

**ASSEMBLY BILL**

**No. 2356**

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**Introduced by Assembly Member Gomez**

February 18, 2016

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An act to amend Section 21159.26 of the Public Resources Code, relating to environmental quality.

LEGISLATIVE COUNSEL'S DIGEST

AB 2356, as introduced, Gomez. California Environmental Quality Act: housing projects.

Existing law, the California Environmental Quality Act, requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of an environmental impact report on a project that it proposes to carry out or approve that may have a significant effect on the environment, as defined, or to adopt a negative declaration if it finds that the project will not have that effect, unless the project is exempt from the act.

The act prohibits a public agency, for a project that includes a housing development, from reducing the proposed number of housing units as a mitigation measure or project alternative for a particular significant effect on the environment if the public agency determines there is another feasible specific mitigation measure or project alternative that would provide a comparable level of mitigation.

This bill would make technical, nonsubstantive changes to those provisions.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 21159.26 of the Public Resources Code  
2 is amended to read:  
3 21159.26. With respect to a project that includes a housing  
4 development, a public agency ~~may~~ *shall* not reduce the proposed  
5 number of housing units as a mitigation measure or project  
6 alternative for a particular significant effect on the environment if  
7 ~~it~~ *the public agency* determines that there is another feasible  
8 specific mitigation measure or project alternative that would  
9 provide a comparable level of mitigation. This section does not  
10 affect any other requirement regarding the residential density of  
11 that project.

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