



® April 10, 2017

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The Honorable Ricardo Lara
Chair, Senate Committee on Appropriations
State Capitol, Room 2206
Sacramento, CA 95814

**Re: SB 80 (Wieckowski) – California Environmental Quality Act: Notices
As Introduced February 14, 2017 – CONCERNS
Set for Hearing April 17, 2017 – Senate Appropriations Committee**

Dear Senator Lara,

The California State Association of Counties (CSAC) writes to express our concerns with SB 80, which makes changes to certain notification requirements under the California Environmental Quality Act (CEQA). This bill has potential cost implications to counties.

Specifically, this bill would increase electronic notification requirements for certain CEQA-related notices and mandate the filing of notices that are exempt from CEQA due to a categorical exemption. While we feel that electronic notification is not always the most secure way of providing notice, our specific concerns lies with the mandatory filing of categorical exemptions. Counties take environmental protection very seriously, and acknowledge that CEQA provides essential information about environmental impacts to the public and informs the local decision-making process. CEQA ensures that governmental decisions take full account of environmental impacts and reduce or avoid significant impacts wherever feasible; CEQA also provides a foundation for transparency and openness in the decision-making process. Counties have lead agency status with responsibility for a wide range of environmental resources, and in this role, must balance environmental protection with the need to complete necessary infrastructure projects and ensure the economic vitality of local communities.

SB 80 would limit local discretion over CEQA notice filings without a corresponding benefit. The requirement to file a Notice of Exemption (NOE) for projects exempt from CEQA due to a categorical exemption creates an additional burden and cost to agencies and applicants and could also create confusion as some of these notices might not be on a physical project. In addition, this new requirement would not expedite the environmental review process; it merely shortens the period during which a project could potentially be subject to CEQA-related litigation. Furthermore, many of these projects are routine and do not require a shortened timeframe for litigate.

For these reasons as well as the potential cost implications to counties, CSAC has concerns with SB 80. Counties are open to a conversation about increasing environmental protection and public involvement with the need for an efficient process; however, SB 80 does not achieve the optimal balance. If you have any questions about our position, please do not hesitate to contact me at cmartinson@counties.org or 916-327-7500, ext. 504.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Cara Martinson'.

Cara Martinson
Legislative Representative

Cc: Senator Bob Wieckowski
Members, Senate Appropriations Committee
Narisha Bonakdar, Consultants, Senate Appropriations Committee
Morgan Branch, Senate Republican Consultant