

Response to Comment Letter I72

Sandra Farrell
September 23, 2017

Letter
I72

From: Sandra Farrell
To: CAP
Subject: comments to Draft County Climate Action Plan
Date: Sunday, September 24, 2017 10:29:02 PM

Sandra Farrell
1900 Escondido Ave
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760-415-3349

September 23, 2017

Ms. Maggie Soffel
County of San Diego
5530 Overland Avenue, Suite 310
San Diego, CA 92123
Via email (CAP@scourty.ca.gov)

RE: Draft County Climate Action Plan

Dear Ms. Soffel:

I've been reading comment letters submitted by Sierra Club, Endangered Habitats League and others. I would like to add, as someone who sits on a County Sponsor Group, their concerns are valid.

Frankly, I don't think the County's CAP will work. First of all, the County doesn't seem to be able to direct growth in a manner that allows limiting the production of greenhouse gases. Secondly, the methods currently being proposed by developers to reduce greenhouse gasses, don't have any data to show they actually will work. It is hard to understand how the proposed CAP will actually meet needed objectives.

The County General Plan set growth targets but I know of at least one case where county PAMA land zoned for 19 home is planned to be annexed by an adjacent city who just approved a development of 136 homes. Adjacent properties in the County likely will want to annex to the city in order to profit from a similar density increase. Since this project area is not within walking distance to public transit there will be a higher amount of greenhouse gasses being generated. In addition, the County is considering approving a number of Property Specific Request to increase density in areas specified for lower densities in the General Plan. Cumulatively property owner Property Specific Requests along with increased density of County properties through annexation may prevent the County and the region as a whole from meeting greenhouse gas reduction targets. How will the County offset these impacts if all these projects are approved? Will it reduce the density elsewhere in the County? How is the County coordinating these increased densities with other jurisdictions?

Some of the mitigation measures developers are proposing in projects to mitigate for greenhouse gasses don't appear to work. Many developers like those processing the Newland Sierra project in the County are stating in their EIR that they will encourage carpooling and ride sharing to offset greenhouse gas impacts. This sounds good on the surface. Residents of the project would rideshare therefor reducing traffic and greenhouse gases. But that is not what is happening now and there is no evidence that it will happen under the CAP.

What is happening is now is that most people are mostly commuting alone in their cars and a study I did along the I-15 demonstrates this.

I wanted to see how many people were ridesharing. I chose the I-15 because that is the most likely route people in the Newland Sierra project will use, it has a HOV lane that allows people who ride share to save time and avoid the many morning traffic tie ups.

For two weeks, from 8/27/16 to 9/10/16 I noted while in the carpool lane how many cars either passed me or I passed that had more than one person in the car. I traveled slightly different times of a weekday morning commute so that I wouldn't be counting the same drivers each day. Only 29% of the people using the HOV lane had someone else in the car with them. These solo drivers had chosen to pay for the privilege of driving in the HOV lane, a lane that should be designated to encourage ride sharing. Therefore a mitigation measure to reduce greenhouse gasses by encouraging people to rideshare is not working if only 29% or less are actually commuting with someone else. Please see my comment letter dated August 13, 2007 to Ashley Smith which is below in this email.

I am very troubled the County is considering allowing developers to offset their project impacts by using Carbon Offsets. San Diego already has problem with air pollution so why not make development in San Diego greenhouse gas neutral in San Diego so residents can benefit from the CAP?

If we genuinely want to have a Climate Action Plan that has merit and actually reduces greenhouse gasses as opposed to increasing them we need to have something that will actually work and results in less greenhouse gasses in San Diego.

Thank you very much.

Sincerely,
Sandra Farrell

Sandra Farrell
1900 Escondido Ave
Vista, CA 92084

Ashley Smith, Planning Manager County of San Diego
Planning & Development Services
5530 Overland Avenue, Suite 310
San Diego, California 92123

August 13, 2017

Comments to the Draft Environmental Impact Report Comment Period for Newland Sierra (Log No. P052015-ER-15-09-001; SOI No. 2015021036; Project Numbers: P052015-GPA-15-001, P052015-SP-15-001, P052015-REZ-15-001, P052015-TM-5597, P05000X-HEP-XXX)

I 172-1
I 172-2
I 172-3
I 172-4
I 172-5
I 172-6

172-1 The comment states the comments of the Sierra Club and Endangered Habitats League are valid. Please see the responses to the referenced comments within comment letters O12 (EHL) and O22 (Sierra Club).

172-2 The comment states that the CAP will not achieve project objectives because the County will not direct population growth in a way that will limit GHG emissions. The County disagrees with this assertion for two reasons. First, as described on page 1-6, the County's 2011 General Plan provides an established land use map that guides anticipated growth. The CAP, provides a plan for the reduction of GHG emissions resulting from anticipated growth by implementing the strategies, measures, and supporting efforts that are contained within the plan as described on page 1-8 and 1-9 of the CAP. Therefore, the County anticipates that implementation of the CAP would in fact reduce GHG emissions in accordance with adopted GHG emissions reductions targets.

Second, as described on page 2-14, the CAP does not account for GHG emissions that would occur if General Plan Amendments (GPAs) were adopted. The baseline emissions inventory which the CAP is based upon only accounts for emissions-generating activities that existed on the ground in 2014 and projects GHG emissions for all adopted land uses in 2020, 2030, and 2050. Therefore, GPA projects that would require density or intensity beyond that which the General Plan anticipated (as illustrated by the adopted land use map) would be required to offset any GHG emissions resulting from their projects that are above and beyond what the General Plan would have allowed. Refer to Master Response 12 related to mitigation hierarchy and the use of carbon offsets.

I72-3 The County acknowledges concern that future annexations and property specific requests to increase density above the general plan would affect the ability of the County to reach established GHG emissions targets.

Specifically, the commenter expresses concern that upon annexation, lands that were formerly within the jurisdiction of the County will no longer be managed by the County, and therefore will not be subject to the GHG emissions regulations that will be adopted through the CAP. The County acknowledges that annexation proposals that remove land from the County's jurisdiction would remove the County's land use authority to regulate GHG emissions associated with development within that land area. However, there are several ways in which the County can coordinate with other local agencies on efforts to implement the state's plan for GHG emissions reductions. The County is a steering member of the San Diego Regional Climate Collaborative and regularly participates in efforts to plan for regional GHG emissions reductions. Additionally, the County can collaborate with the San Diego County Local Agency Formation Commission (LAFCO) to provide the GHG reduction assumptions associated with the land uses proposed for annexation so that LAFCO, as the lead agency responsible for consideration of annexation proposals can adequately evaluate the GHG impacts of the proposed annexation. With regard to the Property Specific Requests (PSRs) General Plan Amendment County-initiated project, the land use designation changes are not reflected in the CAP's baseline inventory and instead were considered in the cumulative projects list within the Project Description. Therefore, upon development of PSR property, applicants would be required to demonstrate consistency with the CAP in the same way that is outlined for General Plan Amendments. This comment will be included in the Final EIR and made available to decision makers prior to a final decision on the project.

I72-4 The County acknowledges concern that GHG mitigation measures proposed by developers on other projects are not being implemented and that this will happen under the CAP.

	<p>The commenter offers no evidence to support this statement. As described in Chapter 5 of the CAP, the County will monitor the effectiveness of CAP reduction measures and strategies. Further, as described in the Draft CAP Consistency Checklist, which is an appendix to the Guidelines for Determining Significance, developers seeking coverage under the CAP would be required to demonstrate their consistency with the CAP through implementation of reduction measures and strategies identified in the CAP. Further, developers would be required to submit verification to the County at appropriate stages that measures have been implemented and have been effective at reducing GHG emissions. The comment offers no evidence that reduction measures or strategies identified in the CAP or the County's permitting or mitigation monitoring process is not effective; therefore, no further response can be provided.</p> <p>I72-5 The County acknowledges concern with allowing offsets and suggests making development GHG neutral. This comment does not address the adequacy of the Draft SEIR and no further response is required. However, the comment will be included in the Final EIR and made available to the decision makers prior to a final decision on the project.</p> <p>I72-6 The comment provides a concluding statement to the comments provided above and does not require a further response.</p>
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Sent via email to Smith, Ashley <ashley.smith@sdcounty.ca.gov>

I appreciate this opportunity to comment on the DEIR for the Newland Sierra project. I have many concerns about the project and especially the DEIR. I believe mitigation is important to lessen the impacts of a project. Sadly however, mitigation without positive results does not mitigate impacts. The California Environmental Quality Act (CEQA) has been in place for 47 years. Over that time, numerous projects have been built and San Diego County allowing it to grow from 1.365 million people to over 3.3 million (2015). Considering all the impacts from numerous projects and all the mitigation to lessen those impacts, the public need to know why the roads are still so congested, the schools filled beyond capacity, and forced water conservation is needed to prevent shortages. Years ago, during the General Plan update, when Gary Pryor was the Director of what was called Planning and Land Use, he talked about the carrying capacity of the land and how the General Plan need to respect that. He said it was too expensive to maintain development on highly constrained land and noted how the County was struggling to maintain the existing road network and provide services for current residents.

I believe CEQA is a good tool but it only works if everyone, including the consultants, governmental staff and the decision makers are all honest with themselves and with the public. There is no must follow through to make sure the mitigation measures have the desired result.

My comments in this letter will focus on mitigation measures specified in the **Section 7, List of Mitigation Measures and Environmental Design Consideration**. This same comment applies to all mitigation measures in the DEIR that use the terms "Promote" or "Coordinate" because there are no actions with data supplied that demonstrate they can be executed and have the intended results.

I believe mitigation is important to lessen the impacts of a project. Sadly however, mitigation without positive results does not mitigate impacts. The California Environmental Quality Act (CEQA) has been in place for 47 years. Over that time, numerous projects have been built and San Diego County allowing it to grow from 1.365 million people to over 3.3 million (2015). Considering all the impacts from numerous projects and all the mitigation to lessen those impacts, the public need to know why the roads are still so congested, the schools filled beyond capacity, and forced water conservation is needed to prevent shortages.

Clearly something has gone terribly wrong if after 45 years we are in the situation we are in today. The Newland Sierra project shows us what is wrong. In 7-B, PDF-B, for instance, the mitigation measure has no means of being measurable or actionable – it merely promotes a park-and-ride and encourages carpooling with no detail or method measure to success. There is no evidence presented in the DEIR showing it will work. In addition, and this is the real problem, many of the mitigation measures presented in this DEIR are well meaning fuzzy fluff of good intentions but without substance.

Looking at 7-B, PDF-B, although promoting the park-and-ride is a good idea, as someone who on occasion has used the park-and-ride, it will take some work. I can speak from personal experience about the problems of the park-and-ride and why it likely most of the Newland Sierra residents won't use it.

1. The park-and-ride lots are often full and cars parked some drivers fear their cars will be vandalized. The company I work for is located at Liberty Station and when we go to project job sites in LA and Orange Counties I drive to park-and-ride lots off of I-15 or I-78 where I meet my coworkers to drive north. The I-15 park-and-ride lots are usually full and on occasion there has been a lot of broken car tempered glass in the lots indicating there has been vandalism of the cars left there. Mine wasn't vandalized but after seeing the El Norte park-and-ride strewn glass a couple of years ago, I opted to drive to a shopping center and leave my car there. The Newland Sierra project will be comprised of mostly upper income buyers with cars in the \$40,000+ price range. I can't see someone with that kind of an investment leaving it in the baking sun, unattended, in park-and-ride lot.
2. In PDF-7, coordination of a ride-share shuttle system with SANDAG Commute is good but there are no details presented in the DEIR that tells you historically how many people use Commute. The DEIR should list a similar project and state how many people with the project used Commute with the public and decision makers would have a good idea what percentage of the residents of the Newland Sierra project will use carpool, vanpool or shuttle. I ask this because when my company's office moved to Liberty Station I thought I could easily join a vanpool, shuttle or carpool with someone. I tried for over a year and again recently without success.

Sadly one has only to use the HOV lane during peak morning and evening commute times on the I-15 between to see what is being proposed in PDF-7 likely won't work. The Newland Sierra residents will do what most people do now – purchase a FasTrak transponder and pay to use the carpool lane.

The I-15 for those like myself who commute from North County south to one of the many job centers near Mira Mesa or downtown, is extremely congested. Single car drivers use either the regular lanes or if they can afford to purchase a FasTrak pass which costs about \$850 each way during traffic times. Vehicles with more than one person use the HOV lane. In May of this year, I started using the HOV lane and noticed how few vehicles in the HOV lanes have more than one person in the car. Over the last couple of weeks I started counting the total numbers of vehicles that either passed or passed by on my commute to and from work, noting how many of them had more than one person in the car. I traveled between 65 and 75 MPH from where I entered the HOV lane at SR78 and I-15 and where I ends at the I-15. I counted both private and commercial vehicles. The only vehicles I did not count were the Rapid Bx press bus or motorcycles. I visually looked into vehicles as I either passed them or they passed me and noted if there was someone in the car besides the driver. If there was a car seat, even if I couldn't confirm it was occupied, I counted that vehicle as having more than one person. Oddly, I saw few vans or shuttles and about half of them I did see had no passengers. The data below is my observation.

Date	Approx. Time at entry to HOV at I-15/SR78 or at I-15/I-805	Total vehicles observed	Those vehicles with 2 or more riders	% of people carpooling
8-3	8:30am	46	11	26
8-3	8:35pm	33	13	24.5
8-4	8:00am	137	9	16
8-7	8:45am	46	9	19.5
8-7	8:20pm	44	14	31.8
8-8	8:45am	71	15	21
8-8	8:10pm	47	11	23.4
8-9	8:50am	46	9	19.6
8-9	8:00pm	48	11	23
8-10	8:15am	49	12	24.5
8-10	8:15pm	137	19	33.3
8-11	8:20am	62	13	21
8-11	5:00pm	68	12	17.6

My small sampling shows that approximately 23% of the people in the HOV lane were commuting with someone else in the car. Therefore I think we can expect only 23% of the people in the Newland Sierra project would use some form of carpooling, vanpooling or shuttle. Since most of the other freeways near the project do not have HOV lanes there is little incentive to carpool, especially if the residents of the Newland Sierra Project work in San Marcos or in one of the Coastal cities. Therefore the number of people likely using the park-and-ride or carpooling will be below 23%. Since the FasTrak system logs each car and notes even those cars without transponders there should be data available that is far more precise than my small sampling.

The DEIR needs to demonstrate the mitigation measures proposed actually work. It should provide a level of detail beyond simple "promoting", "coordinating" or "encouraging". It should provide data to illustrate how other projects similar to the Newland Sierra project successfully mitigated impacts. The bottom line is, carpooling and leaving your car at a park-and-ride is not an attractive idea to most people and I recommend the below mitigation measures be added to the Newland Sierra project.

172-7

172-7

The comment provides comments on the Newland Sierra Project. Because the comment does not address the CAP or the analysis provided in the Draft SEIR, no further response can be provided.

1. **Make it Safe:** Integrate a park-in-ride into the retail or commercial area where there is good eyes-on or provide police presence substation so residents are more likely to feel their cars will not be vandalized when they are left unattended over an eight to ten hour period.
2. **Provide Amenities:** Offer covered parking with a solar roof would provide shade, independent detailer or some other attraction so the park-in-ride has some amenities that would actually attract a resident who values their vehicular investment. By having the park-in-ride combined or next to a retail center the project could specify that there is a coffee shop with WiFi nearby, where residents can wait for their ride or package.
3. **Provide Monetary Incentives:** The DER needs to consider what incentives would be provided to encourage people to use the park-in-ride or carpool during peak traffic commutes and measure the use so that there is proof there is real mitigation happening.
 - a. Create a cell phone application using GPS tracking to log in the cars from the project each time they use the park-in-ride so that data can be collected to verify use.
 - b. Provide a point system managed by the HOA to be used towards a free smoothie or sandwich at a nearby, walkable store located in the shopping area.
4. **Provide a Fallback Alternative:** If after 25% of the construction is completed and residents aren't decreasing the traffic from the project by a specified percent per the mitigation measures, the project will stop construction until there is a solution that will work to mitigate the impacts.

Summary:

The DER fails to show the mitigation measures listed in **Section 7, List of Mitigation Measures and Environmental Design Consideration** will work and it is imperative that they do. The DER needs to look at mitigation measures, talk about how they will be done and demonstrate they will be effective. There should be data supplied to show that each measure will likely work to lessen impacts. Without this level of detail the mitigation measures of mere boilerplate fluff.

This same comment applies to all mitigation measures in the DER that use the terms "Promote" or "Coordinate". The DER needs to resolve this problem and recirculate the EIR so the public can review the mitigation measures and have some confidence that the GH has done its job.

Thank you very much for your consideration.

Sincerely,

Sandra Farrell

172-7
cont