



March 19, 2018

Assembly Member Grayson
State Capitol, Room 4164
Sacramento, California 95814

SUBJECT: **OPPOSITION TO AB 1905 (GRAYSON) – CONSTRUCTION DURING
CEQA JUDICIAL REVIEW ON TRANSPORTATION-RELATED
PROJECTS INCLUDED IN SUSTAINABLE COMMUNITIES STRATEGY –**
in Assembly Natural Resources Committee – April 9th

Dear Assembly Member Grayson:

APA California must respectfully oppose your bill, AB 1905. The bill, in an action or proceeding seeking judicial review under the California Environmental Quality Act (CEQA), would prohibit a court from staying or enjoining a transportation project that would reduce total vehicle miles traveled and is included in a Sustainable Communities Strategy (SCS) for which an environmental impact report (EIR) has been certified, unless the project presents an imminent threat to public health and safety.

While APA California is supportive of streamlining good public projects that are covered by an EIR, SCS EIR's are generally very broad and don't take into account environmental impacts of specific projects – review of those environmental impacts are only considered once a project is proposed. The unintended consequences of this bill could include intense litigation over SCS EIR's in the future. It's also unclear what the impacts would be if this bill were to allow projects to continue construction while being litigated. In general, we have concerns with restricting legal action at the end of the process and would rather suggest expanding project protections through new or expanded exemptions.

For all the reasons above, we must respectfully oppose your bill. If you have any questions, please contact Lauren De Valencia, Stefan/George Associates, APA California's lobbyist, at 443-5301, lauren@stefangeorge.com.

Sincerely,

John Terell, AICP
Vice President Policy and Legislation
APA California
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cc: Members of the Assembly Natural Resources Committee, The Governor, OPR

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