**ATTACHMENT 4**

**CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) COMPLIANCE WORKSHEET**

This document contains information on theCalifornia Environmental Quality Act (CEQA). Projects funded with a KTEP loan cannot commence until CEQA reviews are completed. Please follow the instructions, and submit relevant documentation, as described below.

1. **CEQA**

CEQA (Public Resources Code §§ 21000 et seq.) requires public agencies to identify the significant environmental impacts of their actions and to avoid or mitigate them, if feasible.[[1]](#footnote-2) Under CEQA, an activity that may cause either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment is called a “project.” (Public Resources Code § 21065.) Approval of a contract, grant, or loan may be a “project” under CEQA if the activity being funded may cause a direct physical change or a reasonably foreseeable indirect physical change in the environment. Agencies must comply with CEQA before they approve a “project.” This can include preparing a Notice of Exemption or conducting an Initial Study and preparing a Negative Declaration, a Mitigated Negative Declaration, or, if there are significant impacts, an Environmental Impact Report.

The Lead Agency is the public agency that has the greatest responsibility for preparing environmental documents under CEQA, and for carrying out, supervising, or approving a project. Where the award recipient is a public agency, the Lead Agency is typically the recipient. Where the award recipient is a private entity, the Lead Agency is the public agency that has greatest responsibility for supervising or approving the project as a whole.[[2]](#footnote-3) When issuing contracts, grants or loans, the California Energy Commission (Energy Commission) is typically a “Responsible Agency” under CEQA, which means that it must make its own CEQA findings based on review of the Lead Agency’s environmental documents. If the Energy Commission is the only public agency with responsibility for approving the project, then the Energy Commission must act as the Lead Agency and prepare its own environmental documents before approving the project.

This worksheet will help the Energy Commission determine what kind of CEQA review, if any, is necessary before it can approve the award, and which agency will be performing that review as a Lead Agency. Please answer all questions as completely as possible. The Energy Commission may request additional information in order to clarify responses provided on this worksheet.

* 1. **What are the physical aspects of the project? (Check all that apply and provide brief description of work, including any size or dimensions of the project).**

|  |  |  |  |
| --- | --- | --- | --- |
| **Type of Project** | **Yes** | **No** | **Project Description** |
| Construction (including grading, paving, etc.) | [ ]  | [ ]  |  |
| Trenching | [ ]  | [ ]  |  |
| New or replaced pipelines | [ ]  | [ ]  |  |
| Modification or conversion of a facility | [ ]  | [ ]  |  |
| New or modified operation of a facility or equipment | [ ]  | [ ]  |  |
| On-road demonstration | [ ]  | [ ]  |  |
| Paper study (including analyses on economics, feedstock availability, workforce availability, etc.)  | [ ]  | [ ]  |  |
| Laboratory research | [ ]  | [ ]  |  |
| Temporary or mobile structures (skid-mounted) | [ ]  | [ ]  |  |
| Design/Planning | [ ]  | [ ]  |  |
| Other (describe and add pages as necessary) | [ ]  | [ ]  |  |

* 1. **Where is the project located or where will it be located? (Attach additional sheets as necessary.)**

|  |  |  |
| --- | --- | --- |
| **Address** | **County** |  **Type of Work to Be Completed at Site** |
|  |  |  |
|  |  |  |

* 1. **Will the project potentially have environmental impacts that trigger CEQA review? (Check a box and explain for each question.)**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Question** | **Yes** | **No** | **Don’t Know** | **Explanation** |
| Is the project site environmentally sensitive? | [ ]  | [ ]  | [ ]  |  |
| Is the project site on agricultural land? | [ ]  | [ ]  | [ ]  |  |
| Is this project part of a larger project? | [ ]  | [ ]  | [ ]  |  |
| Is there public controversy about the proposed project or larger project? | [ ]  | [ ]  | [ ]  |  |
| Will historic resources or historic buildings be impacted by the project? | [ ]  | [ ]  | [ ]  |  |
| Is the project located on a site the Department of Toxic Substances Control and the Secretary of the Environmental Protection have identified as being affected by hazardous wastes or cleanup problems? | [ ]  | [ ]  | [ ]  |  |
| Will the project generate noise or odors in excess of permitted levels? | [ ]  | [ ]  | [ ]  |  |
| Will the project increase traffic at the site and by what amount? | [ ]  | [ ]  | [ ]  |  |

* 1. **Will the project require discretionary permits or determinations, as listed below?**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Type ofPermit** | **No** | **Modified** | **New** | **Approving Agency** | **Reason for Permit, Summary of Process, and Anticipated Date of Issuance** |
| Air Quality Permit | [ ]  | [ ]  | [ ]  |  |  |
| Water Quality Permit | [ ]  | [ ]  | [ ]  |  |  |
| Conditional Use Permit or Variance | [ ]  | [ ]  | [ ]  |  |  |
| Building Expansion Permit | [ ]  | [ ]  | [ ]  |  |  |
| Hazardous Waste Permit  | [ ]  | [ ]  | [ ]  |  |  |
| Rezoning | [ ]  | [ ]  | [ ]  |  |  |
| Authority to Construct | [ ]  | [ ]  | [ ]  |  |  |
| Other Permits (List types) | [ ]  | [ ]  | [ ]  |  |  |

* 1. **Of the agencies listed in #4, have you identified and contacted the public agency who will be the CEQA lead agency on the project?**

[ ]  **Yes**. Provide the name of and contact information for the lead agency.

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[ ]  **No.** Explain why no contact has been made and/or a proposed process for making contact with the lead agency.

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* 1. **Has the lead agency prepared environmental documents (e.g., Notice of Exemption, Initial Study/Negative Declaration/Mitigated Negative Declaration, Environmental Impact Report, Notice of Determination) under CEQA for the proposed project?**

[ ]  **Yes**.

Please complete the following and attach the CEQA document to this worksheet. (For “Not a project,” the title of the document may be an e-mail, resolution, or letter.)

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Type of Environmental Review** | **Title of Environmental Document** | **State Clearinghouse Number** | **Completion Date** | **Planned Completion Date (must be before approval of award)** |
| “Not a project” |  | N/A |  | N/A |
| Exempt (Resolution of public agency or Agenda Item approving Exemption) |  | N/A |  | N/A |
| Exempt (Notice of Exemption) |  | N/A |  |  |
| Initial Study |  |  |  |  |
| Negative Declaration |  |  |  |  |
| Mitigated Negative Declaration |  |  |  |  |
| Notice of Preparation |  |  |  |  |
| Environmental Impact Report |  |  |  |  |
| Master Environmental Impact Report |  |  |  |  |
| Notice of Determination |  |  |  |  |
| NEPA Document (Environmental Assessment, Finding of No Significant Impact, and/or Environmental Impact Statement) |  |  |  |  |

[ ]  **No**. Explain why no document has been prepared. Propose a process for obtaining lead agency approval and estimated date for that approval (must occur before the Energy Commission will approve the award).

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**Certification: I certify to the best of my knowledge that the information contained in this worksheet is true and complete. I further certify that I am authorized to complete and sign this form on behalf of the proposing organization.**

Name:

Title:

Signature:

Phone Number:

Email:

Date:

1. For a brief summary of the CEQA process, please visit http://ceres.ca.gov/ceqa/summary.html. [↑](#footnote-ref-2)
2. 14 C.C.R. §§ 15050, 15051. The Lead Agency typically has general governmental powers (such as a city or county), rather than a single or limited purpose (such as an air pollution control district). [↑](#footnote-ref-3)