

CHAPTER 8.0 LETTERS OF COMMENT AND RESPONSES

This chapter contains all comments received on the Draft Supplemental Environmental Impact Report (Draft SEIR) and responses thereto and is organized as follows:

- List of Agencies and Individuals that Commented on the Draft SEIR
- Master Responses
- Comment Letters Received and Responses to Comments

The focus of the responses to comments in this chapter is on the disposition of significant environmental issues raised in the comments, as specified by Section 15088(c) of the California Environmental Quality Act (CEQA) Guidelines. When a comment is not directed to significant environmental issues, the responses indicate that the comment has been acknowledged and no further response is necessary.

This section of the Final SEIR (Final SEIR) presents copies of comments on the Draft SEIR received in written form during the public review period, and it provides the County of San Diego's responses to those comments. Each comment letter is lettered and the issues within each comment letter are bracketed and numbered. Comment letters are followed by responses, which are numbered to correspond with the bracketed comment letters.

The County's responses to comments on the Draft SEIR represent a good-faith, reasoned effort to address the environmental issues identified by the comments. Under the CEQA Guidelines, the County is not required to respond to all comments on the Draft SEIR, but only those comments that raise environmental issues. In accordance with CEQA Guidelines 15088 and 15204, the County has independently evaluated the comments and prepared the attached written responses describing the disposition of any significant environmental issues raised. CEQA does not require the County to conduct every test or perform all research, study, and experimentation recommended or demanded by commenters.

Rather, CEQA requires the County to provide a good faith, reasoned analysis supported by factual information. To fulfill these requirements, the County's experts in planning and environmental sciences consulted with and independently reviewed analysis responding to the Draft SEIR comments prepared by Ascent and other experts identified in the Draft SEIR's list of preparers, which include experts in planning, aesthetics, agriculture, air quality, biology, cultural resources, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use planning, noise, public services, transportation and traffic, utilities and service systems, energy, and environmental studies, each of whom has years of educational and field experience in these categories of environmental sciences; is familiar with the project and the environmental conditions in the County; and is familiar with the federal, state, and local rules and regulations (including CEQA) applicable to the Climate Action Plan (CAP).

Accordingly, the County staff's final analysis provided in this response to comments are backed by substantial evidence. Likewise, the County Counsel's Office prepared and/or

independently reviewed legal analysis supplementing the responses to the Draft SEIR comments.

In the case of specific comments, the County has responded with specific analysis; in the case of a general comment, the reader is referred to a related response to a specific comment, if applicable. The absence of a specific response to every comment does not violate CEQA if the response would merely repeat other responses.

8.1 List of Agencies and Individuals that Commented on the Draft SEIR

This section identifies all written comments received during the public comment period. Table 8-1 provides an index to commenters and comment letters.

Table 8-1 Commenters and Comment Letters

Letter Number	Organization/Commenter
S1	State of California Governor's Office of Planning and Research, State Clearinghouse and Planning Unit Scott Morgan, Director
L1	Olivehain Municipal Water District Kimberly A. Thorner, General Manager
L2	Padre Dam Municipal Water District Clara Cornelius, Engineering Staff Assistant
L3	San Diego Gas & Electric Company (SDG&E) Joe Gabaldon, Public Affairs Manager
L4	San Diego Association of Governments (SANDAG) Seth Litchney, Senior Regional Planner
L5	Sweetwater Authority Israel Marquez, Environmental Specialist
L6	City of Imperial Beach, Community Development Department Jim Nakagawa, AICP, City Planner
C1	Julian Community Planning Group Patrick L. Brown, Chair
C2	Hidden Meadows Community Sponsor Group C. Wayne Dauber, Chair
C3	Borrego Springs Community Sponsor Group Rebecca Falk, Chair
C4	Twin Oaks Valley Community Sponsor Group Tom Kumura, Chair
C5	Boulevard Planning Group Donna Tisdale, Chair
C6	Bonsall Community Sponsor Group Margarete Morgan, Chair
Acronyms: L = Local Agency; C= Community; O = Organization; I = Individual; X = Submitted after the close of public review.	

Table 8-1 Commenters and Comment Letters

Letter Number	Organization/Commenter
O1	Southwest Wetlands Interpretive Association Michael A. McCoy, President Bill Tippetts, Board Member
O2	Southwest Wetlands Interpretive Association Michael A. McCoy, President Bill Tippetts, Board Member
O3	Preserve Wild Santee Van K. Collinsworth, Executive Director/Resource Analyst
O4	Environmental Center of San Diego Pamela Heatherington, Board member
O5	Backcountry Against Dumps Stephan C. Volker, Attorney and Donna Tisdale
O6	Building Industry Association of San Diego County Matthew J. Adams, Vice President
O7	BOMA San Diego and NAIOP San Diego Craig Benedetto, Legislative Consultant
O8	California Construction and Industrial Materials Association Suzanne Seivright, Director, Local Governmental Affairs
O9	California Native Plant Society, San Diego Chapter Frank Landis, PhD, Conservation Chair
O10	Climate Action Campaign Sophie Wolfram, Policy Advocate Business for Good San Diego Karim Bouris, Executive Director
O11	Coastal Environmental Rights Foundation Livia Borak Beaudin, Legal Advisor
O12	Endangered Habitats League Dan Silver, Executive Director
O13	Friends of the Earth U.S. Kari Hamerschlag and Julian Kraus-Polk
O14	Golden Door Properties LLC Christopher W. Garrett of Latham & Watkins LLP
O15	The Nature Conservancy Cara Lacey, AICP, Regional Planning Strategy Lead
O16	Protect Our Communities Foundation Maris Brancheau, Esq
O17	SanDiego350 David Harris, Public Policy Team
O18	San Diego County Farm Bureau Eric Larson, Executive Director
Acronyms: L = Local Agency; C= Community; O = Organization; I = Individual; X = Submitted after the close of public review.	

Table 8-1 Commenters and Comment Letters

Letter Number	Organization/Commenter
O19	San Diego Food System Alliance Elly Brown, Alliance Director
O20	San Diego Regional Urban Forests Council Anne S. Fege, Ph.D., M.B.A., Executive Team
O21	Sempra Services Corporation Frank Urtasun
O22	Sierra Club Josh Chatten-Brown, Attorney for Sierra Club
O23	STAY COOL for Grandkids Sarah Benson
I1	Jeff Hayden
I2	George Henry
I3	Jeffrey Kent
I4	Richard Fennelly
I5	Susan Krzywicki
I6	Richard Fennelly
I7	Jon Vick
I8	John Suhr
I9	John Suhr
I10	Donna Tisdale
I11	Wael Al-Delaimy MD, PhD
I12	Larry Scott
I13	Sarah Boltwala-Mesina
I14	Tena Scruggs
I15	Linda Aurora Espino
I16	Joy Frew
I17	Lori Jirak
I18	Arne Johanson
I19	Caitlin Kreutz
I20	Michael Almer
I21	Jacqueline Arsivaud
I22	Philip E. Church
I23	Susanne Dillmann
I24	Laura P. Gordon
I25	Laurel L. Lemarie
I26	Lael Montgomery
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Letter Number	Organization/Commenter
I27	Will Rogers
I28	Rich Rudolf
I29	Deanne Sanderson
I30	Judith Shadzi
I31	Kay Stewart
I32	Julia Feliciano
I33	Lori Jacobs
I34	Su Kraus
I35	Kathy MacKenzie
I36	Bill Manning
I37	K. McNairnie
I38	Cynthia A. McShea
I39	Richard & Elizabeth Mercurio
I40	Richard Mercurio
I41	Jo Moran
I42	Anita Noone
I43	Sharon Reeve
I44	Sharon Reeve
I45	Robert Reid
I46	Andrea Richards
I47	Don Richards
I48	Don Wood
I49	Linda Aurora Espino
I50	Lisa Million
I51	Ileana Paul
I52	Robert Reid
I53	Eric Farrar
I54	Enrico Ferro
I55	Carol B. Gartner, PhD
I56	Lawrence M. Gartner, M.D.
I57	Don Richards
I58	MaryEllen Garcia, Ph.D.
I59	Steve Hutchison
I60	Jess Morton
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Letter Number	Organization/Commenter
I61	Pam Nelson
I62	Laura Robinson
I63	Jon Sherman
I64	Barbara Bensen
I65	Jerry Janisch
I66	Sue Janisch
I67	Emily Kessler
I68	Sherri Pflibsen
I69	Emily Gray
I70	Kathe Robbins
I71	Wesley and MaryAnn Truesdale
I72	Sandra Farrell
I73	Anja Pressler
I74	Bernie Wrightson
I75	Catherine Wrightson
I76	Rosalind Brown
I77	Elin Pierce
I78	Puja Batra, Ph.D.
I79	Karen Binns
I80	Mary H. Clarke
I81	Elizabeth Gabrych
I82	Laura Hunter, Escondido Marge Wurgel, San Diego Keith Mescher, San Diego Ron Landsel, Oceanside Herb Zapata, Escondido Mousqa Katawazi, Valley Center Thich Chan Phap Ho, Escondido Ron Forster, Escondido David Solomon, Escondido Julia Katawazi, Valley Center Douglas Anthony, San Diego Joanne Rizza, San Marcos Chris Brickett, San Diego Kimberly Vander Bie, Chula Vista Amy Spintman, Chula Vista Michelle Betbadal, Oceanside Mychael McNeeley, La Mesa Michelle Schmalvogel, Escondido
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Table 8-1 Commenters and Comment Letters

Letter Number	Organization/Commenter
I83	Harris Korn
I84	Bernie Miller
I85	Ana Rosvall
I86	Jim and Kathie Rosvall
I87	Marian Sedio
I88	James E. Whalen
X1	Camille Strate
X2	Roberta Andrews
X3	Tammy Bennetts
X4	Jim Bennetts
X5	Ralph Bowman
X6	Chelley Correa
X7	Linda Luce
X8	Elizabeth Merz
X9	Susan A. Reiman
X10	Lyn Renouard
X11	Ryan Tracy
X12	John Angel
X13	Josie Fox
X14	Noelle Clark-Hill
X15	Lawrence Mummey
X16	Bob Polselli
X17	Karen Strand
X18	Irene Veltri
X19	Joe Veltri
X20	Campo Lake Morena Community Planning Group Billie Jo Jannen, Chairman
X21	The Associated General Contractors of America, San Diego Chapter, Inc. Mike McManus, Director of Engineering Construction and Industry Relations
X22	Endangered Habitats League Dan Silver, Executive Director
X23	Golden Door Properties LLC Samantha Seikkula of Latham & Watkins LLP
X24	John Suhr
X25	California Native Plant Society, San Diego Chapter Frank Landis, PhD, Conservation Chair
X26	Endangered Habitats League

Table 8-1 Commenters and Comment Letters

Letter Number	Organization/Commenter
	Dan Silver, Executive Director
X27	Golden Door Kathy VanNess, Chief Operating Officer/General Manager
X28	Southwest Wetlands Interpretive Association Michael A. McCoy, President Bill Tippets, Board Member
X29	Golden Door Properties LLC Christopher W. Garrett of Latham & Watkins LLP
X30	Boulevard Planning Group Donna Tisdale, Chair
X31	STAY COOL for Grandkids Bob Leiter, Advisory Council Chair
X32	Backcountry Against Dumps Stephan C. Volker, Attorney and Donna Tisdale
X33	Sierra Club Josh Chatten-Brown, Attorney for Sierra Club
X34	Climate Action Campaign Sophie Wolfram, Policy Advocate
X35	Associated General Contractors of America, San Diego Chapter Incorporated Mike McManus P.E., Director of Engineering Construction & Industry Relations
X36	Environmental Center of San Diego Pamela Heatherington, Board of Directors

Acronyms: L = Local Agency; C= Community; O = Organization; I = Individual; X = Submitted after the close of public review.

Changes have been made to the Draft SEIR in strikeout/underline format in response to comments and to provide updates and clarifications to information provided herein. Please refer to Chapters 1 through 7 of this document.

8.2 Summary of Changes to the Draft SEIR

Revisions to the Draft SEIR, consistent with CEQA Guidelines Section 15088.5 (b), have been made to clarify text for consistency or revise punctuation as appropriate throughout the document and does not result in what constitutes new significant information that would require recirculation of the document. A summary of these revisions is provided in the Recirculation Findings for the Final SEIR which are attached to the Planning Commission Hearing Report.

As a point of clarification, the revisions to the Draft SEIR do not include the strikeout/underline text that occurs on pages 7 through 9 of the Summary and 1-15 through 1-17 of the Project Description that reflects the changes to 2011 GPU Goal COS-

20, Policy COS-20.1 and 2011 GPU PEIR Mitigation Measure CC-1.2 which is required to make the CAP consistent with the 2011 GPU and 2011 GPU PEIR.

8.3 Summary of Changes to the Climate Action Plan

Changes have been made to the Draft CAP in highlighted text in response to comments and to provide updates and clarifications to information provided herein. Changes are also documented in a table on Page 7 of the Final CAP. Please refer to Chapters 1 through 7 of the CAP.

The CAP Consistency Review Checklist (Checklist) was updated accordingly in strikeout-underline format based on updates to the Draft CAP. Questions 2a and 3a of the Checklist were updated to clarify that emissions from the two measures (T-2.2 and T-2.4) are not intended to be additive for individual projects. Certain projects may be able to achieve more effective reductions through transportation demand management (TDM) while others may benefit from parking reduction strategies. There is a cap on the overall vehicle miles traveled reductions that can be achieved at the project level, therefore, the Checklist questions were modified for clarity of application and compliance.

8.4 Master Responses

A number of the comments received on the Draft SEIR addressed the same or similar issues and environmental concerns. Rather than repeat responses to recurring comments in each letter, the master responses outlined in Sections 8.4.1 through 8.4.13 were prepared. Each response to comment references these master responses where applicable.

8.4.1 Master Response 1 - Recirculation of the EIR

Numerous comments were received that generally state that the County should revise and recirculate the Draft SEIR for an additional round of public review and comment. The County does not concur with these comments. The following response discusses the standards generally applicable to this issue, applies those standards to the comments requesting recirculation, and states why recirculation of the Draft SEIR is not warranted.

Pursuant to CEQA, a lead agency is required to recirculate an EIR when the agency adds “significant new information” to the EIR after the close of the public comment period but prior to certification of the FEIR (PRC Section 21092.1; State CEQA Guidelines Section 15088.5.). “New information added to an EIR is not ‘significant’ unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project’s proponents have declined to implement” (State CEQA Guidelines Section 15088.5(a)). “Significant” new information includes information showing that “(1) [a] new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented [;] or (2) [a] substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of

insignificance” (State CEQA Guidelines Section 15088.5 (a)(1), (a)(2)). In effect, if a lead agency determines that a new significant effect (i.e., an effect that exceeds the identified threshold) would occur related to the project or new mitigation, and this was not previously disclosed in the EIR, then recirculation would be triggered. Similarly, if a lead agency determines that a significant effect identified in the EIR would now, in fact, be more severe or substantially greater than previously disclosed, then recirculation may be warranted.

The Resources Agency adopted Section 15088.5 of the State CEQA Guidelines to incorporate the California Supreme Court’s decision in *Laurel Heights Improvement Assn. v. Regents of the Univ. of Cal.* (1993) 6 Cal.4th 1112 (*Laurel Heights II*). Per the Supreme Court, the rules governing recirculation of a DEIR are “not intend[ed] to promote endless rounds of revision and recirculation of EIRs” (*Laurel Heights II*, supra, 6 Cal.4th at p. 1132). Instead, recirculation is “an exception, rather than the general rule” (*Mount Shasta Bioregional Ecology Center v. County of Siskiyou* (2012) 210 Cal.App.4th 184, 221). As such, lead agencies must remember that the environmental review process is intended to close and come to an end, and only upon specific circumstances be reopened for additional evaluation.

Under these standards, a change to a project, made in response to comments on a DEIR, generally does not trigger the obligation to recirculate the DEIR. “The CEQA reporting process is not designed to freeze the ultimate proposal in the precise mold of the initial project; indeed, new and unforeseen insights may emerge during investigation, evoking revision of the original proposal” (*County of Inyo v. City of Los Angeles* (1977) 71 Cal.App.3d 185, 199; see *River Valley Preservation Project v. Metropolitan Transit Development Bd.* (1995) 37 Cal.App.4th 154, 168, fn. 11).

As these cases recognize, CEQA encourages the lead agency to respond to concerns as they arise, by adjusting a project or developing mitigation measures, as necessary. That a project evolves to address such concerns is evidence of an agency performing meaningful environmental review. A rule requiring recirculation of the DEIR any time a project changes would have the unintended effect of freezing the original proposal, and of penalizing the lead agency for revising the project in ways that may be environmentally benign or even beneficial. Considering this policy concern, the courts uniformly hold that the lead agency need not recirculate the DEIR merely because the project evolves during the environmental review process. (See, e.g., *Citizens for a Sustainable Treasure Island v. City and County of San Francisco* (2014) 227 Cal.App.4th 1036, 1061-1065 [project modification requiring consultation with Coast Guard regarding building designs did not require recirculation of DEIR]; *South County Citizens for Smart Growth v. County of Nevada* (2013) 221 Cal.App.4th 316, 329-332 [identification of staff-recommended alternative after publication of FEIR did not trigger obligation to recirculate DEIR because the alternative resembled other alternatives that the EIR had already analyzed]; *Western Placer Citizens for an Agricultural and Rural Environment v. County of Placer* (2006) 144 Cal.App.4th 890, 903-906 [revision in phasing plan did not trigger recirculation requirement because the revision addressed environmental concerns identified during EIR process]; *Laurel Heights II*, supra, 6 Cal.4th at pp. 1141-1142 [FEIR’s identification of night-lighting glare, and adoption of corresponding mitigation measures, did not trigger recirculation requirement]; *Long Beach Sav. & Loan Assn. v. Long Beach Redevelopment*

Agency (1986) 188 Cal.App.3d 249, 262-263 [adding mitigation did not require recirculation of negative declaration where the mitigation was added to respond to comments].)

In the instance of the Draft CAP and the Draft SEIR, the County has made changes based on comments received during the public review period. The changes to the Draft CAP and Draft SEIR, as fully described in Attachments A, G-1, and J of the Final CAP, were analyzed within the Draft SEIR and would not increase the severity of impacts or increase impacts to a level that would change the impact conclusions presented. The changes, in general, were related to the addition of one GHG reduction measure and the increase of three GHG reduction measures within the Draft CAP. However, the Draft SEIR adequately analyzed (at a program level) the potential environmental impacts of these changes; and, the addition of one measure and slight increases of three measures did not increase the severity of impacts or change the overall impact conclusions within the Draft SEIR.

For example, in the Draft SEIR, GHG Reduction Measure E-1.4 stated (emphasis added):

- “Reduce energy use intensity at County facilities by 10% below 2014 levels by 2020 and by 15% below 2014 levels by 2030.”

After reviewing numerous comments, the County revised GHG Reduction Measure E-1.4 to state:

- “Reduce energy use intensity at County facilities by 10% below 2014 levels by 2020 and by 20% below 2014 levels by 2030.”

The potential environmental impacts of the County increasing renewable energy operations were analyzed programmatically within the Draft SEIR, and the slight increase in the percent of renewable energy used would not increase the severity of the impact or change the impact conclusions presented within the Draft SEIR. In addition, the measures increased based on public comment reduce the emissions reductions required from GHG Reduction Measure T-4.1, Local Direct Investment Program, resulting in a decrease of the impacts identified throughout the Draft SEIR from GHG Reduction Measure T-4.1.

Further, the GHG reduction measures adjusted based on comments received do not change the total reductions that the County will achieve by 2020 or 2030; they simply reduce the amount of reductions required from GHG Reduction Measure T-4.1. These adjustments similarly do not change the fundamental purpose of the GHG reduction measures that were included within the project description of the Draft SEIR. Furthermore, the fact that the CAP consists of multiple GHG reduction measures, as required for qualified GHG reduction plans by CEQA Guidelines section 15183.5, does not necessarily result in an unstable project description. The public was provided with a stable project description that included numerous GHG reduction measures; none of these measures were removed from the project description, and each will be implemented by the County upon adoption of the CAP. GHG Reduction Measure T-3.5 was added to the Final SEIR in response to public comments; however, the Draft CAP and Draft SEIR

evaluated electric vehicle charging stations in other measures and through supporting efforts. This change is consistent with the project description in the Draft SEIR. Even if measures are removed after public review, the underlying fundamental purpose of the Project, which is to reduce County GHG emissions consistent with state legislative requirements through implementation of a CAP, has not changed and will be met. Further, all project objectives can be met to the same degree as described in the Draft SEIR even if certain measures were removed and other measures were increased.

The fundamental description of the project components (the GHG reduction measures) did not change from the Draft SEIR to the Final SEIR. More importantly, the GHG reduction measures remain achievable, measurable, and enforceable. The County has demonstrated through substantial evidence that the emissions reduction commitment of each GHG reduction measure will be achieved. Therefore, the County was responsive to public comments and performed meaningful environmental review, which comports with the above citations and is consistent with the public disclosure purpose of performing CEQA review.

Similarly, information that clarifies or expands on information in the Draft SEIR does not require recirculation. (See, e.g., *North Coast Rivers Alliance v. Marin Municipal Water Dist. Bd. of Directors* (2013) 216 Cal.App.4th 614, 654-656 [addition of a hybrid alternative to the FEIR did not trigger duty to recirculate the DEIR]; *Mount Shasta Bioregional Ecology Center v. County of Siskiyou*, supra, 210 Cal.App.4th at p. 221 [addition of two reports to FEIR where DEIR had already summarized the reports' contents]; *Clover Valley Foundation v. City of Rocklin* (2011) 197 Cal.App.4th 200, 219-224 [information regarding presence of cultural resources on property did not require recirculation because information amplified on information that was already in DEIR]; *Silverado Modjeska Recreation and Park Dist. v. County of Orange* (2011) 197 Cal.App.4th 282, 305-307 [new information regarding potential presence of protected species in vicinity of project site did not require recirculation because previous EIRs already disclosed that species might be present]; *California Oak Foundation v. Regents of Univ. of Cal.* (2010) 188 Cal.App.4th 227, 266-268 [letters addressing seismic risks did not trigger duty to recirculate DEIR, where letters recommended further analysis but did not contradict conclusions in DEIR]; *Cadiz Land Co. v. Rail Cycle, L.P.* (2000) 83 Cal.App.4th 74, 97 [commenter's disagreement with analysis of groundwater flow in EIR did not require recirculation because substantial evidence supported EIR's analysis; lead agency had discretion regarding which expert to rely upon]; *Chaparral Greens v. City of Chula Vista* (1996) 50 Cal.App.4th 1134, 1148-1151 [regulatory and planning efforts to protect endangered species did not require recirculation of DEIR because analysis already contained detailed analysis of project's physical impacts on that species]; *Fort Mojave Indian Tribe v. California Department of Health Services* (1995) 38 Cal.App.4th 1574, 1605-1606 [designation of "critical habitat" under Endangered Species Act was not "significant new information" where EIR analyzed physical impacts to species and its habitat]; *Marin Municipal Water Dist. v. KG Land California Corp* (1991) 235 Cal.App.3d 1652, 1666-1668 [clarifying information regarding potential length of moratorium was not "significant new information"].)

There are instances in which the courts have ruled that an agency erred by failing to recirculate a Draft EIR. In particular, in *Vineyard Area Citizens for Responsible Growth, Inc. v. City of Rancho Cordova* (2007) 40 Cal.4th 412, the EIR for a large development project contained no analysis of the impact of groundwater pumping on surface water flows in a river that provided habitat for endangered fish species. In responses to comments from expert resource agencies, the Final EIR conceded that the pumping could dry up the river at the same time the fish would otherwise migrate through the area. The disclosure of a new significant impact, for which no mitigation was offered, triggered the duty to recirculate the DEIR (40 Cal.4th at page 447-449; see also *Save Our Peninsula Committee v. Monterey County Board of Supervisors* (2001) 87 Cal.App.4th 99, 128-131 [County had to revise and recirculate the DEIR to disclose potential impacts of reducing off-site groundwater pumping to offset increase in pumping to provide water supply for proposed development project]; *Grey v. County of Madera* (2008) 167 Cal.App.4th 1099, 1120 [where County included new mitigation measure in FEIR, and record contained no evidence of the feasibility of that measure, County had to recirculate the DEIR to receive comments on that measure].) Moreover, if a Draft EIR is found to be “woefully inadequate,” such that meaningful public review and comment are precluded, then the agency must recirculate the document. (See *Mountain Lion Coalition v. Fish & Game Com.* (1989) 214 Cal.App.3d 1043, 1050-1052 [DEIR omitted entirely any discussion of cumulative impacts, despite court order requiring such analysis].)

The following discussion applies these standards to the comments stating that the County should recirculate the Draft SEIR. In particular, the discussion focuses on whether the information provided in the comment is new, and whether that information discloses:

- a new significant impact that the project or mitigation would cause;
- an impact that would be substantially more severe unless mitigation is adopted that avoids the impact;
- a feasible project alternative or mitigation measure considerably different from others previously analyzed that would clearly lessen the environmental impacts, but that the County will not adopt; or
- that the DEIR is “fundamentally and basically inadequate” such that meaningful public comment was precluded (State CEQA Guidelines Section 15088.5(a)).

The responses to comments for the Draft SEIR are extensive, in large part because the comments were also extensive. The responses to comments provide the following information:

- The responses address the environmental concerns raised by the comments, and describe how they are addressed in the Draft SEIR;
- They provide corrections to the Draft SEIR text, where such corrections are warranted;

- They expand on or provide minor clarifications to information already included in the Draft SEIR in those instances where comments question this information;
- They address recommendations for alternatives to the project; and
- They address other information that has arisen since release of the Draft SEIR.

However, none of the conditions warranting recirculation of the Draft SEIR, as specified in State CEQA Guidelines Section 15088.5 and described above, has occurred. The responses to comments and the addition of information do not result in or show any new significant impacts; there is no increase in the severity of a significant impact identified in the Draft SEIR, following application of existing mitigation; no feasible alternatives have been recommended that would avoid a significant impact, or that the County has refused to adopt; and as to the Draft SEIR adequacy, the County believes the Draft SEIR was complete and fully compliant with CEQA. As previously detailed, the reader is also referred to the Recirculation Findings which are attached to the Planning Commission Hearing Report for a detailed description of changes made to the Final SEIR that substantiate the above decision not to recirculate.

8.4.2 Master Response 2 – CAP and SB 375

Many comments request further explanation of the relationship between the CAP and Senate Bill 375 (SB 375). Other comments conflate vehicle miles traveled (VMT) reductions under GHG reduction measures (e.g., Measure T-1.3 and Measure T-2.2) with SB 375 targets. Several comments also express concern that the proposed GHG reduction measures within the CAP would not meet the VMT reduction targets established in the San Diego Association of Governments (SANDAG's) San Diego Forward: The Regional Plan (Regional Plan). Comments also refer to language from the California Air Resources Board's (CARB's) 2017 Climate Change Scoping Plan, adopted in December 2017, that stresses the importance of local VMT reductions, and suggest that the County should adopt VMT reduction targets as part of the CAP. Finally, several comments question how CAP Mitigation Measure M-GHG-1 within the Draft SEIR addresses the consistency of future projects proposing a General Plan Amendment (GPA) with SB 375. A brief overview of SB 375, the Regional Plan, and how the County's 2011 General Plan Update (2011 GPU) and CAP interface with these regulations is provided below, followed by an explanation about why the County has determined that the CAP would not conflict with SB 375 and the Regional Plan.

As detailed in Section 2.7.2 of the Draft SEIR, SB 375, signed by the Governor in September 2008, aligns regional transportation planning efforts, regional greenhouse gas (GHG) emission reduction targets, and land use and housing allocation. SB 375 requires Metropolitan Planning Organizations (MPOs) to adopt a Sustainable Communities Strategy (SCS) or Alternative Planning Strategy, showing prescribed land use allocation in each MPO's Regional Transportation Plan. CARB, in consultation with the MPOs, provides each affected region with reduction targets for GHGs emitted by passenger cars and light trucks in their respective regions for 2020 and 2035.

The SANDAG serves as the MPO for the San Diego region. SANDAG adopted San Diego Forward: The Regional Plan (Regional Plan) on October 9, 2015. The Regional Plan combines two existing documents: the Regional Comprehensive Plan (RCP), and the Regional Transportation Plan and its SCS (RTP/SCS). The Regional Plan details how the region will reduce GHG emissions to state-mandated levels. SANDAG was tasked by CARB to achieve a 7% reduction in per capita GHGs from passenger cars and light trucks by 2020 and a 13% reduction by 2035, relative to emission levels in 2005. As discussed further below, the region would achieve or exceed both reduction targets by implementing its SCS (SANDAG 2015).

Pursuant to State Government Code Section 65080(b)(2)(K), a SCS does not: (i) regulate the use of land; (ii) supersede the land use authority of cities and counties; or (iii) require that a city's or county's land use policies and regulations, including those in a general plan, be consistent with it. SB 375 does, however, make regional and local planning agencies responsible for developing those strategies as part of the federally required metropolitan transportation planning process and the state-mandated housing element process. Neither of these planning processes are related to the Draft CAP, which proposes no land use changes and aims to reduce GHG emissions from existing planned land uses. Therefore, it is the responsibility of SANDAG to ensure that the region is demonstrating consistency with SB 375; though it is acknowledged that the County is one of many agencies that comprise the region in helping SANDAG achieve this goal.

Page 2.7-7 of the Draft SEIR reports the SB 375 targets for SANDAG. Analysis demonstrating achievement of these targets was reviewed and accepted by CARB in December 2015 and was based on the same emission factors (EMFAC2014 v 1.0.7) as used in the CAP (CARB 2015). SANDAG's analysis in the Regional Plan and associated CEQA documentation demonstrated that it would achieve a reduction of 15% in per capita GHG emissions from 2005 levels by 2020 (SANDAG was tasked by CARB to achieve a 7% reduction in per capita GHGs from passenger cars and light trucks by 2020), and 21% in per capita GHG emissions from 2005 levels by 2035 (SANDAG was tasked by CARB to achieve a 13% reduction in per capita GHGs from passenger cars and light trucks by 2035) from light-duty vehicles, thereby exceeding its SB 375 targets. Some comments characterize the 21% figure as the SB 375 target for SANDAG for 2035. As explained above, SANDAG's target for 2035, set by CARB, is a 13% reduction in per capita GHGs from passenger cars and light trucks, which they are exceeding by 8%. Therefore, the 21% standard is not the SB 375 target but SANDAG's projection of anticipated reductions in 2035.

Some comments state that the CAP must take into account how its adoption may affect SANDAG's ability to adopt a new RTP/SCS that complies with CARB's new targets in the 2017 Climate Change Scoping Plan. This is incorrect. As stated in the preceding paragraph, SANDAG is on track to exceed these targets and the adoption of the CAP in no way changes this, as no changes in land use are proposed.

Concerning the relationship between the County's land use plans and the Regional Plan, the County provided SANDAG land use forecasts based on the GPU, which SANDAG then incorporated into the adopted Regional Plan. SANDAG uses these land use

forecasts to determine VMT projections within the region. As discussed further below, if a project proposes a land use change from what was established in the 2011 GPU (i.e., a General Plan Amendment (GPA)), it is the responsibility of the GPA project to determine how it affects VMT projections and in turn how that affects the ability of the Regional Plan to meet SB 375 targets. Currently, however, the VMT projections within the Regional Plan align with the 2011 GPU. These projections were also used to establish the GHG inventory within the Draft CAP. As explained in the Draft CAP, to conservatively account for GHG emissions in the unincorporated county, the Draft CAP's GHG inventory includes GPAs adopted between August 2011 (adoption of 2011 GPU) and March 28, 2017 (date at which the inventory technical reports were prepared). Again, however, the Draft CAP itself does not propose any changes to land use. Therefore, it is inherently consistent with the VMT projections in the Regional Plan, which in turn is consistent with SB 375.

In summary, VMT projections provided by SANDAG incorporate the County's land use forecasts and show achievement of regional SB 375 targets as accepted by CARB. Thus, both the CAP's forecasted VMT, which was based on information provided by SANDAG after the adoption of the Regional Plan, and the related emissions forecasts through 2050 in the CAP, as conservatively adjusted to account for approved GPAs, are consistent with SB 375.

Nevertheless, the County (as reflected in the Draft CAP) is further committed to reducing VMT within its jurisdiction beyond VMT projections already accounted for in the Regional Plan. GHG Reduction Measures T-1.1 through T-1.3 specifically reduce VMT from planned developments either through elimination of development potential in more remote areas of the unincorporated county or through improved design of community plan areas. For example, a Community Plan Update could refine and change the land use designations within a certain community to establish a mixed-use village, increase density, or include specific roadway improvements that provide for enhanced multi-modal use. All of these actions within a Community Plan Update would serve to reduce VMT.

Other measures in the CAP focus on reducing commute VMT through transportation demand management and parking strategies, which will be required for certain types of projects that are implemented after the adoption of the CAP. In addition, GHG Reduction Measures T-1.1 and T-1.2 focus on conserving open space and agricultural lands and in turn limit future growth in the more remote areas of the county. The extinguished future development potential under these measures serves to eliminate VMT that would otherwise be generated from a developed land use. This reduction in development potential will result in VMT reductions above and beyond those contemplated in the current Regional Plan and SB 375 targets, and will also be reflected in future updates provided to SANDAG based on land use changes that occur in the unincorporated county.

Certain comments refer to information from the 2017 Climate Change Scoping Plan, where CARB states that in its evaluation of the role of the transportation system in meeting the statewide emissions targets, it was determined that VMT reductions of 7 percent below projected VMT levels in 2030 (which includes currently adopted SB 375 SCSs) are necessary, and in 2050, reductions of 15 percent below projected VMT levels are needed. While it is true that CARB discloses the VMT reductions they anticipate are

needed beyond adopted SB 375 targets, they do not set these as reduction targets for local jurisdictions. The County's CAP follows CARB's recommendations on overall per-capita GHG reduction targets. The anticipated VMT gap, as reported in the Scoping Plan, is based on statewide data and does not account for local context and land use patterns. Moreover, CARB acknowledges that the guidance is voluntary when it states the following in the Scoping Plan (page 99):

While this guidance is provided out of the recognition that local policy makers are critical in reducing the carbon footprint of cities and counties, the decision to follow this guidance is voluntary and should not be interpreted as a directive or mandate to local governments.

Nonetheless, as described above, the County agrees with CARB that "...local actions that reduce VMT are also necessary to meet transportation sector-specific goals and achieve the 2030 target under SB 32 and has included VMT reduction measures in line with the State's vision while accounting for the local, rural setting and land use patterns.

Finally, some comments question how future GPAs would be consistent with the Regional Plan and SB 375 targets. As described on Page 2-14 of the CAP, the base inventory and projections do not include emissions from proposed or future GPAs that would increase density or intensity above the 2011 GPU. These projects are analyzed in the cumulative impact analysis of the Draft SEIR, Chapter 2.7, because they represent current or reasonably foreseeable future projects. As discussed in the Draft SEIR, Chapter 2.7, future GPAs have the potential to result in a significant cumulative GHG impact because they may adversely affect the ability of the CAP to meet its targets and goal because of the increase in density or intensity above the 2011 GPU caused by the GPAs. However, CAP Mitigation Measure M-GHG-1 is provided to reduce the cumulative impact to less than significant. Implementation of this mitigation measure by future GPAs would address their individual GHG emissions and ensure that the County can meet the targets in the CAP. In addition, each future GPA will also be required in the project-level CEQA documents prepared for them to assess their consistency with the Regional Plan. However, incorporation of CAP Mitigation Measure M-GHG-1 would ensure that GPAs are mitigating their emissions such that they would not conflict with the Regional Plan and SB 375 targets on this issue.

8.4.3 Master Response 3 – Local Direct Investment Program

Several comments expressed concerns related to GHG Reduction Measure T-4.1, including whether the measure would "undercut" other feasible transportation-related GHG reduction measures, the feasibility of this measure in reducing the County's annual emissions by 190,262 MTCO₂e by 2030, and whether the measure should be included under the "Built Environment and Transportation" category. Commenters have also recommended that, under this measure, the County provide funding for incentives and rewards for innovative and effective projects that reduce emissions beyond what the CAP already anticipates under its proposed GHG reduction measures. Perhaps the most common misconception regarding local direct investment projects under GHG Reduction Measure T-4.1 is that they are the same program as the mitigation requirement for GPAs

that increase density or intensity above what is allowed in the 2011 GPU. The Final SEIR requires these GPAs to mitigate GHG emissions (CAP Mitigation Measure M-GHG-1), which may include the purchase of off-site carbon offset credits. The proposed local direct investment program related to GHG Reduction Measure T-4.1 is not the same as the carbon offset credits that future GPAs may use. For information related to the separate use of carbon offset credits as mitigation for future GPAs, refer to Master Response 12 below.

Under the Local Direct Investment Program, the County would fund/implement and register local direct investment projects on one or more recognized GHG offset registries. These projects would follow approved GHG emission reduction protocols from registries acknowledged or approved by governing bodies in the State of California to calculate the amount of GHG reductions generated by each project's activity. As listed on page 2.7-25 and in Appendix B of the Final SEIR, these projects may include, but are not limited to, boiler efficiency upgrades, reforestation projects, compost additions to rangeland, organic waste digestion, livestock management, urban forest and urban tree planting, and weatherization.

Preliminary Assessment of the Local Direct Investment Program

The County and its consultant team prepared the "Preliminary Assessment of the Local Direct Investment Program" (see Draft SEIR Chapter 2.7 and Appendix B for a range of project protocols that may be used to implement GHG Reduction Measure T-4.1). As stated on page 3-39 of the CAP, the County is required to establish a local direct investment program by 2020; therefore, this preliminary assessment is the initial analysis of the local direct investment program prior to its completion by 2020. The preliminary survey included a high-level cost effectiveness analysis that identified for each protocol or protocol group a range of unit costs (in \$/MT CO_{2e}) and identified a range of aggregate costs that reflect the relative costs between the protocols to achieve the requisite reduction by 2030. The analysis also assesses the possible approaches to obtain GHG reductions via the County's local direct investment program. To do this, a survey was conducted of various protocols from four GHG offset registries to determine applicability to the unincorporated areas of San Diego. Calculations were then performed to determine a range of potential GHG emission reductions achievable for a protocol or protocol group.

Currently, there are several different GHG offset registries in existence. Each of these registries develops its own protocols for estimating emission reductions, or adopts parts of or full protocols from other registries (see Draft SEIR Chapter 2.7 and Appendix B). Industry, or other bodies, can then implement projects that follow these protocols to accrue offsets to be listed and tracked through the relevant registry. These offsets can then be retired (resulting in a net reduction in GHG emissions), or sold on the open market as a commodity. As stated on page 2.7-24 of the Final SEIR, the County will not purchase carbon offset credits from a registry in the carbon offset market, but will use the registry to track carbon offsets achieved through County direct investment projects.

The protocols assessed came from the following GHG offset registries: Climate Action Reserve (CAR), American Carbon Registry (ACR), Verified Carbon Standard (VCS), and

the California Air Pollution Control Officers Association (CAPCOA) GHG Reduction Exchange (CAPCOA GHG Rx). These registries were chosen because they have been acknowledged or approved by governing bodies in the State of California.

GHG offset registries have developed a broad consensus around the performance standards that are necessary to ensure that offsets are verified and monitored and are additional to any offset otherwise required (CEQA Guidelines Section 15126(c)(3)) (*Our Children's Earth Foundation v. CARB* (2015) 234 Cal.App.4th 870, 880, 889), namely that offsets be real, permanent, quantifiable, verifiable, enforceable, and additional. In addition, CARB applies these standards in reviewing and approving Compliance Offset Protocols (CARB 2013). The County would use this system and the standards-based protocols therein to track emissions reductions from GHG Reduction Measure T-4.1. The County could choose to incentivize projects that exceed projected emission reductions through funding or other efforts, however, the specific details related to funding or the consideration of the types of projects that would be considered under the local direct investment program have not been developed at this time.

The location of projects under the local direct investment program would be only within the unincorporated County, because as a County initiative, the program and specific direct investment projects must be within the jurisdictional control of the County. The activities/sources governed by each protocol were preliminarily reviewed to determine if they have the potential to exist in unincorporated San Diego. (Activities can generally be defined as actions that result in the increase or decrease of emissions, whereas sources are entities that produce emissions.) This was partially determined by noting whether or not the activities/sources were included in the emission inventory for the draft CAP. Any protocols related to activities/sources that were determined not to exist and likely would continue not to exist or were outside of the jurisdictional control of the County, were excluded from further analysis. For example, there is currently no commercial rice cultivation in unincorporated San Diego. Because rice cultivation is tied to a very particular climate and land use, it was assumed that commercial rice cultivation would continue to not exist in San Diego. Therefore, protocols related to rice cultivation were excluded from further analysis.

While the preliminary assessment of the local direct investment program was conducted to determine a high-level cost effectiveness analysis and a range of aggregate costs for the Board of Supervisors to consider, the assessment represents a further refinement of the programmatic analysis conducted in Chapter 2.7 and Appendix B of the Draft SEIR and is the initial analysis of the local direct investment program prior to its completion by 2020 (see GHG Reduction Measure T-4.1, Actions, Time Frame). See the attachment to the Planning Commission Hearing Report for additional information regarding the preliminary assessment of the local direct investment program.

Programmatic Nature of Local Direct Investments

The Final SEIR is a program EIR as that term is used in CEQA Guidelines Section 15168 and, therefore, the County is not obligated to provide a project-level analysis of local direct investment projects. That analysis will be required as the County undertakes direct

investments through the local direct investment program required by 2020 under GHG Reduction Measure T-4.1. However, as previously described, the County has prepared a preliminary assessment of the local direct investment program to determine high-level cost effectiveness and aggregate costs associated with implementation of GHG Reduction Measure T-4.1. The preliminary assessment also further determines the specific direct investment projects in the unincorporated county by protocol type (as listed in Draft SEIR Chapter 2.7 and Appendix B). The preliminary assessment confirms that GHG Reduction Measure T-4.1 can achieve the entire 190,262 MT CO_{2e} of emission reductions as stated in the Draft CAP and evaluated in the Draft SEIR and can achieve up to 198,800 MT CO_{2e} in the unincorporated county. This preliminary assessment will be available a minimum of 10 days prior to the Planning Commission hearing on the CAP. However, this analysis does not change any of the conclusions in the CAP or Draft SEIR (see attachment to the Planning Commission Hearing Report).

In line with the assessment of the local direct investment program, the County has also committed to creating annual monitoring reports to ensure that performance of existing measures is achieved, and if not, allow for adjustments to existing measures, replacing ineffective or obsolete actions, and adding new measures as technology, and federal and State programs change. This program is discussed in Chapter 5 – Implementation and Monitoring of the CAP. Adjustments have also occurred during preparation of the Final CAP. In response to public comments, County staff is recommending a revised Draft CAP that will increase the GHG reduction goals from other measures, lowering the GHG reduction target for GHG Reduction Measure T-4.1 from 190,262 MT CO_{2e} to 175,460 ~~167,592~~ MT CO_{2e} by 2030, despite the fact that the County can achieve up to 198,800 MT CO_{2e} in reductions.

“Built Environment and Transportation” Category

Although this measure could technically encompass reductions from a variety of sectors, the placement of this strategy in the “Built Environment and Transportation” sector does not alter the amount of reduction associated with the sector, and it is most generally related to activities affecting this sector (e.g., weatherization, boiler efficiency upgrades, and urban tree planting). The placement of this measure is not intended to imply that reductions from GHG Reduction Measure T-4.1 would only come from the transportation sector, but that placement in the Built Environment and Transportation sector is appropriate based on some of the direct investment opportunities. Protocols identified as applicable to the unincorporated county were grouped into five main protocol sectors: agriculture, energy efficiency/production, land use management, landfill/waste management, and transportation.

Additionally, the County disagrees that direct investments in local projects would undercut investment in transportation infrastructure improvements as the establishment of the local direct investment program would be a separate effort from any coordinated efforts to improve regional transit or other bicycle and pedestrian infrastructure associated with other GHG Reduction Measures. Other GHG Reduction Measures such as T-1.1, W-1.2, and A-1.2 also affect emissions from sectors other than the ones in which they are

categorized. Finally, the fundamental purpose of the CAP is to meet the targets for 2020 and 2030, which the CAP accomplishes through its entire suite of 30 reduction measures.

8.4.4 Master Response 4 – GHG Baseline and Reduction Targets

Several comments suggested that the 2020 emissions target (equivalent to 1990 levels) should be used as the starting point to establish the 2030 target and 2050 goal. In other words, a baseline year of 1990 equivalence should be used as the starting point from which to establish reduction targets, instead of 2014, to achieve equivalency with State targets. Comments also suggested the use of a regional GHG emissions inventory for 1990 prepared by the Energy Policy Initiatives Center (EPIC). Comments suggest that the proportion of unincorporated county's 1990 GHG emissions can be determined from this regional inventory, but do not provide specific methods that could be used for this exercise. Comments identified confusion with the term, "baseline," where "baseline" sometimes either referred to the 1990 inventory or the 2014 inventory. Finally, comments suggest that a mass emissions target should be used versus a per capita target.

While comments provide various suggestions on target setting, the methodology used in the CAP would require GHG emissions to be reduced to the lowest level when compared to the methodology from the previous CAP and from the 2011 GPU PEIR. A detailed comparison of target emissions is provided below. The term "target emissions" in this response refers to the emissions level that needs to be achieved by the target year (i.e., level that emissions need to be reduced to). Lower target emissions equal a *more* stringent reduction target because an overall lower emissions level would need to be achieved under that scenario. The County target emissions are listed in Table 3.2 of the Draft CAP.

This response first describes the methodology used to develop reduction targets used in the CAP and explains why targets derived based on 2014 baseline emissions are more accurate than a 1990 emissions inventory at the local level. Following this, the response provides a comparison of "target emissions" under the proposed CAP, the rescinded CAP, and the 2011 GPU PEIR.

The State GHG reduction targets, pursuant to AB 32 and SB 32, aim for a reduction of the State's GHG emissions to 1990 levels by 2020 and 40% below 1990 levels by 2030, respectively. In addition, a 2050 goal of 80% below 1990 levels by 2050 is expressed in Executive Order S-3-05. Reductions for the 2020 and 2030 targets and 2050 goal for the County's CAP were developed based on the most current guidance from the California Air Resources Board (CARB). At the community-level, CARB currently recommends a reduction target for local CAPs of 6 metric tons of CO₂ equivalent (MTCO_{2e}) per capita for 2030 and 2 MTCO_{2e} per capita for 2050. These recommendations are described in CARB's *California's Climate Change Scoping Plan Update* (CARB 2017). CARB states that these per-capita goals are consistent with the statewide emissions targets and goal that refer to a 1990 baseline year.

The per-capita targets represent the 2030 and 2050 mass emission targets divided by total population projections from California Department of Finance (CARB 2017: 148,

Footnote 242). In addition, the statewide per capita targets are also consistent with Executive Order S-3-05, B-30-15, and the Under2 MOU that California originated with Baden-Württemberg and has now been signed or endorsed by 205 jurisdictions representing 43 countries and six continents (Under2 2017). The Under 2 MOU identifies action being taken by jurisdictions around the world and promotes ambitious action on climate change. The MOU does not introduce new legal constraints on participating jurisdictions, but demonstrates a clear and lasting commitment to reduce emissions in the decades to come. The per capita targets represent California's and these other governments' recognition of their "fair share" to reduce GHG emissions to the scientifically based levels to limit global warming below two degrees Celsius (CARB 2017). However, as acknowledged by CARB, this statewide per-capita target includes emissions from sectors not included in the County's GHG inventory and which are outside the County's jurisdiction, such as emissions from large industrial sources. In fact, multiplying the 6 MTCO_{2e} per capita rate by the estimated County unincorporated population in 2030 (551,712) would result in target emissions of 3,310,272 MTCO_{2e} in 2030, which is higher than the County's target emissions of 1,926,903 MTCO_{2e} in 2030 as used in the CAP. Thus, the methodology used in the CAP, as described in the following paragraphs, leads to *lower* target emissions, i.e., a more stringent reduction target, when compared to a straight per-capita metric.

CARB provides guidance to local governments on target setting as follows:

CARB recommends that local governments evaluate and adopt robust and quantitative locally-appropriate goals that align with the statewide per capita targets and the State's sustainable development objectives and develop plans to achieve the local goals. The statewide per capita goals were developed by applying the percent reductions necessary to reach the 2030 and 2050 climate goals (i.e., 40 percent and 80 percent, respectively) to the State's 1990 emissions limit established under AB 32. (CARB 2017: 148)

Considering this statement, the County developed a reduction target based on the per-capita targets relative to the State's 1990 and 2014 inventories; however, using a local inventory of emissions. Considering the overall statewide emissions in 1990 and 2014 and the forecasted statewide population in 2030 and 2050, the per-capita community-level goals would be equivalent to reducing 2014 emissions by 40% by 2030 and 77% by 2050 (CARB 2016, DOF 2014). These targets may not exactly match up with targets derived directly from 1990 levels because of potential rounding done by CARB to simplify the per-capita targets and to stay consistent with the Under 2 MOU. However, this difference due to CARB's chosen methodology is *de minimis*. The County's 2030 target and 2050 goal are based on CARB-recommended community-level targets, which represent the best available guidance to local jurisdictions and are consistent overall with the State GHG reduction goals as stated within the *2017 Climate Change Scoping Plan*:

The recommendation above that local governments develop local goals tied to the statewide per capita goals of six metric tons CO_{2e} by 2030 and no more than two metric tons CO_{2e} per capita by 2050 provides guidance on

CARB's view on what would be consistent with the 2030 Target Scoping Plan and the State's long-term goals. (CARB 2017: 151)

Certain comments suggest the use of a mass emissions target instead of a target based on per capita emissions. Comments claim that per capita targets are not "capped" and may change as population grows. The CAP does not use a de facto per capita target. Instead, as described in detail above, the State-recommended per capita targets were used to derive equivalent reduction targets, expressed as percent reductions from baseline levels, and ultimately target emissions in MTCO_{2e}. The CAP commits to reducing 2030 emissions to 1,926,903 MTCO_{2e}, expressed as a mass emissions level. As illustrated above, if the County were to use a straight per capita target for 2030, this would result in target emissions of 3,310,272 MTCO_{2e}, almost double the target emissions that the County commits to achieve in the CAP. The target in the CAP is more stringent than using a straight per capita target and emissions would not be "uncapped" as the comments claim, because the CAP commits to achieving target emissions of 1,926,903 MTCO_{2e} by 2030. The 2014 inventory is based on actual activity data (e.g., electricity consumption based on energy billing from SDG&E, tonnage of solid waste sent to landfills in that year). In contrast, reduction targets and emissions projections are based on calculation methods that use the 2014 inventory as a starting point. In other words, activity data that correlate to emissions projections are not available as these projections are estimates based on projected growth data (e.g., growth in number of households). Similarly, mass emissions that align with the reduction target are estimated based on the 2014 inventory (e.g., two percent below 2014 levels by 2020). As a point of clarification, for the purposes of the CAP, the term "baseline inventory" refers to the 2014 inventory that forms the basis of future projections and reduction targets.

Some comments contend that if the County's GHG emission reductions are 2 percent less than its 2014 baseline by 2020, then to achieve equivalency with the AB 32 target of lowering GHGs to 1990 levels by 2020, the CAP should establish that 2020 target as the basis for reducing future GHG emissions. The County disagrees with this assertion. The 2020 target itself is estimated based on 2014 emissions levels. Appendix A to the CAP describes the rigorous data collection process for each sector used to develop the 2014 inventory. In addition, projected 2020 emissions after accounting for legislative reduction and CAP measures are expected to be significantly lower than the level required to meet a reduction target that aligns with the State target (see Page 3-4 of the CAP). Emissions in 2020 are anticipated to be 2,886,465 MTCO_{2e} compared to the target emissions of 3,147,275 MTCO_{2e}. In reality, 2020 emissions may end up being different than this reported data as these are projections based on best estimates of how growth could occur in the county and how emissions may change. Therefore, the County disagrees with using the 2020 levels to set the 2030 target and 2050 goal as the 2020 level itself is based on estimates of future growth and therefore does not represent an accurate baseline. Actual growth may deviate from projections and this would affect emissions in 2020. The reduction targets were based on the emissions level from 2014 that is based on actual activities that were documented for that year, and thus represent a defensible baseline. For this reason, the County has also committed to conduct an updated inventory every two years to build a data set of emissions changes and examine trends towards the 2020 target. While a reduction target applied to the County's 1990 inventory and consistent

with the State targets could have been calculated, using the available 1990 inventory for the San Diego Region developed by EPIC would not be as accurate as the 2014 inventory that was undertaken for the CAP. EPIC's 1990 inventory was developed before the *U.S. Community Protocol for Accounting and Reporting of Greenhouse Gas Emissions* was available as guidance to help local governments develop effective community GHG emissions inventories. In fact, the County's GHG analysis in the 2011 GPU PEIR reported 1990 and 2006 emissions by scaling down emissions from EPIC's regional inventory to the unincorporated areas. The scaling was done on a simplified per-capita or per-VMT basis. At that time, the reported emissions were based on prevailing standards. For example, for the electricity sector, all emissions in the San Diego region (from electricity use in the residential, commercial, industrial, mining, agriculture, transportation, communication and utilities, and street lighting) were divided by the region's population to derive a per-capita electricity-related emissions figure. This per-capita metric was then multiplied by the unincorporated areas' population to derive electricity-related emissions. We now know that this method, while reducing the complexity of the inventory, loses accuracy in the process for various reasons. First, it assumes that all consumers of electricity (residential, commercial, industrial etc.) are uniformly distributed in the San Diego region. In reality, the unincorporated area is rural in nature and does not have the same density of commercial and industrial uses as the urban areas. Second, it assumes that all consumers of electricity are directly proportional to population. While this may be roughly applicable for residential uses, electricity use in commercial, industrial, mining and agricultural uses would not be dependent on population directly. This methodology was followed for other sectors and is not as accurate as using activity data for the unincorporated areas. As described above, the 2014 inventory uses *actual*, reported consumption data that are used to develop the inventory, resulting in more accurate and rigorous results. Because of the passage of time, and the evolution in data collection and inventory development methodologies, accurate activity data that comply with existing protocols are not available for 1990. While the 1990 EPIC inventory was based on the best available regional data at that time, applying the inventory and scaling its data to the unincorporated area now would be problematic for the reasons described above. For the same reasons, data reported in the 2011 GPU PEIR are now outdated and not as reliable as the current baseline and methods. Therefore, the CAP uses a more current baseline and methods to estimate emissions and reductions.

The challenges in developing or relying upon a 1990 inventory are not unique to the County. Other jurisdictions have relied on a current baseline year, rather than 1990, to develop their reduction targets in their CAPs (e.g., City of San Diego, City of Carlsbad, City of Solana Beach). Recognizing these challenges, CARB has provided a methodology to develop locally-applicable reduction targets based on current baseline emissions data as illustrated above, which was used to develop the CAP targets.

In addition, jurisdictional boundaries have changed since 1990 due to annexations and incorporation into cities, changing the acreage of the unincorporated County and potentially altering how the emissions inventory would be calculated. 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 has been updated to provide activity-based VMT and reflects current land use

plans and infrastructure. The choice of a more recent year (i.e., 2014) to establish a base inventory is also consistent with recommendations in GHG inventory protocols. For example, the *Local Government Operations Protocol* developed in partnership by CARB, 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.” “Earliest” in this context refers to the most recent year of complete data. The County collected representative and reliable data for the most recent year of complete data, which is 2014; therefore, this year was chosen as the base year (see Appendix A to the CAP for details on data used to develop the inventory). For these reasons, a 2014 base inventory was used for a more accurate accounting of emissions as compared to an approximation of 1990 emissions for the unincorporated county based on outdated data and methods.

Finally, if the County were to rely on the previous 2005 inventory from the rescinded CAP as recommended by commenters, it would result in less stringent GHG reduction targets (i.e., higher target emissions which equal a lesser amount of GHG emissions to reduce). The rescinded CAP reported 2005 GHG emissions at 4,512,580 MTCO_{2e} and applied a 2020 reduction target of 15% below 2005 levels. This would result in target emissions of 3,835,693 MTCO_{2e} by 2020. In contrast, the County’s base emissions in 2014 are estimated at 3,211,505 MTCO_{2e} in the CAP. The decline in base emissions from 2005 to 2014 is partially due to State and local actions to reduce GHG emissions, but also reflects improvements in data and methods to develop inventories as described above. Applying the standard of two percent below 2014 levels develop the 2020 target in the CAP, the County’s emissions would need to be reduced to 3,147,275 MTCO_{2e} by 2020 (i.e., target emissions in 2020). Therefore, the County must achieve lower target emissions using the updated inventory and target methodology in the CAP. The target emissions for 2020 are lower applying the 2014 inventory, resulting in a more stringent target than would have resulted had the 2005 inventory been used. The end result is beneficial in that the unincorporated county is now required to reduce its emissions to a lower level, thus helping achieve the fair share of required reductions in alignment with State goals. This difference is illustrated in the table below.

	Target Emissions (MTCO _{2e})		
	2020	2030	2050 (<u>goal</u>)
Proposed CAP	3,147,275 *	1,926,903	738,646
Rescinded CAP	3,835,693	No target	No goal
2011 GPU PEIR	5,227,025 **	No target	No goal
* indicates the lowest target emissions, i.e. most stringent reduction target.			
** combined local government operations and community emissions from 2011 GPU PEIR			

Mitigation Measure CC-1.2 of the 2011 GPU PEIR required the County to prepare a CAP that achieves a 17% reduction in emissions from County operations from 2006 by 2020 and a 9% reduction in community emissions between 2006 and 2020. As described in Chapter 1 of the Draft SEIR, updates are proposed to this measure to make it current with existing regulatory requirements. The 17% and 9% reduction targets were derived based

on the 1990 inventory scaled from regional levels (i.e., the estimated 1990 emissions equaled the 2020 target). The limitations of the 1990 inventory are described above. Target emissions based on these standards are shown in the table above for comparison. The table illustrates that the proposed CAP would require an overall lower level of emissions to be achieved by the County. The same applies to local government operations emissions in the CAP that are incorporated into the community inventory and are held to the same overall targets. The target emissions for both community emissions and County operations in 2020 are now lower (i.e., more stringent) than targets developed based on 2005/2006 base emissions. Combined local government and community emissions under the 2011 GPU PEIR would need to be reduced to 5,227,025 MTCO_{2e}, 66% higher than the target emissions under the proposed CAP (i.e., 3,147,275 MTCO_{2e}).

In summary, the prior target in the rescinded CAP resulted in target emissions of 3,835,693 MTCO_{2e} by 2020. Targets specified in the 2011 GPU PEIR, taking into account the 17% and 9% reductions referenced in CC-1.2, resulted in target emissions of 5,227,025 MTCO_{2e} (combined local government operations and community emissions). The CAP target for 2020, based on 2% below 2014, results in target emissions of 3,147,275 MTCO_{2e}. Thus, the CAP target emissions, based on 2% below 2014, achieves a lower level of GHG emissions because the overall target is lower. Target emissions under the CAP in 2020 would be 18% lower than what would have been achieved had the rescinded CAP been implemented, and 40% lower than emissions levels that would have been achieved had the 2011 GPU PEIR targets of 17% and 9% reductions from 2006 levels been implemented. Therefore, the CAP would achieve reductions consistent with State goals and serves the ultimate purpose of achieving lower GHG emissions to reduce the unincorporated county's contribution to climate change. Moreover, the CAP now sets a target for 2030 and a reduction goal for 2050, thus going well beyond the requirements established in 2011 GPU PEIR mitigation measures.

8.4.5 Master Response 5 – Community Plan Updates

Several comments question the validity of reduction quantifications for GHG Reduction Measure T-1.3 and assert that the CAP does not provide details on how community plans would be updated, and how those updates would translate into changes to the design of these communities to reduce VMT. Comments also assert that because “possible mechanisms to increase density” could be one of the options the County employs, the CAP should account for any associated increases in population. Further, comments assert that the quantification methodology used does not apply to modifying an existing development's design as opposed to building a new development, mistakenly implying that all community plan areas are largely built out.

GHG Reduction Measure T-1.3 is quantified based on the metrics in California Air Pollution Control Officers Association (CAPCOA) Measure LUT-9 “Improve Design of Development” (refer to Page 5 of Attachment 1, Appendix C to the CAP). LUT-9 quantifies the percent VMT reduction associated with improved development design elements to “enhance walkability and connectivity.” LUT-9 includes number of intersections per mile as a characteristic of an “improved street network”. However, LUT-9 states that “improved design” is also measured in terms of “sidewalk coverage, building setbacks, street widths,

pedestrian crossings, presence of street trees, and a host of other physical variables that differentiate pedestrian-oriented environments from auto-oriented environments.” (CAPCOA 2010: 182).

As CAPCOA acknowledges, the measure depends upon multiple variables but is quantified in terms of number of intersections per square mile. Each community plan area contains a unique mix of land uses and infrastructure thereby necessitating a unique mixture of design elements to achieve necessary VMT reducing improvements. Therefore, this specific metric is not available at the plan-level analysis in the CAP because the CAP and SEIR are program documents. The CAPCOA measure is used as a proxy to quantify the types of improvements that could be implemented through the community plans. An average VMT reduction of 12% based on the CAPCOA guidance related to VMT reducing improvements was applied for this measure. The CAPCOA guidance identifies a range of 3-21.3% reduction in GHG emissions from LUT-9 (CAPCOA 2010: 182). Therefore, the 12% reduction represents a reasonable rate of reductions in the context of the unincorporated community plan areas.

The rationale for selecting LUT-9 as a proxy for quantifying this measure was based on the general nature of LUT-9 in terms of its applicability to the design of a development as a whole. The County aims to pursue multiple facets of “improved development design” such as increasing the diversity of land uses (e.g., mixed use), complete streets (i.e., multi modal streets that serve bicycles, pedestrians, transit, and auto), transit- and bicycle-oriented development, and increased transit accessibility. A question was also raised about how transit-oriented development will be defined and quantified. The County will rely on guidance from CAPCOA and other planning guidance to determine how transit-oriented development would be defined for the county. For example, CAPCOA defines transit-oriented development as a project with a residential/commercial center designed around a rail or bus station (CAPCOA 2010). CAPCOA also includes several design features in defining transit-oriented development. These include: a transit station/stop with high-quality, high-frequency bus service located within a 5-10 minute walk (or roughly ¼ mile from stop to edge of development); and/or a rail station located within a 20 minute walk (or roughly ½ mile from station to edge of development); fast, frequent, and reliable transit service connecting to a high percentage of regional destinations; and a neighborhood designed for walking and cycling. These design features are provided here as examples of considerations the County would make in updating the Community Plans. The County acknowledges that definition and quantification of transit-oriented development may vary based on the individual community plan and ultimately, these project attributes will be defined as Community Plan updates are undertaken.

Comments also contend that many of these design improvements apply only to urban or suburban developments. The County disagrees with these comments. Design improvements can be applied to community plan areas within the unincorporated County to achieve the 2030 GHG reduction target. In doing so, the County will prioritize community plans based on proximity to urban/suburban settings, communities with a village center, those located within the San Diego County Water Authority boundary, and the level of buildout. Updates to community plans would focus on achieving the residual development potential in a GHG-efficient manner. The updates would define a core area

within the county villages that would include affordable housing units; mixed-use development with possible mechanisms to increase density; “Complete Streets” that include sidewalk and bike way improvements; shared parking; and parks and community services, which could include libraries, schools, or community centers located in the core area. Existing density would be emphasized in the core area using tools such as form-based code, and parking and setback reductions. Additional mechanisms to effect change include zoning updates to incentivize the types of development needed in a community and developing design guidelines to guide development of each community. All of these design improvements are possible under this reduction measure within community plan areas in the unincorporated County.

This CAPCOA measure was selected based primarily on the measure’s description and used as a proxy to estimate the VMT reductions from these general improvements to the selected community plans. Although the VMT reduction calculations are based on the metric of number of intersections per mile, the average percent reduction in VMT through this measure is consistent with the range of percent VMT reductions quantified across other CAPCOA measures that address more specific aspects of improved development (e.g., LUT-1, LUT-2, LUT-3, LUT-4, LUT-5, LUT-7).

Comments also state that the VMT elasticities with respect to density, diversity, design, and destination accessibility that inform CAPCOA measure LUT-9 would not apply in the context of modifying an existing development’s design, implying that all community plan areas are largely built out. This is an incorrect assertion. The County maintains data of completed and in-process development applications to determine residual development capacity. These data confirm that the County has not exhausted the development capacity of the approved 2011 General Plan Update and subsequent General Plan Amendments. Updates to community plans would focus on achieving this residual development potential in a GHG-efficient manner. Existing density would be emphasized in the core area using tools such as form-based code, and parking and setback reductions. A planning level analysis that includes an assessment of VMT, including elasticities related to various design elements, would be conducted during each community plan update.

Further, comments contend that the measure does not account for self-selection, i.e., the idea that people who are less likely to drive in the first place choose to live in areas where the built environment design makes it easier to get around without driving. Comments question the effect of design modifications on travel choices without controlling for self-selection. The same study cited by commenters (Ewing and Cervero 2010) states that nearly all of 38 studies that have attempted to control for residential self-selection found “resounding” evidence of statistically significant associations between the built environment and travel behavior, *independent of self-selection influences* (Cao, Mokhtarian, et al. 2009a, p. 389; emphasis added). The comment only cites partial information from the study that indicates that residential self-selection attenuates the effects of the built environment on travel. However, information cited above from the same study suggests that findings related to self-selection are not conclusive. Regardless, the County will conduct a planning level analysis that includes an assessment of VMT including the factors outlined here, during each community plan update.

CAPCOA acknowledges that quantification methods can inform planning decisions; however, a complete planning-level analysis of mitigation strategies would entail additional quantification. The County will consider the unique needs of each community to determine which improvements would be the most effective when a particular community plan is updated. The CAP is a program-level planning document for the entire unincorporated area, therefore, undertaking this analysis for each community plan would be speculative at this time. A planning level analysis that includes an assessment of VMT and an environmental analysis would be conducted during each community plan update. If a community plan update proposes density changes to achieve the community's objectives, those impacts, including any potential increases in VMT, would be addressed in their specific CEQA documents.

The County acknowledges that implementation of GHG Reduction Measure T-1.3 assumes future legislative action by the Board. If the Board does not approve these future Community Plan updates, the CAP's rigorous implementation and monitoring component will allow the County to evaluate the progress of this and other GHG reduction measures on a regular basis, and to make changes if necessary to ensure that the 2030 target is met. The County will conduct annual monitoring beginning in 2019, which is assumed to be one year after adoption. Monitoring reports would include the status of measure implementation and would provide the County with the flexibility to adjust as needed, if measures are underperforming. The County would also prepare a CAP update every 5 years beginning in 2025 which would include updated inventories, adjustments to reduction measures, as necessary, and any changes to land use projections to achieve consistency with zoning and current 2011 GPU land use designations and policies. The regular monitoring and assessment regimen ensures that implementation of the CAP would achieve established GHG emission reductions.

8.4.6 Master Response 6 – Transportation GHG Reduction Measures

Several comments assert that the County underutilizes opportunities to reduce emissions in the transportation sector, comparing the contribution of emissions from the transportation sector (45%) to proportion of overall reductions from the Built Environment and Transportation category (13%). Comments also suggest that the CAP should specify performance standards for residential VMT like those for nonresidential development (e.g., GHG Reduction Measure T-2.2).

The County acknowledges the disproportionality between the higher percentage of the emissions inventory attributable to the transportation sector and the lower percentage of GHG emissions reductions under the CAP attributed to measures in the Built Environment and Transportation category. However, as specified in the CAP, the nature of the unincorporated county is low-density development that is not conducive to non-driving trips. Trip distances are longer in the unincorporated county because of this low-density nature and intervening distance between land uses. In addition, the County has limited jurisdiction in controlling transportation emissions apart from land use and infrastructure planning. The scope of the CAP is to serve as mitigation to reduce GHG emissions resulting from buildout of the 2011 GPU in accordance with GPU Policy COS-20.1 and GPU EIR Mitigation Measure CC-1.2. The CAP does not propose and/or facilitate the

development of new land uses or changes in land use density, nor does it propose to change land use designations that were adopted with the 2011 GPU. The authority for land use policy and regulations continues to be governed by the 2011 GPU. The County's jurisdiction covers rural and semi-rural lands, along with suburban areas, many of which have limited transportation options and are served by limited transit. Thus, proposed transportation measures in the CAP focus on reducing VMT through improved design of development, infrastructure improvements, travel demand management programs, parking code revisions, and alternative fuel use. While the nature of trips will likely continue to be personal vehicle based, the fuel source and emissions factors of those trips can be modified by switching to renewable sources including electricity. Supporting efforts include facilitating the growth of electric vehicle (EV) charging infrastructure. In an effort to be responsive to these comments, the County has added Measure T-3.5 to install 2,040 Level 2 electric vehicle charging stations through public-private partnerships at priority locations in the unincorporated county by 2030. Electrifying VMT allows for the use of cleaner and renewable energy to power vehicles, and reduces GHG emissions associated with gasoline-powered internal combustion engines. Investment in a larger charging network than currently exists is needed to encourage EV use and achieve additional GHG reductions beyond State goals. This measure increases the availability of EV charging infrastructure to increase the number of VMT that are electric- over gasoline-powered.

The County also recognizes numerous efforts are currently underway across California by State agencies and Metropolitan Planning Organizations (MPOs) to reduce transportation emissions that cannot be directly influenced by the County. These include updates to and implementation of SANDAG's San Diego Forward: The Regional Plan, the low-carbon fuel standard (LCFS), statewide vehicle fuel efficiency standards under the Advanced Clean Cars program, Heavy-Duty Vehicle GHG Regulations, Truck and Bus Regulations, the statewide Sustainable Freight Strategy, and other efforts.

Regarding comments on the specificity of transportation GHG reduction measures, the CAP is a plan that identifies key strategies and implementation measures that would apply to the unincorporated area. The County recognizes the importance of partnerships with agencies such as SANDAG, MTS, and NCTD to implement the measures, as indicated in the CAP and in the 2011 GPU. The CAP also includes several measures to address VMT from residential development. Please refer to Master Response 2 on the relationship between the CAP and SB 375. Land use and transportation-related emissions are addressed in the Built Environment and Transportation category in the CAP, specifically under Strategy T-1. GHG Reduction Measures T-1.1 and T-1.2 focus on conserving open space and agricultural lands and in turn limit future growth in the more remote areas of the county. The extinguished future development potential under these measures serves to reduce sprawl development. GHG Reduction Measure T-1.3 is intended to focus growth in the county villages to achieve mixed-use, transit-oriented village centers. See Master Response 5 for a full description of the community plan update GHG reduction measure. Therefore, the County believes that proposed measures address residential VMT through a range of options. Specific performance standards, similar to those identified in GHG Reduction Measure T-2.2 for non-residential development, are not applied to residential development because of the challenges in tracking VMT

performance from residential uses. Measure T-2.2 requires the County to develop an ordinance that requires employers to implement a TDM program. The ordinance would also include a monitoring and reporting mechanism to demonstrate on-going compliance and ensure enforcement. A similar monitoring and reporting requirement cannot be enforced on individual homeowners. Comments also question the enforceability of identified transportation GHG reduction measures. Each of the measures described above includes specific actions the County would take to implement the measures, identifies departments and agencies responsible for implementation, and includes an associated timeline. For example, the County of San Diego Department of Parks and Recreation (DPR) would be responsible for acquiring 437 acres of open space conservation lands per year between 2021 and 2030 to implement GHG Reduction Measure T-1.1. These performance metrics will inform the CAP monitoring process. The County will conduct annual monitoring beginning in 2019, which is assumed to be one year after adoption. Monitoring reports would include the status of measure implementation and would provide the County with the flexibility to adjust as needed, if measures are underperforming. For Measure T-1.1 for example, the monitoring report will confirm if the specified acres have been acquired by DPR. If there is a shortfall in measure implementation for any reason, the County would make adjustments to ensure that overall achievement of the 2030 target stays on track. The County would also prepare a CAP update every 5 years beginning in 2025 which would include updated inventories, adjustments to reduction measures, as necessary, and any changes to land use projections to achieve consistency with zoning and current 2011 GPU land use designations and policies. The regular monitoring and assessment regimen ensures that implementation of the CAP would achieve established GHG emission reductions. Because of the active and adaptive implementation and management of the CAP, the County does not anticipate a situation where the CAP would deviate substantially from the pathway to achieving reduction targets.

8.4.7 Master Response 7 – Outdoor Water Use

Many comments sought clarification on whether GHG Reduction Measure W-1.2 (Reduce Outdoor Water Use) specifies a 40% water reduction from current levels or from a previous version of the County's Water Conservation in Landscaping Ordinance (Landscaping Ordinance). The comments also expressed concern that a 40% reduction may hinder necessary plant-based infrastructure such as bioretention areas, reduce areas able to have native plants, reduce quality of life for residents, and hinder a project's ability to meet grading ordinances to protect slopes from erosion and requirements for discretionary permit approval.

This measure specifically affects water use in outdoor landscaping. The County's definition of a "landscaped area" in the Landscape Ordinance does not include non-irrigated areas designated for non-development, such as open spaces and existing native vegetation, but does include in a project's water budget calculations rock, stone, or pervious design features, such as decomposed granite ground cover adjacent to vegetated areas, if the primary purpose of the feature is decorative. The measure also does not apply to water budgets established for grading plans, which include storm water best management practices. Water budget calculations associated with a grading permit

would be added to the water budget calculations of the building permit to establish an overall water budget for the property. The measure description will be updated to clarify that this measure only applies to water use in landscaping and not all outdoor applications.

This reduction measure targets a 40% reduction from 2014 outdoor water use budgets in potable water use in landscaping applications in the County's 2014 Water Conservation in Landscape Ordinance. The year 2014 is the baseline year for purposes of the CAP inventory as well as this measure. This measure would result in a small increase in water conservation in addition to the conservation efforts already in place as a result of the updates to the State's Model Water Efficient Landscape Ordinance (MWELO) in 2015. In 2014, the reduction factor required was 0.7. A 40 percent reduction of this 0.7 factor (0.28) would require a reduction to a factor of 0.42 (i.e., $0.7 - 0.28 = 0.42$). With the updates to the MWELO in 2015, this value was already reduced to 0.55 for residential landscapes and 0.45 for non-residential landscapes. Therefore, the CAP would require a new residential project to reduce further by a factor of 0.13 (0.55 required down to 0.42) and a new non-residential project to reduce further by a factor of 0.03 (0.45 required down to 0.42). A reduction of 0.05 ETAF would be like switching out a medium-water use plant for a low-water use plant, assuming an average irrigation efficiency of 0.71. The reduction in outdoor potable water use in the landscape would most likely affect the types of plants to be used in a landscape more than the types of irrigation products used to deliver that water. Additional details related to the methodology and assumptions behind the calculation of MAWA can be found in the MWELO (DWR 2009).

The County's Fire Defensible Space and You brochure contains a list of Undesirable Species that are known to be highly flammable based on other characteristics other than water usage. Many of the plants listed on the Suggested Plant List are considered low water plants and would be acceptable for planting within a fuel modification zone. Drought tolerant trees and shrubs can be maintained by deep watering at least once a month after establishment and once a week for high water use plants. As little as one inch of water per month helps keep established drought tolerant vegetation from readily burning. Properties that require fuel management zones would require additional consideration in plant types when establishing water budget calculations to meet this measure.

On September 24, 2016, Governor Brown signed Assembly Bill (AB) 2515 directing the California Department of Water Resources to update the MWELO, or make a determination that an update is not necessary. The update must be synchronized with the triennial update process of the California Green (CALGreen) Building Standards Code, effective 1/1/2020. A Landscape Stakeholder Advisory Group has been formed to provide recommendations to bring forward in early 2018 to determine if an update is necessary at this time or if it can wait till 2023. One such recommendation currently being considered is including water quality control basins as a Special Landscaped Area which would afford a project additional water with the projects' MAWA calculations. The County's BMP Design Manual and the Low Impact Development Manual contain plant lists that are appropriate for their intended uses in providing water quality benefits and allow designers to propose other species as long as it meets the intent of the intended use and water budget calculations.

The MAWA values would be adjusted accordingly on PDS Form 410 for those projects utilizing the Prescriptive Compliance Option (any new project proposing between 500 and 2500 sq. ft. of irrigated landscaping). Landscape plans are not required, just the signed PDS Form 410 at time of building permit application.

The Prescriptive Compliance Option (PCO) limits a single-family resident to utilizing 75% of the planted areas with climate adapted plants (average plant factor 0.3) that requires occasional watering and no more than 25% turf. Non-residential projects utilizing the PCO require 100% of planted areas to have an average 0.3 plant factor and no turf.

Multifamily residential properties that have sufficient room to provide a common turf area will be afforded additional water use within the MAWA formula based on the turf being considered a recreational area. Compensation on plant types may need to be considered elsewhere on the property to meet the overall 40% reduction requirements.

The 40% reduction target in potable landscaping water use would be applied to all projects within the unincorporated area of the county for which the County issues a building permit, discretionary permit, or grading permit. As part of the implementation plan for this measure, the County would update its Water Conservation in Landscaping Ordinance to require the ETAF for residential landscapes to be no more than 0.50 for residential and 0.40 for non-residential landscapes excluding requirements for special landscape areas (e.g., edible landscapes, recreational areas, and areas irrigated with recycled water) as defined in the current ordinance. This ordinance would specify that the water demand requirements apply to potable water only. The County will clarify this in a revision to the measure's description.

Additionally, the goal of the CAP's water measures is to reduce the amount of conveyed potable water use. The County has committed to increasing rain barrel installations under GHG Reduction Measure W-2.1 to increase water availability. Developments may also incorporate greywater landscaping systems that would reduce the demand on potable water conveyance and still provide necessary water needs for desired landscaping. Graywater systems are currently incorporated in to the County's Water Conservation in Landscaping Ordinance.

Reducing water use decreases GHG emissions as it reduces the energy required to treat and convey water and wastewater. This is also a necessary adaptation measure as California is predicted to go through longer and drier periods of drought.

In requiring two trees be planted for each new residential dwelling unit, as required by GHG Reduction Measure A-2.1, commenters have expressed concern that requiring a reduction in outdoor water use would negatively affect this measure and restrictions on locations of trees for fire protection requirements would make this difficult to obtain for many residential dwellings. The County will develop guidelines on how residential dwellings would need to demonstrate compliance with this Measure, including compliance with any potential fire protection measures imposed upon the property, as this implementation moves forward. Information within the guideline will include the County's current plant list within the Water Efficient Landscape Design Manual, consistent with the

County's Fire Code and Fire, Defensible Space and You brochure. The Maximum Applied Water Allowance (MAWA) values would be adjusted accordingly on PDS Form 410 for those projects utilizing the Prescriptive Compliance Option (single family residential projects proposing between 500 and 2500 sq. ft. of irrigated landscaping). Currently, the PCO limits a single-family residence to utilizing 75% of the planted areas with climate adapted plants (average plant factor of 0.3) and no more than 25% area in turf.

Multifamily residential and commercial properties are not included in this requirement at this time as they already have requirements for tree planting contained within community design guidelines and the parking design manual. Sufficient trees are required of these properties to satisfy this Measure. Additional trees would potentially conflict with fire protection requirements.

This Measure applies to single family residential dwellings. Tree planting within a bioretention basin is not applicable to this Measure.

8.4.8 Master Response 8- Range of Alternatives

Several comments expressed concern regarding the dismissal of alternatives, suggested new alternatives, and/or expressed interest in combining, enhancing, or changing certain elements of specific alternatives. Other comments expressed support for the selection of an alternative instead of the project. Finally, some comments suggested that alternatives which were carried forward for evaluation were not feasible. This Master Response has been prepared to address the role of alternatives in the CEQA process and provide context about how alternatives to the project were selected.

CEQA Guidelines Section 15126.6 describes the requirements for the consideration of potentially feasible alternatives to a project. It states in part, the following:

“An EIR shall include a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives. An EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation. An EIR is not required to consider alternatives which are infeasible...” (Guidelines Section 15126.6 (a))

“...The EIR should...identify any alternatives that were considered by the lead agency but were rejected as infeasible...and briefly explain the reasons underlying the lead agency's determination... Among the factors that may be used to eliminate alternatives from detailed consideration in an EIR are: (i) failure to meet most of the basic project objectives, (ii) infeasibility, or (iii) inability to avoid significant environmental impacts.” (Guidelines Section 15126.6 (c))

“The EIR shall include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison to the proposed project.” (Guidelines Section 15126.6 (d))

“The range of alternatives required in an EIR is governed by a “rule of reason” that requires the EIR to set forth only those alternatives necessary to permit a reasoned choice. The alternatives shall be limited to ones that would avoid or substantially lessen any of the significant effects of the project. Of those alternatives, the EIR need examine in detail only the ones that the lead agency determines could feasibly attain most of the basic objectives of the project.” (Guidelines Section 15126.6 (f))

The purpose of an alternatives analysis is to identify alternatives that reduce or avoid the significant impacts of the project. As evaluated throughout the Draft SEIR, the CAP could result in significant environmental impacts because of:

- construction effects from implementation of many of the GHG reduction measures across all sectors;
- operational impacts to sensitive receptors associated with odors for new or expanded solid waste facilities;
- construction and operational impacts associated with implementation of small wind turbines and large-scale renewable energy facilities; and
- impacts related to not achieving the 2050 GHG reduction goal.

CEQA Guidelines Section 15126.6(a) requires that alternatives reduce the significant impacts of the project while also meeting most of the project objectives. As described on pages 4-5 through 4-11, the Draft SEIR briefly describes several alternatives that were considered, but were rejected from further evaluation because they were determined to be infeasible. These alternatives and a summary of the reasons for elimination include the following:

- Alternative Locations (not evaluated further because it would not support any of the project objectives) (see discussion starting on page 4-5 of the Draft SEIR);
- Reduced Solid Waste Alternative (eliminated GHG Reduction Measure SW-1.1; not evaluated further because it would conflict with the adopted Strategic Plan to Reduce Waste) (see discussion starting on page 4-6 of the Draft SEIR);
- 80% Below 1990 Levels by 2030 (Climate Stabilization Alternative) (more advanced GHG Reduction Measures; not evaluated further because it would result in increased environmental impacts, would not meet the fundamental purpose of a CEQA alternative, and would be legally infeasible) (see discussion starting on page 4-6 of the Draft SEIR);

- Carbon Neutral Alternative (reduce County GHG emissions to net zero; not evaluated because it relies on technologically and economically infeasible measures) (see discussion starting on page 4-8 of the Draft SEIR);
- Distributed Generation Alternative (relies solely on distributed generation technology to achieve renewable energy goals; eliminated because the availability of sufficient sites and infrastructure is speculative and alternative may not meet project objectives) (see discussion starting on page 4-9 of the Draft SEIR); and
- Other Variations/Combinations of GHG Reduction Measures Alternative (considers reductions or enhancements of GHG Reduction Measures; not evaluated further because it is speculative and would not be meaningful to the analysis) (see discussion starting on page 4-10 of the Draft SEIR).

The alternatives that were carried forward for evaluation are described in detail on pages 4-12 through 4-28 of the Draft SEIR and are compared to the impacts of the project, topic-by-topic. The alternatives carried forward for evaluation include:

- No Project Alternative,
- Enhanced Direct Investment Program Alternative,
- 100% Renewable Energy Alternative, and
- Increased Solid Waste Diversion Alternative.

Consistent with CEQA Guidelines Section 15126.6(a), the Draft SEIR includes a reasonable range of feasible alternatives that avoid or substantially lessen the significant effects of the project, even if the alternatives would not attain all project objectives or would be costlier. According to the CEQA Guidelines Section 15126.6 (f)(1), there are many factors that may be considered when addressing the feasibility of alternatives, such as environmental impacts, site suitability as it pertains to various land use designations, economic viability, availability of infrastructure, regulatory limitations, and jurisdictional boundaries. An EIR need not consider an alternative whose effects cannot be reasonably identified, whose implementation is remote or speculative, or one that would not achieve most of the basic project objectives (CEQA Guidelines Section 15126.6(f)(3)). However, CEQA Guidelines Section 15126.6 (e) requires that the No Project Alternative be included in the range of alternatives and the Environmentally Superior Alternative be identified.

The discussion of alternatives is subject to a “rule of reason” (*Laurel Heights Improvement Assn. v. Regents of Univ. of Cal.* [1988] 47 Cal.3d 376, 406-407; *Citizens of Goleta Valley v. Board of Supervisors* [1990] 52 Cal.3d 553, 565-566). “There is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of reason.” (Guidelines, § 15126.6(a)). ‘The agency’s discretion to choose alternatives for study will be upheld as long as there is a reasonable basis for the choices it has made.’ (1 Kostka & Zischke, Practice Under the Cal. Environmental Quality Act [Cont.Ed.Bar 2d ed. 2012] Project Alternatives Section 15:11, p. 743 (rev. 3/12)) (*City of Maywood v. Los Angeles Unified School Dist.* [2012] 208 Cal.App.4th 362, 420-421). “The rule of reason ‘requires the EIR to set forth only those alternatives necessary to permit a reasoned choice’ and to ‘examine in detail only the ones that the lead agency determines could

feasibly attain most of the basic objectives of the project.’ (CEQA Guidelines Section 15126.6(f)). An EIR does not have to consider alternatives ‘whose effect cannot be reasonably ascertained and whose implementation is remote and speculative.’ (CEQA Guidelines Section 15126.6(f)(3))” (*In re Bay-Delta Programmatic Environmental Impact Report* (2008) 43 Cal.4th 1143, 1163-1164).

The County has provided a good-faith evaluation of a reasonable range of potential alternatives to the project. The range of alternatives considers different approaches to GHG reductions from different sectors (e.g., energy and waste). Consideration of every suggested permutation and scaling of an alternative would not provide new meaningful analysis that would be substantially different from the analysis provided in the Draft SEIR. Rather, that analysis would be similar to the analysis provided in the Draft SEIR because the same types of activities (e.g., increased distributed generation, increased waste diversion) would occur. The magnitude of environmental impacts would not be substantially different than the range of analysis provided in the Draft SEIR.

Alternatives/Options Suggested by Commenters

Many commenters suggested that the County should consider and adopt one of the alternatives either rejected or fully evaluated in the Draft SEIR. A description of those alternatives and why those alternatives were either rejected or carried forward for analysis is provided above as well as in Chapter 4 of the Draft SEIR.

In some cases, commenters made general references to increasing the targets of certain measures (e.g., increasing renewable energy to 100%) or devoting more funding and research to specific measures (e.g., traffic calming). No specific alternatives to the project as a whole were provided, but rather options on the ramping up or ramping down of certain GHG reduction measures were suggested. Where these suggestions were made, a specific response is provided in the individual response to comments that follow. No additional analysis of these suggestions is provided in this master response.

Draft SEIR Environmentally Superior Alternative

CEQA Guidelines Section 15126.6(e)(2) requires that if an EIR determines that the No Project Alternative is environmentally superior to the project, the EIR must identify an environmentally superior alternative among the other alternatives considered. Table 4-1 in the Draft SEIR provides a summary comparison of the impacts of the project and alternatives. As described therein, the No Project Alternative would not be environmentally superior to the project because it would not meet SB 32 reduction targets and would not reduce any of the project’s significant environmental impacts. Therefore, this alternative would result in a new significant GHG impact that was not previously identified for the project.

Based on review of the other alternatives considered, the Draft SEIR determined that the Enhanced Direct Investment Program Alternative would be environmentally superior to the Recommended Project because it would reduce significant and unavoidable impacts related to the induced demand for large-scale renewable energy systems while still

achieving both the primary objective of GHG emission reductions consistent with SB 32 and all other supporting objectives. The premise of this alternative was to increase the amount of direct investment projects within the unincorporated county to achieve 227,423 MTCO_{2e} of GHG reductions. Subsequent to publication of the Draft SEIR, the County prepared the “Preliminary Assessment of the Local Direct Investment Program.” The preliminary survey included a high-level cost effectiveness analysis and also assessed the possible approaches to obtain GHG reductions via the County’s local direct investment program (see Master Response 3 above). The preliminary assessment confirms that GHG Reduction Measure T-4.1 can achieve the entire 190,262 MT CO_{2e} of emission reductions as stated in the Draft CAP and could achieve only up to 198,800 MTCO_{2e} in the unincorporated county. As a result, because this alternative would rely on greater GHG reductions from local direct investment projects than may be potentially feasible, this alternative is no longer feasible.

The 100% Renewable Energy Alternative would result in greater GHG reductions, and, therefore, lesser GHG impacts, compared to the project because this alternative would have a greater amount of county-wide energy demands supplied from renewable energy resources. While GHG impacts would be less, overall impact conclusions for all other resource categories would be the same as the project and this alternative could increase the magnitude of these impacts because a greater number of large-scale renewable energy projects would be required.

The Increased Solid Waste Diversion Alternative would result in greater GHG reductions, and, therefore, lesser GHG impacts, compared to the project because this alternative would have a greater amount of waste diversion within the county. While GHG impacts would be less, overall impact conclusions for other resource categories would be the same as the project for aesthetics, agricultural resources, cultural resources, hazards and hazardous materials, hydrology and water quality, and noise. In addition, this alternative would result in greater impacts to air quality, biological resources, transportation, and tribal cultural resources. Overall, this alternative would result in environmental tradeoffs compared to the project. In light of the determination that the previously identified Environmentally Superior Alternative would no longer be feasible.

With regard to the Environmentally Superior Alternative, as described above, CEQA Guidelines Section 15126.6 (f)(1), allows lead agencies when addressing the feasibility of alternatives to consider multiple factors in addition to the relative environmental impacts including factors such as site suitability, economic viability, availability of infrastructure, regulatory limitations, and jurisdictional boundaries. In considering a project, agencies must then render a decision on whether to proceed with the project or whether to proceed with a modification to the project or an alternative that reduces environmental impacts. If an agency decides to proceed with the project despite its significant environmental impacts, it must provide the reasons to support this action based on substantial evidence in the record (CEQA Guidelines Section 15093). This reasoning often balances, as allowed by CEQA, the economic, legal, social, technological, or other benefits of the project that outweigh implementation of project modifications or alternatives that could reduce significant impacts. As such, while an Environmentally Superior Alternative is required to be identified in an EIR (CEQA Guidelines 15126.6 (e)(2)), if an agency

provides substantial evidence in the record to support adoption of the project, modified project, or other alternative that was not identified as the Environmentally Superior Alternative, it is allowed to do so. These reasons and evidence are to be provided in the Statement of Overriding Considerations prepared for the project ultimately approved (CEQA Guidelines Section 15093).

Staff Recommended Project

The County has engaged in a comprehensive process to evaluate the CAP, the feasibility of GHG reduction measures and supporting efforts, and the environmental impacts of those measures and efforts. The County has also considered comments received on the CAP and Draft SEIR in determining the recommendation to bring forward to County decisionmakers. Based on review of the record for the project, County staff are recommending the adoption of the Project as proposed and evaluated in the Draft SEIR with the following revisions (Recommended Project):

- SEIR “Increased Solid Waste Diversion Alternative” would replace GHG Reduction Measure SW-1.1, and
- Direct Investments implemented through GHG Reduction Measure T-4.1 would be implemented at the level to achieve 145,642 MTCO_{2e} of GHG emission reductions.

The Recommended Project would result in implementation of a CAP that includes increased reliance upon solid waste diversion to achieve additional GHG reductions. This Recommended Project would achieve a 5 percent increase in the diversion rate of solid waste county-wide by 2030 compared to the Project. This would further accelerate the reduction that would occur over the life of the project and would provide approximately 74,572 MTCO_{2e} in additional GHG reductions by 2030. The Recommended Project also includes increases to three measures and the incorporation of a new measure to install electric vehicle charging stations throughout the unincorporated County. The Recommended Project would also decrease reliance on direct investments under GHG Reduction Measure T-4.1.

The Recommended Project was selected because in comparison to the Project it would result in similar impacts for most issue areas and it would provide additional GHG reductions that would not be achieved with the Project. Further, it would achieve all project objectives and would better fulfill the first project objective: reduce community and County operations GHG emissions to meet the County’s GHG reduction targets for 2020 and 2030, and provide a mechanism to meet the County’s projected 2050 goal. The Recommended Project would better fulfill this objective because of the greater amount of GHG reductions that would be achieved by 2030 and beyond (i.e., 57,103 MTCO_{2e} and 74,527 MTCO_{2e}, respectively) under this alternative.

The Draft SEIR identified the Enhanced Direct Investment Alternative as the Environmentally Superior Alternative because it would reduce impacts in all environmental issue areas and would achieve 2020 and 2030 GHG reduction targets.

However, the preliminary assessment of the local direct investment program (see Planning Commission Hearing Report and Master Response 3) illustrates that this alternative would no longer be feasible as evaluated in the Draft SEIR. The preliminary assessment shows that the County can attain no more than 198,800 MTCO_{2e} of reductions from GHG Reduction Measure T-4.1 by 2030, less than the 227,423 MTCO_{2e} of reductions needed to implement the Enhanced Direct Investment Alternative. As explained further in the preliminary assessment of the local direct investment program, the County cannot achieve the amount of reductions needed to implement the Enhanced Direct Investment Alternative by 2030. Therefore, this alternative is no longer feasible.

8.4.9 Master Response 9 Selection of GHG Reduction Measures

Several comments expressed concern that the County's selection of GHG reduction measures within the CAP is limited, and the GHG reduction measures that were selected disproportionately reduce GHG emissions compared to the relative contribution of the emissions sectors (e.g., transportation measure-related GHG reductions do not equal the proportion of transportation-related GHG emissions that were inventoried). Other comments suggested revising or intensifying existing GHG reduction measures, or suggested the addition of new measures. This master response addresses broad concerns regarding the selection process for GHG reduction measures related to all sectors. Master Response 6 addresses a similar concern but focuses on the built environment and transportation sector only.

The purpose of the CAP is to mitigate GHG emissions resulting from buildout of the 2011 GPU in accordance with GPU Policy COS-20.1 and 2011 GPU EIR Mitigation Measure CC-1.2. Additionally, the County's CAP and associated GHG reduction measures are consistent with the State's GHG reduction objectives. The California Air Resources Board (CARB) considers local governments as essential partners in helping the State, either through CAPs or other GHG reduction plans, to achieve its objectives of reducing statewide GHG emissions to 1990 levels by 2020 and 40% below 1990 levels by 2030 per targets set under AB 32 and SB 32, and 80% below 1990 levels by 2050 per the goal set by EO S-3-05. In addition to local action, the State's plan includes policies and programs that are outside local government jurisdiction such as vehicle technology requirements, Cap-and-Trade, and regulations on refineries (CARB 2017, CARB 2014). As such, the County's CAP both implements an adopted 2011 GPU policy and mitigation measure, and serves a collaborative role in addressing the State's climate objectives.

The CAP includes 30 GHG reduction measures that form the regulatory framework that implements the plan. CEQA Guidelines 15183.5, which establishes required elements for GHG reduction plans, does not require the CAP to implement all feasible GHG reduction measures, but does require a qualified GHG reduction plan like the CAP to specify measures or a group of measures that substantial evidence demonstrates, if implemented on a project-by-project basis, would collectively achieve the specified emissions level. The County is also not required to adopt GHG reduction measures in any specific proportion, whether proportional to the County's GHG emissions sectors or not. The County has the policy authority to consider and select reduction measures in any combination or at any level it finds, based on substantial evidence, meet the CAP's GHG

reduction targets, regardless of whether other suggested measures may also result in GHG reductions.

The range of measures included in the CAP were determined through review of potential available strategies and measures, their effectiveness in reducing GHG emissions, and their applicability to the unincorporated area. The final strategies and measures for inclusion in the CAP were determined through visioning sessions, workshops, and meetings with stakeholder groups and deliberation among the County's Sustainability Task Force members, comprised of 11 County departments. As described on pages 6-2 and 6-3 of the CAP, the County collaborated with over 50 stakeholder groups in the environmental, business, and community sectors during a total of over 100 public events to gather input to inform development of strategies and measures for the CAP. The primary determinant for whether a measure was chosen was its GHG reduction potential and whether it would help the County achieve its GHG reduction target in 2030. Measures were also assessed for their applicability and effectiveness in the County's unique rural setting. The County focused on measures that would be enforceable, achievable, and measurable. As shown in the CAP, the selected measures are anticipated to meet State targets through 2030.

The County could consider additional measures or varying degrees of implementation of each GHG reduction measure, to the degree implementation would be feasible and would contribute to reaching the 2030 target. However, the proposed CAP evaluated throughout this Draft SEIR already contains a full spectrum of feasible GHG reduction measures to achieve the 2020 and 2030 targets, and now also includes a new GHG Reduction Measure T-3.5 and increases in reductions from other measures at the suggestion of commenters.

The County acknowledges that the current mix of GHG reduction measures achieves a greater percentage of reductions from the non-transportation sector. However, the CAP's current mix of GHG reduction measures, which substantial evidence supports are adequate to meet the CAP's reduction targets, would not be static over the life of the CAP. Rather, this mix of GHG reduction measures would be monitored and changed as additional data and technology become available, and if feasible could achieve additional reductions from the transportation sector in the future.

Implementation of a CAP is adaptive and per CEQA Guidelines Section 15183.5, the County is required to monitor progress towards attaining adopted reduction targets. Also, per CEQA Guidelines Section 15183.5(b)(1)(E), the County is required to amend the CAP if it finds that the plan is not achieving those targets. In addition, the CAP specifically includes an implementation requirement for regular monitoring and updates per Chapter 5 of the Final CAP. The County appreciates the multiple suggestions provided by the public for additional measures that can further reduce emissions in the county. However, as discussed above, the CAP already contains a full spectrum of GHG reduction measures to achieve the 2020 and 2030 targets. Although not all suggested measures may fall under the County's jurisdiction, the County will continue to evaluate these suggestions as part of the CAP's adaptive management process.

Potential co-benefits of reduction measures and their relative cost were secondary determinants for measures chosen. Co-benefits represent beneficial secondary effects that may result from implementing strategies and measures. These co-benefits could include air-quality improvements, conservation of biological resources, carbon sequestration, community health, cost savings, energy savings, improved mobility, job generation, noise reduction, public health improvements, water quality improvements, and water savings. Co-benefits are not necessary for measure selection, but identify important beneficial aspects of a measure. Relative costs are also used as a feasibility metric for County deliberation. The County is undertaking a detailed implementation cost analysis and benefit-cost analysis for the CAP. The Climate Action Plan Implementation Cost Report: A Preliminary Estimate of County of San Diego Costs for the Five-Year Forecast includes an estimate of internal costs to the County of San Diego for implementing and administering the CAP and its measures. The Climate Action Plan Cost-Effectiveness Analysis includes an estimate of the net benefits or costs to residents, businesses, and County operations that participate in, or comply with, the CAP measures. These analyses are provided as attachments to the Planning Commission Hearing Report as information for the decision-makers; however, they were not the primary determinants on selected measures.

8.4.10 Master Response 10- Use of a Program EIR to Evaluate a Climate Action Plan and Streamlining under CEQA Guidelines Section 15183.5

Multiple public comments appear to misinterpret the intended purpose, scope, or use of the Climate Action Plan (CAP) and its associated Program EIR (Draft SEIR). Also, multiple comments question the specific locations of where projects or infrastructure that supports a particular GHG Reduction Measure would be located or what level of implementation should be achieved by a particular GHG Reduction Measure. This Master Response has been prepared to reiterate and clarify the purpose, scope, and use of the CAP and associated Program EIR. Further, this response clarifies the process by which the County will ultimately determine the location of infrastructure connected to individual GHG Reduction Measures.

Purpose, Scope, and Use of the CAP

As discussed in Chapter 1 of the CAP, the County's proposed CAP is a comprehensive plan for the reduction of GHG emissions through a series of actions and strategies that would be undertaken by the County. The CAP is a multi-objective plan that balances environmental, economic, and community interests; implements the County's General Plan; and aligns with multiple County initiatives. It identifies strategies and measures to meet the State's 2020 and 2030 GHG reductions targets, and to demonstrate progress towards the 2050 GHG reduction goal.

The CAP has been designed and developed to be an adaptive plan; as progress is made in implementing GHG Reduction Measures, that progress will be monitored (i.e., reductions achieved will be logged), and an assessment will be made on whether

changes to the plan would be required. For example, if certain measures have proven successful, additional investment in those measures may be made; or, conversely, if certain measures are proving to be more difficult to achieve, then the County may redirect its efforts to other measures to achieve overall GHG reduction targets. The County will monitor the overall effectiveness of the plan through annual progress reports, and will ensure the plan continues to make substantial progress toward reduction targets through inventory updates every two years and with updates made to the CAP every five years. If any measures become infeasible or less effective than anticipated in this program-level analysis, the County will be in the position to adjust the measure(s) as needed to ensure that GHG reduction targets are met. Conversely, if any measures prove to be more effective, the County would have the flexibility to adjust those measures. Finally, if new measures become available in future years as a result of technological advancements, the CAP's mandatory monitoring and update mechanism will ensure these measures can be considered for incorporation.

With regard to the specificity of individual measures, the CAP has identified 30 GHG Reduction Measures and supporting strategies to reduce county-wide GHG emissions. The GHG Reduction Measures have been designed to provide clear requirements for achieving GHG emissions reductions, and the specific sectors where emissions reductions will occur, while providing flexibility in the implementation mechanisms that would be used to achieve the reductions. Information relied upon in development of the CAP represents the best and most current information, research, and techniques available today. However, the County does not want to preclude the CAP's consideration of future advancements in technology and legislation. Therefore, the reduction measures and strategies have been proposed as broad categories of actions that can be implemented to achieve reductions consistent with the CAP's targets while at the same time allowing for the future advancement of technology and legislation. To limit the CAP to very specific actions or technologies would limit the overall effectiveness of the CAP because it could not adapt as technology quickly advances and legal requirements rapidly evolve in this area. Therefore, the County has not identified specific locations where actions or improvements resulting from certain measures (e.g., transportation improvements, renewable energy infrastructure) would occur. Rather, as a plan or program level document, the CAP allows for broad consideration of implementation of those actions throughout the unincorporated area.

Purpose, Scope, and Use of the Program EIR

The CAP meets the CEQA definition of a project for a program of activities. Specifically, as described in CEQA Guidelines 15168(a), the CAP consists of "one large project" that covers "a series of actions" that are linked "geographically, as logical parts in a chain of contemplated actions; in connection with issuance of rules, regulations, plans, or other general criteria to govern the conduct of a continuing program; or as individual activities carried out under the same authorizing statutory or regulatory authority and having generally similar environmental effects which can be mitigated in similar ways."

As the CAP is a program, the County has prepared a Program EIR (Draft SEIR), consistent with the requirements of CEQA Guidelines Section 15168. The Draft SEIR is

programmatic in nature, as it analyzes the potential environmental effects of all GHG Reduction Measures and strategies, but it does not specifically analyze individual projects or actions resulting from implementation of the CAP because the details of such projects and actions are not available (e.g., specific location of infrastructure). This is consistent with the requirements of CEQA. While CEQA coverage is provided on the program of activities proposed under the CAP, specific GHG Reduction Measures or strategies will require subsequent implementing action by the County. The County will implement specific activities proposed under the CAP (e.g., “later activities”), determining whether they are consistent with the activities identified in the CAP, and determining whether sufficient evaluation of the potential environmental impacts associated with these later activities has been provided in the Draft SEIR for the CAP. These later activities would be examined in light of the information in the Draft SEIR to determine whether an additional environmental document must be prepared. During this examination, if the County finds pursuant to CEQA Guidelines section 15162 that no new significant effects are identified or no new mitigation measures would be required on a subsequent project, the activity can be approved as being within the scope of the project covered by the Draft SEIR. In this situation, the County must incorporate all project requirements relevant to the GHG Reduction Measure and all feasible mitigation measures from the Draft SEIR into the later activity, as needed, to address significant or potentially significant effects on the environment. If a subsequent project or later activity would have significant effects that were not examined in this Draft SEIR, the County would prepare an initial study to determine the appropriate environmental document. If an additional environmental document is needed, whether it is a mitigated negative declaration or supplement to the Draft SEIR, the Draft SEIR can be used to simplify the task of preparing the follow-up environmental document by allowing the County to focus on the issues that were not previously addressed in the Draft SEIR, as indicated in CEQA Guidelines Section 15168(d).

An additional streamlining benefit of the CAP and Draft SEIR is that the CAP has been prepared consistent with the tiering and streamlining provisions of CEQA Guidelines Section 15183.5, which would allow for streamlining future project-specific GHG emissions analyses where projects considered by the County can demonstrate consistency with the CAP.

To use the tiering and streamlining provisions of Section 15183.5, agencies must prepare a plan that meets certain requirements described as follows in Section 15183.5(b)(1):

- “(1) Plan Elements. A plan for the reduction of greenhouse gas emissions should:
- (A) Quantify greenhouse gas emissions, both existing and projected over a specified time period, resulting from activities within a defined geographic area;
 - (B) Establish a level, based on substantial evidence, below which the contribution to greenhouse gas emissions from activities covered by the plan would not be cumulatively considerable;

- (C) Identify and analyze the greenhouse gas emissions resulting from specific actions or categories of actions anticipated within the geographic area;
- (D) Specify measures or a group of measures, including performance standards, that substantial evidence demonstrates, if implemented on a project-by-project basis, would collectively achieve the specified emissions level;
- (E) Establish a mechanism to monitor the plan's progress toward achieving the level and to require amendment if the plan is not achieving specified levels;
- (F) Be adopted in a public process following environmental review."

The proposed CAP has been prepared in accordance with the plan elements described in CEQA Guidelines Section 15183.5(b)(1). Chapter 2, GHG Emissions, Inventory, Projections, and Reduction Targets, describes the County's methodology for quantification of existing baseline and projected emissions for 2020, 2030, and 2050 (CEQA Guidelines § 15183.5(b)(1)(A)). It also describes the recommended reduction targets for 2020 and 2030 which are consistent with the recommended community targets in CARB's Draft 2017 Scoping Plan Update, the State's 2014 GHG emissions inventory, and the targets established by AB 32, SB 32, and Executive Orders B-30-15 and S-3-05 (CEQA Guidelines § 15183.5(b)(1)(B)). For the reasons described in the CAP and Draft SEIR, it is not possible for the CAP to reduce GHG emissions below the 2050 goal with a sufficient degree of certainty. Chapter 3, GHG Reduction Strategies and Measures, describes the specific strategies and actions the County would take to reduce GHG emissions and quantifies the resultant reductions that would be achieved by each measure (CEQA Guidelines § 15183.5(b)(1)(C,D)). Chapter 5, Implementation and Monitoring, describes how the County would implement the plan, monitor its effectiveness, and adaptively manage implementation of specific strategies to achieve reduction targets (CEQA Guidelines § 15183.5(b)(1)(E)). Finally, the County is engaging in a public review process and has prepared appropriate environmental documentation (the Draft SEIR) that programmatically evaluates the full scope of activities that could be implemented under the plan (CEQA Guidelines § 15183.5(b)(1)(F)).

Additionally, the County has prepared a CAP Consistency Review Checklist that provides a process and evidence by which subsequent development projects would demonstrate how they would be consistent with the CAP (i.e., they would not hinder attainment of the 2020 and 2030 reduction targets). If subsequent projects are found to be consistent with the CAP, then the environmental documents prepared for these projects can rely upon and incorporate by reference the cumulative GHG analysis for the CAP as presented in the Draft SEIR. If they are not found consistent with the CAP, or if their effects on GHG emissions are found to be cumulatively considerable notwithstanding compliance with the CAP and the checklist, CEQA Guidelines section 15183.5 provides that the project would require further evaluation pursuant to CEQA. For example, a project found not consistent with the CAP would require a GHG technical study prepared in accordance with the Report Format and Content Requirements (included as part of the proposed project), which would then determine if impacts could be mitigated to a less-than-significant level.

Therefore, the qualified CAP, the program EIR for the CAP, and the CAP's Consistency Review Checklist process are based on substantial evidence and work together to provide the programmatic environmental review and streamlining mechanism for the evaluation of GHG emissions for future development projects.

8.4.11 Master Response 11 - Carbon Sequestration

Several comments raise questions about the level of carbon sequestration assessment in the CAP, including addressing changes in carbon stock in existing or proposed vegetation as well as in soil. Comments include the claim that the CAP does not assess the carbon storage and sequestration 1) benefits associated with preserving open space and agricultural easements (GHG Reduction Measures T-1.1 and T-1.2), planting native species, and woody crops; and 2) losses associated with the development of large-scale renewable energy projects, such as solar and wind, and land use conversions. Other comments contend that the CAP should include a thorough accounting of carbon sources and sinks related to vegetation and soils. Some comments acknowledge methodological challenges associated with establishing a soil carbon baseline while others reject using such challenges as a reason for excluding soil carbon from the CAP's analysis, citing a variety of sources. Comments also included a list of recommended measures related to increasing the carbon stock and sequestration potential in the County.

Exclusion of Carbon Storage and Sequestration in the CAP Inventory and Forecasts

The County acknowledges the role of vegetation in the County's overall carbon emissions as noted by the commenters. Changes in the County's carbon stock over time, or carbon flux, can both result in indirect GHG emissions through lost carbon sequestration potential from removed or disturbed vegetation, such as through urbanization; and reductions in GHG emissions through an increase in carbon stock, such as through tree plantings and conservation of natural lands through easements. Forecasting changes in carbon stock would entail analyzing how much existing vegetation would be removed or disturbed by growth projected under the 2011 General Plan Update. Vegetation removal for a future individual development cannot be projected at the plan level as the amounts, timing, and type of vegetation removal would vary for each individual project. In addition, to characterize the effect of carbon flux on the County's GHG inventory and projections, an inventory of the existing carbon stock would need to be taken first and then compared to an assessment of the activities affecting the County's carbon stock in the future.

The County's inventory relies on models and methods approved by the State to be consistent with the State's accounting methodologies and GHG reduction goals. In CARB's Draft 2017 Scoping Plan Update, the State focuses renewed attention on California's natural and working lands (CARB 2017:121). Natural and working lands and their potential to sequester carbon form one of six pillars of Governor Brown's climate change strategy for the State. In an effort to further the vision of California's Global Warming Solutions Act, Governor Brown identified key climate change strategy pillars in his January 2015 inaugural address. As a result of this renewed attention, the California Natural Resources Agency's (CNRA) is developing the California Natural and Working

Lands Carbon and Greenhouse Gas Model (CALAND). CALAND is a joint effort between CNRA and Lawrence Berkley National Laboratory (LBNL) that simulates the effects of various land management practices on the carbon dynamics on all California lands based on a historical baseline carbon inventory, with the ability to analyze at the county level. CALAND is currently undergoing a formal public engagement process and is scheduled for public release in mid-2018 (pers. comm., Di Vittorio). To stay consistent with State-approved carbon accounting methodologies and for increased data defensibility and integrity, the County has chosen not to independently undertake a separate carbon stock inventory that may be superseded in the near future by the CALAND effort. The County plans to utilize CALAND, once released, in the next update to the CAP to develop a carbon stock inventory and forecast that is consistent with the State's GHG inventory.

The California Emissions Estimator Model (CalEEMod) is another model recommended by several air districts throughout California, including the San Diego County Air Pollution Control District, that quantifies the effects of tree plantings and land use changes on carbon sequestration and resulting GHG emissions. However, this model is limited to project-specific applications and does not have the capacity to determine baseline carbon inventories based on existing sinks. CalEEMod applies carbon accumulation rates per acre or per tree, in metric tons of carbon dioxide (MTCO₂) per year, to the changes in land cover types and tree populations by land use and tree type, respectively. As such, this model was used to quantify the tree planting GHG Reduction Measures A-2.1 and A-2.2, but the model input only evaluates land use changes and cannot be used to determine the County's baseline carbon stock. CalEEMod is currently used to quantify sequestration loss from vegetation removal for individual projects. While such accounting is occurring at the project level, tracking of net carbon flux in the future is not feasible at the programmatic level at this time.

Comment-Specific Responses

The CAP accounts for the reduction in GHG emissions associated with the carbon sequestration anticipated in the proposed tree planting programs under GHG Reduction Measures A-2.1 and A-2.2. However, the County did not quantify the GHG emissions reductions because of additional sequestration from the future preservation of natural lands in GHG Reduction Measures T-1.1 and T-1.2 because it is speculative to determine what natural lands could be preserved as the exact location of displaced development is not yet known. Implementation of the measure and progress towards these performance metrics will be tracked through the CAP's robust implementation and monitoring process.

The County appreciates the recommendations made by commenters to include additional planting measures for native vegetation and woody crops, such as orchards and vineyards, to increase carbon sequestration in the county. The carbon sequestration benefits of such measures were not quantified for a variety of reasons. The planting of native vegetation is already encouraged through the County's current Landscape Ordinance and also through GHG Reduction Measure W-1.2. However, the type and number of plantings that result pursuant to this ordinance and GHG Reduction Measure W-1.2 could vary widely for individual developments and, thus, the quantification of the carbon storage benefits of these efforts would be speculative. With respect to woody

crops, the County does not have jurisdiction over the types of crops that farmers choose to plant and cannot mandate increased cultivation of woody crops. For the next update to the CAP, the County will consider inclusion of the analysis of carbon storage and sequestration benefits of native vegetation and woody crops.

One comment stated that the carbon sequestration lost from removed vegetation and disturbed soil due to development of large-scale renewable energy generation projects pursuant to the CAP would outweigh the GHG reduction benefits of such projects. As stated in the Draft SEIR on pages 2.7-28 through 2.7-29, such projects would be subject to discretionary review and feasible mitigation would occur at the project level.

As part of the County's discretionary review process, all large renewable energy projects would be subject to discretionary review and required to obtain a Major Use Permit. As part of the County's discretionary review process all large renewable energy projects would be evaluated under CEQA and would be required to implement mitigation measures to minimize all significant impacts to the extent feasible related to GHG emissions.

If applicable, a renewable energy project's analysis would need to assess the effect of vegetation removal on the net GHG emissions associated with the project. The Draft SEIR assumes that these impacts will be mitigated to the extent feasible and, as such, anticipates that the GHG reduction benefits associated with renewable energy projects over the life of the projects would more than compensate for the increases in emissions from construction, vegetation removal, or decommissioning activities. In addition, biological mitigation will likely be required for these impacts, typically on a one-to-one basis, mitigating both biological impacts and effects on carbon sequestration.

With respect to addressing the loss of carbon sequestration and stored carbon in various types of soils because of land use change, the County appreciates the variety of suggestions submitted by the community to help the County quantify these losses and increase carbon sequestration and storage potential in soils. To track the soil carbon stocks in the County, a detailed long-term study of samples from areas across all land use types in the County would need to be conducted. While the U.S. Department of Agriculture's Carbon Management and Evaluation Tool (also known as COMET-Farm) is available to individual farms and ranches to estimate their soil carbon levels, the use of this tool for the entire County would require a comprehensive survey of farming practices, irrigation factors, and other data needs. The analysis would require comprehensive County-specific soil carbon studies to address the County's soil carbon stocks and forecasts. The unincorporated areas cover lands under federal and State jurisdiction and private lands. The County would have limited ability to collect soil samples from these lands to analyze sequestration potential for the unincorporated area. Nonetheless, the County will continue to track development of tools that allow quantification of soil carbon stocks and will consider inclusion of such an analysis in future CAP updates.

With respect to including additional measures that increase carbon capture and storage, the County acknowledges the suggestions to recommend soil amendment and conservation, conversion of the Sycamore Landfill to a carbon storage area, conversion

of urban landscapes to natural landscapes, carbon farming, and other similar measures. However, most of the suggested measures would require the detailed assessment of the carbon stock in the County that may be considered in a future update to the CAP. A carbon storage assessment for the County may be considered in the next update to the CAP. The County acknowledges the benefits of carbon farming and does have an opportunity under implementation of GHG Reduction Measure T-4.1 to pursue compost additions to rangeland project, as listed on page 2.7-25 and in Appendix B of the CAP SEIR. Thus, the County will have an opportunity to consider these measure recommendations in the future CAP update pending a carbon stock analysis for the County.

8.4.12 Master Response 12 - Mitigation Hierarchy and Use of Carbon Offset Credits

Several comments expressed concern regarding CAP Mitigation Measure M-GHG-1, which the Final SEIR identifies as mitigation for significant cumulative impacts related to General Plan Amendments (GPAs). Specifically, the commenters are concerned that CAP Mitigation Measure M-GHG-1 allows GHG emissions resulting from GPAs to be offset through the purchase of carbon offset credits. Additionally, many commenters conflate two separate concepts that are related to the CAP: direct investments through a local direct investment program under GHG Reduction Measure T-4.1, and the use of carbon offset credits to mitigate project-related GHG emissions from future GPAs under CAP Mitigation Measure M-GHG-1. Direct investments, established through GHG Reduction Measure T-4.1, would be made by the County. Carbon offset credits under CAP Mitigation Measure M-GHG-1, if utilized by projects, will mitigate significant cumulative impacts from GPAs. This Master Response describes the use of carbon offset credits only, and has been prepared to reiterate and clarify the purpose, scope, and use of the GHG mitigation hierarchy that would be applicable to GPAs. For information related to GHG Reduction Measure T-4.1 and the County's direct investments, refer to Master Response 3.

Use of Carbon Offset Credits

The use of carbon offset credits as a mechanism to mitigate project-related GHG emissions is a feasible, established, and commonly recognized approach utilized in the discretionary development review process. The utilization of carbon offset credits to mitigate GHG emissions is expressly authorized by CEQA Guidelines Section 15126.4(c)(3). The CEQA Guidelines recognize that offsite mitigation, which may include purchase of offsets, may be used as mitigation for GHG emissions.

Further, the State legislature when adopting AB 32, delegated the California Air Resources Board (CARB) with the responsibility to implement and develop the programs and requirements necessary to achieve the GHG emissions reduction mandates of AB 32. Among the responsibilities given to CARB, AB 32 authorized CARB to adopt market-based compliance mechanisms, which could include carbon offset credits. In particular, CARB's Scoping Plan must "identify and make recommendations on direct emission reduction measures, alternative compliance mechanisms, market-based compliance

mechanisms, and potential monetary and nonmonetary incentives” to achieve the 2020 goal, and achieve “the maximum technologically feasible and cost-effective GHG emission reductions” by 2020 and maintain and continue reductions beyond 2020. On December 14, 2017, CARB adopted *The 2017 Climate Change Scoping Plan Update (Second Update)*(CARB 2017). CARB recommended that lead agencies prioritize on-site design features that reduce emissions, especially from VMT, and investments in GHG reductions within the project’s region that contribute potential air quality, health, and economic co-benefits locally. Examples of investments in GHG reductions in the project’s region include financing installation of regional electric vehicle (EV) charging stations, solar panels, solar water heaters, smart meters, energy efficient lighting, energy efficient appliances, energy efficient windows, insulation, and water conservation measures for homes within the geographic area of the project. However, CARB also recognized that where further project design or regional investments are infeasible or not proven to be effective, it may be appropriate and feasible to mitigate project emissions through purchasing and retiring carbon offset credits issued by a recognized and reputable voluntary carbon registry. CARB also recognizes that achieving net zero increases in GHG emissions, resulting in no contribution to GHG impacts, may not be feasible or appropriate for every project, however, and the inability of a project to mitigate its GHG emissions to net zero does not imply the project results in a substantial contribution to the cumulatively significant environmental impact of climate change under CEQA (CARB 2017). Achieving no net additional increase in GHG emissions, resulting in no contribution to GHG impacts, is an appropriate overall objective for new development. This is consistent with the CAP SEIR Mitigation Measure M-GHG-1 to reduce cumulative impacts from future GPAs.

California Air Pollution Control Officers Association’s (CAPCOA) also recognized that many projects that achieve no net additional GHG emissions may only be deemed less than significant with offsite reductions or the opportunity to purchase GHG emissions reduction credits. As explained by CAPCOA in the *Quantifying Greenhouse Gas Measures Report (2010)*:

“Since CEQA requires mitigation to a less than significant level, it is conceivable that many projects subjected to a zero threshold could only be deemed less than significant with offsite reductions or the opportunity to purchase greenhouse gas emission reduction credits. GHG emission reduction credits are becoming more readily available however, the quality of the credits varies considerably. High-quality credits are generated by actions or projects that have clearly demonstrated emission reductions that are real, permanent, verifiable, enforceable, and not otherwise required by law or regulation. When the pre- or post-project emissions are not well quantified or cannot be independently confirmed, they are considered to be of lesser quality. Similarly, if the reductions are temporary in nature, they are also considered to be poor quality. Adoption of a zero threshold should consider the near-term availability and the quality of potential offsets.”

In a related action which demonstrates the legitimacy of carbon offsets by a State agency, the Natural Resources Agency in their *Final Statement of Reasons for Regulatory Action*

(2009) which amended the CEQA Guidelines to address GHG emissions pursuant to Senate Bill 97, addresses carbon offsets as follows:

The Natural Resources Agency finds that the offset concept is consistent with the existing CEQA Guidelines' definition of "mitigation," which includes "[r]ectifying the impact by repairing, rehabilitating, or restoring the impacted environment" and "[c]ompensating for the impact by replacing or providing substitute resources or environments."

Therefore, the County determined that the use of carbon offset credits is a well-established method for mitigating project-level GHG emissions and as such, provides this option under the circumstances described below.

Determining GHG Emissions at the Project Level

After adoption of the CAP, all discretionary projects that are subject to CEQA would be evaluated for consistency with the CAP. The CAP Consistency Review Checklist (Checklist) has been incorporated as an appendix to the Guidelines for Determining Significance Related to Climate Change, and would be the mechanism that is used to demonstrate compliance with the CAP. The determination of consistency with the CAP would be evaluated utilizing the following two approaches:

- First Approach: If the project is consistent with the County's General Plan (2011 GPU), then the project could use the CEQA streamlining provision, CEQA Guidelines Section 15183.5, which would allow the project to tier from and incorporate by reference the GHG emissions analysis presented in the Draft SEIR, upon certification. To show consistency with the CAP, the project would be required to implement applicable GHG reduction measures as adopted in the CAP and outlined in the Checklist.
- Second Approach: If the project is not consistent with the 2011 GPU and would require a GPA, then the project would not qualify for the CEQA streamlining provision and would be required to prepare a project-specific GHG emissions analysis. If the project is requesting a GPA but not requesting an increase in density or intensity beyond that assigned by the 2011 GPU, then the project could achieve consistency with the CAP by implementing applicable GHG reduction measures as adopted in the CAP and outlined in the Checklist. The analysis conducted in the Checklist should demonstrate how the project would achieve consistency with the CAP through implementation of the measures outlined in the Checklist. Projects that do not comply with the underlying assumptions of the CAP would be required to mitigate in compliance with CAP Mitigation Measure M-GHG-1, any additional GHG emissions that would result above and beyond what was considered by the CAP for that property and land use as designated in the 2011 GPU.

The County requires projects to mitigate incremental GHG emissions to ensure that CAP emission forecasts are not substantially altered in a way that could impede the attainment

of the GHG reduction targets that are established by the CAP. As a result, projects would need to either achieve no net increase in GHG emissions from additional density above the 2011 GPU or reduce all project GHG emissions to zero to achieve no net increase over baseline conditions (i.e., carbon neutrality).

Mitigation Hierarchy and the Use of Carbon Offset Credits

The Natural Resources Agency in their Final Statement of Reasons for Regulatory Action (2009) which amended the CEQA Guidelines to address GHG emissions pursuant to Senate Bill 97, expressly rejected invitations to establish any sort of mitigation hierarchy for GHG emissions in CEQA Guidelines Section 15126.4(c):

“OPR and the Resources Agency recognize that there may be circumstances in which requiring on-site mitigation may result in various co-benefits for the project and local community, and that monitoring the implementation of such measures may be easier. However, CEQA leaves the determination of the precise method of mitigation to the discretion of lead agencies.”

It is important to note that GHG emissions represent a global, cumulative impact. This was recently acknowledged 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. 4th 204 (2015)). Page 11 of the Supreme Court ruling 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.”

While the County recognizes the global scale and context of GHG emissions, CAP Mitigation Measure M-GHG-1 includes a geographic priority for GHG reduction features and GHG reduction projects and programs 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.

Geographic priorities would focus first on local reduction features (including projects and programs that would reduce GHG emissions) to ensure that reduction efforts achieved locally would provide co-benefits. All feasible on-site measures must be incorporated into the project and an analysis must be provided that clearly demonstrates how all feasible

on-site measures have been incorporated. Only upon exhaustion of all on-site feasible mitigation options can an applicant consider off-site mitigation options. As specified in CAP Mitigation Measure M-GHG-1, international offsets would be last on the geographic hierarchy and would only be allowed if the applicant demonstrates infeasibility of the other options in the order of hierarchy. Only after all feasible measures have been incorporated and analyzed can the purchase of carbon offset purchases, be considered.

The County requires use of CARB-approved registries, such as the Climate Action Reserve, Verified Carbon Standard, and American Carbon Registry (see SEIR Section 2.7.5.1). The County performed a search of these registries for the locations of projects that are listed to sell carbon credits. At the time of this writing, there is one project out of approximately 650 projects listed on CARB-approved registries located within San Diego County. The project is a reforestation project located in Cuyamaca State Park and the credits are not listed because the trees have not reached maturity. Therefore, there is very little opportunity currently to purchase carbon offset credits within San Diego's unincorporated area and the County will allow the use of offset credits from outside of the boundaries of unincorporated area as directed under CAP Mitigation Measure M-GHG-1.

8.4.13 Master Response 13 - GHG Reduction Measures, CAP Mitigation Measures, and 2011 General Plan Update PEIR Mitigation Measures

This Master Response has been prepared to clarify the intent, application, and separate functions of the CAP's GHG Reduction Measures, the CAP SEIR's Mitigation Measures, and the 2011 General Plan Update PEIR (2011 GPU PEIR) Mitigation Measures. Several commenters have confused the purpose of these project components and when each would apply to actions that are implemented under the CAP.

Intent and Application of the CAP's GHG Reduction Measures

The CAP is a comprehensive plan to achieve county-wide GHG emissions reductions for the existing land use map approved with adoption of the 2011 GPU. As discussed in more detail below, preparation of the CAP was identified as a mitigation measure by the 2011 GPU PEIR. The CAP contains 11 strategies, 30 GHG reduction measures, and associated supporting efforts that are organized under five GHG emissions categories, namely built environment and transportation, energy, solid waste, water and wastewater, and agriculture and conservation. Implementation of the CAP would include a combination of regulations, programs, incentives, and outreach and educational activities that would result from each of the GHG reduction measures.

The County will monitor the effectiveness of the GHG reduction measures through an annual progress report, and will ensure substantial progress toward meeting emissions reduction targets through emissions inventory updates every two years and updates made to the CAP every five years. If any GHG reduction measure becomes infeasible or less effective than anticipated, the County will be in the position to adjust the measure(s) as needed to ensure that emissions reduction targets are met. Conversely, if any GHG reduction measure proves to be more effective, the County would have the flexibility to

adjust those measures. Finally, if new GHG reduction measures become available in future years because of technological advancements, the CAP's mandatory monitoring and update mechanism will ensure these measures can be considered for incorporation.

Regular monitoring will allow the County to track the effectiveness of the GHG reduction measures, update the emissions inventory, and make adjustments to keep on track towards the 2020 and 2030 emissions reduction targets, and the 2050 emission reduction goal.

Therefore, GHG reduction measures are the project components of the CAP and represent specific actions that would be implemented to reduce GHG emissions county-wide as part of the overall mitigation strategy of the 2011 GPU PEIR. However, the CAP's GHG reduction measures themselves are not specifically "mitigation measures" as defined under CEQA, nor are they specifically identified as mitigation in either the 2011 GPU PEIR or the Draft SEIR for the CAP. Rather, the CAP's GHG reduction measures are the actions that have been identified to reduce GHG emissions consistent with the 2020 and 2030 GHG reduction targets and the 2050 reduction goal by the County. Please also see Master Response 9.

Intent and Application of CAP SEIR Mitigation Measures

The CAP meets the CEQA definition of a project for a program of activities. Specifically, as described in CEQA Guidelines Section 15168(a), the CAP consists of "one large project" that covers of "a series of actions" that are linked "geographically, as logical parts in a chain of contemplated actions; in connection with issuance of rules, regulations, plans, or other general criteria to govern the conduct of a continuing program; or as individual activities carried out under the same authorizing statutory or regulatory authority and having generally similar environmental effects which can be mitigated in similar ways."

Because the CAP is a program of related activities, the County has prepared a Program EIR (Draft SEIR), consistent with the requirements of CEQA Guidelines Section 15168.

Consistent with CEQA Guidelines Section 15126.2, the Draft SEIR evaluated the potential for significant direct, indirect, and cumulative environmental impacts to occur because of implementation of the 30 GHG reduction measures identified in the CAP. For some measures, the Draft SEIR identified potentially significant impacts in several resource areas. Consistent with the requirements of CEQA, the County incorporated all feasible CAP SEIR Mitigation Measures to reduce the identified significant impacts as described in each issue area of the Draft SEIR. Consistent with CEQA Guidelines Section 15370 and 15126.4, the CAP SEIR Mitigation Measures would feasibly reduce direct, indirect, and cumulative impacts resulting from implementation of the CAP's 30 GHG Reduction Measures. The CAP SEIR Mitigation Measures would be required as specific development projects are implemented after adoption of the CAP. The CAP SEIR Mitigation Measures would reduce or avoid environmental impacts that could occur with implementation of the CAP GHG reduction measures and from potential cumulative

impacts, and are therefore separate and distinct from the CAP's GHG reduction measures.

Intent and Application of 2011 GPU PEIR Mitigation Measures

The 2011 GPU included Goal COS-20 and Policy COS-20.1 which required the County to comply with legislative GHG requirements in place at the time of its adoption (i.e., AB 32). Since adoption of the 2011 GPU, SB 32 was implemented by the State Legislature and is now the most recent governing legislation addressing GHG emissions. The County has prepared the CAP to be consistent with current legislative targets under both AB 32 and SB 32.

The County prepared the 2011 GPU PEIR to evaluate environmental impacts from implementing the 2011 GPU (e.g., the goals and policies contained therein). In evaluating the GHG impacts of the 2011 GPU, the 2011 GPU PEIR determined that significant impacts could occur and included Mitigation Measures (MM) CC-1.2, CC-1.7, and CC-1.8 to reduce GHG impacts to a less-than-significant level. Mitigation Measure CC-1.2 required that the County prepare a CAP designed to meet reduction targets in place at that time, and Mitigation Measures CC-1.7 and CC-1.8 required the adoption of a GHG Threshold and Guidelines for Determining the Significance of Climate Change that demonstrated a project's consistency with this CAP. Again, this analysis was based on regulatory requirements in place at the time of adoption of the GPU (i.e., 2011).

Current regulations and technology have advanced beyond 2011 targets, and the County has prepared the current CAP to be consistent with existing (i.e., 2017) GHG legislative targets under both AB 32 and SB 32. In preparing a CAP that meets these requirements, it became necessary for the County to change and update the goal and policy of the 2011 GPU and mitigation measures of the 2011 GPU PEIR to more accurately reflect current requirements. As such, modifications to 2011 GPU Goal COS-20, Policy COS-20.1, and 2011 GPU PEIR Mitigation Measures CC-1.2, CC-1.7 and CC-1.8 are proposed and have been evaluated in the Draft SEIR. Previously adopted language for the goal, policy, and mitigation measures would no longer apply. Further, by changing this language and evaluating the impacts of those changes in the Draft SEIR, the County has appropriately considered the environmental effects of potential policy changes to the 2011 GPU. Finally, the proposed changes to the goal and policy of the 2011 GPU and the mitigation measures of the 2011 GPU PEIR establish more stringent requirements for GHG emission reductions because they will require the proposed CAP to meet both the requirements of AB 32 in place at the time of adoption of the 2011 GPU, and also the more stringent and updated statewide compliance target for 2030 GHG emissions established by SB 32.

If the language of 2011 GPU PEIR Mitigation Measures CC-1.2, CC-1.7, and CC-1.8 were not changed as currently proposed, the County would not be required to prepare a CAP that reduces GHG emissions from the 2011 GPU consistent with current legislative requirements. That is, the County would not have a CAP that meets the more stringent 2030 reduction target established under SB 32, and the CAP could not serve as a qualified plan for GHG reductions consistent with CEQA Guidelines Section 15183.5.

For the full text revisions of the goal and policy of the 2011 GPU, and mitigation measures of the 2011 GPU PEIR, please refer to pages 7 through 9 of the Draft SEIR, Project Description.

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