

CITY OF SAN JOSE
CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) AND NATIONAL
ENVIRONMENTAL POLICY ACT (NEPA)
TARGET CITY REVIEW TIMES

March 18, 2024

Below are City target review times for Administrative Draft Environmental Review Documents prepared by Environmental Consultants pursuant to CEQA and NEPA. City target review times are in business days, and exclude weekends, City holidays, and the City’s furlough between Christmas and New Year’s Day.

Note: Target review times assume the submittal of a complete document from the Environmental Consultant. Complete documents will include all necessary technical reports and sections. Partial submittals will not be tracked against these target review times until a complete document is submitted.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

Environmental Impact Reports and Supplemental Environmental Impact Reports	
Task	Target Review Time (Business Days unless noted)
Notice of Preparation (NOP)	
City review of 1st Administrative Draft NOP	15
City review of 2nd Administrative Draft NOP/Screencheck	10
Additional Administrative Draft NOP Review*	10
NOP Public Comment Period	
<i>NOP public comment period (Note: calendar days)</i>	30
Administrative Draft EIR	
City review of 1st Administrative Draft EIR	35
City review of 2nd Administrative Draft EIR	20
City review of 3rd/Additional Administrative Draft EIR*	15
City review of Screencheck Draft EIR	10
Public Circulation of Draft EIR	
<i>Public circulation (Note: calendar days)</i>	45 – 60

First Amendment/Response to Comments

City review of 1st Administrative Draft First Amendment/Final EIR	20
City review of 2nd Administrative Draft First Amendment/Final EIR*	10
City review of Screencheck Draft First Amendment/Final EIR	10

* Second and subsequent administrative draft reviews depend on the number and scope of comments. If the first administrative draft does not include significant comments or edits, the Environmental Project Manager may determine that the subsequent submittal can be a screencheck review prior to public circulation.

Mitigated Negative Declarations and Negative Declarations (MND and ND)

Task	Target Review Time (Business Days unless noted)
Administrative Draft Initial Study	
City review of 1st Administrative Draft Initial Study	25
City review of 2nd Administrative Draft Initial Study*	15
City review of 3rd/Additional Administrative Draft Initial Study*	10
City review of Screencheck Draft Initial Study	10
Public Circulation of MND or ND	
<i>Public circulation (Note: calendar days)</i>	<i>20 – 30</i>

Response to Comments

City review of 1st Administrative Draft Response to Comments	15
City review of 2nd Administrative Draft Response to Comments*	10
City review of Screencheck Draft Response to Comments	10

* Second and subsequent administrative draft reviews depend on the number and scope of comments. If the first administrative draft does not include significant comments or edits, the Environmental Project Manager may determine that the subsequent submittal can be a screencheck review prior to public circulation.

Initial Study for Addendum to Previously Adopted Environmental Document or Technical Reports Supporting a Class 32 In-Fill Categorical Exemption

Task	Target Review Time (Business Days)
Administrative Draft Initial Study/Addendum or Technical Studies	
City review of 1st Administrative Draft	25
City review of 2nd Administrative Draft*	15
City review of 3rd/Additional Administrative Draft*	10
City review of Screencheck Draft	10

* Second and subsequent administrative draft reviews depend on the number and scope of comments. If the first administrative draft does not include significant comments or edits, the Environmental Project Manager may determine that the subsequent submittal can be a screencheck review prior to public circulation.

NATIONAL ENVIRONMENTAL POLICY ACT (NEPA)

NEPA Environmental Assessment (EA)

Task	Target Review Time (Business Days unless noted)
Administrative Draft EA	
City review of 1st Administrative Draft EA (with all technical reports and Draft Section 106 letter)	30
City review of 2nd Administrative Draft EA (with all technical reports and Final Section 106 letter)	20
<i>SHPO Review of Section 106 letter (Note: calendar days)</i>	30
City review of Screencheck Draft EA (with all technical reports completed)	10
After Draft EA Finalized by City	
City uploads EA to the HUD environmental Review Online System Database (HEROS) and prepares FONSI/RROF and obtains PBCE Director sign off	15
City coordinates FONSI review with Santa Clara County Housing Authority (SCCHA) if needed (typically Section 8 PBVs)	10
City publishes FONSI/RROF in Mercury News and foreign language newspapers (with translation)	20

Public Review of FONSI/RROF

<i>Public review of FONSI/RROF (Note: calendar days)</i>	15
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Response to Public Review Comments

City review of 1st Administrative Draft Response to Comments	20
City review of 2nd Administrative Draft Response to Comments	10
City posts Final Response to Comments on City website	5

HUD Funding Approval

City prepares HUD Form 7015.15 and receives signature from PBCE Director	5
City coordinates Form 7015.15 sign-off with SCCHA, if needed	10
City packages Environmental Review Record (ERR) for HUD Review	5
<i>HUD reviews and approves ERR and NEPA for Project (Note: federal working days)</i>	15

*SHPO has 30 days to review the Section 106 letter and provide comments. Section 106 consultation can continue beyond the 30 days. Depending upon the status of the Section 106 consultation, the NEPA process may not be able to move forward until the SHPO's comments have been resolved.

NEPA Categorical Exclusion Subject to Section 58 (CEST)

Task	Target Review Time (Business Days unless noted)
Administrative Draft CEST	
City review of 1st Administrative Draft CEST (including figures)	15
City review of 2nd Administrative Draft CEST and Draft SHPO letter	10
<i>SHPO Review of Section 106 letter (calendar days)</i>	30
City review of Screencheck Draft CEST including SHPO response	10
City signs CEST and posts to City website	10

*SHPO has 30 days to review the Section 106 letter and provide comments. Section 106 consultation can continue beyond the 30 days. Depending upon the status of the Section 106 consultation, the NEPA process may not be able to move forward until the SHPO's comments have been resolved.

NEPA 8-Step Process for Projects in a Special Flood Hazard Area or Wetlands

Task	Target Review Time (Business Days unless noted)
City Review of Consultant Prepared Alternatives Evaluation	
City review of Alternatives Evaluation	30
City publishes Notice in Mercury News	5
<i>Public comment period (calendar days)</i>	15
City reviews consultant prepared Memo evaluating direct and indirect impacts on floodplain (can be concurrent with public comment period)	20
City attaches 8-Step Process to NEPA environmental document	10