

# This Valentine's Day, Give the Gift of Infill

Justin Horner's Blog <http://switchboard.nrdc.org/blogs/jhorner/>

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[http://switchboard.nrdc.org/blogs/jhorner/give\\_the\\_gift\\_of\\_infill.html](http://switchboard.nrdc.org/blogs/jhorner/give_the_gift_of_infill.html)

Perhaps I'm not enough of a romantic (or perhaps I'm too much of one) but I could not help but see some serendipity in the [California Office of Administrative Law's approval](#) of [SB 226's infill streamlining regulations](#) this past Valentine's Day. Love, indeed, is complex, and it can spring forth from the most mysterious, or mundane, things. I would like to think I'm not the first to be moved by solid public policy.

As I am sure you remember, in 2011, Senator Joe Simitian authored [SB 226](#), which called on the Governor's Office of Planning and Research (OPR) to supplement the CEQA Guidelines with regulations to streamline infill development. After more than a year of remarkable outreach and careful, thoughtful consideration, the Office of Administrative Law put their stamp on the fine work of OPR and the Resources Agency.

NRDC actively contributed to the development of the Guidelines, and there is a lot we are happy with. The Guidelines focus on helping good projects in good locations, Projects must not only be consistent with a region's SB 375 Sustainable Communities Strategy (if there is one), but they must be in areas of below-average driving. There are requirements for commercial projects to include renewable energy and protections for public health for residential projects near busy roadways. ([Here's a handy flowchart](#))

The goal of SB 226 is to reduce duplicative review and add certainty to the development process. Qualifying projects:

- can avoid repetitive environmental analysis by taking advantage of CEQA work done for General Plans and other planning documents, saving time and money, while reducing vulnerability to legal challenge;
- can utilize a smaller, focussed *Infill EIR* (as opposed to a full-blown EIR) if new (or more significant) environmental effects, not analyzed in previous EIRs, are caused by the project; and
- can substantially mitigate their impacts using "uniformly applicable development policies or standards" (like design guidelines, regulations about construction or traffic impact fees) if the jurisdiction has such policies and makes a finding that they mitigate impacts.

With all (and all and all) the talk about the need to "modernize" (i.e. weaken) CEQA to, among other things, facilitate infill, it seems so-called CEQA Reform proponents can't take "yes" for an answer. Some critics even blasted the Guidelines months ago, before the regulations even took effect.

Talk about unrequited love.

From Switchboard, NRDC's Staff Blog

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The Secretary for the California Natural Resources Agency has adopted CEQA Guidelines implementing Public Resources Code section 21094.5 and 21094.5.5 (SB 226—Infill Streamlining).

<http://ceres.ca.gov/ceqa/>