

OPTION B(C)

TITLE 16

ENVIRONMENTAL IMPACT

Sections:

Chapter 16.04 General Provisions

Chapter 16.06 Environmental Committee-Review

Chapter 16.04

GENERAL PROVISIONS

Sections:

16.04.010 - Purpose

16.04.020 - Procedure compliance.

16.04.010 - Purpose. Pursuant to Section 21082 of the Public Resources Code of the State of California, all public agencies are required to adopt by ordinance, resolution, rule or regulation, objectives, criteria, and procedures for the evaluation of projects, and the preparation of environmental impact reports and negative declarations under the provisions of the California Environmental Quality Act (hereinafter referred to as "CEQA", and found at Public Resources Code Section 21000 et seq; all generic "Section" references are to the Public Resources Code).

Section 21082 further requires that the objectives, criteria, and procedures adopted by a public agency shall be consistent with the provisions of CEQA and with the State CEQA Guidelines adopted by the Secretary of the Resources Agency pursuant to CEQA (as found in the California Code of Regulations, Title 14, Division 6, Chapter 3, and hereinafter referred to as the "CEQA Guidelines").

The purpose of this Ordinance is to implement the California Environmental Quality Act (CEQA) (PRC §21000-§21178) and the State CEQA Guidelines (CCR §15000-§15387), and specifically to comply with PRC §21082 for the orderly evaluation of projects in the County of Madera, the disclosure of potential environmental effects of proposed projects and the preparation of environmental impact reports and negative declarations.

16.04.020 - Procedure compliance.

A. CEQA and the State CEQA Guidelines, as applicable, are incorporated and made a part of this Ordinance as fully as though set forth herein, and all employees of the County of Madera are hereby authorized and directed to enforce and comply with each and every applicable provision of CEQA and the State CEQA Guidelines.

B. This article shall be applied in such manner as to afford the fullest consideration of environmental protection of the environment within the reasonable scope of the statutory language.

C. If any administrative provision of this Ordinance comes into conflict with CEQA and/or the State CEQA Guidelines, CEQA and its Guidelines will govern.

Chapter 16.06

ENVIRONMENTAL ADVISORY COMMITTEE

Sections:

- 16.06.010 - Purpose
- 16.06.020 - Committee creation—Membership
- 16.06.030 - Committee functions.
- 16.06.040 - Environmental Review Procedures
- 16.06.050 - Evaluation by committee
- 16.06.060 – Committee Limitations

16.06.010 - Purpose. The Environmental Advisory Committee is an informal committee (no meetings) to advise County boards, commissions, committee, and departments on environmental matters, associated with their individual areas of expertise, concerning the implementation of CEQA,

16.06.020 - Committee creation—Membership. The Environmental Advisory Committee (EAC or Committee) shall consist of the following members or their designees:

Madera County Engineer
Environmental Health Director
Planning Director
Madera County Road Commissioner
Fire Marshal

16.06.030 - Committee functions. The EAC shall be advisory only and will not hold public meetings. Each EAC member may provide written comments determined by the member to appropriately reflect that member's general and specific environmental concerns related to his or her area of expertise.

16.06.050 - Evaluation by committee. Duties of the Members of the EAC: The principal duty of the members of the EAC shall be to review development projects which are submitted by the Planning Department.

Committee members may make any of the following recommendations:

- 1) Recommend approval of the initial study as a negative declaration if the Committee determines that the project will not have a significant effect on the environment. Failure to respond within the specified review period, indicates acceptance of project as submitted; or
- 2) In writing, request specific changes to the project or mitigation measures added, and with those specified changes recommend that the decision maker adopt a negative declaration; or
- 3) In writing, recommend the preparation of an environmental impact report if the committee believes that the project will have a significant adverse effect on the environment. The committee member shall specify, in writing, what effects on the environment he or she believes will be significant and why.

16.06.060 Committee Limitations. Limitations of Review by Environmental Advisory Committee: The review of negative declarations and environmental impact reports by the members of the EAC shall be advisory in nature and shall be limited to a determination of the objectivity and adequacy of the environmental documents submitted to its members, and shall ensure that the decision maker has sufficient information about the possible impacts to the environment, in the judgment of the committee member, that the project may cause. Committee members shall not consider the value of the project itself or whether the project should be approved or denied. Such determination is solely the responsibility of the decision makers.