



## PCL INSIDER: News from the Capitol

### Keeping Up with Last Minute CEQA Plays

With just four days left until the end of the legislative session, CEQA craziness is in full swing.

#### Kings Arena and More!

The much-anticipated Sacramento Kings' arena bill finally appeared in print as a gut-and-amend with four days of legislative session left. [SB 743](#) (Steinberg) is co-authored by a bipartisan contingent of Sacramento-area legislators. PCL opposes last minute bill plays on principle, particularly when they give [special treatment](#) to those with money and influence, and this bill has some particularly problematic provisions that include ending the comment period early and making it nigh-on impossible to stop the project once it has begun, regardless of the merit of any challenge against it. It's worth noting that SB 743 also addresses AB 900 streamlining projects in general, replacing the [unconstitutional](#) direction of court process with a mandate that the courts themselves come up with new expedited procedures for AB 900-certified projects. PCL will be submitting an oppose-unless-amended letter to address the most egregious provisions of this bill shortly; please email [aokrent@pcl.org](mailto:aokrent@pcl.org) if you would like to add your voice.

#### Pro-Tem's CEQA Omnibus

While the Kings Stadium bill has us very concerned, the Pro Tem's other CEQA bill, [SB 731](#), has continued to be amended in a more transparent process, with input from a variety of stakeholders. The latest iteration, amended last Friday, includes direction to the Governor's Office of Planning and Research (OPR) to develop guidelines for translating notices into non-English languages, something PCL has fought for with Speaker Pro Tem Nora Campos's office earlier this year and that we understand Ms. Campos has helped champion into this bill. Another favorable amendment is direction to OPR to craft alternate measures for traffic impact other than Level of Service, with the explicit provisions that Level of Service shall continue to be used until these preferable replacement metrics are in place. Importantly, agencies are also still required to analyze project's potentially significant impacts related to air quality, noise, safety or any other impact associated with transportation. While there is much to like in SB 731, PCL is not yet ready to support the bill due to significant concerns with two provisions that we fear could have unintended consequences. First, the bill contains a new, de facto comment period for presentation of overriding circumstances with an even shorter window of time (only 10 days) than what was originally proposed, and we fear that this will keep plaintiffs from exercising legal remedies if they fail to weigh in during this time period.

Additionally, SB 731 now allows lead agencies discretion over the format of their electronic records, which might lead to un-searchable, un-analyzable records being presented to the public. Moreover, PCL would like to see SB 731 direct OPR to analyze how to best address the impacts of infill – such as the displacement of existing populations – on local communities. It is our hope that the Pro Tem will be amenable to our proposed amendments, as there are many elements of SB 731 that deserve support. Please email [aokrent@pcl.org](mailto:aokrent@pcl.org) if you would like to add your voice to our support-if-amended letter.

## **New Horizons: CEQA, Fracking and Prison Reform**

While perhaps the one big environmental issue PCL has not weighed in on this year is hydraulic fracturing, Senator Pavley's [SB 4](#), a fracking regulatory bill, was just amended with provisions that may unintentionally weaken CEQA oversight of this process. Senator Fran Pavley has been a champion for the environment throughout her career, and PCL is in discussions with her office about correcting the CEQA portions of this bill. However, absent a resolution, we will be opposing this bill. Please email [aokrent@pcl.org](mailto:aokrent@pcl.org) if you would like to add your voice to our oppose-unless amended letter.

The protection of a strong CEQA has taken us into some new territory, and PCL (along with several other environmental allies), recently weighed in against the Governor's prison expansion bill [SB 105](#) (Knight and Emerson). This gut-and-amend, in its haste to address a long-fought order to reduce California's prison population by nearly 10,000 people by the end of December, exempts contracts from CEQA compliance, as well as waiving other regulatory oversight. The Governor and the Pro Tem just reconciled their bills, but the new proposed version maintains the CEQA exemption.

## **Senate Votes YES on Coastal Protection**

On Friday, PCL and Sierra Club California-sponsored coastal bill AB 976 (Atkins) [passed out of the Senate](#) with a vote of 21-17. This bill, called by some the most important coastal legislation in more than two decades, would give the California Coastal Commission the much-needed ability to fine violators of the Coastal Act – helping protect coastal environments and public beach access. Because some amendments made in the Senate, AB 976 is now headed back to the Assembly for concurrence, where it could be heard as early as this afternoon!

Please take a minute to thank the [21 Senators](#) that voted "AYE" to protect California's beautiful coastline. We'll provide another update after the Assembly concurrence vote, and let you know how you can help the bill cross the finish line with Governor's Brown signature.

## **Party with PCL in San Diego on Sept 18<sup>th</sup>**

Join us PCL on [Wednesday, September 18<sup>th</sup>, 2013](#) at the LEED Platinum La Jolla home of PCL Board member Jan Chatten-Brown. Come hear from San Diego Assemblymember Lorena Gonzalez and special guest Majority Leader Toni Atkins about the results of the 2013 legislative session, and celebrate with our honoree, the City of San Diego Water Purification Demonstration Project. Visit PCL's events webpage for [more information](#) or to [host/sponsor](#) this event!

## League Meeting – Save the Date

Current (organizational) League Members, Lapsed League Members, and Future League Members – come join PCL staff and our League on Saturday, October 12 in Sacramento to get to know the many fellow nonprofit members that make us powerful, and help discuss our legislative agenda for the upcoming year. We will be kicking off the weekend with a happy hour at our office on October 11, and transitioning into a planning meeting at the California Museum on October 12, from 10am-2pm. Stay tuned to our website, [www.pcl.org](http://www.pcl.org), for registration information. Email [aokrent@pcl.org](mailto:aokrent@pcl.org) with questions.



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