

**SB 288 (Wiener)****Summary:**

SB 288 by Senator Scott Wiener would provide a CEQA exemption to sustainable transportation projects — public transportation, bike safety, and pedestrian projects — thus jumpstarting these types of projects to help California's economic recovery.

**Purpose:**

SB 288 will make sustainable transportation projects more affordable and efficient with less expensive administrative delays. SB 288 adds a number of different types of projects to CEQA statutory exemptions. Exempted infrastructure projects will include: safer streets for walking and biking; updated and new transit stations; faster, more efficient bus service with new bus rapid transit lines; bridge repairs and transit storage facility repair; and the installation of new zero emission vehicle charging infrastructure. These environmentally friendly projects are essential not only because transit and walking and biking infrastructure are important for the general well-being of our state, but because more people are walking and biking more now than ever, due to COVID-19 social distancing requirements.

Infrastructure projects, like those which would be exempted from CEQA regulations under SB 288, are also important job creators. Now more than ever, with record-breaking unemployment, we need to put people back to work and create good jobs, and we need to do so quickly. Large projects eligible for exemption must include active public participation and support community-led decisions. These projects must also be located in already urbanized areas and on public rights-of-way to ensure they have limited physical and environmental impacts. Additionally, any larger projects must be in a regional transportation plan or other plan that has had a programmatic environmental review.

**Authors Statement:**

To recover from this economic disaster, we must prioritize economic recovery and investment, SB 288 will put people back to work on projects that improve our outdated transit, walking and biking infrastructure. It will also reduce carbon emissions by expediting the approval and construction of environmentally sustainable transportation projects. We can't just cross our fingers and hope that jobs come back. Rather, we need to be intentional about jump-starting our economy. SB 288 will help move us toward economic recovery.

**Existing Law:**

CEQA requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of an environmental impact report 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.

CEQA includes exemptions from its environmental review requirements for numerous categories of projects, including, among others, projects for the institution or increase of passenger or commuter services on rail or highway rights-of-way already in use and projects for the institution or increase of passenger or commuter service on high-occupancy vehicle lanes already in use, as specified.

CEQA, until January 1, 2021, exempts from its requirements bicycle transportation plans for an urbanized area for restriping of streets and highways, bicycle parking and storage, signal timing to improve street and highway intersection operations, and related signage for bicycles, pedestrians, and vehicles under certain conditions.

**Related Legislation:**

*AB 2245 (2012)* until January 1, 2018, exempted from CEQA the restriping of streets and highways for bicycle lanes in an urbanized area that is consistent with a prepared bicycle transportation plan. A lead agency required to take specified actions with regard to make an assessment of traffic and safety impact and holding hearings before determining a project is exempt. The bill required a state agency, that determines that a project is exempt under this provision, and approves or determines to carry out that project, to file a notice of

the determination with OPR. The bill required a local agency, that determines that a project is exempt under this provision, and approves or determines to carry out that project, to file a notice of determination with OPR and the county clerk in the county in which the project is located.

*SB 788 (2013)* made numerous changes to transportation-related provisions, including: 1) updated statutory descriptions of nine state highways to reflect that portions of these routes have been relinquished by Caltrans to local agencies or otherwise superseded or changed. 2) authorized the California Transportation Commission (CTC) to relinquish the following sections of state highway: a) a specified portion of State Route (SR) 25 within the City of Hollister, to that city. b) a portion of SR 68 to the City of Pacific Grove or to the County of Monterey. c) a portion of SR 74 to the City of Hemet. d) portions of SR 86 to Imperial County, to the City of El Centro, and to the City of Brawley. 3) deleted obsolete provisions related to the 1984 Olympics license plate and eliminated issuance of the Olympic Training Center license plates.

*AB 417 (2013)* until January 1, 2018, exempted from CEQA a bicycle transportation plan for an urbanized area, and also required a local agency that determines that the bicycle transportation plan is exempt under this provision and approved or determined to carry out that project, to file notice of the determination with the OPR and the county clerk.

*AB 1218 (2017)* extended from 2018 to 2021 the sunset date on CEQA exemptions for bicycle transportation plans and bicycle lanes. Specifically, it extended the following exemptions for three years: 1) the approval of a bicycle transportation plan for an urbanized area for restriping of streets and highways, bicycle parking and storage, signal timing, and related signage. 2) a bicycle lane project in an urbanized area that is consistent with a local bicycle transportation plan.

**Support/Opposition:**

*Support:* None received

*Opposition:* None received