



County of San Diego, Planning & Development Services
Attention: Bulmaro Canseco
5510 Overland Ave, Suite 110
San Diego CA 92123
Via Email: CAP@sdcounty.ca.gov

November 18, 2016

Subject: CAC Scoping Comments - County of San Diego Climate Action Plan & General Plan Amendment, PDS2015-POD-15-002, PDS2016-GPA-16-007, PDS2016-ER-16-00-003

Dear Mr. Canseco,

Please accept these comments on the Notice of Preparation document regarding the County of San Diego Climate Action Plan (CAP) and General Plan Amendment. Climate Action Campaign (CAC) is committed to stopping climate change by helping local governments in Southern California pass and implement successful climate plans. We envision a future in which all communities should have healthy places to live, work, and play.

1. CAP Should Look Beyond 2030

The Scoping Memo's proposed greenhouse gas (GHG) emissions target and reduction strategies appear to meet the legal minimum by going to 2030, consistent with SB32 and the planning horizon of the County's General Plan. The Environmental Impact Report (EIR) should also analyze GHG emissions at least through 2030.

However, we recommend using the best practice of projecting emissions and planning strategies where possible through 2050, consistent with California Executive Order S-3-05. As 2030 will only be 12 or 13 years away by the time the County CAP is adopted, it makes sense from a planning perspective and a climate stabilization perspective to look further out. At the very least, the County's CAP should plan through 2035 enhance consistency with other CAPs in the region, including the Cities of San Diego, Del Mar, and others.

2. Baseline GHG Emissions and BAU Must Account for General Plan Amendments

CAC agrees with the Scoping Memo that the CAP must include a baseline assessment of GHGs, identify GHG emissions reduction targets and goals to reduce the County's contribution to climate change through 2030, and identify strategies, measures, and actions to comply with statewide GHG targets and goals to adapt to climate change impacts (Scoping Memo p6).

Not mentioned in the Scoping Memo is how the GHG baseline and Business-As-Usual (BAU) projection will account for the amendments and exceptions to the General Plan that have been

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approved for certain sprawl development projects since the adoption of the 2011 General Plan, EIR, and 2011 GHG inventory. CAC recommends the GHG baseline and BAU projections the CAP take into account these deviations from the General Plan as originally assessed five years ago.

3. GHG Measures Must Be Quantifiable, Enforceable, Show Substantial Evidence

The CAP should not only incorporate “technologically feasible and cost-effective emission reduction measures” (Scoping Memo p4); the measures must be quantifiable, enforceable, and demonstrate substantial evidence they will be achieved and reduce impacts to a less than significant level through the planning horizon of the General Plan. This is true for two legal reasons:

(1) The CAP is binding mitigation for the County General Plan in its EIR (GPU PEIR Mitigation Measure CC-1.2), and CEQA mitigation measures must be enforceable. CEQA and case law make clear that mitigation conditions must be enforceable and “[m]itigation conditions are not mere expressions of hope.” (Lincoln Place Tenants Assn. v. City of Los Angeles, 130 Cal. App. 4th 1491, 1508 (2005)). The ruling on the lawsuit this new CAP is seeking to remedy also makes clear that CEQA mitigation measures must be enforceable and once adopted, cannot be defeated by ignoring them. (Cal. Pub. Res. Code § 21081.6(b); *Sierra Club v. County of San Diego*, 231 Cal. App. 4th 1152, 1167 (2014).) Where a CAP is mitigation for the activities in the planning horizon of a GP, there must be enforceable standards with detailed deadlines, as well as substantial evidence that each mitigation measure will achieve the GHG reduction numbers assigned to each strategy. (*Id.*)

(2) The CAP is being proposed as a “qualified greenhouse gas reduction plan” for streamlining future project-specific environmental documents (Scoping Memo p5). Per CEQA guidelines and the California Attorney General, an adequate plan must “identify a set of specific, enforceable measures that, collectively, will achieve the emissions targets.”¹

4. Climate Action Plan Best Practices

In order to meet state greenhouse gas goals, comply with the General Plan mitigation obligations, avoid the worst impacts of climate change, and prepare residents for changing climate, we recommend including the following policies and strategies:

100% Clean Energy by 2035

As the Cities of San Diego and Del Mar have both recognized and committed to, not only is 100% Clean Energy the new nation-leading standard, it is also likely necessary to meet California GHG targets. By embracing a 100% clean energy future, residents and businesses in the County’s unincorporated areas would benefit from a greener grid. Shifting to clean energy not only reduces greenhouse gas emissions, it also spurs local investment and good-paying jobs from clean energy technologies. A 100% clean energy goal would also be consistent with the adopted plans of San Diego and Del Mar, and the likely goals of other Climate Action Plans in development in the region, and would further solidify San Diego County’s position as a statewide, nationwide, and even global climate leader.

Community Choice Energy

¹ <https://oag.ca.gov/environment/ceqa/planning>

Community Choice Energy is one of the most effective mitigation measures to reduce GHG emissions from electricity, through robust utilization of clean energy. Community Choice also allows municipalities to provide clean energy for residents and businesses often at a lower or competitive cost. This innovative public-private partnership would give the County control over its energy decision-making and enhance its energy options by injecting competition and choice into what is currently a monopoly marketplace. The incumbent utility (SDG&E) would still deliver reliable power to all residents and businesses in partnership with the Community Choice provider.

Community Choice is becoming popular throughout the state of California. Four municipalities-- Marin County, Sonoma County, and the Cities of Lancaster and San Francisco-- have implemented Community Choice, which has provided competitive rates with higher clean energy content to all customer classes. At least five other California municipalities are well on their way to launching Community Choice programs, notably including the County of Los Angeles. Additionally, the cities of San Diego and Del Mar included Community Choice in their CAPs as the key mechanism to achieve their clean energy goals, and San Diego has set aside funding in the budget for a feasibility study to explore this option. In addition, Solana Beach has already completed a feasibility study to create its own Community Choice Program and its taking steps towards implementing a program, and Encinitas is leading a cohort of north county cities including Carlsbad, Del Mar, Oceanside, and Solana Beach in jointly exploring Community Choice--an effort which the County could join. We encourage the County to consider integrating Community Choice Energy in its CAP to help steeply reduce carbon emissions, provide choice, and competitive energy rates.

Municipalization of energy is another policy option to achieve a 100% clean energy target.

Energy and water efficiency and zero emissions vehicles strategies should also be included in the menu of strategies to reduce energy demand and emissions and facilitate a transition to 100% clean energy.

Transit, Walking, Biking, and Smart Land Use Policies

We recommend including ambitious transportation mode shift goals, like San Diego's goal to have 50% of commuters in Transit Priority Areas using transit, biking and walking by 2035. To meet these targets, we recommend committing to developing and implementing a Bicycle Master Plan, Pedestrian Master Plan, Safe Routes to Schools Programs, Vision Zero programs, and complete streets policies and design standards.

We further recommend including a goal to reduce Vehicle Miles Travelled (VMT), to be achieved through smart-growth policies that increase mixed-use density and affordable housing in targeted areas, as well as through actionable transit, walking, biking, carpooling, and alternative working schedules. We recommend the CAP further specify where smart-growth and density should be targeted and what transportation mode-share, VMT, and land use goals should be set for specific communities countywide, so there is clarity for planning groups, the public, and County staff. The importance of having specificity and a jurisdiction-wide approach is being highlighted by the struggles of the City of San Diego as it is going through updating community plans in urban, transit-priority communities and there is lack of agreement as to what goals these communities must meet.

Urban Tree Canopy and Climate Resilience

With proper management and appropriate choice in tree variety, trees help sequester carbon, filter the air, and provide much needed shade in a warming environment. We recommend the County's CAP commit to a specific urban tree canopy goal, such as the City of San Diego's goal of covering 35% of urban areas with tree canopy.

Further, we recommend the CAP assess other climate vulnerabilities, such as fire risk, sea level rise and storm surge, and health risk from heat incidents, and commit to strategies to help residents, businesses, and natural resources be resilient in the face of these changes. Fire risk is of particular concern in much of the County's unincorporated areas. In fact, a recent Inewssource article, using data from the U.S. Forest Service, highlighted:

"more than half the land in San Diego County - including neighborhoods reaching almost to the ocean and densely settled foothill cities - is at high or very high potential for difficult -to-control fire...In addition, 29 percent of the county is in the next highest fire risk category."²

This is both a safety risk and economic risk the County must address. The Cedar Fire of 2003 and the Witch Creek Fire of 2007 together cost more than \$4.5 Billion in damages and indirect cost lost workdays, business shutdowns, and decreased tourism, according to a report³ from the Climate Education Partners.

The County CAP should also address heat incidences for inland and urban communities and ensure adequate access to cooling centers and health care facilities for vulnerable populations. A report from the Climate Education Partners found that a 10-degree Fahrenheit increase in temperature above the local average resulted in 6.3% increase in respiratory admissions to hospitals and a 4.9% increase in cardiovascular admissions.

Zero Waste

Waste decaying in landfills emits methane, a potent greenhouse gas. Waste typically generates 3% to 11% of municipal GHG emissions. We recommend committing to Zero Waste and incorporating strategies to reduce waste--such as through bans on single-use bag and Styrofoam- and divert waste from landfills through composting and recycling, as well as capturing the methane emitted by landfills.

Social Equity

Low-income communities of color are impacted disproportionately by pollution and climate change and face some of the highest underemployment and unemployment rates. To begin to remedy this, we recommend including a Social Equity and Jobs section helps to ensure that overburdened communities are prioritized for pollution-reducing and resilience actions. Focusing on environmental justice in a CAP that is a qualified GHG reduction plan is also recommended by the California Attorney General.⁴ We also recommend this section include quantifiable data that measures job quality, demographic and geographic distribution of workers, and commits to leveraging existing skilled training and apprenticeship programs to create and sustain middle-class career ladders.

² Lobet, Ingrid. Stark fire vulnerability in San Diego County. 8/29/16 <http://inewssource.org/2016/08/29/fire-san-diego-county/>

³ <http://catcher.sandiego.edu/items/usd/2050.pdf>

⁴ <https://oag.ca.gov/environment/ceqa/planning>

Implementation and Monitoring

The County should create a CAP implementation timeline and implementation plan, designating who will be responsible for putting the plan into action, and publishing annual CAP monitoring reports and regular GHG inventory updates. According to CEQA guidelines and the California Attorney General, qualified GHG reduction plans must “Establish a mechanism to monitor the plan's progress and to require amendment if the plan is falling short.”⁵

We also recommend forming an implementation task force of citizens and experts to advise the County and engage stakeholders. These actions will increase transparency for the public to track if the County is on track to meet its targets, and it will help the Board of Supervisors and Department leaders set sufficient budgeting and staffing levels at the appropriate times.

Conclusion

According to the most recently available data and climate scientists, there is no greater threat to the future of humanity than climate change. We urge you to work swiftly to complete this Climate Action Plan in compliance with state laws, to protect our region's quality of life. Swift completion is also necessary to comply with CEQA, as CEQA guidelines prohibit the deferral of formulation of mitigation measures to the future (CEQA Guidelines § 15126.4(a)(1)(B).) As we are now five years past the adoption of the County's General Plan, and the CAP was supposed to be completed within six months of the GP adoption, the County cannot draw out this process any longer.

We look forward to working with you to help you achieve the County's climate planning goals swiftly and successfully. Please do not hesitate to reach out to us with questions, and thank you for the opportunity to weigh in on this important matter.

Sincerely,



Kayla Race, Director of Operations and Programs
Climate Action Campaign

⁵ <https://oag.ca.gov/environment/ceqa/planning>