
THIRD READING

Bill No: AB 571
Author: Quirk-Silva (D), et al.
Amended: 6/19/25 in Senate
Vote: 27 - Urgency

SENATE ENVIRONMENTAL QUALITY COMMITTEE: 6-0, 6/18/25
AYES: Blakespear, Valladares, Dahle, Hurtado, Menjivar, Pérez
NO VOTE RECORDED: Gonzalez, Padilla

SENATE MILITARY & VETERANS COMMITTEE: 5-0, 7/14/25
AYES: Archuleta, Grove, McNeerney, Menjivar, Umberg

SENATE APPROPRIATIONS COMMITTEE: Senate Rule 28.8

ASSEMBLY FLOOR: 75-0, 5/19/25 - See last page for vote

SUBJECT: California Environmental Quality Act: exemption: Gypsum Canyon
Veterans Cemetery

SOURCE: Author

DIGEST: This bill exempts the proposed Gypsum Canyon Veterans Cemetery in Anaheim, Orange County from further review under the California Environmental Quality Act (CEQA).

ANALYSIS:

Existing law:

- 1) Requires under CEQA that a lead agency determines whether a project is exempt from CEQA, or if it must do an initial study to determine if a project will have significant effects on the environment. If a project has no effect on the environment or effects that can be mitigated, the lead agency prepares a negative declaration (ND) or mitigated ND (MND). If the project will have significant impacts, the lead agency prepares an environmental impact report

(EIR) to evaluate and propose mitigation measures for any effects on the environment, including impacts or likely impacts to land, air, water, minerals, flora, fauna, ambient noise, and historic or aesthetic significance. (Public Resources Code (PRC) §§21000 et seq.)

- 2) Requires a subsequent or supplemental EIRs in the cases where:
 - a) Substantial changes are proposed in the project which will require major revisions of the EIR.
 - b) Substantial changes occur with respect to the circumstances under which the project is being undertaken which will require major revisions in the EIR.
 - c) New information, which was not known and could not have been known at the time the EIR was certified as complete, becomes available. (PRC § 21166)
- 3) Requires the lead agency or responsible agency to prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described above calling for preparation of a subsequent EIR have occurred. (CEQA Guidelines § 15164)

This bill:

- 1) Exempts from CEQA any activity or approval necessary for the completion of the public and state veteran's cemetery in Gypsum Canyon in the County of Orange, known as the Gypsum Canyon Veterans Cemetery.
 - a) Sunsets this exemption January 1, 2030
 - b) Specifies that the project must have an EIR for a less intensive land use and must have been analyzed in an addendum to the EIR.
- 2) Makes related findings and declarations.
- 3) Is a special, urgency statute.

Background

The A, B, C's of CEQA. CEQA is designed to (a) make government agencies and the public aware of the environmental impacts of a proposed project, (b) ensure the public can take part in the review process, and (c) identify and implement measures to mitigate or eliminate any negative impact the project may have on the

environment. CEQA is enforced by civil lawsuits that can challenge any project's environmental review. Under CEQA, projects (unless they have a specific exemption) must undergo environmental analysis. This process starts with an initial study which determines what level of further environmental review is needed for a given project. If a project has no significant effects on the environment, or if those effects can be fully mitigated, the project can move forward with a ND or MND. If the initial study finds that the project has potential significant effects on the environment, then a full EIR is conducted. An EIR provides thorough environmental review of a proposed project, analyzing the significant direct and indirect environmental impacts of a proposed project on water quality, transportation, air quality and greenhouse gas emissions, terrestrial and aquatic biological resources, surface and subsurface hydrology, land use and agricultural resources, aesthetics, geology and soils, recreation, public services and utilities such as water supply and wastewater disposal, and cultural resources, among other factors. The EIR also includes proposed mitigation measures for any significant effects that it identifies and considers alternatives to the proposed project.

Gypsum Canyon Veteran's Cemetery. The Gypsum Canyon Veterans Cemetery is a proposed cemetery located on a 283-acre site in a former quarry in the hills on the eastern edge of Anaheim. Back in 2005, the city certified a Specific Plan EIR for a large housing development on the site, known as Mountain Park. According to the EIR, the Mountain Park Specific Plan allows for the development of an 830-acre, gated residential community with a maximum of 2,500 residential units, public facilities, infrastructure, a fire station, public trails, trail staging area, concession store/interpretive center, school site, and public community park. The cemetery project was reviewed via an addendum to the 2005 Specific Plan EIR. The Gypsum Canyon Veterans Cemetery project was approved by the Anaheim City Council on July 22, 2024.

However, on August 20, 2024, supporters of an alternative veteran's cemetery proposal at the Great Park in Irvine filed a lawsuit against the City of Anaheim and the Orange County Cemetery District. The plaintiffs argued that Anaheim had violated the CEQA by relying on an outdated environmental review. The case, *Build the Great Park Veterans Cemetery, et al. v. City of Anaheim*, was filed in Orange County Superior Court.

In response, the lead agency and other respondents, including intervener Orange County, jointly filed a demurrer, arguing the lawsuit against the Gypsum Canyon Veteran's Cemetery should be dismissed because the petitioners failed to exhaust

their administrative remedies –namely, by not requesting a rehearing after the city approved the project. The trial court sustained the demurrer and granted the petitioners leave to amend, directing them to first follow the city’s appeals process before seeking judicial relief.

Rather than pursuing an administrative appeal, the petitioners amended their complaint to include new allegations asserting they had exhausted their remedies, citing a letter sent to the city in July 2024. However, on March 13, 2025, the court again sustained the demurrer – this time without leave to amend – effectively dismissing the lawsuit in its entirety. The petitioners have 60 days to appeal the decision once the ruling is finalized, which is expected shortly.

Comments

Purpose of this bill. According to the author, “Our veterans gave everything to protect our freedoms. “All gave some, and some gave all.” After years of advocating for the Southern California Veterans Cemetery, AB 571 is the crucial tool we need to deliver on a promise we owe to our veterans and their families. This cemetery will be their final resting place, a place of honor and dignity. The time has come for Orange County to be home to the heroes who defended our country. We cannot afford to delay any longer.”

Recognizing the special circumstances of Gypsum Canyon Veterans Cemetery. CEQA provides important information on the environmental impacts of a project that can help decision-makers and the public make informed choices on development. CEQA also requires that projects with significant impacts take steps to mitigate those impacts. Typically, a large project that is likely to have significant impact on the environment, such as a cemetery, would need to be subject to CEQA in order to understand and potentially mitigate those impacts.

However, the Gypsum Canyon Veteran’s Cemetery may be a unique case, because it has already undergone recent environmental review under CEQA. In 2005, a large housing project was proposed on the site of the Gypsum Canyon Veteran’s Cemetery, and that project was evaluated in a full EIR. The impacts of a housing project are not the same as the impacts that result from a cemetery: however, housing projects are generally higher intensity use than cemeteries. Even more relevant, in 2024, the lead agency approved an addendum to the 2005 EIR. Based off of information in the addendum, the city council found that the original 2005 EIR and addendum:

“...provides an adequate assessment of environmental impacts satisfying the requirements of CEQA supplemental review by fully disclosing new or substantially more severe significant impacts that would occur due to the Project and/or changes under supplemental review standards since certification of the prior EIR”

AB 571 adds numerous guardrails to the CEQA exemption, including specifying that the Veteran’s Cemetery must have a certified EIR for a more intensive land use and an addendum to the EIR for the gypsum canyon veteran’s cemetery project—both of which are already filed for the Gypsum Canyon Veteran’s Cemetery project.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: Yes

SUPPORT: (Verified 8/18/25)

American Legion, Department of California
 Amvets, Department of California
 California State Commanders Veterans Council
 California-hawaii State Conference of the NAACP
 Military Officers Association of America, California Council of Chapters
 Orange County Employees Association
 Orange; County of
 Vietnam Veterans of America, California State Council

OPPOSITION: (Verified 8/18/25)

None received

ASSEMBLY FLOOR: 75-0, 5/19/25

AYES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Castillo, Chen, Connolly, Davies, DeMaio, Elhawary, Ellis, Fong, Gabriel, Gallagher, Garcia, Gipson, Mark González, Hadwick, Haney, Harabedian, Hart, Hoover, Irwin, Jackson, Kalra, Krell, Lackey, Lee, Lowenthal, Macedo, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Patel, Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Celeste Rodriguez, Michelle Rodriguez, Rogers, Blanca Rubio, Sanchez, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Ta, Tangipa, Valencia, Wallis, Ward, Wicks, Wilson, Zbur, Rivas

NO VOTE RECORDED: Dixon, Flora, Jeff Gonzalez, Papan

Prepared by: Brynn Cook / E.Q. / (916) 651-4108
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