



PCL INSIDER: News from the Capitol

First Impressions of End of Session: The Big 'Meh'

A little bleary-eyed, we wanted to provide everyone with a quick update on how the last couple days of session went. A more detailed assessment will follow next week, after we've all had some sleep. Suffice it to say, it was not a great end of session for environmental protection, or for PCL's priority legislation. With few major environmental accomplishments, this was another year marked by largely successful defensive success against major assaults, though we have started to see some progress on more proactive and visionary environmental measures that were launched this session and hopefully will pay dividends in 2014.

Coastal Protection Bill Narrowly Fails, PCL Vows "We Will Return in '14"

Unfortunately, PCL-sponsored AB 976 (Atkins) did not make it out of the legislature this session. The bill would have helped protect public beach access and coastal environments by giving the California Coastal Commission the ability to fine violators of the Coastal Act. AB 976 passed out of the Senate last Friday on a close vote of 21-17, but the Assembly ultimately [refused to concur](#) with the Senate amendments. The bill's defeat was partly due to a last-minute misinformation campaign by industry opposition that didn't provide us ample time to respond.

Despite this setback, we owe a huge debt of gratitude to Majority Leader Atkins for her amazing leadership on this bill, the Coastal Commission staff and Commissioners who worked (and continue to work) tirelessly for our coast, our fellow co-sponsor Sierra Club California for their fearless advocacy, the dozens of environmental and environmental justice groups who partnered with us on this effort, as well as the many legislators and staff who worked the bill as diligently as I have seen.

As has been the case too often in recent years, the environmental community was defeated on this bill, but not deterred. We expect to see the Senate and Assembly debate amendments to AB 976 early next year and hopefully move the bill forward once again. If (and when!) it passes, AB 976 will be the most important piece of coastal protection legislation in over 20 years.

CEQA Sausage-Making Continues as Legislative Session Comes to an End

Due to some last-minute horse-trading, Senate Pro Tem Steinberg's CEQA judicial streamlining bill for the proposed Kings' arena in downtown Sacramento (SB 743) [sailed through the legislature](#) late last night, tallying an 88-20 total vote count between both

houses. This bill limits the public comment period and essentially eliminates injunctive relief for the basketball arena project. It was amended at the last minute to also incorporate some elements of Steinberg's omnibus CEQA reform legislation (SB 731), which has now become a two-year bill. Specifically, the approved bill includes provisions changing how traffic impacts are measured (reforming the Level of Service standard) and allowing agencies to 'tier off' adopted Specific Plans to avoid having to do full environmental review for some projects. These measures do represent a positive step to promote more infill development, and had even garnered widespread environmental support (including from PCL) while still embodied in the broader SB 731 omnibus bill. However, SB 743 did not incorporate any of the critically important provisions of SB 731 to assess and identify ways to minimize and mitigate the impacts of infill on displacing and otherwise impacting existing communities in those areas. Even as the bill was speeding through multiple hearings on its last day, PCL was already in discussions with the Governor's office about addressing displacement and other environmental justice issues missing in SB 743.

Even longtime environmental champion Senator Pavley's fracking regulation bill, SB 4, also made it to the Governor's desk with a late provision that can be construed as a CEQA exemption for these controversial projects. Most of the environmental groups who had previously supported the legislation moved to oppose SB 4 (to no avail) with these final amendments, though the bill's sponsors are working to try to correct the ill-advised CEQA provision. California's prison overhaul bill (SB 105), too, included limited CEQA exemptions.

While easy to get discouraged about these developments, we have to remember that we prevented a full-out assault on CEQA as many developer and industry groups wanted (and which appeared possible...and even likely...at the beginning of session). This is largely due to all of you – our supporters – and our many partners in the [CEQA Works](#) coalition. Our organizing and advocacy has made a huge difference in the debate around CEQA in the Capitol and throughout California. We are now going to regroup and continue our mobilizing efforts to protect and strengthen CEQA...starting with addressing the missing displacement provisions in SB 743 and working on the five 2-year CEQA-strengthening bills that were introduced this session .

We also want to thank the legislators who stood up to vote against SB 743 – it is not always easy to vote against leadership on a popular measure, and we appreciate those with the courage to stand up to make their voice heard.



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