

VI. ALTERNATIVES

A. INTRODUCTION

Regulatory Guidelines for Selecting Project Alternatives

The identification and analysis of alternatives is a fundamental concept under CEQA. The role of alternatives in an EIR is clearly set forth within the CEQA Statutes, California Public Resources Code, Section 21000 et seq. Specifically, Public Resources Code, Section 21002.1 (a) states that:

"The purpose of an environmental impact report is to identify the significant effects of a project on the environment, to identify alternatives to the project, and to indicate the manner in which those significant effects can be mitigated or avoided."

California Code of Regulations, Title 14, Chapter 13 (CEQA Guidelines) Section 15126.6 provides some guidance on the formulation of alternatives:

"An EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project, but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives."

Thus, an EIR for any project subject to CEQA review must consider a reasonable range of alternatives to the project, or to the location of the project, which:

- (1) offer substantial environmental advantages over the project proposal (Public Resources Code, Section 21002); and
- (2) may be "feasibly accomplished in a successful manner" considering the economic, environmental, social and technological factors involved (Public Resources Code, Section 21061.1).

In determining the nature and scope of alternatives to be examined in an EIR, local agencies are guided by the doctrine of "feasibility." Public Resources Code, Section 21002 states that "it is the policy of the state that public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects. [I]n the event specific economic, social, or other conditions make infeasible such project alternatives or such mitigation measures, individual projects may be approved in spite of one or more significant effects thereof."

The Legislature has defined "feasible," for purposes of CEQA review, as "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors." (Public Resources Code, Section 21061.1; CEQA Guidelines, Section 15364.)

The range of alternatives required within an EIR is governed by the "rule of reason" which requires an EIR to set forth only those alternatives necessary to permit a reasoned choice. The CEQA Guidelines direct that the discussion of alternatives shall be limited to those alternatives that are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly. Of those alternatives, only the ones that could feasibly attain most of the basic objectives of the project need be examined. While there is no rule for the number of alternatives that must be discussed, the EIR must consider a reasonable range of potentially feasible alternatives that will foster informed decision-