



Mayor Ritter and Council
City of Vista
200 Civic Center Drive
Vista, CA 92084

May 5, 2020

Re: Comments on Vista's Climate Action Plan (CAP)

Dear Mayor Ritter and Council,

Climate Action Campaign is a San Diego-based nonprofit organization with a simple mission: stop the climate crisis.

BikeSD's mission is to establish San Diego as a world-class bicycling city and create a more livable urban community by promoting everyday riding and advocating for bicycling infrastructure.

SanDiego350 is an inclusive volunteer organization devoted to inspiring a movement to prevent the worst impacts of climate change and climate injustice. We strive to create a future that supports a livable planet and just society through education and outreach, public policy advocacy, and mobilizing people to take action. We represent approximately 10,000 local volunteers and supporters in the San Diego area.

The Surfrider Foundation is dedicated to the protection and enjoyment of the world's ocean, waves and beaches through a powerful activist network. We fight for clean water, coastal preservation, ocean protection, beach access and to reduce plastic pollution.

Vista's Climate Action Plan is an opportunity to develop a comprehensive climate strategy and implementation plan that meets the scale of the challenge the climate crisis poses and helps bring clean air, safe streets, affordable clean energy, and economic benefits to families and businesses in Vista.

Since 2018, Climate Action Campaign has offered recommendations and best practices in letters and at workshops to help ensure that Vista's CAP will deliver a safe and healthy future for families in Vista. In November 2019, we sent a letter summarizing our recommendations for Vista's CAP update. However, the Draft CAP does not incorporate these recommendations, and as it stands, does not take full advantage of the potential that a CAP has to make a city more equitable and prosperous, and it does not make the kind of aggressive commitments that science tells us are necessary to secure a safe and livable future.

This letter summarizes our comments on the Draft CAP:

Revise the CAP to Comply with CEQA Guidelines for Qualified Plans

CEQA is clear about what is required for a qualified CAP. For a CAP to function meaningfully as a roadmap to its reduction target, the measures in the plan must be enforceable — which means they must be specific, unambiguous, and contain clear requirements. Voluntary measures violate these CEQA guidelines.

In *California Riverwatch v. County of Sonoma et. al* (2017), the court stated that in CAPs used for tiering, “any measures or requirements imposed [must] be sufficiently defined to be enforceable.” This means that for the CAP as a whole to be legally binding, the measures that comprise it must be enforceable. The decision further states that measures that fall into the category of “wishful thinking, good intentions, and an **intent to ‘work’ with others” violates CEQA (26)**. The measures within the CAP must be specific, evidence-based, and contain mandatory requirements, all of which serve to make the CAP as a whole meaningfully enforceable.

One of the City Actions within the CAP is not enforceable, and thus does not comply with CEQA:

- Measure E-3, “Support VUSD’s PV installation at 21 public school sites identified in their feasibility study.” Intent to ‘work’ is not considered an enforceable strategy.

We strongly urge the City to revise this measure so that it is enforceable and legally defensible.

Plan for Carbon Neutrality by 2045 in Line With State Targets

As a long-range planning document, we recommend that Vista’s CAP planning horizon extend until at least 2045, and the target for that year should align with Executive Order B-55-18 to achieve carbon neutrality by 2045. The UN IPCC *Special Report on Global Warming of 1.5 °C* and other recent climate science findings show that, at every level of government, we must plan for and fully execute a total transition away from fossil fuels. To achieve that transition, we need all of our cities to establish the roadmap and begin deep decarbonization today. In recognition of the importance of planning for deep carbonization, over 77 countries, 10 regions, and over 100 cities have committed to achieving net-zero emissions by 2050 or sooner. For strong examples of plans to achieve net zero emissions, we recommend referring to the [City of Santa Monica](#), the [City of Los Angeles](#), and the [County of Los Angeles](#) sustainability plans.

Commit to Community Choice Energy, and specifically consider Joining San Diego Community Power

Currently, Measure E-4 reads “Join a program to increase grid-supply renewable and zero-carbon electricity beyond the RPS mandate for 2030,” with a goal to “Achieve 90 percent renewable or zero-carbon electricity by 2030”. We suggest a more explicit commitment to a Community Choice Energy program and a 100% clean energy target, as is now the standard. Suggested Amendment for Measure E-4: “Present to City Council for consideration a Community Choice Energy program in 2020 that increases renewable electricity supply. Achieve 100 percent renewable electricity supply by 2030.”

Vista should consider joining an existing program, preferably San Diego Community Power (SDCP), rather than establishing a new one. There are numerous reasons for this:

- Scale is becoming an increasingly important factor in the success of CCE programs in the state. Larger programs are able to generate more revenue to provide more affordable rates, secure necessary start-up financing, more local green energy jobs and steel in the ground projects, and more clean energy programs and incentives.
- Establishing new CCE programs takes up significant staff time and City resources. Whether establishing a stand alone CCE program or negotiating a Joint Powers Authority agreement with other cities, starting a new CCE program takes significant staff time and financial resources. Vista does not need to reinvent the wheel when there are already state-certified CCE programs now operating in the same energy service territory, which the City can join and benefit from.
- Regional unity in the face of the climate crisis is desperately needed. If we are going to work together to solve the most existential crisis of our lifetimes, cities must work together collaboratively to support one another. Partnering with cities with a shared goal of reaching 100% clean energy also ensures we are moving lock step to meeting all of our local CAP targets.
- SDCP best exemplifies and embodies the full potential of what CCE has to offer communities. Of the existing CCE programs in the region, SDCP is the only one that embraces strong environmental, equity, local economic development, and worker provisions, and is capable of achieving the many benefits of CCE with its scalable revenue projections. We urge City leadership and staff to have proactive conversations with SDCP to explore joining their JPA and the regional movement to 100% clean energy.

Eliminate Building Emissions by 2045 Through Building Electrification

Even as our cities achieve 100% clean electricity, natural gas remains the third most significant source of emissions in our cities, so to fully transition away from fossil fuels, we must identify strategies to reduce and ultimately eliminate natural gas consumption. [Cities in California](#) are leading the transition from gas to clean-energy buildings, with San José, Santa Monica, Carlsbad, Berkeley, Windsor, San Luis Obispo, San Mateo, and Menlo Park passing building electrification ordinances.

We urge Vista to update the Draft CAP to include in its targets and associated strategies to electrify municipal, commercial, and residential buildings. These targets and strategies should include:

- Suggested Addition: Require all newly constructed or renovated buildings to be all-electric. For reference, the City of San José, Menlo Park, and Berkeley have all passed ordinances requiring all new residential and commercial construction to be all-electric effective January 2020. Windsor has also passed an ordinance requiring all newly constructed low-rise residential buildings to be all-electric. Most recently, Lemon Grove adopted a CAP with the measure “Adopt an ordinance requiring all new residential developments to be all-electric and install PV systems.”
- Suggested Addition: Adopt a plan to electrify municipal buildings. For example, the City of San José intends to adopt a plan to electrify municipal buildings.
- Suggested Addition: Streamline permitting to make electrifying existing buildings easier.
- Suggested Addition: Develop financial incentives to lower purchase and installation costs for electric appliances. For reference, San Luis Obispo currently adds a small fee for new mixed-fuel buildings based on expected gas consumption and plans to use the revenue to help people retrofit their homes with all electric appliances in the future.

In addition to reducing emissions, building electrification provides numerous co-benefits including lower energy bills and lower costs for new construction, improved indoor and outdoor air quality, safer energy infrastructure, and the creation of good-paying green jobs.

Energy Efficiency

We applaud Measure E-1, “Implement Energy Efficient Projects in Municipal Facilities”, however the CAP should additionally set targets for water conservation and energy efficiency for single-family, multifamily, and commercial buildings, as well as plan for ordinances to help reach those targets. These ordinances should include a Residential Energy Disclosure Ordinance similar to the one adopted in Portland, Oregon (and called for in the City of San Diego’s CAP), which requires sellers of single-family homes to obtain and disclose a Home Energy Report estimating the energy-related use, associated costs, and cost-effective solutions to improve the home’s efficiency.¹

In addition to reducing emissions, energy efficiency promotes lower energy bills and creates good-paying green jobs.²

Set Overall Mode Share Targets for Biking, Walking, and Transit

In the Draft CAP, Strategy 2 addresses the broad goal of reducing vehicle miles traveled by increasing the share of trips taken using walking, biking, and public transit. While the steps enumerated are worthwhile actions to take, they omit effective strategies and do not provide a clear roadmap to reduce emissions by a specified amount.

We strongly recommend setting overall targets for pedestrian, bicycle, and mass transit mode shares. For example, the City of San Diego states its goal as, “Achieve mass transit mode share of 12% by 2020 and 25% by 2035 in Transit Priority Areas,” “Achieve walking commuter mode share of 4% by 2020 and 7% by 2035 in Transit Priority Areas,” and, “Achieve 6% bicycle commuter mode share by 2020 and 18% mode share by 2035 in Transit Priority Areas.” Vista’s CAP should set aggressive mode share targets for biking, walking, and transit, tailored to the City’s local context, and include strategies to meet them.

Articulating these goals allows the development of aligned strategies to ensure goals are met, resulting in an evidence-based roadmap toward ambitious, feasible targets. Mode share goals also help municipalities plan and budget to facilitate a shift away from car-centric growth, as well as advocate for assistance for better transit infrastructure. Finally, they can also help communities plan for anticipated or desired health outcomes.

Walking: The draft CAP does not address pedestrian mode share targets. To increase pedestrian mode share and improve safety, the CAP should commit not only to developing a complete pedestrian network with comfortable, safe sidewalks, but also to innovative strategies to make walking as safe and convenient as possible. Examples of strategies to increase pedestrian mode share include piloting left-turn traffic calming to reduce turn speeds, restricting right turns at red lights, updating walk signals to extend time for pedestrians to cross the street, introducing leading pedestrian intervals, and adding new diagonal pedestrian crossings at

¹ City of Portland Home Energy Score, City of Portland, Bureau of Planning and Sustainability, <https://www.pdxhes.com/>

² Ettenson, Lara. “Good News for Good Jobs: Clean Energy Soars.” NRDC.org, NRDC, 30 May 2018, <https://www.nrdc.org/experts/lara-ettenson/good-news-good-jobs-clean-energy-outpaces-fossil-fuels>.

busy intersections. We recommend referring to the Mayor of San Francisco, London Breed's [Vision Zero announcement](#), August 2019.

Biking: Measure T-5 commits to installing new or improving existing Class II or better bicycle lanes. However, evidence shows that to increase ridership and promote safer streets, cities must prioritize a complete network of protected bike lanes when planning for biking infrastructure. Safe, separated bikeways and bike lanes that are connected to one another allow significantly more community members to participate in bicycling, increasing bike mode share and reducing VMT/GHG emissions. Anything less does not provide the same level of comfort or ease in travel. Suggested Amendment: "Install an additional 12 miles of two-way bicycle lanes (Class I or Class IV) by 2030. Achieve X% bicycle mode share by 2030."

Transit: In addition to setting an overall mode share target for transit, we recommend adding an action that reads, "Support planning and policy decisions at SANDAG to reduce GHG emissions and VMT and increase transit ridership." In addition, Vista can increase transit ridership through prioritizing land use policies that support the development of dense affordable housing near transit, and can reallocate public space to support bus-only lanes on key transit corridors.

Include Smart Land Use Policies with Affordable Housing Near Transit

Although Measure T-6 commits to completing the Vista Palomar and Vista Melrose 47 projects, the Draft CAP does not currently include strategies that advance the development of affordable housing in Vista, especially near the City's transit centers and high-frequency bus lines.

We recommend that the CAP include the following measures to increase the supply of affordable housing near transit:

- Pursue State grants such as the Affordable Housing and Sustainable Communities grants to support affordable housing projects near transit.
- Pursue other opportunities to utilize existing properties adjacent to transit and employment centers to develop housing affordable to very low-income and low-income families.
- Present to Council for consideration an inclusionary housing ordinance that would require a portion of all multi-family housing to be set aside for families earning less than 80% of the Area Median Income. Inclusionary housing ordinances help boost affordable housing production and supports racial and economic integration.

The CAP should also add a measure specifying where smart growth and density should be targeted and what transportation mode share, VMT, and land use goals should be set for specific communities throughout the city so there is clarity for the public and City Staff. The City of San Diego's ongoing struggle to ensure that community plan updates in urban, transit-priority communities are aligned with CAP targets, and to agree upon what goals each community is responsible for meeting, highlights the importance of including both a neighborhood-level specificity and a jurisdiction-wide approach in the CAP.

Include Strategies Encouraging Telecommuting

We encourage Vista to work with employers and other stakeholders to identify opportunities to expand work-from-home policies, which can be an effective strategy in reducing greenhouse gas emissions in the City's highest emissions sector, transportation. Telecommuting can reduce vehicle miles traveled by minimizing the number of daily commutes in the city, and is also an opportunity to advance equity, possibly broadening employment opportunities for those without access to a car or driver's license.

We recommend adding a measure that promotes participation by employers in telecommuting efforts, with a target tailored to the City's local context, and steps to meet this target. As an example, Solana Beach's CAP includes a measure that reads "Promote telecommuting to achieve 10% participation," with a goal of achieving participation from 10 percent of the eligible labor force to telecommute two days per week.

According to [Global Workplace Analytics](#), 56% of employees in the country have a job that could be done remotely at least some of the time, but less than 4% of employees actually work from home at least half-time or more. Although data is still being gathered regarding our region's current telework rates, the current public health crisis has shown more employees adapting to work-from-home policies than ever before. As we learn more, we encourage cities to adopt ambitious telecommuting targets, with strategies identified to meet those targets.

Include Strategies to Ensure Equitable Implementation of the CAP

Climate change hits hardest in communities that are disproportionately burdened by multiple sources of pollution and face health and socioeconomic challenges. We recommend that the City improve upon the Draft CAP by including a Social Equity section that explicitly defines how Vista will ensure that communities most impacted by climate change and environmental pollution are prioritized in the implementation of GHG reduction strategies, including investments in urban forestry, active transportation, renewable energy, and energy efficiency measures.

The development and implementation of this section should take place in consultation with a diverse set of stakeholders from the most impacted of the city's communities.

Suggested Addition: "The City will work with key stakeholders and utilize CalEnviroscreen to incorporate equity considerations into implementation of the CAP. The City will actively prioritize actions and measures that include consideration of social equity. In preparing a holistic approach to equity, the City will develop tracking and reporting metrics to determine progress and success."

Commit to Zero Waste

Currently, measure W-1 reads, "Achieve 85 percent waste diversion citywide (equivalent to reducing per capita waste landfilled to two lbs per person) by 2030." Suggested Amendment: We recommend adopting a Zero Waste policy that reads "Achieve 90-100 percent waste diversion citywide by 2030."

Commit to Fully Electrifying the City's Municipal Vehicle Fleet

While we support that the Draft CAP commits to a fleet conversion plan, we strongly recommend that the CAP exclusively commit to ZEV's, and not to alternative fuel vehicles.

Currently, measure T-1 reads, “Replace non-public safety vehicles (e.g., passenger cars and light-duty gasoline trucks) that are scheduled for replacement with electric or alternative fuel vehicles, including EVs and PHEVs.” Suggested Amendment: “Develop a Fleet Management Program to guide the replacement of vehicles to zero emission vehicles by 2030.”

Adopt Green Infrastructure Strategies

The CAP should include green infrastructure strategies to sequester carbon and deliver environmental, social, and economic benefits to the City. Green infrastructure is an approach to stormwater management that mimics or protects natural water systems.

Under Strategy 7 of the Draft CAP: “Carbon Sequestration,” Measures C-1 and C-2 set goals regarding planting new trees each year in City-owned landscaped areas and in new developments. Suggested Amendment: Commit to a quantifiable target for an increase in tree canopy coverage by planting and caring for drought-tolerant shade trees.

The CAP should additionally adopt green infrastructure strategies such as preserving or restoring natural lands, implementing green streets using techniques such as street trees, permeable pavements, bioretention, and swales, and adopting retrofit policies for public and private properties that promote projects such as permeable pavement and green roofs.³ We recommend quantifying targets associated with each of these strategies.

Hire a CAP Administrator and Commit to Annual Monitoring Reports

In order to ensure timely and transparent progress, we recommend amending the Implementation and Monitoring Section of the CAP to commit to the following:

- Hire a CAP administrator to coordinate and oversee CAP implementation strategies.
- Require annual monitoring reports on implementation progress to ensure goals are achieved and progress is transparent for the public.

Recommend Inclusion of Best Practices As Described in the 4th Edition CAP Report Card

In addition to the previous strategies, we recommend that Vista include the following best practices adopted by numerous cities across the San Diego region. For more detail on the strategies and which cities have incorporated each into their CAPs, please consult CAC’s [2019 CAP Report Card](#).

Conclusion

Thank you for the opportunity to weigh in on the development of this critically important document. Vista’s CAP presents an opportunity to help protect the health and safety of current and future generations from the worst impacts of climate change. We urge you to direct staff to incorporate the recommendations above to

³ “Green Infrastructure Municipal Handbook.” *Green Infrastructure*, United State Environmental Protection Agency, December 2018, https://www.epa.gov/sites/production/files/2015-10/documents/gi_munichandbook_retrofits.pdf.

comply with legal requirements, maximize emissions reductions, and deliver economic, safety, and health benefits to families and businesses.

Sincerely,



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