

[Legislators fail on CEQA mend for rest of us](#)

Los Angeles Daily News | Editorial Board | July 5, 2024

When ordinary Californians trying and failing to build something complain to the Legislature about the petty, nothing-to-do-with-the-environment constraints of the 50-year-old California Environmental Quality Act, their elected representatives tell them to shut up and just swallow the red tape.

When the Legislature wants to build something for itself — a swanky new office building for the electeds at the annex to the state Capitol — and runs into CEQA problems, it passes a midnight budget bill entirely exempting the project from the act that it passed and that only it could fix for the rest of us.

How these people live with their hypocrisy is entirely unclear.

But that doesn't mean they ought not be called out for it. Next time your Assembly member or state senator asks for your vote for re-election, you might ask for an explanation of this arrogant, for-thee, but not-for-me manner of governance.

Bill Fulton, the urban planner and former mayor of Ventura, put it this way to the Los Angeles Times: "This is another example of what I call Swiss cheese CEQA. The Legislature doesn't try to take a logical approach. Whenever they get upset about it, they punch a hole in it."

The leadership of the Democratic supermajority in the Legislature justifies the vote as a cost-saving measure for taxpayers, saying that the exemption was necessary after the long-planned Capitol offices renovation project became tied up in lawsuits.

Uh-huh — welcome to the club, California politicians.

Except when the rest of us try to build something and get stopped for CEQA not-in-my-backyarders, we can't just pass a law that makes the problem go away.

Here's the back story, as explained by reporters Mackenzie Mays and Taryn Luna in the Times:

"The project involves tearing down the 70-year-old portion of the building known as the 'annex' — which contained the governor's office suite, committee hearing rooms and offices for dozens of lawmakers — and replacing it with a larger, more accessible structure. ... Then-Gov. Jerry Brown approved the project in 2018; although demolition has already taken place, construction has been delayed by lawsuits over the preservation of the Capitol park's impressive array of trees, historic architecture and access to the west lawn, the site of many protests and news conferences."

It's not that we don't empathize, after a fashion, with the concerns of lawmakers trying to get something built, although it must be said that fancy new offices for themselves somehow don't rank for us up there with the desperately needed housing for regular folks that so often gets blocked by CEQA.

It's that they fail to understand how just plain incomprehensible it is to other Californians that they don't see the irony in their complaints, such as this, from Sen. Scott Wiener, D-San Francisco: "The situation here is actually one of the things that frustrates all of us about CEQA — that CEQA is being used for reasons that have literally nothing to do with the environment to stop a project."

Rather than pushing for actual comprehensive reforms to the miserable status quo, both the Legislature and Gov. Gavin Newsom have instead settled for piecemeal exceptions to CEQA, especially for the construction of sports arenas in the state, and occasionally for actually worthwhile projects, including much-needed student housing in California's university towns.

It's not just unseemly here that the latest exception is for a \$1.1 billion project that benefits only themselves and their legislative staff by providing fancier, roomier offices for the political class — it's scandalous.

Where are the legislators who will use the understanding they have gained about the problems posed by the law to benefit the people of California? Where are the Democrats who hold the power who will join with the likes of Assemblymember James Gallagher, R-Yuba City, who says: "I think we have a duty to act better when we're talking about these things ... let's do CEQA exemptions across the board instead of just one-offs for state office buildings for ourselves."