

ASSEMBLY BILL

No. 1444

Introduced by Assembly Member Feuer

January 4, 2012

An act relating to environmental quality.

LEGISLATIVE COUNSEL'S DIGEST

AB 1444, as introduced, Feuer. Environmental quality: expedited judicial review: public rail transit projects.

The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of, an environmental impact report (EIR) on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. The Jobs and Economic Improvement Through Environmental Leadership Act of 2011 amended CEQA to establish, until January 1, 2015, an expedited judicial review process and specifies procedures for the preparation and certification of the administrative record for an EIR of a project meeting specified requirements that has been certified by the Governor as an environmental leadership development project.

This bill would state the intent of the Legislature to enact legislation to provide the benefits provided by the Jobs and Economic Improvement

Through Environmental Leadership Act of 2011 for new public rail transit infrastructure projects.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature finds and declares all of the
2 following:

3 (a) Since 2007, the nation and the state have plunged into a
4 recession, and thousands of jobs have been lost. The unemployment
5 rate in California exceeds the national average at 11.8 percent, and
6 in certain regions of the state the rate exceeds 13 percent. The
7 construction industry in California has been particularly hard hit.
8 Some estimates put the percentage of construction workers who
9 are out of work as high as 40 percent. Still, California’s population
10 continues to grow and is projected to increase by 4.3 million over
11 the next decade. California needs to create an estimated 1.8 million
12 jobs to keep up with its population growth.

13 (b) One of the results of the population growth in California
14 will be increased traffic congestion on the state’s streets and
15 highways and related adverse economic, environmental, and health
16 impacts.

17 (c) To address both the need for jobs and the need to efficiently
18 move people and goods, it is imperative to plan for, and expedite
19 the construction of, new environmentally sound public rail transit
20 options as alternatives to private vehicle trips, as well as other
21 large infrastructure projects.

22 (d) The California Environmental Quality Act (Division 13
23 (commencing with Section 21000) of the Public Resources Code)
24 requires that the environmental impacts of development projects
25 be identified and mitigated.

26 (e) The act also guarantees the public an opportunity to review
27 and comment on the environmental impacts of a project and to
28 participate meaningfully in the development of mitigation measures
29 for potentially significant environmental impacts.

30 SEC. 2. It is the intent of the Legislature to enact legislation
31 to provide the unique and unprecedented streamlining benefits
32 provided by the Jobs and Economic Improvement Through
33 Environmental Leadership Act of 2011 (Chapter 6.5 (commencing

1 with Section 21178) of Division 13 of the Public Resources Code)
2 for new public rail transit infrastructure projects that provide the
3 benefits specified in Section 1 of this act to put people to work as
4 soon as possible.

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