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ASSEMBLYMAN, SEVENTY-SEVENTH DISTRICT

Assembly Bill 1500

California Environmental Quality Act: Exemption for Homeless Complex Project

Background

California has the largest population of persons experiencing homelessness of any state in the country. The Department of Housing and Urban Development (HUD) reported that on a single night in 2008, California communities counting people living on the streets or in shelters reported a total of 157,277 homeless persons. Over 380,000 people are homeless for some period of time during the course of each year in California. The state has one of the highest rates of homelessness, with one in every 230 residents homeless at any point in time, and one in every 95 residents homeless at some point during the course of a year. In the rest of the country, most homeless people are sheltered, temporarily living in shelters or in transitional housing. In California, 70 percent of homeless people live unsheltered, the largest percentage in the nation. There is a clear need for more construction to ease the problem but environmental mandates have grown so severe, that they add significantly to cost of new construction of housing and homeless units or preclude their construction altogether. CEQA exemptions have been made by this Legislature for stadiums so why not for homeless projects?

Current Law

CEQA requires a city to prepare and certify an EIR on a project that it proposes to carry

out or approve that may have a significant impact on the environment or to adopt a negative declaration if it finds that the project will have no effect. CEQA also requires a local agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project would have a significant effect on the environment.

This Bill

Amends Public Resources Code Section 21080.40 to exempt "homeless complex projects" from the requirements of CEQA. This term is defined to mean any activity or approval necessary for planning, design site acquisition, subdivision, financing, leasing, construction, operation or maintenance of an emergency shelter, low-income housing, supportive housing, and transitional housing as those terms are defined in the Health and Safety Code. It also includes any associated development.

Sponsor

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