

REPORT OF THE CHIEF LEGISLATIVE ANALYST

DATE: May 2, 2025

TO: Honorable Members of the Rules, Elections, and Intergovernmental Relations Committee

FROM: Sharon M. Tso
Chief Legislative Analyst



Council File No.: 25-0002-S31
Assignment No.: 25-04-0325

SUBJECT: Resolution to Support SB 71 (Wiener) relative to California Environmental Quality Act exemptions.

CLA RECOMMENDATION: Adopt Resolution (Raman - Jurado) to include in the City's 2025-2026 State Legislative Program SUPPORT for SB 71 (Wiener), which would make permanent the statutory California Environmental Quality Act exemptions for transit and active transportation projects that advance the state's climate, safety, and public health goals, while improving access and mobility options.

SUMMARY

Resolution (Raman - Jurado), introduced on April 8, 2025, states that California Environmental Quality Act (CEQA) requires state and local agencies to evaluate and disclose the significant environmental impacts of projects they approve, and to avoid or mitigate these impacts if possible. The Resolution notes that, in some instances, studies and litigation have entangled projects in lengthy and costly delays.

On January 14, 2025, Senator Wiener introduced Senate Bill (SB) 71, which would make permanent the statutory CEQA exemptions for transit and active transportation projects that advance the state's climate, safety, and public health goals. The bill builds upon previous legislation to expedite certain transportation projects by indefinitely exempting them from CEQA.

BACKGROUND

CEQA was enacted in 1970 and requires public agencies to identify and disclose potentially significant environmental impacts of a proposed project and to mitigate these impacts if feasible. The law also requires public agencies to provide the public with opportunities to participate in the project review process. A project is exempt from CEQA if it is ministerial or if there is a specific statutory or categorical exemption that applies to the project.

Two bills, SB 288 (Wiener) (Chapter 987, Statutes of 2022) and SB 922 (Wiener) (Chapter 200, Statutes of 2020) further expanded CEQA exemptions for certain transit and active transportation projects. Under the provision of these two bills, and another AB 2503 (Lee) (Chapter 718, Statutes of 2024), the following transportation projects are exempt from CEQA until January 1, 2030:

- Pedestrian and bicycle facilities, including new facilities.
- Projects that improve customer information and wayfinding for transit riders, bicyclists, or pedestrians.
- Transit prioritization projects.

- Projects for the designation and conversion of general-purpose lanes or highway shoulders to bus-only lanes.
- A public project for the institution or increase of new bus rapid transit (BRT), bus, or light rail service, including the construction of stations, as specified.
- A public project to construct or increase passenger rail service used for zero emission trains.
- A public project to construct or maintain infrastructure to charge or refuel zero-emission transit buses, trains, or ferries, as specified.
- The maintenance, repair, relocation, replacement, or removal of any utility infrastructure associated with one of these projects.
- A project carried out by a city or county to reduce minimum parking requirements

SB 71 would remove the January 1, 2030 sunset date and make permanent the CEQA exemptions for transportation projects. The bill would also allow exemptions for bus shelters, lighting, ferry terminals and infrastructure maintenance.

According to the bill's author, previous legislation to exempt projects from CEQA has streamlined the permitting process and allowed more public transportation projects to be built throughout the State. The San Francisco Bay Area Planning and Urban Research Association, a public policy research organization, conducted an analysis in March 2025 on CEQA exemption legislation for transportation projects. The analysis found that local jurisdictions and transit agencies have implemented 92 projects (such as curb cuts and mobility hubs) more quickly and cost-effectively as a result of the legislation.


SB 71 is sponsored by the California Transit Association and co-sponsored by the San Francisco Bay Area Planning and Urban Research Association, the Bay Area Council and the Los Angeles County Metropolitan Transportation Authority.

DEPARTMENT NOTIFIED

Department of Transportation

BILL STATUS

01/14/25	Introduced
01/29/25	Referred to Committees on Environmental Quality and Transportation
03/13/25	Hearing in Transportation Committee, amended and re-referred to Committee on Environmental Quality
03/24/25	Hearing in Environmental Quality Committee, amended and rereferred to Transportation Committee
04/09/25	From Transportation Committee and re-referred to Committee on Appropriations
04/16/25	April 21 hearing postponed by Appropriations Committee
04/28/25	Placed on Appropriations suspense file.


 Brian Randol
 Analyst

Attachments: 1. Resolution (Raman - Jurado)
 2. Text of SB 71

RESOLUTION RULES, ELECTIONS, INTERGOVERNMENTAL RELATIONS

WHEREAS, any official position of the City of Los Angeles with respect to legislation, rules, regulations, or policies proposed to, or pending before a local, state or federal governmental body or agency must have first been adopted in the form of a Resolution by the City Council; and

WHEREAS, the California Environmental Quality Act (CEQA) requires state and local agencies to evaluate and disclose the significant environmental impacts of projects they approve, and to avoid or mitigate those impacts if possible; and

WHEREAS, while CEQA is a critically important law for protecting people and the environment from harmful projects, especially for historically marginalized and underserved populations, some projects are greatly beneficial to communities; and

WHEREAS, in some instances, CEQA studies, appeals, and litigation have entangled these beneficial projects in lengthy and costly delays; and

WHEREAS, CEQA, until January 1, 2030, exempts active transportation plans, pedestrian plans, or bicycle transportation plans for the restriping of streets and highways, bicycle parking and storage, signal timing to improve street and highway intersection operations, and related signage for bicycles, pedestrians, and vehicles; and


WHEREAS, on January 14, 2025, Senator Wiener introduced Senate Bill (SB) 71, which would make permanent the statutory CEQA exemptions for transit and active transportation projects that advance the state's climate, safety, and public health goals, while improving access and mobility options; and

WHEREAS, SB 71 (Wiener) builds upon previous legislation to expedite certain projects, such as pedestrian or bicycle facilities, bus facilities, transit signal priority, light rail, and zero-emission transit vehicle infrastructure, by exempting them from CEQA indefinitely and helping local agencies deliver these transportation projects more quickly and cost effectively; and

WHEREAS, SB 71 (Wiener) is co-sponsored by the Los Angeles County Metropolitan Transportation Authority, as well as the California Transit Association, the Bay Area Council, and the San Francisco Bay Area Planning and Urban Research Association;

NOW, THEREFORE, BE IT RESOLVED, that by the adoption of this Resolution, the City of Los Angeles hereby includes in its 2025-2026 State Legislative Program SUPPORT for SB 71 (Wiener), which would make permanent the statutory California Environmental Quality Act (CEQA) exemptions for transit and active transportation projects that advance the state's climate, safety, and public health goals, while improving access and mobility options.


PRESENTED BY:


NITHYA RAMAN
Councilmember, 4th District

SECONDED BY:



APR 08 2025


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ORIGINAL

AMENDED IN SENATE MARCH 25, 2025

AMENDED IN SENATE MARCH 13, 2025

SENATE BILL

No. 71

Introduced by Senator Wiener

(Coauthors: Assembly Members Chen, Lee, and Ward)

January 14, 2025

An act to amend Sections 21080.20 and 21080.25 of the Public Resources Code, relating to environmental quality.

LEGISLATIVE COUNSEL'S DIGEST

SB 71, as amended, Wiener. California Environmental Quality Act: exemptions: transit projects.

The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of an environmental impact report on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment.

CEQA, until January 1, 2030, exempts from its requirements active transportation plans, pedestrian plans, or bicycle transportation plans for the restriping of streets and highways, bicycle parking and storage, signal timing to improve street and highway intersection operations, and the related signage for bicycles, pedestrians, and vehicles.

This bill would extend the operation of the above-mentioned exemption indefinitely. The bill would also exempt a transit comprehensive operational analysis, as defined, a transit route readjustment, or other transit agency route addition, elimination, or modification, from the requirements of CEQA. Because a lead agency would be required to determine whether a plan qualifies for this exemption, the bill would impose a state-mandated local program.

CEQA, until January 1, 2030, exempts from its requirements certain transportation-related projects, such as pedestrian and bicycles facilities, transit prioritization projects, public projects for the institution or increase of bus rapid transit, bus, or light rail service, including the construction or rehabilitation of stations, terminals, or existing operations facilities, and public projects for the construction or maintenance of infrastructure of facilities to charge, refuel, or maintain zero-emission public transit buses, trains, or ferries, as provided. CEQA requires, except as provided, those exempted projects to be carried out by a local agency and meet certain requirements, including certain labor requirements.

This bill would extend the operation of the above-mentioned exemption indefinitely. The bill would exempt from the requirements of CEQA a public project for the improvement of bus rapid transit, bus, microtransit, paratransit, or light rail service, including the operation and maintenance, public projects for the improvement, institution, or increase of shuttles and ferries, and for the maintenance, construction, or rehabilitation of stops that will be exclusively used by zero-emission, near-zero-emission, low oxide of nitrogen engine, compressed natural gas fuel, fuel cell, or hybrid powertrain vehicles, rail or cable cars, rolling stock, or vessels, as provided. *The bill would, until January 1, 2032, exempt from the requirements of CEQA a public project located on a site that is wholly within the boundaries of an urbanized area or urban cluster, as designated by the United States Census Bureau, for the improvement, institution, or increase of microtransit, paratransit, shuttle, bus, ferry, bus rapid transit, or light rail service, including the maintenance, construction, operation, or rehabilitation of stops, stations, terminals, or existing operations facilities, if used primarily by near-zero-emission, low oxide of nitrogen engine, compressed natural gas fuel, fuel cell, or hybrid powertrain vehicles, rail or cable cars, rolling stock, or vessels.* The bill would exclude from this exemption certain public projects for the construction or rehabilitation of a ferry terminal, as ~~provided~~. *provided, certain public projects used by*

articulated buses, and public projects for transit services operated by a transportation network company, as defined. The bill would exempt a project carried out by a public transit agency conducted in compliance with specified regulations of the State Air Resources Board relating to commercial harbor craft and in-use locomotives. Because a lead agency would be required to determine whether a project qualifies for this exemption, the bill would impose a state-mandated local program.

Existing law requires a CEQA exempt project exceeding specified dollar amounts to meet certain criteria, as provided.

This bill would instead require a CEQA exempt project that is, based on the project engineer's cost estimate, anticipated to exceed a specified dollar amount, to meet certain criteria, as provided. The bill would require the Office of Land Use and Climate Innovation, beginning January 1, 2026, and every two years thereafter, to adjust these amounts to reflect changes in the California Consumer Price Index, and publish the updated amounts on its internet website.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 21080.20 of the Public Resources Code
2 is amended to read:
3 21080.20. (a) (1) (A) This division does not apply to an active
4 transportation plan, a pedestrian plan, or a bicycle transportation
5 plan for the restriping of streets and highways, bicycle parking
6 and storage, signal timing to improve street and highway
7 intersection operations, and the related signage for bicycles,
8 pedestrians, and vehicles.
9 (B) This division does not apply to a transit comprehensive
10 operational analysis, transit route readjustment, or other transit
11 agency route addition, elimination, or modification.
12 (2) An active transportation plan or pedestrian plan is
13 encouraged to include the consideration of environmental factors,

1 but that consideration does not inhibit or preclude the application
2 of this section.

3 (3) An individual project that is a part of an active transportation
4 plan, pedestrian plan, or transit comprehensive operational analysis
5 remains subject to this division unless another exemption applies
6 to that project.

7 (b) Before determining that a project described in subdivision
8 (a) is exempt pursuant to this section, the lead agency shall hold
9 noticed public hearings in areas affected by the project to hear and
10 respond to public comments. Publication of the notice shall be no
11 fewer times than required by Section 6061 of the Government
12 Code by the public agency in a newspaper of general circulation
13 in the area affected by the proposed project. If more than one area
14 will be affected, the notice shall be published in the newspaper of
15 largest circulation from among the newspapers of general
16 circulation in those areas.

17 (c) If a local agency determines that a project is not subject to
18 this division pursuant to this section and it determines to approve
19 or carry out that project, the notice shall be filed with the Office
20 of Planning and Research and the county clerk in the county in
21 which the project is located in the manner specified in subdivisions
22 (b) and (c) of Section 21152.

23 (d) For purposes of this section, the following definitions apply:

24 (1) "Active transportation plan" means a plan developed by a
25 local jurisdiction that promotes and encourages people to choose
26 walking, bicycling, or rolling through the creation of safe,
27 comfortable, connected, and accessible walking, bicycling, or
28 rolling networks, and encourages alternatives to single-occupancy
29 vehicle trips.

30 (2) "Pedestrian plan" means a plan developed by a local
31 jurisdiction that establishes a comprehensive, coordinated approach
32 to improving pedestrian infrastructure and safety.

33 (3) "Transit comprehensive operational analysis" means a plan
34 that redesigns or modifies a transit operator's or local agency's
35 public transit service network, including the routing of fixed route
36 and microtransit services.

37 SEC. 2. Section 21080.25 of the Public Resources Code is
38 amended to read:

39 21080.25. (a) For purposes of this section, the following
40 definitions apply:

1 (1) “Affordable housing” means any of the following:

2 (A) Housing that is subject to a recorded covenant, ordinance,
3 or law that restricts rents or sales prices to levels affordable, as
4 defined in Section 50052.5 or 50053 of the Health and Safety
5 Code, to persons and families of moderate, lower, or very low
6 income, as defined in Section 50079.5, 50093, or 50105 of the
7 Health and Safety Code, respectively.

8 (B) Housing that is subject to any form of rent or price control
9 through a public entity’s valid exercise of its police power.

10 (C) Housing that had been occupied by tenants within five years
11 from the date of approval of the development agreement by a
12 primary tenant who was low income and did not leave voluntarily.

13 (2) “Bicycle facilities” includes, but is not limited to, bicycle
14 parking, bicycle sharing facilities, and bikeways as defined in
15 Section 890.4 of the Streets and Highways Code.

16 (3) “High-occupancy vehicle” means a vehicle with three or
17 more occupants.

18 (4) “Highway” means a way or place of whatever nature,
19 publicly maintained and open to the use of the public for purposes
20 of vehicular travel. “Highway” includes a street.

21 (5) “Local agency” means a public transit operator, city, county,
22 city and county, special district, joint powers authority, local or
23 regional transportation agency, or congestion management agency.

24 (6) “Part-time transit lanes” means designated highway
25 shoulders that support the operation of transit vehicles during
26 specified times and are not open to nonpublic transit vehicles at
27 any time.

28 (7) “Project labor agreement” has the same meaning as defined
29 in paragraph (1) of subdivision (b) of Section 2500 of the Public
30 Contract Code.

31 (8) “Public transit operator” has the same meaning as “operator”
32 in Section 99210 of the Public Utilities Code, or means a public
33 entity that provides contracted paratransit services.

34 (9) “Skilled and trained workforce” has the same meaning as
35 provided in Chapter 2.9 (commencing with Section 2600) of Part
36 1 of Division 2 of the Public Contract Code.

37 (10) “Transit lanes” means street design elements that delineate
38 space within the roadbed as exclusive to transit use, either full or
39 part time.

1 (11) “Transit prioritization projects” means any of the following
2 transit project types on highways or in the public right-of-way:

3 (A) Signal and sign changes, such as signal coordination, signal
4 timing modifications, signal modifications, or the installation of
5 traffic signs or new signals.

6 (B) The installation of wayside technology and onboard
7 technology.

8 (C) The installation of ramp meters.

9 (D) The conversion to dedicated transit lanes, including transit
10 queue jump or bypass lanes, shared turning lanes and turn
11 restrictions, the narrowing of lanes to allow for dedicated transit
12 lanes or transit reliability improvements, or the widening of existing
13 transit travel lanes by removing or restricting street parking.

14 (E) Transit stop access and safety improvements, including, but
15 not limited to, the installation of bus shelters, lighting, transit bulbs
16 and the installation of transit boarding landings and islands.

17 (12) “Transportation demand management program” means a
18 specific program of strategies, incentives, and tools to be
19 implemented, including, with specified annual status reporting
20 obligations, to reduce vehicle trips by providing opportunities for
21 the public to choose sustainable travel options, such as transit,
22 bicycle riding, or walking. A specific program of strategies,
23 incentives, and tools includes, but is not limited to, any of the
24 following:

25 (A) Provision of onsite electric vehicle charging stations in
26 excess of applicable requirements.

27 (B) Provision of dedicated parking for car share or zero-emission
28 vehicles, or both types of vehicles, in excess of applicable
29 requirements.

30 (C) Provision of bicycle parking in excess of applicable
31 requirements.

32 (b) This division does not apply to any of the following projects:

33 (1) Pedestrian and bicycle facilities that improve safety, access,
34 or mobility, including new facilities, within the public right-of-way.

35 (2) Projects that improve customer information and wayfinding
36 for transit riders, bicyclists, or pedestrians within the public
37 right-of-way.

38 (3) Transit prioritization projects.

39 (4) A project for the designation and conversion of general
40 purpose lanes to high-occupancy vehicle lanes or bus-only lanes,

1 or highway shoulders to part-time transit lanes, for use either during
2 peak congestion hours or all day on highways with existing public
3 transit service or where a public transit agency will be
4 implementing public transit service as identified in a short range
5 transit plan.

6 (5) (A) A public project for the improvement, institution, or
7 increase of microtransit, paratransit, shuttle, bus, ferry, bus rapid
8 transit, or light rail service, including the maintenance,
9 construction, operation, or rehabilitation of stops, stations,
10 terminals, or existing operations facilities, which will be
11 exclusively used by zero-emission, near-zero-emission, low oxide
12 of nitrogen engine, compressed natural gas fuel, fuel cell, or hybrid
13 powertrain vehicles, rail or cable cars, rolling stock, or vessels.
14 The project shall be located on a site that is wholly within the
15 boundaries of an urbanized area or urban cluster, as designated by
16 the United States Census Bureau.

17 *(B) A public project otherwise identified in subparagraph (A)*
18 *shall not apply to the exemption pursuant to this paragraph after*
19 *January 1, 2032, if used primarily by near-zero-emission, low*
20 *oxide of nitrogen engine, compressed natural gas fuel, or hybrid*
21 *powertrain vehicles. This paragraph shall not apply to a public*
22 *project otherwise identified in subparagraph (A) used by*
23 *articulated buses.*

24 ~~(B)~~

25 (C) A public project for the construction or rehabilitation of a
26 ferry terminal that a lead agency has submitted a notice of
27 preparation for an environmental impact report pursuant to Section
28 21092 before January 1, 2026, shall not apply to the exemption
29 pursuant to this paragraph.

30 *(D) A public project for transit services operated by a*
31 *transportation network company, as defined in Section 5431 of*
32 *the Public Utilities Code, shall not apply to the exemption pursuant*
33 *to this paragraph.*

34 (6) A public project for the institution or increase of passenger
35 rail service, other than light rail service eligible under paragraph
36 (5), including the construction or rehabilitation of stations,
37 terminals, or existing operations facilities, which will be
38 exclusively used by zero-emission trains.

39 (7) (A) A public project to construct or maintain infrastructure
40 or facilities to charge, refuel, power, or maintain zero-emission

1 public transit buses, trains, or ferries, provided the project is carried
2 out by a public transit agency in compliance with, the State Air
3 Resources Board's Innovative Clean Transit regulations (Article
4 4.3 (commencing with Section 2023) of Chapter 1 of Division 3
5 of Title 13 of the California Code of Regulations), the Commercial
6 Harbor Craft regulations (Article 4.3 (commencing with Section
7 2299.5) of Chapter 5.1 of Division 3 of Title 13 of the California
8 Code of Regulations and Article 4.3 (commencing with Section
9 93118.5) of Chapter 1 of Division 3 of Title 17 of the California
10 Code of Regulations), the In-Use Locomotive regulations (Article
11 8 (commencing with Section 2478) of Chapter 9 of Division 3 of
12 Title 13 of the California Code of Regulations), or any regulations
13 identified by the State Air Resources Board's 2020 Mobile Source
14 Strategy, adopted on October 28, 2021.

15 (B) A lead agency applying an exemption pursuant to this
16 paragraph for hydrogen refueling infrastructure or facilities
17 necessary to refuel or maintain zero-emission public transit buses,
18 trains, or ferries shall comply with clauses (i), (iii), and (iv) of
19 subparagraph (D) of, and with subparagraph (E) of, paragraph (1)
20 of subdivision (d).

21 (8) The maintenance, repair, relocation, replacement, or removal
22 of any utility infrastructure associated with a project identified in
23 paragraphs (1) to (7), inclusive.

24 (9) A project that consists exclusively of a combination of any
25 of the components of a project identified in paragraphs (1) to (8),
26 inclusive.

27 (10) A planning decision carried out by a local agency to reduce
28 or eliminate minimum parking requirements or institute parking
29 maximums, remove or restrict parking, or implement transportation
30 demand management requirements or programs.

31 (c) Except as provided in subdivision (g), a project exempt from
32 this division under this section shall meet all of the following
33 criteria:

34 (1) (A) A local agency is carrying out the project and is the
35 lead agency for the project.

36 (B) The lead agency shall take an action to approve a project
37 as follows:

38 (i) The lead agency's governing board shall take an action at a
39 public meeting.

1 (ii) Notwithstanding clause (i), if a lead agency has an alternative
2 project approval process for a project subject to subdivision (b),
3 it may instead follow that alternative process.

4 (2) The project does not induce single-occupancy vehicle trips,
5 add additional highway lanes, widen highways, or add physical
6 infrastructure or striping to highways except for minor
7 modifications needed for the efficient and safe movement of transit
8 vehicles, bicycles, or high-occupancy vehicles, such as extended
9 merging lanes, shoulder improvements, or improvements to the
10 roadway within the existing right of way. The project shall not
11 include the addition of any auxiliary lanes.

12 (3) The construction of the project shall not require the
13 demolition of affordable housing units.

14 (4) For a project subject to paragraphs (5) to (7), inclusive, of
15 subdivision (b), the project shall be located within existing public
16 right-of-way or existing highway right-of-way, whether or not the
17 right-of-way is in use for rail or public mass transit, or an existing
18 rail right-of-way, whether or not the right-of-way is in use for
19 passenger rail transit, on property owned, leased, or operated by
20 the local agency, or on property owned by a public or private
21 utility.

22 (d) (1) A project that is exempt from this division under this
23 section that is, based on the project engineer's cost estimate at the
24 time the local agency takes an action pursuant to subparagraph (B)
25 of paragraph (1) of subdivision (c), anticipated to exceed one
26 hundred million dollars (\$100,000,000) shall also meet all of the
27 following criteria:

28 (A) The project is incorporated in a regional transportation plan,
29 sustainable communities strategy, general plan, or other plan that
30 has undergone a programmatic-level environmental review
31 pursuant to this division within 10 years of the approval of the
32 project.

33 (B) The project's construction impacts are fully mitigated
34 consistent with applicable law.

35 (C) (i) The lead agency shall complete and consider the results
36 of a project business case and a racial equity analysis. The Office
37 of Planning and Research may set guidelines for the project
38 business case and the racial equity analysis or delegate that
39 authority to metropolitan planning organizations.

1 (ii) The racial equity analysis required under this subparagraph
2 shall identify the racial equity impacts of the project, identify who
3 will benefit from and be burdened by the project, and, where
4 significant or disproportionate impacts exist, suggest strategies,
5 designs, or actions to mitigate those impacts.

6 (D) The lead agency shall hold noticed public meetings as
7 follows:

8 (i) Before determining that a project is exempt pursuant to this
9 section, the lead agency shall hold at least three noticed public
10 meetings in the project area to hear and respond to public
11 comments.

12 (ii) At least one of the three public meetings shall review the
13 project business case and the racial equity analysis. The review of
14 these documents does not inhibit or preclude application of this
15 section.

16 (iii) The lead agency shall conduct at least two noticed public
17 meetings annually during project construction for the public to
18 provide comments.

19 (iv) The public meetings held pursuant to clauses (i) to (iii),
20 inclusive, shall be in the form of either a public community
21 planning meeting held in the project area or in the form of a
22 regularly scheduled meeting of the governing body of the lead
23 agency.

24 (E) The lead agency shall give public notice of the meetings in
25 subparagraph (D) to the last known name and address of all the
26 organizations and individuals that have previously requested notice
27 and shall also give the general public notice using at least one of
28 the following procedures:

29 (i) Publication of the notice in a newspaper of general circulation
30 in the area affected by the project. If more than one area will be
31 affected, the notice shall be published in the newspaper of largest
32 circulation from among the newspapers of general circulation in
33 those areas.

34 (ii) Posting of the notice onsite and offsite in the area where the
35 project is located.

36 (iii) Posting of the notice on the lead agency's internet website
37 and social media accounts.

38 (2) In addition to the requirements of paragraph (1), for a project
39 described in that paragraph for which at least 50 percent of the
40 project or project's stops and stations are located in an area that is

1 at risk of residential displacement and that will have a maximum
2 of 15-minute peak headways, the local agency shall complete an
3 analysis of residential displacement and suggest antidisplacement
4 strategies, designs, or actions. For a project subject to this
5 paragraph, the lead agency shall define or identify areas at risk of
6 residential displacement.

7 (3) The amount in paragraph (1) shall be adjusted pursuant to
8 subdivision (j).

9 (e) (1) A project that is exempt from this division under this
10 section that is, based on the project engineer's cost estimate at the
11 time the local agency takes an action pursuant to subparagraph (B)
12 of paragraph(1) of subdivision (c), anticipated to exceed fifty
13 million dollars (\$50,000,000) shall also comply with clauses (i),
14 (iii), and (iv) of subparagraph (D) of, and with subparagraph (E)
15 of, paragraph (1) of subdivision (d).

16 (2) The amount in paragraph (1) shall be adjusted pursuant to
17 subdivision (j).

18 (f) (1) (A) Except as provided in subdivision (g), as part of the
19 lead agency's governing board action pursuant to subparagraph
20 (B) of paragraph (1) of subdivision (c), the lead agency shall certify
21 that the project will be completed by a skilled and trained
22 workforce.

23 (B) Subparagraph (A) does not apply if the lead agency has an
24 existing policy or certification approved by its governing board
25 that requires the use of a skilled and trained workforce to complete
26 the project if the lead agency is a signatory to a project labor
27 agreement that will require the use of a skilled and trained
28 workforce on the project.

29 (2) (A) Except as provided in subparagraph (B), for a project
30 that is exempted under this section, the lead agency shall not enter
31 into a construction contract with any entity unless the entity
32 provides to the lead agency an enforceable commitment that the
33 entity and its subcontractors at every tier will use a skilled and
34 trained workforce to perform all work on the project or a contract
35 that falls within an apprenticeship occupation in the building and
36 construction trades in accordance with Chapter 2.9 (commencing
37 with Section 2600) of Part 1 of Division 2 of the Public Contract
38 Code.

39 (B) Subparagraph (A) does not apply if any of the following
40 requirements are met:

1 (i) The lead agency has entered into a project labor agreement
2 that will bind all contractors and subcontractors performing work
3 on the project to use a skilled and trained workforce and the entity
4 has agreed to be bound by that project labor agreement.

5 (ii) The project or contract is being performed under the
6 extension or renewal of a project labor agreement that was entered
7 into by the lead agency before January 1, 2021.

8 (iii) The entity contracted to perform the project entered into a
9 project labor agreement that will bind the entity and all its
10 subcontractors at every tier performing the project to use a skilled
11 and trained workforce.

12 (g) Subdivisions (c) and (f) do not apply to a project described
13 in paragraph (10) of subdivision (b).

14 (h) If the lead agency determines that a project is not subject to
15 this division pursuant to this section, and the lead agency
16 determines to carry out that project, the lead agency shall file a
17 notice of exemption with the Office of Planning and Research and
18 the county clerk of the county in which the project is located in
19 the manner specified in subdivisions (b) and (c) of Section 21152.

20 (i) (1) The amendments made to paragraph (5) of subdivision
21 (b) by Chapter 987 of the Statutes of 2022 (Senate Bill 922 of the
22 2021–22 Regular Session) may apply to projects for which a lead
23 agency has filed a notice of exemption under this section before
24 January 1, 2023.

25 (2) For projects for which a lead agency has filed a notice of
26 exemption under this section before January 1, 2023,
27 notwithstanding subdivision (d), as it read on December 31, 2022,
28 the lead agency may certify that the project will be completed by
29 a skilled and trained workforce after the granting of the exemption
30 under this section or the lead agency may demonstrate compliance
31 with subparagraph (B) of paragraph (1) of subdivision (f).

32 (j) Beginning January 1, 2026, and every two years thereafter,
33 the Office of Land Use and Climate Innovation shall adjust the
34 amounts reflected in paragraph (1) of subdivision (c) and paragraph
35 (1) of subdivision (e) to reflect changes in the California Consumer
36 Price Index, and publish the updated amounts on its internet
37 website.

38 SEC. 3. No reimbursement is required by this act pursuant to
39 Section 6 of Article XIII B of the California Constitution because
40 a local agency or school district has the authority to levy service

- 1 charges, fees, or assessments sufficient to pay for the program or
- 2 level of service mandated by this act, within the meaning of Section
- 3 17556 of the Government Code.

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