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INTRODUCTION

1.1 Overview

The City of La Cañada Flintridge (City), identified as the “Lead Agency” as authorized by Section 15050 under the California Environmental Quality Act (CEQA) Guidelines, has determined that a Program Environmental Impact Report (PEIR) is the appropriate environmental document for the proposed La Cañada Flintridge General Plan Update (Project). The proposed General Plan Update is considered the “whole of the action” and therefore constitutes the “project” pursuant to State CEQA Guidelines Section 15378. This Draft PEIR describes the Project and presents the environmental analysis conducted to determine the adverse direct, indirect, and cumulative environmental effects associated with implementing the Project within the plan area and the area surrounding it.

This chapter presents a summary of the Project; a list of required approvals; an overview of CEQA and the purpose of an EIR; a discussion of the scope and content of this Draft PEIR; a summary of the intended uses of this Draft PEIR, with a list of those agencies expected to use it to guide their actions during the approval process; an outline of the Draft PEIR’s organization; and a discussion of key considerations relied upon during preparation of this Draft PEIR.

1.2 Project Summary

The proposed Project is a comprehensive update of the City’s General Plan. Approval of the proposed Project would mean the adoption of an updated Land Use Map and eight General Plan Elements: (1) Land Use, (2) Open Space and Recreation, (3) Conservation, (4) Safety, (5) Circulation, (6) Noise, (7) Air Quality, and (8) Housing. Each of these elements contains goals, objectives, and policies developed to achieve the City’s Vision 2030 and guide long-range development and redevelopment within the city. As required by state law, the eight elements are consistent with one another, thereby forming a comprehensive, internally consistent plan to guide future growth and development within the City.

1.3 Purpose of an EIR

CEQA was enacted by the California legislature in 1970 and requires public agency decision-makers to consider the environmental effects of their actions. When a state or local agency determines that a proposed project has the potential to significantly affect the environment, an EIR is prepared (State CEQA Guidelines Section 15064[a][1]). The purpose of an EIR is to publicly disclose the significant effects of a project on the environment, to identify alternatives to the project that would avoid or substantially lessen a significant effect, and to indicate the manner in which those significant effects can be mitigated or avoided (State CEQA Guidelines Section 15002[f]). Furthermore, pursuant to State CEQA Guidelines Section 15021, a public agency must mitigate or avoid significant environmental impacts of projects it carries out or approves whenever it is feasible to do so. In instances where significant impacts cannot be avoided or mitigated, the project may nonetheless be carried out or approved if the approving agency finds that economic, legal, social, technological, or other benefits outweigh the unavoidable significant environmental impacts.

1.4 Scope and Content of this Draft PEIR

This Draft PEIR has been prepared in conformance with the requirements of CEQA (Public Resources Code [PRC] 21000 et seq.); the State CEQA Guidelines (California Code of Regulations [CCR], Section 15000 et seq.); and the rules, regulations, and procedures adopted by the City. Specifically, under Section 15168 of the State CEQA Guidelines, a program EIR is one prepared on a series of actions that can be characterized as one large project, that are related geographically, are logical parts of a chain of contemplated actions, and are related to the adoption of a plan that will govern conduct of a continuing program of actions. The General Plan Update meets this definition, and therefore this PEIR contains a program-level analysis of the potential environmental effects associated with implementation of the proposed General Plan Update at the year 2030. Because the Project is a plan, and no future site-specified development projects are actually proposed at this time, this Draft PEIR evaluates the potential indirect physical changes to the environment that would be reasonably foreseeable if the plan were implemented.

1.4.1 Public Input and the PEIR Analysis

In accordance with State CEQA Guidelines Section 15082(a), the City Community Development Department circulated the Notice of Preparation (NOP) to trustee agencies, other interested agencies, organizations, and individuals and solicited comments regarding the scope of environmental review

for the Project. The NOP was circulated twice due to complications with the distribution of the NOP document to some agencies. The 32-day NOP comment period initially began on June 4, 2009 and ended on July 6, 2009. All comments received were considered in preparing the Draft PEIR. The NOP and comments are included as Appendix A of this Draft PEIR.

In accordance with State CEQA Guidelines Section 15082(c), a public scoping meeting was held on June 18, 2009, at the City Hall in La Cañada Flintridge (1327 Foothill Boulevard, La Cañada Flintridge, CA). Notice of the scoping meeting was published in the *La Cañada Valley Sun*. The scoping meeting presentation included an overview of the Project and the environmental review process, and a request for input regarding issues and concerns to be addressed in the PEIR.

Comment cards were submitted at the public scoping meeting on June 18, 2009. Participants raised concerns about future air quality in terms of the potential extension of Interstate (I) 710 to the I-210 in La Cañada Flintridge, traffic congestion in the morning and afternoon hours related to schools, and animal-keeping regulations in the city (i.e., equestrian activities).

The scope of analysis and technical work plans developed as part of preparing this Draft PEIR were designed to ensure that comments received from regulatory agencies and the public during the scoping process would be addressed. Chapter 4, "Environmental Analysis," discusses the aspects of the physical environment that would potentially be significantly affected by the Project. Mitigation measures to reduce impacts to less-than-significant levels are proposed whenever feasible.

Potential impacts are discussed for the following resources:

- Aesthetics and Community Character
- Air Quality
- Biological Resources
- Climate Change
- Cultural Resources
- Geology, Seismicity, and Soils
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Noise
- Population and Housing

- Public Services and Recreation
- Transportation, Circulation, and Parking
- Utilities

During the scoping process, it was determined that there would be no impacts on agricultural and mineral resources at the program level within the plan area. Therefore, agricultural and mineral resources are discussed in Chapter 9, “Effects Determined Not to Be Significant.”

Public input will also be sought when this Draft PEIR is made available for review by the general public, public agencies, and private organizations for 45 days. Written comments will be accepted at the City’s Community Development Department during this 45-day review period. The City will review and consider all comments on the Draft PEIR prior to completing the Final PEIR. Responses to these comments will be prepared and forwarded to the commenting public agencies at least 10 days prior to the Final PEIR being considered by the City Council for certification.

1.5 Intended Uses of This Draft PEIR

As discussed above (“Purpose of an EIR”), an EIR is an informational document whose purpose is to publicly disclose the significant effects of a project on the environment, to identify alternatives to a project that would avoid or substantially lessen significant effects, and to indicate the manner in which those significant effects can be mitigated or avoided; an EIR does not recommend approval or denial of a project. This Draft PEIR is being provided to the public for review and comment, and to facilitate public participation in the planning process. After public review and comment, a Final PEIR will be prepared. The Final PEIR will include responses to any comments received from agencies, organizations, and individuals. It will be distributed to decision-makers to inform them of the Project-related environmental effects.

1.5.1 Lead Agency Use

This PEIR will be used by the City to inform the Planning Commission and City Council of the probable environmental impacts associated with adoption of the proposed General Plan Update. Actions that could be undertaken by the City following preparation of the Final PEIR include the following:

- Certification of the Final PEIR
- Approval and adoption of the General Plan Update

- Future environmental clearance for projects that are consistent with the General Plan Update and that would not result in a new significant direct, indirect, or cumulative impact (State CEQA Guidelines Section 15183)
- Future tiering of environmental documents from this PEIR (State CEQA Guidelines Sections 15063[b][1][C], 15063[c][3][D], 15152, 15168, and 15385)

1.5.2 Responsible Agency Use

The City has consulted with several agencies during the preparation of the General Plan Update; however, no responsible agencies have been identified.

1.5.3 Trustee Agency Use

There are four state trustee agencies: the California Department of Fish and Game (CDFG), the State Lands Commission, the State Department of Parks and Recreation, and the University of California. Of these trustee agencies, only CDFG is anticipated to have an interest in the General Plan Update. As a trustee agency, CDFG has jurisdiction over natural resources such as fish and wildlife of the state, and has authority to designate rare or endangered native plants. CDFG is responsible for implementing the California Endangered Species Act (CESA) and has permitting authority through the Lake and Streambed Alteration Program.

Because the Project would not “take” any species pursuant to the CESA, a permit authorizing take is not required. In addition, because the Project would not fill or dredge within CDFG jurisdiction, a Section 1600 permit is not required. However, CDFG will be included as a potential commenting agency on the Draft PEIR distribution list, and it is likely this PEIR will be used when considering future projects proposed under the General Plan Update.

1.6 Organization of This Draft PEIR

The content and format of this Draft PEIR are designed to meet the requirements of CEQA and State CEQA Guidelines Article 9. Table 1-1 summarizes the organization and contents of the Draft PEIR.

Table 1-1. Organization and Contents of this Draft PEIR

Draft PEIR Chapter	Description
Executive Summary	Summarizes the proposed Project, the potential significant impacts with mitigation measures, and the alternatives that would reduce or avoid the significant impacts; also summarizes public comments and concerns, areas of controversy, and issues to be resolved. (State CEQA Guidelines Section 15123)
Chapter 1 Introduction	Provides a general overview of the Project; a list of required approvals; an overview of CEQA and the purpose of an EIR; a discussion of the scope and content of this Draft PEIR; a summary of the intended uses of this Draft PEIR and a list of those agencies expected to use it to guide their actions during the approval process; an outline of the Draft PEIR's organization; and a list of key considerations used when preparing this Draft PEIR. (State CEQA Guidelines Section 15124[d])
Chapter 2 Environmental Setting	Describes the existing physical conditions in the vicinity of the Project as of June 2009. Specific existing conditions for each resource area are contained in the applicable resource section under Chapter 4, "Environmental Analysis," including a discussion in Section 4.9, "Land Use and Planning," of any inconsistencies between the proposed Project and the applicable regional plans. (State CEQA Guidelines Section 15125)
Chapter 3 Project Description	Lists the Project's central objectives and provides a detailed description of the proposed General Plan Update. (State CEQA Guidelines Section 15124[a], [b], and [c])
Chapter 4 Environmental Analysis	Describes the existing physical conditions for each resource area as of June 2009, criteria for judging whether an impact is significant, impact assessment methodology, impacts that would result from the proposed Project, and applicable mitigation measures that would eliminate or reduce significant impacts. Cumulative impacts are at the end of each resource chapter. (State CEQA Guidelines Sections 15125–15126.4, 15130)
Chapter 5 Alternatives	Describes a reasonable range of alternatives to the proposed Project including the No Project Alternative, compares and contrasts the significant environmental impacts of alternatives to the proposed Project, and identifies the environmentally superior alternative. (State CEQA Guidelines Section 15126.6)
Chapter 6 Growth Inducement	Discusses the ways in which the Project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment. (State CEQA Guidelines Section 15126.2[d])
Chapter 7 Significant Irreversible Changes	Describes the significant irreversible changes associated with the Project's implementation. (State CEQA Guidelines Section 15126.2[c] and 15127)
Chapter 8 Effects Determined Not to Be Significant	Presents a brief discussion and the rationale of the environmental resource impacts that were found not to be significant during the preparation of the PEIR. (State CEQA Guidelines Section 15128)
Chapter 9 Preparers, Contributors, and Agencies Consulted	Lists the individuals and agencies involved in preparing the Draft PEIR. (State CEQA Guidelines Section 15129)
Chapter 10 References	Provides a comprehensive listing of all references cited in the Draft PEIR. (State CEQA Guidelines Section 15148)

Draft PEIR Chapter	Description
Acronyms and Abbreviations	A list of acronyms and abbreviations is provided for the reader’s reference immediately following the Table of Contents.
Appendices	Present additional background information and technical detail for several of the resource areas.

1.7 Key Principles Guiding Preparation of this Draft PEIR

1.7.1 Relationship to Existing Statutes, Plans, Policies, and Other Regulatory Requirements

One of the primary objectives of the CEQA process is to ensure that the Project is consistent with applicable statutes, plans, policies, and other regulatory requirements for protection of the environment. A consistency analysis with statutes, plans, policies, and other regulatory requirements is contained in individual resource sections of Chapter 4, “Environmental Analysis,” and, in particular, in Section 4.9, “Land Use and Planning.”

1.7.2 Program-Level Impact Analysis

The La Cañada Flintridge General Plan Update is a planning document designed to guide future development but would not actually cause a physical change in the environment in and of itself. However, if the Project is approved, future development proposals would be regulated by its contents and development would be shaped accordingly. Thus, it is reasonably foreseeable that policies provided in the General Plan Update would indirectly lead to physical changes in the environment. Consequently, this Draft PEIR addresses impacts on the environment at the program level.

The advantages of preparing a PEIR in this particular case include the PEIR’s ability to ensure consideration of cumulative impacts that might be slighted in a case-by-case analysis, the avoidance of duplicative reconsideration of basic policy considerations, the ability for the lead agency to consider the broad policy alternatives and program-wide mitigation measures at an early stage when the agency has greater flexibility to deal with basic problems or cumulative impacts, and the reduction in paperwork provided by potentially streamlining future environmental review (State CEQA Guidelines Section 15168[b]).

A program-level analysis generally analyzes the broad environmental effects that are reasonably foreseeable if the plan is implemented, while acknowledging that additional site-specific environmental review and document preparation may be required for subsequent development projects. Whereas a project-level analysis has access to all the necessary construction information and is able to analyze the specific details of environmental effects of proposed project components, a program-level analysis often does not. Accordingly, it will make general assumptions based on existing or proposed development regulations.

To the extent that a PEIR identifies and addresses the potential environmental impacts of future projects, additional environmental analysis will not be required unless there is a substantial change in the project or its circumstances, or substantial new information comes to light that is not known at this time indicating the subsequent project would have a new or more severe significant effect (State CEQA Guidelines Section 15162). In this way, the environmental analysis and associated documentation prepared for future projects that are consistent with the General Plan may tier from the PEIR (State CEQA Guidelines Section 15168 and 15162).

1.7.3 CEQA Baseline

Section 15125 of the State CEQA Guidelines requires EIRs to include a description of the physical environmental conditions in the vicinity of a proposed project that exist at the time of the issuance of the NOP. Baseline conditions for some resource areas may also include information from prior years in order to provide a more reliable and representative characterization of baseline conditions by accounting for fluctuations at any one point in time. This approach is more conservative because it avoids a “snap shot” of the existing conditions, which does not always account for temporary fluctuations. A description of the general baseline conditions is included in Chapter 2, “Environmental Setting,” and, when special circumstances are present, details are provided in the respective sections of Chapter 4, “Environmental Analysis,” prior to the impact analysis. These environmental conditions constitute the baseline physical conditions by which the CEQA lead agency determines whether the project-induced change in the existing conditions would be significant.

As described above, the CEQA baseline represents the setting at a fixed point in time, with no project growth over time, and differs from the No Project Alternative in that the No Project Alternative addresses what is likely to happen at the site over time under the existing plans and policies in effect, starting from the existing conditions. In the case of the proposed update to the existing General Plan, the No Project Alternative would be the continuation of the existing General Plan (State CEQA Guidelines Section 15126.6[e][3][A]).

1.7.4 Emphasis on Significant Environmental Effects

This Draft PEIR focuses on the significant environmental impacts of the proposed Project and their relevance to the decision-making process.

Environmental impacts, as defined by CEQA, include physical effects on the environment. The State CEQA Guidelines Section 15360 defines the *environment* as follows:

The physical conditions which exist within the areas which will be affected by a proposed project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance.

Environmental impacts required to be analyzed under CEQA do not include strictly economic or social impacts. The State CEQA Guidelines Section 15131(a) states, “economic or social effects of a project shall not be treated as significant effects on the environment.” However, economic or social effects are relevant to physical effects in two situations. In the first, according to Section 15131(a) of the State CEQA Guidelines, “an EIR may trace a chain of cause and effect from a proposed decision on a project through anticipated economic or social changes to physical changes caused in turn by the economic or social changes.” In other words, if implementing the proposed project leads to an economic impact, which could then lead to a physical impact, the physical impact must be evaluated in the EIR. In the second instance, according to Section 15131(b) of the State CEQA Guidelines, “economic or social effects of a project may be used to determine the significance of a physical change caused by a project.” For example, the closure and demolition of a fully occupied commercial building could be considered more significant than the demolition of a similar vacant building, even though the physical effects are the same.

As with economic or social impacts, psychological impacts are outside the definition of the term “environmental.” While not specifically discussed in the State CEQA Guidelines, the exclusion of psychological impacts was specifically affirmed in a court decision (*National Parks and Conservation Association v. County of Riverside* 71 Cal. App. 4th 1341, 1364 [1999]).

1.7.5 Forecasting vs. Speculation

The City, in its role as lead agency, has made its best effort to predict and evaluate the reasonable, foreseeable, direct, indirect, and cumulative environmental impacts of the General Plan Update. CEQA does not require the City to engage in speculation about impacts that are not reasonably foreseeable (State CEQA Guidelines Sections 15144, 15145). In these instances, CEQA does not require a worst-case analysis.

1.7.6 Reliance on Substantial Evidence

The identification of impacts as significant or less than significant is one of the central functions of an EIR. While impacts determined to be less than significant need only be acknowledged as such, an EIR must identify feasible mitigation measures for any impact identified as significant. The City, proceeding in a good faith effort, has based its conclusions about the significance of environmental impacts on thresholds taken from Appendix G of the State CEQA Guidelines and has supported these conclusions with substantial evidence. For CEQA purposes, substantial evidence includes evidence based on facts and expert opinion predicated upon facts.

1.7.7 Disagreement among Experts

It is possible that conflicting evidence will be presented during the public review of the Draft PEIR. Such disagreements will be noted and will be considered by the decision-makers during the public hearing process. However, adequacy under CEQA does not require a draft EIR resolve all such disagreements (State CEQA Guidelines 15151).

In accordance with the provisions of the CEQA Guidelines, conflict of evidence and expert opinions on an issue concerning the environmental impacts of the Project will be identified in the Final PEIR as appropriate. When necessary, the Final PEIR will summarize the conflicting opinions and will include sufficient information to allow the public and decision-makers to take intelligent account of the environmental consequences of their actions.

In rendering a decision on a project where there is a disagreement among experts, the decision-makers are not obligated to select the most conservative, environmentally protective, or liberal viewpoint. They may give more weight to the views of one expert than to those of another and need not resolve a dispute among experts. In their proceedings, they must consider the comments received and address objections, but need not follow said comments or objections so long as they state the basis for their decision and that decision is supported by substantial evidence.

1.7.8 Duty to Mitigate

According to State CEQA Guidelines Section 15126.4(a), each significant impact identified in an EIR must also include a discussion of feasible mitigation measures that would avoid or substantially reduce the significant environmental effects. To reduce significant effects, mitigation measures must avoid, minimize, rectify, reduce, eliminate, or compensate for a given impact of a proposed project.

Mitigation measures must meet certain requirements in order to be considered adequate. Mitigation should be specific, define feasible and fully enforceable actions that would avoid, minimize, rectify, reduce, eliminate, or compensate for adverse environmental changes, and be measurable to allow monitoring of their implementation. Mitigation measures that only require further studies or consultation with regulatory agencies that are not tied to a specific action that would directly reduce impacts, or those that defer mitigation until some future time, should be avoided. Accordingly, effective mitigation measures clearly explain objectives, how a given measure should be implemented, who is responsible for its implementation, and where and when the mitigation would occur. Finally, mitigation measures must be enforceable, meaning that the lead agency must ensure that the measures will be imposed through appropriate permit conditions, agreements, or other legally binding instruments. Where practical, the PEIR also identifies mitigation measures that will be the responsibility of other agencies to implement.

State CEQA Guidelines Section 15041 grants a public agency the authority to require feasible changes (mitigation) that would substantially lessen or avoid significant effects on the environment associated with all activities involved in a project. However, public agencies do not have unlimited authority to impose mitigation. An agency may exercise only those express or implied powers provided by law, aside from those provided by CEQA. However, where another law grants an agency discretionary power, CEQA authorizes its use (State CEQA Guidelines Section 15040).

In addition to limitations imposed by CEQA, the U.S. Constitution also limits the authority of regulatory agencies. The Constitution limits an agency's authority to impose conditions to those situations where there is a clear and direct connection (*nexus* in legal terms) between a project impact and the mitigation measure (State CEQA Guidelines Section 15126.4[a][4][A]). Finally, there must be a proportional balance between the severity of the impact caused by a project and the extent of the mitigation measure imposed upon the project applicant. In this case, such limitations will apply to the mitigation to be imposed on future development projects. A project applicant cannot be forced to pay more than its fair share of the mitigation, which should be roughly proportional to the impacts caused by a project (State CEQA Guidelines Section 15126.4[a][4][B]).

1.7.9 Requirements to Evaluate Alternatives

State CEQA Guidelines Section 15126.6 requires that an EIR describe a range of reasonable alternatives to a project, or to the location of a project, that could feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of its significant environmental impacts. According to the State CEQA Guidelines, the EIR should compare merits of the alternatives

and determine an environmentally superior alternative. Chapter 6, “Alternatives,” of this Draft PEIR sets forth potential alternatives to the La Cañada Flintridge General Plan Update and evaluates their suitability as alternatives to the Project.

The range of alternatives discussed in an EIR is governed by the “rule of reason” that requires the identification of only those alternatives necessary to permit a reasoned choice between the alternatives and the proposed project. An EIR need not consider an alternative that would be infeasible. State CEQA Guidelines Section 15126.6(f)(1) explains that the evaluation of project alternative feasibility can consider “site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries, and whether the proponent can reasonably acquire, control, or otherwise have access to the alternative site.” The EIR is also not required to evaluate an alternative that has an effect that cannot be reasonably identified or that has remote or speculative implementation, and that would not achieve the basic project objectives.