



Judicial Council of California

520 Capitol Mall, Suite 600 · Sacramento, California 95814-4717

Telephone 916-323-3121 · Fax 916-323-4347

PATRICIA GUERRERO

*Chief Justice of California
Chair of the Judicial Council*

MICHELLE CURRAN

Administrative Director

September 4, 2026

Hon. Gavin Newsom
Governor of California
1021 O Street, Suite 9000
Sacramento, California 95814

Subject: Senate Bill 328 (Grayson), as amended August 26, 2026—Request for Veto

Dear Governor Newsom:

The Judicial Council is requesting your veto of Senate Bill 328, which creates a new category of exempt surplus land under the Surplus Land Act for the Concord Naval Weapons Station and limits review under CEQA for projects within the station. The Judicial Council takes no issue with the ambitious affordable housing development project contained in SB 328 but must oppose the bill because it requires the council, on or before July 1, 2027, to adopt rules of court that require any action or proceeding brought to attack, review, set aside, void, or annul the approval of any project within the plan area or any subsequent or supplemental environmental impact review for any project within the plan area, including any potential appeals to the court of appeal or the California Supreme Court, to be resolved to the extent feasible within 270 calendar days of the filing of the certified record of proceedings with the court.

CEQA actions are already entitled to calendaring preference. The Council has previously and consistently opposed these and other unreasonable limitations on the fair administration of justice in courts. CEQA actions are already entitled to calendaring preference “over all other civil actions” in both the superior courts and the Courts of Appeal pursuant to section [21167.1\(a\)](#) of the Public Resources Code. Imposing the 270-day timeline on top of existing calendar preferences is arbitrary and likely to be unworkable in practice. This limited timeframe is especially restrictive if the court of appeal or the California Supreme Court must also decide some portion of a CEQA case. Even assuming that no extensions of time are granted for any

aspect of the proceedings, it takes an estimated six months to get a case to hearing in the superior court, plus the additional time for the judge to decide and issue a decision.

When everything is a priority, nothing is a priority. The courts are overwhelmed with the task of managing complicated calendars with myriad cases—each of which often comes with delays due to extension requests by counsel—but with finite resources and finite hours in the day. As with other legislation creating or prioritizing calendaring preferences, the expedited judicial review requirements proposed by SB 328 for the Concord Naval Weapons Station development project will likely have an adverse impact on other cases in Contra Costa County, so setting a timeline for deciding these CEQA cases has the practical effect of pushing other cases on a court's docket to the back of the line. This means that those other cases—including statutorily mandated calendar preferences, such as juvenile cases, criminal cases, civil cases in which a party is at risk of dying, wage theft cases, election issues—will likely take longer to be calendared and adjudicated.

For these reasons, the Judicial Council requests your veto on SB 328.

Should you have any questions or require additional information, please contact Heather Resetarits at 916-323-3121.

Sincerely,



Cory T. Jaspersen
Director
Judicial Council Governmental Affairs

CTJ/HR/ad

cc: Aaron Moreno, Chief of Staff, Office of Senator Tim Grayson
Matthew Fleming, Deputy Legislative Affairs Secretary, Office of the Governor
Michelle Curran, Administrative Director, Judicial Council