BIG BATTLE OVER CEQA LOOMS

The California Environmental Quality Act (CEQA) was enacted during the Governorship of Ronald Reagan, over 40 years ago. It was modeled after the National Environmental Policy Act, and states its goals and environmental policies in broad terms. Although there have been some amendments, its basic provisions and procedures remain as enacted. Last August, during the waning days of its 2012 session, the Legislature considered undertaking a sweeping overhaul of CEQA, but, fortunately, abandoned the idea as too complicated for rush treatment. This year legislative leaders in both houses and Governor Brown have indicated a desire to “update” CEQA. In his 2013 “State of the State” address the Governor said: “Our approach needs to be based more on consistent standards that provide greater certainty and cut needless delays.”

Since the Democrats now have a super majority in both the California Senate and Assembly, the revising of CEQA will not be as much a party ideological fight as it will be a controversy over how to accomplish agreed upon objectives of avoiding inconsistent decisions and reducing delays and expense. Our Legislature has the staggering task of accomplishing these objectives without weakening environmental protection and the right of public input into and review of the process. There will be much more news on this subject as the Legislature comes up with drafts of bills.

GOOD LUCK TO THE LEGISLATURE!