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Humboldt Baykeeper

February 22, 2010

Inland Empire Waterkeeper

The Honorable Lou Correa
California State Capitol, Room 5052
Sacramento, CA 95814

The Honorable Dave Cogdill
California State Capitol, Room 5097
Sacramento, CA 95814

Klamath Riverkeeper

The Honorable Charles Calderon
California State Capitol, Room 2117
Sacramento, CA 95814

The Honorable Brian Nestande
California State Capitol, Room 4153
Sacramento, CA 95814

Monterey Coastkeeper

Orange County Coastkeeper

Re: ABX8 37 (Calderon & Nestande), AB 1805 (Calderon & Nestande), SBX8 42 (Correa & Cogdill), and SB 1010 (Correa & Cogdill) – OPPOSE

Russian Riverkeeper

Dear Senators Correa and Cogdill and Assembly Members Calderon and Nestande:

San Diego Coastkeeper

The California Coastkeeper Alliance and its 12 Waterkeeper member organizations, which span the coast from the Oregon border to San Diego, regrettably must write in strong and united opposition to four identical bills introduced on February 10, 2010: ABX8 37 (Calderon & Nestande), AB 1805 (Calderon & Nestande), SBX8 42 (Correa & Cogdill), and SB 1010 (Correa & Cogdill). These bills would fundamentally undermine the ability of communities to participate in decisions about their own neighborhoods, particularly with respect to how new developments can be modified to reduce or avoid significant adverse effects on communities' health and welfare.

San Francisco Baykeeper

San Luis Obispo Coastkeeper

Santa Barbara Channelkeeper

If these bills are passed, the Secretary of the Business, Transportation, and Housing Administration could select 25 projects each year for the next five years and grant them immunity from the environmental and public participation requirements of the California Environmental Quality Act (CEQA). In other words, residents in California's communities, cities, and counties would not be able to enforce CEQA's longstanding, transparent environmental review process for *any* of the 125 projects – no matter what their size or impact on their lives. These bills would strip the ability of communities to hold developers and project proponents accountable for implementing measures to reduce or avoid significant adverse effects on air and water quality, traffic congestion, noise and open space.

Santa Monica Baykeeper

Ventura Coastkeeper

If these bills are enacted, projects selected by the Secretary would be granted judicial immunity long before any environmental review is done, so there would be no incentive to comply with the law and consider all of the project's significant adverse effects. Further, because there are no objective criteria for choosing the projects, the bills invite further political abuse in project selection, on top of smothering communities' voices in support of the well-being of residents, neighborhoods and environment.

For decades, community involvement in the CEQA review process has improved projects, reduced impacts to public health and the environment, and enhanced Californians' overall well-being. By contrast, these four bills would erode California's legacy of community involvement and environmental protection. Accordingly, we must strongly oppose ABX8 37, AB 1805, SBX8 42, and SB 1010.

Sincerely,

Linda Sheehan, Executive Director