



Peninsula Community Planning Board
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The Honorable Buffy Wicks

Chair, Assembly Appropriations Committee

Mr. Jay Dickenson

Chief Consultant, Assembly Appropriations Committee

Members of the Assembly Appropriations Committee

Re: OPPOSITION — SB 958 (Weber Pierson) as Amended — CEQA Exemption for Building Height Impacts

Dear Committee Members:

The Peninsula Community Planning Board (PCPB), which provides community planning oversight for the Point Loma area, formally opposes Senate Bill 958 as amended. This is special interest legislation intended to benefit the private developers of a megadevelopment in the Midway District of San Diego – Midway Rising – and also establishes a dangerous precedent for other developers to evade CEQA requirements through other special interest legislation that would exempt their projects from CEQA review and mitigations, thereby eroding CEQA oversight critical for the protection of our environment..

The Bill Creates A Dangerous Precedent for Project-Specific CEQA Exemptions

Perhaps the most consequential harm of SB 958 is what it invites statewide. This bill would establish a legislative template for bypassing CEQA through project-specific exemptions — a tool that well-resourced developers and industries will not hesitate to use again. The precedent SB 958 establishes will not apply only to Midway Rising but establish a statewide precedent for developers seeking project specific CEQA exemptions through special legislation for any major adverse impact. Future applicants near airports, data centers, military installations, coastal zones, will invoke the precedent that SB 958 establishes to avoid meaningful environmental review.

If SB 958 becomes law, the next large developer will arrive in Sacramento with a comparable argument: our project is of statewide economic importance, and further review would only delay job creation. The Legislature will have already demonstrated its willingness to accept that logic. What SB 958 proposes is a one-off political carve-out for a single named project that its own environmental review found to have significant, unmitigated impacts.

The bill is special interest legislation intended to overturn a court ruling

The committee analysis correctly states the bill is intended to advance the Midway Rising project in the City of San Diego, notwithstanding adverse court decisions, most recently by the Fourth District Court of Appeal in 2025, regarding the city's environmental review.

Midway Rising exceeds the cities 30-foot height limit and the city submitted a ballot measure to voters in 2020 to allow the project to exceed the 30-foot height limit thereby making it financially feasible. The Fourth District Court of Appeals invalidated that ballot measure because the Project Environmental Impact Report it did not consider potential environmental impacts of removing the height limit. The city prepared a second ballot measure to remove the height limit from the same project which the Fourth District Court of Appeal also invalidated for similar reasons.

This bill is special interest legislation intended to overturn these court decisions for the benefit of a private developer.

The Bill Presents Safety Concerns About Building Height Near Airports

Midway Rising is a megadevelopment near San Diego International Airport. The committee analysis states The California Airports Council says that “SB958 may inadvertently limit the consideration of airport land use compatibility and aviation safety concern associated with increased building height near airports.”

San Diego had to remove an entire floor from an excessively tall building adjacent to an airport due to similar flight safety concerns and Midway Rising raises significant similar safety concerns

CEQA Is the Right Process — Not an Obstacle to Remove

The PCPB supports responsible, community-informed revitalization of the Midway District, but not the Midway Rising megadevelopment nor this legislation that makes it possible. Environmental review under CEQA exists precisely to ensure that all consequential impacts — including those associated with unprecedented tower heights in a dense urban community — receive rigorous, independent analysis before a project is approved. SB 958, as amended, exempts those impacts from meaningful scrutiny, and overrules an adverse ruling for the benefit of a developer. It also establishes a bad precedent whereby other major adverse environment impacts under CEQA would be allowed through special interest legislation similar to SB958 thereby further eroding CEQA environmental protections. We therefore urge the Legislature to reject this bill.

The Peninsula Community Planning Board respectfully and unanimously opposes SB 958 and urges its defeat.

Respectfully submitted,

Eric Law
Chair, Peninsula Community Planning Board