

Why CEQA Is Essential for California Neighborhoods

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By Bill Magavern

The California Environmental Quality Act, or CEQA, is the centerpiece of California's economic democracy. Since 1970, when it was signed by Ronald Reagan, this law has given all citizens a voice in what happens in their communities, allowing them to take action to protect their health and local environments. CEQA makes sure that those who will be most affected by development have the right to get the facts about the environmental impact of proposed projects, and to seek alternative project designs that will lessen or eliminate the potential negative impacts. This principle of broad public involvement would be eliminated under a plan put forth by Republican lawmakers and business groups to "reform" CEQA, supposedly as a way to boost California's economy.

Despite the strident claims of critics that CEQA is a "job killer," we have seen time and again that growing the economy and keeping a community healthy are not mutually exclusive goals. In fact, in recent years, thousands of green jobs with good wages and decent benefits have been created in California with the benefit of the CEQA process. Sound community planning is helpful, not harmful to the economy. In fact, it is residents who often have the best information about current conditions and the best suggestions for appropriate siting and use of new facilities. Twenty years ago, the California Supreme Court ruled that "the CEQA process protects not only the environment but also informed self-government." Those words could not be truer today.

The Republican plan would gut the most important premise of CEQA -- informed and transparent public involvement --and require instead that only government attorneys be allowed to bring legal action under CEQA. This would be a huge mistake. Through the action of ordinary citizens, environmental groups, labor organizations and others, substantial environmental protections have been achieved under CEQA. Dangerous air pollutants have been reduced, water quality and conservation have been improved, and vital habitats have been preserved.

Any proposal to limit public involvement under CEQA would transfer local land use decisions to Sacramento, enabling lobbyists to thwart the will of communities and creating a two-tier system of justice – one for those who can afford it and one for those who cannot. Cut out the public, and developers will think nothing of seeking "Capitol" exemptions from CEQA, as we saw when an exemption for a City of Industry stadium was rushed through in the final hours of the 2009 legislative session. That stadium has yet to be built and the thousands of construction jobs promised never materialized. But important environmental considerations were cast aside in the process. That developer-fueled exemption now sits forever in our code books, serving to remind us that the Legislature should not usurp the voice of the community in local land use decisions.

None of this means that CEQA cannot be improved. We are willing to work with any group that wants to improve the planning process to promote healthy, vibrant and more economically sustainable communities for the future. So much can be done and so many jobs can be provided by focusing on infill development that will reuse land and buildings rather than sprawling onto undeveloped land. Over the years the law has been amended several times, but the Legislature has always protected the fundamental principle of public participation. This bedrock concept should not be abandoned as a misguided fix to California's economy. Environmentalists support sound, sustainable, job-creating development. It's time for us all to work together and preserve CEQA – for California's sake.

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