



CA Governor's Office of
**Land Use and
Climate Innovation**

CEQA Judicial Streamlining for Hydrogen Energy Projects



What Is Judicial Streamlining?

Judicial streamlining is a legal mechanism under the **California Environmental Quality Act (CEQA)** that expedites court review of lawsuits that challenge certified infrastructure and development projects. It is designed to reduce delays in the development of critical infrastructure by ensuring that CEQA litigation is resolved within **270 days**, to the extent feasible.

Benefits of Judicial Streamlining



Faster litigation timelines: CEQA lawsuits can take two to three years; streamlining reduces this to under nine months.



Certainty for investors and developers: Reduces risk of project delays.



Supports California's climate goals: Enables timely deployment of clean energy infrastructure.

When to Apply

The best time for project applicants to apply is before project approval and while preparing the Draft Environmental Impact Report (DEIR). Since projects must be certified by the Governor in advance to qualify, do not wait for your Final EIR to certify.

How to Apply

1. Ensure your project complies with the eligibility criteria. Submit your **interest form**.
2. Gather application materials according to the guidelines and statutory requirements. Make sure to provide documentation on:
 - ▷ Project description and location
 - ▷ Environmental benefits
 - ▷ Community engagement
 - ▷ Funding sources
 - ▷ Project wage and labor standards
 - ▷ Permitting and construction timelines
3. Submit applications to **CEQA@lci.ca.gov** and label application as "Draft" or "Final" in the subject line of the email. Format all application materials according to state and federal accessibility requirements.

Eligibility Criteria

For full criteria, visit [PRC 21189.81](#).

1. A hydrogen production facility and associated onsite storage and processing facilities that do not derive hydrogen from a fossil fuel-feedstock.
2. Receives funding from any of the 3 sources:
 - ▶ California Energy Commission's Clean Hydrogen Program
 - ▶ 2024 Climate Bond (Proposition 4)
 - ▶ The Alliance for Renewable Clean Hydrogen Energy Systems (ARCHES)
3. Meets the requirements set in [SB 149 \(Caballero, 2023\)](#):
 - ▶ **Be evaluated through an Environmental Impact Report (EIR)** under CEQA. The lead agency shall prepare the record of proceedings concurrently with the CEQA review process.
 - ▶ **Meet greenhouse gas (GHG) emissions reduction standards.** Demonstrate that the project would not result in net additional GHG emissions.
 - ▶ **Avoid or minimize significant environmental impacts in any disadvantaged community.** Any mitigation measures shall be undertaken in, and directly benefit, the affected community.

Application Process Overview

1.  Optional Pre-Application Review with LCI
2.  Draft Application Submission to LCI
3.  Final Application Submission to LCI (must meet accessibility standards)
4.  Public Posting and Comment Period
Final applications are posted to LCI's website for at least 15 days, with a 10-day public comment period.
5.  Governor's Certification
6.  Concurrence by Joint Legislative Budget Committee
7.  Eligibility for Streamlined Judicial Review if CEQA litigation arises

Need Help?



Visit the [Judicial Streamlining Program Portal](#)



Contact CEQA@lci.ca.gov



Application Guidelines: [SB 149 Guidelines](#)