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Wednesday, Aug 20, 2014

# Critics say Kevin Faulconer's stalling on environmental policies

Climate plan, water conservation and bag ban are on the slow track

By Joshua Emerson Smith

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Illustration by Lindsey Voltoline

If San Diego Mayor Kevin Faulconer can wait long enough on certain policy issues, he may have a more favorable makeup on the City Council to push his conservative agenda. In November, the race for District 6 between Republican Chris Cate and Democrat Carol Kim will determine if progressives keep their veto-proof majority—which they recently used to override the mayor's attempt to roll back the city's minimum-wage hike.

While that doesn't fully explain the mayor's seeming reluctance to act on some issues, increasingly frustrated groups have charged Faulconer with intentionally stalling, specifically on environmental policies. Top issues of concern for activists and community members include implementation of state-mandated caps on residential water usage to combat severe drought, a proposed ban on plastic bags for grocery stores and progress on a proposed Climate Action Plan.

In response to such concerns, Faulconer spokesperson Craig Gustafson told *CityBeat* in an email: "These are complex issues that represent major environmental challenges facing San Diego, and Mayor Faulconer has been moving forward on each in a way that maximizes the use of limited taxpayer dollars and leads the way in protecting the environment."

### Climate Action Plan

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### Memories of Tomorrow Sep 12, 2014

Brian Flynn's second solo exhibition at Subtext, he is the creative director and co-founder of Hybrid Design whose client list includes Nike, Apple, TED, Levi's, Starwood Hotels, Lucasfilm, *Juxtapoz* Magazine and more.

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Under development since 2011, the city's Climate Action Plan could provide a strong road map toward a greener future. Or the document could amount to lip service, offering little more than unenforceable suggestions on how to transition to renewable energy.

When City Council President Todd Gloria, acting as interim mayor, unveiled a draft version of the plan in September, the environmental community was pleased. However, excitement was short-lived. After taking office in February, Faulconer announced that his staff would review the document and might make changes.

"What makes the community really nervous is that he hasn't given us any specifics, and we had a plan that was widely supported," said Kayla Race, policy advocate with the Environmental Heath Coalition (EHC).

In May, 19 organizations and businesses—including EHC, the Center on Policy Initiatives and the International Brotherhood of Electrical Workers Local 569—sent a letter to the mayor supporting the previously submitted draft plan. Specifically, the letter called for retaining the goal of 100-percent renewable energy citywide by 2035, potentially through the use of Community Choice Aggregation, which allows communities to buy more green energy for local use.

The mayor responded by issuing a memo saying that a new draft plan would be out in September. Once the mayor releases a final draft, the plan will be submitted for public review under the California Environmental Quality Act. That public process is expected to take up to eight months and then go before the City Council in the spring.

"It does feel like we're being strung along," said Race, who also sits on the city's Environmental and Economic Sustainability Taskforce, which approved the previous draft plan.

"He's been telling people that he's on the same timeline that Todd Gloria laid out, and there hasn't been any delay," she added. "That's just not true."

**Plastic-bag ban**

More than 100 California cities and counties, including Los Angeles, San Francisco and San Jose, have adopted ordinances restricting the use of plastic bags at grocery and other retail stores. San Diego's the largest city in the state without one.

In October, environmentalists thought that could change when the City Council's Economic Development and Intergovernmental Relations Committee voted unanimously to submit for environmental review a plastic-bag-reduction ordinance. However, the process started to look far from wrapped up when representatives from the Surfrider Foundation met with the Mayor's office in June.

At the meeting, the mayor's staff said the environmental review had been put on hold since March, said Roger Kube, chairman of the local Surfrider chapter.

"City Council members directed city staff to move forward with an environmental-review process, and the Mayor's office comes in and stalls it, even after the draft [ordinance] had been completed," he said.

In response, Surfrider, EHC, Coastal Environmental Rights Foundation and San Diego Coastkeeper, as well as the Ocean Beach, Pacific Beach, Mission Hills and Mission Beach town councils sent letters, including thousands of signatures, in support of the ordinance.

The Mayor's office responded by saying that before spending any more resources on vetting a local ordinance, it wanted to wait and see if the state Legislature passed a similar statewide ban.

"The Mayor's Office is closely monitoring SB270 instead of spending significant taxpayer dollars on an environmental review that would be unnecessary if the state passed its own ban," Gustafson said.

That bill is headed for a vote in the state Assembly. To ease opposition, it includes \$2 million for plastic-bag manufactures to transition to production of reusable grocery bags. However, if the legislation fails, it won't be a big surprise. The statewide plastic-bag ban has become zombie legislation, resurrected yearly only to be routinely shot down somewhere along the way.

"Anybody with any sense would wait a couple weeks, but not six months, especially with the uncertainty of whether or not it's going to pass," Kube said. "You can use that excuse every legislative session based on the past six years."

The Mayor's office has said that if the state bill is once again killed, it will move the ordinance into the environmental-review process.

The city's draft ordinance would prohibit plastic bags at grocery and other retail stores while requiring a 10-cent-per-bag charge for paper bags. Large retailers that don't sell food, charities and government food providers would be exempt.

**Water conservation**



1 2 3 4 5



It's no secret that California is suffering the worst drought in its recorded history. Last year was the driest on record, and state authorities have directed municipalities to enact "mandatory" restrictions on outdoor irrigation use, such as limits on watering lawns.

The Mayor's office has said the city is in compliance, pointing to mandatory restrictions on outdoor irrigation in place since before the drought began.

"These measures exceed what are called for in the new State Board regulations," Gustafson said.

However, since 2011, regional water use has steadily increased, according the San Diego County Water Authority, leading some to conclude the city's not doing enough to help curb usage.

San Diego refuses to comply with the state's request that cities "elevate" their response to drought conditions, said Matt O'Malley of San Diego Coastkeeper. "We're moving in the wrong direction. If you look at the numbers for this year, we're actually increasing use as compared to last year."

In July, Coastkeeper sent a letter to the city urging it to adopt a stricter water-conservation policy, including setting a goal of 20-percent reduction in water use as called for by Gov. Jerry Brown. To this end, Coastkeeper suggested restricting irrigation to certain days of the week.

Since 2011, the city has prohibited "excessive" irrigation, with watering allowed only before 10 a.m. and after 6 p.m. from June to October, and before 10 a.m. and after 4 p.m. from November to May. Citing these and other restrictions, the Mayor's office sent a letter to Coastkeeper in August dismissing any concerns that it wasn't in compliance with state regulation.

Having worked on a number of other issues, including the plastic bag ban, O'Malley said he has growing concerns about the mayor's dedication to the environment.

"You always want to give everybody the benefit of the doubt, but I'm starting to see a pattern, and I'm hoping it's not going to be consistent," he said.

Write to [joshuas@sdcitybeat.com](mailto:joshuas@sdcitybeat.com) or follow him on twitter at [@jemersmith](https://twitter.com/@jemersmith).

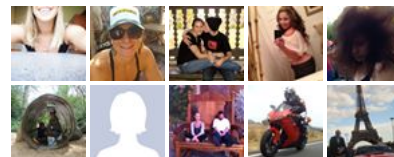
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They use grey water (from showers) to water their lawns.

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**John Stump** · Top Commenter · Principal at Law Office of John W Stump III

As the saying goes "If you got your Health you got every thing" The same is true for San Diego and unless we have our climate we got nothing. What we should have learned from the foot dragging and delays for implementation of the affordable housing fees was that delay means that the developers get their projects permitted and exempt from new regulations and fees. The Council is the law maker and they should stop being silent collaborators with developers. The Council must pass a building permit moratorium until the Mayor implements a Climate Action Plan. Who wants to bet that all the Manchester developments get permitted before Climate Action? Some members of Council like the cover that blaming the Mayor provides

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**Jay Coffman** · Top Commenter · San Francisco Law School

OK, let's just say, "It's Bob Filner's fault" and go home and have a beer after a tough day. But you've got to admire the mayor for being modern newspeak where almost every bit of progress is based on saying "progress has been made." The mayor's office's response to City Beat's says it all by saying exactly nothing. But, what does San Diego expect--we elected a mayor to represent the developers and big business and that's what he's doing. I'd say he should be recalled because of his lack of action on the water issue alone but that would take work on everyone's part.

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**Mark G. Elliott** · Top Commenter

The whole city of San Diego is on the 'slow track'. Always has been.

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