



Study Session: CEQA 101

Salinas Planning Commission – February 18, 2026

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Training/Study Sessions/Updates

- 12/3/25 – Zoning Code Update & Required Housing Law Changes (Presentation by Amy Sinsheimer, PlaceWorks)
- 2/18/26 – CEQA 101 (Presentation by Son Pham-Gallardo, Current Planning, Senior Planner)

Overview of CEQA 101

CEQA requires government agencies to consider the environmental effects before approving plans and policies or committing to a course of action on a project. This study session will focus on Current Planning's role in processing and reviewing development applications and how CEQA is applied to each project.



History & Overview of CEQA



1. Enacted in 1970; signed into law by Governor Reagan.
2. Based on The Environmental Bill of Right.
3. Modeled after National Environmental Policy Act (NEPA).
4. Implementation at local agency level by Friends of Mammoth v. Board of Supervisors of Mono County (1972) 8 Cal. 3rd 247.
5. Important CEQA amendments in 1972, 1976, 1978, 1984, 1989, 1993, 2010, and 2019.
6. Process, content, and details are amended regularly by the legislature, courts, and local jurisdictions.

What is the purpose of CEQA?



CEQA is intended to:

1. Inform government decision makers and the public about the potential environmental effects of proposed activities;
2. Identify the ways that environmental damage can be avoided or significantly reduced;
3. Prevent significant, avoidable environmental damage by requiring changes in projects, either by the adoption of alternatives or imposition of mitigation measures; and
4. Disclose to the public why a project was approved if that project has significant environmental impacts that cannot be mitigated to a less than significant level.

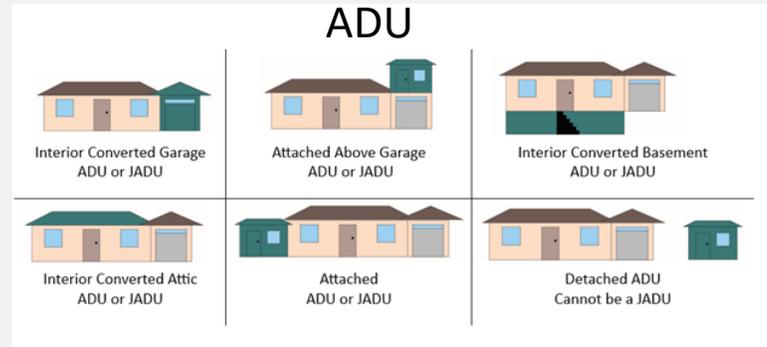
What is a project:

A "project" is defined as a "whole action" subject to a public agency's discretionary funding or approval that has the potential to either (1) cause a direct physical change in the environment or (2) cause a reasonably foreseeable indirect physical change in the environment. "Projects" include **discretionary** activity by a public agency, a private activity that receives any public funding, or activities that involve the public agency's issuance of a **discretionary** approval and is not statutorily or categorically exempt from CEQA. (Pub. Res. Code § 21065.)

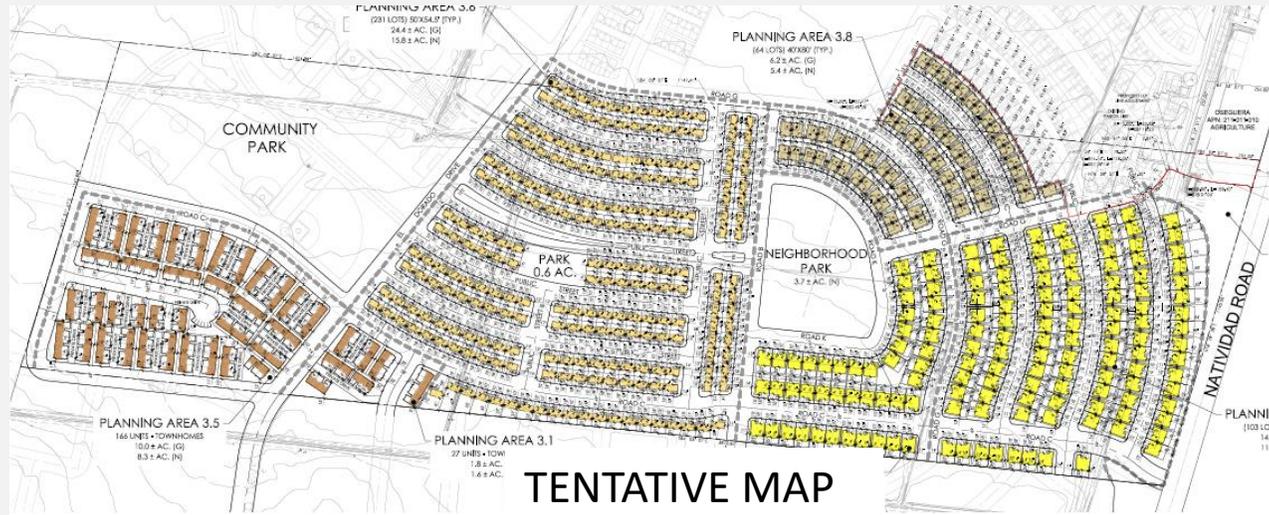


CEQA Only Applies to Discretionary Projects:

Ministerial: Little judgment, use of fixed or objective standards



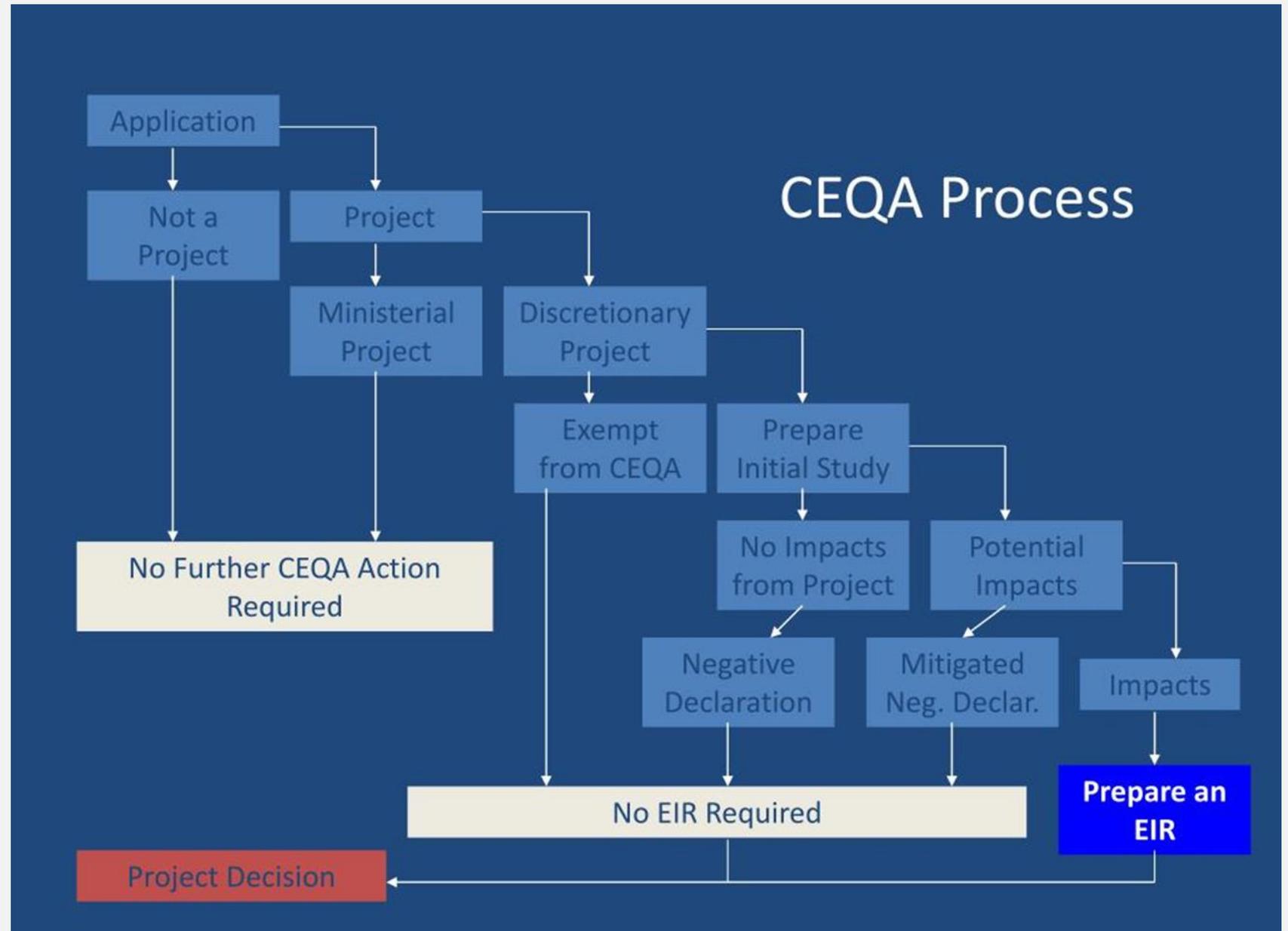
Discretionary: Requires exercise of judgment or deliberation, use of subjective standards



Once you have a project:

Three basic levels of environmental review:

1. Exempt (Statutory or Categorical)
2. Negative Declaration or Mitigated Negative Declaration
3. Environmental Impact Report



Most Common Categorical Exemptions

1. **Class 1: Existing Facilities** - This includes the operation, repair, maintenance, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features. Examples include interior or exterior alterations to existing structures and minor expansions of existing facilities.
2. **Class 3: Small Structures** - This includes the construction of limited numbers of new, small facilities or structures, such as single-family residences or small multi-family residential structures (up to four units).
3. **Class 32: In-Fill Development Projects** – This consists of projects characterized as in-fill development that are consistent with the General Plan and Zoning requirements. This class is not intended for projects that would result in any significant impacts.

CEQA Exemption 15332 (In-Fill Development Projects)

1. The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.
2. The proposed development occurs within city limits on a project site of no more than (5) five acres substantially surrounded by urban uses.
3. The project site has no value, as habitat for endangered, rare or threaten species.
4. Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.
5. The site can be adequately served by all required utilities and public services.

Negative Declaration or Mitigated Negative Declaration

Negative Declaration - If the initial study concludes that the project will not cause a significant effect on the environment, the agency can prepare a negative declaration. (Pub. Res. Code § 21080(c); Guidelines § 15070 et seq. (negative declaration process)). A negative declaration is a written statement that an EIR is not required because a project will not have a significant adverse impact on the environment. (Pub. Res. Code §§ 21064, 21080(c)).

Mitigated Negative Declaration - A mitigated negative declaration 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. (Pub. Res. Code § 21064.5; Guidelines § 15070(b) (2).)

Environmental Impact Report (EIR)

If the agency determines that the project may have a significant effect on the environment, an EIR must be prepared. The first step in preparing an EIR is to determine the scope of the EIR in consultation with agencies, the public and the applicant (Guidelines 15082& 15083)

The draft EIR shall be prepared directly by or under contract to the lead agency. The draft EIR must be released for public comment (Guidelines 15105). Subsequently, a draft EIR would be certified by the City Council and prepared inclusive of public comments and any changes incorporated thereto.

Recent Changes to CEQA

1. Recent changes to CEQA mostly focuses on how to address housing development and reducing costs.
2. The creation of Assembly Bill (AB) 130 and Senate Bill (SB) 131 was signed and became law on June 30, 2025.
3. A key feature of SB 131 is what has been called the “near-miss rule,” which allows a housing or mixed-use project to qualify for a statutory exemption or one of several categorical exemptions if all criteria are met for that exemption but for one “condition.”
4. A “Near Miss” refers to a project that almost fits within a categorical exemption but, exceeds size limit, threshold or condition, or triggers one of the exceptions to categorical exemptions. For example, Class 3 allows a multi-family building up to 10,000 sq. ft., the proposed building is 12,500 sq. ft. In this case, it is functionally similar but, technically exceeds the square footage, hence the “near miss”.



Questions