AMENDMENT TO THE CALIFORNIA RULES OF COURT
Adopted by the Judicial Council on November 17, 2023, effective December 31, 2023


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**Rule 3.2200. Application**

Except as otherwise provided in chapter 2 of the rules in this division, which govern actions under Public Resources Code sections 21168.6.6–21168.6.9, 21178–21189.3, 21189.50–21189.57, ~~and~~ 21189.70–21189.70.10, and 21189.80–21189.91, the rules in this chapter apply to all actions brought under the California Environmental Quality Act (CEQA) as stated in division 13 of the Public Resources Code.

*Rule 3.2200 amended effective December 31, 2023; adopted effective July 1, 2014; previously amended effective January 1, 2017, March 11, 2022, and January 1, 2023.*

**Rule 3.2220. Definitions and application**

**(a) Definitions**

As used in this chapter:

(1) A "streamlined CEQA project" means any project within the definitions stated in (2) through ~~(8)~~(9).

(2)–(8) ***

(9) An "infrastructure project" means an "energy infrastructure project," a "semiconductor or microelectronic project," a "transportation-related project," or a "water-related project" as defined in Public Resources Code section 21189.81 and certified by the Governor under Public Resources Code sections 21189.82 and 21189.83.

*(Subd (a) amended December 31, 2023; previously amended effective January 1, 2017, March 11, 2022, January 1, 2023.)*

**(b) Proceedings governed**

The rules in this chapter govern actions or proceedings brought to attack, review, set aside, void, or annul the certification of the environmental impact report or the grant of any project approvals for a streamlined CEQA project. Except as otherwise provided in Public Resources Code sections 21168.6.6–21168.6.9, 21178–21189.3, 21189.50–21189.57, ~~and~~ 21189.70–21189.70.10, and 21189.80–21189.91 and these rules, the provisions of the Public Resources Code and the CEQA Guidelines adopted by the Natural Resources Agency (Cal. Code Regs., tit. 14, § 15000 et seq.) governing judicial actions or proceedings to attack, review, set aside, void, or annul acts or decisions of a public agency on the grounds of noncompliance with

the California Environmental Quality Act and the rules of court generally apply in proceedings governed by this rule.

*(Subd (b) amended effective December 31, 2023; previously amended effective January 1, 2017, March 11, 2022, and January 1, 2023.)*

**(c)** ***

*Rule 3.2220 amended effective December 31, 2023; adopted effective July 1, 2014; previously amended effective January 1, 2017, March 11, 2022, and January 1, 2023.*

**Rule 3.2221. Time**

**(a)** ***

**(b) Extensions of time by parties**

If the parties stipulate to extend the time for performing any acts in actions governed by these rules, they are deemed to have agreed that the statutorily prescribed time for resolving the action may be extended by the stipulated number of days of the extension, and to that extent to have waived any objection to noncompliance with the deadlines for completing review stated in Public Resources Code sections 21168.6.6–21168.6.9, 21185, 21189.51, ~~and~~ 21189.70.3, and 21189.85. Any such stipulation must be approved by the court.

*(Subd (b) amended effective December 31, 2023; previously amended effective January 1, 2017, March 11, 2022, and January 1, 2023.)*

**(c) Sanctions for failure to comply with rules**

If a party fails to comply with any time requirements provided in these rules or ordered by the court, the court may issue an order to show cause as to why one of the following sanctions should not be imposed:

(1)–(2) ***

(3) If the failure to comply is by respondent or a real party in interest, removal of the action from the expedited procedures provided under Public Resources Code sections 21168.6.6–21168.6.9, 21185, 21189.51, ~~and~~ 21189.70.3, and 21189.85, and these rules; or

(4) ***

*(Subd (c) amended effective December 31, 2023; previously amended effective January 1, 2017, March 11, 2022, and January 1, 2023.)*

*Rule 3.2221 amended effective December 31, 2023; adopted effective July 1, 2014; previously amended effective January 1, 2017, March 11, 2022, and January 1, 2023.*

**Rule 3.2223. Petition**

In addition to any other applicable requirements, the petition must:

(1) ***

(2) State one of the following:

(A) The proponent of the project at issue provided notice to the lead agency that it was proceeding under Public Resources Code section 21168.6.6, 21168.6.7, 21168.6.8, or 21168.6.9 (whichever is applicable) and is subject to this rule; or

(B) The proponent of the project at issue provided notice to the lead agency that it was proceeding under Public Resources Code sections 21189.80–21189.91 and is subject to this rule; or

~~(B)~~(C) ***

~~(C)~~(D) ***

~~(D)~~(E) ***

(3) If an environmental leadership development, Oakland ballpark, ~~or~~ Inglewood arena project, energy infrastructure project, semiconductor or microelectronic project, or water-related project, provide notice that the person or entity that applied for certification of the project as such a project must make the payments required by rule 3.2240 and, if the matter goes to the Court of Appeal, the payments required by rule 8.705;

(4)–(5) ***

*Rule 3.2223 amended effective December 31, 2023; adopted effective July 1, 2014; previously amended effective January 1, 2017, March 11, 2022, and January 1, 2023.*

**Rule 3.2240. Trial court costs in certain streamlined CEQA projects**

In fulfillment of the provisions in Public Resources Code sections 21168.6.7, 21168.6.8, 21168.6.9, ~~and~~ 21183, and 21189.82 regarding payment of trial court costs with respect to cases concerning environmental leadership development, environmental leadership transit, Oakland ballpark, ~~and~~ Inglewood arena, energy infrastructure, semiconductor or microelectronic, or water-related projects:

(1) Within 10 days after service of the petition or complaint in a case concerning an environmental leadership development project, the person or entity that applied for certification of the project as an environmental leadership development project must pay a fee of $180,000 to the court.

(2) Within 10 days after service of the petition or complaint in a case concerning an energy infrastructure project, a semiconductor or microelectronic project, or a water-related project, the project applicant, if the applicant is not the lead agency, must pay a fee of $180,000 to the court.

~~(2)~~(3) ***

~~(3)~~(4) ***

~~(4)~~(5) ***

~~(5)~~(6) ***

~~(6)~~(7) ***

*Rule 3.2240 amended effective December 31, 2023;adopted effective March 11, 2022; previously amended effective January 1, 2023.*

**Rule 8.700. Definitions and application**

**(a) Definitions**

As used in this chapter:

(1) A "streamlined CEQA project" means any project within the definitions stated in (2) through ~~(8)~~(9).

(2)–(8) ***

(9) An "infrastructure project" means an "energy infrastructure project," a "semiconductor or microelectronic project," a "transportation-related project," or a "water-related project" as defined in Public Resources Code section 21189.81 and certified by the Governor under Public Resources Code sections 21189.82 and 21189.83

*(Subd (a) amended effective December 31, 2023; previously amended effective January 1, 2017, March 11, 2022, and January 1, 2023.)*

**(b)** ***

**Rule 8.702. Appeals**

**(a)** ***

**(b) Notice of appeal**

(1) ***

(2) *Contents of notice of appeal*

The notice of appeal must:

(A)–(B) ***

(C) If the judgment or order being appealed pertains to an environmental leadership development project, an Oakland ballpark project, ~~or~~ an Inglewood arena project, an energy infrastructure project, a semiconductor or microelectronic project, or a water-related project, provide notice that the person or entity that applied for certification or approval of the project as such a project must make the payments required by rule 8.705; and

(D) ***

*(Subd (b) amended effective December 31, 2023; previously amended effective January 1, 2016, and January 1, 2017, March 11, 2022, and January 1, 2023.)*

**(c)–(e)** ***

**(f) Briefing**

(1)–(3) ***

(4) *Extensions of time to file briefs*

If the parties stipulate to extend the time to file a brief under rule 8.212(b), they are deemed to have agreed that the statutorily prescribed time for resolving the action may be extended by the stipulated number of days of the extension for filing the brief and, to that extent, to have waived any objection to noncompliance with the deadlines for completing review stated in Public Resources Code sections 21168.6.6–21168.6.9, 21185, 21189.51, ~~and~~ 21189.70.3, and 21189.85 for the duration of the stipulated extension.

(5) ***

*(Subd (f) amended effective December 31, 2023; previously amended effective January 1, 2017, March 11, 2022, January 1, 2023.)*

**(g)** ***

*Rule 8.702 amended effective December 31, 2023; adopted effective July 1, 2014; previously amended effective January 1, 2016, January 1, 2017, March 11, 2022, and January 1, 2023.*

**Rule 8.703. Writ proceedings**

**(a)** ***

**(b) Petition**

(1) ***

(2) *Contents of petition*

In addition to any other applicable requirements, the petition must:

(A)–(B) ***

(C) If the judgment or order pertains to an environmental leadership development project, an Oakland ballpark project, ~~or~~ an Inglewood arena project, an energy infrastructure project, a semiconductor or microelectronic project, or a water-related project, provide notice that the person or entity that applied for certification of the project as such a project must make the payments required by rule 8.705; and

(D) ***

*Subd (b) amended effective December 31, 2023; previously amended effective January 1, 2016, and January 1, 2017, March 11, 2022, January 1, 2023.)*

*Rule 8.703 amended effective December 31, 2023; adopted effective July 1, 2014; previously amended effective January 1, 2016, January 1, 2017, March 11, 2022, and January 1, 2023.*

**Rule 8.705. Court of Appeal costs in certain streamlined CEQA projects**

In fulfillment of the provisions in Public Resources Code sections 21168.6.7, 21168.6.8, 21168.6.9, ~~and~~ 21183, and 21189.82 regarding payment of the Court of Appeal's costs with respect to cases concerning environmental leadership development, environmental leadership transit, Oakland ballpark, ~~and~~ Inglewood arena, energy infrastructure, semiconductor or microelectronic, or water-related projects:

(1) Within 10 days after service of the notice of appeal or petition in a case concerning an environmental leadership development project, the person or entity that applied for certification of the project as an environmental leadership development project must pay a fee of $215,000 to the Court of Appeal.

(2) Within 10 days after service of the petition or complaint in a case concerning an energy infrastructure project, a semiconductor or microelectronic project, or a water-related project, the project applicant, if the applicant is not the lead agency, must pay a fee of $215,000 to the court.

~~(2)~~(3) ***

~~(3)~~(4) ***

~~(4)~~(5) ***

~~(5)~~(6) ***

~~(6)~~(7) ***

*Rule 8.705 amended effective December 31, 2023; adopted effective July 1, 2014, previously amended effective March 11, 2022, and January 1, 2023.*