



CITY OF SONORA LOCAL IMPLEMENTATION GUIDELINES - CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

(Adopted 09-15-14)

The following are the City of Sonora's (City) local procedures for implementing the California Environmental Quality Act (CEQA) and are adopted pursuant to this Act and Section 15022 of the State CEQA Guidelines. The City of Sonora, under Resolution No. 09-15-2014-A, has adopted the State CEQA Guidelines and any revision thereto. These Local Implementation Guidelines shall be revised as needed to be kept current with changes to the State CEQA Guidelines which shall take precedence even if the local procedures are not updated.

1. The City will serve as the Lead Agency for those projects in which the City has the principal responsibility for carrying out or approving a project.
2. The procedures established under these Guidelines are applicable to both public and private projects under the jurisdiction of the City.
3. No application for a project which is subject to CEQA review will be approved or issued a permit by the City until all procedures required by the State and City Guidelines have been complied with. A copy of any application for a permit that requires environmental review shall be promptly forwarded to the Community Development Department.
4. Whenever City staff proposes to engage in an activity with possible CEQA implementations, such as a public construction project or the adoption of any City ordinance, that individual shall consult with the Community Development Director.
5. The Community Development Director is responsible for determining whether or not an Initial Study is required or whether the project is excluded or exempt from review under CEQA. If determined that the project is excluded or exempt from review under CEQA, no further environmental review is required and it shall be documented in the record. The Community Development Department may also prepare and file a Notice of Exemption.
6. If a proposed project is not excluded or exempt from review under CEQA an Initial Study may be prepared to determine whether a Negative/Mitigated Negative Declaration or EIR is required for the proposed project.
7. A project is defined as the "whole of an action" and may not be segmented nor divided into smaller parts in an attempt to avoid full consideration of its environmental impacts. All of the separate permits and approvals for a particular project shall be considered together when determining the project's environmental effects.
8. The City may from time to time use consultants to fulfill its obligations under CEQA, including, but not limited to, the preparation of Initial Studies, Negative/Mitigated Negative Declarations

and EIRs. Consultants hired by the City will be selected using the City's procurement requirements. The project applicant will be provided an opportunity to review the consultant's proposal for the project and provide comments.

9. All consultant prepared environmental documents utilized shall be prepared under contract with the City. Environmental consultants shall work at the direction of City staff. Previously prepared technical reports may be submitted and will be evaluated by the Community Development Director, or his/her designee, for completeness.
10. No firm or person having a financial interest in a project shall be employed to prepare environmental documents on that project.
11. For projects not eligible for an exemption or exclusion from CEQA, the project applicant shall pay the full costs of draft and final document preparation. The amount to cover these costs will be deposited with the City. No work will proceed on the environmental documentation until a deposit has been received by the City. Funds deposited with the City shall be adequate to cover the cost of work being authorized by the City.
12. The City shall accept consultant prepared work products as final only when the Community Development Director determines them to be impartial and complete.
13. The Community Development Director shall make a concerted effort to provide early notice and solicit comments on environmental documents from the public and interested organizations/agencies so that a broad range of interests and opinions are available to decision makers regarding the impacts of projects.
14. The City's decision makers shall confirm that the environmental documents reflect the Lead Agency's independent judgment and analysis. The decision making body shall mean the City Council, Planning Commission or City Official that has the ultimate responsibility for approving the permit/project under consideration.
15. When the City Council is the decision making body on a project, the City Council is responsible for:
 - a. Certifying the Final EIR, adopting the Negative/Mitigated Negative Declaration or determining that the project is exempt from environmental review
 - b. Considering the environmental document prepared prior to taking action on the project
 - c. Making the findings required by State CEQA Guidelines Section 15091 (Findings) and 15093 (Statement of Overriding Considerations)
16. The City Council shall also act as the appeal board for Planning Commission, Community Development Director and staff actions on environmental determinations.
17. The City Council shall set the procedures for the City's implementation of CEQA and shall be responsible for adopting thresholds of significance if so desired.
18. When the Planning Commission is the decision making body on a project, the Planning Commission is responsible for:

- a. Certifying the Final EIR, adopting the Negative/Mitigated Negative Declaration or determining that the project is exempt from environmental review
 - b. Considering the environmental document prepared prior to taking action on the project
 - c. Making the findings required by State CEQA Guidelines Section 15091 (Findings) and 15093 (Statement of Overriding Considerations)
19. When the Sonora Planning Commission is required to make a recommendation on a project to the City Council, the Planning Commission shall hold any hearings required on the proposed environmental documents produced, review all comments made and the responses prepared and make a recommendation regarding certification of the Final EIR or adoption of the Negative/Mitigated Negative Declaration involved. If the Planning Commission believes that the project is exempt for environmental review, it shall recommend that the City Council make such a finding.
20. The Community Development Department is responsible for:
- a. Carrying out all environmental reviews undertaken by the City including those requested on behalf of other agencies.
 - b. Obtaining comments from other agencies/organizations and the public on the expected environmental effects of a project.
 - c. Identifying appropriate measures to reduce the potentially significant effects of a project to non-significant levels.
 - d. Preparing and processing all environmental documents prepared by the City.
 - e. Preparing the Mitigation Monitoring and Reporting Programs where required.
 - f. Reviewing and commenting on environmental documents submitted to the City by other public agencies.
 - g. Preparing, distributing and filing applicable environmental notices, including a Notice of Intent, Notice of Preparation, Notice of Completion, Notices of Exemption and Notices of Determination.
 - h. Collecting State Fish and Game fees and recording fees for transmittal to the County of Tuolumne.
 - i. Developing, coordinating and implementing the City's environmental review procedures consistent with the policy direction provided by the City Council.
21. The project applicant is responsible for payment of all filing fees, recordation fees and the monitoring costs of all mitigation measures including, but not limited to, those incurred by the City.