



THE CITY OF SAN DIEGO

Report to the City Council

DATE ISSUED: June 23, 2016

REPORT NO: 16-067

ATTENTION: Honorable City Council President Sherri Lightner and Members of the City Council

SUBJECT: Climate Action Plan Consistency Checklist and Other Implementing Amendments and Adoption of CEQA Greenhouse Gas Emissions Significance Threshold

Issue: Should the Environment Committee recommend to the City Council adoption of the Final Addendum to the CAP Program Environmental Impact Report, Climate Action Plan Consistency Checklist and other implementing amendments, and Amendment to the Land Development Manual to include a CEQA Greenhouse Gas Emissions Significance Threshold?

Staff Recommendation: Staff recommends that the Environment Committee recommend to the City Council **ADOPTION** of:

- Final Addendum to the CAP PEIR,
- Amendments to the CAP to add a CAP Consistency Checklist and make other minor amendments to the CAP related to the CAP Consistency Checklist,
- Amendment to the LDM to include a CEQA GHG Emissions Significance Threshold, and
- Authorization of the Mayor to make changes to the CAP Consistency Checklist administratively.

City Strategic Plan Goal(s)/Objective(s):

The above actions are consistent with the following City of San Diego Strategic Plan goals and objectives:

- Goal #1: Provide high quality public service
 - Improve external and internal coordination and communication
- Goal #3: Create and sustain a resilient and economically prosperous City.
 - Objective #1: Create dynamic neighborhoods that incorporate mobility, connectivity, and sustainability.
 - Objective #3: Diversify and grow the local economy.
 - Objective #4: Prepare and respond to climate change.
 - Objective #5: Enhance San Diego's global standing.

Fiscal Considerations: Costs associated with the development of the CAP Consistency Checklist were covered under the Planning Department's current budget. Costs associated with implementation of the CAP Consistency Checklist would be recoverable to the

Development Services Department, as the CAP Consistency Checklist would become a part of the existing discretionary project review process.

EXECUTIVE SUMMARY

The Greenhouse Gas Emissions Significance Threshold would provide a methodology for City Staff to determine whether or not a project, as defined by the California Environmental Quality Act (CEQA), would have a significant GHG emissions impact. The Climate Action Plan (CAP) Consistency Checklist is the method for determining significance for project-level environmental documents. City staff is requesting that City Council adopt the Final Addendum to the CAP Final Program Environmental Impact Report, the CAP Consistency Checklist and other implementing amendments, and an amendment to the Land Development Manual to include a GHG Threshold.

DISCUSSION

The City's Land Development Manual includes CEQA Significance Determination Thresholds used to determine level of significance of the effects of a project, plan, or program on the environment. At this time, the City does not have an adopted threshold for GHG emissions. Currently, the City relies on a threshold based on a reduction from the statewide goal for business as usual (BAU) emissions with respect to 2020 reduction targets.

In November 2015, the California Supreme Court in *Center for Biological Diversity v. California Department of Fish and Wildlife*, 62 Cal. 4th 204 (2015), found that an EIR relying upon a GHG emissions threshold based on a statewide goal lacked evidence to support using that threshold on project-level analysis. Standard practice at that time was to use this approach which, as stated above, the City also used. Since it has been shown to be challenging to provide substantial evidence to bridge the gap between the statewide targets and project-level GHG emissions, the City determined that a new significance threshold for GHG emissions is necessary.

Around the same time, in December 2015, the City adopted the CAP which outlines the actions that the City will undertake to achieve its proportional share of State GHG emission reductions. In accordance with CEQA Guidelines section 15183.5(b)(1)(A-F), the CAP was intended to serve as a qualified GHG reduction plan for purposes of tiering under CEQA in that it:

- A. Quantified GHG emissions, both existing and projected over a specified period of time, resulting from activities in a defined geographic area;
- B. Established a level, based on substantial evidence, below which the contribution to GHG emissions from activities covered by the plan would not be cumulatively considerable;
- C. Identified and analyzed GHG emissions resulting from specific actions or categories of actions anticipated within the geographic area;

- D. Specified measures of a group of measures, including performance standards, that would collectively achieve the specified emissions levels;
- E. Established a mechanism to monitor the plan's progress toward achieving the level and to require amendment if the plan is not achieving specified levels; and
- F. Was adopted in a public process following environmental review.

The CAP included a group of strategies and actions, including performance targets, that substantial evidence demonstrated would collectively achieve the specified emissions levels on a Citywide level. However, at the time the CAP was adopted, it did not specify measures to be implemented on a project-by-project basis to ensure that the CAP targets would be achieved as required in CEQA Guidelines Section 15183.5(b)(1)(D).

With the amendment to the CAP to revise text and include the CAP Consistency Checklist (Attachment 3), the requirements under CEQA Guidelines section 15183.5(b)(1)(A-F) for the CAP to be a qualified GHG reduction plan would be met. The City worked with Ascent Environmental to develop a project-level CAP Consistency Checklist that includes measures to be implemented on a project-by-project basis.

The effects of GHG emissions were analyzed at the programmatic level in the CAP Final Environmental Impact Report (CAP FEIR), and the environmental effects of the CAP Consistency Checklist were analyzed in the Addendum to the CAP FEIR (Attachment 4). Project-specific environmental documents may rely on the CAP Final Environmental Impact Report (CAP FEIR) for its cumulative impacts analysis of GHG emissions (CEQA Guidelines section 15183.5(b)(2)).

The GHG Threshold is included as Attachment 1. In general, the GHG Threshold is derived from the questions in the Initial Study Checklist in CEQA Guidelines Appendix G and asks whether a project would 1) generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment, and 2) conflict with the CAP. Whether or not a project would generate significant GHG emissions and would conflict with the CAP would be determined through either the CAP Consistency Checklist, which would be applicable to new development projects subject to CEQA, or in accordance with the Planning Department's guidance for determining CAP consistency for program-level environmental documents (e.g., community plan updates).

Environmental Review

On December 15, 2015, the City Council certified the CAP FEIR. As part of this action, an Addendum to the CAP FEIR has been prepared to evaluate the adoption of an amendment to the CAP to incorporate the CAP Consistency Checklist and the adoption of an amendment to the LDM to include a GHG Emissions Significance Threshold.

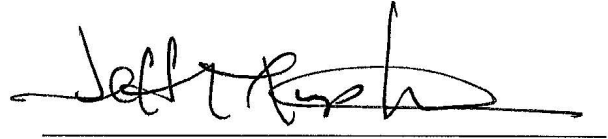
CONCLUSION

The CAP establishes a framework for the City of San Diego to address climate change and significantly reduce its overall carbon footprint. The GHG Threshold along with the CAP

Consistency Checklist will provide a streamlined review process for proposed new development projects that are subject to CEQA. The CAP Consistency Checklist is one of many implementation tools that, along with annual monitoring, will help ensure successful implementation of the CAP.



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Planning Director

Attachment(s):

1. Amendment to the LDM (GHG Threshold)
2. CAP Consistency Checklist Technical Support Documentation
3. CAP Consistency Checklist and associated CAP amendments
4. Final Addendum to the CAP Program Environmental Impact Report