DATE

The Honorable Scott Wiener

Chair, Senate Budget Committee

1021 O Street, Suite 8620

Sacramento, CA 95814

**RE: FIX NEEDED – PROTECT ALL DAYCARES FROM CEQA ABUSE**

Dear Senator Wiener:

On behalf of the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, we write to strongly urge you to revise the recently-enacted Senate Bill 131 to protect all daycares from California Environmental Quality Act (CEQA) misuse.

Senate Bill 131 sought to protect daycares from CEQA abuse, but unfortunately missed the mark and changes are necessary. While we sincerely appreciate the Legislature’s attempt to exempt daycares from CEQA, that exemption does not apply to daycares located in residential areas where the overwhelming majority of facilities are *(and should be)* located. Instead, SB 131 merely provides a CEQA exemption for daycare facilities located in commercial, industrial, or agricultural areas. This is an odd fit that will increase traffic, vehicle miles traveled, and environmental exposures to our youngest residents.

CEQA is commendably intended to improve decision-making and mitigate a project’s significant impacts on the environment. That being said, it is difficult to imagine that any of CEQA’s original supporters could have envisioned it being used against daycare centers. Unfortunately, CEQA has recently been used as a sledgehammer to try and derail a daycare facility in Napa.

Le Petit Elephant Nursery and Preschool (LPE) in was founded in Napa December 2015 with a dream of creating a nurturing, joyful, and inclusive space where children could learn through play, explore the outdoors, and be immersed in the magic of early childhood education. Ten years later, LPE sought to expand into a new facility to accommodate additional children. LPE received the necessary local approvals and was awarded state, local, and federal grants. But then local neighbors filed a lawsuit to block the project, even complaining about the impacts that would be caused by the sounds of children in their neighborhood and youth-based activities at the center. The litigation nearly derailed the project, as the delay cost LPE a pre-approved Small Business Administration Loan that could only be replaced with a high-fee bridge loan. The experience was even highlighted in the [*San Francisco Chronicle*](https://www.sfchronicle.com/opinion/openforum/article/california-ceqa-reform-20342916.php).

There is a significant need for additional daycare facilities throughout the state. CEQA cannot be used to undermine the role daycare centers play in the development and enrichment of young children, especially considering the impact daycares have on children, families, and local economies.

For these reasons, and given the demonstrated need to prevent future CEQA abuse, we strongly urge you to extend the new CEQA exemption to daycares in residential areas.

We appreciate your consideration of our request and look forward to further conversations on this issue.

Sincerely,

cc: The Honorable Mike McGuire, Senate President Pro Tempore

 The Honorable Robert Rivas, Assembly Speaker