

Governors Permit Reform Package

Sites Special Board Meeting

June 5, 2023



Governor's Permit Reform Package

- Permit Reform Package Proposal introduced by the Governor on May 19th
 - Executive Order (signed on May 19th) establishing broad strategies and goals across all state agencies to advance infrastructure projects
 - Ten Legislative proposals to be included as trailer bills to the Budget Package to establish statutory permitting reforms
- Governor mentioned the Sites Project in his introduction noting that Sites would be an eligible project included in the Permit Reform proposal

Governor's Executive Order

- Executive Order (NN-8-23)
- Establishes an Infrastructure Strike Team to work across all state agencies to maximize federal and state funding opportunities for infrastructure projects
 - Identify projects for streamlining with a focus on projects that include significant job creation, **names all P1 Storage Projects, including Sites**
 - Support coordination between all levels of government on project review, permitting, and approvals
 - Support infrastructure in specific sectors by investing in adjacent sectors
 - Share challenges, best practice, and identify areas for improvement

Governor's Legislative Package

- Ten Legislative Proposals
 - *CEQA Administrative Record Reforms*
 - *CEQA Judicial Streamlining*
 - Accelerating Environmental Mitigation for Transportation
 - Job Order Contracting
 - NEPA Assignment for Rail and Public Transit Projects
 - Progress Design Build Authority
 - Delta Reform Act Refinement
 - *Reclassification of Fully Protected Species*
 - IRA Green Financing
 - Direct Contracting for I-15 Wildlife Crossings

Governor's Legislative Package

- Three of the legislative proposals have a direct benefit to the Sites Project
 - **CEQA Administrative Record** – would clarify and streamline the administrative record requirements to allow CEQA administrative records to be developed more expediently, with fewer litigation delays. Specifically, the bill creates timeframes the petitioner must follow if they elect to prepare the administrative record, provides that internal emails within the lead agency that are not presented to the final decision-making body are not required to be included in the record, and allows electronic filing of the record.

Governor's Legislative Package

- **CEQA Judicial Streamlining** – to the extent feasible, requires that any judicial challenges and appeals be completed within 270 days for qualifying projects, including energy infrastructure projects, federal CHIPS Act-eligible manufacturing projects, transportation-related projects, and water-related projects. Eligible projects must be certified by designated state officials.
- **Reclassification of Fully Protected Species** – would reclassify fully protected species to facilitate responsible and appropriate development but would also allow the Department of Fish and Wildlife to require mitigation and other actions to contribute to the conservation of these species.

Staff Recommendation

- Held Legislative & Outreach Committee Meeting on May 31 to discuss Authority support for Reform Package
- Staff Recommendation (L&O Committee concurred)
 - Communicate general support for the Governor’s Executive Order and Legislative Permit Reform Package
 - Direct staff to actively advocate on behalf of the three legislative proposals of direct benefit to the Project;
 - CEQA Administrative Record Reforms
 - CEQA Judicial Streamlining
 - Reclassification of Fully Protected Species

Questions/Discussion