

CEQA in the 21st Century

Environmental Quality, Economic Prosperity, and Sustainable
Development in California

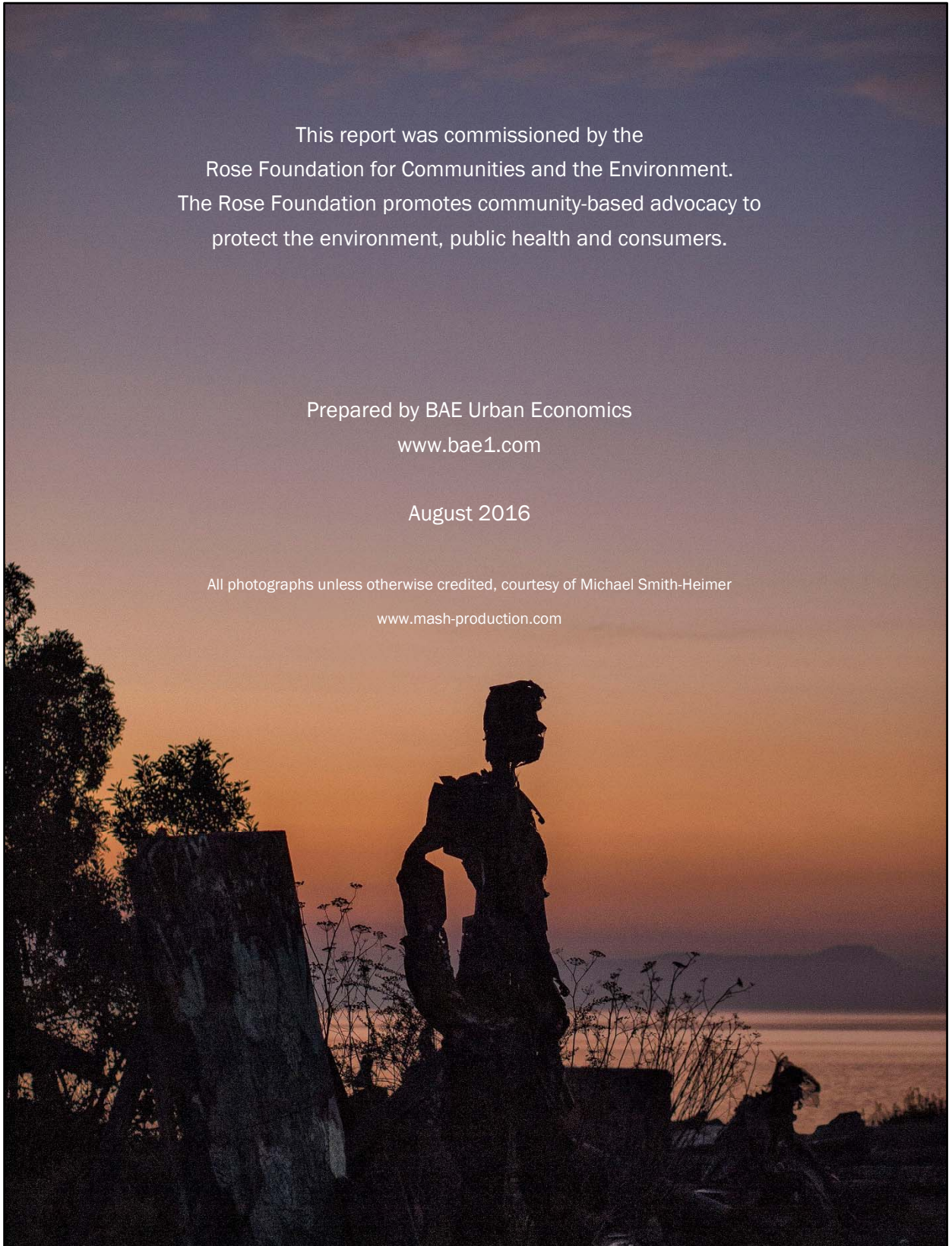


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Executive Summary

Introduction

The California Environmental Quality Act (CEQA), signed into law by Governor Ronald Reagan in 1970, requires state and local agencies to identify the potentially significant environmental impacts of proposed plans and development projects, and then to avoid or mitigate those impacts when feasible.

This sweeping law, in effect for more than 45 years, has profoundly affected California's environmental quality. Perhaps most importantly, the procedures built into CEQA compliance—requiring public notices, public comment periods, and agency responses to comments—work together to “daylight” virtually all major project proposals and plans. The CEQA process thus engages the public and governmental agencies in civic discourse about the environmental effects of physical development and land use policies affecting communities throughout the state.

Because no state agency is specifically empowered to enforce or implement CEQA's requirements, either through court action or through administrative action beyond the promulgation of guidelines, CEQA's effectiveness depends largely on litigation by private parties acting in the public interest. Without private enforcement, CEQA's provisions could be violated with impunity.

Study Purpose and Framework

CEQA is meant to encourage thoughtful, informed, transparent decision-making in a way that lessens the environmental harm of projects and plans as they move forward. CEQA compliance creates a process for the public, environmental and public health trustee and regulatory agencies, and other stakeholders to ensure accurate environmental impact analysis, consideration of project alternatives, and adoption of feasible mitigation measures for a project's significant impacts. Importantly, CEQA also requires an examination of cumulative impacts, thereby stimulating debates around issues such as disproportionately impacted communities, climate change, water supply, growth management, loss of farmland or forestland, effects on endangered or protected animal species, and a host of other impacts.

Yet, despite the informational and substantive advantages CEQA provides, the concept of conducting environmental impact review through analysis and public comment is consistently raised by some developers, who object to the additional steps and costs involved in obtaining

development approvals¹. Anti-CEQA campaigns thus arise periodically, with critics claiming that CEQA is being “abused.” Some members of the development community have asserted that environmental review is too expensive, and unnecessarily delays or even kills important projects intended to advance California’s policy objectives. Special interests also express concern about litigation under CEQA— or even the threat of litigation— in the event a public agency mismanages a procedural step or fails to conduct sufficiently comprehensive analysis.

Because of these built-in tensions around environmental review costs, time delays, and outcomes, there have been periodic calls for “CEQA reform” throughout the law’s existence. This report was designed to closely examine the arguments and assumptions underlying the most current calls for changes to the law.

Key Findings

The number of lawsuits filed under CEQA has been surprisingly low, averaging 195 per year throughout California since 2002. Annual filings since 2002 indicate that while the number of petitions has slightly fluctuated from year to year, from 183 in 2002, to 206 in 2015, there is no pattern of overall increased litigation. In fact, litigation year to year does not trend with California’s population growth, at 12.5 percent overall during the same period.

The rate of litigation compared to all projects receiving environmental review under CEQA is also very low, with lawsuits filed for fewer than 1 out of every 100 projects reviewed under CEQA that were not considered exempt. The estimated rate of litigation for all CEQA projects undergoing environmental review (excluding exemptions) was 0.7 percent for the past three years. This is consistent with earlier studies, and far lower than some press reports about individual projects may imply.

In San Francisco, just 14 EIRs were prepared in the past three years (less than 5 EIRs per year). The case study of San Francisco provided in this report highlights how, contrary to critics’ claims, at least one of California’s major cities routinely uses the streamlining procedures encouraged and built into CEQA statutes and guidelines.

Despite critics often citing CEQA as a “major barrier to development,” no evidence supports that assertion. There are no studies available which quantify the cost of CEQA compliance or its impact on development projects.

¹ The costs of environmental review are usually charged by the lead public agency to the project applicant in cases of development projects.

To provide a contemporary sense of CEQA's costs as well as the overall outcome from CEQA's mandated environmental reviews, this study examines five "case study" projects, including four that were not litigated, and one that was. The four non-litigated projects include a major transit and intermodal center, an affordable senior housing project, an updated Specific Plan for a transit-oriented development (TOD), and a major solar energy installation.

Each of these projects highlights facets of the CEQA process, and how it can benefit communities in which the project was located. For example, in Richmond, the EIR for a senior housing project determined that the site contained important cultural resources related to the Japanese-American internment during WW II.

Direct environmental review costs for these four projects ranged from 0.025 to 0.5 percent of total project costs. Time periods for environmental review of these four projects ranged from 10 to 29 months, with the longest occurring in the Richmond senior affordable housing project. This lengthy review period was caused by the need to conduct several important special studies addressing important effects uncovered during initial environmental review, including air quality measurements to mitigate health impacts of the site's location next to a freeway.

A fifth case study profiles the Southern California International Gateway (SCIG) railyard project, designed to serve both the Port of Los Angeles and the Port of Long Beach. Seven public agencies and community groups successfully brought a lawsuit principally on environmental justice grounds, to ensure adequate environmental analysis of traffic, noise, and air pollution impacts on the adjacent West Long Beach low income neighborhood. This example illustrates how CEQA can give a strong voice and provide protections to disadvantaged communities. When the Lead Agency reconsiders the project in light of the corrected environmental analysis, it is likely to require additional mitigation to protect these communities.

California consistently ranks among the top states in terms of economic prosperity and sustainable development. These rankings clearly demonstrate that California's strong framework of environmental protections, including CEQA, does not constrain growth and indeed helps ensure the state's future sustainability. The following metrics paint a compelling picture:

Economic Prosperity

- California's strong job growth ranked 5th among 50 states in past three years (California's employment grew by 8.9 percent).
- California's Gross Domestic Product (GDP), which is the value of all economic output, ranked 1st in the U.S. in 2015. The state's rate of GDP growth in the past three years also ranked 1st in the nation.
- California had the 9th highest median household income of all 50 states in 2014. California's increase in median household income ranks 13th among the 50 states between 2012 and 2014.
- California's manufacturing sector, which some CEQA critics assert has been declining and thus constraining household incomes for middle-income workers, in fact has the largest number of jobs in manufacturing of the 50 states, with over 1.28 million manufacturing jobs in 2015. California has also increased manufacturing employment by almost 38,000 jobs in the past three years, closely matching national growth rates and contributing 9.8 percent of all new manufacturing jobs added to the US economy since 2012.

Sustainable Development

- With more than 239 people per square mile, California ranked as the 11th most densely-populated state in the country in 2010. Its rate of upward densification since 1970, when CEQA was enacted, places California 13th among the 50 states in increased densification rates over 40 years.
- The pace of new residential construction considered as "infill" in California's metropolitan areas compares favorably with other states. One study found that 80 percent of new residential units built in the San Jose-Sunnyvale-Santa Clara metropolitan area between 2000 – 2009 were infill development. In contrast, just 7 percent of new residential units built in Austin, Texas (with little environmental review) were infill development during the same period.

- Metropolitan areas in California and New York have the greatest percentages of new infill housing development. This pattern has occurred despite the presence of extensive environmental review requirements in both California and New York.
- California has 12 of the top 50 most walkable cities in the U.S., a key metric for sustainable development, based on Walk Scores for more than 2,500 cities. Rankings included San Francisco (#2 nationally), Oakland (#9), Long Beach (#10), and Los Angeles (#13). An analysis of changes in Walk Scores for 2015 to 2016 shows that all of these cities (and many other California cities) increased their scores as well, indicating ongoing improvements in pedestrian orientation.
- A new metric by Trust for Public Land ranks the largest 100 U.S. cities in terms of park availability and other park-related factors. Eight cities in California scored higher than the national average for these 100 cities, including San Francisco, which ranked 5th among all cities scored.
- California's affordable housing production, measured by the number of units receiving Low Income Housing Tax Credits (LIHTCs), shows the state ranking 9th highest per 100,000 of population in 2014. This is the best available metric of California's affordable housing production to compare across all 50 states, since LIHTCs are available on a per-capita basis across all states per federal law.

In summary, a broad look at the evidence shows that litigation under CEQA has not increased since 2002, a fact that rebuts assertions that the vast majority of projects in California are now subject to lawsuits. Furthermore, CEQA has been amended to institute streamlining procedures, and the evidence from San Francisco indicates that a very high percentage of approvals are subject to exemptions from CEQA, and that the number of EIRs prepared is small. Importantly, while critics claim that CEQA is constraining the California economy, key metrics show the strength of California's economy, rebutting that assertion. Finally, California also ranks high in sustainable development indicators, an outcome that almost certainly reflects CEQA's requirement that public agencies analyze environmental effects and mitigate them where feasible.



1: Introduction and Study Purpose

Introduction

Passed in 1970 as a state counterpart to the National Environmental Policy Act (NEPA), the California Environmental Quality Act (CEQA) requires state and local agencies to identify the potentially significant environmental impacts of their actions, and then to avoid or mitigate those impacts if feasible.

State and local public agencies must comply with CEQA for each "project," which is defined as an activity undertaken by a public agency, or an activity by a private entity subject to public agency discretionary approval, that may cause either a direct physical change in the environment or a reasonably foreseeable indirect change in the environment. Most proposed physical developments in California, as well as land use plans and regulations (e.g., General Plans, Zoning Ordinances, Specific Plans, etc.), are subject to CEQA unless an exemption applies.

The required environmental review involves both procedural and substantive steps, commencing with an initial review of the proposed project and its environmental effects. Depending on the potential effects, more substantial review may occur through preparation of an Environmental Impact Report (EIR).

This sweeping law, in effect for more than 45 years, has profoundly affected California's environmental quality. Perhaps most importantly, the procedures built into CEQA compliance, which require public notices, public comment periods, and responses to those comments, work together to "daylight" development proposals and plans, engaging the public and other governmental agencies in civic discourse about the environmental effects of physical development and land use policies.

Study Purpose

This study was designed to provide a thoughtful examination of the arguments and assumptions underlying current criticisms of CEQA. Since CEQA's adoption over 45 years ago, certain organizations and interest groups have balked at the Act's environmental review process, public comment requirements, and occasional litigation, claiming that these additional steps create significant barriers to business and development.

Though these arguments against CEQA have taken many different forms over the years, the latest cries for CEQA “reform” largely fall into three general categories:

- **“Abuses” of the Process through Litigation.** Some studies assert that CEQA is “abused” by those seeking to stop worthy projects. According to these critics, the alleged abuses have caused a cumulative negative effect on housing markets, traffic conditions, job growth, and other metrics of the economic vitality of California. Some critics have also asserted that specific aspects of the litigation process under CEQA, such as lack of transparency in identification of petitioners, also contribute to this alleged abuse.
- **Burdensome Project Costs and Delays.** Some critics object to the cost of environmental review, which is usually charged to the project applicant. In cases of private real estate development projects requiring preparation of an EIR, both the cost and the time to prepare the document up to final adoption, can seem burdensome. Similar costs and delays can also affect public infrastructure projects such major transportation improvements.
- **Constraints on Other Policy Initiatives.** Calls for reform also come from advocates of other important policy initiatives such as affordable housing production, sustainable and infill development, transit system improvements, and large renewable energy projects. Critics claim that CEQA compliance can delay or even thwart these projects.

The California Legislature frequently considers and adopts legislation to refine and focus CEQA, seeking to align it more closely with other policy initiatives. Nevertheless, many of the current calls for reform would rewrite essential components of CEQA, threatening in effect to undo or compromise the entire concept and process behind the statute.

This report focuses on literature review and primary data to closely assess the claims underlying the current calls for CEQA reform. The report documents contemporary practices of environmental review, CEQA litigation rates, costs of development projects, and California’s overall status within the nation in terms of economic prosperity and sustainable development. The report is not intended to be an exhaustive policy analysis of the full costs and benefits of CEQA, and it does not address or set forth particular reform initiatives. It does, however, directly address the major criticisms of CEQA.

Study Framework

In order to provide an empirical basis for evaluating CEQA's role in California's economic and sustainable development landscape, this report focuses on three key questions:

- How many lawsuits have been filed annually under CEQA since 2002, the first year for which litigation data is readily available?² What is California's current rate of CEQA litigation relative to all CEQA projects involving Environmental Impact Reports, Negative Declarations, and Mitigated Negative Declarations?
- What are the direct costs of CEQA compliance relative to overall project development costs? How do time delays or other indirect effects of the CEQA review process impact the development process?
- Has California's framework of environmental protections (including CEQA) constrained its economic prosperity or ability to develop in a sustainable way?

These key questions are a central focus of elected officials, environmental professionals, and a wide range of activists who both support and object to CEQA as currently implemented. While other articles, opinion pieces, and studies have raised these questions, those writings lack sufficient documentation and analysis.

Study Methodology

The methodology used for this report includes the following approaches to address the three study questions:

- Literature review of prior empirical studies.
- Primary research in the form of quantitative analysis of litigation rates and case study research for other issues.
- Quantitative review of published metrics for California and benchmark jurisdictions to provide recent data regarding CEQA's effects on statewide prosperity and sustainable development.

Each chapter of this report provides further description of the methodologies employed to analyze each key question.

² David Petit and Tom Adams, "The Litigation Myth," National Resources Defense Council, 2013. This analysis includes litigation tallies for 2002 - 2012 based on data provided by the Office of the Attorney General.



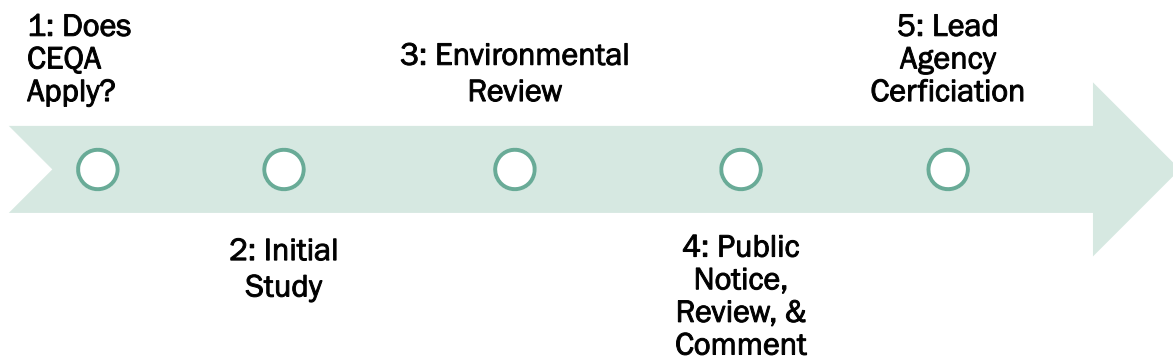
2: Overview of CEQA Process

This chapter provides a description of the CEQA process, which has evolved since its initial passage in 1970 through a series of legislative reforms, updated regulatory guidelines, and court cases. This chapter also highlights how the CEQA process, with streamlining procedures in place, has been utilized in the City and County of San Francisco in recent years.

Overview of CEQA Process

The chart below summarizes the CEQA compliance process, with additional explanations of each step on the following pages. Those readers familiar with CEQA may skip to Chapter 3 of this report.

Figure 1: General CEQA Compliance Flow Chart



Source: BAE, 2016.

Step 1: Determine Whether CEQA Applies

CEQA applies to any activity that qualifies as a “project,” which is defined as an action undertaken by a public agency, or by a private entity that requires discretionary approval from a public agency, and that may cause foreseeable physical changes to the environment. Projects include development proposals, activities undertaken by public agencies that can result in physical development (e.g., General Plans or Specific Plans), and activities with public agency assistance such as grants or loans.

The public entity (e.g., city or county) carrying out its own project—or in the case of a private project, the public agency responsible for approving the project—must spearhead the environmental review as the “Lead Agency.”

Exemptions

Not all projects are subject to CEQA. The State Legislature has carved out exemptions to CEQA that fall into two categories: statutory and categorical exemptions. Statutory exemptions are activities the Legislature has specifically excluded from CEQA despite any environmental impacts.³ Examples include Caltrans activities related to restriping streets or highways, or projects necessary to prevent or mitigate an emergency. Categorical exemptions include classes of projects that have been determined generally not to have significant impacts on the environment. There are currently 33 types of categorical exemptions, which include ministerial approvals (e.g., replacing windows), new construction of small structures, and minor alterations to land.

Categorical exemptions are not absolute, and a project in a class that does not ordinarily result in significant impacts may, in certain sensitive environments, create significant impacts. Therefore, projects ordinarily subject to a categorical exemption may undergo environmental review if there is adequate evidence of a possible adverse impact due to unusual circumstances.

Step 2: Initial Study

If a project is subject to CEQA and no exemption applies, the Lead Agency must prepare an Initial Study to determine whether the project may have any significant environmental impacts. The purpose of the Initial Study is to provide a preliminary analysis that determines if there is a potential for significant impacts.

To assist lead agencies in determining whether a project may have a significant impact, the Governor's Office of Planning and Research (OPR) publishes a sample Initial Study form, Appendix G to the CEQA Guidelines, which sets forth a series of questions regarding a range of potential impacts.⁴ Topics include environmental considerations such as biology, greenhouse gas emissions, and air and water quality, along with impacts on the built environment, such as traffic, views, noise, and public service infrastructure. The Initial Study, as well as all CEQA analysis, must also consider a project's potentially significant "cumulative impacts," such as related impacts from other ongoing projects and impacts over time.

³ According to *Western Municipal Water District of Riverside County v. Superior Court of San Bernardino County* (1986) 187 Cal. App. 3d 1104, "the self-evident purpose of a [statutory] exemption is to provide an escape from the EIR requirement despite a project's clear, significant impact."

⁴ These questions are contained in Appendix G (Environmental Checklist Form) of the CEQA Guidelines, available at http://resources.ca.gov/ceqa/guidelines/Appendix_G.html.

Step 3: Environmental Review

The lead agency next uses findings from the Initial Study to determine whether further environmental review is warranted. Within 30 days after accepting a completed application, the Lead Agency must determine which of the following review documents it intends to prepare:

1. **Negative Declaration:** If the lead agency determines that there is no substantial evidence, in light of the whole record, to support a fair argument that the project may have a significant impact on the environment, it will issue a Negative Declaration.

OR

2. **Mitigated Negative Declaration:** If potential significant impacts are identified and the lead agency adopts revisions to the project that either eliminate all significant impacts, or reduce them to less-than-significant levels, a Mitigated Negative Declaration may be prepared.

OR

3. **Environmental Impact Report (EIR):** If the Initial Study finds that there is a fair argument that there is substantial evidence that significant effects may occur, then an EIR is required. An EIR must provide detailed information about a project's anticipated impact on the environment, consider feasible ways to mitigate significant adverse environmental effects, and examine project alternatives that could feasibly lessen the impacts.

Step 4: Public Notice, Review, and Comment

One of the key features of the CEQA process is its emphasis on notification, outreach, review, and comment opportunities for members of the public. The process also includes notification and review/comment by other affected public agencies. Each of the above actions/documents triggers a formal public notification and comment period with specific timelines.

Negative Declarations or Mitigated Negative Declarations

For Negative Declarations and Mitigated Negative Declarations, the Lead Agency must provide the public, relevant trustee agencies, and the County Clerk with a minimum 20-day review and comment period. During that period, if substantial evidence is provided to support a fair argument that the project may have a significant effect that cannot be mitigated, the Lead Agency may be required to prepare an EIR.

EIRs

For an EIR, the Lead Agency must circulate a Notice of Preparation that includes a brief description of the project and scope of the EIR, with a 30-day period to obtain public comment. The Lead Agency will often also convene one or more scoping meetings, which provide an opportunity to introduce the project and the intended scope of the EIR to the public, and obtain feedback on community concerns about potential environmental impacts.

The Lead Agency is responsible for public notice and circulation of the Draft EIR for public comment. The review period is somewhat longer than for a Negative Declaration, with a minimum of 30 days and a maximum of 60 days, except in unusual situations. Upon receiving public comments, the Lead Agency must evaluate and prepare a written response to comments. The lead agency must respond to all comments. It must correct its analysis to incorporate comments that reveal deficiencies in the analysis, or provide good-faith, reasoned analysis to support the agency's position that the conclusions and methodology in the Draft EIR are adequate. The Draft EIR, along with the comments and responses, are packaged into a Final EIR.

Step 5: Lead Agency Certification

Negative Declarations or Mitigated Negative Declarations

Once the public comments are received, the Lead Agency certifies the Negative Declaration or Mitigated Negative Declaration and may approve the project, provided it finds, on the basis of the whole record, that there is no substantial evidence to support a fair argument that the project will have a significant effect on the environment.

EIRs

To lawfully certify an EIR and approve a project, a Lead Agency must adopt measures that avoid or lessen, to the maximum extent feasible, all significant environmental impacts. For projects with significant impacts where mitigation to a level of insignificance is infeasible, the agency must make a specific finding that economic or other project benefits override the environmental impacts. In order to justify approving a project with known significant impacts, the Lead Agency must prepare a Statement of Overriding Considerations, which shows the agency's rationale in balancing competing public objectives. For private projects, the Lead Agency must complete and certify the Final EIR within one year after the Lead Agency accepts the completed application, with a 90-day extension permitted upon request.

It is important to note that, as this description of the process indicates, CEQA is not intended to stop projects. Rather, CEQA requires only that the Lead Agency disclose potential impacts

and identify mitigation and project alternatives that could avoid or lessen those impacts. The statute further specifies that any adopted mitigation measures and alternatives must be “feasible.” Recognizing practical constraints affecting development, CEQA’s test for feasibility must take into account “economic, environmental, legal, social, and technological factors.”

Possible Litigation

Importantly, no state agency is specifically empowered to enforce or implement CEQA’s requirements, either through court action or through administrative action beyond the promulgation of guidelines. Consequently, CEQA’s effectiveness depends on litigation by private parties acting in the public interest, as well as by occasional litigation by public agencies, including the California Attorney General’s Office (acting in the name of the People of the State of California). Without private enforcement through litigation, CEQA’s provisions would be toothless, since they could be violated with impunity.

CEQA allows litigation to be brought by an individual, organization, or public agency to challenge either (1) the inadequacy of the environmental review document (e.g., EIR, Negative Declaration, or Exemption) for a proposed project, or (2) the Lead Agency’s failure to comply with CEQA’s procedural requirements (e.g., public notice). Notably, courts review CEQA challenges only to address analytical shortcomings or procedural defects. The court cannot require the agency to make a specific decision about the nature or outcome of the project itself, or ultimately decide that a project can never go forward.

Chapter 3 of this report provides an in-depth, current analysis of CEQA-related litigation throughout California.

Recent Legislative and Regulatory Changes to Streamline CEQA

Legislative Changes

Over the years, the California Legislature has passed a number of laws to simplify the CEQA process for projects that are aligned with state laws and policy priorities, including infill, transit-oriented development, and affordable housing projects. These legislative changes serve to expedite the environmental review of qualifying projects or to carve out exemptions. Some of these reforms were passed as part of, or subsequent to, SB 375, California’s landmark legislation aimed at coordinating transportation and future growth to reduce greenhouse gas emissions. Recent legislative reforms include:

Recent CEQA Exemptions and Other Streamlining Measures

- CEQA State Guidelines section 15183 excluded from additional environmental review projects that are consistent with the development density established by existing zoning, community plans, or general plans for which an EIR was certified, except if there are impacts specific to the project or site.
- SB 1925, passed in 2002, created an exemption for infill residential development that meets certain criteria related to size, location, uses, and affordable housing.
- SB 375, passed in 2008, included provisions designed to streamline CEQA review for infill residential, mixed-use, and transit priority projects (TPPs).
- SB 226, passed in 2011, created an alternative streamlining method for eligible infill projects by limiting the topics subject to review at the project level where the environmental impacts of infill development had previously been addressed in a planning level decision. SB 226 also establishes an exemption for installing solar facilities on rooftops and existing parking lots.
- AB 900, passed in 2011, provided a streamlined review process for “environmental leadership development projects” that the Governor certifies as providing environmental benefits, meeting wage requirements, and contributing substantial in-state investment; CEQA challenges to such development projects are heard directly in the court of appeals and must be decided within 175 days (subject to potential extensions).
- AB 2564, passed in 2012, temporarily expanded an exemption for pipeline projects in order to facilitate natural gas pipeline safety projects in response to the 2010 San Bruno pipeline explosion.
- AB 890, passed in 2012, created a temporary exemption for road repairs in jurisdictions with populations of fewer than 100,000 residents.
- AB 2245, passed in 2012, enacted a temporary exemption for bike lane restriping projects in urban areas.
- AB 1486, passed in 2012, temporarily exempted railroad crossing closures ordered by the California Public Utilities Commission, where those crossings threatened public safety.
- SB 743, passed in 2013, created a new exemption from CEQA for transit priority projects that are consistent with a previously adopted Specific Plan and the relevant regional Sustainable Communities Strategy (SCS).

- SB 674, passed in 2014, expanded the statutory exemption for infill residential housing by increasing the allowable percentage of neighborhood-serving commercial uses within a project.
- SB 88, passed in 2015, added interim exemptions (expiring July 1, 2017) for drought-related projects, such as recycled water projects, and city or county regulation of groundwater wells.

Recent Changes to Procedural/Judicial Review Under CEQA

- In 2010, Public Resources Code section 21159 was amended to provide expedited review for adoption of performance standards pursuant to AB 32.
- In 2010, the Legislature amended Public Resources Code section 21089 to specify that agencies may charge reasonable fees for providing copies of environmental documents, and to require that agencies provide such documents in electronic form.
- In 2010, the Legislature added Public Resources Code section 21167.9 to provide that CEQA lawsuits may be subject to mediation.
- AB 209, passed in 2011, required the public notice of the availability of an EIR or negative declaration to include how the document can be provided in electronic format.

The above legislative measures, along with others not cited here, work to streamline CEQA and to advance the implementation of related laws and policies, while maintaining CEQA's overall, original environmental review objectives.

Regulatory Changes through CEQA Guidelines

The California Natural Resources Agency publishes the CEQA Guidelines, which are regulations explaining and interpreting the statute for public agencies, EIR preparers, and the general public. By statute, the Guidelines must be reviewed and amended every two years by the Governor's Office of Planning and Research (OPR), in order to interpret statutory amendments, reflect new case authority, and adapt to new analytical methods. OPR began a major update of the CEQA Guidelines in 2015, that will culminate in publication in 2016. The newest 2016 Guidelines propose to clarify recent legislation that adopted new exemptions, consolidate initial study questions, further refine thresholds of significance, and incorporate new water and energy impact approaches.⁵

⁵ Governor's Office of Planning and Research, "CEQA Guidelines 2016." See: http://opr.ca.gov/s_ceqaguidelines.php()

This mandated review and update process ensures CEQA's dynamism, as the Guidelines incorporate changes from statutory mandates and principles enunciated in judicial decisions. For instance, the 2016 Guidelines include revised impact questions for an environmental document's discussion of jobs-housing balance to further address affordability. As a result, the Guidelines' definition of this impact will now consider not only the *amount* of housing needed to balance with jobs, but also the *price and quality* of that housing. If adopted, this refinement will ensure that a Lead Agency's analysis of this topic will highlight affordable housing issues, a key concern of CEQA's critics.

Case Study: San Francisco's Streamlined CEQA Process

Critics contend that CEQA's existing exemptions and streamlining provisions have done little to actually reduce delays in project approvals, but there has been limited empirical research on the use and effectiveness of these provisions. To determine the effect of streamlining provisions, this study examined project approvals in one major California city, San Francisco.

San Francisco's Environmental Planning Division tracks activities that are subject to and exempt from CEQA, including accounting for actions that qualify for categorical exemptions. This detailed tracking process provides a comprehensive database of how CEQA works in a city that has recently been experiencing a strong real estate market and a high level of development activity. The table below summarizes CEQA-related activities in San Francisco between 2013 and 2015.

Table 1: San Francisco CEQA Projects, 2013 - 2015

<u>CEQA Environmental Review Projects</u>	<u>2013</u>	<u>2014</u>	<u>2015</u>	<u>Total</u>
Negative Declarations	0	1	1	2
Mitigated Neg Declarations	13	3	17	33
Environmental Impact Reports	7	3	4	14
<i>Subtotal</i>	20	7	22	49
<u>CEQA Projects with Com Plan Exemptions</u>				
Community Plan Exemptions (CPEs) (a)	16	29	29	74
CPE+MND (b)	0	1	0	1
CPE+EIR (b)	0	2	1	3
<i>Subtotal</i>	16	32	30	78
Total Env Review Projects	36	39	52	127
Community Plan Exemptions as % of Projects	44.4%	82.1%	57.7%	61.4%

Notes:

(a) Community Plan Exemptions (CPEs) include projects that are either exempt from environmental review because they are consistent with previously certified plans and zoning and contain no project-specific effects that would require further analysis, or projects eligible for infill streamlining under CEQA State Guidelines Section 15183.3.

(b) In the event a project qualifies for a CPE but a project-specific effect requires further analysis, a supplemental MND or EIR is completed.

(c) San Francisco also tracks categorical and statutory exemptions, which were excluded from the above analysis because they do not require environmental review documents.

The following shows the number of exemptions granted by San Francisco:

	<u>2013</u>	<u>2014</u>	<u>2015</u>	<u>Total</u>
Categorical Exemptions	2,342	4,454	6,167	12,963
Other Exemptions	47	42	185	274
Total	2,389	4,496	6,352	13,237

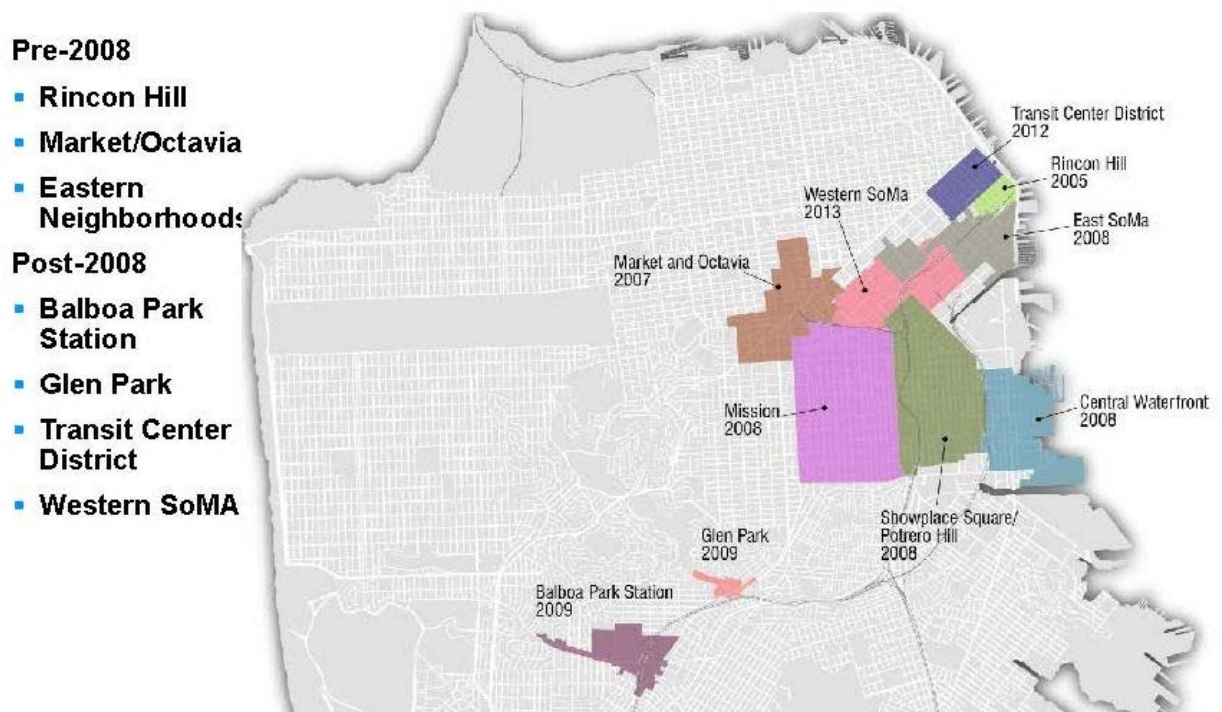
Sources: City and County of San Francisco Planning Department; BAE, 2016.

The figures reveal how an efficient system of environmental review under CEQA can work. Between 2013 and 2015, San Francisco received between 36 and 52 applications annually that were subject to review under CEQA. Most projects satisfied CEQA review through application of Community Plan Exemptions (CPEs). Of the 127 proposals subject to environmental review under CEQA during that three-year period, two were processed with a Negative Declaration and 33 were processed with Mitigated Negative Declarations. Only 14 of the 127 proposals were subjected to full EIRs.

Furthermore, 74 projects were deemed exempt due to existing Community Plans, and four were subject to partial environmental review under CPEs. These CPEs apply to projects that qualify for infill streamlining or are exempt from environmental review because they are consistent with zoning standards and previously certified plans.

The figure below illustrates the relevant Community Plans. Most are fairly recent, with four out of seven completed since 2008.

Figure 2: San Francisco Community Plans



Note: Eastern Neighborhoods includes Central Waterfront, Showplace Square, Mission, and East SoMa.
 Source: San Francisco Planning Department; BAE, 2016.

In sum, this high utilization rate of CPEs in San Francisco reflects the City's concerted effort to streamline CEQA review, underscoring how CEQA can be implemented effectively to support the contemporary development process.

CEQA's Role in Achieving Environmental Justice

As part of the environmental review process outlined in this chapter, CEQA plays a critical role in ensuring that public health is protected by evaluating and mitigating air and water pollution, soil contamination, and other impacts that disproportionately affect our most vulnerable residents.

Researchers have thoroughly documented that many communities throughout California are severely affected by these pollutants, creating measurable public health impacts. Examples of screening tools used to identify these locations include the work by UC Davis's Center for Climate Change, the Environmental Justice Screening Method developed by USC's Program for Environment and Regional Equity, and the State Office of Environmental Health Hazard Assessment's CalEnviroScreen mapping tool.⁶⁷⁸

CEQA projects with environmental impacts in these sensitive locations can exacerbate known conditions, seriously adding to existing health risks. CEQA helps to promote environmental justice by ensuring that these conditions are disclosed, evaluated, and mitigated, often in circumstances where other laws are unable to address the impacts adequately. In particular, CEQA addresses cumulative impacts from multiple projects. The legal framework of CEQA thus intersects with the on-the-ground historical pattern of polluting land uses that pose both acute and long-term health impacts, often near freeways or industrial facilities such as power plants. This intersection makes CEQA particularly important to today's residents in our most vulnerable communities.

To address these environmental justice issues and ensure thorough analysis and best-fit mitigation measures whenever possible, the Attorney General issued an important guidance document, *Environmental Justice at the Local and Regional Level, Legal Background*.⁹ This document describes the legal framework for considering environmental impacts on people.

⁶ <http://explore.regionalchange.ucdavis.edu/ourwork/projects/initiatives/environmental-justice>

⁷ <https://dornsife.usc.edu/perc/cumulative-impacts/>

⁸ <http://oehha.ca.gov/calenviroscreen>

⁹ California Office of the Attorney General, "Environmental Justice at the Local and Regional Level, Legal Background" (updated 7/10/12). See http://oag.ca.gov/sites/all/files/agweb/pdfs/environment/ej_fact_sheet.pdf

Examples are provided in this guidance document regarding the cumulative effects of certain pollutants, the CEQA requirement to consider alternative locations (relevant particularly to new pollutant-generating projects), and a range of other approaches to link the CEQA process to this issue. The Attorney General concludes the legal review with the finding that “[s]pecific provisions of CEQA and its Guidelines require that local lead agencies consider how the environmental and public health burdens of a project might specifically affect certain communities.”¹⁰

Thus, CEQA is a powerful tool for communities subjected to environmental injustice, and advocates for these communities frequently rely on CEQA to protect residents from public health impacts. The value of CEQA, especially to address cumulative impacts, means that environmental justice advocates have taken a strong stand against many aspects of proposed CEQA reforms including the recent proposal to streamline CEQA review by exempting certain “by-right” residential projects. While this study does not explore the effects of this proposed legislation, it clearly could create new risks to vulnerable communities through bypassing the critical CEQA process, including public and agency review and comment, and most importantly, the procedural mandates to either mitigate impacts or provide transparent Statements of Overriding Considerations. Put simply, without CEQA review, projects could be approved per local ordinances governing land use and building forms, eliminating the crucial process of mitigating impacts on nearby residents and on new residents of the subject project (if applicable).

To further highlight the critical role that CEQA plays in protecting communities vulnerable to environmental injustice on-the-ground, two of the case studies presented in Chapter 4 of this report describe how this process ensures comprehensive evaluation and mitigation design, implementation, and ongoing monitoring.

¹⁰ IBID, pg. 3.



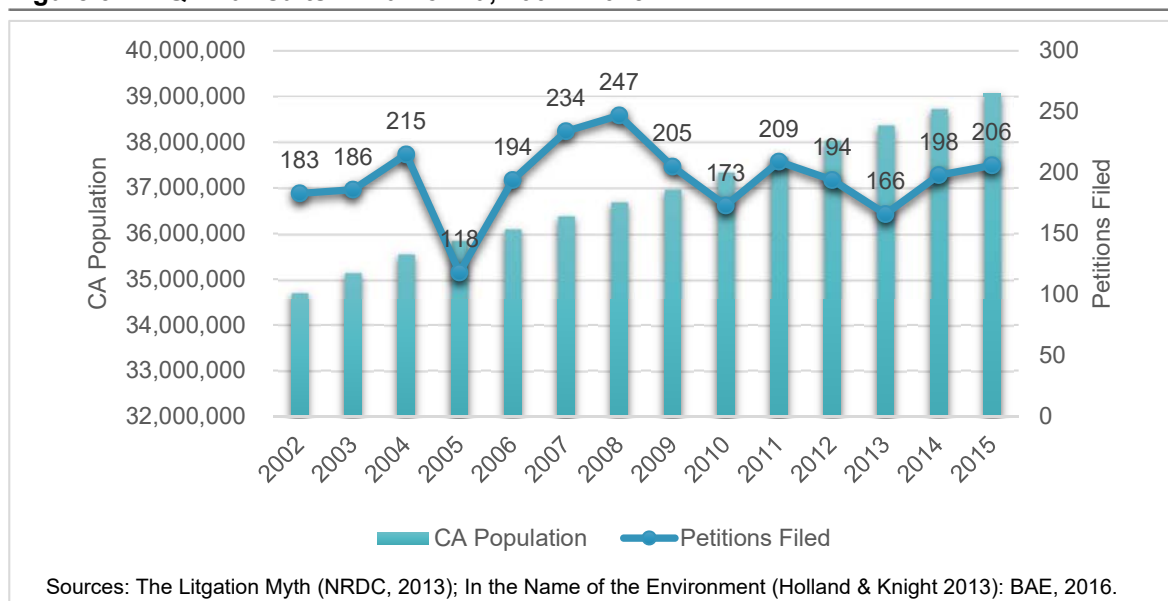
3: CEQA Litigation: Number and Rate of Lawsuits

CEQA is primarily a process-based statute, requiring that public agencies follow the proper steps to ensure transparent, responsible decisions causing limited environmental impacts. Over the course of its 45-year history, CEQA has assisted state and local governments in protecting California’s air, water, aesthetic, natural, scenic, and historic environmental resources. Recent studies, articles, and opinion pieces have suggested that CEQA litigation may be a major impediment to needed sustainable/infill development, affordable housing production, or infrastructure projects. This chapter summarizes prior research on this topic, and takes a fresh look at the actual frequency of legal action under CEQA against developments defined as “projects” by the statute.

Number of CEQA Lawsuits 2002 - 2015

The actual number of lawsuits (i.e., “petitions”) is surprisingly low, averaging 195 petitions statewide per year since 2002.¹¹ From 183 petitions in 2002, to 206 petitions in 2015, litigation has slightly fluctuated, but there is no trend of dramatic increases. Fluctuations year to year do not trend with population growth (a 12.5 percent increase for the period).

Figure 3: CEQA Lawsuits in California, 2002 - 2015



¹¹ Data compiled from “The Litigation Myth,” David Petit and Tom Adams, NRDC, 2013; *In the Name of the Environment*, Holland & Knight, 2013; and BAE for this study, 2016.

Estimated Statewide CEQA Litigation Rates for 2013-2015

Literature Review

A review of published studies on litigation rates related to CEQA projects identified three empirical studies analyzing the CEQA litigation rate¹²:

- In 1991, an extensive survey, “CEQA and Planning Practice,” was mailed to planning directors in California’s 455 cities and 58 counties. Jurisdictions were asked to provide data on CEQA activity, and to share their opinions. Based on a 70.6 percent response rate, the survey found that only one lawsuit was filed for every 354 CEQA projects, resulting in a litigation rate of 0.3 percent (including exemptions).¹³
- In 2005, the Governor’s Office of Planning and Research published an Annual Planning Survey that reported on the volume of litigation based on a survey sent to local governments. The findings were similar to the 1991 study. Of the 130 responding jurisdictions, 55 percent reported at least one lawsuit in the preceding five years (72 jurisdictions), 23 percent reported only one lawsuit in the same time period, while the remaining 22 percent reported more than one.¹⁴
- In 2012, the California Attorney General published a report analyzing the CEQA litigation rate for projects in San Francisco. The study analyzed all CEQA projects for an 18-month period from July 2010 through December 2011, compared to the number of litigated cases. The study found that the CEQA litigation rate was 0.3 percent including exemptions.¹⁵

This report analyzes the statewide litigation rate to reflect current trends, using a different methodology than prior studies.

CEQA Lawsuits

Public Resources Code section 21167.7 requires that every party filing a CEQA lawsuit must submit a copy of the document that commences the CEQA litigation – typically, a petition for writ of mandate – to the Attorney General. For the purposes of this study, the Office of the

¹²It is important to note that a recent study asserting widespread CEQA litigation abuse (Hernandez et al., 2015) analyzed the number of petitions filed regarding CEQA compliance between 2010 and 2012, but did not compare this data to the universe of all CEQA projects. Thus, the notion that 576 lawsuits is “widespread abuse” is not supported, given empirical studies cited herein, and the estimates in this report about total CEQA projects and the low rate of litigation.

¹³ Cited in: Elisa Barbour and Michael Teitz, “CEQA Reform: Issues and Options.” April, 2005. PDF. See: http://166.78.142.23/content/pubs/op/OP_405EBOP.pdf

¹⁴ Governor’s Office of Planning and Research, “2005 Book of Lists,” pg. 74-86 (CEQA survey).

¹⁵ Office of the Attorney General, “Quantifying the Rate of Litigation Under the California Environmental Quality Act: A Case Study,” 2012.

Attorney General provided copies of all writs of mandate filed between 2013 and 2015 alleging CEQA violations. Each writ of mandate was reviewed and coded to determine the nature of the compliance challenge. Specifically, lawsuits challenging a CEQA exemption were separated from those challenging an EIR, Mitigated Negative Declaration, or Negative Declaration (collectively, “CEQA Review Document”). In addition, lawsuits claiming no environmental review, or alleging that a project had been reviewed inappropriately per prior EIRs or Mitigated Negative Declarations, were labeled as “other.”

The table below summarizes CEQA lawsuits filed for the three-year period between 2013 and 2015, categorized by type of lawsuit. A total of 570 writs of mandate were filed for CEQA lawsuits, of which 68 percent involved cases that challenged a CEQA Review Document. Another 17 percent of lawsuits challenged the Lead Agency’s determination that the project was exempt from CEQA, and just under 15 percent were categorized as “other”.

Table 2: CEQA Lawsuits in California, 2013 - 2015

<u>Lawsuit Categories:</u>	<u>2013</u>	<u>2014</u>	<u>2015</u>	<u>Total</u>	<u>Percent</u>
Lawsuits Related to Review Document	117	120	151	388	68.1%
Lawsuits Disputing Exemption Status	27	40	32	99	17.4%
Other Lawsuits (a)	<u>22</u>	<u>38</u>	<u>23</u>	83	14.6%
Total Lawsuits	166	198	206	570	100.0%

Based on data provided by the Office of the Attorney General on all writs of mandate filed

Methodology Note: In order to compare the litigated projects to the universe of projects subject to CEQA, all documents related to one project, such as primary and amended complaints, were indexed as one entry. Duplicates with the exact same document but separate identification numbers were also counted as one entry.

See Appendix B for details.

(a) Other lawsuits include projects that were challenged in court because no environmental review had been completed, or because the lead agency inappropriately relied on a previous EIR/MND.

Sources: Office of the Attorney General; BAE, 2016.

In order to estimate how these lawsuits related to all CEQA actions statewide, an analysis of CEQA actions was undertaken for this study. The Governor’s Office of Planning and Research compiles data on CEQA activity submitted to the State Clearinghouse. However, the database, known as CEQA Net, does not represent all projects processed pursuant to CEQA because filings are required only for projects where a State agency is a Lead, Responsible or Trustee Agency, or where the “project is of sufficient statewide, regional, or area-wide environmental significance” (California Public Resources Code § 21082.1). Local reviews that do not require state agency comments are not required to be submitted to the Clearinghouse.

Thus, while CEQA Net is a starting point for estimating the universe of all CEQA projects in California, the lack of comprehensive reporting to CEQA Net required an adjustment in the analysis. To adjust for cases not reported to the State Clearinghouse, 15 cities and counties across the state were contacted as part of this study to request CEQA review data. Five jurisdictions, including the City of San Francisco, the City of Los Angeles, the City of Merced, the City of Modesto, and Butte County, representing a total of 13.4 percent of California’s population, were able to provide data.

Data was compared to the State Clearinghouse figures, and the proportion of all environmental review documents in those jurisdictions that were reported to the State Clearinghouse was calculated. The statewide data was then adjusted proportionately to reflect the calculated under-reporting to CEQA Net of Negative Declarations, Mitigated Negative Declarations, and EIRs. This proportional adjustment yielded an estimate of total projects undergoing CEQA review statewide (see Appendix A for details). ¹⁶

Estimated Rate of CEQA Litigation in California

The CEQA litigation rate was calculated as all court filings challenging CEQA review documents divided by the estimated total projects with CEQA review documents (i.e., EIRs, Mitigated Negative Declarations, Negative Declarations).

Table 3: Litigation Rate, California, 2013 - 2015

	<u>2013</u>	<u>2014</u>	<u>2015</u>	<u>Total</u>
Lawsuits Related to Review Document (a)	117	120	151	388
Total CEQA Reviewed Projects (b)	18,806	18,609	17,311	54,726
Litigation Rate	0.62%	0.64%	0.87%	0.71%

Notes: In order to compare the litigated projects to the universe of projects subject to CEQA, all documents related to the same project, such as primary and amended complaints, were indexed as one entry.

Duplicates with the exact same document but separate identification numbers were also counted as one entry.

a) Includes only lawsuits related to Negative Declarations, Mitigated Negative Declarations, and EIRs

Does not include lawsuits related to exemptions or "other" such as when challenged in court due to no environmental review or inappropriate reliance on prior EIR/MND.

b) BAE estimate of all CEQA projects in this category. See Appendix A for details.

Sources: Office of the Attorney General; Governor’s Office of Planning and Research; BAE, 2016.

¹⁶ The analysis also sought to analyze the volume of exemptions, but jurisdictions providing their data did not reliably track exemptions other than San Francisco; thus, a proportional adjustment to CEQA Net’s greatly under-reported exemptions volume could not be reliably made. Note that the Attorney General’s study of San Francisco litigation rates (2012) did include exemptions, since San Francisco tracks this data reliably.

These findings challenge the notion that CEQA has caused a flood of litigation. Contrary to assertions made by some in the popular press, CEQA litigation rates are very low. As the above table illustrates, in the cases of CEQA projects for which an environmental review document was prepared (e.g., Negative Declaration, Mitigated Negative Declaration, or EIR), the litigation rate is 0.7 percent for the past three years. In short, CEQA has not brought a flood of litigation. Less than 1 percent of projects that were not initially determined to be exempt by the Lead Agency were the subject of a lawsuit.

The above analysis did not consider more detailed information on the size, scale, or details of each project throughout California, or compare these factors to those projects for which legal action was taken. Additional analysis could be undertaken to consider the size and scale of the projects litigated, litigation outcomes, and the ultimate effects of litigation on projects.

This kind of analysis would be meaningful, however, only if compared to the universe of all CEQA projects, so that rates of comparable situations are calculated. For example, one recent study of CEQA litigation (*In the Name of the Environment*, Holland & Knight, 2015) did not estimate the universe of all CEQA projects receiving environmental review. Instead, that study analyzed the 576 lawsuits filed during an earlier period in California, covering 2010 – 2012, without providing any overall context. Thus, many of the findings of the Holland & Knight study are misleading to the extent they suggest that almost all CEQA projects become the subject of litigation. Moreover, the study suggested that, once litigated, a project is abandoned most of the time, an undocumented conclusion (see next chapter for examples).

In limiting its universe to CEQA projects that gave rise to lawsuits and failing to acknowledge how rare CEQA litigation actually is, the Holland & Knight study paints a misleading picture about CEQA litigation “abuse.” Given the vast number of CEQA projects in California that go unchallenged, the facts on the ground simply do not support a conclusion of abuse. The number of CEQA cases has remained relatively steady since 2002, despite California’s population growth. Earlier studies of CEQA litigation rates, as well as this report, show that litigation is rare.

Moreover, in claiming that litigation leads to abandoned projects, the Holland & Knight study overlooks the fundamental fact that CEQA challenges focus on procedural flaws and not the substance of projects themselves. In a CEQA suit, the court can only review the facts and environmental analysis to determine lawful CEQA compliance, not make discretionary determinations to upend the purposes of the project or stop it forever. In short, critics who seek to reduce the number of CEQA lawsuits to combat “abuse” appear to have endorsed a solution that is in search of a problem.



4: Direct and Indirect Costs of CEQA

CEQA brings transparency to the project approval process, results in mitigation measures that protect the environment and public health, spurs improvements in projects, and closely integrates planning and policy decisions in ways that benefit California in the long run. The intangible nature of these benefits makes them difficult to quantify from a financial standpoint (including public health benefits that create cost savings in the health care sector), but Californians have long benefitted from the prudent decision-making resulting from these processes.

Despite CEQA's value-adding purpose, one of the primary criticisms of CEQA implementation has been the direct cost of preparing EIRs, especially for privately-sponsored development projects. In addition, due to the public review and comment process, as well as the possibility of litigation, some critics object to the indirect costs of resulting time delays, which they believe can severely constrain the construction of much-needed projects including affordable housing, infrastructure projects, transit, and renewable energy. Still others assert that CEQA slows down economic growth and impinges on the state's ability to develop sustainably.

This chapter reviews the available empirical literature regarding both direct costs to individual projects arising from CEQA compliance, as well as indirect costs from time delays. The chapter then profiles four projects of various scales that were not litigated, to provide examples of direct cost ranges relative to total development costs. In addition, one litigated case study is reviewed to provide a timeline of "worst case" scenarios. The next chapter examines key economic and sustainable development metrics to further explore the cumulative effects of California's environmental framework.

The five case studies illustrate how the costs imposed by CEQA have resulted in fundamental changes in the way public decisions are made in California to ensure environmental protection. CEQA demands that public agencies specifically identify all of a project's potentially significant impacts. It incorporates members of the public into this process by allowing them to comment on the environmental analysis and to identify any omissions or deficiencies. The public agency then must specifically respond to those comments, and the result often is the imposition of measures to mitigate the identified impacts. And if an agency resists meeting its CEQA responsibilities, members of the public can ask a court to correct that error. In short, before CEQA, public agencies could – and did – simply ignore important environmental problems. As demonstrated by the case studies, the process that CEQA establishes prevents that situation from occurring.

The case studies also reveal a second important purpose of CEQA: giving voice to environmental justice concerns. National studies have documented how governmental land use decisions can impose environmental risks on the most vulnerable members of society. CEQA ensures that these members will now have a procedural means to oppose the imposition of those risks and to help ensure environmental justice. In short, the case studies show that CEQA's costs result in important environmental and public health benefits.

Literature Review

This section summarizes key findings from existing literature regarding the effect on individual projects of costs and time delays from CEQA compliance. It is important to note that the overall findings from the handful of studies on this topic are inconclusive and, in some cases, speculative.

California's High Housing Costs – Causes and Consequences (Legislative Analyst's Office, 2015 ¹⁷)

This report, prepared by the Legislative Analyst's Office (LAO), analyzes the amount of housing production in California between 1980 and 2010, and posits that increasing market rate housing production is a key solution to California's affordability crisis. The report divides California into "coastal" and "inland" areas, and compares major metropolitan counties to less populated areas. The analysis describes a number of factors that can negatively affect housing production, including high land and construction costs, low density zoning, community resistance to new housing projects, building and safety codes, local design review, and ballot initiatives. Supporting documentation for these factors and their impacts on housing production are not fully provided, however.

The report also suggests that the CEQA environmental review process can be a tool for resisting development projects. For example, based on a review of CEQA documents for the state's 10 largest metropolitan areas (which the report does not list), the report asserts that housing projects requiring EIRs took an average of 2.5 years to complete in the 2004–2013 period. However, this finding is not compared to other projects which did not undergo EIRs, even though these projects may have faced similar approval periods due to design review, project refinements, local ballot initiatives, or economic downturns.

¹⁷ California Legislative Analyst's Office, "California's High Housing Costs – Causes and Consequences." March 2015. PDF. See: <http://www.lao.ca.gov/reports/2015/finance/housing-costs/housing-costs.pdf> Page 10.

The report concludes that the shortfall in California's housing product since 1980 is partially responsible for the rapid price increases in state housing prices since that time, and estimates that approximately 70,000 to 110,000 additional housing units would have been needed in California, per year between 1980 and 2010, to limit California's median house price increase to the national rate. Coastal metropolitan counties would have needed to build three times as much housing as actually occurred.

The report, while underscoring the critical need for more housing production in California, does not address the logistics of absorbing all of the additional household growth. If California's coastal cities had built the number of new units estimated by LAO to moderate prices, these areas would have needed even higher levels of public investment in new physical infrastructure to support the new residents, including roads, transit, schools, and other public services. The report also does not address the lack of affordability that would still occur even if more market rate housing had been produced. Miriam Zuk and Karen Chapple from the Berkeley Institute of Governmental Studies, a research institute at U.C. Berkeley, recently rebutted LAO's approach, concluding that increased production of market rate housing is far less effective at producing affordable housing than directly subsidizing such housing.¹⁸ Additional discussion of the Zuk/Chapple article is included in this report's Chapter 5.

Affordable Housing Cost Study (California Department of Housing and Community Development, 2014¹⁹)

The *Affordable Housing Cost Study* employs a regression analysis to model project characteristics potentially influencing development costs in 400 newly-constructed affordable multifamily projects in California that received either 4 or 9 percent Low Income Housing Tax Credits (LIHTCs) between 2001 and 2011. The report presents the major components of total development cost (excluding land cost) across the 400 affordable development projects analyzed. In descending order of magnitude, the largest cost category was construction (69 percent). Other sources of development cost include demolition and site preparation (eight percent); development fees (seven percent)²⁰; permits and development impact fees (six percent); architect, engineering, and site surveys (four percent), acquisition costs (one

¹⁸ Miriam Zuk, PhD., and Karen Chapple, PhD., "Housing Production, Filtering, and Displacement: Untangling the Relationships." Berkeley Institute of Governmental Studies. 2016. PDF. See: http://www.urbandisplacement.org/sites/default/files/images/udp_research_brief_052316.pdf.

¹⁹ California Department of Housing and Community Development, "Affordable Housing Cost Study." October 2014. PDF. See: <http://www.hcd.ca.gov/housing-policy-development/docs/finalaffordablehousingcoststudyreport-with-coverv2.pdf>. Page 25.

²⁰ Development fees are allowable charges to affordable projects similar to financial return (e.g., profit) in for-profit market-rate housing. Developer fees recover costs of affordable housing developers' project management and overhead as a business entity.

percent), offsite improvements (one percent) and “other costs” (four percent).

The study did not identify CEQA compliance costs, so the issue of CEQA’s effect on development costs cannot be discerned. Indeed, few of the projects included in the study identified an EIR as part of their project. Information pertaining to the type of CEQA review required of a project was collected through a Developer Survey, which generated 330 usable responses. Just 31 responses (9 percent of all projects surveyed) stated that an EIR had been prepared or was anticipated.

*CEQA Reform: Issues and Options (Barbour and Teitz, 2005)*²¹

Barbour and Teitz’s 2005 discussion of CEQA reform refutes assertions about the burdensome frequency of EIRs and litigation of residential development projects. Although this study was prepared in 2005, it relied on earlier research from the 1990’s for some of its findings. According to Barbour and Teitz’s analysis, the median cost for an EIR in 1990 was \$47,333, which is equivalent to \$86,648 in 2016 dollars (using national inflation rates provided by the Bureau of Labor Statistics). However, there was substantial variation in the cost of EIRs according to the cited data. The authors explain that in 1990, 10 percent of EIRs exceeded a price of \$125,000 (equivalent to \$228,827 in 2016 dollars.) An evaluation of CEQA processes in 1990 found that development applicants funded a majority (86.7 percent) of EIR costs.²²

Case Studies: Costs of CEQA Compliance

To provide a better understanding of contemporary environmental review costs and the procedural and other improvements supported by the process, this section profiles five examples of CEQA projects that have undergone full EIR analysis. The case studies were originally selected in proportion to the number of non-litigated and litigated CEQA projects; however, since the CEQA litigation rate is so low, as described above, the final selection of examples was constructed so that 80 percent are non-litigated, and 20 percent (1 out of 5) is a major litigation case. These projects were not selected to represent “best case” scenarios; instead, the goal was to go beyond the headlines to describe specific project situations, the range of in-depth EIR processes, and the actual costs of environmental review.

²¹ Elisa Barbour and Michael Teitz, “CEQA Reform: Issues and Options.” April, 2005. PDF. See: http://166.78.142.23/content/pubs/op/OP_405EBOP.pdf

²² Robert Olshansky, “Evaluation of the California Environmental Quality Act.” 1996. Environmental Management Vol. 20, No. 1, pp. 11-23.

The examples were selected by interviewing environmental consultants actively preparing EIRs throughout the state, in order to identify a range of non-litigated projects in the categories of affordable housing, transportation, energy; and complex specific plans involving program and project review. Efforts were also made to distribute the locations of these four non-litigated projects throughout the state. For the litigated project, a major infrastructure project is profiled, to illustrate the extensive analysis and review process (including two EIRs), the litigants' environmental justice concerns, and the court findings. For each profile, interviews were conducted with staff of the lead agency, and relevant documents, including EIRs and press articles, and court filings, were reviewed.

Miraflores Senior Affordable Housing Project, Richmond, CA

Total Environmental Review Period:	29 months
Environmental Review Cost:	\$300,000
Total Project Cost:	\$110 million (estimated by BAE)
Env. Review as % of Total Cost:	0.3%



In 2006, the former City of Richmond Community Redevelopment Agency acquired three unique properties comprising a 14-acre site located adjacent to I-80 and about ½-mile from the El Cerrito del Norte BART station. The agency, planning to redevelop the site into a mix of affordable senior housing and market rate units, entered into an agreement with Eden Housing, a Bay Area non-profit affordable housing developer.

Dubbed Miraflores, the site was named after the flower nurseries owned by several Japanese-American families on the site from the early 20th Century until about 2003, when operations ceased.

By 2007, the Agency had prepared a full housing development program and site plan, and in April of that year hosted a series of charrettes to prepare for CEQA review. During this community consultation, the significance of the site to California's pre-WWII Japanese culture, and the eligibility of portions of the site for the National and California Registers of Historic Places, were identified and discussed.

CEQA Process

The City issued a Notice of Preparation (NOP) of the *Miraflores Concept Plan* Draft EIR on August 27, 2007. The proposed Plan included 85 to 105 single-family homes and 70-90 multi-family homes. Distribution of the NOP was followed by two scoping meetings and required public review. According to City staff, a group of key public concerns emerged from this process, including the perceived lack of effective historic preservation strategies, low air quality adjacent Interstate 80, potential impacts to the neighboring Richmond Greenway park project, and the potential presence of toxins on the site due to past uses and health dangers to the most vulnerable of residents — low-income seniors.

Informed by these issues, the environmental review process incorporated several special studies, including measurements of air quality under varying weather and traffic conditions (for the adjacent freeway), site investigations to determine the presence of toxic substances, approval of a site remediation plan to mitigate these substances for residential development, and a mitigation plan to preserve cultural and historic resources associated with the site. These special studies and plans transpired over a two-year period, with substantial community involvement and technical work. In 2009, the *Miraflores Housing Development Draft EIR* was published; the proposed project now balanced the City's main objective of developing a mix of affordable housing with the environmental concerns highlighted above. It included 226 market rate and 110 affordable units, and committed to rehabilitating historic structures according to Secretary of the Interior Standards. It also included a comprehensive site clean-up (Remedial Action Plan) to be led by the Department of Toxic Substances Control (DTSC).

The Richmond City Council certified the Final EIR in December, 2009. Based on input and comments from numerous state and local agencies, nonprofits, elected officials and private citizens, the Final EIR included strategies to mitigate air quality, geology, water quality, and noise impacts to less-than-significant level. It also included a plan to retain additional historic structures and document all other buildings using archival quality photography and records reproduction. Finally, new sustainability features were added to the design of the project, and the site clean-up process was refined.

Outcomes

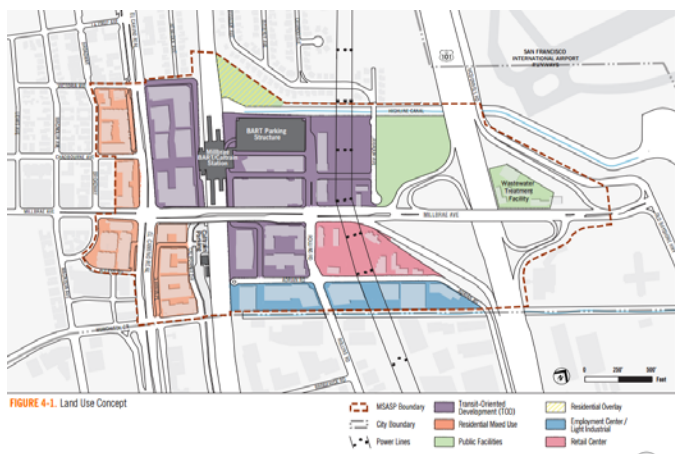
According to City staff, the Miraflores EIR process highlighted what can be considered both a benefit and a challenge of CEQA. The rigorous public review process inevitably attracts experts in various fields and those with specialized knowledge of, or a stake in, the proposed site. They stress that this demands a thorough pre-CEQA due diligence process, both to refine the proposed project, reduce delays due to unforeseen conditions, and set the stage for a more effective, informed, and streamlined public dialogue.

As is the case with environmental review of most larger projects, the Miraflores CEQA process was a multi-year effort that cost the City over \$300,000. Yet CEQA did not halt the development process; it instead facilitated the integration of a much-needed affordable housing project into a site with both locational benefits and cultural/environmental constraints.

The CEQA process also helped ensure that affordable housing is developed in a way that does not compromise the health and safety of an already vulnerable population. During the CEQA process, toxic chemicals in soil and groundwater were discovered at the site. The resulting remediation of the site began in March of 2011, based on the plan established in the EIR. This remediation included removing 2,300 cubic yards of lead-affected soil and replacing it with clean material. Importantly, the environmental review process for this project ensured that low-income senior residents were protected from exposure to dangerous toxics, and afforded healthy, safe housing. The City has since permitted 80 affordable senior apartment rental units, all of which have been funded—a difficult feat for a post-redevelopment, post great-recession project. Moreover, the State’s Affordable Housing and Sustainable Communities Program awarded developer Eden Housing over \$5 million for Miraflores in 2015. Boosted by these State funds, construction of the project is set to begin in November 2016. Accordingly, far from hindering the project, CEQA improved it by involving the public and daylighting serious problems early on, when solutions could be crafted in the most efficient manner.

Millbrae Station Area Specific Plan Update, Millbrae, CA

Total Environmental Review Period:	13 months
Environmental Review Cost:	\$300,000
Total Project Cost:	\$1.2 billion at buildout (estimated by BAE)
Env. Review % of Total Project Cost:	0.025% of buildout



The San Francisco Peninsula City of Millbrae completed its Millbrae Station Area Specific Plan (MSASP) in 1998. This long-term policy document established a land use vision and development standards for the area around a recently approved transit station which opened in 2003, as part of the Bay Area Rapid Transit (BART) extension to San Francisco International Airport. The Millbrae

Station provides a seamless hub for two commuter rail lines, a regional passenger bus operator, numerous private shuttles, and future High Speed Rail service.

In early 2014, confronting changing market conditions and new development demands, the City embarked upon a major update to the MSASP. The goal was a policy framework for an economically vibrant and diverse transit-oriented development (TOD) area, with land use, urban design, and circulation policies to guide investment in the 116-acre Plan Area over 25 years. The Plan was updated concurrently with CEQA review, a streamlining effort that allowed the City to complete, certify and approve the Specific Plan Update and certify the EIR in just 1.5 years (including 13 months for the EIR process).

CEQA Process

A Notice of Preparation (NOP) of the *MSASP Update EIR* was issued in September of 2014. The project described in the NOP was unique in that it included the Specific Plan Update itself, as well as two site-specific TOD projects consistent with the development standards proposed in the Specific Plan Update. In this way, the City was able to assess the long-term impacts of a major policy program, as well as the separate, individual impacts of two mixed-use development projects in the Plan Area.

The Draft EIR was issued in June, 2015. It identified a range of significant environmental impacts, some considered unavoidable and others reduced to insignificant levels via

mitigation. As an example of the former, it was found that construction activities associated with future development under the proposed Plan could expose sensitive populations to toxic air contaminants. Because of the quantity of potential development and the number of sensitive sites (schools, homes, etc.) in the Plan Area, this impact was deemed at least partially unavoidable. Regardless, the EIR included the mandate that no applicant for development within 1,000 feet of a sensitive land use shall receive City approval before submitting a construction health risk assessment. Additionally, it was found that the first TOD Project could adversely affect historic resources at two specific properties, but that rehabilitation of those resources in accordance with federal standards would reduce the impact to a less-than-significant level. The Draft EIR also included measures to reduce impacts related to, among other things, active birds' nests, rare bats, local roadways and intersections, seismic structural safety, and railway vibration.

Fourteen public agencies, from the California High Speed Rail Authority to the San Mateo County Health System, submitted written comments on Draft EIR. The Final EIR, issued in October of 2015, included a series of significant changes to the Specific Plan Update. These were centered on increasing the local benefits of the Plan, and they included changing the "Office" land use designation to "Employment Center/Light Industrial" in order to expand opportunities for economic generators to include the high tech and research sectors. The revised plan also simplified the permitting process for residential units in the Plan Area, while density regulations were tightened with the incorporation of floor-area-ratio (FAR) minimums into the Plan's Development Standards. In addition, the Final Plan included a provision for increased allowable FAR if community benefits, such as affordable housing and public spaces, are provided.

Outcomes

As is common following CEQA review, the MSASP Update was approved by the City Council despite a series of what were deemed significant and unavoidable impacts, in this case related to air quality, land use and planning, transportation and circulation, and water supply. This result is not surprising given that the Final Millbrae Station Area Specific Plan, completed in February of 2016, facilitates major increases in the intensity and diversity of land use that will transform the Plan Area into an active district. It provides for a net increase in employment generating space of 1.6 million square feet, as well as 180,000 additional square feet of retail space, 1,440 additional housing units and 324 hotel rooms.

The MSASP effort reveals that developing a policy program alongside the CEQA process is an effective way to integrate public feedback and tailor the Plan, while simultaneously integrating and adjusting Plan components to respond to identified impacts; this approach optimizes

efficiency of both processes and can minimize expenditures (e.g., if the Plan were subsequently analyzed for environmental impacts, the Plan would need to then be further adjusted). Although the environmental review process cost the City just under \$300,000 (which may be recovered later from project sponsors), the Specific Plan described in the certified EIR is consistent with the safety regulations of nearby SFO, includes policies to ensure a level of affordable housing consistent with the City's Housing Element, and promotes projects that bring community benefits to the area, among other benefits. Thanks in part to the EIR process for the Specific Plan, the Plan is a forward-thinking document that promotes interagency collaboration and the streamlined environmental review of future individual projects.

Anaheim Regional Intermodal Transportation Center, Anaheim, CA

Total Environmental Review Period:	10 months
Cost of Environmental Review:	\$1 million
Total Project Cost:	\$185 million
Env. Review as % Total Project Cost:	0.5%



Credit: Wikipedia

In 1992, the City of Anaheim began developing a vision for an iconic, multimodal transportation hub to accommodate the region's rapid growth trajectory. The City eventually partnered with the Orange County Transportation Agency (OCTA) to plan for the new facility, which would involve relocating the existing Anaheim Metrolink/Amtrak Station to a nearby County-owned site. OCTA acquired the property from the County in 2006.

About four years later, the planning and design of the Anaheim Regional Transportation Intermodal Center, dubbed ARTIC, was complete. The proposed 19-acre station would be a modern transportation hub for Amtrak & Metrolink trains, public and private

bus services, and California's future High Speed Rail system, as well as shuttles, taxis and bikes serving daily commuters, visitors, and leisure travelers. The entire CEQA review process for ARTIC lasted just 10 months, followed by the start of construction about two years later, in 2012.

CEQA Process

The City issued a Notice of Preparation of the ARTIC Environmental Impact Report in February of 2010. The Draft EIR was released six months later, in July of 2010. The proposed facility assessed in the document was indeed an iconic transit center, with a three-story, 310,000 square-foot intermodal terminal, as well as a public plaza, a 12,000 square-foot pavilion, and 86,000 square feet of tracks and platforms.

The proposed project was found to have a relatively restricted environmental footprint, with no significant impacts in the areas of land use, geology, utilities, aesthetics, climate change, agricultural resources, mineral resources, recreation, public services or population and housing. Not surprising given its size, the construction process was identified as responsible for many of the project's adverse effects, including impacts related to air quality, noise, hazardous materials and cultural resources. However, the EIR detailed a series of largely proven measures to mitigate all of these construction impacts. In the case of air quality, nitrous oxide emissions were reduced by requiring strategic grading and excavation plans to minimize truck trips, verifying that all construction equipment complies with U.S. EPA emissions standards, and limiting use of diesel and gas-powered generators.

The ongoing operation of ARTIC was found to have few, but in some cases unavoidable, adverse effects. Most notably, the EIR concluded that increased traffic would significantly impact numerous nearby State Route ramps and segments. Although various surface improvements such as lane additions were established as mitigation, these were all deemed infeasible due to the City's lack of jurisdiction over California Department of Transportation (Caltrans) right of way. As such, the impacts were labeled unavoidable.

The Final EIR, with revisions reflecting the comments of seven public agencies and 21 other interested parties, was certified by the Anaheim City Council in October, 2010. The final cost of CEQA review was about \$1 million.

The ARTIC CEQA process demonstrates the role of CEQA in prompting a critical review of the benefits and liabilities of projects. Following certification of the EIR, the City issued a "Statement of Overriding Considerations" concluding that ARTIC's unavoidable traffic impacts would be outweighed by its overall benefits. Among those benefits, ARTIC would provide a

much-needed multimodal hub for a regional population expected to increase 24 percent over 30 years, replace an aging station with physical and structural limitations to expansion, create new jobs, and fulfill all of the City and OCTA's original objectives.

Construction of ARTIC began two years after CEQA review, a gap due to the review process required under national environmental law. Its grand opening in December of 2014 marked the beginning of a landmark run of accolades: In 2015, the \$190 million facility was named a Public Works Project of the Year by the American Public Works Association, and in 2016, it was awarded a Governor's Environmental and Economic Leadership Award by the California Environmental Protection Agency.

Abengoa Mojave Solar Project, San Bernardino County, CA

Total Environmental Review Period:	13 months
Cost of Environmental Review:	Conducted by state agency
Total Project Cost:	\$1.6 billion
Env. Review as % Total Project Cost:	NA



In August of 2009, Mojave Solar LLC, a wholly owned subsidiary of Abengoa Solar Inc., filed an Application for Certification with the California Energy Commission (CEC) for the Abengoa Mojave Solar (AMS) Project. The application described a 250-megawatt (MW) solar electric generating facility comprising 1,765 acres in unincorporated San Bernardino County, California. The

project's total cost was estimated at \$1.6 billion. The project, now built, includes a solar field covering nearly two square miles of former alfalfa fields with 2,200 mirrored parabolic trough collectors. These collectors concentrate the sun's energy onto receiver tubes, which then deliver the heat to two 140-MW steam turbine generators. The Plant will generate about 617,000 MWh of power annually, enough to power 88,000 households and prevent the emission of 430 kilotons of carbon dioxide a year.

CEQA Process

Under California law, the CEC is designated the Lead Agency for the siting of all power plants and has licensing authority for all thermal plants with a capacity of 50 megawatts and larger. A certified regulatory program under CEQA exempts the CEC from having to prepare a traditional EIR for such projects. It requires environmental review in the form of a CEC Staff Assessment (SA), which includes analyses of alternatives and mitigation measures, as well as the CEC's conclusions and recommendations.

The CEC's expedited CEQA program facilitated the rapid funding and construction of a major, low-impact solar project. In order to receive 2009 American Recovery and Reinvestment Act (ARRA) dollars, the certification of the AMS project was required to meet a tight deadline. The CEC was able to issue the AMS Staff Assessment in just six months following project application, in March of 2010.

The Staff Assessment contains, as explained in the document, "analyses similar to those normally contained in an Environmental Impact Report (EIR) required by the California Environmental Quality Act." The CEC's SA also considers social justice-related impacts to minority and below poverty level populations.

The SA concluded that the AMS project would not cause any significant adverse impacts that could not be mitigated. However, additional analysis was deemed necessary to substantiate conclusions related to air quality, biological resources, soil and water resources, transmission system engineering, and waste management. These gaps, in addition to comments received during the 30-day SA public review period, prompted the completion of a three-part Supplemental Staff Assessment (SSA), released in May and June of 2010. These documents established mitigation measures and rigorous Conditions of Certification for all environmental topic areas. For example, in order to assure worker safety and fire protection for a fire-prone project set in harsh desert conditions, the SA requires a Project Construction Safety and Health Program, and a Project Operations and Maintenance Safety and Health Program, both to be reviewed by appropriate agencies and verified for compliance with applicable laws and regulations. Similarly, because the site is adjacent a designated Area of Critical Environmental Concern and surrounded by known populations of endangered, threatened, or protected species, the SE outlines a host of measures to mitigate impacts to biological resources. These range from using a conservation easement to protect and manage at least 118 acres of high quality habitat in perpetuity, to requiring inspection and cleaning of construction equipment to prohibit the spread of noxious weeds.

The CEC formally approved Mojave Solar LLC's Application for Certification in September of 2010, just over one year following receipt of that application. The environmental review process cost is not available because it was conducted primarily by staff of the CEC. However, our review of the documents indicates that the scope and level of analysis are in line with projects of comparable size.

Outcomes

The Abengoa Mojave Solar Project Power Plant broke ground in August of 2011, and became operational on December 9, 2014, four years after its application to the CEC was approved. In keeping with the Conditions of Certification established in the CEC-led CEQA process, the project applicant has acquired and donated 218.2 acres of native desert land to the Transition Habitat Conservancy, creating the Lockhart Ecological Reserve and providing the funds necessary to manage and preserve it. The CEQA process was instrumental in ensuring that this large and important energy project incorporated these crucial environmental protection measures.

Southern California International Gateway Project (SCIG)

Total Environmental Review Period:	Ongoing
Cost of Environmental Review:	\$3.2 million (ongoing)
Total Project Cost:	\$500 million (projected)
Env. Review as % Total Project Cost:	0.6% (does not include lawsuit costs)



This project, which proposes to develop a \$500 million intermodal railyard to be used by both the Port of Los Angeles and the Port of Long Beach, involved a lengthy environmental review period, including a lawsuit filed under CEQA that, as of the publication of this document, has prevailed at the trial court level. This example illustrates how CEQA litigation

plays a crucial role in ensuring that important long-term environmental justice impacts are not ignored in the process of approving a large-scale, regional project. The example also highlights the crucial role CEQA plays in requiring consideration of environmental values, including the public health of our most vulnerable communities, for projects which otherwise have merit and/or are vital to economic prosperity.

The following describes the history of this project's environmental review process, based on court records.²³

CEQA Process

In October of 2005, the Port of Los Angeles filed a Notice of Preparation of an EIR for a \$500 million intermodal railyard to be located 17 miles closer to the Ports of LA and Long Beach than the existing yards to which trucks currently haul shipping containers. The Southern California International Gateway project (SCIG) was designed to handle the increasing volume of containers moving through the ports, while lowering costs, improving efficiency, and reducing greenhouse gas emissions associated with truck miles traveled. At the same time, the project would have significant environmental and health impacts on the adjacent low-income area of West Long Beach, and it would attain the reduced emissions only if the new project actually eliminated the need for drayage truck trips between the Port and another, more distant railyard.

The Draft EIR was released in September 2011 for a 132-day public review period; it should be noted that the delay in releasing the Draft EIR was primarily the result of economic and political factors unrelated to the preparation of the EIR.

The Draft EIR resulted in hundreds of comments from a wide variety of agencies and individuals who criticized the document's analysis of environmental issues, raising issues that, taken together, warranted preparation of a revised, updated Draft EIR for a second round of public review. The Recirculated Draft EIR, released one year later, updated the earlier analysis to incorporate baseline conditions, port demand forecasts, and updated air quality models. During a second 48-day period of public review and hearings, another 165 oral and written comments on the document were submitted. Those comments in large part focused on the Draft EIR's failure to adequately analyze the project's effects on disadvantaged communities, including low income areas, schools, and a large City of Long Beach facility providing services to the poor and homeless.

The Final EIR (FEIR) was issued in February, 2013. Although the project was deemed to promote region-wide air quality and climate change improvements, the FEIR identified a series of localized and construction-related aesthetic, cultural resource, air quality, land use and noise impacts, as well as cumulative greenhouse gas impacts. The Cities of Long Beach and Carson, the Long Beach Unified School District, the South Coast Air Quality Management

²³ "Opinion & Order on Petitions for Writ of Mandate," dated March 30, 2016, Contra Costa County Superior Court, Case No. CIV. MSN14-0300. Also "Judgment Granting Peremptory Writ of Mandate," dated July 26, 2016, Contra Costa County Superior Court, Case No. CIV. MSN14-0300.

District, and numerous environmental and community groups argued that the FEIR ignored important impacts on the surrounding community.

As stated by the former Long Beach Mayor Bob Foster at the Board of Harbor Commissioners hearing on the project, “This project proposes to take what is, essentially, a flat piece of land and activate it 24 hours a day, seven days a week with 8,200 or more truck trips every day, carrying, as you just heard, over 2 million containers...as close as 20 feet from homes... and in the immediate vicinity of four schools.”

The Los Angeles City Council subsequently rejected a series of appeals regarding the EIR’s sufficiency and approved the 50-year SCIG lease.

Litigation

After the City Council rejected the appeals, seven lawsuits were filed under CEQA in Los Angeles County Superior Court, challenging the approval of the SCIG project. Petitioners included the City of Long Beach, the Long Beach Unified School District, the South Coast Air Quality Management District, the Natural Resources Defense Council, East Yard Communities for Environmental Justice, the Coalition for a Safe Environment, and various other environmental groups, businesses, and individuals. The cases were later consolidated, and venue was changed to Contra Costa County Superior Court. Subsequently, the California Attorney General intervened as a petitioner in the case, joining the challenge to the adequacy of the EIR.

At the heart of the petitioners’ case was the argument that the analyses and mitigation of air quality, traffic, and noise impacts to the low-income West Long Beach neighborhood adjacent to the proposed project were inadequate. The Court accepted many of these challenges, finding, for example, that the Port failed to adequately analyze the project’s ambient air quality impacts. The Court noted that while the EIR showed that SCIG could produce significant concentrations of pollutants in the air, the EIR did not to quantify those concentrations by location, time period of occurrences, or duration, particularly with respect to residents living nearby. The Court concluded that the analysis did not provide sufficient information to foster reasoned public participation, and that mitigation measures proposed were insufficient.

Similarly, the Court accepted the petitioners’ claim that the noise analysis in the EIR was deficient and that. therefore, associated mitigation measures could not be deemed adequate. The Port of Los Angeles had performed an analysis of *average* noise impacts, but had failed to examine *maximum* noise impacts, the critical issue to those living near a large project that would operate 24 hours per day. In doing so, the Court explained, the EIR did not provide

enough evidence to support its claim that the noise threshold was exceeded at a very limited number of receptors, and at very limited times. Again, those residents who would be most sensitive to, and impacted by project noise, would not be well informed by the analysis that had been conducted. Critically, the Court also found insufficient evidence in the EIR to support the Port's quantification of and conclusions regarding GHG emissions, or its calculations of total truck trips on streets in local neighborhoods. Finally, the Court questioned the reduction in greenhouse gas emissions that would occur if the new, large SCIG railyard was opened up while the existing railyard in Los Angeles could continue to operate at full capacity. While the Court stressed the value of much of the analysis in the EIR, the petitioners prevailed in his extensive ruling.

Outcomes

In March 2016, the Contra Costa County Superior Court ruled that the SCIG EIR was inadequate in numerous respects, In July 2016, it ordered the City of LA and the Port to vacate all project approvals until impacts to surrounding disadvantaged neighborhoods, and cumulative impacts, are accurately assessed and mitigated. The trial court's decision has been appealed.

This example illustrates how a lawsuit initiated by public agencies and community groups can seek redress under CEQA, to ensure that environmental injustice impacts on low-income and other disadvantaged communities are not swept under the rug. Here, three public agencies—an air district, a school district, and a neighboring city—together with the Attorney General used CEQA affirmatively, to ensure that public harm posed by a large industrial project would be properly addressed. This case was particularly compelling because the affected community included low-income residents and seven schools, as well as a center serving veterans and the homeless. As a result of the court's ruling, the Port must now to specifically assess and identify mitigation for this project's air pollution and noise impacts on these members of the public; the project cannot move forward until the Court concludes that a proper environmental analysis has occurred. Importantly, there is no other statute in California that requires this sort of rigorous analysis of environmental justice issues.



5: California's Economic Prosperity & Sustainability

California is the 6th largest economy in the world, having recently expanded ahead of France, according to Bloomberg.com analysis (June 2016).²⁴ Yet, CEQA critics have charged that CEQA is constraining the State's economic growth. To evaluate this perspective, this chapter describes California's relative strength in job growth, household incomes, infill development, and affordable housing production. While the relationship between these positive economic metrics and CEQA is not necessarily causal, it is important to recognize such strengths as having occurred within California's rigorous environmental review framework. The metrics strongly rebut the claim that California cannot grow while complying with CEQA.

Literature Review

Occasionally, critics blame CEQA for declines in California's economic prosperity, yet there is no literature to support this assertion. The only study available that seeks to measure CEQA's effect on California's economy, a 2013 report by University of Utah professor Peter Philips, compared California's economic growth before and after passage of CEQA in 1970 to the nation overall. The report measured California's per capita Gross Domestic Product (GDP), housing production (relative to its population), manufacturing output, and construction activity before and after 1970 to gauge CEQA's impacts on economic prosperity. The study concluded:

“Comparing California before and after the 1970 passage of the California Environmental Quality Act (CEQA), and benchmarking against performance in the other 49 states, this study finds that 1) California per capita GDP, 2) California housing relative to population, 3) California manufacturing output and 4) California construction activity grew as fast or faster after the passage of CEQA.”²⁵

²⁴ <http://www.bloomberg.com/politics/articles/2016-06-14/california-overtakes-france-to-become-sixth-largest-economy>

²⁵ Dr. Peter Philips, “The Economic and Environmental Impact of the California Environmental Quality Act.” University of Utah Department of Economics Working Paper No. 2013-01 (March 2013). PDF. See: http://econ.utah.edu/research/publications/2013_01.pdf

Measures of Economic Prosperity

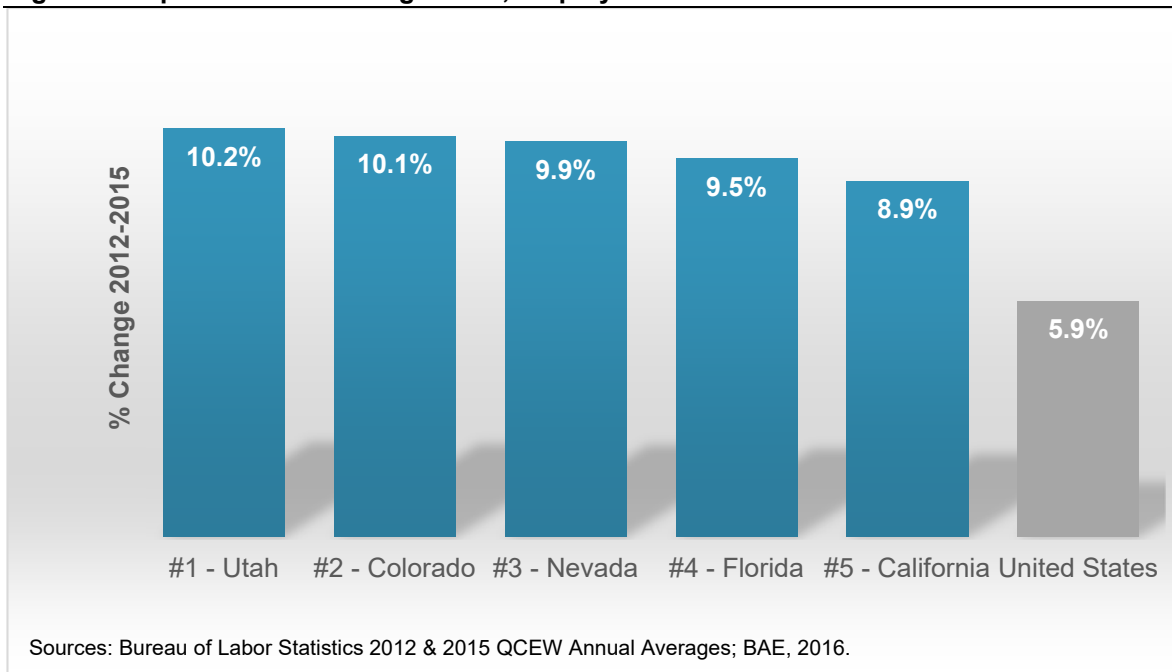
This section of the report follows a similar method as the above-cited Philips study, with metrics updated to reflect job growth, GDP, and median household income. Since contemporary calls for legislative reform cite current problems perceived to be caused by CEQA, our study relies on contemporary metrics to focus the analysis.

The following analysis does not directly ascertain causality (e.g., whether CEQA caused or did not cause a trend), due to the analytic difficulty of isolating CEQA and its effects from many other simultaneous federal and state laws and regulations governing open space, habitat, renewable energy, and related environmental initiatives being implemented throughout the state. Rather, this report takes a straightforward view that if California’s economic growth has been substantial during this period, with CEQA in place, then CEQA’s existence should not be “blamed” for economic conditions that do not exist. All data summarized here are shown in Appendix C.

Job Growth

Since recovering from the Great Recession, California has outpaced most other states in job growth. As shown below, California was the 5th fastest growing state in terms of job growth between 2012 and 2015, with an 8.9 percent increase. During this period, only Utah, Colorado, Nevada, and Florida grew more rapidly.

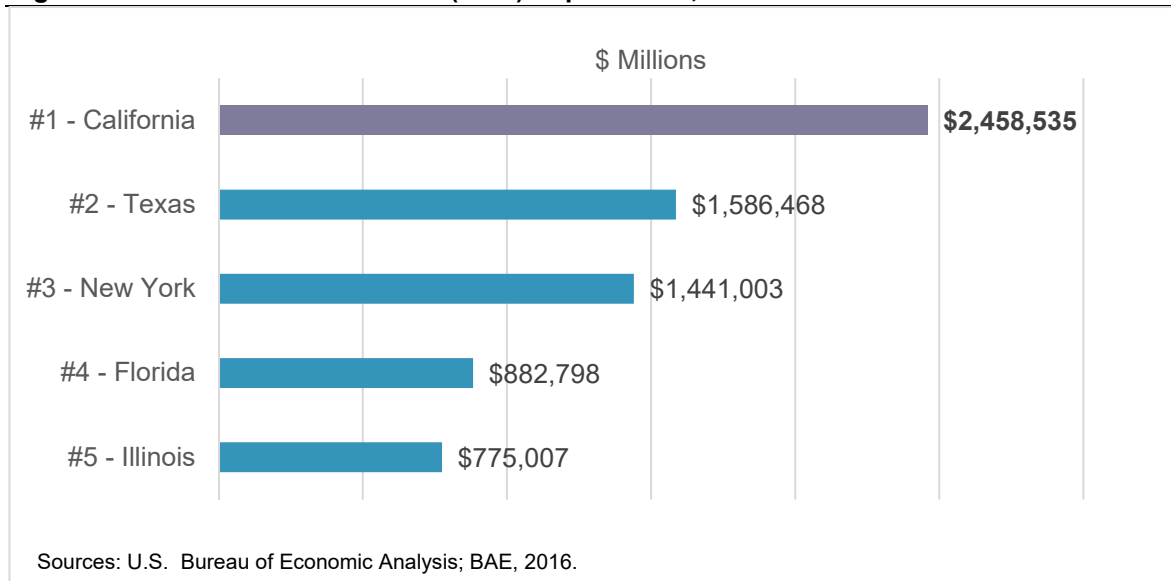
Figure 4: Top 5 Fastest Growing States, Employment 2012 - 2015



Gross Domestic Product (GDP)

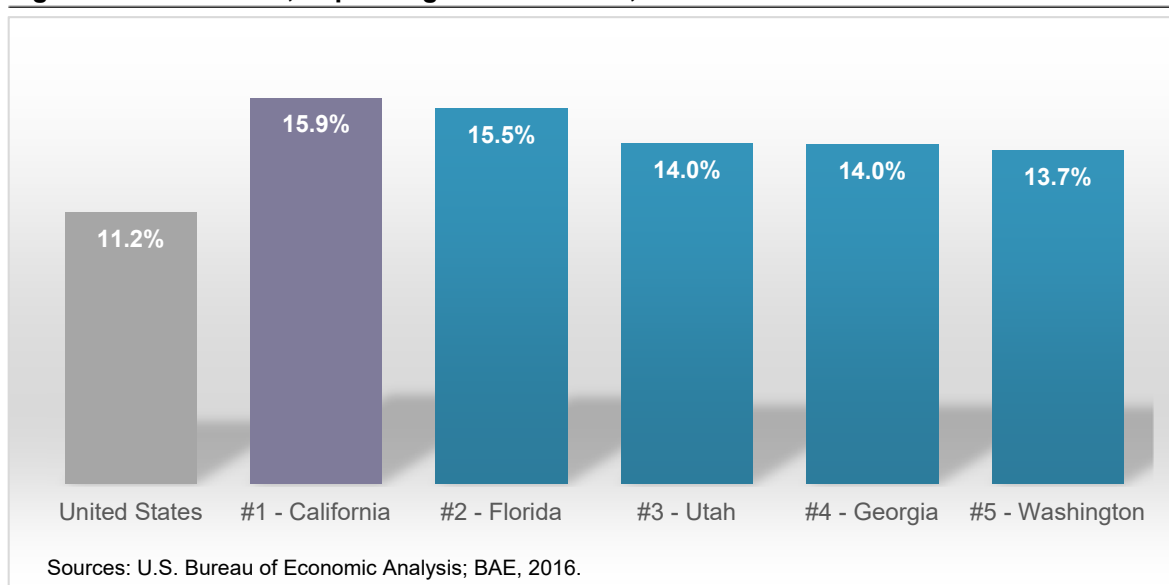
GDP measures the dollar value of all economic output in a given area. California ranks 1st in GDP among the 50 states. On an absolute dollar basis, California also far outstrips any other state, with a total GDP in 2015 of almost \$2.5 trillion. The next-largest state in terms of GDP, Texas, produces just two-thirds of the economic value of California's output.

Figure 5: Gross Domestic Product (GDP) Top 5 States, 2015



California also ranks 1st in the rate of growth in GDP since 2012, with an increase of almost 16 percent in the past four years.

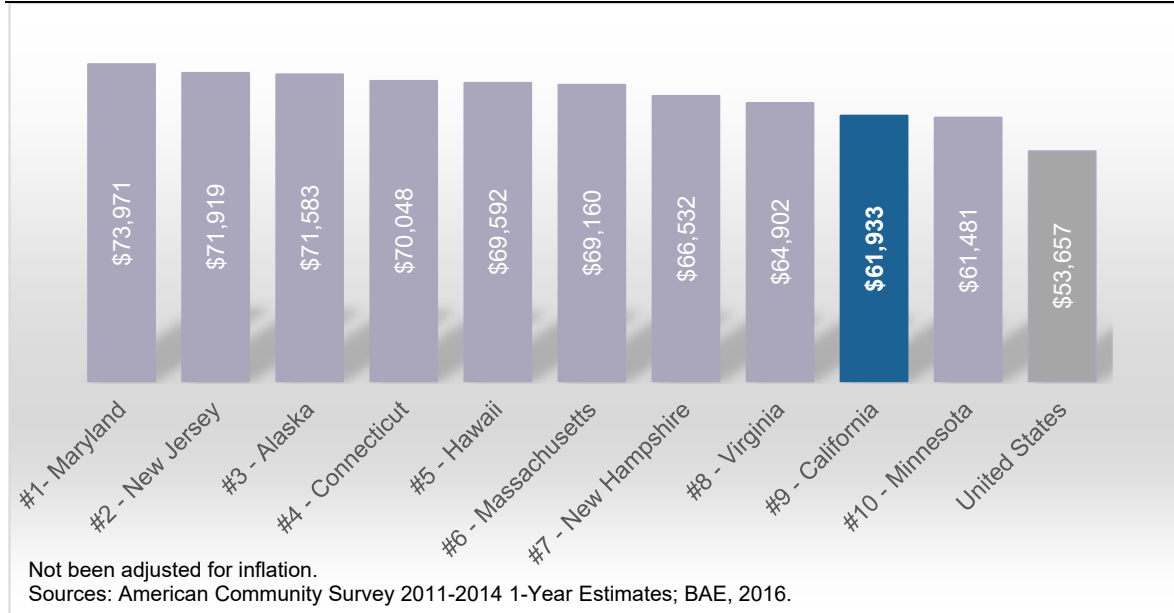
Figure 6: GDP Growth, Top 5 Largest GDP States, 2012-2015



Household Income

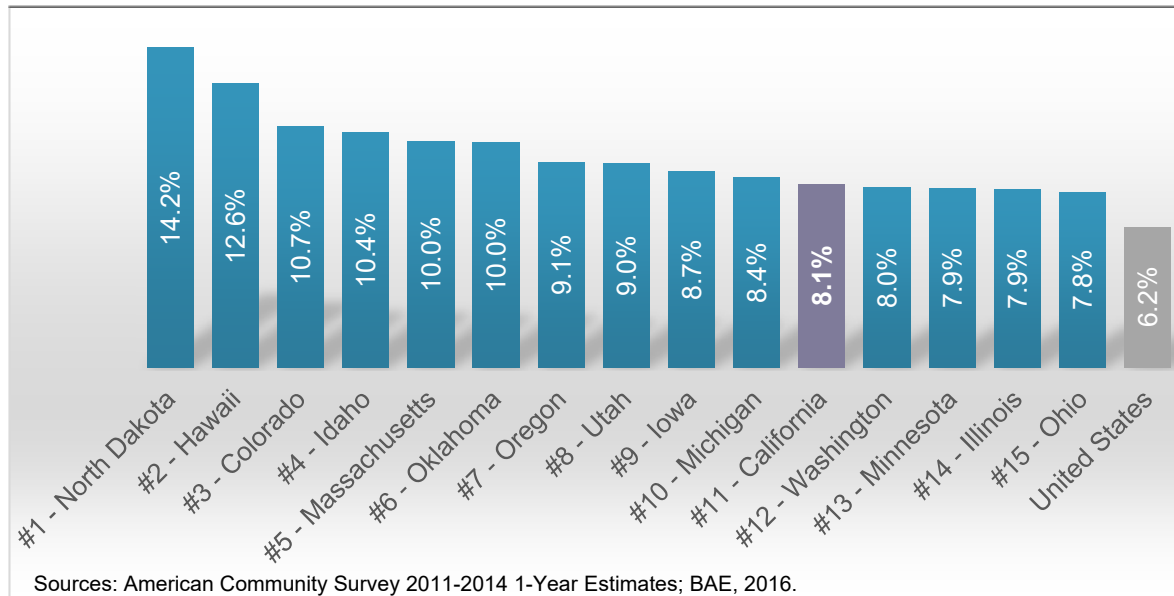
California's economic prosperity can also be measured by household incomes. California ranked 9th in the nation in 2014, with a median household income of over \$61,900.

Figure 7: Median Household Income, Top 10 States, 2014



California's household incomes continue to rise; from 2011 - 2014, California's median household income grew 8.1 percent (the 11th fastest state), far outpacing the nation.

Figure 8: Median Household Income Growth, Top 15 States, 2011-2014

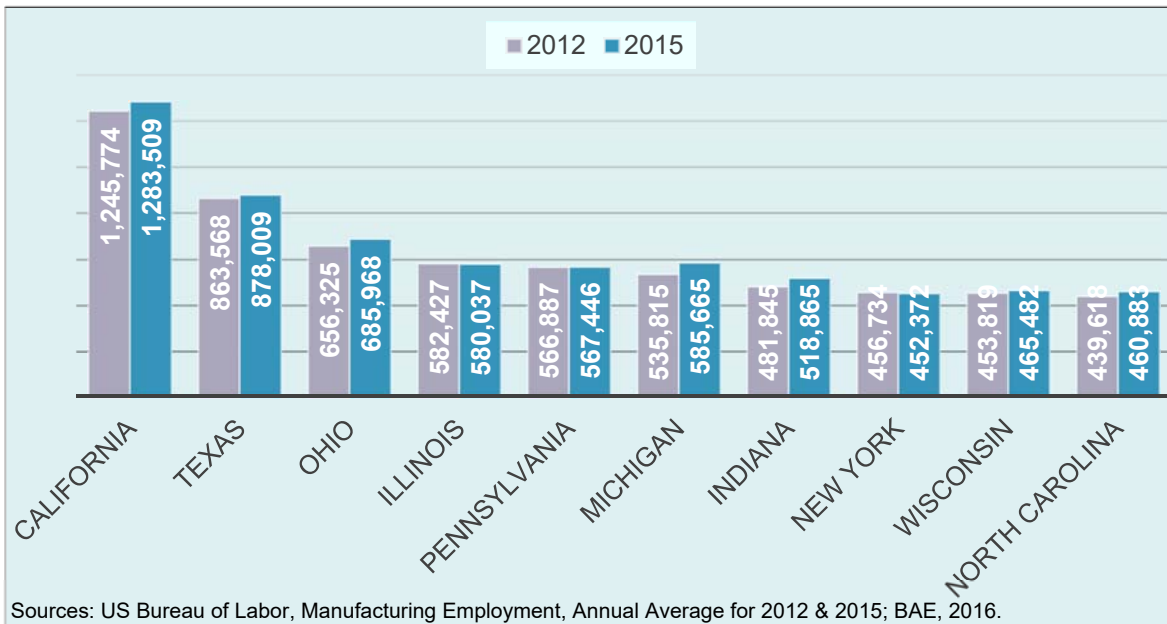


Manufacturing Employment

Some critics of CEQA have asserted that California's household incomes have been constrained by CEQA through its effects on delaying or preventing new manufacturing facilities or other economic development projects providing well-paying jobs – and that these jobs have been replaced by lower paying service jobs.

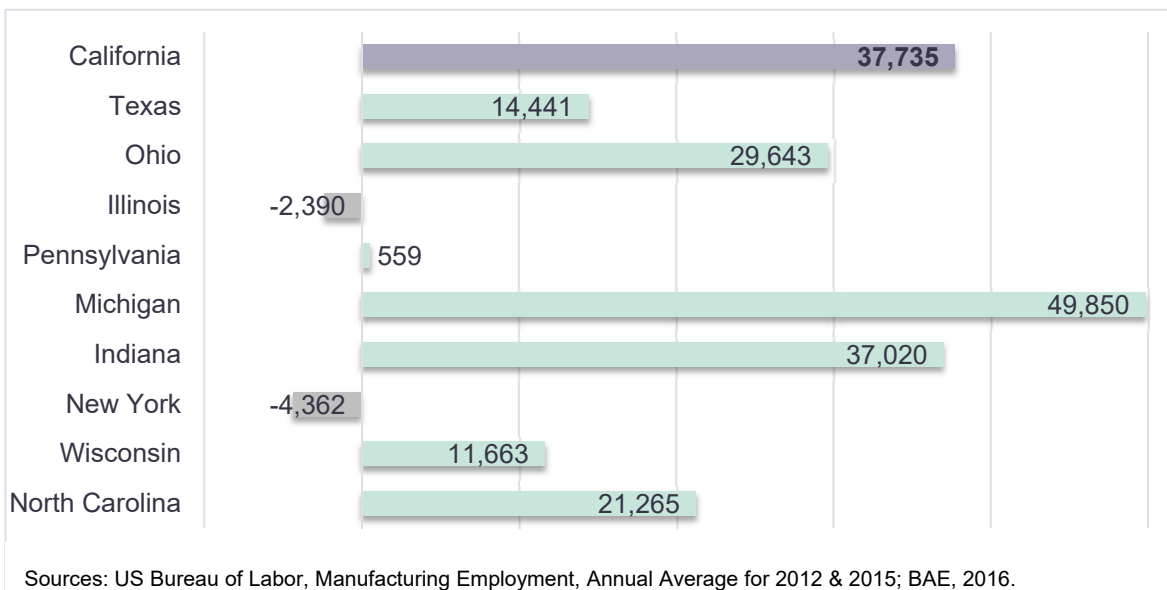
A comparison of national and state manufacturing sector employment and growth demonstrates that California, in fact, supports a strong manufacturing economy. California had the largest number of manufacturing jobs among all 50 states, in both 2012 and 2015.

Figure 9: Manufacturing Employment, Top 10 States, 2012 & 2015



Since 2012, manufacturing employment has increased nationwide as part of the post-recession recovery. California grew its manufacturing employment by a moderately strong 3.0 percent, compared to a national growth rate of 3.2 percent. In fact, California’s almost 37,800 new jobs in manufacturing in the three-year period was the second largest amount of the top 10 largest manufacturing states, and California’s growth accounted for 9.8 percent of all manufacturing jobs added in the U.S. ²⁶ Clearly, California is a strong manufacturing state, showing increased employment in synch with national trends. If CEQA were affecting this growth in a discernable way, these comparisons would show a different picture.

Figure 10: Manufacturing Jobs Added, Top 10 Largest Manufacturing States, 2012 - 2015



²⁶ Michigan grew the most rapidly during this period, replacing jobs lost during the Great Recession in the automotive manufacturing sector.

Measures of Sustainable Development and Infill

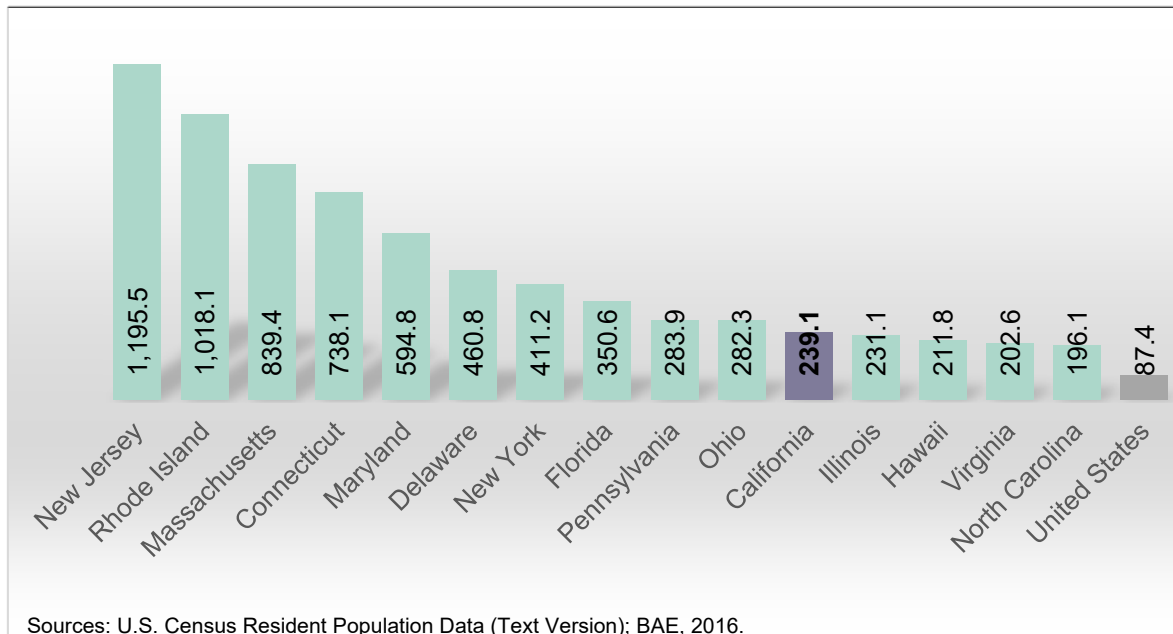
There are many ways to measure sustainable development, depending on definitions of these terms as well as the availability of consistent data over time. This section analyzes metrics of California's sustainable development in terms of overall population density per square mile, infill rates for new housing construction, pedestrian-oriented cities measured by walk scores, scores for open space and park access, and production of affordable housing.

Comparisons to other states for these metrics are especially compelling, because most states do not have environmental review statutes like CEQA, underscoring that if CEQA had an effect, California's performance in these metrics would be noticeable, as asserted by critics of the law. In fact, most projects undergoing CEQA review have mitigation measures, and these measures are typically designed to support sustainable development through reduction of environmental impacts. Accordingly, if California is producing development that is measurably sustainable, the CEQA process may be contributing to that outcome.

Population Density

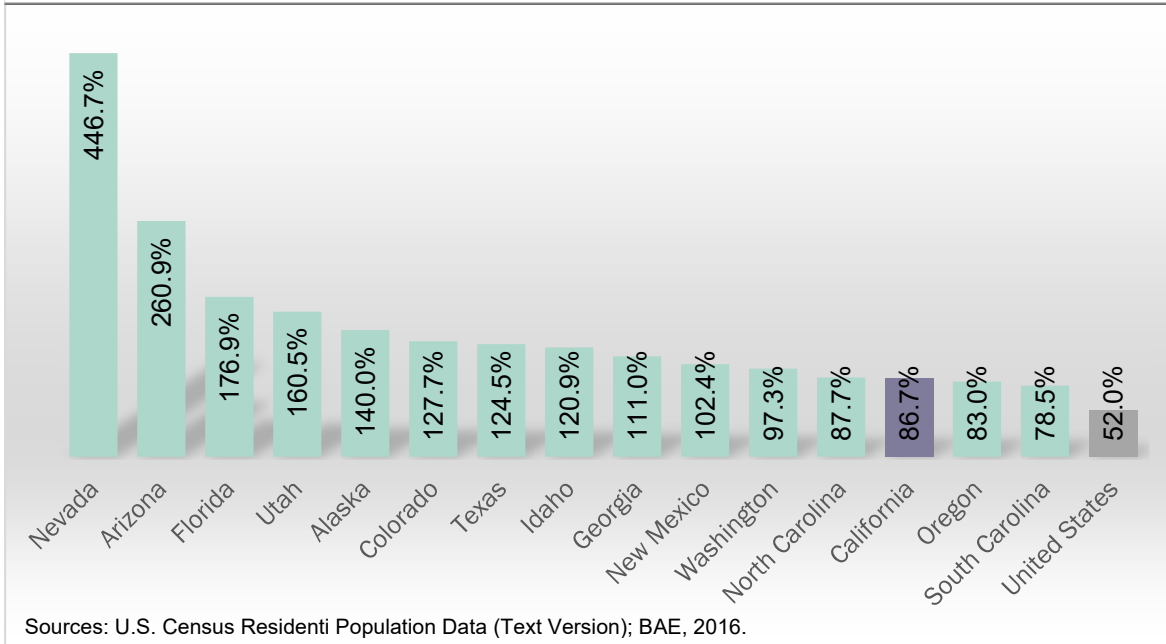
California has developed more densely than many observers may perceive. California's 2010 population density of 239.1 persons per square mile placed the state as the 11th most densely-populated state at that time. This finding challenges assertions that CEQA impedes densification in California, especially given that large areas of California are environmentally protected and not open to residential development.

Figure 11: Population Density per Square Mile, Top 15 States, 2010



California also shows a positive upward trend in densification, ranking 13th in terms of positive change in this metric over the past 40 years. California's rate of densification (86.7 percent change) far exceeds the U.S. average (52.0 percent change).

Figure 12: Change in Population Density Per Square Mile, 1970 - 2010

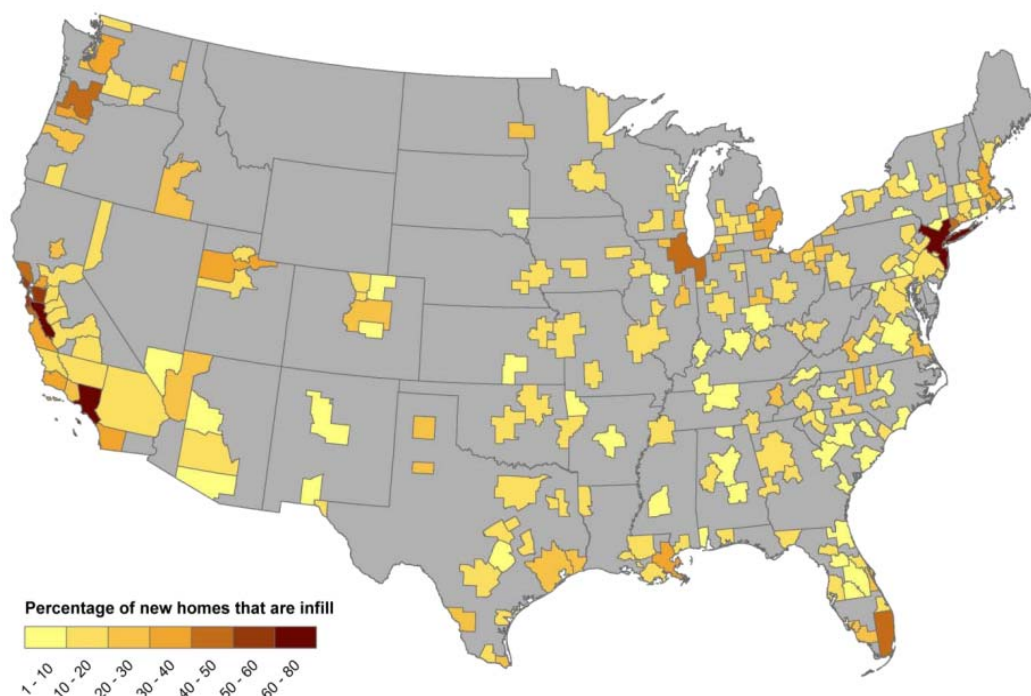


Infill Housing Development

California’s environmental policy framework, including CEQA and other state policies coordinating land use and transportation improvements to reduce carbon emissions, encourages infill and transit-oriented development to achieve environmental goals.

In 2012, the U.S. Environmental Protection Agency analyzed residential building permits issued in 209 metropolitan areas with populations of one million or greater, concluding that the pattern of new infill residential development in metropolitan regions across the country varies widely.^{27 28} For example, while 80 percent of new residential development was categorized as infill in the San Jose-Sunnyvale-Santa Clara metropolitan region between 2000 and 2009, just 7 percent of new development in Austin, Texas was considered infill. As shown below, the analysis concluded that metropolitan areas in California and New York had the greatest percentages of new infill housing development.

Figure 13: New Home Construction Defined as Infill, 2000 - 2009



Source: EPA analysis of 2009 American Community Survey 5-Year Estimates, 2001 National Land Cover Database, Protected Areas Database of the United States (PADUS) version 1.2., and 2011 Navteq NAVSTREETS.

²⁷ U.S. EPA, “Residential Construction Trends in America’s Metropolitan Regions: 2012 Edition.” See: https://www.epa.gov/sites/production/files/2014-03/documents/residential_construction_trends.pdf.

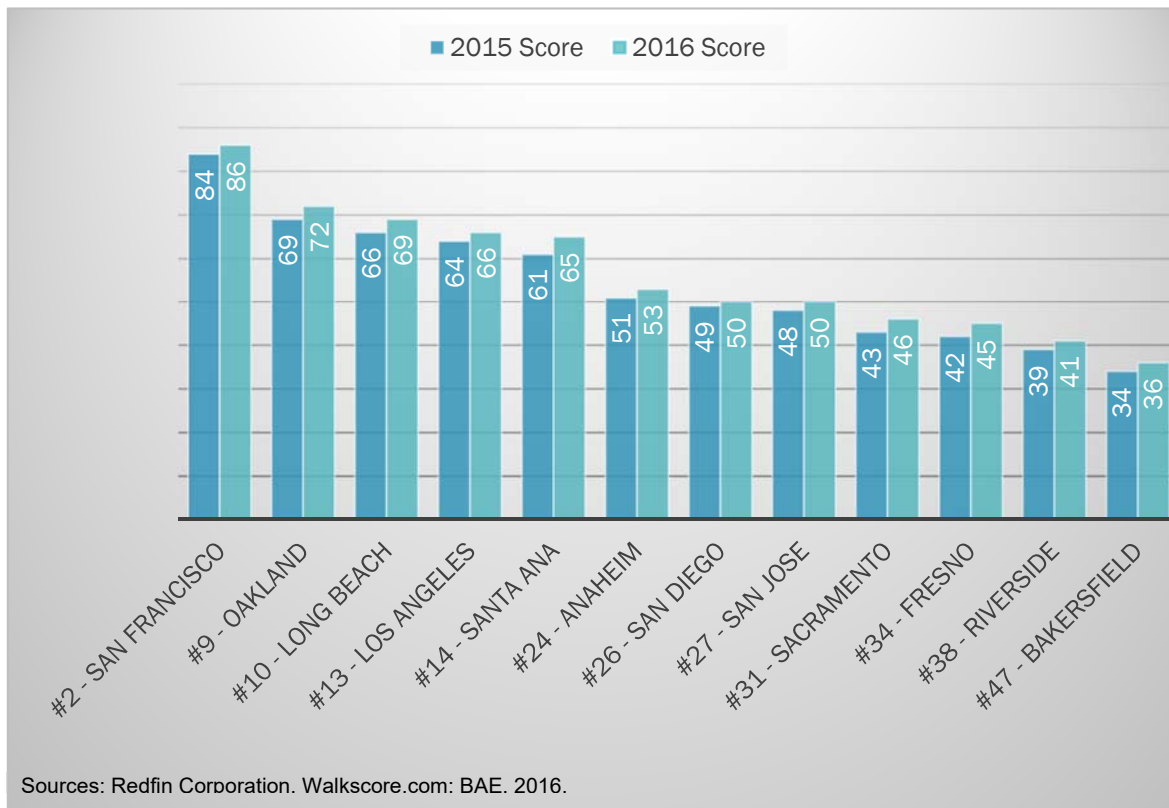
²⁸ “Infill” residential development was defined as new homes built in previously developed areas. The EPA report used cutting-edge spatial analysis to “compare the location of new housing development to preexisting land cover to determine the percentage of all new homes that are infill, or built in previously developed areas.”

Walkable Cities

The degree of walkability is a key metric for sustainable cities and neighborhoods. This factor can be measured by the Walk Score, which employs an algorithm to compute pedestrian access and ease of walking to stores, schools, and transit. The Walk Score evaluates these criteria for 2,500 U.S. cities with populations of more than 300,000. A city's overall Walk Score accounts for factors such as walking routes, nearby amenities, pedestrian friendliness, population, and neighborhood boundaries.²⁹

Twelve of the top 50 most walkable cities in the U.S. in 2016 are located in California, according to Walk Score data. A comparison of Walk Scores over the past year shows positive improvement for these same 12 California cities, as shown below. California cities with lower rankings among the top 50 list, such as Sacramento, Fresno, Riverside and Bakersfield, show the greatest Walk Score improvements on a percentage basis.

Figure 14: Highly Ranked California Cities - Walk Scores 2015 & 2016

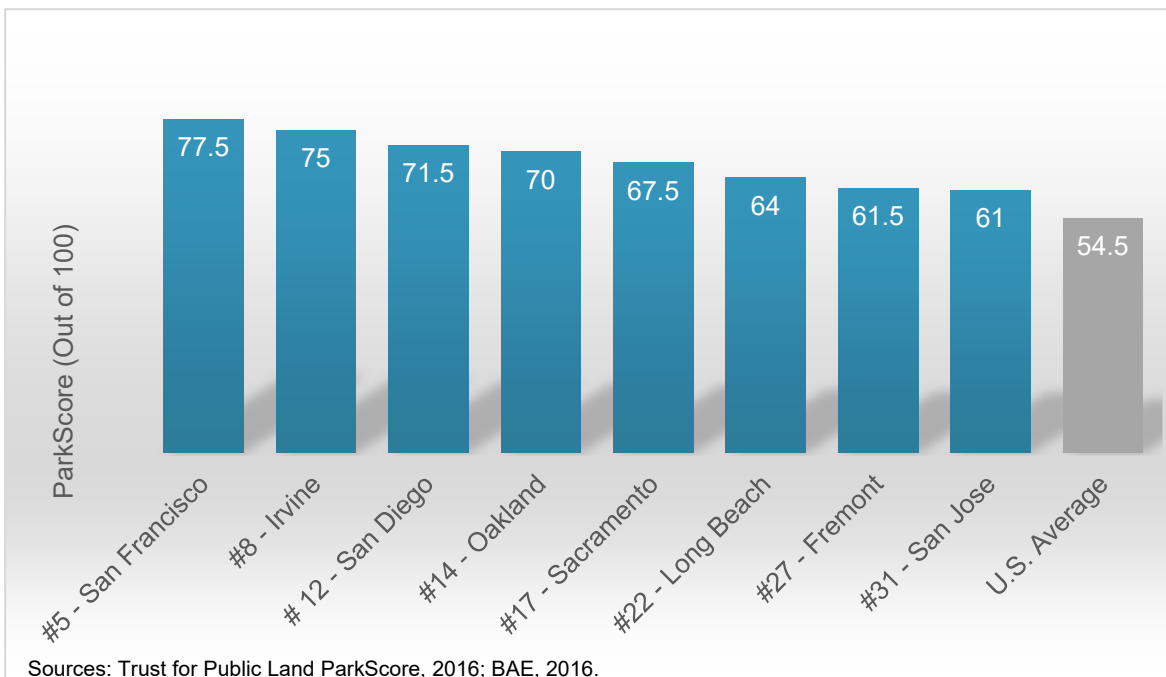


²⁹ Redfin Corporation, "The Nation's Most-Walkable Cities Got Even More Walkable in 2016." 2016. Webpage. See: <https://www.redfin.com/blog/2016/04/the-most-walkable-us-cities-of-2016.html>.

Parks

In 2016, the Trust for Public Land published a new metric to measure the extent to which the largest cities in the U.S. are fulfilling the need for parks in the urban landscape. A city's ParkScore accounts for factors such as park size, acres of park land as a percentage of the city's total area, spending on facilities per resident, and the percentage of residents who live within a ten-minute walk of at least one public park.³⁰ The ParkScore formula accounts for all parkland owned by regional, state and federal agencies in the 100 most populous cities in the U.S. The national average for these 100 cities was a ParkScore of 54.5 out of a possible 100, illustrating that many locations need to strive for improved parkland to adequately serve nearby residents. In California, eight cities far exceed this national average score, including San Francisco, which ranked 5th in the U.S. of the cities analyzed.

Figure 15: California Cities with ParkScores Above the US, 2016



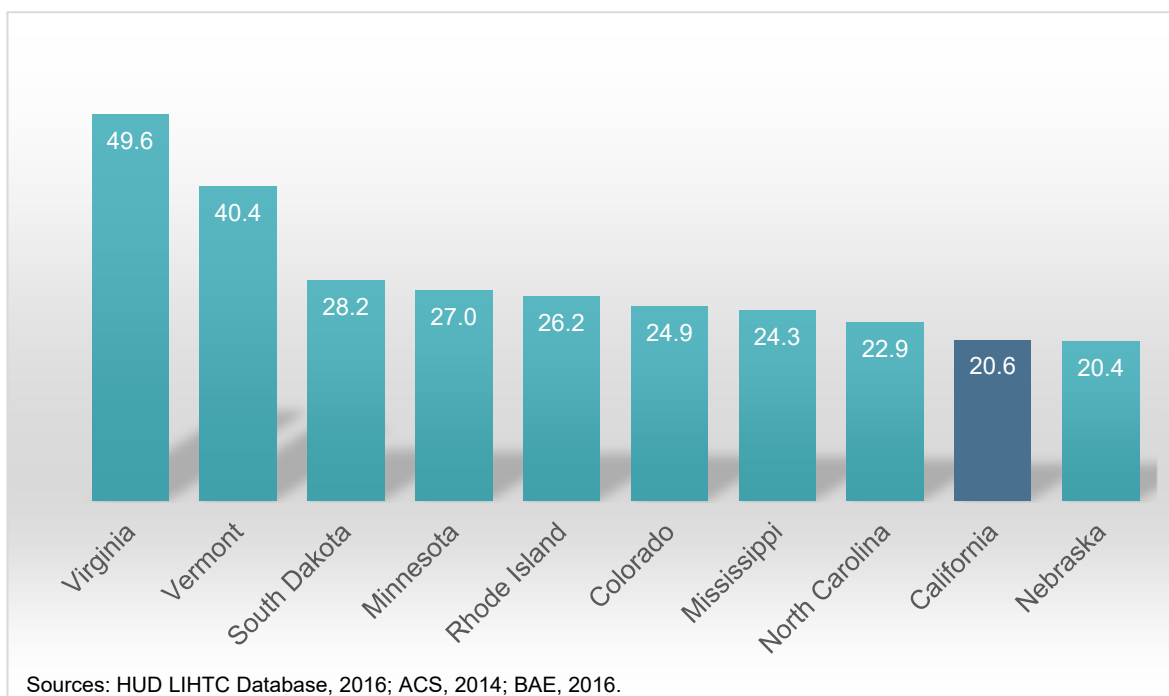
³⁰The Trust for Public Land, "ParkScore 2016 Methodology." 2016. Webpage. See: <http://parkscore.tpl.org/methodology.php>.

Affordable Housing Production

Measuring affordable housing production in California is challenging, since there is no single reporting mechanism for actual built units. One of the best proxies is available through a national database that tracks projects utilizing Low Income Housing Tax Credits (LIHTCs), an often-used source of subsidy which yields tax credits to investors. LIHTCs are available in all 50 states on a population-proportionate basis. These units serve low income households earning up to 60 percent of Area Median Income (AMI) in the county in which the project is located; this threshold translates differently in terms of rent paid, due to variations in household income across the US.

The figure below shows the number of LIHTC units produced in 2014 (the most recent year for which data is available), indexed to state population. California ranked 9th in this metric.

Figure 16: LIHTC Units Produced per 100,000 Population, Top 10 States, 2014



While California’s expensive housing markets are related to high household incomes and strong economic prosperity driving demand, and a likely underproduction of new housing supply, the need for more affordable housing production is undisputed. This ranking, at 9th, underscores the need for even more affordable housing production in California, to offset the state’s current housing crisis.

As mentioned previously in this study, a recent report published by California’s LAO posits that a key remedy to California’s housing affordability crisis is to increase production of market-rate housing, especially in high-demand coastal metropolitan areas.³¹ The report cites many factors that affect California’s high housing prices and lack of production, including high land and building costs, neighborhood resistance to density, use of CEQA as a deterrent, and the perceived fiscal effects of housing versus other land uses on local governments’ budgets. Notably, the LAO analysis did not isolate CEQA as a measurable variable that causes a direct obstacle to housing production; further analysis would be needed to quantify the effect of this variable.

Another perspective on how CEQA impacts both market rate and affordable housing production is offered by UC Berkeley’s Institute of Governmental Studies’ recently published research brief with more in-depth analysis of the affordable housing crisis, focusing on the San Francisco Bay Area. This analysis found that while the production of both market-rate and subsidized housing are needed to address the housing crisis, “subsidized housing is twice as effective as market-rate development at the regional level.”³² An analysis of the San Francisco Bay Area’s housing market using a detailed regression model of demographic variables and both market-rate and subsidized affordable housing production, shows that the regional marketplace is more complex than presented in the LAO report. Increasing new market rate housing production to unprecedented levels could take as long as 50 years to create a demand/supply balance which adequately benefits lower income households. Thus, while strategies to increase market-rate housing projects in high-demand areas may be beneficial over time, steps to eliminate CEQA review—one of many perceived constraints on market-rate housing production—may not have any meaningful effect in the short-term on the current affordable housing crisis in the Bay Area and elsewhere. Direct subsidies to produce more affordable housing units would have a much more immediate positive impact.

Summary of Prosperity and Sustainable Development Metrics

In sum, California ranks high on prosperity and sustainable development metrics, despite — or perhaps because of— its environmental protection laws and regulations. While this report does not attempt to measure cause-and-effect relationships, these metrics paint a very different picture of the State of California than recent assertions that CEQA is causing declines in these same areas.

³¹ California Legislative Analyst Office, “Perspectives on Helping Low-Income Californians Afford Housing.” 2016. PDF. See: <http://www.lao.ca.gov/Reports/2016/3345/Low-Income-Housing-020816.pdf>.

³² Miriam Zuk, PhD., and Karen Chapple, PhD., “Housing Production, Filtering, and Displacement: Untangling the Relationships.” Berkeley Institute of Governmental Studies. 2016. PDF. See: http://www.urbandisplacement.org/sites/default/files/images/udp_research_brief_052316.pdf.

Appendix A: Estimate of CEQA Projects in California 2012- 2015

This Appendix describes an analysis of CEQA Net compared to sampled jurisdictions' reporting on CEQA projects for the 2013 – 2015 period.

As noted in this report, five jurisdictions provided comprehensive local data regarding CEQA projects by type of review. Jurisdictions sampled this way included the City of Los Angeles, San Francisco, Modesto, and Merced (in order to obtain large and smaller cities, and a cross-section of different regions in the state). Butte County also participated.

Appendix A 1: Comparison of CEQA Net to Sampled Jurisdictions

CEQANet (a)					Local Jurisdiction Records					Percent Reported versus Local Records (g)				
City of Modesto					City of Modesto (b)					City of Modesto				
	2013	2014	2015	Total		2013	2014	2015	Total		2013	2014	2015	Total
Negative Declarations	0	0	1	1	Negative Declarations	0	1	2	3	Negative Declarations	N/A	0%	50%	33%
Mitigated Neg Declarations	0	0	0	0	Mitigated Neg Declaration:	0	0	0	0	Mitigated Neg Declarations	N/A	N/A	N/A	N/A
EIR's	2	2	1	5	EIR's	7	14	12	33	EIR's	29%	14%	8%	15%
Total Review Documents	2	2	2	6	Total Review Documents	7	15	14	36	CEQA Net Coverage Rate	29%	13%	14%	17%
City of Merced					City of Merced (c)					City of Merced				
	2013	2014	2015	Total		2013	2014	2015	Total		2013	2014	2015	Total
Negative Declarations	0	1	0	1	Negative Declarations	3	4	2	9	Negative Declarations	0%	25%	0%	11%
Mitigated Neg Declarations	0	1	2	3	Mitigated Neg Declaration:	0	1	0	1	Mitigated Neg Declarations	N/A	100%	N/A	300%
EIR's	0	0	1	1	EIR's	0	0	0	0	EIR's	N/A	N/A	N/A	N/A
Total Review Documents	0	2	3	5	Total Review Documents	3	5	2	10	CEQA Net Coverage Rate	0%	40%	150%	50%
Butte County					Butte County (d)					Butte County				
	2013	2014	2015	Total		2013	2014	2015	Total		2013	2014	2015	Total
Negative Declarations	4	7	5	16	Negative Declarations	0	7	1	8	Negative Declarations	N/A	100%	500%	200%
Mitigated Neg Declarations	7	10	16	33	Mitigated Neg Declaration:	12	12	20	44	Mitigated Neg Declarations	58%	83%	80%	75%
EIR's	1	1	1	3	EIR's	4	2	3	9	EIR's	25%	50%	33%	33%
Total Review Documents	12	18	22	52	Total Review Documents	16	21	24	61	CEQA Net Coverage Rate	75%	86%	92%	85%
City Los Angeles					City Los Angeles (e)					City Los Angeles				
	2013	2014	2015	Total		2013	2014	2015	Total		2013	2014	2015	Total
Negative Declarations	4	4	7	15	Negative Declarations	418	466	589	1,473	Negative Declarations	1%	1%	1%	1%
Mitigated Neg Declarations	35	32	39	106	Mitigated Neg Declaration:	(e)	(e)	(e)	(e)	Mitigated Neg Declarations	N/A	N/A	N/A	N/A
EIR's	12	17	17	46	EIR's	15	19	16	50	EIR's	80%	89%	106%	92%
Total Review Documents	51	53	63	167	Total Review Documents	433	485	605	1523	CEQA Net Coverage Rate	12%	11%	10%	11%
City of San Francisco					City of San Francisco (f)					City of San Francisco				
	2013	2014	2015	Total		2013	2014	2015	Total		2013	2014	2015	Total
Negative Declarations	3	3	4	10	Negative Declarations	0	1	1	2	Negative Declarations	N/A	300%	N/A	550%
Mitigated Neg Declarations	1	3	0	4	Mitigated Neg Declaration:	13	3	17	33	Mitigated Neg Declarations	8%	100%	0%	12%
EIR's	9	9	5	23	EIR's	7	3	4	14	EIR's	143%	433%	175%	214%
Total Review Documents	13	15	9	37	Total Review Documents	20	7	22	49	CEQA Net Coverage Rate	70%	271%	55%	92%

Notes:

- (a) Data was extracted from CEQANet, reviewed, and filtered to account for projects within each jurisdiction. The figures shown on this table may not match CEQANet queries.
- (b) Data received from the Community and Economic Development Department, requested through the City Clerk's office.
- (c) Data received from City of Merced Planning Division
- (d) Data received from the Butte County Department of Development Services and represents records kept by the Butte County General Services Department
- (e) Data received from the City of Los Angeles' Clerk's Office, which combines negative declarations and mitigated negative declarations into one category.
- (f) Data received from the Planning Department includes determinations approved at the Planning Information Counter and by the City and County of San Francisco.
- (g) In some instances, the number of review documents in CEQA Net exceed the number of cases reported by the jurisdiction. This may be due to differences in reporting time and data tracking. Local jurisdictions reported when documents were filed, but there is some lag time before the State Clearinghouse receives and posts the filings on CEQA Net. In addition, some jurisdictions do not track projects where the lead agency is an outside entity (e.g. state agency), even if the project is within the city's boundaries.

Sources: CEQANet; California Office of Planning and Research; California Department of Finance; City of Modesto; City of Merced; Butte County; City of Los Angeles; City and County of San Francisco; BAE, 2016.

These jurisdictions' CEQA records were compiled and compared to the same jurisdictions' CEQA projects reported by CEQA Net. As shown on the following page, the reliability of CEQA Net varied, depending on the CEQA action taken for the project. For Mitigated Negative Declarations and EIRs, the CEQA Net database accounts for 64 percent of all activity reported by the sampled jurisdictions. However, only a small percentage of all Negative Declarations (2.9 percent compared to sampled jurisdictions) are contained in CEQA Net. These low reporting rates align with CEQA's reporting requirements, which do not require reporting on administrative actions or projects that do not involve state agencies³³.

Appendix A 2: Summary of CEQA Net Coverage Rate, 2013 - 2015

MNDS and EIRs	CEQA Net Total	Total Reported by Jurisdictions	Negative Declarations	CEQA Net Total	Total Reported by Jurisdictions
City of Modesto	5	33	City of Modesto	1	3
City of Merced	4	1	City of Merced	1	9
Butte County	36	53	Butte County	16	8
San Francisco	27	47	San Francisco	10	2
Los Angeles	46	50	Los Angeles	15	1,473
Total	118	184	Total	43	1,495
CEQA Net Coverage Rate		64.1%	CEQA Net Coverage Rate		2.9%

Notes:

The findings from this study are consistent with those from the 1991 "CEQA and Planning Practice" survey. Data published by Olshansky (1996) compared CEQA projects reported by participating jurisdictions to the number of projects filed with the State Clearinghouse. Because the survey resulted in a 70.6% participation rate by CA jurisdictions, the reported projects were adjusted by a factor of 1.41 to account for non-responding agencies. The table below shows the CEQA coverage rate from the 1991 study.

	CEQA Net Total	Adjusted Total by Jurisdictions	CEQA Net Coverage Rate (1991 study)
EIRs	902	1,810	49.8%
Negative Declaration:	1,997	33,626	5.9%

For this study, additional data was collected on the number of categorical exemptions granted in each jurisdiction. These were compared to filings on CEQA Net, which yielded a CEQA Net coverage rate of 2.3 percent. However, there were inconsistencies related to how each jurisdiction tracked categorical exemptions. San Francisco was the most comprehensive. Between 2013 and 2015, the city logged 12,963 categorical exemptions, compared to 155 in the City of Los Angeles. Because of differences in reporting that skewed the data, the coverage rate for categorical exemptions was excluded from further analysis.

Sources: Olshansky, 1996; Office of Planning and Research; 2016; BAE, 2016.

³³ The number of projects reported to CEQA Net are consistent with the results from the 1991 "CEQA and Planning Practice" study. The 1991 report published figures on the number of EIRs and Negative Declarations submitted to the State Clearinghouse and reported by the jurisdictions participating in the survey. Comparing the two data sets and adjusting to account for non-respondents, the CEQA Net coverage rate in 1991 study for EIRs was 49.8 percent, somewhat lower than the 64 percent reported in this analysis. The coverage rate for Negative Declarations was 5.9 percent, slightly higher than the 2.9 percent reported here, but still within a reasonable range.

Estimated Number of CEQA Projects

Based on the above analysis, CEQA Net activity was adjusted to provide a more accurate estimate of the number of CEQA projects throughout California and the type of environmental review undertaken. For each type of action (e.g., Negative Declaration, EIR, etc.), a separate factor was applied based on the calculated coverage rates. These adjustments support an estimate that between 2013 and 2015, there were a total of approximately 54,000 projects in California subject to environmental review through an EIR, Mitigated Negative Declaration or Negative Declaration. This process and the resulting estimate of the “universe” of CEQA projects was utilized to estimate the litigation rates as described in the body of this report.

Appendix A 3: Estimate of Statewide CEQA Projects with Environmental Review, 2013 - 2015

CEQA Net				
California	2013	2014	2015	Total
Negative Declarations	478	460	426	1,364
Mitigated Neg Declarations	1,054	1,272	1,240	3,566
EIR's	348	406	363	1,117
Total CEQA Review Documents	1,880	2,138	2,029	6,047

Adjusted CEQA Net (a)				
California	2013	2014	2015	Total
Negative Declarations	16,619	15,993	14,811	47,423
Mitigated Neg Declarations	1,644	1,983	1,934	5,561
EIR's	543	633	566	1,742
Adjusted CEQA Review Documents	18,806	18,609	17,311	54,726

Notes:

(a) The number of CEQA Net cases was adjusted to incorporate projects that were not reported to the State Clearinghouse. The adjustment factors used were based on a comparison between CEQA Net and data reported by jurisdictions, as follows:

Negative declarations	34.8
Mitigated negative declarations	1.6
EIR's	1.6

Sources: Office of Planning and Research; BAE, 2016.

Appendix B: List of Petitions Filed with Attorney General, 2012 – 2015

2013 CEQA PETITIONS

Name of Case	Location of Project: City	Location of Project: County	Lawsuit Date	Agency or Private Project	Compliance Challenge (e.g. Nec. Dec., EIR, Cat. Ex.)
<i>Friends of the West Berkeley Plan v. City of Berkeley, et al. (03286 (PET) & 03447 (SAC),</i>	Berkeley	Alameda	3/4/2013	Private	Addendum to FEIR
<i>California Clean Energy Committee v. City of Dublin, et al. (03466)</i>	Dublin	Alameda	11/20/2013	Private	EIR
<i>Citizens Advocating Rational Development v. City of Oakland, et al. (03448)</i>	Oakland	Alameda	10/25/2013	Private	EIR
<i>Commercial and Retail Attraction and Development for the Laurel (CRADL), et al v. City of Oakland, et al. (03471)</i>	Oakland	Alameda	12/17/2013	Private	EIR
<i>Communities For A Better Environment, et al. v. Metropolitan Transportation Commission, et al. (3403)</i>		Alameda	8/15/2013	Agency	EIR
<i>Coalition for Responsible Building Standards, et al. v. California Building Standards Commission, et al. (04016)</i>		Alameda	5/29/2013	Agency	None
<i>East Bay Regional Park District, et al. v. City of Alameda, et al. (03291 (FAC))</i>	Alameda	Alameda	3/18/2013	Agency	Addendum to 2003 Neg. Dec. for earlier Housing Element; 2009 EIR for GP Transportation Element
<i>Sustainability, Parks, Recycling and Wildlife Defense Fund (SPRAWLDEF) v. East Bay Regional Parks District (03272)</i>	Albany/Berkeley	Alameda	1/17/2013	Agency	EIR
<i>Okhoo Hanes, et al v. City of Oakland, et al. (03261)</i>	Oakland	Alameda	1/4/2013	Agency	Staff report re resolution intimated a neg dec or minor exemption, but didn't meet CEQA reqs in doing so.
<i>Love Lafayette Heritage, et al. v. City of Lafayette, et al. (03354 (PET) & 03424 (FAC) & 03436 (SAC))</i>	Lafayette	Contra Costa	6/13/2013	Private	None
<i>Wade Haines, et al v. County of Fresno, et al (03252)</i>	Clovis	Fresno	1/4/2013	Private	MND
<i>City of Fresno v. Fresno County Local Agency Formation Commission, et al. (03283)</i>	Fresno	Fresno	2/27/2013	Private	EIR
<i>Fresnans for Clean Air v City of Fresno, et al. (03330)</i>	Fresno	Fresno	1/21/2013	Private	Neg. Dec.
<i>Michael S. Green v. City of Fresno, et al. (03312 (SAC))</i>	Fresno	Fresno	4/15/2013	Agency	None
<i>Consolidated Irrigation District v. City of Sanger, et al. (03430)</i>	Sanger	Fresno	10/1/2013	Agency	Cat. Ex. Class 32
<i>City of Selma v. Fresno County Local Agency Formation Commission, et al. (03417)</i>	Selma	Fresno	8/23/2013	Agency	MND
<i>Friends of the Kings River v. County of Fresno, et al.(03411)</i>		Fresno	8/21/2013	Private	Addendum to EIR
<i>Hector Casillas, et al. v. County of Imperial, et al. (03444)</i>		Imperial	11/21/2013	Private	Neg. Dec.
<i>Owens Valley Committee v. County of Inyo, et al. (03292)</i>		Inyo	3/21/2013	Private	EIR
<i>Sierra Club v. California Department of Conservation, Division of Oil, Gas & Geothermal Resources(03410)</i>		Kern	8/26/2013	Private	NOE: Class 4
<i>Randy Parker, et al. v. County of Kern, et al. (03371)</i>	Bakersfield, Lamont, and Arvin	Kern	5/24/2013	Private	FEIR
<i>Arnold Mednick v. Kern County, et al. (03260)</i>	Mojave Desert area	Kern	1/7/2013	Private	EIR
<i>Windstar Energy v. Kern County (03250)</i>	Mojave Desert area	Kern	1/10/2013	Private	EIR
<i>Friends of Cobb Mountain v. California Department of Water, et al. (03275)</i>	Cobb Mountain Area	Lake	2/13/2013	Agency	None
<i>George Edwards v. City of La Habra Heights (03443)</i>	La Habra Heights	Los Angeles	10/23/2013	Agency	Cat. Ex. Class 1 and 32
<i>Coalition for Open Government in Lancaster v. City of Lancaster, et al. (03270)</i>	Lancaster	Los Angeles	1/14/2013	Private	EIR

2013 CEQA PETITIONS

Name of Case	Location of Project: City	Location of Project: County	Lawsuit Date	Agency or Private Project	Compliance Challenge (e.g. Nec. Dec., EIR, Cat. Ex.)
<i>West Adams Heritage Association v. City of Los Angeles, et al. (03432)</i>	Los Angeles	Los Angeles	10/16/2013	Private	Cat. Ex. Class 31
<i>United Service Workers v City of Los Angeles (03329)</i>	Los Angeles	Los Angeles	5/30/2013	Agency	EIR
<i>SEIU United Service Workers West v. City of Los Angeles, et al. (03346)</i>	Los Angeles	Los Angeles	5/30/2013	Agency	EIR
<i>Beverlywood Homes Association v. City of Los Angeles, et al. (03407)</i>	Los Angeles	Los Angeles	8/22/2013	Private	EIR
<i>Concerned Citizens of Shoreline Gateway, et al. v. City of Long Beach(03408 (PET) & 03418 (FAC))</i>	Los Angeles	Los Angeles	8/22/2013	Private	EIR
<i>HEI_GC Hollywood & Vine Condominiums v. City of Los Angeles, et al. (03409)</i>	Los Angeles	Los Angeles	8/23/2013	Private	EIR
<i>Westwood South of Santa Monica Boulevard Homeowners Association v. The City of Los Angeles, et al. (03412)</i>	Los Angeles	Los Angeles	8/22/2013	Private	EIR
<i>STOPTHEMILLENNIUMHOLLYWOOD.COM, et al. v. City of Los Angeles, et al. (03413)</i>	Los Angeles	Los Angeles	8/28/2013	Private	EIR
<i>Friends of Highland Park v. City of Los Angeles, et al. (03426)</i>	Los Angeles	Los Angeles	9/27/2013	Private	IS/MND
<i>Save the Plastic Bag Coalition v. City of Los Angeles. (03370)</i>	Los Angeles	Los Angeles	7/10/2013	Agency	EIR
<i>Southeast Asian Community Alliance, et al. v. City of Los Angeles, et al. (03299) & (03300) - DUPES</i>	Los Angeles (Chinatown)	Los Angeles	4/4/2013	Agency	None
<i>La Mirada Avenue v. City of Los Angeles, et al. (03249 & 03422(DUPE))</i>	Los Angeles (Hollywood)	Los Angeles	5/2/2013	Private	EIR
<i>Sherman Oaks Residents for a Safe Environment v. City of Los Angeles, et al. (03425)</i>	Los Angeles (Sherman Oaks)	Los Angeles	10/3/2013	Private	EIR
<i>City of Long Beach v. City of Los Angeles, et al. (03341)</i>	Los Angeles (Wilmington)	Los Angeles	6/5/2013	Private	EIR
<i>Fast Lane Transportation, Inc. v. City of Los Angeles, et al. (03342)</i>	Los Angeles (Wilmington)	Los Angeles	6/5/2013	Private	EIR
<i>Long Beach Unified School District v. Los Angeles Harbor Department, et al. (03343)</i>	Los Angeles (Wilmington)	Los Angeles	6/6/2013	Private	EIR
<i>East Yard Communities for Environmental Justice, et al. v. City of Los Angeles, et al. (03344)</i>	Los Angeles (Wilmington)	Los Angeles	6/7/2013	Private	EIR
<i>California Cartage Company, Inc., et al. v. City of Los Angeles, et al. (03345)</i>	Los Angeles (Wilmington)	Los Angeles	6/5/2013	Private	EIR
<i>Coalition for a Safe Environment, et al. v. City of Los Angeles, et al. (03350)</i>	Los Angeles (Wilmington)	Los Angeles	6/7/2013	Private	EIR
<i>South Coast Air Quality Management District v. City of Los Angeles, et al. (03353)</i>	Los Angeles (Wilmington)	Los Angeles	6/7/2013	Private	EIR
<i>Trancas PCH v. City of Malibu, et al. (03427)</i>	Malibu	Los Angeles	9/27/2013	Agency	EIR
<i>City of Maywood v. Los Angeles Unified School District, et al. (03284 (PET) & 03295 (FAC))</i>	Maywood	Los Angeles	2/19/2013	Agency	EIR, MMRP
<i>Pasadena Coalition v City of Pasadena (03313)</i>	Pasadena	Los Angeles		Private	IS/MND
<i>Coalition for Preservation of the Arroyo, et al. v. City of Pasadena, et al.(03254)</i>	Pasadena	Los Angeles	1/3/2013	Agency	EIR
<i>California Clean Energy Committee v. City of Pasadena (03314)</i>	Pasadena	Los Angeles	4/28/2013	Agency	EIR
<i>Steven Walters, et al. v. City of Redondo Beach, et al. (03428)</i>	Redondo Beach	Los Angeles	9/20/2013	Private	Cat. Ex. Class 3
<i>Calvin Normore v. City of Santa Monica, et al. (03325)</i>	Santa Monica	Los Angeles	5/8/2013	Private	EIR
<i>Daniel Knight v. City of Visalia, et al. (03316)</i>	Visalia	Los Angeles	4/24/2016	Private	EIR
<i>G.G. Verone, et al. v. City of West Hollywood, et al. (03415 (PET) & 03421 (FAC))</i>	West Hollywood	Los Angeles	9/3/2013	Private	Cat. Ex. Class 2
<i>Terry O'Brien, et al. v. City of Whittier, et al. (03296)</i>	Whittier	Los Angeles	3/28/2013	Private	Cat. Ex. Class 3

2013 CEQA PETITIONS

Name of Case	Location of Project: City	Location of Project: County	Lawsuit Date	Agency or Private Project	Compliance Challenge (e.g. Nec. Dec., EIR, Cat. Ex.)
<i>Ballona Wetlands Land Trust v. CA Coastal Commission, et al. (03290)</i>		Los Angeles	2/11/2013	Agency	Approving Coastal Development Permit without looking to alternatives
<i>Affordable Clean Water Alliance v. Santa Clarita Valley Sanitation District of Los Angeles County (03460)</i>		Los Angeles	11/27/2013	Agency	EIR
<i>SCOPE (Santa Clarita Organization for Planning and the Environment) v. Castaic Lake, et al. (03308)</i>		Los Angeles	2/8/2013	Agency	NOE: not a project
<i>Phyllis Faber, et al. v. California Coastal Commission, et al. (03309)</i>		Marin	4/5/2013	Agency	NOE: not a project
<i>Center for Biological Diversity, et al. v. County of Marin (03450)</i>		Marin	11/18/2013	Agency	EIR
<i>Marin Community Alliance, et al. v. County of Marin, et al. (03441)</i>		Marin	10/4/2013	Agency	FSEIR
<i>Gallinas Creek Defense Council v. City of San Rafael, et al. (03257 (PET) & 03278 (FAC))</i>	San Rafael	Marin	1/17/2013	Private	EIR
<i>Drakes Bay Oyster Company, et al. v. California Coastal Commission, et al. (03310)</i>		Marin	4/5/2013	Agency	NOE: not a project
<i>Tomek Ulatowski v. Heritage House, L.P., et al. (03374)</i>	Little River	Mendocino	6/25/2013	Private	NOE: not a project
<i>Willits Environmental Center, et al v. Mendocino County, et al (03402)</i>		Mendocino	8/23/2013	Private	None
<i>The Open Monterey Project v. Monterey County Board of Supervisors, et al. (03293, 03294 - Landwatch Monterey County v. County of Monterey (03294)</i>		Monterey	3/21/2013	Agency	EIR
<i>Keep Nevada County Rural, et al. v. County of Nevada, et al. (03326)</i>		Nevada	5/15/2013	Private	EIR
<i>Ocean View School District v. City of Huntington Beach, et al. (03475 & 03476 (DUPE))</i>	Huntington Beach	Orange	12/10/2013	Private	EIR
<i>Parks Legal Defense Fund v. City of Huntington Beach. (03363)</i>	Huntington Beach	Orange			
<i>City of Irvine v. County of Orange, et al. (03255)</i>	Irvine	Orange	1/9/2013	Agency	EIR
<i>Saddleback Canyons Conservancy, et al. v. County of Orange, et al. (03256)</i>		Orange	1/18/2013	Private	EIR
<i>Western Placer Unified School District v. City of Lincoln, et al. (03253)</i>	Lincoln	Placer	12/28/2012	Agency	EIR
<i>Tahoe Residents United for Safe Transit, et al. v. County of Placer, et al. (03274)</i>		Placer	1/29/2013	Agency	EIR
<i>Ganahl Lumber Company v. City of Corona, et al. (03431)</i>	Corona	Riverside	10/17/2013	Private	MND
<i>Sierra Club, et al. v. City of Moreno Valley, et al. (03259)</i>	Moreno Valley	Riverside	01/9/2013	Private	EIR
<i>Sierra Club, et al. v. City of Moreno Valley, et al. (03282)</i>	Moreno Valley	Riverside	2/21/2013	Private	EIR
<i>Compassionate Care Beneficiaries v. City of Murrieta (03440)</i>	Murrieta	Riverside	10/3/2013	Agency	NOE: Common sense exemption
<i>People for Proper Planning v. City of Palm Springs, et al. (03434)</i>	Palm Springs	Riverside	10/9/2013	Agency	Cat. Ex. Class 5
<i>Smart Neighbors for Smart Growth v. Timothy White, et al. (03333)</i>	Riverside	Riverside	5/20/2013	Agency	EIR
<i>De Luz 2000, a California Nonprofit Corporation dba Save Our Southwest Hills v. County of Riverside (03251)</i>		Riverside	1/2/2013	Agency	NOE: Common sense exemption
<i>MVV, L.P., et al. v. City of Corona, et al. (03355)</i>	Corona	Riverside	6/14/2103	Private	Addendum to EIR
<i>North First Street Properties, LP v. City of Palm Springs, et al. (03288 (PET) & 03276 (FAC) & 03322 (SAC))</i>	Palm Springs	Riverside	1/17/2013	Private	Addendum to EIR
<i>Advocates For Better Community Development v. City of Palm Springs, et al. (03285 (PET) & 03406(SAC))</i>	Palm Springs	Riverside	2/19/2013	Private	Addendum to MMPS EIR
<i>Citizens For Quality Development v. City of Wildomar, et al. (03352)</i>	Wildomar	Riverside	6/11/2013	Private	EIR
<i>Martha Bridge, et al. v. City of Wildomar, et al. (03360)</i>	Wildomar	Riverside	6/24/2013	Private	EIR
<i>Temecula Agriculture Conservation Council v. County of Riverside, et al. (03375)</i>		Riverside	6/18/2013	Private	MND

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Name of Case	Location of Project: City	Location of Project: County	Lawsuit Date	Agency or Private Project	Compliance Challenge (e.g. Nec. Dec., EIR, Cat. Ex.)
<i>Citizens Against Alcohol Manufacturing in Midtown, et al. v. City of Sacramento, et al. (03469)</i>	Sacramento	Sacramento	6/24/2013	Private	Cat. Ex. Class 32
<i>Dr. Michael G. Adelberg v. County of Sacramento, et al. (3405)</i>		Sacramento	8/30/2013	Private	EIR
<i>Environmental Council of Sacramento v. California Department of Transportation, et al. (03377)</i>		Sacramento	7/29/2013	Agency	EIR
<i>Coordination Proceeding Special Title Delta Stewardship Council Cases - North Coast Rivers Alliance, et al. (03419)</i>		Sacramento	9/6/2013	Agency	EIR
<i>Monterey Coastkeeper, a program of The Otter Project, et al. v. California State Water Resources Control Board (03462)</i>		Sacramento	11/27/2013	Agency	None
<i>K.H. Moss Company, et al. v. City of Citrus Heights, et al. (03364)</i>	Citrus Heights	Sacramento	6/24/2013	Private	Neg. Dec.
<i>Environmental Council of Sacramento, et al. v. County of Sacramento, et al. (03281)</i>		Sacramento	3/1/2013	Private	EIR
<i>Citizens For A Better Way, et al. v. Edmund G. Brown, Jr., et al. (03289 (PET) & 03297 (FAC))</i>		Sacramento	2/25/2013	Private	None
<i>Center for Biological Diversity v. San Benito County, et al. (03369)</i>		San Benito	7/10/2013	Private	IS/MND
<i>Save Our Schools v. Barstow Unified School District, et al. (03298)</i>	Barstow and Hinkley	San Bernardino	3/27/2013	Agency	Cat. Ex, Class 14
<i>Creed-21 v. City of Chino, et al. (03446)</i>	Chino	San Bernardino	10/29/2013	Private	EIR
<i>Creed-21 v. City of Chino (03470)</i>	Chino	San Bernardino	12/19/2013	Agency	EIR
<i>The Inland Oversight Committee, et al. v. City of Chino, et al (03437)</i>	Chino	San Bernardino	10/16/2013	Private	MND
<i>Kerri N. Tuttle, et al. v. County of San Bernardino, et al. (03404)</i>	Town of Joshua Tree	San Bernardino	7/8/2013	Private	IS/MND
<i>Union of Medical Marijuana Patients, Inc. v. City of Upland (03453)</i>	Upland	San Bernardino	11/19/2013	Agency	None
<i>Save Our Uniquely Rural Community Environment v. County of San Bernardino, et al. (03366)</i>	Chino	San Bernardino	6/26/2013	Private	NOE: Class 1 and Class 3
<i>The Inland Oversight Committee, et al. v. City of Chino, et al. (03379)</i>	Chino	San Bernardino	7/18/2013	Private	Addendum to EIR
<i>Creed-21, et al. v. City of Barstow, et al. (03361)</i>	Barstow	San Bernardino	6/19/2013	Private	EIR
<i>The Inland Oversight Committee v. City of Chino, et al. (03362)</i>	Chino	San Bernardino	6/21/2013	Private	Addendum to EIR
<i>The Inland Oversight Committee v. City of Ontario, et al. (03277)</i>	Ontario	San Bernardino	2/7/2013	Private	EIR
<i>Joshua Tree Downtown Business Alliance v. County of San Bernardino, et al. (03368)</i>	Town of Joshua Tree	San Bernardino	7/8/2013	Private	MND
<i>Raymond Bender, et al. v. County of San Diego Acting by & through its Department of Public Works, Airports Division, et al. (03458)</i>	Carlsbad	San Diego	11/19/2013	Agency	None
<i>Stuck in the Rough, LLC v. City of Escondido, et al. (03467)</i>	Escondido	San Diego	12/2/2013	Agency	None
<i>Preserve Poway v. City of Poway, et al. (03433)</i>	Poway	San Diego	9/19/2013	Private	IS/MND
<i>San Diegans for Open Government v. City of San Diego, et al. (03311 (PET) & 03328 (FAC))</i>	San Diego	San Diego	4/2/2013	Private	Cat. Ex. Class 1
<i>Bernate Ticino Trust Dated March 2, 2009, et al. v. City of San Diego, et al. (03457)</i>	San Diego	San Diego	11/13/2013	Private	Cat. Ex. Class 3
<i>Coalition for a Safe Environment, et al. v. City of San Diego, et al.</i>	San Diego	San Diego	11/21/2013	Private	EIR
<i>Save Our Heritage Organization (SOHO) v. City of San Diego, et al. (03303)</i>	San Diego	San Diego	4/8/2013	Agency	None
<i>Creed-21 v. City of San Diego, et al. (03423)</i>	San Diego	San Diego	9/9/2013	Private	None
<i>Rolandans for Quality Infill Development v. City of San Diego, et al. (03435 & 03454 (DUPE))</i>	San Diego	San Diego	10/4/2013	Private	None
<i>Preserve Wild Santee, et al. v. City of San Diego, et al. (03453)</i>	San Diego	San Diego	11/7/2013	Private	EIR
<i>David Carr v. San Marcos Unified School District (03478)</i>	San Marcos	San Diego	11/15/2013	Agency	EIR
<i>Cell No, et al. v. City of San Marcos, et al. (03479)</i>	San Marcos	San Diego	11/22/2013	Private	MND

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Name of Case	Location of Project: City	Location of Project: County	Lawsuit Date	Agency or Private Project	Compliance Challenge (e.g. Nec. Dec., EIR, Cat. Ex.)
<i>San Diegans for Open Government, et al. v. California Coastal Commission, et al. (03367)</i>		San Diego	7/15/2013	Private	Coastal Commission approval with conditions (unspecified)
<i>Cleveland National Forest Foundation v. California Department of Transportation, et al. (03463)</i>		San Diego	12/4/2013	Agency	EIR
<i>San Diego Navy Broadway Complex Coalition v. California Coastal Commission, et al. (03465)</i>		San Diego	11/25/2013	Agency	EIR
<i>Friends of Loma Alta Creek v. City of Oceanside, et al. (03319)</i>	Oceanside	San Diego	4/25/2013	Private	MND
<i>San Diegans for Open Government v. City of San Diego, et al. (03318 (PET)& 3400 (FAC))</i>	San Diego	San Diego	4/10/2013	Private	None
<i>Freepb.org, et al. v. City of San Diego, et al. (03351)</i>	San Diego	San Diego	6/12/2013	Private	None
<i>Helping Hands Tools v. San Diego Air Pollution Control District, et al. (03037)</i>		San Diego		private	Underlying case challenging NOEs, lack of public notice, comment
<i>Concerned Ramona Residents, et al. v. County of San Diego, et al. (03339)</i>		San Diego	3/8/2013	Private	MNDs
<i>Friends of San Diego Organic Produce, et al. v. County of San Diego, et al. (03267)</i>		San Diego	1/18/2013	Agency	MND
<i>Civilian Conservation Corps Camp Interest Group v. Valley Center Pauma Unified School District, et al. (03317)</i>		San Diego	5/13/2013	Agency	None
<i>The Protect Our Communities Foundation, et al. v. San Diego County Board of Supervisors (03356)</i>		San Diego	6/12/2013	Agency	EIR
<i>The 765 Market Street Residential Owners Association, et al. v. All Persons Interested, et al. (03401)</i>	San Francisco	San Francisco	8/18/2013	Private	NOD
<i>The Sierra Club, et al. v. City and County of San Francisco, et al. (03305)</i>	San Francisco	San Francisco	2/5/2013	Agency	EIR
<i>Mica I. Ringel v. City & County of San Francisco, et al. (03468)</i>	San Francisco	San Francisco	11/26/2013	Private	MND
<i>San Franciscans for Livable Neighborhoods v. City and County of San Francisco, et al. (03306)</i>	San Francisco	San Francisco		Agency	EIR
<i>Save the California Delta Alliance v. Delta Stewardship Council (03359)</i>	San Francisco	San Francisco	6/17/2013	Agency	EIR
<i>Horizon Planet v. City of Tracy, by and through the City Council, et al. (03279)</i>	Tracy	San Joaquin	2/20/2013	Private	EIR
<i>Horizon Planet v. City of Tracy, by and through the City Council, et al. (03249)</i>	Tracy	San Joaquin	10/1/2013	Private	EIR
<i>City of Stockton, et al. v. Delta Stewardship Council, et al. (03347)</i>	Stockton	San Joaquin	6/13/2013	Agency	EIR
<i>State Water Contractors, et al. v. Delta Stewardship Council (03348)</i>		San Joaquin	6/14/2013	Agency	EIR
<i>North Coast Rivers Alliance, et al. v. Delta Stewardship Council, et al. (03349 and 03357 (DUPE))</i>		San Joaquin	6/14/2013	Agency	EIR
<i>Betty Winholtz v. California Coastal Commission, et al. (03438)</i>	Morro Bay	San Luis Obispo	10/11/2013	Private	None
<i>Nipomo Parks Conservancy v. County of San Luis Obispo (03271 (PET) & 03327 (FAC))</i>		San Luis Obispo	1/18/2013	Agency	EIR
<i>Alliance for Responsible Neighborhood Planning, et al. v. Burlingame School District. (03263)</i>	Burlingame	San Mateo	1/11/2013	Agency	MND
<i>Pacificans For A Scenic Coast v. California Department of Transportation(03414)</i>	Pacifica	San Mateo	9/5/2013	Agency	EIR
<i>CW Design & Development, Inc. v. City of Gilroy, et al. (03337)</i>	Gilroy	Santa Clara	2/25/213	Agency	MND
<i>The Bullis-Purissima Elementary School dba Bullis Charter School v. Los Altos School District, et al. (03451)</i>	Los Altos	Santa Clara	11/6/2013	Agency	Addendum to MND
<i>SJJC Aviation Services, LLC v. City of San Jose, et al. (03473)</i>	San Jose	Santa Clara	12/23/2013	Agency	Addendum to EIR
<i>Residents of Santa Clara v. City of Santa Clara, et al. (03439)</i>	Santa Clara	Santa Clara	10/15/2013	Private	Cat. Ex. Class 1
<i>Coalition for Safe and Sensible Zoning, LLC v. City of Palo Alto, et al. (03378)</i>	Palo Alto	Santa Clara	7/31/2013	Private	IS/MND
<i>SJJC Aviation Services, LLC v. City of San Jose, et al. (03320 (PET) & 03416 (FAC))</i>	San Jose	Santa Clara	5/9/2013	Agency	None
<i>YCS Investments, Inc. v. The City of San Jose, et al. (03315)</i>	San Jose	Santa Clara	4/29/2013	Agency	FEIR/EIS
<i>Elizabeth Clark v. City of Saratoga, et al. (03269)</i>	Saratoga	Santa Clara	1/14/2013	Private	Cat. Ex. 14 CCR 15315

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Name of Case	Location of Project: City	Location of Project: County	Lawsuit Date	Agency or Private Project	Compliance Challenge (e.g. Nec. Dec., EIR, Cat. Ex.)
<i>Save Our Big Trees v. City of Santa Cruz, et al. (03442)</i>	Santa Cruz	Santa Cruz	11/3/2013	Agency	NOE: CEQA Guidelines 14 27 Cal. Code Regs. §§ 15307, 15308
<i>Watsonville Pilots Association, et al. v. City of Watsonville, et al. (03287 (PET) & 03332 (FAC))</i>	Watsonville	Santa Cruz	3/8/2013 5/30/2013	Agency	EIR
<i>Watertrough Children's Alliance v. County of Sonoma, et al. (03461)</i>	Sebastopol	Sonoma	11/21/2013	Private	None
<i>Citizens Against The Roundabout v. California Department of Transportation (03445 & 03449 (DUPE) & 03464 (DUPE))</i>		Sonoma	11/21/2013	Agency	IS/MND
<i>Citizens for Ceres v. City of Ceres, by and through the City Council (03399)</i>	Ceres	Stanislaus	8/23/2013	Agency	NOE: Class 1
<i>Stanislaus Audubon Society, Inc. v. County of Stanislaus, et al (03280)</i>		Stanislaus	2/26/2013	Private	MND
<i>Lindsay Advocates for Responsive Government v. City of Lindsay, et al. (03420)</i>	Lindsay	Tulare	8/19/2013	Private	Cat. Ex. Class 32
<i>Coalition for Clean Air, et al. v. City of Visalia, et al. (03338 (SAC))</i>	Visalia	Tulare	2/20/2013	Private	Cat. Ex - Ministerial project (Section 15268)
<i>Sundale Vineyards, L.P. v. County of Tulare. (03373)</i>		Tulare	7/9/2013	Private	EIR
<i>Tuolumne County Citizens for Responsible Growth, Inc. v. County of Tuolumne, et al. (03358)</i>		Tuolumne	6/5/2013	Private	IS/ND
<i>Camulos Ranch LLC v. County of Ventura, et al. (03323)</i>		Ventura	5/1/2013	Agency	Program EIR
<i>Norcal II Co-Brands, Inc., et al. v. City of Woodland, et al (03372)</i>	Woodland	Yolo	7/11/2013	Private	NOE: Class 32

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Name of Case	Location of Project: City	Location of Project: County	Lawsuit Date	Agency or Private Project	Compliance Challenge (e.g. Neg. Dec., EIR, Cat. Ex.)
<i>East Bay Regional Park District, et al. v. City of Alameda, et al. (03571)</i>	Alameda	Alameda	4/11/2014	Agency	Addendum to 9-year old Neg. Dec. and 3-year old EIR
<i>Alameda Architectural Preservation Society v. City of Alameda, et al. (03556)</i>	Alameda	Alameda	4/23/2014	Agency	NOE: unspecified categorical exemption from CEQA.
<i>Elmwood Neighborhood Association v. City of Berkeley, et al. (03561)</i>	Berkeley	Alameda	4/26/2014	Private	Neg. Dec.
<i>Alameda Creek Alliance v. City of Dublin, et al. (03537)</i>	Dublin	Alameda	3/19/2014	Private	EIR
<i>Livermore Citizens for Responsible Growth v. City of Livermore, et al. (03596)</i>	Livermore	Alameda	5/14/2014	Private	Cat. Ex. Class 1
<i>Citizens Committee to Complete the Refuge, Inc. v. City Council of the City of Newark, et al. (03486)</i>	Newark	Alameda	1/10/2014	Agency	EIR
<i>Clean West Oakland Now, et al. v. City of Oakland, et al. (03653)</i>	Oakland	Alameda	9/12/2014	Agency	3 NOEs: Class 1, 7, 8, and §§ 15061(b)(3), 15308, 15183
<i>Commercial and Retail Attraction and Development for the Laurel (CRADL), et al v. City of Oakland, et al. (03471)</i>	Oakland	Alameda	12/17/2013	Private	EIR
<i>Heron Bay Homeowners Association v. City of San Leandro, et al. (03609)</i>	San Leandro	Alameda	7/7/2014	Private	None
<i>Wahoe Meadows Community v. California State Park and Recreation Commission, et al. (03628)</i>		Alameda	8/11/2014	Agency	EIR
<i>Pesticide Action Network North America, et al v. California Department of Pesticide Regulation, et al. (03608)</i>		Alameda	7/7/2014	Private	None
<i>Living Rivers Council v. State Waters Resources Control Board. (03520 & 03539 (DUPE))</i>		Alameda	3/14/2014	Agency	SED (substitute environmental document)
<i>Pine Grove Business Alliance v. County of Amador, et al. (03679)</i>	Pine Grove Area	Amador	11/5/2014	Private	None
<i>Ken Berry v. City of Sutter Creek, et al. (03695)</i>	Sutter Creek	Amador	12/11/2014	Private	EIR
<i>Advocates for Lawful Environmental Review Today v. City of Orinda (03472)</i>	Orinda	Contra Costa	12/19/2013	Agency	MND
<i>Communities for a Better Environment v. Bay Area Air Quality Management District, et al. (03590)</i>	Richmond	Contra Costa	6/5/2014	Private	EIR
<i>Communities for a Better Environment, et al v. Bay Area Air Quality Management District, et al. (03531)</i>	Richmond	Contra Costa	3/27/2014	Private	Ministerial project
<i>Communities for a Better Environment, et al. v. Bay Area Air Quality Management District, et al. (03656)</i>	Richmond	Contra Costa	3/27/2014	Private	None
<i>Friends of Walnut Creek v. City of Walnut Creek and its Council, et al. (03613 (PET) & 03633 (FAC))</i>	Walnut Creek	Contra Costa	7/14/2014	Private	EIR
<i>Pacific Shores Property Owners Association v. Border Coast Regional Airport Authority (03526)</i>	Crescent City	Del Norte	3/24/2014	Agency	None
<i>Friends of Green Valley, et al v. El Dorado County, et al. (03488)</i>		El Dorado	1/10/2014	Private	IS/MND
<i>Union of Medical Marijuana Patients, Inc., et al. v. City of Fresno (03579)</i>	Fresno	Fresno	5/8/2014	Agency	NOE: Section 15061(b)(3) of the CEQA Guidelines.
<i>Consolidated Irrigation District v. City of Reedley, et al. (03640)</i>	Reedley	Fresno	8/26/2014	Private	Cat. Ex. Class 32
<i>Consolidated Irrigation District v. City of Reedley, et al. (03533)</i>	Reedley	Fresno	3/27/2014	Agency	EIR
<i>Transportation Solutions Defense and Education Fund v. California Air Resources Board, et al. (03603)</i>		Fresno	6/20/2014	Agency	Environmental Analysis (EA)
<i>Michael S. Green v. County of Fresno, et al. (03542)</i>		Fresno	4/4/2014	Agency	Neg. Dec.
<i>League of Women Voters of Fresno v. County of Fresno, et al. (03601 (PET) & 03621 (FAC))</i>		Fresno	6/23/2014	Private	NOE: Project already evaluated for CEQA compliance by 2011 EIR

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Name of Case	Location of Project: City	Location of Project: County	Lawsuit Date	Agency or Private Project	Compliance Challenge (e.g. Nec. Dec., EIR, Cat. Ex.)
<i>John R. Lawson Rock & Oil, Inc., et al. v. California Air Resources Board, et al. (03580 (PET) & 03620 (FAC) & 03704 (SAC))</i>		Fresno	5/23/2014	Agency	None
<i>Backcountry Against Dumps, et al. v. Imperial County Board of Supervisors, et al. (03684 & 03686 (DUPE) & 03689 (DUPE))</i>		Imperial	11/20/2014	Private	EIR
<i>Citizens Against the 24th Street Widening Project v. City of Bakersfield, et al. (03523 & 03532 (DUPE))</i>	Bakersfield	Kern	3/17/2014	Agency	FEIR
<i>Sierra Club v. City of Wasco, et al. (03555)</i>	Wasco	Kern	4/23/2014	Private	NOE: Public Resources Code § 21080(b)(6) (statutory exemption)
<i>Association of Irrigated Residents, et al. v. Kern County Board of Supervisors, et al. (03673)</i>		Kern	10/9/2014	Private	EIR
<i>Randy Parker, et al. v. County of Kern, et al. (03678)</i>		Kern	4/28/2014	Private	FEIR
<i>Willow Creek Ranch, et al. v. Buena Vista Water Storage District, et al. (03540)</i>		Kern	3/14/2014	Private	None
<i>Association of Irrigated Residents, et al. v. California Department of Conservation, Division of Oil, Gas, and Geothermal Resources (03682)</i>		Kern	11/11/2014	Private	None
<i>Citizens Advocating Rational Development v. City of Burbank, et al. (03553)</i>	Burbank	Los Angeles	4/14/2014	Private	FEIR
<i>Golden State Water Company v. City of Claremont. (03583)</i>	Claremont	Los Angeles	5/19/2014	Agency	EIR
<i>Covina Residents for Responsible Development v. City of Covina, et al. (03544)</i>	Covina	Los Angeles	4/3/2014	Private	MND
<i>The Inland Oversight Committee v. City of Covina, et al. (03693)</i>	Covina	Los Angeles	11/19/2014	Private	MND
<i>Union of Medical Marijuana Patients, Inc. v. City of Diamond Bar (03566)</i>	Diamond Bar	Los Angeles	4/23/2014	Agency	NOE: §§ 15060(c)(2), 15060(c)(3) and 15061(b)(3) of the CEQA Guidelines
<i>Keeping La Verne Strong, et al. v. City of La Verne, et al. (03641)</i>	La Verne	Los Angeles	8/27/2014	Private	NOE: Class 1
<i>Griffith J. Griffith Charitable Trust, et al. v. City of Los Angeles. (03657)</i>	Los Angeles	Los Angeles	9/19/2014	Agency	EIR
<i>Hyde Park Organizational Partnership for Empowerment v. City of Los Angeles, et al. (03617)</i>	Los Angeles	Los Angeles	7/17/2014	Private	MND
<i>Griffith J. Griffith Charitable Trust, et al. v. City of Los Angeles. (03659)</i>	Los Angeles	Los Angeles	9/25/2014	Agency	MND
<i>GE Realprop, L.P. v. City of Los Angeles, et al. (03677)</i>	Los Angeles	Los Angeles	10/29/2014	Private	MND
<i>The Urban Wildlands Group, Inc. v. City of Los Angeles, et al. (03647)</i>	Los Angeles	Los Angeles	9/5/2014	Agency	NOE: Class 2
<i>Enrich LA, et al. v. City of Los Angeles, et al. (03607)</i>	Los Angeles	Los Angeles	6/2/2014	Agency	None
<i>Bel Air Homeowners Alliance v. City of Los Angeles, et al. (03664)</i>	Los Angeles (Bel Air)	Los Angeles	9/29/2014	Private	MND
<i>MLK Marlton LLC v. City of Los Angeles, et al. (03670)</i>	Los Angeles (Crenshaw)	Los Angeles	12/5/2014	Private	MND
<i>La Mirada Avenue Neighborhood Association of Hollywood v. City of Los Angeles, et al. (03575)</i>	Los Angeles (Hollywood)	Los Angeles	5/16/2014	Private	EIR
<i>StoptheMillenniumHollywood.com, et al. v. City of Los Angeles, et al. (03644)</i>	Los Angeles (Hollywood)	Los Angeles	9/5/2014	Private	EIR
<i>Fix the City, Inc. v. City of Los Angeles, et al. (03567)</i>	Los Angeles (Hollywood)	Los Angeles	5/6/2014	Agency	NOE: rely upon Government Code section 65759
<i>Sherman Oaks Residents for a Safe Environment v. City of Los Angeles, et al. (03570)</i>	Los Angeles (Sherman Oaks)	Los Angeles	4/30/2014	Private	EIR

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Name of Case	Location of Project: City	Location of Project: County	Lawsuit Date	Agency or Private Project	Compliance Challenge (e.g. Nec. Dec., EIR, Cat. Ex.)
<i>The Tiara Group v. City of Los Angeles (03643)</i>	Los Angeles (Van Nuys)	Los Angeles	7/24/2014	Agency	IS/MND
<i>Fast Lane Transportation, Inc. v. City of Los Angeles, et al. (03484)</i>	Los Angeles (Wilmington)	Los Angeles	11/5/2013	Private	EIR
<i>PVE Businesses Need Parking Association v. City of Palos Verdes Estates, et al. (03598)</i>	Palos Verdes	Los Angeles	5/16/2014	Agency	None
<i>Santa Monica Coalition for a Livable City v. City of Santa Monica, et al. (03517)</i>	Santa Monica	Los Angeles	3/10/2014	Private	EIR
<i>Exide Technologies, Inc. v. South Coast Air Quality Management District, et al. (03505)</i>	Vernon	Los Angeles	2/7/2014	Agency	EA (Environmental Assessment)
<i>Standard Pacific of Orange County, Inc., et al. v. City of Walnut, et al. (03661)</i>	Walnut	Los Angeles	10/1/2014	Agency	Cat. Ex: CEQA under title 14, sections 15061, subdivision (b)(3), and Class 12
<i>The Inland Oversight Committee v. City of West Covina, et al. (03694)</i>	West Covina	Los Angeles	11/19/2014	Private	NOE
<i>Los Angeles Conservancy v. City of West Hollywood, et al. (03651)</i>	West Hollywood	Los Angeles	9/18/2014	Private	EIR
<i>Douglas P. Fay v. County of Los Angeles, et al. (03491)</i>		Los Angeles	1/2/2014	Agency	MND
<i>Frank Bonvino v. Las Virgines Municipal Water District, et al. (03559)</i>		Los Angeles	4/24/2014	Agency	MND
<i>San Joaquin River Ranch, LLC v. County of Madera, et al. (03635)</i>	San Joaquin Valley Air Basin	Madera	8/18/2014	Private	EIR
<i>Root Creek Water District v. County of Madera, et al. (03636)</i>	San Joaquin Valley Air Basin	Madera	8/19/2014	Private	EIR
<i>Madera County Farm Bureau v. County of Madera, et al. (03649)</i>		Madera	8/27/2014	Private	Final Program EIR (FPEIR)
<i>Marin Community Alliance, et al. v. County of Marin (03692)</i>		Marin	11/24/2014	Agency	EIR
<i>Sierra Club v. California Coastal Commission, et al. (03616)</i>		Marin	7/10/2014	Agency	None
<i>Ukiah Citizens for Safety First, et al. v. City of Ukiah, et al. (03512)</i>	Ukiah	Mendocino	2/11/2014	Private	EIR
<i>Keep the Code, Inc. v. County of Mendocino, et al. (03599)</i>		Mendocino	6/23/2014	Private	IS/MND
<i>Willits Environmental Center, et al. v. Mendocino County, et al. (03557)</i>		Mendocino	4/25/2014	Private	MND
<i>Animal Legal Defense Fund, et al. v. Mendocino County (03690)</i>		Mendocino	11/25/2014	Agency	None
<i>CA Clean Energy Committee v. County of Merced, et al. (03481)</i>		Merced	12/18/2013	Private	EIR
<i>Sierra Club, et al. v. Merced County Association of Governments, et al. (03672)</i>		Merced	10/23/2014	Agency	EIR
<i>Coalition for Responsible Mammoth Development, et al. v. Great Basin Unified Air Pollution Control District, et al. (03631)</i>	Mammoth Lakes	Mono	8/15/2014	Private	EIR
<i>Russel Covington, et al. v. Great Basin Unified Air Pollution Control District, et al. (03632)</i>	Mammoth Lakes	Mono	8/14/2014	Private	EIR
<i>Mammoth Community Water District v. Great Basin Unified Air Pollution Control District, et al. (03634)</i>	Mammoth Lakes	Mono	8/14/2014	Private	EIR
<i>Evergreen Financial Group L.P. v. County of Monterey, et al. (03668)</i>	Carmel	Monterey	10/16/2014	Private	Cat. Ex. Class 1
<i>AG Land Trust v. California Coastal Commission, et al. (03697 (PET) & 03705 (FAC))</i>	Marina	Monterey	12/12/2014	Private	Coastal Comm's CDP approval (involves enviro review) on appeal from city's refusal to approve (because IS/MND was inadequate)

2014 CEQA PETITIONS

Name of Case	Location of Project: City	Location of Project: County	Lawsuit Date	Agency or Private Project	Compliance Challenge (e.g. Nec. Dec., EIR, Cat. Ex.)
<i>Kevin Dunne v. County of Monterey, et al. (03642)</i>	Pebble Beach	Monterey	8/29/2014	Private	NOE: Board found that the Project was exempt from CEQA since it was a replacement structure
<i>Higashi Farms, Inc., et al. v. City of Salinas, et al. (03703)</i>	Salinas	Monterey	12/18/2014	Private	MND
<i>City of Seaside v. City of Sand City, et al. (03535)</i>	Sand City	Monterey	1/21/2014	Private	EIR
<i>Fermin Vasquez, et al. v. County of Monterey, et al. (03610)</i>	Soledad	Monterey	7/3/2014	Private	None
<i>Coalition of Anaheim Taxpayers for Economic Responsibility, et al. v. City of Anaheim, et al. (03626)</i>	Anaheim	Orange	5/12/2014	Agency	None
<i>Hills for Everyone, et al. v. City of Brea, et al. (03612 (PET) & 03637 (FAC))</i>	Brea	Orange	7/1/2014	Private	EIR
<i>City of Irvine v. County of Orange, et al. (03492)</i>	Irvine	Orange	1/8/2014	Agency	County's relied on EIR certified 18 years ago and re-certified 16 years ago
<i>Los Alamitos Good Neighbors Association v. Los Alamitos Unified School District (03500)</i>	Los Alamitos	Orange	1/21/2014	Agency	Cat. Ex. Class 2
<i>Stop the Dunes Hotel v. City of Newport Beach, et al. (03521)</i>	Newport Beach	Orange	3/14/2014	Private	EIR
<i>Capistrano Shores, Inc. v. City of San Clemente (03519)</i>	San Clemente	Orange	3/5/2014	Agency	FEIR
<i>The Old Orchard Conservancy v. City of Santa Ana, et al. (03554)</i>	Santa Ana	Orange	4/3/2014	Private	FEIR
<i>1300 Normandy Properties, LLC, et al. v. County of Orange, et al. (03650)</i>		Orange	9/9/2014	Agency	NOE: CEQA Guideline Section 15061(b)(3)
<i>Friends of the Fire Rings v. South Coast Air Quality Management District (03514 (PET) & 03574 (FAC))</i>		Orange	3/4/2014	Agency	None
<i>Alliance for Protection of the Auburn Community Environment, et al. v. Placer County, et al. (03541)</i>	Auburn	Placer	3/20/2014	Private	EIR
<i>Committee for a Better Roseville v. City of Roseville, et al. (03480)</i>	Roseville	Placer	1/2/2014	Private	EIR
<i>Eric Welty, et al. v. Roseville City School District, et al. (03496)</i>	Roseville	Placer	1/17/2014	Private	None
<i>High Sierra Rural Alliance v. County of Plumas (03494)</i>		Plumas	1/15/2014	Agency	EIR
<i>Robertson's Ready Mix Concrete, Inc. v. City of Banning, et al. (03654)</i>	Banning	Riverside	9/19/2014	Agency	None
<i>Sierra Club v. Coachella Valley Conservation Commission, et al. (03551)</i>	Coachella Valley	Riverside	4/10/2014	Agency	SEIR
<i>The Inland Oversight Committee, et al. v. City of Eastvale, et al. (03699)</i>	Eastvale	Riverside	12/8/2014	Private	EIR and Addendum to EIR
<i>CUMV v. City of Moreno Valley, et al. (03536)</i>	Moreno Valley	Riverside	3/27/2014	Private	Addendum
<i>Creed-21 v. City of Moreno Valley, et al. (03543)</i>	Moreno Valley	Riverside	3/28/2014	Private	Addendum
<i>Citizens to Enforce CEQA v. City of Murrieta (03513)</i>	Murrieta	Riverside	2/20/2014	Private	MND
<i>The Lake Norconian Club Foundation v. California Department of Corrections and Rehabilitation, et al. (03687)</i>	Norco	Riverside	11/17/2014	Agency	None
<i>Advocates for Better Community Development v. City of Palm Springs, et al. (03670)</i>	Palm Springs	Riverside	10/22/2014	Private	Addendum to EIR
<i>People for Proper Planning v. City of Palm Springs, et al. (03528)</i>	Palm Springs	Riverside	3/21/2014	Private	MND
<i>Protect Wine Country v. County of Riverside, et al. (03511 (PET) & 03547 (FAC))</i>	Temecula	Riverside	2/20/2014	Agency	EIR
<i>Alliance for Intelligent Planning v. City of Wildomar (03487 (PET) & 03527 (FAC))</i>	Wildomar	Riverside	1/6/2014	Private	City claimed no changes in environmental impacts since original MND adopted in 2002 & 2006.

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Name of Case	Location of Project: City	Location of Project: County	Lawsuit Date	Agency or Private Project	Compliance Challenge (e.g. Nec. Dec., EIR, Cat. Ex.)
<i>Alliance for Intelligent Planning v. City of Wildomar (03490 (PET) & 03593 (FAC))</i>	Wildomar	Riverside	1/6/2014	Agency	EIR
<i>Marta Bridges and John Burkett v. City of Wildomar, et al. (03497)</i>	Wildomar	Riverside	1/15/2014	Private	None
<i>Martha Bridges, et al. v. Mt. San Jacinto Community College District, et al. (03680)</i>	Wildomar	Riverside	11/10/2014	Agency	None
<i>Martha Bridges, et al. v. City of Wildomar, et al. (03524(FAC))</i>	Wildomar	Riverside	3/17/2014	Private	Relied on MND adopted in 2002 and 2006
<i>Alliance for Intelligent Planning v. City of Wildomar, et al. (03549)</i>	Wildomar	Riverside	4/11/2014	Private	Relied on MND adopted in 2002 and 2006
<i>Martha Bridges, et al. v. CV Communities, LLC, et al. (03552)</i>	Wildomar	Riverside	4/14/2014	Private	Relied on MND adopted in 2002 and 2006
<i>Protect Wine Country v. County of Riverside (03627)</i>		Riverside	8/5/2014	Agency	Common sense exemption
<i>San Diego Navy Broadway Complex Coalition v. California Coastal Commission, et al. (03525 & 03530 (DUPE))</i>		Riverside	3/17/2014	Agency	EIR
<i>J to the 5th, LLC, et al. v. County of Riverside, et al. (03550)</i>		Riverside	4/11/2014	Private	PEIR
<i>M & H Realty Partners Affiliated Fund III L.P., et al. v. City of Elk Grove, et al. (03676)</i>	Elk Grove	Sacramento	10/29/2014	Private	Relied on 2001 EIR
<i>Sierra Club v. Sacramento Metropolitan Air Quality Management District, et al. (03662)</i>	McClellan	Sacramento	9/22/2014	Private	None
<i>Woodlake Neighbors Creating Transparency v. City of Sacramento, et al. (03489)</i>	Sacramento	Sacramento	1/13/2014	Private	Addendum to MND
<i>Dessins, LLC v. City of Sacramento, et al. (03504)</i>	Sacramento	Sacramento	2/5/2014	Private	Cat. Ex. Class 32
<i>Adriana Gianturco Saltonstall, et al. v. City of Sacramento, et al. (03577)</i>	Sacramento	Sacramento	5/21/2014	Private	EIR
<i>East Sacramento Partnerships For A Livable City v. City of Sacramento, et al. (03584)</i>	Sacramento	Sacramento	5/30/2014	Private	EIR
<i>Sacramento Coalition for Shared Prosperity v. City of Sacramento, et al. (03605)</i>	Sacramento	Sacramento	6/25/2014	Private	EIR
<i>First Free Will Baptist Church of Bakersfield v. California High-Speed Rail Authority (03585)</i>		Sacramento	6/6/2014	Agency	EIR
<i>County of Kings, et al. v. California High-Speed Rail Authority (03587)</i>		Sacramento	6/4/2014	Agency	EIR
<i>City of Bakersfield v. California High-Speed Rail Authority (03592)</i>		Sacramento	6/5/2014	Agency	EIR
<i>Dignity Health v. California High-Speed Rail Authority (03595)</i>		Sacramento	6/6/2014	Agency	EIR
<i>Laborers' International Union of North America, Local Union No. 1184 v. Energy Resources Conservation and Development (03510)</i>		Sacramento	2/20/2014	Private	Environmental Assessment
<i>Jamulians Against the Casino v. California Wildlife Conservation Board, et al. (03611 & 03615 (DUPE))</i>		Sacramento	7/16/2014	Private	NOE: Class 4
<i>Jamulians Against the Casino v. California Department of Transportation, et al. (03501)</i>		Sacramento	2/3/2014	Private	NOE: Class 5
<i>JRBM Investments I, LLC, et al. v. California Department of Conservation, et al. (03638 (PET) & 03646 (FAC))</i>		Sacramento	8/12/2014	Agency	None
<i>Alliance of Concerned Citizens Organized for Responsible Development v. City of San Juan Bautista, et al. (03594)</i>	San Juan Bautista	San Benito	6/13/2014	Agency	Cat. Ex. Class 8 and Guidelines § 15061(b)(3)
<i>Alliance of Concerned Citizens Organized for Responsible Development v. City of San Juan Bautista, et al. (03702)</i>	San Juan Bautista	San Benito	12/19/2014	Private	MND
<i>Coalition for Responsible Solar, et al. v. City of Adelanto, et al. (03604)</i>	Adelanto	San Bernardino	6/26/2014	Private	MND
<i>The Inland Oversight Committee, et al. v. City of Chino, et al. (03562)</i>	Chino	San Bernardino	4/29/2014	Private	Addendum to EIR
<i>Friends of Fawnskin, et al. v. County of San Bernardino, et al. (03602)</i>	Fawnskin	San Bernardino	6/23/2014	Private	None/SEIR
<i>George Sadler, et al. v. City of Oceanside (03625 (PET) & 03660 (FAC))</i>	Oceanside	San Diego	7/31/2014	Agency	None
<i>Union of Medical Marijuana Patients, Inc. v. California Coastal Commission, et al. (03629)</i>	San Diego	San Diego	8/1/2014	Agency	CEQA Guidelines Section 15060(c)(3)

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Name of Case	Location of Project: City	Location of Project: County	Lawsuit Date	Agency or Private Project	Compliance Challenge (e.g. Nec. Dec., EIR, Cat. Ex.)
<i>Kilroy Realty, L.P. v. City of San Diego, et al. (03581)</i>	San Diego	San Diego	5/27/2014	Private	NOE: Class 5
<i>San Diegans for Open Government, et al. v. City of San Diego, et al. (03572)</i>	San Diego	San Diego	5/8/2014	Private	None
<i>Union of Medical Marijuana Patients, Inc., v. City of San Diego, et al. (03563)</i>	San Diego	San Diego	4/29/2014	Agency	Not subject to CEQA pursuant to CEQA Guidelines § 15060(c)(3)
<i>Verizon Wireless (VAW) LLC v. The City of San Diego Development Services Division (03482 & 03483 (DUPE))</i>	San Diego	San Diego	12/31/2013	Private	Statutorily exempt from CEQA under Section 15270 of title 14 of California Code of Regulations
<i>Save Our Beach Access, et al. v. California Coastal Commission, et al. (03701)</i>	Solana Beach	San Diego	12/5/2014	Private	Cat Ex. Class 32
<i>Seascape Surf Estate Management Corporation v. City of Solana Beach, et al. (03588)</i>	Solana Beach	San Diego	5/23/2014	Private	NOE: Class 32
<i>San Dieguito Community Council v. County of San Diego, et al. (03578)</i>		San Diego	5/19/2014	Private	Addendum to 1981 EIR and 1984 SEIR
<i>County of San Diego v. State of CA, et al. (03493)</i>		San Diego	1/24/2014	Private	Declared action exempt from review
<i>San Diego Navy Broadway Complex Coalition v. California Coastal Commission, et al. (03498)</i>		San Diego	1/27/2014	Agency	EIR
<i>San Diego Navy Broadway Complex Coalition v. San Diego Unified Port District, et al. (03545)</i>		San Diego	4/2/2014	Private	EIR
<i>San Diego Navy Broadway Complex Coalition v. California Coastal Commission, et al. (03546)</i>		San Diego	3/17/2014	Agency	EIR
<i>Reckitt Benckiser LLC v. California Department of Pesticide Regulation, et al. (03534)</i>		San Diego	3/27/2014	Agency	None
<i>Walter Rosales, et al v. State of California, et al. (03548)</i>		San Diego	4/7/2014	Agency	None
<i>San Diego Coastkeeper v. San Diego County Water Authority (03565)</i>		San Diego	4/25/2014	Agency	Supplemental Program EIR (SPEIR)
<i>Coalition for Fair, Legal and Environmental Transit, et al. v. City and County of San Francisco, et al. (03569)</i>	San Francisco	San Francisco	5/1/2014	Private	Cat. Ex. Class 6
<i>Berit Muh v. City and County of San Francisco, et al. (03538)</i>	San Francisco	San Francisco	3/13/2014	Private	EIR
<i>The 765 Market Street Residential Owners Association, et al. v. The City and County of San Francisco, et al. (03597 (PET) & 03600(FAC))</i>	San Francisco	San Francisco	6/19/2014	Agency/Private	EIR
<i>San Franciscans for Livable Neighborhoods v. City and County of San Francisco (03623)</i>	San Francisco	San Francisco	7/28/2014	Agency	EIR
<i>Wild Equity Institute, et al. v. City and County of San Francisco, et al. (03560)</i>	San Francisco	San Francisco	4/22/2014	Agency	MND
<i>Small Property Owners of San Francisco Institute v. City and County of San Francisco, et al. (03499)</i>	San Francisco	San Francisco	1/28/2014	Agency	NOE: 14 CA ADC § 15060(c)(2) [No physical change]
<i>The Committee for Re-Evaluation of the T-Line Loop, et al. v. San Francisco Municipal Transportation Agency, et al. (03655)</i>	San Francisco	San Francisco	9/25/2014	Agency	Relied on the 1998 EIS/EIR
<i>Roger Towers v. County of San Joaquin (03688)</i>		San Joaquin	10/23/2014	Agency	Initial Study
<i>Quorum Realty Fund IV, LLC v. City of El Paso De Robles, et al. (03622)</i>	El Paso de Robles	San Luis Obispo	7/18/2014	Private	IS/MND
<i>Alliance of SLO Neighborhoods v. The Board of Trustees of the California State University, et al. (03606)</i>	San Luis Obispo	San Luis Obispo	6/20/2014	Agency	EIR
<i>Landwatch San Luis Obispo County v. Cambria Community Services District (03669)</i>		San Luis Obispo	10/14/2014	Agency	MND and NOE: CEQA's statutory exemption 17 criteria for an emergency project

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Name of Case	Location of Project: City	Location of Project: County	Lawsuit Date	Agency or Private Project	Compliance Challenge (e.g. Nec. Dec., EIR, Cat. Ex.)
<i>Advocates for Open Government v. Cabrillo Unified School District, et al. (03589)</i>	Half Moon Bay	San Mateo	6/11/2014	Agency	Unspecified categorical exemptions
<i>Pacificans for a Scenic Coast v. California Department of Transportation, et al. (03529-FAC)</i>	Pacifica	San Mateo	3/27/2014	Agency	EIR
<i>Save Laurel Way v. City of Redwood City, et al. (03506)</i>	Redwood City	San Mateo	2/12/2014	Private	RFEIR
<i>Ricardo Martinez, et al. v. City of San Carlos, et al. (03645 & 03648 (DUPE))</i>	San Carlos	San Mateo	9/8/2014	Agency	None
<i>Surfrider Foundation, et al. v. County of Santa Barbara, et al. (03516)</i>	Gaviota Coast	Santa Barbara	3/6/2014	Private	EIR
<i>Surfrider Foundation, et al. v. California Coastal Commission, et al. (03582)</i>	Gaviota Coast	Santa Barbara	5/30/2014	Private	EIR
<i>Friends of Saspili v. City of Goleta, et al. (03671)</i>	Goleta	Santa Barbara	10/17/2014	Private	EIR
<i>Citizens Advocating Rational Development v. City of Goleta, et al. (03666)</i>	Goleta	Santa Barbara	10/6/2014	Private	RFEIR
<i>Lawrence Grassini, et al. v. California Department of Transportation, et al. (03658 & 03663 (DUPE))</i>		Santa Barbara	9/26/2014	Agency	EIR and EA
<i>Transportation Futures Committee, et al. v. California Department of Transportation, et al. (03665)</i>		Santa Barbara	9/29/2014	Agency	EIR and EA
<i>Timothy Hoctor, et al v. County of Santa Barbara (03639)</i>		Santa Barbara	8/1/2014	Agency	MND
<i>SJJC Aviation Services, LLC v. City of San Jose, et al. (03508 (PET & 03568 (SAC))</i>	San Jose	Santa Clara	2/20/2014	Private	Addendum to EIR
<i>Mario Ambra, et al. v. City of San Jose, et al. (03515)</i>	San Jose	Santa Clara	3/3/2014	Private	EIR
<i>Friends of the Willow Glen Trestle v. City of San Jose, et al. (03507)</i>	San Jose	Santa Clara	2/11/2014	Agency	IS/MND
<i>Stand for San Jose, et al. v. City of San Jose, et al. (03698)</i>	San Jose	Santa Clara	12/4/2014	Private	Relied on 2007 EIR and 2010 SEIR
<i>Save Sunnyvale Parks & Schools, Inc. v. City of Sunnyvale, et al. (03485)</i>	Sunnyvale	Santa Clara	1/6/2014	Private	None
<i>Ocean Street Extension Neighborhood Association v. City of Santa Cruz, et al. (03509 (PET) & 03691 (FAC))</i>	Santa Cruz	Santa Cruz	2/20/2014	Private	Cat. Ex. Class 1
<i>Aptos Residents Association v. County of Santa Cruz, et al. (03573)</i>		Santa Cruz	5/8/2014	Private	Exempted project under CEQA review because they are "small structures" which have no "significant effect" on aesthetics.
<i>The Aptos Council v. County of Santa Cruz, et al. (03522)</i>		Santa Cruz	3/18/2014	Agency	NOE: statutorily exempt; Class 5 and 11; IS/MND
<i>Barbara A. Peck v. City of Anderson, et al. (03674)</i>	Anderson	Shasta	10/23/2014	Agency	None
<i>Inwood Task Force, et al. v. County of Shasta, et al. (03675)</i>	Inwood Valley	Shasta	10/30/2014	Private	IS/MND
<i>Friends of the Gualala River, et al. v. County of Sonoma, et al. (03576 (PET) & (03586 (FAC) & 03591 (Notice of CEQA Action)</i>	Annapolis	Sonoma	5/19/2014	Private	None
<i>Friends of Sonoma Mountain Road, et al. v. County of Sonoma, et al. (03685)</i>	Santa Rosa	Sonoma	11/13/2014	Private	MND
<i>Charles T. Jensen, et al. v. City of Santa Rosa, et al. (03564)</i>	Santa Rosa	Sonoma	4/23/2014	Private	Neg. Dec.
<i>New-Old Ways Holistically Emerging v. Sonoma County Board of Supervisors, et al. (03614)</i>		Sonoma	7/15/2014	Private	EIR
<i>Coastal Hills Rural Preservation v. County of Sonoma, et al. (03624 (PET) & 03630 (FAC))</i>		Sonoma	7/24/2014	Private	Subsequent MND
<i>Protecting Our Water and Environmental Resources, et al. v. Stanislaus County, et al. (03495)</i>		Stanislaus	1/24/2014	Agency	None
<i>Lindsay Advocates for Responsive Government, et al. v. City of Lindsay, et al. (03518)</i>	Lindsay	Tulare	3/11/2014	Private	Cat. Ex. Class 32
<i>on Manro v. City of Tulare, et al. (03681)</i>	Tulare	Tulare	11/7/2014	Agency	EIR
<i>Visalia Retail, LP v. City of Visalia (03683)</i>	Visalia	Tulare	11/14/2014	Agency	FEIR

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Name of Case	Location of Project: City	Location of Project: County	Lawsuit Date	Agency or Private Project	Compliance Challenge (e.g. Nec. Dec., EIR, Cat. Ex.)
<i>Central Sierra Environmental Resource Center v. County of Tuolumne, et al. (03502)</i>		Tuolumne	1/29/2014	Private	IS/MND
<i>Legacy Waterways v. Tuolumne Utilities District, et al. (03667)</i>		Tuolumne	10/9/2014	Agency	NOE: Class 1 and Class 31
<i>Ventura Realty & Investment Company v. The City of San Buenaventura, et al.</i>	San Buenaventura	Ventura	11/19/2014	Private	FEIR addendum
<i>Buckeye Terminals, LLC v. City of West Sacramento, et al. (03706)</i>	West Sacramento	Yolo	12/19/2014	Agency	NOE
<i>Citizens for Avian Resource and Environmental Sustainability, et al. v. County of Yolo, et al. (03558)</i>		Yolo	4/25/2014	Private	IS/MND

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Name of Case	Location of Project: City	Location of Project: County	Lawsuit Date	Agency or Private Project	Compliance Challenge (e.g. Nec. Dec., EIR, Cat. Ex.)
<i>Protect Niles, et al. v. City of Fremont, et al. (03782)</i>	Fremont	Alameda	4/3/2015	Private	MND
<i>Communities for a Better Environment, et al. v. City of Oakland, et al. (03899)</i>	Oakland	Alameda	10/2/2015	Private	None: relied on 2002 EIR
<i>Christopher Van Gundy v. City of Piedmont, et al. (03945)</i>	Piedmont	Alameda	12/3/2015	Private	Cat. Ex.: Class 3
<i>Coalition for the San Leandro Shoreline v. City of San Leandro, et al. (03876)</i>	San Leandro	Alameda	8/18/2015	Private	EIR
<i>San Francisco Baykeeper, Inc. v. California Regional Water Quality Control Board, et al. (03827)</i>		Alameda	6/30/2015	Agency	EIR
<i>Whittier Conservancy v. California Public Works Board, et al. (03821 (PET) & 03990 (FAC))</i>		Alameda	6/10/2015	Private	None: Second Amendment to Purchase/Sale Agrmt.
<i>Environmental Working Group, et al. v. California Department of Food and Agriculture, et al. (03723)</i>		Alameda	1/22/2015	CDFA	PEIR
<i>Sierra Club v. East Bay Regional Parks District (03855)</i>		Alameda	7/1/2015	Agency	SEIR
<i>John Bigwood, et al. v. City of Plymouth, et al. (03903 & 03909 - Dupes; 03908 (AG Not.); 03937 (FAC))</i>	Plymouth	Amador	10/5/2015	Agency	MND
<i>Ione Valley Land, Air, and Water Defense Alliance, LLC v. County of Amador (03788 (PET) & 03936 (FAC))</i>		Amador	4/28/2015	Private	EIR
<i>Citizens for Smart Development in Amador County v. County of Amador (03867)</i>		Amador	8/14/2015	Agency	MND
<i>Hercules Urban Partners, LLC v. City of Hercules, et al. (03745)</i>	Hercules	Contra Costa	2/13/2015	Agency?	EIR Addendum
<i>Save Lafayette v. City of Lafayette, et al. (03881)</i>	Lafayette	Contra Costa	9/8/2015	Private	SEIR
<i>Sims Group USA Corporation v. City of Richmond, et al. (03935)</i>	Richmond	Contra Costa	11/6/2015	Private	MND
<i>City of Richmond v. County of Contra Costa, et al. (03874)</i>	Richmond	Contra Costa	8/27/2015	Agency	EIR
<i>Paul de Paschalis, et al. v. Orinda Union School District, et al. (03947)</i>		Contra Costa	12/14/2015	Agency	Cat. Ex.: Class 3, 11, 14
<i>Communities for a Better Environment v. Contra Costa County, et al. (03755)</i>		Contra Costa	3/4/2015	Private	EIR
<i>Safe Fuel and Energy Resources California v. County of Contra Costa, et al. (03759)</i>		Contra Costa	5/5/2015	Private	EIR
<i>Rodeo Citizens Association v. County of Contra Costa, et al. (03765)</i>		Contra Costa	3/5/2015	Private	EIR
<i>Aqualliance, et al. v. United States Bureau of Reclamation, et al. (03805)</i>		Eastern District CA	5/11/2015	Agency	EIR/EIS
<i>Citizens for Sensible Development in El Dorado Hills v. County of El Dorado, et al. (03713)</i>	El Dorado Hills	El Dorado	1/15/2015	Private	MND
<i>Consolidated Irrigation District v. City of Reedley, et al. (03816)</i>	Reedley	Fresno	5/28/2015	Private	MND
<i>Poet, LLC, et al. v. California Air Resources Board, et al. (03919 & 03927 - Dupes))</i>		Fresno	10/30/2015	Agency	
<i>Backcountry Against Dumps, et al. v. Imperial County Board of Supervisors, et al. (03750 & 03761 (PET) & 03767 (FAC))</i>		Imperial	1/29/2015	Private	EIR
<i>Backcountry Against Dumps, et al. v. Imperial County Board of Supervisors, et al. (03750 & 03761 (PET) & 03767 (FAC))</i>		Imperial	3/4/2015	Private	FEIR

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<i>Center for Biological Diversity v. Imperial County Air Pollution Control District, et al. (03822)</i>		Imperial	6/11/2015	Agency	MND
<i>Center for Biological Diversity, et al. v. County of Inyo, et al. (03751)</i>		Inyo	2/19/2015	Private	EIR
<i>Concerned Citizens of the Fairfax Road Area, et al. v. The City of Bakersfield, et al. (03824 & 03831 (Dupes))</i>	Bakersfield	Kern	6/8/2015	Private	MND
<i>City of Los Angeles, et al. v. County of Kern, et al. (03744)</i>		Kern	2/10/2015	Agency	Cat. Ex.: Class 7; Class 8
<i>King and Gardiner Farms, LLC v. Kern County, et al. (03943)</i>		Kern	12/8/2015	Agency	EIR
<i>Vaquero Energy Inc., et al. v. County of Kern, et al. (03946)</i>		Kern	12/8/2015	Agency	EIR
<i>Committee for a Better Arvin, et al. v. County of Kern, et al. (03956)</i>		Kern	12/10/2015	Agency	EIR
<i>Sierra Club v. California Department of Conservation, et al. (03912)</i>		Kern	10/22/2015	Private	MND for each
<i>Hanford Environmental Awareness Team v. City of Hanford, et al. (03889)</i>	Hanford	Kings	7/2/2015		Neg. Dec.
<i>Save the Arcadia Highlands v. City of Arcadia, et al. (03769)</i>	Arcadia	Los Angeles	3/11/2015	Private	Cat. Ex.: Class 3
<i>The Inland Oversight Committee v. City of Covina, et al. (03835)</i>	Covina	Los Angeles	7/8/2015	Private	MND
<i>Aaron Montenegro, et al. v. City of El Monte, et al. (03931 & 03932 - Dupes)</i>	Del Monte	Los Angeles	11/6/2016	Private	EIR
<i>City of Baldwin Park v. City of Irwindale, et al. (03710)</i>	Irwindale	Los Angeles	1/5/2015	Private	EIR
<i>L.I.M.P.I.A. v. California Department of Toxic Substances Control, et al. (03789)</i>	Irwindale	Los Angeles	4/15/2015	Private	EIR
<i>Citizens About Responsible Planning v. City of Long Beach, et al. (03952)</i>	Long Beach	Los Angeles	12/17/2015	Private	EIR
<i>City of Long Beach v. State of California Department of Transportation, et al. (03846 & 03852 - Dupes)</i>	Long Beach	Los Angeles	7/16/2015	Agency	EIR
<i>Westwood Homeowners Association, et al. v. City of Los Angeles, et al. (03734)</i>	Los Angeles	Los Angeles	1/27/2015	Private	Cat. Ex. (Class 2)
<i>Alliance for a Regional Solution to Airport Congestion v. City of Los Angeles, et al. (03928)</i>	Los Angeles	Los Angeles	11/2/2015	Agency	Invalid NOE: Class 1
<i>L&B CIP South Bay Industrial, LLC v. City of Los Angeles, et al. (03778)</i>	Los Angeles	Los Angeles	4/1/2015	Private	EIR
<i>Sunset Coalition, et al. v. City of Los Angeles, et al. (03882)</i>	Los Angeles	Los Angeles	9/9/2015	Private	EIR
<i>La Mirada Avenue Neighborhood Association of Hollywood v. City of Los Angeles, et al. (03891)</i>	Los Angeles	Los Angeles	8/27/2015	Private	EIR
<i>Hollywoodians Encouraging Logical Planning [HELP], et al. v. The City of Los Angeles, et al. (03892)</i>	Los Angeles	Los Angeles	9/10/2015	Agency	EIR
<i>Fix the City, Inc. v. City of Los Angeles, et al. (03893)</i>	Los Angeles	Los Angeles	9/8/2015	Agency	EIR
<i>Beachwood Canyon Homeowners Ass'n, et al. v. City of Los Angeles, et al. (03730)</i>	Los Angeles	Los Angeles	1/20/2015	Private	EIR and Addenda
<i>Bird Street Neighbors Coalition, et al. v. City of Los Angeles, et al. (03712 (PET) & 03776 (FAC))</i>	Los Angeles	Los Angeles	12/3/2014	Private	MND
<i>Sullivan Canyon Property Owners Association, Inc., et al. v. City of Los Angeles, et al. (03726 (PET) & 03951 (FAC))</i>	Los Angeles	Los Angeles	1/21/2015	Private	MND
<i>Cartwright Avenue Neighbors v. City of Los Angeles, et al. (03771)</i>	Los Angeles	Los Angeles	3/16/2015	Private	MND
<i>Bruce D. Kuyper, et al. v. City of Los Angeles, et al. (03772)</i>	Los Angeles	Los Angeles	3/12/2015	Private	MND
<i>Coronado Street Citizens Coalition v. City of Los Angeles, et al. (03792)</i>	Los Angeles	Los Angeles	4/13/2015	Private	MND

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<i>Ventura Blvd. Associates, LLC v. City of Los Angeles, et al. (03811)</i>	Los Angeles	Los Angeles	5/21/2015	Private	MND
<i>Concerned Citizens of Beverly Hills/Beverly Grove v. City of Los Angeles (03813)</i>	Los Angeles	Los Angeles	5/22/2015	Private	MND
<i>Angelenos for a Great Hyperion Bridge, et al. v. City of Los Angeles, et al. (03843)</i>	Los Angeles	Los Angeles	7/9/2015	Agency	MND
<i>George Abrahams v. City of Los Angeles, et al. (03880)</i>	Los Angeles	Los Angeles	9/3/2015	Private	MND
<i>Neighbors Keith Munyan, et al. v. City of Los Angeles, et al. (03883)</i>	Los Angeles	Los Angeles	9/14/2015	Private	MND
<i>SaveValleyVillage v. The City of Los Angeles, et al. (03902)</i>	Los Angeles	Los Angeles	9/30/2015	Private	MND
<i>The Hyperion Avenue Neighborhood Association v. City of Los Angeles, et al. (03906)</i>	Los Angeles	Los Angeles	10/9/2015	Private	MND
<i>Lance Jay Robbins Paloma Partnership v. City of Los Angeles (03783)</i>	Los Angeles	Los Angeles	4/1/2015	Private	None
<i>Homeowners on Beachwood Drive United, et al. v. City of Los Angeles, et al. (03836)</i>	Los Angeles	Los Angeles	7/1/2015	Agency	None
<i>Bulwer Drive, LLC v. City of Los Angeles(03859)</i>	Los Angeles	Los Angeles	7/24/2015	Agency	None
<i>Lisa Seidman, et al. v. City of Los Angeles, et al. (03865 (PET) & 03895 (FAC))</i>	Los Angeles	Los Angeles	8/12/2015	Private	None
<i>Youth for Environmental Justice, et al. v. City of Los Angeles, et al. (03930)</i>	Los Angeles	Los Angeles	11/6/2015	Agency	None
<i>Sensible Citizens of Manhattan Beach v. City of Manhattan Beach, et al.(03735)</i>	Manhattan Beach	Los Angeles	12/23/2014	Private	EIR
<i>Citizens for Open and Public Participation v. City of Montebello, et al. (03875)</i>	Montebello Hills	Los Angeles	7/13/2015	Private	EIR
<i>Stewards of Public Land v. City of Pasadena, et al. (03770(PET) & 03934 (FAC))</i>	Pasadena	Los Angeles	3/4/2015	Private	Cat. Ex.: Class 1
<i>Fair Oaks Hotels, LLC v. City of Pasadena, et al. (03738)</i>	Pasadena	Los Angeles	2/6/2015	Private	NOE: Class 32 (infill)
<i>Spirit of the Sage Council, et al. v. City of Pasadena, et al. (03837 & 03842 -Dupes)</i>	Pasadena	Los Angeles	7/2/2015	Agency	MND
<i>AES Southland Development, LLC, et al. v. City of Redondo Beach, et al. (03858)</i>	Redondo Beach	Los Angeles	7/31/2015	Agency	NOE: Common Sense Exemption
<i>Creed-21, et al. v. City of Santa Fe Springs, et al. (03826)</i>	Santa Fe Springs	Los Angeles	6/26/2015	Private	EIR
<i>Neighborhood Planning Support, Inc. v. City of West Hollywood, et al. (03766)</i>	West Hollywood	Los Angeles	3/3/2015	Private	Neg. Dec.
<i>Whittier Conservancy v. City of Whittier, et al. (03857)</i>	Whittier	Los Angeles	7/31/2015	Private	EIR
<i>Mark Fudge v. California Coastal Commission, et al. (03764)</i>		Los Angeles	3/5/2015	Private	Cat. Ex.: Class 3
<i>Center for Biological Diversity v. County of Los Angeles, et al. (03847)</i>		Los Angeles	7/16/2015	Agency	EIR
<i>Communities for a Better Environment v. South Coast Air Quality Management District, et al. (03729)</i>		Los Angeles	1/28/2015	Private	Neg. Dec.
<i>Communities for a Better Environment v. South Coast Air Quality Management District, et al. (03748 & 03762)</i>		Los Angeles	1/28/2015	Private	Neg. Dec.
<i>United Walnut Taxpayers v. Mt. San Antonio Community College District, et al. (03774)</i>		Los Angeles	3/24/2015	Agency	None - there was an earlier Program EIR

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<i>Keep the Barham Ramp Association, et al. v. California Department of Transportation (CALTRANS), et al. (03714)</i>		Los Angeles	12/31/2014	Caltrans	Project Study Report (PSR)
<i>Root Creek Water District v. County of Madera, et al. (03740 (FAC) & 03775 (SAC))</i>		Madera	2/24/2015	Private	EIR
<i>San Joaquin River Ranch, LLC v. County of Madera, et al. (03754 (FAC) & 03777 (SAC))</i>		Madera	2/25/2015	Private	EIR
<i>San Joaquin River Ranch, LLC v. County of Madera, et al. - Madera Farm Bureau (03773)</i>		Madera	3/9/2015	Private	EIR
<i>San Joaquin River Ranch, LLC v. County of Madera, et al. (Farm Bureau) (03773)</i>		Madera	3/9/2015	Private	EIR
<i>Richard V. Gunner v. California Regional Water Quality Control Board, et al. (03809 & 03828-Dupes)</i>		Madera	5/18/2015	Agency	EIR Addendum
<i>David Coury v. Marin County, et al. (03850)</i>		Marin	7/19/2015	Private	Cat. Ex.: Class 1
<i>Keep the Code v. City of Willits, et al. (03800)</i>	Willits	Mendocino	4/30/2015	Private	MND
<i>Animal Legal Defense Fund, et al. v. Mendocino County (03849)</i>		Mendocino	7/27/2015	Agency	Cat. Ex.: Class 7; Class 8
<i>Friends of Outlet Creek v. County of Mendocino, et al. (03795 (PET) & 03854 (FAC))</i>		Mendocino	4/23/2015	Private	NOE: ministerial action relying on 2002 MND for now-defunct plant
<i>Friends of Outlet Creek v. Mendocino County Air Quality Management District, et al. (03896)</i>		Mendocino	9/30/2015	Private	NOE: ministerial action relying on 2002 MND for now-defunct plant
<i>Forest Preservation Society v. California Department of Forestry and Fire Protection, et al. (03871)</i>		Mendocino	8/28/2015	Agency	Does not say
<i>Landwatch Monterey County v. County of Monterey, et al. (03722)</i>		Monterey	1/16/2015	Private	EIR
<i>The Highway 68 Coalition v. County of Monterey, et al. (03796)</i>		Monterey	4/8/2015	Private	EIR
<i>Meyer Community Group v. County of Monterey, et al. (03804)</i>		Monterey	5/6/2015	Private	EIR
<i>Highway 68 Coalition v. County of Monterey, et al. (03727)</i>		Monterey	1/15/2015	Private	FEIR
<i>Concerned Citizens for Spreckels v. County of Monterey, et al. (03870 (PET) & 03916 (FAC))</i>		Monterey	8/27/2015	Private	MND
<i>Citizen's Voice St. Helena, et al. v. City of St. Helena, et al. (03707 (Pet) & 03709 (FAC))</i>	St. Helena	Napa	12/30/2014	Private	MND
<i>We Advocate Thorough Environmental Review v. Crystal Geysers Water Company, et al. (03873)</i>		Napa	8/24/2015	Private	None: ministerial permits
<i>Friends of Spring Street v. Nevada City, et al. (03732)</i>	Nevada City	Nevada	1/28/2015	Agency	
<i>Bear Yuba Watershed Defense Fund v. Nevada Irrigation District, et al. (03953)</i>		Nevada	12/21/2015	Agency	EIR
<i>Bear Yuba Watershed Defense Fund v. County of Nevada, et al. (03820)</i>		Nevada	6/3/2015	Private	MND

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<i>Concerned Citizens to Protect Blythe's Resources v. City of Blythe, et al. (03861)</i>	Blythe	Orange	7/31/2015	Private	Cat. Ex.: Class 32
<i>Phillip A. Luchesi, et al. v. City of Costa Mesa, et al. (03948)</i>	Costa Mesa	Orange	12/8/2015	Private	MND
<i>Surfrider Foundation, et al. v. City of Huntington Beach, et al. (03817)</i>	Huntington Beach	Orange	6/3/2015	Agency	EIR
<i>Jon Dumitru, et al. v. City of Orange, et al. (03879)</i>	Orange	Orange	9/3/2015	Private	Cat. Ex.: Class 32
<i>City of Seal Beach v. State of California Department of Transportation (03848)</i>	Seal Beach	Orange	7/16/2015	Agency	EIR
<i>Protect Our Homes and Hills, et al. v. County of Orange, et al. (03838 & 03844 - Dupes)</i>		Orange	7/2/2015	Private	EIR
<i>City of Auburn v. County of Placer, et al. (03719)</i>	Auburn	Placer	1/21/2015	Private	NOE: Common Sense Exemption
<i>Quality Investment Properties Roseville, LLC, et al. v. City of Roseville, et al. (03878)</i>	Roseville	Placer	9/3/2015	Private	EIR Addendum
<i>Auburn Highway 49 Corridor Association v. County of Placer, et al. (03720)</i>		Placer	1/12/2015	Private	NOE: Common Sense Exemption
<i>MBDS Company, LLC, et al. v. Tahoe City Public Utility District, et al. (03933)</i>		Placer	11/4/2015	Agency	MND
<i>High Sierra Rural Alliance v. County of Plumas (03862)</i>		Plumas	8/7/2015	Agency	EIR
<i>Robertson's Ready Mix, Ltd. v. City of Banning, et al. (03721)</i>	Banning	Riverside	1/8/2015	Banning	
<i>Creed-21, et al. v. City of Jurupa Valley, et al. (03717)</i>	Jurupa Valley	Riverside	1/5/2013	Private	MND
<i>Southern California Edison Company v. City of Jurupa Valley, et al. (03784)</i>	Jurupa Valley	Riverside	4/17/2015	Private	MND
<i>City of Riverside v. City of Jurupa Valley, et al. (03786 & 03787 - Dupes)</i>	Jurupa Valley	Riverside	4/17/2015	Private	MND
<i>Diamond Brothers Five & Six Partnership v. City of Menifee, et al. (03742)</i>	Menifee	Riverside	2/8/2015	Private	MND
<i>Residents for a Livable Moreno Valley, et al. v. City Council of City of Moreno Valley, et al. (03741)</i>	Moreno Valley	Riverside	2/23/2015	Private	EIR
<i>Socal Environmental Justice Alliance v. City of Moreno Valley, et al. (03758)</i>	Moreno Valley	Riverside	2/2/2015	Private	EIR
<i>Albert Thomas Paulek, et al. v. City of Moreno Valley, et al. (03884)</i>	Moreno Valley	Riverside	9/15/2015	Private	EIR
<i>Riverside County Transportation Commission v. City of Moreno Valley, et al. (03886)</i>	Moreno Valley	Riverside	9/17/2015	Private	EIR
<i>South Coast Air Quality Management District v. City of Moreno Valley, et al. (03888)</i>	Moreno Valley	Riverside	9/18/2015	Private	EIR
<i>Residents for a Livable Moreno Valley v. City of Moreno Valley, et al. (03890)</i>	Moreno Valley	Riverside	9/23/2015	Private	EIR
<i>Laborers International Union of North America, et al. v. City of Moreno Valley, et al. (03894)</i>	Moreno Valley	Riverside	9/22/2015	Private	EIR
<i>SoCal Environmental Justice Alliance v. City of Moreno Valley, et al. (03904)</i>	Moreno Valley	Riverside	9/18/2015	Private	EIR
<i>California Clean Energy Committee v. City of Moreno Valley, et al. (03918)</i>	Moreno Valley	Riverside	9/17/2015	Private	EIR
<i>Socal Environmental Justice Alliance v. City of Moreno Valley, et al. (03940)</i>	Moreno Valley	Riverside	11/25/2015	Private	EIR
<i>Urge v. City of Murrieta, et al. (03724)</i>	Murrieta	Riverside	1/16/2015	Private	MND
<i>Advocates for Better Community Development v. City of Palm Springs, et al. (03911)</i>	Palm Springs	Riverside	10/22/2015	Private	MND
<i>California Clean Energy Committee v. City of Perris, et al. (03753)</i>	Perris	Riverside	2/5/2015	Private	EIR

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<i>Friends of Riverside's Hills v. City Council of City of Riverside, et al. (03798)</i>	Riverside	Riverside	4/16/2015	Private	MND
<i>Friends of Riverside Hills v. City of Riverside, et al. (03955)</i>	Riverside	Riverside	12/23/2015	Private	MND
<i>Los Ranchitos Homeowners Association v. City of Temecula, et al. (03917)</i>	Temecula	Riverside	10/27/2015	Agency	Cat. Ex.: Class 32
<i>Cornerstone Concerned Area Residents v. City of Wildomar, et al.(03718)</i>	Wildomar	Riverside	1/9/2015	Private	EIR
<i>Creed-21 v. City of Wildomar, et al. (03802)</i>	Wildomar	Riverside	4/8/2015	Private	EIR
<i>Martha Bridges, et al. v. City of Wildomar, et al. (03927)</i>	Wildomar	Riverside	10/28/2015	Private	MND
<i>Albert Thomas Paulek, et al. v. Eastern Municipal Water District, et al. (03869)</i>		Riverside	8/24/2015	Agency	None: Amendment was not a "project"
<i>Center for Biological Diversity, et al. v. Riverside County Transportation Commission (03803)</i>		Riverside	5/7/2015	Agency	EIR
<i>Colorado River Indian Tribes v. County of Riverside, et al. (03823)</i>		Riverside	6/12/2015		EIR
<i>Preserve Our Civic Center v. City of Citrus Heights, et al. (03791)</i>	Citrus Heights	Sacramento	4/23/2015	Agency & Private	EIR
<i>Deborah Grassl v. City of Folsom, et al.(03728)</i>	Folsom	Sacramento	1/12/2015	Private	MND
<i>Citizens for Positive Growth & Preservation v. City of Sacramento, et al. (03779)</i>	Sacramento	Sacramento	4/1/2015	Agency	EIR
<i>Jamulians Against the Casino v. California Department of Transportation, et al. (03914)</i>		Sacramento	10/29/2015	Agency	Cat. Ex.: Class 5, 1 & 3
<i>North Coast Rivers Alliance, et al. v. California Department of Food and Agriculture, et al. (03711 & 03715 - Dupes)</i>		Sacramento	1/12/2015	CDFA	EIR
<i>Center for Biological Diversity v. California Department of Conservation, et al. (03851 & 3853 - Dupes)</i>		Sacramento	7/28/2015	Agency	
<i>Sierra Club, et al. v. County of San Benito, et al. (03825)</i>		San Benito	6/19/2015	Private	SEIR
<i>Apple Valley Ranchos Water Company v. Town of Apple Valley (03950)</i>	Apple Valley	San Bernardino	12/16/2015	Agency	EIR
<i>The Inland Oversight Committee, et al. v. City of Chino, et al. (03736 (PET) & 03840 (FAC))</i>	Chino	San Bernardino	2/2/2015	Private	EIR
<i>Creed-21, et al. v. City of Chino Hills, et al. (03743)</i>	Chino Hills	San Bernardino	2/13/2015	Private	MND
<i>Pilot Travel Centers LLC v. City of Hesperia, et al. (03864)</i>	Hesperia	San Bernardino	8/6/2015	Private	FEIR
<i>Concerned Neighbors of Highland Hills v. City of Highland, et al. (03841)</i>	Highland	San Bernardino	7/17/2015	Private	MND
<i>Concerned Neighbors of Highland Hills v. City of Highland, et al. (03910)</i>	Highland	San Bernardino	10/22/2015	Private	MND
<i>The Inland Oversight Committee, et al. v. City of San Bernardino, et al. (03834)</i>	San Bernardino	San Bernardino	7/1/2015	Private	NOE: Ministerial action relying 1982 EIR
<i>California Unions for Reliable Energy v. County of San Bernardino, et al. (03885)</i>		San Bernardino	9/16/2015	Private	Cat. Ex.: Class 2
<i>Friends of Big Bear Valley, et al. v. County of San Bernardino, et al. (03872)</i>		San Bernardino	8/24/2015	Private	EIR Addendum
<i>Gary J. Polizzi v. County of San Bernardino, et al. (03877)</i>		San Bernardino	8/24/2015	Private	EIR Addendum
<i>Friends of Big Bear Valley v. County of San Bernardino, et al. (03832)</i>		San Bernardino	7/2/2015	Private	MND
<i>Coalition to Keep Baldy Wild v. County of San Bernardino, et al. (03944)</i>		San Bernardino	11/19/2015	Private	MND
<i>San Diegans for Open Government v. City of San Diego, et al. (03808)</i>	San Diego	San Diego	5/11/2015	Private	Cat. Ex.: Class 1
<i>Don't Cell Our Parks v. City of San Diego, et al. (03866)</i>	San Diego	San Diego	8/6/2015	Agency	Cat. Ex.: Class 3

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<i>Alliance for Responsible Development Corp., et al. v. City of San Diego, et al. (03781)</i>	San Diego	San Diego	4/8/2015	Private	EIR
<i>Alliance for Responsible Development Corp., et al. v. City of San Diego, et al. (03793)</i>	San Diego	San Diego	4/8/2015	Private	EIR
<i>La Jolla Shores Tomorrow v. City of San Diego, et al. (03925 & 03926-Dupes)</i>	San Diego	San Diego	11/3/2015		EIR
<i>Bernard I. Segal v. City of San Diego, et al. (03938)</i>	San Diego	San Diego	11/6/2015	Private	EIR
<i>Clews Land and Livestock, LLC, et al. v. City of San Diego, et al. (03901)</i>	San Diego	San Diego	9/28/2015	Private	MND
<i>Kilroy Realty, L.P. v. City of San Diego (03797)</i>	San Diego	San Diego	4/24/2015		None Substantial Conformance Review Application
<i>Friends of Rose Canyon v. San Diego Association of Governments, et al. (03780)</i>		San Diego	12/19/2014	Agency	EIR
<i>San Diego Navy Broadway Complex Coalition v. California Coastal Commission, et al. (03829)</i>		San Diego	6/15/2015	Private	EIR
<i>San Diego Transportation Association, et al. v. San Diego Metropolitan Transit System, et al. (03799)</i>		San Diego	3/13/2015	Agency	None
<i>San Diego Transportation Association, et al. v San Diego Metropolitan Transit System, et al. (Intervenors) (03810)</i>		San Diego	5/20/2015	Agency	None
<i>Backcountry Against Dumps, et al. v. San Diego County Board of Supervisors, et al.; (03749 & 03760 - Dupes)</i>		San Diego	3/3/2015	Private	PEIR
<i>Protect Telegraph Hill v. City and County of San Francisco, et al. (03708)</i>	San Francisco	San Francisco	12/26/2014	Private	Cat. Ex. (Class 1 & 3) CUP
<i>Jack Oswald, et al. v. City and County of San Francisco, et al. (03794)</i>	San Francisco	San Francisco	4/21/2015	Private	Cat. Ex.: Class 1
<i>Coalition for Fair, Legal, and Environmental Transit, et al. v. City and County of San Francisco, et al. (03812)</i>	San Francisco	San Francisco	5/11/2015	Agency	Cat. Ex.: Class 6
<i>San Franciscans for Livable Neighborhoods v. City and County of San Francisco (03801)</i>	San Francisco	San Francisco	4/28/2015	Agency	FEIR
<i>Solano County Orderly Growth Committee, et al. v. City and County of San Francisco, et al. (03929)</i>	San Francisco	San Francisco	10/30/2015	Private	Neg. Dec.
<i>1049 Market Street, LLC v. Aaron Miller, et al. (03815)</i>	San Francisco	San Francisco	5/21/2015	Agency	None
<i>Communities for a Better Environment, et al. v. San Joaquin Valley Air Pollution Control District, et al. (03747)</i>		San Joaquin	1/28/2015	Private	None
<i>Pacific Gas and Electric Company v. San Joaquin Local Agency Formation Commission, et al. (03739 & 03763)</i>		San Joaquin	2/13/2015	Agency	EIR
<i>Domick Gulli, PE, PLS v. San Joaquin Flood Control, et al. (03954)</i>		San Joaquin	12/21/2015	Agency	EIR
<i>Central Coast Environmental Protection v. City of Pismo Beach, et al. (03830 (PET) & 03856 (FAC))</i>	Pismo Beach	San Luis Obispo	7/2/2015	Private	MND

2015 CEQA PETITIONS

Name of Case	Location of Project: City	Location of Project: County	Lawsuit Date	Agency or Private Project	Compliance Challenge (e.g. Nec. Dec., EIR, Cat. Ex.)
<i>Landwatch San Luis Obispo County v. Cambria Community Services District, et al. (03752)</i>		San Luis Obispo	2/13/2015	Agency	NOE: water shortage emergency
<i>Cynthia R. Sugimoto v. County of San Luis Obispo, et al. (03819)</i>		San Luis Obispo	5/29/2015	Private	EIR
<i>Wilton Webster, et al. v. County of San Luis Obispo, et al. (03806)</i>		San Luis Obispo	5/10/2015	Private	MND
<i>Save Adelaida, et al. v. County of San Luis Obispo, et al. (03839)</i>		San Luis Obispo	7/9/2015	Private	MND
<i>Town of Atherton, et al. v. Peninsula Corridor Joint Powers Board (03756)</i>	Atherton	San Mateo	2/9/2015	Agency	EIR
<i>City of Goleta v. California State Lands Commission, et al. (03725)</i>	Goleta	Santa Barbara	1/15/2015	Private	EIR
<i>Zoom Properties, LLC v. County of Santa Barbara (03942)</i>		Santa Barbara	11/19/2015	Agency	EIR
<i>Michael A. Brand v. County of Santa Barbara, et al. (03746)</i>		Santa Barbara	1/8/2015	Private	EIR for original project; NOE for compliance review
<i>Clear Light Ventures, Inc., et al. v. City of Palo Alto, et al. (03768)</i>	Palo Alto	Santa Clara	3/12/2015	Private	Cat. Ex.: Classes 1 - 3
<i>Mario Ambra, et al. v. City of San Jose, et al. (03897 (PET) & 03941 (Reply Brief))</i>	San Jose	Santa Clara	9/30/2015	Private	EIR
<i>Citizens for Responsible Development, et al. v. City of Santa Clara, et al. (03716)</i>	Santa Clara	Santa Clara	1/13/2015	Private	MND
<i>City of Saratoga, et al. v. California Department of Transportation, et al. (03814)</i>	Saratoga	Santa Clara	5/28/2015	Agency	Neg. Dec.
<i>Unincorporated Association of Multiple Bonny Doon Residents and Neighbors v. County of Santa Cruz, et al. (03785)</i>		Santa Cruz	4/15/2015	Private	MND
<i>The Aptos Council v. County of Santa Cruz, et al. (03863)</i>		Santa Cruz	8/6/2015	Agency	None
<i>Aptos Residents Association v. County of Santa Cruz, et al. (03939)</i>		Santa Cruz	5/8/2014	Private	None: Planning Commission Permits
<i>Barbara A. Peck v. City of Anderson, et al. (03737)</i>	Anderson	Shasta	2/11/2015	Agency	Special Use Permit
<i>Morning Glory Gold Mines, et al. v. County of Sierra, et al. (03898)</i>		Sierra	10/1/2015	Private	None: relied on 20-year old MDN
<i>Matthew Gagnon, et al. v. City of Fairfield, et al. (03833)</i>	Fairfield	Solano	7/7/2015	Private	MND Addendum
<i>Sebastopol Alliance for Neighborhood Empowerment, et al. v. City of Sebastopol, et al. (03790)</i>	Sebastopol	Sonoma	4/21/2015	Private	Building permits
<i>Jamie Coston, et al. v. Stanislaus County, et al. (03868 (PET) & 03913 (FAC))</i>		Stanislaus	8/17/2015	Agency	None: action was ministerial
<i>Supporters of Responsible Planning in Davis v. City of Davis, et al. (03905)</i>	Davis	Yolo	10/16/2015	Private	MND
<i>A. Teichert & Son, Inc. v. Three Rivers Levee Improvement Authority, et al. (03907)</i>		Yuba	10/16/2015	Agency	EIR
<i>Richard V. Gunner v. State Water Resources Control Board, et al. (03845)</i>			9/21/2015		
<i>Renewed Efforts of Neighbors Against Landfill Expansion (RENALE) v. Sonoma County Waste Management Agency (03860)</i>			7/31/2015		

Appendix C: Economic Data

Table C-1: Job Growth 2012-2015, 50 States

State or Region	2012 Average Annual Employment	2015 Average Annual Employment	Change 2012-2015	Percent Change	Rank Based on Growth Rate
United States	131,696,378	139,488,190	7,791,812	5.9%	
Utah	1,215,983	1,340,567	124,584	10.2%	1
Colorado	2,266,503	2,494,546	228,043	10.1%	2
Nevada	1,132,140	1,244,490	112,350	9.9%	3
Florida	7,341,002	8,038,417	697,415	9.5%	4
California	14,959,808	16,295,763	1,335,955	8.9%	5
Oregon	1,642,434	1,787,062	144,628	8.8%	6
Texas	10,727,642	11,657,118	929,476	8.7%	7
Idaho	614,463	664,618	50,155	8.2%	8
Georgia	3,841,767	4,152,748	310,981	8.1%	9
Washington	2,894,703	3,120,858	226,155	7.8%	10
South Carolina	1,810,150	1,949,802	139,652	7.7%	11
Arizona	2,431,788	2,609,425	177,637	7.3%	12
Delaware	405,646	433,672	28,026	6.9%	13
North Carolina	3,907,085	4,161,223	254,138	6.5%	14
Tennessee	2,653,392	2,820,771	167,379	6.3%	15
North Dakota	411,709	437,072	25,363	6.2%	16
Michigan	3,935,694	4,161,101	225,407	5.7%	17
Massachusetts	3,242,273	3,425,473	183,200	5.7%	18
Hawaii	605,240	637,482	32,242	5.3%	19
New York	8,563,125	9,016,346	453,221	5.3%	20
Minnesota	2,644,408	2,776,464	132,056	5.0%	21
Indiana	2,812,347	2,942,077	129,730	4.6%	22
Rhode Island	450,711	469,993	19,282	4.3%	23
Montana	430,315	448,695	18,380	4.3%	24
Kentucky	1,761,043	1,835,500	74,457	4.2%	25
Nebraska	920,295	959,065	38,770	4.2%	26
Ohio	5,048,166	5,258,288	210,122	4.2%	27
Missouri	2,607,420	2,715,838	108,418	4.2%	28
New Hampshire	612,419	636,692	24,273	4.0%	29
South Dakota	400,475	416,013	15,538	3.9%	30
Illinois	5,636,918	5,849,778	212,860	3.8%	31
Iowa	1,475,884	1,530,063	54,179	3.7%	32
Wisconsin	2,695,404	2,793,186	97,782	3.6%	33
Kansas	1,320,285	1,367,221	46,936	3.6%	34
Oklahoma	1,540,292	1,593,518	53,226	3.5%	35
Alabama	1,828,248	1,889,887	61,639	3.4%	36
New Jersey	3,768,935	3,891,241	122,306	3.2%	37
Virginia	3,619,176	3,735,801	116,625	3.2%	38
Louisiana	1,871,037	1,930,786	59,749	3.2%	39
Maryland	2,511,669	2,591,016	79,347	3.2%	40
Arkansas	1,146,811	1,177,968	31,157	2.7%	41
Mississippi	1,085,748	1,114,559	28,811	2.7%	42
New Mexico	785,455	806,199	20,744	2.6%	43
Vermont	299,519	307,070	7,551	2.5%	44
Connecticut	1,627,748	1,662,799	35,051	2.2%	45
Maine	583,196	595,606	12,410	2.1%	46
Pennsylvania	5,578,414	5,691,158	112,744	2.0%	47
Wyoming	278,595	282,538	3,943	1.4%	48
Alaska	327,378	331,664	4,286	1.3%	49
West Virginia	710,590	695,987	(14,603)	-2.1%	50

Source: Bureau of Labor Statistics QCEW Annual Averages; BAE, 2016.

Table C-2: Gross Domestic Product, 2012 – 2015, 50 states (\$ Millions)

State or Region	2012	2013	2014	2015	% Change 2012-2015	National Rank (Based on % Change)
United States	16,041,240	16,548,794	17,233,139	17,830,307	11.2%	
California	2,121,602	2,215,232	2,324,995	2,458,535	15.9%	1
Florida	764,646	797,344	835,578	882,798	15.5%	2
Utah	129,012	134,922	140,565	147,108	14.0%	3
Georgia	434,978	450,934	471,879	495,727	14.0%	4
Washington	390,154	402,789	422,767	443,665	13.7%	5
North Carolina	439,332	454,450	474,355	499,449	13.7%	6
Colorado	277,647	288,809	305,367	314,878	13.4%	7
South Carolina	175,434	180,856	189,656	198,714	13.3%	8
Minnesota	294,729	307,216	320,381	333,267	13.1%	9
Nevada	125,205	126,935	134,052	141,282	12.8%	10
Indiana	299,906	310,669	324,289	336,411	12.2%	11
Delaware	60,774	61,424	65,485	68,071	12.0%	12
Tennessee	280,843	289,266	300,016	314,191	11.9%	13
Michigan	417,328	431,112	447,221	466,536	11.8%	14
Ohio	544,552	558,969	588,827	608,109	11.7%	15
Wisconsin	273,880	281,549	293,341	305,795	11.7%	16
Nebraska	102,163	107,188	110,663	113,998	11.6%	17
Idaho	58,545	61,111	63,364	65,242	11.4%	18
New York	1,299,814	1,335,063	1,385,776	1,441,003	10.9%	19
Rhode Island	51,492	52,809	55,098	57,049	10.8%	20
Missouri	265,178	274,540	283,280	293,378	10.6%	21
Hawaii	72,100	74,012	76,425	79,745	10.6%	22
Arkansas	111,541	116,651	121,065	123,207	10.5%	23
Massachusetts	432,256	438,641	456,273	476,743	10.3%	24
Texas	1,440,819	1,527,158	1,601,977	1,586,468	10.1%	25
Pennsylvania	626,316	645,382	672,413	689,173	10.0%	26
New Hampshire	66,013	67,307	70,345	72,573	9.9%	27
Maryland	331,424	337,422	350,262	363,845	9.8%	28
New Jersey	518,423	530,091	545,374	568,155	9.6%	29
Iowa	159,096	163,495	170,715	174,103	9.4%	30
Oregon	196,982	197,733	203,328	215,331	9.3%	31
Kentucky	178,210	182,696	188,518	194,643	9.2%	32
Arizona	266,131	271,072	281,559	290,578	9.2%	33
Alabama	187,283	191,605	197,535	204,235	9.1%	34
Montana	42,138	43,223	44,672	45,933	9.0%	35
Illinois	712,604	720,495	742,028	775,007	8.8%	36
Connecticut	238,322	242,417	250,764	258,532	8.5%	37
Vermont	28,146	28,611	29,662	30,401	8.0%	38
Virginia	444,528	451,877	462,243	479,809	7.9%	39
South Dakota	43,258	44,909	45,600	46,674	7.9%	40
Maine	52,606	53,300	55,029	56,600	7.6%	41
North Dakota	52,197	54,441	58,230	54,830	5.0%	42
Mississippi	102,083	103,270	104,938	107,100	4.9%	43
Kansas	141,600	142,774	146,562	147,765	4.4%	44
West Virginia	70,915	72,763	74,433	73,741	4.0%	45
Oklahoma	173,911	182,447	190,171	180,425	3.7%	46
New Mexico	90,535	91,344	94,792	92,231	1.9%	47
Louisiana	243,308	238,308	245,791	243,317	0.0%	48
Wyoming	39,909	40,457	40,876	38,624	-3.2%	49
Alaska	61,614	59,891	58,067	52,804	-14.3%	50

Sources: U.S. Bureau of Economic Analysis; BAE, 2016

Table C-3: Median Household Income, 2011 -2014, 50 States

State or Region	2011 (a)	2012	2013	2014	Percent Change 2011-2014	National Rank (Based on Percent Change)
United States	\$50,502	\$51,371	\$52,250	\$53,657	6.2%	
North Dakota	\$51,704	\$53,585	\$55,759	\$59,029	14.2%	1
Hawaii	\$61,821	\$66,259	\$68,020	\$69,592	12.6%	2
Colorado	\$55,387	\$56,765	\$58,823	\$61,303	10.7%	3
Idaho	\$43,341	\$45,489	\$46,783	\$47,861	10.4%	4
Massachusetts	\$62,859	\$65,339	\$66,768	\$69,160	10.0%	5
Oklahoma	\$43,225	\$44,312	\$45,690	\$47,529	10.0%	6
Oregon	\$46,816	\$49,161	\$50,251	\$51,075	9.1%	7
Utah	\$55,869	\$57,049	\$59,770	\$60,922	9.0%	8
Iowa	\$49,427	\$50,957	\$52,229	\$53,712	8.7%	9
Michigan	\$45,981	\$46,859	\$48,273	\$49,847	8.4%	10
California	\$57,287	\$58,328	\$60,190	\$61,933	8.1%	11
Washington	\$56,835	\$57,573	\$58,405	\$61,366	8.0%	12
Minnesota	\$56,954	\$58,906	\$60,702	\$61,481	7.9%	13
Illinois	\$53,234	\$55,137	\$56,210	\$57,444	7.9%	14
Ohio	\$45,749	\$46,829	\$48,081	\$49,308	7.8%	15
Mississippi	\$36,919	\$37,095	\$37,963	\$39,680	7.5%	16
Maine	\$46,033	\$46,709	\$46,974	\$49,462	7.4%	17
Texas	\$49,392	\$50,740	\$51,704	\$53,035	7.4%	18
Kansas	\$48,964	\$50,241	\$50,972	\$52,504	7.2%	19
Georgia	\$46,007	\$47,209	\$47,829	\$49,321	7.2%	20
Arizona	\$46,709	\$47,826	\$48,510	\$50,068	7.2%	21
Florida	\$44,299	\$45,040	\$46,036	\$47,463	7.1%	22
Missouri	\$45,247	\$45,321	\$46,931	\$48,363	6.9%	23
South Carolina	\$42,367	\$43,107	\$44,163	\$45,238	6.8%	24
New Mexico	\$41,963	\$42,558	\$43,872	\$44,803	6.8%	25
Louisiana	\$41,734	\$42,944	\$44,164	\$44,555	6.8%	26
West Virginia	\$38,482	\$40,196	\$41,253	\$41,059	6.7%	27
New Jersey	\$67,458	\$69,667	\$70,165	\$71,919	6.6%	28
New York	\$55,246	\$56,448	\$57,369	\$58,878	6.6%	29
Connecticut	\$65,753	\$67,276	\$67,098	\$70,048	6.5%	30
Indiana	\$46,438	\$46,974	\$47,529	\$49,446	6.5%	31
Arkansas	\$38,758	\$40,112	\$40,511	\$41,262	6.5%	32
Tennessee	\$41,693	\$42,764	\$44,297	\$44,361	6.4%	33
New Hampshire	\$62,647	\$63,280	\$64,230	\$66,532	6.2%	34
North Carolina	\$43,916	\$45,150	\$45,906	\$46,556	6.0%	35
Pennsylvania	\$50,228	\$51,230	\$52,007	\$53,234	6.0%	36
Maryland	\$70,004	\$71,122	\$72,483	\$73,971	5.7%	37
Alaska	\$67,825	\$67,712	\$72,237	\$71,583	5.5%	38
South Dakota	\$48,321	\$48,362	\$48,947	\$50,979	5.5%	39
Nevada	\$48,927	\$49,760	\$51,230	\$51,450	5.2%	40
Virginia	\$61,882	\$61,741	\$62,666	\$64,902	4.9%	41
Montana	\$44,222	\$45,076	\$46,972	\$46,328	4.8%	42
Nebraska	\$50,296	\$50,723	\$51,440	\$52,686	4.8%	43
Wisconsin	\$50,395	\$51,059	\$51,467	\$52,622	4.4%	44
Kentucky	\$41,141	\$41,724	\$43,399	\$42,958	4.4%	45
Alabama	\$41,415	\$41,574	\$42,849	\$42,830	3.4%	46
Vermont	\$52,776	\$52,977	\$52,578	\$54,166	2.6%	47
Rhode Island	\$53,636	\$54,554	\$55,902	\$54,891	2.3%	48
Delaware	\$58,814	\$58,415	\$57,846	\$59,716	1.5%	49
Wyoming	\$56,322	\$54,901	\$58,752	\$57,055	1.3%	50

Note:

(a) Numbers have not been adjusted for inflation.

Source: American Community Survey 2011-2014 1-Year Estimates; BAE, 2016.

Table C-4: Manufacturing Employment Change 2012-2015, 50 States

State or Region	2012	2015	% Change
United States	11,904,946	12,290,296	3.2%
Alabama	243,354	257,811	5.9%
Alaska	13,888	14,031	1.0%
Arizona	154,526	157,150	1.7%
Arkansas	155,561	154,865	-0.4%
California	1,245,774	1,283,509	3.0%
Colorado	131,989	140,832	6.7%
Connecticut	165,200	158,950	-3.8%
Delaware	25,744	27,030	5.0%
District of Columbia	969	1,092	12.7%
Florida	316,763	342,457	8.1%
Georgia	351,857	375,838	6.8%
Hawaii	13,335	14,052	5.4%
Idaho	56,518	61,502	8.8%
Illinois	582,427	580,037	-0.4%
Indiana	481,845	518,865	7.7%
Iowa	210,539	216,128	2.7%
Kansas	162,678	161,146	-0.9%
Kentucky	222,962	241,319	8.2%
Louisiana	141,769	143,720	1.4%
Maine	50,728	50,598	-0.3%
Maryland	108,957	103,773	-4.8%
Massachusetts	251,951	249,284	-1.1%
Michigan	535,815	585,665	9.3%
Minnesota	305,518	317,098	3.8%
Mississippi	136,878	141,622	3.5%
Missouri	248,539	261,316	5.1%
Montana	17,515	19,114	9.1%
Nebraska	94,990	97,284	2.4%
Nevada	39,219	42,094	7.3%
New Hampshire	65,950	67,184	1.9%
New Jersey	243,960	236,085	-3.2%
New Mexico	29,652	27,749	-6.4%
New York	456,734	452,372	-1.0%
North Carolina	439,618	460,883	4.8%
North Dakota	25,158	25,420	1.0%
Ohio	656,325	685,968	4.5%
Oklahoma	135,165	136,906	1.3%
Oregon	171,333	185,397	8.2%
Pennsylvania	566,887	567,446	0.1%
Rhode Island	39,626	41,146	3.8%
South Carolina	220,085	235,824	7.2%
South Dakota	41,176	42,592	3.4%
Tennessee	313,530	332,381	6.0%
Texas	863,568	878,009	1.7%
Utah	115,825	122,826	6.0%
Vermont	31,894	30,896	-3.1%
Virginia	231,073	232,667	0.7%
Washington	277,366	287,460	3.6%
West Virginia	49,037	47,664	-2.8%
Wisconsin	453,819	465,482	2.6%
Wyoming	9,357	9,757	4.3%

Sources: US Bureau of Labor Statistics (BLS) Manufacturing Employment, Annual Average for 2012 & 2015; BAE, 2016.

Table C-5: Population Density Per Square Mile, 1970 - 2010, 50 States

State or Region	1970 (a)	1980	1990	2000	2010	Percent Change 1970-2010	National Rank (Based on Percent Change)
United States	57.5	64.1	70.4	79.7	87.4	52.0%	
Nevada	4.5	7.3	10.9	18.2	24.6	446.7%	1
Arizona	15.6	23.9	32.3	45.2	56.3	260.9%	2
Florida	126.6	181.8	241.3	298.0	350.6	176.9%	3
Utah	12.9	17.8	21.0	27.2	33.6	160.5%	4
Alaska	0.5	0.7	1.0	1.1	1.2	140.0%	5
Colorado	21.3	27.9	31.8	41.5	48.5	127.7%	6
Texas	42.9	54.5	65.0	79.8	96.3	124.5%	7
Idaho	8.6	11.4	12.2	15.7	19.0	120.9%	8
Georgia	79.8	95.0	112.6	142.3	168.4	111.0%	9
New Mexico	8.4	10.7	12.5	15.0	17.0	102.4%	10
Washington	51.3	62.2	73.2	88.7	101.2	97.3%	11
North Carolina	104.5	121.0	136.3	165.6	196.1	87.7%	12
California	128.1	151.9	191.0	217.4	239.1	86.7%	13
Oregon	21.8	27.4	29.6	35.6	39.9	83.0%	14
South Carolina	86.2	103.9	116.0	133.5	153.9	78.5%	15
New Hampshire	82.4	102.8	123.9	138.0	147.0	78.4%	16
Hawaii	119.7	150.2	172.6	188.6	211.8	76.9%	17
Virginia	117.7	135.4	156.7	179.2	202.6	72.1%	18
Wyoming	3.4	4.8	4.7	5.1	5.8	70.6%	19
Delaware	281.3	305.0	341.9	402.1	460.8	63.8%	20
Tennessee	95.2	111.3	118.3	138.0	153.9	61.7%	21
Arkansas	37.0	43.9	45.2	51.4	56.0	51.4%	22
Maryland	404.1	434.4	492.6	545.6	594.8	47.2%	23
Oklahoma	37.3	44.1	45.9	50.3	54.7	46.6%	24
Montana	4.8	5.4	5.5	6.2	6.8	41.7%	25
Vermont	48.2	55.5	61.1	66.1	67.9	40.9%	26
Minnesota	47.8	51.2	54.9	61.8	66.6	39.3%	27
Alabama	68.0	76.9	79.8	87.8	94.4	38.8%	28
Kentucky	81.5	92.7	93.3	102.4	109.9	34.8%	29
Mississippi	47.2	53.7	54.8	60.6	63.2	33.9%	30
Maine	32.2	36.5	39.8	41.3	43.1	33.9%	31
Wisconsin	81.6	86.9	90.3	99.0	105.0	28.7%	32
Missouri	68.0	71.5	74.4	81.4	87.1	28.1%	33
Kansas	27.5	28.9	30.3	32.9	34.9	26.9%	34
Indiana	145.0	153.2	154.8	169.7	181.0	24.8%	35
Louisiana	84.3	97.3	97.7	103.4	104.9	24.4%	36
Nebraska	19.3	20.4	20.5	22.3	23.8	23.3%	37
New Jersey	974.7	1,001.4	1,051.1	1,144.2	1,195.5	22.7%	38
South Dakota	8.8	9.1	9.2	10.0	10.7	21.6%	39
Connecticut	626.1	641.7	678.8	703.3	738.1	17.9%	40
Illinois	200.2	205.8	205.9	223.7	231.1	15.4%	41
Massachusetts	729.4	735.5	771.3	814.0	839.4	15.1%	42
Michigan	157.0	163.8	164.4	175.8	174.8	11.3%	43
Rhode Island	915.8	916.2	970.6	1,014.0	1,018.1	11.2%	44
Ohio	260.7	264.3	265.5	277.8	282.3	8.3%	45
North Dakota	9.0	9.5	9.3	9.3	9.7	7.8%	46
Iowa	50.6	52.2	49.7	52.4	54.5	7.7%	47
Pennsylvania	263.6	265.2	265.6	274.5	283.9	7.7%	48
New York	387.0	372.6	381.7	402.7	411.2	6.3%	49
West Virginia	72.6	81.1	74.6	75.2	77.1	6.2%	50

Note:

(a) Population density is measured as people per square mile.

Sources: U.S. Census Resident Population Data (Text Version); BAE, 2016.

Table C-6: California Cities with Highest-Ranked WalkScores, 2016

City	2016 National Ranking	2015 Score	2016 Score	% Change 2015-2016
San Francisco	2	84	86	2%
Oakland	9	69	72	4%
Long Beach	10	66	69	5%
Los Angeles	13	64	66	3%
Santa Ana	14	61	65	7%
Anaheim	24	51	53	4%
San Diego	26	49	50	2%
San Jose	27	48	50	4%
Sacramento	31	43	46	7%
Fresno	34	42	45	7%
Riverside	38	39	41	5%
Bakersfield	47	34	36	6%

Source: Redfin Corporation, Walkscore.com, 2016; BAE, 2016.

Table C-7: California Cities with High ParkScores

City	Population	Park Score (Out of 100) (a)	National Rank
United States Avg.		54.5	
San Francisco	829,115	77.5	5
Irvine	230,572	75	8
San Diego	1,340,772	71.5	12
Oakland	405,298	70	14
Sacramento	472,575	67.5	17
Long Beach	471,567	64	22
Fremont	222,105	61.5	27
San Jose	972,225	61	31

Note:

(a) Median Park Size, Percent of Residents within 1/2 Mile of Park, Parkland as a Percent of Adjusted City Area, Spending Per Resident, Basketball Hoops per 10,000 residents, Dog Parks per 100,000 residents, Playgrounds per 10,000 residents, Recreation and Senior Centers per 20,000 residents, Amenities Average factor into Park Score. These variables have been omitted from this table but can be found in the Appendix.

Source: Trust for Public Land ParkScore, 2016; BAE, 2016

Table C-8: Low Income Housing Tax Credit (LIHTC) Units Produced Per 100,000 Population, 2014, 50 States

State	Population	LIHTC Units Per 100,000 Pop.	LIHTC Unit Rank
Virginia	8,326,289	49.6	1
Vermont	626,562	40.4	2
South Dakota	853,175	28.2	3
Minnesota	5,457,173	27.0	4
Rhode Island	1,055,173	26.2	5
Colorado	5,355,866	24.9	6
Mississippi	2,994,079	24.3	7
North Carolina	9,943,964	22.9	8
California	38,802,500	20.6	9
Nebraska	1,881,503	20.4	10
Oklahoma	3,878,051	17.9	11
Missouri	6,063,589	17.4	12
Delaware	935,614	17.0	13
Maryland	5,976,407	15.8	14
Alaska	736,732	15.6	15
Iowa	3,107,126	15.3	16
Massachusetts	6,745,408	14.7	17
Hawaii	1,419,561	14.3	18
North Dakota	739,482	13.1	19
Florida	19,893,297	13.0	20
Oregon	3,970,239	12.1	21
Kansas	2,904,021	10.7	22
Alabama	4,849,377	9.7	23
South Carolina	4,832,482	9.0	24
Illinois	12,880,580	8.8	25
Arkansas	2,966,369	8.3	26
Indiana	6,596,855	6.8	27
Maine	1,330,089	6.5	28
Nevada	2,839,099	6.3	29
New Mexico	2,085,572	5.7	30
Montana	1,023,579	5.4	31
Idaho	1,634,464	5.3	32
Utah	2,942,902	5.3	33
New Hampshire	1,326,813	5.0	34
Arizona	6,731,484	4.4	35
Georgia	10,097,343	4.1	36
Kentucky	4,413,457	4.0	37
Wyoming	584,153	3.9	38
Ohio	11,594,163	1.5	39
Pennsylvania	12,787,209	1.5	40
Texas	26,956,958	1.4	41
Michigan	9,909,877	0.2	42
New York	19,746,227	0.1	43
New Jersey	8,938,175	0.0	44
West Virginia	1,850,326	0.0	45
Tennessee	6,549,352	0.0	46
Wisconsin	5,757,564	0.0	47
Louisiana	4,649,676	0.0	48
Connecticut	3,596,677	N/A	N/A
Washington State	7,061,530	N/A	N/A

Sources: HUD LIHTC Database, 2016; ACS, 2014; BAE, 2016.

Appendix D: About BAE

BAE Urban Economics is an award-winning urban economics and public-benefit real estate development consulting practice. Since 1986, we have served more than 2,000 clients including public agencies, non-profit organizations, and private developers throughout the US. All of our work is led by seasoned experts, who are responsible for project direction and internal quality control.

BAE's experience ranges from statewide policy studies, to strategic plans, to development projects. Our services include feasibility studies, strategic planning, revitalization, public-private transactions, public financing, fiscal and economic impacts analyses, and development advisory services. We have extensive work experience in:

- Sustainable Development and TOD
- Economic Development
- Affordable and Workforce Housing
- Parks and Community Facilities
- Public-Private Transactions
- Financing and Operations
- Impacts Analysis

BAE's passion about the "triple bottom line" of sustainable economics, equity, and environment makes us unique among urban economists. We believe that there are practical solutions to urban issues which will achieve this triple bottom line, and that consideration of environmental impacts and social benefits is as important as financial returns.

Our company has practiced this same philosophy since our inception in 1986, with intentional investments in our staff and workplaces to foster creativity and a commitment to excellence. We have pioneered the use of survey research to target urban housing products, created innovative GIS tools for smart growth planning, and provided real estate advisory services to some of the largest revitalization and sustainable development efforts in the US. We have also worked on more than 50 TOD strategies and plans, as well as award-winning sustainable regional plans. The BAE difference shows - we have earned more awards for excellence than any other firm in our field, our core staff has averaged more than 15 years each with the company, and our clients have retained us repeatedly over our 30-year history. BAE has 20 staff members in five offices including San Francisco, Sacramento, Los Angeles, New York City, and Washington DC. For more information, see www.bae1.com.

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