



# CEQA: A GOOD LAW IN NEED OF REFORM.

## San Diego Bike Lane Sued Under CEQA

**SUMMARY:** *A local community group in San Diego is using CEQA to sue the City of San Diego for putting in a bike lane that was a part of the City's Bicycle Master Plan. The community group is claiming that using one of the three car lanes for the bike path and buffer space should be used for vehicles, even though the bike lane will allow safe travel for bicyclists and slow speeding traffic on the street. The San Diego Master Bike Plan has already gone through environmental review, and this portion of the bike lane was included in an effort to get cars off of the roads and lower GHG emissions.*

The City of San Diego updated their Bicycle Master Plan in 2013 to enable more bicyclists to safely get around the area's busiest streets, while cutting the need for car use and greenhouse gas emissions. Creating more bike lanes throughout the city is also part of San Diego's Climate Action Plan, which seeks to increase bicycle commuters 6 percent by 2020. The city's bike plan had gone through a thorough environmental review under CEQA before it was ever approved.

The end goal of the city is to have the bike lane connect those in densely populated area of Hillcrest to downtown shopping, museums and parks. Many restaurant and shop owners and commuters in the area of the bike lanes are fully supportive of the plan because the increased bike traffic will bring more business and safer streets.

The Bankers Hill Community Association led by a local resident filed a CEQA lawsuit in December of 2014 arguing that removal of the lane for cars on that street would divert traffic to other lanes and cause more congestion. However, in the following months since the bike lane was put in traffic has not been greatly impeded. The lawsuit also argues that a full environmental review would be needed to remove a vehicle lane, even though the bike lane plan has already gone through that process, and would reduce emissions over the long-run.

Alternative transportation options for San Diegans is a major part of the city's work to meet greenhouse gas reduction goals by 2020 and 2050, and bike lanes are also convenient and safe ways for people to get around. Using an environmental law to stop an environmentally friendly bike lane is another in a long list of CEQA abuses that actually harms the environment.

### COST OF CEQA MISUSE:

- Potential to remove a GHG reducing bike lane already in place
- Increased taxpayer costs due to unnecessary litigation
- Could delay future portions planned for the bike lane

### About this series:

*The California Environmental Quality Act (CEQA) is an important environmental law. However, today's CEQA is too often misused to stop or delay projects that comply with all applicable environmental laws and standards. "CEQA: A Good Law In Need of Reform" will call attention to the many examples of CEQA misuses, and the consequences on vital projects, our environment and our economy. Visit [www.CEQAWorkingGroup.com](http://www.CEQAWorkingGroup.com) for more case studies or information about efforts to modernize CEQA.*



Protect the environment. Improve the economy.

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The lawsuit is still moving through the courts with court papers filed at the end of 2014. However, even if the judge rules against the plaintiffs, they will likely appeal. This lawsuit is a waste of needed taxpayer dollars, and could potentially hurt the planned future portions of this bicycle path from moving forward in the future.