

# **CEQA “Reform” in California: 3-For-3**

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As expected, California Governor Jerry Brown this week signed into law SB 226, the third and final piece of a three-bill package of statutory amendments to the California Environmental Quality Act (CEQA) that state legislators enacted last month. Brown last week approved the other two, more controversial CEQA bills, SB 292 and SB 900, as previously reported on Legal Planet.

SB 226 includes some relatively ho-hum amendments to existing law, such as exempting from CEQA review the installation of solar energy systems on existing structures. But its most important feature is a legislative expansion of the definition of urban infill projects, coupled with a directive to the Governor’s Office of Planning and Research (OPR) to amend the regulations implementing CEQA (known as the CEQA Guidelines) to expedite environmental review for qualifying infill projects.

The process by which OPR considers and adopts those Guideline amendments promises to be both quick and controversial. SB 226 requires OPR to complete its Guidelines revision process by July 1, 2012. And there remains a great deal of public debate over what should and shouldn’t qualify as “worthwhile” infill development, and just how much of a “pass” such development should receive from the environmental review process otherwise mandated under CEQA.