

June 21, 2016

To: LA City Council PLUM Committee

Council File: 05-0876-S2 (CPC-2015-3199-ZC-GPA)

There is nothing more obscene in the annals of CEQA history than a Negative Declaration for a General Plan Amendment. A GPA is supposed to be general and according to Section 555(a) of the LA City Charter to involve areas of significant social, economic or physical identity. A Negative Declaration according to CEQA Guidelines Section 15063(b)(2) is prepared only if there is no substantial evidence that the project or any of its aspects may cause a significant effect on the environment. Now, how do you change the General Plan with a Negative Declaration? The answer is you don't. If a GPA does not have a significant effect on the environment then the area is too small to have significant social, economic or physical identity and if an area has significant social, economic or physical identity then a GPA may cause a significant effect on the environment and a Negative Declaration couldn't possibly be the right CEQA determination. It puts the lie to the many spot General Plan Amendments that the Planning Department is putting before the City Council for approval.

LA City Charter Section 555(a)

Amendment in Whole or in Part. The General Plan may be amended in its entirety, by subject elements or parts of subject elements, or by geographic areas, provided that the part or area involved has significant social, economic or physical identity.

CEQA Guidelines Section 15063(b)(2)

The Lead Agency shall prepare a Negative Declaration if there is no substantial evidence that the project or any of its aspects may cause a significant effect on the environment.

The GPA cannot be both significant and not significant at the same time. This is a 1=0 logic error. The project must be denied.

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