



**PUBLIC NOTICE OF ENVIRONMENTAL
LEADERSHIP DEVELOPMENT PROJECT (ELDP)**
Date: June 2, 2015
Case No.: Office of Community Investment and Infrastructure (OCII)
ER 2014-019-07
Planning Department, 2014-14002
Certification: Governor - April 30, 2015
Joint Legislative Budget Committee - May 27, 2015
Project Title: **Event Center and Mixed-Use Development at Mission Bay
Blocks 29-32**
Siting: MIB-B, Mission Bay South Redevelopment Plan -
Commercial/Industrial Retail Designation, Design for
Development for the Mission Bay South Project Area
Zone 1
Block Lot: Mission Bay South Redevelopment Plan Blocks 29-32, Assessor's
Block 8752, Lots 981 and 982
Project Sponsor: Mission Bay Blocks 29-32, Approximately 11 acres
Applicant: GSW Arena LLC
David Kelly
(415) 984-2200
dkelly@gswarena.com
Local Agency: OCII
Staff Contact: Sally Smith, OCII - (415) 748-2080
sally.smith@gswarena.com

THE APPLICANT HAS ELECTED TO PROCEED UNDER CHAPTER 6.5 COMMENCING
WITH SECTION 21176 OF THE PUBLIC RESOURCES CODE, WHICH PROVIDES,
AMONG OTHER THINGS, THAT ANY AGENCY ACTION CHALLENGING THE
CERTIFICATION OF THE EIR OR THE APPROVAL OF THE PROJECT DESCRIBED IN
THIS EIR IS SUBJECT TO THE PROCEDURES SET FORTH IN SECTIONS 21141 TO
21186, INCLUSIVE, OF THE PUBLIC RESOURCES CODE. A COPY OF CHAPTER 6.5
COMMENCING WITH SECTION 21176 OF THE PUBLIC RESOURCES CODE IS
FILED BELOW.

PUBLIC RESOURCES CODE - PRE
Division 11 ENVIRONMENTAL QUALITY (21100 - 21189.5)
(Sections 11 added by Stats. 1970, Ch. 1401.)

**Chapter 6.5. Jobs and Economic Improvement through Environmental Leadership Act of
2011**

21176.
The Legislature finds and declares all of the following:
(a) The overall unemployment rate in California is 12 percent, and in certain regions of the state
that rate exceeds 12 percent.
(b) The California Environmental Quality Act (Division 11) commencing with Section 21000 of
the Public Resources Code requires that the environmental impacts of development projects
be identified and mitigated.
(c) The act also guarantees the public an opportunity to review and comment on the
environmental impacts of a project and to participate meaningfully in the development of
mitigation measures for potentially significant environmental impacts.
(d) There are large projects under construction in various regions of the state that would replace
old and outdated facilities with new job-creating facilities to meet these regions' needs while
also enhancing state, cutting-edge environmental benefits to these regions.
(e) These projects are primarily financed or financed from revenues generated from the projects
themselves and do not require taxpayer funds.
(f) These projects further will generate thousands of full-time jobs during construction and
thousands of additional permanent jobs once they are constructed and operating.
(g) These projects also present an unprecedented opportunity to implement nation-leading
mitigation measures that will significantly reduce traffic, air quality, and other significant
adverse impacts on the environment.
(h) These public facilities will be the best in the nation compared to other comparable projects
in the United States.
(i) The purpose of this act is to provide unique and unprecedented environmental benefits under the
California Environmental Quality Act for projects that provide the benefits described above
for a limited period of time to put people to work as soon as possible.

21177.
For the purposes of this chapter, the following terms shall have the following meanings:
(a) "Applicant" means a public or private entity or its affiliate, or a person or entity that
undertakes a public works project, that proposes a project and its successors, heirs, and
assigns.
(b) "Environmental leadership development project," "leadership project," or "project" means a
project as described in Section 21176 that is one of the following:
(1) A residential, retail, commercial, sports, cultural, entertainment, or recreational use
project that is certified as LEED silver or better by the United States Green Building
Council and, where applicable, that achieves a 10-percent greater standard for
energy efficiency than for comparable projects. These projects must be located on
an infill site. For a project that is within a metropolitan planning jurisdiction for which a
metropolitan transportation strategy or alternative planning strategy is in effect, the infill
project shall be consistent with the general use designation, density, building intensity,
strategy or an alternative planning strategy, for which the State Air Resources Board,
pursuant to subparagraph (2) of paragraph (2) of subdivision (5) of Section 41069 of the
Government Code, has adopted a metropolitan planning jurisdiction's demonstration
that the sustainable transportation strategy or the alternative planning strategy would, if
implemented, achieve the greenhouse gas emission reduction targets.

(1) A clean renewable energy project that generates electricity exclusively through wind or
solar but not including waste incineration or conversion.
(2) A clean energy manufacturing project that manufactures products, equipment, or
components used for renewable energy generation, energy efficiency, or for the
production of clean electricity and related infrastructure.
(3) "Transportation efficiency" means the number of vehicle trips by employees, visitors, or
customers of the residential, retail, commercial, sports, cultural, entertainment, or recreational
use project divided by the total number of employees, visitors, and customers.

21178.
This chapter does not apply to a project if the Governor does not certify a project as an
environmental leadership development project eligible for the amendments provided pursuant to this
chapter prior to January 1, 2016.

21179.
A person proposing to construct a leadership project may apply to the Governor for certification
that the leadership project is eligible for the amendments provided by this chapter. The person shall
submit evidence and materials that the Governor deems necessary to make a decision on the
application. Any evidence or materials that are made available to the public at least 15 days before
the Governor certifies a project pursuant to this chapter.

21180.
The Governor may certify a leadership project for amendment pursuant to this chapter if all the
following conditions are met:
(a) The project will result in a minimum investment of one hundred million dollars
(\$100,000,000) or California open space completion of construction.
(b) The project creates high-wage, highly skilled jobs that pay prevailing wages and living wages
and provide construction jobs and permanent jobs for Californians, and helps reduce
unemployment. For purposes of this subdivision, "jobs that pay prevailing wages" means that
all construction workers employed in the construction of the project will receive at least the
general prevailing rate of pay for those wages for the type of work and geographic area as
determined by the Director of Industrial Relations pursuant to Sections 1771 and 1775.5 of the
Labor Code. If the project is certified for amendment, the project applicant shall include this
information in all contracts for the performance of the work.
(c) The project does not result in any net additional emissions of greenhouse gases, including
greenhouse gas emissions from employee transportation, as determined by the State Air
Resources Board pursuant to Division 21.2 commencing with Section 38000 of the Health
and Safety Code.
(d) The project applicant has entered into a binding and enforceable agreement that all mitigation
measures required pursuant to this division to certify the project under this chapter shall be
conditions of approval of the project, and these conditions will be fully enforceable by the
lead agency or another agency designated by the lead agency. In the case of environmental
mitigation measures, the applicant agrees, as an ongoing obligation, that these measures will
be monitored and enforced by the lead agency for the life of the mitigation.
(e) The project applicant agrees to pay the costs of the Court of Appeal in hearing and deciding
any case, including payment of the costs for the preparation of a special master if deemed
appropriate by the court, in a case and manner specified by the Judicial Council, as provided
in the Rules of Court adopted by the Judicial Council pursuant to subdivision (5) of
Section 21181.
(f) The project applicant agrees to pay the costs of preparing the administrative record for the
project consistent with review and consultation of the project pursuant to this division, in a
form and manner specified by the lead agency for the project.

21181.
(a) The Governor may certify a project for amendment pursuant to this chapter if it complies
with the conditions specified in Section 21179.
(b) (1) Prior to certifying a project, the Governor shall make a determination that each of the
conditions specified in Section 21179 has been met. These findings are not subject to
appeal.
(2) (A) If the Governor determines that a leadership project is eligible for amendment
pursuant to this chapter, he or she shall submit that determination, and any supporting
information, to the Joint Legislative Budget Committee for review and concurrence or
nonconcurrence.
(B) Within 30 days of receiving the determination, the Joint Legislative Budget
Committee shall advise or recommend the Governor to approve or nonapprove the
determination by the Governor within 30 days of the submission of the leadership project
to be certified.
(C) If the Joint Legislative Budget Committee fails to advise or nonapprove on a
determination by the Governor within 30 days of the submission of the leadership project
pursuant to this chapter, any guidelines issued pursuant to this subdivision are not subject to
the reviewing provisions of the Administrative Procedures Act (Chapter 3.5 commencing
with Section 21140) of Part 1 of Division 2 of Title 2 of the Government Code.

21182.
On or before July 1, 2014, the Judicial Council shall adopt a rule of court to establish procedures
applicable to actions or proceedings brought to attack, reverse, set aside, void, or annul the
certification of the environmental impact report for an environmental leadership development
project certified by the Governor pursuant to this chapter or the granting of any project approval
that requires the actions or proceedings, including any potential appeals thereon, be resolved
within 175 days of completion of the record of proceedings pursuant to Section 21184.

21183.
Notwithstanding any other law, the preparation and certification of the administrative record for a
leadership project certified by the Governor shall be performed in the following manner:
(a) The lead agency for the project shall prepare the administrative record pursuant to this
division consistently with the administrative process.
(b) All documents and other materials placed in the administrative record shall be posted on, and
the date of the posting of the administrative record shall be posted on, the
lead agency's website and made available to the public in a readily accessible electronic format
within five business days after the posting of the administrative record.
(c) The lead agency shall make available to the public in a readily accessible electronic format
the draft environmental impact report and all other documents submitted to, or relied on by,
the lead agency in the preparation of the draft environmental impact report.
(d) A document prepared by the project or submitted by the applicant after the date of the
posting of the draft environmental impact report that is a part of the record of the proceedings
shall be made available to the public in a readily accessible electronic format within five
business days after the document is received or received by the lead agency.
(e) The lead agency shall encourage comment on the project to be submitted in a readily
accessible electronic format, and shall make any comment available to the public in a readily
accessible electronic format within five days of the receipt.
(f) When every business day after the receipt of any comment that is not in an electronic
format, the lead agency shall ensure that comment is in a readily accessible electronic format
and make it available to the public in that format.
(g) Notwithstanding paragraph (f), if a document submitted to the lead agency is not in an electronic
format, the lead agency shall ensure that comment is in a readily accessible electronic format
and make it available to the public in that format.
(h) The lead agency shall ensure that comment is in a readily accessible electronic format
and make it available to the public in that format.

or within five business days of the document is received or received by the lead agency after
the receipt of the draft environmental impact report. The lead agency shall ensure that comment
is in a readily accessible electronic format and make it available to the public in that format.
(b) The lead agency shall ensure that comment is in a readily accessible electronic format
and make it available to the public in that format.
(c) Any dispute arising from the administrative record shall be resolved by the superior court.
(d) The superior court shall, after a hearing, resolve the dispute, and its decision shall be
final. The court shall not review the merits of the dispute, but only the legal issues.
(e) The court shall ensure that comment is in a readily accessible electronic format and make it
available to the public in that format.

21184.
Within 10 days of the Governor certifying an environmental leadership development project
pursuant to this section, the lead agency shall, at the applicant's expense, issue a public notice to the
public in 12-point type, stating the following:
"THE APPLICANT HAS ELECTED TO PROCEED UNDER CHAPTER 6.5
COMMENCING WITH SECTION 21176 OF THE PUBLIC RESOURCES CODE, WHICH
PROVIDES, AMONG OTHER THINGS, THAT ANY AGENCY ACTION CHALLENGING THE
CERTIFICATION OF THE EIR OR THE APPROVAL OF THE PROJECT DESCRIBED IN
THIS EIR IS SUBJECT TO THE PROCEDURES SET FORTH IN SECTIONS 21141 TO
21186, INCLUSIVE, OF THE PUBLIC RESOURCES CODE. A COPY OF CHAPTER 6.5
COMMENCING WITH SECTION 21176 OF THE PUBLIC RESOURCES CODE IS
INCLUDED BELOW."
The public notice shall be distributed by the lead agency as required for public notice issued
pursuant to paragraph (2) of subdivision (5) of Section 21082.

21185.
The provisions of this chapter are severable. If any provision of this chapter or its application is
held to be invalid, that invalidity shall not affect any other provision or application that can be
given effect without the invalid provision or application.

21186.
Except as otherwise provided expressly in this chapter, nothing in this chapter affects the duty of
any party to comply with this division.

21187.
If, prior to January 1, 2016, a lead agency fails to approve a project certified by the Governor
pursuant to this chapter, then the certification expires and is no longer valid.

21188.
The Judicial Council shall report to the Legislature on or before January 1, 2015, on the effects of
this chapter on the administration of justice.

21189.
This chapter shall remain in effect until January 1, 2017, and on or after that date it shall remain in effect
until amended or repealed by the Legislature.

Date: _____
Shirley Smith, Chief
Miguel Salas
Marta Mendez
Dorinda Singh
Ellye Babin, Executive Director

U.S. DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
1915 North Tenth Street
Helena, Montana 59601
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PUBLIC NOTICE OF ENVIRONMENTAL LEADERSHIP DEVELOPMENT PROJECT REPORT
May 1, 2017

Project: Environmental Leadership Development and Education (ELDE)
Location: Helena, Montana
Project Lead: BLM Helena District Office
Project Manager: [Name Redacted]
Project Contact: [Name Redacted]
Project Address: 1915 North Tenth Street, Helena, MT 59601
Project Phone: (406) 441-3400
Project Fax: (406) 441-3401
Project Email: [Name Redacted]
Project Website: [Name Redacted]

Project Description: The ELDE project is a multi-year effort to develop and implement a comprehensive environmental leadership development and education program in the Helena area. The project will focus on providing training and education to local residents, businesses, and organizations on environmental issues and best practices. The project will also involve developing and implementing a series of environmental leadership development and education activities, including workshops, seminars, and field trips. The project will be managed by the BLM Helena District Office and will involve the participation of local residents, businesses, and organizations.

Project Objectives: The ELDE project has the following objectives:

- 1. To develop and implement a comprehensive environmental leadership development and education program in the Helena area.
- 2. To provide training and education to local residents, businesses, and organizations on environmental issues and best practices.
- 3. To develop and implement a series of environmental leadership development and education activities, including workshops, seminars, and field trips.
- 4. To manage the ELDE project and involve the participation of local residents, businesses, and organizations.

Project Results: The ELDE project has achieved the following results:

- 1. A comprehensive environmental leadership development and education program has been developed and implemented in the Helena area.
- Local residents, businesses, and organizations have been provided with training and education on environmental issues and best practices.
- A series of environmental leadership development and education activities, including workshops, seminars, and field trips, have been developed and implemented.
- The ELDE project has been managed effectively and has involved the participation of local residents, businesses, and organizations.

Project Conclusion: The ELDE project has been a successful effort to develop and implement a comprehensive environmental leadership development and education program in the Helena area. The project has provided training and education to local residents, businesses, and organizations on environmental issues and best practices. The project has also developed and implemented a series of environmental leadership development and education activities, including workshops, seminars, and field trips. The project has been managed effectively and has involved the participation of local residents, businesses, and organizations.

Project Acknowledgments: The ELDE project would not have been possible without the support and assistance of the following individuals and organizations:

- 1. [Name Redacted]
- 2. [Name Redacted]
- 3. [Name Redacted]
- 4. [Name Redacted]
- 5. [Name Redacted]
- 6. [Name Redacted]
- 7. [Name Redacted]
- 8. [Name Redacted]
- 9. [Name Redacted]
- 10. [Name Redacted]

Project Contact Information: For more information about the ELDE project, please contact the BLM Helena District Office at (406) 441-3400 or [Name Redacted] at [Name Redacted].

Project Website: For more information about the ELDE project, please visit the BLM Helena District Office website at [Name Redacted].

Project Signatures: The ELDE project was developed and implemented by the BLM Helena District Office and the following individuals:

- 1. [Name Redacted]
- 2. [Name Redacted]
- 3. [Name Redacted]
- 4. [Name Redacted]
- 5. [Name Redacted]
- 6. [Name Redacted]
- 7. [Name Redacted]
- 8. [Name Redacted]
- 9. [Name Redacted]
- 10. [Name Redacted]

Project Date: May 1, 2017

Project Location: Helena, Montana

Project Project Lead: BLM Helena District Office

Project Project Manager: [Name Redacted]

Project Project Contact: [Name Redacted]

Project Project Address: 1915 North Tenth Street, Helena, MT 59601

Project Project Phone: (406) 441-3400

Project Project Fax: (406) 441-3401

Project Project Email: [Name Redacted]

Project Project Website: [Name Redacted]