



Building an Affordable California Act: Real CEQA Reform for Essential Clean Energy Projects

Affordable CA Cuts Project Review & Permitting Delays by 3-9+ years

Essential Clean Energy Projects Include: Renewable generation (solar, wind, geothermal, and small hydro), fuel cells, microgrids, clean hydrogen, battery storage, grid upgrades, transmission and distribution improvements, EV charging and refueling, and other infrastructure that supports California’s clean energy and reliability goals—including all ancillary facilities needed to construct or operate these projects.

Lead agencies: CEC, CPUC, CARB, CAISO, cities, counties and other local permitting agencies.

Project Step	Today’s Process (Status Quo)	Under Affordable CA (Streamlined Timelines)	Estimated Time Saved
Application Completeness	30-day review exists for most projects, but agencies often request multiple rounds of edits with no clear finish line. Disputes over completeness can drag 6-12+ months .	30-day deadline applies to all projects; automatically “deemed complete” if no agency response. Reviews limited to existing checklists, with expedited resolution for disputes.	3-12 months
CEQA Track Selection (EIR, MND/ND or Exemption)	Agencies frequently delay deciding which CEQA document to prepare.	Must select CEQA track or documentation type within 30 days of application completeness.	3-6 months
CEQA Document Completion	365 days for EIR and 180 days for NDs, but actual completion typically takes 3+ years due to agency delays and extended public comment.	Enforceable Timelines: EIR: 365 days ND/MND: 180 days Exemption/Addendum: 90 days If missed, agency must decide within 60 calendar days. Narrows alternatives analysis to 1 feasible alternative & the “no project” alternative.	36+ months
Remedy if Missed Deadlines	No consequence for delay; applicants have no defined recourse.	Applicant can trigger hearing; agency must act in 60 days. Applicant may seek writ.	3-6+ months
Final Agency Decision	No statutory deadlines; final approvals often delayed 6-12 months after CEQA completion.	Agency must issue decision within 90 days after CEQA completion.	3–9 months
Responsible Agency Actions	No coordinated timelines; multi-agency projects can take an additional 9-32 months .	All Responsible Agencies must act within 90 days of application completeness.	6-27 months
Litigation (Trial and Appeal)¹	No judicial deadlines. Typical duration: 4-5 years ; if an EIR redo is required, 8+ years .	Win: 270 days max. under judicial deadline Loss: approx. 1.5 years for “fix-it ticket” remedy.	Win: 4+ years Loss: 8+ years
Total Time Saved by Affordable CA	No litigation: 3-7 years faster Litigation Win (greater deference to project approval under Affordable CA): 5+ years faster Litigation Loss: 9+ years faster		

¹Affordable CA also restricts scope of what can be litigated to noncompliance with objective standards, eliminates late hits, imposes substantial evidence standard (not prejudicial abuse of discretion or fair argument), and requires severance remedy (“fix-it ticket”) for non-compliance/disallows rescission of project approvals.

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