New York Governor Hochul this week proposed amendments to New York's State Environmental Quality Review Act (SEQRA). The press release has a breathless title: "Let Them Build." But the proposal itself appears to be very similar to what California just enacted. Housing projects in already developed areas, along with some other similar projects, such as parks, trails, child care centers, and some water infrastructure, will be exempted from review under SEQRA. SEQRA is an environmental review statute, and as such is very similar to NEPA and CEQA in that it requires government agencies to analyze and publicly disclose the environmental impacts of projects they are proposing. As with NEPA and CEQA, there have been criticisms that SEQRA has obstructed important housing and other infrastructure projects by creating procedural obstacles and allowing project opponents to use litigation to delay or block projects.

The concept behind these SEQRA changes appears to be very similar to the CEQA reforms California enacted this summer. Exemptions will be limited to development proposed for "disturbed areas" outside of New York City. Within New York City, exemptions will be limited to projects below a certain size (which will vary based on neighborhood context). In addition, the proposal calls for a two-year deadline for environmental review to be completed, though it does not specify what the consequences of missing the deadline would be.

The details will matter for any specific legislative proposal, as always. But in spirit, this proposal aligns with the principles that I think supported the CEQA reforms in California. Environmental review makes sense when we have significant uncertainty about whether a project will have significant environmental impacts. If projects will generally be net beneficial for the environment, review may be counterproductive. And infill urban housing is generally going to be net beneficial for the environment, from a climate perspective, as well as from a habitat and resource protection perspective. So the reforms make sense, if the details align with those concepts as well (unlike the advanced manufacturing exemption in California's CEQA reforms!).