA;
- ✓ Preparing responses to comments on SDAPCD prepared environmental documents;
- ✓ Preparing and implementing mitigation reporting and monitoring programs;
- ✓ Filing all notices required or allowed by CEQA; and
- ✓ Reviewing and commenting on projects where another agency is Lead Agency.

¹² 14 C.C.R. § 15096(f).

¹³ 14 C.C.R. §§ 15073(b), 15086.

¹⁴ 14 C.C.R. § 15025(b).

Tasks that are Delegated to Deputy Directors: The SDAPCD delegates the following CEQA functions to the Deputy Director or their designee:

- ✓ Signing all draft documents; and
- ✓ Signing Notices of Exemption, Determination, Preparations or Completion.

3.3 Responsibilities

3.3.1 Responsibilities as a Lead Agency

The SDAPCD's basic responsibilities as a Lead Agency¹⁵ are listed below. Generally, these functions will be performed by the SDAPCD Engineering, Planning or Rule Development teams, depending on the type of project. For example, Engineering will generally take the lead on these tasks when SDAPCD learns about the project during a permit application submittal, Planning will take the lead for the analysis of SDAPCD air quality plans, and Rule Development will address CEQA analysis of SDAPCD rule adoption and amendments. Also, outside consultants may be used to assist with some of these responsibilities, such as the development of Initial Studies, Negative Declarations, and Environmental Impact Reports, at the direction of the lead SDAPCD staff.

- ✓ Conduct preliminary reviews to determine if projects are subject to CEQA.¹⁶
- ✓ Conduct review to determine if a project is exempt from CEQA.¹⁷
- ✓ Prepare initial studies for projects that may have adverse environmental impacts.¹⁸
- ✓ Determine the significance of the environmental effects caused by the project.¹⁹
- ✓ Prepare or contract to prepare Negative Declarations for projects with no significant environmental impacts.²⁰
- ✓ Prepare, or contract to prepare, EIRs for projects with significant environmental impacts.²¹
- ✓ Adopt reporting or monitoring programs for the changes made to projects or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment.²²
- ✓ Comply with CEQA noticing and filing requirements.

3.3.2 Responsibilities as a Responsible Agency

The SDAPCD most often acts as a Responsible Agency when it has discretionary permitting authority for a piece of equipment that is being evaluated as part of a larger

¹⁵ 14 C.C.R. §§ 15050-53.

¹⁶ 14 C.C.R. § 15060.

¹⁷ 14 C.C.R. § 15061.

¹⁸ 14 C.C.R. § 15063.

¹⁹ 14 C.C.R. § 15064.

²⁰ 14 C.C.R. § 15070.

²¹ 14 C.C.R. § 15081.

²² Pub. Res. Code § 21081.6; 14 C.C.R. § 15097.

project by a land use agency. In those instances, the SDAPCD Planning team will serve as the primary point of contact. SDAPCD's responsibilities as a Responsible Agency include participation in the Lead Agency's consultation process and may include providing comments on the evaluation of air quality impacts.

The SDAPCD has additional responsibilities prior to issuing a discretionary entitlement for a permitting project. The SDAPCD must also, as a Responsible Agency, do the following:

- ✓ Respond to notices of preparation received from lead agencies within 30 days as appropriate based on potential air quality impacts.²³
- ✓ Participate in or request a lead agency to call a scoping meeting as appropriate based on potential air quality impacts.²⁴
- ✓ Decide on the adequacy of the EIR or Negative Declaration for use by the SDAPCD.²⁵
- ✓ Consider the environmental effects of the project as shown in the EIR or Negative Declaration.²⁶
- ✓ Adopt feasible alternative or mitigations for the direct or indirect environmental effects of those parts of the project which it decides to carry out, finance, or approve.²⁷
- ✓ Prepare and submit mitigation monitoring and reporting programs where appropriate.²⁸
- ✓ Make appropriate findings.²⁹
- ✓ File appropriate notices.³⁰

3.3.3 Responsibilities as a Commenting Agency

At the direction of the Governing Board or the APCO, the SDAPCD may submit comments to the lead agency on an environmental document prepared by another government agency when the SDAPCD is not a Responsible Agency. The comments may address any environmental effect of a project being considered by the lead agency.³¹ Most often, the SDAPCD may submit comments as a commenting agency when the project would impact the SDAPCD's policies, programs, goals, or objectives.

3.4 Independent Judgment

²³ 14 C.C.R. § 15082(b).

²⁴ 14 C.C.R. § 15082(c).

²⁵ 14 C.C.R. § 15096(e).

²⁶ 14 C.C.R. § 15096(f).

²⁷ 14 C.C.R. § 15096(g).

²⁸ Pub. Res. Code § 21081.6; 14 C.C.R. § 15097.

²⁹ 14 C.C.R. § 15096(h).

³⁰ 14 C.C.R. § 15096(i).

³¹ 14 C.C.R. § 15044.

The SDAPCD must exercise independent judgment in reviewing and approving environmental documents and considering environmental impacts. In accordance with CEQA,³² the SDAPCD will do all of the following:

- ✓ Independently review and analyze any report or declaration required by CEQA;
- ✓ Circulate draft documents that reflect the Agency's independent judgment; and
- ✓ As part of the adoption of a Negative Declaration or certification of an EIR, find that the report or declaration reflects the independent judgment of the Lead Agency.

4. Procedures

4.1 Consultation Procedures

4.1.1 Pre-Application Consultation

Pursuant to CEQA Guidelines Section 15060.5, when acting as the Lead Agency, the SDAPCD will provide pre-application consultation upon request from permit applicants. The purpose of the consultation is to consider the range of actions, potential alternatives, mitigation measures, and any potential significant effects on the environment of the potential permit prior to submission of the permit application. The purpose of the consultation is to provide support to permit applicants. But the information provided by SDAPCD during the consultation is tentative only and may be changed once additional information is provided through the permit application and evaluation process.

4.1.2 Tribal Consultation

AB 52 (2014) enshrines CEQA's tribal consultation requirements.³³ Under AB 52, the CEQA process must include formal, deliberate, and rigorous consultation with Native American tribal representatives on issues that could affect potential culturally significant areas and resources, along with an impact analysis of those historical and cultural resources. SDAPCD will follow guidance from the state Office of Planning and Research in the tribal consultation process for projects that require a negative declaration, mitigated negative declaration, or environmental impact report.

4.2 CEQA Exemptions

The State Legislature recognized that certain types of projects will not have significant environmental impacts or have overriding benefits such that the project should not have to undergo CEQA review. These exemptions from CEQA requirements are identified as statutory or categorical exemptions and are found in Articles 18 and 19 of the State CEQA Guidelines. The following section provides an overview of the most common exemptions applicable to projects where the SDAPCD is the Lead Agency or a Responsible Agency. Additional exemptions may be found in the CEQA Guidelines.

³² Pub. Res. Code § 21082.1(c).

³³ Pub. Res. Code §§ 21080.3.1 et seq.

Some projects may qualify for more than one exemption. In those cases, all exemptions related to the project should be identified in the project file and on the notice of exemption, if one is filed.

The following are typical activities that the SDAPCD has found to be within the exemptions identified in the State CEQA Guidelines.

4.2.1 Statutory Exemptions

The Legislature granted a number of exemptions from CEQA. The following exemptions often apply to projects for which SDAPCD serves as the Lead Agency:

Ministerial Projects: CEQA Guidelines Section 15268 specifies that ministerial projects are exempt from the requirements of CEQA and identifies that a particular public agency is in the most appropriate position to determine which of their approvals is ministerially exempt. CEQA Guidelines Section 15369 defines a ministerial action as a decision where the agency exercises little or no personal judgment as to the wisdom or manner of carrying out the project. The agency applies the law to the facts as presented and does not use discretion or judgment in reaching a decision. Approval of a ministerial action generally involves fixed standards or objective measurements.

The ministerial exemption applies most often in SDAPCD permitting. Based on the analysis of its own laws, including SDAPCD Rule 20, the SDAPCD considers permits issued in accordance with SDAPCD Rules 10, 12, or 12.1 to be ministerially exempt from the requirements of CEQA unless one of the following requirements apply:

1. Best Available Control Technology (BACT), as defined by SDAPCD Rule 20.1;
2. Lowest Achievable Emission Rate (LAER) as defined by SDAPCD Rule 20.1;
3. Toxics Best Available Control Technology (T-BACT), as defined by SDAPCD Rule 1200; or,
4. SDAPCD Rule 1210(e), which are permit actions to incorporate enforceable permit conditions for any physical or operational changes or control measures at a stationary source that reduce or eliminate toxic air contaminant emissions and associated health risks.³⁴

Projects that require a permit from the SDAPCD pursuant to SDAPCD Rules 10, 12, or 12.1 and are subject to BACT, LAER, or T-BACT, or any permit issued pursuant to SDAPCD Rule 1210(e) require some exercise of judgment or deliberation in approving the appropriate control technologies and to establish permit conditions to ensure ongoing compliance with those measures to reduce air pollution and/or health risks. All other projects that require SDAPCD permits are considered ministerial projects and therefore exempt from CEQA requirements. Those projects involve little or no personal judgment

³⁴ Generally, projects that meet risk reduction requirements per Rule 1210 are exempt from CEQA under CEQA Guidelines Sections 15301 and 15308 .

by the SDAPCD since its analysis in those instances is limited to verifying conformity with specific standards established under local, State and Federal regulations. SDAPCD uses no special discretion or judgment in reaching a decision to approve the project. In these cases, the permit must be issued by the SDAPCD if the proposal meets all applicable air quality requirements.

Emergency Projects: The following projects are exempt from CEQA per CEQA Guidelines Section 15269:

Projects to maintain, repair, restore, demolish, or replace property or facilities damaged or destroyed as a result of a disaster in a disaster-stricken area in which a state of emergency has been declared by the Governor.

Emergency repairs to publicly or privately owned service facilities necessary to maintain service essential to the public health, safety, or welfare.

Specific actions necessary to prevent or mitigate an emergency. An example is the installation of a temporary emergency diesel water pump used to alleviate or avoid an immediate threat of flooding. This exemption would not apply to equipment installed in the normal course of construction to prevent long-term hazards.

Title V Permits: Public Resources Code Section 21080.24 and CEQA Guidelines Section 15281 exempts the issuance, modification, amendment, or renewal of any permit by an air pollution control district or air quality management district pursuant to Title V, as defined in Section 39053.3 of the Health and Safety Code, or pursuant to an air district Title V program established under Sections 42301.10, 42301.11, and 42301.12 of the Health and Safety Code, unless the issuance, modification, amendment, or renewal authorizes a physical or operational change to a source or facility.

Projects which are Disapproved: CEQA Guidelines Section 15270 exempts projects which are disapproved from CEQA analysis. This section applies most often in the SDAPCD decision to deny permit applications.

Rates, Tolls, Fares, and Charges: CEQA Guidelines Section 15273 exempts certain establishment, modification, structuring, restructuring, of rates, tolls, fares, or other charges by public agencies. This section applies most often to the SDAPCD's adoption of fees through SDAPCD Rule 40 and Rule 42.

4.2.2 Categorical Exemptions

The State Secretary of Resources has determined that certain classes of projects that, while not ministerial, do not have a significant effect on the environment and are categorically exempt from the provisions of CEQA unless an exception applies. These exemptions are listed in Sections 15300 to 15332 of the CEQA Guidelines.

In the context of SDAPCD permitting, any permit application that requires the application of BACT, T-BACT, or LAER, or is being issued pursuant to SDAPCD Rule 1210, is not ministerially exempt as described above and therefore will be reviewed for a categorical exemption. A categorical exemption may be appropriate when the application to alter permitted equipment or to change processes will involve only negligible increases in pollutant emissions that do not increase or create a new possible significant physical environmental effects.

Section 15382 of the CEQA Guidelines defines a significant effect on the environment as:

[A] substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance. An economic or social change by itself shall not be considered a significant effect on the environment. A social or economic change related to a physical change may be considered in determining whether the physical change is significant.

SDAPCD staff will develop a screening form to determine if permit applications for discretionary permit decisions qualify for an exemption or may require further CEQA Review. The exemptions most frequently applied to the permitting and other SDAPCD decisions are listed below:

Minor Alterations to Existing Facilities: CEQA Guidelines Section 15301 exempts projects consisting of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographic features, involving negligible or no expansion of use or emissions beyond that existing at the time of the lead agency's determination.

In-Fill Development Projects: CEQA Guidelines Section 15332 exempts in-fill development that is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations; occurs within city limits of a project site of no more than five acres substantially surrounded by urban uses; has no value as habitat for endangered, rare or threatened species; not result in any significant effects relating to traffic, noise, air quality, or water quality; and the site can be adequately served by all required utilities and public services.

Replacement or Reconstruction: CEQA Guidelines Section 15302 exempts the replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity. This would include replacement or reconstruction of existing permitted facilities and equipment involving no expansion of capacity.

Cogeneration Projects at Existing Facilities: CEQA Guidelines Section 15329 exempts the installation of cogeneration equipment with a capacity of 50 megawatts or less that meet the following conditions:

Industrial facilities where the installation of cogeneration equipment will result in no net increase in air emissions or will produce emissions lower than the amount that would require review under the new source review rules of the SDAPCD, and comply with all applicable state, federal, and local air quality laws.

Commercial and institutional facilities that meet all the criteria listed above, result in no noticeable noise to nearby residential structures, and are contiguous to other commercial or institutional uses.

Minor Actions to Prevent, Minimize, Stabilize, Mitigate or Eliminate the Release or Threat of Release of Hazardous Waste or Hazardous Substances: CEQA Guidelines Section 15330 exempts minor cleanup actions taken to prevent, minimize, stabilize, mitigate, or eliminate the release or threat of release of a hazardous waste or substance which are small or medium removal actions costing \$1 million or less. The SDAPCD might apply this section to exempt certain soil remediation projects subject to SDAPCD permits.

In addition, the SDPACD may apply the following exemption categories in its actions as a regulatory agency, including in the adoption of plans, regulatory rulemaking, monitoring, and enforcement:

Enforcement Actions by Regulatory Agencies: CEQA Guidelines Section 15321 exempts actions by regulatory agencies to enforce or revoke a lease, permit, license, certificate, or other entitlement for use issued, adopted, or prescribed by the regulatory agency or enforcement of a law, general rule, standard, or objective, administered or adopted by the regulatory agency. This exemption would typically apply to actions taken by the SDAPCD Hearing Board.

Actions by Regulatory Agencies for Protection of the Environment: CEQA Guidelines Section 15308 exempts actions taken by regulatory agencies, as authorized by state or local ordinance, to assure the maintenance, restoration, enhancement, or protection of the environment. This exemption may apply to the adoption of SDAPCD rules and regulations that tighten requirements or performance standards and have no significant environmental effect on other resources. This exemption may also apply to incentive programs administered by SDAPCD using state, federal, and local funding to reduce emissions from mobile sources and to reduce sources of pollution in overly burdened or environmental justice areas.

Information Collection: CEQA Guidelines Section 15306 exempts basic data collection, research, experimental management, and resource evaluation activities which do not result in a serious or major disturbance to an environmental resource. These may be

strictly for information gathering purposes, or as part of a study leading to an action which a public agency has not yet approved, adopted, or funded. This exemption applies most often in the context of the SDAPCD monitoring activities, which include setting up monitoring stations or placing monitors, and collecting data or taking samples. The exemption may also apply in the rulemaking context where data is sometimes collected to provide information to staff.

4.2.3 Exceptions to Categorical Exemptions

Section 15300.2 of the State CEQA Guidelines sets forth a number of exceptions to categorical exemptions. Prior to the use of any categorical exemption, a proposed activity is reviewed for these exceptions based on initial research, a site visit (if determined necessary), and other available relevant documentation. Projects that fall under the following circumstances that are listed in CEQA Guidelines Section 15300.2 will not be subject to a categorical exemption and must undergo the appropriate environmental review:

- ✓ For categorical exemptions of Classes 3, 4, 5, 6, and 11, projects that are ordinarily considered insignificant in their impacts on the environment are not exempt if the project is located in a particularly sensitive environment. The categorical exemptions will not apply where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies;
- ✓ When the cumulative impact³⁵ of successive projects of the same type in the same place, over time is significant;
- ✓ When unusual circumstances exist that may cause a significant effect³⁶ on the environment;
- ✓ When a project may result in damage to scenic resources within a highway designated as a state scenic highway;
- ✓ When a project is located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code (Hazardous Waste Sites); or
- ✓ When a project may cause a substantial adverse change in the significance of a historical resource.³⁷

4.2.4 “General Rule” Exemption

CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not

³⁵ 14 C.C.R. § 15355 (defining cumulative impacts).

³⁶ 14 C.C.R. § 15382.

³⁷ Public Resources Code § 21084.1 (providing that a substantial adverse change in the significance of an historical resource is a project under CEQA that may have a significant effect on the environment and how to determine what is an historical resource).

subject to CEQA.³⁸ The “General Rule” exemption is used when, during preliminary review, the SDAPCD finds that a discretionary project is of a type and size known through previous environmental reviews, analysis, and experience to have no significant effects. This exemption cannot be used if the project has circumstances that are out of the ordinary, or if the project has the potential to cause a localized exceedance of any pollutant emission standard. Examples of projects normally qualifying for this exemption include, but are not limited to, the following:

Permitting Projects that Qualify for a Categorical Exemption: Generally, a discretionary permitting project that qualifies for a categorical exemption will likely also qualify under the General Rule exemption.

Minor Rule Amendments: Rule amendments that make administrative changes and corrections to rules that do not relax emission standards nor cause significant emissions increases and have no other significant environmental effects.

Rules with no Significant Environmental Effect: New and amended rules where it can be seen with certainty that implementation will result in no significant environmental effects.

Adoption of Federal or State Rules or Regulations by Reference: The SDAPCD sometimes adopts United States Environmental Protection Agency (EPA) and California Air Resources Board (CARB) rules and regulations that will be enforced by the SDAPCD. By placing the rule in the SDAPCD Rulebook, potential sources are more likely to be aware of the requirements. SDAPCD adoption of these rules has no impact on the environment since they are in effect whether or not the SDAPCD takes action. Examples include federal New Source Performance Standards and National Emission Standards for Hazardous Air Pollutants, and State Air Toxic Control Measures. If the SDAPCD modifies a state or federal rule in a way that substantially differs from the state or federal regulation it must be examined for potential impacts.

Plans Using Only Previously Adopted Measures: New and amended SDAPCD plans proposing no new control measures or programs and these existing previously adopted measures and programs were found to have no significant environmental effects during a previous environmental review.

Plans with no Significant Adverse Effect: New and amended SDAPCD plans where it can be seen with certainty that proposed measures or programs will have no significant environmental effects.

³⁸ 14 C.C.R. § 15061(b)(3).

4.2.5 Filing Notices of Exemption

CEQA Guidelines Section 15062 allows agencies to file a Notice of Exemption for projects determined to be exempt from CEQA. Filing a Notice of Exemption starts a 35-day statute of limitations period on legal challenges of an agency's decision that a project is exempt from CEQA. If no Notice of Exemption is filed, the statute of limitations is 180 days. The notice can be filed only after the project is approved. If a notice is filed, the notice shall contain all information required by CEQA Guidelines Section 15062. The SDAPCD may, in its discretion, file a Notice of Exemption for certain actions approving plans or rules. In general, the SDAPCD will not file a Notice of Exemption for permitting decisions but will provide the appropriate documentation for the applicant to complete the filing. A permit applicant will be responsible for filing the Notice of Exemption, as well as all fees and costs associated with the filing pursuant to SDAPCD Rule 40.

4.3 Projects Subject to CEQA Review

This section describes the requirements that might be applicable when a project is not exempt from CEQA. Appendix A of the CEQA guidelines has a process flow chart for an overview of all applicable requirements.

4.3.1 Lead Agency Determination

As discussed in Section 3.3.1 of these Guidelines, a Lead Agency is the public agency that has the principal responsibility for carrying out or approving a discretionary project that is subject to CEQA. The SDAPCD acts as Lead Agency for its own projects (e.g., adoption of rules, regulations, or plans). The SDAPCD can also act as the Lead Agency for projects that require an SDAPCD permit and where the SDAPCD has greater approval authority over the proposed project compared to other public agencies. When serving as the Lead Agency, SDAPCD will fully comply with all requirements under Sections 15050 to 15053 of the CEQA Guidelines.

4.3.2 Initial Study

In accordance with Section 15063 of the CEQA guidelines, following preliminary review, the Lead Agency shall conduct an Initial Study to determine if the project may have a significant effect on the environment. If the Lead Agency can determine that an Environmental Impact Report (EIR) will clearly be required for the project, an Initial Study is not required but may still be desirable.

Section 15063 requires the following:

1. All phases of project planning, implementation, and operation must be considered in the Initial Study of the project.
2. To meet the requirements of this section, the Lead Agency may use an environmental assessment or a similar analysis prepared pursuant to the National Environmental Policy Act.

3. An initial study may rely upon expert opinion supported by facts, technical studies or other substantial evidence³⁹ to document its findings. However, an initial study is neither intended nor required to include the level of detail included in an EIR.
4. The lead agency may use any of the arrangements or combination of arrangements described in CEQA Guidelines Section 15084(d) to prepare an initial study. The initial study sent out for public review must reflect the independent judgment of the Lead Agency.

The Initial Study should follow the sample provided in Appendix G of the CEQA Guidelines. Any deviation from those checklist questions will require consultation with counsel.

4.3.3 Negative Declaration (ND) or Mitigated Negative Declaration (MND)

A Lead Agency must prepare a ND or MND per Sections 15070-15075 of the CEQA Guidelines when it determines an EIR is not required because a project will not have a significant adverse impact on the environment based on substantial evidence. This determination must be made after considering recommendations from the trustee agencies and responsible agencies.

A proposed ND or MND for a project subject to CEQA shall be prepared when:

1. The initial study shows that there is no substantial evidence, in light of the whole record before the agency, that the project may have a significant effect on the environment, or
2. The initial study identifies potentially significant effects, but: (a) Revisions in the project plans or proposals made by, or agreed to by the applicant before a proposed mitigated negative declaration and initial study are released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur, and (b) There is no substantial evidence, in light of the whole record before the agency, that the project as revised may have a significant effect on the environment.

An ND or an MND is a short document that describes the proposed project, presents findings related to environmental conditions, includes a copy of the initial study which documents the reasons to support the findings, and includes mitigation measures, if any. An ND is a legal statement that either describes the reasons why a proposed project will not have a significant adverse effect on the environment or that compliance with specific Federal, State or County regulations would avoid a significant impact, and thus does not require an EIR. An ND is authorized when the Lead Agency determines that no substantial evidence exists supporting a fair argument of significant effect. An MND applies when

³⁹ 14 C.C.R. § 15384 (defining substantial evidence).

changes to the project or mitigation measures reduce the significant effects to less than significant level or avoid them all together.

When an ND has conditions for the purpose of mitigating potential environmental effects, it is referred to as a “mitigated negative declaration (MND)” under Section 15070 of the CEQA Guidelines. An MND states that revisions in the project made or agreed to by the applicant would avoid the potentially significant adverse impacts, and that there is no substantial evidence that the revised project will have a significant effect on the environment.

4.3.4 Determining Significance

The SDAPCD is limited to examining air quality effects only when it acts as a Responsible or Commenting Agency, but it must evaluate all environmental effects when acting as a Lead Agency. When serving as the Lead Agency, the SDAPCD closely coordinates with Trustee and Responsible Agencies for determinations of environmental significance for areas other than air quality. It also applies the requirements under Sections 15064 15064.7 of the CEQA Guidelines.⁴⁰

4.3.5 Environmental Impact Report (EIR)

Section 15064(a)(1) of the CEQA Guidelines states that “[i]f there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, the agency shall prepare a draft EIR.” Section 15065 of the CEQA Guidelines outlines the conditions that may occur to substantiate a significant effect on the environment.

Sections 15080 to 15097 of the CEQA Guidelines specifically outline the EIR process requirements. The more comprehensive analysis of an EIR will provide a more detailed discussion of the project impacts and will help identify the most appropriate and effective mitigation measures to minimize the impacts.

The first step in preparing an EIR is to determine the scope of the EIR in consultation with agencies, the public, and the applicant. Section 15084 of the CEQA Guidelines provides the following options for the Lead Agency when preparing a draft EIR.

1. Preparing the draft EIR directly with its own staff.
2. Contracting with another entity, public or private, to prepare the draft EIR.
3. Accepting a draft prepared by the applicant, a consultant retained by the applicant, or any other person.
4. Executing a third-party contract or Memorandum of Understanding with the applicant to govern the preparation of a draft EIR by an independent contractor.

⁴⁰ The California Association of Environmental Professionals (AEP) has a paper, entitled [CEQA Portal Topic Paper - Thresholds of Significance \(00568752\).DOCX](#), summarizing those requirements.

5. Using a previously prepared EIR.

A combination of the options described above is also allowed as long as the agency independently reviews, evaluates, and exercises judgment over the document and the issues it raises and addresses. The draft EIR should contain an overview of the project, in-depth studies of potential impacts, measures to reduce or avoid those impacts, maps and technical details of the project area, an analysis of alternatives to the project. The draft EIR should evaluate environmental impacts to various environments, such as air, health risk, water, biological resources, noise, land use, and cumulative impacts of the project.

The final EIR consists of: (1) the draft EIR; (2) comments and recommendations received on the draft EIR; (3) the responses of the lead agency to the significant environmental points raised in the review and consultation process; (4) a list of persons and agencies commenting on the draft EIR; and (5) any other information added by the lead agency.⁴¹

After the final EIR is complete, the Lead Agency determines whether to approve the project or an alternative to the project.

4.5 Mitigation Monitoring and Reporting Programs

4.5.1 Requirements

In order to ensure that the mitigation measures and project revisions identified in the EIR or Mitigated Negative Declaration are implemented, the SDAPCD, in the Lead Agency role, must adopt a program for monitoring or reporting on the revisions that have been required in the project and the measures that have been imposed to mitigate or avoid significant environmental effects.⁴² The SDAPCD may delegate reporting or monitoring responsibilities to another public agency that accepts the delegation; however, until mitigation measures have been completed, the SDAPCD remains responsible for ensuring implementation of the mitigation measures. This is required to ensure that mitigation measures are actually accomplished and that they reduce impacts to the extent committed to in the environmental document. The SDAPCD must obtain or prepare a mitigation monitoring program for each mitigation measure required in an EIR or Mitigated Negative Declaration. The programs shall contain the following information:

- A description of the mitigation measure containing adequate information to identify actions required.
- A listing of the public agency or agencies responsible for monitoring implementation of the mitigation measure.
- A list of the steps required to comply with the mitigation measure; including timing and enforcement mechanisms.

⁴¹ 14 C.C.R. §§ 15120-32 (setting forth EIR content requirements).

⁴² 14 C.C.R. § 15097.

- A description of any long-term monitoring or testing requirements and the funding source.

4.5.2 Mitigation Measures for SDAPCD Permit Approvals

Any mitigation measures required pursuant to an EIR or Mitigated Negative Declaration prepared for a permit issued by the SDAPCD will include mitigation measures related to air quality as permit conditions. The SDAPCD's Compliance Program provides adequate monitoring of all requirements included as conditions of approval of a permit. Most permitted sources are subject to periodic inspections to ensure that all permit conditions are being met. This provides the opportunity for long term monitoring.

Measures to mitigate impacts that are unrelated to air quality may require participation from other agencies. For example, a measure to mitigate water quality impacts may require the project applicant to obtain proof of compliance from the Regional Water Quality Control Board prior to permit issuance.

5. Fees

When the SDAPCD is requested or required to conduct analyses, review or prepare documents, or conduct and/or participate in administrative procedures, meetings or hearings pursuant to CEQA, the SDAPCD may charge fees to recover the estimated cost of providing these services. The fees will be collected pursuant to SDAPCD Rule 40 and shall be based on Time and Material Labor Rates.

6. Environmental Justice, Health, and Equity

The purpose of this section is to describe how SDAPCD will incorporate environmental justice (EJ) into its review of projects which are subject to CEQA. Purely economic or social impacts do not constitute significant effects under CEQA; however, economic or social effects of a project that would lead to a physical change to the environment may result in significant impacts under CEQA. In addition, CEQA requires finding a significant environmental effect where the environmental effects of the project will cause substantial adverse effects on human beings.⁴³

With the adoption of Senate Bill 1000 (SB1000) in 2016, Government Code Section 65302(h) regarding general plans was amended to require local agencies to include requirements related to environmental justice into their general plans. SB1000 requires local governments to address pollution and other hazards that disproportionately impact low-income communities and communities of color within their jurisdiction as a way to proactively plan for and address environmental concerns when developing and updating components of the local agency's general plan. For example, the County of San Diego

⁴³ 14 C.C.R. § 15065(a)(4).

adopted its Environmental Justice element in July 14, 2021,⁴⁴ and the City of San Diego adopted its EJ element on July 1, 2024.⁴⁵

Moreover, many federal and state agencies with whom SDAPCD partners and collaborates are incorporating environmental justice into their programs, goals, objectives and permitting processes. For example, the federal Environmental Protection Agency (EPA) has developed an environmental justice screening and mapping tool in order to have a nationally consistent dataset and approach for combining environmental and socioeconomic indicators.⁴⁶ CalEPA has identified California communities disproportionately burdened by multiple sources of pollution using a tool, called CalEnviroScreen.⁴⁷ Moreover, SDAPCD's partnership with the California Air Resources Board (CARB), has led to its participation in the Community Air Protection Program that is designed to identify and support actions to reduce air pollution and establish a comprehensive air quality monitoring network in the participating neighborhoods. Locally SDAPCD implements this program in the Portside Environmental Justice Community, which includes the communities of Barrio Logan, Logan Heights, Sherman Heights and West National City, and the International Border Community, which includes San Ysidro and East Otay Mesa. Also, SDAPCD, in partnership with the San Diego County Office of Sustainability and Environmental Justice, (CARB), and eight local community-based organizations have come together as part of the EJG2G program (Environmental Justice Government-to-Government Program) to address elevated levels of fine particulate matter (PM2.5) exposure in selected environmental justice communities in San Diego County. Also, SDAPCD serves as a co-chair for the San Diego-Tijuana Air Quality Task Force to coordinate with regional and other stakeholders to explore measures to improve border region air quality, including the EPA and CARB.

On September 30, 2020, the SDAPCD Governing Board created an Office of Environmental Justice and on April 14, 2022, approved an Environmental Justice Framework that directs and guides every SDAPCD Division to integrate and center environmental justice in practice, analysis, operations, and decision-making. The goals of the Environmental Justice Framework are to:

Goal 1: Design an educational plan for SDAPCD Governing Board members with a focus on areas of the region that are disproportionately impacted by air pollution.

Goal 2: Foster and uphold an internal culture at SDAPCD that supports Equity, Diversity, and Inclusion.

⁴⁴ <https://www.sandiegocounty.gov/content/dam/sdc/pds/gpupdate/09-Environmental-Justice-Aug2021.pdf>

⁴⁵ [Environmental Justice Element Story Map \(sandiego.gov\)](https://www.sandiego.gov/environmental-justice/element-story-map)

⁴⁶ <https://www.epa.gov/ejscreen>

⁴⁷ <https://calepa.ca.gov/envjustice/resources/>

Goal 3: Integrate environmental justice and equity in SDAPCD's operations, policies, and regulations.

Goal 4: Improve SDAPCD's outreach and education efforts in communities, with a special focus on disadvantaged communities most affected by pollution.

Goal 5: Collaborate with other organizations and government agencies to address air quality challenges more comprehensively.

On June 9, 2022, the SDAPCD Governing Board adopted the following Equity Statement:

The San Diego County Air Pollution Control District (SDAPCD) is committed to achieving environmental justice and equity by striving towards clean air for all. While we have made important progress in improving air quality for the region as a whole, we recognize that there is more work to be done, especially in communities that have been disproportionately burdened by air pollution because of systemic racism, discriminatory government policies, lack of engagement, and poor access to information and to the decision-making process.

SDAPCD commits to advancing policies, programs, and services that achieve environmental justice and equity. In order to meet this commitment, SDAPCD will provide appropriate resources, timelines, and budget to support staff and enhance public participation. SDAPCD has adopted an Environmental Justice Framework and a Public Participation Plan that will guide the agency in its work to improve information access, promote meaningful public engagement, and address environmental injustices, particularly for under-resourced communities.

Because CEQA applies to discretionary projects, its information disclosure and mitigation process offers an important opportunity to provide transparency in agency decision-making to local communities, and to address both long-standing and emerging environmental injustices. When a project is subject to discretionary review under CEQA, the SDAPCD should use that discretion to align its environmental review with its EJ efforts as well as those of its federal and state agency partners, to maximize information disclosure and take advantage of mitigation opportunities that would both protect public health and prevent cumulative and disparate pollution impacts. Thus, additional focus on issues of environmental justice will occur throughout the SDAPCD CEQA review process. The following are some examples of how environmental justice may be incorporated into that review.

6.1 Public Scoping Process and Public Engagement

Meaningful public engagement is essential to conducting an environmentally just CEQA process. When SDAPCD reviews a project that has potential impacts in an environmental justice community, SDAPCD will maximize its information disclosure and mitigation opportunities, consistent with its adopted [Public Participation Plan](#) and [Language Access](#)

Policy, both to protect public health and to prevent cumulative and disparate impacts. This will include providing meaningful engagement to a wide and diverse range of residents, youth, seniors, tribal government representatives, persons with disabilities, linguistically isolated persons, and others, as appropriate.

Authentic outreach during the CEQA scoping phase is a critical part of the overall CEQA process. SDAPCD will ensure that when it conducts a CEQA scoping process, it will include meaningful engagement of community members who may be affected by the proposed project, including affected residents, businesses and organizations in the project area.

6.2 Defining the Environmental Setting and Project Description

6.2.1 Environmental Setting

CEQA Guidelines Section 15063(d) for initial studies and Section 15125 for EIRs direct lead agencies to describe the physical environmental conditions in the vicinity of a project. The environmental setting normally constitutes the baseline by which an agency determines whether an impact is significant. To incorporate environmental justice in this analysis, the environmental setting should identify any local agency designed environmental justice communities from its general plan, any environmental justice communities that would be affected by the project, as well as any relevant economic or social conditions affected by the project. This could include population characteristics identified in a federal or state agency database or screening tool. These characteristics can include indicators such as sensitive population indicators (e.g., asthma, cardiovascular disease, infants with low birth weight) and socioeconomic factor indicators (e.g., educational attainment, housing-burdened low-income households, linguistic isolation, poverty, unemployment). In order to conduct a proper review, SDAPCD will consider these broader demographics, social determinants of health, and land use history of a potentially affected community in its description of a project setting.

6.2.2 Project Description

A clear, complete, and accurate project description is the linchpin of any CEQA analysis and is particularly important from an environmental justice and equity perspective. SDAPCD will ensure the project description will provide a level of detail sufficient to understand and address potential environmental justice issues with the proposed project throughout the environmental review process.

6.3 Environmental Justice Considerations for Project-Level Impact Analysis

When serving as the Lead Agency, SDAPCD will coordinate with other jurisdictions to ensure that a comprehensive and equitable review is conducted for all applicable

environmental impacts. This collaborative approach aims to protect vulnerable communities and ensure fair treatment for all residents, regardless of race, color, national origin, or income, in the development, implementation, and enforcement of environmental laws, regulations, and policies.

6.3.1 Air Quality

CEQA Appendix G provides the framework for analyzing air quality impacts. The following explains how EJ may be considered in that analysis. Appendix G asks:

Would the project:

- a) Conflict with or obstruct implementation of the applicable air quality plan?
- b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?
- c) Expose sensitive receptors to substantial pollutant concentrations?
- d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

a) Consistency with Air Quality Plans

Question a): Would the project conflict with or obstruct implementation of the applicable air quality plan?

For projects located in a community with an adopted Community Emissions Reduction Plan (CERP), SDAPCD will evaluate the project's consistency with the adopted CERP for that community. This will include how the project supports or impacts the CERP goals, targets and strategies, and a discussion of whether the project would cause disruption or delay to or otherwise hinder implementation of any CERP strategies.

Because not all EJ communities will have an adopted CERP and local jurisdictions may have adopted EJ policies, General Plan EJ elements, or other air quality plans, SDAPCD will confirm whether there are adopted EJ policies for the project area that are intended to avoid or reduce environmental effects on vulnerable communities. The environmental impact report will discuss in the regulatory background section and impact analyses any adopted EJ elements or policies that involve avoiding or mitigating environmental effects applicable to air pollutant emissions and health risks related to pollution.

b) Criteria Air Pollutants

Question b): Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?

As lead agency, SDAPCD will evaluate any cumulatively considerable net increase of any criteria pollutant for which the region is non-attainment, including construction- and operation-related criteria air pollutants and precursors and evaluate whether the net increase will occur in an EJ community.

c) Local Community Risks and Hazards

Question c): Would the project expose sensitive receptors to substantial pollutant concentrations?

In its environmental analysis, SDAPCD will estimate and evaluate the project's potential health impacts, including, to the extent feasible, potential cumulative health impacts, on existing sensitive receptors in and near the project area related to construction- and operation-related emissions of toxic air contaminants and PM_{2.5}. This analysis will include closely related past, present, and reasonably foreseeable future projects. This impact analysis must take into consideration any impacts to any identified EJ communities.

d) Odors

Question d): Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

If a proposed project involves siting a new odor source, SDAPCD will ensure robust community engagement for the CEQA process, especially in EJ communities. This may include additional notice and outreach to potentially affected residents and businesses, as well as a review of odor complaints previously received in the potentially affected area, for purposes of determining any potential cumulative odor impacts.

6.3.2 ECONOMIC AND SOCIAL EFFECTS

As noted above, purely economic or social impacts do not constitute significant physical effects under CEQA; however, economic or social effects of a project may result in or contribute to significant impacts under CEQA. As a result, in its analysis of the effects of a project, SDAPCD will consider whether implementing the project would result in economic or social impacts that would lead to a physical change to the environment, and if so, whether that physical change would be significant.

6.4 Environmental Justice Considerations for Project-Level Mitigation and Monitoring

For those projects requiring mitigation measures due to significant environmental impacts, SDAPCD will conduct meaningful public engagement in development of any Mitigation, Monitoring and Reporting Plan to ensure that the mitigation measures associated with project impacts benefit the affected community and that they are effective and enforceable. SDAPCD will also work to ensure transparency, community

engagement, and accountability are incorporated into the execution of any adopted Mitigation, Monitoring and Reporting Plan.

6.5 Alternatives Analysis

For those projects that pose a significant disparate or cumulative impact in an EJ community, SDAPCD will ensure that the alternatives analysis includes project alternatives that avoid or minimize impacts to that community, including alternative project designs that do not result in a discriminatory impact in that community. Further mitigation options for each alternative should maximize the opportunity to promote environmental justice maximizing mitigation for the benefit of EJ communities.

7. Severability of Provisions

If any section, subsection, sentence, clause, or phrase of these procedures is for any reason held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of these procedures, it being hereby expressly declared that these procedures and each section, subsection, sentence, clause, and phrase hereof would have been prepared, proposed, adopted, approved, or ratified irrespective of the fact that any one or more other sections, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

8. RESOURCES

The California Environmental Quality Act can be found at:

https://leginfo.legislature.ca.gov/faces/codes_displayexpandedbranch.xhtml?tocCode=PRC&division=13.&title=&part=&chapter=&article=&nodetreepath=31

CEQA regulations can be found at:

[https://govt.westlaw.com/calregs/Browse/Home/California/CaliforniaCodeofRegulations?guid=I86C9BC205B4D11EC976B000D3A7C4BC3&originationContext=documenttoc&transitionType=Default&contextData=\(sc.Default\)](https://govt.westlaw.com/calregs/Browse/Home/California/CaliforniaCodeofRegulations?guid=I86C9BC205B4D11EC976B000D3A7C4BC3&originationContext=documenttoc&transitionType=Default&contextData=(sc.Default))

In addition, the California Association of Environmental Professionals (AEP)⁴⁸ publishes annually a handbook that contains the CEQA Statute and Guidelines as well as summaries of relevant legislation and court cases from the previous year⁴⁹.

The SDAPCD's Rules referenced herein can be found at:

<https://www.sdapcd.org/content/sdapcd/rules.html>

⁴⁸ [Home - California Association of Environmental Professionals \(califaep.org\)](https://www.califaep.org/)

⁴⁹ [2023 CEQA Statutes and Guidelines \(califaep.org\)](https://www.califaep.org/2023-CEQA-Statutes-and-Guidelines)