

October 5, 2026
CEQA State Clearinghouse
Governor's Office of Land Use and Climate Innovation
P.O. Box 3044
Sacramento, CA 95812-3044

Via email: state.clearinghouse@lci.ca.gov, Christine.Asiata@lci.ca.gov

SUBJECT: Request for Shortened Review Period, Draft Supplemental Environmental Impact Report, Applied Materials B100 EPIC Center Semiconductor Research and Development Laboratory, Air District Permit Application No. 700650 (State Clearinghouse No. 1998092072)

Dear Ms. Asiata,

Pursuant to Public Resources Code Section 21091(e), State CEQA Guidelines Sections 15105(a) and 15205(d), and Appendix K of the State CEQA Guidelines, the Bay Area Air Quality Management District (Bay Area Air District) requests a shortened state review period of **30 days** for the Draft Supplemental Environmental Impact Report (Draft SEIR) identified above.

Responsible Agency and Contact

The Bay Area Air District is the responsible agency completing CEQA review for a portion of this Project.

375 Beale Street, Suite 600 San Francisco, CA 94105
Contact: Ivy Tao, Senior Advanced Projects Advisor
Telephone: 415-749-5113
Email: ltao@baaqmd.gov

The lead agency is the City of Sunnyvale, which completed an environmental impact report in 1999, and filed an addendum in 2024. The City approved the Project on April 22, 2024.

456 W. Olive Avenue, Sunnyvale, CA 94086
Contact: Cindy Hom, Associate Planner
Telephone: 408-730-7411
Email: chom@sunnyvale.ca.gov

Project Title and Location

Applied Materials B100 EPIC Center Semiconductor Research and Development Laboratory, Air District Permit Application No. 700650 (Sources S-264 and S-265), 974 East Arques Avenue, Sunnyvale, Santa Clara County, California.

Length of Review Requested

Thirty (30) days.

Exceptional Circumstances and Applicable Appendix K Criterion

The Bay Area Air District requests shortened review under **Appendix K, criterion (2)**: the applicant is under severe time constraints with regard to financing and related concerns.

The applicant, Applied Materials, has described state and federal funding deadlines that must be met. The applicant has financial constraints related to the Air District decision regarding the Permit to Construct and Operate tools and other equipment within the facility under the Bay Area Air District's jurisdiction and permitting authority. The facility to house the tools and other equipment is already constructed. Construction and operations of the tools and equipment that are the subject of Permit Application Number 700650 require Bay Area Air District's issuance of authority to construction/permit to operate. The applicant would like to commence operations on October 9, 2026. The Applicant is placing a \$5 billion dollar capital investment in Sunnyvale, inclusive of incentives from the Federal Government and the State of California, to build this advanced semiconductor research and development facility.

The Bay Area Air District requests shortened review under **Appendix K, criterion (3)**: the document is a supplement to a draft EIR previously submitted to the State Clearinghouse.

The document being submitted is a focused supplemental EIR, prepared under State CEQA Guidelines Section 15163, to the Arques Campus Specific Plan Environmental Impact Report certified by the City of Sunnyvale in June 1999 and assigned State Clearinghouse No. 1998092072. Consistent with Section 15163(b), the supplement contains only the information necessary to make the previous EIR adequate for the project as it is now understood. The scope of the supplemental EIR is confined to two environmental topics: Air Quality and Greenhouse Gas Emissions. The analysis of all other topics in the prior environmental documents is unaffected and is not revisited. The City considered the overall changes to the project in a public hearing, and approved it, on April 22, 2024. The Air District's supplemental EIR is being submitted under the existing State Clearinghouse number and is not a new project.

Prior Approval from State Responsible and Trustee Agencies

Appendix K provides that no shortened review period shall be granted unless the lead agency has contacted and obtained prior approval for a shortened review from the applicable state responsible and trustee agencies. The lead agency (City of Sunnyvale) most recently gave its approval for the project on April 22, 2024, following a public hearing and its publication of the 2024 Addendum. Thus, the lead agency has given prior approval of the project and held its public review process. No other responsible or trustee agencies, except the Bay Area Air District which is submitting this request, are known to have jurisdiction over this project.

Agencies That Have Commented on the Project

During the public comment period of the City's 1999 Arques Campus Specific Plan EIR, the following agencies commented on the Project: California Department of Transportation, District 4; Santa Clara Valley Transportation Authority; County of Santa Clara Roads and Airports Department; and City of Sunnyvale Planning Commission. The Bay Area Air District is not aware of any agency comments since 1999. The listed agencies (except the City, which is the lead agency) are all transportation agencies, and do not have expertise or jurisdiction over the focused air quality and greenhouse gas emissions analysis in the Air District's Supplemental EIR.

Certification Regarding Project Significance

While the overall project may meet CEQA Guidelines Section 15206 as a project of "statewide, regional or areawide significance", the certified 1999 EIR addressed all of these issues, and provided sufficient public review of the CEQA document. The Bay Area Air District's Supplemental EIR focuses on the two issues within the Air District's area of expertise and jurisdiction; namely, emissions that may result in air quality and greenhouse gas emissions impacts. The sources of these impacts would cover a smaller area than the overall 45 acre campus that was previously approved by the City of Sunnyvale, housed in a 592,567 gross square feet (gsf) research and development (R&D) building. The Air District's decision to approve

the emissions permit(s) would have no effect on the number of employees or general facility operations as approved by the City of Sunnyvale. Although the larger project may have statewide, regional, or areawide significance, the narrow focus of the Supplemental EIR on particular air pollutant and GHG emissions from a single building element of the larger project does not meet the criteria for a new project of statewide, regional, or areawide significance.

Submittal Sequence

Consistent with the State Clearinghouse's stated procedure, the Bay Area Air District is transmitting this request together with the completed Shortened Review Request Form, the Draft SEIR, and the completed Notice of Completion form by email, in advance of filing the Draft SEIR through CEQA Submit. The Bay Area Air District will file the Draft SEIR through CEQA Submit only after the State Clearinghouse acts on this request.

As required by Public Resources Code Section 21091(e), the Bay Area Air District will reflect the approved review period in the Notice of Availability published pursuant to Public Resources Code Section 21092 and State CEQA Guidelines Section 15087, and will not publish that notice until the State Clearinghouse has acted.

Enclosures

1. Shortened Review Request Form (State Clearinghouse Form E)
2. Draft Supplemental Environmental Impact Report
3. Notice of Completion and Environmental Document Transmittal Form
4. Summary Form
5. Draft Notice of Availability

Please contact Ivy Tao at 415-749-5113 or ltao@baaqmd.gov with any questions regarding this request. Thank you for your consideration.

Sincerely,



Philip M. Fine, Ph.D.

Executive Officer/Air Pollution Control Officer

Bay Area Air District

cc:

Cindy Hom, Associate Planner, City of Sunnyvale

Emily Barron, Global Environmental Manager, Applied Materials

Pamela Leong, Direct of Engineering, Bay Area Air Quality Management District

Alexander Crocket, Chief Attorney, Bay Area Air Quality Management District