FINAL ENVIRONMENTAL IMPACT REPORT

San Diego County General Plan Update
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COMMENT LETTERS AND RESPONSES TO COMMENTS ON THE DRAFT EIR

STATE AGENCIES

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October 2010

List of Commenters – State Agencies

Letter	Commenter
S 1	Attorney General, Department of Justice, State of California
S 2	Department of Housing & Community Development, State of California
S 3	CALTRANS, District 11 - Planning Division, State of California
S 4	Governor's Office of Planning and Research

Comment Letter S 1, California Attorney General

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August 31, 2009

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RE: Comments on the Draft Environmental for the San Diego General Plan Update.

Dear Mr. Muto:

S1-1. The Attorney General provides these comments on the Draft Environmental Impact Report (DEIR) for San Diego County's proposed General Plan Update (General Plan or Project).[1] We note at the outset that the County has expressed an intent to address climate change. Among other things, the County has prepared a Greenhouse Gas Emissions Inventory, and proposed a policy to draft a Climate Action Plan and mitigation measures that seek to reduce Greenhouse Gas (GHG) emissions.

S1-2. Unfortunately, the documents in their current form are unlikely to achieve the County's intent and, moreover, are legally deficient under the California Environmental Quality Act (CEQA). To assist the County in revising its documents, we attempt in this letter not only to identify current legal deficiencies, but also to describe a number of potentially effective and feasible alternatives and measures that could assist the County in meeting the requirements of CEQA and the County's stated climate and sustainability goals.

I. Inadequate Disclosure and Analysis of Adverse Environmental Impacts

S1-3. CEQA mandates that an EIR identify and analyze all significant adverse effects of a project. (Pub. Resources Code, § 21100; Cal. Code Regs., tit. 14, § 15126.) While the DEIR does discuss the General Plan's effect on global warming, the discussion is inadequate. For

[1] The Attorney General submits these comments pursuant to his independent power and duty to protect the natural resources of the State from pollution, impairment, or destruction in furtherance of the public interest. (See Cal. Const., art. V, § 13; Gov. Code, §§ 12511, 12600-12612; *D'Amico v. Bd. of Medical Examiners* (1974) 11 Cal.3d 1, 14-15.) While this letter sets forth some areas of particular concern, it is not intended to be an exhaustive discussion of the DEIR's compliance with the California Environmental Quality Act.

Comment Letter S 1, California Attorney General (cont.)

Devon Muto, Chief, Advanced Planning
County of San Diego
August 31, 2009
Page 2

S1-3. cont. instance, the DEIR estimates projected greenhouse gas (GHG) emissions only through 2020, rather than for the time period the General Plan is meant to cover, through 2030 as required by CEQA. In addition, even if it were appropriate to focus exclusively on projected GHG emissions for 2020, the record does not substantiate how the DEIR's implementation strategy will meet the County's stated emissions reduction goal. The DEIR's discussion of GHG emissions is conclusory and does not describe the methodology used to arrive at the GHG reduction predictions.[2] Nor does it analyze how mitigation measures are expected to lead to such reductions.

S1-4.

S1-5.

In addition, the DEIR has not adequately discussed the potential impacts from the General Plan's proposal for developing "Villages" – urbanized cores in the less developed areas of the County. The County would allow more residential and commercial density in these centers, unsupported by public transit,[3] with the hope that this will limit new development in surrounding areas that are currently semi-rural or rural. This approach to lessening GHG emissions seems counterintuitive.[4] Based on past experience, it would appear just as likely that the new Villages will become commuter communities, reliant on other areas for services and jobs.[5] Studies have shown that dispersing jobs into suburban and exurban locations not served by public transit contributes to greater vehicle miles traveled (VMT)[6] and thus higher GHG emissions. The County concedes that it cannot quantify any GHG reduction associated with the Village approach. (Inventory, at p. 32.) Thus, there is insufficient evidence in the record to support the County's belief that creating new urban areas in the rural sections of the County will lead to lower VMT. If the County chooses to retain Villages as an important piece of the General Plan, much more analysis is needed to demonstrate how the County will prevent these Villages from merely becoming commuter communities far away from public transportation, thereby increasing rather than decreasing VMT.

S1-6.

S1-7.

S1-8.

S1-9.

II. Failure to Formulate and Evaluate a Range of Reasonable Alternatives

S1-10. CEQA requires public agencies to refrain from approving projects with significant environmental impacts when there are feasible alternatives that can substantially lessen or avoid those impacts. (*Mountain Lion Foundation v. Fish & Game Commission* (1997) 16 Cal.4th 105,

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[2] See Table 10, p. 33, Appendix K, GHG Emissions Inventory (Inventory) and DEIR, pp. 2.17-36-37.

[3] Inventory, at p. 31.

[4] Indeed, the County briefly considered a "Village Intensification Alternative" but rejected it because it could result in "greater impacts related to air quality, traffic, noise, and land use conflicts." (DEIR, at p. 4-7.)

[5] As the County notes, "it is likely that a high percentage of residents in the unincorporated communities will need to commute over a moderate distance to access employment." (DEIR, at p. 4-7)

[6] See San Francisco Planning and Urban Research, The Future of Downtown (January 21, 2009), available at http://www.spur.org/publications/library/report/future_downtown.

Comment Letter S 1, California Attorney General (cont.)

Devon Muto, Chief, Advanced Planning
County of San Diego
August 31, 2009
Page 3

S1-10. cont. 134; Pub. Resources Code, § 21002; CEQA Guidelines, §§ 15002, subd. (a)(3), 15021, subd. (a)(2).) The "cursory rejection" of a proposed alternative "does not constitute an adequate assessment of alternatives as required under CEQA" and it "fails to provide solid evidence of a
S1-11. meaningful review of the project alternative that would avoid the significant environmental effects identified . . . ." (*Mountain Lion Foundation*, 16 Cal.4th at 136.)

The County has selected as the proposed project the Referral Map Alternative. As described in Chapter 4 of the DEIR, the Referral Map Alternative was created at the specific direction of the Board of Supervisors,[7] "because it would accommodate more development than the Draft Land Use Map." As the DEIR notes, the Referral Map Alternative would thus result in
S1-12. greater environmental impacts. The documents in their current form do not support adoption of the Referral Map Alternative because they do not demonstrate the infeasibility of more environmentally protective alternatives, such as the Hybrid Map (316,658 fewer VMT), the Draft Land Use Map (331,236 fewer VMT), or the Environmentally Superior Map (841,776 fewer VMT).[8]

In addition, the DEIR identifies the Project's climate change-related impacts as significant and unavoidable. This conclusion currently is unsupported, as there are many alternatives and mitigation measures that the County has not yet explored that are potentially
S1-13. capable of reducing those impacts. Our office has created an informational sheet that contains many useful resources and examples that the County may want to consider.[9] Below we discuss certain options in additional detail.

A. Development Phasing Requirements

The County could, for example, consider adopting a phased approach to development that
S1-14. limits growth over a specified time period (for example, 10 years) to an "Urban Development Area" and reserve future growth to an "Urban Reserve" that will be developed only when specific criteria are met. This approach could manage growth effectively while providing the County and developers flexibility and certainty. Phasing provides an effective approach to managing the pace and location of growth. As an example, the Attorney General's recent settlement agreement with the City of Stockton phases-in new growth in a manner that will not undermine downtown Stockton and complements existing commercial and residential zones. (A copy of the Stockton
S1-15. agreement is available at http://ag.ca.gov/cms_attachments/press/pdfs/n1608_stockton_agreement.pdf.)

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[7] The driving factor for the development of alternatives appears to be the population targets developed by community groups and approved by the Board. (DEIR, at p. 4-6.)

[8] Relatedly, it appears that VMT may be underestimated as a result of relying on a regional average rather than the VMT generated within County unincorporated communities further from job centers.

[9] Attorney General's Office, Sustainability and General Plans: Examples of Policies to Address Climate Change, available shortly at http://ag.ca.gov/globalwarming/ceqa/generalplans.php.

Comment Letter S 1, California Attorney General (cont.)

Devon Muto, Chief, Advanced Planning
County of San Diego
August 31, 2009
Page 4

S1-16. Another example of phasing the County could consider is in the Visalia General Plan. Visalia sets specific growth criteria that must be met before development can advance to the next growth area.[10] According to the City of Visalia's Assistant City Manager and Community Development Director, the phasing policy has resulted in orderly concentric growth, efficient use of land and infrastructure and revitalization of the downtown.

S1-17. These types of phasing approaches, particularly in combination with a lower-carbon alternative, would provide the flexibility and certainty the County needs, while resulting in more compact, sustainable growth, fewer VMT, and fewer adverse environmental impacts. We recommend strongly that the County review these examples and analyze whether adopting similar phasing measures would be feasible.

B. City-County Coordination

S1-18. The DEIR could, but does not, analyze a City-Urban Centered Alternative that would direct more of the growth projected for San Diego County to the existing cities. The DEIR does not disclose or analyze the amount of growth that could be accommodated in a City and Urban Centered Alternative (including vacant legal suburban and rural lots of record in the County). Such an alternative could be combined with the Environmentally Superior Map or the Draft Land Use Map alternatives to accommodate growth and housing. It is reasonable to assume that such an alternative could result in even lower VMT and GHG emissions than the alternatives considered by the County.

S1-19. The General Plan is a golden opportunity to show leadership in developing joint efforts to coordinate with cities on promoting growth in adjacent areas that are already urbanized, or in guiding development to areas where essential services and transportation already exist. The County could work with the cities to accommodate growth projections with policies that jointly promote increasing land use densities and intensities on the land use map for urban categories, infill first policies, requirements directing new infrastructure and service dollars to infill areas, and reducing fees for high quality mixed-use infill projects in priority growth areas in the interface between cities and unincorporated urban areas.

S1-20. There are many instances of county-city collaborations directed at climate change (see, e.g., the Sonoma County Climate Action Plan),[11] at more sustainable patterns of development

[10] These criteria include: (1) adequate residential, commercial and industrial capacity for the projected population; (2) inclusion of a 30% vacancy factor (flexibility factor) for residential development and 20% for commercial development [in the growth boundary]; (3) adequacy of infrastructure and other urban services and facilities; and (4) community growth priorities, among other factors. (See http://www.ci.visalia.ca.us/civca/filebank/blobdload.asp?BlobID=3406#page=169.)

[11] See http://www.coolplan.org.

Comment Letter S 1, California Attorney General (cont.)

Devon Muto, Chief, Advanced Planning
County of San Diego
August 31, 2009
Page 5

S1-20. cont. (see, e.g., Kings County Joint Housing Element)[12], and at revenue sharing (see, e.g., Yolo County's pass through agreements with its cities.)[13] The County should consider including such specific policies to facilitate collaboration with the cities. We would be happy to provide the staff with other examples that could serve as models for the County to consider.

III. Deficiencies Related to Mitigation Measures

S1-21. There are several deficiencies with the DEIR's evaluation of mitigation measures relating to climate change impacts, as described below.

A. Analysis of Projected Reduction of GHG Emissions

S1-22. The DEIR's discussion of the County's GHG emissions and the projected reductions in the County's GHG emissions from proposed mitigation measures does not satisfy CEQA's requirement to disclose to the public and the decisionmakers the General Plan's GHG emissions impacts. (CEQA Guidelines § 15144.) The DEIR's discussion of projected reductions merely includes tables showing projected emissions reductions from the mitigation measures in the DEIR "when combined with federal, State, and regional programs." (DEIR, at p. 2.17-29.) The source for the DEIR emissions reduction tables is listed in the Inventory. (DEIR, at p. 2.17-1, 36 and 37.) S1-23. However, the Inventory provides very little detail regarding the DEIR's underlying assumptions. The DEIR should contain more detailed analysis of the projected reductions resulting from the proposed mitigation measures relating to GHG emissions impacts.

B. Unenforceable Mitigation Measures

S1-24. Currently, many of the County's proposed mitigation measures, general plan policies, and implementation measures relating to climate change are not specific and enforceable. CEQA requires that mitigation measures must be "fully enforceable through permit conditions, agreements, or other measures" so "that feasible mitigation measures will actually be

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[12] Kings County and its four cities jointly prepared and adopted the current housing element and are in the process of jointly preparing a housing element update. This collaboration allows the County and its cities to share the cost of the housing element update, and to direct new housing to the best locations in the County, including within its cities. San Mateo County, an urban county like San Diego County, and its cities are collaborating on their housing element updates by sharing resources, successful strategies and best practices. (See http://www.21elements.com.)

[13] The Yolo County-Davis Pass Through Agreement has provided protection for the City of Davis against disorderly growth in its Sphere of Influence and Planning Area for over a decade. The Agreement requires that Yolo County not approve urban development in the areas surrounding the City. In return, the City has agreed to "pass through" to the County a certain share of the revenue of any development it approves in the area. Yolo County has similar agreements with each of its four cities.

Comment Letter S 1, California Attorney General (cont.)

Devon Muto, Chief, Advanced Planning
County of San Diego
August 31, 2009
Page 6

S1-24. cont. implemented as a condition of development." (*Federation of Hillside & Canyon Ass'ns v. City of Los Angeles*, 83 Cal.App.4th 1252, 1261 (2000).)

S1-25. The General Plan policies and the DEIR's mitigation measures aimed at addressing climate change impacts use qualifying terms such as "encourage", "when appropriate", and "facilitate," rather than enforceable or mandatory language. Many of the policies in the proposed General Plan propose "promoting" instead of "requiring" actions, and state that certain measures "should" be done instead of stating that they "shall" be done. For example, COS-14.7: "encourage development projects that use energy recovery, photovoltaic, and wind energy"; COS-15.4: "promote and as appropriate, develop standard for retrofit of existing buildings to incorporate design elements that improve environmental sustainability and reduce GHG"; LU-5.4: "undertake planning efforts that promote infill and redevelopment of uses that accommodate walking and biking within communities"; and LU-6.3: "support conservation-oriented project design when appropriate." Other policies with similar qualifying terms are LU-1.1, COS-4.2, COS-5.4, COS-6.5, COS-16.4, and COS-16.5.

S1-26. As another example, COS-15.5 states that the County will "encourage energy conservation and efficiency in existing developments through energy efficiency audits and adoption of energy savings measures resulting from the audits." It is unclear whether this policy actually requires the County to conduct energy efficiency audits. The General Plan should include policies to conduct energy and water efficiency audits of water and drainage infrastructure, and implement necessary conservation measures.

C. Additional Potentially Feasible Mitigation Measures

S1-27. While the EIR does include some measures that may mitigate the impacts of GHG emissions from the proposed General Plan, there are a number of additional measures that the County has not considered and that would appear to be feasible. Such measures are set forth in the California Air Pollution Control Officers Association's ("CAPCOA") "GHG Model Policies for Greenhouse Gases in General Plans" (available at http://www/capcoa.org) and the California Office of the Attorney General's Sustainability and General Plans: Examples of Policies to Address Climate Change (available shortly at http://ag.ca.gov/globalwarming/ceqa/generalplans.php) There are numerous additional measures the County might consider, including some set forth below.

i. Infill and Transit-Oriented Development

S1-28. The Inventory states that "50% of the GHG emissions in the County are a result from on-road transportation." General Plan Policy COS-14.1 "require[s] that development be located and designated to reduce vehicular trips by utilizing compact regional and community-level development patterns while maintaining community character." However, it is unclear what is actually required by this policy. Given the importance of reducing VMT discussed in the

Comment Letter S 1, California Attorney General (cont.)

Devon Muto, Chief, Advanced Planning
County of San Diego
August 31, 2009
Page 7

S1-28. cont. General Plan, Inventory and DEIR, the DEIR should fully explore feasible measures to reduce VMT, including land uses, policies and implementation measures.

S1-29. There are numerous measures the County might consider to promote mixed-use and transit-oriented development, including rezoning commercial properties to residential and/or mixed use; expanded zoning for multifamily housing; flexible parking and building height limitations; density bonus programs; design guidelines for private and public spaces; and incentives for redevelopment of underutilized areas. The County could also consider differential fees that provide fee relief for high quality infill and higher fees for greenfield/low density development. (See Stockton Agreement, ¶¶ 6.c., 7.c.), and requiring new development to be sufficiently dense to support transit and designed to be internally accessible to all modes of transit and transportation. (See Stockton Agreement, ¶¶ 5.b., 5.d.)

S1-30. Finally, creating and maintaining a jobs-housing balance has been determined to be a key factor in reducing VMT and emissions. The County could consider a jobs-housing policy such as Yolo County's Draft Policy, Policy CC-3.3, designed to ensure that jobs are created concurrent with housing to the greatest extent feasible.[14]

ii. Green Building Ordinance

S1-31. General Plan Policy 15.3 "require[s] all new county facilities and the renovation and expansion of existing county buildings to meet identified 'green building' programs that demonstrate energy efficiency, energy conservation, and renewable technologies." It is unclear what is required under the "green building" programs. The County has a Green Building Program on its website, but it appears to be limited to incentives. The County could consider adopting at the same time it adopts the General Plan a mandatory green building ordinance that

S1-32. applies to all development above a certain threshold size, not just county buildings. Many jurisdictions have already adopted such ordinances.[15]

iii. More Specific and Enforceable CAP Policies

S1-33. Although the DEIR includes a mitigation measure to prepare a County Climate Change Action Plan (CAP) with enforceable GHG emissions reduction measures (COS- 20.1; General Plan, at p. 2.17-29), we have several questions about the proposed CAP. For example, we are uncertain about the schedule for completion and implementation of the proposed CAP, and funding for CAP activities and reduction measures. Currently, there is very little detail about

[14] Policy CC-3.3 reads as follows: " Ensure that jobs are created concurrent with housing to the greatest extent feasible. Include requirements to ensure a reasonable ongoing balance housing and jobs and/or other mechanisms to constrain housing to stay balanced with job creation through buildout of the area. Each phase of housing shall be required to be accompanied by job-generating development. Strive to match overall wages to home prices. (Available at http://www.yolocounty.org/Index.aspx?page=1689).

Comment Letter S 1, California Attorney General (cont.)

Devon Muto, Chief, Advanced Planning
County of San Diego
August 31, 2009
Page 8

what the CAP will contain[16] and, moreover, it is unclear whether the CAP will be integrated into the General Plan. In addition, the DEIR does not provide specifics about the reduction measures
S1-34. that will be part of the CAP. As such, the mitigation is inadequate because it has been deferred to the future without sufficient assurances it will be implemented and that it will mitigate climate change impacts. (See Cal. Code Regs., tit. 14, § 15126.4, subd. (a)(1)(B).)

We recognize that it may not be possible for the County immediately to adopt a fully realized CAP as described in the Governor's Office of Planning and Research's proposed CEQA Guidelines (see § 15183.5, subd. (b)(1)) and in the Attorney General's Frequently Asked Questions (attached). However, we encourage the County to (1) commit in the General Plan to adopt by a date certain a CAP with defined attributes (targets, enforceable measures to meet those targets, monitoring and reporting, and mechanisms to revise the CAP as necessary) that
S1-35. will be integrated into the General Plan; (2) incorporate into the General Plan interim policies to ensure that any projects considered before completion of the CAP will not undermine the objectives of the CAP,[17] and (3) for all GHG impacts the County has designated as significant, adopt feasible mitigation measures that can be identified today and that do not require further analysis. These actions will help the County avoid an argument that it is deferring climate change-related mitigation. (See CEQA Guidelines, § 15126.4, subd. (a)(1)(B).)

IV. Failure to Fully and Adequate Describe Potential Development

The proposed General Plan land use map does not include projects that are in the
S1-36. approval process, or have recently been approved. The DEIR refers to 148 of these projects, but because they appear only in the cumulative analysis section of the DEIR, the direct impacts flowing from these projects are treated as though their impacts are in addition to those of the General Plan. These projects involve thousands of acres, and the approvals under which they will be constructed could very well be inconsistent with the policies of the General Plan. The
S1-37. County should include these projects to ensure accuracy in its description of General Plan Update and to comply with CEQA.

[16] See Attorney General, Climate Change, the California Environmental Quality Act, and General Plan Updates: Straightforward Answers to Some Frequently Asked Questions, "Is a 'Climate Action Plan' reasonable mitigation?" at p. 6, available at http://ag.ca.gov/globalwarming/pdf/CEQA_GP_FAQs.pdf.
[17] See, e.g., Stockton Agreement, ¶ 9.

Comment Letter S 1, California Attorney General (cont.)

Devon Muto, Chief, Advanced Planning
County of San Diego
August 31, 2009
Page 9

CONCLUSION

S1-38. The Attorney General appreciates the number of steps the County has taken to combat climate change. In their current state, however, the General Plan and DEIR are unlikely to achieve the County's objectives, and likely will not provide the CEQA streamlining benefits that an adequate and thorough programmatic document can deliver. Consistent with the purposes of CEQA, our comments are intended to assist the County in improving its General Plan and DEIR. We would be happy to discuss this matter further with staff, and look forward to assisting the County in achieving its GHG reduction goals.

Sincerely,

/ s /

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For EDMUND G. BROWN JR.
Attorney General

Responses to Letter S 1, California Attorney General

S1-1 This is an introduction to the comments that are addressed in responses to comments S1-2 through S1-38. The Attorney General (AG) acknowledges the intent of the County to address climate change in the General Plan Update by: 1) preparing a Greenhouse Gas Emissions (GHG) Inventory; 2) proposing a policy to draft a Climate Action Plan; and 3) creating additional mitigation measures to reduce GHG emissions. The County appreciates this acknowledgement and wishes to underscore the other significant ways in which the General Plan Update addresses climate change.

The County of San Diego's General Plan Update significantly reduces the overall growth capacity for the unincorporated area and redirects a substantial percentage of its future growth from outlying rural lands to its existing villages. The changes in land use densities and intensities proposed under the General Plan Update are more aggressive than any other recent county general plan update in California. While most counties are planning to increase their capacity for growth, the County of San Diego is proposing a reduction in future capacity of approximately 32.6 percent. A brief review of other ongoing or recent county general plan updates highlights the distinction of this proposal.

Approximate Changes in Capacities in Recent or Current County General Plan Updates

County	Previous Plan	Updated Plan	% Change
San Diego	*276,000*	*186,000*	*-32.6%*
San Bernardino	415,000	409,000	-1.4%
Sacramento	55,000	103,000-150,000	87.3-172.7%
Tulare	52,000	106,000	103.8%
Yolo	11,200	30,200	169.6%
Solano	10,300	19,500	89.3%

In addition to an overall reduction in growth capacity, the redesignation of lands with higher densities in the villages and lower densities in the rural lands shifts the focus of growth to the existing villages to result in more compact and walkable communities.

As a result, when compared to the existing General Plan, the General Plan Update will result in a reduction of at least 3,000,000 daily vehicle miles travel (VMT). This equates to a reduction of 550,000 metric tons of CO2 emissions a year. This is additionally significant because the calculated reduction is not a forecast based on theoretical implementation of a policy. This reduction in VMT is certain as it is hard coded into the General Plan Update in land use density designations.

S1-2 The comment expresses the opinion of the AG that the County's documents in their current form are unable to achieve the County's intent of reducing GHG emissions, and are legally deficient under CEQA. The County does not agree with this opinion. The AG offers suggestions in the remainder of the letter for the County to provide more effective measures and feasible alternatives. Please refer to responses to comments S1-3 through S1-38 for specific responses to comments made by the AG.

Responses to Letter S 1, California Attorney General (cont.)

S1-3 This comment cites CEQA and further states the opinion that the EIR's discussion of the General Plan Update's impacts on global warming is inadequate. The County does not agree. As an example, the comment states that the EIR only projects GHG emissions to the year 2020 instead of 2030 as required by CEQA, since that is the projected buildout date of the General Plan Update.

As specified in CEQA Guidelines Section 15064, a lead agency has the discretion to determine the significance of environmental impacts. The County has not yet established guidelines for determining significance for climate change. Therefore, consistent with the Office of Planning and Research (OPR) Proposed CEQA Guideline Amendment Section 15064.7(c) when adopting thresholds of significance, a lead agency may consider thresholds of significance previously adopted or recommended by other public agencies, or recommended by experts, provided the decision is supported by substantial evidence. Since AB 32 codifies the State's GHG emissions target by directing the ARB to reduce the State's global warming emissions to 1990 levels by 2020, the County chose to use this horizon year as the threshold for the General Plan Update. By using this threshold, the EIR sets forth limits for GHG emissions that must be realized in 2020.

While the County acknowledges the utility in forecasting beyond the year 2020, it also notes that such a forecast would be speculative. Pursuant to CEQA Guidelines section 15064 speculative impacts are not to be addressed in the EIR. Factors affecting the forecast include rate of population growth, changes in SDG&E's energy portfolio, State and federal mandates on vehicles and emissions, and additional actions taken by agencies, organizations, and private individuals to reduce emissions. Data available for conducting a forecast beyond the year 2020 is extremely limited. The countywide GHG emissions inventory prepared by the University of San Diego Energy Policy Initiatives Center (EPIC) identifies forecasts to 2020. As this inventory was used as the basis for many of the General Plan Update inventory calculations, forecasting beyond 2020 with any accuracy would be difficult.

Additionally, since public review of the DEIR, SANDAG has release new draft population forecasts. SANDAG's current forecast, which the General Plan Update inventory is based on, estimates the County's population to be 627,142 people in 2020, and 723,392 people in 2030. SANDAG's new draft forecasts are projecting the County's population to be approximately 545,000 people in 2020, 617,000 people in 2030, and 694,000 in 2050. Therefore, the General Plan Update inventory is considered to be conservative and potentially encompasses years beyond 2020.

While the County determined that it is inappropriate to include longer term forecasts in the EIR, it has included additional projections in its draft CAP, which will be updated regularly such that changes and new information can be incorporated. A copy of the draft CAP will be available in Fall of 2010.

S1-4 The County appreciates this comment but does not agree that such detail is required for the EIR. For the purpose of mitigating impacts associated with climate change, the County elected to use a performance standard for reducing GHG emissions. Mitigation measure CC-1.2 requires that a climate action plan (CAP) be prepared

Responses to Letter S 1, California Attorney General (cont.)

that includes measures that will reduce County operational emissions by 17 percent and community emissions by 9 percent (over 2006 levels). Use of such a performance standard is consistent with CEQA Guidelines Section 15126.4(a)(1)(B), particularly when mitigation "may be accomplished in more than one specified way." This is especially the case when addressing impacts associated with global climate change. Mitigation will only be accomplished through a comprehensive set of measures that are implemented at all levels of government. Prior to commitment to a specific course of action, the County finds that it is prudent to explore the costs and benefits of specific approaches and to consider the programs being implemented by the State and federal governments, as well as other agencies, to maximize effectiveness and program leveraging.

Even though the County decided that a performance measure was appropriate, it did calculate projected reductions based on probable State, federal, and County efforts. Starting on page 30 of the draft GHG Inventory Report, the projected reductions and assumptions made to calculate them are provided. They demonstrate that the performance standards contained in CC-1.2 are achievable.

Lastly, the County appreciates the AG's concern with regard to this topic. As a result, the County has produced a more detailed list of measures that will be considered for implementation in the County's CAP and the potential reductions in greenhouse gas emissions that could result from those measures. This list will be included in the draft CAP, which will be available in Fall of 2010.

S1-5 The comment states that the DEIR does not describe the methodology used to arrive at the GHG reduction predictions or how the mitigation measures are expected to lead to such reductions. The County does not agree with this comment. The draft GHG inventory provides a description regarding reduction assumptions on pages 30-32. As stated in the inventory, many of the reduction assumptions are based on assumptions in the Energy Policy Initiatives Center (EPIC) Study. To avoid redundancy, the rationale for the EPIC Study assumptions was not reiterated in the draft GHG inventory.

Additionally, as discussed in response to comment S1-4, the inclusion of this detail is not necessary when a performance measure is used. However, the County prepared a general calculation on the effects of probable State, federal, and County efforts to demonstrate that the performance standards contained in Mitigation Measure CC-1.2 are achievable. Further detail has also since been provided in a more detailed list of possible measures and their reduction on emissions. This list will be included in the draft CAP, which will be available in Fall of 2010.

S1-6 The comment states that the DEIR has not adequately discussed the potential impacts from the General Plan Update's proposal for developing "Villages," which are the urbanized cores in the less developed areas of the County. The County does not agree.

First, the comment incorrectly suggests that the General Plan Update will create "Villages." A core tenet of the General Plan Update is not to create new communities

Responses to Letter S 1, California Attorney General (cont.)

but to concentrate future growth around the cores of existing communities. This concept is discussed under the guiding principles of General Plan Update (Chapter 2 of the draft General Plan) and is supported by the Community Development Model. Goals and policies in the draft Land Use Element (Chapter 3) support this approach, which is also evident in the draft community maps showing proposed land use designations. Second, the County does not agree that its villages equate to "urbanized cores." Although the County of San Diego is located in the proximity of an urbanized metropolitan area, the communities within the unincorporated County are distinctly not urban.

The comment provides no supporting detail or evidence that potential impacts are not addressed. The DEIR has been prepared to comprehensively address impacts associated with the proposed project.

S1-7 The AG expresses the opinion that the County's approach seems counterintuitive to reducing GHG emissions. The County does not agree with this comment. Concentrating future growth in existing villages has a greater potential for reduced vehicle trips compared to dispersing the growth throughout the currently undeveloped unincorporated area (which is the approach within the existing General Plan). The County's approach provides more homes closer to jobs and services, resulting in overall reduced trip length and greater opportunities for alternative forms of transportation. Concentrating growth in existing villages also works to revitalize those community centers so that they better service the surrounding community, thereby reducing the need for travel to other areas of the County.

While transit service is limited in the unincorporated area, some of these villages have been serviced in the past and they are the most likely location for any future service. A more compact village also lends itself to the possibility of localized transit services such as neighborhood shuttle in the future.

S1-8 The comment suggests that instead of reducing VMT as the County intends, concentrating development in the Villages may result in the opposite effect, becoming "commuter communities" reliant on other areas for services and jobs. This comment seems to be the result of unfamiliarity with the unincorporated area or the draft General Plan Update. The comment again makes reference to "new" Villages which is not a proposal of the General Plan Update. Further, as discussed in the draft General Plan Update, the existing communities in the unincorporated County are already "commuter communities" and are expected to continue to rely on automobiles as their primary form of transportation. What the General Plan Update strives to do is to provide the residents of the unincorporated County with more transportation options, more jobs and services within their communities, and more housing options close to those jobs and services.

It appears that the study the AG refers to is a San Francisco/Bay Area study that looked at an extremely urbanized core and its surrounding area. Such a study is not applicable to the rural communities of the unincorporated area. Additionally, the General Plan Update does not propose the same type of job growth addressed by that study or what seems to be referred to by the AG. Industrial and commercial land

Responses to Letter S 1, California Attorney General (cont.)

use designations in the unincorporated area are primarily focused on accommodating services that support the surrounding communities. They are not intended to create major employment centers that are typical of the incorporated cities.

S1-9 The comment states that the County GHG Inventory concludes that it cannot quantify the GHG reductions associated with the Village approach. This is correct. In order to partially quantify the effects of this approach, the traffic network would have to have been modeled based on a dispersed land use pattern. Such an analysis was conducted for the existing General Plan but because that existing plan contains greater capacity, a direct comparison for this purpose would not be appropriate. Additionally, SANDAG has indicated that its traffic model is not as sensitive to smart planning techniques such as location of homes closer to jobs. SANDAG is currently working on improving its model in anticipation of the next Regional Transportation Plan (RTP), but due to past customization of the model for the General Plan Update, those improvements will not be available for this analysis. However, they will be available for the RTP and preparation of the County's Sustainable Communities Strategy which will be based on the General Plan Update.

Another method for demonstrating GHG reductions with the Village approach would be from reduced average daily traffic (ADT) trips for dwelling units within walking distance from town centers. However, there are few studies available that focus on ADT reduction from improved walkability. Therefore, the General Plan Update traffic study conservatively does not account for reductions.

The AG states the opinion that there is insufficient evidence to support the concept that the Village approach will lead to lower VMT. The County acknowledges that the growth it is planning with the General Plan Update will result in additional total VMT. Estimated additional VMT are included in the DEIR. However, the County's position is that growth in the Villages where it is closer to jobs, services and shopping will be less than if it occurred outside the Villages. There is no requirement that the DEIR quantify this difference. The DEIR has provided those analyses necessary to comply with CEQA and no evidence is provided by the AG that a feasible alternative exists for accommodating the County's growth with lesser VMT than proposed. Additionally, the DEIR demonstrates that the General Plan Update will achieve significant reductions in VMT compared to the County's existing General Plan. In DEIR Appendix G: Traffic and Circulation Assessment, Table 4.2, Daily Vehicle Miles of Travel, shows that the proposed project will reduce the total daily VMT for the unincorporated County by more than three million miles (28,378,464 for the existing General Plan, as compared to 25,370,890 for the proposed project).

S1-10 The comment states that CEQA requires public agencies to refrain from approving projects with significant environmental impacts when there are feasible alternatives that can lessen or substantially avoid those impacts. The DEIR acknowledges this and provides a range of reasonable reduced alternatives to the proposed project, which would feasibly attain most of the basic objectives of the project (CEQA Guidelines Section 15126.6). These are discussed in Section 4.0, Alternatives,

Responses to Letter S 1, California Attorney General (cont.)

including the Draft Land Use Map Alternative, Hybrid Map Alternative, and Environmentally Superior Alternative.

S1-11 The comment states that the "cursory rejection" of a proposed alternative "does not constitute an adequate assessment of alternatives as required under CEQA" and it "fails to provide solid evidence of a meaningful review of the project alternative that would avoid the significant environmental effects identified." The County agrees with the comment and does not believe that any alternatives were cursorily rejected in the DEIR. Section 4.0, Alternatives, of the DEIR identifies the environmentally superior alternative, and provides an explanation of how all of the project alternatives meet or do not meet the County's stated goals for the General Plan Update. It also contains discussion of numerous alternatives that had been suggested for consideration and the multi-year process that developed the alternatives that are evaluated in detail.

S1-12 The comment states that the DEIR does not support adoption of the Referral Map Alternative because it does not demonstrate the infeasibility of more environmentally protective alternatives, such as the Hybrid Map, Draft Land Use Map, or the Environmentally Superior Map, which all result in fewer VMT than the Referral Map. The County agrees with this statement, as the DEIR is not the appropriate document for determining feasibility of an alternative. The County Board of Supervisors will ultimately determine the feasibility of alternatives and which alternative best fulfills the project objectives. This determination of feasibility will be documented in the County's CEQA Findings. When making this determination, the County will be guided by *California Native Plant Society v. City of Santa Cruz* (2009) 177 Cal.App.4th 957, where the Court explained that the decision makers may reject as infeasible an alternative that does not satisfy the objectives associated with the project. This decision encompasses the desirability of the project, "to the extent that the desirability is based on a reasonable balancing of relevant economic, environmental, social and technological factors." The Court further explained that at the final stage of approval, "Broader considerations of policy . . . come into play when the decision-making body is considering the actual feasibility than when the EIR preparer is assessing potential feasibility of the alternatives."

S1-13 The comment states that the DEIR's conclusion that climate change related impacts are significant and unavoidable is unsupported, as there are many alternatives and mitigation measures that are potentially capable of reducing impacts. The comment refers to the AG's list of resources and examples.

As a result of this and other comments, the County has reevaluated its conclusions related to climate change related impacts and determined that they should be determined to be mitigated to a less than significant level. This revision has been made to the DEIR. The County arrived at that earlier conclusion of significant and unavoidable because of the large role that programs and regulations outside the control of the County have in achieving greenhouse gas (GHG) emission reductions. In fact, many of the measures provided in the AG's list of resources and examples require significant coordination with or reliance on other agencies. This reliance on the programs of other agencies is also detailed in the California Scoping Plan adopted by CARB which identified numerous responsibilities for State agencies and

Responses to Letter S 1, California Attorney General (cont.)

the legislature in meeting the AB 32 target. Nevertheless, the County has included in its policies and mitigation measures a firm commitment to achieving the AB 32 targets. This commitment serves as a performance standard that will achieve the AB 32 targets and therefore the County determined it would be appropriate to modify its conclusion. In committing to this standard, the County will implement the measures necessary for it to be achieved.

A comprehensive review of relevant policies and measures was conducted and those determined feasible were included in the draft General Plan and DEIR. According to CEQA Guidelines Section 15126.4(a)(5), measures to be undertaken by other agencies that cannot be imposed by the County need not be proposed or analyzed in the EIR. However, numerous policies and mitigation measures have been explored, discussed, and incorporated. Many are along the lines of those in the AG's list of resources and examples. This process will continue through preparation of a CAP which is discussed further in response to comment S1-4.

S1-14 The comment suggests that the County could consider adopting a phased approach to development that limits growth over a specified period of time (for example, 10 years) to an "Urban Development Area" and reserve future growth to an "Urban Reserve" that would be developed only when certain criteria are met. It is the AG's opinion that this would provide the County with a plan to manage the pace and location of growth.

The County appreciates this suggestion but does not agree that such a restriction is necessary or appropriate for the County. The General Plan Update remaps land use designations for the entire unincorporated area. With this remapping, growth is planned where it is appropriate. There is no indication that the General Plan Update will result in growth at an inappropriate pace or in areas unplanned by the General Plan. In fact, the General Plan Update is included in SANDAG models which predict growth based on demographics, market forces, and other relevant factors. These models demonstrate that growth will occur in the County in an orderly fashion in accordance with its land use plans.

Limiting growth to specific areas would likely inhibit the County from fulfilling its project objective of accommodating a reasonable share of growth, improving housing affordability, and providing a range of housing types. Given the County's large area and diverse communities, it would also be extremely difficult to place such limits on growth that would not impact local markets. There is also the potential for secondary effects as a result of such limits as growth not accommodated by the County may be directed to more distant areas such as Riverside County or Mexico. Therefore, this measure has not been included in the EIR.

S1-15 The comment identifies the settlement with the City of Stockton as an example of how a phase-in approach can be implemented without undermining downtown areas and complementing existing commercial and residential zones. While the County appreciates this example, the City of Stockton is radically different from the unincorporated County of San Diego rendering any transferability of programs unlikely. The City of Stockton is a single urban city with a defined downtown and an

Responses to Letter S 1, California Attorney General (cont.)

extremely large employment focus. The City's planning area encompasses approximately 122,000 acres that is expected to grow in population by 71 percent between 2005 and 2035. Approximately 67 percent of the planning area is designated for development. Approximately 31,500 acres of the planning area are designated for employment lands.

The City of Stockton's General Plan Update is also fundamentally different from the County's General Plan Update. Stockton's update increases the City's population capacity by almost 200,000 people and proposes expansion of its urban area including annexation of the surrounding lands. The County's Update proposes to remove at least 90,000 persons worth of capacity. Existing limits of communities are reinforced and growth is directed to within those communities. As a result, 62 percent of the private lands in the unincorporated area are proposed for very low densities. Due to these drastically different planning approaches and jurisdictions, the City of Stockton's growth controls are not necessary or relevant and similar controls have not been included in the EIR.

S1-16 The AG suggests that another example that the County may consider looking at is the City of Visalia General Plan, which set specific growth criteria in their General Plan that must be met before development could advance to the next growth area. Specific criteria include adequate residential and industrial capacity for the projected population, inclusion of a vacancy factor, adequacy of infrastructure, and community growth priorities. Again, while the example is appreciated, the City of Visalia is another radically different jurisdiction than the unincorporated County. The City of Visalia is an expanding small town in the central valley with little area planned for very-low densities or open space. Therefore, its growth controls protect rural lands surrounding the community from premature development as the town expands. However, ultimately, the City's plans are for the majority of its lands to be developed.

As discussed under response to comment S1-15, the County has approached future development of its communities with a different model, one which the County believes is significantly superior with regard to reducing consumption of land and VMT. Rather than expanding the boundaries of existing communities, the General Plan Update reinforces the existing boundaries of communities and focuses growth within those boundaries. Surrounding rural lands will remain rural through application of the rural land use designations that provide for very low residential densities. As discussed in responses to comments S1-14 and S1-15, the suggested growth controls are not necessary or relevant and therefore have not been included in the EIR.

S1-17 The comment again strongly urges the County to consider a type of phasing approach, in combination with a low-carbon alternative, which would provide the County with the flexibility it would need to promote compact, sustainable growth, fewer VMT and fewer adverse environmental impacts. As discussed in responses to comments S1-14 through S1-16, the suggested growth controls are not necessary because the General Plan Update already focuses on promoting compact, sustainable growth, fewer VMTs and fewer adverse environmental impacts. Compared to the existing General Plan, the General Plan Update will result in a

Responses to Letter S 1, California Attorney General (cont.)

reduction of at least 3,000,000 daily VMT. This equates to a reduction of 550,000 metric tons of CO2 emissions per year. Further, this comment by the AG seems to contradict its preceding comments S2-6 through 9 that question the County's approach to plan for more compact growth within its existing villages.

S1-18 The comment suggests that the County could analyze a City-Urban Centered Alternative that would direct more of the growth projected for the County of San Diego to the existing cities, and states that the DEIR does not disclose or analyze the amount of growth that could be accommodated in a City and Urban Centered Alternative, including vacant legal suburban and rural lots of record in the County. The County appreciates this suggestion but disagrees with it.

SANDAG growth forecasts for the region are based on the land use plans of all the jurisdictions in the County. In forecasting future growth, SANDAG's model assumes development on vacant and underutilized lands based on market demands and other factors. Therefore, this capacity for growth in the region in other jurisdictions is already accounted for. Additionally, because of the model dynamics, forecasted growth fills the incorporated cities before the unincorporated County. In all of the recent SANDAG forecasts, including the draft 2050 forecast, there was no residual capacity for growth in any of the incorporated cities. Therefore, it is impossible to direct more growth to the cities as they have no additional capacity for growth.

S1-19 The comment suggests that the County show leadership in developing joint efforts to coordinate with cities on promoting growth in adjacent areas that are already urbanized, or in guiding development to areas where essential services and transportation already exist. The AG suggests that the County work with cities to accommodate growth projections with policies that jointly promote increasing land use densities and intensities on the land use map for urban categories, infill first policies, requirement directing new infrastructure and service dollars to infill areas, and reducing fees for high quality mixed-use infill projects in priority growth areas in the interface between cities and unincorporated areas.

The County agrees with the AGs comments. Significant collaboration with SANDAG and adjoining jurisdictions has taken place. This collaboration is embodied in the SANDAG Regional Comprehensive Program and Smart Growth Concept Map. The General Plan Update is consistent with both of these documents. As a result of these efforts, many of the cities are now increasing their capacities to grow, consistent with the Smart Growth Concept Map, with increased intensities and densities as suggested by the AG. SANDAG's draft 2050 forecast reflects these increased capacities. As a result, the unincorporated County is forecasted to grow slower. Similarly, in awarding discretionary grants from SANDAG, criteria have been jointly developed by the member agencies to favor infill and transit oriented projects in priority growth areas as also suggested by the AG. Much of this funding is available for new infrastructure that will support this growth.

S1-20 The comment provides examples of other county-city collaborations, including the Sonoma County General Plan, Kings County Joint Housing Element, and Yolo County's pass through agreements with its cities. The County appreciates this

Responses to Letter S 1, California Attorney General (cont.)

comments and notes that it is supportive of inter-jurisdictional coordination as evident in Goal LU-4 and its supporting policies in the draft General Plan Land Use Element. The county-city collaborations that are mentioned by the AG are not unlike the collaborations that have been undertaken and continue to be undertaken by SANDAG and its member agencies.

S1-21 This comment provides a transition to comments S1-22 through S1-37 regarding the adequacy of mitigation measures included in the DEIR. No response is necessary.

S1-22 This comment states that the DEIR discussion of the County's GHG emissions and the projected reductions in GHG emissions from proposed mitigation measures does not satisfy the CEQA requirement to disclose the project's impacts. The comment refers to CEQA Guidelines Section 15144, which states:

"Drafting an EIR or preparing a Negative Declaration necessarily involves some degree of forecasting. While foreseeing the unforeseeable is not possible, an agency must use its best efforts to find out and disclose all that it reasonably can."

Section 2.17.3.1 of the DEIR cumulatively analyzes the potential GHG emissions impacts from various sources. Section 2.17.6.1, under the subheading "Mitigation Measures," discusses the projected reductions. These discussions are provided in greater detail within DEIR Appendix K, which is the County's draft GHG Emissions Inventory. Therefore, the County does not agree with the comment. In conformance with State CEQA Guidelines (Section 15144) the County has used its best efforts to find out and disclose all that it reasonably can.

S1-23 The comment states that the DEIR includes tables showing the projected emission reductions without providing additional detail regarding the assumptions included in the reductions. The County does not agree. The draft GHG inventory provides a description regarding reduction assumptions on pages 30-32. As stated in the inventory, many of the reduction assumptions are based on assumptions in the Energy Policy Initiatives Center (EPIC) Study, which may be accessed at http://legacy.signonsandiego.com/news/science/images/080918carbonfootprint.pdf. To avoid redundancy, the rationale for the EPIC Study assumptions was not reiterated in the draft GHG inventory.

S1-24 The comment states that the mitigation measures that the County has proposed relating to climate change are not specific and enforceable. The County does not agree. CEQA Guidelines Section 15126.4(a)(2) states, "In the case of the adoption of a plan, policy, regulation, or other public project, mitigation measures can be incorporated into the plan, policy, regulation, or project design." The policies that are listed in the DEIR are policies that are proposed to be adopted as part of the General Plan, and are therefore consistent with CEQA. Additionally, because of inclusion in the General Plan, they will carry significant weight in directing and supporting the land use decisions of the County. A General Plan, which is often referred to as a local agency's "constitution," is the supreme document for directing policy and decision making. Most decisions are required (either by State or local law) to be consistent with the General Plan. See also response to comment G5-45.

Responses to Letter S 1, California Attorney General (cont.)

S1-25 The comment states that the climate change mitigation measures identified in the DEIR use qualifying terms such as "encourage," and "should" rather than enforceable or mandatory language. The comment refers specifically to General Plan Update Policies LU-1.1, LU-5.4, LU-6.3, COS-14.7, COS-4.2, COS-5.4, COS-6.5, COS-15.4, COS-16.4, and COS-16.5. It should be noted that based on the quoted policy in the comment, it appears that the AG meant to cite Policy COS-15.2 rather than COS-15.4. The County does not agree that mandatory language is appropriate for all policies. General Plan policies are a statement of legislative policy and do not need to be written as mandatory in order to be enforceable. They often guide more detailed enforcement tools such as ordinances and codes. See also response to comment G5-45. The County has specifically reviewed all draft policies to determine if mandatory or more permissive language is appropriate. Policies mentioned by the AG are reiterated and addressed below:

LU-1.1 Assigning Land Use Designations. Assign land use designations on the Land Use Map in accordance with the Community Development Model and boundaries established by the Regional Categories Map.

No "qualifying terms" are evident in this policy.

LU-5.4 Planning Support. Undertake planning efforts that promote infill and redevelopment of uses that accommodate walking and biking within communities.

In this policy, the County has committed to undertaking certain planning efforts. It appears that the AG is suggesting that the County mandates infill or redevelopment. The County does not agree that this is an appropriate policy for the unincorporated area as it may result in premature development ahead of market demand. It also poses logistical and legal questions on how a government requires a property owner to build on ones land.

LU-6.3 Conservation-Oriented Project Design. Support conservation-oriented project design when appropriate and consistent with the applicable Community Plan. This can be achieved with mechanisms such as, but not limited to, Specific Plans, lot area averaging, and reductions in lot size with corresponding requirements for preserved open space (Planned Residential Developments). Projects that rely on lot size reductions should incorporate specific design techniques, perimeter lot sizes, or buffers, to achieve compatibility with community character.

This policy is implemented with the Conservation Subdivision Program (CSP) which is in draft form and is being processed concurrent with the General Plan Update. The CSP is enforceable through the Subdivision Ordinance and Zoning Ordinance. However, the County did not find it appropriate to mandate conservation-oriented project design in general. Instead, the program facilitates it through flexibility in design regulations and strengthening of resource protection.

Responses to Letter S 1, California Attorney General (cont.)

COS-4.2 Drought-Efficient Landscaping. Require efficient irrigation systems and in new development encourage the use of native plant species and non-invasive drought tolerant/low water use plants in landscaping.

The AG seems to suggest that the County mandate new development to use native and low water use plants. The County does not agree that an outright prohibition on non-native ornamentals or water intensive vegetation such as lawns is appropriate or necessary. This is in alignment with the State's model landscape ordinance. Instead, the County has developed a comprehensive program to require water efficient landscapes and encourage the use of native plants that are fire and water-wise. The County adopted its updated Landscape Water Conservation Ordinance on December 9, 2009, ahead of the State deadline and well ahead of most other jurisdictions in the State. In fact, the County's ordinance was the basis for a regional model ordinance for all jurisdictions in San Diego County and was also mentioned as "the best they have seen" by the California Department of Water Resources staff.

COS-5.4 Invasive Species. Encourage the removal of invasive species to restore natural drainage systems, habitats, and natural hydrologic regimes of watercourses.

The County does not believe that it is appropriate or that a sufficient nexus exists to require property owners to restore or enhance habitats or waterways on their property unless the damage resulted from a specific codes violation. However, more commonly, habitats were degraded from historic uses of the land, introduction of invasive species elsewhere in the watershed, or from secondary effects from nearby development.

COS-6.5 Best Management Practices. Encourage best management practices in agriculture and animal operations to protect watersheds, reduce GHG emissions, conserve energy and water, and utilize alternative energy sources, including wind and solar power.

Most agriculture and animal operations are existing and do not require use permits by the County. Therefore, the County does not agree that mandating the practices listed in this policy is appropriate for the County.

COS-14.7 Alternative Energy Sources for Development Projects. Encourage development projects that use energy recovery, photovoltaic, and wind energy.

Not all development projects lend themselves to alternative energy sources making mandating such practices infeasible. Additionally, use of such practices may not always be cost effective and could significantly affect markets and business operations.

COS-15.2 Upgrade Of Existing Buildings. Promote and, as appropriate, develop standards for the retrofit of existing buildings to incorporate design elements, heating and cooling, water, energy, and other elements that improve their environmental sustainability and reduce GHG.

Responses to Letter S 1, California Attorney General (cont.)

This policy is a commitment by the County to support retrofits and undertake actions along those lines. The County does not agree that requiring retrofits is a prudent policy at this time. Such a policy could have severe financial impacts on homeowners and businesses. Financing mechanisms and incentive programs are currently being developed by various entities but, for the most part, are not yet available. Additionally, the infrastructure to support a program such as qualified contractors and raters does not exist. The County believes that a more appropriate policy is to support retrofits and it is actively participating in regional and statewide efforts to develop and implement incentive-based retrofit programs.

COS-16.4 Alternative Fuel Sources. Explore the potential of developing alternative fuel stations at maintenance yards and other County facilities for the municipal fleet and general public.

The County does not agree that committing to development of alternative fuel stations is appropriate without proper study and planning. Undertaking such an endeavor may require significant expenditures. To commit to such a project at the General Plan level may result in limited funding available for other GHG reduction measures, some of which may be more effective.

COS-16.5 Transit-Center Development. ~~Encourage~~Plan for and require compact development patterns along major transit routes.

The County has revised this policy as shown above.

S1-26 The comment refers specifically to General Plan Update Policy COS-15.5 that states:

Energy Efficiency Audits. Encourage energy conservation and efficiency in existing development through energy efficiency audits and adoption of energy saving measures resulting from the audits.

The AG states that it is unclear if this policy requires the County to conduct energy efficiency audits, and suggests that the County include policies to conduct energy and water efficiency audits of water and drainage infrastructure and implement necessary conservation measures. The County appreciates the suggestion but does not agree that it is appropriate to commit to conducting audits and retrofits. There are numerous programs being developed by various entities to accomplish audits and retrofits for which the County is involved. The County is collaborating with SDG&E, SANDAG, the California Center for Sustainable Energy and numerous other local jurisdictions to develop these programs. To commit the County to a program may result in a redundant program that could be an inefficient use of its resources, or worse, may undermine the implementation of one of the other programs.

S1-27 This comment provides suggestions for additional measures that could be incorporated into the General Plan Update, including those identified in the California Air Pollution Control Officers Association (CAPCOA) document “GHG Model Policies for GHG in General Plans” (June 2009) and the AG’s “Sustainability and General Plans: Examples of Policies to Address Climate Change.”

Responses to Letter S 1, California Attorney General (cont.)

The County believes that it is inappropriate to characterize the General Plan Update as containing "some" measures to mitigate GHG emissions. The draft General Plan Update contains over 125 policies that relate to climate change and are summarized in Chapter 1 of the draft General Plan and listed in the DEIR. Over 35 more measures are provided as mitigation measures in the DEIR. Of these 160 policies and measures, there is substantial coverage of the measures listed in the California Air Pollution Control Officers Association (CAPCOA) document and the AG's examples. One of the fundamental differences is that both the CAPCOA and AG lists contain specific references to programs that other jurisdictions have implemented. Inclusion of detailed programs is appropriate for toolboxes and reference documents such as those listed; however, the County does not believe that such detail is appropriate for the County's General Plan. In fact, the County has undertaken numerous programs already to significantly reduce its GHG emissions but has not described these in detail in the draft General Plan Update because those descriptions would become quickly outdated and that same information is anticipated for the County's CAP. Additionally, as a policy document, such detail is not necessary in a General Plan.

S1-28 The comment states that it is unclear what is actually required by Policy COS-14.1, and that the County should fully explore feasible measures to reduce VMT including land uses, policies and implementation measures. For reference, General Plan Update Policy COS-14.1 requires that development be located and designated to reduce vehicular trips by utilizing compact regional and community-level development patterns while maintaining community character. The County appreciates the AG's comment. In developing the 160 policies and measures referenced in response to comment S1-27, the County did fully explore measures to reduce VMT. Implementation of the policies in the draft General Plan including COS-14.1 is further explained in the draft Implementation Plan (which has been revised to clarify the program implementing COS-14.1). COS-14.1 is primarily implemented with the land use map and application of the Community Development Model which focuses future growth to existing villages, thereby creating more compact communities. The policy is further implemented at a project level with the Conservation Subdivision Program and implementation of the County's guidelines related to traffic impact analysis.

S1-29 The comment states that there are numerous measures that the County might consider to promote mixed-use and transit-oriented development (TOD). Because the majority of the County is not served by transit and there are no plans to expand transit in the unincorporated area, the County does not agree that there is significant merit in focusing on TOD. However, in the few locations where there are possibilities for TOD, the County has taken several steps already to promote it and will continue to do so. The specific measures identified by the AG in this comment are addressed below:

a) Rezoning commercial properties to residential and/or mixed use – The County has included a new Mixed Use designation with the General Plan Update and applied it where appropriate. Additionally, in remapping the unincorporated area

Responses to Letter S 1, California Attorney General (cont.)

it has reviewed employment lands and redirected planned employment lands to the existing villages.

b) Expanded zoning for multifamily housing – The General Plan Update includes additional higher density designated land that accommodates multifamily housing and these additional multifamily housing areas are located within the existing villages.

c) Flexible parking and building height limitations – The General Plan Update contains policies that support flexible parking regulations and other development restrictions such as building height. See parking policies M-10.3 Maximize On-street Parking, M-10.4 Shared Parking, and M-10.5 Reduced Parking and development policies LU-9.1 Village and Community Core Planning, LU-9.6 Town Center Uses, LU-11.4 Town Center Intensity and Vitality, H-1.2 Development Intensity Relative to Permitted Density, and H-1.3 Housing near Public Services.

d) Density bonus programs – The County has a density bonus program which is currently being updated per State law. The draft General Plan Update also contains policies in support of the County's density bonus program (see H-3.3 Density Bonus as a Means to Develop Affordable Housing and H-3.5 Incentives for Developments with Lower-Income Housing).

e) Design guidelines for private and public spaces – The County currently has four community design guidelines that are implemented by community design review boards. In addition, the General Plan Update contains policies that support these design guidelines (see LU-9.1 Village and Community Core Planning and LU-9.7 Town Center Planning and Design) as well as the development of additional guidelines that will be countywide and ones specific to subdivision and parks (see LU-9.3 Village and Community Core Guidelines and Regulations and COS-21.3 Park Design).

f) Incentives for redevelopment of underutilized areas – Incentives for redevelopment in the County are inherent in the County's existing permit process. Redevelopment will often have a streamlined environmental review process because it will result in less direct physical impacts to the environment and documents are often available for tiering or CEQA exemptions apply. Additionally, the existing use on the site can be considered to reduce certain development fees. Where the County has formed a redevelopment agency, the County further provides for reduced permit processing costs, streamlined permitting, and reduced impact fees. The County is also initiating new planning efforts to facilitate redevelopment and revitalization of its town centers. One example is a form-based code that is currently being prepared for the Ramona town center.

g) Differential fees that provide fee relief for high quality infill and higher fees for greenfield/low density development – The County does not agree that this is a practical or necessary measure for the unincorporated area. The County strives

Responses to Letter S 1, California Attorney General (cont.)

to keep permitting costs low for all developments. Increased fees may adversely affect housing affordability and the housing market. Additionally, the cost of developing a "greenfield" site is often greater due to the need to mitigate for environmental impacts and add or expand infrastructure.

h) Requiring new development to be sufficiently dense to support transit and designed to be internally accessible to all modes of transit and transportation – As previously indicated, with limited existing transit service and no expected expansion, this measure would be unproductive and would likely result in excessive growth in areas that may never be served by transit. In those areas that are served by transit, the County has and will be encouraging significant development.

S1-30 The comment states that maintaining a jobs-housing balance has been determined to be a key factor in reducing VMT and emissions. The AG suggests that the County consider a jobs-housing policy such as Yolo County's draft policy (CC-3.3), which is designed to ensure that jobs are created concurrent with housing to the greatest extent feasible. The County appreciates this suggestion but similar to other examples provided by the AG, this is another jurisdiction that is radically different than the County of San Diego. Yolo County is mainly an agricultural county that encompasses the area to the west of Sacramento in the proximity of the City of Davis. The unincorporated area currently has a population of approximately 23,000 people and its existing general plan has the capacity for the unincorporated area to grow by another 11,200 people or almost 50 percent. The Yolo County General Plan Update is increasing that growth capacity to approximately 30,200 or 130 percent of its current population. The majority of this growth has been directed to Specific Plan areas on the outskirts of its existing communities encompassing over 3,100 acres where more detailed Specific Plans are yet to be prepared for master planned communities.

In contrast, the County of San Diego is reducing its overall growth capacity and focusing growth to its existing villages. Use of Specific Plans is limited because much of the remaining land for growth is within its existing villages, disconnected from other vacant parcels, and subject to different ownerships. Additionally, the majority of the County's growth is not expected to occur from new master planned communities since a focus of the proposed plan is to enhance its existing communities.

S1-31 The comment refers to the proposed General Plan Policy 15.3 that "requires all new County facilities and the renovation and expansion of existing County buildings to meet identified 'green building' programs that demonstrate energy efficiency, energy conservation, and renewable technologies." The comment states that it is unclear what is meant by meeting a 'green building' program since the Green Building Program on the County's website appears to be limited only to incentives. In this comment, the AG is mistakenly applying the County's incentive program for private development to the County's policy for government buildings. The County maintains a higher standard for itself and is committed to meeting the standards of green building rating programs. Such programs include Leadership in Energy and

Responses to Letter S 1, California Attorney General (cont.)

Environmental Design (LEED) or Build-it-Green. Currently, the County's policy in its adopted Strategic Energy Plan is to achieve at least a silver LEED rating on new County facilities. Listing specific programs in this policy would not be appropriate because it would limit implementation due to rapidly changing green building standards and programs.

S1-32 The comment suggests that the County consider adopting a Green Building Ordinance at the same time it adopts the General Plan Update that applies to all development above a certain threshold size, not just County buildings. The County appreciates this suggestion but while other jurisdictions may have taken this step, many others have not. Incentive programs such as the County's are often the norm. Many professionals, including those that administer the green building rating systems, do not recommend mandating all green building standards because the industry is still getting educated on the topic and technology is still advancing to support the standards. The County contains many other regulations that require environmentally sensitive design and will continue to improve those regulations.

The State of California has already prepared a Green Building Code that the County is implementing. Based on the California Scoping Plan and statements from the State, the California Building Code will continue to become more restrictive and voluntary requirements currently in the code will become mandatory. Significant costs and staff time would be expended in preparing a County-specific code that would be more restrictive than the State code. Additional expenditures would be included from training. The County believes that a more appropriate use of County resources and a more effective approach to addressing GHG emissions is to advance programs in those areas not being addressed by the State or federal government.

S1-33 The comment acknowledges that although the County includes a mitigation measure to prepare a County CAP with enforceable GHG emissions reduction measures, the AG is uncertain about the schedule for completion and implementation of the CAP, and funding for the CAP activities and reduction measures. The County appreciates the comment and the opportunity to expand on this topic. The County is currently preparing its CAP and expects that it will be complete by the end of 2010 and has committed to completing it no later than six months after the adoption of the General Plan Update. The CAP will detail specific activities, their timing, and possible funding sources. Many of the activities will be those that are listed in the draft General Plan Update and DEIR; however, greater detail will be provided and additional measures will be explored. A preliminary draft of the County's CAP will be available Fall of 2010.

S1-34 The comment suggests that it is unclear whether the CAP would be integrated into the General Plan, and that the DEIR does not provide specifics about the reduction measures that will be part of the CAP. Since the CAP mitigation measure does not contain this information, the AG deems the mitigation to be inadequate because it defers to the future without sufficient assurances that it will be implemented and that it will mitigate climate change impacts. The County does not agree with this suggested inadequacy as discussed in response to comment S1-4. With regard to

Responses to Letter S 1, California Attorney General (cont.)

the relationship of the CAP to the General Plan, the CAP will remain a separate document that will implement the policies of the General Plan.

S1-35 While the AG recognizes that it may not be possible for the County to immediately adopt a fully realized CAP, the AG encourages the County to commit to certain provisions in order to avoid an argument that it is deferring climate change-related mitigation. Each of these provisions is provided below with the County's response:

a) Commit in the General Plan Update to adopt by a certain date a CAP with defined attributes (targets, enforceable measures to meet those targets, monitoring and reporting, and mechanisms to revise the CAP as necessary that will be integrated into the General Plan Update;

The County will commit to adopting a CAP no later than six months following adoption of the General Plan Update and has added this commitment to draft Implementation Plan measure 6.9.1.A Climate Change Action Plan. However, it is anticipated that actual adoption will be sooner than that. In accordance with draft policy COS 20.1, Climate Change Action Plan, the County will be committing to include in the CAP an inventory, targets, deadlines, and enforceable measures. The policy also includes the commitment to maintain the CAP. Policy COS-20.2, GHG Monitoring and Implementation, commits to monitoring GHG emissions. The County also has an overall commitment to report on the General Plan and revise it as necessary (see draft Implementation Plan measure 1.2.1.A General Plan Review). The County believes that these policies address the AG's suggestion.

b) Incorporate into the General Plan Update interim policies to ensure that any projects considered before completion of the CAP will not undermine the objectives of the CAP; and

The County does not believe that this is necessary given the timing of the CAP preparation and the numerous other policies contained in the General Plan Update and DEIR that support actions that limit GHG emissions.

c) For all GHG impacts the County has designated as significant, adopt feasible mitigation measures that can be identified today and that do not require further analysis.

The County believes that it has complied with this suggestion through inclusion of the 160 policies and mitigation measures in the General Plan Update and DEIR that relate to climate change.

S1-36 The comment states that the proposed General Plan Update land use map does not include projects that are in the approval process, or have recently been approved. The DEIR includes 148 projects in the cumulative section of the DEIR, and as such are treated as though their impacts are in addition to those of the General Plan Update. As further discussed in responses to comments G5-3, G5-15, and O10-32, the County has appropriately included these projects in its cumulative analysis as they are not a part of the proposed project.

Responses to Letter S 1, California Attorney General (cont.)

S1-37 The comment suggests that since the cumulative projects involve thousands of acres and there may be some instances where project approvals are inconsistent with the policies of the General Plan Update that the County should include these projects as part of the General Plan Update description to comply with CEQA. The County does not agree with this suggestion as described in responses to comments S1-36, G5-3, G5-15, and O10-32.

S1-38 This comment concludes the letter by summarizing all of the previous issues that the AG's office has with the proposed General Plan Update and invites County staff to further discussion with the AG's office to assist the County with achieving its GHG reduction goals. The County appreciates this offer and County staff will continue discussions with AG staff to improve upon the General Plan Update.

Comment Letter S 2, California Department of Housing and Community Development

STATE OF CALIFORNIA -BUSINESS, TRANSPORTATION AND HOUSING AGENCY ARNOLD SCHWARZENEGGER, Governor
DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF HOUSING POLICY DEVELOPMENT
1800 Third Street, Suite 430
P. O. Box 952053
Sacramento, CA 94252-2053
(916) 323-3177
FAX (916) 327-2643

August 28, 2009

Mr. Eric Gibson, Planning Director
Department of Planning and Land Use
County of San Diego
5201 Ruffin Road, Suite B
San Diego, CA 92123

Dear Mr. Gibson:

RE: Review of the County of San Diego's Revised Draft Housing Element

S2-1. Thank you for submitting the County of San Diego's revised draft housing element, received for review on July 1, 2009 with revisions received on August 21, 2009. As you are aware, the Department is required to review draft housing elements and report the findings to the locality pursuant to Government Code Section 65585(b). Telephone conversations with Mr. Devon Muto, Ms. Dixie Switzer, and Mr. Eric Lardy, of your staff, facilitated the review. In addition, the Department considered third party comments from Ms. Ann Fathy, and the Endangered Habitats League, pursuant to Government Code Section 65585(c).

The revised element addresses most of the statutory requirements described in the Department's January 30, 2009 review; however, the following revisions remain necessary to comply with State housing element law (Article 10.6 of the Government Code):

S2-2. 1. *Include an inventory of land suitable for residential development, including sites having the potential for redevelopment, and an analysis of the relationship of zoning and public facilities and services to these sites (Section 65583(a)(3)). The inventory of land suitable for residential development shall be used to identify sites that can be developed for housing within the planning period (Section 65583.2).*

Suitability of Nonvacant and Underutilized Sites: The element contains two site inventories; an inventory of sites considering the proposed general plan and zoning designations (Appendix H1-A), and an inventory of sites by existing zoning (Appendix H1-B). While the revised element includes a complete analysis of redevelopment potential for sites listed in Appendix H1-A, should the County need to rely on underutilized sites listed on Appendix H1-B to reduce the shortfall of sites to accommodate the regional housing need for lower-income households, the element must analyze the extent existing uses may constitute an impediment to additional residential development. To demonstrate residential redevelopment potential of these sites, the element could provide an analysis of sites similar to what the analysis provided for sites in Appendix H1-A.

Comment Letter S 2, California Department of Housing and Community Development (cont.)

S2-3. *Farmworker Housing*: Pursuant to conversations with staff, the County has adopted the farm employee housing ordinance referenced in the revised element. The ordinance allows farm employee housing for 12 units or 36 beds as an accessory use to Commercial Agriculture or with an administrative permit in zones (page H1-63). Health and Safety Code Section 17021.6 (Employee Housing Act) requires that any employee housing consisting of no more than 36 beds in a group quarters or 12 units or spaces designed for use by a single-family or households shall be deemed an agricultural land-use designation. For the purpose of all local ordinances, employee housing shall not be deemed a use that implies that the employee housing is an activity that differs in any other way from an agricultural use. No conditional use permit, zoning variance, or other zoning clearance shall be required of this employee housing that is not required of any other agricultural activity in the same zone. The element should clarify the County's ordinance complies with these regulations, specifically as they relate use and permit processing regulations for all zones allowing agricultural uses.

2. *Identify actions that will be taken to make sites available during the planning period of the general plan with appropriate zoning and development standards and with services and facilities to accommodate that portion of the city's or county's share of the regional housing need for each income level that could not be accommodated on sites identified in the inventory completed pursuant to paragraph (3) of subdivision (a) without rezoning, and to comply with the requirements of Section 65584.09. Sites shall be identified as needed to facilitate and encourage the development of a variety of types of housing for all income levels, including multifamily rental housing, factory-built housing, mobilehomes, housing for agricultural employees, supportive housing single-room occupancy units, emergency shelters, and transitional housing (Section 65583(c)(1)).*

S2-4. *Where the inventory of sites, pursuant to paragraph (3) of subdivision (a), does not identify adequate sites to accommodate the need for groups of all household income levels pursuant to Section 65584, the program shall identify sites that can be developed for housing within the planning period pursuant to subdivision (h) of Section 65583.2. The identification of sites shall include all components specified in subdivision (b) of Section 65583.2. (Section 65583(c)(1)(B)).*

Program1.1.1-3: Regional Housing Needs: As stated in the previous review, because the sites inventory does not identify adequate sites to accommodate the regional housing needs allocation (RHNA), pursuant to Government Code Sections 65583(a)(3) and 65583.2, the element must provide a program to identify sites in accordance with subdivision (h) of 65583.2 for 100 percent of the remaining lower-income housing need during the planning period. While the element includes Program 1.1.3 to rezone sites concurrent with the adoption of the general plan, pursuant to Government Code 65583.2(h), it must ensure the rezoned sites permit owner-occupied and rental multifamily uses by-right, with minimum density and development standards that permit at least 16 units per site at a density of at least

Comment Letter S 2, California Department of Housing and Community Development (cont.)

S2-4. cont. 20 units per acre. Also, at least 50 percent of the remaining need must be planned on sites that exclusively allow residential uses. In addition, the proposed timing for rezones (Fall of 2010) is beyond the current planning period and, as stated in the previous review, is inconsistent with the statutory requirements to make sites available for housing development within the planning period.

S2-5. The revised element did not address statutory requirements included in Finding B-1 of the previous review to include programs to facilitate mixed-use and redevelopment of sites identified in the inventory.

S2-6. Once the element has been revised to address these requirements, it will be in compliance with State housing element law. The Department appreciates the County's efforts to address its housing needs and is thankful of Messrs. Muto, Lardy, and Ms. Switzer's cooperation during the review. If you have questions or would like further assistance, please contact Melinda Coy, of our staff, at (916) 445-5307.

Sincerely,

Cathy E. Creswell

Cathy E. Creswell
Deputy Director

cc: Devon Muto, Department of Planning and Land Use
Ann Fathy, Attorney At Law

Responses to Letter S 2, California Department of Housing and Community Development

S2-1 This comment provides an introduction to the comments that are addressed in responses to comments S2-2 through S2-6.

S2-2 The County thanks the Department of Housing and Community Development (HCD) for acknowledging its additional analysis included in Appendix H1-A and considers the lack of comment on that section as an endorsement. The County acknowledges that in the subsequent revision it will expand its analysis of Appendix H1-B to include analysis, as reasonable, in the form of Appendix H1-A.

S2-3 The County has recently made significant revisions to its farmworker housing regulations, changing farm employee housing from a residential use to an agricultural land use type and allowing farm employee housing "by right" in the County's eight zones intended for agricultural use. The County believes these revisions result in compliance with the Health and Safety Code regulations as stated in this comment.

S2-4 The County acknowledges this comment and, has amended the Housing Element Implementation Program 3.1.1.G to specifically refer to the provisions in Government Code section 65583.2 (h). The County also acknowledges the state's position that the proposed timing for concurrent approval of the General Plan Update and the Zoning in the fall of 2010 does not make sites available for housing development within the planning period, which has been extended. The County expects to have the Housing Element completed before the beginning of the next cycle, and acknowledges the additions to State Law by SB 575 that will require the County of San Diego to update its Housing Element four years after the adoption of the firth revision of the Housing Element. The County is making its best effort to makes sites available to meet the RHNA. Under the current General Plan some sites are already zoned for multi-family housing and available for development. In addition, General Plan Amendments are currently being processed that include both multi-family housing and mixed use development. Some examples include the Campus Park Specific Plan in the Fallbrook Community Planning Area (CPA), and two different developments in the north village of the Valley Center CPA.

S2-5 The County disagrees that it is not meeting statutory requirements that include programs that facilitate mixed use and redevelopment of sites in the housing inventory. There are numerous policies included that address village and mixed-use development in the proposed Housing and Land Use Elements. However, in order to clarify the County's position and strategy, Implementation Program 1.1.2-10 has been added to the draft Housing Element (see Background Report Appendix) as follows:

"Explore opportunities to encourage development on underutilized sites and facilitate land assemblage for multi-family housing development. Programs could include, but are not limited to Redevelopment activities or zoning incentives."

The following General Plan Update draft policies facilitate mixed use and redevelopment of sites in the housing inventory: LU-3.1 Diversity of Residential

Responses to Letter S 2, California Department of Housing and Community Development (cont.)

Designations and Building Types, LU-9.5 Village Uses, LU-9.6 Town Center Uses, LU-9.12 Achieving Planned Densities in Villages, H-1.2 Development Intensity Relative to Permitted Density, H-1.3 Housing Near Public Services, H-1.5 Senior and Affordable Housing Near Shopping and Services, H-1.6 Land for All Housing Types Provided in Villages, H-1.9 Affordable Housing through General Plan Amendments, and H-3.3 Density Bonus as a Means to Develop Affordable Housing.

S2-6 The County acknowledges that the comments above must be implemented for the Housing Element to be in compliance with State housing law.

Comment Letter S 3, Caltrans

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY ARNOLD SCHWARZENEGGER, Governor

DEPARTMENT OF TRANSPORTATION
DISTRICT 11
PLANNING DIVISION
4050 TAYLOR STREET, M.S. 240
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PHONE (619) 688-6960
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TTY 711

Flex your power!
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August 27, 2009

11-SD-VAR
(5, 8, 15, 67, 76, 78, 79, 94, 125, 905)
San Diego County General Plan Update

Mr. Robert Citrano
County of San Diego
Department of Planning and Land Use
5201 Ruffin Road, Suite B
San Diego, CA 92123

Dear Mr. Citrano:

S3-1. The California Department of Transportation (Caltrans) appreciates the opportunity to comment on the July 2009 San Diego County General Plan Update Draft Environmental Impact Report (Draft EIR) and the July 2009 San Diego County Draft General Plan. Caltrans would like to submit the following comments:

Draft EIR

1.7 Update to Existing General Plan

S3-2. • *Page 1-10*
  - Caltrans appreciates the following clarification: "Interstate highways are also shown on the Mobility Element road network map, but as with State highways, they are managed and maintained by Caltrans."

S3-3.
  - Consider the following revision to include Caltrans in the coordination efforts: "When applicable, the Mobility Element road network has been coordinated with adjacent cities [and Caltrans] to ensure consistency when feasible."

S3-4.
  - In the first mention of the 2030 Regional Transportation Plan, consider the following revision to include SANDAG's role: "Planned roadway improvements for State routes in the Reasonably Expected Revenue scenario of the [SANDAG] 2030 Regional Transportation Plan (RTP) for the unincorporated County..."

2.15 Transportation and Traffic

S3-5. • *Page 2.15-8*, Rail Service
  - Consider revising to differentiate more strongly between commuter/passenger rail service and freight rail service in the County.

S3-6. • *Page 2.15-53*

Comment Letter S 3, Caltrans (cont.)

Mr. Robert Citrano
August 27, 2009
Page 2

S3-6. cont.
- Consider including CTSA (Coordinated Transportation Service Agency) in the Acronyms and Abbreviations list in Chapter 1. The designated CTSA for San Diego County is Full Access & Coordinated Transportation (FACT).

S3-7.
- *Page 2.15-54*
  - Consider revising Policy M-8.6 (Park and Ride Facilities) and Policy M-8.7 (Inter-Regional Travel Modes) to include Caltrans in the County's coordination.

S3-8.
- *Page 2.15-65,* Table 2.15-8
  - Under Other Operations for the Oceanside-San Diego Rail Line, revise "AmTrack" to "Amtrak."

S3-9.
- *Page 2.15-73,* Table 2.15-17
  - Revise the 2030 ADT for the Jacumba crossing from "1 to 66" to "1 to 6" as per footnote (3).

S3-10.
- *Pages 2.15-77 to 2.15-83,* Table 2.15-21
  - See below for the noted discrepencies in the Draft General Plan Mobility Element Network Appendix between the proposed Mitigated Classifications/Designations and the 2030 RTP Unconstrained Revenue scenario classifications.

<u>Draft General Plan</u>
Mobility Element Network Appendix

- Please note the discrepencies between the proposed Designations and the 2030 RTP Unconstrained Revenue scenario classifications for the following road segments:
  - *Page 35*, Lakeside Community Planning Area Matrix:
    State Route 67 (SR-67) from Mapleview Street to Scripps Poway Parkway is designated as a "6.2 Prime Arterial;" the RTP Unconstrained classification for SR-67 from Mapleview Street to Dye Road is "4C" (4 Conventional Highway Lanes). The County responded to this discrepancy in the response to the Caltrans Draft General Plan comment letter dated January 20, 2009 by stating that "DLPU recognizes that these improvements were not included on the 2030 RTP," and by revising the Special Circumstances statement to reflect the RTP Reasonably Expected scenario – consider revising to reflect the Unconstrained scenario. Furthermore, the Final Project Study Report/Project Development Support (PSR/PDS) for SR-67 dated July 2009 shows several 4-lane alternatives in this segment. S3-11.
  - *Page 42*, Mountain Empire Community Planning Area Matrix:
    State Route 188 (SR-188) from State Route 94 (SR-94) to the US/Mexico international border is designated as "4.1A Major Road;" the RTP Unconstrained classification for this segment is "2C" (2 Conventional Highway Lanes). Consider including this under Special Circumstances. S3-12.
  - *Page 62*, Ramona Community Planning Area Matrix:
    State Route 78 (SR-78)/Pine Street from Ash Street to SR-67/Main Street is designated as "4.2B Boulevard;" the RTP does not propose improvements on SR-78 east of Interstate 15 (I-15), therefore this segment remains at the existing S3-13.

Comment Letter S 3, Caltrans (cont.)

Mr. Robert Citrano
August 27, 2009
Page 3

S3-13. cont. classification of "2C" in the RTP. Consider including this under Special Circumstances.

S3-14.
- *Page 78*, Valle de Oro Community Planning Area Matrix: SR-94/Campo Road from State Route 54 (SR-54)/Jamacha Road to Jamul CPA Boundary is designated as "6.2 Prime Arterial and Interchange with Jamacha Road;" the RTP Unconstrained classification for SR-94 from Jamacha Road to Melody Road is "4C". This discrepancy is noted under Special Circumstances.

S3-15.
- In the response to Caltrans' comment letter dated January 20, 2009, the County noted Caltrans' appreciation of the County's efforts to plan for non-motorized modes of transportation in order to help reduce congestion and greenhouse gas emissions. Caltrans is committed to working with the County to provide safe mobility for all users, including bicyclists, pedestrians, transit riders, and motorists appropriate to the function and context of the facility. In order to create more efficient and livable communities, Caltrans continues to encourage the County to work towards a safe, functional, interconnected, multi-modal system integrated with "smart growth" type land use planning.

If you have any questions, please contact Connery Cepeda, Community Planning Liaison, at (619) 688-6968.

Sincerely,

JACOB ARMSTRONG, Chief
Development Review Branch

Responses to Letter S 3, Caltrans

S3-1 This comment is introductory in nature and does not raise a significant environmental issue for which a response is required.

S3-2 The County acknowledges and appreciates this comment.

S3-3 The County agrees with this comment. The cited sentence has been revised to include "and Caltrans" as recommended.

S3-4 The County agrees with this comment. The word "SANDAG" has been added to the sentence as recommended.

S3-5 The County agrees with this comment. The Rails Services subsection in DEIR Section 2.15.1.1 has been revised to include separate headers for "Freight," "Passenger," and "Commuter" rail services.

S3-6 Coordinated Transportation Service Agency (CTSA) has been added to the list of acronyms within the DEIR Table of Contents and List of Acronyms Section, as recommended.

S3-7 Policies M-8.6 and M-8.7 in the draft Mobility Element have been revised to include Caltrans as an agency the County will coordinate with concerning Park and Ride Facilities and Inter-Regional Travel Modes. This change has been made to the Mobility Element as well as DEIR Sections 2.15.6.5, 2.15.6.6, 7.1.15.5, and 7.1.15.6.

S3-8 Table 2.15-8 in the DEIR has been revised by changing "AmTrack" to "Amtrak" as recommended.

S3-9 Table 2.15-17 in the DEIR has been revised by changing "1 to 66" to "1 to 6" as recommended.

S3-10 The County acknowledges that there are discrepancies between recommended improvements in the draft General Plan Mobility Element network and the SANDAG 2030 Regional Transportation Plan (RTP). These discrepancies are discussed in responses to comments S3-11 through S3-14 below.

S3-11 This comment does not raise a significant environmental issue pursuant to CEQA.

The draft General Plan Mobility Element Network classification for SR-67 from Mapleview Street to Scripps Poway Parkway has been changed from 6.2 Prime Arterial to 4.1A Major Road with Raised Median to be consistent with the 2030 SANDAG RTP Unconstrained Revenue scenario. Additional improvements for the SR-67, not included in the 2030 RTP, are still included in the Mobility Element network, such as (1) Full interchange at Winter Gardens Boulevard, (2) Overpass for SR-67 at Mapleview Street, and (3) Realign Willow Road with Lakeside Avenue and provide an underpass at SR-67. These additional improvements are necessary for a four-lane SR-67 to operate at an acceptable level of service.

Responses to Letter S 3, Caltrans (cont.)

S3-12 This comment does not raise a significant environmental issue pursuant CEQA.

The Special Circumstances column of the Lakeside Community Planning Area matrix in the Mobility Element Network Appendix has been revised to indicate that a four-lane Mobility Element road is inconsistent with the SANDAG 2030 Regional Transportation Plan.

S3-13 This comment does not raise a significant environmental issue pursuant to CEQA.

The draft General Plan Mobility Element Network classification for SR-78/Pine Street from Main Street to Ash Street has been changed from 4.2 Boulevard to 2.2D Light Collector with Improvement Options to be consistent with the SANDAG 2030 Regional Transportation Plan Unconstrained Revenue scenario.

S3-14 This comment does not raise a significant environmental issue pursuant to CEQA.

The draft General Plan Mobility Element Network classification for SR-94/Campo from Jamacha Road to the Jamul Subregion Boundary has been changed from 6.2 Prime Arterial to 4.1A Major Road with Raised Median to be consistent with the SANDAG 2030 Regional Transportation Plan Unconstrained Revenue scenario and forecast traffic volumes.

S3-15 The County acknowledges Caltrans encouragement to work towards a safe, functional, interconnected, multi-modal system integrated with "smart growth" type land use planning.

Comment Letter S 4, Governor's Office of Planning and Research

STATE OF CALIFORNIA

GOVERNOR'S OFFICE *of* PLANNING AND RESEARCH

STATE CLEARINGHOUSE AND PLANNING UNIT

ARNOLD SCHWARZENEGGER
GOVERNOR

CYNTHIA BRYANT
DIRECTOR

September 1, 2009

Devon Muto
San Diego County Department of Planning and Land Use
5201 Ruffin Road, Suite B
San Diego, CA 92123-1666

Subject: County of San Diego General Plan Update
SCH#: 2002111067

Dear Devon Muto:

S4-1. The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. The review period closed on August 31, 2009, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office.

Sincerely,

for: Scott Morgan
Acting Director, State Clearinghouse

SEP 4 '09 PM 2:58

1400 10th Street P.O. Box 3044 Sacramento, California 95812-3044
(916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

Comment Letter S 4, Governor's Office of Planning and Research (cont.)

Document Details Report
State Clearinghouse Data Base

SCH# **2002111067**
Project Title County of San Diego General Plan Update
Lead Agency San Diego County

Type **EIR** Draft EIR

Description NOTE: Review Per Lead

The proposed project is a comprehensive update of the San Diego County General Plan. The updated General Plan will direct population growth balanced with infrastructure needs, development, and resource protection. The proposed project includes the adoption of new General Plan elements, which include goals and policies. The 6 elements proposed are: Land Use, Mobility, Housing, Conservation and Open Space, Safety, and Noise. The General Plan Update also includes a corresponding proposed land use map, a County Road Network map, and updates to Community and Subregional Plans.

Lead Agency Contact

Name Devon Muto
Agency San Diego County Department of Planning and Land Use
Phone 858-694-3016 ***Fax***
email
Address 5201 Ruffin Road, Suite B
City San Diego ***State*** CA ***Zip*** 92123-1666

Project Location

County San Diego
City
Region
Lat / Long
Cross Streets Countywide
Parcel No. Countywide
Township ***Range*** ***Section*** ***Base***

S4-1. cont.

Proximity to:

Highways 67, 76, 78, 79, 94, 125
Airports countywide
Railways countywide
Waterways countywide
Schools countywide
Land Use Various: Residential, Industrial, Civic, Commercial, Agriculture, Recreational

Project Issues Aesthetic/Visual; Agricultural Land; Air Quality; Archaeologic-Historic; Biological Resources; Coastal Zone; Cumulative Effects; Drainage/Absorption; Economics/Jobs; Fiscal Impacts; Flood Plain/Flooding; Forest Land/Fire Hazard; Geologic/Seismic; Growth Inducing; Landuse; Minerals; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Septic System; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian; Wildlife

Reviewing Agencies Resources Agency; California Coastal Commission; Department of Conservation; Department of Fish and Game, Region 5; Cal Fire; Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources; California Highway Patrol; Office of Emergency Services; Caltrans, District 11; Department of Housing and Community Development; Regional Water Quality Control Board, Region 7; Regional Water Quality Control Board, Region 9; Native American Heritage Commission

Date Received 07/02/2009 ***Start of Review*** 07/02/2009 ***End of Review*** 08/31/2009

Note: Blanks in data fields result from insufficient information provided by lead agency.

Responses to Letter S 4, Governor's Office of Planning and Research

S4-1 This letter from the California Governor's Office of Planning and Research indicates which State agencies received a copy of the DEIR for review and acknowledges that the County has complied with the State Clearinghouse review requirements for draft environmental documents pursuant to CEQA.