



THE CITY OF SAN DIEGO

M E M O R A N D U M

DATE: March 9, 2018

TO: Melissa Garcia, Senior Planner, Planning Department

FROM: Sara Osborn, Senior Planner, Planning Department

SUBJECT: Amendments to the General Plan Public Facilities, Services & Safety Element Section D and Section P – Environmental Evaluation

The Planning Department (Planning) has completed a California Environmental Quality Act (CEQA) Section 15162 – Subsequent EIRs and Negative Declaration consistency evaluation in compliance with Public Resources Code 21166 for the proposed amendments to the General Plan Public Facilities, Services & Safety Element Section D and Section P (General Plan Amendments).

Previously Certified CEQA Document

This evaluation was performed to determine if conditions specified in CEQA Guidelines Sections 15162 would require preparation of additional CEQA review for the proposed General Plan Amendments. As outlined in this evaluation memo, Planning has determined that the proposed General Plan Amendments are consistent with the original City of San Diego General Plan Program EIR No. 104495/SCH No. 20006091032 (General Plan PEIR), certified by City Council on March 10, 2008, Resolution No. 303472, there are no substantial changes to the project or the circumstances under which the project was undertaken, and there is no new information of substantial importance showing any new impacts not previously discussed in the General Plan PEIR or any new feasible mitigation measures or alternatives that would substantially reduce any significant effects of the project.

Scope of the Proposed Action

New state legislation, Senate Bill 1241(2012) and Senate Bill 379 (2015), require amendments to the General Plan safety element to address wildland fires, fire hazard mitigation, climate change resiliency, adaptation to wildfire hazards and disaster preparedness. The Planning Department has drafted edits to Section D. Fire - Rescue and Section P. Disaster Preparedness, of the Public Facilities Services & Safety Element. Edits include adding text to the Discussions and new goals and policies for both Sections to address wildfire hazard severity areas, protect the community from unreasonable risk of wildfire, and outline climate resiliency and adaptation issue and policies. This effort supports the State's overall wildfire risk management and climate change policies, the region's Multi-

Jurisdictional Hazard Mitigation Plan, and the City's current efforts to develop a Climate Adaptation and Resiliency Plan which is further supported in the General Plan Conservation Element Section A. The Resiliency Plan is a separate planning effort and will provide a comprehensive strategy with policies, programs and tools to address adaptation and resiliency for the City. This Resiliency Plan is anticipated to be adopted in the fall of 2020 and will undergo separate environmental review in accordance with CEQA Section 15004.

In summary, the major revisions included in the General Plan Amendments include:

Section D. Fire - Rescue

- Adds the following to the Discussion text related to wildfire and adaptation:
 - Updates to the subject history;
 - References to the San Diego Municipal Code;
 - References Fire-Rescue Department policies and programs;
 - References to other City and regional programs;
 - Cross reference to other General Plan Elements;
- Adds a new policy section titled Wildfire Planning;
- Adds new goals and policies that reference existing implementation measures to address risk of fire for very high fire hazard severity zones (VHFHSZ).

Section P. Disaster Preparedness

- Expands the Section's Hazard Mitigation discussion and policies;
- Adds new discussion and goal to include resiliency, climate adaptation, and sustainability which cross references to the Conservation Element Section A. Climate Change and Sustainable Development and the City's Climate Action Plan;
- Adds new policies that cross reference the City's Climate Action Plan and recommends regional coordination on resiliency and adaptation; development of a resiliency plan and the monitoring of these efforts.

BACKGROUND

California Law

Senate Bill 1241(2012)

Senate Bill 1241, signed into law in 2012, requires jurisdictions with Very High Fire Hazard Severity Zones (VHFHSZ) to comply with Government Code Section 65302(g)(3). Government Code Section 65302(g)(3) states that upon the next revision of the Housing Element or on or after January 1, 2014, the safety element shall be reviewed and updated as necessary to address risk of fire for the Very High Fire Hazard Severity Zones. Requirements by state law include that the element must contain goals, policies and objectives that protect the community from unreasonable risk of wildfire. State law continues to state that draft safety element shall be submitted for review to the State Board of Forestry and Fire Protection prior to adoption.

Senate Bill 379 (2015)

Senate Bill 379 (2015), Government Code Section 65302, mandates that local governments requires cities and counties to include climate adaptation and resiliency strategies in the safety elements of their general plans upon the next revision of a local hazard mitigation plan on or after January 1, 2017. The bill would require the climate adaptation update to include a set of goals, policies, and objectives for their communities based on the most current information available regarding climate change adaptation and resiliency.

City of San Diego General Plan

The General Plan was designed to complement and support regional planning efforts and includes 10 elements that are intended to provide general guidance for future development. This comprehensive policy-level document anticipates future actions, including community plan updates, land development code amendments, and applicable ordinances and programs required to provide for effective implementation. As of 2006, less than four percent of the City's land was comprised of vacant developable land; and since the adoption of the General Plan, this percentage has continued to decrease. . Under the City of Villages Strategy, the General Plan aims to direct new development projects away from natural undeveloped lands into already urbanized areas and/or areas where conditions allow the integration of housing, employment, civic, and transit uses. It is a development strategy that mirrors regional planning and smart growth principles intended to preserve remaining open space and natural habitat, and focus development and density near transit and services. The General Plan's City of Villages strategy implements policies that encourage mixed-use developments that are pedestrian-friendly, centers of community, and linked to regional transit system and anticipates that future growth will most likely occur in existing urban areas.

Wildfires are discussed in the General Plan Public Facilities, Services & Safety Element Section D. The General Plan contains several goals and policies regarding land use compatibility, training, sustainable development, and other measures, such as the Brush Management Guide, aimed at reducing the risk of wildland fires. The City sponsors outreach and awareness programs to educate residents about fire dangers and what they can do to protect themselves and their homes. This Section also provides a history of wildfire and resources that is being expanded with the General Plan Amendments.

General Plan Public Facilities, Services & Safety Element Section P contains goals and policies addressing Disaster Preparedness and includes a discussion on efforts regionally and city wide to ensure preparedness and limit hazards.

The General Plan Conservation Element Section A. Climate Change Climate Change and Sustainable Development includes goals and policies to prepare for and adapt to adverse climate change impacts. The section also supports the implementation of the Climate Action Plan.

General Plan PEIR

The General Plan PEIR Health & Safety Section discusses wildfire risk and concludes continuing monitoring and updating existing development regulations and plans that will assist in creating defensible space and reduce, but not abate, the impact of wildfire threat on the structures. The proposed General Plan Amendments would not affect the PEIR's analysis related to the Health & Safety and the proposed amendment language would be consistent with the General Plan's intent to provide policies that are relevant to programs, policies and regulations being implemented.

The General Plan PEIR concludes that to the extent possible, growth and development should be located away from known High Fire Hazard areas. Public education, and firefighter training, support, and emergency operations efforts will reduce the risks of impacts involving wildfires; but cannot guarantee that all future project level impacts will be avoided or mitigated to a level less than significant. Therefore, impacts associated with wildfires are significant at the program level. Mitigation Framework Measures have been identified to reduce these program level impacts. Because the degree of impact and applicability, feasibility, and success of these measures cannot be adequately

known for each specific project at this program level of analysis, the program level impact related to wildfire hazards remains significant and unavoidable.

The General Plan PEIR includes a discussion on Executive Order #S-3-05 and details the California Environmental Protection Agency's (CalEPA) biennial science reports on the potential impact of continued global warming on certain sectors of the California people, economy, and environment, related to public health, water resources, agriculture, forests and landscapes, and rising sea levels. The Climate Protection Action Plan (2005), which calls for the City to achieve a 15 percent reduction in GHG emissions by 2010, is incorporated into the General Plan PEIR by reference. The General Plan PEIR further acknowledges that the General Plan includes expanded climate change and sustainability policies with the MMRP and Action Plan providing the framework and implementing measures. The General Plan PEIR concluded the General Plan has incorporated the principal objectives of the environmentally superior Enhanced Sustainability Alternative and the principal objective of the Increased Parking Management Alternative to reduce greenhouse gas emissions of future development and City operations and meets the obligations of CEQA to mitigate the cumulatively significant global warming impacts of the General Plan.

Environmental Determination

The General Plan Amendments were reviewed for environmental consistency with the General Plan PEIR. As previously analyzed in the General Plan PEIR, the General Plan includes policies that address wildfire and sustainability and adaptation. The General Plan Amendments as proposed would not conflict with any applicable and adopted plan, policy or regulation and would complement and comply with the analysis already in the General Plan and General Plan PEIR. The General Plan Amendments expand on wildfire history, programs, policies and goals already in place and supported by the General Plan PEIR Health & Safety discussion. The General Plan PEIR Health & Safety impacts remain significant and unavoidable and no new significant environmental impact beyond those analyzed in the PEIR would result. Additionally, no information of substantial importance shows any new or exacerbated significant effects, nor are there any new feasible mitigation measures or alternatives to reduce the impacts already discussed.

Thus, the proposed General Plan Amendments are consistent and covered by the City's General Plan. The General Plan Amendments, themselves, would not result in new impacts or changed circumstances that would require a new environmental document.

CONCLUSION

The Planning Department reviewed the proposed General Plan amendments and conducted a 15162 consistency evaluation in compliance with Public Resources Code Section 21166 with the previously certified General Plan PEIR No. 104495/SCH No. 2006091032. The project would not result in new impacts or changed circumstances that would require a new environmental document.

Section 15162 Criteria

Section 15162 of the CEQA Guidelines states:

When an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

- (1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- (2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:
 - (A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
 - (B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
 - (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

The Planning Department finds that none of the three criteria listed above has occurred. In addition, this evaluation supports the use of the 2008 General Plan PEIR for the proposed General Plan Amendments pursuant to Public Resources Code 21166 and CEQA Guidelines Section 15162.

Therefore, the certified General Plan PEIR adequately covers the amendments to General Plan that are being proposed.



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