Sonoma-Marin Area Rail Transit
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August 19, 2026

Sonoma- Marin Area Rail Transit Board of Directors
5401 Old Redwood Highway, Suite 200
Petaluma, CA 94954

SUBJECT: Adopt Resolution 2026-26 adopting the Geyserville Station Project into SMART's Program

Dear Board Members:

RECOMMENDATIONS:

1. Receive an update on the outreach efforts and receive the California Environmental Quality Act (CEQA) exemption determination for the proposed Geyserville Station;
2. Adopt Resolution 2026-26 adopting the Geyserville Station Project into SMART's program and approving the Project;
3. Direct staff to file the CEQA notice of exemption; and
4. Direct staff to request the Geyserville Station be amended into relevant local, regional, state, and federal plans.

SUMMARY:
In June 2026, staff presented to the Board a path for the inclusion of a Geyserville Station into SMART's program, consistent with SMART's Five-Year Strategic Plan. As the first step, staff outlined a public engagement process to gather feedback from the community and stakeholders on a potential Geyserville Station. Upon direction of the SMART Board of Directors, staff conducted various outreach activities to hear from a wide range of community members and stakeholders. Based on strong public and community support as well as the business case and equity considerations staff recommends the Board adopt a Geyserville Station into SMART's program and direct staff to take the necessary actions to incorporate the proposed station into local and regional plans.

Staff has determined the Geyserville Station project is statutorily exempt under the California Environmental Quality Act (CEQA). As such, staff is recommending the Board approve the project and certify that the project will be completed by a skilled and trained workforce to meet the conditions of the statutory exemption, and to authorize staff to file the notice of exemption.

BACKGROUND:

In 2024, SMART conducted robust public outreach to guide the update to the agency's Five-Year Strategic Plan, and in that process the public expressed strong support for the addition of a Geyserville station (https://sonomamarintrain.org/Strategic-Plan). As a Geyserville station would support SMART's goal to complete the system to Cloverdale by segmenting the delivery of the northern extension while also maximizing the utility of the system, the adopted Strategic Plan called for SMART to "Pursue [the] addition of a Geyserville station halfway between Cloverdale and Healdsburg to enhance value of the investment in the railroad through northern Sonoma County." In June 2026, staff presented to the Board a proposed engagement process to conduct public outreach and gather input from Geyserville residents, employees, and stakeholders regarding the possible inclusion of a Geyserville station into the SMART system (Attachment 2). Upon the Board's direction to proceed, staff initiated the public engagement process to gauge community support for adding a station, gather feedback, and get input on the proposed station location. The engagement approach included a combination of in-person and online outreach including public meetings, a dedicated webpage, and online survey. SMART gave presentations and engaged in dialogue with the community at numerous public meetings, including the:

- June 17, 2026 SMART Board Meeting
- June 23, 2026 Geyserville Planning Committee Meeting,
- June 24, 2026 Geyserville Alexander Valley Municipal Advisory Council Meeting,
- July 15, 2026 SMART Board Meeting (Attachment 3), and
- August 10, 2026 SMART's Geyserville Community Meeting.

SMART created a dedicated webpage (https://www.sonomamarintrain.org/geyserville) with background information, the proposed station location map, and responses to frequently asked questions. The purpose of the webpage is to educate the public on what is being proposed and inform them of ways to participate in outreach opportunities and provide feedback.

Additionally, SMART launched a survey to gather public input and feedback to hear from residents, employees, visitors and stakeholders about their support for a Geyserville station, and to learn about the travel needs for people interested in the station. The survey was launched online in English and Spanish on July 1, 2026, and was open through August 16, 2026. The survey was promoted through SMART's newsletter and social media, as well as through partner organizations and news media. As of August 13, 2026, there were 796 survey responses, 787 in English and 9 in Spanish. Final survey results will not be available until after the survey closes on August 16,2026 and will be included in the staff presentation

<u>Feedback to-date</u>

Feedback has been largely supportive of the station and the proposed location. Prior to the 2026 public engagement efforts, Geyserville community members had asked SMART about a potential Geyserville Station in October 2023. At that time, legislation precluded the possibility of a station, stating that "north of Healdsburg, the district shall locate commuter stations only within incorporated areas." Since then, SB 904 (Dodd) has removed that clause, enabling SMART to consider the community's desire for a station.

Following the legislative amendment, SMART received additional public comment through the development of the Strategic Plan that urged SMART to consider locating a station in Geyserville.

In the most recent round of public engagement, staff heard overwhelming support for the proposed station and the recommended location at each of the public meetings and through the survey. On the question of adding a SMART station in Geyserville, 90% of survey respondents supported the inclusion of the station as of August 13. Final survey results will not be available until after the survey closes on August 16,2026 and will be included in the staff presentation

<u>CEQA Environmental Determination</u>
In March 2026, Staff apprised the Board of changes to CEQA law resulting from the enactment of Senate Bill 71 and SMART's process for determining whether projects are eligible for statutory exemption (Attachment 4). Staff have conducted the analysis and determined that a Geyserville Station is statutorily exempt under CEQA, per Public Resources Code Section 21080.25. The CEQA determination and SB71 Eligibility Checklist are included in Attachment 5 and the supplemental information detailed in SB71 is included as an attachment and detailed below, including a business case and racial equity analysis. Should the Board approve the project, staff will file the Notice of Exemption in accordance with Public Resources Code Section 21080.25 (h).

<u>Business Case Findings</u>
Including a Geyserville Station into the SMART network would fulfill many of SMART's strategic objectives including supporting the extension of the system to the north, maximizing the utility of the system, and effectively connecting communities along the corridor to offer a transit alternative to Highway 101. The travel market between Geyserville and other current and planned future stations on the corridor are already established. A station in Geyserville would allow SMART to better serve travel demand and needs of existing and planned station areas including Santa Rosa, Healdsburg and Cloverdale. Much of the travel between Geyserville and other communities is occurring within the Alexander Valley (Cloverdale to Healdsburg) and between Geyserville and Santa Rosa according to Sonoma County's most recent Travel Behavior Study. The benefits, relative to the costs, include economic impact; improved access to education, healthcare, housing and opportunities; reduced vehicle miles traveled; improved travel safety; and carbon dioxide (CO^2) reduction.

The economic benefits of the project would result from creating greater access to the businesses in Geyserville that would help grow their customer base and provide transit connections for the existing and potential pool of workers. There are 1,067 jobs within the Geyserville Census-Designated Place (CDP) boundary, according to 2023 Longitudinal Employer-Household Dynamics (LEHD) jobs data. Around 1,030 of those jobs are held by people outside of the CDP, 40% of which live in communities connected through SMART's corridor including Santa Rosa (15%), Cloverdale (9%) Healdsburg (8%) and the Town of Windsor (8%).

Given the established travel market between Geyserville and other station areas, a Geyserville station would be able to attract trips occurring today by car onto rail and thereby reducing vehicle miles travelled and the CO^2 generated by those trips. Specifically, SMART's average passenger miles traveled per trip is around 21 miles, and when drivers switch their trips from their vehicle onto SMART, they reduce their travel related CO^2 emissions by 36%. A station would also increase access to healthcare services, educational resources, housing and other opportunities for residents in North County, and particularly benefit community members that experience barriers to travel including people with no or limited vehicle access including people with disabilities that affect their ability to travel, youth and elderly.

Equity Findings

According to the 2020 Census, Geyserville's population is 861. The 2024 American Communities Survey (ACS) found that approximately 34% of the population are Hispanic or Latino, 63% of the population is white-alone and 36% is non-white or more than one race. Specifically, around 18% identify as some other race and another 18% identify as two or more races. This is fairly consistent with the two-county population across SMART's district where 63% of the population is white, and 36% non-white. SMART's ridership survey from 2024 found approximately 1/3 of passengers do not have access to a car and the Geyserville Station would allow car-free residents along the SMART rail system access to jobs and other opportunities in Geyserville. Regarding income, there are a higher proportion of households in Geyserville (26.5%) with a household income of $50,000 or less compared to the proportion for the population across SMART's two county district (20.5%) according to the 2024 ACS. As such, a Geyserville station could provide an affordable transportation alternative to the community of Geyserville and could especially benefit Geyserville's lower income residents.

FISCAL IMPACT:

The is no immediate fiscal impact associated with this action. The agency would assume the responsibility of securing funding for the capital costs associated with the station construction. The cost for these items will depend on the year of construction and would be included within SMART's annual budget, similar to other stations within the system. Once constructed, SMART would assume the regular operating and maintenance costs related to serving the Geyserville Station.

NEXT STEPS:

Should the Board approve the resolution to adopt a Geyserville Station, staff will file the Notice of Exemption. Staff will work with local and regional partners to incorporate the Geyserville Station into the relevant local, regional, state and federal plans, including Plan Bay Area. Staff will continue to pursue grant funding opportunities to complete the system to Cloverdale, inclusive of a Geyserville Station. Staff will continue to develop working outreach and communication networks for diverse populations across the Alexander Valley and the Geyserville community.

Sincerely,

/s/

Zoe Unruh
Planning Manager

Attachments:

1. Resolution 2026-26
2. June 17, 2026 SMART Board Agenda Item 8, Agenda Item 8 - Geyserville Station and Request for Public Comment

3. July 15, 2026, SMART Board Agenda Item 10 - Geyserville Station Update on Ongoing request for Public Comment
4. March 18, 2026, SMART Board Agenda Item 9 - Information on updated changes to CEQA law and exemption determination process
5. CEQA Exemption Determination for the Geyserville Station

ATTACHMENT 1

Resolution No. 2026-26
Sonoma-Marin Area Rail Transit District
August 19, 2026

RESOLUTION OF THE BOARD OF DIRECTORS OF THE SONOMA-MARIN AREA RAIL TRANSIT DISTRICT ADOPTING A GEYSERVILLE STATION INTO SMART'S PROGRAM AND APPROVING THE PROJECT

WHEREAS, Senate Bill 904 (2023-2024) authored by Senator Dodd amended California Public Utilities Code § 105096(c), removed the clause in statute that stated that "in Sonoma County, north of Healdsburg, the district shall locate commuter stations only within incorporated areas" that precludes the District from locating a station in the community of Geyserville in unincorporated Sonoma County;

WHEREAS, Senate Bill 904 (2023-2024) was approved by the Governor of California on September 28, 2024, and enacted in 2025, enabling the District to consider adding a Geyserville Station;

WHEREAS, in December 2024, the SMART Board of Directors adopted SMART's Five-Year Strategic Plan that includes a goal to "complete system extensions to Cloverdale" and direction to "pursue addition of a Geyserville station halfway between Cloverdale and Healdsburg to enhance value of the investment in the railroad through northern Sonoma County";

WHEREAS, in June 2026, the SMART Board of Directors directed staff to initiate the public engagement process on the inclusion of proposed Geyserville Station into the SMART program;

WHEREAS, Staff conducted various public engagement efforts to solicit input on a proposed Geyserville Station between June 2026 and August 2026;

WHEREAS, a Geyserville Station Project meets the California Environmental Quality Act Statutory Exemption under California Public Resources Code § 21080.25(b)(6);

WHEREAS, pursuant to California Public Resources Code § 21080.25(f), the Board must certify that the project will be completed by a skilled and trained workforce; and

WHEREAS, California Public Utilities Code § 105032(b) grants the SMART Board of Directors with the authority to determine the rail transit and freight facilities to be constructed by the District.

NOW, THEREFORE, BE IT RESOLVED THAT THE BOARD OF DIRECTORS OF SMART HEREBY FINDS, DETERMINES, DECLARES, AND ORDERS AS FOLLOWS:

1. The foregoing Recitals are true and correct and are incorporated herein and form a part of this Resolution.

2. The Board adopts the Geyserville Station into the SMART program and approves the Geyserville Station Project.

3. In accordance with California Public Resources Code § 21080.25(f), the Board hereby certifies the Project will be completed by a skilled and trained workforce.

4. The Board authorizes the General Manager, or a designee, to:

   a. File the Notice of Exemption pursuant to California Public Resources Code § 21080.25(h)
   b. Request inclusion of the Project in relevant local, regional, state, and federal plans; and
   c. Advance a Geyserville Station Project as part of SMART's northern extension to Cloverdale.

PASSED AND ADOPTED at a regular meeting of the Board of Directors of the Sonoma-Marin Area Rail Transit District held on the 19th day of August 2026, by the following vote:

DIRECTORS:
AYES:
NOES:
ABSENT:
ABSTAIN:

____
Chair, Board of Directors
Sonoma-Marin Area Rail Transit District

ATTEST:

____
Kyreen Jorgenson, Clerk of Board of Directors
Sonoma-Marin Area Rail Transit District

ATTACHMENT #2

AGENDA ITEM 08

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June 17, 2026

Sonoma- Marin Area Rail Transit Board of Directors
5401 Old Redwood Highway, Suite 200
Petaluma, CA 94954

SUBJECT: Consideration of Addition of Geyserville Station and Request for Public Comment

Dear Board Members:

RECOMMENDATIONS:
Direct staff to initiate public engagement process on inclusion of proposed Geyserville Station into the SMART system.

SUMMARY:
Senate Bill 904 (SB904), authored by Senator Dodd and signed by Governor Newsom on September 28, 2024, removed a prohibition from the SMART enabling legislation from construction of a SMART station between Healdsburg and Cloverdale. This change was supported by the Geyserville Alexander Valley Municipal Advisory Council (GAV-MAC), the Geyserville Chamber of Commerce, the Geyserville Planning Committee and Sonoma County District 4 Supervisor James Gore. In December 2024, the SMART Board adopted the 2025-2030 SMART Strategic Plan after extensive public input, including many comments in support of addition of a Geyserville Station. The SMART Strategic Plan includes a goal to "complete system extensions to Cloverdale" which includes direction to "pursue addition of a Geyserville station halfway between Cloverdale and Healdsburg to enhance value of the investment in the railroad through northern Sonoma County". The distance between Cloverdale and Healdsburg is approximately 18 miles and the inclusion of a station in the urban service area of Geyserville at the mid-point between the two would make it possible to segment the delivery of the 18-mile extension into two discrete usable segments and would improve the utility of the system without harming railroad operations. This strategic segmentation of the system would increase the opportunities for SMART to secure fully funded usable segments in a way that facilitates achieving SMART's Strategic Plan goal of completing the system extension to Cloverdale.

Staff is seeking Board direction to initiate the public engagement process to enable the inclusion of a Geyserville Station into SMART's program.

DISCUSSION:
With the passage of SB904, SMART is able to explore a possible Geyserville Station, consistent with strategic direction outlined in SMART's 2025-2030 Strategic Plan. Should the Board direct staff to proceed with public engagement for the consideration of including a Geyserville Station into the SMART system,

staff recommends seeking public input on potential station locations that meet criteria that are the most beneficial from a regional rail perspective.

As SMART extends north, the opportunity exists to consider station locations in the context of how the community functions today versus when the railroad was built in the late 1800s. Additional consideration for station siting should be given to the future success of the entire SMART rail network and public and private first- and last-mile bus connectivity to the SMART regional rail system. In the case of Geyserville, criteria for a successful regional rail station location include the following:

- Within walking distance of Downtown Geyserville,
- Within the Geyserville urban service district boundaries,
- Within closest proximity to the highest job density in the Alexander Valley/Geyserville area,
- Where sufficient SMART owned right of way exists for current and future rail fleet platform needs,
- Directly connecting to regional road networks that can accommodate regional bus services including Sonoma County Transit, future Intercity Bus services from North Coast, private shuttle or school buses and any future micro-transit services easy access for rail connecting services, and
- Midpoint between Healdsburg and Cloverdale to allow for segmentation of funding completion of the rail and path system to Cloverdale without harming railroad operations.

Utilizing the criteria stated above, staff is recommending engaging the community by requesting inclusion on agendas at the next Geyserville GAV-MAC and Planning Committee meetings in June 2026 and holding a separate SMART-hosted community workshop in the Geyserville/Alexander Valley community in August 2026. Staff will also gather public comment through a survey during Summer 2026.

With the passage of SB71 (Weiner), effective January 2026 there are new exemptions under the California Environmental Quality Act (CEQA) to specific transportation projects, as covered at the March 2026 SMART Board meeting (Attachment 2). A proposed Geyserville Station would likely be statutorily exempt under CEQA, as it is a project that improves, institutes, or increases of passenger rail service including construction of stations for projects using zero-emission trains or certified Tier 4 or cleaner rolling stock or locomotives, and would be built within publicly owned right-of-way.

Following the three public engagement opportunities in the community project area and the solicitation of public comment via the online survey, staff will return to the SMART Board, with the results of the engagement and other necessary information for consideration of approval of the project and determination under SB71.

Staff has been continuously seeking funding to complete SMART to Cloverdale, and the project has recently been included into the Metropolitan Transportation Commission's Plan Bay Area 2050+ (March 2026), the long-range regional transportation plan. For SMART to pursue completing the extension of the system with a Geyserville Station, the Geyserville extension would need to be amended into the regional transportation plan to be allowed to compete for some grant fund sources. Should the Board approve the project and adopt it into the SMART program, staff will be able to make any amendment requests necessary for inclusion in any required county, regional, corridor or state plans that will enable implementing this strategy for completing the system to the north.

FISCAL IMPACT:

Costs for the public meeting and survey are estimated at $1,500. These funds are available in the Fiscal Year 2027 draft budget.

Respectfully,

/s/
Zoe Unruh
Planning Manager

Attachment(s): Att. 1 SMART System Map – Geyserville Location
Att. 2 March 2026 SB71 SMART Board item

SONOMA-MARIN
SMART
AREA RAIL TRANSIT
SMART PASSENGER RAIL & MULTIUSE PATH
Project Length: 70 miles
SMART Stations
SMART Rail
Future SMART Rail
SMART Owned Railroad Right-of-Way
Urban Areas
MENDOCINO CO.
SONOMA CO.
Cloverdale
(planned)
Geyserville
Healdsburg
(opening 2028)
Windsor
Guerneville
Russian River
Sonoma County
Airport
Santa Rosa North
Santa Rosa Downtown
Sebastopol
Rohnert Park
Cotati
NAPA CO.
SONOMA CO.
Sonoma
Schellville
Lombard
Bodega
Bay
SONOMA CO.
MARIN CO.
Petaluma North
Petaluma
Downtown
Petaluma
Novato
San Marin
Novato
Downtown
Point
Reyes
Novato Hamilton
DRAKE'S
BAY
Marin Civic Center
San Rafael
Larkspur
Mill Valley
Bolinas
Tiburon
Sausalito
PACIFIC OCEAN
Oakland
San Francisco Bound
Ferry Connection
San
Francisco
101
37

AGENDA ITEM 09

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March 18, 2026

Sonoma- Marin Area Rail Transit Board of Directors
5401 Old Redwood Highway, Suite 200
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SUBJECT: Information on updated changes to CEQA law and exemption determination process

Dear Board Members:

RECOMMENDATIONS:
Receive the staff's update on the changes to CEQA under SB 71 and consider the proposed process for determining project exemptions for future CEQA actions in accordance with the law.

SUMMARY:
Senate Bill (SB) 71, authored by Senator Wiener and signed by Governor Newsom on October 13, 2025, extends exemptions under the California Environmental Quality Act (CEQA) to specific transportation projects and establishes criteria for the project review and approval processes for lead agencies implementing projects that fall under the expanded statutory exemptions. While SMART's rail and pathway project were previously environmentally cleared under CEQA, future CEQA efforts would be subject to the provisions under the new law, which took effect in January 2026. This memo outlines the conditions under the new law as they relate to SMART's program of projects.

<u>Statutory Exemptions</u>
The new law extends the existing CEQA exemptions for those projects currently exempt through SB922 (Weiner, 2022) including the exemption for pedestrian and bicycle facilities like the SMART Pathway through January 2040. The law expands the exemptions to additional transportation projects that would not increase single-occupancy vehicles including projects that improve, institute or increase passenger rail service; and projects related to the maintenance, construction, or rehabilitation of stations, terminals, or existing operations facilities for passenger rail, which will be exclusively used by zero-emission trains or certified Tier 4 or cleaner rolling stock or locomotives.

<u>Project Conditions, Study and Engagement Requirements</u>
The law establishes project cost thresholds as a basis determining the required project study and public engagement. For a project with an engineer's cost estimate above $50,000,000 the following are required:

- Prior to making an exemption determination, the lead agency must hold three noticed public meetings on the project in the form of focused community planning meetings in the project area or regularly scheduled meetings of the lead agency's governing body.
- The lead agency must conduct two meetings annually during construction.

For a project with an engineer's cost estimate above $100,000,000, the following are required:

- The project shall be included in a plan that has undergone a programmatic-level environmental review such as a regional transportation plan or a general plan.
- The preparation and consideration of a business case and racial equity analysis for the project.
- If the racial equity analysis determines that disproportionate impacts exist, the lead agency must suggest strategies, designs, or actions to mitigate those impacts.
- Prior to making an exemption determination, the lead agency must hold three noticed public meetings on the project in the form of focused community planning meetings in the project area or regularly scheduled meetings of the lead agency's governing body.
- Of the three required public meetings, one meeting must be focused on the project business case and racial equity analysis.
- The lead agency must conduct two meetings annually during construction.
- Project construction impacts are mitigated fully, consistent with applicable law.

Under the new law, the project engineer's cost estimate thresholds shall be adjusted biennially to reflect changes in the Consumer Price Index.

<u>Project Approvals and Certification of the Use of a Skilled and Trained Workforce</u>
A project exempt under this law requires that a lead agency approve the project either through an action taken by a meeting of the lead agency's governing board, or through an alternative project approval process.
The lead agency must certify and demonstrate that the project will be completed by a skilled and trained workforce.

DISCUSSION:
Prior to SB 71, similar bills were enacted that exempt sustainable transportation projects including transit priority, bicycle and pedestrian, and bus rapid transit projects. In accordance with the project approval and exemption determination requirements under the law, peer agencies have utilized a checklist to evaluate and verify the project's exemption determination and satisfy the requirements under the law. Attachment 2 provides a sample of a checklist that is intended to evaluate and demonstrate adherence with the project requirements under the law and establish the basis for an exemption determination prior to filing a Notice of Exemption.

FISCAL IMPACT:
None.

Respectfully,

/s/
Zoe Unruh
Planning Manager

Attachment(s): 1.) SB71 (Chaptered)
2.) Attachment 2 checklist example

Bill Title: California Environmental Quality Act: exemptions: transit projects.

Spectrum: Moderate Partisan Bill (Democrat 4-1)

Status: (Passed) 2025-10-13 - Chaptered by Secretary of State. Chapter 742, Statutes of 2025. [SB71 Detail]

Download: California-2025-SB71-Chaptered.html

Senate Bill No. 71

CHAPTER 742

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

[Approved by Governor October 13, 2025. Filed with Secretary of State October 13, 2025.]

LEGISLATIVE COUNSEL'S DIGEST

SB 71, 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 bicycle facilities, transit prioritization projects, public projects located on a site that is wholly within the boundaries of an urbanized area or urban cluster, as provided, 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 until January 1, 2040. The bill would exempt from the requirements of CEQA a public project for the protection and improvement of bus rapid transit, bus, or light rail service, including the protection, operation, and maintenance, public projects for the protection, improvement, institution, or increase of microtransit, paratransit, shuttle, and ferry, and for the protection, maintenance, construction, operation, 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. The bill would, until January 1, 2032, exempt from the requirements of CEQA a public project for the protection, improvement, institution, or increase of microtransit, paratransit, shuttle, bus, ferry, bus rapid transit, or light rail service, including the protection, 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, or hybrid powertrain vehicles, except as provided. The bill would exclude from this exemption certain public projects for the construction or rehabilitation of a ferry terminal, as provided, and, except as provided, public projects for transit services operated by a transportation network company, as defined. 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.

CEQA exempts from its requirements a project that consists exclusively of a combination of any of the components of specified transportation-related projects.

This bill would extend the operation of the above-mentioned exemption until January 1, 2040. The bill would, until January 1, 2040, exempt from the requirements of CEQA a project that combines any of those specified transportation-related projects and a housing development project that is either subject to a nondiscretionary approval or is exempt from CEQA, as provided. 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 exempts from the requirements of CEQA public projects for the institution or increase of passenger rail service, other than light rail service that is eligible for a specified exemption, including the construction or rehabilitation of stations, terminals, or existing operations facilities, which will be exclusively used by zero-emission trains.

This bill would extend the operation of the above-mentioned exemption until January 1, 2040. The bill would exempt from the requirements of CEQA public projects for the improvement of passenger rail service, other than light rail service eligible for a specified exemption, including the maintenance of stations, terminals, or existing operations facilities, which will be exclusively used by zero-emission trains, public projects for the maintenance, construction, or rehabilitation of stations, terminals, or existing operations facilities which will be exclusively used by zero-emission certified Tier 4 or cleaner rolling stock or locomotives, as provided. The bill would exclude from this exemption public projects located in certain air basins for the maintenance, construction, or rehabilitation of stations, terminals, or existing operations facilities that will be used by certified Tier 4 or cleaner rolling stock or locomotives that are not zero-emission rolling stock or 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 certain CEQA-exempt projects exceeding specified dollar amounts to meet certain criteria, as provided.

This bill would instead require certain CEQA-exempt projects that are, 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 Consumer Price Index, as provided, and publish the updated amounts on its internet website. The bill would authorize the Office of Land Use and Climate Innovation to implement, interpret, or make specific that provision without taking any regulatory action.

This bill would declare that its provisions are severable.

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.

Digest Key

Vote: MAJORITY   Appropriation: NO   Fiscal Committee: YES   Local Program: YES

Bill Text

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

SECTION 1.

Section 21080.20 of the Public Resources Code is amended to read:

21080.20.

(a) (1) (A) This division does not apply to an active transportation plan, a pedestrian plan, or a bicycle transportation plan 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.

(B) This division does not apply to a transit comprehensive operational analysis, transit route readjustment, or other transit agency route addition, elimination, or modification.

(2) An active transportation plan or pedestrian plan is encouraged to include the consideration of environmental factors, but that consideration does not inhibit or preclude the application of this section.

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

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

(c) If a local agency determines that a project is not subject to this division pursuant to this section and it determines to approve or carry out that project, the notice shall be filed with the Office of Land Use and Climate Innovation and the county clerk in the county in which the project is located in the manner specified in subdivisions (b) and (c) of Section 21152.

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

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

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

(3) “Transit comprehensive operational analysis” means a plan that redesigns or modifies a transit operator’s or local agency’s public transit service network, including the routing of fixed route and microtransit services.

SEC. 2.

Section 21080.25 of the Public Resources Code is amended to read:

21080.25.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(C) The installation of ramp meters.

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

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

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

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

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

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

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

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

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

(3) Transit prioritization projects.

(4) A project for the designation and conversion of general purpose lanes to high-occupancy vehicle lanes or bus-only lanes, or highway shoulders to part-time transit lanes, for use either during peak congestion hours or all day on highways with existing public transit service or where a public transit agency will be implementing public transit service as identified in a short-range transit plan.

(5) (A) A public project for the protection, improvement, institution, or increase of microtransit, paratransit, shuttle, bus, ferry, bus rapid transit, or light rail service, including the protection, maintenance, construction, operation, or rehabilitation of stops, stations, terminals, or existing operations facilities, which 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. The project shall be

located entirely within an existing public right-of-way or existing highway right-of-way, whether or not the right-of-way is in use for rail or public mass transit and is wholly within the boundaries of an urbanized area or urban cluster, as designated by the United States Census Bureau.

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

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

(D) A public project for transit services operated by a transportation network company, as defined in Section 5431 of the Public Utilities Code, shall not apply to the exemption pursuant to this paragraph, unless the services are operated by a microtransit provider contracted by the lead agency that uses a managed fleet of multipassenger vehicles dedicated to that service.

(6) (A) A public project for the improvement, institution, or increase of passenger rail service, other than light rail service eligible under paragraph (5), including the maintenance, construction, or rehabilitation of stations, terminals, or existing operations facilities, which will be exclusively used by zero-emission trains or certified Tier 4 or cleaner rolling stock or locomotives, as provided in Section 1033.101 of Title 40 of the Code of Federal Regulations. The project shall be located entirely within an existing rail right-of-way or existing highway right-of-way, whether or not the right-of-way is in use for passenger rail transit.

(B) A public project otherwise identified in subparagraph (A) shall not be eligible for the exemption pursuant to this paragraph if used by certified Tier 4 or cleaner rolling stock or locomotives that are not zero-emission rolling stock or locomotives and the project is located in an air basin designated as a serious, severe, or extreme nonattainment area for particulate matter and ozone.

(7) (A) A public project to construct or maintain infrastructure or facilities to charge, refuel, power, or maintain zero-emission public transit buses, trains, or ferries, provided the project is carried out by a public transit agency and the project is any of the following:

(i) Located on property owned, leased, or operated by the local agency.

(ii) Located within an existing public right-of-way.

(iii) Located on property owned by a public or private utility within an urbanized area.

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

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

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

(10) (A) A project that combines a project identified in paragraphs (1) to (8), inclusive, and a housing development project that is either subject to a nondiscretionary approval or is exempt from this division.

(B) This paragraph does not exempt the housing development project described in subparagraph (A) from any other applicable requirements under any other law.

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

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

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

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

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

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

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

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

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

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

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

(C) (i) The lead agency shall complete and consider the results of a project business case and a racial equity analysis. The Office of Land Use and Climate Innovation may set guidelines for the project business case and the racial equity analysis or delegate that authority to metropolitan planning organizations.

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

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

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

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

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

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

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

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

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

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

(2) In addition to the requirements of paragraph (1), for a project described in that paragraph for which at least 50 percent of the project or project’s stops and stations are located in an area that is at risk of residential displacement and that will have a maximum of 15-minute peak headways, the local agency shall complete an analysis of residential displacement and suggest antidisplacement strategies, designs, or actions. For a project subject to this paragraph, the lead agency shall define or identify areas at risk of residential displacement.

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

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

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

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

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

(2) (A) Except as provided in subparagraph (B), for a project that is exempted under this section, the lead agency shall not enter into a construction contract with any entity unless the entity provides to the lead agency an enforceable commitment that the entity and its subcontractors at every tier will use a skilled and trained workforce to perform all work on

the project or a contract that falls within an apprenticeship occupation in the building and construction trades in accordance with Chapter 2.9 (commencing with Section 2600) of Part 1 of Division 2 of the Public Contract Code.

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

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

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

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

(g) Subdivisions (c) and (f) do not apply to a project described in paragraph (11) of subdivision (b).

(h) If the lead agency determines that a project is not subject to this division pursuant to this section, and the lead agency determines to carry out that project, the lead agency shall file a notice of exemption with the Office of Land Use and Climate Innovation and the county clerk of the county in which the project is located in the manner specified in subdivisions (b) and (c) of Section 21152.

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

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

(j) (1) Beginning January 1, 2026, and every two years thereafter, the Office of Land Use and Climate Innovation shall adjust the amounts reflected in paragraph (1) of subdivision (c) and paragraph (1) of subdivision (e) to reflect changes in the Consumer Price Index, as indicated in the Consumer Price Index for All Urban Consumers, as calculated by the Department of Finance based on the United States Bureau of Labor Statistics data for the most recent odd-numbered year, and publish the updated amounts on its internet website.

(2) Notwithstanding the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code), the Office of Land Use and Climate Innovation may implement, interpret, or make specific this subdivision without taking any regulatory action.

(k) This section shall remain in effect only until January 1, 2040, and as of that date is repealed.

SEC. 3.

The provisions of this act are severable. If any provision of this act or its application is held invalid, that invalidity shall not affect other provisions or applications that can be given effect without the invalid provision or application.

SEC. 4.

No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because a local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by this act, within the meaning of Section 17556 of the Government Code.

Attachment B

SB71 ELIGIBILITY CHECKLIST

This project, as proposed, has been determined to be exempt under the California Environmental Quality Act (CEQA), specifically under a statutory exemption pursuant to Public Resources Code section 21080.25 as demonstrated below.

Attachment B

Table 1: Project Type Checklist – Public Resources Code Section 21080.25(b) The project must meet at least one project type to qualify for this Statutory Exemption.	
	(1) Pedestrian and bicycle facilities that improve safety, access, or mobility, including new facilities, within the public right-of-way.
	(2) Projects that improve customer information and wayfinding for transit riders, bicyclists, or pedestrians within the public right-of-way.
	(3) Projects for the protection, improvement, institution, or increase of microtransit, paratransit, shuttle, bus, ferry, bus rapid transit, or light rail service, including the protection, maintenance, construction, operation, or rehabilitation of stops, stations, terminals, or existing operations facilities, which 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. The project shall be located entirely within an existing public right-of-way or existing highway right-of-way, whether or not the right-of-way is in use for rail or public mass transit and is wholly within the boundaries of an urbanized area or urban cluster, as designated by the United States Census Bureau.
	(4) Projects for the improvement, institution, or increase of passenger rail service, including the maintenance, construction, or rehabilitation of stations, terminals, or existing operations facilities, which will be exclusively used by zero-emission trains or certified Tier 4 or cleaner rolling stock or locomotives, as provided in Section 1033.101 of Title 40 of the Code of Federal Regulations. The project shall be located entirely within an existing rail right-of-way or existing highway right-of-way, whether or not the right-of-way is in use for passenger rail transit. (4a) Will the project be used by certified Tier 4 or cleaner rolling stock or locomotives that are not zero-emission rolling stock or locomotives? __Yes* __No (4b) The project is located in an air basin designated as a serious, severe, or extreme nonattainment area for particulate matter and ozone. __Yes* __No *Projects that will use certified Tier 4 or cleaner rolling stock or locomotives that are not zero-emission rolling stock or locomotives that are located in an air basin designated as a serious, severe, or extreme nonattainment area for particulate matter and ozone are not exempt under the law.
	(5) projects to construct or maintain infrastructure or facilities to charge, refuel, power, or maintain zero-emission public transit buses, trains, or ferries, provided the project is carried out by a public transit agency and the project is any of the following: (i) Located on property owned, leased, or operated by the local agency. (ii) Located within an existing public right-of-way. (iii) Located on property owned by a public or private utility within an urbanized area.
	(6) The maintenance, repair, relocation, replacement, or removal of any utility infrastructure associated with a project identified in paragraphs (1) to (5), inclusive.
	(7) A project that consists exclusively of a combination of any of the components of a project identified in paragraphs (1) to (6), inclusive.
	(8) A planning decision carried out by a local agency to reduce or eliminate minimum parking requirements or institute parking maximums, remove or restrict parking, or implement transportation demand management requirements or programs.

Table 2: Other Project Eligibility Criteria Public Resources Code Section 21080.25(c) The project must meet **all** the criteria listed below to qualify for this Statutory Exemption. Note: Table 2 does not apply to a planning decision carried out by a local agency to reduce or eliminate minimum parking requirements or institute parking maximums, remove or restrict parking, or implement transportation demand management requirements or programs.	
	(1) A local agency is carrying out the project and is the lead agency for the project.
	(2) The project does not induce single-occupancy vehicle trips, add additional highway lanes, widen highways, or add physical infrastructure or striping to highways except for minor modifications needed for the efficient and safe movement of transit vehicles, bicycles, or high-occupancy vehicles, such as extended merging lanes, shoulder improvements, or improvements to the roadway within the existing right of way. The project shall not include the addition of any auxiliary lanes.
	(3) The construction of the project shall not require the demolition of affordable housing units.
	(4) The project would: **__not** exceed fifty million dollars ($50,000,000) **OR** __exceed $50,000,000 (but not exceed $100,000,000) and meet the noticed public meeting requirements in Table 4 __exceed $100,000,000 and meet the project study requirements in table 3 and noticed public meeting requirements in Table 4

Table 3: Other Project Requirements for Project's estimated over $100,000,000 Criteria Public Resources Code Section 21080.25(d) (1) If a project has a project engineer's cost estimate above $100,000,000, the project must meet **all** the criteria listed below to qualify for this Statutory Exemption.	
	(1) Project is incorporated in a regional transportation plan, sustainable communities strategy, general plan, or other plan that has undergone a programmatic-level environmental review pursuant to this division within 10 years of the approval of the project.
	(2) The project's construction impacts are fully mitigated consistent with applicable law.
	(3) The lead agency has completed a project business case and a racial equity analysis for the Project.* equity analysis required under this subparagraph shall identify the racial equity impacts of the project, identify who will benefit from and be burdened by the project, and, where significant or disproportionate impacts exist, suggest strategies, designs, or actions to mitigate those impacts. *The project business case and a racial equity analysis may be subject to guidelines set by the Office of Land Use and Climate Innovation or the MPO.
	(4) The racial equity analysis identifies the racial equity impacts of the project, identify who will benefit from and be burdened by the project, and, where significant or disproportionate impacts exist, suggest strategies, designs, or actions to mitigate those impacts.
	(5) At least one of the three public meetings (see Table 4) shall review the project business case and the racial equity analysis.
	(6) At least 50 percent of the project or project's stops and stations are located in an area that is at risk of residential displacement and that will have a maximum of 15-minute peak headways.

	__Yes __No (7) If Yes, the local agency has completed an analysis of residential displacement and suggested antidisplacement strategies, designs, or actions. For a project subject to this paragraph, the lead agency shall define or identify areas at risk of residential displacement.

Table 4: Noticed Public Meetings Requirements – Public Resources Code Section 21080.25(d)(1)(D)(i), (ii), (iii), (iv) and Section 21080.25(d)(1)(E) Projects exceeding $50,000,000 must meet **all** the applicable criteria listed below to qualify for this statutory exemption.	
	(1) The lead agency shall hold noticed public meetings as follows: __ Before determining that a project is exempt, the lead agency shall hold at least three (3) noticed public meetings in the project area to hear and respond to public comments. Public meetings occurred: __ The lead agency shall conduct at least two (2) noticed public meetings annually during project construction for the public to provide comments. __ The public meetings held pursuant to Section 21080.25(d)(1)(D)(i) to (iii), inclusive, shall be in the form of either a public community planning meeting held in the project area or in the form of a regularly scheduled meeting of the governing body of the lead agency.
	(2) The lead agency shall give public notice of the meetings (listed in the row above) to the last known name and address of all the organizations and individuals that have previously requested notice and shall also give the general public notice using **at least one** of the following procedures: __ Publication of the notice in a newspaper of general circulation in the area affected by the project. If more than one area will be affected, the notice shall be published in the newspaper of largest circulation from among the newspapers of general circulation in those areas. __ Posting of the notice onsite and offsite in the area where the project is located. __ Posting of the notice on the lead agency's internet website and social media accounts. The project's construction impacts are fully mitigated consistent with applicable law.
	(3) For a Project over $100,000,000, was the project business case and the racial equity analysis reviewed at one (1) of the three (3) required public meetings
	(4) Not Applicable – Project type not applicable and cost of project is below $50,000,000.

Table 5: Project Labor Requirements – Public Resources Code Section 21080.25(f) In addition to meeting the criteria in Table 2, the project must meet labor requirements to qualify for this statutory exemption. Note: Table 5 does not apply to a planning decision carried out by a local agency to reduce or eliminate minimum parking requirements or institute parking maximums, remove or restrict parking, or implement transportation demand management requirements or programs.	
	(1) Following the granting of an exemption under this section, the lead agency shall take an action at a public meeting of its governing board to certify that the project will be completed by a skilled and trained workforce. (Does not apply if the lead agency has an existing policy or certification approved by its governing board that requires the use of a skilled and trained workforce to complete the project if the lead agency is a signatory to a project labor agreement that will require the use of a skilled and trained workforce on the project.)

	(1A) For a project that is exempted under this section, the lead agency shall not enter into a construction contract with any entity unless the entity provides to the lead agency an enforceable commitment that the entity and its subcontractors at every tier will use a skilled and trained workforce to perform all work on the project or a contract that falls within an apprenticeship occupation in the building and construction trades in accordance with Chapter 2.9 (commencing with Section 2600) of Part 1 of Division 2 of the Public Contract Code. .
	(2) The above does not apply if any of the following requirements are met: __ (i) The lead agency has entered into a project labor agreement that will bind all contractors and subcontractors performing work on the project to use a skilled and trained workforce and the entity has agreed to be bound by that project labor agreement. __ (ii) The project or contract is being performed under the extension or renewal of a project labor agreement that was entered into by the lead agency before January 1, 2021. __(iii) The entity contracted to perform the project entered into a project labor agreement that will bind the entity and all its subcontractors at every tier performing the project to use a skilled and trained workforce.
	(3) Not Applicable. The project would be entirely constructed by SMART and would not require the use of contractors for labor.

ATTACHMENT #3

AGENDA ITEM 10
CORRECTED

Sonoma-Marin Area Rail Transit
5401 Old Redwood Hwy, Suite 200
Petaluma, CA 94954

P: 707-794-3330
F: 707-794-3037
W: www.SonomaMarinTrain.org

July 15, 2026

Sonoma-Marin Area Rail Transit Board of Directors
5401 Old Redwood Highway, Suite 200
Petaluma, CA 94954

SUBJECT: Geyserville Station Update on Ongoing Request for Public Comment

Dear Board Members:

RECOMMENDATIONS:
Receive an update regarding outreach at the Geyserville Planning Committee and Geyserville ~~Anderson~~ Alexander Valley Municipal Advisory Council ("GAVMAC") meetings.

SUMMARY:

At SMART's Board of Director's June 2026 meeting, the Board directed staff to initiate a public engagement process around the possible inclusion of a Geyserville Station. This report provides an update on that effort.

BACKGROUND:

In June 2026, staff presented to the Board a proposed engagement process to conduct public outreach and gather input from Geyserville residents, employees and stakeholders regarding the possible inclusion of a Geyserville station into the SMART system. The results of the outreach would guide and inform the Board's consideration of adopting the project into the SMART program.

Upon the Board's direction to proceed, staff initiated the public engagement process to hear from the community regarding support for a possible Geyserville station. In order to gather meaningful input, Staff prepared a presentation and included a proposed station location (Attachment A). To date, SMART has presented and gathered feedback at two meetings held in Geyserville, created a webpage with background information, and launched a public survey for input. Additionally, SMART has scheduled and publicized the upcoming community meeting to discuss the proposed Geyserville station for Monday, August 10. Furthermore, SMART has responded to various media requests on the proposed Geyserville station.

<u>June 2026 Meetings and Presentations</u>

SMART General Manager Eddy Cumins and staff gave a presentation at the Geyserville Planning Committee on Tuesday, June 23, 2026, and the Geyserville Alexander Valley Municipal Advisory Council on Wednesday, June 24, 2026. SMART answered questions and heard feedback from the public and the respective committee and council members.

Webpage

SMART created a webpage with background information, the proposed station location map, and responses to frequently asked questions. The purpose of the webpage is to educate the public on what is being proposed and inform them of ways to participate in outreach opportunities and provide feedback. Additionally, staff contact information is provided to answer questions and gather comments. The webpage is located here: sonomamarintrain.org/geyserville.

Survey

SMART launched a survey to gather public input and feedback to hear from residents, employees, visitors and stakeholders about their support for a Geyserville station, and to learn about the travel needs for people interested in the station. The survey is open from July 1 to August 16, 2026, and is available in English and Spanish. The survey can be accessed on SMART's Geyserville webpage and has been shared via email, and on SMART's social media platforms and with a wide range of stakeholders including Tribal partners, local government agencies, healthcare providers, educational institutions, the tourism and business community, the Spanish-speaking community, and transit partners.

Community Meeting

SMART has scheduled and publicized the upcoming Community Meeting taking place in Geyserville on Monday, August 10 from 5:30-7:30 PM. The meeting will be held at the Geyserville Oriental Community Hall, 1000 CA-128, Geyserville, California. The meeting will include a presentation with information about the proposed station, and offer opportunities for the community to ask questions and provide feedback. Language interpretation services will be provided to assist attendees.

Media

SMART has also responded to media inquiries about the proposed station including providing information for stories published in the Marin Independent Journal "Marin IJ", Press Democrat, Healdsburg Tribune, San Francisco Chronicle, and SMART General Manager Cumins participated in a television interview with KTVU.

Community Input to-date

Community members had initially asked SMART about a potential Geyserville Station in October 2023. However, at that time, SMART's original enabling legislation (AB2224) precluded the possibility of a station, stating that "north of Healdsburg, the district shall locate commuter stations only within incorporated areas." Geyserville support resulted in Senator Dodd updating the legislation through SB904 to remove this limitation in 2024. In December 2024, the SMART Board adopted the 2025-2030 Strategic Plan and included a strategy to pursue a Geyserville station based on feedback received throughout the plan's engagement process (See SMART's 2025-2030 Strategic Plan Appendix A- Outreach Summary here https://www.sonomamarintrain.org/sites/default/files/Document%20Library/AppendixA_OutreachSummary_202412.pdf). Staff has created and promoted numerous methods for input to ensure that we hear from a wide range of stakeholders.

FISCAL IMPACT:
There is no fiscal impact related to this informational item. Budget included as part of the Marketing and Outreach FY27 budget is available and is being utilized to support the outreach efforts.

NEXT STEPS:
Staff will continue to solicit public input through the survey, website and community meeting and will return to the Board in August with a full summary of the input along with any considerations for adopting the station as a project into SMART's program.

Sincerely,

/s/

Zoe Unruh
Planning Manager

Attachment: 1.)Presentation from the June 2026 Geyserville Planning Committee and Geyserville Alexander Valley Municipal Advisory Council meetings.

Sonoma-Marin Area Rail Transit District

Geyserville Station

June 2026

Outline

- SMART Today
- Background on SMART in Geyserville
- Why a Geyserville Station?
- Opportunities
- Station location consideration
- Discussion questions
- Community engagement next steps
- Questions/discussion

SMART Today

- **More service than ever**
  - **48 weekday** trips and **24 weekend** trips
- **Record ridership & pathway use**
  - Averaging 5,500 weekday riders, and will carry **over 1.4 million riders in FY 2026 and serve 1.2 million pathway trips**
- **Healdsburg Extension under construction**
  - **Expected to open in late 2028**
- **Secured future**
  - SMART's **sales tax** was **extended to 2059**, with a 74.5% approval between Marin and Sonoma counties

Background on SMART in Geyserville

2002

AB2224
SMART's enabling legislation stated that "north of Healdsburg, the district shall locate commuter stations only within incorporated areas"

2023

Geyserville residents requested a station and SMART General Manager met with Geyserville councils and committees for additional feedback

2024

SB904 (Dodd) updated legislation to allow for construction of a station in unincorporated Sonoma County between Healdsburg and Cloverdale

2025

SMART's five-year strategic plan included a strategy around pursuing the addition of a Geyserville Station

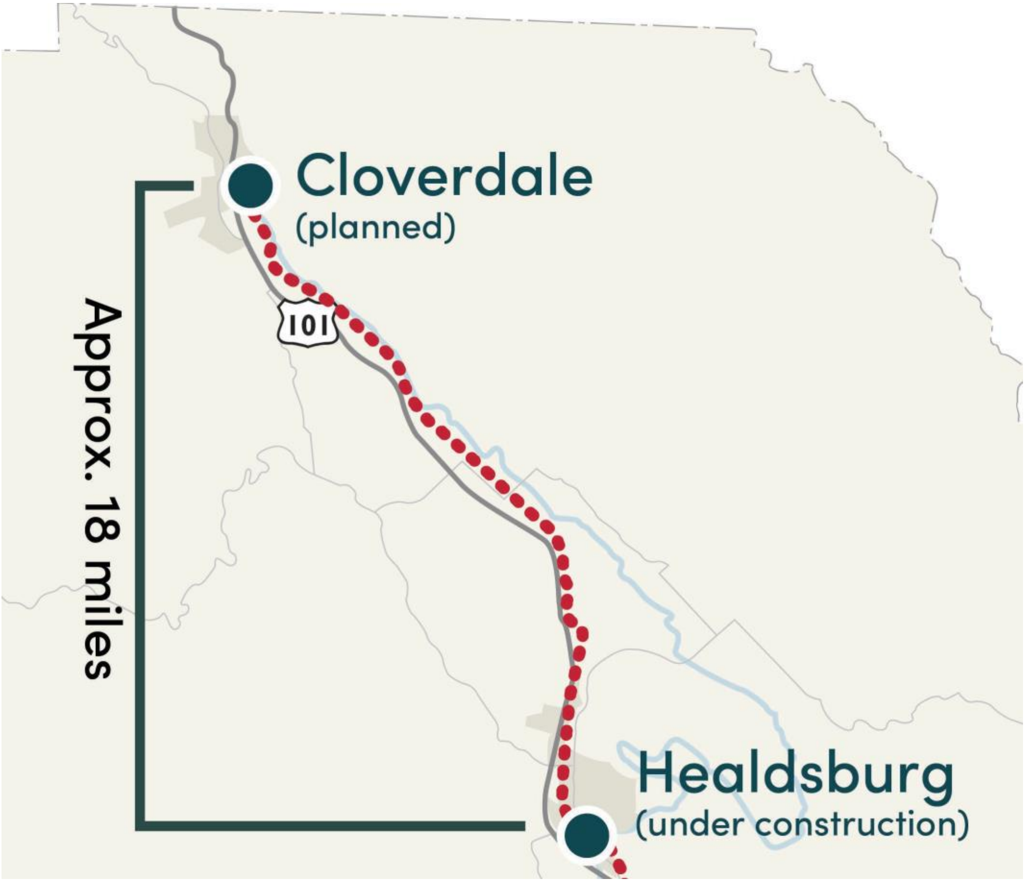
2026

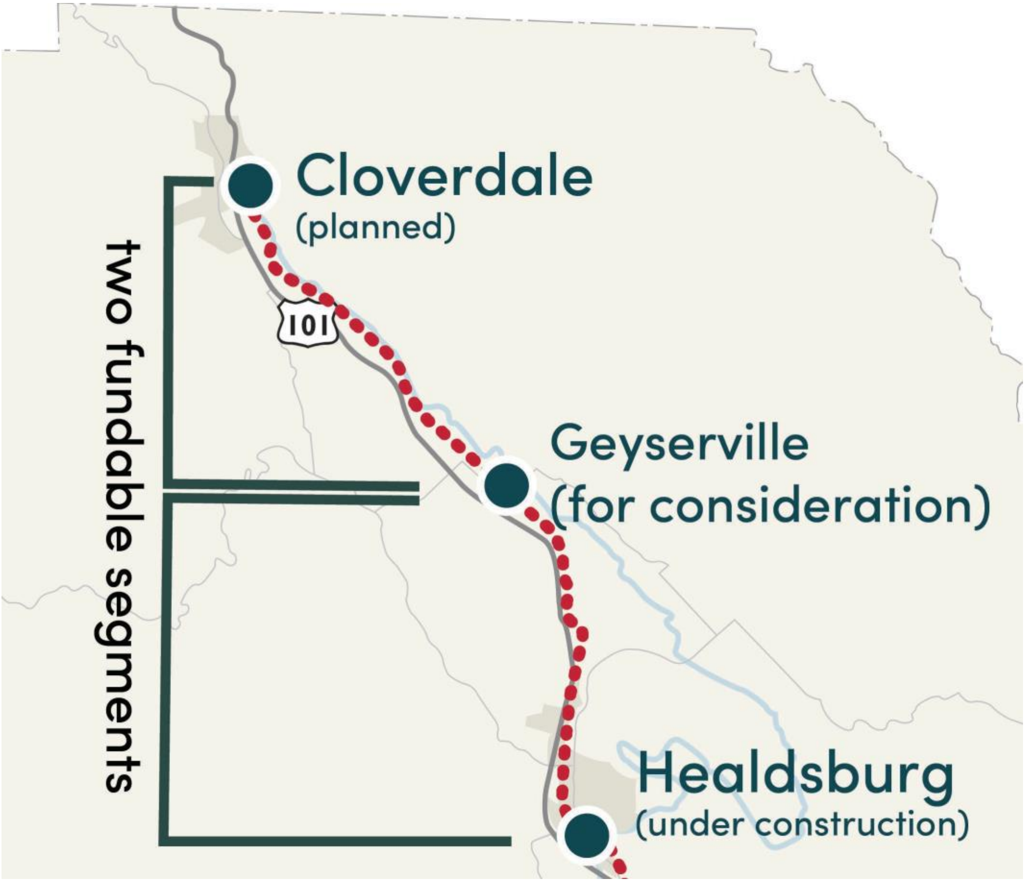
June 2026, SMART Board of Directors directed staff to initiate public engagement on a potential Geyserville Station

Why a Geyserville Station?

- Would allow train access for residents, workers, and visitors to Geyserville.
- Would maximize the utility of the rail system without harming railroad operations
- Would make more trips on the pathway between Cloverdale, Geyserville, and Healdsburg possible
- Would segment the delivery of the extension between Healdsburg and Cloverdale and create more opportunities to secure grant funding to complete the system

Strategic Segmentation





Opportunities

- Return passenger rail service to Geyserville after nearly 70 years
- Provide train access for residents, workers, and visitors to Geyserville
- Maximize the SMART System
- Segment delivery of the 18-mile extension to Cloverdale
- Construct a station in Geyserville that would:
  - Be built within SMART's existing right of way
  - Facilitate public and private 1st/last mile bus connectivity
  - Be within the urban service area
  - Located in close proximity to the highest job concentration in the central Alexander Valley/Geyserville area

Proposed Station Location

- Hwy 128 and Remmel Rd
- Benefits:
  - Centrally located to housing, jobs, and business
  - Within SMART Right of Way
  - Within Geyserville urban service area
  - Under .25 miles to connecting transit service
  - Includes room for auto parking area

Station Area Profile

- Passenger Boarding Platform
- Shelter & Amenities
- Bicycle Parking
- Auto Parking –capacity to be determined on existing SMART owned property, including potential shared use opportunities

Discussion

- Do you support Geyserville Station being added to the SMART system?
- Do you support the proposed location?
- Would another location along SMART right-of-way do a better job of connecting with other transit and connecting to high concentrations of destinations, people and jobs within Geyserville?

Next steps: Community feedback

- June 2026 (now) — Geyserville Alexander Valley Municipal Advisory Council (GAV-MAC) and Planning Committee Meetings
- July/August 2026 — Public survey
- August 2026 — SMART-hosted workshop in Geyserville/Alexander Valley
- August 2026 – Make recommendation to SMART Board of Directors regarding the inclusion of Geyserville Station

Questions / Discussion?

Discussion

- Do you support Geyserville Station being added to the SMART system?
- Do you support the proposed location?
- Would another location along SMART right-of-way do a better job of connecting with other transit and connecting to high concentrations of destinations, people and jobs within Geyserville?

ATTACHMENT #4

AGENDA ITEM 09

SONOMA-MARIN SMART AREA RAIL TRANSIT

Sonoma-Marin Area Rail Transit
5401 Old Redwood Hwy, Suite 200
Petaluma, CA 94954

P: 707-794-3330
F: 707-794-3037
W: www.SonomaMarinTrain.org

March 18, 2026

Sonoma- Marin Area Rail Transit Board of Directors
5401 Old Redwood Highway, Suite 200
Petaluma, CA 94954

SUBJECT: Information on updated changes to CEQA law and exemption determination process

Dear Board Members:

RECOMMENDATIONS:
Receive the staff's update on the changes to CEQA under SB 71 and consider the proposed process for determining project exemptions for future CEQA actions in accordance with the law.

SUMMARY:
Senate Bill (SB) 71, authored by Senator Wiener and signed by Governor Newsom on October 13, 2025, extends exemptions under the California Environmental Quality Act (CEQA) to specific transportation projects and establishes criteria for the project review and approval processes for lead agencies implementing projects that fall under the expanded statutory exemptions. While SMART's rail and pathway project were previously environmentally cleared under CEQA, future CEQA efforts would be subject to the provisions under the new law, which took effect in January 2026. This memo outlines the conditions under the new law as they relate to SMART's program of projects.

<u>Statutory Exemptions</u>
The new law extends the existing CEQA exemptions for those projects currently exempt through SB922 (Weiner, 2022) including the exemption for pedestrian and bicycle facilities like the SMART Pathway through January 2040. The law expands the exemptions to additional transportation projects that would not increase single-occupancy vehicles including projects that improve, institute or increase passenger rail service; and projects related to the maintenance, construction, or rehabilitation of stations, terminals, or existing operations facilities for passenger rail, which will be exclusively used by zero-emission trains or certified Tier 4 or cleaner rolling stock or locomotives.

<u>Project Conditions, Study and Engagement Requirements</u>
The law establishes project cost thresholds as a basis determining the required project study and public engagement. For a project with an engineer's cost estimate above $50,000,000 the following are required:

- Prior to making an exemption determination, the lead agency must hold three noticed public meetings on the project in the form of focused community planning meetings in the project area or regularly scheduled meetings of the lead agency's governing body.
- The lead agency must conduct two meetings annually during construction.

For a project with an engineer's cost estimate above $100,000,000, the following are required:

- The project shall be included in a plan that has undergone a programmatic-level environmental review such as a regional transportation plan or a general plan.
- The preparation and consideration of a business case and racial equity analysis for the project.
- If the racial equity analysis determines that disproportionate impacts exist, the lead agency must suggest strategies, designs, or actions to mitigate those impacts.
- Prior to making an exemption determination, the lead agency must hold three noticed public meetings on the project in the form of focused community planning meetings in the project area or regularly scheduled meetings of the lead agency's governing body.
- Of the three required public meetings, one meeting must be focused on the project business case and racial equity analysis.
- The lead agency must conduct two meetings annually during construction.
- Project construction impacts are mitigated fully, consistent with applicable law.

Under the new law, the project engineer's cost estimate thresholds shall be adjusted biennially to reflect changes in the Consumer Price Index.

<u>Project Approvals and Certification of the Use of a Skilled and Trained Workforce</u>
A project exempt under this law requires that a lead agency approve the project either through an action taken by a meeting of the lead agency's governing board, or through an alternative project approval process.
The lead agency must certify and demonstrate that the project will be completed by a skilled and trained workforce.

DISCUSSION:
Prior to SB 71, similar bills were enacted that exempt sustainable transportation projects including transit priority, bicycle and pedestrian, and bus rapid transit projects. In accordance with the project approval and exemption determination requirements under the law, peer agencies have utilized a checklist to evaluate and verify the project's exemption determination and satisfy the requirements under the law. Attachment 2 provides a sample of a checklist that is intended to evaluate and demonstrate adherence with the project requirements under the law and establish the basis for an exemption determination prior to filing a Notice of Exemption.

FISCAL IMPACT:
None.

Respectfully,

/s/
Zoe Unruh
Planning Manager

Attachment(s): 1.) SB71 (Chaptered)
2.) Attachment 2 checklist example

Bill Title: California Environmental Quality Act: exemptions: transit projects.

Spectrum: Moderate Partisan Bill (Democrat 4-1)

Status: (Passed) 2025-10-13 - Chaptered by Secretary of State. Chapter 742, Statutes of 2025. [SB71 Detail]

Download: California-2025-SB71-Chaptered.html

Senate Bill No. 71

CHAPTER 742

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

[Approved by Governor October 13, 2025. Filed with Secretary of State October 13, 2025.]

LEGISLATIVE COUNSEL'S DIGEST

SB 71, 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 bicycle facilities, transit prioritization projects, public projects located on a site that is wholly within the boundaries of an urbanized area or urban cluster, as provided, 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 until January 1, 2040. The bill would exempt from the requirements of CEQA a public project for the protection and improvement of bus rapid transit, bus, or light rail service, including the protection, operation, and maintenance, public projects for the protection, improvement, institution, or increase of microtransit, paratransit, shuttle, and ferry, and for the protection, maintenance, construction, operation, 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. The bill would, until January 1, 2032, exempt from the requirements of CEQA a public project for the protection, improvement, institution, or increase of microtransit, paratransit, shuttle, bus, ferry, bus rapid transit, or light rail service, including the protection, 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, or hybrid powertrain vehicles, except as provided. The bill would exclude from this exemption certain public projects for the construction or rehabilitation of a ferry terminal, as provided, and, except as provided, public projects for transit services operated by a transportation network company, as defined. 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.

CEQA exempts from its requirements a project that consists exclusively of a combination of any of the components of specified transportation-related projects.

This bill would extend the operation of the above-mentioned exemption until January 1, 2040. The bill would, until January 1, 2040, exempt from the requirements of CEQA a project that combines any of those specified transportation-related projects and a housing development project that is either subject to a nondiscretionary approval or is exempt from CEQA, as provided. 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 exempts from the requirements of CEQA public projects for the institution or increase of passenger rail service, other than light rail service that is eligible for a specified exemption, including the construction or rehabilitation of stations, terminals, or existing operations facilities, which will be exclusively used by zero-emission trains.

This bill would extend the operation of the above-mentioned exemption until January 1, 2040. The bill would exempt from the requirements of CEQA public projects for the improvement of passenger rail service, other than light rail service eligible for a specified exemption, including the maintenance of stations, terminals, or existing operations facilities, which will be exclusively used by zero-emission trains, public projects for the maintenance, construction, or rehabilitation of stations, terminals, or existing operations facilities which will be exclusively used by zero-emission certified Tier 4 or cleaner rolling stock or locomotives, as provided. The bill would exclude from this exemption public projects located in certain air basins for the maintenance, construction, or rehabilitation of stations, terminals, or existing operations facilities that will be used by certified Tier 4 or cleaner rolling stock or locomotives that are not zero-emission rolling stock or 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 certain CEQA-exempt projects exceeding specified dollar amounts to meet certain criteria, as provided.

This bill would instead require certain CEQA-exempt projects that are, 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 Consumer Price Index, as provided, and publish the updated amounts on its internet website. The bill would authorize the Office of Land Use and Climate Innovation to implement, interpret, or make specific that provision without taking any regulatory action.

This bill would declare that its provisions are severable.

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.

Digest Key

Vote: MAJORITY   Appropriation: NO   Fiscal Committee: YES   Local Program: YES

Bill Text

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

SECTION 1.

Section 21080.20 of the Public Resources Code is amended to read:

21080.20.

(a) (1) (A) This division does not apply to an active transportation plan, a pedestrian plan, or a bicycle transportation plan 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.

(B) This division does not apply to a transit comprehensive operational analysis, transit route readjustment, or other transit agency route addition, elimination, or modification.

(2) An active transportation plan or pedestrian plan is encouraged to include the consideration of environmental factors, but that consideration does not inhibit or preclude the application of this section.

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

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

(c) If a local agency determines that a project is not subject to this division pursuant to this section and it determines to approve or carry out that project, the notice shall be filed with the Office of Land Use and Climate Innovation and the county clerk in the county in which the project is located in the manner specified in subdivisions (b) and (c) of Section 21152.

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

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

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

(3) “Transit comprehensive operational analysis” means a plan that redesigns or modifies a transit operator’s or local agency’s public transit service network, including the routing of fixed route and microtransit services.

SEC. 2.

Section 21080.25 of the Public Resources Code is amended to read:

21080.25.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(C) The installation of ramp meters.

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

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

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

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

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

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

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

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

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

(3) Transit prioritization projects.

(4) A project for the designation and conversion of general purpose lanes to high-occupancy vehicle lanes or bus-only lanes, or highway shoulders to part-time transit lanes, for use either during peak congestion hours or all day on highways with existing public transit service or where a public transit agency will be implementing public transit service as identified in a short-range transit plan.

(5) (A) A public project for the protection, improvement, institution, or increase of microtransit, paratransit, shuttle, bus, ferry, bus rapid transit, or light rail service, including the protection, maintenance, construction, operation, or rehabilitation of stops, stations, terminals, or existing operations facilities, which 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. The project shall be

located entirely within an existing public right-of-way or existing highway right-of-way, whether or not the right-of-way is in use for rail or public mass transit and is wholly within the boundaries of an urbanized area or urban cluster, as designated by the United States Census Bureau.

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

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

(D) A public project for transit services operated by a transportation network company, as defined in Section 5431 of the Public Utilities Code, shall not apply to the exemption pursuant to this paragraph, unless the services are operated by a microtransit provider contracted by the lead agency that uses a managed fleet of multipassenger vehicles dedicated to that service.

(6) (A) A public project for the improvement, institution, or increase of passenger rail service, other than light rail service eligible under paragraph (5), including the maintenance, construction, or rehabilitation of stations, terminals, or existing operations facilities, which will be exclusively used by zero-emission trains or certified Tier 4 or cleaner rolling stock or locomotives, as provided in Section 1033.101 of Title 40 of the Code of Federal Regulations. The project shall be located entirely within an existing rail right-of-way or existing highway right-of-way, whether or not the right-of-way is in use for passenger rail transit.

(B) A public project otherwise identified in subparagraph (A) shall not be eligible for the exemption pursuant to this paragraph if used by certified Tier 4 or cleaner rolling stock or locomotives that are not zero-emission rolling stock or locomotives and the project is located in an air basin designated as a serious, severe, or extreme nonattainment area for particulate matter and ozone.

(7) (A) A public project to construct or maintain infrastructure or facilities to charge, refuel, power, or maintain zero-emission public transit buses, trains, or ferries, provided the project is carried out by a public transit agency and the project is any of the following:

(i) Located on property owned, leased, or operated by the local agency.

(ii) Located within an existing public right-of-way.

(iii) Located on property owned by a public or private utility within an urbanized area.

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

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

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

(10) (A) A project that combines a project identified in paragraphs (1) to (8), inclusive, and a housing development project that is either subject to a nondiscretionary approval or is exempt from this division.

(B) This paragraph does not exempt the housing development project described in subparagraph (A) from any other applicable requirements under any other law.

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

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

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

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

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

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

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

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

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

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

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

(C) (i) The lead agency shall complete and consider the results of a project business case and a racial equity analysis. The Office of Land Use and Climate Innovation may set guidelines for the project business case and the racial equity analysis or delegate that authority to metropolitan planning organizations.

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

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

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

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

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

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

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

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

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

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

(2) In addition to the requirements of paragraph (1), for a project described in that paragraph for which at least 50 percent of the project or project's stops and stations are located in an area that is at risk of residential displacement and that will have a maximum of 15-minute peak headways, the local agency shall complete an analysis of residential displacement and suggest antidisplacement strategies, designs, or actions. For a project subject to this paragraph, the lead agency shall define or identify areas at risk of residential displacement.

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

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

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

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

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

(2) (A) Except as provided in subparagraph (B), for a project that is exempted under this section, the lead agency shall not enter into a construction contract with any entity unless the entity provides to the lead agency an enforceable commitment that the entity and its subcontractors at every tier will use a skilled and trained workforce to perform all work on

the project or a contract that falls within an apprenticeship occupation in the building and construction trades in accordance with Chapter 2.9 (commencing with Section 2600) of Part 1 of Division 2 of the Public Contract Code.

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

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

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

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

(g) Subdivisions (c) and (f) do not apply to a project described in paragraph (11) of subdivision (b).

(h) If the lead agency determines that a project is not subject to this division pursuant to this section, and the lead agency determines to carry out that project, the lead agency shall file a notice of exemption with the Office of Land Use and Climate Innovation and the county clerk of the county in which the project is located in the manner specified in subdivisions (b) and (c) of Section 21152.

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

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

(j) (1) Beginning January 1, 2026, and every two years thereafter, the Office of Land Use and Climate Innovation shall adjust the amounts reflected in paragraph (1) of subdivision (c) and paragraph (1) of subdivision (e) to reflect changes in the Consumer Price Index, as indicated in the Consumer Price Index for All Urban Consumers, as calculated by the Department of Finance based on the United States Bureau of Labor Statistics data for the most recent odd-numbered year, and publish the updated amounts on its internet website.

(2) Notwithstanding the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code), the Office of Land Use and Climate Innovation may implement, interpret, or make specific this subdivision without taking any regulatory action.

(k) This section shall remain in effect only until January 1, 2040, and as of that date is repealed.

SEC. 3.

The provisions of this act are severable. If any provision of this act or its application is held invalid, that invalidity shall not affect other provisions or applications that can be given effect without the invalid provision or application.

SEC. 4.

No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because a local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by this act, within the meaning of Section 17556 of the Government Code.

Attachment B

SB71 ELIGIBILITY CHECKLIST

This project, as proposed, has been determined to be exempt under the California Environmental Quality Act (CEQA), specifically under a statutory exemption pursuant to Public Resources Code section 21080.25 as demonstrated below.

Attachment B

Table 1: Project Type Checklist – Public Resources Code Section 21080.25(b) The project must meet at least one project type to qualify for this Statutory Exemption.	
	(1) Pedestrian and bicycle facilities that improve safety, access, or mobility, including new facilities, within the public right-of-way.
	(2) Projects that improve customer information and wayfinding for transit riders, bicyclists, or pedestrians within the public right-of-way.
	(3) Projects for the protection, improvement, institution, or increase of microtransit, paratransit, shuttle, bus, ferry, bus rapid transit, or light rail service, including the protection, maintenance, construction, operation, or rehabilitation of stops, stations, terminals, or existing operations facilities, which 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. The project shall be located entirely within an existing public right-of-way or existing highway right-of-way, whether or not the right-of-way is in use for rail or public mass transit and is wholly within the boundaries of an urbanized area or urban cluster, as designated by the United States Census Bureau.
	(4) Projects for the improvement, institution, or increase of passenger rail service, including the maintenance, construction, or rehabilitation of stations, terminals, or existing operations facilities, which will be exclusively used by zero-emission trains or certified Tier 4 or cleaner rolling stock or locomotives, as provided in Section 1033.101 of Title 40 of the Code of Federal Regulations. The project shall be located entirely within an existing rail right-of-way or existing highway right-of-way, whether or not the right-of-way is in use for passenger rail transit. (4a) Will the project be used by certified Tier 4 or cleaner rolling stock or locomotives that are not zero-emission rolling stock or locomotives? __Yes* __No (4b) The project is located in an air basin designated as a serious, severe, or extreme nonattainment area for particulate matter and ozone. __Yes* __No *Projects that will use certified Tier 4 or cleaner rolling stock or locomotives that are not zero-emission rolling stock or locomotives that are located in an air basin designated as a serious, severe, or extreme nonattainment area for particulate matter and ozone are not exempt under the law.
	(5) projects to construct or maintain infrastructure or facilities to charge, refuel, power, or maintain zero-emission public transit buses, trains, or ferries, provided the project is carried out by a public transit agency and the project is any of the following: (i) Located on property owned, leased, or operated by the local agency. (ii) Located within an existing public right-of-way. (iii) Located on property owned by a public or private utility within an urbanized area.
	(6) The maintenance, repair, relocation, replacement, or removal of any utility infrastructure associated with a project identified in paragraphs (1) to (5), inclusive.
	(7) A project that consists exclusively of a combination of any of the components of a project identified in paragraphs (1) to (6), inclusive.
	(8) A planning decision carried out by a local agency to reduce or eliminate minimum parking requirements or institute parking maximums, remove or restrict parking, or implement transportation demand management requirements or programs.

Table 2: Other Project Eligibility Criteria Public Resources Code Section 21080.25(c) The project must meet **all** the criteria listed below to qualify for this Statutory Exemption. Note: Table 2 does not apply to a planning decision carried out by a local agency to reduce or eliminate minimum parking requirements or institute parking maximums, remove or restrict parking, or implement transportation demand management requirements or programs.	
	(1) A local agency is carrying out the project and is the lead agency for the project.
	(2) The project does not induce single-occupancy vehicle trips, add additional highway lanes, widen highways, or add physical infrastructure or striping to highways except for minor modifications needed for the efficient and safe movement of transit vehicles, bicycles, or high-occupancy vehicles, such as extended merging lanes, shoulder improvements, or improvements to the roadway within the existing right of way. The project shall not include the addition of any auxiliary lanes.
	(3) The construction of the project shall not require the demolition of affordable housing units.
	(4) The project would: **__not** exceed fifty million dollars ($50,000,000) **OR** __exceed $50,000,000 (but not exceed $100,000,000) and meet the noticed public meeting requirements in Table 4 __exceed $100,000,000 and meet the project study requirements in table 3 and noticed public meeting requirements in Table 4

Table 3: Other Project Requirements for Project's estimated over $100,000,000 Criteria Public Resources Code Section 21080.25(d) (1) If a project has a project engineer's cost estimate above $100,000,000, the project must meet **all** the criteria listed below to qualify for this Statutory Exemption.	
	(1) Project is incorporated in a regional transportation plan, sustainable communities strategy, general plan, or other plan that has undergone a programmatic-level environmental review pursuant to this division within 10 years of the approval of the project.
	(2) The project's construction impacts are fully mitigated consistent with applicable law.
	(3) The lead agency has completed a project business case and a racial equity analysis for the Project.* equity analysis required under this subparagraph shall identify the racial equity impacts of the project, identify who will benefit from and be burdened by the project, and, where significant or disproportionate impacts exist, suggest strategies, designs, or actions to mitigate those impacts. *The project business case and a racial equity analysis may be subject to guidelines set by the Office of Land Use and Climate Innovation or the MPO.
	(4) The racial equity analysis identifies the racial equity impacts of the project, identify who will benefit from and be burdened by the project, and, where significant or disproportionate impacts exist, suggest strategies, designs, or actions to mitigate those impacts.
	(5) At least one of the three public meetings (see Table 4) shall review the project business case and the racial equity analysis.
	(6) At least 50 percent of the project or project's stops and stations are located in an area that is at risk of residential displacement and that will have a maximum of 15-minute peak headways.

	__Yes __No (7) If Yes, the local agency has completed an analysis of residential displacement and suggested antidisplacement strategies, designs, or actions. For a project subject to this paragraph, the lead agency shall define or identify areas at risk of residential displacement.

Table 4: Noticed Public Meetings Requirements – Public Resources Code Section 21080.25(d)(1)(D)(i), (ii), (iii), (iv) and Section 21080.25(d)(1)(E) Projects exceeding $50,000,000 must meet **all** the applicable criteria listed below to qualify for this statutory exemption.	
	(1) The lead agency shall hold noticed public meetings as follows: __ Before determining that a project is exempt, the lead agency shall hold at least three (3) noticed public meetings in the project area to hear and respond to public comments. Public meetings occurred: __ The lead agency shall conduct at least two (2) noticed public meetings annually during project construction for the public to provide comments. __ The public meetings held pursuant to Section 21080.25(d)(1)(D)(i) to (iii), inclusive, shall be in the form of either a public community planning meeting held in the project area or in the form of a regularly scheduled meeting of the governing body of the lead agency.
	(2) The lead agency shall give public notice of the meetings (listed in the row above) to the last known name and address of all the organizations and individuals that have previously requested notice and shall also give the general public notice using **at least one** of the following procedures: __ Publication of the notice in a newspaper of general circulation in the area affected by the project. If more than one area will be affected, the notice shall be published in the newspaper of largest circulation from among the newspapers of general circulation in those areas. __ Posting of the notice onsite and offsite in the area where the project is located. __ Posting of the notice on the lead agency's internet website and social media accounts. The project's construction impacts are fully mitigated consistent with applicable law.
	(3) For a Project over $100,000,000, was the project business case and the racial equity analysis reviewed at one (1) of the three (3) required public meetings
	(4) Not Applicable – Project type not applicable and cost of project is below $50,000,000.

Table 5: Project Labor Requirements – Public Resources Code Section 21080.25(f) In addition to meeting the criteria in Table 2, the project must meet labor requirements to qualify for this statutory exemption. Note: Table 5 does not apply to a planning decision carried out by a local agency to reduce or eliminate minimum parking requirements or institute parking maximums, remove or restrict parking, or implement transportation demand management requirements or programs.	
	(1) Following the granting of an exemption under this section, the lead agency shall take an action at a public meeting of its governing board to certify that the project will be completed by a skilled and trained workforce. (Does not apply if the lead agency has an existing policy or certification approved by its governing board that requires the use of a skilled and trained workforce to complete the project if the lead agency is a signatory to a project labor agreement that will require the use of a skilled and trained workforce on the project.)

	(1A) For a project that is exempted under this section, the lead agency shall not enter into a construction contract with any entity unless the entity provides to the lead agency an enforceable commitment that the entity and its subcontractors at every tier will use a skilled and trained workforce to perform all work on the project or a contract that falls within an apprenticeship occupation in the building and construction trades in accordance with Chapter 2.9 (commencing with Section 2600) of Part 1 of Division 2 of the Public Contract Code. .
	(2) The above does not apply if any of the following requirements are met: __ (i) The lead agency has entered into a project labor agreement that will bind all contractors and subcontractors performing work on the project to use a skilled and trained workforce and the entity has agreed to be bound by that project labor agreement. __ (ii) The project or contract is being performed under the extension or renewal of a project labor agreement that was entered into by the lead agency before January 1, 2021. __(iii) The entity contracted to perform the project entered into a project labor agreement that will bind the entity and all its subcontractors at every tier performing the project to use a skilled and trained workforce.
	(3) Not Applicable. The project would be entirely constructed by SMART and would not require the use of contractors for labor.

CEQA Exemption Determination

1. Project Title

Geyserville Station

2. Project Location

255 Hwy 128, Geyserville, CA 95441 in Unincorporated Sonoma County (see maps)

3. Project Description

The Project would construct a rail station platform within right-of way publicly owned by SMART to enable the provision of rail service to the unincorporated community of Geyserville in Sonoma County where SMART's railroad tracks exist and where SMART rail will operate between stations in Healdsburg and Cloverdale. The project would consist of the construction of a Geyserville station, including standard SMART station amenities including the passenger boarding platform, shelter and amenities, bicycle parking and auto parking. The track, signals, and systems, as well as the multi-use pathway are separate from the actual station as they are part of SMART's approved, and environmentally-cleared rail and pathway project between Larkspur in Marin County and Cloverdale in Sonoma County.

As SMART's existing publicly owned railroad tracks run through the community of Geyserville to reach Cloverdale, and as SMART's operations to Cloverdale will involve trains travelling through the community of Geyserville, a Project to add a station in Geyserville would create an opportunity to connect another community along the corridor to the rail network, without compromising railroad operations and travel time competitiveness. Connecting to and creating access for another community along the corridor helps maximize the mobility benefits of the system. Including a station in Geyserville will also enable delivery of the voter-approved completion of the SMART rail and path system to Cloverdale in less expensive increments, increasing the delivery speed of the project.

<u>Purpose:</u>

The project expands SMART's ability to serve communities on the corridor; maximizes the utility of the system without compromising rail operations; improves access for residents, employees and visitors of Geyserville; and allows SMART to segment the delivery of the northern extension to Cloverdale into two discrete, usable segments.

The project would directly benefit the residents and employees of Geyserville by providing a transportation alternative to automobiles for connecting between Geyserville and other communities. Geyserville is a Census Designated Place (CDP) with a population of 861 residents (2020 Census). The 2024 American Communities Survey (ACS) found that approximately 34% of the population are Hispanic or Latino, 63% of the population is white-alone and 36% is non-white or more than one race. Specifically, around 18% identify as some other race and another 18% identify as two or more races. This is fairly consistent with the two-county population across SMART's district where 63% of the population is white, and 36% non-white.

Around 9% of the population in the CDP are under 18, around 39% are between the ages of 19 and 59, and around 52% are over the age of 60.[9] For the population 18 and over within the CDP, 36% have a Bachelor's degree or higher, 9% have an associate's degree, 17% have some college (no degree), 23% have a high school diploma, and 15% have some high school education or less.[10] Currently, SMART and connecting transit make it possible to reach all the junior colleges and universities in Sonoma and Marin. Providing train access would expand access for Geyserville residents wishing to reach education, workforce training, healthcare, and other professional development opportunities.

Within the Geyserville Census-Designated Place (CDP) boundary, there are 1067 jobs, with around 1,030 of those jobs being held by people outside of the CDP.[5] For those employees working in the Geyserville CDP, around 31% live less than 10 miles from their place of work, 34% live between 10 and 24 miles, 11% live between 25 and 50 miles, and around 24% live more than 50 miles away.[6] 40% of these workers live in communities connected through SMART's corridor including Santa Rosa (15%), Cloverdale (9%) Healdsburg (8%) and the Town of Windsor (8%).[7] The majority of working residents living in the Geyserville CDP are employed outside the CDP, and are employed in locations connected by the SMART corridor including Healdsburg (11%), Santa Rosa (6%), Windsor (3.5%), San Rafael (2%), Cloverdale (2%) Petaluma (2%), Larkfield-Wikiup (1%), and San Francisco (3.8%).[8]

Outside the Geyserville's CDP, the River Rock Casino is connected to the proposed station location by Highway 128. The casino currently employs 300 people. An expansion of the casino is underway and is anticipated to increase the total number of employees at the location to 700. A future expansion could increase the total number of employees to 1,000.

4. Exempt Status

Statutory Exemption

Public Resources Code Section 21080.25

Justification for Exemption:

The project qualifies under Section 21080.25(b)(6)(A) A public project for the improvement, institution, or increase of passenger rail service, other than light rail service eligible under paragraph (5), including the maintenance, construction, or rehabilitation of stations.

Other Exemption Criteria:

Additionally, the project is found to satisfy the conditions for statutory exemption as it meets the following criteria:

- The project would be led by a public agency, the Sonoma-Marin Area Rail Transit District.
- The project is within existing public right-of-way.
- The project will be exclusively used by certified Tier 4 locomotives.
- The project is located within the North Coast Air Basin, which is in attainment for particulate matter and ozone.
- The project does not induce single-occupancy vehicle trips, add additional highway lanes, or capacity.
- The project does not require the demolition of affordable housing units.
- The project cost is under $50,000,000.
- At the time of awarding construction, SMART will require the construction contractor and its subcontractors to demonstrate that all project work will be performed by a skilled and trained workforce.

See SB71 Checklist for the complete list of criteria.

5. Exemption Determination

The Project is statutorily exempt under CEQA. No further environmental review is required.

Project Approval Action:	**Signature:**	**Date:**
Once signed and dated, this document constituted an exemption pursuant to CEQA Guidelines.		

Attachment 5

SMART Parcels

Attachment 5

Station Location Map

SB 71 Eligibility Checklist

Table 1: Eligible Project Type Per Public Resources Code Section 21080.25(b) The project must meet at least one project type to qualify for this Statutory Exemption.	
☐	1. Pedestrian and bicycle facilities that improve safety, access, or mobility, including new facilities, within the public right-of-way.
☐	2. Projects that improve customer information and wayfinding for transit riders, bicyclists, or pedestrians within the public right-of-way.
☐	3. Transit prioritization projects.
☐	4. A project for the designation and conversion of general purpose lanes to high-occupancy vehicle lanes or bus-only lanes, or highway shoulders to part-time transit lanes, for use either during peak congestion hours or all day on highways with existing public transit service or where a public transit agency will be implementing public transit service as identified in a short-range transit plan.
☐ ☐	5. (A) A public project for the protection, improvement, institution, or increase of microtransit, paratransit, shuttle, bus, ferry, bus rapid transit, or light rail service, including the protection, maintenance, construction, operation, or rehabilitation of stops, stations, terminals, or existing operations facilities, which 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. The project shall be located entirely within an existing public right-of-way or existing highway right-of-way, whether or not the right-of-way is in use for rail or public mass transit and is wholly within the boundaries of an urbanized area or urban cluster, as designated by the United States Census Bureau. (B) A public project otherwise identified in subparagraph (A) shall not apply to the exemption pursuant to this paragraph after January 1, 2032, if used primarily by near-zero-emission, low oxide of nitrogen engine, compressed natural gas fuel, or hybrid powertrain vehicles. This subparagraph shall not apply to a public project otherwise identified in subparagraph (A) used by articulated buses.

☐ ☐		(C) A public project for the construction or rehabilitation of a ferry terminal that a lead agency has submitted a notice of preparation for an environmental impact report pursuant to Section 21092 before January 1, 2026, shall not apply to the exemption pursuant to this paragraph. (D) A public project for transit services operated by a transportation network company, as defined in Section 5431 of the Public Utilities Code, shall not apply to the exemption pursuant to this paragraph, unless the services are operated by a microtransit provider contracted by the lead agency that uses a managed fleet of multipassenger vehicles dedicated to that service.
☒ ☒	6.	(A) A public project for the improvement, institution, or increase of passenger rail service, other than light rail service eligible under paragraph (5), including the maintenance, construction, or rehabilitation of stations, terminals, or existing operations facilities, which will be exclusively used by zero-emission trains or certified Tier 4 or cleaner rolling stock or locomotives, as provided in Section 1033.101 of Title 40 of the Code of Federal Regulations. The project shall be located entirely within an existing rail right-of-way or existing highway right-of-way, whether or not the right-of-way is in use for passenger rail transit. (B) A public project otherwise identified in subparagraph (A) shall not be eligible for the exemption pursuant to this paragraph if used by certified Tier 4 or cleaner rolling stock or locomotives that are not zero-emission rolling stock or locomotives and the project is located in an air basin designated as a serious, severe, or extreme nonattainment area for particulate matter and ozone.
☐ ☐ ☐ ☐	7.	(A) A public project to construct or maintain infrastructure or facilities to charge, refuel, power, or maintain zero-emission public transit buses, trains, or ferries, provided the project is carried out by a public transit agency and the project is any of the following: (i) Located on property owned, leased, or operated by the local agency. (ii) Located within an existing public right-of-way. (iii) Located on property owned by a public or private utility within an urbanized area.

☐	(B) A lead agency applying an exemption pursuant to this paragraph for hydrogen refueling infrastructure or facilities necessary to refuel or maintain zero-emission public transit buses, trains, or ferries shall comply with clauses (i), (iii), and (iv) of subparagraph (D) of, and with subparagraph (E) of, paragraph (1) of subdivision (d).
☐	8. The maintenance, repair, relocation, replacement, or removal of any utility infrastructure associated with a project identified in paragraphs (1) to (7), inclusive.
☐	9. A project that consists exclusively of a combination of any of the components of a project identified in paragraphs (1) to (8), inclusive.
☐	10. (A) A project that combines a project identified in paragraphs (1) to (8), inclusive, and a housing development project that is either subject to a nondiscretionary approval or is exempt from this division. (B) This paragraph does not exempt the housing development project described in subparagraph (A) from any other applicable requirements under any other law.
☐	11. A planning decision carried out by a local agency to reduce or eliminate minimum parking requirements or institute parking maximums, remove or restrict parking, or implement transportation demand management requirements or programs.

Table 2: Other Project Eligibility Criteria Per Public Resources Code Section 21080.25(c) The project must meet **all** the criteria listed below to qualify for this Statutory Exemption.	
Is the project a planning decision carried out by a local agency to reduce or eliminate minimum parking requirements or institute parking maximums, remove or restrict parking, or implement transportation demand management requirements or programs? ☐ Yes (Skip Table 2) ☒ No (Complete Table 2)	
☒ ☒ ☐	1. (A) A local agency is carrying out the project and is the lead agency for the project. (B) The lead agency shall take an action to approve a project as follows: i. The lead agency's governing board shall take an action at a public meeting. ii. Notwithstanding clause (i), if a lead agency has an alternative project approval process for a project subject to subdivision (b), it may instead follow that alternative process.
☒	2. The project does not induce single-occupancy vehicle trips, add additional highway lanes, widen highways, or add physical infrastructure or striping to highways except for minor modifications needed for the efficient and safe movement of transit vehicles, bicycles, or high-occupancy vehicles, such as extended merging lanes, shoulder improvements, or improvements to the roadway within the existing right-of-way. The project shall not include the addition of any auxiliary lanes.
☒	(3) The construction of the project shall not require the demolition of affordable housing units.

Table 3: Other Project Requirements for Project's estimated over $100,000,000 Criteria Per Public Resources Code Section 21080.25(d) (1) and (2)[1] If a project has a project engineer's cost estimate above $100,000,000, the project must meet **all** the criteria listed below to qualify for this Statutory Exemption.	
Is the Project engineer's estimate over $100,000,000? ☐ Yes (Complete Table 3) ☒ No (Skip Table 3. Proceed to Table 4)	
☐	1. (A) The project is incorporated in a regional transportation plan, sustainable communities strategy, general plan, or other plan that has undergone a programmatic-level environmental review pursuant to this division within 10 years of the approval of the project.
☐	1. (B) The project's construction impacts are fully mitigated consistent with applicable law.
☐	1. (C) (i) The lead agency shall complete and consider the results of a project business case and a racial equity analysis. The Office of Land Use and Climate Innovation may set guidelines for the project business case and the racial equity analysis or delegate that authority to metropolitan planning organizations. (ii) The racial equity analysis required under this subparagraph shall identify the racial equity impacts of the project, identify who will benefit from and be burdened by the project, and, where significant or disproportionate impacts exist, suggest strategies, designs, or actions to mitigate those impacts.
☐ ☐ ☐ ☐	1. (D) The lead agency shall hold noticed public meetings as follows: i. Before determining that a project is exempt pursuant to this section, the lead agency shall hold at least three noticed public meetings in the project area to hear and respond to public comments. ii. At least one of the three public meetings shall review the project business case and the racial equity analysis. The review of these documents does not inhibit or preclude application of this section. iii. The lead agency shall conduct at least two noticed public meetings annually during project construction for the public to provide comments.

☐	iv.	The public meetings held pursuant to clauses (i) to (iii), inclusive, shall be in the form of either a public community planning meeting held in the project area or in the form of a regularly scheduled meeting of the governing body of the lead agency.
☐	1.	(E) The lead agency shall give public notice of the meetings in subparagraph (D) to the last known name and address of all the organizations and individuals that have previously requested notice and shall also give the general public notice using at least one of the following procedures:
☐	i.	Publication of the notice in a newspaper of general circulation in the area affected by the project. If more than one area will be affected, the notice shall be published in the newspaper of largest circulation from among the newspapers of general circulation in those areas.
☐	ii.	Posting of the notice onsite and offsite in the area where the project is located.
☐	iii.	Posting of the notice on the lead agency's internet website and social media accounts.
☐	2.	In addition to the requirements of paragraph (1), for a project described in that paragraph for which at least 50 percent of the project or project's stops and stations are located in an area that is at risk of residential displacement and that will have a maximum of 15-minute peak headways, the local agency shall complete an analysis of residential displacement and suggest antidisplacement strategies, designs, or actions. For a project subject to this paragraph, the lead agency shall define or identify areas at risk of residential displacement.

Table 4: Other Project Requirements for Project's estimated over $50,000,000 Criteria **Per Public Resources Code Sections: 21080.25(e); 21080.25(d)(1)(D)(i), (ii), (iii), (iv); and 21080.25(d)(1)(E)**[2] If a project has a project engineer's cost estimate above $50,000,000, the project must meet **all** the criteria listed below to qualify for this Statutory Exemption.	
Is the Project engineer's estimate over $50,000,000? ☐ Yes (Complete Table 4) ☒ No (Skip Table 4. Proceed to Table 5)	
1. A project that is exempt from this division under this section that is, based on the project engineer's cost estimate at the time the local agency takes an action pursuant to subparagraph (B) of paragraph (1) of subdivision (c), anticipated to exceed fifty million dollars ($50,000,000) shall also comply with clauses (i), (iii), and (iv) of subparagraph (D) of, and with subparagraph (E) of, paragraph (1) of subdivision (d). 2. The amount in paragraph (1) shall be adjusted pursuant to subdivision (j).	
	(PRC) Section 21080.25(d)(1)(D)(i), (ii), (iii), (iv)
☐	(D) The lead agency shall hold noticed public meetings as follows:
☐	i. Before determining that a project is exempt pursuant to this section, the lead agency shall hold at least three noticed public meetings in the project area to hear and respond to public comments.
☐	iii. The lead agency shall conduct at least two noticed public meetings annually during project construction for the public to provide comments.
☐	iv. The public meetings held pursuant to clauses (i) to (iii), inclusive, shall be in the form of either a public community planning meeting held in the project area or in the form of a regularly scheduled meeting of the governing body of the lead agency.

☐	**(PRC) Section 21080.25(d)(1)(E)** (E) The lead agency shall give public notice of the meetings in subparagraph (D) to the last known name and address of all the organizations and individuals that have previously requested notice and shall also give the general public notice using at least one of the following procedures:
☐	i. Publication of the notice in a newspaper of general circulation in the area affected by the project. If more than one area will be affected, the notice shall be published in the newspaper of largest circulation from among the newspapers of general circulation in those areas.
☐	ii. Posting of the notice onsite and offsite in the area where the project is located.
☐	iii. Posting of the notice on the lead agency's internet website and social media accounts.

<table>
<tr><td colspan="2">Table 5: Project Labor Requirements Per Public Resources Code Section 21080.25(f)

Projects must meet all the applicable criteria listed below to qualify for this statutory exemption.</td></tr>
<tr><td colspan="2">Is the project a planning decision carried out by a local agency to reduce or eliminate minimum parking requirements or institute parking maximums, remove or restrict parking, or implement transportation demand management requirements or programs?

☐ Yes (Skip Table 5. This is not applicable. Proceed to Table 6) ☒ No (Complete Table 5)</td></tr>
<tr><td>☒

☐</td><td>1. (A) Except as provided in subdivision (g), as part of the lead agency's governing board action pursuant to subparagraph (B) of paragraph (1) of subdivision (c), the lead agency shall certify that the project will be completed by a skilled and trained workforce.

(B) Subparagraph (A) does not apply if the lead agency has an existing policy or certification approved by its governing board that requires the use of a skilled and trained workforce to complete the project if the lead agency is a signatory to a project labor agreement that will require the use of a skilled and trained workforce on the project.</td></tr>
<tr><td>☐

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

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

i. The lead agency has entered into a project labor agreement that will bind all contractors and subcontractors performing work on the project to use a skilled and trained workforce and the entity has agreed to be bound by that project labor agreement.</td></tr>
</table>

☐ ☐	ii. iii.	The project or contract is being performed under the extension or renewal of a project labor agreement that was entered into by the lead agency before January 1, 2021. The entity contracted to perform the project entered into a project labor agreement that will bind the entity and all its subcontractors at every tier performing the project to use a skilled and trained workforce.

Table 6: Filing the Notice of Exemption Per Public Resources Code Section 21080.25 (h)	
☒	**PRC 21080.25 (h)** If the lead agency determines that a project is not subject to this division pursuant to this section, and the lead agency determines to carry out that project, the lead agency shall file a notice of exemption with the Office of Land Use and Climate Innovation and the county clerk of the county in which the project is located in the manner specified in subdivisions (b) and (c) of Section 21152.