Ethan recently noted the possibility of CEQA reform that might actually make sense: Reducing the focus on aesthetics and traffic in infill developments (which can result in worse environmental outcomes!), ongoing monitoring of impacts of projects after the CEQA process is completed, and providing some transparency in the CEQA litigation process. (Though I still think that changing standing doctrine in CEQA might make some difference too.)

But it looks like we won't get major CEQA reform this year. Instead, what we'll get is more special-interest carve-outs of the law to satisfy legislative leadership. In this case, the legislature passed a special exemption for the new NBA basketball arena in Sacramento for Senate President Pro Tem Darrell Steinberg, who represents Sacremento. As I've noted before, these kinds of carve-outs are the worst of all possible worlds – a sure-fire way to effectively dismantle environmental laws in the long run. Far better to figure out what process would work for all projects, and apply it uniformly. Environmental groups are rightly furious about the last minute bait-and-switch, and it appears that industry is going to try again to gut CEQA instead of making sensible reforms that would improve it.

There are some general CEQA changes in the bill. There is an extension for the accelerated judicial review provisions for certain projects, provisions that were already enacted but due to expire soon; there is also a limited elimination of certain kinds of traffic impacts and aesthetic analyses for urban infill projects; and there is some waiver of CEQA review for projects that are in compliance with existing CEQA-reviewed development plans. (Bill text is here.) Overall, however, this is a step back for CEQA reform, just entrenching the impression (perhaps correct – see this post from Ethan) that this is about giving big business and politicians what they want, not creating good law for the state as a whole. That can't help create trust and public support for useful, productive changes to CEQA in the future. The rushed nature of this legislative process also almost guarantees that there will be some serious unintended consequences from the changes. It would be nice if the governor would veto this bill, but since he's on the record that he can't find a CEQA exemption he doesn't like and he's apparently the moving force behind this shift, I'm not holding my breath.