PCL's Insider for June 7, 2016   View this email in your browser

Governor's May Budget Revision Takes on CEQA for Housing Development
Plus, deadlines kill many bills

2016 feels like any other year at the state Capitol in regards to attacks on the California Environmental Quality Act (CEQA): numerous proposed exemptions, large and small, mostly authored by republican legislators but with a few championed by democrats – including a whopper of a new proposal introduced by Governor Jerry Brown with his May budget revision.

Many of the CEQA bills missed last Friday's deadline to pass out of their first house, meaning they are finished for the year. At the same time, the marathon Budget Conference Committee started to scrutinize Governor Brown's proposal, with Senator Mark Leno outlining why it should be handled in policy committee rather than through the budget.

On May 12th, Governor Jerry Brown released his proposal for "Streamlining Affordable Housing Approvals" By eliminating local governments' ability to subject certain multifamily developments to discretionary review, the proposal would also eliminate CEQA analysis and mitigation requirements. Brown aims to improve the state's woeful gap between housing supply and demand and, he hopes, reduce housing prices and rents in the process.

Environmentalists, building trades, and equitable land use groups quickly came out in opposition, with builders and business groups supporting the idea. PCL has serious concerns with the current version of the proposal, but appreciates the governor's new focus on increasing the multifamily housing supply and has offered conceptual amendments to balance this focus with environmental protection. See PCL's letter regarding the Governor's by-right development proposal by clicking here.

It's not clear to anyone inside or outside the Capitol whether the proposal will be discussed and resolved in the Budget Conference Committee or in regular policy committees. It does not have an explicit link to the state

budget; however, the governor has made it clear that his support for the Assembly Democrats' $650 million housing funding allocation is contingent on the proposal's passage.

In addition, PCL and our allies are keeping a close eye on the still-lingering transportation special session proposal from Governor Brown that is supported by many republicans and is included in SB 1x (Beall). The CEQA portion of SB 1x would exempt road and highway maintenance, repair, and other actions from CEQA analysis and mitigation. It appears unlikely that Brown and Senate lead Jim Beall will find the 2/3 vote needed in both houses to pass a transportation funding package – with or without the CEQA exemption – but we remain vigilant.

Meanwhile, five CEQA exemptions for transportation and drought mitigation projects missed last Friday's house-of-origin deadline and are finished for this session:

Ø AB 1569 (Steinorth, transportation projects)
Ø AB 1586 (Mathis, Temperance Flat)
Ø AB 1589 (Mathis, drought mitigation)
Ø AB 1647 (Waldron, water storage facilities), and
Ø AB 2578 (Bigelow, water)

In addition, three attempts to change how lawsuits are conducted failed: AB 2026 (Hadley) and SB 1348 (Moorlach), both to require identification of anyone who contributes a certain amount to support a lawsuit, and SB 1306 (Stone), to award attorneys fees to prevailing parties. And SB 1415 (Bates, scoping meetings) died in Senate Appropriations Committee without coming up for a vote.

Second-house policy committees start meeting this week on bills that passed out of their house of origin. Among these are seven CEQA-related bills:

§ AB 1500 (Maienschein, housing development) – will be heard on June 14th in Senate Transportation and Housing Committee
§ AB 1749 (Mathis, recycled water pipelines) – in Rules Committee awaiting assignment to a policy committee
§ AB 1886 (McCarty, Transit Priority Projects) – in Rules Committee awaiting assignment to a policy committee
§ AB 2034 (Salas, NEPA delegation) – in Senate Transportation and Housing Committee. No hearing date set.
§ AB 2438 (Waldron, recycled water) – in Rules Committee awaiting assignment to a policy committee
§ SB 1008 (Lara, RICS) – in Assembly Natural Resources Committee. No hearing date set.
§ SB 1277 (Hancock, supplemental EIR for coal shipments) – in Rules Committee awaiting assignment to a policy committee

Rounding out the list of still-alive CEQA bills is Senator Hannah-Beth Jackson's SB 122, which is on the Assembly Appropriations Committee's Suspense File. SB 122 would allow concurrent preparation of the administrative record and require electronic posting of all notices and environmental documents in a state database Jackson is confident the bill will move forward to the full Assembly in August. PCL will be working hard for its passage.

For additional information on any bill, see leginfo.legislature.ca.gov or contact PCL at PCL.org or (916) 822-5631.

For more than 50 years, the Planning and Conservation League has been at the forefront of virtually every major legislative and administrative effort to protect and enhance California's environment. Today PCL is fighting everyday in the Capitol and around the state for clean air, clean water, natural resource conservation, environmental justice, and livable communities for all.

To support the Planning and Conservation League and all the work we do to protect CEQA and continue to find pragmatic solutions to the land use, housing, and water issues of today, **Make a Difference!**

Donate Now

Save-the-Date!

PCL's 50th Anniversary Gala will be held on November 11, 2016 at the City Club of San Francisco! For more information on tickets and sponsorship opportunities, please contact Meredith Mitchell at events@pcl.org.

Visit PCL's Website

WWW.PCL.ORG

1107 9th Street, Suite 901, Sacramento, CA 95814
Phone: 916-822-5636 • Fax: 916-822-5650
Email: pclmail@pcl.org