



PCL INSIDER: News from the Capitol

Please Support CEQA Strengthening Bills

Several Positive Bills Coming Up for Hearing in Mid-April

PCL is asking our fellow environmental and other concerned organizations to register your support by **this Friday, April 5** for three positive CEQA bills that will improve and modernize public disclosure requirements of the law, and provide additional public safety requirements for local communities.

[AB 953](#) (Ammiano), which is being sponsored by PCL, would require a lead agency to include in an Environmental Impact Report (EIR) a detailed statement on any significant effects that may result from locating the proposed project near, or attracting people to, existing or reasonably foreseeable natural hazards or adverse environmental conditions. This bill would fix the unwise *Ballona Wetlands Trust et al vs. The City of Los Angeles* court decision that found CEQA did not require assessment of potential safety threats of a project on the public. For more info, [click here](#). To join PCL's [support letter](#), email [Abigail Okrent](#) by this Friday with your name, title, organization and logo.

Senator Evans' omnibus CEQA bill, [SB 617](#), would: (1) mandate that notices during the environmental review process be posted concurrently online with the Office of Planning & Research (OPR) and at the county recorder's office in the affected county; (2) provide that electronic records of proceedings be posted concurrently with their preparation beginning with the initial filing; (3) remove several mooted provisions from the Act; and (4) clarify that project reviews must examine the impacts of the physical environment on the project. For more info, [click here](#). To register your support, download a [sample support letter](#), put it on your letterhead and under your signature, and email back to [Abigail Okrent](#) by this Friday (she will then distribute to Committee members).

[AB 543](#) (Campos) would mandate that certain notices and summaries of environmental review documents be translated where the community affected by the project contains a significant Limited English Proficient population. Fully 20% of Californians speak limited to no English, so this bill is crucial to ensuring that CEQA really does inform communities of projects that will affect them and enable them to participate in the process. For more info, [click here](#). To join our [support letter](#), email [Abigail Okrent](#) by this Friday with your name, title, organization, and logo.

PCL is pleased to report that [AB 380](#) (Dickinson), which would require all public notices filed during the CEQA review process be [posted electronically](#), made it out of Assembly Natural Resources Committee on April 1. You can still register your support for this bill as it goes to the Assembly Local Government Committee. To view the support letter, [click here](#). To register your support, contact [Abigail Okrent](#) as soon as possible.

Another bill that PCL is helping to coordinate support for, [SB 574](#) (Evans), will also be coming up for committee hearings soon; please visit [PCL's website](#) regularly to learn how you can support this measure.

For a complete list of all 28 CEQA bills that have been introduced, as well as PCL's positions, [click here](#).

Court Finds AB 900's Streamlined CEQA Court Review Provision Unconstitutional

On Friday, March 29th, Judge Frank Roesch of the Alameda Superior Court [stated from the bench](#) that a key provision of AB 900 (Steinberg, 2011) is unconstitutional. The section of the bill challenged by PCL would have allowed certain major development projects to apply and pay for streamlined court review for CEQA challenges, including bypassing Superior Court and proceeding directly to the California Court of Appeal. PCL contended that this portion of the law, which was introduced in and passed by the Legislature on the last day of the session in September 2011, violated the separation of powers clause of the California Constitution. Other provisions of AB 900, including expedited review timelines and preparation of electronic record at no public cost, were not challenged.

Judge Roesch agreed, stating from the bench that, "It is inescapable to me that the provision of AB 900 found in Public Resources Code section 21185 [which would create exclusive jurisdiction in the California Court of Appeal] is so inconsistent with the constitutional mandates of where writs of mandate can be brought as to be unconstitutional. The Court does not lightly as a Superior Court declare statutes unconstitutional." A final written ruling will be issued shortly.

PCL would like to thank the attorneys who worked on this case – Tony Rossmann, Roger Moore and Bart Lounsbury of Rossmann and Moore and Keith Wagner of Lippe Gaffney Wagner. We look forward to working with the Legislature to identify and pursue common sense CEQA reforms that will ensure the law better meets its aims of transparent and informed decision-making, public empowerment and strong environmental outcomes.

PCL Applauds Appointment of Assemblymember Rendon to Chair *Water, Parks & Wildlife Committee*

On March 21, Speaker of the Assembly John Pérez appointed Freshman Assemblyman [Anthony Rendon](#) (D-Lakewood) to chair the Assembly Water, Parks and Wildlife Committee. Assemblymember Rendon has long been an [environmental champion](#), including serving as the Interim Executive Director of the California League of Conservation Voters. Rendon takes over for Ben Hueso, who was recently elected to the California State Senate in a special election. The Water, Parks and Wildlife committee, always an important voice on environmental issues, is particularly critical this year as the Legislature grapples with a revised 2014 Water Bond and next steps on Bay-Delta planning.

PCL would like to thank Speaker Pérez for his excellent choice to head this important committee, and to congratulate Assemblymember Rendon for his appointment and Senator Hueso for his recent election victory. We look forward to working with all three to push strong environmental legislation for California.



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