

# REPORT OF THE CHIEF LEGISLATIVE ANALYST

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DATE: June 13, 2017

TO: Honorable Members of the Rules, Elections, Intergovernmental Relations, and  
Neighborhoods Committee

FROM: Sharon M. Tso *Sharon M. Tso* C.F. No.: 17-0002-S83  
Chief Legislative Analyst Assignment No.: 17-06-0642

SUBJECT: AB 1218 (Obernolte) "California Environmental Quality Act (CEQA) exemptions."

CLA RECOMMENDATION: Adopt Resolution (Huizar - Bonin) to include in the City's 2017-18 State Legislative Program SUPPORT for AB 1218 (Obernolte) that would extend the sunset on existing CEQA exemptions for bicycle transportation plans and bicycle lanes from January 1, 2018 to January 1, 2021.

## SUMMARY

CEQA requires a lead agency to prepare and certify an environmental impact report on projects 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 also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project would have a significant effect on the environment.

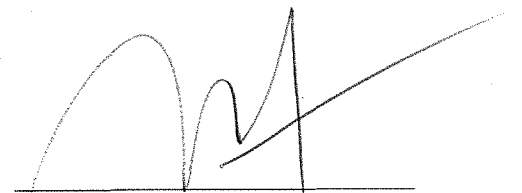
In 2012, legislation was approved to exempt from CEQA requirements for bicycle lane projects in an urbanized area that is consistent with a local bicycle transportation plan. In 2013, legislation was approved to exempt from CEQA requirements the approval of a bicycle transportation plan for an urbanized area, restriping of streets and highways, bicycle parking and storage, signal timing, and related signage within an existing road right-of-way. According to the Governor's Office of Planning and Research, there have been seventeen bike projects that have used the CEQA exemption, three of them by the City of Los Angeles.

The existing CEQA exemptions for bicycle transportation plans and bike lanes expire on January 1, 2018. On February 17, 2017, Assembly Member Obernolte introduced AB 1218 to extend the existing CEQA exemptions until January 1, 2021. According to the Los Angeles Department of Transportation, ten bike lane projects are currently using the CEQA exemption. In order to continue to expand the City's bicycle network and meet the Vision Zero goals, it is critical that the CEQA exemptions continue to be available to local jurisdictions.

## BILL STATUS

5/10/17 Referred to the Senate Committee on Environmental Quality  
5/01/17 Passed and ordered to the Senate  
4/17/2017 Approved and referred to the Committee on Appropriations  
3/09/2017 Referred to the Assembly Committee on Natural Resources

2/17/2017 Introduced



Maria Souza-Rountree  
Analyst

Attachments:  
1.AB 1218 (Oberholte)

SMT:msr

RESOLUTION

WHEREAS, any official position of the City of Los Angeles with respect to legislation, rules, regulations or policies proposed to or pending before a local, state, or federal governmental body or agency must have first been adopted in the form of a Resolution by the City Council with the concurrence of the Mayor; and

WHEREAS, the California Environmental Quality Act (CEQA) requires lead agencies with the principal responsibility for carrying out or approving a proposed project to prepare a negative declaration, mitigated negative declaration, or environmental impact report (EIR) for projects, unless the project is exempt from CEQA; and

WHEREAS, in 2012, legislation was approved to exempt from CEQA requirements, bicycle lane projects in an urbanized area that is consistent with a local bicycle transportation plan; and

WHEREAS, in 2013, legislation was approved to exempt from CEQA requirements, the approval of a bicycle transportation plan for an urbanized area, restriping of streets and highways, bicycle parking and storage, signal timing, and related signage within an existing road right-of-way; and

WHEREAS, according to the State Office of Planning and Research, there have been seventeen bike projects that have used the CEQA exemption, three of them by the City of Los Angeles; and

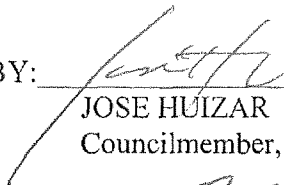
WHEREAS, these exemption provisions sunset on January 1, 2018; and

WHEREAS, on February 17, 2017, Assembly Member Obernolte introduced AB 1218 to extend the existing CEQA exemptions for bicycle-related projects; and

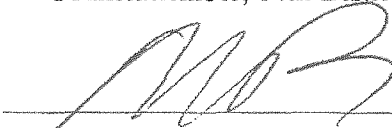
WHEREAS, these exemptions continue to require the lead agency to hold noticed public hearings, assess any traffic and safety impacts, include measures to mitigate those impacts, and file a notice of exemption with the Office of Planning and Research and the appropriate county clerk;

NOW, THEREFORE BE IT RESOLVED, that with the concurrence of the Mayor, that by the adoption of this Resolution, the City of Los Angeles hereby includes in its 2017-18 State Legislative Program SUPPORT for AB 1218 (Obernolte) that would extend the sunset on existing California Environmental Quality Act (CEQA) exemptions for bicycle transportation plans and bicycle lanes from 2018 to 2021.

PRESENTED BY:

  
JOSE HUIZAR  
Councilmember, 14th District

SECONDED BY:



ORIGINAL

msr



MAY 24 2017