

**APA'S PLANNING ACADEMY OF VENTURA COUNTY  
COURSE #6 OUTLINE AND SPEAKER BIOS; MAY 20, 2010**

**SESSION A. 6:30 – 7:15. THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA), Barbara Higgins, Esq.**

- I. INTRODUCTION AND BACKGROUND
  - a. Enactment
  - b. Statute – Public Resources Code §§ 21000
  - c. Guidelines – Title 14, Cal. Code Regulations §§15000
  - d. Local Codes
  - e. Legislative Intent – PRC §§ 21000 – 21006
2. WHEN DOES CEQA APPLY?
  - a. Discretionary “Projects” – PRC § 21080
  - b. Exemptions – Statutory; Guidelines; Common Sense
  - c. Exemption Pitfalls
3. TYPES OF ENVIRONMENTAL REVIEW DOCUMENTS
  - a. Initial Study (IS)
  - b. Negative Declaration (ND)
  - c. Mitigated Negative Declaration (MND)
  - d. Sustainable Communities Environmental Assessment (SCEA)
  - e. Environmental Impact Report (EIR)
4. CEQA PROCESS
  - a. CEQA Flow Chart
  - b. Local Codes
  - c. Public Participation
5. CEQA LITIGATION
  - a. Benefits & Detriments
6. RECOMMENDED CEQA PUBLICATIONS/WEBSITES
  - Practice Under the California Environmental Quality Act
  - Guide to CEQA (Remy, Thomas, Moose & Manley; Solano Press, 11th ed., 2006, \$115) [www.solano.com](http://www.solano.com)
  - 2010 California Environmental Quality Act and Guidelines
  - 2009 State Clearinghouse Handbook (free download):  
[www.opr.ca.gov/planning/publications/SCH\\_Handbook\\_2009.pdf](http://www.opr.ca.gov/planning/publications/SCH_Handbook_2009.pdf)
  - The Planning Report (subscription & on-line): [www.planningreport.com/](http://www.planningreport.com/)
  - Governor’s Office of Planning and Research: <http://www.opr.ca.gov/>
  - California Environmental Resources Evaluation System: <http://ceres.ca.gov/ceqa/>
  - CEQnet Database: <http://www.ceqanet.ca.gov/>

**About Barbara**

Barbara J. Higgins, Esq. is an experienced land use attorney practicing in southern California, primarily in Los Angeles and Ventura counties. Ms. Higgins counsels clients on entitlement processing and compliance with the California Environmental Quality Act (CEQA), the Subdivision Map Act, State Planning and Zoning Law, and associated local, state and federal development regulation. Ms. Higgins is a frequent guest speaker with the AEP, APA, ULI and other organizations on issues concerning CEQA and California land development. Ms. Higgins is a former partner of the national law firm Alston & Bird, LLP and just recently launched her solo practice. Ms. Higgins serves on the Board of Directors of the Tierra del Sol Foundation, a nonprofit 501-(c)(3) organization serving adults with disabilities throughout the San Fernando Valley and Inland Empire. Ms. Higgins earned her juris doctorate at UCLA. Prior to law school, Ms. Higgins attended graduate school at the University of Chicago and was an Editor at the Great Books Foundation, Chicago, and Senior Editor at the Galef Institute, Los Angeles.

## BREAK

### SESSION B. 7:30 - 8:15. CHALLENGES FACING CALIFORNIA'S WATER SUPPLIES: THE CONNECTION BETWEEN LAND USE AND WATER

- I. WATER SUPPLIES IN CALIFORNIA. Overview of California's water supply availability issues.
  - A. Identification of California's Main Water Supplies
    1. Imported Water Supplies
      - a. Sacramento-San Joaquin Bay Delta
      - b. Colorado River
    2. Local Supplies
      - a. Surface Water
      - b. Groundwater
      - c. Recycled Water
      - d. Desalination
- II. WATER LAW BASICS. Property ownership and right to use water. Beneficial Use: Rights are usufructory
  - A. Groundwater
    1. Overlying Rights
    2. Appropriative Rights
    3. Groundwater Management
      - a. Special Act Agencies
      - b. Local Groundwater Ordinances
      - c. Groundwater Adjudications
  - B. Surface Water
    1. Appropriative Rights
      - Discuss Role of State Water Resources Control Board
      - Obtaining a New Water Right
      - Transferring Water Rights
    2. Riparian Rights
- III. ISSUES IMPACTING CALIFORNIA'S WATER SUPPLIES
  - A. Climate Change
  - B. Drought
  - C. Regulatory Restrictions
    - NMFS Steelhead Recovery Plan/Ventura River
    - ESA issues with State Water Project water/Delta Smelt litigation
- IV. INTERSECTION BETWEEN LAND AND WATER
  - A. SB 221 and SB 610 (Water Supply and Verification Statutes)
  - B. Satisfaction of Statutes
    1. Reducing Project Demands
      - a. Conservation
        - Cal Constitution, Article X, Section 2
        - New Legislation: SB X7 7 (SB 7)—Urban agencies are required to reduce per capita water consumption by 20% by 2020.
        - Water Conservation & Resource Management Programs
        - Declaring a Water Shortage Emergency
    2. Creative Infrastructure
    - Permitting, e.g. groundwater recharge ponds
    3. Increasing Water Supplies
- V. VENTURA COUNTY WATER SUPPLIES
  - A. Surface Water: Ventura River Project (federal project to capture runoff): Serves 40,000 people
    1. Casitas Dam and Reservoir: Regulates flows along Coyote Creek and stores surplus for irrigation and municipal purposes. Provides water to urban areas within Casitas Municipal Water District.
    2. Robles Dam
    3. Robles-Casitas Canal
    4. Conveyance System: miles of pipeline, five pumping plants
  - B. Groundwater Basins in Ventura County
    - 32 Groundwater Basins

- Discuss Fox Canyon Groundwater Management Agency
- C. Local Water Regulations
1. Well Permits
  2. Aquifer Protection Program

### **About Amy**

Ms. Steinfeld is an Associate in Brownstein Hyatt Farber Schreck's Santa Barbara office and a member of the Water & Public Lands Group. She works a broad range of water issues, including legal transactions, litigation, groundwater adjudications and environmental quality projects. Prior to attending law school, Ms. Steinfeld gained valuable experience in the environmental field, serving as the environmental director and an environmental consultant and analyst for the California Safety Compliance Corporation. She traveled to 37 countries to conduct social and environmental audits of factories for large manufacturing companies. She also developed an environmental audit tool and a forestry chain of custody audit. In addition, Ms. Steinfeld has worked with the National Wildlife Federation and Environmental Defense.

### **BREAK**

#### **SESSION C. CLIMATE CHANGE. 8:30 – 9:15. Carolyn Casavan**

1. How land use affects climate change – housing, jobs, transportation.
2. State legislation aimed at reducing climate impacts – AB 32 Global Warming Solutions Act of 2006, SB 375 Sustainable Communities Strategy
3. How planning can be used to reduce greenhouse gas emissions.
4. SB 375 implementation in Ventura County.
5. Challenges, opportunities and changing expectations.

### **About Carolyn**

Carolyn Casavan is the founder and CEO of West Coast Environmental and Engineering, a Ventura based consulting firm with a strong reputation for providing leading edge technical analysis. Her areas of technical expertise include air quality, greenhouse gas emissions, health risk assessment, water resources, CEQA/NEPA, energy efficiency and sustainability. Carolyn is a registered Chemical Engineer and a California Air Resources Board Accredited Lead Verifier and Refinery and Electricity Transactions Specialist. Carolyn's greenhouse gas emissions experience includes verifying emissions inventories, managing emissions inventory projects, identifying and assessing emission reduction options, and preparing climate action plans. She has been actively involved in the AB 32 implementation process, participating in the Climate Action Team Cement Sub Group, the CARB Economic and Technology Advancement Advisory Committee, and the AB32 Implementation Group as well as monitoring California Air Resources Board workshops. She has been conducting greenhouse gas emission inventory verifications since 2004. West Coast Environmental and Engineering (WCE), believes that implementing green building practices and sustainable operating practices now is a sound business decision that will have far-reaching benefits for years to come. Greenhouse gas emissions, carbon footprint, sustainability and "going green" are important challenges that affect every development and facility and WCE is at the forefront of providing these services.

**9:00 – END, Q/A**