

Guidelines to Apply to the Governor for CEQA Streamlining Under the “Jobs and Economic Improvement Through Environmental Leadership Act”.

1. Applications to the Governor for CEQA streamlining under Public Resources Code Section 21178 et seq., along with a Notice of Completion Form (NOC Form), shall be submitted electronically to the Governor’s Office of Planning and Research (OPR) at the following e-mail address:

[California.Jobs@opr.ca.gov](mailto:California.Jobs@opr.ca.gov)

Upon receipt of the application, OPR will assign a State Clearinghouse tracking number (SCH#) and will enter the project information from the NOC Form into a publically accessible database.

2. The electronic application shall include all sufficient information to enable the Governor to determine whether the project satisfies the statutory requirements for CEQA streamlining. This information shall include at least the following:
  - a. For projects defined in Public Resources Code section 21180(b)(1), information sufficient to enable the Governor to determine that:
    - (1) the project is residential, retail, commercial, sports, cultural, entertainment, or recreational in nature;
    - (2) the project, upon completion, will qualify for LEED silver certification. The application shall specify those design elements that make the project eligible for LEED silver certification, and the applicant shall submit a binding commitment to delay operating the project until it receives LEED silver certification;
    - (3) the project will achieve at least 10 percent greater transportation efficiency than comparable projects. The applicant shall provide information setting forth its basis for determining and evaluating comparable projects and their transportation efficiency, and how the project will achieve at least 10 percent greater transportation efficiency. For residential projects, the applicant shall also submit information demonstrating that the number of vehicle trips by residents divided by the number of residents is 10 percent more efficient than for comparable projects. For the purposes of this provision, comparable means a project of the same size, capacity and location type;
    - (4) the project is located on an infill site, as defined at Public Resources Code section 21061.3, and in an urbanized area, as defined at Public Resources Code section 21071.
    - (5) the information required by Public Resources Code section 21180(b)(1) is available for projects within a metropolitan planning organization (MPO) for which a sustainable communities strategy (SCS) or alternative planning strategy (APS) is in effect. For the purposes of this provision, “in effect” means that the SCS or APS has been adopted by the MPO, and that the Air Resources Board has accepted the MPO’s determination that the SCS or APS meets the adopted greenhouse gas reduction targets and is not the subject of judicial challenge.

- b. For projects defined in Public Resources Code section 21180(b)(2) or 21180(b)(3), information sufficient to enable the Governor to determine that the project meets the criteria set forth in those sections.
  - c. Information establishing that the requirements of Public Resources Code section 21181 have been met. Written acknowledgment from the lead agency of the applicant's intent to apply for certification may be used to satisfy this requirement.
  - d. Information establishing that the project entails a minimum investment of \$100 million in California through the time of completion of construction.
  - e. Information establishing that the prevailing and living wage requirements of Public Resources Code section 21183(b) will be satisfied.
  - f. Information establishing that the project will not result in any net additional greenhouse gas (GHG) emissions. This information is subject to a determination signed by the Executive Officer of the Air Resources Board that the project does not result in any net additional GHG emissions, following the procedures set forth in section 5 of these Guidelines.
  - g. Information documenting a binding agreement between the project proponent and the lead agency establishing the requirements set forth in Public Resources Code sections 21180(d), (e), and (f).
  - h. Any other information requested by the Governor.
3. The public may submit comments on the application electronically to the Governor's Office of Planning and Research ([California.Jobs@opr.ca.gov](mailto:California.Jobs@opr.ca.gov), with SCH #) at any time up to 30 days after the initial application or within 7 days after any supplemental application, whichever is later.
4. The project's Draft Environmental Impact Report (DEIR) must be circulated for public review after the Governor certifies the project for CEQA streamlining. If a project's DEIR has been circulated before the Governor has certified the project for CEQA streamlining, the applicant and lead agency must withdraw the DEIR and re-circulate a revised DEIR reflecting the Governor's certification, as set forth in Public Resources Code section 21187.
5. The Governor may request additional information. Failure to submit necessary information will preclude certification by the Governor.
6. For purposes of California Public Resources Code section 21183 (c) the following process applies:

- a. The applicant shall submit electronically to [AB900ARBsubmittals@arb.ca.gov](mailto:AB900ARBsubmittals@arb.ca.gov) a proposed methodology for quantifying the project's net additional GHG emissions. The Board will review and comment on the methodology, at its discretion, within 30 days of submission.
  - b. At the same time, the applicant shall submit to [AB900ARBsubmittals@arb.ca.gov](mailto:AB900ARBsubmittals@arb.ca.gov) documentation that the project does not result in any net additional greenhouse gas emissions. The documentation must at least quantify:
    - (1) Both direct and indirect GHG emissions associated with the project's construction and operation, including emissions from the project's projected energy use and transportation related emissions; and
    - (2) The net emissions of the project after accounting for any mitigation measures that will be monitored and enforced consistent with Public Resources Code section 21183(d).
  - c. Within 60 days of receiving the documentation in 6.b. above, the Board will determine whether the condition specified in Public Resources section 21183(c) has been met or, if more time is needed, notify the applicant of the expected completion date.
  - d. The Board will determine that a project does not result in any net additional emissions of greenhouse gases if the project demonstrates through a combination of project design features, compliance with (or exceeding minimum requirements of) existing regulations, and mitigation that it would result in zero additional greenhouse gas emissions.
7. The Governor's Office of Planning and Research will post information submitted by the applicant electronically on its web-site and make available for public review a hardcopy of the material upon request.
  8. The Governor will make a decision on the application as expeditiously as possible.