



Overview of Environmental Review

City of Bishop Planning Department

Purpose:

State law requires all agencies to perform environmental review of development projects and certain other actions to determine if they may have a significant effect on the environment. The City has adopted guidelines to implement the California Environmental Quality Act which set forth the criteria and processes that are to be followed in the environmental review of development projects or other actions by the City which fall under this Act. These guidelines give specific information on what projects or activities are exempt, and criteria for determining whether a development project should receive a Negative Declaration (ND - having no significant effect on the environment) or have an Environmental Impact Report (EIR) prepared. The guidelines (in accordance with State law) state, "if any of the effects of a project may have a substantial adverse impact on the environment, regardless of whether the overall effect of the project is adverse or beneficial, then an Environmental Impact Report must be prepared." The guidelines also further define significant impacts. Environmental review is required in conjunction with an application for any discretionary action by the City (rezoning, tentative map, variance and conditional use permits are examples). Generally, only one review is required for a project even if more than one discretionary action is required.

Process:

Step 1 - Applicant Consideration of Project

Early in the consideration of a potential project, the applicant should determine what the General Plan and the zoning call for in the area and for the particular site under consideration. At this point, it is appropriate for the applicant to explore project alternatives which would minimize impacts on the environment, conform to all use regulations, and still satisfy the objectives of the applicant.

Step 2 - Pre-Application Conference

It is recommended that the applicant meet with City staff to review the policies and regulations before an environmental assessment form is prepared. Points to be covered would be the general conformance of the project to the General Plan and zoning, potential specific impacts requiring special attention, and the requirements of the City for the environmental assessment form itself. This meeting can point out sources of information and potential conflicts. At this conference, the Planning Department staff will suggest one of the following to the applicant: (1) the project is categorically exempt from the environmental review process; (2) the project is obviously

prohibited for the site under consideration; or (3) an environmental assessment form will be required to be filed.

Step 3 - Submission of Environmental Assessment Form

The applicant should then submit the completed, signed environmental assessment form. The information on this assessment form is used by staff to make a determination of whether the project will require the preparation of an EIR. The information provided should be as complete and thorough as the project dictates. This assessment form must be accompanied by the required discretionary action application (rezoning, conditional use permit are examples), plus all the necessary application documents, data and deposits. The applicant will also be required to make a deposit for processing the environmental documentation with the final charge based upon the actual cost of staff time required for the environmental review.

Step 4 - Preparation of Initial Study

The Environmental Assessment form is reviewed by staff, and a report termed an Initial Study is completed. The Initial Study outlines all the anticipated environmental impacts of the project and serves as the basis for making the determination of the need of an EIR. Based upon the Initial Study, the Planning Director will make one of the following three findings: (1) the project is exempt; (2) the project has "No Significant Impact" and therefore a "Negative Declaration" would be in order; or (3) the project will have, or may have, a significant impact on the environment and therefore requires the preparation of an EIR.

Step 5 - Negative Declaration

If it is determined that the proposed project will not have a significant effect on the environment, the City Council is required to provide 21 days of public notice and hold a Public Hearing on the Negative Declaration. The City may file a Notice of Determination to grant a Negative Declaration and file same with the County of Inyo and State of California. If the City finds significant environmental impacts it will follow the EIR procedure outlined below.

Step 6 - Preparation of Draft EIR

If it is determined that an EIR is required, a "Notice of Intent to Prepare an EIR" is prepared and posted on the project site and at City Hall. Any citizen who believes that an EIR rather than an ND should be prepared for the proposal may appeal to the City Council within 10 days after the notice has been posted. The Council will review the environmental assessment Initial Study and determine whether or not an EIR or ND should be required.

If an EIR is required, a draft EIR is first prepared. The time for this step averages three months and is primarily dependent on the scope and complexity of the proposed project and its impacts. The City will prepare the Environmental Impact Report with its own staff or by contract with a consulting firm. A fee will be charged in either case to cover the actual cost incurred in preparing the report.

Step 7 - Review of Draft EIR

The Planning Department will distribute copies of the draft EIR to those individuals and agencies on its designated review list. Additional copies may be sent to those who have a special interest in the project. A notice that the Draft EIR has been received and is being reviewed and that copies are available for inspection will be posted at the Planning Department, City Hall, and at or adjacent to the site of the proposed project. This review period must be in effect for a minimum of 45 days.

Step 8 - Final EIR

The Planning staff will then prepare the Final EIR after the review period. The Final EIR will consist of the Draft EIR with addenda containing all the comments received, a list of persons, organizations and public agencies commenting on the Draft EIR, and the responses of the City to significant environmental issues raised in the Draft EIR and comments received.

Step 9 - Certification of Final EIR

The final decision-making body (City Council) for the development proposal must certify the Final EIR prior to or at the time the application is finally considered. If not certified, it is returned to the staff and applicant for further review or information. A ND or EIR is used to assist the decision-making body in reviewing environmental reports and taking action on the development proposal. Other information developed by staff and the applicant which are noted in other guides relating to the specific type of proposed application will also be used in the review and final decision. If the development application is accepted, the final decision-making body may impose conditions as suggested in the EIR or ND to mitigate any adverse environmental impacts.

Estimated Time of Process:

The estimated time for environmental review will vary depending upon the complexity and magnitude of the proposal and staff workload, but is generally estimated as follows:

	<u>ND</u>	<u>EIR</u>
A. From acceptance of complete environment assessment form to determination of status	4 weeks	4 weeks
B. Preparation, posting, and appeal period for ND or Notice of EIR	6 weeks	6 weeks
C. Preparation of Draft and Final EIR	-	16 weeks
Total Estimated time of Process	10 weeks*	20 weeks*

*If submittal to State Clearinghouse is required, add 8 weeks.

City of Bishop

**Environmental Information
Submittal Requirements**

1. Complete Environmental Information Form.
2. File completed and signed form with Planning Department, including:
 - A. 1 original and 19 copies of the Environmental Information Form.*
 - B. 25 copies sets of project plans in accordance with project application submittal requirements shown below.*
 - C. 1 copy of the Grant Deed or preliminary title report for the property.
 - D. 20 copies of the County Assessor's map outlining the project boundaries.
 - E. 20 copies of any additional information that you wish to submit with your project.*
 - F. Environmental review fee: Established by resolution of City Council. The total fee for an EIR will be based on actual cost.

*If the project has to be sent to the State Clearinghouse for review, 15 additional copies are required.

3. The City of Bishop has 30 days in which to determine the completeness of the application for acceptance for processing. Incomplete applications will not be processed, but returned to the applicant.
4. Project plans shall include the following information unless waived by the City:
 - A. Exterior boundary lines of the property indicating easements, dimensions and lot size, and legal description.
 - B. Name, width and special features of all adjacent streets or rights-of-way.
 - C. Location, elevations, size, height, dimensions, materials and proposed use of all building and structures (including walls, fences, signs, lighting, trash enclosures, storage, pools, for example) existing and intended to be on the site, indicating type of construction per Uniform Building Code.
 - D. Distances between all structures and between all property lines or easements and structures.
 - E. Any nearby buildings which are relevant to this application.
 - F. All existing trees on the site giving type, diameter, and location; plus a description of any other significant plant material.
 - G. Any existing significant natural features such as rock outcropping or water courses.

- H. Locations, number of spaces, and dimensions of off-street parking spaces, loading docks, and maneuvering areas, indicate internal circulation with computation of parking requirement.
- I. Pedestrian, vehicular, and service points of ingress and egress; driveway widths, and distances between driveways.
- J. Proposed landscaping; include quantity, location, varieties and container size.
- K. Proposed grading plan, showing direction and path of drainage on, through, and off-site; indicate any proposed drainage channels or facilities.
- L. Trash enclosures or locations and on-site storage.
- M. Other such data may be required to permit the Planning Commission to make the required findings for approval of the specific type of application.
- N. Note scale (Scale: 1 inch = 20 feet) and North arrow on plan.
- O. Vicinity map indicating nearby cross streets in relation to site (need not be to scale).
- P. Name, address and phone number of Owner, Developer and person preparing plan.
- Q. Zoning designation and existing land use for parcel and surrounding properties.
- R. All existing and proposed public improvements including water, sewer, streets, curb and gutter and sidewalk, street lights, signals, power and telephone; and dedication of rights-of-way and easements.
- S. All existing and proposed signs including area, location, height, illumination and mechanical movement.