



EXECUTIVE OFFICE OF THE PRESIDENT
COUNCIL ON ENVIRONMENTAL QUALITY
WASHINGTON, D.C. 20503

September 18, 2017

The Honorable Edmund G. Brown Jr.
Office of the Governor
Sacramento, CA 95814

Dear Governor Brown:

Thank you again for your February 24, 2017 letter requesting that ten projects be identified as high priority infrastructure projects pursuant to Executive Order 13766. As we indicated in our earlier letter responding to your request, the Council on Environmental Quality (CEQ) has been working with other Federal agencies, including the Federal Permitting Improvement Steering Council (Permitting Council), to align various permitting improvement and infrastructure initiatives.

On August 15, 2017, the President signed Executive Order 13807 which directs Federal agencies to use existing coordination provisions to expedite the environmental review requirements for priority infrastructure projects. Under Executive Order 13807, projects which meet the criteria for, and are subject to, 23 U.S.C. 139 (Transportation Projects), 33 U.S.C. 2348 (Water Resource Development Projects), or 42 U.S.C. 4370m *et. seq.* (Covered Projects under Title 41 of the FAST Act) will qualify as high priority infrastructure projects. Additionally, the Executive Director of the Permitting Council may determine that other projects, subject to special environmental review and authorization streamlining processes, also qualify as high priority infrastructure projects.

CEQ has reviewed the list of ten projects which were the subject of your February 24 letter. Based on that review, CEQ has notified the Secretary of Transportation and the Executive Director of the Permitting Council that the following projects may qualify as high priority infrastructure projects:

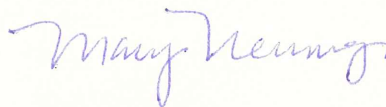
Project Name	Potentially Applicable Streamlining Process
Interstate 710 South Corridor Project / LA Co.	23 U.S.C. 139
Highway 101 Managed Lane Project / San Mateo Co.	23 U.S.C. 139
San Francisco Oakland Bay Bridge Demolition	23 U.S.C. 139
Orange County Streetcar	23 U.S.C. 139
Highway 15 Express Lanes / Riverside Co.	23 U.S.C. 139

Highway 10 Express Lanes / San Bernardino Co.	23 U.S.C. 139
Highway 99 Projects / Central Valley	23 U.S.C. 139
Highway 101 HOV Lane Project / Santa Barbara Co.	23 U.S.C. 139
California High-Speed Rail Project	23 U.S.C. 139
Oroville Dam Spillway	42 U.S.C. 4370m, or other streamlining process

With respect to highway projects, CEQ recognizes that the State of California's Department of Transportation, CalTrans, has been delegated responsibility for complying with the procedural requirements of the National Environmental Policy Act, along with other Federal environmental laws, through 23 U.S.C. 326 and 327. As such, CalTrans is the lead Federal agency for NEPA purposes, including coordination under 23 U.S.C. 139. CEQ has engaged with the U.S. Department of Transportation to ensure that CalTrans receives assistance in placing projects which are potentially high priority infrastructure projects on the Federal Permitting Dashboard, and we have requested that their representatives contact your office with regard to these projects.

Additionally, CEQ has forwarded your request to the Permitting Council Executive Director for assistance with identifying a potentially applicable streamlining process for the Oroville Dam Spillway project, and a representative of the Permitting Council will be reaching out to your office with more information on this project's eligibility.

Sincerely,



Mary Neumayr
Chief of Staff

CC: Elaine Chao, Secretary of Transportation
Janet Pfleeger, Acting Executive Director of the Federal Permitting Improvement Steering Council
Douglas Hoelscher, Special Assistant to the President and Deputy Director of White House Intergovernmental Affairs