



PLANNING AND CONSERVATION LEAGUE

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Delta Tunnels Scam

The advertised idea sounds appealing. Build huge tunnels to divert water around the San Francisco Bay Delta in wet years when flows are in excess of the estuary's needs and then divert less water in drier years – "Big Gulp, Little Sip." Another advertised benefit would be to reduce death of fish that are now are sucked to the giant pumps in the South Delta.

Let's look at the facts. After spending over a quarter of a billion dollars of public money to promote the project they still will not commit to how much

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The Demise of SB 827, the Growing Anti-CEQA Narrative, and the Resistance to VMT Reduction

2018 California Land-use and Transportation Policy in Three Parts

PCL works on many fronts to protect biodiversity, our natural and working lands, air quality, our aquatic habitats and water systems, as well as climate resilience, housing, transportation and infrastructure. We seek planning policies for where and how we live that will not only protect the natural environment, but also build healthy, thriving communities that provide equitable access to opportunities for all.

As explained at length in our [December Capitol Insider Newsletter](#), which framed our objectives leading into 2018, California has recognized that clean cars and clean energy alone will not achieve our greenhouse gas (GHG) reduction goals. The California Air Resources Board has identified that very significant changes in land use and transportation are needed to reduce GHG reduction from Vehicle Miles Travelled (VMT) from cars as well. Yet, importantly, VMT reduction is not only a metric of GHG reduction from better land use and transportation options, it is also an excellent proxy metric for all the co-benefits to natural resource conservation, public health and social equity that improved land use provides.

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Dear Members,

Let's pause for a moment to reflect on where we have been the last 18 months. Each month brings new attacks on our environment from multiple federal agencies and this directly impacts our state. Suffice to say it has been a challenging time in our country and the attention we have needed to expend on not just California concerns but national concerns have been overwhelming at times. What we do in California is a bellwether for the country and we see that every day in the news with the legal, environmental, and political battles being fought. Because of your support, we are tackling these challenges each and every day both at the state Capitol and when needed, at the nation's Capitol.

With the upcoming election season ahead, we have taken the time to collaborate with allies and our advisory committees to supply recommended positions on the upcoming primary election propositions in this newsletter. These are important votes for the future of California. We are a signer on Prop 72 that prevents an increase of property tax on installing a rainwater recycling system. Additionally, we support Prop 68 that invests sorely needed money in our parks, water and natural resources throughout the state and supported it as it moved through the legislature as SB 5.

Much of our work this current year, spurred on by our recent



The Demise of SB 827 | from page 1

Closing this “VMT gap” has been PCL’s focus, and is the connecting link between the many issue areas we work in. In our most recent [Capitol Insider](#) we offered a more detailed list of many of the proposed bills we are following, but here are three major storylines from the Capitol in 2018 that illustrate the challenges and opportunities at the core of PCL’s mission.

The SB 827 Challenge

Perhaps the most talked about, and controversial, bill of the year thus far is already dead, Senator Scott Wiener’s [SB 827](#). In a bold attempt to simultaneously address California’s housing crisis and the need to drastically reduce VMT, SB 827 proposed a statewide mandate to up-zone all existing residential land-use zoning within proximity to high-quality transit stops to maximum densities allowed by building code. The debate that ensued was greatly polarizing and sometimes ugly.

PCL commends the Senator for the boldness of the bill’s intent—PCL agrees very much that bold policy is needed to address our housing and climate crises—but we also had many concerns with the bill, concerns that were wide spread among advocates, and local jurisdictions alike. PCL had additional concerns about the adequacy of how and where the up-zone would apply was defined in the bill. But more broadly shared major issues included the need to adequately provide for inclusionary housing and anti-displacement provisions in the bill, and finding the appropriate balance between the proposed statewide policy and local voter approved ordinances and long-sacrosanct local discretion in development decisions. In the end 827 was going too far too fast, and the author’s attempts to accommodate would-be ally’s concerns with amendments did not come fast enough. The bill failed, but SB 827 no doubt struck a nerve for California.

PCL chose not to take a formal position on the bill and only sought to help get the policy right if it did move forward. The goals and concerns that SB 827 raised pose some of the most challenging and important questions of our time: How and where does California build more housing and fast? How do we ensure it is affordable to all income levels? How do we ensure that housing is low-VMT, reduces environmental impacts, and does not displace existing low-income residents and

communities of color? And how do we do it in a way that respects differing local conditions, needs, and public participation?

These issues warrant much more, careful, attention. And it is unfortunate that some of the best minds in California that work on these issues ended up on opposing sides of the debate on 827. PCL is not interested in the conversation about the origin of that polarization—there were noble intentions and valid criticisms on all sides—we are, however, very interested in helping foster a productive conversation aimed at successfully addressing the issues and concerns raised in this debate. Whether an approach similar to 827 moves ahead again, or any other proposal that seeks solutions to these same problems, PCL intends to be engaged.

CEQA Isn't the Source of the Housing Crisis, and It's Not Racist!

As always, there have been many proposed legislative proposals this year that would weaken or remove the California Environmental Quality Act (CEQA) in varying ways. Again, you can see our recent Capitol Insider for a list of some of these specific bills, but PCL's over-arching concern is the progress the perennial anti-CEQA narrative seems to be making in the Capitol. What's different from the past is the push-back on CEQA this year seems more organized than ever. In hearings for any one specific CEQA bill or another, advocates and legislators that would have that "CEQA needs to be taken out of the way" are speaking in a more and more singular voice. The themes of that voice are always the same: that CEQA is suppressing housing production, in turn, making housing less affordable, and thus exacerbating displacement of low-income communities and racial inequities.

PCL and our partners of the [CEQA Works](#) coalition hold that these alarming claims, now being heard over and over in the Capitol, are fundamentally untrue. Ample research has been done that demonstrates that these claims are indeed not true ([CEQA in the 21st Century](#) – see key findings on page ii), finding that the a majority of projects proposed in California are given some amount of CEQA exemption, if not a full exemption, and that less than 1% of projects are actually challenged by CEQA litigation.

PCL has been a prime defender of CEQA for decades. Yet, in recognition of both our housing and climate problems, PCL has also become interested in exploring responsible CEQA incentives (as well as other policy reforms and financial mechanisms) that promote the right things in the right places—development that simultaneously reduces VMT, conserves natural and agricultural resources, and builds healthy, inclusive communities with equitable access to multi-model transportation options, essential services and economic opportunity. And though PCL believes there are ways to potentially improve the efficiency and efficacy of CEQA, we do not believe the housing crisis is caused by CEQA.

environmental assembly held at McGeorge School of Law, is focused on closing some of the policy gaps we have identified and highlighted in this newsletter. PCL's staff has been working tirelessly to track, review and actively engage in better policy strategies to protect our communities and natural resources, as well as define better long term land use planning policies. The challenges we face today are multi-faceted, multi-dimensional, and time consuming. I want to thank the PCL staff and board members for all the hard work and relentless effort spent to make California and this country a better place to live. I am proud to be part of the team.

Lastly, I want to address the unconscionable statements made by a few of the anti-CEQA crowd about the California Environmental Quality Act being a racist law. This is the farthest from the truth possible. If it weren't for CEQA there would be more communities, especially disadvantaged communities, across California with horrible projects, which there are already too many. CEQA gives a voice to many stakeholders that would not be invited into the planning process if it weren't for the "Community" and Environmental Quality Act. CEQA is turning 50 years old in 2020 and think of what California would look like if it wasn't for CEQA.

Howard Penn
Executive Director

water the tunnels would divert. To Northern Californians they say the tunnels would not increase how much water they take from what is the largest estuary on the west coast of the continent. To their own constituents they promise half a million acre feet or more of increased water supplies.

It gets even murkier when they apply for necessary permits. In those proceedings they will only identify a range of amounts they might divert. But even that number is fuzzed when they say actual operations might be outside that range.

Their only commitment is to “adaptive management.” That means amounts actually diverted will be decided only after it is built. And they would have a major say so in making those decisions. Think foxes and hen houses.

Even so doesn't the State Water Board impose conditions on water projects with limits on how much they can divert? You would have to search out the last sentence of the last paragraph of an appendix in 50,000 pages to find out they plan to get around that. Under state regulations diverters can apply for TUCP's. Then you would have to know that TUCP stands for Temporary Urgency Change Petition. That is how the State and Federal water projects have regularly exceeded pumping limits in their permits.

Just imagine if they spend at least \$17 billion to dig these tunnels



That housing supply is so far behind demand in California is due to a complex mix of zoning issues, how fees and taxes are assessed, and decades of decisions in how California and our localities have made its infrastructure investments. Racial segregation and economic disparity in housing is too a product of this complex matrix of issues, in addition to very conscious segregated zoning, redlining deed restrictions, and racially motivated lending practices that go back more than a century. Just building more housing regardless of what kind or where it is will not solve our problems alone, and CEQA is our best public process mechanism to ensure we are indeed building the right things in the right place.

Outside of the Legislature, we are also hearing these very same anti-CEQA talking points against the [CEQA Guidelines Update](#), currently in an official rule making process at the Natural Resources Agency. These CEQA updates have long been in development by the Office of Planning and Research, and cover many aspects. A primary focus is a very important conversion of how traditional Level of Service (LOS) is calculated to a new VMT methodology that can accommodate multi-modal transportation analysis. While PCL has some specific criticisms with the update, we greatly support the VMT methodology in general. This conversion, mandated by [SB 743 \(2013\)](#) will remove a serious historic barrier to infill development, but also will require that high-VMT projects will need to mitigate for those impacts, thus incentivizing more compact low-VMT development.

These CEQA provisions concerning VMT reduction are, unfortunately, what the most outspoken critics of the CEQA Update seem most concerned about.

And VMT Reduction Is Not the Source of the Housing Crisis or Racist Either!

This anti-CEQA/anti-VMT-reduction connection offers a segue back to the recently adopted CA Air Resources Board “[Scoping Plan](#)” for GHG reduction and the newly revised SB 375 GHG reduction targets, which PCL has also been engaged in. Here too, some of the very same advocates criticizing the CEQA Update are also advocating against the VMT-reduction provisions of the Scoping plan, so much so that they are [suing the Air Resources Board](#). And here again, these advocates are voicing the same themes: that an emphasis on VMT-reduction suppresses housing production, forcing increases in housing costs, thus causing displacement and disparate impacts on low income communities that will need to drive further and further distances to work and services.

PCL, again, fundamentally disagrees with the premise that VMT-reduction efforts are suppressing housing production, market studies show great demand for less-driving-oriented development. Yet, there is no doubt that compact growth can inflate property values and cause displacement, if inclusionary requirements and anti-displacement protections aren't in place. This kind of displacement will only propagate historic patterns of segregation and inequity, simultaneously undercutting our ability to achieve our climate goals, and this is a great concern to PCL. However, the solution is not to give up on compact growth, the solution is to have stronger inclusionary requirements and anti-displacement protections every step of the way.

Similarly, there is no reasonable evidence that CEQA is suppressing housing production. And weakening or removing the CEQA process will not result in producing the kind of environmentally sustainable, socially equitable housing that we need—it would only accelerate even more irresponsible production of the status quo low-density, car oriented sprawl that has brought us much of the environmental problems and social inequities we have today.

We know California's historic growth model must change. We know we need to reduce VMT and build much more equitable housing. To do this, we will need to think much more creatively than we have in the past to identify policies across many issue areas to incite the drastic cultural shift we need to realize a low-VMT equitable society.

SB 827 could have been one of those bold ideas, but the concerns it raised were valid, and to successfully address them will take careful collaboration. These issues strike at the very way we have lived and built in California for a century and the solutions won't come easy. SB 827 was obviously not where it needed to be, but PCL hopes that the polarization over the bill can be overcome to find the necessary solutions to these critical challenges.

Yes, some are tired of talking about 827, but California needs the conversation to continue.

(each larger than the Chunnel between England and France). Does anyone really believe they will not fill them at every possible opportunity? And does anyone think that actual costs would not be at least three or four times greater? Think Bay Bridge, Boston's Big Dig, etc., etc., etc...

As they say on TV infomercials, “But wait there's more.” To maximize their investment they would not abandon pumping from the south Delta. No, the plan is to pump as much water as possible into the tunnels at the north of the Delta and then keep pumping as much water as possible from the south Delta. That means that any fish that avoided death from the north Delta intakes to the tunnels would still be vulnerable to the pumps in the south Delta.

What about the federal Endangered Species Act and CEQA? It was just last month that a Southern California Congressman introduced an amendment into an appropriations bill to exempt the tunnels from any state or federal legal challenges.

We can expect continued efforts to gut environmental protections against this project, better titled, “Big Gulp, Big Gulp.”





PCL Works to Bring \$60 Million a Year in New Wildlife Funding to CA

Johnnie Carlson, Campaigns & Operations Manager

PCL is leading the California campaign to bring \$60 million a year in new federal funding for wildlife restoration projects to the state. PCL with our national partners at the National Wildlife Federation are working to urge congress to pass legislation that would increase federal funding for state wildlife action plans. The Recovering America's Wildlife Act (RAWA) (H.R. 4647) would add \$600 million over the next decade in additional federal grant funding used to implement California's Wildlife Action Plan developed by the California Department of Fish and Wildlife (CDFW). These new funds would come from existing federal mining and offshore oil lease revenues.

The CDFW found that 678 species are in the category of "Greatest Conservation Need" in the state's 2015 Wildlife Action

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Proposition 68 | A Win for Water and Wildlife and a Way Forward for California

Proposition 68 is a general obligation bond that invests \$4 billion in the coming years to address some of California's most critical water and natural resource needs. The state legislature passed the California Clean Water & Safe Parks Act (SB5) with bipartisan support and it will appear on the June 5, 2018 statewide ballot.

Prop 68 & Local Parks

Every child deserves to lead a happy and healthy life, but many communities across California lack access to parks and safe places for kids to play and grow. Today, demand for our parks exceeds available funding by a factor of 8 to 1, leaving our parks woefully inadequate for the next generation of Californians. Prop 68 makes critical investments in our state's parks by improving existing facilities, expanding access, and addressing inequities in underserved areas:

- \$725 million for parks in neighborhoods with the greatest need
- \$285 million to cities, counties, and park and open space districts to make local parks safer and improve facilities
- \$218 million to repair and improve state parks, including projects that provide recreational opportunities for low income park visitors
- \$30 million to improve access to parks, waterways, natural areas, and outdoor recreation areas, including expanding outdoor experiences for underserved youth
- \$40 million to restore natural and community resources, including conversion of fossil fuel power plants to green space
- \$25 million in grants for rural recreation, tourism, and economic enrichment programs

Prop 68 & Climate Change

Prop 68 will create significant new funding to help state and local agencies adapt to the adverse impacts of climate change, which are already having an impact on California and causing more severe wildfires, prolonged droughts, increased flooding, and intense heat.

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Proposition 68 was strategically designed to allocate funding to help address these threats including \$443 million for “climate adaptation and resiliency projects ... (that) improve a community’s ability to adapt to the unavoidable impacts of climate change, improve and protect coastal and rural economies, agricultural viability, wildlife corridors, or habitat, develop future recreational opportunities, or enhance drought tolerance, landscape resilience, and water retention.” A few examples include:

- \$40 million for grants to assist coastal communities and fisheries with climate change adaptation including projects that address ocean acidification, sea-level rise, and habitat restoration
- \$30 million for innovative farm and ranch management practices that improve climate adaptation, resiliency, and carbon sequestration
- \$35 million for forest restoration and fire protection including hazardous fuel load reduction and post-fire watershed rehabilitation

In addition, funds in other categories further address climate resilience priorities:

- \$550 million to improve flood safety
- \$620 million to protect and increase water supplies, prepare for droughts, and ensure underserved communities have safe drinking water
- \$25 million to the California Department of Parks and Recreation to improve native ecosystem resiliency and adaptation to climate change, increase the health of redwood forests to maximize climate sequestration and build climate resilience, and enhance other natural resources values in state parks
- \$10 million for the University of California Natural Reserve System for, among other things, climate change research

Prop 68 & Wildlife

One project near and dear to PCL supporters that will be funded by Prop 68 is California’s first wildlife corridor and freeway crossing. Large predatory species, like mountain lions, require vast territories to survive as a species. However, as development expands in highly urbanized areas such as Los Angeles, mountain lion populations become more fragmented and as a result, have started to inbreed. Some mountain lions have attempted to cross the roads that segmented their land, but most of those attempts have resulted in failure. To prevent the extinction of this population of cougars, and reconnect the fragmented ecosystem for all wildlife, the National Wildlife Federation is working to build a wildlife crossing across the U.S. Highway 101 in a public/private partnership with Caltrans, the National Park Service, the Santa Monica Mountains Conservancy, the Resource Conservation District of the

Plan. California has experienced significant habitat loss due to growth of our urban landscape. It faces further habitat loss due to climate change – warmer, dryer conditions shrinking habitats all across the state. California’s focus in using these grant funds is on recovering habitats – helping multiple wildlife species as well as threatened plants.

A stunning 155 Species in California are Endangered or Threatened and need assistance, according to an October 2017 report from California’s Department of Fish and Wildlife and additional funding is needed now to address habitat loss. RAWA will increase grant funding for California’s SWG Program by over 25x from \$2.4 million in FY2016 to \$63.6 million annually. That means over \$600 million in new funds for habitat restoration, habitat protection, and other critically needed work over the next decade.

Visit NWF’s website to learn more about the [Recovering America’s Wildlife Act](#) and [Take Action](#) to let your member of Congress know this funding is important to California.





Please VOTE on June 5th! PCL's Endorsement's for Your Consideration

YES on Prop 68: Prop 68 is a \$4 billion Parks, Environment, and Water Bond. PCL is an active part of the Yes on Prop 68 campaign. The funding would go towards parks, water, equity and all kind of great things that we need now in California.

YES on Prop 69: Prevent the legislature from diverting transportation funds for non-transportation purposes. Proposition 69 guarantees the transportation taxes and fees we already pay can only be used for transportation improvement purposes.

NO on Prop 70: If passed, it could stop funding that is currently used to fight pollution and improve community health. It would subject this funding to a two-thirds vote in 2024, and by doing so, it would hold these climate investments hostage to the lobbying of corporate interests. Prop 70 would lead to budget gridlock, undermine California's progress on climate change and clean air, and increase the power of corporate interests – vote No!

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Santa Monica Mountains, the Mountains Recreation and Conservation Authority, the California State Coastal Conservancy and The Santa Monica Mountains Fund.

With your support PCL and NWF have been working to conserve California's mountain lions for decades, Proposition 68 helps us continue this work! Building a wildlife corridor will not just help protect the mountain lions, but will benefit all of species in the area. To learn more visit www.savelacougars.org.

Your Yes vote on 68 will provide our state with critically needed funding to help prepare for the impacts of climate change and address the backlog of maintenance in our parks, need for more parks and greater access for all to parks and the health benefits they bring. You can learn more about Prop 68 and find opportunities to volunteer at www.yes68ca.com.



Firefighters at work in California.

The CA Delegation Can Help Fix Forest Fire Funding

First California suffered devastating mega-fires. Second, part of the state was been battered by deadly mudslides. It's all connected. Soil baked by the fires' intense heat and slopes left barren by flames can't hold back water unleashed by the rains.

California's Congressional delegation can do a lot more in Washington DC to respond to the growing threat of mega-fires in our state. Many of our Senators and Representatives are thankfully insisting on disaster relief funding which our communities desperately need. They also need to insist Congress act now to pass a bipartisan bill called the Wildfire Disaster Funding Act – so far 28 of California's representatives are co-sponsors. It would treat catastrophic wildfires like the disasters they are, and equip the U.S. Forest Service to respond to the new normal – nearly year-round fires that are bigger and hotter than they have ever been.

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The Forest Service spends more than half its budget on fires – up from 15 percent in the 1990s. It's estimated that firefighting could consume two-thirds of the Forest Service budget in a decade. As firefighting costs have skyrocketed the agency has had to take money from its other programs, including forest restoration, wildlife management, recreation, and fire prevention. By using money that was meant for forest management to suppress fires, the Forest Service has fallen behind on forest restoration efforts nationwide, including on the 18 national forests that cover 20 million acres of California.

The Wildfire Disaster Funding Act would allow the Forest Service to use disaster funds to fight fires just as other agencies can tap disaster funding for tornadoes, hurricanes and floods. It allows the Forest Service to get ahead of the problem and break the vicious cycle of draining money from conservation, forest restoration and fire prevention to fighting the fires that could be might be tempered by more investment up front.

Fires ravaged more than 9 million acres across the country last year and with large stretches of the Rockies in drought this winter, the conditions are shaping up for another brutal season. The Forest Service estimates that between 65 and 82 million acres of the 193 million acre National Forest System are in need of restoration. The agency needs more funding to tackle this backlog. The end result – forests that are more resilient to natural disasters – will provide a wide variety of benefits, including clean water, erosion control, healthy wildlife populations, carbon storage and sequestration, and many opportunities to strengthen and grow the \$887 billion outdoor economy.

Long gone are the days when forest fires burned in the backcountry, only capturing the public's interest when blazes broke out in places like Yellowstone National Park. As more and more people have built in wooded areas and the population has grown, forest fires are now in our backyards – literally. And they're starting earlier, lasting longer and burning more intensely in large part because of climate change.



Fire aftermath in Santa Rosa.

YES on Prop 71: Prop 71 adjusts the date ballot propositions become effective from the day after the election to the day after the Secretary of State certifies the election. This is a good government measure to support the widespread use of mail-in ballots which can still be received and counted up to three days after the election is over.

YES on Prop 72: Prop 72 excludes rainwater capture systems from tax reassessments in order to encourage property owners to capture rainwater and storm runoff on their property for use or groundwater recharge.

Donation Information

PCL's success has been due to your unwavering support. You can visit PCL.org to learn about the many donation options available. Please consider contributing today to help ensure our environment is protected for humans, plants, and wildlife forever.

If you'd like, you can mail a donation to the address listed below. Please contact PCL at 916.822.5631 if you have any questions. Thank you very much.

Contact PCL

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The smoke and particles that blanketed whole regions of the West last year spurred health warnings. County health specialists were bombarded with questions about air filters and the health effects of the smothering smoke. Sediment from barren slopes washed into waterways, endangering fish and other wildlife. Millions of tons of climate-altering carbon dioxide were released from burning trees.

We need a comprehensive wildfire funding solution that addresses this funding crisis and frees up resources for science-based, collaborative forest management. Our forests are a crucial source of drinking water, supplying water to roughly 180 million people nationwide. They provide habitat for wild pollinators and help sequester millions of metric tons of carbon. Forests are where we hunt, fish, camp, hike, and watch wildlife.

The Wildfire Disaster Funding Act is a great opportunity to take some big steps toward restoring our forests to a sound footing. We must urge our elected representatives to push leaders of both parties to make the bill a priority. Here in California, and in other states from Washington to Georgia, we've lived through some of the worst wildfires on record. If Congress doesn't address the wildfire crisis, we're sure to see those records broken soon.



Please **VOTE**
on **June 5th!**

PCL Recommends

Prop 68 - **YES!**

Prop 69 - **YES!**

Prop 70 - **NO!**

Prop 71 - **YES!**

Prop 72 - **YES!**

More information
on page 8.

