



American Planning Association
California Chapter

Creating Great Communities for All

July 20, 2020

Assembly Member Mark Levine
State Capitol, Room 5135
Sacramento, California 95814

SUBJECT: Support if Amended for AB 609 (Levine) Online CEQA Noticing Requirements – In Senate Environmental Quality Committee

Dear Assembly Member Levine:

The American Planning Association, California Chapter (APA California) would be pleased to support your bill, AB 609, if amended. Your bill would require various California Environmental Quality Act (CEQA) notices and/or exemptions to be posted by the lead agency *and* the project applicant on their internet website and submitted to the State Clearinghouse electronically in order to post those documents on their internet website.

APA California supports the goal of the bill, which would ensure that CEQA notices are accessible on the internet. This would bring current CEQA noticing requirements into the modern age, where the public generally receives their information. While we support the requirement of lead agencies to post specified notices on their own website, we are concerned with the requirement that the project applicant do the same on their respective website. APA believes this is problematic to require a public document to be posted on a private website. It seems it would only add more potential technical legal issues and could create opportunities for confusion in the public eye about who is responsible for CEQA compliance, which is the public agency. There is also no similar responsibility under existing law.

It is our understanding that forthcoming amendments will remove this new posting requirement on the project applicant, as noted above. If this amendment is made, APA California would be pleased to move to a full support position on the 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,

A handwritten signature in blue ink that reads 'Eric Phillips'.

Eric Phillips
Vice President Policy and Legislation
APA California

cc: Senate Environmental Quality Committee
Senate Republican Caucus
The Governor
The Office of Planning and Research