



## THE CITY OF SAN DIEGO

February 2, 2009

Office of Planning and Research  
P.O. Box 3022  
Sacramento, CA 95812-3044

**SUBJECT: Comments Regarding the Office of Planning and Research Preliminary Draft CEQA Guideline Amendments for Greenhouse Gas Emissions.**

The City of San Diego's Development Services Department (DSD) and City Planning and Community Investment (CPCI) Department has reviewed the preliminary draft CEQA Guideline Amendments for Greenhouse Gas (GHG) Emissions, dated January 8, 2009.

City staff reviewed the proposed amendments in the context that these guidelines, as a whole, would be used as a tool to help lead agencies, such as the City of San Diego, determine GHG thresholds of significance, mitigate for significant GHG emission impacts, if feasible, and address a project's GHG emission in their CEQA documents.

**CONSISTENCY WITH SECTION 15064.4 DETERMINING THE SIGNIFICANCE OF IMPACTS FROM GREENHOUSE GAS EMISSIONS AND ADDITIONS TO APPENDIX G; INITIAL STUDY CHECKLIST**

The City suggests that OPR expand the Greenhouse Gas Emissions Checklist questions to be consistent with the proposed amendments in 15064.4 Determining the Significance of Impacts from Greenhouse Gas Emissions and vice versa. For example:

**Would the project:**

1. *Help or hinder attainment of state's goals of reducing greenhouse gases?*
2. *Increase the consumption of fuels or other energy resources, especially fossil fuels that contribute to greenhouse gas emission when consumed*
3. *Increase energy efficiency of and a reduction in overall greenhouse gas emission from an existing facility?*
4. *Generate greenhouse gas emissions, ~~either directly or indirectly~~, that may have a significant impact on the environment, based on any applicable threshold of significance?*
5. *Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?*

OPR may also want to consider including the following statement to the proposed language in 15064.4 - Determining the Significance of Impacts from Greenhouse Gas Emissions to be consistent with the Initial Study Checklist questions above:



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*(a)(5) The extent to which the projects impacts would conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing emissions of a greenhouse.*

Furthermore, the City suggests you delete “either directly or indirectly” from the statement as indicated by the strikethrough above, as to not to confuse lead agencies that GHG emission impacts should be reviewed only as direct or indirect, but more importantly as a cumulative impact, as will be further explained below.

### **CUMULATIVE IMPACTS**

The purpose of the Initial Study is to determine if a project would have significant effects on the environment. As indicated in CEQA Section 15063, based on the analysis completed during the Initial Study, lead agencies must determine that if there is substantial evidence that any aspect of the project, either individually or cumulative, may cause a significant effect on the environment regardless of whether the overall effect of the project is adverse or beneficial, the Lead Agency must prepare an Environmental Impact Report (EIR), use a previous EIR, or tier of a previously certified EIR or Negative Declaration (ND). If there is no substantial evidence that the project or any of its aspects may cause a significant effect on the environment then the lead agency shall prepare a Negative Declaration or Mitigated Negative Declaration. The current issue that the City is facing when determining a project’s impacts from GHG emissions, is that the impact is inherently cumulative, rather direct or indirect, and therefore how does any lead agency address cumulative impacts without the preparation of an EIR, as stated previously.

The City acknowledges and supports OPR’s intention to use CEQA document tiering provisions (Section 15152) with the inclusion of specific language 15152(i) and guidance to adopt thresholds of significance. However, the amendments do not address or include pipeline provisions for older programmatic EIRs that have not discussed GHG emissions and/or are not consistent with an updated General Plan or adopted GHG reduction plans. Therefore, document tiering or addendums for subsequent projects to older EIRs would not be feasible and could be subject to legal challenges.

### **CITY OF SAN DIEGO GENERAL PLAN AND CLIMATE CHANGE**

The City of San Diego’s General Plan, unanimously adopted on March 10, 2008, directly addresses the climate change challenge. The plan has a strong sustainability focus through policies to target growth in compact, walkable neighborhoods, and to promote a balanced transportation system; sustainable development and green buildings; clean technology industries; and resource conservation and management.

One of the most important long-term steps that the 2008 General Plan takes toward achieving sustainability is to advance the City of Villages strategy to focus growth into mixed-use villages that are pedestrian-friendly districts, of different scales, linked to the transit system. Villages are to be designed to allow for many local trips to be made on foot or bicycle, with easy transit access to job centers and other more distant destinations. Reducing dependence on automobiles reduces vehicle miles traveled, which, in turn, lowers greenhouse gas emissions.

The Draft CEQA Guidelines amendments will help the City of San Diego implement its General Plan, as the amendments start to recognize how individual projects can help or hinder implementation of city, regional, and state environmental goals. We also support the concept

outlined in Section 15064.(h)(3) and reiterated in other sections of the Draft Guidelines, to allow the identification and mitigation of cumulative impacts through a city general plan, regional comprehensive plan, or other long range plan.

Additional specific comments to the amendments include:

Section 15064.4

(a)(2) – we recommend that this clause should be amended to state “the extent to which the project may increase the consumption of fuels or other energy resources, especial fossil fuels that contribute to greenhouse gas emissions when consumed; and residential projects should be evaluated on a per capita basis . . . .”

(a)(4) – this clause appears overly broad and should be deleted from this section which deals precisely with Greenhouse Gas emissions.

(b) – Lead agencies should analyze GHG emission if project impacts are considered significant based on significance criteria taking into account a project’s conformance with a General Plan or Regional Transportation Plan’s Sustainable Communities Strategy.

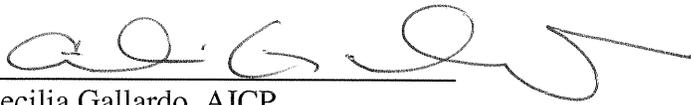
Section 15130 (f) This section does not appear to be consistent with the approach outlined in section 15130 (b)(1)(B) or (d). If local or regional plans addressing cumulative GHG emissions are sufficient for the discussion of cumulative impacts, then why would an EIR be required for a cumulative GHG impact? Perhaps section (f) should start with language qualifying that the section applies only when a long range plan addressing cumulative GHG does not exist.

Appendix G – Environmental Checklist Form

XVI a), b) and f). Focusing on vehicle miles traveled and reevaluating references to volume to capacity ratio, inadequate parking capacity, and level of service standards from the environmental checklist will help San Diego meet the goals of developing a multi-modal transportation system and fostering a smart growth land use pattern, as outlined in the City’s General Plan. Increasing use of alternative modes of transportation as a way to reduce greenhouse gas emissions is especially important in San Diego because on-road transportation emissions constitute approximately 46% of the region’s GHG emissions.

The City appreciates the opportunity to provide comments and coordinate with OPR to develop CEQA guidelines that address GHG emissions. Any questions or comments regarding this letter can be directed to: *Anne B. Jarque, Senior Planner, City of San Diego Development Services Department, 1222 First Avenue, MS 501, San Diego, CA 92101; phone (619) 446-5341, or e-mail at [ajarque@saniego.gov](mailto:ajarque@saniego.gov).*

Sincerely,



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