



Northern California
Chapter

CEQA Abuse (aka Greenmail)

In 1970, Governor Ronald Regan signed the California Environmental Act (CEQA) with the intent to “develop and maintain a high-quality environment now and in the future, and take all action necessary to protect, rehabilitate and enhance the environmental quality of the state.”

The law states that “each public agency shall mitigate or avoid the significant effects on the environment of projects that it carries out or approves whenever it is feasible to do so.”

CEQA is one of the primary obstacles for private developers and public agencies looking to build in California. The problem is not so much complying with CEQA, but dealing with the many parties that exploit the law for ends unrelated to environmental protection.

Labor unions have become notorious abusers of CEQA. Starting in the mid 1980’s, union officials realized they could use CEQA as leverage to win labor concessions from owners, developers and public agencies by delaying or blocking proposed projects using tactics such as massive data requests, complex objections to environmental impact reports and lawsuits.

Project labor agreements are a common objective sought by unions when they “discover” that a proposed project presents a threat to the environment. When a private developer or public agency becomes a party to a union labor agreement, all construction contractors must sign the agreement as a condition of work. The contractor essentially becomes unionized while working on the project.

ABC NorCal looks for opportunities to streamline local or state environmental laws to permit objections to those that have legitimate purposes. We will work with developers and owners to ensure CEQA abuse (aka greenmail) is exposed and doesn’t impede on important projects to help improve the economy and increase opportunities for all in California.