

Introduced by Senator Corbett

February 20, 2013

An act to amend Section 21092.2 of the Public Resources Code, relating to environmental quality.

LEGISLATIVE COUNSEL'S DIGEST

SB 359, as introduced, Corbett. California Environmental Quality Act: environmental impact reports.

The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of, an environmental impact report (EIR) on a project that it proposes to carry out or approve that may have a significant effect on the environment, or to adopt a negative declaration if it finds that the project will not have that effect. CEQA requires notices regarding a lead agency determination to require an EIR or other actions pursuant to that act be mailed to every person who files a written request and provides that the failure of a person to receive a requested notice shall not invalidate the action if there has been substantial compliance with these notice provisions.

This bill would make a technical, nonsubstantive change in these CEQA notice provisions.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 21092.2 of the Public Resources Code
- 2 is amended to read:

1 21092.2. (a) The notices required pursuant to Sections 21080.4,
2 21083.9, 21092, 21108, 21152, and 21161 shall be mailed to every
3 person who has filed a written request for notices with either the
4 clerk of the governing body or, if there is no governing body, the
5 director of the agency. If the agency offers to provide the notices
6 by email, upon filing a written request for notices, a person may
7 request that the notices be provided to him or her by email. The
8 request may also be filed with any other person designated by the
9 governing body or director to receive these requests. The agency
10 may require requests for notices to be annually renewed. The public
11 agency may charge a fee, except to other public agencies, that is
12 reasonably related to the costs of providing this service.

13 (b) ~~Subdivision~~ *If there has been substantial compliance with*
14 *the requirements of this section, subdivision (a) shall not be*
15 *construed in any manner that results in the invalidation of an action*
16 *because of the failure of a person to receive a requested notice, if*
17 ~~there has been substantial compliance with the requirements of~~
18 ~~this section.~~

19 (c) The notices required pursuant to Sections 21080.4 and 21161
20 shall be provided by the State Clearinghouse to any legislator in
21 whose district the project has an environmental impact, if the
22 legislator requests the notice and the State Clearinghouse has
23 received it.