

California's Capitol Annex Project Exempt From Environmental Regulations

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California Gov. Gavin Newsom signed a budget bill into law July 2 that includes exempting the in-progress state Capitol annex construction project from environmental reviews, effectively ending multiple lawsuits seeking to stop it.

Complainants have argued that the project, which began in 2023, didn't follow the rules mandated by state law—established by the California Environmental Quality Act, better known as CEQA—and that design changes after the project's public review period were illegal.

An environmental impact review was conducted under CEQA in 2021, but such changes occurred between the initial and final review, which triggered lawsuits from multiple advocacy groups who say they filed suit because the public was not involved in the process.

With the signing of [Senate Bill 174](#)—the trailer bill that defined new budget rules and exempted the annex construction from CEQA review—the lawsuits are effectively ended.

The Capitol annex project was initiated in 2016 with the passage of Senate Bill 836, which allocated \$1.3 billion to fund construction of a visitor's center and an underground parking garage for 200 cars adjacent to the current Capitol.

Included in the text of that bill are mandates that the annex “be designed as a working Capitol for the public to effectively engage with their elected representatives and their state government.”

Critics, however, say the plan as it currently stands—with the visitors' center replacing an area of steps on the west step of the Capitol—fails to meet such standards and could prevent the public from protesting or gathering in large numbers.

“There's just not going to be a large space available to the public who want to protest,” Assemblyman Josh Hoover told The Epoch Times July 1. “This is essentially demolishing the place where people go and petition their government and is going to severely limit the people's ability to make their voices heard.”

He said the plan needs to be revised to keep the west steps intact.

“I'm really looking for some assurances from leadership that this is not going to lead to the building of the visitor's center on the West steps,” Mr. Hoover said. “My fear is that the bill actually opens up the ability to do that because it provides a CEQA exemption to the project.”

He said the selective use of CEQA exemptions is unfair to some businesses and industries—including housing—that are hampered by the environmental reviews.

“It’s absolutely ridiculous,” he said. “We’ve been calling for CEQA reform for years, yet all we ever see are exemptions for stadium projects and the government’s own building, and it’s very hypocritical.”

Others opposing the project as designed say its size—60 percent larger than the existing Capitol—and the materials planned, a large glass facade that some say clashes with the building’s architecture, violate standards related to historic buildings set by the U.S. Secretary of the Interior.

“We must protect the history of our state, the history of our freedom of speech, and the history of our buildings which deserve our protection and care, not our destruction,” Victoria Kastner, an architectural historian including for decades with the central coastal area’s Hearst Castle, said in a video posted on the website for Save Our Capitol—run by a group seeking to protect the building.

“This entire compound of our State Capitol and our Capitol Park is on the National Register of Historic Places for a reason,” she said.

She said the building annex as planned would overpower and diminish the historic Capitol building.

“That building could go anywhere within the state,” Ms. Kastner said. “It should not be vandalizing our historic State Capitol.”

The advocacy group filed a lawsuit in September 2021 seeking to block construction, citing CEQA violations.

A state Superior Court denied the petition, but an appeals court subsequently found in favor of the group in a November 2022 ruling.

At the time, the court ordered construction delayed until proper environmental impact reviews were conducted.

“We’re not dealing with an apartment complex or a shopping center here. We’re dealing with the State Capitol,” justices wrote in the ruling. “It doesn’t belong to the Legislature or the Executive. It belongs to the people of California.”

How to pay for the ballooning construction costs for the annex has also been a point of contention.

The Legislature’s Joint Rules Committee and the state’s Department of General Services are tasked with overseeing the project.

In his May budget proposal, Mr. Newsom suggested using bonds to pay the \$700 million price tag needed for construction, but lawmakers rejected that idea and instead negotiated using money from the state's general fund over the next three years.

Supporters of SB 174 argued the exemption was needed to protect taxpayers—noting the court ruling delaying the project was costing nearly \$5 million a month in extra construction costs due to work stoppages.

Save Our Capitol, the advocacy group that filed suit against the project, did not respond to a request for comment on deadline. ****Note: From our records, SOC was NOT contacted by the Epoch Times by phone, email or social media****