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MEETING DATE: June 10, 2026

TO: Local Agency Formation Commission
of Orange County

FROM: Executive Officer
Policy Analyst I

SUBJECT: Amendments to the Local Guidelines for
Implementing the California Environmental Quality
Act (CEQA)

BACKGROUND

Pursuant to Section 21082 of the California Public Resources Code (Environmental Quality Act), the Commission originally adopted the Local Guidelines for Implementing the California Environmental Quality Act (“Guidelines”). The Guidelines, developed by Best Best & Krieger LLP, guide OC LAFCO’s compliance with CEQA when considering projects or applications within the Commission’s purview. For most projects considered by the Commission, OC LAFCO is the responsible agency under CEQA. However, OC LAFCO may also serve as the lead agency for Commission-initiated projects or applications filed by landowners.

To ensure consistency with current State law and CEQA requirements, the Guidelines are reviewed annually and updated, as necessary, by Best Best & Krieger. Staff is recommending the Commission adopt the amended local guidelines to incorporate the recent changes discussed in the next section of this report.

2026 LOCAL CEQA GUIDELINES

The attached memorandum provides a detailed summary of the revisions and additions to the current Guidelines. The key revisions for potential OC LAFCO actions are summarized as follows:

- **“Wet” Signatures**

In each County, except for Riverside, all signatures for environmental documents such as Notices of Exemption and Notices of Determinations require a “wet” signature. Fax filings are no longer accepted by any county in the state.

- **Department of Fish and Wildlife Fees**

The Department of Fish and Wildlife has increased the fees for filing environmental documents effective January 1, 2026. The updated fees will be reflected in the OC LAFCO Fee Schedule.

- Negative Declaration or Mitigated Negative Declaration: \$3,043.75
- Environmental Impact Report: \$4,227.50
- Environmental document pursuant to a Certified Regulatory Program: \$1,437.25

RECOMMENDED ACTION

Staff recommends the Commission:

1. Adopt OC LAFCO Resolution No. CP 26-06 amending and approving the “Local Guidelines for Implementing the California Environmental Quality Act.” (*Attachment 2*)

Respectfully submitted,



LUIS TAPIA

AIMEE DIAZ

Attachments:

1. 2026 Summary of Changes to Local CEQA Guidelines, prepared by Best Best & Krieger
2. Form of OC LAFCO Resolution No. CP 26-06

Memorandum

TO: Project 5 Clients

FROM: Best Best & Krieger LLP

DATE: March 30, 2026

RE: Memorandum re: Environmental Filing by County and Fish and
Wildlife Fee Increase

2026 LOCAL CEQA GUIDELINES UPDATE

Your agency's Local California Environmental Quality Act ("CEQA") Guidelines (2026 Update), CEQA Forms and supporting documents are now available on your Best Best & Krieger LLP ("BB&K") CEQA Portal.

This memo provides updated information for County Clerks' and Board of Supervisors' filing requirements.

I. ENVIRONMENTAL DOCUMENT FILING PROCEDURES

I. SUMMARY OF CHANGES FOR ENVIRONMENTAL FILING BY COUNTY

Each county in California is authorized to establish its own procedures for filing and posting environmental documents such as Notices of Determination and Notices of Exemption. Attached is a chart summarizing the procedures for filing CEQA documents in each county. A summary of some of the more significant changes made by individual counties in 2026 is included below. Please note that counties may change their policies periodically during the year so it is important to review the county's filing procedures.

Applicable to All Counties

Most counties, except for Riverside, require a "wet" signature for environmental documents such as Notices of Exemption and Notices of Determination. Thus, fax filings are no longer accepted by any county.

Department of Fish and Wildlife (DFW) Fees

The fees have increased effective January 1, 2026.

For a Negative Declaration or a Mitigated Negative Declaration, the new filing fee is \$3,043.75.

For an Environmental Impact Report, the new filing fee is \$4,227.50.

For an environmental document pursuant to a Certified Regulatory Program, the filing fee is \$1,437.25.

II. CONCLUSION

The attached chart contains the most up-to-date information regarding each County's filing process. However, each County's filing process is subject to change without notice. Before submitting an environmental document, it is advised that you contact the County for which you are filing to verify that their filing procedures are consistent with the information provided in the attached chart.

As always, CEQA remains complicated and challenging to apply. The only constant in this area of law is how quickly the rules change. Should you have any questions about your Local CEQA Guidelines, or about the environmental review of any of your agency's projects, please contact your BB&K attorney for assistance.

If you have any problems accessing your CEQA Guidelines Client Portal or if you have forgotten your access information, please contact the BBK Local CEQA Guidelines Coordinator, Tammy Ingram at: tammy.ingram@bbklaw.com or (951) 826-8343.

(CP 26-06)

**RESOLUTION OF THE LOCAL AGENCY FORMATION COMMISSION OF
ORANGE COUNTY AMENDING AND ADOPTING LOCAL GUIDELINES FOR
IMPLEMENTING THE CALIFORNIA ENVIRONMENTAL QUALITY ACT
(PUB. RESOURCES CODE §§ 21000 ET SEQ.)**

June 10, 2026

On motion of Commissioner _____, duly seconded and carried, the following resolution was adopted.

WHEREAS, the California Legislature has amended the California Environmental Quality Act (“CEQA”) (Pub. Resources Code §§ 21000 et seq.), the Natural Resources Agency has amended portions of the State CEQA Guidelines (Cal. Code Regs., tit. 14, §§ 15000 et seq.), and the California courts have interpreted specific provisions of CEQA and the State CEQA Guidelines; and

WHEREAS, Public Resources Code section 21082 requires all public agencies to adopt objectives, criteria, and procedures for (1) the evaluation of public and private projects undertaken or approved by such public agencies, and (2) the preparation, if required, of environmental impact reports and negative declarations in connection with that evaluation; and

WHEREAS, the Local Agency Formation Commission of Orange County (“OC LAFCO”) must revise its local guidelines for implementing CEQA to make them consistent with the current provisions and interpretations of CEQA and the State CEQA Guidelines.

NOW, THEREFORE, the OC LAFCO hereby resolves as follows:

SECTION 1. The OC LAFCO hereby adopts the “2026 Local Guidelines for Implementing the California Environmental Quality Act,” a copy of which is on file at the offices of the OC LAFCO and is available for inspection by the public.

SECTION 2. All prior actions of the OC LAFCO enacting earlier guidelines are hereby repealed.

AYES:

NOES:

STATE OF CALIFORNIA)

) SS.

COUNTY OF ORANGE)

I, Wendy Bucknum, Chair of the Local Agency Formation Commission of Orange County, California, hereby certify that the above and foregoing resolution was duly and regularly adopted by said Commission at a regular meeting thereof, held on the 10th day of June 2026.

IN WITNESS WHEREOF, I have hereunto set my hand this 10th day of June 2026.

WENDY BUCKNUM
Chair of the Local Agency Formation Commission of
Orange County

By: _____
WENDY BUCKNUM

ATTEST:

Cheryl Carter-Benjamin, Commission Clerk
Orange County Local Agency Formation Commission