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September 7, 2023

The Honorable Governor Gavin Newsom
1021 O Street, Suite 9000
Sacramento, CA 95814

**RE: AB 1307 (Wicks) California Environmental Quality Act: noise impact:
residential projects
Enrolled on September 5, 2023 – Request for Signature**

Dear Governor Newsom:

The California State Association of Counties (CSAC), representing all 58 of the state's counties, respectfully requests your signature on AB 1307 by Assemblymember Buffy Wicks, which would specify that noise generated by occupants is not a significant effect on the environment for residential projects for purposes of the California Environmental Quality Act (CEQA).

To make meaningful progress in helping those who are unhoused, CSAC developed the '[AT HOME](#)' Plan. The six-pillar plan is designed to make true progress to effectively address homelessness at every level - state, local and federal. Through the AT-HOME Plan, CSAC is working to identify the policy changes needed to build a homelessness system that is effective and accountable including specific recommendations related to prevention, housing, the unsheltered response system, and sustainable funding. AB 1307 aligns with our AT HOME efforts, specifically as it relates to the Housing pillar, which seeks to increase and maintain housing units across the spectrum.

AB 1307 would reverse the "people as pollution" precedent created by a recent Appellate Court decision. If this precedent is not reversed, it will lead to a massive increase in Environmental Impact Reports (EIRs) for residential projects and provide a powerful new tool for NIMBYs to block the production of affordable housing. AB 1307 would reverse this precedent by declaring that noise generated by the occupants of a residential project cannot be considered a significant effect on the environment pursuant to CEQA.

By making this change, AB 1307 would remove the potential for litigants to challenge residential development based on the speculation that the new residents will create unwanted noises. It would also reestablish the existing

precedent that minor and intermittent noise nuisances be addressed through local nuisance ordinances and not via CEQA. As such, no longer could CEQA consider "people as pollution."

It is for these reasons that CSAC respectfully requests your signature on AB 1307. Should you have any questions or concerns regarding our position, please do not hesitate to contact me at mneuburger@counties.org.

Respectfully,

A handwritten signature in black ink, appearing to read "Mark Neuburger", written in a cursive style.

Mark Neuburger
Legislative Advocate
California State Association of Counties

CC: The Honorable Assemblymember Buffy Wicks, Author
Grant Mack, Deputy Legislative Secretary, Office of the Governor
Ronda Paschal, Deputy Legislative Secretary, Office of the Governor