



Letter
X28

700 Seacoast Drive, Suite 108
Imperial Beach, CA 91932

January 16, 2018

County of San Diego Planning Commission
5510 Overland Avenue, Suite 310
San Diego, CA 92123

Attn: Lisa Fitzpatrick, Planning Commission Secretary

Electronic copies sent to Lisa.Fitzpatrick@sdcounty.ca.gov and Maggie Soffel at CAP@sdcounty.ca.gov

Subject: County of San Diego Final Draft Climate Action Plan and Final SEIR

Dear Planning Commission:

The Southwest Wetlands Interpretive Association (SWIA) is an environmental organization established over 40 years ago whose mission is to conserve wetlands and other sensitive natural habitats, primarily in San Diego County and southern California. We are submitting these comments on the County's draft Climate Action Plan (CAP) and will separately submit comments on the associated Draft Supplemental Environmental Impact Report (DSEIR) for the CAP. Our organization is extremely concerned about how jurisdictions are addressing climate change and in particular, how they plan to reduce greenhouse gas (GHG) emissions. Coastal wetlands are particularly vulnerable to sea level rise, which for our coastal region is driven by climate change.

The Planning Commission hearing on January 18/19, 2018, involves not only the Staff Report and final draft CAP and its numerous backing documents, three new financial analyses (direct investments, county mitigation measure and community mitigation measures), and the Final SEIR and backing documents. We were unable to read and analyze all of the documents; this letter only highlights substantive issues that remain unresolved and recommendations that we believe to be necessary to be added to the CAP and to remedy inadequate findings in the SEIR. We do not agree with the staff

X28-1

Response to Comment Letter X28

Southwest Wetlands Interpretive Association
Michael A. McCoy, President
Bill Tippets, Board Member
January 16, 2018

X28-1 The comment provides background information about the commenting organization, the Southwest Wetlands Interpretive Association, and expresses opposition to the Staff Recommended Option presented at the Planning Commission Hearing. The comment also introduces remaining concerns that will be addressed specifically in the body of the letter. No further response is required.

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recommended project and urge the Planning Commission to include our recommendations and those of other environmental organizations (EHL, Sierra Club, etc.) in a revised CAP and SEIR.

The CAP approach is intended to integrate with the approved 2011 GPU, SB 375 (RTP/SCS) and Multiple Species Conservation Program (MSCP) and to have the County contribute its "fair share" to San Diego County's and the State of California's climate action goals - importantly the commitment to achieve conformance with the state-required GHG reduction target percentages for 2020 and 2030 and the state's goal for 2050. All of these planning documents must be consistent and integrated to achieve their objectives.

Previous letters that SWIA submitted to the Planning Department (September 12 and 13, 2017) outlined concerns with the CAP and SEIR and made recommendations that we believe are necessary to produce an effective plan that contributes its "fair share" to the state's climate action targets/goals and reduces certain potentially significant impacts identified in the SEIR. The revised (e.g., "final") versions of the CAP and SEIR clarified several questions we had and include some improvements to the earlier versions, but significant concerns remain that need to be remedied and then included in a revised CAP.

Continuing concerns with the CAP and SEIR include the proposed use of the 2014 GHG emissions as the GHG baseline for all GHG emission reduction targets/goals; the consequences for calculating the 2030 GHG reduction target and the 2050 GHG reduction goal (which are supposed to be established on a "1990 baseline") and how that affects the need to increase GHG reductions; low percentage of (contributions to) GHG reductions from the transportation sector and questionable conformance with SB 375 regional targets; the reliance on untested capacity for the County of San Diego to create sufficient "direct investments" measures; and how "project streamlining" should be determined - particularly with regard to GPAs and how well the CAP is functioning. Our specific comments follow.

1. GHG Baseline: The CAP states (Pages 2-10 et seq) that the County's GHG emission reductions should be 2% less than its 2014 baseline by 2020 to achieve equivalency with the AB 32 target of lowering GHGs to 1990 levels by 2020. We believe that this requires the County CAP to establish the 2020 target as the basis for all future (i.e., 2030 and 2050) GHG emission targets/goals. That is, according to the CAP, it will achieve the "1990 baseline" of 3,147,275 MTCO2e by 2020. Regardless whether the County will meet or exceed that level by 2020 (as is stated in the CAP and SEIR), the CAP must base its future targets on this "baseline" rather than the 3,211,505 MTCO2e (2014 GHG emissions).
The County's Master Response #4 to the "GHG baseline issue" admitted that it used discretion in applying the State's 2017 Scoping Plan guidance and the concluded the proposed 2014 baseline computation relying on a mass emissions approach (not just a per capita approach) is

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X28-2

X28-2 The comment expresses continued concerns about the use of a 2014 GHG emissions baseline and reiterates previously submitted comments. The County responded to this comment in Master Response 4. No new information is provided in this comment; therefore, no further response is required or necessary. The comment will be included in the administrative record and provided to decision makers for consideration.

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the most appropriate one among the variety of methods it could have used to compute the 2030 GHG emission target and 2050 GHG emission goal. We agree with the methodology except that for the use of the 2014 inventory to serve as the “baseline” for post-2020 GHG emission reduction targets/goals. The CAP specifically describes the 2020 GHG emissions level as achieving the “1990 GHG baseline” for the unincorporated County, and that should be the “baseline” for the 2030 emissions target (40% below 1990 baseline) and 2050 goal (80% below 1990 baseline). Adopting the proposed 2020 target as the “baseline” for 2030 and 2050 would require additional GHG emission reductions (38,538 MTCO_{2e} and 109,191 MTCO_{2e}, respectively) compared to the current GHG reduction targets.

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2. Transportation and Vehicle Miles Traveled (VMT). As we have stated in our previous letters, the transportation sector’s disproportionately low contribution to GHG emission reductions – compared to its projected emissions – remains a significant concern. The CAP discussion of VMT (Page 3-8-16, et seq.) describes that 45% of all County-originated GHG emissions derive from transportation, yet the CAP’s transportation actions/measures would only have this sector contribute about 13% to the overall GHG reductions, largely due to the continued projected rise in VMT. This forces other sectors – including the County-funded Direct Investment measure - to contribute a much greater portion of the GHG reductions. Prior to adoption of the CAP, the County should include additional feasible measures that will reduce VMT and associated GHG emissions from the “Built Environment and Transportation” sector. SWIA would be happy to work with the County staff to identify feasible and cost-effective measures that have been included in CAPs in other California counties that have land use distribution and transportation system characteristics similar to those of San Diego County. We would also recommend that the County work with SANDAG on the current Regional Transportation Plan (RTP)/Sustainable Communities Strategy (SCS) update to add policies, programs and infrastructure improvements that will reduce rather than accommodate additional VMT. Stronger SB 375 GHG reduction targets will enable the State to make significant progress toward the goal of reducing total light-duty VMT by 15 percent from expected levels in 2050, but alone will not provide all of the VMT reductions that will be needed. The gap between what SB 375 can provide and what is needed to meet the State’s 2030 and 2050 goals needs to be addressed through additional VMT reduction measures (per CA Air Resources Board 2017 Scoping Plan, p.116).

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3. Monitoring, Reporting and Adaptive Management. The CAP (Page 5-6, et seq.) commits to annual reporting, biannual GHG inventory, and 5-year update. We support that approach, with a few additional clarifications/commitments. First, the reporting must address both compliance (is the plan meeting its implementation actions) and effectiveness (is the plan meeting its GHG emission reduction targets). Second, we strongly recommend that the CAP program include a

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X28-3 The comment expresses continued concerns about the amount of transportation-related GHG emissions compared to the amount of GHG emissions reductions identified in the Final CAP. This comment is addressed in Master Response 6. Related to consistency with SB 375 and SANDAG’s regional planning efforts, please refer to Master Response 2. No new information is provided in this comment; therefore, no further response is required or necessary. The comment will be included in the administrative record and provided to decision makers for consideration.

X28-4 The comment expresses support for the monitoring and reporting program established in the CAP and provides suggestions for improvements. The County acknowledges the comment. The comment does not contain information related to the adequacy of the Final SEIR. However, it should be noted that the intent of the CAP’s monitoring and update requirement is to assess progress toward meeting the CAP’s reduction goals and make adjustments to the CAP’s reduction measures as needed. The comment will be included in the administrative record and provided to decision makers for consideration.

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formal provision for amendments (i.e., substantive revisions/additions/deletions to the GHG reduction actions and mitigation measures) during the interval between the 5-year planned update to respond to findings of the annual reporting and bi-annual GHG inventory (i.e., developing adaptive management strategies). This is particularly important if the reporting indicates that the CAP is not meeting its targeted GHG reduction trajectory.

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4. The CAP states that it will conform to its GHG reduction commitments (i.e., result in GHG reduction trajectory/numbers that meet AB 32, SB 32, Executive Order B-30-15, S-03-05, etc.) but this raises questions about the use of "off-site" carbon credits and how GPAs would be processed and approved. We believe that the CAP must, to ensure it is contributing its "fair share" to the state's GHG reduction targets/goals, allow projects to offset no more than 10% (or another percentage that is fully justifiable) of their GHG reductions by purchasing out-of-county (i.e., outside of the unincorporated county or elsewhere within San Diego County) credits. Absent a reasonable limit on the number of out-of-county credits that projects (particularly GPAs) can use, the CAP would reduce the incentive/motivation for creating within-county carbon credit projects, put pressure on other regions to create excess carbon reductions, and rely on the uncertain future availability of and access to carbon credits. That approach would be a disincentive for projects to maximize their on-site GHG reductions and perhaps establish a practice that other major GHG emitting jurisdictions would follow.

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We also have serious objections about the current proposal in the CAP (Pages 5-7-10; SEIR) to facilitate project streamlining, unless there are reasonable limits as described above placed on the use of carbon credits. As described in the CAP, all discretionary projects that are subject to CEQA, no matter the size of the project, would be evaluated for consistency with the CAP. The (Streamlining) Checklist has been incorporated as an appendix to the Guidelines, and would be the mechanism that is utilized to demonstrate compliance with the CAP. The determination of consistency with the CAP would be evaluated utilizing the following two approaches:

- First Approach: If the project is consistent with the County's General Plan, then the project could use the CEQA streamlining provision, CEQA Guidelines Section 15183.5, which would allow the project to tier from and incorporate by reference the GHG emissions analysis presented in the Draft SEIR, upon certification. To show consistency with the CAP, the project would be required to implement applicable GHG reduction measures as adopted in the CAP and outlined in the Checklist.
- Second Approach: If the project is not consistent with the 2011 GPU and would require a GPA, then the project may not qualify for the CEQA streamlining provision and would be required to prepare a project-specific GHG emissions analysis. If the project is requesting a GPA but not requesting an increase in density or intensity beyond that assigned by the 2011 GPU, then the project could achieve consistency with the CAP by implementing applicable GHG reduction measures as adopted in the CAP and outlined in the Checklist. The analysis conducted in the Checklist should demonstrate how the

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The comment expresses interest in establishing carbon offset credit "limits" when utilized as mitigation for GPA projects. The County disagrees with this approach because projects may be able to mitigate through a variety of ways which will change with technological advances, and setting an arbitrary limit would be speculative. This comment is addressed in response to comment O14-12. The comment also states opposition to the use of GHG emissions streamlining benefits as allowed under CEQA Guidelines 15183.5. The commenter should refer to Master Response 10 for more information on this topic; however, the County disagrees with this assertion. Streamlining benefits that could be conveyed to projects upon adoption of a Final CAP would not be provided to GPA projects because by nature, they are not considered in the 2011 GPU land use map for which the CAP is a mitigation measure. Only projects that are consistent with the 2011 GPU would be eligible for streamlining benefits upon establishing consistency with the CAP and those projects would not require the purchase of carbon offset credits. The comment will be included in the administrative record and provided to decision makers for consideration.

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project would achieve consistency with the CAP through implementation of the measures outlined in the Checklist.

- In both cases, there is no specified limitation on the number of off-site credits that could be purchased to demonstrate conformance with the CAP. As stated above, we are particularly concerned about and do not agree that projects – especially GPAs - should be able to potentially acquire unlimited off-site carbon credits from out-of-county sources.

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5. SEIR cumulative effects conclusion. The SEIR states on Page 2.7-41: The County shall implement CAP Mitigation Measure M-GHG-1 to reduce cumulative impacts from reasonably foreseeable (GHG) cumulative projects (i.e., in-process GPAs) and future GPAs. With implementation of CAP Mitigation Measure M-GHG-1 above, impacts would be reduced to less than considerable level.” We do not agree. The Direct Investment mitigation measure does not have a sufficient analysis of potential impacts and merely assumes that any projects that are based on projects in any carbon registry will be carbon reduction-benefitting and have no impacts (and will function comparably to those projects). That is an insufficient analysis. Also, as stated in our previous comments, particularly #4), we are concerned that the mitigation approach, which potentially allows unlimited use of out-of-county carbon credits, could result in the County of San Diego not contributing its “fair share” to overall regional (cumulative) GHG reductions. A limitation on the use of out-of-county carbon credits must be included in the CAP program.

x28-6

6. CAP Options (Staff Report, (Pages 15-16). Of the three Options that are described in the Staff Report, only Option 1 (Renewable Energy) appears to be feasible and reasonable, has few negative impacts, and is consistent with other local jurisdictions’ adopted or in-process commitments to 100% RE. We do not agree with the SEIR’s inference/presumption that increasing RE from the currently proposed 90% to 100% level will necessarily induce more large-scale RE systems, and create additional, potentially significant impacts. Additionally, this option reduces the “GHG reduction gap” that forces the County to fund more Direct Investment projects. We understand the County’s rationale for proposing this mitigation measure (that is, the identified other County and Community actions and mitigation measure do not add-up to the necessary GHG reductions by 2030), but it seems less risky to achieve additional reductions through increases in renewable energy and waste diversions. This option, combined with the Staff Report proposal to increase the solid waste diversion mitigation measures from 75% to 80%, would be an important – and we believe necessary – improvement to the CAP.

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X28-6 The comment expresses continued concerns related to the effectiveness of CAP Mitigation Measure M-GHG-1. The commenter also appears to confuse the local direct investment program that would be established under GHG Reduction Measure T-4.1 with the use of carbon offset credits by GPA projects as mitigation through CAP Mitigation Measure M-GHG-1. Please refer to Master Response 3 for more information about the local direct investment program and Master Response 12 for more information about the use of carbon offset credits. At any rate, the comment regarding effectiveness of carbon offsets as mitigation under CAP Mitigation Measure M-GHG-1 and the establishment of limits is addressed in response to comment X26-3. Please refer to that response to comment. The comment will be included in the administrative record and provided to decision makers for consideration.

X28-7 The comment expresses support for the CAP Option 1 which includes a commitment to 100% Renewable Energy. The commenter also expresses support for the Increased Solid Waste Alternative. The comment also provides contact information. No further response is required. The comment will be included in the administrative record and provided to decision makers for consideration.

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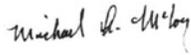
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As we noted in Comment #1, we believe the CAP must use the 2020 GHG emissions level as the "1990 baseline," which would require the CAP to increase its GHG emission reductions by 38,538 MTCO₂e and its 2050 GHG emission reductions by 109,191 MTCO₂e. Therefore, we strongly recommend the CAP be revised to also include both the increased solid waste diversion and the 100% renewable energy option.

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The final draft CAP has many elements that, when modified to respond to these recommendations and fully implemented, would appear to allow the County to achieve its climate action targets and goals. If you or staff wishes to discuss our comments and recommendations, please contact Bill Tippetts (billtippetts@gmail.com).

Sincerely,



Michael A. McCoy, President SWIA



Bill Tippetts, Board Member