

**Response to Comment Letter O22**

**Sierra Club**  
**Josh Chatten-Brown, Attorney for Sierra Club**  
**September 25, 2017**

Letter  
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**From:** [Josh Chatten-Brown](#)  
**To:** [CAP](#)  
**Cc:** [Georgie Courcier](#); [Ruben Arizmendi](#); [Mike Bullock](#); [Jan Chatten-Brown](#)  
**Subject:** Sierra Club Comments on the San Diego County Climate Action Plan and Draft Supplemental Environmental Impact Report  
**Date:** Monday, September 25, 2017 3:47:41 PM  
**Attachments:** [Sierra Club Comments on the San Diego County Climate Action Plan and Draft Supplemental EIR.pdf](#)

Dear Ms. Soffel,

Please see the attached comment letter on behalf of the Sierra Club.

Thank you.

Sincerely,

Josh Chatten-Brown



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September 25, 2017

By e-mail: [CAP@sdcounty.ca.gov](mailto:CAP@sdcounty.ca.gov)

Planning and Development Services  
 County of San Diego  
 Attn: Maggie Soffel  
 5510 Overland Avenue  
 San Diego, CA 92123

**Re: Comments on San Diego Climate Action Plan (PDS2015-POD-15-002)  
 and Draft Supplemental Environmental Impact Report (PDS2016-ER-16-00-003)**

Dear Ms. Soffel:

The law firm of Chatten-Brown & Carstens represents the Sierra Club on matters relating to the County's preparation of its revised Climate Action Plan ("Revised CAP") and Supplement to the 2011 General Plan Update Program Environmental Impact Report ("Supplemental Environmental Impact Report," or "SEIR").

As described more fully below, the Revised CAP and SEIR are legally inadequate by modifying or effectively deleting Mitigation Measure CC-1.2 without additional analysis; erroneously claiming that 2014 is the first year data was available for a greenhouse gas (GHG) inventory; allowing out-of-County offsets; failing to require a reduction in vehicle miles traveled (VMT's) for housing projects; providing only a token annual reduction of VMT's for County employees; and failing to exercise its influence to encourage the San Diego Airport Authority to reduce GHG emissions reductions from airport ground operations, increasing public transit to the airport, and reducing emissions from vehicles serving the airport. Of great importance, no open lands should be annexed or rezoned for greater development until there is an adequate CAP that actually achieves the 2020 emission reduction goals the County agreed to in its 2011 General Plan Update.

In addition to this letter addressing legal issues, we also incorporate herein the September 25, 2017 Sierra Club San Diego comment letter prepared by Mike Bullock, Chair of the Sierra Club San Diego's Transportation Subcommittee. The Sierra Club San

O22-1

O22-2

- O22-1** The comment provides a summary of comments that follow. See responses to comments below. No further response is required or necessary.
- O22-2** The comment refers to an attached letter from Mr. Bullock, Chair, Sierra Club. Responses to Mr. Bullock's letter are provided starting at response to comment O22-17 below.

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Diego's comment letter, attached as **Exhibit A**, has detailed strategies that must be evaluated to assure a legally adequate Revised CAP and SEIR.

O22-2  
cont

We request the County perform additional analysis of the issues described below and those set forth in Mr. Bullock's letter. Once additional analysis has been performed, this analysis, along with additional enforceable and effective mitigation measures, must be set forth in a Revised SEIR. The SEIR must then be recirculated so that the public and public agencies may comment on this information, as required by CEQA.

O22-3

**I. The Revised CAP and SEIR Eliminates the Specified Greenhouse Gas Emissions Reductions from 2006 Levels by 2020.**

Mitigation Measure CC-1.2 of the County's 2011 General Plan Update required the County to:

Prepare a County Climate Change Action Plan with an update[d] baseline inventory of greenhouse gas emissions from all sources, more detailed greenhouse gas emissions reductions targets and deadlines; and a comprehensive and enforceable GHG emissions reduction measures that will achieve a 17% reduction in emissions from County operations from 2006 by 2020 and a 9% reduction in community emissions between 2006 and 2020.

O22-4

(SEIR, p. 1-14.)

However, the Revised CAP and SEIR eliminate this requirement and replace it with general reductions of GHG emissions "consistent with state-legislative targets." (SEIR, p. 1-16.) This action is proposed even though Judge Taylor specifically rejected a proposed Supplemental Writ that would have allowed the County to amend or delete GHG mitigation measures adopted in 2011.

O22-5

While generally mitigation conditions can be modified or deleted, the County made a firm commitment to reducing GHG emissions by 2020 when it adopted the 2011 General plan Update. Further, measures generally can only be deleted if they have become impractical or unworkable and the conclusion that they are is supported by substantial evidence. (*Lincoln Place Tenants Ass'n v. City of Los Angeles* (2007) 155 Cal. App. 4th 425, 449.) If the County continues to seek to modify or effectively delete Mitigation Measure CC-1.2, the SEIR must analyze why this measure has become impractical or unworkable. If the County does not demonstrate that Mitigation Measure CC-1.2 is impractical or unworkable, the County must show that the pro rata share of Mitigation Measure CC-1.2's GHG reductions have been achieved for County operations and community emissions.

O22-5

**O22-3** The comment requests that additional analysis be performed and that once performed the Draft SEIR should be recirculated. Please refer to Master Response 1 recirculation of the EIR. No specific issues of new analysis were raised in this comment nor did the comment address adequacy of the Draft SEIR; therefore, no further response is required or necessary.

**O22-4** The comment states that the County replaced language in 2011 GPU PEIR Mitigation Measure CC-1.2 even though Judge Taylor rejected a proposed Supplemental Writ that would have allowed the County to amend or delete GHG mitigation measures adopted in 2011. The comment is referencing litigation on the County's first CAP. The County in response to that litigation has engaged in the preparation of a new CAP and Draft SEIR. In evaluating the 2011 General Plan Update (GPU) and 2011 GPU PEIR and considering recent legislation and other relevant case law including the recent *Cleveland National Forest Foundation v. SANDAG* (2017) case, the County determined that Goal CO-20 and Policy CO-20.1 of the 2011 GPU and Mitigation Measures CC-1.2, CC-1.7, and CC-1.8 of the 2011 GPU PEIR collectively need to be updated to better reflect current legislative requirements. As described on page 1-3 of the Draft SEIR, Goal CO-20 and Policy CO-20.1 were originally adopted to reduce cumulative GHG emissions within the unincorporated County to 1990 levels by 2020 to be consistent with the statewide goal established by AB 32. Similarly, 2011 GPU PEIR Mitigation Measures CC-1.2, CC-1.7, and CC-1.8 called for the preparation of a "Climate Change Action Plan" designed to reach specified GHG reduction targets consistent with regulatory requirements applicable at that time. Since adoption of the 2011 GPU, new legislative standards have been set that require jurisdictions to consider emissions reductions beyond 2020. Therefore, the County has updated the goal and policy of the 2011 GPU and associated mitigation measures of the 2011 GPU PEIR to reflect these requirements, and the Draft SEIR has adequately analyzed the potential impacts from these changes. The rejection of a *proposed* writ in the original CAP litigation as referenced by the commenter did nothing to

limit or abridge the Board of Supervisor's legislative or policy discretion to make changes to the County's own General Plan. Please also see Master Response 4 on GHG reduction targets and Master Response 13 related to 2011 GPU PEIR Mitigation Measures.

**O22-5** The comment states that if 2011 GPU PEIR Mitigation Measure CC-1.2 is modified, the Draft SEIR must evaluate why this mitigation has become impractical or unworkable. The comment also states that the County must show that the pro rata share of Mitigation Measures CC-1.2's GHG reductions have been achieved for County and community emissions. With regards to the reasons for updating mitigation measures in the 2011 GPU PEIR, please refer to response to comment O22-4.

Please note that in the case cited in the comment (*Lincoln Place Tenants Ass'n v. City of Los Angeles* (2007) 155 Cal.App.4<sup>th</sup> 425) there was no direct effort by the lead agency to modify or delete an EIR mitigation measure. Instead, the court equated non-compliance with a mitigation measure to a deletion of the measure and found there was no evidence in the record to support this de facto deletion. *Id.* at 449. In contrast, here the Draft SEIR has fully and extensively described why mitigation measures of the 2011 GPU PEIR have become obsolete and require modification, not deletion, to update the text to reflect existing requirements. As such, the Draft SEIR in addition to programmatically evaluating the impacts of implementation of the CAP, has also evaluated the environmental impacts of implementing a proposed General Plan Amendment to address the proposed goal and policy change and changes to mitigation of the 2011 GPU PEIR. In addition, as indicated in the CAP on page 2-14, the County is on track to meet its 2020 target with the help of existing legislation, such as the Renewable Portfolio Standard. The County will meet the 2020 GHG target without implementation of this CAP, by relying on State efforts and efforts currently underway in the County of San Diego (see CAP pages 1-7 and 1-8).

With regard to how the changes to the 2011 GPU and the 2011 GPU EIR relate to the CAP's GHG reduction targets, please refer to Master Response 4, GHG reduction targets. As described above, Mitigation Measure CC-1.2 has been updated to reflect the preparation of a CAP that complies with the requirements of CEQA Guidelines Section 15183.5 and would establish reduction targets consistent with current legislative requirements.

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**II. The County's Claim It Does Not Have Baseline Data for Its GHG Inventory Prior to 2014 Is Belied By Its 2012 CAP, Which States the County Prepared Inventories With Baseline Years of 2005 and 2006.**

In preparing its GHG inventory for the Revised CAP, the County uses baseline data from 2014. The County argues, "The County's base inventory of GHG emissions evaluated activities within the unincorporated county in the year 2014, the most recent year data is available." (SEIR, p. 1-6.) However, this conflicts with the 2012 CAP, which states the County prepared inventories with baseline years of 2005 and 2006. The 2012 CAP provides:

The County prepared baseline inventories at the community-wide and local government levels. The community-wide inventory has a baseline year of 2005, and emissions are limited to the County's unincorporated communities. The local government inventory has a baseline year of 2006 and only includes emissions related to County government operations. Each inventory is used to establish a baseline level of emissions, which then serves as the starting point for forming emissions reduction targets and as a tool to gauge the performance of emissions-reduction measures.

O22-6

(2012 CAP, p. 14, emphasis added.) The SEIR must explain why the County did not use the 2005 and 2006 GHG inventories, as well as provide an analysis of how the 2014 GHG inventory compares to the previously prepared inventories.

The County's decision to use 2014 as the baseline year from which it will establish the 2020 and 2030 CAP targets and 2050 goal must demonstrate that using this baseline will result in reductions that are equal or greater to reductions using a 1990 benchmark. In the event the County argues that data prior to 2014 is inadequate, the County should address the 1990 GHG emissions inventory estimate for San Diego County that has been prepared. That estimate is discussed in the document entitled, "An Analysis of Regional Emissions and Strategies to Achieve AB 32 Targets Revised and Updated to 2010." (Available at <http://catcher.sandiego.edu/items/usdlaw/EPIC-GHG-2013.pdf>). Presumably, the County's share of the total 1990 San Diego County GHG emissions could be developed from that data.

O22-7

**III. The Allowance of Offsets From Outside the County of San Diego Is Inconsistent with the County General Plan's Requirement to Achieve Specified Greenhouse Gas Emissions Reductions in the County.**

Mitigation Measure CC-1.2 of the County's General Plan Update requires the County to "achieve a 17% reduction in emissions from County operations from 2006 by 2020 and a 9% reduction in community emissions between 2006 and 2020."

O22-8

**O22-6** The commenter states that the chosen base year for the GHG emissions inventory conflicts with the County's rescinded CAP. The CAP uses a 2014 base year to establish a benchmark for estimating GHG emissions. The year 2014 is the most recent year data were available when the emissions inventory and CAP were initiated. The commenter's claim that this conflicts with the rescinded CAP, and that 2005 and 2006 should somehow be considered more recent years is confusing. The commenter also questions why 2005 and 2006 were not used as the base years for the CAP. See CAP pages 2-3 to 2-6.

This CAP does not rely on the County's rescinded CAP and has been prepared as a standalone plan. The choice of a more recent year to establish a base inventory is consistent with recommendations in GHG inventory protocols. For example, the *Local Government Operations Protocol* developed in partnership by the California Air Resources Board, California Climate Action Registry, ICLEI - Local Governments for Sustainability and The Climate Registry states that "It is good practice to compile an emissions inventory for the earliest year for which complete and accurate data can be gathered." In this context, the earliest year is 2014 as it is the most recent year for which accurate, complete, and up to date information is available. As explained further in the CAP, the County was able to collect representative and reliable data for 2014, therefore, this year was chosen as the base year. A consistent year was also used for both the community and local government emissions for comparability and tracking.

The commenter contends that the Draft SEIR must provide an analysis of how the 2014 inventory compares to the 2005 and 2006 GHG inventories. As stated above, the CAP does not rely on information in the rescinded CAP and incorporates new, updated analyses of emissions. Moreover, inventory data collection and quantification sources and methods have evolved since 2005/2006. The current inventory is based on the *U.S. Community Protocol for Accounting and Reporting of Greenhouse Gas Emissions* which represents a national standard in guidance to help local governments develop effective community GHG emissions inventories. This guide

was released in 2012 by ICLEI - Local Governments for Sustainability and was not available for the 2005/2006 inventories. Data sources have also evolved to provide consistent methodologies and more accurate accounting of emissions, consistent with established protocols. For example, SANDAG's travel demand model (Series 13) has been updated to provide activity-based VMT and to reflect current land use plans and infrastructure. For these reasons, a comparison of the 2005/2006 inventories would not result in as accurate a reflection of the existing base year GHG inventory as the 2014 inventory developed for the CAP. The CAP will require the County to update inventories every two years, and this mandatory monitoring and updating will help track emissions changes from the base year of 2014 and ensure that the CAP is effective at meeting its emission reduction targets.

**O22-7** The comment states that the County must demonstrate that using the 2014 GHG inventory would result in reductions that are equal to or greater than reduction using the 1990 benchmark. Please refer to response to comment O22-6 and Master Response 4, GHG reduction targets. The commenter provides no evidence that it is appropriate to establish the inventory from the data used in the rescinded CAP.

**O22-8** The comment states that the use of carbon offset credits from outside of the County is inconsistent with the County's GPU PEIR Mitigation Measure CC-1.2. The comment cites Mitigation Measure CC-1.2 of the 2011 GPU PEIR; however, for the reasons provided in response to comment O22-4 and O22-5, this mitigation is proposed to be updated (see page 1-16 of the Draft SEIR) and the effects of this change have been evaluated throughout the Draft SEIR. The proposed changes would require that a CAP be prepared consistent with state targets and the requirements of Section 15183.5 of the CEQA Guidelines addressing requirements of a qualified CAP.

As stated in the 2011 GPU PEIR and Section 1.2.3 of the Draft SEIR for the CAP, 2011 GPU Mitigation Measure CC-1.2 requires the County to prepare a CAP to reduce emissions from County operations and within the unincorporated County. The County disagrees with the

comment that 2011 GPU PEIR Mitigation Measure CC-1.2 requires all mitigation to reduce cumulative impacts from GPAs in the SEIR for GHG emissions to be local and that to allow mitigation to achieve GHG reductions out-of-county would conflict with the requirements of 2011 GPU PEIR Mitigation Measure CC-1.2. The mechanism by which specific reductions would be achieved is left to the discretion of the lead agency but must be through “measures or groups of measures, including performance standards, that substantial evidence demonstrates, that if implemented on a project-by-project basis, would collectively achieve the specified emissions level” (CEQA Guidelines Section 15183.5 (b)(1)(E)).” The County has full discretion to allow the achievement of GHG emissions reductions within or out-of-county as long as those measures can be demonstrated through substantial evidence to feasibly reduce GHG emissions. All 30 GHG Reduction Measures proposed within the CAP will achieve GHG reductions locally (i.e., from County operations and within the unincorporated County) in full compliance with 2011 GPU PEIR Mitigation Measure CC-1.2. In addition, the Draft SEIR identified that future development projects (e.g., General Plan Amendments) may be inconsistent with the CAP and could result in significant cumulative impacts. CAP Mitigation Measure M-GHG-1 would reduce this impact to less than significant. As detailed in the Draft SEIR, throughout the record, and in Master Response 12, CAP Mitigation Measure M-GHG-1 is feasible, supported by substantial evidence, and is allowable within the requirements of CEQA. Therefore, CAP Mitigation Measure M-GHG-1 will effectively mitigate the significant cumulative impact by requiring all feasible on-site design features/measures and off-site GHG mitigation, which may include the purchase of carbon offset credits.

For information regarding the mitigation hierarchy and use of carbon offset credits to reduce cumulative impacts in the Final SEIR (as distinguished from the CAP’s GHG Reduction Measures), please refer to Master Response 12. Please also refer to Response to Comment O14-12 and O14-13. The



geographic priority listed under CAP Mitigation Measure M-GHG-1 in Section 2.7.5.1 of the Draft SEIR applies to carbon offset credits that will be used to mitigate significant cumulative impacts from future GPAs. The CAP does not include a GHG reduction measure specifically calling for carbon offset credits. The geographic priority for these offset credits first requires on-site reduction measures and then follows the mitigation hierarchy referenced in the comment and as addressed in the Draft SEIR on pages 2.7-37 through 2.7-39. As described in Master Response 12, carbon offset credits must be purchased through recognized and reputable carbon registries such as those described on pages 2.7-38 through 2.7-39, and the use of carbon offset credits is a well-established method for mitigating project-level GHG emissions that is expressly authorized for use in CEQA. As such, the County provides this option under the circumstances specified within CAP Mitigation Measure M-GHG-1.

The use of carbon offset credits from outside the County in compliance with the mitigation hierarchy outlined in the Draft SEIR for cumulative GPA projects, is consistent with the intent of 2011 GPU Policy COS-20 and 2011 GPU PEIR Mitigation Measure CC-1.2 to address *global* warming as required by the State in legislation including AB 32 and SB 32 (Global Warming Solutions Act). In fact, both COS-20 and the 2011 GPU PEIR mitigation specifically refer to AB 32, the Global Warming Solutions Act, and global warming in general (2011 GPU EIR pages S-20, 2.17-1 et seq., and 7-80; 2011 GPU pages 5-31-33, 38). It is important to note that GHG emissions are a global, cumulative impact. This was recently highlighted by the California Supreme Court (see *Center for Biological Diversity et al., v. California Department of Fish and Wildlife, and The Newhall Land and Farming Company*, 62 Cal. 4<sup>th</sup> 204 (2015)). Page 219 of this case states that: "First, because of the global scale of climate change, any one project's contribution is unlikely to be significant by itself...With respect to climate change, an individual project's emissions will most likely not have any appreciable impact on the global problem by themselves, but they will contribute to the significant

cumulative impact caused by greenhouse gas emissions from other sources around the globe...Second, the global scope of climate change and the fact that carbon dioxide and other greenhouse gases, once released into the atmosphere, are not contained in the local area of their emission means that the impacts to be evaluated are also global rather than local". Further, as stated on pages 219-220 "[f]or many air pollutants, the significance of their environmental impact may depend greatly on where they are emitted; for greenhouse gases, it does not." Therefore, the use of carbon offset credits to mitigate significant cumulative impacts from future GPA projects is consistent with the purpose and intent of 2011 GPU Policy COS-20 and 2011 GPU PEIR Mitigation Measure CC-1.2 to address *global* climate change impacts.

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The Revised CAP and SEIR authorize the use of offsets from outside the County of San Diego. The Draft EIR identifies the County's "priority" list for consideration of GHG reduction features as follows:

- 1) project design features/on-site reduction measures; 2) off-site within the unincorporated areas of the County of San Diego; 3) off-site within the County of San Diego; 4) off-site within the State of California; 5) off-site within the United States; and 6) off-site internationally.

(DEIR, 2.7-48.) These offset priorities, which allow offsets outside of the County, outside of the state, and even outside of the United States, only have to be considered "to the satisfaction of the Director of Planning Development Services." (SEIR, p. 2.7-38.) This provision would impermissibly purport to give the County wide latitude to allow essentially unrestricted use of international credits to balance out local GHG emissions created by County projects. The use of offsets is inconsistent with the County's Mitigation Measure CC-1.2 to reduce GHG emissions *within the County of San Diego* by specified reduction amounts.

**IV. The CAP Lacks A Requirement to Reduce VMT's from Newly Planned Housing Projects.**

The CAP identifies Strategy T-1, which is intended to "Reduce Vehicle Miles Traveled." The CAP contains three measures designed to reduce achieve Strategy T-1: Measure T-1.1 - Acquire Open Space Conservation Land; Measure T-1.2 - Acquire Agricultural Easements; and Measure T-1.3 - Update Community Plans.

The CAP's strategy is an important one. The CAP purports to focus on density in the county villages. (CAP, p. 3-9.) "Focusing new development in and around existing unincorporated communities allows the County to maximize existing infrastructure ... By not developing housing in the more remote areas, the county will avoid GHG emissions from transportation ..." (*Ibid.*) The Sierra Club fully supports this goal.

However, none of the three measures the County identifies contains any enforceable requirements to locate residential housing closer to major sources of employment and transit. Mitigation Measure CC-1.15 does not include anything about limiting VMT's from newly planned housing projects. In fact, as discussed below, by allowing developers to purchase "carbon offsets" instead - which may even be based upon GHG emission reductions outside of the United States - the CAP actually facilitates sprawl.

The County may argue that Measure T-1.3 - Update Community Plans will assist in locating residential housing closer to jobs and transit. However, updating Community Plans does not address residential housing on a countywide basis. Additionally, the

O22-8  
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O22-9

O22-10

O22-11

**O22-9** The comment states it supports Strategy T-1. The County acknowledges this comment. The comment will be included as part of the Final EIR and made available to the decision makers prior to a final decision on the project.

**O22-10** The comment states that none of the measures in Strategy T-1 contains enforceable requirements to locate residential housing closer to major sources of employment and transit. The commenter then states that the 2011 GPU PEIR Mitigation Measure CC-1.15 does not include anything about limiting VMT's from newly planned housing projects. The 2011 GPU PEIR Mitigation Measure CC-1.15 includes efforts and strategies to reduce VMT and encourage alternative modes of transportation. This comment, however, does not address the adequacy of the CAP or Draft SEIR, and the project does not include any revisions to the 2011 GPU PEIR Mitigation Measure CC-1.15. Therefore, no further response is required. Please refer to Master Response 6 on GHG transportation measures, Master Response 5 related to community plan updates, and Master Response 2 on the CAP and SB 375.

**O22-11** The comment states that updating community plans does not address residential housing on a countywide basis and improperly passes land use planning responsibility to individual communities. The County does not agree with the comment. Updating Community Plans does not address residential housing on a county-wide basis as the 2011 GPU is the approved land use plan for the unincorporated County only. Similarly, the CAP does not address county-wide emissions, only those emissions that occur within the unincorporated County boundaries or from County operations. Emissions from cities and incorporated areas within the County are addressed through those jurisdiction's local planning processes. The commenter also appears to be confused on the process required by which community plans are approved and updated. Community plans are land use plans designed for individual communities in the unincorporated County that implement the 2011 GPU, consider local community factors, and are reviewed and approved by the Board of Supervisors. Community plans are not approved by individual communities.

Rather, the Board of Supervisors has ultimate land use authority in implementing community plans. Please refer to Master Response 5, Community Plan Updates.

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County improperly passes responsibility for something that is clearly within its control – land use planning in the County – to individual communities.

O22-11  
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The CAP’s failure to address VMT’s from newly planned housing projects is inconsistent with the Sustainable Communities and Climate Protection Act of 2008 (Sustainable Communities Act, SB 375, Chapter 728, Statutes of 2008), which supports the State’s climate action goals to reduce GHG emissions through coordinated transportation and land use planning with the goal of more sustainable communities. The County should use its power to establish land use planning priorities for residential housing development in order to reduce VMT’s.

Pursuant to SB 375, Metropolitan Planning Organizations, including the San Diego Association of Governments (SANDAG), are required to adopt strategies that show prescribed land use allocation in their regional transportation plans. SANDAG’s Regional Plan (available at [http://www.sdforward.com/pdfs/RP\\_final/The Plan - combined.pdf](http://www.sdforward.com/pdfs/RP_final/The Plan - combined.pdf); October 2015) states, “More than 80 percent of new housing in the region will be attached multifamily” (p. 34). The plan also states, “By 2050, 87 percent of the region’s new housing and 79 percent of new jobs will be situated within a half-mile of public transit.” (p.75) “The projected increase in new housing capacity is generally higher for areas with densities above 20 dwelling units per acre.” (Appendix C, Table C.3.) The County should analyze how SANDAG’s estimates are impacted by the County’s land use planning.

O22-12

**V. The CAP’s 1.5% Annual Reduction of VMT’s for County Employees Is Inadequate.**

The County is one of the largest employers in San Diego County, and thus, the County has a huge amount of leverage to make significant GHG emissions reductions by taking actions to reduce VMT’s for its employees. For example, San Luis Obispo County found that “two-thirds of the county government’s greenhouse gas emissions are caused by employees commuting to and from work.” (“SLO County Supervisors Approve Flex-time, Telecommuting Policies,” available at <http://www.sanluisobispo.com/news/local/article39123279.html>.)

O22-13

The CAP proposes Mitigation Measure T-2.3 to “[r]educe County employee commute Vehicle Miles Traveled (VMT) by 20% by 2030.” However, this amounts to an annual reduction of VMT’s of merely 1.5%. Facing a huge challenge to achieve significant GHG emissions reductions, a 1.5% annual reduction of VMT’s is minimal and additional reductions of VMT’s are feasible and necessary. Please see additional analysis of this issue in the Sierra Club San Diego’s comment letter attached as Exhibit A.

**O22-12** The comment states that the CAP is inconsistent with SB 375. The County does not agree with this assertion. Please refer to Master Response 2, CAP and SB 375. The commenter also suggests that the County should analyze how SANDAG’s estimates are affected by the County’s land use planning. This comment seems to misinterpret the purpose and intent of the CAP. It is unnecessary for the County to document how the CAP would change SANDAG’s estimates for VMT. The CAP assesses emissions from projected growth in the County; it is not a land use plan. The CAP incorporates VMT projections provided by SANDAG, which in turn, incorporate the County’s General Plan land uses to account for achievement of regional SB 375 targets as accepted by CARB. Thus, the CAP’s forecasted VMT, which was provided by SANDAG after the adoption of the Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS), and the CAP’s related emissions forecasts through 2050, are consistent with SB 375. More simply put, the County provides SANDAG land use forecasts based on the adopted 2011 General Plan. These forecasts are then incorporated into SANDAG’s travel demand model. The CAP then uses this information for the reductions measures in the Built Environment and Transportation category. The intent of these measures is to reduce VMT beyond the GHG and VMT projections already accounted for in the Regional Plan.

**O22-13** The comment states that GHG Reduction Measure T-2.3 provides inadequate reductions for County employee VMT. Please refer to Master Response 6 related to transportation GHG reductions measures. Please also refer to response O22-17. The 2030 reductions shown for this measure are equal to a 20% reduction from the 2030 business-as-usual (BAU) forecast of the emissions from County’s employee commute VMT. These BAU 2030 emissions were based on 1) projection of the County’s employee existing commute VMT out to 2030 using the municipal growth rates suggested in the County’s Five-Year Capital Improvement Plan and 2) changes in vehicle emission factors as modeled in EMFAC2014. Methodologies

used to calculate the County's 2014 commute VMT are included in Appendix B of the CAP. Please refer to Master Response 9 regarding the selection of GHG reduction measures.

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**VI. The Revised CAP and SEIR Must Account for GHG Emissions from County Airport Ground Operations.**

San Diego International Airport is owned and operated by the San Diego County Regional Airport Authority. (<http://www.san.org/Airport-Authority/About-the-Authority>.) The Board of Supervisors appoints a representative to that Board. (<http://www.sandiegocounty.gov/dpw/airports.html>.)

Cities and counties that have an airport and an adopted CAP, frequently include the GHG generation of the airports' ground operations. Examples include the County of Sacramento, the City/County of San Francisco, and the cities of Fullerton and Livermore. These emissions are often significant. Sacramento County Airport, owned and operated by the Sacramento County Airport System, provides a useful comparison to San Diego County. The County of Sacramento prepared a CAP that included GHG emissions from airport ground operations in the GHG inventory. ([http://www.ca-ilg.org/sites/main/files/file-attachments/sac\\_030843.pdf](http://www.ca-ilg.org/sites/main/files/file-attachments/sac_030843.pdf), p. 26.) The Sacramento County CAP concluded that 31% of total government emissions in the County came from operation of the Sacramento International Airport, including ground support equipment, roadways, and parking (but excluding aircraft emissions).

San Diego County should include airport ground operations in its GHG inventory, and provide an analysis of what percentage of total government emissions in the County stem from airport ground operations and work with the Airport Authority to reduce those emissions.

**VII. The County Should Show Compliance with the 2011 General Plan Update's Mitigation Measures Prior to Annexations or Rezoning of Open Lands.**

Finally, until a valid, legally adequate CAP is in place that demonstrably will achieve the 2020 emission reduction goals set out in the 2011 General Plan Update, no lands that are currently "greenfields" should be annexed and no General Plan Amendment should be authorized that would allow more intense development of those lands.

**CONCLUSION**

The SEIR must be revised with this new information and then recirculated for public comment. (CEQA Guidelines section 15088.5.) Pursuant to Public Resources Code section 21092.2, we request all notifications regarding this Project.

Thank you for your consideration.

O22-14

O22-15

O22-16

**O22-14** The comment states that the CAP should include airport ground operations in its GHG inventory and provide an analysis of what percentage of total government emissions these account for and reduce these emissions. The GHG inventory and forecasts in the CAP already include airport ground operations in the off-road sector under "airport ground support equipment" and airport energy use within the energy sector. As shown in Table 2 of Appendix B of the CAP, airport operations accounted for less than 0.2% of the 2014 GHG inventory for County operations. Thus, County airport operations do not constitute a substantial portion of the County's local government operations GHG inventory. Unlike Sacramento County, which the comment cites as a comparison, San Diego County does not operate a major international airport. The County operates eight small municipal airports used mostly for private and recreational flights. The County does not have jurisdiction over the San Diego International Airport. As the comment notes, the San Diego International Airport is owned and operated by the San Diego County Regional Airport Authority. The County of San Diego does not have the authority to implement GHG reduction measures at the San Diego International Airport, therefore, emissions from that airport are not included in the inventory. Please also refer to response to comment O5-7.

**O22-15** The comment states that until a legally valid CAP is in place that no greenfield lands should be annexed and no GPAs should be authorized. The comment does not address the adequacy of the Draft SEIR. Nonetheless, there is no legal reason preventing the County from processing or approving GPA projects prior to adoption of the CAP. In addition, as indicated in the CAP on page 2-14, the County is on track to meet its 2020 target with the help of existing legislation, such as the Renewable Portfolio Standard. The County will meet the 2020 GHG target without implementation of this CAP, relying on State efforts and efforts currently underway in the County of San Diego (see CAP pages 1-7 and 1-8).

**O22-16** The comment provides concluding remarks and states the Draft SEIR should be recirculated. The County disagrees with

this comment. Please refer to Master Response 1, Recirculation of the EIR.



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September 25, 2017  
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Sincerely,



Josh Chatten-Brown  
*Attorney for Sierra Club*