

1 INTRODUCTION

This Supplemental Program Environmental Impact Report (SPEIR) for the proposed National City Focused General Plan Update project and associated discretionary actions (collectively referred to throughout this SPEIR as the “FGPU”) has been prepared by the City of National City in compliance with the California Environmental Quality Act (CEQA) Statute and Guidelines (Public Resources Code [PRC], Section 21000 et seq. and California Code of Regulations [CCR], Title 14, Section 15000 et seq.). The City is the Lead Agency responsible for ensuring that the proposed FGPU complies with CEQA.

The FGPU includes a number of legislative actions to be considered by the City Council, but primarily is a focused update of the 2011 Comprehensive Land Use Update (CLUU) and associated Climate Action Plan (CAP). The FGPU reflects an update to citywide policies and programs developed to address changes in State legislation, a changing regional context, and forecasted future growth.

The FGPU includes updates to policies, as well as supporting updates to codes, ordinances, and development standards. Policy updates will be reflected in the Land Use Element, Transportation Element, Safety Element, and CAP, which were last updated in 2011. The FGPU takes into account separate recent planning documents, including the 24th Street Transit Oriented Development Overlay study.

1.1 SPEIR PURPOSE AND INTENDED USES

1.1.1 What Is an EIR?

An environmental impact report (EIR) is intended to inform decision-makers, public agencies, and the public about the potential significant adverse environmental impacts from a project and provide decision-makers with an understanding of the associated physical and environmental changes a project may have on the environment. It is important to note that the objective of CEQA is to conduct an analysis of a project’s impact on the environment and not the impacts of the environment on the project.

1.1.2 What Is a Program EIR?

Per Section 15168(a), “a program EIR is an EIR which may be prepared on a series of actions that can be characterized as one large project and are related either: (1) geographically” or “(4) as individual activities carried out under the same authorizing statutory or regulatory authority and having generally similar environmental effects which can be mitigated in similar ways.” Per Section 15168(b), a program EIR can:

- (1) *Provide an occasion for a more exhaustive consideration of effects and alternatives than would be practical in an EIR on an individual action,*
- (2) *Ensure consideration of cumulative impacts that might be slighted in a case-by-case analysis,*
- (3) *Avoid duplicative reconsideration of basic policy considerations,*
- (4) *Allow the Lead Agency to consider broad policy alternatives and program wide mitigation measures at an early time when the agency has greater flexibility to deal with basic problems or cumulative impacts, and*
- (5) *Allow reduction in paperwork.*

Furthermore, under Section 15168(c), a program EIR applies to later activities, as future development projects in the program “must be examined in the light of the program EIR to determine whether an additional environmental document must be prepared,” as follows:

- (1) *If a later activity would have effects that were not examined in the program EIR, a new Initial Study would need to be prepared leading to either an EIR or a Negative Declaration. That later analysis may tier from the program EIR as provided in Section 15152.*

- (2) *If the agency finds that pursuant to Section 15162, no subsequent EIR would be required, the agency can approve the activity as being within the scope of the project covered by the program EIR, and no new environmental document would be required.*
[....]
- (5) *A program EIR will be most helpful in dealing with later activities if it provides a description of planned activities that would implement the program and deals with the effects of the program as specifically and comprehensively as possible. With a good and detailed project description and analysis of the program, many later activities could be found to be within the scope of the project described in the program EIR, and no further environmental documents would be required.*

A program EIR would allow the City to determine potential impacts of policy changes on future buildout of the FGPU, i.e. projects that are in conformance with the General Plan, prior to taking action on the project.

1.1.3 Why a Supplemental Program EIR?

Per CEQA Guidelines Section 15162(a)(1), “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” that “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.”

Per Section 15163(a), the Lead Agency “may choose to prepare a supplement to an EIR rather than a subsequent EIR if: (1) Any of the conditions described in Section 15162 would require the preparation of a subsequent EIR, and (2) Only minor additions or changes would be necessary to make the previous EIR adequately apply to the project in the changed situation.” A supplemental EIR allows the Lead Agency to tier from previous environmental analysis efforts and focus on resources that may be impacted by the proposed project that is in conformance with the General Plan. Per Section 15163(e), “when the agency decides whether to approve the project, the decision-making body shall consider the previous EIR as revised by the supplemental EIR.”

As a result of initial assessment, the City decided that the SPEIR for the FGPU would cover additional analysis under the following resource topics: Aesthetics, Air Quality, Cultural and Tribal Cultural Resources, Paleontology, Hazards and Hazardous Waste, Land Use, Noise, Transportation, Greenhouse Gas Emissions, Growth Inducement, and Cumulative Impacts. Analysis that would result in impacts that would not arise above and beyond the significance conclusions of the 2011 CLUU Program Environmental Impact Report (PEIR) are included in Chapter 7 Comprehensive Land Use Update PEIR Subject Areas Requiring No Change in Analysis.

1.1.4 Incorporation by Reference

Following CEQA Guidelines Section 15150, this SPEIR incorporates the context and findings of the 2011 CLUU PEIR by reference. The SPEIR tiers to the certified (State Clearinghouse [SCH] No. 2010051009) 2011 CLUU PEIR. This SPEIR considers the issues discussed in the first-tier document, updates those topic discussions with the 2022 CEQA Appendix G Checklist, evaluates whether a significant effect has been adequately addressed or if the FGPU would result in an effect that was not addressed in the initial report.

Per Section 15163(b) and (e), “the supplement to the EIR need contain only the information necessary to make the previous EIR adequate for the project as revised....When the agency decides whether to approve the project, the decision-making body shall consider the previous EIR as revised by the supplemental EIR. A finding under Section 15091 shall be made for each significant effect shown in the previous EIR as revised.

The May 16, 2011, certified 2011 CLUU PEIR can be viewed and downloaded from the City's website using the following links:

Draft EIR 2011: <https://www.nationalcityca.gov/services/documents/-folder-467>

Final EIR 2011 Part 1: <https://www.nationalcityca.gov/Home/ShowDocument?id=5238>

Final EIR 2011 Part 2: <https://www.nationalcityca.gov/Home/ShowDocument?id=5237>

Ordinance No. 2012/Resolution No.14-11 adopting the EIR:
<https://www.nationalcityca.gov/Home/ShowDocument?id=6133>

A physical copy is available at: MLK Jr. Community Center (140 E. 12th Street, Suite B, National City, CA 91950).

1.2 SPEIR LEGAL AUTHORITY

1.2.1 Lead Agency

The City of National City is the Lead Agency for the project pursuant to Article 4 (Sections 15050 and 15051) of the CEQA Guidelines. The Lead Agency, as defined by CEQA Guidelines Section 15367 and PRC Section 21067, is the public agency that has the principal responsibility and authority for carrying out or approving the project which may have a significant effect upon the environment. As the Lead Agency, the City of National City Planning Department determined that a SPEIR would be necessary.

1.2.2 Responsible and Trustee Agencies

A Responsible Agency, defined pursuant to State CEQA Guidelines Section 15381, includes all public agencies other than the Lead Agency that have discretionary approval power over the project. A Trustee Agency is defined in Section 15386 of the CEQA Guidelines as a State agency having jurisdiction by law over natural resources affected by a project that are held in trust for the people of the State of California.

Implementation of the FGPU could require consultation from any responsible and trustee agencies. Future projects that are in conformance with the General Plan that would require individual environmental analysis may involve consultation with the following agencies:

- San Diego County Air Pollution Control District (SDCAPCD)
- San Diego Regional Water Quality Control Board (RWQCB)
- California Department of Transportation (Caltrans) District 11
- California Department of Fish and Wildlife (CDFW)
- San Diego County Regional Airport Authority
- Federal Aviation Administration

The SDCAPCD regulates sources of air pollution within the County and would be responsible for issuing permits for construction of future projects associated with the General Plan.

The RWQCB regulates water quality through monitoring of compliance with the regional water quality permit (or "general permit") in accordance with the Clean Water Act section 401 certification process. The RWQCB would have the responsibility of approving the Notice of Intent to comply with the terms of the general permit to discharge storm water associated with future construction activity allowed by the General Plan. The RWQCB would also be a Trustee Agency as it holds regional water quality in its trust through the National Pollutant Discharge Elimination System compliance review process.

Additionally, Caltrans is responsible for the state highway system, including freeway entrance and exit ramps.

The CDFW is responsible for the protection of fish and wildlife; designated rare or endangered native plants; and game refuges, ecological reserves, and other areas administered by the State. Most often, the CDFW acts as a Trustee and/or Responsible Agency and provides the requisite biological expertise to review and comment upon CEQA environmental documents prepared by another Lead Agency.

1.3 SPEIR SCOPE

The scope of analysis for the SPEIR was determined by the City as a result of initial project scoping, consideration of agency and public comments received in response to the Notice of Preparation (NOP) circulated on March 19, 2022, through April 18, 2022, and a scoping meeting held on April 6, 2022. The NOP and letters received during the public comment period are included in Appendix A of this SPEIR.

This SPEIR serves as a supplemental analysis to the previously certified 2011 CLUU PEIR, as referenced above. All environmental issues analyzed in the 2011 CLUU PEIR were considered during initial review of the project. The issues marked “Yes” or “New” in Table 1.3-1 were determined to result in new impacts that may be potentially significant and require subsequent analysis and/or mitigation as part of this SPEIR.

Table 1.3-1 Impact Assessment Summary

| Issue Area | 2011 PEIR Impact | New or Substantially Increased Impact compared to the 2011 CLUU PEIR? | New and/or Previous Mitigation? | Resultant Project Impact after Mitigation? |
|---------------------------------|---------------------------------------|--|--|---|
| Aesthetics | Less than Significant | Yes | No | N/A |
| Agricultural Resources | No Impact | No | No | N/A |
| Air Quality | Less than Significant with Mitigation | Yes | New | Significant and Unavoidable |
| Biological Resources | Less than Significant with Mitigation | No | No | N/A |
| Cultural Resources | Less than Significant | No | New | Less than Significant |
| Geology and Soils | Less than Significant | No | No | N/A |
| Hazards and Hazardous Materials | Less than Significant with Mitigation | Yes | New | Less than Significant |
| Hydrology and Water Quality | Less than Significant with Mitigation | No | No | N/A |
| Land Use | Less than Significant with Mitigation | Yes | New | Less than Significant |

| Issue Area | 2011 PEIR Impact | New or Substantially Increased Impact compared to the 2011 CLUU PEIR? | New and/or Previous Mitigation? | Resultant Project Impact after Mitigation? |
|--------------------------------|---------------------------------------|---|---------------------------------|--|
| Noise | Less than Significant with Mitigation | Yes | New | Less than Significant |
| Population and Housing | Less than Significant | No | No | N/A |
| Public Services and Recreation | Less than Significant | No | No | N/A |
| Transportation | Less than Significant | Yes | No | N/A |
| Tribal Cultural Resources | Less than Significant | Yes | New | Less than Significant |
| Utilities and Service Systems | Less than Significant with Mitigation | No | No | N/A |
| Greenhouse Gas Emissions | Less than Significant | Yes | No | N/A |
| Energy | No Impact | No | No | N/A |

Through these scoping activities, the project was determined to have the potential to result in the following significant environmental impacts:

- Aesthetics
- Air Quality
- Cultural Resources
- Paleontological Resources
- Hazards and Hazardous Materials
- Land Use
- Noise
- Transportation
- Tribal Cultural Resources
- Greenhouse Gases

Each of those topics are discussed in detail in Chapter 4.0 Environmental Analysis.

Alternatives are presented to evaluate scenarios that further reduce or avoid significant impacts associated with the FGPU. An analysis of the impacts of the FGPU compared to existing adopted plans, a “plan-to-plan” analysis, is presented in Chapter 8.0 Project Alternatives, under the No Project (Adopted Plan) Alternative.

Additionally, the SPEIR includes a recommended programmatic mitigation framework (see Chapter 9 Mitigation Monitoring and Reporting Program). When mitigation measures are implemented by future development under the FGPU, they would provide the City with ways to substantially lessen or avoid significant effects of the project on the environment, whenever feasible.

1.4 PUBLIC COMMENTS ON THE NOTICE OF PREPARATION

Table 1.4-1 provides a summary of written comments received regarding the environmental scope from agencies and interested individuals during the public comment period on the SPEIR from March 19, 2022, through April 18, 2022.

Table 1.4-1 Public Review Comments on the Notice of Preparation

| Agency/Individual | Date | Comment Summary |
|---|----------------|--|
| Edward Nieto (Resident) | April 6, 2022 | Requests information on the Focused General Plan Update and clarification on where the proposed land use changes are. |
| National City Historical Society – Nancy Estolano (President) | April 7, 2022 | Requests consultation with the National City Historical Society for demolition of houses over 75 years old within the zoning overlays of 2, 4, and 6. |
| Building Industry Association of San Diego – Adrian Luna (Legislative Aid) | April 8, 2022 | Requests that staff present the Draft SPEIR to our Urban Council Committee on April 26 from 11:00 a.m. to 12:00 p.m. |
| California Department of Transportation (Caltrans) District 11 – Maurice A. Eaton (Branch Chief – Local Development Review) | April 13, 2022 | <p>Requests a vehicle miles of travel (VMT)-based Traffic Impact Study that is drafted using the Governor’s Office of Planning and Research Guidance to identify VMT-related impacts.</p> <p>Encourages coordination with Caltrans in locations that may affect Caltrans and other responsible agencies regarding complete streets proposed improvements. Recommends using the “Contextual Guidance for Bike Facilities” Memorandum (March 2020) to identify the preferred bikeway facility type in areas where bikeway facility installations are planned.</p> <p>Notes that Caltrans is not responsible for existing or future traffic noise impacts associated with the existing configuration of Interstate 5 or State Route 54.</p> <p>Acknowledges that the availability of affordable and reliable, high-speed broadband is a key component in supporting travel demand management and reaching the State’s transportation and climate action goals.</p> <p>Offers a reminder of the requirement to provide an approved final environmental document, corresponding technical studies, and necessary regulatory and resource agency permits—specifically, any CEQA determinations or exemptions—as part of the encroachment permit process.</p> |
| County of San Diego Department of Public Works / San Diego County’s Sanitation District – Sue Waters (Land Use/Environmental Planner) | April 18, 2022 | Requests that the environmental document include a statement that “no additional sewer flow capacity impacts to the San Diego County Sanitation Districts (District), Spring Valley outfall sewer trunk line will occur in accordance with any sewer transportation agreements between the District and the City of National City.” |

1.5 SPEIR CONTENT AND ORGANIZATION

The SPEIR has been organized in accordance with the 2022 CEQA Guidelines. Its organization and content are outlined below:

- **Executive Summary** provides a brief description of the project, identification of areas of controversy, a summary of the SPEIR analysis, a summary table identifying significant impacts, and a summary of the proposed mitigation framework.
- **Chapter 1 Introduction** is this chapter, which contains an overview of the legal authority, purpose, and intended uses of the SPEIR, as well as its scope and organization. It provides a discussion of the CEQA environmental review process, including opportunities for public involvement. It also includes a summary of comments received during the public review period.
- **Chapter 2 Environmental Setting** contains a description of the project's physical location and characteristics, regional and local context, and planning context.
- **Chapter 3 Project Description** contains a description of the FGPU's proposed changes, its relationship to the 2011 CLUU and other planning efforts the City has completed, and the discretionary actions required to implement the project.
- **Chapter 4 Environmental Analysis** contains sections for each of the resource areas that are being analyzed due to a lack a site-specific impact analysis and adequate mitigation for project impacts in the 2011 CLUU PEIR or that result in new impacts that may be potentially significant and require subsequent analysis and/or mitigation as part of this SPEIR. It also includes existing conditions, regulatory framework, significance thresholds, and an analysis of potential impacts.
- **Chapter 5: Growth Inducement** evaluates the potential for the project to induce economic or population growth or the construction of additional housing, either directly or indirectly, in the surrounding environment, per Section 15162.2 (e).
- **Chapter 6: Cumulative Impacts** discusses the cumulative impacts of a project when the project's incremental effect is cumulatively considerable, as defined in section 15065 (a)(3).
- **Chapter 7: Topics Requiring No Change in Analysis** discusses the resource areas that were determined not to require a change in analysis as identified during scoping and preliminary environmental review.
- **Chapter 8: Alternatives** provides a description of each proposed alternative to the FGPU and a comparison of each as they relate to environmental impacts and meeting project objectives. It also identifies the environmentally superior alternative.
- **Chapter 9: Mitigation Monitoring and Reporting Program** is the programmatic mitigation framework proposed to mitigate potential impacts of future development under the FGPU.
- **Chapter 10: References** lists the additional sources, plans, and studies referenced throughout the SPEIR.
- **Chapter 11: List of Preparers** lists the personnel involved in the preparation of the SPEIR and its associated technical studies.
- **Chapter 12: Individuals and Agencies Consulted** lists the individuals and agencies consulted during preparation of the SPEIR.
- **Chapter 13: Technical Appendices** includes the technical reports and additional sources of information used in the development of the SPEIR. The SPEIR provides a summary of the information found in these appendices.

1.6 INCORPORATION BY REFERENCE

As permitted by CEQA Guidelines section 15150, this SPEIR has referenced several technical studies and reports, including analysis completed for the 2011 CLUU PEIR. Information from these documents has been briefly summarized in this SPEIR where applicable, and their relationship to this SPEIR described. These documents are included in Chapter 10.0 References Cited and are hereby incorporated by reference.

1.7 SPEIR PROCESS

The SPEIR process involves the preparation of a Draft SPEIR, the opportunity for stakeholders and the public to review the Draft SPEIR and provide comments on the adequacy of analysis during a 30-day public review period per Section 15163(c), and a Final SPEIR.

1.7.1 Draft SPEIR

This SPEIR will follow CEQA Guidelines for draft and final EIRs. In accordance with sections 15085 and 15087(a)(1), upon completion of a draft EIR, a Notice of Completion is filed with the State Office of Planning and Research, and a Notice of Availability of the draft EIR is issued in a newspaper of general circulation in the area.

The draft EIR is distributed for review to the public and interested and affected agencies for the purpose of providing comments “on the sufficiency of the document in identifying and analyzing the possible impacts on the environment and ways in which the significant effects of the project might be avoided or mitigated” (Section 15204, CEQA Guidelines).

The Draft SPEIR and all related technical studies are available for review during the public review period at <https://www.nationalcityca.gov/government/community-development/planning/focused-general-plan-update>. A physical copy is available at: MLK Jr. Community Center (140 E. 12th Street, Suite B, National City, CA 91950).

1.7.2 Final SPEIR

The Final SPEIR will incorporate responses to the comments received during public review, associated revisions to the Draft SPEIR sections, Findings of Fact, and a Statement of Overriding Considerations (if applicable for any impacts identified in the Draft SPEIR as significant and unmitigated). Per Section 15163(e), when the City decides to approve the project, City Council shall consider the previous EIR as revised by the supplemental EIR and will consider all comments in making its decision whether to certify the Final SPEIR.

The City will be able to use this SPEIR to ensure compliance of future development under the General Plan with the programmatic mitigation framework included in this SPEIR and with applicable policy changes and regulations from the FPGU.