



SAVE OUR FOREST
AND RANCLANDS

P.O. Box 475 Descanso, CA 91916

www.sofar.org sofar@nethere.com



P.O. Box 779 Descanso, CA 91916

www.cnff.org info@cnff.com

October 15, 2010

Chair Slater-Price and Members of the
Board of Supervisors
County of San Diego
San Diego County
5201 Ruffin Road, Suite B
San Diego, CA 92123

**Re: Environmental Impact Report for the San Diego County
General Plan Update**

Dear Chair Slater-Price and Boardmembers:

Save Our Forest and Ranchlands (“SOFAR”) and the Cleveland National Forest Foundation (“CNFF”) submit this letter to express our continuing concerns about the proposed update of the San Diego County General Plan (“proposed Plan” or “GPU”) and the environmental impact report (“EIR”) for the GPU.

We have reviewed the County’s response to the August 31, 2009 letter submitted by Shute, Mihaly & Weinberger LLP on behalf of SOFAR (“SOFAR Letter”). That letter identified several deficiencies with the Draft EIR (“DEIR”) and concluded that the document was particularly deficient because it failed to study a city-centered alternative: inasmuch as the proposed General Plan is environmentally unsustainable, the DEIR should have evaluated an alternative that directed growth to areas inside or immediately adjacent to the limits of the County’s 18 incorporated cities. It cannot be seriously disputed that such an alternative would substantially reduce the proposed Plan’s environmental impacts. The California Attorney General also commented that the County must consider a City-Urban Centered Alternative that would direct more of the growth projected in San Diego County to the existing cities. (Letter from Brian Hembacher and Sarah E. Morrison to Devon Muto, dated August 31, 2009.)

The SOFAR Letter and the California Attorney General's letters were in regards to the DEIR that was circulated by the County on July 1, 2009. Since then, the County published a revised DEIR on April 2, 2010 ("Revised DEIR"). The Final EIR, which includes the revised DEIR and the County's responses to public comments, contains additional deficiencies that warrant further comment. The comments submitted by SOFAR and the California Attorney General on the original DEIR remain valid.

I. CEQA Requires the Consideration of Alternatives That Would Eliminate or Minimize the Project's Significant Environmental Impacts.

Every EIR must describe a range of alternatives to the proposed project and its location that would feasibly attain the project's basic objectives while avoiding or substantially lessening the project's significant impacts. CEQA ' 21100(b)(4); CEQA Guidelines ' 15126(d). A proper analysis of alternatives is essential for the County to comply with CEQA's mandate that significant environmental damage be avoided or substantially lessened where feasible. Pub. Res. Code ' 21002; CEQA Guidelines ' ' 15002(a)(3), 15021(a)(2), 15126(d); *Citizens for Quality Growth v. City of Mount Shasta*, 198 Cal.App.3d 433, 443-45 (1988). As stated in *Laurel Heights Improvement Ass'n. v. Regents of the University of Cal.*, 47 Cal.3d 376 (1988), A[w]ithout meaningful analysis of alternatives in the DEIR, neither the courts nor the public can fulfill their proper roles in the CEQA process. . . . [Courts will not] countenance a result that would require blind trust by the public, especially in light of CEQA's fundamental goal that the public be fully informed as to the consequences of action by their public officials.@ *Id.* at 404. The proposed GPU EIR's discussion of alternatives does not live up to these standards.

As discussed below, the original DEIR admitted that implementation of the GPU would result in numerous significant and unavoidable impacts, and the Revised DEIR's attempt to minimize those impacts is unsupported by evidence. Although the EIR identifies alternatives to the GPU, these alternatives do not address the environmental impacts that would be caused by implementation of the proposed General Plan. We reiterate the request set forth by SOFAR and the California Attorney General's office. The EIR should be revised to include an alternative that embraces a forward-looking and comprehensive land use plan, designed to protect the environment and maintain quality of life for those living and working in the County.

A. The Proposed GPU Would Result in a Tremendous Number of Significant and Unavoidable Environmental Impacts.

Like the July 2009 DEIR, the April 2010 Revised DEIR identifies the Referral Map Alternative as the proposed Project. The County Board of Supervisors ("BOS") endorsed the Referral Map Alternative on June 16, 2004 after working with property owners and communities to amend the previously proposed Draft Land Use Map. The Referral Map includes various

property referrals that the Draft Land Use Map does not contain, and includes “Pipeline Policies” that set cutoff points for projects to be analyzed under the existing General Plan (DEIR pgs. 1.12.1.1 and 1.12.2).

The DEIR noted that the Referral Map Alternative is the “most environmentally impactful alternative” aside from the No Project Alternative (DEIR pg. S.5). A population summary of the various project alternatives verifies this statement, as the Referral Map projects a total County population of 678,270, which is greater than any of the other alternatives outside of the No Project Alternative (existing general plan), which projects 767,780 people. *See* General Plan Update Land Use Alternatives Population Summary, attached as Exhibit 1.

Furthermore, by the DEIR’s own admission, the Referral Map Alternative would result in 22 significant and unavoidable environmental impacts within 11 different impact areas, including: Aesthetics, Agriculture, Air Quality, Biology, Hazards, Hydrology/Water Quality, Minerals, Noise, Public Services, Traffic, and Utilities. Specifically, the GPU would result in impacts to: Visual Character or Quality (DEIR pg. 2.1); Light or Glare (*Id.*); Conversion of Agricultural Resources (*Id.* pg. 2.2); Indirect Conversion of Agricultural Resources (*Id.*); Air Quality Violations (*Id.* pg. 2.3); Non-Attainment Criteria Pollutants (*Id.*); Sensitive Receptors (*Id.*); Special Status Species (*Id.* pg. 2.4); Riparian Habitat and Other Sensitive Natural Communities (*Id.*); Wildlife Movement Corridors (*Id.*); Wildland Fires (*Id.* pg. 2.7); Water Quality Standards and Requirements (*Id.* pg. 2.8); Groundwater Supplies and Recharge (*Id.*); Mineral Resource Availability (*Id.* pg. 2.10); Mineral Resource Recovery Sites (*Id.*); Permanent Increase in Ambient Noise Levels (*Id.* pg. 2.11); School Services (*Id.* pg. 2.13); Unincorporated County Traffic and LOS Standards (*Id.* pg. 2.15); Adjacent Cities Traffic and LOS Standards (*Id.*); Rural Road Safety (*Id.*); Adequate Water Supplies (*Id.* pg. 2.16); and Sufficient Landfill Capacity (*Id.*).

In an apparent attempt to portray the proposed GPU as a “green” project, the Revised DEIR reverses its conclusion regarding the GPU’s climate change impacts. Whereas the previous DEIR aptly recognized the GPU’s climate change impacts as significant and unavoidable, the April 2010 document concludes that global climate change impacts would be less than significant. (Revised DEIR pg. S-20.) Yet, rather than modify the proposed land use plan or introduce substantive mitigation that would truly reduce greenhouse gas (“GHG”) emissions, the Revised DEIR merely cobbles together a few feeble policy changes and then proceeds to assert that global climate change impacts would now be less than significant.

One of the many flaws in the Revised DEIR’s analysis is that, like the original DEIR, it uses AB32’s 2020 timeframe as its significance threshold (Revised DEIR pg.2.17-12). Buildout of the General Plan, however, is identified as “as far out as 2050.” (*Id.* pg. 2.17-13). The California Attorney General commented on this issue: “...the DEIR estimates projected greenhouse gas emissions only through 2020, rather than for the time period the General Plan is

meant to cover, through 2030 as required by CEQA” (Comment S1-3). AB32 requires achieving 1990 levels by 2020, but also requires achieving 80% below 1990 levels by 2050. Because the GPU horizon date is 2050, the DEIR is required to *analyze* 2050 GHG emissions; it cannot simply ignore Project-related GHG emissions between 2020 and 2050. The EIR must be revised to provide this analysis.

Tellingly, the County has made no attempt to justify what changed between DEIR iterations to render the proposed project suddenly compliant with AB32, ensuring that the potential effects of global climate change would be less than significant. Notably, the Revised DEIR introduces only *one* new General Plan policy and *one* new mitigation measure calling for recycling of building materials. Thus, Policy COS-10.7 calls for encouraging the installation and operation of construction and demolition debris recycling facilities as an accessory use at permitted (or otherwise authorized) mining facilities to increase the supply of available mineral resources (EIR at 2.17-29); and Mitigation Measure CC-1.19 calls for revising the Zoning Ordinance to facilitate recycling salvaged concrete, asphalt, and rock. *Id.* at 2-17-33. Yet, this policy and measure -- like the other GHG-related mitigation measures and policies -- are vague, voluntary and therefore unenforceable. In addition, because the neither the DEIR nor the Revised DEIR makes any attempt to quantify the GHG emission reductions associated with any of the policies and measures, the documents lack the necessary evidentiary support that climate change impacts would be less than significant. Clearly, the Revised DEIR’s newfound conclusion that the proposed GPU would not result in significant global climate change impacts is not credible .

B. A City-Centered Alternative Is Reasonable and Feasible.

1. An Alternative Development Scenario Exists for San Diego County.

In their comments on the DEIR, SOFAR and the Attorney General of California urged the County to consider a city-centered alternative in order to meet future growth needs while substantially reducing environmental impacts associated with the Referral Map Alternative. Since the submission of the SOFAR comment letter, CNFF retained GreenInfo Network to explore the feasibility of locating a significant portion of the County’s planned residential development within the County’s 18 cities. This report, entitled *An Alternative Development Scenario for San Diego County* (“Infill Scenario Study”), is attached as Exhibit 2. The Infill Scenario analyzes the infill development potential that currently exists within the incorporated cities of San Diego County, and demonstrates that San Diego County can more than meet its need for new housing over the next several decades by concentrating development in existing cities.

In preparing the Infill Scenario Study, GreenInfo Network relied on SANDAG data to determine that, there is ample development capacity to accommodate approximately 400,000

new homes in the incorporated cities of San Diego County. *Id.* SANDAG recently determined, in its SANDAG Employment and Residential Land Inventory, that the region will require 230,000 new housing units in San Diego County by 2030. Using that figure as a starting point, the Infill Scenario Study concluded that, based on the incorporated cities' existing General Plan and zoning, all of the region's projected housing needs for 2030 could take place as infill development (within the incorporated cities of San Diego). Moreover, the cities would still have 170,000 additional units available for development beyond 2030.

There are some critical technical differences between the Infill Scenario Study and the County's Referral Map Alternative. Overall, the Infill Scenario calls for 10% growth in dwelling units (DUs) (from 2008 values) in Community Planning Areas (CPAs) east of the County Water Authority (CWA) boundary and 20% growth in CPAs within the CWA boundary.¹

In striking contrast, the Referral Map would allow enormous growth east of the County Water Authority Boundary, i.e., in very rural County communities that do not have infrastructure to support high population densities. Specifically, the Referral Map would result in a staggering 68% increase in DUs overall in communities east of the CWA.² Yet in these communities, like Borrego Springs, there are serious groundwater overdraft conditions that would be exacerbated by new development. Given these conditions and many other dwindling natural resources in the area, limiting backcountry growth as outlined in the Infill Scenario is imperative.

2. The Infill Scenario Alternative Is Feasible.

Despite recommendations from SOFAR and the Attorney General of California, the County did not evaluate a city-centered alternative in the EIR. Instead, the County states that such an alternative is not reasonable or feasible. The County's position is without basis in fact or law.

First, the County asserts that it cannot direct its share of growth to the incorporated cities because SANDAG forecasts indicate that there is no residual capacity for growth in any of the cities. This claim is simply not accurate. As noted above, the Infill Scenario Study demonstrates that, there is ample vacant land within the incorporated cities. Again, GreenInfo Network relied on SANDAG's own data to conclude that, by 2030 the incorporated cities could accommodate

¹ There are various exceptions to this, because the Referral Map Alternative calls for reasonable growth projections within the CPAs of County Islands, Lakeside, Pendleton-De Luz, San Dieguito, Spring Valley, Sweetwater, and Valle de Oro. As such, the Infill Scenario and the Referral Map Alternative call for roughly the same amount of population and DU growth within these CPAs.

² The range for this is high though as growth in rural CPAs ranges from 29% to over 350% (in the Desert CPA).

approximately 47,000 units from the County, without *any* general plan zoning changes -- and still have 170,000 additional units available for development beyond 2030.

Second, the County asserts that because it is not an urban jurisdiction, urban planning that focuses on transit, high density, and employment sectors is not applicable to most areas of the County. Yet, this assertion flies in the face of the GPU's own stated goals and objectives. The GPU objectives actually embody many urban planning principles, such as connecting development with infrastructure, services, and jobs; providing multi-modal transportation networks; and balancing housing, employment, and recreational opportunities. In addition, although the County itself may not be an urban jurisdiction, as detailed below, the County is *legally required* to coordinate with other jurisdictions (cities) when creating general planning documents.

Finally, the County argues that an infill alternative is infeasible because the County has no land use jurisdiction over the incorporated cities. Again, the claim is unfounded. . As a preliminary matter, state law actually *requires* that the County consider land outside its jurisdiction as part of the GPU: *See* Gov't Code § 65300 (West 2010) (cited by *Goleta v. Board of Supervisors*, 52 Cal. 3d 553, 570 (1990)). More importantly, courts have held that CEQA requires agencies to assess reasonable alternatives even if they happen to be located beyond the agency's jurisdictional boundaries. *See Save Round Valley*, 157 Cal. App. 4th at 1458 (2007). For example, the court in *Placer Ranch Partners v. County of Placer*, 91 Cal. App. 4th 1336, 1339-40 (2001), upheld the County of Placer's General Plan Update where the County analyzed and adopted a city-centered growth alternative.

Thus, the fact that the implementation of a city-centered growth alternative would entail development in the incorporated cities, or require action by other jurisdictions, does not render the alternative infeasible. *See Goleta*, 52 Cal. 3d at 576 n.7 (holding that "jurisdictional borders are simply a factor to be taken into account and do not establish an ironclad limit on the scope of reasonable alternatives."). Rather, a city-centered alternative is consistent with CEQA Guidelines section 15126.6 (f)(1), which calls for EIRs to consider the regional impacts of regional projects. In this case, the alternative also promotes CEQA's core principle "that public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant effects thereof." Pub. Res. Code § 21002.

3. A City-Centered Alternative Would Minimize the Referral Map's Significant Environmental Impacts.

SOFAR and the Attorney General's letters on the GPU strongly encouraged the County to consider a city-centered alternative, because it would greatly reduce the twenty two significant and unavoidable impacts associated with the proposed project (i.e., the Referral Map

Alternative). The County's response to these comments was off-base, relying on a plan-to-plan comparison between the current General Plan and the GPU, rather than acknowledging the fact that the GPU will cause many significant impacts when compared to existing conditions. For example, SOFAR comment 14-5 stated that "the GPU will create long term environmental damage, affecting residents and future generations throughout the region." In response, the County asserts, "when compared to the existing General Plan, the proposed project substantially reduces sprawl and potential environmental impacts." See FEIR response to comment O14-5

It is especially ironic that the GPU DEIR conducted a plan-to-plan analysis when the DEIR itself noted that it must analyze impacts "from the ground" and claimed "[t]his EIR addresses the plan to ground environmental impacts of the General Plan Update in the Central Mountain Subregion (and all other CPAs and Subregions) and therefore satisfies the requirement of the Central Mountain GPA 91-02 lawsuit" (DEIR pg.1.8.4). The County's response to SOFAR regarding GPU impacts compared to the existing General Plan is not only illogical, but it also reflects a misunderstanding of CEQA, which requires that the significance of impacts be measured against a baseline of existing conditions, not future conditions. 14 Cal Code Regs § 15125 (a); see also, *Woodward Park Homeowners Ass'n v. City of Fresno*, 150 Cal App 4th 683, 707 (2007) (EIR must "compare what will happen if the project is built with what will happen if the site is left alone."). The fact that the existing General Plan may call for more development than the proposed Plan is irrelevant to the analysis of whether the proposed Plan will have a significant or cumulatively significant impact on the environment. When compared to existing conditions, the proposed GPU will result in sprawl development, significant increases in VMT (and CO₂ emissions), significantly increase population growth, and generate long-term environmental damage.

As the GPU EIR confirms, the implementation of the Referral Map Alternative would result in sprawling development in the County's back country: "...approximately 90 percent of the private lands would be designated as semi-rural and rural densities..." (Comment O 14-11). At the same time, the County clearly acknowledges that, "a city-centered alternative would promote smart growth concepts and potentially reduce VMT" (Comment O 14-15). By directing growth away from San Diego's back country and toward urban areas or cities, a smart growth alternative, such as the Infill Scenario, would greatly reduce the environmental effects associated with the low density, sprawling rural development that would accompany implementation of the County's proposed Plan. In the sections below, we explain those adverse effects in detail.

(a) Land Use Impacts.

The GPU's plan for sprawl development would exacerbate a similar problem throughout the nation. Land in the United States is being consumed for development at a rate almost three times faster than population growth. See Urban Land Institute, *Growing Cooler: The Evidence on Urban Development and Climate Change*, p. 3 ("ULI Study, 'Growing Cooler'"), excerpts

attached as Exhibit 3. Low density rural home development, such as that proposed by the draft GPU, is a major part of the problem as it has been the fastest growing form of land use in the United States for the last sixty years. *See* United States Department of Agriculture – Economic Research Service, Rural Residential Land Use: Tracking Its Growth, August 2002 (“USDA Report”), attached as Exhibit 4; Hansen et al, Effects of Exurban Development on Biodiversity: Patterns, Mechanisms, and Research Needs, December 2005, attached as Exhibit 5. Land long used for forestry, ranching and agriculture is being converted to small “ranchettes” and rural subdivisions. This phenomenon, often referred to as “exurban development,” occurs distant from cities as people relocate to rural areas that are attractive in scenery, climate, outdoor recreation and other “natural amenities.” *Id.*

One factor in the increase in exurban development is that it is generally land-extensive compared with the land-intensive residential use in urban areas. *Id.* Rural residential lots, while fewer in number than urban lots, tend to be larger, averaging nearly three acres per household, compared with less than a half-acre per household in urban residential areas. *Id.* While the amount of residential land in the largest lot-size category, both urban and rural, is far greater than the amount in other categories, the corresponding number of household units in that category is relatively small. In urban areas in 1997, just 1 million households occupied 12 million acres of urban residential land in the largest lot size. *Id.* In contrast, in the smallest lot size, less than 1/8 acre, 38 million households accounted for only 3 million acres. *Id.* In rural areas this pattern also holds. Less than 3 million households accounted for 44 million acres in the largest lot-size category, while 5 million households resided on only 300,000 acres in the smallest lot-size category. *Id.*

Focusing development in the County’s urbanized areas or cities and developing in a compact manner would reduce such unnecessary land consumption and allow for the preservation of the back country’s environmentally sensitive land. A land use plan such as that described in the Infill Scenario Alternative would reduce the waste of natural resources including energy and water, as well as the impacts of development on air and water quality.

(b) Public Utility and Service Impacts.

Many people think that sprawl, such as that proposed by the GPU, is an inevitable result of an economic system that demands lower costs and efficiency. This is a myth. In fact, sprawl development costs more than careful planning and development. According to the Coalition for Smarter Growth, sprawl is cheaper for developers than careful planning because developers can pass much of the cost on to taxpayers. *See* Coalition for Smarter Growth, “Sprawl Costs Us All,” attached as Exhibit 6. Yet, the real cost of sprawl development is dispersed through a range of other costs that citizens, consumers, and municipalities have to pay. According to the County itself, public service costs associated with residential development for low-density semi-rural development (e.g., roads, sewer, water, schools, parks) are 74% greater than public service costs

of high-density development. *See* San Diego County Draft General Plan, Chapter 2 Vision and Guiding Principles, pg. 2-15

Low density residential development is a burden on local governments because it forces these jurisdictions to provide new infrastructure to serve a dispersed population. Such infrastructure includes schools, roads, bridges, police and fire service, flood control and storm drains, water and sewer facilities, and social services such as health care and library service. In a time of government fiscal crisis, such as that plaguing state and local governments today, important public services get scaled back or cut altogether.

In contrast, compact urban development such as that proposed by the Infill Scenario clusters new homes together so that services can be provided efficiently. *Id.* Public infrastructure costs associated with infill development are considerably lower than those at greenfield sites. because almost all of the necessary infrastructure already exists, is under-used, and can absorb additional demand. *See* Hagler Bailley Services (prepared for U.S. EPA), The Transportation and Environmental Impacts of Infill versus Greenfield Development: A Comparative Case Study Analysis, October 1999 (“USEPA/Hagler Bailley Study”), attached as Exhibit 7. A study conducted by Todd Litman determined that the costs of rural sprawl are about 60 % more than denser urban development. *See* Victoria Transport Policy Institute, “Understanding Smart Growth Savings” July 6, 2010, attached as Exhibit 8 at p. 3.

(c) Transportation and Travel Impacts.

Residents of remote, low-density communities, such as those in San Diego’s back country, are required to drive practically everywhere. Families living in these locations need multiple cars in order to accomplish daily tasks, and in the process they tally numerous miles on rural roads. The County confirmed this fact when it stated the following with regards to the GPU, “...the existing communities in the unincorporated County are already ‘commuter communities’ and are expected to continue to rely on the automobile as their primary form of transportation.” (County Comment S1-8).

Accordingly, whether trips to town are for school, errands or pleasure, the number of vehicle miles increases. In addition, as more people move to the urban and suburban fringe, they inevitably move further from their jobs, which leads to more congestion on the roads as their commute lengthens. *See* Sierra Business Council, Costs of Rural Residential Development, April 2008, attached as Exhibit 9. Traffic congestion on rural-two lane roads often forces widened roads and the construction of new arterial highways. *Id.*

Infill development such as that encouraged by the Infill Scenario, on the other hand, can dramatically reduce such vehicle dependency. Well-designed infill puts people into walkable,

transit-oriented environments where they don't have to drive as much as if they were living or working on the rural or suburban fringe. *See* Greenbelt Alliance, Smart Infill, Spring 2002, at p. 11, excerpts attached as Exhibit 10. The U.S. Environmental Protection Agency (EPA) modeled the transportation and environmental impacts of locating the same development on two sites—one infill, and one suburban edge/greenfield—and compared the results. *See* Exhibit 7, USEPA/Hagler Bailley Study. The modeling predicted that the infill site would out-perform the greenfield site in six important dimensions:

- Average trip distance: generally shorter with the infill site.
- Per capita vehicle miles traveled: generally fewer with the infill site.
- Travel time: generally shorter with the infill site.
- Public infrastructure and household travel costs: lower with the infill site.
- Environmental impacts, including emissions: smaller with the infill site.
- Multi-modal orientation and access to community amenities and transportation choices: greater at the infill site.

The EPA study concluded that infill *can* produce important transportation, environmental, and public infrastructure cost benefits. *Id.* A reduction in travel times would be extremely beneficial in the San Diego region, which has become infamous for traffic congestion. For example, a survey conducted in 2004 by the City of San Diego found that **89%** of responders felt it was either very important or somewhat important to reduce traffic congestion. *See* The San Diego Union Tribune: "Residents polled on growth in San Diego," August 29, 2004, attached as Exhibit 11. The severity of traffic congestion can be estimated by total delay, which measures the total difference between actual travel time and the amount of time it would take to travel at free-flow speeds. In other words, this measure can estimate the amount of time people spend in their cars due to traffic congestion. The Texas Transportation Institute estimated that in 2007 the total delay time for San Diego urban area was approximately 85 million hours. *See* Texas Transportation Institute: San Diego Traffic Summary, attached as Exhibit 12. Such time spent behind the wheel in traffic reduces quality of life, and threatens the ability for San Diego to succeed as a community in the future. Of course, as discussed below, vehicle dependence and long commutes also result in tremendous increases in air pollution and greenhouse gas emissions.

(d) Quality of Life and Livability Impacts.

The fact that residents of San Diego's back country and other outlying communities must drive everywhere has become an ever increasing burden. For 60 years, homes have been built even farther from workplaces, schools have been located farther from the neighborhoods they serve, and other destinations – such as shopping – have become increasingly removed from work and home. *See* Exhibit 3, ULI Study "Growing Cooler", p. 2. From World War II until very

recently, nearly all new development has been planned and built on the assumption that people will use their cars every time they travel. As a larger and larger share of our built environment has become automobile-dependent, car trips and distances have increased while walking and public transit use have declined. *Id.* The resulting traffic congestion takes time away from the important activities in life, such as spending time with family or friends. According to the Urban Land Institute, the average automobile commute times in metropolitan areas have risen steadily over the decades, and many Americans now spend more time commuting than they do vacationing. *Id.* Families spend more money on cars, fuel, and maintenance and less time together.

Instead of caring for and reusing our urban land in San Diego's cities, developers have literally moved on to greener pastures. Meanwhile, as sprawl development draws people to the urban fringe, many cities and suburbs are languishing, with declining tax bases and little new investment. *See* *New Community Design to the Rescue: Fulfilling Another American Dream*, Joel S. Hirschhorn and Paul Souza, 2001, excerpts attached as Exhibit 13. But infill development, such as that encouraged by the Infill Scenario, can help create vibrant communities with a diverse mixture of land uses, well-connected street patterns and much-needed community amenities such as parks, childcare centers, shops, cafes, restaurants, schools, and walkable public spaces. *Id.* By increasing the number of people walking or bicycling along neighborhood streets, infill also improves public safety.

(e) Climate Change Impacts.

As the County residents and workers have become more automobile-dependent and travel longer distances to commute between home, work, school and shopping, there has been a corresponding increase in air pollution and emissions that lead to climate change. In fact, expansive development and the travel associated with it, have caused carbon dioxide (CO₂) emissions to rise even as it has reduced the amount of forest land available to absorb these CO₂ emissions. *See* Exhibit 3, ULI Study "Growing Cooler," p. 3.

CO₂ emissions will continue to rise despite technological advances, because the increase in driving is projected to overwhelm planned improvements in vehicle efficiency. *Id.* Recognizing the unsustainable growth in driving, the American Association of State Highway and Transportation Officials, representing state departments of transportation, is urging that the growth of vehicle miles traveled driven be cut in half. *Id.* Slowing the growth of vehicle miles traveled, especially when many regions including San Diego are facing substantial increases in population, is a daunting task. However, research shows that much of the rise in vehicle emissions can be curbed simply by managing land use in a way that makes it easier for people to drive less. *Id.* According to the Urban Land Institute, studies show that people living in places with twice the density, diversity of uses, accessible destinations, and interconnected streets drive about a third less than otherwise comparable residents of low-density sprawl. *Id.*

Better community planning and more compact development help people live within walking or bicycling distance of some of the destinations they need to get to every day—work, shops, schools, and parks, as well as transit stops. If they choose to use a car, trips are short. Rather than building single-use subdivisions or office parks, cities and other urban communities can plan mixed-use developments that put housing within reach of these other destinations. The street network can be designed to interconnect, rather than end in cul-de-sacs and funnel traffic onto overused arterial roads. Individual streets can be designed to be “complete,” with safe and convenient places to walk, bicycle, and wait for the bus. Finally, by building more homes as condominiums, townhouses, or detached houses on smaller lots, and by building offices, stores and other destinations “up” rather than “out,” cities and urban communities can shorten distances between destinations. This makes neighborhood stores more economically viable, allows more frequent and convenient transit service, and helps shorten car trips. *Id.* The Infill Scenario, which promotes such compact development, would significantly reduce the vehicle miles traveled that otherwise would result from the County’s proposed Plan, and thus would avoid or minimize its impact on climate change.

(f) Loss of Habitat and Biodiversity Impacts.

Under the County’s proposed Plan, development would spread farther into the County’s wild lands – which scientists refer to as the “urban/rural interface” – and wildlife habitat would necessarily become fragmented. It is this sort of fragmentation that is leading several scientists and wildlife preservation organizations to target sprawl as the key indicator of species loss. *See* Smart Growth America, attached as Exhibit 14.

A common misperception is that homes scattered at low densities have little influence on biodiversity, while dense subdivisions have large effects. Yet, there are a number of indirect effects of exurban development on biodiversity as human settlement progresses. It is now understood that the conversion of native habitat to roads, yards, and structures tends to fragment the landscape. *See* Natural Resources Defense Council, “Unwelcome (Human) Neighbors – The Impacts of Sprawl on Wildlife,” August 1999, attached as Exhibit 15. Decreasing the abundance of natural habitats results in decreased wildlife species, putting the survival and reproduction of plants and animals at risk. *Id.* In addition, as humans attempt to exclude fires from urbanizing landscapes, native landscapes are cleared around home sites and other structures. Fire exclusion also leads to an increase in non-native plant encroachment, which in turn can lead to decreases in sensitive wildlife as their prime habitats are destroyed. In addition, the presence of humans and their pets around home sites can directly impair biodiversity since pets may displace, injure, or kill wildlife. For example, pet cats are responsible for the deaths of millions of birds in the United States every year and pet dogs also act as predators in many ecosystems. Another direct consequence of exurban residential growth has been an increase in vehicle miles traveled, escalating the potential for roadkill. Roadkill has affected the demographics and migrations of

birds, snakes, invertebrates, and amphibians. All of these impacts would be avoided or minimized by the adoption of a city-centered alternative, such as the Infill Scenario.

(g) Impacts Relating to the Conversion of Agricultural Lands.

San Diego agriculture is a billion-dollar industry, ranking 10th in the nation for the value of agricultural products sold. *See* San Diego, Not Your Average Farm, attached as Exhibit 16. Of the 6,565 farms in the County, 4,298 of them, or 65%, are nine or fewer acres. Ninety percent are 49 or fewer acres. *Id.* The County ranks number 1 in the nation for value of floricultural, nursery, greenhouse and sod products and in the production of avocados and mushrooms. It also ranks within the top twenty in the nation for strawberries, grapefruit, oranges, and fruits, nuts and berries. *Id.*

Agricultural tourism is also big business in San Diego County, ranking second and forth respectively as the County's largest industries. *See* Lobo, R. and Wallace, D. Agritourism Benefits Agriculture in San Diego County, reprinted with permission, California Agriculture, November-December 1999, attached as Exhibit 17. Current trends in the tourist industry show increasing demand for experiential, hands-on, nonconventional tourism activities. This trend has extended into the agricultural sector because the appeal for agricultural and farm-based tourism attractions is also increasing. The increase in local tourism and agricultural industries may result in agritourism becoming an important segment of San Diego County's tourism product mix.

Unfortunately, the conversion of farmland into rural residential development is a widespread phenomenon, and San Diego County is losing its farmland at an alarming rate. According to the State Department of Conservation, the net loss of farm and grazing land was more than 34,000 acres between 1990-2002. *See* Department of Conservation, San Diego County Loses Farmland, July 2004, attached as Exhibit 18. Nearly 14,000 of those acres were considered Unique Farmland (a United State Department of Agriculture designation) due to their suitability for specialty crops such as citrus and avocados. *Id.* Finally, it is important to note that when development spreads to rural areas, the price of farmland is often driven above its economic value for farm use. *See* Exhibit 4, USDA Report.

To make matters worse, the very successful State program known as the Williamson Act which offsets the high property tax rates on farm land by contracting with owners to preserve land in trade for property tax relief is being arbitrarily cut back by eliminating all agricultural preserve lands not under existing contract.

Sad to say, the County of San Diego has had a long history of creating policies and taking actions that would jeopardize the status of the County's Agricultural Preserves, thereby freeing up this land for development (See exhibit 29, p 8). Under its currently proposed General Plan

Update (GPU), the County plans to completely remove development restrictions from the majority of agricultural preserve lands that do not have Williamson Act Contracts:

“Implementation of the proposed General Plan Update would remove parcels from adopted Agricultural Preserves for most of the land that is not currently under a Williamson Act Contract. Additionally, implementation of the General Plan Update would remove the County Zoning Ordinance “A” Special Area Regulation Designator in all Agricultural Preserves not currently under a Williamson Act Contract.”

According to the Draft Environmental Impact Report for the General Plan Update, the aforementioned actions planned by the County would impact approximately **321,590 acres** of Agricultural Preserve land, which represents almost **80%** of all lands currently so designated that are not under Williamson Act Contract. The County has produced a “Fact Sheet” regarding this action, which fails to give any meaningful justification for removing protections from the Agricultural Preserves. Instead, the document simply states that some of the lands with Preserve status are not used for agricultural purposes (See exhibit 29, p 8). Of course, this argument completely ignores the fact that Board Policy I-38 is unequivocally intended to establish Agricultural Preserves to benefit the public at large AND that the Policy expressly dictates uses within the Preserves be limited not only to agricultural, but also open space and recreation.

The function of Agricultural Preserves was addressed in 2001 by then California Attorney General Bill Lockyer, who stated: “...these (Agricultural Preserve) lands provide habitat for a wide array of sensitive, rare, threatened, or endangered species of plants and animals and play a critical role in maintaining the biodiversity of southwestern California; as a result they represent a natural resource of regional, and even statewide, significance.” (See exhibit 29, p 10)

Furthermore, the Williamson Act notes:

“the preservation of a maximum amount of the limited supply of agricultural land is necessary to the conservation of the state’s economic resources, and is necessary not only to the maintenance of the agricultural economy of the state, but also for the assurance of adequate, healthful and necessary food for future residents of this state and nation.” (See exhibit 29, p 11)

A casual look at the location of the Agricultural Preserves in relation to the current boundary of the Cleveland National Forest shows that the Preserves provide essential connections to the so-called “islandized” portions of the Forest, without which Cleveland National Forest lands would be fatally fragmented. As a matter of fact, Forest officials and conservation biologists have described the system of meadowlands stretching across San Diego’s mountain ranges as the “biological heart” of the Forest. It is simply inconceivable to envision a

plan that lays the groundwork for development of even a part of these meadowlands that would not destroy the integrity of the Forest as a whole. (See exhibit 29, p 11)

It is said that the current General Plan would subject our backcountry to “death by a thousand cuts,” and therefore, the new GPU is an improvement over the old Plan. The problem is, however, by eliminating the agricultural preserves, implementing the policy of conservation subdivision and taking the unprecedented stand that the Forest Conservation Initiative lands will return to their former small lot zoning, our backcountry will die by a hundred daggers.

Unfortunately, the County’s Plan will only exacerbate the ongoing conversion of agricultural lands. The County’s EIR must include a city-centered alternative, such as the Infill Scenario, that would preserve these lands for future generations.

(h) Water Quality and Supply Impacts.

Where and how communities accommodate growth has a profound impact on the quality of streams, rivers, lakes, and beaches. According to the U.S. EPA, low density, decentralized development, such as that encouraged by the County’s proposed Plan, affects downstream watershed processes, including stormwater runoff regimes and water quality and availability. *See* U.S. EPA, Protecting Water Resources with Higher-Density Development, attached as Exhibit 19. By contrast, development that uses land efficiently and protects undisturbed natural lands allows a community to grow and still protect its water resources. To accommodate the same number of houses, denser developments consume less land than lower density developments do. Consuming less land means creating less impervious cover in the watershed. *Id.*

Increasing development densities, as the Infill Scenario would encourage, is one strategy communities can use to minimize regional water quality impacts. The EPA study concluded that:

- Higher-density scenarios generate less stormwater runoff per house at all scales—one acre, lot, and watershed—and time series build-out examples;
- For the same amount of development, higher-density development produces less runoff and less impervious cover than low-density development; and
- For a given amount of growth, lower-density development impacts more of the watershed.

Remote, decentralized development also affects the costs of water infrastructure, demand for water, and the efficiency of water delivery. Large lots, low density, and dispersed development can all increase the cost of delivering water. Homes on large lots and commercial facilities often consume large quantities of water for lawns and landscaping. Low-density,

dispersed development also requires longer pipes, which lose more water through leakage and raise transmission costs. *See* U.S. EPA, Growing Toward More Efficient Water Use: Linking Development, Infrastructure, and Drinking Water Policies, December 2009, excerpts attached as Exhibit 20. The County must consider a city-centered alternative to avoid or minimize these impacts.

C. Trends Towards Infill Development Further Confirm the Feasibility of the Infill Scenario Alternative.

In 1900, about 13 percent of the global population lived in or near cities. *See* Cherry, Nathan and Nagle, Kurt. Essential Elements of Sustainable Design, Planning, The Magazine of the American Planning Association, March 2010, p. 25, attached as Exhibit 21. By 2050, that number is projected to rise to 70 percent. *Id.* Americans, in general, are beginning to embrace the concept of “smart growth.” According to Urban Planner Reid Ewing, roughly half of all Americans are now receptive to living in compact, mixed use neighborhoods. *Id.*

Finding transit-oriented developments and new urbanist neighborhoods going up in many cities in the country, the Urban Land Institute sees such infill, compact development as a growing trend:

Next-generation projects will orient to infill, urbanizing suburbs, and transit-oriented development. Smaller housing units-close to mass transit, work, and 24-hour amenities-gain favor over large houses on big lots at the suburban edge. People will continue to seek greater convenience and want to reduce energy expenses. Shorter commutes and smaller heating bills make up for higher infill real estate costs.

Road congestion, higher energy costs, and climate change concerns combine to alter people's thinking about where they decide to live and work. 'It's a fundamental shift.' The lifestyle cost-of-living equation starts to swing away more dramatically from bigger houses on bigger lots at the suburban edge to greater convenience and efficiencies gained from infill housing closer to work. These homes may be more expensive on a price-per-pound basis, but reduced driving costs and lower heating/cooling bills provide offsets . . . 'near-in suburbs will do well especially if they link to business cores by mass transportation.' Empty nesters and later-marrying boomers continue to flock to cities and urbanizing suburban areas. For aging baby boomers, infill apartment or townhouse living means less upkeep and proximity to cultural and entertainment attractions.

See Urban Land Institute, *Emerging Trends in Real Estate*, 2010, excerpts attached as Exhibit 22.

Several cities in San Diego County are heading in the direction of compact development. The City of San Diego, National City, Santee, Oceanside, Vista, Chula Vista, and others are increasing land use densities, revitalizing older town centers, and replacing strip shopping centers. As National City Mayor Ron Morrison states, “[i]f you look back 10 years ago, the only kind of housing anyone wanted to talk about was single-family housing, and you had to bulldoze brush and keep sprawling outward. But we’re getting to the point where we’ll overreach the transportation capacity, so the idea of putting more houses in Ramona just isn’t feasible.” He pointed out that National City has chosen to aggressively redevelop its downtown area, allowing for as many as 10,000 additional housing units free of height restrictions. Anticipating more housing, Morrison said National City has beefed up infrastructure, and is putting in pocket parks, improving its streets and sidewalks, and adding a new library and police station.

Other communities are following suit, choosing to amend their General Plans to intensify land uses and focus on increasing infill development. For example:

On March 10, 2010 the Santee City Council voted to accept amendments to the City of Santee General Plan and the City of Santee Town Center Specific Plan. These amendments would add a new Land Use Designation to the General Plan (R-30), which allows for increased density up to 30 DU/acre with a 4-story maximum height limit. In addition, Santee amended its General Plan to include a Mixed Use overlay that would allow for first floor commercial uses within parcels zoned at R-30. At the same time these amendments took place, the Santee City Council also voted to reclassify various areas of downtown Santee to R-30 with a Mixed Use overlay, thereby increasing density and allowing for mixed uses in various parts of the City, which are mostly located near transit stations/stops. *See* City of Santee Council Agenda, March 12, 2010, excerpts attached as Exhibit 23.

The City of San Diego adopted a General Plan Update on March 10, 2008, which is sometimes referred to as the “City of Villages” plan. This plan was based on New Urbanism principles, and has received several awards, including the American Planning Association’s National Planning Excellence Award of 2010, (*see* National Planning Awards, 2010, attached as Exhibit 24) and the Urban Land Institute’s Best of Decade Smart Growth Award, (*see* “ULI Salutes Smart Growth Downtown,” attached as Exhibit 25). According to a summary of this plan,

Implementation of the City of Villages growth strategy is dependent upon close coordination of land use and transportation planning. The strategy calls for redevelopment, infill, and new growth to be targeted into compact, mixed-use, and walkable villages that are connected to a regional

transit system. Villages should increase personal transportation choices and minimize transportation impacts through design that pays attention to the needs of people traveling by foot, bicycle, and transit, as well as the automobile. Focused development and density adjacent to transit stops that link where people live to where people work, shop, and recreate, helps make transit convenient for more people. It allows for a more cost-effective expansion of transit services.

See Draft General Plan at Executive Summary, pg. SF-3.

The City of Oceanside adopted the Coast Highway Vision and Strategic Plan on April 15, 2009. This Strategic Plan is intended to be "...a blueprint for the revitalization and enhancement of the Coast Highway corridor." One of the objectives of this plan is to "[p]romote environmentally and economically sustainable smart growth - transit, pedestrian, bicycle, multi-generational-friendly infill development." See City of Oceanside Coast Highway Vision and Strategic Plan website homepage, attached as Exhibit 26. The Plan also emphasizes development in the Oceanside Transit Center Node, describing the vision for this area as "mixed-use pedestrian-oriented development that becomes an extension of the downtown business area, providing opportunities for additional commerce, employment areas and supporting housing. For this area, the Plan targets a land use intensity of 25-43 dwelling units/acre (DU/ac) and 30-50+ employees per acre in accordance with SANDAG's thresholds for smart growth" (*Id.* pg. 34).

The City of Vista is in the process of completing the Vista General Plan Update 2030, which calls for extensive amounts of smart growth in the form of upzoning and redevelopment. Such smart growth includes the designation of several "Opportunity Areas" (OAs), which are defined as "[w]here targeted land use changes will occur in Vista, especially mixed-use and multi-family residential." See City of Vista General Plan Update website homepage, attached as Exhibit 27. To meet smart growth goals, Vista's General Plan Update proposes to redesignate all property within the Downtown OA to mixed-use and change zoning to 40 DU/acre.

Chula Vista adopted the Urban Core Specific Plan (UCSP) in April of 2007. The aim of this plan was to address the most urbanized areas of Chula Vista (the Urban Core), and reflect the fact that:

While much of the City's recent growth has occurred in large master planned communities developing on vacant land in the eastern portion of the City, demographic changes and other influences are bringing about population growth and renewed interest and need for revitalization and redevelopment in the older, developed western portion of the City" (UCSP at 1-1).

See Chula Vista Urban Core Specific Plan website homepage, attached as Exhibit 28.

The local development community in San Diego is also recognizing the changing real estate market and the shift in demand away from large, single family homes. For example, the Housing Strategy Work Group of the San Diego Regional Economic Development Corporation and the San Diego Regional Chamber of Commerce released a memo in April of 2010 that stated:

*Future growth will look different from the past: Land availability, as well as water, energy and environmental sustainability, will combine with state law (AB 32 and SB 375), to ensure that San Diego's next 230,000 housing units will not all look like those of the past. Sustainable development patterns built around transit-oriented, infill development will become more commonplace and serve to complement the 560,000 single-family dwellings that now dominate our region. *In-fill and redevelopment opportunities provide a compelling reason to reform land use planning and permitting processes designed for "green-field" development, which can now have the consequence of hindering "smart growth" projects.**

Communities pay a high cost for poorly planned, sprawling growth. Exurban development causes traffic congestion, air and water pollution, increased greenhouse gas emissions, loss of sensitive habitats, farm land and open space, and increased demand for costly public utilities and services. Vast acreages of land will continue to be rapidly consumed if the majority of future development continues to follow the current model of building large, single-family detached homes far from major urban areas. However, emerging trends, driven by the economic downturn, the climate change crisis, retiring baby boomers and surges in immigration, are creating a new demand for urban places. "Smart growth" provides a convenient mixture of homes, offices and stores in each community and provides people with the choice of walking, biking or taking transit to their destination.

As the Infill Scenario Study shows, there is more than ample vacant land within existing cities to accommodate the County's planned growth through at least 2030. Because the Infill Scenario would avoid or reduce significant environmental impacts posed by the GPU, the County must include it – or a similar city-centered alternative -- in its EIR. The fact that several of the incorporated cities are already implementing smart growth scenarios demonstrates that such an alternative is feasible in the San Diego region.

II. Conclusion.

For the foregoing reasons, SOFAR and CNFF respectfully request the County defer any consideration of the proposed General Plan Update until such time as the County evaluates a city-centered/infill alternative in the EIR for the project. Ample evidence exists that such an alternative is feasible and would greatly reduce the myriad significant and unavoidable impacts associated with the proposed Plan.

Sincerely,

Duncan McFetridge
Save Our Forest and Ranchlands
Cleveland National Forest Foundation

cc: Brian Hembacher, Deputy Attorney General (w/o exhibits)
Sarah E. Morrison, Deputy Attorney General (w/o exhibits)
Rachel B. Hooper, Shute, Mihaly & Weinberger LLP (w/o exhibits)
Laurel L. Impett, AICP, Urban Planner,
Shute, Mihaly & Weinberger LLP (w/o exhibits)

List of Exhibits

- Exhibit 1: General Plan Update Land Use Alternatives Population Summary
- Exhibit 2: *An Alternative Development Scenario for San Diego County*
- Exhibit 3: Urban Land Institute, Growing Cooler: The Evidence on Urban Development and Climate Change (excerpts)

- Exhibit 4: United States Department of Agriculture – Economic Research Service, Rural Residential Land Use: Tracking Its Growth, August 2002
- Exhibit 5: Hansen et al, Effects of Exurban Development on Biodiversity: Patterns, Mechanisms, and Research Needs, December 2005
- Exhibit 6: Coalition for Smarter Growth, “Sprawl Costs Us All”
<http://www.smartergrowth.net/issues/landuse/sprawl/costofsprawl.htm>
- Exhibit 7: Hagler Bailley Services (prepared for U.S. EPA), The Transportation and Environmental Impacts of Infill versus Greenfield Development: A Comparative Case Study Analysis, October 1999
- Exhibit 8: Victoria Transport Policy Institute, “Understanding Smart Growth Savings”
July 6, 2010
- Exhibit 9: Sierra Business Council, Costs of Rural Residential Development, April 2008
- Exhibit 10: Greenbelt Alliance, Smart Infill, Spring 2002 (excerpt)
- Exhibit 11: The San Diego Union Tribune: “Residents polled on growth in San Diego,”
August 29, 2004
http://www.sandiego.gov/environmental-services/sustainable/pdf/ut_8_29_04.pdf
- Exhibit 12: Texas Transportation Institute: San Diego Traffic Summary
http://mobility.tamu.edu/ums/congestion_data/tables/san_diego.pdf
- Exhibit 13: New Community Design to the Rescue: Fulfilling Another American Dream, Joel S. Hirschhorn and Paul Souza, 2001 (excerpt)
- Exhibit 14: Smart Growth America
<http://www.smartgrowthamerica.org/environment.html>
- Exhibit 15: Natural Resources Defense Council, “Unwelcome (Human) Neighbors – The Impacts of Sprawl on Wildlife,” August 1999.
<http://www.nrdc.org/cities/smartgrowth/pwild.asp>
- Exhibit 16: San Diego, Not Your Average Farm

- Exhibit 17: *See* Lobo, R. and Wallace, D. Agritourism Benefits Agriculture in San Diego County, reprinted with permission, California Agriculture, November-December 1999
- Exhibit 18: Department of Conservation, San Diego County Loses Farmland, July 2004
- Exhibit 19: U.S. EPA, Protecting Water Resources with Higher-Density Development
- Exhibit 20: U.S. EPA, Growing Toward More Efficient Water Use: Linking Development, Infrastructure, and Drinking Water Policies, December 2009 (excerpt)
- Exhibit 21: Cherry, Nathan and Nagle, Kurt. Essential Elements of Sustainable Design, Planning, The Magazine of the American Planning Association, March 2010
- Exhibit 22: Urban Land Institute, Emerging Trends in Real Estate, 2010 (excerpt)
<http://www.uli.org/ResearchAndPublications/EmergingTrends/Americas.aspx>
- Exhibit 23: City of Santee Council Agenda, March 12, 2010 (excerpt)
- Exhibit 24: National Planning Awards, 2010
<http://www.planning.org/awards/2010/>
- Exhibit 25: Urban Land Institute's Best of Decade Smart Growth Award
<http://www.signonsandiego.com/news/2010/may/23/urban-land-institute-salutes-smart-growth-downtown/>
- Exhibit 26: City of Oceanside Coast Highway Vision and Strategic Plan website homepage
<http://www.ci.oceanside.ca.us/chv/>
- Exhibit 27: City of Vista General Plan Update website homepage
<http://www.cityofvista.com/departments/communitydev/GeneralPlanUpdate2030.cfm>
- Exhibit 28: Chula Vista Urban Core Specific Plan website homepage
http://www.ci.chula-vista.ca.us/city_services/development_services/planning_building/documents/1-4Cover-ExistingConditions6.08.07.pdf

Chair Slater-Price and Members of the
Board of Supervisors
October 15, 2010
Page 23

Exhibit 29: San Diego County General Plan Update: Saving Land by Developing It –
Contradiction or Plan?

http://sofar.org/pdf/CNFF_and_SOFAR_GPU_comments_for_planning_commission.pdf