SUSPENSION OF CEQA CAUSE FOR CONCERN

Section 9 of Governor Brown’s January 17, 2014 Drought Declaration invokes the emergency exemption provisions of the California Environmental Quality Act (CEQA). It suspends the operation of CEQA in connection with the Declaration orders relating to dam releases and transfers of water between the State Water Project and the Federal Central Valley Project. It also suspends a section of the State’s Water Code dealing with water quality plans. The suspensions are another example of the dangerous view that we can ignore environmental protections in dealing with immediate crises without creating irreparable harm for the long term future. The cumulative effects of environmental degradation have created an emergency. Protecting our environment only when it is convenient to do so is not sound policy.

Hopefully, the suspension of CEQA and the Water Code will be narrowly applied and not extended to other aspects of drought control. We environmentalists should monitor this.

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