

2.1.6 Determination of Significance

The determination of whether a project may have a significant effect on the environment is a critical step in the CEQA process, and one that requires professional knowledge and judgment, as described in *CEQA Guidelines Section 15064* http://ceres.ca.gov/topic/env_law/ceqa/guidelines/art5.html. The determination should be based on information in the record and, to the extent feasible, on scientific and factual data. Generally, an environmental professional with specific training in a particular area of environmental review can make this determination. This determination is made prior to and separate from the development of mitigation measures for the project.

The *CEQA Guidelines Section 15382* http://ceres.ca.gov/topic/env_law/ceqa/guidelines/art20.html, sets forth the following definition for significant effect:

“Significant effect on the environment” means a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance.

The *CEQA Guidelines Section 15064(b)* http://ceres.ca.gov/topic/env_law/ceqa/guidelines/art5.html, also indicate that:

An ironclad definition of significant effect is not possible because the significance of an activity may vary with the setting.

According to *CEQA Statutes Section 21083* http://ceres.ca.gov/ceqa/stat/chap2_6.html, (Significance Guidelines) and *CEQA Guidelines Section 15065* http://ceres.ca.gov/topic/env_law/ceqa/guidelines/art5.html (Mandatory Findings of Significance), if any of the following impacts would result from a proposed project, the project is considered to have a significant effect on the environment:

- The project has the potential to substantially degrade the quality of the environment, substantially reduce the habitat of fish or wildlife population, cause a fish or wildlife species to drop below self-sustaining levels, threaten to eliminate a plant or animal community, significantly reduce the number or restrict the range of an endangered, rare, or threatened species, or eliminate important examples of the major periods of California history or prehistory.
- The project has the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals.
- The project has possible environmental effects which are individually limited but cumulatively considerable. “Cumulatively considerable” means that the incremental effects of an individual project are considerable when viewed in connection with the effects of past projects, the effects of other current projects and the effects of reasonably foreseeable probable future projects (as defined in *CEQA Guidelines Section 15130* http://ceres.ca.gov/topic/env_law/ceqa/guidelines/art9.html).
- The environmental effects of a project will cause substantial adverse effects on human beings, either directly or indirectly.

CEQA Guidelines Section 15064.5 http://ceres.ca.gov/topic/env_law/ceqa/guidelines/art5.html , addresses archaeological and historical resources and notes that physical changes that would demolish or materially alter in an adverse manner those characteristics that convey the historical significance of the resource and justify its listing on inventories of historical resources are typically considered significant impacts. Generally, a project that follows the pertinent U.S. Secretary of the Interior’s guidelines will be considered as mitigated to a less-than-significant level.

For an effect to be significant, the projected physical change need not be immediately forthcoming. This consideration is particularly relevant in determining impacts of projects such as LRDPs.

Public opinion is another factor to consider in the process of determining whether a project would have an adverse or beneficial effect on the environment. The lead agency shall consider the views held by members of the public in all areas affected as expressed in the whole record before the lead agency. Before requiring an EIR, the lead agency must still determine whether the environmental change itself might be substantial (*CEQA Guidelines Section 15064(c)* http://ceres.ca.gov/topic/env_law/ceqa/guidelines/art5.html).

The Environmental Checklist form http://www.ucop.edu/facil/pd/uc_ceqa.pdf and Section 3.3 of this Handbook provide additional examples and information on determining the level of significance of project impacts.

When using a Program EIR as the basis for identifying project-level impacts, refer to the discussion on tiering environmental documents in Section 3.5 of this Handbook.

Responses to the environmental checklist:

- Potentially Significant Impact is appropriate where there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries an EIR is required.
- Less than Significant with Mitigation Incorporated applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less-than-significant level (mitigation measures from earlier analyses may be cross-referenced).
- Impact for which LRDP/Program EIR is Sufficient applies where the impacts of the project were adequately addressed and mitigated in a certified Long Range Development Plan EIR or in a Program EIR. (See also Tiering section below.)
- Less Than Significant Impact applies where the project creates no significant impacts, only less than significant impacts.
- No Impact applies where a project does not create an impact in that category. “No Impact” answers need to be adequately supported by information which shows that the impact simply

does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project specific screening analysis).

CEQA does not require mitigation of “less-than-significant impacts”; however, campuses may choose to identify mitigation measures to further reduce the level of impact.

During the preliminary stages of environmental review, it is difficult to distinguish between “significant” and “significant and unavoidable” impacts. These impacts should be designated “significant” initially until a thorough investigation of feasible mitigation measures indicates that the impacts are unavoidable. It may also be helpful to check each of the technical sections of Section 3.3 of the *UC CEQA Handbook* for the appropriate standards for determining significance of project impacts. Other factors to consider include:

- Examining the standards of significance in the Long Range Development Plan EIR;
- Considering any local conditions, including public opinions, that may affect the determination of significance; and
- Identifying impacts that may not be significant by themselves but when added together produce a significant adverse affect.

Tiering

Earlier analysis may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. (*CEQA Guidelines Section 15063 (c)(3)(D)* http://ceres.ca.gov/topic/env_law/ceqa/guidelines/art5.html) In this case a brief discussion should identify the following:

1. Earlier Analysis Used. Identify and state where the previous document is available for review.
2. Impacts Adequately Addressed. Identify which effects from the checklist were within the scope of, and adequately analyzed in, an earlier document pursuant to the earlier analysis.
3. Mitigation Measures. For effects that are “Less than Significant with Mitigation Measures Incorporated,” describe the mitigation measures that were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
4. The column labeled “*Impact for which LRDP/Program EIR is Sufficient*” is meant to be used in the following situations:
 - a) The LRDP EIR found the impact to be less than significant for all projects, including this project, assuming implementation of applicable LRDP EIR mitigation measures,

- b) The LRDP EIR concluded that the impact would be significant for some projects, but would not be significant for the project under review,
- c) The impact is significant on a cumulative but not a project level, and the LRDP EIR fully addressed the cumulative impact, or
- d) The impact is significant and unavoidable on a project level, but the LRDP EIR contained an adequate project-level analysis for the impact. This conclusion may also be appropriate where the particular impact and associated mitigation measures are sufficiently generic so that no further analysis is necessary or appropriate (i.e. the LRDP EIR contains all of the analysis that reasonably could be included on the topic with respect to all projects generally, including the specific project under analysis), and where no additional mitigation is feasible.

The guidance set forth in *CEQA Guidelines Section 15152*

http://ceres.ca.gov/topic/env_law/ceqa/guidelines/art10.html (Tiering), should also be considered in making this determination. Where this column of the checklist is selected, an explanation of the basis for doing so should be included in the discussion. The discussion should also state briefly why the criteria for supplemental environmental review under *CEQA Statutes Section 21166*

<http://ceres.ca.gov/ceqa/stat/chap6.html> (project changes, changed circumstances and/or new information) have not been triggered.