

Notice of Completion & Environmental Document Transmittal

Mail to: State Clearinghouse, P. O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613
For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH # _____

Project Title: POLYSTYRENE ORDINANCE

Lead Agency: City of San Diego Contact Person: Rebecca Malone
Mailing Address: 9485 Aero Drive, MS 413 Phone: (619)446-5371
City: San Diego, CA Zip: 92123 County: San Diego

Project Location: County: San Diego City/Nearest Community: Citywide

Cross Streets: Citywide Zip Code: _____

Lat. / Long.: N / W Total Acres: _____

Assessor's Parcel No.: _____ Section: _____ Twp.: _____ Range: _____ Base: _____

Within 2 Miles: State Hwy #: I-5, I-15, I-805, SR-52, SR-94, SR-905 Waterways: Pacific Ocean, San Diego Bay, Mission Bay, San Diego River, Lake Murray, San Vicente Reservoir, Otay Reservoir

Airports: Lindbergh Field, Miramar Railways: San Diego Trolley Schools: Multiple

Document Type:

CEQA: NOP Draft EIR NEPA: NOI Other: Joint Document
 Early Cons Supplement/Subsequent EIR EA Final Document
 Neg Dec (Prior SCH No.) _____ Draft EIS Other _____
 Mit Neg Dec Other _____ FONSI

Local Action Type:

General Plan Update Specific Plan Rezone Annexation
 General Plan Amendment Master Plan Prezone Redevelopment
 General Plan Element Planned Unit Development Use Permit Coastal Permit
 Community Plan Site Plan Land Division (Subdivision, etc.) Other: City Council Approval of the Polystyrene Ordinance

Development Type:

Residential: Units _____ Acres _____ Water Facilities: Type _____ MGD _____
 Office: Sq.ft. _____ Acres _____ Employees _____ Transportation: Type _____
 Commercial: Sq.ft. _____ Acres _____ Employees _____ Mining: Mineral _____
 Industrial: Sq.ft. _____ Acres _____ Employees _____ Power: Type _____ MW _____
 Educational _____ Waste Treatment: Type _____ MGD _____
 Recreational _____ Hazardous Waste: Type _____
 Other: Polystyrene Ordinance

Project Issues Discussed in Document:

Aesthetic/Visual Fiscal Recreation/Parks Vegetation
 Agricultural Land Flood Plain/Flooding Schools/Universities Water Quality
 Air Quality Forest Land/Fire Hazard Septic Systems Water Supply/Groundwater
 Archeological/Historical Geologic/Seismic Sewer Capacity Wetland/Riparian
 Biological Resources Minerals Soil Erosion/Compaction/Grading Wildlife
 Coastal Zone Noise Solid Waste Growth Inducing
 Drainage/Absorption Population/Housing Balance Toxic/Hazardous Land Use
 Economic/Jobs Public Services/Facilities Traffic/Circulation Cumulative Effects
 Other: Public Utilities, Greenhouse Gas Emissions

Present Land Use/Zoning/General Plan Designation: Various Land Uses, zoning and GP designations intersect with the program elements.

Project Description: (please use a separate page if necessary)

SEE PROJECT DESCRIPTION BELOW:

CITY COUNCIL APPROVAL of an ordinance that would amend the San Diego Municipal Code (SDMC) to restrict the use of polystyrene products throughout the City. The proposed ordinance will ban the distribution of egg cartons, food service ware, or food trays that are made, in whole or in part, from polystyrene foam. Items that are made, in whole or in part, from polystyrene foam that is not wholly encapsulated or encased within a non-polystyrene foam material (e.g., coolers, ice chests, or similar containers; pool or beach toys; or dock floats, mooring buoys, or anchor or navigation markers) will also be banned from distribution. Products that are made, in whole or in part, from polystyrene foam will be prohibited from distribution in or at City facilities.

The proposed ordinance will allow the distribution of prepared food that is packaged in food service ware or that uses food trays made, in whole or in part, from polystyrene foam, if the prepared food is packaged outside of the City and is provided to the consumer as originally packaged. The proposed ordinance would limit the distribution of utensils, including straws, for takeout orders of prepared food, and will only allow the provision of utensils upon the request of the person ordering the prepared food.

The City's Environmental Services Director (Director) may grant a waiver or a renewal of a waiver of the provisions regarding food service ware and food trays if the applicant or City official seeking the waiver demonstrates to the Director's satisfaction that adherence to the ordinance would result in the following: 1) a feasibility-based hardship; 2) a financial hardship; and/or 3) a violation of a contractual requirement. The Director may grant feasibility-based or financial hardship waivers in whole or in part, with or without conditions, for up to 24 months, and will base his or her determination on the most current information available. The Director may grant renewals or subsequent renewals for up to 24 months, based on the same criteria. The Director's determination regarding a waiver will be final and will not be subject to appeal.

The Director will issue a written warning to any person he or she determines is violating this Division as a first offense. If, after issuing a written warning of violation, the person continues to violate the same provision of this Division, the City may impose the other enforcement remedies set forth in SDMC Chapter 1. Within 30 days after certification of the PEIR for the proposed ordinance, the Director will publish and distribute information regarding acceptable alternative food service ware and food tray products that are not prohibited. The person using a product as food service ware or a food tray will have the burden of establishing that the product complies with the proposed ordinance. The Director will maintain and update the published information as appropriate.

Reviewing Agencies Checklist

Lead Agencies may recommend State Clearinghouse distribution by marking agencies below with an "X".
If you have already sent your document to the agency please denote that with an "S".

<input checked="" type="checkbox"/> Air Resources Board	<input type="checkbox"/> Office of Emergency Services
<input type="checkbox"/> Boating & Waterways, Department of	<input type="checkbox"/> Office of Historic Preservation
<input type="checkbox"/> California Highway Patrol	<input type="checkbox"/> Office of Public School Construction
<input type="checkbox"/> CalFire	<input type="checkbox"/> Parks & Recreation
<input checked="" type="checkbox"/> Caltrans District # 11	<input type="checkbox"/> Pesticide Regulation, Department of
<input type="checkbox"/> Caltrans Division of Aeronautics	<input type="checkbox"/> Public Utilities Commission
<input type="checkbox"/> Caltrans Planning (Headquarters)	<input checked="" type="checkbox"/> Regional WQCB # 9
<input type="checkbox"/> Central Valley Flood Protection Board	<input checked="" type="checkbox"/> Resources Agency
<input type="checkbox"/> Coachella Valley Mountains Conservancy	<input type="checkbox"/> S.F. Bay Conservation & Development Commission
<input checked="" type="checkbox"/> Coastal Commission	<input type="checkbox"/> San Gabriel & Lower L.A. Rivers and Mtns Conservancy
<input type="checkbox"/> Colorado River Board	<input type="checkbox"/> San Joaquin River Conservancy
<input type="checkbox"/> Conservation, Department of	<input type="checkbox"/> Santa Monica Mountains Conservancy
<input type="checkbox"/> Corrections, Department of	<input type="checkbox"/> State Lands Commission
<input type="checkbox"/> Delta Protection Commission	<input type="checkbox"/> SWRCB: Clean Water Grants
<input type="checkbox"/> Education, Department of	<input type="checkbox"/> SWRCB: Water Quality
<input type="checkbox"/> Energy Commission	<input type="checkbox"/> SWRCB: Water Rights
<input checked="" type="checkbox"/> Fish & Game Region # 5	<input type="checkbox"/> Tahoe Regional Planning Agency
<input type="checkbox"/> Food & Agriculture, Department of	<input type="checkbox"/> Toxic Substances Control, Department of
<input type="checkbox"/> General Services, Department of	<input checked="" type="checkbox"/> Water Resources, Department of
<input type="checkbox"/> Health Services, Department of	<input checked="" type="checkbox"/> Other EPA,
<input type="checkbox"/> Housing & Community Development	<input type="checkbox"/> Other _____
<input type="checkbox"/> Integrated Waste Management Board	<input type="checkbox"/> Other _____
<input checked="" type="checkbox"/> Native American Heritage Commission	

Local Public Review Period (to be filled in by lead agency)

Starting Date December 4, 2020 Ending Date January 3, 2021

Lead Agency (Complete if applicable):

Consulting Firm: _____	Applicant: <u>City of San Diego, Planning Department</u>
Address: _____	Address: <u>9485 Aero Drive, MS 413</u>
City/State/Zip: _____	City/State/Zip: <u>San Diego, CA 92123</u>
Contact: _____	_____
Phone: _____	

Signature of Lead Agency Representative: _____ Date: Dec. 3, 2020

Authority cited: Section 21083, Public Resources Code. Reference: Section 21161, Public Resources Code.