



# California Environmental Quality Act Document Circulation & Consultation Requirements



## When to Circulate Documents to the State Clearinghouse

The California Environmental Quality Act (CEQA)<sup>[1]</sup> requires lead agencies to submit draft environmental impact reports (EIR), proposed negative declarations (ND), and proposed mitigated negative declarations (MND) to the State Clearinghouse (SCH) at the Office of Planning and Research when any of the following apply:

- **A state agency is the lead agency, a responsible agency, or a trustee agency;**
- **A state agency otherwise has jurisdiction by law with respect to the project;**
- **The proposed project is of statewide, regional, or areawide significance.**

Submitting CEQA documents to the SCH helps to ensure responsible and trustee agency input from the California Department of Fish and Wildlife (CDFW) during lead agency environmental review. CEQA requires lead agencies to submit the following notices to SCH:

- **Notice of Preparation (NOP) of an EIR;**
- **Notice of Completion (NOC) of an EIR;**
- **Notice of Determination (NOD) when the lead agency is a state agency; and**
- **Notice of Determination (NOD) for when local agencies conclude that certain housing projects specified by statute are not subject to CEQA.**

These notices serve to ensure state agency participation in lead agency review under CEQA, including CDFW participation as a responsible and trustee agency.

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<sup>[1]</sup> The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

# When to Consult with Department of Fish and Wildlife

- **Prior to determining whether an EIR or ND is required for a proposed project**
- **Prior to EIR completion**
- **If project area, scope, or operations are altered**
- **When questions or concerns about impacts on biological resources arise**

Informal consultation with CDFW as a responsible or trustee agency is encouraged under CEQA. Consultation helps lead agencies identify any potentially significant environmental impacts early.

CDFW is a responsible agency under CEQA where a proposed project requires a permit under the Fish and Game Code. Permits are most commonly pursuant to the California Endangered Species Act (CESA), as well as other provisions in the Fish and Game Code governing activities that may substantially divert or obstruct the natural flow of, or substantially change or use any material from the bed, channel, or bank of, any river, stream, or lake.

CDFW always serves as a trustee agency under the Fish and Game Code with regard to the State's fish and wildlife resources. For purposes of CEQA, CDFW serves as a trustee agency whenever a project affects fish and wildlife resources, regardless of whether those effects are significant.

***When in doubt, reach out!***

**CDFW CEQA Program**



**SCH CEQA  
Technical Advisories**

