

Title 21 California Code of Regulations, Chapter 11, § 1501 et seq. (non-consecutive)

(Last revised 2004)

§ 1501. Authority.

The regulations adopted under this Subchapter implement the requirements of the California Environmental Quality Act (hereinafter "CEQA") commencing with Public Resources Code Section 21000 and the State CEQA Guidelines issued by the Resources Agency contained in Title 14 commencing with Section 15000. The State CEQA Guidelines (Title 14, California Code of Regulations, Chapter 3), including all subsequent amendments thereto, are hereby incorporated by reference as if fully set forth in this subchapter. In the event of any conflict or ambiguity between the provisions of these regulations and the State CEQA Guidelines, the provisions of the latter shall control.

Note: Authority cited: Section 21082, Public Resources Code. Reference: Sections 21000-21174, Public Resources Code.

§ 1501.1. Short Title.

These regulations may be cited as "Environmental Regulations."

§ 1502. Purpose.

These regulations set forth the criteria, objectives, procedures, and timelines to be used by the Department of Transportation and the California Transportation Commission in implementation of the California Environmental Quality Act of 1970, Public Resources Code Section 21000 et seq.

Note: Authority cited: Section 21082, Public Resources Code. Reference: Sections 21000-21174, Public Resources Code.

§ 1503.1.2. California Transportation Commission (Hereinafter "Commission") Policies Regarding Use of Environmental Documents.

- (a) **Commission Review Requirements:** The Commission reviews and considers environmental documents and findings as part of its responsibilities to allocate funding for state or local capital projects and approve the location of state highway routes, and may need to review and consider environmental documents for other discretionary decisions.
- (b) **Scope of Commission Review:** The Commission generally examines and considers effects related to project cost and funding, including costs of mitigation measures being considered or proposed, and may consider any other environmental effects; the Commission advises agencies preparing environmental documents at a minimum to describe scope and cost of project alternatives, including costs for mitigation measures, and the complete funding package for the project, in documents that they send to the Commission.
- (c) **Basis of Commission Action:** The Commission uses the final environmental document as a basis to ratify and approve project scope, cost, and funding participation for subsequent allocation of funds; the Commission as a matter of practice schedules large, complex projects into the first two years of state

programs ready for allocation of funding only after final environmental documents required under CEQA have been completed.

- (d) Linkage to Commission Responsibilities: The Commission may postpone or refuse allocation of funds to a project when it has not previously been given an opportunity to review environmental documents.

Note: Authority cited: Section 21082, Public Resources Code. Reference: Section 75, Streets and Highways Code; and Sections 21102 and 21104, Public Resources Code.

§ 1505. Timely Compliance.

- (a) Circulation to the Commission: A lead agency shall submit to the Commission all notices of preparation, draft environmental documents, and final environmental documents for any projects for which the Commission will later be asked to allocate state or federal funds; agencies submitting environmental documents for Commission review shall send the executive summary to each individual Commissioner and one copy of the complete document to Commission staff at its office in Sacramento for purposes of agenda calendaring, staff review, and transmittal of responses, and must send a copy of the complete document to any Commissioner who requests one.
- (b) Commission review procedure: The Commission itself reviews environmental documents, and authorizes the Executive Director subsequently to send comments and file notices of determination; the Commission may receive and consider recommendations from its staff.
- (c) Commission timelines: The Commission generally meets every five weeks with meeting agenda published 10 days before each meeting; the Commission typically will calendar and review environmental documents on its next available agenda following receipt of those documents, which requires lead time of 15 days before scheduled meetings, and yields a typical response time from the Commission of 20 to 60 days following receipt of documents.

Note: Authority cited: Section 21082, Public Resources Code. Reference: Section 75, Streets and Highways Code; and Sections 21102 and 21104, Public Resources Code.