



Sacramento Legislative Office

August 12, 2020

The Honorable Anthony Portantino
Chair, Senate Appropriations Committee
State Capitol, Room 2206
Sacramento, CA 95814

RE: AB 3279 (Friedman): California Environmental Quality Act: administrative and judicial procedures –
SUPPORT - As amended July 27, 2020

Senate Appropriations Committee

Dear Senator Portantino:

On behalf of the Metropolitan Water District of Southern California (Metropolitan), I am writing to express our support for AB 3279, as amended, that seeks to make incremental improvements to the CEQA litigation process.

There have been several attempts to reform the CEQA litigation process. Many of those have been overly ambitious and not allotted enough time for public agency input. We, therefore, greatly appreciate the author and the policy committee staff efforts to address our concerns with an earlier versions of AB 3279 that would have imposed unnecessary burdens on public agencies. As amended, AB 3279 is a step in the right direction to promote a swifter and more efficient resolution of CEQA lawsuits as the author has stated. Metropolitan looks favorably upon the provision in the bill that if a petitioner elects to prepare the record, the public agency is authorized to deny that request, but would waive the ability to recover the cost of preparation and certification of the record from the petitioner. Metropolitan believes this approach offers a reasonable compromise seeing as public agencies have to certify the record, they should have the option to deny a petitioner's election. This would save time and avoid lengthy consultations that can sometimes delay essential projects while maintaining CEQA's overall objective to evaluate the environmental effects of a project.

If you have any questions or wish additional information, please contact me at kviatella@mwadh2o.com or by cell (619) 517-5823.

Sincerely,

A handwritten signature in cursive script that reads "Kathryn C. Viatella".

Kathryn C. Viatella
Executive Legislative Representative

cc: Assembly Member Laura Friedman
Members of the Senate Appropriations Committee
Ashley Ames, Consultant, Senate Appropriations Committee
Emilye Reeb, Consultant, Senate Republican Caucus