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Submitted electronically to:
<https://calegislation.lc.ca.gov/Advocates/>

The Honorable Catherine Blakespear
Chair, Senate Environmental Quality Committee
1021 O Street, Room 3230
Sacramento, CA 95141

April 4th, 2025

Re: SB 607 (Wiener) (as amended March 24) – Oppose

Dear Chair Blakespear:

On behalf of the 50 undersigned environmental and community organizations, we are writing to urge you to oppose SB 607—a bill that would eviscerate CEQA, the landmark environmental law that has protected Californians for fifty years. Since 1970, CEQA has provided a public health and environmental bill of rights on which communities depend. SB 607 would implement a radical and ill-considered set of changes to the law that would leave the state less prepared to face the climate crisis, more vulnerable to future wildfires, and less powerful against the Trump Administration’s attacks on environmental regulation.

SB 607 would significantly weaken CEQA. Although the bill excludes distribution centers and oil and gas infrastructure, it would limit when and how environmental review is conducted for shipping terminals, railyards, mines, sewage plants, sports complexes, dams, mixed-use developments, and projects in high-risk wildfire zones. Currently, a lead agency must prepare an environmental impact report (EIR) if there’s a “fair argument” that the project might have significant environmental impacts. Because the EIR is the in-depth, publicly reviewed document that *reveals* environmental impacts, CEQA only works if EIRs are prepared when there’s a fair argument that there might be an impact. This bill would upend this carefully considered system. Instead, an EIR will not be prepared if an agency or project proponent can offer substantial evidence that there will not be impacts. This means that even if there is solid, credible evidence that a project would lead to significant, permanent environmental harm, the agency would not have to prepare an EIR if it could point to contrary evidence anywhere in the record that these impacts would not be significant. As a result, projects with significant environmental impacts will avoid full review. The project’s impacts will first be discovered not through an EIR but when air quality gets worse and asthma rates go up; when traffic levels become unsafe; when species leave an area; when pollution leaches into drinking water aquifers—in short, when it’s too late.

The bill as amended on March 24th, 2025 does not address the serious problems with the proposal. As amended, the bill will still significantly reduce the number of projects that are reviewed with an EIR and allow some projects to avoid an analysis of alternatives or cumulative impacts. In addition, new amendments would give agencies broad discretion to withhold agency

scientist and staff communications from public disclosure, particularly if they are critical of a project or recommend additional mitigation, while still allowing agencies to disclose any communications that are a favorable to the project. This enables agencies in coordination with developers to “cherry-pick” what the public and the courts are able to review, thus undermining public accountability and transparency.

Among the other critical roles that CEQA plays, it is a key opportunity to ensure that local land use decisions are in line with the state’s climate goals. California will only achieve zero emissions by 2045 if land uses like mines, airports, and office complexes reduce their greenhouse gas (GHG) emissions. CEQA requires developers to disclose a project’s estimated greenhouse gas emissions, analyze if the emissions will impede state climate goals, and, if so, mitigate them. Without CEQA, our hard-won progress on reducing emissions could disappear. Every year, the effects of climate change become more pronounced as California faces devastating wildfires and creeping sea-level rise. Now is not the time to undermine the law that helps California lead the nation on climate action.

The claim that this bill will improve the affordable housing crisis is misplaced. Multiple independent studies—from the Rose Foundation, the Association of Environmental Professionals and UC Berkeley Law—have concluded that CEQA is *not* a major impediment to housing development in California. The housing crisis is a national phenomenon; even states without strong environmental laws are experiencing housing shortages. In California, however, housing production is increasing. A recent Department of Finance report found that state housing creation reached a 15-year high in 2022, with a strong CEQA in place. As experts have documented, the principal barriers to housing production in California and other states are high land and construction costs, restrictive local zoning, and lack of financing for affordable housing—not environmental laws. In the City of San Francisco, for example, over 58,000 fully entitled housing units remain unbuilt. These projects *completed* the environmental review process but were never constructed due to other factors. Furthermore, many housing projects do not require any environmental review due to the various exemptions for housing as well as tiering from specific or community plans.

Far from impeding housing production, CEQA is necessary for building safe housing in California. Increased development in high fire-risk wildlands has led to more frequent wildfires caused by human ignitions, like power lines, arson, improperly disposed cigarette butts, debris burning, fireworks, campfires, or sparks from cars or equipment. Since 2016, wildfires in California have killed more than 200 people, burned down more than 50,000 structures, forced hundreds of thousands of people to evacuate from their homes, exposed millions of people to unhealthy levels of smoke and air pollution, and cost more than \$100 billion in emergency fire suppression and economic losses. These numbers do not include costs arising from the 2025 Los Angeles wildfires, which will likely exceed an additional \$100 billion. CEQA requires developers of large-scale projects to disclose wildfire risks to decision-makers and make a plan

to mitigate those risks. More housing going forward without CEQA review will leave communities at increased risk for future disasters.

The current federal government is doing everything it can to dismantle environmental protections in ways that we've never seen before. As federal environmental protections collapse, we don't know what the future will look like. But we know that we'll rely on state law more than ever to protect California's most vulnerable species and communities. Especially now, it's irresponsible to weaken any of the tools we have to fight for clean air, clean water, healthy habitats, and a livable climate.

The Sierras and the Mojave Desert, redwoods and Joshua Trees, the Lost Coast and Laguna Beach, Lake Tahoe and the Klamath, mountain lions and condors, the air we breathe and the water we drink—all of California's natural resources depend on the legal protections that CEQA offers. As the state faces unprecedented threats to our environment, we need a strong CEQA now more than ever. Please vote no on this misguided bill.

Sincerely,

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