The Honorable Toni Atkins
President Pro Tempore
California State Senate
State Capitol, Room 205
Sacramento, CA 95814

Re: SB 995 (Atkins) - Environmental Quality: Jobs and Economic Improvement through Environmental Leadership Act of 2011: Housing Projects
City of Beverly Hills - Support if Amended

Dear Senator Atkins:

I write to inform you that the City of Beverly Hills has adopted a Support If Amended position on SB 995, which would provide a four-year extension of the Jobs and Economic Improvement Through Environmental Leadership Act of 2011 (AB 900). The bill would also make housing projects with 15 percent affordable units eligible for certification under the measure. The City of Beverly Hills respectfully requests that SB 995 be amended to raise the minimum requirement for affordable units from 15 percent to back to its current level of 49 percent. With this amendment, the City of Beverly Hills would be in full support of SB 995.

SB 995 would extend statutory authority for a program that expired on January 1, 2020, known as the Jobs and Economic Improvement Through Environmental Leadership Act of 2011 (hereafter AB 900 or Act). This AB 900 program established specified administrative and judicial review procedures for the review of the environmental review documents and public agency approvals granted for designated residential, retail, commercial, sports, cultural, entertainment, or recreational use projects, known as Environmental Leadership Development Projects (ELDP). To qualify as an ELDP, the project must meet specified objective environmental standards. The Legislature has also applied similar expedited frameworks for specific sports stadiums that meet certain objective environmental standards.

The AB 900 program also required projects seeking ELDP status to meet LEED Gold standard. Under the old requirements for the AB 900 program, projects required a $100 million minimum and were not subject to a minimum affordable housing requirement.
SB 995 adds affordable housing to the list of projects that could qualify for AB 900 certification and be eligible for expedited judicial review of CEQA challenges. The bill would require project sponsors to complete Environmental Impact Reports (EIRs) and undertake any necessary mitigations identified within those reports. Eligible projects must also be located on an infill site and be consistent with a sustainable communities strategy or alternative planning strategy, and result in a minimum investment of $15 million in California.

By lowering the investment requirement, removing the LEED component, and imposing a minimum affordable housing requirement, SB 995 provides an incentive for the development of affordable housing projects. Additionally, a streamlined judicial review of CEQA challenges may reduce the overall time spent in litigation and potentially reduce the overall costs for a project.

California is experiencing an extreme housing affordability crisis, which has exacerbated the state’s homelessness crisis. The shortfall in the production of housing in the state has resulted in increased housing costs due to scarcity, this had made it difficult for many Californians to find affordable housing. With the depth and breadth of the problem, the state and local governments must find innovative ways to meet the state’s housing production needs. SB 995 seeks to address California’s housing crisis by streamlining the CEQA process through the broader applications of master EIRs to increase housing production. Due to the affordable housing crisis, the City believes SB 995 should have the requirement for affordable housing increased from 15 percent to 49 percent.

It is for these reasons the City of Beverly Hills adopted a Support for SB 995 if the bill is amended to increase the affordable housing requirement to 49 percent.

Sincerely,

Lester J. Friedman
Mayor, City of Beverly Hills

cc: Members and Consultants, Assembly Natural Resources Committee
The Honorable Ben Allen, 26th Senate District
The Honorable Richard Bloom, 50th Assembly District
Andrew K. Antwih, Shaw Yoder Antwih Schmelzer & Lange