


COMMENTS	RESPONSES
<div data-bbox="205 293 405 410" data-label="Image"> </div> <p data-bbox="753 258 940 279" style="text-align: center;">Comment Letter O10</p> <p data-bbox="222 483 331 505">June 5, 2017</p> <p data-bbox="222 571 737 592"><u>The Harmony Grove Village South Draft EIR Comment Letter</u></p> <p data-bbox="222 615 951 768">This comment letter is in response to a draft Environmental Impact Report that the County of San Diego is circulating for public review. Comments on this draft documents will be sent to the PDS address as instructed. We at <i>County Friends of a Better Bow</i> are a new group, comprised of six members, committed to a new and evolving field of environmental study (GHG analysis). Therefore, comments are solely focused on Section 3.1.3 (Greenhouse Gas Emissions).</p> <p data-bbox="222 790 951 997">The Draft EIR analysis concludes that the project would need to achieve an efficiency metric of 4.6 MT CO₂e/SP/year for the year 2021 to be consistent with the 2030 emissions reduction goal of SB 32. We find this not to be a defensible CEQA approach and it is not substantiated with adequate evidence. The Courts have recent opined that environmental documents must link a specific project's achievement to a local plan or a Scoping Plan's statewide average reduction below a Business As Usual forecast to conclude that the project's reduction would meet the strategy.</p> <p data-bbox="222 1019 951 1330">The Project would emit 4.4 MT CO₂e/SP/year in 2021, which is lower than the 4.9 MT CO₂e/SP/year efficiency metric considered consistent with the AB 32's 2020 reduction target, and is also lower than the 4.6 MT CO₂e/SP/year efficiency metric that is considered on a reduction trajectory at buildout for meeting SB 32 and EO S-3-05's reduction targets. However, it also concludes that the Project site was not identified for development in SANDAG's San Diego Forward 2020 and 2035 forecasted development pattern maps. As you know the SCS consistency is a helpful approach for considering the car and light duty truck emissions sector of projects because it addresses a large proportion of GHG emissions identified in the regional SCS strategy. If a project is not included in a SCS, then it makes it so that the project would conflict with regional efforts to implement SB 32's target of reducing statewide GHG emissions.</p> <div data-bbox="972 683 1024 704" style="text-align: right;">O10-1</div> <div data-bbox="972 1016 1024 1037" style="text-align: right;">O10-2</div>	<p data-bbox="1087 167 1459 188">Response to Comment O10-1</p> <p data-bbox="1087 203 1990 305">The County acknowledges these introductory comments; however, they do not raise an issue concerning the environmental analysis or adequacy of the EIR. Please see the responses below to specific comments.</p> <p data-bbox="1087 342 1459 363">Response to Comment O10-2</p> <p data-bbox="1087 378 1990 480">The commenter states that the Project should not have used the "County Efficiency Metric" of 4.6 to determine whether or not the Project would have a significant effect on the environment.</p> <p data-bbox="1087 524 1990 898">The commenter is correct in that the April 2017 Final Greenhouse Gas Emissions Analysis (Appendix J to the DEIR) did originally evaluate the potential environmental impacts associated with the proposed Project's emissions of greenhouse gases (GHG) using the 2016 Guidance Document and its County Efficiency Metric. During the public review period of the Project's DEIR, the <i>Superior Court in Sierra Club v. County of San Diego</i>, Case No. 2012-0101054/<i>Golden Door Properties LLC v. County of San Diego</i>, Case No. 2016-0037402 (April 28, 2017) ruled that the County's Efficiency Metric may not be used to provide the basis for CEQA review of GHG impacts for development proposals within the unincorporated County.</p> <p data-bbox="1087 938 1990 1500">As a result, a Supplemental analysis (Supplement) was prepared to utilize the significance criteria in Appendix G of the CEQA Guidelines related to GHG emissions to evaluate the Project's GHG emissions. In addition, the Project Applicant has committed to reducing the Project's emissions to net zero, made enforceable through the Project Specific Plan D Designator Project Design Features (PDFs) identified in Table 1-2 and Chapter 7.0, and Mitigation Measures M-GHG-1 and M-GHG-2, described in Subchapter 2.7 and Chapter 7.0 of this EIR. Through the purchase of carbon credits for construction and operationally related GHG emissions, the Project would result in no net increase to the existing GHG emission. The Project would therefore not make a substantial contribution to a cumulatively considerable GHG impact. The Project's commitment to achieve net zero GHG emissions also ensures that the Project would not conflict with applicable plans, policies, or regulations adopted for the purpose of reducing GHG emissions. In summary, with the Project's additional commitment to purchase and retire</p>

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	<p>off-site carbon offset credits to reduce the Project’s GHG emissions to net zero, the Project would not result in a significant impact to global climate change. Please refer to the revised Subchapter 2.7, <i>Greenhouse Gas Emissions</i>, in the FEIR.</p> <p>Relative to the discussion of San Diego Association of Governments’ (SANDAG’s) San Diego Forward, the DEIR does not say that the Project site was not identified for development. The relevant text states:</p> <p style="text-align: center;"><i>Although the Proposed Project would increase the density of residential land uses on the Project site, it would also include a number of PDFs [Project Design Features] to reduce GHG emissions that support the goals of San Diego Forward. For example, the Project includes a photovoltaic solar system, an electric vehicle charging station, low flow water fixtures, and drought tolerant landscaping.</i></p> <p>The commenter incorrectly states that if a project is not included in a Sustainable Communities Strategy (SCS), the project would be in conflict with regional efforts to implement Senate Bill (SB) 32’s target of reducing statewide GHG emissions.</p> <p>The exclusion of the Project site from the 2020 and 2035 forecasted land use development patterns contained in the 2050 Regional Transportation Plan (RTP)/SCS is not dispositive of the Project’s consistency with SB 375, particularly as the Government Code 65080(k) explicitly provides that sustainable communities strategies do not control or regulate the use of land. Rather, as provided in the DEIR, it is appropriate and reasonable to consider the Project’s consistency with policies set forth in SB 375 and the 2050 RTP/SCS, as well as the Project’s relationship to the reduction targets identified by the California Air Resources Board (CARB).</p> <p>As described above, through the purchase of carbon credits, the Project’s construction and operationally related GHG emissions would result in no net increase to the existing GHG emissions. Therefore, the Project would not have a substantial contribution to a cumulatively considerable GHG impact. The</p>

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	<p>Project's commitment to achieve net zero GHG emissions is consistent with the AB 32's 2020 reduction target, and on track for meeting the SB 32 and EO S-3-05 reduction targets. The Project would include site design elements (i.e., PDFs) and mitigation measures as noted above to support the policy objectives of the RTP and SB 375. The Project would implement land use and design measures that would create an environment that promotes alternative mode choice (e.g., pedestrian/bicycle networks and proximity to bus routes). The design of the Project is based on a compact neighborhood design, where pedestrian and bicycle path provide access to the community facilities such as parks and a clubhouse as well as the proposed bike lane and pathway. The Project will encourage daily physical activity associated with walking and bicycling, by providing public riding and hiking trails as well as creating a public place for the community to gather and have access to cultural activities at the proposed park and Center House, which will include many health and physical training activities. The Project will include pathway/sidewalks throughout the site. Given the preservation of approximately 70 percent of the Project site as non-structurally developed open space, the proposed trail system will allow the future residents to enjoy a preserve while engaging in physical activity and recreational benefits. As a design feature, the developer will provide to all homeowners an informative brochure to educate homeowners regarding water conservation measures, recycling, location of the electric vehicle charging stations and conduits, location of outdoor electric outlets to promote using electrical lawn and garden equipment, and location of nearby resources such as dining and entertainment venues, small commercial centers, and civic uses to reduce vehicle miles traveled (VMT).</p> <p>Relative to the stated concerns over VMT and attainment of GHG goals, please note that as described in Subchapter 2.7 of the EIR, SANDAG's regional assumed average trip length is 7.9 miles. The Project was modeled by the Project traffic engineers (Linscott, Law & Greenspan) as being slightly lower, at 7.88 miles for an average trip length, and therefore consistent. Please see Appendix C of the Project Greenhouse Gas Analyses Report (Appendix J to the EIR) for details.</p>

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<p style="text-align: center;">Comment Letter O10</p> <p>Only projects that can demonstrate consistency with an adopted SCS can benefit from efficiency metric analysis or for coverage for post-2020 GHG emissions. At the plan-level, the net increase in GHG emissions would be substantial in the context of the region's goals because the anticipated emissions were not accounted in the business as usual inventory and reduction goal setting. GHG emissions associated with VMT attributable to the Plan area negatively influence VMT and GHG goals as they relate to the RTP/SCS efforts, even if they "meet" an efficiency metric.</p> <p>The region's GHG targets are based on <u>real</u> numbers from cities and the county. These numbers are used by SANDAG to forecast emissions post-2020, which are fundamentally important in emission forecast modeling. Another argument could be made that cumulatively the project creates a similar problem with state efforts. Does this project really help the state achieve the SB 32 target? The Scoping Plan is based on a specific assumption. The physical environment is now <u>changing</u> what was used to create those assumptions.</p> <p>More evidence needs to substantiate the Draft EIR's conclusions. The Draft EIR must provide more analysis, be revised and recirculated.</p> <p>We, at the Friends of the Climate Action Campaign, recommend more evidence to allow other people to generally reach similar conclusions. This correspondence is raising reasonable doubt that the project is helping the region advance its SCS. The draft EIR already acknowledges that it is inconsistent.</p> <p>A fair argument can also be made that there is a net increase in total mobile-source GHG emissions associated with all vehicles in the Plan area, which interferes with state reduction efforts in both 2020 and post-2020, compared to 2005 levels.</p> <p></p> <p>County Friends of a Better Bow</p> <p>Copy: Climate Action Campaign, 4452 Park Blvd. Suite 209, San Diego CA 92116</p>	<p>Response to Comment O10-3</p> <p>The commenter asserts that since the Project was not included in the SCS, the Project cannot help the state achieve the SB 32 target. However, as described in EIR Subchapter 2.7, the Project would not increase net GHG emissions above existing levels, and therefore it would not conflict with any adopted and applicable local or state plans, policies, or regulations to reduce GHG emissions in 2020, 2030, and/or 2050, all of which utilize non-zero targets. In January 2017, CARB released "The 2017 Climate Change Scoping Plan Update" (Second Update) for public review and comment, and subsequently adopted it in December 2017 (CARB 2017). This update proposes CARB's strategy for achieving the state's 2030 GHG target as established in SB 32. When discussing project-level GHG emissions reduction actions and thresholds, the Second Update states "achieving no net increase in GHG emissions is the correct overall objective, but it may not be appropriate or feasible for every development project." Please see Response to Comment O10-2 regarding SB 32 conclusions. GHG analysis is inherently cumulative; global climate change is a cumulative issue by definition.</p> <p>Response to Comment O10-4</p> <p>The County respectfully disagrees, and finds that the comments provided do not provide evidence to support a conclusion that the Project interferes with attainment of regional goals. The GHG analysis has been updated to reflect the Sierra Club case that no longer allows use of the State Efficiency Metric. Therefore, the EIR GHG analysis has been revised and was recirculated in February to April 2018.</p> <p>Response to Comment O10-5</p> <p>The fair argument standard is not the standard applied to adequacy of a CEQA EIR. That standard is substantial evidence. These comments do not provide substantial evidence. Please refer to Response to Comment O10-2 (regarding attainment of GHG reduction efforts) and Response to Comment O10-4 (regarding need to revise analysis).</p>