February 18, 2022

The Honorable Ben Allen
Chair, Senate Environmental Quality Committee
1021 O Street, Suite 3230
Sacramento, CA 95814

RE: SB 922 (Wiener) California Environmental Quality Act: Exemption: Transportation-Related Projects. – SUPPORT

Senator Allen:

On behalf of Circulate San Diego, I write to voice our SUPPORT for SB 922 (Wiener). SB 922 will help transit agencies and local governments build the active and sustainable transportation projects that will result in a safer, healthier and more equitable future for all Californians.

How we move matters. Over 40% of California’s greenhouse gas emissions come from the transportation sector. Expanding high-quality, safe, and affordable transportation options is critical to achieving the state’s climate goals.

In 2020, recognizing that CEQA is often used by project opponents to stop or delay clean transportation projects, the Legislature passed, and Governor Newsom signed into law, SB 288 (Wiener), temporarily exempting from CEQA certain clean transportation projects. Under current law, these CEQA exemptions sunset on January 1, 2023.

In its first six months of implementation, the law has been used to advance critically-needed and community-supported sustainable transportation projects. Most projects that have used the exemption to-date are small-scale improvements for walking and biking. The 10 projects include 6 “slow streets”, 2 bicycle lanes, 1 bus reliability improvement and 1 bus rapid transit project. The slow streets projects include many quick-build, relatively low-cost projects that reduce traffic volume and speed so that people can walk, bike, run and socialize safely amidst COVID-related closures. Many transit agencies seek to use the exemption, if extended, to accelerate compliance with CARB’s Innovative Clean Transit (ICT) rule, speeding up the transition to zero-emission transit vehicles and removing local pollution from communities. 60% of the projects identified as “under consideration” are projects to convert transit vehicles to zero-emission to comply with the ICT rule.
SB 922 (Weiner) would eliminate the sunset and provide greater clarity about how to use the exemption, and which types of projects are exempt. SB 922 will streamline CEQA with targeted statutory exemptions for transit and active transportation projects that significantly advance the state’s climate, safety and health goals, including projects that:

- Make streets safer for walking and biking;
- Speed up bus service on streets and improve its on-time performance;
- Construct infrastructure or facilities to refuel zero-emissions transit vehicles;
- Expand carpooling;
- Run faster bus service on highways;
- Modernize and build new bus and light rail stations and terminals;
- Support parking policies that reduce drive-alone trips and congestion;
- Improve wayfinding for people using transit, biking or walking;

To qualify for the exemption, these projects must also meet a number of criteria to benefit the environment and communities. For instance, SB 922 includes provisions that project sponsors meaningfully engage communities in shaping projects and requires careful planning to benefit residents, including requiring a racial equity analysis and a residential displacement risk analysis for many qualifying projects.

SB 922 helps ensure that transportation spending aligns with the state’s policy goals. With the enactment of the federal Bipartisan Infrastructure Investment and Jobs Act, such project streamlining will help California leverage new funding opportunities to support the state’s economic recovery and curb greenhouse gas emissions.

For these reasons, we SUPPORT SB 922 (Wiener).

Thank you for your consideration and if you have any questions, please contact me at josullivan@circulatesd.org.

Sincerely,

Jesse O’Sullivan
Policy Counsel
Circulate San Diego

Cc: The Honorable Scott Wiener, California State Senate