On April 22, 2020, California Governor Gavin Newsom issued Executive Order N-54-20, immediately suspending certain notice deadlines and Native American consultation requirements under the California Environmental Quality Act (CEQA). Lead and responsible agencies and project applicants, however, will still need to get notices out to inform the public and conduct outreach with known interested parties as explained below.

**Suspension of Deadlines**

Under CEQA and its implementing regulations, certain notices must be posted in the office of the county clerk in the county where a project is located. These notices include:

- a determination that an environmental impact report is required for a project;
- that an agency is preparing an environmental impact report, a negative declaration, or a finding of no significant impact;
a notice of exemption;

notice of the availability of a draft environmental impact report; and

a notice of determination.

Under the Executive Order, the requirement to physically post such notices in the county clerk’s office is suspended for sixty (60) days. Instead, the Executive Order requires that “any lead agency, responsible agency, or project applicant” that would otherwise have been required to post a notice in the county clerk’s office shall do all of the following:

post the same materials to that party’s public website for the same period of time required under CEQA;

submit those materials to the State Clearinghouse CEQAnet Web Portal; and

engage in outreach to parties that they know have an interest in the project.

Responsible entities are also encouraged to engage in additional methods of public outreach and notice, as appropriate for their particular project.

Consultation Requests

The Executive Order also affects the timeline for Native American tribe CEQA consultation requirements. Typically, a California Native American tribe must request consultation with the lead agency within thirty (30) days of being informed of a project, and the consultation process must typically begin within thirty (30) days after the request. Those deadlines have also been suspended for sixty (60) days.

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