

2.2.5 Project Approval for Negative Declaration or Mitigated Negative Declaration

“Project approval” in CEQA terms is the irrevocable commitment to proceed with a project. Under normal procedures, CEQA project approval is the design approval by UC decision makers. Approval of some capital improvement projects may require that environmental documents be considered prior to design approval if a prior step may be interpreted as the decision that commits the University of California to a definite course of action.

After reviewing the Negative Declaration or Mitigated Negative Declaration and any comments received through agency consultation and during the State and public comment period, an informed decision to approve or disapprove the project should be made.

To approve a project, The Regents (UC decision makers), the President or the Chancellor, need to make Findings that the project as approved will not have a significant effect on the environment or that the impacts have been eliminated or mitigated to less than significant levels.

The campus should develop its own process to document campus level approval. Typically this includes a written *approval letter* (See *UC CEQA Handbook Appendix K*) with background on the project, its environmental documentation, and Findings signed by the Chancellor. Copies of the approval should be sent to Planning, Design and Construction at the Office of the President.

A Mitigation Monitoring Program must be adopted at the same time as the Mitigated Negative Declaration. (See *UC CEQA Handbook Chapter 5* and *CEQA Guidelines Section 15074(d)* http://ceres.ca.gov/topic/env_law/ceqa/guidelines/art6.html .) Project approval triggers campus responsibility to monitor mitigation measures pursuant to *CEQA Statute Section 21081.6* http://ceres.ca.gov/ceqa/stat/chap2_6.html .

Steps for Project Approval

- Prior to project approval, review and evaluate the Negative Declaration or Mitigated Negative Declaration and any comments received from agencies and the public (*CEQA Guidelines Section 15074(b)*) http://ceres.ca.gov/topic/env_law/ceqa/guidelines/art6.html.
- Adopt the Negative Declaration or Mitigated Negative Declaration if, on the basis of the Initial Study and any comments received on the Negative Declaration or Mitigated Negative Declaration, there is no substantial evidence that the project would have a significant effect on the environment (*CEQA Guidelines, Section 15074(b)*) http://ceres.ca.gov/topic/env_law/ceqa/guidelines/art6.html.
- Make appropriate Findings in writing.
- Adopt a Mitigation Monitoring Program *CEQA Guidelines Section 15074(d)* http://ceres.ca.gov/topic/env_law/ceqa/guidelines/art6.html.