

August 22, 2012

Senator Mark Leno  
State Capitol, Room 5100  
Sacramento, CA 95814



Subject: CEQA Attacks in the 2012 Legislative Session

*Via email: senator.leno@senate.ca.gov; fax to (916) 445-4722*

Dear Senator Leno:

Marin Conservation League has been protecting the natural assets of Marin County for 78 years and represents a large constituency of conservation voters. The League wishes to add its voice of protest to those of many others who are alarmed at the unprecedented attacks that threaten to seriously undermine the California Environmental Quality Act as the 2012 Legislative session rushes to close on August 31<sup>st</sup>. It appears that CEQA has become a political tool for back-room horse trading.

As stated by Assemblyman Jared Huffman, D-San Rafael: "Like many important laws, CEQA is not perfect and could probably be improved while retaining its many benefits — but only if such improvements are undertaken in a good faith process and are crafted very carefully. . . the pending proposals have not been vetted and are being advanced by special interests in an 'end-of-session power play.'" The net effect would be to allow projects to bypass parts or all CEQA requirements if they meet other existing environmental standards. Some potential bills pertain to individual projects, and others could affect whole classes of projects, such as those that are consistent with general plans regardless of whether such plans are out of date.

MCL is particularly concerned that CEQA changes are being inserted into unrelated bills. These are bills that have received no public notice or exposure outside committee review. One focus of current attention is SB 317, which concerns fish management on the Kings River (Sen. Michael Rubio, D-Bakersfield), to be amended with CEQA changes. This is only one example of inappropriate trade-offs.

Over the past year, a number of CEQA amendments have been under thoughtful review by a broad spectrum of groups. These recommendations should be allowed to work through an orderly and public legislative process next year, and not be rammed through in last-minute, closed-door deals. Only through open, public dialogue can it be possible to make effective changes to CEQA in ways that benefit both Californians and the natural resources of California.

PHONE: 415.485.6257  
FAX: 415.485.6259

EMAIL: [mcl@marinconservationleague.org](mailto:mcl@marinconservationleague.org)  
URL: [www.marinconservationleague.org](http://www.marinconservationleague.org)

ADDRESS: 1623-A Fifth Avenue  
San Rafael, CA 94901



We are attaching a brief summary of what CEQA means to public process in California, prepared by California Native Plant Society Conservation Program. We wholly subscribe to this statement. In sum . . .

1. We value CEQA because it ensures the public our right to know what's going on in our own communities.
2. We oppose any new, last-minute attempts to change CEQA between now and the end of the Session on August 31<sup>st</sup>.
3. As your constituents, we ask you to vote NO to last-minutes attempts to change CEQA

Sincerely,

A handwritten signature in blue ink that reads "Susan Stompe". The signature is written in a cursive, flowing style.

Susan Stompe, President

- cc. Senate President Pro Tem Darrell Steinberg, D-Sacramento  
Assembly Speaker John Pérez, D-Los Angeles  
Marin County Board of Supervisors, President Steve Kinsey  
Assemblymember Jared Huffman

Attachment

## **California Environmental Quality Act (CEQA) What is it, really?**

*by Vern Goehring (California Native Plant Society – Conservation Program)*

Too many people think CEQA is just about protecting animals and plants. It's really about protecting our role in self-government and our quality of life.

### **The public has a right to know.**

Although self-government has been a linchpin in our form of government since the beginning of our country, the tools to ensure effective self-government continue to evolve. However, a constant principle has been the need to know what is going on, what is being done by our government, in order for people and communities to have a meaningful role in self-governance.

CEQA ensures that communities will know what is going on and assures the public that we have an opportunity to ask questions and make suggestions regarding things that affect us. What could be more basic to our way of life? What could be more important to protecting our quality of life, and the life around us?

At its simplest, CEQA requires a report to the public that identifies and reveals the ways a project affects a wide range of qualities valued by our communities. It encourages our government agencies to avoid or offset those impacts to the greatest degree feasible. The measures used to offset these impacts are developed through a public participation process to guard against projects or mitigation measures creating other unanticipated impacts.

### **What activities are subject to review and how is the review conducted?**

Nearly every activity, public or private, that has a direct or indirect effect on some aspect of our natural or even human-made environment is subject to a CEQA analysis. Most projects that have tangible direct impact must comply with the public review and disclosure provisions in CEQA. And many activities that have indirect or future impacts must also be examined for how they affect the community.

A reviewing agency goes through an initial checklist to identify areas that may need more study. If the potential exists for significant effects, a more detailed disclosure and analysis is conducted in the form of an Environmental Impact Report (EIR). It is the EIR that allows the public to know what is being proposed and how that activity may impact communities.

### **CEQA allows us to protect what we value.**

Before a public agency can approve a project it must consider and inform the public in an Environmental Impact Report how the proposed project might affect important characteristics of our communities including, but not limited to, aesthetics within the community, cultural and historical resources, public services, recreation, utility services, noise, agricultural resources, air quality, water quality, soil, and rare and endangered animals and plants.