





June 27, 2025

RE: OPPOSE AB/SB 131 CEQA Budget Trailer Bill

Dear Governor Newsom, President Pro Tempore McGuire, Speaker Rivas, Chair Wiener, Chair Gabriel, and Members of the Legislature:

The over 100 undersigned organizations write in strong opposition to AB/SB 131. **This bill is the worst anti-environmental bill in California in recent memory.** It represents an unprecedented rollback to California's fundamental environmental and community protections at a time in which the people of California grapple with unprecedented federal attacks to their lives and livelihoods.

Even worse, this bill was negotiated behind closed doors with NO input from the public or even other legislators. You only need to ask yourself: **If the only way you can change state law is to keep it out of the public eye as long as possible, and condition passage of the state budget on the proposed changes, does that not show that its backers know the public wouldn't support it if they knew the truth?**

We stand firm in our opposition to the removal of these protections under the California Environmental Quality Act (CEQA), especially for the projects with the most capacity to harm Californians and the environment. **A vote for AB/SB 131 in its present form condones both the substance and the process and would be a betrayal of environmental justice communities, Tribes, and the environment.**

You have been put in a terrible position by those who pushed for this bill and are now holding the state budget hostage until it passes. *This is a choice, and not one to which legislators need to acquiesce. We urge legislators to reject this bill, which would silence the voices of your constituents when harmful development is sited in their neighborhoods.*

Our concerns are laid out below.

Utter destruction of democratic processes

On a rapid turnaround and behind closed doors, California's foundational environmental law is under attack. SB/AB 131's dramatic policy changes – which destroy the ability for Californians to participate in and even *know about* the decisions that will *most* affect their lives, livelihoods, safety, and wellbeing – have had absolutely zero opportunity for public weigh-in, transparency, or deliberation. The cruel irony of annihilating democracy at the local level through the most undemocratic process available for state-level policymaking is not lost on us. The destruction of CEQA in this way would be an utter betrayal of elected officials' responsibility to the state and to their duty to serve a representative democracy.

Further, making funding of critical state resources – like affordable housing funding – dependent on gutting CEQA is an unconscionable tradeoff and false dichotomy. Low-income communities of color that need this funding the most are *exactly* the communities that depend on CEQA to have any say in the polluting and risky development that proportionately falls in their neighborhoods. It is the height of hypocrisy to hold this funding hostage in order to steamroll critical protections for the most vulnerable communities.

Forces blind exemptions for massive industrial projects in the most vulnerable communities

SB/AB 131 creates an entire exemption from CEQA for “advanced manufacturing” facilities on land zoned for industrial use. The bill includes zero protections for environmental justice communities living alongside industrially zoned land, and no guardrails to prevent local governments from simply upzoning land to industrial to take advantage of the CEQA exemption. Even as the state consistently expresses a lack of confidence in local decision-makers' zoning decisions around housing, this policy assumes they always get it right when drawing industrial zoning lines. We can tell you: they don't.

“Advanced” does *not* mean clean. These facilities can be massive sources of pollution, use extremely high amounts of water and energy, and emit toxic emissions, making them the very projects that should undergo a robust environmental review. Instead, they would be entirely exempted under SB 131.

The definition includes semiconductor manufacturing. Santa Clara County has 23 active Superfund sites, more than any other county in the United States, related to semiconductor facilities that were found to be leaking dangerous chemical solvents into local groundwater, with local residents reporting birth

defects and miscarriages for years¹. Semiconductor facilities are already exempted from NEPA; therefore, the additional CEQA exemption would mean these facilities would not receive any holistic environmental review. Of the existing facilities in the US, 10% violated federal environmental regulations in the past three years, and 1/3 violated water discharge regulations that had discharge permits².

The definition of advanced manufacturing facility further includes a catch-all for any facility that includes “systems that result from substantive advancement, whether incremental or breakthrough, beyond the current industry standard.” This creates a pathway for manufacturers to exploit, allowing them to claim to have a new “breakthrough” in order to exempt a polluting or risky facility from review.

This definition is so broad that it could sweep up facilities that manufacture lithium compounds, nuclear material, and biomaterials – all of which have incredibly high risks to surrounding communities and the environment. This would mean that projects handling highly explosive and hazardous materials would not be subject to environmental review under CEQA. This is unacceptable, yet the Legislature is being asked to approve this exemption with no information.

Furthermore, the bill would exempt these projects with *even less protection* than applies to other exemptions. For example, to qualify for a Class 32 exemption, a project may not significantly impact environmentally sensitive habitat areas, air quality, traffic, water quality, or noise³; those protections are completely absent here.

In short, this CEQA exemption is incredibly broad, includes some of the most polluting projects in California, and puts the health and safety of Californians directly at risk, especially environmental justice communities. While the bill offers minimal protections to natural resources, like wetlands, there are no protections in place for the actual people whose health will be impacted by these facilities.

Clears the way for a massive loss of habitat, an abandonment of protections for endangered species, and the inevitable decline of even healthy populations of biodiversity.

¹ <https://www.route-fifty.com/management/2019/09/silicon-valley-one-most-polluted-places-country/160066/>

² <https://www.ewg.org/news-insights/news/2024/10/what-building-chips-america-act-could-mean-public-health-and-environment>

³ CEQA Guidelines § 15332(c)&(d).

In an apparent attempt to limit the damage the bill will cause, AB/SB 131's provisions do not apply to "natural and protected lands." **However, inexplicably excluded from this bill is the language from Government Code Section 65913.4(a)(6)(J) regarding habitat for candidate, sensitive and endangered species, which is found in SB 35 (2017), SB 423 (2023) AND in the housing trailer bill, AB 130.**

Most of the areas AB/SB 131 purports to exclude are **already protected** from most harmful development (e.g., wilderness, marine and ecological reserves, national parks). In a cruelly ironic twist, hazardous waste sites are even classified as "natural and protected lands"⁴ **yet habitat for declining, rare and endangered species is not.** The failure to include habitat as part of "natural and protected lands" will mean that hundreds of thousands of acres of habitat lands — oak woodlands, chaparral, forests, desert vistas, coastal sage scrub and grasslands – will be destroyed without any environmental mitigation. The impacts to California's biodiversity will be extensive and irreparable.

Further, the failure to require CEQA review for projects that impact habitat for endangered and threatened species means that projects will drive species closer to extinction because we are **not even requiring industry to look at whether their projects will impact these species.** If this bill is enacted, California will be walking away from protecting our most threatened and endangered species at the same time that the federal government is directly gutting the federal Endangered Species Act.

Allows public agencies to hide their decision-making process by excluding key public documents from the administrative record

CEQA – like California's other open government laws – doesn't allow agency cover-ups. AB/SB 131 would change this by allowing agencies to exclude from the record nearly all internal agency emails, unless they were directly presented to the final decision-maker or a lead agency executive or a supervisor on the project – allowing agencies to hide internal disagreements and downplay environmental risks. Further, SB 131 would let agencies cherry-pick the record by omitting internal documents that undermine their decisions, solely including those that support their claims.

Fairness requires a level playing field. Allowing agencies to prepare a one-sided record undermines government transparency and allows agencies to cover up controversies about the harm major projects may cause to our environment and the safety of our communities.

⁴ See proposed Pub. Resources Code § 21067.5.

Numerous additional exemptions in the bill are uncooked and have unintended consequences.

For example, the vegetation management CEQA exemption would allow projects to proceed with no input from scientists and wildfire experts, including from CAL FIRE. Deviating from best scientific practices could result in projects that actually *increase* fire risk. There is no reasonable basis for cutting experts out of the process, and our communities will surely suffer as a result.

Conclusion

It cannot be overstated how critical CEQA's protections are for the health and safety of all Californians, but especially for at-risk frontline communities who are already overburdened by pollution. Rolling back CEQA on this magnitude would intentionally trade away human lives, as well as core Californian environmental values, for the sake of greater profit margins. This is the deal the budget proposal would strike: devastation for Californians, a windfall for corporate developers.

SB/AB 131 will poison our air, water, and land across the state, manufacture an *avoidable* public health crisis that drives healthcare costs sky-high, and destroy habitat for endangered species we will never recover. Polling data shows that Californians overwhelmingly support keeping CEQA's protections. That this budget language would sell out all of these values in order to allow industrial manufacturing, destruction of sensitive habitat, and other corporate schemes to evade transparency or mitigation is shocking and horrific, and we urge the Legislature to do more for its constituents⁵. **Failing to understand – or choosing not to engage with – the nuances of how proposed policies affect disadvantaged communities causes real harm. When decisions are made without this understanding, it's not just an oversight; it reflects a form of policy neglect that perpetuates injustice.**

For these reasons, we urge you to defend California from SB/AB 131, which would permanently destroy CEQA's guarantee of transparency and mitigations for projects with known health and environmental hazards. If we lose these protections for habitats and communities, we will *never* get them back.

We urge you to unequivocally reject this budget trailer bill.

Sincerely,

⁵ <https://www.neighborhoodsfirstca.org/poll>

Laura Neish
Executive Director
350 Bay Area Action

Daniel Chandler
Member
350 Humboldt Steering Committee

Sherry Lear
Organizer
350 South Bay Los Angeles

Cheryl Auger
Steering Committee
350 Southland Legislative Alliance

Jan Dietrick
Policy Lead
350 Ventura County Climate Hub

Aydee Palomino
EJ Campaign Project Manager
Alianza Coachella Valley

Elena DeLacy
Executive Director
American River Conservancy

Bri Forden
Executive Director
Anza-Borrego Foundation

Faraz Rizvi
Policy and Campaign Manager
Asian Pacific Environmental Network

Rodney Andrews
City Commissioner
Assembly District 65

Claire Schlotterbeck
Executive Director
Hills For Everyone

Roberto Alfaro
Executive Director
Homies Organizing the Mission to
Empower Youth

Anita Ghazarian
Chapter Lead
Indivisible Alta Pasadena

Erika Ruiz
Community Organizing Director
Inland Empire Prism Collective

Sky Allen
Executive Director
Inland Empire United

Asha Sharma
State Policy Manager
Leadership Counsel for Justice and
Accountability

Dillon Delvo
Executive Director
Little Manila Rising

Dave Shukla
Operations
Long Beach Alliance for Clean Energy

Travis Longcore
President
Los Angeles Audubon Society

Tori Kjer
Executive Director
Los Angeles Neighborhood Land Trust

Mike Lynes
Director of Policy
Audubon California

Tomas Valadez
California Policy Manager
Azul

J. Michelle Pierce
Executive Director
Bayview Hunters Point Community
Advocates

Gary Hughes
Co-Director / Americas Program
Coordinator
Biofuelwatch

Kim Kolpin
Executive Director
Bolsa Chica Land Trust

Sendy Hernández Orellana Barrows
President
CactusToCloud Institute

Susan Jordan
Executive Director
California Coastal Protection Network

Zach Lou
Coalition Director
California Green New Deal

Nick Jensen
Conservation Program Director
California Native Plant Society

Vanessa Forsythe RN MSN
Policy Committee Co-Chair
California Nurses for Environmental
Health and Justice

Maura Monagan
Policy & Government Affairs Manager
Los Angeles Waterkeeper

Elizabeth Lambe
Executive Director
Los Cerritos Wetlands Land Trust

Carla Mena
Director of Policy & Legislative Affairs
Los Padres ForestWatch

Steve Bardwell
President
Morongo Basin Conservation
Association

Nick Joslin
Policy and Advocacy Director
Mount Shasta Bioregional Ecology
Center

Belen Bernal
Executive Director
Nature for All

Sable Odry
Advocacy Co-Director
Northcoast Environmental Center

Cynthia Perrine
Executive Director
Northern California Regional Land
Trust

Emely Garcia
Legislative Advocate
NRDC

Dave Henson
Executive Director
Occidental Arts & Ecology Center

Angel Garcia
Co-Director
Californians for Pesticide Reform

JP Theberge
Director / Coordinator
Californians for Safe Energy Storage

Michael J. Painter
Coordinator
Californians for Western Wilderness

André Sanchez
Community Engagement &
Conservation Policy Manager
CalWild

Ector Olivares
Program Manager
Catholic Charities of Stockton

Jonathan Pruitt
Equitable Land Use Program Manager
CEJA Action

Frances Tinney
Staff Attorney, Urban Wildlands
Program
Center for Biological Diversity

Joaquin Castillejos
Organizing Lead
Center for Community Action and
Environmental Justice

Thomas R. Fox
Senior Legislative Counsel
Center for Environmental Health

Bettina Rosmarino
Land Acquisition Director
Oswit Land Trust

Charles Thomas
Executive Director
Outward Bound Adventures

Paul Mason
V.P., Policy & Incentives
Pacific Forest Trust

Sakereh Maskal
Policy and Advocacy Lead
Pesticide Action and Agroecology
Network (PAN)

Deja McCauley
Land Use and Health Program
Manager
Physicians for Social Responsibility –
Los Angeles

Robert M. Gould, MD
President
Physicians for Social Responsibility -
San Francisco Bay

Harry Wang, MD
President
Physicians for Social Responsibility-
Sacramento

Matthew Baker
Policy Director
Planning & Conservation League

Antonio Diaz
Organizational Director
PODER

Kristina Sinclair
Staff Attorney
Center for Food Safety

Shashi Hanuman
Executive Director
Public Interest Law Project

Grecia Orozco
Staff Attorney
Center on Race, Poverty, and the
Environment

Jeantelle Laberinto
Policy and Organizing Director
Race & Equity in all Planning
Coalition, San Francisco (REP-SF)

Sarah Sharpe
Deputy Executive Director
Central California Asthma
Collaborative

Laura Solorio, MD
President
Protect Monterey County

Daniel O'Connell
Executive Director
Central Valley Partnership

Andrés Ramos
Legislative Counsel
Public Advocates

Janet Bernabe
Executive Director / DOJ Partially
Accredited Representative
Centro del Inmigrante, INC.

Scott Webb
Director of Advocacy
Resource Renewal Institute

Cathryn Couch
CEO
Ceres Community Project

Barbara Barrigan-Parrilla
Executive Director
Restore the Delta

Jennifer Clary
California Director
Clean Water Action

Jen Larratt-Smith
Chair
Riverside Neighbors Opposing
Warehouses (R-NOW)

Sara Zimmerman
Executive Director
Climate Equity Policy Center

Susan Phillips
Director
Robert Redford Conservancy Pitzer
College

Amy Boyer
Founder
Climate Relations LLC

Johanna Iraheta
Co-Director of Programs
Roots in Motion

Bill Magavern
Policy Director
Coalition for Clean Air

Larry Glass
Executive Director
SAFE Alternatives for our Forest
Environment

Terry M. Welsh MD
President
Coastal Corridor Alliance

Christie Ralston
Associate Attorney
San Francisco Baykeeper

Christian Torres
Director of Climate Equity and
Resilience
Comite Civico del Valle (CCV)

James Peugh
Conservation Co-Chair
San Diego Bird Alliance

Lauren Gallagher
Attorney & Legal Fellow
Communities for a Better Environment

Patrick J Rutten
Co-Chair Save Temescal Valley
Save Temescal Valley

Jamie Fanous
Policy & Organizing Director
Community Alliance with Family
Farmers (CAFF)

Ocean Blue Coast
Community Organizer
Senior and Disability Action

Jessica Martinez
Director of Programs and
Development
Consejo de Federaciones Mexicanas

Anastasia Yovanopoulos
Volunteer
SF Tenants Union

James R. Stritholt, Ph.D.
Co-Founder, Chief Science Officer
Conservation Biology Institute

Jakob Evans
Senior Policy Strategist
Sierra Club California

Elise Cossart-Daly
Civil Rights and Environmental
Attorney
Cossart-Daly Law, A.P.C.

Laurie Oberholtzer
Director
Sierra County Land Trust

Irene Kao
Executive Director
Courage California

Jenny Hatch
Executive Director
Sierra Nevada Alliance

Pamela Flick
California Program Director
Defenders of Wildlife

Suzie Savoie
Volunteer
Siskiyou Crest Coalition

Sean Hecht
Managing Attorney California
Regional Office
Earthjustice

Patty McCleary
Co-Executive Director
Smith River Alliance

Jared Naimark
California Mining Organizer
Earthworks

Angelica Cabande
Director
SOMCAN

Taylor Thomas
Co-Executive Director
East Yard Communities for
Environmental Justice

Eamon O'Byrne
Executive Director
Sonoma Land Trust

JP Theberge
Vice Chair
Elfin Forest / Harmony Grove Town
Council

Nina Audino
Founder
STOP Lithium BESS in Santa Cruz
County

Taylor Thomas
Co-Executive Director
East Yard Communities for
Environmental Justice

Shoshana Wechsler
Co-Coordinator
Sunflower Alliance

Dan Silver
Executive Director
Endangered Habitats League

Jennifer Savage
California Policy Associate Director
Surfrider Foundation

Ashley Eagle-Gibbs
Executive Director
Environmental Action Committee of
West Marin

Jessica Melendez
Director of Policy
T.R.U.S.T. South LA

Pamela Heatherington
Director
Environmental Center of San Diego

April McGill
Executive Director
The American Indian Cultural Center
of San Francisco

Linda Krop
Chief Counsel
Environmental Defense Center

David Hogan
Executive Director
The Chaparral Lands Conservancy

Tom Wheeler
Executive Director
Environmental Protection Information
Center (EPIC)

Ellie Cohen
CEO
The Climate Center

Laura Deehan
State Director
Environment California

Ann Van Leer
Executive Director
The Escondido Creek Conservancy

Wendy Miranda
Policy Associate
Esperanza Community Housing

Melanie Winter
Founder & Director
The River Project

Greg Morris
Member
Focus Nuevo

Catherine Rich
Executive Officer
The Urban Wildlands Group

Jennifer Grissom
Executive Director
Food Access LA

Maureen Forney
Facilitator
Third Act SF Bay Area

Kevin Dawson
Board Member
Friends of Riverside's Hills

Frank Gilman
Treasurer
Tubb Canyon Desert Conservancy

Karin Zirk, Ph.D.
Executive Director
Friends of Rose Creek

Peter Drekmeier
Policy Director
Tuolumne River Trust

Cameron Mayer
Executive Director
Friends of the Amargosa Basin

Miguel Alatorre, Jr.
Founder and Executive Director
UNIDOS Network

Kayla Browne
Desert and Renewable Energy Policy
Director
Friends of the Inyo

Amanda Chang
Program Director of Equitable
Development
Urban Habitat

Justin Crellin
Executive Director
Friends of the Lost Coast

Bianca Lopez
Co-Founder/ Project Director
Valley Improvement Projects

Jann Dorman
Executive Director
Friends of the River

Alice Kaufman
Policy and Advocacy Director
Green Foothills

Pedro Hernandez
California State Program Manager
GreenLatinos

Alec Sarkissian
Executive Director
Green Policy Initiative

Andrea Leon-Grossman
Deputy Director, West
Vote Solar

Jessie Vinje
Executive Director
Western Borderlands Ecology Group

Katie McKeon
Attorney
Western Center on Law & Poverty

Dr. Elizabeth Dougherty
Executive Director
Wholly H2O

Jo Ann Baumgartner
Executive Director
Wild Farm Alliance