



PLANNING AND CONSERVATION LEAGUE

# California Today

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## Planning for Growth and the Need for Housing

### Land Use Reform to Support Housing, Urban Investment, Farmland and Habitat

PCL is currently connecting with diverse organizations from all across California to build a strong coalition capable of achieving significant land use reform over the next few years. Our goal is to support urban investment and equitable infill, preserve natural and working landscapes, make progress toward fully addressing housing needs, and reinvest in existing communities without causing displacement.

The biggest real challenge to our environment, climate and quality of life is sprawl development. Tens of thousands of acres of farmland, habitat and open space are paved over every year for sprawl development. And we cannot address climate change without addressing this untethered sprawl; 40% of greenhouse gas (GHG) emissions in California come from transportation and land use.

On the regulatory side of the equation, here's the hard truth: California could get rid of the entire regulatory apparatus surrounding land use, including cutting out CEQA root and branch, and it would hardly even move the needle in terms of making infill development numbers pencil out for developers and local governments or facilitating more housing

## CEQA Survives Another Legislative Onslaught

Legislators began 2016 by introducing 23 bills affecting the California Environmental Quality Act. Only two, plus a hold-over from 2015, survived to be signed by Governor Brown.

“Thankfully, key lawmakers value the transparency, public participation, and environmental protection benefits of CEQA as much as their constituents do,” said PCL Executive Director Howard Penn.

The successful measures:

- SB 122 (Jackson) requires the state's CEQA database to include additional documents and allows project applicants to request lead agencies to prepare the “administrative record” while a project moves through the CEQA process. This latter change could shave months off the trial court phase of any lawsuit. Our position: **support**
- AB 2087 (Levine) allows public agencies to create “regional conservation investment strategies” to coordinate investment in conserving species. Mitigation credits created can be used to address

## Dear Members,

During this first year at PCL, I have come to truly appreciate the depth and breadth of PCL's impact on California. From thousands of acres of protected lands, to legislation that has strengthened the conservation of public resources, to the stalwart defense of the CA Environmental Quality Act, PCL has been at the forefront of representing our environmental values through effective legislation and better policies for the future. We all owe a great debt of gratitude to past PCL staff, board members, and especially you, the supporters.

As we celebrate our 50 years of success on November 11<sup>th</sup>, 2016 ([PCL.org/Gala](http://PCL.org/Gala)) I am inspired to plan for the next 50 years. What will PCL be celebrating on our 100<sup>th</sup> anniversary? How about an economically and environmentally sustainable California? Where people of all economic backgrounds can live in affordable and energy efficient housing close to public transportation? Where public open spaces and agricultural lands are vibrant and valued? And where we don't have to worry about clean air and clean water any more?

I love living here because it affords me the quality of life that is so precious today. I hope, with your help and support, PCL can be at the forefront of making this sustainable California a reality over the next 50 years.

Thank you for your support.

**Howard Penn**

Executive Director



## The Back Story on a Major Water Breakthrough

How did a typical head-butting exercise that started almost a decade ago lead to one of California's biggest ever water breakthroughs? For years everyone had talked about the huge amounts of wastewater that are discharged to the ocean – over two million acre feet annually. But safety concerns and public resistance limited water recycling to a few important but relatively small projects.

Then in 2010 the Planning and Conservation League asked Senator Fran Pavley to author legislation (Senate Bill 918) that would bluntly order water treatment plants to recycle half of the water by a date certain.

The reaction was no surprise. The wastewater industry rose up in arms to oppose a mandate they could not implement. What was surprising was what happened next. PCL and the wastewater folks sat down and found they shared many objectives. First and foremost was that water recycling must meet the very highest standards for public health and safety.

Second was they genuinely wanted to significantly increase the use of safe recycled water. What was holding them back was the lack of a clear regulatory framework. There were no uniform rules against which they could design, finance, and permit projects.

That is when the dynamic flipped. PCL and the WaterReuse Association agreed to work with Senator Pavley on amendments that would allow them to jointly co-sponsor the bill. It called upon the State to develop criteria for safely using highly treated recycled water to recharge groundwater basins (so-called indirect potable reuse). It also required the State to convene stakeholder and public health and safety experts to determine if it could be feasible to develop standards for safe direct reuse.

But like any other work that requires funding, Senator Pavley's water consultant Dennis O'Connor played the pivotal role in identifying funds available from fines levied on illegal waste water dischargers. This was a totally appropriate use of those fines.

The result was the State Water Resources Board worked with all stakeholders and did in fact issue the guidelines for indirect potable reuse for groundwater recharge. And last week the expert and stakeholder panels concluded it will be possible to develop guidelines for safe direct reuse. No huge fanfare. Just one of California's biggest ever water breakthroughs.

construction or better transportation options. There are endless demands for “CEQA reform” (code for gutting CEQA). But CEQA is not the cause of our challenges.

The good news is we actually know what is responsible for a huge portion of our challenges in infill, climate change, and preserving habitat and working landscapes: sprawl-inducing land use and transportation policies and inadequate funding and tax incentives for equitable and sustainable infill, including housing.

PCL is working to tackle the real problems in housing, climate and environmental preservation: inadequate financing and incentives for infill and inadequate constraints on sprawl. We can only address the housing, climate, and sprawl crisis with a comprehensive package that constrains sprawl and supports sustainable and equitable infill, with particular emphasis on affordable housing.

It is going to be a very heavy lift — and likely take several years to make progress. But if California takes this approach, we will actually solve our housing and transportation challenges, preserve our environment, address climate change, and live in a state that is the envy of the world on every metric, including economic vitality, socio-economic equity, and environmental sustainability and justice. And guess what else? We’ll still have CEQA.



impacts identified in an Environmental Impact Report. Our position: **support**

- SB 1008 (Lara) extends the sunset date on a CEQA exemption for the Los Angeles Regional Interoperable Communications System to January 1, 2020. Our position: **none**

In policy committees, democrats rejected ten bills that would drive large holes in environmental review or intimidate potential CEQA plaintiffs. AB 1589 (Mathis), for example, would have exempted any drought-related projects from review during a governor-declared state of emergency.

“Overall, the legislature rejected ideologically-driven exemptions or other changes to CEQA,” said Penn. “They seem more willing to consider small tweaks or district-specific changes.”

See [leginfo.legislature.ca.gov](http://leginfo.legislature.ca.gov) for the text, votes, and analysis of bills.

## Threat Still Looms in Transportation Special Session

While the regular legislative session has ended, the special session on transportation is ongoing through November. Legislators are considering a major CEQA exemption along with tax increases for road repairs and non-motorized transportation.

Passage of tax increases requires a 2/3 vote. If all democrats vote for the package, three republican votes will also be needed. One republican demand is a CEQA exemption for road maintenance/repair. PCL has shared our significant concerns about this provision with policy makers.

No action is expected until after the November 8<sup>th</sup> election.

### Donation Information

PCL’s success has been due to your unwavering support. You can visit [PCL.org](http://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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## Tickets Still Available! | November 11 is the Gala Celebration in San Francisco

The Planning & Conservation League has spent 50 years focusing on statewide policies that build a strong economy and a sustainable future for California. PCL has fought for solutions that benefit ALL Californians and future generations to come. We hope you will join us in celebrating PCL's first 50 years of success at the City Club of San Francisco on November 11. We will be honoring several individuals and organizations for their exemplary leadership in environmental legislation and policies, such as Senator Fran Pavley, retired Senator Byron Sher, and Chair of the California Air Resources Board Mary Nichols. For more information visit [PCL.org/gala](http://PCL.org/gala).

There are also amazing benefits to sponsorship of the gala. To learn more about sponsorship, please visit [PCL.org/gala-sponsorship](http://PCL.org/gala-sponsorship).

## Save-the-Date! | Environmental Symposium is February 18, 2017

PCL's Annual Environmental Symposium, *Land Use and Its Impacts on Climate Change*, will focus on the reasons why we can't wait for a sustainable California. Join local and state leaders to address what we can do to reach our land use goals at a state and local level.

The upcoming symposium will take place on February 18, 2017, at the McGeorge School of Law in Sacramento. Please visit [PCL.org/symposium](http://PCL.org/symposium) for more information.



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