



August 5, 2016

Councilmember George Gastil, City Manager Lydia Romero
& Management Analyst Malik Tamimi Lemon Grove City Hall
3232 Main Street
Lemon Grove CA 91945

RE: Recommendations for City of Lemon Grove Climate Action Plan (CAP)

Dear Councilmember Gastil, Lydia and Malik,

Thank you for taking the time to meet with us to discuss a Climate Action Plan (CAP) for the City of Lemon Grove. Climate Action Campaign (CAC) is committed to helping cities in San Diego County pass and implement successful climate plans that achieve 100% clean energy, empower people to use public transit, walking, and biking, and protect the people and places we love for generations to come.

We commend you for your efforts to think proactively about climate, health, and mobility as you proceed with updating your General Plan (GP) and Downtown Village Specific Plan. In particular, we commend your planned inclusion of a Health Element in the GP and your concurrent creation a Climate Action Plan. We believe this presents an exciting opportunity for the City of Lemon Grove to show leadership and bolster the resiliency of residents and infrastructure against the impacts of climate change, and fill in gaps in the City's environmental policies since the adoption of its 1996 General Plan.

We are here as a resource in any way we can be helpful to you in your climate planning process. Please do not hesitate to reach out to us for help with brainstorming, policy recommendations, research, answering questions and public education surrounding the CAP. As promised, below are our initial recommendations for ways the City can leverage its CAP to become a regional leader on climate policy, clean energy, and transportation as the City of San Diego has done with the unanimous bipartisan adoption of its CAP in December 2015.

The CAP Should Mitigate GHG Impacts for the General Plan and Include Enforceable Measures

As a requirement under the California Environmental Quality Act (CEQA), Lemon Grove will need to mitigate the greenhouse gas impacts expected to result from the planned growth and development in the General Plan Update. 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, (2005) 130 Cal. App. 4th 1491, 1508). The clearest and most comprehensive way to do this mitigation is by creating a CAP.

We recommend explicitly stating in the GP, GP Environmental Impact Report, and in the CAP itself that the CAP is an enforceable plan. Such certainty on the ground rules is ultimately a benefit to all stakeholders. This is consistent with what the City of San Diego did in its CAP and GP, and what the County of San Diego and the City of La Mesa must do in their revised CAPs.

Including enforceable, detailed measures in Lemon Grove’s CAP to achieve necessary GHG mitigation for the City’s GP will help ensure the plan meets legal muster. The Courts in the *Sierra Club v. County of San Diego* case regarding the County’s CAP were clear that 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.

Additionally, where a CAP is intended to serve as mitigation required in the General Plan EIR, the specific CAP GHG reduction targets must be enforceable as mitigation under 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).)

The CAP’s Goals and Planning Horizon Must Be Consistent with the General Plan and State Goals

In order to ensure consistency between the City’s CAP and its GP update, we recommend developing the CAP and GP concurrently so these documents are congruent in terms of their goals, objectives, policies and strategies to reduce the City’s GHG emissions.

As mitigation for the GP, the the CAP’s planning horizon must match the 20-year planning horizon of the City’s GP. Courts have previously found fault in plans whose timelines do not go

beyond 2020 (Cleveland Nat'l Forest Foundation v. SANDAG, Case No. 2011-00101593, Final Ruling, p. 12), and we hope to help Lemon Grove avoid such legal shortcomings. As a basis of comparison, the City of San Diego CAP--which is in good legal standing--set its GHG reduction targets and strategies through 2035, with an interim 2020 target, to mirror the planning horizon of its GP as well as achieve emissions reductions consistent with AB32 and California Executive Orders B-30-15 *and* S-3-05. Consistency between timetables on climate goals and strategies in both documents also makes practical planning sense.

Recommend Inclusion of 100% Clean Energy Goal

A 100% clean energy goal closely aligns with California Executive Orders B-30-15 and S-3-05 (in fact, it is often the only way to hit long-term state GHG targets). The CAPs of the cities of San Diego and Del Mar commit to 100% clean energy by the year 2035, as are many other cities around the country and the world, and we encourage the City of Lemon Grove to adopt a similar clean energy goal. By embracing a 100% clean energy future, all residents of Lemon Grove will benefit from a greener grid because clean energy spurs local investment and well-paying jobs from clean energy technologies. A 100% clean energy goal will also allow the City of Lemon Grove to market itself as a statewide, nationwide, and even global climate leader.

Recommend Inclusion of Community Choice Energy

Not only is 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 City 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 Beach¹ 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, Escondido, Oceanside, Poway, and Solana Beach in jointly exploring Community Choice--an effort which Lemon Grove could join.² We encourage the City of Lemon Grove to consider integrating Community Choice Energy in its CAP as a way to help steeply reduce carbon emissions, provide choice, and competitive energy rates.

Recommend Inclusion of Environmental Justice Section in CAP

As we discussed, the City of Lemon Grove has an opportunity to link its CAP with strategies that meet the unique needs of the residents it serves. According to the US Census for 2014, the median household income in Lemon Grove was \$53,482 (in 2014 dollars), and the percentage of persons in poverty was 14.8% percent. While climate change impacts everyone, it hits hardest in communities who already struggle with a lack of resources and unemployment, and face disproportionate pollution burden.

San Diego is the first city in California to adopt a CAP that utilizes a statewide monitoring tool called CalEnviroScreen. The tool identifies communities overburdened by multiple sources of pollution and can be used to direct investment and benefits to these neighborhoods. We recommend that Lemon Grove include an Environmental Justice section which utilizes this tool to prioritize populations hit first and worst by climate change.

Further, we recommend focusing in this section on how to leverage the City's two trolley stops to achieve transportation justice goals, as well improve neighborhoods by investing in transit, bicycling, and pedestrian infrastructure. Additionally, strategies to achieve energy justice can work to ensure all populations in the City have access to solar energy, as well as upgrades that make homes and buildings more energy efficient. Further, prioritizing trees and green spaces in underserved neighborhoods can also help filter the air, reduce greenhouse gases, reduce cooling needs, and provide shade as a much need respite from the heat waves that are expected to intensify as climate change worsens. Lastly, it will be important to focus on how CAP strategies can create good-paying jobs for residents and improve quality of life in neighborhoods throughout the City.

¹ <https://www.climateactioncampaign.org/2016/06/22/solana-beach-community-choice/>

² <https://www.climateactioncampaign.org/2016/05/17/north-county-community-choice-energy/>

Recommend Forming CAP Advisory Committee

Lastly, we recommend forming a citizen advisory taskforce to oversee the planning, passage and implementation of Lemon Grove's CAP. The cities of San Diego, Del Mar and Solana Beach have all benefited from the use of such advisory bodies in their climate planning. San Diego's Environmental and Economic Sustainability Task Force (EESTF) was an independent advisory body comprised of members selected by each Council District and the Mayor's Office that worked with City staff on the development of the City's CAP. San Diego now has a newly formed CAP Implementation Working Group that is currently charged with advising the Committee on the implementation of the CAP, including adaptation, on a quarterly basis, or as needed. Del Mar's Sustainability Advisory Board (SAB) played a significant role in developing its CAP, including identifying the recommended greenhouse gas reduction targets and the list of recommended measures and strategies to meet 2020 and 2035 state GHG targets. Solana Beach's Climate Action Commission is currently assisting in developing the City's CAP, including updating the City's Greenhouse Emissions Inventory, setting reduction targets, implementing mitigation measures and performing periodic monitoring, verification and evaluations. We suggest using the Solana Beach model for task force membership by including citizen residents as well as professionals from the environmental and/or scientific community. Ensuring participation from both citizens and experts will serve to strengthen the plan and foster community buy-in through a transparent, public process.

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 commend you for your work to create a citywide CAP that will protect our children and grandchildren and improve quality of life for all residents of Lemon Grove.

We look forward to working with you to help you achieve the City's climate planning goals. Please do not hesitate to reach out to us as a resource. Thank you for the opportunity to weigh in on this critically important planning document.

Sincerely,



Kath Rogers, Director of Special Projects



Kayla Race, Director of Operations & Programs