



ARNOLD SCHWARZENEGGER
GOVERNOR

STATE OF CALIFORNIA
GOVERNOR'S OFFICE of PLANNING AND RESEARCH
STATE CLEARINGHOUSE AND PLANNING UNIT



CYNTHIA BREANT
DIRECTOR

June 12, 2007

Marilyn Mirrasoul
City of San Diego
1222 First Avenue
San Diego, CA 92101-4135

Subject: General Plan Update
SCH#: 2006091032

Dear Marilyn Mirrasoul:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on June 11, 2007, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

C-1

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Terry Roberts
Director, State Clearinghouse

Enclosures
cc: Resources Agency

1400 10th Street P.O. Box 3044 Sacramento, California 95812-3044
(916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

C-1 Comment acknowledged. This letter acknowledges compliance with the State Clearinghouse review requirements for draft environmental documents.

**Document Details Report
State Clearinghouse Data Base**

SCH# 2006091032
Project Title General Plan Update
Lead Agency San Diego, City of

Type EIR Draft EIR

Description The City of San Diego General Plan Update is proposed to replace the existing 1979 Progress Guide and General Plan (1979 General Plan). The General Plan sets out a long-range, comprehensive framework for how the city will grow and develop, provide public services, and maintain the qualities that define San Diego over the next 20-30 years. The proposed update has been guided by the City of Villages growth strategy and citywide policy direction contained within the General Plan Strategic Framework Element (adopted by the City Council on October 22, 2002). The Draft General Plan is comprised of an introductory Strategic Framework chapter and nine elements: Land Use and Community Planning; Mobility; Urban Design; Public Facilities, Services and Safety; Economic Prosperity; Recreation; Conservation; Historic Preservation; and Noise. The update to the Housing Element was adopted by the City Council under separate cover on December 5, 2006.

Lead Agency Contact

Name Marilyn Mirrasoul
Agency City of San Diego
Phone (619) 446-5380
email
Address 1222 First Avenue
City San Diego
Fax
State CA **Zip** 92101-4135

Project Location

County San Diego
City San Diego
Region
Cross Streets
Parcel No.
Township **Range** **Section** **Base**

Proximity to:

Highways
Airports
Railways
Waterways
Schools
Land Use

Project Issues Aesthetic/Visual; Agricultural Land; Air Quality; Archaeologic-Historic; Coastal Zone; Cumulative Effects; Economics/Jobs; Flood Plain/Flooding; Forest Land/Fire Hazard; Geologic/Seismic; Growth Inducing; Landuse; Minerals; Noise; Public Services; Schools/Universities; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian; Wildlife; Other Issues

Reviewing Agencies Resources Agency; Department of Conservation; Department of Fish and Game, Region 5; Office of Historic Preservation; Department of Parks and Recreation; Office of Emergency Services; California Highway Patrol; Caltrans, District 11; Department of Housing and Community Development; State Water Resources Control Board, Division of Water Rights; Regional Water Quality Control Board, Region 9; Department of Toxic Substances Control; Native American Heritage Commission; State Lands Commission

Date Received 04/26/2007 **Start of Review** 04/27/2007 **End of Review** 06/11/2007

Note: Blanks in data fields result from insufficient information provided by lead agency.



ARNOLD SCHWARZENEGGER
GOVERNOR

STATE OF CALIFORNIA
GOVERNOR'S OFFICE *of* PLANNING AND RESEARCH
STATE CLEARINGHOUSE AND PLANNING UNIT



CYNTHIA BRYANT
DIRECTOR

Memorandum

Date: May 16, 2007
To: All Reviewing Agencies
From: Scott Morgan, Senior Planner
Re: SCH # 2006091032
General Plan Update

The State Clearinghouse is forwarding the attached material from the Lead Agency regarding some additional information for the above-mentioned document. All other project information remains the same.

cc: Marilyn Mirrasoul
City of San Diego
1222 First Avenue
San Diego, CA 92101-4135

COMMENTS

RESPONSES

Document Transmittal Form

Mail to: State Clearinghouse, 1400 Tenth Street, Sacramento, CA 95814 916/445-0613

SCH # 2006091032

1. Project Title: General Plan Update
 2. Lead Agency: City of San Diego
 3a. Street Address: 1222 Elm Ave
 3c. County: San Diego
 3. Contact Person: Jason Winters
 3b. City: San Diego
 3d. Zip: 92103-8335
 3e. Phone: 619-445-5380

Project Location
 4. County: San Diego
 4a. City/Community: San Diego
 4b. Assessor's Parcel No.
 4c. Section: Township: Range:
 5. Cross Streets
 5a. For Rural, Nearest Community
 5b. Airports
 5c. Waterways
 6. Within 2 Miles: State Hwy # _____
 6a. Airports
 6c. Waterways

7. Document Type
 CEQA: 01. D NCEP 05. D Supplemental 09. D NOI OTHER: 13. D Joint Document
 02. D Early Cons 06. D NCEI 10. D FCMS 14. D Final Document
 03. D Neg Dec 07. D NOD 11. D Draft EIS 15. X Other Scoping Letter
 04. X Draft EIR 08. D NOD A V H X B J D ? 12. D EASTERN AREA

8. Local Action Type
 01. X General Plan Update 05. D Amendment 09. D Rezoning 12. D Waste Mgmt Plan
 02. D New Element 06. D Specific Plan 10. D Land Use (Subdivision Parcel Map, Tract Map, etc.) 13. D Coastal AG Preserve
 03. D General Plan Amendment 07. D Community Plan 11. D Use Permit (Planned Industrial) 14. D Other
 04. Master Plan

9. Development Type
 01. D Residential: Single Acres Employees 07. D Mining Activity
 02. D Office: Sq Ft Acres Employees 08. D Power Type: _____ With: _____
 03. D Shopping/Commercial: Sq Ft Acres Employees 09. D Waste Treatment: Type: _____
 04. D Industrial/RAID: Sq Ft Acres
 05. D Water Facilities: AGSD 10. D CCS Related
 06. D Transportation: Type: _____ 11. D Other: _____

10. Total Acres: N/A 11. Total Jobs Created:

12. Project Issues Discussed in Document
 01. X Aesthetic/Visual 06. X Geologic/Seismic 17. D Social 25. X Wetland/Riparian
 02. X Agricultural Land 10. D Jobs/Housing Balance 18. X Soil Erosion 26. X Wildlife
 03. X Air Quality 11. X Minerals 19. X Solid Waste 27. X Growth Including
 04. X Archeological/Historical 12. X Noise 20. X Seismic Hazard 28. X Incompatible Land Use
 05. X Coastal Zone 13. X Public Services 21. X Traffic/Circulation 29. X Cumulative Effects
 06. X Economic 14. X Schools 22. X Vegetation 30. X Paleontological Resources
 07. X Fire Hazard 15. D Septic Systems 23. X Water Quality 31. D Other
 08. X Flooding/Drainage 16. X Sewer Capacity 24. X Water Supply

13. Funding (approx.) Federal \$ _____ State \$ _____ Total \$ _____

14. Present Land Use and Zoning: N/A

15. Project Description: The City of San Diego Draft General Plan is proposed to replace the existing 1979 Progress Guide and General Plan (1979 General Plan). The General Plan sets out a long-range, comprehensive framework for how the city will grow and develop, provide public services and maintain the qualities that define San Diego over the next 20-30 years. The proposed update has been guided by the City of Villages growth strategy and citywide policy direction contained within the General Plan Strategic Framework Element (adopted by the City Council on October 22, 2002). The Draft General Plan is comprised of an introductory Strategic Framework chapter and nine elements: Land Use and Community Planning; Mobility; Urban Design; Economic Prosperity; Public Facilities, Services and Safety; Recreation; Conservation; Noise; and Historic Preservation. The update to the Housing Element was adopted by the City Council under separate cover on December 3, 2006.

16. Signature of Lead Agency Representative: *Jason Winters* Date: April 26, 2007

State Clearinghouse Contact: (916) 445-0613

State Review Begins: 4-27-2007

SCH COMPLIANCE: 6-11-2007

Please note State Clearinghouse Number (SCH#) on all comments

SCH#: 2006091032

Please forward late comments directly to the Lead Agency

Project Sent to the following State Agencies

<input checked="" type="checkbox"/> Resources	State/Coastal Svcs
<input type="checkbox"/> Boating & Waterways	Game/Wildlife Services
<input type="checkbox"/> Coastal Comm	Cal EPA
<input type="checkbox"/> Colorado Rvr Bd	ARB - Airport Projects
<input type="checkbox"/> Conservation	ARB - Transportation Projects
<input type="checkbox"/> Fish & Game # 5	ARB - Major Industrial Projects
<input checked="" type="checkbox"/> Delta Protection Comm	Integrated Waste Mgmt Bd
<input type="checkbox"/> Forestry & Fire Prof	SWRCB: Clean Wtr Prog
<input type="checkbox"/> Historic Preservation	SWRCB: Wtr Quality
<input checked="" type="checkbox"/> Parks & Rec	SWRCB: Wtr Rights
<input type="checkbox"/> Reclamation Board	<input checked="" type="checkbox"/> Reg. WQCB # 9
<input type="checkbox"/> Bay Area & Dev Comm	Tonic Sub-Com-CEC
<input type="checkbox"/> DWR	Vth/ARB: Construction
<input checked="" type="checkbox"/> GIS (Emergency Svcs)	Corrections
<input type="checkbox"/> State Transp Bd	Independent Comm
<input type="checkbox"/> Acoustics	Energy Commission
<input checked="" type="checkbox"/> CIP # 11	<input checked="" type="checkbox"/> NANC
<input checked="" type="checkbox"/> Caltrans # 11	Public Utilities Comm
<input type="checkbox"/> Transportation	State Lands Comm
<input type="checkbox"/> Wildlife & Fish Res	Tax & Est. Agency

COMMENTS

RESPONSES

STATE OF CALIFORNIA

Arnold Schwarzenegger, Governor

NATIVE AMERICAN HERITAGE COMMISSION

915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 658-4251
Fax (916) 657-5390
Web Site www.nahc.ca.gov
e-mail: ca_nahc@pacbell.net



June 4, 2007

Ms. Marilyn Mirasoul
CITY OF SAN DIEGO
1222 First Avenue
San Diego, CA 92201

Re: SCH#2006091032: CEQA Notice of Completion: Draft Environment Impact Report (EIR) for **City of San Diego General Plan Update: San Diego County, California**

Dear Ms. Mirasoul:

Thank you for the opportunity to comment on the above-referenced document. The Native American Heritage Commission is the state's Trustee Agency for Native American Cultural Resources. This letter and the accompanying Native American Tribal Consultation List meets the consultation requirements of both California Government Code §65352.3 (SB 18) and California Environmental Quality Act (CEQA) Guidelines §15064.5. The California Environmental Quality Act (CEQA) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archaeological resources, is a "significant effect" requiring the preparation of an Environmental Impact Report (EIR) per CEQA guidelines §15064.5(b)(c). In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the "area of potential effect (APE)", and if so, to mitigate that effect. To adequately assess the project-related impacts on historical resources, the Commission recommends the following action:

V Contact the appropriate California Historic Resources Information Center (CHRIS). Contact information for the Information Center nearest you is available from the State Office of Historic Preservation (916/653-7278)/ <http://www.chp.parks.ca.gov/1068/files/IC%20Roster.pdf>. The record search will determine:

- If a part or the entire APE has been previously surveyed for cultural resources.
- If any known cultural resources have already been recorded in or adjacent to the APE.
- If the probability is low, moderate, or high that cultural resources are located in the APE.
- If a survey is required to determine whether previously unrecorded cultural resources are present.

V If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.

- The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for public disclosure.
- The final written report should be submitted within 3 months after work has been completed to the appropriate regional archaeological information center.

V Contact the Native American Heritage Commission (NAHC) for:

- A Sacred Lands File (SLF) search of the project area and information on tribal contacts in the project vicinity that may have additional cultural resource information. Please provide this office with the following citation format to assist with the Sacred Lands File search request: USGS 7.5-minute quadrangle citation, with name, township, range and section.
 - The NAHC advises the use of Native American Monitors to ensure proper identification and care given cultural resources that may be discovered. The NAHC recommends that contact be made with Native American Contacts on the attached list to get their input on potential project impact (APE). The Commission is concerned that relations between the City of San Diego will improve as they are apparently strained as result of disagreements over the conduct of several projects during calendar year 2006.
- V Lack of surface evidence of archaeological resources does not preclude their subsurface existence.
- Lead agencies should include in their mitigation plan provisions for the identification and evaluation of accidentally discovered archaeological resources, per California Environmental Quality Act (CEQA) §15064.5 (f). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American, with knowledge in cultural resources, should monitor all ground-disturbing activities.

D-1 Comment acknowledged. This comment letter contains recommended assessment and mitigation measures necessary for site-specific projects which may impact sensitive Native American resources.

It has always been the City's intent to ensure that as part of the CEQA process, issues associated with important archaeological sites and/or traditional cultural properties are adequately addressed and mitigated for in accordance with state law if avoidance cannot be accomplished. It is anticipated that this intent will be enhanced as part of a cooperative effort between the City of San Diego and the local Native American community, and through the City's use of updated procedures related to archaeological resources.

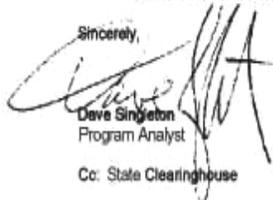
The City of San Diego has recently developed six steps which are utilized by EAS during the CEQA Initial Study process. These steps are used to establish the baseline methods for identifying, evaluating, and recording historical resources. In addition, the City of San Diego is currently in the process of updating the Historical Resources Guidelines and the DSD CEQA Significance Determination Thresholds to incorporate procedures for evaluating potential impacts to archaeological resources early in the CEQA Initial Study process. Additional information is being incorporated in the Guidelines regarding Native American contact as part of the archaeological background study and CEQA Initial Study process.

The current archaeological MMRPs for public and private projects have also been updated to require Native American monitoring in high sensitivity areas as determined in consultation with qualified City staff. The updated MMRPs include a condition that a preconstruction meeting must include the Native American monitor or work will not be allowed to commence. The City is also working to improve contract specification language for public projects as it relates to compliance with applicable state laws for the treatment of human remains.

- Lead agencies should include in their mitigation plan provisions for the disposition of recovered **artifacts**, in consultation with culturally affiliated Native Americans.
- V Lead agencies should include provisions for discovery of Native American human remains or unmarked cemeteries in their mitigation plans.
 - * CEQA Guidelines, Section 15064.5(d) requires the lead agency to work with the Native Americans identified by this Commission if the initial Study identifies the presence or likely presence of Native American human remains within the APE. CEQA Guidelines provide for agreements with Native American, identified by the NAHC, to assure the appropriate and dignified treatment of Native American human remains and any associated grave sites.
- V Health and Safety Code §7050.5, Public Resources Code §5097.98 and Sec. §15064.5 (d) of the CEQA Guidelines mandate procedures to be followed in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery.
- V Lead agencies should consider avoidance, as defined in § 15370 of the CEQA Guidelines, when significant cultural resources are discovered during the course of project planning.

Please feel free to contact me at (916) 653-6251 if you have any questions.

Sincerely,



Dave Singleton
Program Analyst

Cc: State Clearinghouse

Attachment: List of Native American Contacts

COMMENTS

RESPONSES

Native American Tribal Consultation List
San Diego County
June 4, 2007

Barona Group of the Capitan Grande
Rhonda Welch-Scalco, Chairperson
1095 Barona Road Diegueno
Lakeside , CA 92040
sue@barona-nsn.gov
(619) 443-6612

Sycuan Band of the Kumeyaay Nation
Danny Tucker, Chairperson
5459 Sycuan Road Diegueno/Kumeyaay
El Cajon , CA 92021
ssilva@sycuan-nsn.gov
619 445-2613

Ewilaapaayp Tribal Office
Harlan Pinto, Sr., Chairperson
PO Box 2250 Kumeyaay
Alpine , CA 91903-2250
wmicklin@leaningrock.net
(619) 445-6315 - voice

Viejas Band of Mission Indians
Bobby L. Barrett, Chairperson
PO Box 908 Diegueno/Kumeyaay
Alpine , CA 91903
daguilar@viejas-nsn.gov
(619) 445-3810

La Posta Band of Mission Indians
Gwendolyn Parada, Chairperson
PO Box 1120 Diegueno
Boulevard , CA 91905
(619) 478-2113

Campo Kumeyaay Nation
H. Paul Cuero, Jr., Chairperson
36190 Church Road, Suite 1 Kumeyaay
Campo , CA 91906
chairgoff@aol.com
(619) 478-9046

Manzanita Band of Kumeyaay Nation
Leroy J. Elliott, Chairperson
PO Box 1302 Kumeyaay
Boulevard , CA 91905
(619) 766-4930

Jamul Indian Village
Leon Acebedo, Chairperson
P.O. Box 612 Diegueno/Kumeyaay
Jamul » CA 91935
jamulrez@sctdv.net
(619) 669-4785

San Pasqual Band of Mission Indians
Allen E. Lawson, Chairperson
PO Box 365 Diegueno
Valley Center , CA 92082
(760) 749-3200

Mesa Grande Band of Mission Indians
Mark Romero, Chairperson
P.O. Box 270 Diegueno
Santa Ysabel , CA 92070
mesagrandebanc@msn.com
(760) 782-3818

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is applicable only for consultation with Native American tribes under Government Code Section 65352.3.

Native American Tribal Consultation List
San Diego County
June 4, 2007

Kwaaymii Laguna Band of Mission Indians

Carmen Lucas

P.O. Box 775

Pine Valley, CA 91962

(619) 709-4207

Diegueno - Kwaaymii

Kumeyaay Cultural Repatriation Committee

Steve Banegas, Spokesperson

1095 Barona Road

Lakeside, CA 92040

(619) 443-6612

Diegueno/Kumeyaay

Santa Ysabel Band of Diegueno Indians

Devon Reed Lomayevsa, Esq. Tribal Attorney

PO Box 701

Santa Ysabel, CA 92070

drlomayevsa@verizon.net

(760) 765-0845

Diegueno

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is applicable only for consultation with Native American tribes under Government Code Section 65352.3.