



**OPPOSE UNLESS AMENDED: “Streamlined Review” Section of 2022 Energy Reliability Resilience and Clean Energy Investments Trailer Bill**

June 22, 2022

Governor Gavin Newsom  
State Capitol  
Sacramento, CA 95818

Secretary Wade Crowfoot  
California Natural Resources Agency  
Sacramento, CA 95814

The Honorable Toni Atkins  
President Pro-Tempore  
California State Senate

The Honorable Anthony Rendon  
Speaker of the Assembly  
California State Assembly

The Honorable Nancy Skinner  
Chair, Senate Budget Committee  
California State Senate

The Honorable Phil Ting  
Chair, Assembly Budget Committee  
California State Assembly

The Honorable Bob Wieckowski  
Chair, Senate Budget Subcommittee 2  
California State Senate

The Honorable Richard Bloom  
Chair, Assembly Budget Subcommittee 3  
California State Assembly

**Re: OPPOSE UNLESS AMENDED: “Streamlined Review” Section of 2022 Energy Reliability Resilience and Clean Energy Investments Trailer Bill**

Dear Governor Newsom, Secretary Crowfoot, President Pro-Tempore Atkins, Speaker Rendon, Senator Skinner, Senator Wieckowski, and Assemblymember Ting and Assemblymember Bloom:

On the behalf of the undersigned organizations, we write to oppose the Opt-In Streamlined Review for Renewable and Zero Carbon Facilities section of the 2022 “Energy Reliability Resilience and Clean Energy Investments” Trailer Bill Language (TBL) (pages 30-41) unless amended to result in a clearer public process that adheres to existing environmental and public health standards and does not weaken existing judicial review and enforcement.

**We do not oppose this section of the trailer bill easily because we want to see a clean energy future happen sooner rather than later.** Our organizations support the rapid and efficient transition to clean energy to address the current and future impacts of climate change. We strongly believe that such a transition can still happen while adhering to California’s important environmental and public health standards and that allows for affected communities to participate in decision making in a meaningful manner.

**Unfortunately, the proposed new siting process at the California Energy Commission (CEC) is flawed and will result in divesting communities from meaningful engagement, weaken environmental standards, and create a conflict-ridden process.** This is exactly what we do not need right now in California to meet our energy needs.

**A fatal flaw with the trailer bill proposal on streamlined review is that it has been created without any input from the environmental or environmental justice community.** By utilizing the trailer bill process, the administration is bypassing the normal legislative process, significantly impacting the ability to consider the implications of the considerable and substantial proposed changes to current law. Further,

there has been no effort to engage the environmental community or environmental justice organizations in any meaningful discussions around this bill. This failure to work with affected parties is unfortunate since we would like to support faster and more efficient permitting.

**As currently written, this trailer bill provision would substantially reduce the ability of affected communities to participate effectively and meaningfully in the public land use and environmental permitting processes for industrial energy projects and place barriers to challenging decisions if the public believes that they are not consistent with underlying state environmental laws.** Further, the Opt-In Streamlined Review trailer bill language would remove permitting decisions from critical state agencies such as the Coastal Commission, San Francisco Bay Conservation and Development Commission, State Lands Commission, Department of Fish and Wildlife and the State Water Resources Control Board and regional water quality control boards and for a wide range of energy and manufacturing projects.

Our organizations have collectively spent decades working to promote a clean energy future. We believe that it is possible to transition to clean energy quickly and efficiently without sacrificing other environmental and public health values and meaningful public input and review by impacted communities and other stakeholders. California has a chance to show the rest of the country that we can make this transition in a manner that does not cut out communities or compromise environmental protections.

For these reasons, we strongly oppose the “streamlined review” sections of the current version of the energy trailer bill. We request that the Administration and Legislature engage with us on the merits of this proposal so we can work out a siting and permitting process that will meet our energy, environmental and community engagement needs. If you have any questions, please do not hesitate to contact us directly.

Sincerely,

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Sierra Club California

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