San Francisco Chronicle, July 7

Why S.F. supervisors are right to halt housing development near Chinatown

Regarding “After a fleeting moment of reason on housing, S.F. supes are back to chasing shadows” (Open Forum, SFChronicle.com, June 28): The recent decision by the San Francisco Board of Supervisors to require environmental review for a small townhome project near Chinatown is reasonable. The project requires analysis because it would block sunlight from reaching a public park and would be built on a site that is contaminated with toxic chemicals, adjacent to one of the few playgrounds around Chinatown.

Unfortunately, Louis Mirante’s commentary ignores the subtleties of the issue and uses the supervisors’ decision as an excuse to smear the California Environmental Quality Act.

The area near the proposed development is populated largely by working people living in cramped spaces, often in just one room, and there are so many highrise buildings that sunlight is a rare commodity. Residents rely on the park for fresh air, sunlight and exercise.

CEQA is working exactly as planned. By requiring projects to mitigate their negative impacts, CEQA gives people like these residents a voice in land use decisions that affect them.

Supervisor Aaron Peskin explained that housing and natural resources (such as public parks) “are not mutually exclusive concepts, but they require care and consideration.” Let’s take the time to consider the nuances and get housing done right.

Hanmin Liu, director, Upper Chinatown Neighborhood Association, San Francisco

San Francisco Chronicle, June 2

CEQA not the issue

Regarding “A nothingburger: YIMBY activists frustrated by Gov. Gavin Newsom’s plan to reform CEQA” (Politics, SFChronicle.com, May 23): The Chronicle has been regularly publishing articles and opinion pieces bashing California Environmental Quality Act because, to quote this recent article, the law is “often blamed for making it too difficult and expensive to build here.”

That’s like Donald Trump often saying he’s done nothing wrong — it’s neither substantiated nor true. I know because I write CEQA documents for a living.

Some actual facts: CEQA documents typically cost less than $100,000, and most projects, including housing projects (for which there are many exemptions), get through the process in six to 18 months. At the same time, other studies required for building permits (soils, sewage, etc.) also are completed, so the actual delays are typically four to 12 months.

For a 100-unit housing project, this would be less than $1,000 per unit, which is far less than even a building permit costs. Finally, only a small percentage of CEQA documents are litigated.

With respect to housing, CEQA’s not the problem you think it is.
San Francisco Chronicle, May 30

CEQA is state’s best defense

Regarding “‘A nothingburger’: YIMBY activists frustrated by Gov. Gavin Newsom’s plan to reform CEQA” (Politics, SFChronicle.com, May 23): George Orwell would have been amused (or horrified) to hear Brian Hanlon of California YIMBY declare “CEQA is not really an environmental law.” In fact, CEQA has been at the heart of protecting California’s natural spaces.

As The Chronicle reported, just last year, courts used California Environmental Quality Act to require that a large, environmentally destructive housing project reduce its impacts on Lake Tahoe, a treasured resource. Similarly, the Attorney General last year used CEQA to stop a luxury resort in the wildfire country of rural Lake County. And CEQA is now the principal tool disadvantaged communities use to combat environmental injustice, and that many agencies rely on to fight climate change.

Polluting industries are also proposing massive warehouse logistics centers and oil and gas wells near homes and schools in the state’s most disadvantaged neighborhoods. Only CEQA gives residents of these communities a voice in land use decisions like these.

The governor should resist the campaign to weaken California’s most important environmental law and prioritize communities and the environment over big business interests.

Tom Yarish, Sebastopol

Mercury News, May 25

Newsom budget reveals assault on environment

Re: “Newsom proposes $180B infrastructure work, imposing time limits on litigation” (Page A1, May 20).

It is clear that Gov. Gavin Newsom and his developer cohorts are continuing their assault on the environment. While crying “housing crisis” as a shield to push legislation driving massive overdevelopment, he is seeking to weaken or remove the California Environmental Quality Act (CEQA), thus allowing development to override environmental concerns.

CEQA is used to help reduce air and water pollution and protect open space and wildlife habitats by individuals and communities to ensure that the environment is included in development decisions. We need tougher CEQA laws, not a watered-down Newsom version.

Also, recent increased rainfall and short-term drought relief have brought him breathing room to ignore his previous lip service to climate change. Showing his true concern, he recently offered a budget that cut $6 billion from climate change programs.

His current actions reinforce his support of “competitive displacement,” whereby human population and economic expansion drive biodiversity loss and wildlife extinction.

Tina Peak, Palo Alto

San Francisco Chronicle, May 25
Why Gov. Newsom is correct to not include housing in CEQA reform

Regarding “‘A nothingburger’: YIMBY activists frustrated by Gov. Gavin Newsom’s plan to reform CEQA” (Politics, SFChronicle.com, May 23): Gov. Gavin Newsom was right not to include housing in his recent proposal to streamline the California Environmental Quality Act.

The Legislature has already streamlined environmental review for most housing projects in infill areas or entirely exempted these projects from CEQA. As the governor said in his speech last week, “Tremendous progress has been made in that space.”

YIMBYs like Brian Hanlon, quoted in The Chronicle article, are just plain wrong to blame CEQA for the state’s housing shortage.

As a recent empirical study shows, the real obstacles to housing construction are high land and construction costs, lack of funding for affordable housing, and complicated zoning restrictions. The Chronicle has reported extensively on San Francisco’s byzantine zoning. Moreover, the housing shortage is a national phenomenon. Even states with far weaker environmental laws are experiencing housing shortages now, largely due to restrictive zoning.

It is obvious that developers want to remove regulations to bolster their own bottom line, so please stop the baseless attacks on our state’s premier environmental law just to aid those with special interests.

Gary Patton, Santa Cruz

CalMatters, May 22

Without CEQA environmental law, California would be a much more hazardous place

Re: “Future of California at risk the longer landmark CEQA environmental law remains unchanged“

The California Environmental Quality Act offers necessary protections for communities and the environment. We should be wary of exaggerated claims by development interests that suggest otherwise.

In the case of Tejon Centennial, a development proposed in the fire-prone outskirts of Los Angeles County, CEQA requires a careful study of wildfire risks and climate impacts. The Center for Biological Diversity challenged this project because the county failed to do so and approved 19,000 homes far from existing cities and on a site that has repeatedly burned. Time and time again, the court agreed with us.

You can call this judicial activism, but I’d call it a demand for our local officials to make prudent decisions.

California’s housing shortage doesn’t give us free rein to build recklessly or put communities in danger. We should tackle the housing crisis by removing restrictive local zoning and requiring cities that resist affordable housing to follow state laws. Watering down CEQA leaves us defenseless against the climate crisis while doing nothing to solve the housing crisis.

Aruna Prabhala is a senior attorney at the Center for Biological Diversity.

Marin Independent Journal, May 11

Strong CEQA continues to help preserve Marin
The California Environmental Quality Act (CEQA) has made a huge difference in the North Bay over the years, from protecting the Bahia wetlands and Lagunitas Creek, to preventing the filling of the bay at Cullinan Ranch.

CEQA has also served as an important tool for combating climate change, as it allows local governments to require developers to reduce their projects’ greenhouse gas emissions. For example, this was a central issue in the successful CEQA challenge to a mega gas station proposed by Costco in Novato (“Marin judge halts Novato Costco gas station project,” Aug. 19).

Given CEQA’s long track record of safeguarding our communities and the environment, I found the recently published California Voice commentary by Tracy Hernandez and Jim Wunderman (“Landmark CEQA environmental law needs to be changed,” May 5) disappointing. It included ludicrous claims against the law.

The so-called “evidence” the authors reference, far from being “indisputable,” has been clearly refuted in empirical studies by objective third parties like The Housing Workshop (a housing policy firm) and the Association of Environmental Professionals. These studies prove that CEQA is not a major impediment to housing production; indeed, existing revisions to CEQA already provide exemptions for needed affordable housing projects.

Beyond protecting California’s iconic open spaces and natural areas, CEQA ensures that developers disclose the public health impacts of their proposals. The law forces agencies to think twice before allowing development in wildfire areas, and gives members of the community a voice in land use matters. The law holds governmental officials accountable for their decisions and serves as a check on developers who only have their eye on the bottom line.

With environmental problems escalating, Californians need to keep CEQA strong.

*Patricia Ravitz, Novato*

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**San Francisco Chronicle, May 4**

**Editorial wrong about CEQA. The law doesn’t block housing and it protects the environment.**

Regarding “California needs you at home, Gov. Newsom” (Editorials, SFChronicle.com, April 29): This weekend’s editorial makes good points about the housing crisis but missed the mark when it comes to the California Environmental Quality Act. Empirical evidence in a 2021 Rose Foundation report, “CEQA: California’s Living Environmental Law,” shows that CEQA does not significantly impede housing development.

CEQA critics are barking up the wrong tree: The actual culprits of the housing crisis are high construction and land costs, lack of financing to build affordable housing and restrictive zoning practices. Cities and towns can permit the housing, but it won’t get built without financing for the private sector or nonprofit housing organizations.

For over 50 years, CEQA has safeguarded public health and protected our landscapes and natural areas. The law has already been effectively streamlined such that most housing projects in transit-rich infill areas are already exempt. There is no need to “overhaul” CEQA, and Californians will lose out if that occurs, in much lower public health outcomes, higher wildfire risk, longer commutes and the loss of their voice in development decisions that affect their communities.

*Susan Stompe, Novato*
Mercury News, March 6

People’s Park shows utility of CEQA.

Re: “Newsom blasts CEQA. What is it and why does it matter?” (Page A1, March 6).

As Ethan Varian describes in his March 6 article about CEQA and student housing, the California Environmental Quality Act has a long, nuanced history. This statute has been successfully revised to streamline affordable housing and transit projects. CEQA has also survived repeated attempts by big business to gut its essential protections. The Act remains a target precisely because it is so effective at forcing developers to analyze the environmental impacts of their projects and mitigate that harm.

In the UC Berkeley case, CEQA highlighted the university’s grave mistake in allowing its student enrollment to explode without any adequate plan to house the new students. The recent court ruling requires UC to analyze the impacts of its plans on the community and to explore all options before building on a historic public park. In other words, the university must comply with state environmental laws just like any other public agency.

Mike Ferreira, Moss Beach

San Francisco Chronicle, Feb. 9

CEQA does its job

Regarding “Fake environmental reviews are killing good housing projects. Here’s what California can do about it” (Open Forum, SFChronicle.com, Feb. 6): The California Environmental Quality Act is portrayed as the dreaded killer of affordable housing. Except it is not.

Case in point: A development proposed for market and affordable housing South of Market is mentioned in the article. The CEQA study pointed out some seismic issues, like excavation for a big building causes vibrations that could cause a nearby building, like an old historic building predating modern codes, to fall down. We’ve seen this kind of thing in San Francisco. The Board of Supervisors required mitigation to prevent that from happening. No burr under that saddle; CEQA worked.

The intellectuals claimed the study was phony, name-calling substituting for evidence. Of course, we could repeal CEQA, let a building fall down, and then pass it again.

Some neighbors were concerned that the project could drive up their rents. Yes, a few apartments could have their rents go up, but the city has anti-displacement policies to deal with it.

The supervisors balanced the pros and cons and approved the project.

Sherman Lewis, Hayward

San Francisco Chronicle, Feb. 8

CEQA reviews aren’t “shenanigans.” Ask communities of color why they are important

Regarding “Fake environmental reviews are killing good housing projects. Here’s what California can do about it” (Open Forum, SFChronicle.com, Feb. 6): Your contributors failed to note, for instance, that the successful appeal of UC Berkeley’s effort to build housing on People’s Park did not oppose housing, nor
was its proposed location “suitably zoned.” The university’s proposal would have destroyed a landmark on the National Register of Historic Places in one of the most under-parked areas in the nation.

The more housing we build, the more parks we need. Environmental review is not a “shenanigan” as the contributors claim, it is used rarely and costs developers less than the requirements for public art, according to a recent study by the Rose Foundation.

Without the California Environmental Quality Act, discriminatory practices that disproportionately affect communities of color would have even less recourse.

Carol Denney, Berkeley

Los Angeles Times, Feb. 2

Why does UC Berkeley insist on destroying People’s Park for housing?

Your editorial, “CEQA is too easily weaponized to block housing and slow environmental progress,” misses the core issue in the UC Berkeley People’s Park case — the university did not analyze alternative sites, a fundamental requirement of the California Environmental Quality Act, not some minor omission.

Describing park defenders as NIMBYs is incorrect. Park defenders want more student housing, but we also want to save a National Register of Historic Places site. Supporters of the park are from every part of Berkeley and California.

The fear that blocking housing at People’s Park will harm much-needed development is overblown. An October 2021 report commissioned by the Rose Foundation found no evidence supporting the assertion that CEQA is a major barrier to development.

Anyone sincerely interested in building student and supportive housing should request that UC Berkeley move ahead at an appropriate site, while preserving the much-needed public open space of People’s Park.

Harvey Smith, Berkeley. The writer is a historian with the People’s Park Historic District Advocacy Group.

Los Angeles Times, Feb. 2

Why does UC Berkeley insist on destroying People’s Park for housing?

CEQA saves lives. For many front-line communities impacted by the climate crisis, CEQA is the only pathway to secure vital public health protections during land development.

Your editorial highlights the potential misuse of this law by certain interest groups. But we must not weaken the law’s essential safeguards, especially for low-income residents and communities of color who experience disproportionate burdens.

CEQA fosters public participation in land-use decisions and holds public agencies accountable to their communities. CEQA can prevent housing from being located around toxic sites.

Because of CEQA, warehouse logistics projects in Riverside County and elsewhere have reduced their emission of pollutants, agencies have amended decisions to drill oil wells near homes and schools, and oil companies have been required to reduce their noise and air-quality impacts.

We must keep CEQA strong for future generations.
Jonathan Pruitt, Oakland. The writer is green zones program manager at the California Environmental Justice Alliance.

Los Angeles Times, Jan. 22

Don’t blame CEQA for the fight over People’s Park in Berkeley

People’s Park in Berkeley, with its storied past, is no typical park. It’s also not a typical CEQA case. ("Berkeley’s People’s Park is again in a fight for the ages, now over UC student housing," Jan. 12)

The California Environmental Quality Act requires decision makers to evaluate and mitigate environmental harms when making major land-use decisions. In a state this large and diverse, with a law of such wide applicability, we’re bound to see a few outlier cases.

For decades, CEQA has been extremely effective at improving development projects and minimizing their environmental harms. CEQA is the reason why new industrial development must consider the public health harms to adjacent communities, and why new communities must incorporate solar panels and electric vehicle chargers.

Thanks to CEQA, we have preserved the Santa Monica Mountains, Mono Lake and key wildlife habitat across the state. Whatever becomes of People’s Park, let’s not use it as the reason to throw the baby out with the bathwater and eliminate the core environmental protections that have made California an enviable place to live.

Hallie Kutak, Los Angeles. The author is an attorney at the Center for Biological Diversity.

San Francisco Chronicle, Jan. 19

Cut the CEQA lobbying

Regarding “California legislators refuse to fix CEQA. Here’s how Newsom and the courts can take charge” (Open Forum, SFChronicle.com, Jan. 14): As a plaintiff in CEQA cases, it’s clear to me that Chris Elmendorf’s opinion article about the California Environmental Quality Act misses the mark.

Elmendorf acknowledged that experienced CEQA practitioners have attempted procedural reforms, but were blocked from implementing them by powerful interests.

Instead of complaining about CEQA’s purported shortcomings, he’d do better to address the need for campaign finance reform. Right now, powerful lobbies like builders, developers and construction trade unions tie the Legislature up in knots.

Elmendorf would be more helpful if he focused on how to promote what’s good for the overall public rather than narrow interest groups.

David Schonbrunn, president, Transportation Solutions Defense and Education Fund, San Rafael

San Francisco Chronicle, Jan. 18:

CEQA law works

Regarding “California legislators refuse to fix CEQA. Here’s how Newsom and the courts can take charge” (Open Forum, SFChronicle.com, Jan. 14): Chris Elmendorf’s invective against the California
Environmental Quality Act echoes the talking points of a familiar, orchestrated statewide attack. It is short on facts and long on the hyperbole Elmendorf claims to decry. Empty pronouncements that “CEQA has brought California to a breaking point” and that its “lodestar is that development ... is always riskier than doing nothing” take calculated aim at a highly successful law.

Objective empirical studies, including one from the Rose Foundation, demonstrate that CEQA is not impeding housing development. And the California Legislature continues to streamline or exempt infill housing while also attending to climate change, environmental justice and the wildfire threat.

Elmendorf presumes to direct Gov. Gavin Newsom and California courts to weaken regulations that implement our state’s foremost environmental law. And he dismisses the views of fellow professors who have worked for decades, in and out of academia, to enhance CEQA’s effectiveness. Critically, Elmendorf fails to recognize that environmental impact reports only address potentially significant impacts, not “everything under the sun.” Lesser impacts already require no review.

CEQA’s mandates continue to protect and improve California’s environment as they have for 50 years. The professor would do well to join ongoing, collegial efforts ensuring that CEQA continues to meet environmental challenges.

Lope Yap Jr., vice president, George Washington High School Alumni Association; Harvey Smith, president, People’s Park Historic District Advocacy Group; Emil De Guzman, president emeritus, Manilatown Heritage Foundation; Robert Flynn Johnson, retired curator, Fine Arts Museum San Francisco; John Rothmann, president, George Washington High School Alumni Association; Terence Redmond and Gray Brechin

**Marin Independent Journal, Jan. 18:**

**Reader’s Forum for Jan. 19, 2023: Fighting important CEQA law would leave sad legacy**

Dick Spotswood’s recently published commentary (“As leader in Sacramento, McGuire should oppose misuse of CEQA, push for reforms,” Jan. 11) is a tirade against the California Environmental Quality Act, our state’s most effective environmental law. I found Spotswood’s opinions both shocking and unwarranted.

Spotswood claims that CEQA “abuse” is needlessly slowing down development projects benefiting “rank-and-file Californians.” But an empirical study commissioned by the Rose Foundation in 2021 shows the opposite.

In fact, CEQA has been amended frequently in recent years to streamline or exempt environmental review for worthy projects, including multifamily housing and other infill development. The law has also been updated to address serious crises like wildfires, climate change and environmental justice. The Rose study documents that the rate of litigation challenging projects undergoing environmental review is very low: only 2%.

Spotswood’s suggestion that agencies should rush environmental review for freeway projects is particularly misguided. San Rafael identified serious environmental and public health issues related to the proposed Interstate 580 connector. City leaders urged officials to consider the project’s air quality impacts that “may affect the health and wellness of residents in the project vicinity.” City officials plan to ensure that the project does not exacerbate climate change but “support(s) state greenhouse gas reduction goals.”
CEQA is our “look-before-you-leap” law. Environmental review takes time, but decision-makers and the public should understand a project’s impacts, and mitigate those impacts, before they approve it. If the connector project moves forward, don’t we want to protect affected communities?

Spotswood claims that state Sen. Mike McGuire could improve his legacy by taking the lead in CEQA “reforms” that would eliminate “miles of useless red tape.” But McGuire has shown that he is committed to strong environmental protections for our state. It would be a sad legacy to weaken the law that has protected California’s environment and communities for over 50 years.

Susan Stompe, Novato

San Jose Mercury News, Jan. 16

Letters to the Editor for Jan. 17, 2023: CEQA is not the cause of the housing crisis

Dan Walters’ scaremongering Jan. 8 column claims that the California Environmental Quality Act (CEQA) “stymie[s] high-density, multi-family projects” (“Environmental law’s misuse blocking housing brings calls for CEQA reform,” Page A9). Walters wields a big bullhorn, but he is sounding a false alarm. Walters never mentions that CEQA actually provides exemptions for such housing, while protecting disadvantaged communities, public health and the climate.

CEQA wisely makes government officials pause and think before approving large development projects. For example, in the UC Berkeley case Walters cites, CEQA required the university to consider alternative housing sites before paving over a historic public park and displacing current residents. That is just smart.

Californians need to know that those seeking to weaken CEQA in the name of housing are promoting arguments that independent experts have resoundingly refuted. High land and construction costs, local zoning and other factors, not CEQA, are the root causes of our housing crisis.

Gary Patton, Adjunct professor, UC Santa Cruz, Santa Cruz

San Jose Mercury News, Jan. 13

• ran in the East Bay Times, Jan. 13
• ran in the San Mateo Daily Journal, Jan. 17

Letters to the Editor for Jan. 15, 2023: CEQA isn’t holding up affordable housing

In his recent column, Dan Walters falsely declares that the California Environmental Quality Act blocks affordable housing (“Environmental law’s misuse blocking housing brings calls for CEQA reform,” Page A9, Jan. 8). His argument relies on inflammatory rhetoric rather than established fact. He ignores empirical studies by reputable authorities — The Housing Workshop, UC Berkeley Law, and Association of Environmental Professionals — finding CEQA is not a major impediment to housing.

Walters discusses a case in Livermore, twisting the facts to criticize CEQA. The lawsuit’s plaintiffs sought to halt an affordable housing project, alleging it conflicted with the city’s downtown plans and challenging the city’s use of a CEQA exemption. The court easily dismissed these arguments, ruling the project was exempt from CEQA.
Walters got it exactly backward: The Livermore case demonstrates CEQA’s affordable housing exemptions are working. With its strong set of categorical exemptions, CEQA allows affordable housing to be built, while adhering to its purpose of protecting public health and the environment.

Rick Longinotti, Santa Cruz

San Jose Mercury News, Jan. 12

Letters to the Editor for Jan. 13, 2023: CEQA is effectively serving its purpose

Dan Walters’ Jan. 8 column (“Environmental law’s misuse blocking housing brings calls for CEQA reform,” Page A9) seems to imply that the California Environmental Quality Act (CEQA) involves approval or denial of development proposals. But CEQA simply requires analysis, mitigation and public disclosure of those projects’ harmful environmental impacts. Furthermore, CEQA contains broad exemptions for multifamily affordable housing.

A prime example of how CEQA is working to protect the environment while also defending disadvantaged communities is the Sargent Ranch Quarry project that has been proposed on the sacred indigenous landscape of Juristac. This open-pit sand and gravel mine would cause 14 separate significant and unavoidable impacts to the Juristac tribal cultural landscape, wildlife connectivity, air quality and scenic vistas.

Without CEQA, none of these devastating environmental impacts would have been analyzed or revealed to the public — or to the Amah Mutsun Tribal Band. Don’t be fooled by over-heated rhetoric; CEQA is working well.

Alice Kaufman, Palo Alto

The original articles and columns:

- **CalMatters**: Future of California at risk the longer landmark CEQA environmental law remains unchanged. Tracy Hernandez and Jim Wunderman, April 26.
- **Los Angeles Times**: Editorial: CEQA is too easily weaponized to block housing and slow environmental progress. LA Times Editorial Board, Jan. 30.
- **Los Angeles Times**: Berkeley’s People’s Park is again in a fight for the ages, now over UC student housing. Teresa Watanabe, Jan. 12.
- **Marin Independent Journal**: As leader in Sacramento, McGuire should oppose misuse of CEQA, push for reforms. Dick Spotswood, Jan. 10.
- **Marin Independent Journal**: Landmark CEQA environmental law needs to be changed. Tracy Hernandez and Jim Wunderman, May 4.
- **Mercury News**: Gov. Newsom looks to spend $180 billion on infrastructure, speed through lawsuits. Ethan Baron, May 19.
- **Mercury News**: Walters: Misuse of environmental law to stop housing calls for CEQA reform. Dan Walters, Jan. 8.
  - Also ran in the **East Bay Times**
  - Also ran in the **Ventura Star**
- **San Francisco Chronicle**: After a fleeting moment of reason on housing, S.F. supes are back to chasing shadows. Louis Mirante, June 28.
- **San Francisco Chronicle** article: ‘A nothingburger’: YIMBY activists frustrated by Gov. Gavin Newsom’s plan to reform CEQA. Dustin Gardiner, May 23.
- **San Francisco Chronicle**: Fake environmental reviews are killing good housing projects. Here’s what California can do about it. Rick Frank, Chris Elmendorf, Michael Lane, Feb. 6.
- **San Francisco Chronicle**: California legislators refuse to fix CEQA. Here’s how Newsom and the courts can take charge. Chris Elmendorf, Jan. 14.

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