

## Andrew Keatts

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**To:** Braun, Gerry  
**Subject:** RE: Your query

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**From:** Braun, Gerry  
**Sent:** Friday, December 18, 2015 1:30 PM  
**To:** 'joshua.emersonsmith@sduniontribune.com' <[joshua.emersonsmith@sduniontribune.com](mailto:joshua.emersonsmith@sduniontribune.com)>  
**Subject:** Your query

Joshua,

You asked:

“Nicole Capretz has said in the past that city officials initially opposed making the climate plan legally enforceable, including folks at the City Attorney's office, Chief Operating Officer Scott Chadwick and former Planning Director Bill Fulton. Do you all want to respond?”

My response:

“Not true. One of the purposes of the CAP is to satisfy the General Plan mitigation requirements, which require compliance with applicable federal, state, and local laws. So all efforts to create a CAP for San Diego began with the goal of creating a CAP that would satisfy that legal requirement.

“Several of our office’s well-respected environmental lawyers, primarily Amanda Guy, Heather Stroud and Heidi Vonblum, worked very hard on the CAP and provided solid legal advice to ensure it met legal requirements and adequately satisfied the City’s General Plan EIR mitigation requirements that call for updating, monitoring, and implementing the CAP to ensure compliance with all applicable laws. Additionally, the CAP calls for future Council consideration of ordinances, such as an outdoor landscaping ordinance and water and energy conservation and disclosure ordinances. If those ordinances are adopted, those ordinances would then become legally enforceable regulations.

“Ms. Capretz thanked our Office for its assistance, which she described as thorough and helpful.” See attached email.

Gerry

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