



April 5, 2023

The Honorable Assemblymember Buffy Wicks
1021 O Street, Room 4240
Sacramento, California 95814

The Honorable Assemblymember Luz Rivas
1021 O Street, Room 4250
Sacramento, California 95814

RE: AB 1307, as amended, Wicks. California Environmental Quality Act: noise impact: residential projects – SUPPORT

Dear Assemblymembers Wicks and Rivas:

The American Planning Association, California Chapter (APA California) is pleased to **support** your AB 1307, which would specify that noise generated by the unamplified voices of residents is not a significant effect on the environment for residential projects for purposes of the California Environmental Quality Act (CEQA).

APA California is a non-profit organization made up of practicing planners, citizens and public officials committed to advancing the practice of local, regional, and statewide planning throughout urban, suburban, and rural California. As adopted in APA California's Legislative Platform, *Plan California*, our organization is supportive of efforts that provide streamlining for housing, encouraging the use of CEQA solely for its intended purposes, while eliminating CEQA abuse.

We understand that AB 1307 has been introduced after an Appellate Court decision found in the "People's Park" case, the that the University of California, Berkeley, failed to assess potential noise impacts from students in residential neighborhoods near the campus under CEQA when it planned new housing near the University. Not only will this decision impact housing options for students at the University, but it also stands to set a dangerous precedent. To suggest that any minor increase in noise from human voices should be analyzed in CEQA could substantially impact nearly all urban development moving forward. CEQA noise analyses are intended to examine major noise-generating activities from a proposed project, such as noise from industrial or transportation sources. General urban noise from, for example, students or other people speaking loudly or dogs barking that occupy a new housing project, are generally considered minor nuisances that are incidental to living in an urban environment and historically have not been and should not be required to be analyzed under CEQA.

APA California is grateful to see a straightforward solution to this issue, which comes at a time when the state is already facing a severe housing crisis, including an increasing shortage for student housing. Additionally, we do hope the Legislature will consider other CEQA reform discussions in the future that will create more certainty overall in accelerating housing production and encourage the use of CEQA as it was intended to be used.

We appreciate your quick action on this important issue and for the reasons outlined above, APA California is pleased to support AB 1307. If you have any questions, please contact Lauren De Valencia, Stefan/George Associates, APA California's lobbyist, at 916 443-5301, lauren@stefangeorge.com.

Sincerely,

Erik de Kok, AICP
Vice President Policy and Legislation
APA California

cc: Assembly Natural Resources Committee
Assembly Republican Caucus
The Governor
The Office of Planning and Research
The Department of Housing and Community Development

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