

**ADDENDUM TO THE PREVIOUSLY ADOPTED
NEGATIVE DECLARATION FOR
North San Diego County Recycling Market Development Zone Redesignation
FOR PURPOSES OF UPDATING FOR
2014 North San Diego County Recycling Market Development Zone Redesignation
January 31, 2014**

PURPOSE

This addendum to the previously adopted Negative Declaration (ND) has been prepared in accordance with California Environmental Quality Act (CEQA) Guidelines Section 15164 to revise the previously adopted ND to accurately reflect the changes or additions to the project, changes in conditions under which the project is undertaken, or to add new information.

BACKGROUND ON THE PREVIOUSLY ADOPTED MITIGATED NEGATIVE DECLARATION

A Final ND for the North San Diego County Recycling Market Development Zone (RMDZ) Redesignation Project, dated October 11, 2004, on file with the State Office of Planning and Research as State Clearinghouse Number 2004091023, was prepared and adopted by the City of San Diego City Council on November 8, 2004. The ND addressed redesignation or continuation of the RMDZ, a State loan program established by the California Department of Resources, Recycling and Recovery (CalRecycle), which provides economic incentives to businesses using post-consumer secondary materials from the waste stream as feedstock for manufacturing, therefore diverting solid waste material from the landfills. The program also provides technical assistance to businesses and marketing assistance to encourage re-use, development of recycled products, and waste reduction in San Diego County. The boundaries of North County RMDZ included the Cities of Carlsbad, Del Mar, Escondido, Oceanside, Poway, San Marcos, Solana Beach, and Vista, and unincorporated areas within the County of San Diego.

The ND evaluated the environmental impacts that would result from approval to continue the State loan program for an additional 10 years until 2014. The adopted ND concluded that the project would not have any potentially significant effects of the environment.

ADDITIONS AND CHANGES TO THE NEGATIVE DECLARATION

The County of San Diego is proposing to redesignate or continue the RMDZ program for another 10 year period until 2024 and expand the zone to include the Cities of Encinitas and Santee, the northern portions of the City of San Diego, and the unincorporated areas of the County not previously included. The purpose for expanding the zone boundaries is to increase the area in which companies that use recycled materials as feedstock for manufacturing are eligible for RMDZ incentives. The proposed RMDZ program redesignation and zone expansion would not involve substantial changes in the magnitude of impacts identified in the adopted

ND, dated October 11, 2004, and would not create new potentially significant impacts that would require mitigation. This conclusion is based on the following analysis:

The intent of the RMDZ Loan Program is to help manufacturers increase their processing capabilities and create additional markets for recycled-content products. Expanding the zone will foster the creation of local markets for recyclables, increase business opportunities and jobs, and increase landfill diversion within the zone. The proposed RMDZ redesignation for an additional 10 years and expansion of the zone does not change zoning, land use patterns or planning, and would not result in any physical development or land use. Any project proposed as a result of incentives offered through the RMDZ would require land use review and approval from the government agency with jurisdiction and be subject to compliance with CEQA and applicable State and local planning and permitting requirements.

EXPLANATION OF THE DECISION NOT TO PREPARE A SUBSEQUENT OR SUPPLEMENTAL ND

The CEQA Guidelines Section 15162 through 15164 set forth the criteria for determining the appropriate environmental documentation, if any, to be completed when there is a pre-existing adopted Negative Declaration covering the project area.

Utilizing the results of an Environmental Review Update Checklist Form that has been prepared in accordance with CEQA Guidelines Section 15164(e) to explain the rationale for determining whether any additional environmental documentation is needed for the subject discretionary action, the Department of Public Works provides the following findings pursuant to these criteria as required by CEQA Guidelines Section 15164(e):

CEQA Guidelines Section 15162(a) states that when an ND has been adopted for a project, no Subsequent or Supplemental ND shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in light of the whole public record, one of more of the following:

- 1. Substantial changes are proposed in the project which will require major revisions of the previously adopted ND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.**

Discussion:

The ND addressed redesignation or continuation of a State loan program established by the CalRecycle that provides economic incentives to businesses using post-consumer secondary materials from the waste stream as feedstock for manufacturing, therefore diverting solid waste material from the landfills. The program also provides technical assistance to businesses and marketing assistance to encourage re-use, development of recycled products, and waste reduction in San Diego County. The proposed redesignation and zone expansion will continue a program that has been in place for the

last 20 years and would not involve substantial changes in the magnitude of impacts identified in the adopted ND, dated October 11, 2004, and would not create new potentially significant impacts that would require mitigation. The proposed RMDZ redesignation for an additional 10 years and expansion of the zone does not change zoning, land use patterns or planning, and would not result in any physical development or land use. Any project proposed as a result of incentives offered through the RMDZ would require land use review and approval from the government agency with jurisdiction and be subject to compliance with CEQA and applicable State and local planning and permitting requirements.

- 2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous ND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.**

Discussion:

The physical setting of the project site has not changed significantly since the previous ND was adopted in 2004. The proposed zone redesignation includes an expansion of the RMDZ boundary, however, the project does not change zoning, land use patterns or planning, and would not result in any physical development or land use. Any project proposed as a result of incentives offered through the RMDZ would require land use review and approval from the government agency with jurisdiction and be subject to compliance with CEQA and applicable State and local planning and permitting requirements. Therefore, there are no substantial changes with respect to the circumstances under which the project is undertaken, which will require major revisions of the previously adopted ND.

- 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 ND was adopted, shows any of the following:**

- a. The project will have one or more significant effects not discussed in the previous ND; or**

Discussion: No 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 ND was adopted, shows that the project will have one or more significant effects not discussed in the ND. The project, as proposed, is consistent with the project evaluated in the previous ND and will not have any significant effects consistent with the conclusions in the previously adopted ND. The previously adopted ND concluded that the project would not have any potentially significant effects of the environment.

- b. Significant effects previously examined will be substantially more severe than shown in the previous ND; or**

Discussion: The previously adopted ND concluded that the project would not have any potentially significant effects of the environment. The proposed project is the redesignation of the RMDZ for an additional 10 years and expanding the zone to include new areas within North San Diego County. The proposed project does not change zoning, land use patterns or planning, and would not result in any physical development or land use. Any project proposed as a result of incentives offered through the RMDZ would require land use review and approval from the government agency with jurisdiction and be subject to compliance with CEQA and applicable State and local planning and permitting requirements. Therefore the project change will not result in a significant effect previously examined that will be substantially more severe than shown in the previous ND.

- 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**

Discussion: No new information or changes in the project design have resulted in mitigation measures or alternatives once found to be infeasible that are now feasible. The adopted ND concluded that the project would not have any potentially significant effects of the environment.

- d. Mitigation measures or alternatives which are considerably different from those analyzed in the previous ND would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.**

Discussion: No mitigation measures or alternatives, which are considerably different from those analyzed in the previous ND, have been identified that would substantially reduce a significant effect on the environment. The adopted ND concluded that the project would not have any potentially significant effects of the environment.

CONCLUSION: None of the above criteria triggered the preparation of a Subsequent ND or EIR pursuant to CEQA Guidelines Section 15162 or 15164. Given this fact, this addendum to the previously adopted ND has been prepared in accordance with CEQA Guidelines Section 15164 to accurately reflect the present project, environmental conditions, or new information or to make minor technical changes