

### List of Public Comments

	Date	Sender Name	Organization	Topic	Notes	Subject Line
1.	April 17, 2020	Jered Ede	Resident of Orange, CA	Connect SoCal	Request for 90-Day delay	Please Delay Voting on the RTP/SCS
2.	April 18, 2020	Juan Garcia	Resident of El Centro, CA	Connect SoCal	Request for 90-Day delay	Please Help Protect Our Economy and Health
3.	April 18, 2020	Ethan Jackson	Resident of Colton, CA	Connect SoCal	Request for 90-Day delay	Please Help Protect Our Economy and Health
4.	April 20, 2020	Carrie Tomseth	Resident of Temecula, CA	Connect SoCal	Request for 90-Day Delay	Please Help Protect Our Economy and Health
5.	April 20, 2020	Demetria Espinoza et al.	Safe Routes to School Partnership et al.	Connect SoCal (Letter)	Oppose adoption; request extension	Comments on Proposed Final Draft of Connect SoCal 2020-2045 Regional Transportation Plan and Sustainable Communities
6.	April 21, 2020	Hugh McMahon	Tejon Ranch Company	Connect SoCal (Letter)	TAZ Maps 20280100 and 20281100	Connect SoCal Final Plan and Proposed Land Use and Growth Forecast for Centennial Project Area (TAZ Maps 20280100 and 20281100)
7.	April 21, 2020	Sarah Scott	Resident of Fillmore, CA	Connect SoCal	Request for voting delay	Please Help Protect Our Economy and Health
8.	April 22, 2020	Jeff Montejano	Building Industry Association of Southern California	Connect SoCal/PEIR (Letter)	Request delay	Request for 90-Day Delay on Final Connect SoCal Vote
9.	April 23, 2020	DeAndre Valencia	Resident of Pomona, CA	Connect SoCal/PEIR	Request for 90-day pause	Urging a 90-day pause to the 'Connect SoCal' plan
10.	April 24, 2020	Roberto Arnold	Resident of Pomona, CA	Connect SoCal/PEIR	Request for 90-Day pause	Urging a 90-day pause to the 'Connect SoCal' plan
11.	April 24, 2020	Peter Herzog	Resident of Laguna Hills, CA	Connect SoCal/PEIR	Request for 90-day pause	Urging a 90-day pause to the 'Connect SoCal' plan
12.	April 24, 2020	Brissa Sotelo	Resident of Wilmington, CA	Connect SoCal/PEIR	Request for 90-day pause	Urging a 90-day pause to the 'Connect SoCal' plan

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13.	April 24, 2020	Dave Rittenhouse	Resident of Beverly Hills, CA	Connect SoCal/PEIR	Request for 90-day pause	Urging a 90-day pause to the 'Connect SoCal' plan
14.	April 24, 2020	Horace Heidt	Resident of Sherman Oaks, CA	Connect SoCal/PEIR	Request for 90-day pause	Urging a 90-day pause to the 'Connect SoCal' plan
15.	April 27, 2020	Tim Piasky	Building Industry Association of Southern California	Connect SoCal/PEIR	Request for delay	SCAG RTP/SCS Plan Urgent Request
16.	April 27, 2020	Richard Lambros et al.	Southern California Leadership Council et al.	Connect SoCal/PEIR (Letter)	Request for 90-day postponement	Request for Postponement of Scheduled Consideration of the Final "Connect SoCal" Plan (SCAG's 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy) and the Related Draft Program Environmental Impact Report (PEIR)
17.	April 27, 2020	Jerard Wright et al.	Los Angeles County Business Federation (BizFed)	Connect SoCal/PEIR (Letter)	Request for 90-Day Pause	Request 90-Day Pause - 'Connect SoCal'
18.	April 28, 2020	Stacy Berry	Orange County Council of Governments	Connect SoCal/PEIR (Letter)	Consistency between RHNA and Connect SoCal; request to delay from BIASC	Orange County Council of Governments Comments for Final Draft Connect SoCal 2020 RTP/SCS and PEIR
19.	April 28, 2020	Anne Meyer	Riverside County Transportation Commission	Connect SoCal	Support for SCAG RTP/SCS Adoption	Support for SCAG RTP/SCS Adoption
20.	April 28, 2020	Jennifer Gress	California Air Resources Board	Connect SoCal	Remaining information needed	CARB follow-up comments on SCAG's Proposed Final 2020 RTP/SCS

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					from SCAG for CARB's evaluation	
21.	April 29, 2020	Richard Lambros et al.	Southern California Leadership Committee et al.	Connect SoCal/PEIR (Updated Letter)	Request for 90-day postponement	Request for Postponement of Scheduled Consideration of the Final "Connect SoCal" Plan (SCAG's 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy) and the Related Draft Program Environmental Impact Report (PEIR)
22.	April 30, 2020	John Gamboa et al.	The Two Hundred	Connect SoCal/PEIR (Letter)	Request for delay and public workshop	URGENT: COVID-19 Pandemic, Connect SoCal Plan, and Public Records Act
23.	May 1, 2020	Claire Schlotterbeck	Hills for Everyone	Connect SoCal (Letter)	Support for natural and farmland policies	Comments on the Final 2020 Connect SoCal Plan
24.	May 1, 2020	J.P. Rose and Tiffany Yap	Center for Biological Diversity	Connect SoCal/PEIR (Letter)	Request for postponement	Proposed Final Connect SoCal Plan and Final Program Environmental Impact Report (State Clearing House Number 2019011061)
25.	May 4, 2020	Matthew Hargrove	California Business Properties Association et al.	Connect SoCal/PEIR (Letter)	Request for 90-day postponement	Request for Postponement of SCAG's Final "Connect SoCal" Plan (2020-2045 Regional Transportation Plan/Sustainable Communities Strategy) and the Program Environmental Impact Report (PEIR).

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26.	May 4, 2020	Dan Langford	Southwest Regional Council of Carpenters	Connect SoCal/PEIR (Letter)	Support compromise to satisfy obligations to the federal government while providing time to refine Plan	Connect SoCal/PEIR
27.	May 5, 2020	Melanie Schlotterbeck and Michael Wellborn	Friends of Harbors, Beaches and Parks	Connect SoCal (Letter)	Support for final natural lands policies	Support for the 2020 Connect SoCal Natural Lands Policies
28.	May 5, 2020	Haig Kartounian and Chris Thompson	Southern California Edison	Connect SoCal/PEIR (Letter)	Support SCAG's approval of Connect SoCal	SCE Support for Connect SoCal
29.	May 5, 2020	Sandy Sanchez, David Fleming and Tracy Hernandez	Los Angeles County Business Federation (BizFed)	Connect SoCal (Letter)	Support adopting Resolution 20-621-1	'Connect SoCal' – Adopting Resolution 20-621-1 (SUPPORT)
30.	May 5, 2020	Rick Bishop and Christopher Tzeng	Western Riverside Council of Governments	Connect SoCal/PEIR (Letter)	Support SCAG's Resolution No. 20-621-1 for the Proposed Final Connect SoCal	Letter of Support for Resolution No. 20-621-1 for the Proposed Final Connect SoCal (2020-2045 Regional Transportation Plan/Sustainable Communities Strategy and Program Environmental Impact Report (PEIR))
31.	May 5, 2020	Anthony Dedousis et al.	Abundant Housing LA et al.	Connect SoCal (Letter)	Request that the Regional Council instruct staff to revise demographics and growth forecasts in Connect SoCal	Demographics and Growth Forecast - Connect SoCal

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32.	May 5, 2020	Dan Silver	Endangered Habitats League	Connect SoCal (Letter)	Support the Natural and Farmlands Conservation Policy in Connect SoCal	Regional Council, May 7, 2020, Item 2, Proposed Final Connect SoCal
33.	May 5, 2020	Sonja Trauss	YIMBY Law	Connect SoCal/PEIR (Letter)	Request that the difference between RHNA growth estimates and the Connect SoCal growth estimates be accounted for	Connect SoCal 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy
34.	May 5, 2020	Grayson Peters	Resident of Los Angeles, CA	Connect SoCal	Concerns about delay of Connect SoCal adoption	Save the Coastal Plan
35.	May 5, 2020	Gary Benjamin	Resident of Los Angeles, CA	Connect SoCal	Concerns about delay of Connect SoCal adoption	Save the Coastal Plan
36.	May 5, 2020	Kellan Martz	Resident of West Hollywood, CA	Connect SoCal	Concerns about delay of Connect SoCal adoption	Save the Coastal Plan
37.	May 5, 2020	Noah Schechter	Resident of Los Angeles, CA	Connect SoCal	Concerns about delay of Connect SoCal adoption	Save the Coastal Plan
38.	May 5, 2020	Mahdi Abbas	Resident of South Pasadena, CA	Connect SoCal	Concerns about delay of Connect SoCal adoption	Save the Coastal Plan
39.	May 5, 2020	Andy Freeland	Resident of Los Angeles, CA	Connect SoCal	Concerns about delay of Connect SoCal adoption	Save the Coastal Plan

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40.	May 5, 2020	Jamison Bradley	Resident of Los Angeles, CA	Connect SoCal	Concerns about delay of Connect SoCal adoption	Save the Coastal Plan
41.	May 5, 2020	Joshua Gray-Emmer	Resident of Los Angeles, CA	Connect SoCal	Concerns about delay of Connect SoCal adoption	Save the Coastal Plan
42.	May 5, 2020	Joe Goldman	Resident of Los Angeles, CA	Connect SoCal	Concerns about delay of Connect SoCal adoption	Save the Coastal Plan
43.	May 5, 2020	Daniel Gould	Resident of Los Angeles, CA	Connect SoCal	Concerns about delay of Connect SoCal adoption	Save the Coastal Plan
44.	May 5, 2020	Joshua Stephens	Resident of Los Angeles, CA	Connect SoCal	Concerns about delay of Connect SoCal adoption	Save the Coastal Plan
45.	May 5, 2020	Sean Youssefi	Resident of Santa Monica, CA	Connect SoCal	Concerns about delay of Connect SoCal adoption	Save the Coastal Plan
46.	May 5, 2020	Chris Rothery	Resident of Lakewood, CA	Connect SoCal	Concerns about delay of Connect SoCal adoption	Save the Coastal Plan
47.	May 5, 2020	Brad Foley	Resident of Los Angeles, CA	Connect SoCal	Concerns about delay of Connect SoCal adoption	Save the Coastal Plan
48.	May 5, 2020	Nicholas Burns III	Resident of Los Angeles, CA	Connect SoCal	Concerns about delay of Connect SoCal adoption	Save the Coastal Plan

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49.	May 5, 2020	Terence Heuston	Resident of Los Angeles, CA	Connect SoCal	Concerns about delay of Connect SoCal adoption	Save the Coastal Plan
50.	May 5, 2020	Joshua Blumenkopf	Resident of Pasadena, CA	Connect SoCal	Concerns about delay of Connect SoCal adoption	Save the Coastal Plan
51.	May 5, 2020	Derek Sanders	Resident of Los Angeles, CA	Connect SoCal	Concerns about delay of Connect SoCal adoption	Save the Coastal Plan
52.	May 5, 2020	Luke Klipp	Resident of Los Angeles, CA	Connect SoCal	Concerns about delay of Connect SoCal adoption	Save the Coastal Plan
53.	May 5, 2020	Charlie Carnow	Resident of Los Angeles, CA	Connect SoCal	Concerns about delay of Connect SoCal adoption	Save the Coastal Plan
54.	May 5, 2020	Barbara Siegemund-Broka	Resident of Manhattan Beach, CA	Connect SoCal	Concerns about delay of Connect SoCal adoption	Save the Coastal Plan
55.	May 5, 2020	Nancy Barba	Resident of Culver City, CA	Connect SoCal	Concerns about delay of Connect SoCal adoption	Save the Coastal Plan
56.	May 5, 2020	Alexandra Grossi	Resident of Los Angeles, CA	Connect SoCal	Concerns about delay of Connect SoCal adoption	Save the Coastal Plan
57.	May 5, 2020	Michael W	Resident of Santa Monica, CA	Connect SoCal	Concerns about delay of Connect SoCal adoption	Save the Coastal Plan

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58.	May 5, 2020	Carol Gordon	Resident of Los Angeles, CA	Connect SoCal	Concerns about delay of Connect SoCal adoption	Save the Coastal Plan
59.	May 5, 2020	Sarah Boedecker	Resident of Sylmar, CA	Connect SoCal	Concerns about delay of Connect SoCal adoption	Save the Coastal Plan
60.	May 5, 2020	Prabhu Reddy	Resident of Long Beach, CA	Connect SoCal	Concerns about delay of Connect SoCal adoption	Save the Coastal Plan
61.	May 5, 2020	Nicole Beaudoin	Resident of Los Angeles, CA	Connect SoCal	Concerns about delay of Connect SoCal adoption	Save the Coastal Plan
62.	May 5, 2020	Jonathan Edwards	Resident of Pasadena, CA	Connect SoCal	Concerns about delay of Connect SoCal adoption	Save the Coastal Plan
63.	May 5, 2020	Kelly Koldus	Resident of Long Beach, CA	Connect SoCal	Concerns about delay of Connect SoCal adoption	Save the Coastal Plan
64.	May 5, 2020	Andrew Heinzman	Resident of Los Angeles, CA	Connect SoCal	Concerns about delay of Connect SoCal adoption	Save the Coastal Plan
65.	May 5, 2020	Chase Engelhardt	Resident of Los Angeles, CA	Connect SoCal	Concerns about delay of Connect SoCal adoption	Save the Coastal Plan
66.	May 5, 2020	Brooks Dunn	Resident of Venice, CA	Connect SoCal	Concerns about delay of Connect SoCal adoption	Save the Coastal Plan
67.	May 5, 2020	Connor Medina and Rachel Rolnicki	Orange County Business Council	Connect SoCal	Support of the recommended	Connect SoCal Resolution on May 7 – SUPPORT



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					action for Connect SoCal	
68.	May 5, 2020	Rebecca Muli	Resident of Beaumont, CA	Connect SoCal	Concerns about delay of Connect SoCal adoption	Save the Coastal Plan
69.	May 5, 2020	J. Ray Kennedy	Morongo Valley Action Committee	Connect SoCal/PEIR	Request to add a mention of traffic load related to Joshua Tree National Park	Comment for the May 7 Regional Council Meeting on Connect SoCal and PEIR
70.	May 5, 2020	Peggy Bejarano	Resident of Los Angeles, CA	Connect SoCal	Concerns about delay of Connect SoCal adoption	Save the Coastal Plan
71.	May 5, 2020	Michelle Castelletto	Resident of Los Angeles, CA	Connect SoCal	Concerns about delay of Connect SoCal adoption	Save the Coastal Plan
72.	May 5, 2020	Derek Ryder	Resident of Los Angeles, CA	Connect SoCal	Concerns about delay of Connect SoCal adoption	Save the Coastal Plan
73.	May 6, 2020	John Perez	Resident of Norwalk, CA	Connect SoCal	Concerns about delay of Connect SoCal adoption	Save the Coastal Plan
74.	May 6, 2020	Dave Roberts	Resident of Healdsburg, CA	Connect SoCal	Concerns about delay of Connect SoCal adoption	Save the Coastal Plan
75.	May 6, 2020	Noah D.	Resident of Los Angeles, CA	Connect SoCal	Concerns about delay of Connect SoCal adoption	Save the Coastal Plan

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76.	May 6, 2020	Wesley Reutimann	Resident of Pasadena, CA	Connect SoCal	Concerns about delay of Connect SoCal adoption	Save the Coastal Plan
77.	May 6, 2020	Brian Trautman	Resident of Woodland Hills, CA	Connect SoCal	Concerns about delay of Connect SoCal adoption	Save the Coastal Plan
78.	May 6, 2020	Fleur Mitchell	Resident of Venice, CA	Connect SoCal	Concerns about delay of Connect SoCal adoption	Save the Coastal Plan
79.	May 6, 2020	Arjun Kolachalam	Resident of West Hollywood, CA	Connect SoCal	Concerns about delay of Connect SoCal adoption	Save the Coastal Plan
80.	May 6, 2020	Thomas Atlee	Resident of Los Angeles, CA	Connect SoCal	Concerns about delay of Connect SoCal adoption	Save the Coastal Plan
81.	May 6, 2020	Nicholas Paganini	Resident of Los Angeles, CA	Connect SoCal	Concerns about delay of Connect SoCal adoption	Save the Coastal Plan
82.	May 6, 2020	Hugh Martinez	Resident of Los Angeles, CA	Connect SoCal	Concerns about delay of Connect SoCal adoption	Save the Coastal Plan
83.	May 6, 2020	Thomas Irwin	Resident of Los Angeles, CA	Connect SoCal	Concerns about delay of Connect SoCal adoption	Save the Coastal Plan
84.	May 6, 2020	Henry Fung	Resident	Connect SoCal	Support of 120-day pause and various clarifications	SCAG Regional Council comment - Connect SoCal adoption

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85.	May 6, 2020	Nate Farnsworth	City of Yorba Linda	Connect SoCal/PEIR (Letter)	Concerns about consistency between RHNA and Connect SoCal	Additional Comments on Draft Connect SoCal and PEIR
86.	May 6, 2020	Marek Slipski	Resident of Pasadena, CA	Connect SoCal	Concerns about delay of Connect SoCal adoption	Save the Coastal Plan
87.	May 6, 2020	Peyton Nander	Resident of Beverly Hills, CA	Connect SoCal	Request for delay	Save the Coastal Plan
88.	May 6, 2020	Christian Horvafth	South Bay Cities Council of Governments	Connect SoCal (Letter)	Support Connect SoCal adoption with update in an year	SBCCOG Comments on Connect SoCal
89.	May 6, 2020	Paul Moorman	Resident of West Hollywood, CA	Connect SoCal	Concerns about delay of Connect SoCal adoption	Save the Coastal Plan
90.	May 6, 2020	Melanie Schlotterbeck	Multiple conservation and community groups	Connect SoCal	Support approval of Connect SoCal's natural and farmland policies	Agenda Item 2
91.	May 6, 2020	Paul Little	Pasadena Chamber of Commerce	Connect SoCal/PEIR	Urge adoption of Resolution 20-621-1	Resolution 20-621-1
92.	May 6, 2020	Zennon Ulyate-Crow	Resident of Topanga, CA	Connect SoCal	Concerns about delay of Connect SoCal adoption	Save the Coastal Plan
93.	May 6, 2020	Thelma Pamplin	Resident of Gardena, CA	Connect SoCal/PEIR	Support adoption of Resolution 20-621-1 as is	Urge the Regional Council to support Resolution 20-621-1 for the 'Connect SoCal' plan
94.	May 6, 2020	DeAndre Valencia	Resident of Pomona, CA	Connect SoCal/PEIR	Support adoption of Resolution 20-621-1 as is	Urge the Regional Council to support Resolution 20-621-1 for the 'Connect SoCal' plan

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95.	May 6, 2020	John Musella	Resident of Valencia, CA	Connect SoCal/PEIR	Support adoption of Resolution 20-621-1 as is	Urge the Regional Council to support Resolution 20-621-1 for the 'Connect SoCal' plan
96.	May 6, 2020	Regional Cal. Black Chamber SFV	Regional Cal. Black Chamber SFV	Connect SoCal/PEIR	Support adoption of Resolution 20-621-1 as is	Urge the Regional Council to support Resolution 20-621-1 for the 'Connect SoCal' plan
97.	May 6, 2020	Jerard Wright	Resident of Torrence, CA	Connect SoCal/PEIR	Support adoption of Resolution 20-621-1 as is	Urge the Regional Council to support Resolution 20-621-1 for the 'Connect SoCal' plan
98.	May 6, 2020	Randall Gordon	Resident of Long Beach, CA	Connect SoCal/PEIR	Support adoption of Resolution 20-621-1 as is	Urge the Regional Council to support Resolution 20-621-1 for the 'Connect SoCal' plan
99.	May 6, 2020	Stephanie Thornton	Resident of Los Angeles, CA	Connect SoCal/PEIR	Support adoption of Resolution 20-621-1 as is	Urge the Regional Council to support Resolution 20-621-1 for the 'Connect SoCal' plan
100.	May 6, 2020	Nichole Cannon	Resident of Torrence, CA	Connect SoCal/PEIR	Support adoption of Resolution 20-621-1 as is	Urge the Regional Council to support Resolution 20-621-1 for the 'Connect SoCal' plan
101.	May 6, 2020	Victoria Englert	Resident of Los Angeles, CA	Connect SoCal	Concerns about delay of Connect SoCal adoption	Save the Coastal Plan
102.	May 6, 2020	Carey Kayser	Resident of Los Angeles, CA	Connect SoCal	Concerns about delay of Connect SoCal adoption	Save the Coastal Plan
103.	May 6, 2020	Sheena Innocente	Resident of Tustin, CA	Connect SoCal	Concerns about delay of Connect SoCal adoption	Save the Coastal Plan

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104.	May 6, 2020	J.P. Rose	Center for Biological Diversity	Connect SoCal/PEIR (Letter)	Identifying further issues with the Plan and FEIR	Proposed Final Connect SoCal Plan and Final Program Environmental Impact Report (State Clearing House Number 2019011061)
105.	May 6, 2020	Caleb Balbera	Resident of Los Angeles, CA	Connect SoCal	Concerns about delay of Connect SoCal adoption	Save the Coastal Plan
106.	May 6, 2020	Barry Curtis	City of Costa Mesa	Connect SoCal/PEIR (Letter)	Concern about consistency between RHNA and Connect SoCal	City of Costa Mesa Comments Regarding Final Draft Connect SoCal 2020 RTP SCS and PEIR
107.	May 6, 2020	Arnie Corlin	Resident of Los Angeles, CA	Connect SoCal/PEIR	Support adoption of Resolution 20-621-1 as is	Urge the Regional Council to support Resolution 20-621-1 for the 'Connect SoCal' plan
108.	May 6, 2020	Dexter McLeod	Resident of Carson, CA	Connect SoCal/PEIR	Support adoption of Resolution 20-621-1 as is	Urge the Regional Council to support Resolution 20-621-1 for the 'Connect SoCal' plan
109.	May 6, 2020	Dennise Meija	Resident of Winnetka, CA	Connect SoCal/PEIR	Support adoption of Resolution 20-621-1 as is	Urge the Regional Council to support Resolution 20-621-1 for the 'Connect SoCal' plan
110.	May 6, 2020	Alyssa Rizo	NLBWA-LA Rizo	Connect SoCal/PEIR	Support adoption of Resolution 20-621-1 as is	Urge the Regional Council to support Resolution 20-621-1 for the 'Connect SoCal' plan
111.	May 6, 2020	Arturo Zendejas	Resident of Long Beach, CA	Connect SoCal/PEIR	Support adoption of Resolution 20-621-1 as is	Urge the Regional Council to support Resolution 20-621-1 for the 'Connect SoCal' plan

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112.	May 6, 2020	Melanie Schlotterbeck	Multiple conservation and community groups	Connect SoCal	Support for Natural and Farmland policies in the Connect SoCal	Agenda Item 1

**From:** Jered Ede <[Jered.Ede.303209832@p2a.co](mailto:Jered.Ede.303209832@p2a.co)>

**Date:** April 17, 2020 at 6:02:37 PM PDT

**To:** Bill Jahn <[billjahn@roadrunner.com](mailto:billjahn@roadrunner.com)>

**Subject:** Please Delay Voting on the RTP/SCS

**Reply-To:** [theedes@hotmail.com](mailto:theedes@hotmail.com)

Dear President Bill Jahn,

I am writing you to ask for a 90-day delay on the vote to approve the proposed Regional Transportation Plan/Sustainable Communities Strategy, which is scheduled to be considered by the Southern California Association of Governments on May 7, 2020.

The rigid nature of the RTP/SCS in its proposed form would seriously jeopardize the ability to build thousands of already entitled new housing units across Southern California. As a result, thousands of sorely needed jobs would be potentially eliminated as well.

As you are well aware, we are already facing skyrocketing unemployment, coupled with a severe housing shortage. We must do all that we can to avoid approving new government policies that could potentially worsen the difficult economic and housing conditions impacting Southern California residents.

I believe that a 90-day delay would allow sufficient time for the public and the business community to work with SCAG to create a plan which is flexible and able to adapt to the continuing changes impacting our communities as a result of the Coronavirus pandemic.

I appreciate your consideration and sharing this message with your membership. Thank you for your leadership in addressing the current health and economic crises impacting us all.

Regards,  
Jered Ede  
227 N California St  
Orange, CA 92866

From: **Juan Garcia** <[Juan.Garcia.303379339@p2a.co](mailto:Juan.Garcia.303379339@p2a.co)>  
Date: Sat, Apr 18, 2020 at 11:28 PM  
Subject: Please Help Protect Our Economy and Health  
To: Cheryl Viegas-Walker <[CWalker@ci.el-centro.ca.us](mailto:CWalker@ci.el-centro.ca.us)>

**CAUTION:** This email originated from outside of the City of El Centro. Do not click links or open attachments unless you recognize the sender and know the content to be safe.

Dear SCAG Member Cheryl Viegas-Walker,

I am writing you to ask for a 90-day delay on the vote to approve the proposed Regional Transportation Plan/Sustainable Communities Strategy, which is scheduled to be considered by the Southern California Association of Governments on May 7, 2020.

The rigid nature of the RTP/SCS in its proposed form would seriously jeopardize the ability to build thousands of already entitled new housing units across Southern California. As a result, thousands of sorely needed jobs would be potentially eliminated as well.

As you are well aware, we are already facing skyrocketing unemployment, coupled with a severe housing shortage. We must do all that we can to avoid approving new government policies that could potentially worsen the difficult economic and housing conditions impacting Southern California residents.

I believe that a 90-day delay would allow sufficient time for the public and the business community to work with SCAG to create a plan which is flexible and able to adapt to the continuing changes impacting our communities as a result of the Coronavirus pandemic.

I appreciate your consideration and sharing this message with your membership. Thank you for your leadership in addressing the current health and economic crises impacting us all.

Regards,  
Juan Garcia  
[479 E Heil Ave](#)  
[El Centro, CA 92243](#)

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Sent from Gmail Mobile



**From:** Ethan Jackson <[Ethan.Jackson.303379942@p2a.co](mailto:Ethan.Jackson.303379942@p2a.co)>

**Sent:** Saturday, April 18, 2020 11:45 PM

**To:** Frank J. Navarro

**Subject:** Please Help Protect Our Economy and Health

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear SCAG Member Frank Navarro,

I am writing you to ask for a 90-day delay on the vote to approve the proposed Regional Transportation Plan/Sustainable Communities Strategy, which is scheduled to be considered by the Southern California Association of Governments on May 7, 2020.

The rigid nature of the RTP/SCS in its proposed form would seriously jeopardize the ability to build thousands of already entitled new housing units across Southern California. As a result, thousands of sorely needed jobs would be potentially eliminated as well.

As you are well aware, we are already facing skyrocketing unemployment, coupled with a severe housing shortage. We must do all that we can to avoid approving new government policies that could potentially worsen the difficult economic and housing conditions impacting Southern California residents.

I believe that a 90-day delay would allow sufficient time for the public and the business community to work with SCAG to create a plan which is flexible and able to adapt to the continuing changes impacting our communities as a result of the Coronavirus pandemic.

I appreciate your consideration and sharing this message with your membership. Thank you for your leadership in addressing the current health and economic crises impacting us all.

Regards,  
Ethan Jackson  
2230 Westwood St  
Colton, CA 92324 ▣

**From:** Carrie Tomseth [<mailto:Carrie.Tomseth.303537748@p2a.co>]

**Sent:** Monday, April 20, 2020 7:51 AM

**To:** CityhallMail <[Cityhall@cityofpalmdesert.org](mailto:Cityhall@cityofpalmdesert.org)>

**Subject:** Please Help Protect Our Economy and Health

Dear SCAG Member Kathleen Kelly,

I am writing you to ask for a 90-day delay on the vote to approve the proposed Regional Transportation Plan/Sustainable Communities Strategy, which is scheduled to be considered by the Southern California Association of Governments on May 7, 2020.

The rigid nature of the RTP/SCS in its proposed form would seriously jeopardize the ability to build thousands of already entitled new housing units across Southern California. As a result, thousands of sorely needed jobs would be potentially eliminated as well.

As you are well aware, we are already facing skyrocketing unemployment, coupled with a severe housing shortage. We must do all that we can to avoid approving new government policies that could potentially worsen the difficult economic and housing conditions impacting Southern California residents.

I believe that a 90-day delay would allow sufficient time for the public and the business community to work with SCAG to create a plan which is flexible and able to adapt to the continuing changes impacting our communities as a result of the Coronavirus pandemic.

I appreciate your consideration and sharing this message with your membership. Thank you for your leadership in addressing the current health and economic crises impacting us all.

Regards,  
Carrie Tomseth  
35480 Linda Rosea Rd  
Temecula, CA 92592



Bill Jahn,  
President, Regional Council  
Southern California Association of Governments  
900 Wilshire Blvd., Ste. 1700  
Los Angeles, CA 90017

April 20, 2020

RE: Comments on Proposed Final Draft of *Connect SoCal 2020-2045 Regional Transportation Plan and Sustainable Communities Strategy*

***Position of adopting final draft: (oppose adoption, request a federal extension)***

In January, Safe Routes Partnership worked with 16 other regional organizations to [submit comments](#) on the Connect SoCal draft. Our comments included increased active transportation investments, stronger metrics for community engagement, set aside investments for environmental justice planning, and more accessible data--just to name a few. In early March, [staff released a report addressing public comments](#) explaining any changes to the RTP/SCS. Unfortunately, many of the comments that we submitted collectively with 16 organizations were not adopted into the plan, with only minor changes made, and the reasoning was insufficiently addressed in the staff report.

In addition to our previously expressed comments, we are also now concerned about potential COVID-19's impacts on Connect SoCal's goals and strategies. Local agencies are now exhausting all efforts to address public safety and take measures to keep communities safe. The pandemic will have long-lasting impacts on our region both from economic and public health standpoints.

The specific impacts of COVID-19 are uncertain. Rough estimates show that public transit ridership has declined up to 90%. This will negatively impact fare revenue, while dramatic declines and sales tax revenue will further harm transit services. While the federal stimulus package has provided some funding for transit, we know this funding will not be enough. However, we need to acknowledge that the communities that will be the hardest hit from the pandemic will be environmental justice, under-resourced, communities of color, houseless and incarcerated communities. For example, many news outlets including [the Los Angeles times reported a study](#) concluding that air pollution exposure triggers higher fatality rates of COVID-19. Given the evidence of air pollution's link to more serious cases of COVID-19, we need to take stronger measures to address environmental injustices that will lead to health disparities. Furthermore, we have seen an unprecedented amount of community members seeking unemployment. This leads us to believe we will be hit economically in ways that will make it harder for families to take care of each other and maintain a stable income. Therefore, we need to ensure we are making land use decisions that ensure jobs are accessible in local communities. This means we need to revisit existing transportation planning, environmental justice and public health strategies.

**Adopting Connect SoCal without revisiting the plan to consider current public needs would be a mistake. We recommend SCAG should request a federal extension before adopting Connect SoCal.** We acknowledge that federal transportation funding and state compliance requirements are tied to the update of Connect SoCal. However, we believe an extension should be granted on the grounds of the current pandemic. Many other planning processes and grant applications are considering extending deadlines, such as Cycle 5 of the Active Transportation Program. We believe SCAG staff should revisit the plan to ensure that priorities and projections still make sense to support a healthy regional future.

**We know this may be a big task to take on and whether or not the plan is adopted on May 7th, we ask that addendums to the plan include the following policy recommendations:**

- 1. SCAG staff should provide community engagement opportunities to better understand needs and priorities:** Much like the outreach workshops that were conducted in Summer 2019, SCAG should use virtual platforms including social media, video conferencing, and other public comment online options. Follow up with communities on the progress of Connect SoCal is critical and this avenue can provide an opportunity for feedback regarding shifting priorities due to COVID-19.
- 2. Expand the definition of “transportation safety” to include emergency preparedness strategies:** Active transportation and transit projects should have an emphasis on public health safety. These strategies should include expanding policies: 1. Support effort to increase fares waivers for our most vulnerable communities during and after the pandemic is over (student and under resourced community passes), 2. Ensure hand washing stations and other public safety measures are installed during and after the pandemic, 3. Encourage agencies to enact policies to protect bus drivers, 4. Support assessments that analyze first last mile projects near essential businesses like grocery stores and medical/hospital facilities.
- 3. Increase funding for public health strategies, environmental justice and community resilience planning:** SCAG should support agencies by funding projects that focus on local resiliency and emergency planning through the Sustainable Communities Program. Given the current pandemic and climate crisis, we support a set aside of dedicated funding for these efforts.
- 4. Increase the investment in active transportation projects and transit:** Across the country, the pandemic has demonstrated the importance of walking, biking, and transit connections to key destinations. Bicycling and walking rates are up as families use it to get around and get physical activity, and we are seeing food and meal deliveries taking place by bike. Transit is a critical link to jobs particularly for low-income families, many of whom have been providing essential services during this crisis. To deal with the reduced fare box revenue and increased expenses from cleaning, transit providers need more resources moving forward.

From a public health standpoint, we see the need to invest in stronger regional networks of transit services. In the last month, the City of Los Angeles and its surrounding areas have had the *longest* consecutive days of clean air since 1980. Several media outlets are reporting cleaner air days are due to the decrease of drivers on the road during the stay at home ordinance. We need to keep up the momentum of less driving and the clear air days we’re experiencing right now. In order to keep up this good momentum, we need to expand options for SoCal residents, quickly phase out active transportation and transit projects and expand regional transit connectivity. We urge SCAG to revisit the funding allocations moving forward and reiterate our call that 5 percent of the plan’s budget go to active transportation projects, with a priority for improvements in

communities of concern, and that more transit investments be made in high per-capita affordable housing target areas.

**5. Fare free services:** In this crisis, taking fares from riders is downright dangerous to transit operators and passengers who need to be practicing social distancing. Right now, the Alameda-Contra Costa Transit District (AC Transit) and Santa Clara Valley Transit Agency have both waived fares for services. Within SCAG's region, Omnitrans in San Bernardino County has also taken similar steps to provide fare free relief services by providing rear door boarding and have not been collecting fares from riders during this time. Other agencies need incentives to do this, the federal stimulus for transit could help provide some of those incentives. In the longer run, fare-free services are going to be a lifeline for those looking to get back to work, interviews, postponed medical appointments, and school.

**6. For matters of public health safety, SCAG needs to invest more in housing density and not invest in sprawl for suburban and rural areas:** Urban sprawl and poor land use development impact air quality, biodiversity and encroach upon ecological systems. As more human activity encroaches upon ecological systems including wildlife, infectious diseases will be more common. We fear that there may be a growing sentiment to support sprawl development in an effort to spread out housing and physically distance communities. However, urban sprawl is not the answer to pandemic prevention, it facilitates the development of infectious diseases. The Guardian reported on the spread of COVID-19, stating, "Human encroachment into biodiverse areas increases the risk of spillover of novel infectious diseases by enabling new contacts between humans and wildlife." Rampant development projects destroy habitats for wildlife especially in rural areas such as the Inland Empire, Orange and Los Angeles' unincorporated areas. Sprawl devastates biodiversity of flora and fauna, while putting human health at risk.

Furthermore, sprawl will increase VMT, and disconnect communities from existing transit networks. Developing in less dense areas will result in adverse health impacts, as people travel further and increase GHGs in our air. Legislative bills like SB 375, help us remain accountable to maintaining low levels of GHG, pollutants that have been known to cause devastating health impacts for the entire region. Developing sprawl in outlining areas threatens our ability to remain in compliance with SB 375. As Disease Ecologist Peter Daszak recently said about rampant development in an interview with *Democracy Now!*, "We've got to reassess our relationship with the environment and reduce our ecological footprint. It's to the benefit of conservation. It'll reduce climate change. It will also stop us from getting sick."

**7. SCAG needs to elevate the importance of affordable housing within Connect SoCal:** The COVID-19 crisis highlights the importance for the region of developing a proactive program for the development of affordable housing both for reducing the economic vulnerability to the pandemic of the families of our many essential workers and reducing the unprecedented crisis in

persons experiencing homelessness in California. Our low income and homeless populations are among those most vulnerable to viral pandemics and it is vital to all of our communities that we not allow our affordable housing crisis to continue. Indeed, expanding the supply of affordable housing, especially when built near transit services, is one of the key measures needed for reducing both air pollution and GHG emissions, essential to a successful SCS under SB 375. Yet the plan identifies a mere \$3 B in tax increment financing for “transit supportive housing related infrastructure needs to enable housing development” and “\$50 million to implement their 6th cycle RHNA allocation.” In short, while Connect SoCal envisions over \$630 B in transportation investments, it can envision nothing whatsoever for the production of affordable housing itself despite the fact that affordable housing comprises 58% of the Regional Housing Needs Allocation and is essential to a successful SCS. This should be corrected.

### **In Conclusion:**

We understand the critical importance of Connect SoCal and how it shapes planning for our region’s future. We’ve followed this update process since the beginning and have been invested in seeing the process materialize into a plan that truly meets our region’s needs. We need to acknowledge that it is very possible that our needs have shifted. We know that the future feels so uncertain right now and many of our communities are hurting. We urge SCAG to consider revisiting Connect SoCal and ensure we are prioritizing strategies that will lift us up.

Sincerely,

Demi Espinoza  
Senior Equity & Policy Manager  
Safe Routes Partnership

Kristopher Fortin  
Project Director  
Santa Ana Active Streets

Channel Fletcher  
Executive Director  
ClimatePlan

Eli Akira Kaufman  
Executive Director  
Los Angeles County Bicycle Coalition

David Diaz  
Executive Director  
Active San Gabriel Valley

Esther Rivera  
Interim-Executive Director  
California Walks

Maryann Aguirre  
Project Director  
People for Mobility Justice

Allen Hernandez  
Executive Director  
Center for Community Action and  
Environmental Justice

Bryn Lindblad  
Deputy Director  
Climate Resolve

Denny Zane  
Executive Director  
Move LA

Marven Norman  
Executive Director  
Inland Empire Biking Alliance

Rebecca Zaragoza  
Senior Policy Advocate - Eastern Coachella  
Valley  
Leadership Counsel for Justice and  
Accountability



**From:** Demetria Espinoza [<mailto:demi@saferoutespartnership.org>]

**Sent:** Monday, April 20, 2020 5:40 PM

**To:** Tess Rey-Chaput <[REY@scag.ca.gov](mailto:REY@scag.ca.gov)>; [bblcc@citybigbearlake.com](mailto:bblcc@citybigbearlake.com); [district9@longbeach.gov](mailto:district9@longbeach.gov); Lorimore, Clint <[CLorimore@Eastvaleca.gov](mailto:CLorimore@Eastvaleca.gov)>; [awaphner@ontarioca.gov](mailto:awaphner@ontarioca.gov); Kome Ajise <[ajise@scag.ca.gov](mailto:ajise@scag.ca.gov)>; Sarah J. Jepson <[Jepson@scag.ca.gov](mailto:Jepson@scag.ca.gov)>

**Subject:** Comments re: Connect SoCal Proposed Final Draft

Dear Regional Council and SCAG Staff,

Sending so much support to you and your communities right now. This pandemic is harming communities beyond measure and I wanted to send my thoughts to you and your families, I hope everyone has the support they need to stay healthy and strong right now.

Alongside 11 other community based organizations from across the region, I am writing today to submit comments on the proposed 2020 final draft of Connect SoCal. Amidst concerns of COVID-19's impact on communities, we are submitting comments to oppose the final draft of Connect SoCal. Instead, we are requesting SCAG ask for an extension to conduct an evaluation on short and long term COVID-19 impacts. COVID-19 will likely result in disparities of public health, employment, and transportation safety. Our policy recommendations range from increasing investments in transit, expanding transportation safety to include emergency resilience planning, and investments in environmental justice communities, to name a few. We believe the communities that will be hit the hardest during COVID-19 recovery will be environmental justice, under-resourced, communities of color, houseless and incarcerated communities. Therefore, it is critical that investments for these communities are emphasized, targeted and prioritized in the plan. On behalf of the signed organizations, please accept the attached letter as our public comment.

We look forward to talking with staff about how the policy recommendations can be elevated in the Connect SoCal plan.

Respectfully,  
Demi Espinoza

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Demi Espinoza (She/Her)  
Senior Equity and Policy Manager  
Safe Routes National Partnership  
323-382-6427

National: [Website](#) / [Facebook](#) / [Twitter](#)  
California: [Website](#) / [Facebook](#) / [Twitter](#)



"In order to build the movement capable of transforming our world,  
we have to do our best to live with one foot in the world we have not created yet"

-Aurora Levins Morales

**From:** Hugh McMahon [<mailto:hcmahon@tejonranch.com>]  
**Sent:** Tuesday, April 21, 2020 12:29 PM  
**To:** Kome Ajise <[ajise@scag.ca.gov](mailto:ajise@scag.ca.gov)>; [RTPLocalInput@scag.ca.gov](mailto:RTPLocalInput@scag.ca.gov)  
**Cc:** [Kathryn@bos.lacounty.gov](mailto:Kathryn@bos.lacounty.gov); Bodek, Amy <[abodek@planning.lacounty.gov](mailto:abodek@planning.lacounty.gov)>; Greg Bielli <[gbielli@tejonranch.com](mailto:gbielli@tejonranch.com)>  
**Subject:** RESUBMITTAL - Tejon Ranch Company - Connect SoCal Comment Letter

Mr. Ajise:

Please find attached our organization's comment letter regarding the Proposed Final Connect SoCal plan revised to correct a typo on line 5.

Please confirm receipt of this email and the attached letter.

Thank you very much.

Hugh F. McMahon, IV  
*Executive Vice President, Real Estate*



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[www.TejonMountainVillage.com](http://www.TejonMountainVillage.com)  
[www.GrapevineatTejonRanch.com](http://www.GrapevineatTejonRanch.com)



**From:** Hugh McMahon  
**Sent:** Tuesday, April 21, 2020 9:42 AM  
**To:** [ajise@scag.ca.gov](mailto:ajise@scag.ca.gov); [RTPLocalInput@scag.ca.gov](mailto:RTPLocalInput@scag.ca.gov)  
**Cc:** [Kathryn@bos.lacounty.gov](mailto:Kathryn@bos.lacounty.gov); [ABodek@planning.lacounty.gov](mailto:ABodek@planning.lacounty.gov); Greg Bielli <[gbielli@tejonranch.com](mailto:gbielli@tejonranch.com)>  
**Subject:** Tejon Ranch Company - Connect SoCal Comment Letter

Mr. Ajise:

Please find attached our organization's comment letter regarding the Proposed Final Connect SoCal plan.

Please confirm receipt of this email and the attached letter.

Thank you very much.

Hugh F. McMahon, IV  
*Executive Vice President, Real Estate*



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April 21, 2020

Attn: Southern California Association of Governments  
2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS)  
900 Wilshire Blvd., Ste. 1700  
Los Angeles, CA 90017

Re: Connect SoCal Final Plan and Proposed Land Use and Growth Forecast for Centennial Project Area  
(TAZ Maps 20280100 and 20281100)

Dear SCAG Staff,

Tejon Ranch Co., on behalf of itself and its subsidiary/affiliated entities Tejon Ranchcorp and Centennial Founders, LLC (collectively, the “Tejon Ranch”) thank you for the opportunity to comment on the 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS).

Although Tejon Ranch is pleased that SCAG continues to recognize the Centennial project as an integral component of growth in southern California, we were very surprised to find that the final version of the RTP/SCS included drastic changes to the draft RTP/SCS, which refuse to recognize thousands of entitled housing units and more than 20,000 jobs that were approved by the Los Angeles County Board of Supervisors in the Centennial project and, further, approved pursuant to a vesting of rights to the density and intensity of use pursuant to a legally binding Development Agreement between Tejon Ranch and Los Angeles County. We were further surprised by the absence of any communication from SCAG as to its disregard of the vested project-level approvals of the Centennial project, which we discovered only after reviewing a small fraction of the 10,000 pages of documents that comprise the RTP/SCS and accompanying Environmental Impact Report, and which documents were inappropriately made public at the height of COVID-19 shutdown of our economy in late March.

Centennial is an approved and sustainable new community, which fully complies with the 2016 RTP/SCS. The project also implements the County’s approved regional plan (Antelope Valley Area Plan) and General Plan for economic and community development in the North County. The project was carefully designed over a period of nearly twenty years, and includes a jobs-housing balance, scores of environmental sustainability features, and is part of a comprehensive agreement to preserve 90% of the 280,000-acre Tejon Ranch and limit development to three locations identified in an agreement approved by the Sierra Club, Natural Resources Defense Council, Endangered Habitats League, Planning and Conservation League, and Audubon Society.

The Final RTP/SCS refuses to recognize the entitled and vested development, which would provide 23,675 jobs as a result of the approved and entitled Centennial project, and it further refuses to recognize the entitled and vested right to develop 19,333 homes as part of the Centennial project (including what would be 18% affordable units on a project wide basis, which we would not be obligated to construct if the RTP/SCS were approved and enforced), through the RTP/SCS planning horizon year of 2045. The Final RTP/SCS thereby directly conflicts with the Board of Supervisors’ approval of the project, including the project’s Specific Plan and Development Agreement and undermines numerous

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Tejon Ranch Co. (NYSE:TRC)—a diversified real estate development and agribusiness company.

environmental sustainability features from the Plan (e.g., jobs housing balance) as well as the employment opportunities and employer revenues in the North County. Simply put, the proposed RTP/SCS directly conflicts with Tejon Ranch's vested entitlements and creates an uncertainty as to numerous obligations contained in these vested approvals. The Final RTP/SCS would not be implementable at Tejon Ranch due to the County's contractual obligations to Tejon Ranch.

We understand from SCAG staff that "local input" provided by a staff member in Los Angeles County directed SCAG staff to act in a manner that was contrary to and directly conflicted with the approval vote of the Board of Supervisors, thereby creating a Final RTP/SCS that conflicts directly with the entitled and vested features of the Centennial project. Upon learning of this alarming allegation from your staff we reached out to Los Angeles County staff to rectify this untenable situation. After internal inquiry, the County claims that no such direction came from them. Given their response, the only conclusion that can be made is that SCAG staff unilaterally eliminated entitled units and employment from the Centennial project, without Los Angeles County input, citizen input or landowner input. If this assertion is incorrect, we request that you provide documentation to the contrary that demonstrates County communication with SCAG. We further request that the Final RTP/SCS be immediately corrected to reflect Tejon Ranch's vested entitlements for the Centennial project. Failure to do so undermines the decision by the Los Angeles County Board of Supervisors to approve the Centennial project and enter into a Development Agreement to govern full project implementation. The Development Agreement does not permit Los Angeles County to take any planning action that would conflict with Tejon Ranch's vested entitlements, and we will not agree in any local planning process to forego our vested rights.

### **Discussion**

The Connect SoCal Plan includes many references that it is a bottom-up planning effort and does not supersede local land use authority, however your recent actions ignore the County's General Plan, Antelope Valley Area Plan and Board of Supervisors approval of the Centennial Specific Plan Project No. 02-232-(05). The County designated these TAZ map areas as an Economic Opportunity Area (EOA) and saw this region as an area to focus both housing and job growth due to the proximity of Caltrans approved Northwest State Route 138 Corridor Improvement Project. As such your exhibits 3.4 Priority Growth Areas and Exhibit 3.6 Job Centers should be revised to include this area and your exhibit 3.3 should include the Northwest State Route 138 Improvement Project as well, classified as Planned Dual-Lane Segments.

Centennial's, approved entitlement which includes 19,333 housing units (of which 18% will be made available to affordable buyers purely as a feature of the project's Development Agreement obligations) and 10.1 million square feet of commercial, industrial, office and retail with an estimated creation of 23,675 permanent jobs is significantly underrepresented in the RTP/SCS. It is important that the RTP/SCS continue to include all these entitled units as well as the full entitled employment for Centennial in the approved TAZ maps that overlay this area. With this background, Tejon Ranch would like to comment on TAZ maps 20281100 and 20280100, collectively known as the Proposed Land Use Growth and Forecast for the Centennial Project Area and reflected in the chart below.

tier2	Ho16	Ho45Plan	E16	E45Plan
20280100	128	16,090	84	438
20281100	144	144	36	791
Centennial	272	16,234	120	1,229

The chart above shows a total of 16,234 units projected by 2045. Unfortunately, it does not capture the full number of units approved and vested for development at Centennial. This is partially because the two TAZ maps also pick up surrounding land with assigned land use categories. And while the surrounding lands are not as dense as the Centennial project, if built out, they would take up potential units. To address this problem, more units would need to be assigned to TAZ 20280100, whose boundary fully encompasses Centennial’s residential units. Tejon Ranch ask that the entitled and vested 19,333 units be included within this TAZ map to cover Centennial’s approved units and to add additional units to the map as appropriate for potential development of the surrounding land uses by other property owners.

Second, Tejon Ranch would like to see the number of jobs projected within the TAZ maps mirror the full employment entitled at Centennial, which is based on vested density and intensity of various commercial and industrial uses at the Centennial Project. Tejon Ranch request that an additional 22,446 jobs be added to maps 20281100 and 20280100 for a total of 23,675 jobs and to add additional jobs to the map as appropriate for potential development of the surrounding land uses by other property owners. The drastic job change from the draft is in dire conflict of both Centennial’s approved job/housing balance as well as the approved Los Angeles County General Plan balance of 1:1 for this area.

With the proposed changes described above, the new chart for TAZ maps 20280100 and 20281100 would capture all the vested and entitled housing units and jobs at the Centennial project, while being consistent with the Los Angeles County General Plan and proposed growth projections in the West EOA.

**Proposed Changes:**

tier2	Ho16	Ho45Plan	E16	E45Plan
20280100	128	19,333	84	5,175
20281100	144	144	36	18,500
Centennial	272	<b>19,605</b>	120	<b>23,675</b>

The approved and vested Centennial Specific Plan as well as the approved Los Angeles County General Plan demonstrate the importance of smart and sustainable growth in a region that as the Connect SoCal plan states, “is in the midst of a long -term structural housing shortage and affordability crisis.” Centennial will not only provide critical housing for middle-income buyers but has agreed to the condition that 18% of our total units be designated as affordable units (a feature that requires the County to live up to its obligation in the Development Agreement by allowing the fully entitled and vested development as provided in current project approvals to occur).

## Conclusion

Tejon Ranch is proud of the Centennial project and the thoughtful planning and broad-based community input that culminated in its approved Specific Plan. The project provides more than just housing in the traditional sense, which is desperately needed in California. Through the Specific Plan, Centennial incorporates the most up-to-date sustainability practices utilizing forward-thinking technology and employing a planning matrix that will guide design of the community including a Transportation Demand Management (TDM) program to reduce single occupancy vehicle trips, telecommuting and telemedicine, walkability to schools, shopping, jobs, and recreation, complete streets, electric buses and EV chargers, just to name a few of the design features incorporated in the community. These features ensure that Centennial will serve as a model community for future development throughout southern California.

Once again, Tejon Ranch requests immediate correction of the final RTP/SCS to include our full entitlement of residential units and employment, as well as further time to review the remainder of the RTP/SCS and accompanying EIR, to assure the 2020 RTP/SCS is consistent with the Centennial project, as was the case with the 2016 RTP/SCS. We stand ready to meet at any time to have further discussions about our comments contained within this letter.

Sincerely,



Hugh F. McMahon IV  
Executive Vice President Real Estate  
Tejon Ranch Company

**From:** Sarah Scott <[Sarah.Scott.303938987@p2a.co](mailto:Sarah.Scott.303938987@p2a.co)>  
**Sent:** Tuesday, April 21, 2020 11:37 AM  
**To:** Parks, Linda <[Linda.Parks@ventura.org](mailto:Linda.Parks@ventura.org)>  
**Subject:** Please Help Protect Our Economy and Health

Dear Supervisor Linda Parks,

I am writing to ask that you delay voting on the RTP/SCS plan.

With so many people losing their jobs, government shouldn't be approving new policies that would increase the cost of housing and hurt our local economy even more.

These are challenging times for all of us. Thank you for your leadership in addressing the current health pandemic and working to protect our economy.

Regards,  
Sarah Scott  
644 Fillmore St  
Fillmore, CA 93015  
Fillmore



April 22, 2020

The Honorable Bill Jahn  
President, Southern California Association of Governments  
900 Wilshire Blvd., Ste. 1700  
Los Angeles, CA 90017

**SUBJECT: Request for 90-Day Delay on Final Connect SoCal Vote**

Dear President Jahn:

The Building Industry Association of Southern California (BIASC) writes to you in request of a 90-day delay of the scheduled consideration of the final "Connect SoCal" Plan (SCAG's 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy) and the related Draft Program Environmental Impact Report (PEIR).

As one of the largest home building associations in the nation, BIASC is a leading advocate for thousands of building industry leaders who are committed to a better future by building communities, creating jobs, and ensuring housing opportunities for everyone.

Given the unprecedented disruption caused by the Coronavirus pandemic, we strongly believe that the May 7 date to approve the final Connect SoCal Plan severely limits the homebuilding industry's ability to thoroughly review and provide input on the Plan. While we acknowledge SCAG's outreach efforts in the months leading up to the Plan's release, the public health order restrictions placed on the public and business community have severely limited the ability to assess the impacts of such an important document. Considering that the final Connect SoCal Plan was released on March 29, amid historic economic and societal upheaval, and is roughly 10,000 pages in length, we believe that a 90-day delay is a more than reasonable request.

In our limited time to review the final Connect SoCal Plan, we have found that the Plan reflects a reduced number of housing units and jobs scheduled to be created through already approved land-use entitlements. The Plan as proposed is not in alignment with existing entitlements and, if approved, would put a significant number of entitled housing projects in serious legal jeopardy. It is inconceivable that in the middle of a housing and economic crisis, our elected leaders would approve a long-range plan that would jeopardize the ability to build new housing and create thousands of sorely needed jobs.

We are also extremely concerned regarding the fact that in its current form, the Plan fails to take into consideration the monumental changes to our community and economy that have occurred as a result of the Coronavirus pandemic. Considering that the Connect SoCal Plan will impact housing and transportation policy over the next 25 years, it's imperative that SCAG approve a final Plan that is flexible and able to adapt to the changing circumstances that we will continue to face in the years and decades to come.

As government at all levels has moved or delayed reporting and regulatory deadlines of all types, surely SCAG can grant a 90-day delay on the approval of the Connect SoCal Plan.

We appreciate your consideration regarding our request and thank you for your leadership during these challenging times.

Sincerely,



Jeff Montejano  
Chief Executive Officer

Cc: SCAG Officers and Executive Staff

**From:** Ana Gromis <agromis@biasc.org>

**Sent:** Wednesday, April 22, 2020 4:19 PM

**To:** Jahn, Bill <billjahn@roadrunner.com>; Kome Ajise <ajise@scag.ca.gov>; Darin Chidsey <CHIDSEY@scag.ca.gov>; Sarah J. Jepson <Jepson@scag.ca.gov>; Justine Block <BLOCK@scag.ca.gov>; Tess Rey-Chaput <REY@scag.ca.gov>; ePublic Comment Group <ePublicComment@scag.ca.gov>

**Cc:** Jeff Montejano <jmontejano@biasc.org>; Craig Foster <cfoster@biasc.org>; Karissa Willette <kwillette@biasc.org>

**Subject:** BIASC Request for 90-Day Delay on Final Connect SoCal Vote

Good Afternoon President Jahn,

Please see the attached letter from Jeff Montejano, CEO of the Building Industry Association of Southern California. BIASC appreciates your consideration of our delay request and looks forward to continuing the discussion regarding Connect SoCal in the near future.

Warm Regards,

Ana Gromis  
951-756-5813

--

**From:** DeAndre Valencia <myvoice@oneclickpolitics.com>  
**Sent:** Thursday, April 23, 2020 4:27 PM  
**To:** Kome Ajise <ajise@scag.ca.gov>  
**Subject:** Urging a 90-day pause to the 'Connect SoCal' plan

Re: Urging a 90-day pause to the 'Connect SoCal' plan

Dear Hon. Kome Ajise,

We appreciate the planning, professionalism, and great work SCAG staff has done in presenting the 'Connect SoCal' plan to many diverse stakeholders in Southern California.

However, due to the COVID-19 pandemic impacts hitting us all at the very same time the final draft was released, the very stakeholders you've sought valuable input from have not been able to spend the needed time reviewing the details to provide you with constructive feedback.

With less than two weeks until the Regional Council convenes, SCAG staff has not yet provided us with a summary of changes to aid in that review.

Therefore, we request that SCAG take a pause of a mere 90 days to allow us to assess the changes between the "draft" and "final" Connect SoCal plans to ensure that we are protecting and leveraging every available transportation and housing dollar needed to build the critical infrastructure necessary to move our economy forward.

We learned about the release of the final Connect SoCal plan on March 27th and discovered that Connect SoCal may still include some severe errors. One example of this involves the Plan's depiction of already approved and entitled housing projects. A change occurred with a fully entitled project that will provide much-needed housing in the region to meet our housing production numbers along with job creation essential to help our region recover from this pandemic. Of course, we trust that SCAG staff will fix this quickly. But it highlights the need for detailed stakeholder review and a pause of 90 days will provide that.

SCAG should also recognize that our federal, state, and local governments are granting regulatory forbearance in extraordinary ways. Tax deadlines are being moved, private rental obligations are being postponed, and regulatory deadlines of all types are being delayed. Given the reasons set out above, there should be no reason for SCAG to rush to adopt Connect SoCal and the PEIR in its current condition and under the current circumstances.

We respectfully urge SCAG to postpone the consideration of the Connect SoCal and the PEIR for 90 days.

Sincerely,  
DeAndre Valencia  
[vanda3030@gmail.com](mailto:vanda3030@gmail.com)  
460 Lucera Ct #111 Pomona, CA 91766 Constituent

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**From:** Roberto C. Arnold <myvoice@oneclickpolitics.com>  
**Sent:** Friday, April 24, 2020 11:06 AM  
**To:** Kome Ajise <ajise@scag.ca.gov>  
**Subject:** Urging a 90-day pause to the 'Connect SoCal' plan

Re: Urging a 90-day pause to the 'Connect SoCal' plan

Dear Hon. Kome Ajise,

We appreciate the planning, professionalism, and great work SCAG staff has done in presenting the 'Connect SoCal' plan to many diverse stakeholders in Southern California.

However, due to the COVID-19 pandemic impacts hitting us all at the very same time the final draft was released, the very stakeholders you've sought valuable input from have not been able to spend the needed time reviewing the details to provide you with constructive feedback.

With less than two weeks until the Regional Council convenes, SCAG staff has not yet provided us with a summary of changes to aid in that review.

Therefore, we request that SCAG take a delay of a mere 90 days to allow us to assess the changes between the "draft" and "final" Connect SoCal plans to ensure that we are protecting and leveraging every available transportation and housing dollar needed to build the critical infrastructure necessary to move our economy forward.

We learned about the release of the final Connect SoCal plan on March 27th and discovered that Connect SoCal may still include some severe errors. One example of this involves the Plan's depiction of already approved and entitled housing projects. A change occurred with a fully entitled project that will provide much-needed housing in the region to meet our housing production numbers along with job creation essential to help our region recover from this pandemic. Of course, we trust that SCAG staff will fix this quickly. But it highlights the need for detailed stakeholder review and a delay of 90 days will provide that.

SCAG should also recognize that our federal, state, and local governments are granting regulatory forbearance in extraordinary ways. Tax deadlines are being moved, private rental obligations are being postponed, and regulatory deadlines of all types are being delayed. Given the reasons set out above, there should be no reason for SCAG to rush to adopt Connect SoCal and the PEIR in its current condition and under the current circumstances.

We respectfully urge SCAG to postpone the consideration of the Connect SoCal and the PEIR for 90 days.

Sincerely,  
Roberto C. Arnold  
[roberto@alphaprimeconsult.com](mailto:roberto@alphaprimeconsult.com)  
363 S Park Ave Suite 104B Pomona, CA 91766 Constituent

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**From:** Peter Herzog <myvoice@oneclickpolitics.com>  
**Sent:** Friday, April 24, 2020 11:07 AM  
**To:** Kome Ajise <ajise@scag.ca.gov>  
**Subject:** Urging a 90-day pause to the 'Connect SoCal' plan

Re: Urging a 90-day pause to the 'Connect SoCal' plan

Dear Hon. Kome Ajise,

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We respectfully urge SCAG to postpone the consideration of the Connect SoCal and the PEIR for 90 days.

Sincerely,  
Peter Herzog

[peter@talleyassoc.com](mailto:peter@talleyassoc.com)

25241 Paseo de Alicia, suite 110 Laguna Hills, CA 92653 Constituent

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**From:** Brissa Sotelo <myvoice@oneclickpolitics.com>  
**Sent:** Friday, April 24, 2020 11:21 AM  
**To:** Kome Ajise <ajise@scag.ca.gov>  
**Subject:** Urging a 90-day pause to the 'Connect SoCal' plan

Re: Urging a 90-day pause to the 'Connect SoCal' plan

Dear Hon. Kome Ajise,

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We respectfully urge SCAG to postpone the consideration of the Connect SoCal and the PEIR for 90 days.

Sincerely,  
Brissa Sotelo  
[brissa.sotelo@valero.com](mailto:brissa.sotelo@valero.com)  
2402 E. Anaheim Street Wilmington, CA 90744 Constituent

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**From:** Dave Rittenhouse <myvoice@oneclickpolitics.com>  
**Sent:** Friday, April 24, 2020 12:21 PM  
**To:** Kome Ajise <ajise@scag.ca.gov>  
**Subject:** Urging a 90-day pause to the 'Connect SoCal' plan

Re: Urging a 90-day pause to the 'Connect SoCal' plan

Dear Hon. Kome Ajise,

We appreciate the planning, professionalism, and great work SCAG staff has done in presenting the 'Connect SoCal' plan to many diverse stakeholders in Southern California.

However, due to the COVID-19 pandemic impacts hitting us all at the very same time the final draft was released, the very stakeholders you've sought valuable input from have not been able to spend the needed time reviewing the details to provide you with constructive feedback.

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We respectfully urge SCAG to postpone the consideration of the Connect SoCal and the PEIR for 90 days.

Sincerely,  
Dave Rittenhouse

[dave.rittenhouse@bni4success.com](mailto:dave.rittenhouse@bni4success.com)

9903 Santa Monica Blvd, 812 Beverly Hills, CA 90212 Constituent

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**From:** Horace H Heidt [<mailto:myvoice@oneclickpolitics.com>]  
**Sent:** Friday, April 24, 2020 12:48 PM  
**To:** Kome Ajise <[ajise@scag.ca.gov](mailto:ajise@scag.ca.gov)>  
**Subject:** Urging a 90-day pause to the 'Connect SoCal' plan

Re: Urging a 90-day pause to the 'Connect SoCal' plan

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We respectfully urge SCAG to postpone the consideration of the Connect SoCal and the PEIR for 90 days.

Sincerely,  
Horace H Heidt  
[horaceh@bigbands.com](mailto:horaceh@bigbands.com)  
14155 Magnolia Blvd. Sherman Oaks, CA 91423 Constituent

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**From:** Tim Piasky <[tpiasky@bialav.org](mailto:tpiasky@bialav.org)>

**Date:** April 27, 2020 at 3:59:51 PM PDT

**To:** Tim Piasky <[tpiasky@bialav.org](mailto:tpiasky@bialav.org)>

**Cc:** Diana Coronado <[dcoronado@bialav.org](mailto:dcoronado@bialav.org)>, Jeff Montejano <[jmontejano@biasec.org](mailto:jmontejano@biasec.org)>

**Subject:** SCAG RTP/SCS Plan Urgent Request

Dear LA/Ventura County SCAG Regional Council Members,

We respectfully request that you support a 90-day postponement of the SCAG's RTP/SCS vote that is scheduled for May 7<sup>th</sup>. The new long-range regional transportation plan and growth scenario will have a significant impact on Southern California housing and transportation policies over the next 25 years. The final plan is over 10,000 pages long and was first released to the public on March 29th.

Unfortunately, the whole world and especially the SCAG region has been majorly impacted by COVID-19 since the time that the document has been circulated. Based upon these circumstances, we feel that it is not good public policy to move forward now with a vote of this magnitude.

SCAG staff has repeatedly asserted that any delay past May 7, 2020 would fatally compromise the region's access to federal transportation funding based on air quality conformity mandates in the federal Clean Air Act. SCAG staff has not shown any willingness to consider the enormous burden that its elected regional council members, as well as members of the public and other stakeholders, are urgently addressing as a result of the COVID-19 emergency.

SCAG staff would not agree to a delay even though air quality enforcement agencies, including the U.S. Environmental Protection Agency and California Environmental Protection Agency, have already postponed and invited further requests for postponement of compliance deadlines given the pandemic. We further note the many due process, equity, and other challenges with conducting inclusive, timely and robust public engagement and disclosure process by videoconference for a 25-year regional land use plan that directly affects every single jurisdiction in the region.

Please let me know that we can count on your vote for a 90-day postponement.

Thank You,

Tim



Los Angeles/Ventura Chapter

**Tim Piasky**

**CEO**

**Building Industry Association of Southern California**

Los Angeles / Ventura Chapter

**The Voice of Building and Development**

350 South Bixel Street, Suite 100

Los Angeles, CA 90017

Office: 213-797-5962

Cell: 626-319-8242

[tpiasky@bialav.org](mailto:tpiasky@bialav.org)

[www.bialav.org](http://www.bialav.org)





April 22, 2020

The Honorable Bill Jahn  
President, Southern California Association of Governments  
900 Wilshire Blvd., Ste. 1700  
Los Angeles, CA 90017

**SUBJECT: Request for 90-Day Delay on Final Connect SoCal Vote**

Dear President Jahn:

The Building Industry Association of Southern California (BIASC) writes to you in request of a 90-day delay of the scheduled consideration of the final "Connect SoCal" Plan (SCAG's 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy) and the related Draft Program Environmental Impact Report (PEIR).

As one of the largest home building associations in the nation, BIASC is a leading advocate for thousands of building industry leaders who are committed to a better future by building communities, creating jobs, and ensuring housing opportunities for everyone.

Given the unprecedented disruption caused by the Coronavirus pandemic, we strongly believe that the May 7 date to approve the final Connect SoCal Plan severely limits the homebuilding industry's ability to thoroughly review and provide input on the Plan. While we acknowledge SCAG's outreach efforts in the months leading up to the Plan's release, the public health order restrictions placed on the public and business community have severely limited the ability to assess the impacts of such an important document. Considering that the final Connect SoCal Plan was released on March 29, amid historic economic and societal upheaval, and is roughly 10,000 pages in length, we believe that a 90-day delay is a more than reasonable request.

In our limited time to review the final Connect SoCal Plan, we have found that the Plan reflects a reduced number of housing units and jobs scheduled to be created through already approved land-use entitlements. The Plan as proposed is not in alignment with existing entitlements and, if approved, would put a significant number of entitled housing projects in serious legal jeopardy. It is inconceivable that in the middle of a housing and economic crisis, our elected leaders would approve a long-range plan that would jeopardize the ability to build new housing and create thousands of sorely needed jobs.

We are also extremely concerned regarding the fact that in its current form, the Plan fails to take into consideration the monumental changes to our community and economy that have occurred as a result of the Coronavirus pandemic. Considering that the Connect SoCal Plan will impact housing and transportation policy over the next 25 years, it's imperative that SCAG approve a final Plan that is flexible and able to adapt to the changing circumstances that we will continue to face in the years and decades to come.

As government at all levels has moved or delayed reporting and regulatory deadlines of all types, surely SCAG can grant a 90-day delay on the approval of the Connect SoCal Plan.

We appreciate your consideration regarding our request and thank you for your leadership during these challenging times.

Sincerely,



Jeff Montejano  
Chief Executive Officer

Cc: SCAG Officers and Executive Staff



**SOUTHERN CALIFORNIA LEADERSHIP COUNCIL**



**LOS ANGELES COUNTY ECONOMIC DEVELOPMENT CORPORATION**  
Advancing Opportunity and Prosperity for All



**LOS ANGELES AREA CHAMBER OF COMMERCE**



**CBIA**  
CALIFORNIA BUILDING INDUSTRY ASSOCIATION



**ORANGE COUNTY BUSINESS COUNCIL**



**HISPANIC 100**  
Leadership • Advocacy • Community



**10 YEAR ANNIVERSARY**  
**SANTA CLARITA VALLEY ECONOMIC DEVELOPMENT CORPORATION**



**NAIOP**  
COMMERCIAL REAL ESTATE DEVELOPMENT ASSOCIATION  
SoCAL CHAPTER



**NORTH ORANGE COUNTY CHAMBER**



April 27, 2020

The Honorable Bill Jahn  
President, Southern California Association of Governments  
900 Wilshire Blvd., Ste. 1700  
Los Angeles, CA 90017

and by electronic mail to SCAG Officers and Executive Staff

**Re: Request for Postponement of Scheduled Consideration of the Final “Connect SoCal” Plan (SCAG’s 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy) and the Related Draft Program Environmental Impact Report (PEIR).**

Dear President Jahn and Members of the Regional Council:

In light of the global pandemic and the resulting forbearance that is being afforded by all levels of government, on behalf of the business and industry associations that are signatories to this letter, we respectfully ask SCAG to postpone, for 90 days from its scheduled May 7, 2020 meeting, its consideration of the proposed final 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (“Connect SoCal” or the “Plan”) and its associated proposed final Program Environmental Impact Report (the “PEIR”). This request is consistent with the urgent pleas made by many of us during the March 25<sup>th</sup> SCAG GLUE Council meeting,

and, as you know, repeated in various meetings since then. Specifically, we ask SCAG to postpone consideration of the Plan and the PEIR until early August 2020 for the reasons outlined below:

First, the general public, all stakeholders, SCAG's staff, its Regional Council and its committee members are all presently facing unprecedented logistical challenges brought on by the current global, once-in-a-century pandemic and the emergency governmental orders imposed because of it. These challenges delayed SCAG's public release of the proposed final Connect SoCal and PEIR until late March; and it has confounded the stakeholders' efforts to review, distill, discuss and consider the final Plan's merits. Adding to the challenge is the fact that Connect SoCal and the PEIR with their appendices sum to roughly 10,000 pages; and we are trying to digest them under these harsh circumstances. A 90-day extension of time will allow for appropriate public input and allow stakeholders to take the necessary steps to review the documents and work with SCAG's staff in order to perfect the proposals, as well as to communicate with the decisionmakers who will vote on them.

Second, by engaging in discussions with SCAG's staff last week (on April 15<sup>th</sup>), our representatives confirmed our concern that, without a more thorough review by the stakeholders, Connect SoCal may still include some serious errors. One example of this was identified during last week's meeting, and involves the Plan's erroneous depiction of some already approved and entitled development and housing projects. Specifically, although Connect SoCal is meant to be a rollup of local government input regarding housing and employment growth, including existing entitlements, we learned that after last fall's release of the draft Connect SoCal for formal public comment, the proposed final Connect SoCal underwent changes whereby it now reflects a reduced number of housing units and jobs scheduled to be created at some already approved land-use entitlements. In short, the Plan as proposed is not in alignment with a number of existing entitlements. Thus, if approved, the Plan would put those entitled development and housing projects in legal jeopardy. This would mean that much-needed housing and jobs would be put at risk at what is an absolutely critical moment for both housing production and the economy. Even if SCAG's staff can scramble to correct these problems, their discovery at this late stage serves to underscore the clear need for stakeholders to continue to review these final proposals with the aim of detecting changes and errors and proposing corrections.

Third, if SCAG were to take an additional 90 days before considering what we trust will be an improved proposal, then all parties concerned will be able to consider the lasting effects of the pandemic on SCAG's present plans and changing foresight. We will be urging SCAG to qualify and perhaps condition Connect SoCal in ways that will take into account the need for much greater flexibility and the ability to foster economic recovery from the depths of a precipitous economic contraction. "Business as usual" is no longer a reasonable option for SCAG – no more so than it is for stakeholders and the general public. SCAG's planning and its strategies need to reflect this fact.

Lastly, SCAG should also recognize that our federal, state and local governments are granting regulatory forbearance in extraordinary ways. Tax deadlines are being moved, private

rental obligations are being postponed, and regulatory deadlines of all types are being delayed. Given the reasons set out above, there should be no reason for SCAG to rush to adopt Connect SoCal and the PEIR in its current condition and under the current circumstances.

Therefore, we respectfully urge SCAG to postpone consideration of Connect SoCal and the PEIR for 90 days until August 2020.

Sincerely,



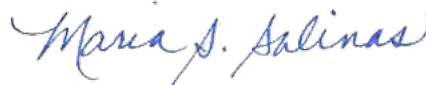
Richard Lambros, Managing Director  
Southern California Leadership Council



Lucy Dunn, President & CEO  
Orange County Business Council (OCBC)



Bill Allen, Chief Executive Officer  
Los Angeles Economic Development  
Corporation (LAEDC)



Maria Salinas, President & CEO  
Los Angeles Area Chamber of Commerce



Dan Dunmoyer, President & CEO  
California Building Industry Association  
(CBIA)



Paul Granillo, President & CEO  
Inland Empire Economic Partnership (IEEP)



*William R. Manis*

William R. Manis, President & CEO  
San Gabriel Valley Economic Partnership



*Peter Herzog*

Peter Herzog, Assistant Director of  
Legislative Affairs  
NAIOP SoCal



*Holly Schroeder*

Holly Schroeder, President & CEO  
Santa Clarita Valley Economic Development  
Corporation



*Mario Rodriguez*

Mario Rodriguez, Chairman  
Hispanic 100



*Ray Baca*

Ray Baca, Executive Director  
Engineering Contractors' Association (ECA)



*Michael W. Lewis*

Mike Lewis, Senior Vice President  
Construction Industry Air Quality Coalition  
(CIAQC)



*David L. Elliott*

David L. Elliott, President & CEO  
Santa Ana Chamber of Commerce



*Theresa Harvey*

Theresa Harvey, President & CEO  
North Orange County Chamber



NORTH  
ORANGE COUNTY  
CHAMBER

**From:** Richard Lambros [<mailto:rlambros@southerncaliforniagroup.com>]

**Sent:** Monday, April 27, 2020 6:39 PM

**To:** Jahn, Bill <[billjahn@roadrunner.com](mailto:billjahn@roadrunner.com)>

**Cc:** Richardson, Rex <[Rex.richardson@longbeach.gov](mailto:Rex.richardson@longbeach.gov)>; Alan Wapner <[awapner@ci.ontario.ca.us](mailto:awapner@ci.ontario.ca.us)>;

Lorimore, Clint <[CLorimore@Eastvaleca.gov](mailto:CLorimore@Eastvaleca.gov)>; Jan Harnik ([jharnik@dc.rr.com](mailto:jharnik@dc.rr.com))

<[cityhall@cityofpalmdesert.org](mailto:cityhall@cityofpalmdesert.org)>; Kome Ajise <[ajise@scag.ca.gov](mailto:ajise@scag.ca.gov)>; Darin Chidsey

<[CHIDSEY@scag.ca.gov](mailto:CHIDSEY@scag.ca.gov)>; Sarah Miller <[miller@scag.ca.gov](mailto:miller@scag.ca.gov)>

**Subject:** Request for Postponement of Scheduled Consideration of the Final "Connect SoCal" Plan and the Related Draft PEIR

Good afternoon Bill,

On behalf of the coalition group members signed onto the attached letter to you and the Regional Council, we are submitting this formal request for a 90-day delay on the consideration of the final draft Connect SoCal Plan and final draft PEIR. Although several of the groups who have signed onto this letter have made this same request verbally on a number of occasions over the past few weeks (starting at the GLUE Council on March 25<sup>th</sup>), we felt it necessary at this time to formalize this request since the issues we have with the RTP/SCS have not been resolved, and the scheduled vote on adoption is now just 10 days away.

We appreciate your urgent consideration of this request.

Best,  
Rich

Richard J. Lambros | Managing Director  
Southern California Leadership Council  
444 S. Flower Street, 37th Floor, Los Angeles CA 90071  
T: (213) 236-4810 | M: (909) 225-0095 | F: (213) 622-7100  
E: [richard.lambros@socalc.org](mailto:richard.lambros@socalc.org) | W: [www.socalc.org](http://www.socalc.org)



PLEASE CONSIDER THE ENVIRONMENT BEFORE PRINTING THIS EMAIL

April 27, 2020

The Honorable Bill Jahn  
President, Southern California Association of Governments  
900 Wilshire Blvd, Suite 1700  
Los Angeles, CA 90017

SUBJECT: Request 90-Day Pause - 'Connect SoCal'

Dear President Jahn and SCAG Regional Council District Chairs,

On behalf of BizFed, a grassroots alliance of more than 190 business organizations representing 400,000 employers with over 3.5 million employees in Los Angeles County, we appreciate the planning, professionalism, and great work of SCAG staff in presenting the Connect SoCal plan to many diverse stakeholders in the SCAG region.

The timing of the release, review and comment period for the final draft of Connect SoCal has come amid the COVID-19 pandemic and this normal process has been upended.

The key stakeholders from which you have sought valuable input, have not been able to review the details for constructive feedback as SCAG staff has not yet provided us with a summary of changes to aid in that review. In only two weeks the Regional Council convenes.

Therefore, BizFed requests SCAG take a pause of a mere 90 days to allow our membership to review and evaluate the changes between the "draft" and "final" Connect SoCal plans to ensure the protection and to leverage all available transportation and housing monies needed in building the critical infrastructure that will move our economy forward.

We learned of the release of the final Connect SoCal plan on March 27<sup>th</sup>, 2020. Upon a brief review of the plan, we discovered that Connect SoCal may still include some severe errors.

**One example of this involves the Plan's erroneous depiction of already approved** and entitled housing projects. A change occurred on a fully entitled project that will provide much-needed housing in the region, meeting RHNA numbers and job creation essential to aid in the region's recover from this pandemic.

The change between "draft" and "final" now depicts this particular project to have a reduction in the housing count of 3,000+ homes and most importantly, a job count loss of over 15,000 critical jobs in **our region's reclamation of** the lost sales and property tax revenues that are occurring during this pandemic. Of course, we trust that SCAG staff will fix this quickly. But it highlights the need for detailed stakeholder review.

**We appreciate SCAG's steadfast efforts to assure that SB 375 can be implemented,** complying with its statutory protections for a healthy economy and growing

population. BizFed will partner with SCAG for solutions to truly connect all Southern Californians.

SCAG should also recognize that our federal, state, and local governments are granting regulatory forbearance in extraordinary ways. Tax deadlines are being moved, private rental obligations are being postponed, and regulatory all types of regulatory deadlines being delayed.

Given the reasons set out above, SCAG should not rush to adopt Connect SoCal and the PEIR in its current iteration and under the current COVID-19 circumstances that have diminished review of the document.

Therefore, we respectfully urge SCAG to postpone the consideration of Connect SoCal and the PEIR for 90 days.

Sincerely,



Sandy Sanchez  
BizFed Chair  
FivePoint



David Fleming  
BizFed Founding Chair



Tracy Hernandez  
BizFed Founding CEO  
IMPOWER, Inc.

CC: Kome Ajise, SCAG Executive Director



# BizFed Association Members

Action Apartment Association  
 Alhambra Chamber of Commerce  
 American Beverage Association  
 American Hotel & Lodging Association  
 American Institute of Architects – Los Angeles  
 Angeles Emeralds  
 Apartment Association, California Southern Cities  
 Apartment Association of Greater Los Angeles  
 Arcadia Association of REALTORS  
 AREAA North Los Angeles SFV SCV  
 Asian Business Association  
 Association of Club Executives  
 Association of Independent Commercial Producers  
 Azusa Chamber of Commerce  
 Bell Gardens Chamber of Commerce  
 Beverly Hills Bar Association  
 Beverly Hills Chamber of Commerce  
 BNI 4SUCCESS  
 Boyle Heights Chamber of Commerce  
 Building Industry Association, LA / Ventura  
 Building Industry Association, Baldyview  
 Building Owners & Managers Association, Greater LA  
 Burbank Association of REALTORS  
 Burbank Chamber of Commerce  
 Business & Industry Council for Emergency Planning & Preparedness  
 Business Resource Group  
 CalAsian Chamber  
 CalCFA  
 California Apartment Association, Los Angeles  
 California Asphalt Pavement Association  
 California Association of Food Banks  
 California Bankers Association  
 California Bus Association  
 California Business Roundtable  
 California Cannabis Industry Association  
 California Construction and Industry Materials Association  
 California Contract Cities Association  
 California Fashion Association  
 California Gaming Association  
 California Grocers Association  
 California Hispanic Chamber of Commerce  
 California Hotel & Lodging Association  
 California Independent Oil Marketers Association  
 California Independent Petroleum Association  
 California Life Sciences Association  
 California Manufacturers & Technology Association  
 California Metals Coalition  
 California Restaurant Association  
 California Retailers Association  
 California Small Business Alliance  
 California Society of CPAs -Los Angeles Chapter  
 California Sportfishing League  
 California Trucking Association  
 Carson Chamber of Commerce  
 Carson Dominguez Employers Alliance  
 CDC Small Business Finance  
 Central City Association  
 Century City Chamber of Commerce  
 Cerritos Regional Chamber of Commerce  
 Citrus Valley Association of REALTORS  
 Commercial Industrial Council/Chamber of Commerce  
 Construction Industry Air Quality Coalition  
 Construction Industry Coalition on Water Quality  
 Council on Trade and Investment for Filipino Americans

Covina Chamber of Commerce  
 Culver City Chamber of Commerce  
 Downey Association of REALTORS  
 Downey Chamber of Commerce  
 Downtown Long Beach Alliance  
 El Monte/South El Monte Chamber  
 El Segundo Chamber of Commerce  
 Employers Group  
**Engineering Contractor's Association**  
 EXP  
 F.A.S.T. - Fixing Angelenos Stuck In Traffic FilmLA  
 Friends of Hollywood Central Park  
 Fur Information Council of America  
 FuturePorts  
 Gardena Valley Chamber of Commerce  
 Gateway to LA  
 Glendale Association of REALTORS  
 Glendale Chamber of Commerce  
 Glendora Chamber of Commerce  
 Greater Antelope Valley Association of REALTORS  
 Greater Lakewood Chamber of Commerce  
 Greater Los Angeles African American Chamber  
 Greater Los Angeles Association of REALTORS  
 Greater Los Angeles New Car Dealers Association  
 Harbor Trucking Association  
 Historic Core Business Improvement District  
 Hollywood Chamber of Commerce  
 Hollywood Property Owners Alliance  
 Hong Kong Trade Development Council  
 Hospital Association of Southern California  
 Hotel Association of Los Angeles  
 Huntington Park Area Chamber of Commerce  
 Independent Cities Association  
 Industry Manufacturers Council  
 Inglewood Airport Area Chamber of Commerce  
 Inland Empire Economic Partnership  
 International Warehouse Logistics Association  
 Irwindale Chamber of Commerce  
 La Cañada Flintridge Chamber of Commerce  
 L.A. County Medical Association  
 L.A. Fashion District BID  
 L.A. South Chamber of Commerce  
 Larchmont Boulevard Association  
 Latino Food Industry Association  
 LAX Coastal Area Chamber of Commerce  
 League of California Cities  
 Long Beach Area Chamber of Commerce  
 Los Angeles Area Chamber of Commerce  
 Los Angeles County Board of Real Estate  
 Los Angeles County Waste Management Association  
 Los Angeles Gateway Chamber of Commerce  
 Los Angeles Gay and Lesbian Chamber of Commerce  
 Los Angeles Latino Chamber of Commerce  
 Los Angeles Parking Association  
 Maple Business Council  
 Motion Picture Association of America  
 MoveLA a Project of Community  
 NAI OP Southern California Chapter  
 National Association of Royalty Owners  
 National Association of Tobacco Outlets  
 National Association of Women Business Owners  
 National Association of Women Business Owners – Los Angeles  
 National Hispanic Medical Association

National Latina Business Women  
 Orange County Business Council  
 Pacific Merchant Shipping Association  
 Pacific Palisades Chamber of Commerce  
 Panorama City Chamber of Commerce  
 Paramount Chamber of Commerce  
 Pasadena Chamber of Commerce  
 Pasadena-Foothills Association of Realtors PhRMA  
 Planned Parenthood Southern Affiliates of California  
 Pomona Chamber of Commerce  
 Propel L.A.  
 Rancho Southeast Association of REALTORS  
 Recording Industry Association of America  
 Regional Black Chamber - San Fernando Valley  
 Regional Chamber of Commerce-San Gabriel Valley  
 Rosemead Chamber of Commerce  
 San Dimas Chamber of Commerce  
 San Gabriel Chamber of Commerce  
 San Gabriel Valley Economic Partnership  
 San Pedro Peninsula Chamber of Commerce  
 Santa Clarita Valley Chamber of Commerce  
 Santa Clarita Valley Economic Development Corp.  
 Santa Monica Chamber of Commerce  
 Sherman Oaks Chamber of Commerce  
 South Bay Association of Chambers  
 South Bay Association of REALTORS  
 South Gate Chamber of Commerce  
 Southern California Contractors Association  
 Southern California Golf Association  
 Southern California Grant Makers  
 Southern California Leadership Council  
 Southern California Minority Suppliers Development Council Inc. +  
 Southern California Water Coalition  
 Southland Regional Association of REALTORS  
 Sunland-Tujunga Chamber of Commerce  
 The Young Professionals at the Petroleum Club  
 Torrance Area Chamber  
 Town Hall Los Angeles  
 Tri-Counties Association of REALTORS  
 United Chambers San Fernando Valley & Region  
 United States-Mexico Chamber  
 Unmanned Autonomous Vehicle Systems Association  
 US Resiliency Council  
 Valley Economic Alliance  
 Valley Industry & Commerce Association  
 Vernon Chamber of Commerce  
 Vietnamese American Chamber of Commerce  
 Warner Center Association  
 West Hollywood Chamber of Commerce  
 West Los Angeles Chamber of Commerce  
 West San Gabriel Valley Association of REALTORS  
 West Valley/Warner Center Association Chamber  
 Western Manufactured Housing Association  
 Western States Petroleum Association  
 Westside Council of Chambers  
 Westwood Community Council  
 Westwood Village Rotary Club  
 Whittier Chamber of Commerce  
 Wilmington Chamber of Commerce  
 World Trade Center Los Angeles  
 Young Professionals in Energy - LA Chapter

*April 27, 2020*

Mr. Kome Ajise  
Executive Director  
Southern California Association of Governments  
900 Wilshire, Suite 1700  
Los Angeles, California 90017

*Subject: Orange County Council of Governments Comments for Final Draft Connect SoCal  
2020 RTP/SCS and PEIR*

*Transmitted via email*

**Dear Mr. Ajise:**

On behalf of the Orange County Council of Governments, I want to thank you and your team for the tremendous effort that has gone into the creation of the Connect SoCal Plan and PEIR. This is a gargantuan task every four years, and this cycle in particular has seen significant challenges to the development of the planning documents.

We appreciate the opportunity to provide comments on the draft Connect SoCal and PEIR documents. We also appreciate all of the changes SCAG has made to the documents based on our comments in our formal response to the draft document and our informal comments offered in countless meetings over the past four years. Unfortunately, OCCOG continues to have significant concerns, as we have been expressing over the past six months, with the consistency between the RHNA and the Connect SoCal Plan as required per state housing law. We appreciate that SCAG took the time to provide a detailed response to this concern on pages i-iv of the Connect SoCal Appendix 2. Nevertheless, the response falls short in explaining how these two documents are consistent. We provide the following additional comments for your consideration:

- 1) Paragraph 1 of the section entitled, "Existing Need Portion of the 6<sup>th</sup> Cycle RHNA" from Master Response 1 (see page iii) states, "In accordance with Government Code Section 65080(b)(2)(B)(iii), as discussed above, Connect SoCal's SCS identifies areas within the region sufficient to house an eight-year projection of the RHNA need, **meaning the "projected need" portion (504,970 units) of the 6th Cycle (2021- 2029) RHNA.**" This response really does not

address the intent of the law, which is that the RHNA should be consistent with the SCS. The law does not distinguish between “existing need” and “projected need” RHNA being consistent with the SCS, but states that the RHNA must be consistent with the development pattern of the SCS. Furthermore, projected household growth comes from a variety of different factors, including existing population living in overcrowded conditions that form new households as more housing units are constructed. Since existing households are simply occupied existing housing units, as the market becomes flooded with more housing units as a result of the RHNA, there will likely be an increase in household growth into those additional housing units. The SCS should take into account the approved RHNA development pattern.

- 2) Paragraph 3 of the section entitled, “Existing Need Portion of the 6<sup>th</sup> Cycle RHNA” from Master Response 1 (see page iv) states, “The 6th Cycle RHNA allocation at the jurisdiction level will not be finalized until October 2020 following an appeals process which may result in changes to the RHNA at the jurisdictional level...Until this planning work is done at the local level, it would be speculative for Connect SoCal to make assumptions about potential development levels and patterns that includes the 6th Cycle ‘existing need.’”
  - a. Aren’t both “projected need” and “existing need” housing units appealable through the RHNA process? Why is it that Connect SoCal can make assumptions about the potential development levels and patterns for “projected need” but not “existing need”? Jurisdictions are not going to distinguish the construction of their housing units between “projected need” vs. “existing need.” They are simply going to permit the housing units.
  - b. Historically most appeals have not been granted by SCAG. In fact, it has actually been pretty rare for an appeal to be granted. Based on historic trends, it seems like SCAG would be able to make assumptions about how the final RHNA may turn out following the appeals.
  - c. While RHNA and Connect SoCal may be more consistent in much of the SCAG region under the current RHNA methodology, Orange County and much of Los Angeles County are going to be extremely inconsistent between the forecasts in Connect SoCal and the RHNA allocation.
- 3) Jurisdictions are going to be relying on the data assumptions in the RTP/SCS and the RHNA. For example, many jurisdictions are going to rely on the RTP/SCS for compliance with SB 743 in screening projects for VMT impacts. However, if the RTP/SCS doesn’t accurately account

for 2/3 of total RHNA, more than 800,000 units. This will significantly impact jurisdictions' reliance on the RTP/SCS for compliance with CEQA.

In addition to the concerns expressed herein, OCCOG believes that the request from several business groups to delay a vote on final approval of the Connect SoCal Plan by the SCAG Regional Council for 90 days is a reasonable request.

At the OCCOG Board meeting of April 23, 2020, representatives of the Building Industry Association expressed significant concern over the accuracy of the entitlement data incorporated in the proposed Connect SoCal Sustainable Communities Strategy. As you well know, Orange County raised this same concern more than a year ago, and we greatly appreciated the additional review opportunity that SCAG extended to all the jurisdictions on October 31, 2019, to review and make corrections to the entitlement database for their respective jurisdiction at the small, traffic analysis zone geography. With the leadership of the Center for Demographic Research (CDR) at CSU Fullerton, every Orange County jurisdiction participated in the entitlement database review opportunity and provided corrections back to SCAG to ensure all entitlements in Orange County were accurately incorporated into the RTP/SCS growth forecast. At the same time, we also recognize that the time afforded for the additional review opportunity was very compressed, and that some jurisdictions and subregions may not have had the same coordinated effort as Orange County to conduct a quality control check on the entitlement database under the expedited timeline.

OCCOG recognizes the importance of having an error-free SCS document that does not put housing and nonresidential projects in jeopardy of challenge from CEQA lawsuits that could impact the creation of needed jobs and housing units in the region due to an inadvertent inconsistency between entitled projects and the land use pattern of the region's SCS.

Further, given the status of the negotiations on the SAFE Act between the State of California Air Resources Board (CARB) and United States Environmental Protection Agency (EPA), and the memo that EPA has issued stating that regulatory penalties will be stayed for a 90-day window from the date of the expiration of conformity, OCCOG believes there is little risk to our region in providing additional time for stakeholders to review the document. This additional time will allow the building community and affected jurisdictions to carefully review the RTP/SCS and related documents, and consistent with the two prior RTP/SCS processes, allow for appropriate corrections for entitled projects and local input.

Should SCAG believe that the arguments put forth for a delay by the business community are still unwarranted, OCCOG would support decoupling the approval of the RTP from the SCS

portion of the Connect SoCal plan for the 90-day period of review to give stakeholders more time to ensure entitlements and development agreements, and pending housing projects that comply with General Plans and the existing RTP/SCS, are accurately included in the Plan while not jeopardizing transportation funding that is an essential element of economic recovery for Southern California with jobs, housing and transportation solutions that work for the region and meet all applicable legal mandates including air quality. We believe this will avoid inadvertently inviting legal hurdles to building housing projects that have already been approved and planned for by a jurisdiction, while still keeping our region in conformity. The 90-day time period being requested is well below the one-year threshold for delay of the SCS that would require legislation to pursue.

We appreciate your consideration of our additional comments provided in this letter and the ongoing collaboration SCAG and OCCOG have built. It is a shared goal to have an RTP/SCS adopted that is credible and defensible on all levels.

If you have any questions, please do not hesitate to contact me or Marnie Primmer, OCCOG Executive Director at (949) 698-2856 or [marnie@occog.com](mailto:marnie@occog.com).

Sincerely

  
Stacy Berry, Chair of the Board

*Stacy Berry*

Chair

Orange County Council of Governments

Cc: OCCOG Member Agencies  
OCCOG Board of Directors  
OCTA Board of Directors  
TCA Board of Directors

**From:** Eileen White [<mailto:eileen@occog.com>]

**Sent:** Tuesday, April 28, 2020 12:26 PM

**To:** Jahn, Bill <[billjahn@roadrunner.com](mailto:billjahn@roadrunner.com)>

**Cc:** Marnie Primmer <[marnie@occog.com](mailto:marnie@occog.com)>; Kathryn Morrison <[kathryn@occog.com](mailto:kathryn@occog.com)>; Kome Ajise <[ajise@scag.ca.gov](mailto:ajise@scag.ca.gov)>

**Subject:** Comment Letter re OCCOG concerns regarding process used for development of SCAG 6th Cycle RHNA methodology

Dear President Jahn,

Attached please find the comment letter from OCCOG regarding the process used for development of SCAG 6<sup>th</sup> Cycle RHNA Methodology.

Kindest regards,

Eileen White  
OCCOG Clerk

**From:** Anne Mayer [<mailto:AMayer@RCTC.org>]  
**Sent:** Tuesday, April 28, 2020 12:19 PM  
**To:** Mayer, Anne <[amayer@rctc.org](mailto:amayer@rctc.org)>  
**Subject:** Support for SCAG RTP/SCS Adoption

To: Riverside County SCAG Regional Council Representatives

From: Anne Mayer, RCTC Executive Director

At SCAG's next Regional Council meeting on May 7th, the Regional Council will consider adopting the Proposed Final Connect SoCal plan – the 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS), as well as the Proposed Final Connect SoCal Programmatic Environmental Impact Report (PEIR). This planning document is the foundation to keeping state and federal transportation funds flowing to the southern California region. Connect SoCal is the culmination of three years of collaboration with all six county transportation commissions, including RCTC, and 191 cities throughout the region, with extensive stakeholder and public input.

SCAG staff originally intended to present the Proposed Final Connect SoCal plan to the Regional Council for final approval on April 2nd, but were forced to delay the meeting due to uncertainty related to the COVID-19 pandemic.

**The timely adoption of Connect SoCal is absolutely critical** if our region is to meet federal and state requirements and helps our region maintain a flow of transportation dollars, especially during this very uncertain time. If adoption of Connect SoCal is delayed, it could trigger significant uncertainty that could negatively impact transportation infrastructure projects in Riverside County. Specifically, there are some very serious time-sensitive considerations pertaining to the adoption of Connect SoCal:

- **Federal Conformity:** The Federal Highway Administration (FHWA) and Federal Transit Administration (FTA), in consultation with U.S. Environmental Protection Agency (EPA), need to complete their review of the Connect SoCal plan and approve its transportation conformity determination under the federal Clean Air Act **no later than June 1st** or the region's transportation plan will enter a lapse grace period, which could put a hold on some major transportation planning activities and project implementation. SCAG has been working closely with our federal partners and Caltrans to conduct an early and expedited review of Connect SoCal so that federal agencies can complete their review of the plan, and approve its conformity determination, by June 1st.
- **SAFE Rule Compliance:** The California Air Resources Board (CARB) developed emission factors to comply with the federal Safer Affordable Fuel Efficient (SAFE) Rule Part 1, which was only recently accepted by the U.S. EPA. The proposed Final Connect SoCal plan complies with these accepted adjustments factors, and thus is compliant with SAFE Rule Part 1. A delay would mean that SCAG's emission analysis might need to be fully redone, with additional to-be-determined factors, to comply with the recently adopted part two of the federal SAFE Rule that is

anticipated to become effective in June. Given the lead time it takes to develop the technical approach to comply with SAFE Rules, a delay would create even greater uncertainty about how and when the region would come back into conformity and could hinder early execution of projects needed stimulate the economy.

- **CARB Certification of the Sustainable Communities Strategy**: Once adopted, Connect SoCal will go to CARB for a determination that the region has a Sustainable Communities Strategy that can achieve the plan's greenhouse gas emission reduction targets, keeping the region eligible for major state funding (like SB 1).
- **RHNA Process Requires Approval of Connect SoCal to Move Forward**: Completing the Regional Housing Needs Assessment (RHNA) also depends on approval of the plan; its adoption will mean SCAG can formally issue draft RHNA allocations to local cities and counties.

The following projects are currently on track for environmental approval in June and will be immediately impacted if there is delay in RTS/SCS adoption. A continued delay will impact additional projects.

- I-215/Keller Road Interchange--Murrieta
- SR 60/World Logistics Center Interchange--Moreno Valley
- I-10/Jackson Street Interchange--Indio
- I-10 Monroe Interchange--Indio

RCTC staff is confident in the work of SCAG to develop Connect SoCal. Given the current state of public health, as well as eligibility requirements needed for federal and state funding of projects, it is the professional opinion of RCTC staff that it is in our region's best interest that the Regional Council adopt Connect SoCal on May 7<sup>th</sup> so we can focus our efforts on the road to recovery in Riverside County and the southern California.

Please contact me if you have any questions.

Anne



**From:** "Gress, Jennifer@ARB" <[Jennifer.Gress@arb.ca.gov](mailto:Jennifer.Gress@arb.ca.gov)>  
**Date:** April 28, 2020 at 7:21:18 PM PDT  
**To:** "Sarah J. Jepson" <[Jepson@scag.ca.gov](mailto:Jepson@scag.ca.gov)>  
**Cc:** "Dolney, Nicole@ARB" <[nicole.dolney@arb.ca.gov](mailto:nicole.dolney@arb.ca.gov)>  
**Subject:** **CARB Follow-up Letter SCAG's Proposed Final SCS**

Dear Sarah,

Thank you for your work on SCAG's RTP/SCS and for the call we had a few weeks ago to discuss the changes SCAG made to its SCS. We have reviewed the draft SCS and continue to have some concerns, which we enumerate in the attached comment letter. We would be happy to work with you and your staff on remedying these issues. Let us know if you have any questions or would like to discuss.

Best,  
Jennifer

Jennifer Gress, Ph.D.  
Chief, Sustainable Transportation and Communities Division  
California Air Resources Board

April 28, 2020

Ms. Sarah Jepson  
Planning Director  
Southern California Association of Governments  
900 Wilshire Blvd., Suite 1700  
Los Angeles, California 90017

RE: CARB follow-up comments on SCAG's Proposed Final 2020 RTP/SCS

Dear Ms. Jepson:

California Air Resources Board (CARB) staff appreciate the opportunity to review and engage with the Southern California Association of Governments (SCAG) staff on the update to its Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) known as "Connect SoCal." In meetings held in the fall of 2019 and the winter of 2020, as well as in a January 24 comment letter on SCAG's draft 2020 RTP/SCS, CARB staff raised concerns that SCAG's 2020 draft RTP/SCS is missing information that CARB needs to conduct its greenhouse gas (GHG) evaluation under SB 375. The Proposed Final Connect SoCal Plan (Plan) was released on March 27, 2020, and the purpose of this letter is to highlight concerns CARB continues to have with the Plan.

The Plan does not include the information needed for CARB to determine whether or not all of SCAG's included strategies are reasonable. SCAG's recent edits to the Plan partially address our previous comments, however, CARB staff have identified the remaining information needed from SCAG for CARB's evaluation, and have organized these items below to correspond to the Policy Commitments (Determination Component) in CARB's Final Guidelines<sup>1</sup>, on which our evaluation of acceptance or rejection of the SCS will be based.

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<sup>1</sup> CARB's *Final Sustainable Communities Strategy Program and Evaluation Guidelines (pages 38-44)* at: <https://ww2.arb.ca.gov/sites/default/files/2019-11/Final%20SCS%20Program%20and%20Evaluation%20Guidelines%20Report.pdf>

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### Trend Analysis

**Performance reporting for the years 2020 and 2035.** SCAG's Plan shows the performance trends of GHG, VMT, mode share, and alternative travel time modes are heading in the right direction by the year 2045. However, to evaluate whether or not the Plan meets the 2020 and 2035 targets, CARB needs all eight VMT performance indicators and for at least the year 2035. The eight performance indicators include household vehicle ownership, mode split, travel time by mode, average vehicle trip length, transit ridership, seat utilization, household VMT per capita, and GHG per capita. The trend analysis evaluates whether the data and performance indicators provided by the MPO indicates the SCS is moving in a direction consistent with the planned outcomes from the RTP/SCS<sup>2</sup>. Without this information, CARB cannot determine whether SCAG's Plan will meet the targets. As indicated in the Guidelines, CARB will be looking for these data in the SCS as part of its trend analysis.

SCAG's Plan also includes additional summary information regarding induced demand. As indicated in the Guidelines, CARB expects to receive the calculation files used for SCAG's induced demand analysis.

### Policy Analysis

**Information about the measurable commitments, investments, and other policies SCAG and its local members are making to take action on the strategies in the SCS, especially for pricing and land use strategies<sup>3</sup>.** CARB staff continues to have significant questions regarding the extent to which the pricing strategies (e.g., congestion pricing, mileage-based user fees, and TNC user fees) laid out in the Plan will in fact be implemented. For example, the TNC user fee is projected to be in place by 2021 (Transportation Finance Technical Report, page 13), and SCAG has not provided any evidence of actions leading to implementation by 2021. These pricing strategies require State enabling actions and local support. Further, it seems unrealistic that both the congestion pricing and mileage-based user fee strategies would occur at the same time in the year 2030 (Transportation Finance Technical Report, page 13). To evaluate whether

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<sup>2</sup> CARB's *Final Sustainable Communities Strategy Program and Evaluation Guidelines* (page 39) at: <https://ww2.arb.ca.gov/sites/default/files/2019-11/Final%20SCS%20Program%20and%20Evaluation%20Guidelines%20Report.pdf>

<sup>3</sup> CARB's *Final Sustainable Communities Strategy Program and Evaluation Guidelines* (pages 40-42) at: <https://ww2.arb.ca.gov/sites/default/files/2019-11/Final%20SCS%20Program%20and%20Evaluation%20Guidelines%20Report.pdf>

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or not the strategies are reasonably likely to be implemented, it is important that we have information regarding the specific actions SCAG will undertake to implement these strategies. These actions could include, for example, the specific investments that will be made; if studies have been conducted, the next steps that SCAG and locals are moving forward on; and what SCAG and member agencies are doing to advance needed congressional, legislative, and local actions. CARB staff will need SCAG to provide clear information about these actions before they can be considered for GHG emission reduction credits toward target achievement. In addition, CARB requests that SCAG conduct and provide scenario testing that shows the overall impact of the pricing strategies included in the Plan.

Similarly, SCAG's Plan does not include specific information on what actions, investment or other things the region is committing to in order to support its included land use development pattern and strategies. For example, SCAG could describe what discretionary funds are being used to foster local actions to increase development in the right places. The multi-modal dedicated lane strategy is another example where we need additional information to assess the likelihood that the strategy will be implemented. SCAG staff have stated that this is reflected in the project list as expanded bus service. However, the completion year for this project is 2045. SCAG should provide further information on how these strategies and corresponding projects will be in place to meet the 2020 and 2035 target years. Overall, CARB is seeking evidence that land use and transportation strategies will be supported and implemented by local jurisdictions within the region and information on what SCAG is doing to enable implementation of the strategies in the Plan.

Finally, SCAG's Plan now includes a summary table of 2035 GHG reduction calculations that provides some information on the relative contribution of its strategies to the achievement of the targets. CARB staff need SCAG to provide a more detailed breakdown of this table, with line items for each off-modeled strategy, information for the 2020 target year, as well as further documentation of the input assumptions used for each of the strategies that were quantified via the travel demand model. This is necessary to understand whether the magnitude of GHG emissions reductions being claimed for each strategy is reasonable.

### Investment Analysis<sup>4</sup>

**Information about how revenue gaps will be filled if SCAG is not able to take action on pricing strategies.** SCAG's Plan has a revenue gap of \$139.4 billion to fund projects in the RTP/SCS, which is about 22 percent of its current revenue (Transportation Finance Technical Report, page 13). SCAG has included several strategies, including pricing strategies, to assist with filling this shortfall. CARB is concerned that if the region is not able to take action on the pricing strategies, other strategies and investments that contribute to the SCS meeting its target may be at risk. SCAG should explain what categories of investments and what strategies or projects these pricing strategies are expected to fund. CARB is concerned that if SCAG is not able to fill the revenue gap through various pricing strategies, target achievement may not be possible.

### Plan Adjustment

**Data and reporting of implementation of all previous 2016 RTP/SCS strategies and explanation of what adjustments SCAG made to get the region on track to meet its 2020 target<sup>5</sup>.** Based on the SB 150 report<sup>6</sup>, the State is not on track to meet our SB 375 targets. Furthermore, SCAG's transit ridership, one key measure of SCS implementation success, is decreasing and heading in the wrong direction. This is consistent with data presented in the RTP/SCS Transit Technical Report.<sup>7</sup> The Plan does not include information about what SCAG is doing to address these trends within the region. This information is essential for CARB to conduct its Plan Adjustment analysis in the evaluation, which assesses whether a region is on track to meet its targets, and if not, whether it made appropriate changes to the SCS that will get it back on track to meet its 2035 target. SCAG should explain which previous strategies have or have not been implemented, and why. Furthermore, SCAG needs to explain what changes they are making in this plan compared to its previous plan to meet the targets (e.g., what actions, investments, or strategies are different). Additionally, CARB continues to request SCAG provide regionally specific data to substantiate the significant GHG and VMT reductions SCAG is assuming will occur from telemedicine and e-commerce in the 2020 RTP/SCS.

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<sup>4</sup> CARB's *Final Sustainable Communities Strategy Program and Evaluation Guidelines (pages 42-43)* at: <https://ww2.arb.ca.gov/sites/default/files/2019-11/Final%20SCS%20Program%20and%20Evaluation%20Guidelines%20Report.pdf>

<sup>5</sup> CARB's *Final Sustainable Communities Strategy Program and Evaluation Guidelines (pages 43-44)* at: <https://ww2.arb.ca.gov/sites/default/files/2019-11/Final%20SCS%20Program%20and%20Evaluation%20Guidelines%20Report.pdf>

<sup>6</sup> CARB's *2018 Progress Report: California's Sustainable Communities and Climate Protection Act* at: <https://ww2.arb.ca.gov/resources/documents/tracking-progress>

<sup>7</sup> SCAG's *Proposal Final Connect SoCal Plan Transit Technical Report* at: [https://www.connectsocial.org/Documents/Proposed/pfConnectSoCal\\_Transit.pdf](https://www.connectsocial.org/Documents/Proposed/pfConnectSoCal_Transit.pdf)

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### Next Steps

CARB staff are committed to working with SCAG staff on potential approaches to address these issues and remedy aspects of SCAG's technical methodology for estimating GHG emissions. Without the information identified in this letter, as well as our previous one dated January 24, 2020, CARB staff is concerned that the Plan may not meet the targets. For transparency purposes, CARB requests that SCAG publicly post all information it submits to CARB for evaluation with its SCS materials. Lastly, note that the 60-day review timeline begins once we have a complete submittal.

We look forward to continuing our collaboration with SCAG. If you have any questions, please contact me at [Jennifer.Gress@arb.ca.gov](mailto:Jennifer.Gress@arb.ca.gov), or my staff, Nicole Dolney, at [Nicole.Dolney@arb.ca.gov](mailto:Nicole.Dolney@arb.ca.gov).

Sincerely,

/s/

Jennifer Gress, Ph.D.

Division Chief

Sustainable Transportation and Communities Division

cc: Nicole Dolney

Branch Chief

Transportation Planning Branch

**From:** Richard Lambros [<mailto:rlambros@southerncaliforniagroup.com>]

**Sent:** Wednesday, April 29, 2020 7:53 PM

**To:** Jahn, Bill <[billjahn@roadrunner.com](mailto:billjahn@roadrunner.com)>

**Cc:** Richardson, Rex <[Rex.richardson@longbeach.gov](mailto:Rex.richardson@longbeach.gov)>; Alan Wapner <[awapner@ci.ontario.ca.us](mailto:awapner@ci.ontario.ca.us)>;

Lorimore, Clint <[CLorimore@Eastvaleca.gov](mailto:CLorimore@Eastvaleca.gov)>; Jan Harnik ([jharnik@dc.rr.com](mailto:jharnik@dc.rr.com))

<[cityhall@cityofpalmdesert.org](mailto:cityhall@cityofpalmdesert.org)>; Kome Ajise <[ajise@scag.ca.gov](mailto:ajise@scag.ca.gov)>; Darin Chidsey

<[CHIDSEY@scag.ca.gov](mailto:CHIDSEY@scag.ca.gov)>; Sarah Miller <[miller@scag.ca.gov](mailto:miller@scag.ca.gov)>

**Subject:** RE: Request for Postponement of Scheduled Consideration of the Final "Connect SoCal" Plan and the Related Draft PEIR

Hi Bill,

Thanks again for organizing the call this afternoon ... we very much appreciate your efforts, and those of your fellow SCAG officers and staff, to find a mutually agreeable solution on this issue. We have already carried the ideas discussed today back to our coalition group, and we will circle back to you as soon as we develop more collective thought on our end. In the meantime, we do ask that (to the maximum extent possible) you and the SCAG team share in "real time" the language being developed for the adopting resolution, since this language will be critical to the success of the plan you outlined today.

Also, as I briefly mentioned on the call today, a few more groups have joined the business coalition letter that I sent to you (as well as those copied on this email) late Monday. With that in mind, I have attached an updated and now final version of the business coalition letter, which as you know requests a 90-day delay in the adoption of the RTP/SCS.

Have a good evening and let's talk again soon.

Best,  
Rich

Richard J. Lambros | Managing Director  
Southern California Leadership Council  
444 S. Flower Street, 37th Floor, Los Angeles CA 90071  
T: (213) 236-4810 | M: (909) 225-0095 | F: (213) 622-7100  
E: [richard.lambros@socalc.org](mailto:richard.lambros@socalc.org) | W: [www.socalc.org](http://www.socalc.org)



PLEASE CONSIDER THE ENVIRONMENT BEFORE PRINTING THIS EMAIL

**From:** Richard Lambros

**Sent:** Monday, April 27, 2020 6:39 PM

**To:** Bill Jahn ([billjahn@roadrunner.com](mailto:billjahn@roadrunner.com)) <[billjahn@roadrunner.com](mailto:billjahn@roadrunner.com)>

**Cc:** [Rex.richardson@longbeach.gov](mailto:Rex.richardson@longbeach.gov); Alan Wapner ([awapner@ci.ontario.ca.us](mailto:awapner@ci.ontario.ca.us))

<[awapner@ci.ontario.ca.us](mailto:awapner@ci.ontario.ca.us)>; Clint Lorimore (City of Eastvale) <[clorimore@eastvaleca.gov](mailto:clorimore@eastvaleca.gov)>; Jan Harnik

([jharnik@dc.rr.com](mailto:jharnik@dc.rr.com)) <[cityhall@cityofpalmdesert.org](mailto:cityhall@cityofpalmdesert.org)>; Kome Ajise <[ajise@scag.ca.gov](mailto:ajise@scag.ca.gov)>;

[chidsey@scag.ca.gov](mailto:chidsey@scag.ca.gov); [miller@scag.ca.gov](mailto:miller@scag.ca.gov)

**Subject:** Request for Postponement of Scheduled Consideration of the Final “Connect SoCal” Plan and the Related Draft PEIR

Good afternoon Bill,

On behalf of the coalition group members signed onto the attached letter to you and the Regional Council, we are submitting this formal request for a 90-day delay on the consideration of the final draft Connect SoCal Plan and final draft PEIR. Although several of the groups who have signed onto this letter have made this same request verbally on a number of occasions over the past few weeks (starting at the GLUE Council on March 25<sup>th</sup>), we felt it necessary at this time to formalize this request since the issues we have with the RTP/SCS have not been resolved, and the scheduled vote on adoption is now just 10 days away.

We appreciate your urgent consideration of this request.

Best,  
Rich

Richard J. Lambros | Managing Director  
Southern California Leadership Council  
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T: (213) 236-4810 | M: (909) 225-0095 | F: (213) 622-7100  
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**SOUTHERN CALIFORNIA LEADERSHIP COUNCIL**



**LOS ANGELES COUNTY ECONOMIC DEVELOPMENT CORPORATION**  
Advancing Opportunity and Prosperity for All



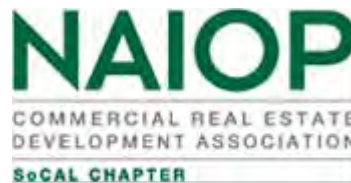
**Los Angeles County Business Federation**



**LOS ANGELES AREA CHAMBER OF COMMERCE**



Strengthening the Voice of Business Since 2008



April 27, 2020

The Honorable Bill Jahn  
President, Southern California Association of Governments  
900 Wilshire Blvd., Ste. 1700  
Los Angeles, CA 90017

and by electronic mail to SCAG Officers and Executive Staff

**Re: Request for Postponement of Scheduled Consideration of the Final “Connect SoCal” Plan (SCAG’s 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy) and the Related Draft Program Environmental Impact Report (PEIR).**

Dear President Jahn and Members of the Regional Council:

In light of the global pandemic and the resulting forbearance that is being afforded by all levels of government, on behalf of the business and industry associations that are signatories to this letter, we respectfully ask SCAG to postpone, for 90 days from its scheduled May 7, 2020

meeting, its consideration of the proposed final 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (“Connect SoCal” or the “Plan”) and its associated proposed final Program Environmental Impact Report (the “PEIR”). This request is consistent with the urgent pleas made by many of us during the March 25<sup>th</sup> SCAG GLUE Council meeting, and, as you know, repeated in various meetings since then. Specifically, we ask SCAG to postpone consideration of the Plan and the PEIR until early August 2020 for the reasons outlined below:

First, the general public, all stakeholders, SCAG’s staff, its Regional Council and its committee members are all presently facing unprecedented logistical challenges brought on by the current global, once-in-a-century pandemic and the emergency governmental orders imposed because of it. These challenges delayed SCAG’s public release of the proposed final Connect SoCal and PEIR until late March; and it has confounded the stakeholders’ efforts to review, distill, discuss and consider the final Plan’s merits. Adding to the challenge is the fact that Connect SoCal and the PEIR with their appendices sum to roughly 10,000 pages; and we are trying to digest them under these harsh circumstances. A 90-day extension of time will allow for appropriate public input and allow stakeholders to take the necessary steps to review the documents and work with SCAG’s staff in order to perfect the proposals, as well as to communicate with the decisionmakers who will vote on them.

Second, by engaging in discussions with SCAG’s staff last week (on April 15<sup>th</sup>), our representatives confirmed our concern that, without a more thorough review by the stakeholders, Connect SoCal may still include some serious errors. One example of this was identified during last week’s meeting, and involves the Plan’s erroneous depiction of some already approved and entitled development and housing projects. Specifically, although Connect SoCal is meant to be a rollup of local government input regarding housing and employment growth, including existing entitlements, we learned that after last fall’s release of the draft Connect SoCal for formal public comment, the proposed final Connect SoCal underwent changes whereby it now reflects a reduced number of housing units and jobs scheduled to be created at some already approved land-use entitlements. In short, the Plan as proposed is not in alignment with a number of existing entitlements. Thus, if approved, the Plan would put those entitled development and housing projects in legal jeopardy. This would mean that much-needed housing and jobs would be put at risk at what is an absolutely critical moment for both housing production and the economy. Even if SCAG’s staff can scramble to correct these problems, their discovery at this late stage serves to underscore the clear need for stakeholders to continue to review these final proposals with the aim of detecting changes and errors and proposing corrections.

Third, if SCAG were to take an additional 90 days before considering what we trust will be an improved proposal, then all parties concerned will be able to consider the lasting effects of the pandemic on SCAG’s present plans and changing foresight. We will be urging SCAG to qualify and perhaps condition Connect SoCal in ways that will take into account the need for much greater flexibility and the ability to foster economic recovery from the depths of a precipitous economic contraction. “Business as usual” is no longer a reasonable option for

SCAG – no more so than it is for stakeholders and the general public. SCAG’s planning and its strategies need to reflect this fact.

Lastly, SCAG should also recognize that our federal, state and local governments are granting regulatory forbearance in extraordinary ways. Tax deadlines are being moved, private rental obligations are being postponed, and regulatory deadlines of all types are being delayed. Given the reasons set out above, there should be no reason for SCAG to rush to adopt Connect SoCal and the PEIR in its current condition and under the current circumstances.

Therefore, we respectfully urge SCAG to postpone consideration of Connect SoCal and the PEIR for 90 days until August 2020.

Sincerely,



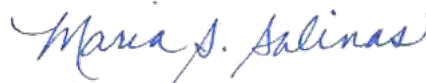
Richard Lambros, Managing Director  
Southern California Leadership Council



Lucy Dunn, President & CEO  
Orange County Business Council (OCBC)



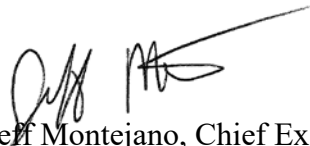
Bill Allen, Chief Executive Officer  
Los Angeles Economic Development  
Corporation (LAEDC)



Maria Salinas, President & CEO  
Los Angeles Area Chamber of Commerce



Tracy Hernandez, Chief Executive Officer  
Los Angeles County Business Federation  
(BizFed)



Jeff Montejano, Chief Executive Officer  
Building Industry Association of Southern  
California (BIASC)





Dan Dunmoyer, President & CEO  
California Building Industry Association  
(CBIA)




Mario Rodriguez, Chairman  
Hispanic 100



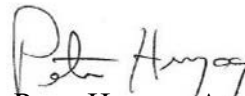
Paul Granillo, President & CEO  
Inland Empire Economic Partnership (IEEP)



William R. Manis, President & CEO  
San Gabriel Valley Economic Partnership



Holly Schroeder, President & CEO  
Santa Clarita Valley Economic Development  
Corporation



Peter Herzog, Assistant Director of  
Legislative Affairs  
NAIOP SoCal



Ray Baca, Executive Director  
Engineering Contractors' Association (ECA)



Mike Lewis, Senior Vice President  
Construction Industry Air Quality Coalition  
(CIAQC)



*Denise Cooper*

Denise Cooper, President  
Southern California Contractors Association

**SCCA**

SOUTHERN CALIFORNIA CONTRACTORS ASSOCIATION

*Jeremy Harris*

Jeremy Harris, Senior Vice President  
Long Beach Area Chamber of Commerce

**The Chamber**  
Long Beach Area Chamber of Commerce

*Theresa Harvey*

Theresa Harvey, President & CEO  
North Orange County Chamber



NORTH  
ORANGE COUNTY  
CHAMBER

*David L. Elliott*

David L. Elliott, President/CEO  
Santa Ana Chamber of Commerce

SANTA ANA  
CHAMBER OF  
COMMERCE

**From:** Clint Lorimore <[clorimore@eastvaleca.gov](mailto:clorimore@eastvaleca.gov)>  
**Sent:** Thursday, April 30, 2020 4:08 PM  
**To:** Tess Rey-Chaput <[REY@scag.ca.gov](mailto:REY@scag.ca.gov)>  
**Subject:** Fwd: URGENT: COVID-19 Pandemic, Connect SoCal Plan, and Public Records Act

Hi Tess,

I am unable to know if anyone else received this letter. On page 10 of the document, there seems to be a public record request for SCAG.

Thank you,

Clint

Clint Lorimore  
Council Member District 3  
City of Eastvale  
951-520-5832

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**From:** John Gamboa <[jgamboa@ccbbuilders.org](mailto:jgamboa@ccbbuilders.org)>  
**Sent:** Thursday, April 30, 2020 4:00:14 PM  
**To:** John Gamboa <[jgamboa@ccbbuilders.org](mailto:jgamboa@ccbbuilders.org)>  
**Subject:** URGENT: COVID-19 Pandemic, Connect SoCal Plan, and Public Records Act

**[The e-mail below is from an external source. Please do not open attachments or click links from an unknown or suspicious origin.]**

Dear SCAG Regional Council Member:

Please see attached letter from The Two Hundred organization (The 200) regarding the COVID-19 Pandemic, Connect SoCal Plan, and Public Records Act.

Thank you,

John Gamboa  
Vice-Chair  
The Two Hundred

--

*California Community Builders*  
1918 University Ave., Suite 3C  
Berkeley, CA 94704  
510-868-0991  
[jgamboa@ccbbuilders.org](mailto:jgamboa@ccbbuilders.org)  
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Phone: (510) 868-0991  
Web: [www.thetwohundred.org](http://www.thetwohundred.org)  
Email: [info@ccblders.org](mailto:info@ccblders.org)

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April 9, 2020

Kome Ajise  
Executive Director  
Southern California Association of Governments  
900 Wilshire Boulevard, Suite 1700  
Los Angeles CA 90017  
[ajise@scag.ca.gov](mailto:ajise@scag.ca.gov)

URGENT: COVID-19 Pandemic, Connect SoCal Plan, and Public Records Act

Dear Mr. Ajise:

Our civil rights organization, which is dedicated to the restoration of attainable home ownership and multi-generational economic stability with better educational and health outcomes for California's hard working minority families, timely submitted detailed comments on the draft 2020 Regional Transportation Plan/Sustainable Communities Strategy (Plan), and accompanying Program Environmental Impact Report (PEIR).

We begin by expressing our dismay that SCAG would even consider approving on May 7 a 10,000+ page Plan and PEIR released during the height of the pandemic emergency on March 27. This schedule shows total disregard for the massive health, family welfare, and economic consequences of the COVID emergency. Many minority households hold down three or more jobs to make ends meet, and lost all or most of the jobs in their households. Families with children were also expected to immediately assume responsibility for home schooling, as well as full time childcare, placing even more extreme burdens on those lucky enough to be part of an essential workforce and still have a job. The healthcare needs of immediate and extended family members is yet another demand, along with navigating the red tape of assistance programs for individuals and small businesses.

In short, the pandemic is a crisis in our community which has resulted in disproportionately high death and hospitalization rates for California minorities. For SCAG, in the middle of this pandemic, to decree that a 25-year housing and transportation plan for the entire region must be summarily adopted, when every federal, state and local agency in the country is delaying deadlines to prioritize urgent COVID needs, is both shocking and entirely unacceptable.

Instead of devoting its entire May 7 meeting to the COVID emergency, as the California Transportation Commission has done in commanding all transportation agencies to report in on the COVID issues affecting their operations and plans, SCAG staff demands that its Board rubber stamp a Plan conceived in complete ignorance of COVID, which has already resulted in massive illness and deaths in our region, as well as the indefinite shutdown of most of the

economy and most public transit. This schedule displays a shocking disregard for our communities, for the public, and for SCAG's locally elected officials who must cope with scores of COVID priorities in their own cities and counties.

And we note, as described in detail below, that the final Plan and PEIR summarily dismissed the many detailed comments we raised on the draft Plan – and then made further changes to the final Plan which were concealed from the public, and affirmatively worsen our housing crisis and harm our communities. In the height of a housing emergency and a global pandemic, the Plan/PEIR misrepresents its content and consequences.

- Notwithstanding endless rhetoric about respecting “local input,” the SCAG modelling staff revealed that Plan made undisclosed changes to approved General Plans – reducing density below General Plan authorized levels in unknown locations, and increasing density above General Plan authorized levels in other unknown locations. The PEIR acknowledges that these General Plan inconsistencies are significant unavoidable CEQA impacts, but SCAG staff has not even disclosed the Plan's rejection of General Plans to the public or the elected local officials who approved these General Plans - and are accountable to their voters for General Plan implementation. The PEIR also completely fails to identify, analyze or adopt feasible mitigation measures or alternatives to avoid this significant adverse General Plan inconsistency CEQA impact – and it fails to disclose the massive demolition, displacement and gentrification impacts of demanding massive density increases that are inconsistent with General Plans. Housing projects that comply with General Plans and other local, state and federal environmental requirements are legally vulnerable to anti-housing CEQA lawsuits because of this Plan's fundamental rejection of “local input” General Plans. Even more significantly, neither the public nor SCAG Board members can even discern what these rejected General Plans even are since these details are buried in “Traffic Analysis Zone” maps that are not even included in the 10,000+ page Plan/PEIR package released on March 27!
- Notwithstanding major controversies about Plan's undercounting of existing housing needs given widespread overcrowded housing especially in minority communities, and the region's overall failure to produce adequate housing supplies, both the Plan and PEIR completely fail to acknowledge the region's addition of about 800,000 more reasonably foreseeable new housing units which SCAG is itself allocating to local governments on May 7 as part of the Regional Housing Needs Allocations (RHNA) process. This failure alone assures that the Plan absolutely does not meet the region's housing needs, and also guarantees that any local jurisdiction that does update its Housing Element to accommodate its new RHNA allocation will be planning for housing and population growth that is inconsistent with the SCAG Plan. Inconsistency with an SCS is identified in the CEQA Guidelines as a threshold of significance, with inconsistencies required to be avoided or mitigated unless infeasible. The PEIR includes as a mitigation measure that local agencies modify their General Plan to comply with the SCAG Plan – the very antithesis of the misleading statements SCAG staff has made about respecting “local input.” In fact, this Plan creates a no-win “Catch-22” for new housing, where local governments can be sued for not updating their Housing Element to comply with RHNA, and can also be sued for a RHNA-compliant housing element that is inconsistent with the SCS. With a planning horizon of 2045, the Plan's failure to acknowledge and include the



RHNA allocations for each jurisdiction is unconscionable as well as illegal, and disparately victimizes (again) the region's minority communities, residents, and businesses.

We request that the Plan and PEIR be removed from the May 7<sup>th</sup> agenda, that a public workshop on the final Plan occur where all changes from the draft Plan, as well as all deviations from locally-approved General Plans, be fully and completely disclosed. We also request the final TAZ maps be posted on the SCAG website, since only the now outdated in superseded draft TAZ maps are available. And we request a full and complete accounting and Plan integration for housing unit additions that must be added to comply with each jurisdiction's reasonably foreseeable RHNA allocations as determined by SCAG.

We anticipate that this will necessitate plan changes, including likely supplemental environmental analysis of those plan changes, which can only be accomplished with the full, immediate and complete cooperation of SCAG staff.

We further request that the Plan and EIR consider the immediate and drastic economic and transportation consequences of the COVID emergency, which constitutes significant new information of changed circumstances that must be fully analyzed before the Plan can be finalized or approved. Remote work and reduced daily commutes are extremely feasible – and even before COVID more people worked from home than used public transit in the SCAG region. Remote work reduces emissions and traffic congestion to help the region notwithstanding CARB's dogmatic refusal to recognize the VMT reduction benefits of remote work. Additionally, the science has confirmed that airborne concentrations of COVID virus are higher in enclosed spaces with high occupancies – including subways and buses, as well as elevators in high density buildings – and social distancing is required to reduce exposure risks, but also further decreases ridership capacity. While we will all be learning COVID lessons for many years, lessons already learned must be acknowledged and integrated into the Plan and PEIR as significant new information.

### **Introduction and Summary**

We begin by noting our profound disappointment with SCAG staff's summary dismissal of virtually all of our comments, although we note that civil rights has always fallen victim to the preconceived prejudices of government bureaucrats who are endlessly creative in depriving minority residents of homeownership and housing opportunities while pursuing a policy goal that is shameful through the lens of history. Trying to cramming more than a million people into elevators and buses while charging \$3000 per month rents and depriving working families of homeownership is the policy goal of this Plan – bureaucracy over democracy, and rejection of the will of the people, or our locally-elected officials or locally-approved General Plans as well as dozens of housing bills enacted by the Legislature to increase production of housing that complies with General Plans.

We restate that SCAG has both the legal obligation and moral imperative to propose and approve a Plan that actually meets the housing and transportation needs of our communities – for today's residents, and not just the hypothetical future envisioned by those with secure jobs in civil service and academia focused on global climate change, where California contributes less than

1% of global greenhouse gas emissions (GHG) to the world and boasts per capita GHG emissions that less than half or even a third of our competitor states like Texas, Arizona and Nevada.

Today's reality is that California and the SCAG region have the nation's highest poverty rate, highest homelessness rate, highest rent cost burdened household rate, most catastrophic housing shortage, highest housing production costs, and longest/most unpredictable housing approval regulatory gauntlet. Latino, African American, and Asian American families (along with students and our young workforce) are disproportionately victimized by the confluence of massively destructive state, regional and local housing policy choices. SCAG must be part of the housing solution – but this Plan exacerbates all of these problems by acknowledging just one policy goal – reducing Vehicle Miles Travelled (VMT) and GHG under “guidance” enforced with an iron fist from a distance by the California Air Resources Board (CARB) – while throwing the housing and transportation needs of the region's residents, especially its minority residents, under the bus (literally).

Failed Housing “Solution”. As to the Plan's housing program, we believe, and commented on, the unconstitutional and unlawful disparate impacts of the Plan's regional housing program, in the context of an unprecedented housing crisis that already disproportionately harms members of our communities. Specifically, we note that although the Plan acknowledges the “extraordinarily high cost” of infill housing, and recommends restoration of redevelopment tax increment financing as a partial housing cost solution, this one line – in 10,000 pages of Plan/PEIR text (!) – is the Plan's only acknowledgement that the high density “elevator building” TOD rental apartments proposed by the Plan is completely unaffordable to the majority of the region's residents. The Plan opens a shameful new chapter – the first in SCAG's history – in an ongoing saga of more than a century of discriminatory redlining policies adopted by government agencies for all manner of self-serving or myopic policy goals to exclude minority families from homeownership, as documented by The 200's **Redlined** video, available at <http://www.thetwohundred.org/redlined/>

It is no coincidence that the Plan's insistence on unaffordable housing solutions, with a magic lantern wish for state law redevelopment funding, does not work for the majority of the region's residents at precisely the same moment in history that the majority of the region's residents are now minority community members. SCAG rubbed the same magic lantern wishing for redevelopment funding in 2012 and 2016, only to be summarily rebuffed every single year up to and including in 2019 by the state's prior and current Governors. And SCAG appears to have conveniently forgotten that even at the height of redevelopment funding, taxpayer subsidized housing comprised only about 5% of our housing supply – even before relentless increases in housing production costs now routinely exceeds \$500,000 for each and every small new apartment unit.

It is also no coincidence that the Plan calls for the wholesale demolition of existing communities, including the last remaining historically minority community residents and businesses, which are located near transit stations and along transit corridors. “Urban renewal” and displacement also have a long and sordid history, always pursued in furtherance of some policy objective overwhelmingly advocated by white advocates at the expense of minority communities. As both CARB and SCAG staff well know, in a gentrification and displacement report commissioned by

CARB scholars at UC Berkeley acknowledged that “transit proximity has a significant impact on the stability of the surrounding neighborhood, leading to increases in housing costs that change the composition of the area, including the loss of low-income households” – a displacement outcome confirmed by independent studies in New York and Chicago, and a central part of the debate and ultimately rejection SB 50 by all of the SCAG region’s Senators earlier this year. Yet the Plan, and the PEIR, fail to acknowledge the racial, economic, or physical impacts of the massive displacement to the region of wiping out entire communities that have the misfortune of having an underutilized existing or nonexistent planned future commuter bus service.

It is unconscionable for SCAG to approve an unaffordable housing plan for the region, and it is illegal. As we pointed out in our detailed comment letter, and as we have identified in two pending civil rights lawsuits against the California Air Resources Board and Office of Planning and Research, an agency action that causes disparate harm to the housing needs of minority communities violates the due process and equal protection clauses of the federal and state constitution, violates federal and state fair housing act laws, and is unlawful under SB 375 itself which requires that an SCS accommodate the housing, population, and economic development of the state’s regions.

SCAG’s response to these civil rights and fair housing act comments was a dismissal of these as a “policy” comment. Violation of civil rights is not a “policy choice” that SCAG can lawfully make. We raised these comments not in the context of identifying a policy disagreement, or merely an “environmental” impact under CEQA, but to put SCAG on notice (and to exhaust our administrative remedies) that the time for civil rights leaders to tolerate bureaucratic policies that continue to discriminate against minorities seeking homeownership has ended, and we will take all actions to protect the civil rights of our communities to attainable housing and homeownership.

We also take yet another opportunity to urge SCAG to avoid violating the civil rights of our minority communities, and to comply with other laws including SB 375. Compliance requires that the housing included in the Plan must be “affordable” to hard-working minority families without reliance on nonexistent state funds and long-shot lotteries to occupy a taxpayer subsidized rental in an affordable housing “project.” Leaders of The 200 fought for decades to end discrimination by government agencies, for the right to own a home, and to assure that minorities are no longer relegated to “the projects.” It is shocking – shocking – to have to remind SCAG staff, and now SCAG Board’s directly, that discriminatory housing programs that make homeownership unattainable for middle income minority families is illegal. The 200 wholly supports taxpayer funded housing for homeless, special needs, and low income residents, but as scores of non-partisan experts and agencies have opined taxpayer subsidized rental housing has never been, and can never be, a housing solution for the vast majority of middle income Californians.

Failed Transportation “Solution.” We are likewise deeply disappointed by SCAG staff’s summary dismissal of our transportation comments. SCAG well knows, as is thoroughly documented in The 200’s lawsuit against OPR that was attached and submitted as an integral part of our comment letter, that VMT in the region (pre-COVID) has substantially and consistently increased since the end of the Great Recession, and that the vast majority of that VMT increase is attributable to commutes by Latino and African American workers who need to

get to their job – and have been ruthlessly priced out of proximate coastal communities by no growth NIMBY policies and the racist abuse of laws like the California Environmental Quality Act (CEQA) to block even housing that is fully compliant with local General Plans and zoning codes, and all of the state’s stringent environmental protection and conservation standards. SCAG staff itself helped assemble the statistics showing that over a 3 year period, 14,000 housing units were challenged in CEQA lawsuits in the SCAG region - 98% of which were in infill locations in existing communities, 70% of which were within ½ mile of high quality transit corridors, and 78% of which were in the region’s whiter, wealthier and healthier neighborhoods and not in environmental justice communities. Anti-housing CEQA lawsuits challenging approved housing projects are today’s “citizen redlining” tool to block minorities from living in their neighborhoods.

SCAG staff also knows, as documented by our comments, that we can reduce tailpipe emissions – of criteria and toxic pollutants, as well as greenhouse gases – without depriving individuals from their ability to get to work, take their kids to a soccer game, or get themselves and their parents’ to the doctor. Under President Obama, the United States Environmental Protection Agency proudly announced that more than 98% of criteria pollutants had been eliminated from tailpipe emissions in the nation’s automobile and pickup truck fleet under the Clean Air Act. Although greenhouse gas emission (GHG) reductions were not required, vehicular emissions of GHG were also massively reduced from the nation’s pre-1972 vehicle fleet. We know how to reduce tailpipe emissions – with electric vehicles and other technologies, but also with changed work patterns such as telecommuting – but we do not know how to reduce VMT. It is inconceivable that a white family in 1975 would be deprived of homeownership and told to spend hours for hoped-for bus service: the Clean Air Act solution was to get rid of tailpipe emissions, not to deprive families of their mobility. And in the welfare reforms enacted during President Clinton’s tenure, it was former welfare recipients who had access to a personal vehicle – reliable, timely transportation – that could get and keep a job longer, keep their kids on track in school longer, and work their way out of poverty better – than those who had to ride the bus. Decades of poverty studies confirm that personal vehicular mobility is critical, especially for lower and middle wage workers – but unlike 1975, since the region’s population is now majority-minority, technological changes like electric cars aren’t good enough and we need to settle for small rental apartments and interminable or unreliable bus rides. This is the face of transportation discrimination against minorities, and it like housing discrimination is illegal and immoral – and SCAG has itself commissioned studies from UCLA and USC that confirm the current truth of these facts as described in our 200 v OPR lawsuit.

SCAG also knows that transit ridership, notwithstanding billions of dollars of investment, has actually declined – and the same UCLA and USC studies commissioned by SCAG have shown that transit ridership loss has been most substantial for lower income minority riders, and that there is no proposed fixed route transit service solution that would reverse this trend. The Plan itself concedes that only about 2% of people in the LA MSA use transit, and about 1% of people in the inland empire use transit, as shown in Table reproduced on the following page. And the SCAG Plan itself admits:

The key challenge facing public transportation in Southern California is the recent rapid decline in the use of public transportation. As documented in *Falling Transit Ridership: California and Southern California*, habitual transit riders appear to be shifting away towards personal vehicles. If the ridership keeps dropping, service cuts may occur, leading to a vicious cycle of further ridership decline.

Many transit advocates would argue that new technologies and service patterns such as Transportation Network Companies (TNCs), Mobility as a Service (MaaS) and automated vehicles present an opportunity for transit agencies to move away from being service providers to become platform owners and mobility managers. However, transit agencies, and public agencies in general, tend to be resistant to change. In particular, as noted by transit consultant Jarret Walker in January 2018, transit agencies are subject to strict regulatory oversight, rigid labor contracts, occasionally conflicting or confusing direction from elected officials, and a focus on day-to-day operations. These conditions often cause transit agencies to focus on stability and predictability.

**TABLE 1 Travel Mode Share, All Trips**

Modal Category	Los Angeles–Long Beach–Anaheim, CA	Riverside–San Bernardino–Ontario, CA
BICYCLE	1.00%	0.50%
MOTOR VEHICLE	82.70%	90.40%
OTHER	1.40%	0.70%
TRANSIT	2.20%	1.00%
WALK	12.70%	7.40%

*Source: 2017 National Household Travel Survey*

SCAG’s Plan is a transportation solution for the 1% (or 2%) – and ignores the transportation needs, and solutions, that work for everyone else.

SCAG is also legally responsible, under federal and state transportation and air quality laws – as well as civil rights laws – to provide for effective and equitable transportation solutions for communities as they exist, not for utterly unaffordable new housing types predicated on fixed route public transit ridership that do not work to get people where they need to go reliably, safely, or on time.

We assume many of SCAG’s leaders and staff have the luxury of working from home at a keyboard or from a cell phone. We know that CARB disdainfully calls people who have to be physically present to perform their job and be paid the “service population” – but federal and state transportation and air quality law require the Plan to work even for minorities, not just keyboarding bureaucrats with secure salaries and benefits. We are Californians and we are equally entitled to pursue homeownership: we are not the “service population” for bureaucrats.

### **Detailed Comments**

We first note the absence of legally adequate responses to our comments, as well the absence of any substantive changes in the Plan/PEIR in response to our comments. We also note that many other commenters raised overlapping concerns with the Plan/PEIR, from the massive

displacement and gentrification consequences of destroying existing minority community residents and small businesses in neighborhoods served by transit, to proposing housing and transportation measures already shown to be wholly infeasible for the vast majority of the people living in the region who work full time (and often at multiple jobs) but cannot afford housing and suffer the longest commute distances in the nation.<sup>1</sup>

We also object to staff's unprecedented proposal that the SCAG Regional Council hold a "public" meeting telephonically to approve the Plan/PEIR in April, one month after the release of the 10,000++ page Plan/PEIR. The SCAG Board is more than twice the size of the State Senate, which has wisely postponed trying to meet to conduct the public's business in the COVID emergency. There is ZERO meaningful opportunity for public input and meaningful dialogue with SCAG's Board, given telephonic constraints that preclude both meaningful interaction with the public and meaningful interaction among the diverse members of the Regional Council itself. Any such proceeding would be unlawful, and a violation of the Brown Act and Bagley-Keene Open Meeting laws even under the recent COVID-19 Executive Order. The proposal also represents a shockingly tone-deaf bureaucratic expectation that the elected members of the Council take time away from dealing with the COVID-19 emergency to absorb 10,000+ pages of text in a socially distanced vacuum. Members of our community – struggling with staggering job losses, family care obligations, illness, unpaid debt, and a highly uncertain recessionary future – are even less able to take the time to find broadband access and absorb 10,000 pages of a 30-year regional housing and transportation plan.

Even more urgently, the day after the Plan/EIR is adopted, anti-housing special interests can immediately use the Plan/EIR in CEQA lawsuits – including but not limited to CEQA lawsuits challenging approved projects that comply with all state and local requirements including the prior SCAG Plan!! In the midst of the state's most severe housing crisis in history, handing a new CEQA lawsuit claim to housing opponents is not just harmful public policy, it's immoral – and an unconstitutional and unlawful disparate impact caused by SCAG against minority communities most victimized by the current housing crisis.

<sup>1</sup> To pick just one of dozens of examples of unlawful responses to our comments, the PEIR continues to ignore the CEQA mandate for considering the cumulative consequences of implementing the reasonably foreseeable Regional Housing Needs Assessment (RHNA) final state allocation demanding that the region plan to accommodate 1.3 million new homes. The adoption of these RHNA targets is exempt from CEQA, but this exemption does not excuse SCAG from considering the reasonably environmental consequences of the region's legally-mandated implementation of this final RHNA allocation. Other examples: the Plan and PEIR fail to respond to comments regarding the civil rights and statutory violations of the Plan, including each of the causes of action included in the 200 v CARB and 200 v OPR civil rights lawsuits, which were submitted in their entirety as comments on the Plan and include detailed factual and legal comments about the region's housing and transportation, and the unlawful discriminatory consequences of VMT reduction mandates through massive displacement of existing communities and massive construction of rental "projects" with unknown funding or unaffordable costs.

California has a housing shortage of 3.5 million units. Adopting a Plan/PEIR that immediately creates a new CEQA lawsuit claim against housing that complies with all city and county plans and ordinances, and is built to the most exacting sustainability standards of any state in the nation, by a 70-member board acting by telephone in the midst of a global health pandemic, is an unconscionable. We need to collectively stay calm, and focused on solving the region's housing and transportation needs, and to do that we must pause and collaborate on revising the Plan/PEIR – not rush to telephonic judgment on a 30-year plan.

### COVID-19 Pandemic Requires Plan Revisions and Recirculation of the PEIR

COVID-19 requires a clear-eyed reassessment of the region's transportation and housing needs, and the feasible transportation and housing solutions that work for the people who live in the region.

Instead of acknowledging the failure of past plans to provide effective housing and transportation solution for the region, and instead of recognizing the massive changes already underway with COVID-19, staff proposed that the Plan/PEIR be rubber stamped on a fast track telephonically.

This letter adds to our prior comments that the COVID-19 pandemic is significant new information for purposes of CEQA. The region's response to the pandemic has demonstrated the feasibility of massively increasing remote work practices, which is a proven VMT reduction measure that can be implemented without the massive demolition and replacement of existing transit-served neighborhoods. Remote work is also a VMT reduction measure that is far less costly, and hugely less regressive and racially discriminatory, than charging those forced by high housing costs to live at greater distances from their jobs, and those forced to be physically present at their job to perform their job duties (and get paid).

The COVID-19 pandemic also raises significant new information in the form of disparate health hazards caused by lower income transit-dependent neighborhoods in higher density urban cities such as Chicago and New York. As noted by the New York times on April 7:

At least 41 transit workers have died, and more than 6,000 more have fallen sick or self-quarantined. Crew shortages have caused over 800 subway delays and forced 40 percent of train trips to be canceled in a single day. On one line the average wait time, usually a few minutes, ballooned to as high as 40 minutes.

Since the coronavirus pandemic engulfed New York City, it has taken a staggering toll on the Metropolitan Transportation Authority, the agency that runs the subway, buses and commuter rails and is charged with shuttling workers — like doctors, nurses and emergency responders — who are essential to keeping the city functioning.

<https://www.nytimes.com/2020/03/17/nyregion/coronavirus-nyc-subway-federal-aid-.html>

The contagion risks of transit is not confined to these legacy east coast cities. The San Francisco Bay Area has nearly five times more commuters using public transit as San Francisco (about 10%, primarily commuting to downtown San Francisco) as contrasted with coastal LA's 2% and the Inland Empire's 1% of transit users. Given transit workers and riders COVID risks, even in the state's most transit-dependent city - San Francisco serving its 49-square miles, as contrasted

with LA's nearly 700-square miles, transit officials first shut down all light rail lines, then cut bus lines from 68 to 17 routes. Transit service, and transit agencies, remain critical – but the fragility and adverse consequences of abrupt cessations of transit services in public health hazards is a significant adverse environmental impact under CEQA that was unknown, and unknowable, when the Draft Plan/PEIR was proposed.

COVID-19 has already proven the feasibility of the less economically regressive, racially discriminatory, and environmental harmful VMT reduction option of increasing the region's remote workforce. COVID-19 has already proven the fragility, as well as the adverse health and environmental consequences of reliance on fixed route public transportation 19<sup>th</sup> century bus and train technology.

### **California Public Records Act Request**

Instead of allowing either the public or the elected members of its Regional Council – all of whom are coping with the daily emergencies of the pandemic - to conduct a meaningful public review of the over 10,000 pages of text comprising the Plan/PEIR released March 29, just as the full horror of the pandemic was becoming clear, SCAG staff has insisted that the Plan/PEIR “must” be approved only one month later. SCAG staff has reported that the region is at risk of losing billions in federal and state transportation funding unless its Plan/PEIR are approved in April 2020.

This letter requests, pursuant to the California Public Records Act, the list of federal and state funding programs which SCAG could no longer access if the Plan/PEIR are not approved in April 2020, or as or before December 2020. The letter further requests copies of any correspondence received by any third parties regarding SCAG's loss of public funding if the Plan/PEIR are not approved in April 2020, or as of December 2020.

This letter further requests copies of all documents, including emails, between SCAG staff, and either CARB or OPR, between November 1, 2019 and April 27, 2020. CARB and OPR are defendants in civil rights lawsuits filed by The 200 for housing discrimination undertaken under the false flag of climate change which has the actual effect of destroying historic minority neighborhoods, displacing minority residents to ever more distant locations where housing remains affordable (including other states), and depriving minority residents of homeownership with tactics like charging VMT “mitigation” fees for new housing while exempting majority white existing homeowners from such fees. We fully anticipate ample documentary evidence of collusion between SCAG staff, along with CARB and/or OPR staff, in furtherance of the unlawful discriminatory housing actions included in the Plan, and anticipate fully protecting our legal rights to

We request these records in electronic format, either in a Drop Box or with other remote access technology, or on a memory stick. We respectfully request the opportunity to communicate with your information technology staff to assure that the computers available to us can accommodate the electronic information format.



## Comments on Plan/PEIR

We hereby restate all of our earlier comments and objections, as even a cursory skim of the final Plan/PEIR demonstrates that staff wholly ignored our comments and most comments raised by others.

The simple and unassailable truth, as documented in detail in the 250-page civil rights lawsuit challenging VMT and other anti-housing measures in the CEQA Guidelines, and in the 150-page civil rights lawsuit challenging four anti-housing measures (including VMT reduction mandates) adopted by the California Air Resources Board in its Scoping Plan notwithstanding the Legislature's repeated express rejection of any legislative mandate to reduce VMT, is that our housing, homelessness, and poverty crisis have all become much more severe over past eight years under prior RTP/SCS plans that elevated one legal mandate – GHG reductions, as interpreted by the unelected members of CARB's board – above all civil rights, transportation, air quality and, housing federal and state legal mandates applicable to the RTP/SCS PEIR. Instead of heeding Albert Einstein's advice that those who refuse to learn from history are destined to repeat it, the Plan/PEIR double down on the same failed strategies with the inevitably same failed result.

SCAG's legal duty is to adopt a Plan that achieves multiple statutory objectives, including but not limited to actually providing safe and accessible transportation and housing solutions that work for the region's people, and sustain and accommodate population and economic growth as required even by the Legislature's climate mandates set forth in SB 375.

Instead, as again summarized below, the Plan throws the region's minorities under the bus - a bus that is statistically almost certain to be nearly empty except (for some routes only) during the morning and afternoon commutes.

- SCAG Plan Fails at Housing. The SCAG plan expressly acknowledges that its desired outcome of infill-only housing to meet one regulatory objective of one agency – CARB's 19% GHG reduction mandate, for which CARB counts only VMT reductions from public transit, bike and pedestrian modes as trip reductions and does not recognize telework or other remote access learning, medical care, shopping, or other activities. The Plan acknowledges that infill high density housing that wipes out existing neighborhood uses in locations with transit – locations where the Plan already acknowledges that about 30% of the region's household already live – is extraordinarily expensive, and cannot work without financing and regulatory reforms that SCAG has no legal authority to require or enforce. SCAG's prior leadership and Boards have repeatedly acknowledged that SB 375 cannot be achieved without re-instating and actually expanding redevelopment tax-increment financing tools and cannot be achieved without reforming CEQA to end lawsuits and lawsuit threats against implementation of plan-conforming housing, transit and infrastructure. The Legislature and two successive Governors have declined to reinstate redevelopment, or reform CEQA. In the state's most sustained period of economic growth, now tragically ended with the pandemic, and with a housing supply shortfall of 3.5 million units according to Governor Newsom, housing production

actually fell for two successive years in a row. The SCAG Plan cannot be built on a foundation of unicorns and gold pots at the end of rainbows: this Plan should be either abandoned entirely, or conditioned to become effective only if a massively expanded redevelopment program and equally fundamental changes to CEQA's project-by-project, duplicative and successive special interest leverage lawsuits.

- SCAG Plan Fails at Transportation. The Plan expressly acknowledges that only 2% of coastal residents use public transit, 1% of inland residents use public transit, and transit use continues to fall (even before pandemic). The Plan further concludes that public transit agencies are too bureaucratic and rigid to provide the types of platform-based transportation solutions that have been proven successful in reducing car ownership, or promoting the only successful congestion-relief (and VMT reduction) measures like affirmatively promoting remote work solutions that have now been instantly adopted by millions of SCAG residents in the COVID-19 emergency. Instead, the SCAG Plan again years for another unicorn – the currently-unlawful imposition of fees to drive at some times on some streets and highways, and more fees to drive even a mile in an electric car – to impose massively regressive and racially discriminatory new cost burdens on precisely the same people most harmed by the housing crisis. As vividly demonstrated during the pandemic, “those people” – whom CARB calls its “service population” and the rest of us call “Californians” – need to be able to get to work safely, and on time. Instead of providing transportation solutions that work for people, as required by federal and state transportation laws, the SCAG Plan proposes to impose massive new and currently unlawful financial burdens on workers in the form of VMT and congestion pricing fees on those who cannot work from home, to fund still more fixed route transit projects, instead of including the suite of effective, safe, and efficient transportation solutions that are lawful now – and urgently needed now – by what in the COVID-19 pandemic have been more appropriately referred to as our essential workforce and not dismissed as the “service population.”

The SCAG plan is the housing equivalent of requiring everyone to live in million dollar mansions (which in this Plan is a million-dollar 750-square foot high rise condo with \$1000 monthly association fees in addition to mortgage payments), rely on magically more effective 19<sup>th</sup> century fixed route bus/train technologies, collect a ton of VMT and congestion fee money from the nation's most housing-burdened and poorest minority “service workers,” and then wave a magic wand to restore redevelopment and reform CEQA, and then – voila! – the plan works!! And if, when the magic again fails to appear, as it has for the last two rounds of plans, well . . . that's a problem for tomorrow.

And this is all before the COVID-19 pandemic, record unemployment claims, and heart-stopping tax revenue declines predicted by the state's reliance on boom time capital gains and top incomes, and local government's reliance on already-plunging declines in brick-and-mortar retail sales.

### Conclusion

The Plan/PEIR cannot lawfully be approved as proposed. The COVID-19 emergency is significant new information requiring what should have occurred in response to comments, and

did not: the reworking of the Plan/PEIR to actually meet the transportation and housing needs of the people in the region.

Nobody elected or appointed transit agency officials to adopt a plan – in the name of climate or any other environmental value - to perpetuate a century of racially discriminatory redlining actions to continue to deprive minority Californians from acquiring a home, safely and efficiently getting to work, and attaining the California (and American) dream for themselves and their children.

We urge you to withdraw and rework the Plan, recirculate an adequate revised draft PEIR, and engage in a full and inclusive stakeholder engagement process. We know there are more compact forms of housing – starter homes can include townhome and condo projects, flats and small-lot homes – that can work. We know there is some transit that can work at least some of the time. Given the scale and severity of the region’s housing, poverty and homeless crises, however, and the disparate impact that these crises have on the region’s majority-minority community, the revised plan should build on the far more constructive planning framework provided in the geographic distribution of the region’s job centers, should endorse the “all of the above” housing solutions needed to address the current crisis including the region’s need to accommodate 1.3 million new housing units under the current Regional Housing Needs Assessment cycle,

We welcome the opportunity to “meet” to address any questions you have regarding the foregoing, and to collaborate with you and your staff as you revise the Plan, and revise and recirculate the PEIR, to restore SCAG’s historic commitment to being integral to the region’s success – and end this foray into creating massive and discriminatory new housing obstacles.

VTY,

200 Leadership Council Members

John Gamboa

Hyepin Im

Steven Figueroa

Joe Coto

Anna Solorio

Ortensia Lopez

CC: SCAG Officers and Board Members

**From:** Claire Schlotterbeck <[claire@schlotterbeck.net](mailto:claire@schlotterbeck.net)>

**Sent:** Friday, May 1, 2020 1:30 PM

**To:** Tess Rey-Chaput <[REY@scag.ca.gov](mailto:REY@scag.ca.gov)>

**Subject:** Letter re SCAG Plan

Hello,

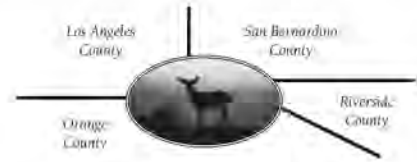
Attached is our letter regarding the SCAG SoCal plan. Thank you.

Claire Schlotterbeck  
Executive Director  
Hills For Everyone

# H i l l s F o r E v e r y o n e

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*Southern California comes  
together at the Puente-Chino Hills*



May 1, 2020

*Submitted electronically to: [rey@scag.ca.gov](mailto:rey@scag.ca.gov)*

Kome Ajise  
Attn: Connect SoCal Team  
Southern California Association of Governments  
900 Wilshire Blvd., Ste. 1700  
Los Angeles, CA 90017

RE: Comments on the Final 2020 Connect SoCal Plan

Dear Mr. Ajise:

Hills For Everyone (HFE) is an organization dedicated to the protection of the rare, unique, and disappearing landscapes of the Puente-Chino Hills Wildlife Corridor. We are writing to support the natural and farmland policies included in the Final Connect SoCal Plan and its associated Natural and Farmland Appendix.

Having an accurate baseline is important to understanding the context of any land use policy. In reviewing the final document, we'd like to thank staff for the corrections made to the text of the Significant Ecological Areas and map.

Thank you for the opportunity to comment on this Plan. Should you have any questions, please reach out at 714-996-0502.

Sincerely,

*Claire Schlotterbeck*

Claire Schlotterbeck  
Executive Director

**From:** J.P. Rose <[JRose@biologicaldiversity.org](mailto:JRose@biologicaldiversity.org)>

**Sent:** Friday, May 1, 2020 4:13 PM

**To:** Tess Rey-Chaput <[REY@scag.ca.gov](mailto:REY@scag.ca.gov)>

**Cc:** 2020 PEIR <[2020PEIR@scag.ca.gov](mailto:2020PEIR@scag.ca.gov)>; Tiffany Yap <[TYap@biologicaldiversity.org](mailto:TYap@biologicaldiversity.org)>; Theresa Rettinghouse <[trettinghouse@biologicaldiversity.org](mailto:trettinghouse@biologicaldiversity.org)>

**Subject:** Letter from Center for Biological Diversity re Connect SoCal Plan and FEIR

Dear President Jahn and Regional Councilmembers,

Attached please find a letter from the Center for Biological Diversity regarding the Proposed Final Connect SoCal Plan and Final Program Environmental Impact Report. In the letter we urge SCAG to postpone the May 7<sup>th</sup> approval hearing and recirculate the EIR.

The letter's references are available [here](#). We would appreciate if you could confirm receipt of the letter and that you were able to access the references.

Thank you for your attention to this matter.

J.P. Rose  
Urban Wildlands Staff Attorney  
CENTER *for* BIOLOGICAL DIVERSITY  
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Los Angeles, CA 90017  
Cell: (408) 497-7675  
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[jrose@biologicaldiversity.org](mailto:jrose@biologicaldiversity.org)

May 1, 2020

*Sent via email*

President Bill Jahn  
Southern California Association of Governments  
Attn: SCAG Regional Council  
900 Wilshire Blvd. Ste. 1700  
Los Angeles, CA 90017  
Tess Rey-Chaput, Staff Contact  
rey@scag.ca.gov

**Re: Proposed Final Connect SoCal Plan and Final Program Environmental Impact Report (State Clearing House Number 2019011061)**

Dear President Jahn and Regional Councilmembers:

These comments are submitted on behalf of the Center for Biological Diversity (the “Center”) regarding the Final Program Environmental Impact Report (“FEIR”) for the Connect SoCal 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (“Plan”). The Center has reviewed the FEIR and Plan and provides these comments for consideration by the Southern California Association of Governments (“SCAG”).

The Center is encouraged to see several conservation facets of the Plan, including SCAG’s attention to preserve, enhance, and restore regional wildlife connectivity (Plan at 50), avoid growth in wetlands, wildlife corridors, biodiverse areas, wildfire prone areas and floodplains (Plan at 55), encourage housing and commercial development near public transit and urban areas (Plan at 48) and incorporate greenbelts into planning initiatives (Plan at 55). However, the FEIR fails to adequately address critical issues regarding wildlife connectivity and the conservation of mountain lions in the Southern California/Central Coast Evolutionarily Significant Unit (“ESU”). **Given that these mountain lion populations were granted “candidacy status” under the California Endangered Species Act (“CESA”) on April 16, 2020, the FEIR must be revised and recirculated to analyze and mitigate potential impacts on these populations.**

The FEIR is further defective because it fails to account for significant changes in vehicle emissions that will be caused by the rollback of the federal vehicle greenhouse gas emissions and mileage standards. These changes require significant revisions to the air quality, greenhouse gas, and public health sections of the EIR, thus mandating recirculation. Moreover, the Plan and

FEIR remain legally deficient because they fail to offer concrete, enforceable and performance-based mitigation measures for individual projects that will be funded and/or implemented as a consequence of the Plan. The enclosed letter by Matt Hagemann, P.G., C.Hg. and Paul E. Rosenfeld, Ph.D of the consulting firm Soil/Water/Air Protection Enterprise (the “SWAPE Letter,” included as Exhibit A) further demonstrates that the EIR’s air quality and greenhouse gas analyses contain errors and unsubstantiated conclusions that render the FEIR legally inadequate. We note that the South Coast Air Quality Management District also has identified serious problems with FEIR’s air quality analysis.

The Plan provides an opportunity for SCAG to show leadership in land-use planning and greening our transportation infrastructure and development at a regional scale. To achieve SCAG’s goals of a “healthier, safer, more resilient and economically vibrant region,” SCAG must implement a comprehensive approach to growth that addresses human transportation and development needs, the needs of wildlife and habitats that are fragmented by transportation infrastructure and development, and how we can make human and natural communities more resilient to climate change. **We urge SCAG to postpone the May 7<sup>th</sup> approval hearing in order to address these issues.**

## **I. Background on the Center**

The Center is a non-profit, public interest environmental organization dedicated to the protection of native species and their habitats through science, policy, and environmental law. The Center has over 1.7 million members and online activists throughout California and the United States. The Center and its members have worked for many years to protect imperiled plants and wildlife, open space, air and water quality, and overall quality of life for people in Southern California.

## **II. The FEIR Improperly Defers Analysis and Mitigation of Regional Impacts of the Plan.**

While in some circumstances a program EIR may have less detailed analysis of impacts than a project EIR, a program EIR is not an excuse to avoid analysis and mitigation for regional problems which will be exacerbated by the proposed program. This is particularly true here where the Plan will increase the severity of *regional* environmental problems that require *regional* solutions that cannot be adequately addressed by project-specific analysis and mitigation. The CEQA Guidelines state:

Where a lead agency is using the tiering process in connection with an EIR for a large-scale planning approval, such as a general plan or component thereof (e.g., an area plan or community plan), the development of detailed, site-specific information may not be feasible but can be deferred, in many instances, until such time as the lead agency prepares a future environmental document in connection with a project of a more limited geographical scale, ***as long as deferral does not prevent adequate identification of significant effects of the planning approval at hand.***



(14 Cal. Code Regs. § 15152, emphasis added.) As outlined in further detail below, the FEIR does not comply with the Guidelines because the EIR fails to adequately identify – and then mitigate – significant effects of the “planning approval at hand.”

### **III. The FEIR Fails to Include Enforceable and Performance-based Mitigation Measures.**

Many of the FEIR’s mitigation measures are legally inadequate and cannot be considered mitigation under CEQA and applicable case law. (*Lincoln Place Tenants Assn. v. City of Los Angeles* (2007) 155 Cal.App.4th 425, 445 [“A ‘mitigation measure’ is a suggestion or change that would reduce or minimize significant adverse impacts on the environment caused by the project as proposed”]); *Preserve Wild Santee v. City of Santee* (2012) 210 CA 4th 260, 281 [mitigation measures that are so undefined that their effectiveness is impossible to determine are legally inadequate].) The California Attorney General has also expressly disapproved such an approach for measures upon which an agency relies:

#### **Can a lead agency rely on policies and measures that simply “encourage” GHG efficiency and emissions reductions?**

No. Mitigation measures must be “fully enforceable.” *Adequate mitigation does not, for example, merely “encourage” or “support” carpools and transit options, green building practices, and development in urban centers.* While a menu of hortatory GHG policies is positive, it does not count as adequate mitigation because there is no certainty that the policies will be implemented.

(CA Attorney General 2009.) This guidance applies with equal force to SCAG and the FEIR. In *Sierra Club v. County of San Diego* (2014) 231 Cal.App.4th 1152, the Fourth District Court of Appeal criticized the County of San Diego for including measures in its climate action plan (“CAP”) that were not backed up by a firm commitment by the County that they would be implemented. The Court of Appeal noted that many of the measures in the CAP “are not currently funded,” such that the County of San Diego could not rely upon such unfunded programs to meet GHG reductions. (*Id.* at 1168-1169.) The *Sierra Club* opinion also questioned whether people would actually participate in various programs outlined in the CAP, given that the record contained no evidence of such participation. (*Id.* at 1170.) Here, the Plan and the FEIR suffer from similar defects – there is no evidence of funding for many of the various programs set forth in the Plan, nor evidence in the record that people or industry will actually participate in the voluntary programs described in the Plan.

Notably, in *Sierra Club v. County of San Diego*, the county absolved itself of responsibility to implement GHG reduction programs because San Diego County “does not control how SANDAG spends its money.... The County does not control regional plans or allocation of regional transportation funding.” (*Id.* at 1169.) Like SANDAG, SCAG *does* control how vast sums of money are spent, and can condition the dispersal of such funds to counties, cities, and transportation agencies on whether they comply with the Plan and with specific concrete and enforceable mitigation measures in the Plan. Unfortunately, the Plan and FEIR as currently written allow agencies to avail themselves of large sums of money for environmentally

damaging projects with minimal oversight and no commitment to actually implement mitigation measures.

**SCAG can and should significantly revise the FEIR’s mitigation measures so that a lead agency seeking to move forward with an individual project must show compliance with *specific, enforceable, and performance-based mitigation measures in the FEIR in order for an individual project to be consistent with the Plan.*** What SCAG cannot do is write a proverbial “blank check” to agencies for environmentally damaging projects, and then disclaim any responsibility for including conditions to limit the impacts of such projects on the environment.

Case law supports our view. In *City of Marina v. Board of Trustees of California State University* (2006) 39 Cal. 4th 341, 367, the Supreme Court held that a lead agency violated CEQA by disclaiming authority to mitigate significant environmental impacts of a project, particularly when it had not asked for funds to mitigate those impacts. The Supreme Court further stated that “[a] finding by a lead agency under Public Resources Code section 21081, subdivision (a)(2), disclaiming the responsibility to mitigate environmental effects is permissible only when the other agency said to have responsibility has *exclusive* responsibility.” (*Id.* at 366.) Here, there is no showing that other agencies have exclusive responsibility to mitigate environmental impacts of the Plan. Moreover, the Supreme Court stated this provision is designed in order to avoid “*the problem of agencies deferring to each other, with the result that no agency deals with the problem.*” (*Id.*, emphasis added.) As currently written, the Plan and FEIR would contribute to “no agency dealing with the problem” of diminishing wildlife connectivity, the plight of Southern California mountain lions, severe air pollution and attendant harm to public health, GHG emissions, among other issues.

Likewise, CEQA requires an EIR to analyze “the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment . . . .” (CEQA Guidelines § 15378(a).) Approval of the Plan has the potential to result in reasonably foreseeable indirect changes in physical environment by streamlining approval – and providing funding – for various highway, road, and development projects. As such, the FEIR must describe those impacts and SCAG must use its authority to adopt all feasible mitigation measures to reduce those impacts.

This duty to analyze and mitigate extends to cumulative impacts, which are a particularly significant issue here. One freeway segment or development may not appear to have a significant effect on the environment (e.g., on mountain lions, wildlife connectivity, air quality, GHGs), but the combined impacts of all the projects within the Plan—combined with existing highways and development—can drastically harm California’s environment unless regional mitigation strategies are adopted and funded. Here, CEQA requires that an EIR consider both direct and indirect impacts of a project and fully disclose those impacts to adequately inform the public and decisionmakers. (CEQA Guidelines, § 15064.)

#### **IV. The FEIR Fails to Adequately Assess and Mitigate Impacts to the Southern California/Central Coast Evolutionarily Significant Unit of Mountain Lions (*Puma concolor*), Wildlife Movement, and Habitat Connectivity.**

The FEIR's response to comments states that at the time of the preparation of the draft and the final EIR, mountain lions were not listed under CESA. However, the Center, along with the Mountain Lion Foundation, submitted the petition to list Southern California and Central Coast mountain lions (*Puma concolor*) as threatened under CESA in June 2019, well before the December 9, 2019 DEIR release date. And if SCAG was not aware of it then, the Center brought attention to it in our DEIR comment letter, which was submitted in January of 2020 (Exhibit B). Just weeks later, on February 12, 2020, the California Fish and Game Commission (CFGF) published the recommendation of the California Department of Fish and Wildlife (CDFW), stating that "the Department has determined there is sufficient scientific information available at this time to indicate the petitioned action may be warranted" (CDFW 2020). Such a recommendation clearly indicates that the best available science supports the advancement of mountain lions in the SCAG region to candidacy status under CESA. And in at least the last decade or so the California Fish and Game Commission (CFGF) has voted in alignment with CDFW's recommendation (with one erroneous exception that was later overturned and corrected), given that the determination is based on a reasonable person standard and is supposed to be based solely on science. On April 16, 2020, the same month as the FEIR was published, the CFGF voted unanimously to advance the Southern California/Central Coast ESU of mountain lions to candidacy. SCAG should have anticipated CESA protections for mountain lions in the SCAG area and addressed them accordingly in the FEIR. Even if the Southern California/Central Coast ESU of mountains was not a candidate under CESA at the time of drafting, it is a candidate species at the time of this vote. The FEIR should be revised and recirculated to adequately assess and mitigate impacts to these mountain lions.

The response goes on to state that "The impact analysis reviewed potential environmental impacts to sensitive biological resources from a regional perspective" and that "Lead Agencies for each individual project will determine the level of environmental review required for subsequent project-level evaluation of individual projects," ultimately passing on responsibility to adequately assess and mitigate impacts to mountain lions and regional connectivity by various Lead Agencies on a project-by-project basis (FEIR at 9.0-115). However, SCAG fails to realize that conserving the mountain lion ESU requires a "regional perspective" that facilitates a land-use strategy that will effectively preserve or enhance wildlife connectivity while accommodating human population growth and needs. Continuing with a piecemeal approach that has already led to severely genetically isolated populations is a poor strategy and insufficient to adequately mitigate impacts to mountain lions or regional connectivity. This is just going on with business as usual with how the region plans for growth and development, which could drive some of the SCAG region's mountain lion populations to extinction within 50 years (Benson et al. 2019). This RTP is an opportunity for SCAG to formally recognize that historical and current land-use planning is not sustainable and that we need to alter course. To truly achieve SCAG's goal of a "healthier, safer, more resilient and economically vibrant region," planners and decisionmakers must aggressively implement greener transportation and development infrastructure that will make our communities and wild lands safer and healthier.

## A. CEQA Requires Recirculation in These Circumstances.

CEQA requires recirculation in these circumstances. Public Resources Code section 21092.1 states that “[w]hen significant new information is added to an environmental impact report after notice has been given pursuant to Section 21092 and consultation has occurred pursuant to Sections 21104 and 21153, but prior to certification, the public agency shall give notice again pursuant to Section 21092, and consult again pursuant to Sections 21104 and 21153 before certifying the environmental impact report.” CEQA Guidelines section 15088.5 further state that “As used in this section, the term “information” can include changes in the project or environmental setting as well as additional data or other information.”

Significant new information includes “a disclosure that (1) a new significant environmental impact would result from the project or a new mitigation measure; (2) a substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted; (3) a feasible alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the project's significant impacts but the project's proponents decline to adopt it; or (4) the draft EIR ‘was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.’” (*North Coast Rivers Alliance v. Marin Municipal Water Dist. Bd. of Directors*, 216 Cal. App. 4th 614, 654-655.)

Here, “candidacy status” for Southern California mountain lion populations qualifies as significant new information under CEQA. Candidate species are given full protection under CESA.<sup>1</sup> As such, under CEQA, any impact to Southern California mountain lions requires a mandatory finding of significance, and adoption of all feasible mitigation measures. (See CEQA Guidelines § 15065(a)(1) [“mandatory finding of significance” required if there is substantial evidence in the record that a project may cause a “wildlife population to drop below self-sustaining levels; threaten to eliminate a plant or animal community; substantially reduce the number or restrict the range of an endangered, rare or threatened species . . . .”].) This means that a project is deemed to have a significant impact on the environment as a matter of law if it reduces the habitat of a species, or reduces the number or range of an endangered, rare, or threatened species. (See *Endangered Habitats League, Inc. v. County of Orange* (2005) 131 Cal.App.4th 777, 792 fn. 12 [citing *Defend the Bay v. City of Irvine* (2004) 119 Cal.App.4th 1261, 1273–1274].) Here, the EIR cannot simply label impacts to Southern California mountain lions as “significant,” and move on. (See *Sierra Club v. County of Fresno* (2018) 6 Cal.5th 502, 514 “[A]n EIR's designation of a particular adverse environmental effect as ‘significant’ does not excuse the EIR's failure to reasonably describe the nature and magnitude of the adverse effect.”].)

CESA also prohibits the “take” of any candidate species absent the issuance of an incidental take permit. (Fish & Game Code §2080; Cal. Code Regs., tit. 14, § 783.1.) As described in more detail in this letter, the Plan and projects included within the Plan will result in

<sup>1</sup> See, e.g., California Department of Fish and Wildlife, *CESA to the Federal Endangered Species Act*, available at <https://wildlife.ca.gov/Conservation/CESA/FESA>.

significant habitat destruction, loss of habitat connectivity, and direct mortality to mountain lions through vehicle strikes and rodenticide poisoning. At a minimum, the EIR must analyze this issue and SCAG should coordinate with the California Department of Fish and Wildlife to ascertain whether an incidental take permit is required.

### **B. The FEIR Fails to Adequately Assess and Mitigate the Sprawl-inducing Impacts of Approved Major Highway Projects**

Although the extent of the induced demand effect has been debated, the co-dependent relationship between induced travel and car-oriented sprawl development and the construction/widening/expansion of roads has been widely accepted (Cervero 2001). So much so that in a 2014 policy brief, Caltrans was criticized for “not com[ing] to grips with the reality of induced traffic and the relationship between transportation and land use,” (State Smart Transportation Initiative 2014). The brief goes on to suggest that Caltrans’ failure to foster low-travel land use “has been a barrier to the compact development sought by state policy and may have induced the opposite—low-density, high travel exurban development,” and the authors chastise Caltrans’ negligence in operationalizing sustainability “or any similar concept” into their goals, measures, or actions (State Smart Transportation Initiative 2014).

This suggests that the historical and recent patterns of growth and development have favored increasing road capacity, which promotes more sprawl. Continuing to approve projects that increase roadway capacity through new freeway developments, widenings, and expansions enables Caltrans to acquire funding for projects that will continue to perpetuate exurban sprawl. Furthermore, recent and historical development trends of more sprawl-centric growth are reflected in the FEIR’s demographics and growth forecasts, which exacerbates the issue. Such forecasts will provide guidance for the region’s transportation investments over the next 25 years, and if the building blocks of the forecasts are based on sprawl-centric growth, then those forecasts amplify a feedback loop of the perceived need for more roads, which will inevitably lead to more sprawl. Instead, the FEIR and the Plan should break the cycle and pivot the region’s land-use planning to facilitate greener transportation infrastructure that facilitates smart growth and actually preserves and enhances regional wildlife connectivity.

### **C. The FEIR Fails to Adequately Assess and Mitigate the Impacts of More Roads and Increased Sprawl Development to Mountain Lions in the Southern California/Central Coast ESU**

Although the FEIR acknowledges that the Plan will have significant and unavoidable impacts to special-status species and wildlife connectivity, the assessment of impacts to mountain lions is inadequate. According to the FEIR the Plan “will result in the direct consumption of 41,546 acres of greenfield [including areas with] a high potential to contain sensitive plant communities and riparian habitats” (FEIR at 3.4-75). The FEIR further states that “[p]otential impacts exist for 16,167 acres of intact natural landscape blocks and 18,716 acres of associated major riparian connectors found within 500 feet of major transportation projects” (FEIR at 3.4-86). Yet SCAG only provides limited mitigation measures that they can uphold, including SMM BIO-1 through SMM BIO-3, which provide for information sharing, developing a regional conservation plan, and encouraging and facilitating research, programs, and policies

that identify and protect natural habitat corridors. SMM- BIO-3 also states that SCAG will “support for preserving wildlife corridors and wildlife crossings to minimize the impact of transportation projects on wildlife species and habitat fragmentation,” (FEIR at 3.4-89), but it is unclear what “support” means. These mitigation measures are grossly insufficient to minimize the Plan’s significant impacts to mountain lions in the Southern California/Central Coastal ESU and regional wildlife connectivity.

There is ample scientific evidence that indicates mountain lion populations in Southern and Central Coast California are imperiled and that human activities and land use planning that does not integrate adequate habitat connectivity can have adverse impacts on mountain lions. Continued habitat loss and fragmentation has led to 10 genetically isolated populations within California. There are six identified imperiled mountain lion populations in the ESU; four populations occur within the SCAG region, and they include: the Santa Monica Mountains lions, the Santa Ana Mountains lions, the San Gabriel/San Bernardino Mountains lions, and the Eastern Peninsular Range lions. At least two of the populations (Santa Monica Mountains and Santa Ana Mountains) are severely constrained and facing an extinction vortex due to high levels of inbreeding, low genetic diversity, and high human-caused mortality rates from car strikes on roads, depredation kills, rodenticide poisoning, poaching, disease, and increased human-caused wildfires (Ernest et al. 2003; Ernest et al. 2014; Riley et al. 2014; Vickers et al. 2015; Benson et al. 2016; Gustafson et al. 2018; Benson et al. 2019).

The effective population sizes of the four populations within the SCAG region range from 4 to 31.6 (Gustafson et al. 2018; Benson et al. 2019). An effective population size of 50 is assumed to be sufficient to prevent inbreeding depression over five generations, while an effective population size of 500 is considered sufficient to retain evolutionary potential in perpetuity (Traill et al. 2010; Frankham et al. 2014). All of the populations in the SCAG region are well below that minimum threshold of 50, which indicates that these populations are at serious risk of becoming extirpated. Furthermore, mountain lions in the Santa Monica and Santa Ana mountains have been found to have dangerously low genetic diversity and effective population size, and they are likely to become extinct within 50 years if nothing is done to improve gene flow with other mountain lion populations (Benson et al. 2016; Gustafson et al. 2018; Benson et al. 2019). Populations in the San Gabriel/San Bernardino mountains are showing similar trends (Gustafson et al. 2018). This is detailed in the Center’s petition to the California Fish and Game Commission to protect Southern California and Central Coast mountain lions under the California Endangered Species Act (Yap et al. 2019).

The primary threat to the long-term survival of mountain lions in the Southern California/Central Coast ESU is genetic isolation due to lack of connectivity caused by continuous development in mountain lion habitat with little regard of their movement needs. Thus, the persistence of the four populations within the SCAG region relies heavily on being connected with mountain lions throughout the ESU *as well as* statewide. Although the geographic area of the SCAG region is relatively small compared to the state (SCAG covers about 38,000 mi<sup>2</sup>, which is about 23% of the state’s 164,696 mi<sup>2</sup>), four of the 10 mountain lion populations are within its boundaries. Mountain lions are wide ranging species that have home ranges of 75 to 200 mi<sup>2</sup>; clearly, anthropogenic barriers are likely limiting their movement and preventing adequate gene flow for the long-term survival of mountain lions throughout the

SCAG region (Ernest et al. 2003; Ernest et al. 2014; Riley et al. 2014; Vickers et al. 2015; Gustafson et al. 2018; Benson et al. 2019). Yet the FEIR continues to approve funding for freeway expansions/widenings/construction without adequate mitigation for wildlife connectivity (e.g., wildlife crossings), which fragments the landscape more severely and propagates sprawl development further out into mountain lion habitat and movement corridors. Prime examples from the Transportation Project List include but are not limited to:

1. Adding HOV and Express lanes on the I-15 from near Murrieta north up to the Victorville area, which fortifies an already serious barrier between the mountain lions in the Santa Ana Mountains and the Eastern Peninsular Range (Ernest et al. 2014; Vickers et al. 2015; Benson et al. 2016) and further bisects the San Gabriel and San Bernardino mountains,
2. Adding mixed flow lanes on SR 138 from the I-5 to SR 14 and on SR 138/18 from SR 122 to US Route 395, which limits north-south movement through a critical linkage area important for genetic mixing between coastal, southern, and northern California lions and therefore an area that is important for statewide genetic connectivity for mountain lions and other native wildlife and plants (Ernest et al. 2003; Penrod et al. 2003; South Coast Wildlands 2008; Gustafson et al. 2018), and
3. Adding HOV lanes to Highway 101 just north of the Santa Monica Mountains from SR 33 to SR 23, which fortifies an already serious barrier between highly imperiled mountain lions in the Santa Monica Mountains and the Santa Susana Mountains and habitat further up the coast (Riley et al. 2014; Gustafson et al. 2018; Benson et al. 2019; Benson et al. 2020).

The approved projects on these three stretches of freeway would directly adversely impact the Santa Ana and Santa Monica mountain lion populations, the two most imperiled populations throughout the state that are predicted to become extinct within 50 years if nothing is done to improve connectivity (Benson et al. 2019). The I-15 and SR138/18 projects would also likely directly adversely impact the San Gabriel/San Bernardino population, an area that is important for genetic connectivity that has an extremely low effective population ( $N_e=5$ ) and is showing similar signs of imperilment as the Santa Ana and Santa Monica populations (Ernest et al. 2003; Gustafson et al. 2017). Yet there are no requirements to mitigate impacts or enhance connectivity in these areas. If such projects are going to be approved, SCAG should require that the project proponents implement effective mitigation strategies into the design of the projects (when planning starts) prior to approving funding for the projects. In addition, SCAG should mitigate impacts to regional connectivity from these projects by allocating proportional funding for wildlife crossing infrastructure projects and acquiring and managing in perpetuity high quality, protected habitat on both sides of a freeway to improve effectivity of the crossings. The FEIR fails to adequately describe, assess, and mitigate impacts to the Southern California/Central Coast ESU of mountain lions.

The FEIR also fails to adequately describe, assess, and mitigate impacts of sprawl development and edge effects on mountain lions. Negative edge effects from human activity, traffic, lighting, noise, domestic pets, pollutants, invasive weeds, and increased fire frequency have been found to be biologically significant up to 300 meters (~1000 feet) away from anthropogenic features in terrestrial systems (Environmental Law Institute 2003). Human

development and associated noise can degrade adjacent wildlife habitat and behavior (*see e.g.*, Slabbekoorn and Ripmeester 2008). There is evidence documenting the effects of human activity specifically on mountain lions. One study found that mountain lions are so fearful of humans and noise generated by humans that they will abandon the carcass of a deer and forgo the feeding opportunity just to avoid humans (Smith et al. 2017).<sup>2</sup> The study concluded that even “non-consumptive forms of human disturbance may alter the ecological role of large carnivores by affecting the link between these top predators and their prey” (Smith et al. 2017). In addition, mountain lions have been found to respond fearfully upon hearing human vocalizations, avoiding the area and moving more cautiously when hearing humans (Smith et al. 2017; Suraci et al. 2019). Other studies have demonstrated that mountain lion behavior is impacted when exposed to other evidence of human presence, such as lighting or vehicles/traffic (Wilmers et al. 2013; Smith et al. 2015; Benson et al. 2016; Wang et al. 2017; Dellinger 2019).

Other impacts of extending human activities further into mountain lion habitat include increased exposure to rodenticides and other environmental toxicants from homeowners and businesses trying to remove pests. Although mountain lions are not the primary target of rodenticides, secondary poisoning has been documented in many non-target animals, especially predators, including mountain lions (Department of Pesticide Regulation 2018), coyotes (Riley et al. 2003), bobcats (Riley et al. 2007; Serieys et al. 2015), San Joaquin kit fox (McMillin et al. 2008), California fishers (Gabriel et al. 2012), raptors (Lima and Salmon 2010), and many more. Data regarding rodenticide poisoning in mountain lions are limited; however, there is evidence that these big cats are likely vulnerable to similar negative impacts that other predators experience, including direct death, weakened immune systems, and vulnerability to predators or conspecifics (Riley et al. 2003; Riley et al. 2007; Serieys et al. 2015). Several deaths due to rodenticide poisoning have been recently documented in the Santa Monica Mountains population, and such deaths can potentially push already struggling, small populations like the Santa Ana and Santa Monica lions closer to the brink of extinction. In addition, sprawl development can lead to placing more hobby farmers in mountain lion habitat, which can lead to increased conflict with mountain lions when animals are not placed in lion-proof enclosures at night, potentially more depredation events, and the potential issuance of lethal depredation permits or poaching to remove mountain lions from the area. Last, scientific studies have shown that the impacts of free-roaming dogs and cats on wildlife are often underestimated, and in fact, they can pose significant impacts to mountain lions and other wildlife, such as by degrading habitat and spreading disease (Young et al. 2011; Loss et al. 2013; CDFW 2020). To mitigate impacts of roads and development extending into mountain lion habitat and the edge effects associated with human activity, SCAG should provide funding for and implement education and awareness campaigns that teach people how to live in mountain lion habitat and safely coexist with mountain lions. Again, the FEIR fails to adequately assess and mitigate impacts to mountain lions.

The FEIR fails to adequately assess and mitigate impacts to mountain lions from increased frequency of wildfires caused by more human ignitions due to placing more homes in

<sup>2</sup> See also Sean Greene, “How a fear of humans affects the lives of California's mountain lions,” *Los Angeles Times* (June 27, 2017), available at <http://beta.latimes.com/science/sciencenow/la-sci-sn-pumas-human-noise-20170627-story.html>.



fire-prone habitats. Although fire is a natural disturbance in California ecosystems, sprawl development with low/intermediate densities extending into habitats that are prone to fire have led to more frequent wildfires that burn larger areas (Syphard et al. 2007; Syphard et al. 2009). Most wildfires in California are caused by human ignitions, like power lines, arson, improperly disposed cigarette butts, debris burning, fireworks, campfires, or sparks from cars or equipment (Keeley and Fotheringham 2003; Syphard et al. 2007; Syphard et al. 2012; Bistinas et al. 2013; Balch et al. 2017; Radeloff et al. 2018; Syphard et al. 2019). In fact, human-caused fires account for 95-97% of all fires in California's Mediterranean habitats (Syphard et al. 2007; Balch et al. 2017). In addition, climate change is leading to hotter, drier conditions that make fires more likely to burn. At least 29 fires throughout California in the last two years were caused by electric power and distribution lines, and transmission lines are suspected to be the cause of the 2018 Camp Fire and Woolsey Fire (Atkinson 2018; Chandler 2019). Such fires pose a threat to the survival of Southern California/Central Coast ESU mountain lions.

Although mountain lions are highly mobile and generally able to move away from wildfires, in severe weather conditions wind-driven fires can spread quickly – they can cover 10,000 hectares in one to two days, as embers are blown ahead of the fires and towards adjacent fuels (*e.g.*, flammable vegetation, structures) (Syphard et al. 2011). If their movement is constrained by roads and development and they are unable to access escape routes, then their chances of surviving wildfires are greatly reduced. Vickers et al. (2015) documented one death of a collared mountain lion in the Santa Ana Mountains and one in the Eastern Peninsular Range due to human-caused wildfires, and the deaths of two collared mountain lions in the Santa Monica Mountains in 2018 have been attributed to the Woolsey Fire. When researchers looked at Santa Monica mountain lion P-64's radio collar data, they found that in trying to escape from the Woolsey Fire, he ran to the urban edge, and, unable to find a path turned back and ran back to the burned land P-64 was found dead several weeks later, with severely burned paws (Reyes-Velarde 2018). Environmentally stochastic events (*e.g.*, wildfires, flooding) could destabilize small mountain lion populations and make them vulnerable to extinction (Benson et al. 2016; Benson et al. 2019). In addition, increased frequency of fire ignitions can cause shifts in natural fire regimes, which can lead to large-scale landscape changes, such as vegetation-type conversion or habitat fragmentation, which can impact wide-ranging species like the mountain lion (Jennings 2018). The FEIR fails to adequately assess and mitigate impacts of increased wildfires to mountain lions.

The FEIR should increase landscape connectivity (*e.g.*, by designing corridors, removing barriers, and preserving habitats that are close to each other) to help make mountain lions and other wildlife more resilient to environmentally stochastic events and climate change adaptation (Heller and Zavaleta 2009). Enhanced connectivity that incorporates corridor redundancy (*i.e.* the availability of alternative pathways for movement) would provide resilience to uncertainty, impacts of climate change, and extreme events, including wildfires, by providing alternate escape routes or refugia for mountain lions and other animals seeking safety (Cushman et al., 2013; Mcrae et al., 2008; Mcrae et al., 2012; Olson & Burnett, 2013; Pinto & Keitt, 2008).

Mountain lions are a key indicator species of wildlife connectivity and healthy ecosystems. As the last remaining wide-ranging top predator in the region, the ability to move through large swaths of interconnected habitat is vital for genetic connectivity and their long-

term survival. In addition, impacts to mountain lions in the region could have severe ecological consequences; loss of the ecosystem engineer could have ripple effects on other plant and animal species, potentially leading to a decrease in biodiversity and diminished overall ecosystem function. Many scavengers, including California condors, kit foxes, raptors, and numerous insects, would lose a reliable food source (Ruth and Elbroch 2014; Barry et al. 2019). Fish, birds, amphibians, reptiles, rare native plants, and butterflies would potentially diminish if this apex predator were lost (Ripple and Beschta 2006; Ripple and Beschta 2008; Ripple et al. 2014). Any regional transportation plan that does not adequately address wildlife connectivity issues and integrate effective wildlife crossings and corridors based on the best available science could lead to the extirpation of mountain lion populations in the ESU and severe loss of biodiversity and ecosystem function in the region. The FEIR fails to adequately describe, assess, and mitigate impacts to mountain lions, wildlife movement, and habitat connectivity; SCAG should revise and recirculate the FEIR.

#### **D. The FEIR Fails to Adequately Assess and Mitigate the Impacts of More Roads and Increased Sprawl Development on Wildlife Movement and Habitat Connectivity**

As mentioned previously, the FEIR states that the Plan “will result in the direct consumption of 41,546 acres of greenfield [including areas with] a high potential to contain sensitive plant communities and riparian habitats” (FEIR at 3.4-75). The FEIR further states that “[p]otential impacts exist for 16,167 acres of intact natural landscape blocks and 18,716 acres of associated major riparian connectors found within 500 feet of major transportation projects” (FEIR at 3.4-86). To mitigate these impacts, SCAG offers SMM BIO-1 through SMM BIO-3, discussed in the previous section, as well as SMM AG-1 through SMM AG-4, SMM GHG-1, and SMM WF-1. The Center is encouraged to see SCAG will host a multi-stakeholder working group for Natural and Farm Lands Conservation, work with counties to improve data management, encourage County Transportation Commissions to invest in advanced mitigation programs, align with funding opportunities, and provide incentives to jurisdictions that cooperate across county lines to protect and restore natural habitat corridors; however, these mitigation measures are insufficient given the severity and extent of impacts to regional wildlife connectivity. Although the FEIR provides recommendations for lead agencies to mitigate impacts to connectivity, leaving substantive, on-the-ground mitigation to be debated on a project-by-project basis will result in piecemeal protections and is grossly insufficient to adequately mitigate impacts to regional wildlife connectivity.

The SCAG region’s heterogeneous habitats that include wetlands, streams, grasslands, scrublands, woodlands, pine forests, and desert are important for wildlife connectivity and migration at the local, regional, and global scale. Local connectivity that links aquatic and terrestrial habitats allows various sensitive species to persist, including state-protected foothill yellow-legged frogs (*Rana boylei*), California red-legged frog (*Rana draytonii*), western spadefoot toad (*Spea hammondi*) and western pond turtles (*Actinemys marmorata*). At a regional scale, medium- and large-sized mammals, such as mountain lions (*Puma concolor*), bobcats (*Lynx rufus*), ring-tailed cats (*Bassariscus astutus*), and mule deer (*Odocoileus hemionus*), require large patches of heterogeneous habitat to forage, seek shelter/refuge, and find mates. And at a global scale, numerous areas throughout the region have been identified by

Audubon as Important Bird Areas for resident and migratory birds within the Pacific Flyway, a north-south migratory corridor that extends from Alaska to Patagonia. The region is a hub for local and global biodiversity; wildlife movement and habitat connectivity must be maintained to preserve the area's rich animal and plant diversity.

Impacts to 18,716 acres of associated major riparian connectors found within 500 feet of major transportation projects with insufficient mitigation is alarming because riparian habitats perform a number of biological and physical functions that benefit wildlife, plants, and humans. Loss of what little is left will have severe, harmful impacts on wildlife connectivity, special-status species, overall biodiversity, and ecosystem function. It is estimated that 90-95% of historic riparian habitat in the state has been lost (Bowler 1989; Riparian Habitat Joint Venture 2009). Using 2002 land cover data from CalFire, the Riparian Habitat Joint Venture estimated that riparian vegetation makes up less than 0.5% of California's total land area at about 360,000 acres (Riparian Habitat Joint Venture 2004). Numerous species rely on riparian corridors for both movement and habitat. In fact, 60% of amphibian species, 16% of reptiles, 34% of birds and 12% of mammals in the Pacific Coast ecoregion depend on riparian-stream systems for survival (Kelsey and West 1998). Many other species, including mountain lions and bobcats, often use riparian areas and natural ridgelines as migration corridors or foraging habitat (Dickson et al, 2005; Hilty & Merenlender, 2004; Jennings & Lewison, 2013; Jennings & Zeller, 2017). Yet the FEIR does little to ensure avoidance or minimization of impacts to these important corridors. The FEIR fails to adequately assess and mitigate impacts to riparian corridors that are important for regional wildlife connectivity.

The recommended mitigation measures provided in PMM BIO-4 fall short for regional wildlife connectivity. For example, although the FEIR states wildlife movement buffer zones could be considered, the FEIR does not provide any guidance or the best available science regarding such buffers. A literature review found that recommended buffers for wildlife often far exceeded 100 meters (~325 feet), well beyond the largest buffers implemented in practice (Robins 2002). For example, Kilgo et al. (1998) recommend more than 1,600 feet of riparian buffer to sustain bird diversity. In addition, amphibians, which are considered environmental health indicators, have been found to migrate over 1,000 feet between aquatic and terrestrial habitats through multiple life stages (Semlitsch and Bodie 2003; Trenham and Shaffer 2005; Cushman 2006; Fellers and Kleeman 2007). The foothill yellow-legged frog, a state-threatened species that occurs within the proposed Project, has been observed wintering in abandoned rodent burrows and under logs as far as 100 m (or over 300 feet) from streams (Zeiner 1988). Other sensitive species, such as western pond turtles (*Actinemys marmorata*, a candidate species under the Endangered Species Act) and California newts (*Taricha torosa*), have been found to migrate over 1,300 feet and 10,000 feet respectively from breeding ponds and streams (Trenham 1998; Semlitsch and Bodie 2003). Accommodating the more long-range dispersers is vital for functional connectivity and continued survival of species populations and/or recolonization following a local extinction (Semlitsch and Bodie 2003, Cushman 2006). Additionally, fish rely on healthy upland areas to influence suitable spawning habitat (Lohse et al. 2008). More extensive buffers provide connectivity for species that use and/or rely on terrestrial and aquatic habitat and give biological communities resiliency in the face of climate change (Cushman et al., 2013; Heller & Zavaleta, 2009; Warren et al., 2011). This emphasizes the need to conserve

riparian corridors with large upland buffers, but the FEIR provides grossly insufficient mitigation measures to minimize impacts to riparian corridors.

The FEIR fails to adequately assess and mitigate impacts of roads and sprawl development on regional wildlife connectivity. Roads and development create barriers that lead to habitat loss and fragmentation, which harms native wildlife, plants, and people. As barriers to wildlife movement, poorly-planned development and roads can affect an animal's behavior, movement patterns, reproductive success, and physiological state, which can lead to significant impacts on individual wildlife, populations, communities, landscapes, and ecosystem function (Mitsch and Wilson 1996; Trombulak and Frissell 2000; van der Ree et al. 2011; Haddad et al. 2015; Marsh and Jaeger 2015; Ceia-Hasse et al. 2018; Dornas et al. 2019). For example, habitat fragmentation from roads and development has been shown to cause mortalities and harmful genetic isolation in mountain lions in Southern California (Ernest et al. 2014; Riley et al. 2014; Vickers et al. 2015), increase local extinction risk in amphibians and reptiles (Cushman 2006; Brehme et al. 2018; Dornas et al. 2019), cause high levels of avoidance behavior and mortality in birds and insects (Benítez-López et al. 2010; Loss et al. 2014; Kantola et al. 2019), and alter pollinator behavior and degrade habitats (Trombulak and Frissell 2000; Goverde et al. 2002; Aguilar et al. 2008). Habitat fragmentation also severely impacts plant communities. An 18-year study found that reconnected landscapes had nearly 14% more plant species compared to fragmented habitats, and that number is likely to continue to rise as time passes (Damschen et al. 2019). The authors conclude that efforts to preserve and enhance connectivity will pay off over the long-term (Damschen et al. 2019). In addition, connectivity between high quality habitat areas in heterogeneous landscapes is important to allow for range shifts and species migrations as climate changes (Heller and Zavaleta 2009; Cushman et al. 2013; Krosby et al. 2018). Loss of wildlife connectivity decreases biodiversity and degrades ecosystems.

As mentioned previously, SCAG should require that the project proponents implement effective mitigation strategies to improve wildlife connectivity into the design of the projects (when planning starts) prior to approving funding for the projects. In addition, SCAG should mitigate impacts to regional connectivity from these projects by allocating proportional funding for wildlife crossing infrastructure projects and acquiring and managing in perpetuity high quality, protected habitat on both sides of a freeway to improve effectivity of the crossings. It is important to note that various wildlife have different movement needs, which should be accounted for when mitigating for wildlife connectivity. While overcrossings, if properly designed with native vegetation and vegetation structure that accommodates the movement tendencies of multiple species and protected habitat on both sides, can enhance connectivity for a wider ranges of species compared to culverts (Riley et al. 2018), culverts and underpasses have been shown to be effective. However, target species must be carefully considered when determining size and frequency of crossings. For example, mountain lions have been documented using culverts that are about 4 meters (~13 feet) in diameter (Riley et al. 2018; Clevenger and Waltho 2005, Kintsch and Cramer 2011, W. Vickers unpublished data), while smaller animals, including small mammals, reptiles, and amphibians, might require much smaller passageways to actually use them. In addition, smaller species with poor dispersal abilities would require more frequent intervals of crossings to increase their chances of finding a crossing compared to more mobile animals, like mountain lions or deer. And for some amphibian and reptile species, such as California red-legged frogs and western pond turtles, undercrossings

should have grated tops so that the light and moisture inside the crossings are similar to that of the ambient environment. Ultimately, the FEIR approves funding for billions of dollars worth of road construction/widening/expansion projects without requiring adequate mitigation measures for wildlife connectivity and approves limited funds for just one wildlife crossing. The FEIR fails to adequately assess and mitigate impacts to wildlife movement and connectivity.

The FEIR's lack of requiring or approving funding for wildlife crossings dismisses the importance of regional wildlife connectivity and the need for corridor redundancy (*i.e.* the availability of alternative pathways for movement). Corridor redundancy is important in regional connectivity plans because it allows for improved functional connectivity and resilience. Compared to a single pathway, multiple connections between habitat patches increase the probability of movement across landscapes by a wider variety of species, and they provide more habitat for low-mobility species while still allowing for their dispersal (Mcrae et al., 2012; Olson & Burnett, 2013; Pinto & Keitt, 2008). In addition, corridor redundancy provides resilience to uncertainty, impacts of climate change, and extreme events, like flooding or wildfires, by providing alternate escape routes or refugia for animals seeking safety (Cushman et al., 2013; Mcrae et al., 2008; Mcrae et al., 2012; Olson & Burnett, 2013; Pinto & Keitt, 2008).

In addition, adequate mitigation measures should include addressing light, noise, and other aspects of anthropogenic features that can have negative impacts on wildlife. Human development and associated noise can degrade adjacent wildlife habitat and behavior (*see e.g.*, Slabbekoorn and Ripmeester 2008). For instance, field observations and controlled laboratory experiments have shown that traffic noise can significantly degrade habitat value for migrating songbirds (Ware et al. 2015). Subjects exposed to 55 and 61 dBA (simulated traffic noise) exhibited decreased feeding behavior and duration, as well as increased vigilance behavior (Ware et al. 2015). Such behavioral shifts increase the risk of starvation, thus decreasing survival rates. A recent study also highlighted the detrimental impacts of siting development near areas protected for wildlife. The study noted that “Anthropogenic noise 3 and 10 dB above natural sound levels . . . has documented effects on wildlife species richness, abundance, reproductive success, behavior, and physiology” (Buxton et al. 2017). The study further noted that “there is evidence of impacts across a wide range of species [] regardless of hearing sensitivity, including direct effects on invertebrates that lack ears and indirect effects on plants and entire ecological communities (*e.g.*, reduced seedling recruitment due to altered behavior of seed distributors)” (Buxton et al. 2017). Moreover, human transportation networks and development resulted in high noise exceedances in protected areas (Buxton et al. 2017). In addition, preliminary results from studies underway by researchers at UC Davis and University of Southern California, as well as those by other researchers, suggest that the light, noise, and other aspects of highways can have negative impacts on wildlife numbers and diversity near the highways (Vickers 2020). Thus, highways and development expose wildlife to high levels of noise and lighting and can exert negative effects at some level, even if adequate wildlife passageways and fencing are well designed.

The Plan's impacts to 16,167 acres of intact natural landscape blocks will subject the surrounding open space to development edge effects and will likely impact key, wide-ranging predators, such as mountain lions and bobcats (Crooks 2002; Riley et al. 2006; Delaney et al. 2010; Lee et al. 2012; Vickers et al. 2015), as well as smaller species with poor dispersal

abilities, such as song birds, small mammals, and herpetofauna (Cushman 2006; Benítez-López et al. 2010; Kociolek et al. 2011). Negative edge effects from human activity, traffic, lighting, noise, domestic pets, pollutants, invasive weeds, and increased fire frequency have been found to be biologically significant up to 300 meters (~1000 feet) away from anthropogenic features in terrestrial systems (Environmental Law Institute 2003). As mentioned previously, limiting movement and dispersal can affect species' ability to find food, shelter, mates, and refugia during and after disturbances like fires or floods. Individuals can die off, populations can become isolated, sensitive species can become locally extinct, and important ecological processes like plant pollination and nutrient cycling can be lost. In addition, linkages and corridors between major core habitat areas are important to allow for range shifts and species migrations as climate changes. Berms and sound/light barriers should be implemented at all wildlife crossings to encourage wildlife to utilize the crossings. Sound and lighting should also be minimized developed areas, particularly those that are adjacent to or go through natural habitats. And SCAG should provide funding for and implement education and awareness campaigns that teach people how to safely coexist with wildlife and facilitate wildlife movement. Other mitigation measures can be found in a letter submitted to Caltrans regarding the California Transportation Plan 2050 (Exhibit C). Again, the FEIR fails to adequately assess and mitigate impacts to wildlife movement and habitat connectivity.

#### **E. The Plan Fails to Prioritize Funding to Support the Goals to Preserve, Enhance and Restore Regional Wildlife Connectivity and Increase Roadway Safety**

The FEIR fails to adequately mitigate impacts to regional wildlife connectivity. Although the FEIR touts the construction of the Liberty Canyon Wildlife Crossing over Highway 101 in a mountain lion crossing hotspot identified by researchers (Riley et al. 2018), that project is not listed in the Transportation Project List Technical Report. In fact, only 20% of the funding for the Liberty Canyon wildlife crossing, projected to cost \$87 million, will be drawn from public funds allocated toward conservation campaigns. The remaining 80% must be raised from private sources. And only one wildlife crossing is included in the Transportation Project List at about \$1.9 million. Meanwhile, billions of dollars are being approved for numerous freeway construction/widening/expansion projects, including those that would directly impact imperiled mountain lion populations in the SCAG region. These actions do not reflect the Plan's laudable goal to "[p]reserve, enhance and restore regional wildlife connectivity," (Plan at 50). Transportation projects should have clear requirements to enhance wildlife connectivity prior to approval for funding. Implementing wildlife crossing infrastructure should be prioritized, to improve both wildlife connectivity and driver safety, and more funding should be allocated to such projects.

Aside from the benefits to wildlife and plants discussed in previous sections, enhancing wildlife connectivity would improve public health and safety. Wildlife-vehicle collisions pose a major public safety and economic threat, as well as a threat to the region's wildlife and biodiversity. During 2015 to 2018 more than 26,000 incidents involving vehicles and wildlife were reported to the California Highway Patrol, which included reports of animals standing next to, in, or running across lanes, collisions with large animals, or swerving to avoid collisions and resulting in a crash (Shilling et al. 2019). State reports and car insurance companies estimate that

that 7,000 to 23,000 wildlife vehicle collisions (with large mammals) have occurred annually on California roads (Shilling et al. 2017; Shilling et al. 2018; Shilling et al. 2019; State Farm Insurance Company 2016, 2018). These crashes result in human loss of life, injuries, emotional trauma, and property damages that can add up to an estimated \$300-600 million per year and over \$1 billion from 2015-2018, based on reported wildlife vehicle collisions. And it is important to note that collisions with large animals often go unreported as much as 5- to 10-fold (Donaldson and Lafon 2008; Olson et al. 2014; Donaldson 2017). Numerous wildlife-vehicle collision hotspots have been identified throughout the SCAG region, but these areas are not being prioritized for highway improvements.

Allocating more funding for wildlife crossing infrastructure would help mitigate impacts to mountain lions and regional connectivity, and it would align with the Plan's guiding principle to "[p]lace high priority for transportation funding in the region on projects and programs that improve mobility, accessibility, reliability and safety, and that preserve the existing transportation system" (Plan at 10). Other states, including Arizona, Colorado, Florida, Montana, Nevada, Oregon, New Mexico, Utah, Washington, and Wyoming, have been proactively addressing wildlife connectivity issues and realizing the benefits of wildlife crossing infrastructure. For example, Arizona, Colorado, and Wyoming have seen 80-96% reductions in wildlife vehicle collisions while gradually increasing the level of wildlife permeability over time (it appears that some species take more time than others to adapt to crossings) on sections of highways where they have implemented wildlife crossing infrastructure, such as underpasses, culverts, overpasses, wildlife fencing, and escape ramps (Dodd et al. 2012; Sawyer et al. 2012; Kintsch et al. 2018). Utah recently completed the state's largest wildlife overpass at Parleys Canyon for moose, elk, and deer. Washington State is about to complete its largest wildlife overpass on I-90, which is anticipated to provide habitat connectivity for a wide variety of species between the North and South Cascade Mountains. The overpass cost \$6.2 million as part of a larger \$900 million expansion project that will include multiple wildlife crossings along a 15-mile stretch of highway. Savings from less hospital bills, damage costs, and road closures from fewer wildlife vehicle collisions will make up those costs in a few years (Valdes 2018). State transportation departments are actively pursuing these types of projects because of the benefits for wildlife connectivity, public safety, and the economy. California lags behind many states when it comes to building wildlife crossings. SCAG should more actively invest in preserving habitat connectivity where there are no roads while also enhancing or restoring connectivity where roads or other transportation infrastructure already exist. The FEIR fails to adequately assess and mitigate impacts to the region's mountain lions and regional wildlife connectivity.

**V. The FEIR Does Not Adequately Analyze or Mitigate the Air Quality Impacts of the Plan.**

**A. Air pollution is a Public Health Crisis That Can Be Addressed by Focusing Development In and Near Existing Cities.**

Air quality is a significant environmental and public health concern as unhealthy, polluted air contributes to, and exacerbates many diseases and mortality rates. In the U.S., government estimates indicate that between 10-12 percent of total health costs can be attributed

to air pollution. (VCAQR 2003) Many plants and trees, including agricultural crops, are injured by air pollutants. This damage ranges from decreases in productivity, a weakened ability to survive drought and pests, to direct mortality. (VCAQR) Wildlife is also impacted by air pollution as the plants and trees that comprise their habitats are weakened or killed (yet the FEIR contains no analysis of the impacts of air pollution on wildlife). Aquatic species and habitats are impacted by air pollution through the formation of acid rain that raises the pH level in oceans, rivers and lakes. (EPA 2016) Greenhouse gases, such as the air pollutant carbon dioxide which is released by fossil fuel combustion, contribute directly to human-induced climate change. (EPA 2016) In this feedback loop, poor air quality that contributed to climate change will in turn worsen the impacts of climate change and attendant air pollution problems. (BAAQMD 2016)

Some of the nation's most polluted counties are in Southern California. (ALA 2016) Air pollution and its impacts are felt most heavily by young children, the elderly, pregnant women and people with existing heart and lung disease. People living in poverty are also more susceptible to air pollution as they are less able to relocate to less polluted areas, and their homes and places of work are more likely to be located near sources of pollution, such as freeways or ports, as these areas are more affordable. (BAAQMD 2016; ALA 2016.) Pollution sources include transportation, industry and manufacturing, construction, the importation and movement of goods, and energy development. Transportation presents one of the most significant sources of pollution in urban areas, where large segments of the population are constantly exposed to roads and traffic. (BAAQMD 2016; Newman)

Although there are many different types of air pollution, Ozone, Fine Particulate Matter and Toxic Air Contaminants are of greatest concern in urban areas, particularly in Southern California. These three air pollutants have been linked to an increased incidence and risk of cancer, birth defects, low birth weights and premature death, in addition to a variety of cardiac and lung diseases such as asthma, COPD, stroke and heart attack. (Laurent 2016; ALA 2016) Ozone, also commonly referred to as smog, is created by the atmospheric mixing of gases resulting from fossil fuel combustion and other volatile organic compounds and sunlight. Although it is invisible, ozone poses one of the greatest health risks, prompting the EPA to strengthen its National Ambient Air Quality Standard for Ozone in 2015. (ALA 2016) Fine Particulate Matter is generally found in urban areas as a result of vehicle exhaust emissions, and these microscopic particles are what contribute to visible air pollution. These tiny particles are dangerous because they are small enough to escape our body's natural defenses and enter the blood stream. Fugitive dust is a term used for fine particulate matter that results from disturbance by human activity such as construction and road-building operations. (VCAQR 2003) Fine Particulate Matter can also result from ash caused by forest fires, which will continue to impact those living in the urban-wildland interface and increasingly beyond as climate change exacerbates the risk of forest fires. (BAAQMD 2016) Toxic Air Contaminants are released from vehicle fuels, especially diesel, which accounts for over 50% of the cancer risk from TACs. (BAAQMD 2016) This is especially relevant for Southern California with its abundance of diesel shipping traffic. (Bailey; Betancourt 2012)

Urban infill is an effective plan for reducing the air pollution and greenhouse gas emission resulting from heavy reliance on vehicles. Centrally locating housing, shopping and places of employment reduces vehicle miles travelled and new road construction. With fewer



roads and less traffic, it will be less likely that housing will be located near busy, polluting roads, which is a large source of exposure. (BAAQMD 2016) Infill planning also allows for realistic promotion of alternative transportation such as walking or biking.

### **B. The FEIR's Analysis of Public Health Impacts Is Misleading and Inaccurate.**

The FEIR must adequately analyze the potential health risks—including cumulative impacts—arising from air pollution generated directly or indirectly by the Plan, including projects funded or included in the Plan. The Guidelines require EIRs to discuss health impacts that are reasonably foreseeable consequence of a project. (Guidelines § 15126.2.) The EIR must assure that this is a robust health assessment for all criteria pollutants, Mobile Source Air Toxics, such as acrolein, benzene, 1,3-butadiene, diesel particulate matter, formaldehyde, naphthalene, and polycyclic organic matter, and Toxic Air Contaminants. Simply providing emissions levels or general descriptions of health impacts provides an inadequate context to decisionmakers and the public of the Plan's reasonably foreseeable effects on public health. In *City of Long Beach v. City of Los Angeles* (2018) 19 Cal.App.5th 465, the court held the agency failed to proceed in a manner required by law because the EIR did not include information on the air pollution impacts of the project on specific areas near the project vicinity, including how frequently and for what length of time the level of particulate air pollution in the surrounding area would exceed standards of significance. (*Id.* at 487-88.)

*Sierra Club v. County of Fresno* (2018) 6 Cal.5th 502 likewise requires that an EIR “inform the public how its bare numbers translate to create potential adverse impacts or it must adequately explain what the agency does know and why, given existing scientific constraints, it cannot translate potential health impacts further.” Here, the FEIR does not meet this standard. While the FEIR does include a general discussion of “health implications” (FEIR at 3.3-61) it includes only general statements regarding potential health issues associated with air pollution. Moreover, the FEIR states:

Both ozone and particulate matter are known to have negative public health impacts especially for sensitive populations, like children, the elderly, and those with respiratory or cardiovascular health problems. Therefore, the potential for Connect SoCal to adversely affect public health was evaluated using cancer risk from diesel particulate matter as a proxy for respiratory health.

(FEIR at 3.3-62.) The FEIR's reasoning here is unclear—why is cancer risk from diesel particulate matter (“DPM”) being used as a proxy for respiratory health? While DPM is clearly one type of dangerous pollutant, there are various other pollutants that can cause health problems. The FEIR should include detailed analysis and studies on the health risks of all pollutants associated with the Plan. In addition, as discussed below, it appears that the FEIR does not account for recent rollbacks to emissions standards, which will likely intensify the public health impacts of the Plan. This requires revision and recirculation of the EIR.

To the extent the exact nature of development under the Plan is uncertain at this time, the agency must use its best efforts to find out all that it reasonably can, and then disclose any remaining uncertainties after conducting such an investigation and inquiry. (See *San Diego Citizenry Group v. County of San Diego* (2013) 219 Cal.App.4th 1, 21-24.)

### **C. The FEIR Fails to Remedy the Deficiencies in the Air Quality Analysis Identified by SCAQMD.**

The South Coast Air Quality Management District (“SCAQMD”) submitted a lengthy comment letter on the EIR (the “SCAQMD Letter”), which identified various deficiencies with the EIR’s analysis. For instance, the SCAQMD Letter noted that the EIR’s analysis improperly credits the Plan with emissions reductions associated with air quality and health risks that will occur independently of the Plan due to CARB regulations. In responses to comments, SCAG concedes that emissions reductions “can be attributed to CARB regulations and efforts at implementing cleaner fuel standards and promoting lower emitting vehicle” and that “emission reductions from CARB regulations would occur regardless of the Plan.” (FEIR at 9.0-42.)

Again, as discussed in Section VI below, recent federal actions have significantly changed the emissions standards applicable to California, rendering SCAG’s analysis incorrect. The corresponding public health analysis, including the health risk assessment, needs to be revised.

The SCAQMD Letter also is correct that the FEIR does not analyze or disclose public health impacts using the correct baseline—by comparing public health impacts from the Plan in 2045 to existing public health impacts in 2019, the FEIR misleadingly claims that cancer risk will be reduced. The HRA analysis shows that cancer risks will substantially exceed the significance threshold of 41.3 in a million, and SCAG should revise the FEIR to acknowledge the significant impacts of the Plan and describe those impacts in detail.

### **D. Independent Analysis By SWAPE Confirms That the EIR’s Air Quality and Greenhouse Gas Analysis Does Not Comply with CEQA.**

The enclosed letter by Matt Hagemann, P.G., C.Hg. and Paul E. Rosenfeld, Ph.D of the expert consulting firm SWAPE (the “SWAPE Letter,” included as Exhibit A) demonstrates that the EIR’s air quality and greenhouse gas analyses contain errors and unsubstantiated conclusions that render the FEIR inaccurate.

We urge SCAG to delay consideration of this project until the FEIR has been revised to address the issues outlined in the SWAPE Letter. As described in further detail in the SWAPE Letter, the basic problem with the FEIR is that it does not do what CEQA requires: provide an accurate and complete analysis of the Plan’s air quality and greenhouse gas impacts and consider and adopt alternatives and mitigation measures to reduce those impacts to the greatest extent feasible. Furthermore, it does not appear that the issues identified in the SWAPE Letter were addressed in the Corrections and Additions document included with the FEIR.

### **E. The FEIR should require stronger air quality mitigation measures.**

CEQA requires that—prior to the approval of a project—the lead agency adopt all feasible mitigation measures which will avoid or substantially lessen the significant environmental effects of the project. (Pub. Res. Code § 21002.) In addition, “Where several

measures are available to mitigate an impact, each should be discussed and the basis for selecting a particular measure should be identified.” (CEQA Guidelines § 15126.4(a)(1)(B).)

As outlined in more detail in the SWAPE Letter, the EIR does not demonstrate that the SCAG considered all potentially feasible mitigation measures for each type of air pollution, or adopted all feasible measures. Indeed, there are a wealth of mitigation measures already proposed by other agencies in technical reports that were not incorporated in the EIR.

Many mitigation measures that should be considered and adopted are described in detail in the documents attached: (1) San Joaquin Valley Air Pollution Control District: Mitigation Measures, (2) Bay Area Air Quality Management District, *California Environmental Quality Act: Air Quality Guidelines* (2011), (3) Sacramento Metropolitan Air Quality Management District, Recommended Guidance for Land Use Emission Reductions Version 3.3 (for Operational Emissions) (2016), (4) San Luis Obispo County Air Pollution Control District, CEQA Air Quality Handbook: A Guide for Assessing the Air Quality Impacts For Projects Subject to CEQA Review (2012), (5) California Air Pollution Control Officers Association (CAPCOA), *CEQA and Climate Change: Evaluating and Addressing Greenhouse Gas Emissions from Projects Subject to the California Environmental Quality Act* (2008), and (6) California Attorney General’s Office, *Addressing Climate Change at the Project Level* (2010). The documents identify existing and potential mitigation measures that could be applied to projects during the CEQA process to reduce a project’s air pollution and GHG emissions. These mitigation measures also provide the co-benefit of reducing many criteria emissions that contribute to the significant impacts to air quality from the Plan and should be evaluated for their feasibility in reducing both GHGs and criteria pollutants.

Because CEQA requires the adoption of all feasible mitigation measures to reduce significant impacts, the Plan must adopt all feasible mitigation measures to reduce air quality and GHG impacts or provide “substantial evidence” as to why the mitigation measures are infeasible. (Guidelines § 15091(b).) Again, even if the Plan’s impacts are *unavoidable* that does not absolve SCAG of its obligation to *mitigate* significant impacts to the extent feasible. The Center therefore suggest the FEIR consider and adopt all feasible mitigation measures set forth in the attached references and the SWAPE Letter. Their feasibility is proven, in many cases, by their actual implementation by cities and counties across California.

#### **F. The FEIR Must Disclose and Mitigate the Public Health Impacts of Siting Residential Development Next to Freeways.**

The FEIR does not properly disclose the health risks of siting residential development or other sensitive uses adjacent to freeways or highways. Numerous studies have documented the air pollution and health impacts associated with siting expressways and freeways in close proximity to residential development, particularly upon sensitive receptors such as children and the elderly. (Lin 2002.) A review of 700 studies concluded that pollution causes asthma attacks in children, the onset of childhood asthma, impaired lung function, premature death and death from cardiovascular diseases, and cardiovascular morbidity. (Health Effects Institute 2010<sup>3</sup>.)

<sup>3</sup> Full appendices of this study are available at <https://www.healtheffects.org/publication/traffic-related-air-pollution-critical-review-literature-emissions-exposure-and-health>.

The Health Effects Institute study concluded that the “exposure zone” was 300 to 500 meters from the highways (984 feet to 1640 feet). (*Id.*) Other studies have reached similar conclusions. (*See* Anderson 2011; Suglia 2008.) Living near expressways also increases the likelihood that residents will suffer from dementia. (Chen 2017.) The University of Southern California’s Environmental Health Centers have also collected data and studies showing risks and health impacts to pregnant women, babies, children, teenagers, adults, and seniors of living by a freeway.<sup>4</sup> In short, the FEIR fails to address the overwhelming body of peer-reviewed scientific evidence demonstrating that siting development next to a freeway or expressway will lead to significant health effects on the residents.

The Plan and EIR are particularly defective for failing to adequately account for how highway developments or expansion associated with or funded by the Plan will make this existing problem more severe (e.g., by bringing existing residents into closer proximity to highways).

The FEIR also fails to offer any real mitigation measures to address these public health impacts of the Plan. The FEIR could require certain minimum buffers between freeways and sensitive receptors, and could require high efficiency air filters in existing homes near freeways or planned freeways, and/or set aside a fund for such filters. The FEIR could also require vegetative barriers as a mitigation measure. The FEIR should have a detailed discussion of this issue and require project-level mitigation measures to address it.

## **VI. The EIR Must be Revised and Recirculated to Incorporate the SAFE Rule.**

SCAG must revise and recirculate the EIR because its analysis fails to account for the significant changes in vehicle emissions that will be caused by the rollback of the federal vehicle greenhouse gas emissions and mileage standards.

The Safer, Affordable, Fuel-Efficient (“SAFE”) Vehicles Rule has been finalized in two parts. On September 19, 2019, the National Highway Traffic Safety Administration (“NHTSA”) and EPA issued SAFE I, which states that federal law preempts state and local laws regarding tailpipe GHG emissions standards, zero emissions vehicle mandates, and fuel economy for automobiles and light duty trucks. The rule revokes California’s Clean Air Act waiver and preempts California’s Advanced Clean Car Regulations. SCAG noted in its EIR that the SAFE I rule “may potentially impact SCAG’s Connect SoCal and transportation projects in the SCAG region.” (FEIR at 3.8-24.)

On March 31, 2020, NHTSA and EPA signed the SAFE II rule (published in the Federal Register on April 30, 2020)<sup>5</sup>, under which EPA weakened its model year (“MY”) 2021-2026 greenhouse gas standards for passenger cars and light trucks, and NHTSA rolled back mileage standards for passenger cars and light trucks for MY 2021-2026 vehicles to (at most) 1.5%

<sup>4</sup> *See* University of Southern California, *References: Living Near Busy Roads or Traffic Pollution*, available at <http://envhealthcenters.usc.edu/infographics/infographic-living-near-busy-roads-or-traffic-pollution/references-living-near-busy-roads-or-traffic-pollution> (collecting studies).

<sup>5</sup> 85 Fed. Reg. 24,174 (April 30, 2020).

annual increases in fuel economy standards, as compared to annual increases of nearly 5% under the existing standards. According to the agencies' own analysis—which significantly underestimates emissions—the SAFE II rule results in a nearly 1 billion metric ton increase in CO<sub>2</sub> emissions compared with the prior Obama standards over the lifetime of vehicles through model year 2029,<sup>6</sup> at least short-term increases in SO<sub>2</sub>, and potential increases in NO<sub>x</sub> emissions in the long-term.<sup>7</sup>

The failure to properly analyze the increases of emissions from SAFE I as well as the need to include the estimated increases from SAFE II infects the GHG, criteria pollutant, and public health analyses of the FEIR.<sup>8</sup> As to the transportation conformity analysis, SCAG's EIR states that it incorporates the emissions increases resulting from the SAFE I rule “by using the EMFAC2014 off-model adjustment factors released by ARB on November 20, 2019 and approved by U.S. EPA on March 12, 2020.”<sup>9</sup> However, EMFAC does not account for upstream emissions that are likely to result from changes to the fleet mix and fuel economy requirements in the rule.

Moreover, the EIR states that “GHG emissions and transportation data were projected to 2045 using SCAG's Regional Travel Demand Model and ARB's EMFAC2014 emissions model. Estimates of energy and water use are based on current demand factors and emission rates associated with current power generation operations and water supply.” (FEIR at 3.8-60.) However, the EMFAC adjustment factors are approved by EPA for transportation conformity purposes (i.e., criteria pollutants), and therefore do not account for the increase in CO<sub>2</sub> emissions from either SAFE I or SAFE II.<sup>10</sup> Additionally, estimates of emissions from energy use (as well as increases in emissions from refining) should be based on changes that may result as a consequence of *both* of the SAFE rules.

Because the EIR does not include SAFE II, and only partially incorporates SAFE I, the EIR fails to adequately analyze and mitigation air quality, public health, and climate impacts.<sup>11</sup>

<sup>6</sup> Safer, Affordable, Fuel-Efficient (SAFE) Vehicles Rule for Model Years 2021-2026 Passenger Cars and Light Trucks (2020) at 8; Tables I-5, I-6, VII-116, VII-117, VII-118, VII-119; 1569, [https://www.nhtsa.gov/sites/nhtsa.dot.gov/files/documents/final\\_safe\\_preamble\\_web\\_version\\_200330.pdf](https://www.nhtsa.gov/sites/nhtsa.dot.gov/files/documents/final_safe_preamble_web_version_200330.pdf).

<sup>7</sup> *Id.* at Tables VII-122 – 127,

<sup>8</sup> See e.g., FEIR at 3.8-74, Table 3.8-10, which uses EMFAC14 to estimate per capita CO<sub>2</sub> emissions from cars and light-duty trucks in its SB 375 analysis.

<sup>9</sup> SCAG, Connect SoCal Transportation Conformity Analysis at 28. (See also ARB, Comments re: Safer Affordable Fuel-Efficient (SAFE) Vehicles Rule for Model Years 2021-2026 Passenger Cars and Light Trucks — Transportation Conformity Implications (June 17, 2019), submitted to docket no NHTSA-2018-0067-12417, <https://www.regulations.gov/document?D=NHTSA-2018-0067-12417>. ARB notes that “[n]ecessary model updates and SIP revisions alone are complex, and may take years to complete,” raising questions about the accuracy of the adjustment factors here.)

<sup>10</sup> See ARB, EMFAC Off-Model Adjustment Factors to Account for the SAFE Vehicle Rule Part One November 20, 2019, [https://ww3.arb.ca.gov/msei/emfac\\_off\\_model\\_adjustment\\_factors\\_final\\_draft.pdf](https://ww3.arb.ca.gov/msei/emfac_off_model_adjustment_factors_final_draft.pdf).

<sup>11</sup> See California Association of Councils of Governments, Comments re: Significant concern regarding potential transportation impacts resulting from the Proposed NHTSA/U.S. EPA's Safer Affordable Fuel Efficient (SAFE) Vehicles Rule for Model Years, 2021-2026 (June 14, 2019), submitted to docket no. EPA-HQ-OAR-2018-0283-7581, <https://www.regulations.gov/document?D=EPA-HQ-OAR-2018-0283-7581>. CACOG argues that the SAFE rule threatens nearly \$130 billion in transportation projects statewide, as well as MPOs' ability to provide congestion relief, transportation system reliability, public health, housing, environmental sustainability, and equity.

SAFE II, in particular, provides important new information showing significant increases in the severity of CO<sub>2</sub> and potentially other impacts, such as air quality, conformity, and traffic flow (sticker prices, gas prices, and fuel economy affect driving habits). Failing to provide the public with this information deprives agencies and the public of the opportunity to meaningful review and comment on the EIR. As a result, it must be revised and recirculated to reflect this new regulatory regime. (CEQA Guidelines § 15088.5.)

## **VII. The May 7<sup>th</sup> Hearing Should Be Postponed Due To the COVID-19 Crisis.**

We also urge SCAG to postpone the May 7th hearing on the Plan and FEIR due to the COVID-19 crisis. Governor Newsom declared a state of emergency on March 4, 2020, and over the past seven weeks Californians have been grappling with truly unprecedented challenges. In order for members of the public to adequately participate in this critical planning process, more time is needed to review the Plan and offer comments for potential improvements to the Plan and FEIR. Notably, the California League of Cities sent a letter on March 22, 2020 seeking relief from various deadlines due to “this unprecedented public health crisis.” We are asking that SCAG to grant a similar extension to members of the public.

In addition, the hearing should be postponed and the FEIR revised because the world is fundamentally different than it was when the FEIR was released earlier this year. Economic projections now predict a recession and a potential downturn in the housing market. SCAG should review the Plan and FEIR to evaluate whether these significant changes render the Plan or FEIR no longer accurate, and whether revisions to either document are necessary. In sum, the current draft of the Plan and FEIR reflects the pre-COVID-19 California, and the approved plan needs to account for these recent developments.

## **VIII. Conclusion**

Given the possibility that the Center will be required to pursue appropriate legal remedies in order to ensure enforcement of CEQA and other laws, we would like to remind SCAG of its duty to maintain and preserve all documents and communications that may constitute part of the “administrative record.” As you may know, the administrative record encompasses any and all documents and communications which relate to any and all actions taken by SCAG with respect to the FEIR and Plan, and includes “pretty much everything that ever came near a proposed [project] or [] the agency’s compliance with CEQA . . . .” (*County of Orange v. Superior Court* (2003) 113 Cal.App.4th 1, 8.) The administrative record further contains all correspondence, emails, and text messages sent to or received by SCAG’s representatives or employees, which relate to the Plan, including any correspondence, emails, and text messages sent between the SCAG’s representatives or employees, including with EIR consultants. Maintenance and preservation of the administrative record requires that, *inter alia*, SCAG (1) suspend all data destruction policies; and (2) preserve all relevant hardware unless an exact replica of each file is made.

Thank you for the opportunity to submit comments on the Plan and FEIR. The Center looks forward to working with SCAG to move the Plan forward in a way that truly minimizes impacts to special-status species like the mountain lion and regional wildlife connectivity while upholding air quality and GHG standards and goals. Please feel free to contact the Center with any questions at the number or email listed below.

Sincerely,

A handwritten signature in black ink, appearing to read 'T. Yap', with a large, stylized flourish at the end.

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A handwritten signature in black ink, appearing to read 'John Rose', with a long, horizontal flourish extending to the right.

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(Submitted via OneDrive Link)

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# **Exhibit A**





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**Subject:           Comments on the Connect SoCal Plan (SCH No. 0199011061)**

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Dear Mr. Rose,

We have reviewed the December 2019 Draft Program Environmental Impact Report (“DPEIR”) for the Connect SoCal Plan (“Project”) located in the Southern California Association of Governments (“SCAG”) region (“City”). The Project proposes to update SCAG’s 2016-2040 RTP/SCS through the adoption of Connect SoCal, a long-range visioning plan which forecasts how the transportation needs of the SCAG region will be met between 2020 and 2045.

Our review concludes that the DPEIR fails to adequately evaluate the Project’s air quality, health risk, and greenhouse gas impacts. As a result, emissions and health risk impacts associated with construction and operation of the proposed Project are underestimated and inadequately addressed. An updated CEQA analysis should be prepared to adequately assess and mitigate the potential air quality, health risk, and greenhouse gas impacts that the project may have on the surrounding environment.

## **Air Quality and Greenhouse Gas**

### **Language Used in Project-Level Mitigation Measures Hinders Enforceability**

Review of the DPEIR’s project-level mitigation measures, implemented as a result of potentially significant air quality and greenhouse gas (“GHG”) impacts, demonstrates that the DPEIR’s language hinders the enforceability of the proposed project-level mitigation measures. Specifically, regarding project-level air quality and GHG mitigation measures, the DPEIR states:

“In accordance with provisions of sections 15091(a)(2) and 15126.4(a)(1)(B) of the State CEQA Guidelines, a Lead Agency for a project *can and should consider* mitigation measures to reduce substantial adverse effects related to violating air quality standards. Such measures *may include the following or other comparable measures* identified by the Lead Agency” (emphasis added) (p. 2.0-24, 2.0-41).

As you can see in the excerpt above, the DPEIR fails to require the implementation of any project-level mitigation measures, instead stating that “a Lead Agency for a Project *can and should* consider mitigation measures.” Thus, future projects are simply encouraged to consider, instead of required to implement, the project-level mitigation measures listed in the DPEIR. Furthermore, the DPEIR fails to require any of the specific mitigation measures listed, instead stating that measures “*may include the following or other comparable measures,*” which leaves the decision of which mitigation measures to implement or omit up to future Project applicants. As a result of the DPEIR’s unenforceable language, we cannot verify that any of the DPEIR’s proposed project-level measures would be implemented by future projects.

However, while the DPEIR claims that SCAG has a “lack of authority to impose project-level mitigation measures,” the DPEIR may require projects to implement mitigation *in order to be consistent with the Connect SoCal plan* (3.1-31). As such, the DPEIR should require future projects to implement the project-level mitigation measures proposed by the DPEIR in order to be consistent with the Connect SoCal plan. Until an updated CEQA evaluation for the Project is prepared to include project-level mitigation measures with enforceable language, the Project should not be approved.

### Project-Level Mitigation Measures Lack Quantifiable Metrics to Ensure Enforcement

Review of the DPEIR’s project-level mitigation measures, implemented as a result of potentially significant air quality and GHG impacts, demonstrates that the measures fail to include quantifiable or project-specific metrics. As such, the proposed Project (Connect SoCal Plan) is not a qualified GHG reduction plan under CEQA.

CEQA Guidelines §§ 15064.4(b)(3) and 15183(b) allows a lead agency to consider a project’s consistency with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of GHG emissions. When read together, CEQA Guidelines §§ 15064.4(b)(3) and 15183.5(b)(1) indicate that qualified GHG reduction plans should include:

- (1) **Inventory:** Quantify GHG emissions, both existing and projected over a specified time period, resulting from activities (e.g., projects) within a defined geographic area (e.g., lead agency jurisdiction);
- (2) **Establish GHG Reduction Goal:** Establish a level, based on substantial evidence, below which the contribution to GHG emissions from activities covered by the plan would not be cumulatively considerable;
- (3) **Analyze Project Types:** Identify and analyze the GHG emissions resulting from specific actions or categories of actions anticipated within the geographic area;

- (4) **Craft Performance Based Mitigation Measures:** Specify measures or a group of measures, including performance standards, that substantial evidence demonstrates, if implemented on a project-by-project basis, would collectively achieve the specified emissions level;
- (5) **Monitoring:** Establish a mechanism to monitor progress toward achieving said level and to require amendment if the plan is not achieving specified levels;

Collectively, these features connect qualitative measures to quantitative results, which become binding via proper monitoring and enforcement by the Lead Agency—all resulting in real GHG reductions that demonstrate that the project’s impacts are not cumulatively considerable. Here, however, the DPEIR fails to provide or address inventory, GHG reduction goals, specific project types, performance based measures, or monitoring. Thus, the DPEIR fails to substantiate the Project as a qualified GHG reduction plan for specific projects within SCAG’s jurisdiction to use for streamlined CEQA analysis.

### Failure to Implement All Feasible Mitigation to Reduce Emissions

The DPEIR determines that the Project’s air quality and GHG impacts would be significant and unavoidable, even with the incorporation of mitigation. Regarding the Project’s air quality impact, the DPEIR states:

“[B]ecause of the anticipated regional increase in certain criteria pollutant emissions and SCAG’s lack of authority to impose project-level mitigation measures, this PEIR finds impacts related to a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment could be significant and unavoidable even with implementation of mitigation” (p. 3.3-71).

Regarding the Project’s GHG impact, the DPEIR states:

“Assuming existing available emission factors, GHG emissions in the SCAG region are not on-track to achieve targets identified in AB 32, SB 32 and the Scoping Plan resulting in a significant and unavoidable impact” (p. 3.8-80).

However, while we agree that the Project will result in a significant air quality and GHG impact, the DPEIR’s assertion that these impacts are significant and unavoidable is unsubstantiated. According to CEQA Guidelines § 15096(g)(2),

“When an EIR has been prepared for a project, the Responsible Agency shall not approve the project as proposed if the agency finds any feasible alternative or feasible mitigation measures within its powers that would substantially lessen or avoid any significant effect the project would have on the environment” (emphasis added).

As you can see, an impact can only be labeled as significant and unavoidable after all available, *feasible* mitigation has been considered. However, as shown below, the DPEIR fails to consider and implement *all feasible* mitigation to reduce criteria pollutant and GHG emissions. Until all feasible mitigation is considered and incorporated into the Project’s design, the Project’s air quality and GHG impacts should not be considered significant and unavoidable.

## Failure to Recommend the Implementation of the More Efficient Tier 4 Final Mitigation

In an attempt to reduce the significance of future, project-level air quality impacts, the DPEIR recommends that Projects consider using Tier 4 equipment for construction in close proximity to residences, hospitals, and schools. Specifically, the DPEIR states that the Lead Agency should:

“Require projects within 500 feet of residences, hospitals, or schools to use Tier 4 equipment for all engines above 50 horsepower (hp) unless the individual project can demonstrate that Tier 4 engines would not be required to mitigate emissions below significance thresholds” (p. 2.0-25).

As you can see in the excerpt above, the DPEIR fails to specify whether Projects should use Tier 4 *Interim* or Tier 4 *Final* equipment. This is incorrect, as including Tier 4 Interim mitigation would not be the most conservative, as Tier 4 Final equipment has greater emission levels than Tier 4 Interim equipment. The United States Environmental Protection Agency (“U.S. EPA”) has slowly adopted more stringent standards to lower the emissions from off-road construction equipment since 1994. Since that time, Tier 1, Tier 2, Tier 3, Tier 4 Interim, and Tier 4 Final construction equipment has been phased in over time. Tier 4 Final represents the cleanest burning equipment and therefore has the lowest emissions compared to other tiers, including Tier 4 Interim equipment (see excerpt below):<sup>1</sup>

Maximum horsepower	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015+	
25shp<50																						
50shp<75																						
75shp<100																						
100shp<175																						
175shp<300																						
300shp<600																						
600shps750																						
Mobile Machines > 750hp																						
750hp<GEN ≤1200hp																						
GEN>1200 hp																						

Source: derived from California Air Resources Board, [http://www.arb.ca.gov/msprog/ordiesel/documents/Off-Road\\_Diesel\\_Std.xls](http://www.arb.ca.gov/msprog/ordiesel/documents/Off-Road_Diesel_Std.xls).

- When ARB and USEPA standards differ, the standards shown here represent the more stringent of the two.
- Standards given for all sizes of Tier 1 engines are hydrocarbons/oxides of nitrogen (NOx)/carbon monoxide (CO)/particulate matter (PM) in grams per brakehorsepower per hour (g/bhp-hr).
- Standards given for all sizes of Tier 2 and Tier 3 engines, and Tier 4 engines below 75 horsepower are non-methane hydrocarbons (NMHC)+NOx/CO/PM in g/bhp-hr.
- Standards given for Tier 4 engines above 75 horsepower are NMHC/NOx/CO/PM in g/bhp-hr.
- Engine families in this power category may alternately meet Tier 3 PM standards (0.30 g/bhp-hr) from 2008-2011 in exchange for introducing final PM standards in 2012.
- The implementation schedule shown is the three-year alternate NOx approach. Other schedules are available.
- Certain manufacturers have agreed to comply with these standards by 2005.



As demonstrated in the figure above, Tier 4 Interim has greater emission levels than Tier 4 Final equipment. Thus, in order to implement *all feasible* mitigation, the DPEIR should have recommended or required the implementation of Tier 4 *Final* equipment. Until an updated CEQA evaluation recommends

<sup>1</sup> “San Francisco Clean Construction Ordinance Implementation Guide for San Francisco Public Projects.” August 2015, available at: [https://www.sfdph.org/dph/files/EHSdocs/AirQuality/San\\_Francisco\\_Clean\\_Construction\\_Ordinance\\_2015.pdf](https://www.sfdph.org/dph/files/EHSdocs/AirQuality/San_Francisco_Clean_Construction_Ordinance_2015.pdf), p.

the implementation of Tier 4 Final mitigation, the Project has failed to implement all feasible mitigation and the Project’s air quality impact cannot be considered significant and unavoidable.

*Feasible Mitigation Measures Available to Reduce Emissions – Northeast Diesel Collaborative (NEDC)*

In an effort to reduce the Project’s emissions, we identified several mitigation measures that are applicable to the Project but not previously considered by the DPEIR.

The Northeast Diesel Collaborative (NEDC) is a regionally coordinated initiative to reduce diesel emissions, improve public health, and promote clean diesel technology, which proposes actions that can reduce construction-related emissions in the *Best Practices for Clean Diesel Construction* report. Mitigation for criteria pollutant and GHG emissions should include consideration of the following measures in an effort to reduce construction emissions to the maximum extent feasible.

<b>NEDC’s Diesel Emission Controls in Construction Projects<sup>2</sup></b>	
<b>Measures – Diesel Emission Control Technology</b>	
<p>a. Diesel On road Vehicles All diesel nonroad vehicles on site for more than 10 total days must have either (1) engines that meet EPA onroad emissions standards or (2) emission control technology verified by EPA or CARB to reduce PM emissions by a minimum of 85%.</p>	<p>Here, the DPEIR fails to mention requiring diesel on road vehicles to meet EPA on road emissions standards or reduce PM emissions by 85%. As a result, we cannot verify that the Project has implemented all feasible mitigation with respect to diesel on road vehicles.</p>
<p>b. Diesel Generators All diesel generators on site for more than 10 total days must be equipped with emission control technology verified by EPA or CARB to reduce PM emissions by a minimum of 85%.</p>	<p>Here, while the DPEIR states that Projects would “[u]tilize existing power sources (e.g., power poles) or clean fuel generators rather than temporary power generators,” the DPEIR fails to evaluate the feasibility of obtaining existing power sources or clean fuel generators (p. 2.0-24). However, evaluating the feasibility of this measure may be difficult at the plan-level. As a result, the DPEIR should include a mitigation measure requiring emission control technology to reduce PM emissions from diesel generators, in case the use of clean fuel generators or existing power sources is not feasible.</p>
<p>c. Diesel Nonroad Construction Equipment</p> <ul style="list-style-type: none"> <li>i. All nonroad diesel engines on site must be Tier 2 or higher. Tier 0 and Tier 1 engines are not allowed on site</li> <li>ii. All diesel nonroad construction equipment on site for more than 10 total days must have either (1) engines meeting EPA Tier 4 nonroad emission standards or (2) emission control technology verified by EPA or CARB for use with nonroad engines to reduce PM</li> </ul>	<p>Here, the DPEIR states that it will: “Require projects within 500 feet of residences, hospitals, or schools to use Tier 4 equipment for all engines above 50 horsepower (hp) unless the individual project can demonstrate that Tier 4 engines would not be required to mitigate emissions below significance thresholds” (p. 2.0-95). However, the DPEIR fails to commit to a specific PM reduction percentage of 85%. Furthermore, as discussed above, the DPEIR fails to require the use of more efficient Tier 4 Final equipment mitigation. Finally, the DPEIR only commits to the</p>

<sup>2</sup> “Diesel Emission Controls in Construction Projects.” Northeast Diesel Collaborative (NEDC), December 2010, available at: <https://www.epa.gov/sites/production/files/2015-09/documents/nedc-model-contract-sepcification.pdf>.

<p>emissions by a minimum of 85% for engines 50hp and greater and by a minimum of 20% for engines less than 50hp.</p>	<p>use of Tier 4 equipment for projects within 500 feet of residences, hospitals, or schools. As a result, we cannot verify that the Project has implemented all feasible mitigation with respect to diesel non road construction equipment.</p>
<p>d. Upon confirming that the diesel vehicle, construction equipment, or generator has either an engine meeting Tier 4 non road emission standards or emission control technology, as specified above, installed and functioning, the developer will issue a compliance sticker. All diesel vehicles, construction equipment, and generators on site shall display the compliance sticker in a visible, external location as designated by the developer.</p>	<p>Here, while the DPEIR states that equipment should meet Tier 4 non road emissions standards, the DPEIR fails to require diesel vehicles, construction equipment, and generators to display the compliance sticker in a visible, external location (p. 2.0-95). As a result, we cannot verify that the Project has implemented all feasible mitigation with respect to Tier 4 emissions standards.</p>
<p>e. Emission control technology shall be operated, maintained, and serviced as recommended by the emission control technology manufacturer.</p>	<p>Here, while the DPEIR states that Projects would “[e]nsure that all construction equipment is properly tuned and maintained,” (p. 2.0-24) the DPEIR fails to discuss how construction equipment would be properly tuned and maintained. Thus, while the DPEIR generally commits to the maintenance of construction equipment, it fails to mention operating, maintaining, and servicing emission control technology as recommended by the emission control technology manufacturer. As a result, we cannot verify that the Project has implemented all feasible mitigation.</p>
<p>f. All diesel vehicles, construction equipment, and generators on site shall be fueled with ultra-low sulfur diesel fuel (ULSD) or a biodiesel blend<sup>3</sup> approved by the original engine manufacturer with sulfur content of 15 ppm or less.</p>	<p>Here, the DPEIR fails to mention or require that all diesel vehicles, construction equipment, and generators be fueled with ultra-low sulfur diesel fuel (ULSD) or a biodiesel blend. As a result, we cannot verify that the Project has implemented all feasible mitigation.</p>
<p><b>Measures – Additional Diesel Requirements</b></p>	
<p>a. Construction shall not proceed until the contractor submits a certified list of all diesel vehicles, construction equipment, and generators to be used on site. The list shall include the following:</p> <ul style="list-style-type: none"> <li>i. Contractor and subcontractor name and address, plus contact person responsible for the vehicles or equipment.</li> <li>ii. Equipment type, equipment manufacturer, equipment serial number, engine manufacturer, engine model year, engine certification (Tier rating),</li> </ul>	<p>Here, the DPEIR states that it will “[r]equire contractors to assemble a comprehensive inventory list (i.e., make, model, engine year, horsepower, emission rates) of all heavy-duty off-road (portable and mobile) equipment (50 horsepower and greater) that could be used an aggregate of 40 or more hours for the construction project. Prepare a plan for approval by the applicable air district demonstrating achievement of the applicable percent reduction for a CARB-approved fleet” (2.0-24). However, the comprehensive inventory list proposed by the DPEIR fails to include the contractor and subcontractor information, engine certification, expected fuel usage and hours of operation, as well as information about the control</p>

<sup>3</sup> Biodiesel blends are only to be used in conjunction with the technologies which have been verified for use with biodiesel blends and are subject to the following requirements:  
<http://www.arb.ca.gov/diesel/verdev/reg/biodieselcompliance.pdf>.

<p>horsepower, engine serial number, and expected fuel usage and hours of operation.</p> <p>iii. For the emission control technology installed: technology type, serial number, make, model, manufacturer, EPA/CARB verification number/level, and installation date and hour-meter reading on installation date.</p>	<p>technology installed. As a result, we cannot verify that the Project has implemented all feasible mitigation with respect to a construction equipment list.</p>
<p>b. If the contractor subsequently needs to bring on site equipment not on the list, the contractor shall submit written notification within 24 hours that attests the equipment complies with all contract conditions and provide information.</p>	<p>Here, the DPEIR fails to mention requiring written notification within 24 hours of needing to bring onsite equipment not on the equipment list. As a result, we cannot verify that the Project has implemented all feasible mitigation.</p>
<p>c. The contractor shall establish generator sites and truck-staging zones for vehicles waiting to load or unload material on site. Such zones shall be located where diesel emissions have the least impact on abutters, the general public, and especially sensitive receptors such as hospitals, schools, daycare facilities, elderly housing, and convalescent facilities.</p>	<p>Here, the DPEIR states that the Project would implement “Best Management Practices (BMPs) during construction such as locating construction staging areas in less visible locations (given other environmental considerations such as avoiding sensitive habitat, etc.)” and “fencing and/or screening staging areas” (p. 3.1-28). However, the DPEIR fails to define “less visible locations,” and only mentions avoiding sensitive habitats. Thus, we cannot verify that generator sites and truck-staging zones would be located where they will have the least impact on the public and sensitive receptors, including hospitals, schools, daycare facilities, elderly housing, and convalescent facilities. As a result, we cannot verify that the Project has implemented all feasible mitigation with respect to the impact of generator sites and truck-staging zones.</p>
<p><b>Reporting</b></p>	
<p>a. For each onroad diesel vehicle, nonroad construction equipment, or generator, the contractor shall submit to the developer’s representative a report prior to bringing said equipment on site that includes:</p> <ul style="list-style-type: none"> <li>i. Equipment type, equipment manufacturer, equipment serial number, engine manufacturer, engine model year, engine certification (Tier rating), horsepower, and engine serial number.</li> <li>ii. The type of emission control technology installed, serial number, make, model, manufacturer, and EPA/CARB verification number/level.</li> <li>iii. The Certification Statement signed and printed on the contractor’s letterhead.</li> </ul>	<p>Here, the DPEIR states that it will “[r]equire contractors to assemble a comprehensive inventory list (i.e., make, model, engine year, horsepower, emission rates) of all heavy-duty off-road (portable and mobile) equipment (50 horsepower and greater) that could be used an aggregate of 40 or more hours for the construction project. Prepare a plan for approval by the applicable air district demonstrating achievement of the applicable percent reduction for a CARB-approved fleet” (2.0-24). However, the comprehensive inventory list proposed by the DPEIR fails to include the engine certification and information about the control technology installed, as well as the Certification Statement signed and printed on the contractor’s letterhead. As a result, we cannot verify that the Project has implemented all feasible mitigation with respect to reporting.</p>
<p>b. The contractor shall submit to the developer’s representative a monthly report that, for each</p>	<p>Here, the DPEIR fails to require submitting a monthly report to the developer’s representative that includes information about</p>

<p>on road diesel vehicle, nonroad construction equipment, or generator onsite, includes:</p> <ol style="list-style-type: none"> <li>i. Hour-meter readings on arrival on-site, the first and last day of every month, and on off-site date.</li> <li>ii. Any problems with the equipment or emission controls.</li> <li>iii. Certified copies of fuel deliveries for the time period that identify: <ol style="list-style-type: none"> <li>1. Source of supply</li> <li>2. Quantity of fuel</li> <li>3. Quality of fuel, including sulfur content (percent by weight)</li> </ol> </li> </ol>	<p>on road diesel vehicle, non-road construction equipment, and onsite generator use. As a result, we cannot verify that the Project has implemented all feasible mitigation with respect reporting.</p>
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*Feasible Mitigation Measures Available to Reduce Emissions – California Air Pollution Control Officers Association (CAPCOA)*

In an effort to reduce the Project’s emissions, we identified several mitigation measures that are applicable to the Project but not previously considered by the DPEIR.

Additional feasible mitigation measures can be found in CAPCOA’s *Quantifying Greenhouse Gas Mitigation Measures*, which attempt to reduce emissions.<sup>4</sup> Mitigation for criteria pollutant and GHG emissions should include consideration of the following measures in an effort to reduce construction emissions to the maximum extent feasible.

<b>CAPCOA’s Quantifying Greenhouse Gas Mitigation Measures<sup>5</sup></b>	
<b>Measures – Energy</b>	
<b>Building Energy Use</b>	
<p><b>BE-1</b> Exceed Title-24 Building Envelope Energy Efficiency Standards (California Building Standards Code) by X%</p> <p><i>Range of Effectiveness:</i> See document for specific improvement desired.</p>	<p>Here, while PMM-GHG-1(a) states that projects <i>may include</i> “green building measures consistent with CALGreen (California Building Code Title 24),” the DPEIR fails to evaluate the Project’s potential to <i>exceed</i> Title 24 standards. Without requiring projects to exceed Title 24 standards while concluding significant and unavoidable impacts, the DPEIR fails to conduct the most conservative analysis or require all feasible mitigation.</p>
<p><b>BE-2</b> Install Programmable Thermostat Timers</p> <p><i>Range of Effectiveness:</i> Best Management Practice – Influences building energy use for heating and cooling.</p>	<p>Here, the DPEIR fails to mention or recommend that applicable projects install programmable thermostat timers. As such, the DPEIR concludes significant and unavoidable impacts while failing to require all feasible mitigation.</p>

<sup>4</sup> <http://www.capcoa.org/wp-content/uploads/2010/11/CAPCOA-Quantification-Report-9-14-Final.pdf>

<sup>5</sup> “Quantifying Greenhouse Gas Mitigation Measures.” California Air Pollution Control Officers Association (CAPCOA), August 2010, available at: <http://www.capcoa.org/wp-content/uploads/2010/11/CAPCOA-Quantification-Report-9-14-Final.pdf>, p.



<p><b>BE-3</b> Obtain Third-party HVAC Commissioning and Verification of Energy Savings (to be grouped with BE-1)</p> <p><i>Range of Effectiveness:</i> Not applicable on its own. This measure enhances the effectiveness of BE-1.</p>	<p>Here, while PMM-GHG-1(a)(ii) states that projects <u>may include</u> “energy-efficient lighting, heating, and cooling systems (cogeneration); water heaters; appliances; equipment; and control systems,” the DPEIR fails to mention or address the potential to require third-party HVAC commissioning and verification. As such, the DPEIR concludes significant and unavoidable impacts while failing to require all feasible mitigation.</p>
<p><b>BE-4</b> Install Energy Efficient Appliances</p> <ul style="list-style-type: none"> <li>• Typical reductions for energy-efficient appliances can be found in the <i>Energy Star and Other Climate Protection Partnerships Annual Reports</i>.</li> </ul> <p><i>Range of Effectiveness:</i> Residential 2-4% GHG emissions from electricity use. Grocery Stores: 17-22% of GHG emissions from electricity use. See document for other land use types.</p>	<p>Here, PMM-GHG-1(a)(ii) states that projects <u>may include</u> “energy-efficient lighting, heating, and cooling systems (cogeneration); water heaters; appliances; equipment; and control systems.” However, the DPEIR fails to elaborate or discuss recommendations for implementing energy-efficient appliances, such as Energy Star, or anticipated energy reductions as a result of implementing this measure. As such, the DPEIR concludes significant and unavoidable impacts while failing to require all feasible mitigation.</p>
<p><b>BE-5</b> Install Energy Efficient Boilers</p> <p><i>Range of Effectiveness:</i> 1.2-18.4% of boiler GHG emissions.</p>	<p>Here, the DPEIR fails to mention or recommend that applicable projects install energy efficient boilers. As such, the DPEIR concludes significant and unavoidable impacts while failing to require all feasible mitigation.</p>
<p><b>Lighting</b></p>	
<p><b>LE-1</b> Install Higher Efficacy Public Street and Area Lighting</p> <p><i>Range of Effectiveness:</i> 16-40% of outdoor lighting.</p>	<p>Here, PMM-GHG-1(a) (ii) and (v) state that projects <u>may include</u> “energy-efficient lighting” and “high-efficiency lighting,” respectively. However, the DPEIR fails to elaborate on this or discuss which lights this measure applies to. As such, we cannot verify that this measure will apply to public streets and areas, or that it will actually be implemented on project sites. Thus, the DPEIR concludes significant and unavoidable impacts while failing to require all feasible mitigation.</p>
<p><b>LE-2</b> Limit Outdoor Lighting Requirements</p> <p><i>Range of Effectiveness:</i> Best Management Practice, but may be quantified.</p>	<p>Here, PMM-GHG-1(d)(iii) states that projects <u>may include</u> “lighting systems that are energy efficient, such as LED technology.” In addition, the DPEIR states that Lead Agencies <u>may</u> “[r]estrict the operation of outdoor lighting for construction and operation activities to the hours of 7:00 a.m. to 10:00 p.m.” (p. 3.1-40). However, the DPEIR fails to <u>limit</u> the outdoor lighting requirements. Thus, the DPEIR concludes significant and unavoidable impacts while failing to require all feasible mitigation.</p>
<p><b>LE-3</b> Replace Traffic Lights with LED Traffic Lights</p> <p><i>Range of Effectiveness:</i> 90% of emissions associated with existing traffic lights.</p>	<p>Here, the DPEIR fails to mention or recommend that applicable projects replace traffic lights with LED traffic lights. As such, the DPEIR concludes significant and unavoidable impacts while failing to require all feasible mitigation.</p>
<p><b>Alternative Energy Generation</b></p>	
<p><b>AE-1</b> Establish Onsite Renewable or Carbon-Neutral Energy Systems – Generic</p> <p><i>Range of Effectiveness:</i> 0-100% of GHG emissions associated with electricity use.</p>	<p>Here, while PMM-GHG-1(d)(vii) states that the Project <u>may include</u> “design measures to reduce energy consumption and increase use of renewable energy,” the DPEIR fails to mention or recommend establishing onsite renewable or carbon-neutral energy systems.</p>

	As such, the DPEIR concludes significant and unavoidable impacts while failing to require all feasible mitigation.
<p><b>AE-2</b> Establish Onsite Renewable Energy System – Solar Power</p> <p><i>Range of Effectiveness:</i> 0-100% of GHG emissions associated with electricity use.</p>	Here, the DPEIR states that the “2019 Building Energy Efficiency Standards go into effect on January 1, 2020 and will require most new residences to install solar panels” (p. 3.6-4). In addition, PMM-GHG-1(a)(vi) states that projects <i>may include</i> “passive solar design” and PMM-GHG-1(d)(vi) states that projects <i>may</i> increase the use of renewable energy. However, the DPEIR fails to include solar energy generation in its mitigation measures. As such, the DPEIR concludes significant and unavoidable impacts while failing to require all feasible mitigation.
<p><b>AE-3</b> Establish Onsite Renewable Energy System – Wind Power</p> <p><i>Range of Effectiveness:</i> 0-100% of GHG emissions associated with electricity use.</p>	Here, while PMM-GHG-1(d)(vii) states that the Project <i>may include</i> “design measures to reduce energy consumption and increase use of renewable energy,” the DPEIR fails to mention or recommend establishing onsite renewable or wind power energy systems. As such, the DPEIR concludes significant and unavoidable impacts while failing to require all feasible mitigation.
<p><b>AE-4</b> Utilize a Combined Heat and Power System</p> <p><i>Range of Effectiveness:</i> 0-46% of GHG emissions associated with electricity use.</p>	Here, the DPEIR fails to mention or recommend that applicable projects utilize a combined heat and power system. As such, the DPEIR concludes significant and unavoidable impacts while failing to require all feasible mitigation.
<p><b>AE-5</b> Establish Methane Recovery in Landfills</p> <p><i>Range of Effectiveness:</i> 73-77% reduction in GHG emissions from landfills without methane recovery.</p>	Here, the DPEIR fails to mention or recommend that applicable projects establish methane recovery in landfills. As such, the DPEIR concludes significant and unavoidable impacts while failing to require all feasible mitigation.
<p><b>AE-6</b> Establish Methane Recovery in Wastewater Treatment Plants</p> <p><i>Range of Effectiveness:</i> 95-97% reduction in GHG emissions from wastewater treatment plants without recovery.</p>	Here, the DPEIR fails to mention or recommend that applicable projects establish methane recovery in wastewater treatment plants. As such, the DPEIR concludes significant and unavoidable impacts while failing to require all feasible mitigation.
<b>Measures – Transportation</b>	
<b>Land Use/Location</b>	
<p><b>LUT-1</b> Increase Density</p> <p><i>Range of Effectiveness:</i> 0.8-30% vehicle miles traveled (VMT) reduction and therefore a 0.8-30% reduction in GHG emissions.</p>	Here, the DPEIR fails to mention or recommend that applicable projects implement measures to increase diversity on project sites. As such, the DPEIR concludes significant and unavoidable impacts while failing to require all feasible mitigation.
<p><b>LUT-2</b> Increase Location Efficiency</p> <p><i>Range of Effectiveness:</i> 10% vehicle miles traveled (VMT) reduction and therefore 10-65% reduction in GHG emissions.</p>	Here, the DPEIR fails to mention or recommend that applicable projects increase location efficiency for projects beyond PMM-GHG-1(e)(iv), which states that projects <i>may include</i> the measure “Increase access to common goods and services, such as groceries, schools, and day care.” As such, the DPEIR concludes significant and unavoidable impacts while failing to require all feasible mitigation.
<p><b>LUT-4</b> Increase Destination Accessibility</p>	Here, while PMM-GHG-1(a)(xi) states that projects <i>may</i> “[p]rovide bike lanes accessibility,” the DPEIR fails to mention or address

<p><i>Range of Effectiveness:</i> 6.7-20% vehicle miles traveled (VMT) reduction and therefore 6.7-20% reduction in GHG emissions.</p>	<p><i>increasing</i> destination accessibility for projects. As such, the DPEIR concludes significant and unavoidable impacts while failing to require all feasible mitigation.</p>
<p><b>LUT-7</b> Orient Project Toward Non-Auto Corridor <i>Range of Effectiveness:</i> Grouped strategy (see LUT-3).</p>	<p>Here, the DPEIR fails to mention or recommend that applicable projects orient themselves toward non-auto corridor. As such, the DPEIR concludes significant and unavoidable impacts while failing to require all feasible mitigation.</p>
<p><b>LUT-8</b> Locate Project near Bike Path/Bike Lane <i>Range of Effectiveness:</i> Grouped strategy (see LUT-4).</p>	<p>Here, while PMM-GHG-1(a)(xi) states that projects <i>may</i> “[p]rovide bike lanes,” the DPEIR fails to recommend that applicable projects locate themselves near bike paths or bike lanes. As such, the DPEIR concludes significant and unavoidable impacts while failing to require all feasible mitigation.</p>
<p><b>Neighborhood/Site Enhancements</b></p>	
<p><b>SDT-1</b> Provide Pedestrian Network Improvements, such as:</p> <ul style="list-style-type: none"> <li>• Interconnected street network</li> <li>• Narrower roadways and shorter block lengths</li> <li>• Sidewalks</li> <li>• Accessibility to transit and transit shelters</li> <li>• Traffic calming measures</li> <li>• Parks and public spaces</li> <li>• Minimize pedestrian barriers</li> </ul> <p><i>Range of Effectiveness:</i> 0-2% vehicle miles traveled (VMT) reduction and therefore 0-2% reduction in GHG emissions.</p>	<p>Here, while PMM-GHG-1(e)(viii) states that projects <i>may include</i> the measure “improve pedestrian or bicycle networks, or transit service,” the DPEIR fails to discuss or mention an interconnected street network. In addition, the DPEIR fails to mention the potential for projects to incorporate narrower roadways and shorter block lengths or sidewalks. Furthermore, while the DPEIR repeatedly mentions traffic calming measures, the document never actually details what these measures are or how they can be implemented. Finally, while the DPEIR lists “accessible parks, beaches, recreational waters, public lands, and public spaces” as Goal 6 in the Los Angeles Countywide Sustainability Plan, the DPEIR fails to include these in its mitigation measures. As such, the DPEIR concludes significant and unavoidable impacts while failing to require all feasible mitigation.</p>
<p><b>SDT-2</b> Provide Traffic Calming Measures, such as:</p> <ul style="list-style-type: none"> <li>• Marked crosswalks</li> <li>• Count-down signal timers</li> <li>• Curb extensions</li> <li>• Speed tables</li> <li>• Raised crosswalks</li> <li>• Raised intersections</li> <li>• Median islands</li> <li>• Tight corner radii</li> <li>• Roundabouts or mini-circles</li> <li>• On-street parking</li> <li>• Chicanes/chokers</li> </ul> <p><i>Range of Effectiveness:</i> 0.25-1% vehicle miles traveled (VMT) reduction and therefore 0.25-1% reduction in GHG emissions.</p>	<p>Here, while the DPEIR repeatedly mentions traffic calming measures, the document never actually details what these measures are or how they can be implemented. Some measures are included in the DPEIR’s FTIP Project list, but not in the document’s mitigation measures. As such, the DPEIR concludes significant and unavoidable impacts while failing to require all feasible mitigation.</p>
<p><b>SDT-4</b> Create Urban Non-Motorized Zones <i>Range of Effectiveness:</i> Grouped strategy (see SDT-1).</p>	<p>Here, the DPEIR fails to mention or recommend that applicable projects create urban non-motorized zones. As such, the DPEIR</p>

	concludes significant and unavoidable impacts while failing to require all feasible mitigation.
<b>SDT-5</b> Incorporate Bike Lane Street Design (on-site) <i>Range of Effectiveness:</i> Grouped strategy (see LUT-9).	Here, while PMM-GHG-1(a)(xi) states that projects <i>may include</i> the measure “Provide bike lanes accessibility and parking at residential developments,” the DPEIR fails to discuss bike lane <i>street design</i> . As such, the DPEIR concludes significant and unavoidable impacts while failing to require all feasible mitigation.
<b>SDT-6</b> Provide Bike Parking in Non-Residential Projects <i>Range of Effectiveness:</i> Grouped strategy (see LUT-9).	Here, PMM-GHG-1(a)(xi) states that projects <i>may include</i> the measure “Provide bike lanes accessibility and parking at residential developments.” In addition, PMM-GHG-1(h)(v) states that projects <i>may include</i> “secure bike parking” “at places of work.” However, this measure is specifically targeted at <i>non-residential</i> developments. As such, these mitigation measures should be all-encompassing, rather than specifically for residential projects. Thus, the DPEIR concludes significant and unavoidable impacts while failing to require all feasible mitigation.
<b>SDT-7</b> Provide Bike Parking with Multi-Unit Residential Projects <i>Range of Effectiveness:</i> Grouped strategy (see SDT-3).	Here, PMM-GHG-1(a)(xi) states that projects <i>may include</i> the measure “Provide bike lanes accessibility and parking at residential developments.” However, this measure is specifically targeted at multi-unit residential developments. As such, the DPEIR fails to specifically address “multi-unit residential projects.” Thus, the DPEIR concludes significant and unavoidable impacts while failing to require all feasible mitigation.
<b>SDT-8</b> Provide Electric Vehicle Parking <i>Range of Effectiveness:</i> Grouped strategy (see SDT-3).	Here, while PMM-GHG-1(a)(ix) states that projects <i>may include</i> the measure “Install electric vehicle charging stations,” the DPEIR fails to address electric vehicle <i>parking</i> . As such, the DPEIR concludes significant and unavoidable impacts while failing to require all feasible mitigation.
<b>SDT-9</b> Dedicate Land for Bike Trails <i>Range of Effectiveness:</i> Grouped strategy (see LUT-9).	Here, the DPEIR fails to mention or recommend that applicable projects dedicate land for bike trails. As such, the DPEIR concludes significant and unavoidable impacts while failing to require all feasible mitigation.
<b>Parking Policy/Pricing</b>	
<b>PDT-1</b> Limit Parking Supply through: <ul style="list-style-type: none"> <li>• Elimination (or reduction) of minimum parking requirements</li> <li>• Creation of maximum parking requirements</li> <li>• Provision of shared parking</li> </ul> <i>Range of Effectiveness:</i> 5-12.5% vehicle miles traveled (VMT) reduction and therefore 5-12.5% reduction in GHG emissions.	Here, while PMM-GHG-1(e) discusses states that projects <i>may include</i> the measure “Limit or eliminate park supply,” the DPEIR fails to elaborate on methods of doing so, such as eliminating or reducing minimum parking requirements, creation or maximum parking requirements, or a provision of shared parking. As such, the DPEIR concludes significant and unavoidable impacts while failing to require all feasible mitigation.
<b>PDT-2</b> Unbundle Parking Costs from Property Cost	Here, PMM-GHG-1(e)(xii) states that projects <i>may include</i> the measure “Unbundle parking costs.” However, without any explanation of this measure in the DPEIR, we cannot verify that it

<p><i>Range of Effectiveness:</i> 2.6-13% vehicle miles traveled (VMT) reduction and therefore 2.6-13% reduction in GHG emissions.</p>	<p>refers to property cost or what actions it entails for projects. As such, the DPEIR concludes significant and unavoidable impacts while failing to require all feasible mitigation.</p>
<p><b>PDT-3</b> Implement Market Price Public Parking (On-Street)</p> <p><i>Range of Effectiveness:</i> 2.8-5.5% vehicle miles traveled (VMT) reduction and therefore 2.8-5.5% reduction in GHG emissions.</p>	<p>Here, the DPEIR fails to mention or recommend that applicable projects implement market price public parking (on-street or otherwise). As such, the DPEIR concludes significant and unavoidable impacts while failing to require all feasible mitigation.</p>
<p><b>PDT-4</b> Require Residential Area Parking Permits</p> <p><i>Range of Effectiveness:</i> Grouped strategy (see PPT-1, PPT-2, and PPT-3).</p>	<p>Here, the DPEIR fails to mention or recommend that applicable projects require (or include) residential area parking permits. As such, the DPEIR concludes significant and unavoidable impacts while failing to require all feasible mitigation.</p>
<p><b>Commute Trip Reduction Programs</b></p>	
<p><b>TRT-2</b> Implement Commute Trip Reduction (CTR) Program – Required Implementation/Monitoring</p> <ul style="list-style-type: none"> <li>• Established performance standards (e.g. trip reduction requirements)</li> <li>• Required implementation</li> <li>• Regular monitoring and reporting</li> </ul> <p><i>Range of Effectiveness:</i> 4.2-21% commute vehicle miles traveled (VMT) reduction and therefore 4.2-21% reduction in commute trip GHG emissions.</p>	<p>Here, PMM-GHG-1(e)(xiv) states that projects <i>may include</i> the measure “Implement or provide access to commute reduction program.” However, the DPEIR fails to establish or mention performance standards or trip reduction requirements, required implementation, or regular monitoring and reporting. As such, the DPEIR concludes significant and unavoidable impacts while failing to require all feasible mitigation.</p>
<p><b>TRT-3</b> Provide Ride-Sharing Programs</p> <ul style="list-style-type: none"> <li>• Designate a certain percentage of parking spaces for ride sharing vehicles</li> <li>• Designating adequate passenger loading and unloading and waiting areas for ride-sharing vehicles</li> <li>• Providing a web site or messaging board for coordinating rides</li> <li>• Permanent transportation management association membership and funding requirement.</li> </ul> <p><i>Range of Effectiveness:</i> 1-15% commute vehicle miles traveled (VMT) reduction and therefore 1-15% reduction in commute trip GHG emissions.</p>	<p>Here, PMM-GHG-1(h)(i) states that projects <i>may include</i> the measure “Provide car-sharing, bike sharing, and ride-sharing programs.” In addition, PMM-GHG-1(i) states that projects <i>may include</i> the measure “Designate a percentage of parking spaces for ride-sharing vehicles or high-occupancy vehicles, and providing adequate passenger loading and unloading for those vehicles.” However, the DPEIR fails to indicate what percentage of parking spaces should be designated for ride-share vehicles, how to define “adequate” loading and unloading areas, or mention permanent transportation management association membership and funding requirement. As such, the DPEIR concludes significant and unavoidable impacts while failing to require all feasible mitigation.</p>
<p><b>TRT-4</b> Implement Subsidized or Discounted Transit Program</p> <p><i>Range of Effectiveness:</i> 0.3-20% commute vehicle miles traveled (VMT) reduction and therefore a 0.3-20% reduction in commute trip GHG emissions.</p>	<p>Here, while PMM-GHG-1(h)(iv) states that projects <i>may include</i> “subsidies that increase that use of modes other than single-occupancy vehicle,” the DPEIR fails to elaborate on what these subsidies may entail. In addition, the DPEIR fails to mention or address a discounted transit program. As such, the DPEIR concludes significant and unavoidable impacts while failing to require all feasible mitigation.</p>
<p><b>TRT-6</b> Encourage Telecommuting and Alternative Work Schedules, such as:</p> <ul style="list-style-type: none"> <li>• Staggered starting times</li> </ul>	<p>Here, while PMM-GHG-1(h) states that projects <i>may include</i> “telecommuting programs,” the DPEIR fails to mention or address alternative work schedules, staggered starting times, flexible</p>

<ul style="list-style-type: none"> <li>• Flexible schedules</li> <li>• Compressed work weeks</li> </ul> <p><i>Range of Effectiveness:</i> 0.07-5.5% commute vehicle miles traveled (VMT) reduction and therefore 0.07-5.5% reduction in commute trip GHG emissions.</p>	<p>schedules, or compressed work weeks. As a result, we cannot verify that the DPEIR’s vague “telecommuting programs” will actually include or consider these measures. Thus, the DPEIR concludes significant and unavoidable impacts while failing to require all feasible mitigation.</p>
<p><b>TRT-7</b> Implement Commute Trip Reduction Marketing, such as:</p> <ul style="list-style-type: none"> <li>• New employee orientation of trip reduction and alternative mode options</li> <li>• Event promotions</li> <li>• Publications</li> </ul> <p><i>Range of Effectiveness:</i> 0.8-4% commute vehicle miles traveled (VMT) reduction and therefore 0.8-4% reduction in commute trip GHG emissions.</p>	<p>Here, the DPEIR fails to mention or recommend that applicable projects implement Commute Trip Reduction marketing, including new employee orientation, event promotions, or publications. As such, the DPEIR concludes significant and unavoidable impacts while failing to require all feasible mitigation.</p>
<p><b>TRT-8</b> Implement Preferential Parking Permit Program</p> <p><i>Range of Effectiveness:</i> Grouped strategy (see TRT-1 through TRT-3).</p>	<p>Here, the DPEIR fails to mention or recommend that applicable projects implement a Preferential Parking Permit Program. As such, the DPEIR concludes significant and unavoidable impacts while failing to require all feasible mitigation.</p>
<p><b>TRT-10</b> Implement School Pool Program</p> <p><i>Range of Effectiveness:</i> 7.2-15.8% in school vehicle miles traveled (VMT) reduction and therefore 7.2-15.8% reduction in school trip GHG emissions.</p>	<p>Here, the DPEIR fails to mention or recommend that applicable projects implement a school pool program. As such, the DPEIR concludes significant and unavoidable impacts while failing to require all feasible mitigation.</p>
<p><b>TRT-13</b> Implement School Bus Program</p> <p><i>Range of Effectiveness:</i> 38-63% School VMT reduction and therefore 38-63% reduction in school trip GHG emissions.</p>	<p>Here, the DPEIR fails to mention or recommend that applicable projects implement a school bus program. As such, the DPEIR concludes significant and unavoidable impacts while failing to require all feasible mitigation.</p>
<p><b>TRT-14</b> Price Workplace Parking, such as:</p> <ul style="list-style-type: none"> <li>• Explicitly charging for parking for its employees;</li> <li>• Implementing above market rate pricing;</li> <li>• Validating parking only for invited guests;</li> <li>• Not providing employee parking and transportation allowances; and</li> <li>• Educating employees about available alternatives.</li> </ul> <p><i>Range of Effectiveness:</i> 0.1-19.7% commute vehicle miles traveled (VMT) reduction and therefore 0.1-19.7% reduction in commute trip GHG emissions.</p>	<p>Here, the DPEIR fails to include or mention the measure “Price Workplace Parking,” including, explicitly charging employees for parking, implementing above market rate pricing, validating parking only for invited guests, not providing employee parking or transportation allowances, and educating employees about available alternatives. As such, the DPEIR concludes significant and unavoidable impacts while failing to require all feasible mitigation.</p>
<p><b>Transit System Improvements</b></p>	
<p><b>TST-1</b> Transit System Improvements, including:</p> <ul style="list-style-type: none"> <li>• Grade-separated right-of-way, including bus only lanes (for buses, emergency vehicles, and sometimes taxis), and other Transit Priority measures. Some systems use guideways which automatically steer the bus on portions of the route.</li> <li>• Frequent, high-capacity service</li> </ul>	<p>Here, PMM-GHG-1(e)(i) states that projects <i>may include</i> the measure “Promote transit-active transportation coordinated strategies.” In addition, PMM-GHG-1(e)(iii) states that projects <i>may include</i> the measure “Improve or increase access to transit.” However, the DPEIR fails to address or evaluate grade-separated right-of-way, bus only lanes, more frequent service, increasing the quality of vehicles, pre-paid fare systems, convenient user information, marketing programs, model integration, and other</p>

<ul style="list-style-type: none"> <li>• High-quality vehicles that are easy to board, quiet, clean, and comfortable to ride.</li> <li>• Pre-paid fare collection to minimize boarding delays.</li> <li>• Integrated fare systems, allowing free or discounted transfers between routes and modes.</li> <li>• Convenient user information and marketing programs.</li> <li>• High quality bus stations with Transit Oriented Development in nearby areas.</li> <li>• Modal integration, with BRT service coordinated with walking and cycling facilities, taxi services, intercity bus, rail transit, and other transportation services.</li> </ul> <p><i>Range of Effectiveness:</i> 0.02-3.2% vehicle miles traveled (VMT) reduction and therefore 0.02-3% reduction in GHG emissions.</p>	<p>Transit Priority Measures. The DPEIR also fails to elaborate upon possible “transit-active transportation coordinated strategies.” As such, the DPEIR concludes significant and unavoidable impacts while failing to require all feasible mitigation.</p>
<p><b>TST-2</b> Implement Transit Access Improvements, such as:</p> <ul style="list-style-type: none"> <li>• Sidewalk/crosswalk safety enhancements</li> <li>• Bus shelter improvements</li> </ul> <p><i>Range of Effectiveness:</i> Grouped strategy (see TST-3 and TST-4)</p>	<p>Here, while PMM-GHG-1(g) states that projects <i>may include</i> the measure “Improving transit access to rail and bus routes by incentives for construction and transit facilities within developments, and/or providing dedicated shuttle service to transit stations,” the DPEIR fails to address sidewalk/crosswalk safety enhancements. As such, the DPEIR concludes significant and unavoidable impacts while failing to require all feasible mitigation.</p>
<p><b>TST-4</b> Increase Transit Service Frequency/Speed</p> <p><i>Range of Effectiveness:</i> 0.02-2.5% vehicle miles traveled (VMT) reduction and therefore 0.02-2.5% reduction in GHG emissions.</p>	<p>Here, while the DPEIR discusses transit, the DPEIR fails to address the speed and frequency of transit service. As such, the DPEIR concludes significant and unavoidable impacts while failing to require all feasible mitigation.</p>
<p><b>TST-5</b> Provide Bike Parking Near Transit</p> <p><i>Range of Effectiveness:</i> Grouped strategy (see TST-3 and TST-4).</p>	<p>Here, while PMM-GHG-1(e)(x) states that projects <i>may include</i> the measure “Provide bicycle parking,” the DPEIR fails to indicate that this parking should be located near transit. As such, the DPEIR concludes significant and unavoidable impacts while failing to require all feasible mitigation.</p>
<p><b>Road Pricing/Management</b></p>	
<p><b>RPT-1</b> Implement Area or Cordon Pricing</p> <p><i>Range of Effectiveness:</i> 7.9-22% vehicle miles traveled (VMT) reduction and therefore 7.9-22% reduction in GHG emissions.</p>	<p>Here, the DPEIR fails to mention or recommend that applicable projects implement area or cordon pricing. As such, the DPEIR concludes significant and unavoidable impacts while failing to require all feasible mitigation.</p>
<p><b>RTP-3</b> Required Project Contributions to Transportation Infrastructure Improvement Projects</p> <p><i>Range of Effectiveness:</i> Grouped strategy (see RPT-2 and TST-1 through 7).</p>	<p>Here, the DPEIR fails to mention or recommend that applicable projects implement project contributions to transportation infrastructure improvement projects. As such, the DPEIR concludes significant and unavoidable impacts while failing to require all feasible mitigation.</p>

<p><b>RTP-4</b> Install Park-and-Ride Lots</p> <p><i>Range of Effectiveness:</i> Grouped strategy (see RPT-1, TRT-11, TRT-3, and TST-1 through 6).</p>	<p>Here, while the DPEIR vaguely references park-and-ride lots and the FTIP Projects table includes park-and-ride lots, the DPEIR fails to include “Install Park-and-Ride Lots” as a mitigation measure. As such, the DPEIR concludes significant and unavoidable impacts while failing to require all feasible mitigation.</p>
<p><b>Vehicles</b></p>	
<p><b>VT-1</b> Electrify Loading Docs and/or Require Idling-Reduction Systems</p> <p><i>Range of Effectiveness:</i> 26-71% reduction in TRU idling GHG emissions.</p>	<p>Here, the DPEIR fails to mention or recommend that applicable projects electrify loading docs and/or require idling reduction systems. As such, the DPEIR concludes significant and unavoidable impacts while failing to require all feasible mitigation.</p>
<p><b>VT-2</b> Utilize Alternative Fueled Vehicles, such as:</p> <ul style="list-style-type: none"> <li>• Biodiesel (B20)</li> <li>• Liquefied Natural Gas (LNG)</li> <li>• Compressed Natural Gas (CNG)</li> </ul> <p><i>Range of Effectiveness:</i> Reduction in GHG emissions varies depending on vehicle type, year, and associated fuel economy.</p>	<p>Here, the DPEIR fails to mention or recommend that applicable projects utilize alternative fueled vehicles, such as Biodiesel, liquefied natural gas, and/or compressed natural gas. As such, the DPEIR concludes significant and unavoidable impacts while failing to require all feasible mitigation.</p>
<p><b>VT-3</b> Utilize Electric or Hybrid Vehicles</p> <p><i>Range of Effectiveness:</i> 0.4-20.3% reduction in GHG emissions.</p>	<p>Here, while PMM-GHG-1(a)(ix) states that projects <i>may include</i> the measure “Install electric vehicle charging stations,” the DPEIR fails to discuss or mention hybrid vehicles whatsoever. As such, the DPEIR concludes significant and unavoidable impacts while failing to require all feasible mitigation.</p>
<p><b>Measures – Water</b></p>	
<p><b>Water Supply</b></p>	
<p><b>WSW-1</b> Use Reclaimed Water</p> <p><i>Range of Effectiveness:</i> Up to 40% in Northern California and up to 81% in Southern California.</p>	<p>Here, while PMM-GHG-1(d)(viii) states that projects <i>may include</i> the measure “Incorporate design measures to reduce water consumption,” the DPEIR fails to mention or elaborate on this measure whatsoever. As such, the DPEIR fails to mention or address using reclaimed water. Thus, the DPEIR concludes significant and unavoidable impacts while failing to require all feasible mitigation.</p>
<p><b>WSW-2</b> Use Gray Water</p> <p><i>Range of Effectiveness:</i> Up to 100% of outdoor water GHG emissions if outdoor water use is replaced completely with graywater.</p>	<p>Here, while PMM-GHG-1(d)(viii) states that projects <i>may</i> “Incorporate design measures to reduce water consumption,” the DPEIR fails to mention or elaborate on this measure whatsoever. As such, the DPEIR fails to mention or address using gray water. Thus, the DPEIR concludes significant and unavoidable impacts while failing to require all feasible mitigation.</p>
<p><b>WSW-3</b> Use Locally Sourced Water Supply</p> <p><i>Range of Effectiveness:</i> 0-60% for Northern and Central California, 11-75% for Southern California.</p>	<p>Here, while PMM-GHG-1(d)(viii) states that projects <i>may</i> “Incorporate design measures to reduce water consumption,” the DPEIR fails to mention or elaborate on this measure whatsoever. As such, the DPEIR fails to mention or address using locally sourced water supply. Thus, the DPEIR concludes significant and unavoidable impacts while failing to require all feasible mitigation.</p>
<p><b>Water Use</b></p>	



<p><b>WUW-1</b> Install Low-Flow Water Fixtures</p> <p><i>Range of Effectiveness:</i> 20% of GHG emissions associated with indoor Residential water use; 17-31% of GHG emissions associated with Non-Residential indoor water use.</p>	<p>Here, while PMM-GHG-1(d)(viii) states that projects <u>may</u> “Incorporate design measures to reduce water consumption,” the DPEIR fails to mention or elaborate on this measure whatsoever. As such, the DPEIR fails to mention or address low-flow water fixtures. Thus, the DPEIR concludes significant and unavoidable impacts while failing to require all feasible mitigation.</p>
<p><b>WUW-2</b> Adopt a Water Conservation strategy</p> <p><i>Range of Effectiveness:</i> Varies depending on Project Applicant and strategies selected. It is equal to the Percent Reduction in water commitment.</p>	<p>Here, while PMM-GHG-1(d)(viii) states that projects <u>may</u> “Incorporate design measures to reduce water consumption,” the DPEIR fails to mention or elaborate on this measure whatsoever. As such, the DPEIR fails to mention or address adopting a water conservation strategy. Thus, the DPEIR concludes significant and unavoidable impacts while failing to require all feasible mitigation.</p>
<p><b>WUW-3</b> Design Water-Efficient Landscapes (see California Department of Water Resources Model Water Efficient Landscape Ordinance), such as:</p> <ul style="list-style-type: none"> <li>• Reducing lawn sizes;</li> <li>• Planting vegetation with minimal water needs, such as native species;</li> <li>• Choosing vegetation appropriate for the climate of the project site;</li> <li>• Choosing complimentary plants with similar water needs or which can provide each other with shade and/or water.</li> </ul> <p><i>Range of Effectiveness:</i> 0-70% reduction in GHG emissions from outdoor water use.</p>	<p>Here, while PMM-GHG-1(d)(viii) states that projects <u>may</u> “Incorporate design measures to reduce water consumption,” the DPEIR fails to mention or elaborate on this measure whatsoever. As such, the DPEIR fails to mention or address water efficient landscapes, the California Department of Water Resources Model Water Efficient Landscape Ordinance, reducing lawn sizes, planting native or drought-tolerant species, climate-based plant selection, or choosing complementary plants with similar water needs or that can provide each other with shade/water. Thus, the DPEIR concludes significant and unavoidable impacts while failing to require all feasible mitigation.</p>
<p><b>WUW-4</b> Use Water-Efficient Landscape Irrigation Systems (“Smart” irrigation control systems)</p> <p><i>Range of Effectiveness:</i> 6.1% reduction in GHG emissions from outdoor water.</p>	<p>Here, while PMM-GHG-1(d)(viii) states that projects <u>may</u> “Incorporate design measures to reduce water consumption,” the DPEIR fails to mention or elaborate on this measure whatsoever. As such, the DPEIR fails to mention or address landscape-related water consumption or “smart” irrigation control systems. Thus, the DPEIR concludes significant and unavoidable impacts while failing to require all feasible mitigation.</p>
<p><b>WUW-5</b> Reduce Turf in Landscapes and Lawns</p> <p><i>Range of Effectiveness:</i> Varies and is equal to the percent commitment to turf reduction, assuming no other outdoor water use.</p>	<p>Here, the DPEIR fails to mention or recommend that applicable projects reduce turf in landscapes and lawns. Specifically, the DPEIR fails to address turf at all. As such, the DPEIR concludes significant and unavoidable impacts while failing to require all feasible mitigation.</p>
<p><b>WUW-6</b> Plant Native or Drought-Resistant Trees and Vegetation</p> <p><i>Range of Effectiveness:</i> Best Management Practice; may be quantified if substantial evidence is available.</p>	<p>Here, while PMM-GHG-1(j)(iii) states that projects <u>may include</u> the measure “Retaining on-site mature trees and vegetation, and planting new canopy trees,” the DPEIR fails to mention or evaluate native or drought-resistant trees. As such, the DPEIR concludes significant and unavoidable impacts while failing to require all feasible mitigation.</p>

<b>Measures – Area Landscaping</b>	
<b>Landscaping Equipment</b>	
<p><b>A-2 Implement Lawnmower Exchange Program</b></p> <p><i>Range of Effectiveness:</i> Best Management Practice, influences Area GHG emissions from landscape equipment.</p>	<p>Here, the DPEIR fails to mention or recommend that applicable projects implement a lawnmower exchange program. Specifically, the DPEIR fails to address lawnmowers at all. Thus, the DPEIR concludes significant and unavoidable impacts while failing to require all feasible mitigation.</p>
<p><b>A-3 Electric Yard Equipment Compatibility</b></p> <p><i>Range of Effectiveness:</i> Best Management Practice, influences Area GHG emissions from landscape equipment. Not applicable on its own. This measure enhances effectiveness of A-1 and A-2.</p>	<p>Here, the DPEIR fails to mention or recommend that applicable projects ensure electric yard equipment compatibility. Specifically, the DPEIR fails to address electric yard equipment at all. Thus, the DPEIR concludes significant and unavoidable impacts while failing to require all feasible mitigation.</p>
<b>Measures – Solid Waste</b>	
<b>Solid Waste</b>	
<p><b>SW-1 Institute Recycling and Composting Services</b></p> <p><i>Range of Effectiveness:</i> Varies depending on Project Applicant and strategies selected. Best Management Practice.</p>	<p>Here, PMM-GHG-1(j)(v) states that projects <i>may include</i> “Measures to reduce GHG emissions from solid waste management through encouraging solid waste recycling and reuse.” However, the DPEIR fails to mention composting services whatsoever. As such, the DPEIR concludes significant and unavoidable impacts while failing to require all feasible mitigation.</p>
<b>Measures – Vegetation</b>	
<b>Vegetation</b>	
<p><b>V-2 Create New Vegetated Open Space</b></p> <p><i>Range of Effectiveness:</i> Varies based on amount and type of land vegetated.</p>	<p>Here, the DPEIR fails to mention or recommend that applicable projects create new vegetated open space. Thus, the DPEIR concludes significant and unavoidable impacts while failing to require all feasible mitigation.</p>
<b>Measures – Construction</b>	
<b>Construction</b>	
<p><b>C-1 Use Alternative Fuels for Construction Equipment</b></p> <p><i>Range of Effectiveness:</i> 0-22% reduction in GHG emissions.</p>	<p>Here, PMM-AQ-1(n) states that projects would “[u]tilize existing power sources (e.g., power poles) or clean fuel generators rather than temporary power generators” (p. 2.0-24). However, the DPEIR fails to mention or address the use of alternative fuels for any other piece of construction equipment. Thus, the DPEIR concludes significant and unavoidable impacts while failing to require all feasible mitigation.</p>
<p><b>C-2 Use Electric and Hybrid Construction Equipment</b></p> <p><i>Range of Effectiveness:</i> 2.5-80% of GHG emissions from equipment that is electric or hybrid if used 100% of the time.</p>	<p>Here, the DPEIR fails to mention or recommend using electric and hybrid construction equipment. Thus, the DPEIR concludes significant and unavoidable impacts while failing to require all feasible mitigation.</p>
<p><b>C-3 Limit Construction Equipment Idling Beyond Regulation Requirements</b></p> <p><i>Range of Effectiveness:</i> Varies with the amount of Project Idling occurring and the amount reduced.</p>	<p>Here, while PMM-AQ-1(l) states that projects <i>may include</i> “[m]inimize idling time to 5 minutes,” the DPEIR fails to justify the choice of 5 minutes. As such, the DPEIR fails to evaluate the feasibility of reducing idling time to <i>less than</i> 5 minutes or beyond</p>

	regulation requirements. Thus, the DPEIR concludes significant and unavoidable impacts while failing to require all feasible mitigation.
<p><b>C-4</b> Institute a Heavy-Duty Off-Road Vehicle Plan, including:</p> <ul style="list-style-type: none"> <li>• Construction vehicle inventory tracking system;</li> <li>• Requiring hour meters on equipment;</li> <li>• Document the serial number, horsepower, manufacture age, fuel, etc. of all onsite equipment; and</li> <li>• Daily logging of the operating hours of the equipment.</li> </ul> <p><i>Range of Effectiveness:</i> Not applicable on its own. This measure ensures compliance with other mitigation measures.</p>	Here, PMM-AQ-1(j) states that the projects should: “[r]equire contractors to assemble a comprehensive inventory list (i.e., make, model, engine year, horsepower, emission rates) of all heavy-duty off-road (portable and mobile) equipment (50 horsepower and greater) that could be used an aggregate of 40 or more hours for the construction project. Prepare a plan for approval by the applicable air district demonstrating achievement of the applicable percent reduction for a CARB-approved fleet” (2.0-24). However, the comprehensive inventory list proposed by the DPEIR fails to include daily logging of the operating hours of the equipment. As a result, we cannot verify that the Project has implemented all feasible mitigation with respect to a construction equipment list.
<b>Measures – Miscellaneous</b>	
<b>Miscellaneous</b>	
<p><b>Misc-1</b> Establish a Carbon Sequestration Project, such as:</p> <ul style="list-style-type: none"> <li>• Geologic sequestration or carbon capture and storage techniques, in which CO<sub>2</sub> from point sources is captured and injected underground;</li> <li>• Terrestrial sequestration in which ecosystems are established or preserved to serve as CO<sub>2</sub> sinks;</li> <li>• Novel techniques involving advanced chemical or biological pathways; or</li> <li>• Technologies yet to be discovered.</li> </ul> <p><i>Range of Effectiveness:</i> Varies depending on Project Applicant and projects selected. The GHG emissions reduction is subtracted from the overall baseline project emissions inventory.</p>	Here, while PMM-GHG-1(c) states that projects <i>may</i> “include off-site measures to mitigate a project’s emissions,” the DPEIR fails to elaborate or mention carbon sequestration projects. Specifically, the DPEIR fails to address carbon sequestration whatsoever. Thus, the DPEIR concludes significant and unavoidable impacts while failing to require all feasible mitigation.
<p><b>Misc-3</b> Use Local and Sustainable Building Materials</p> <p><i>Range of Effectiveness:</i> Varies depending on Project Applicant and strategies selected. Best Management Practice.</p>	Here, PMM-GHG-1(a)(i) states that projects <i>may include</i> the measure “Use energy efficient materials in building design, construction, rehabilitation, and retrofit.” However, the DPEIR fails to elaborate upon “energy efficient materials.” Furthermore, the DPEIR fails to mention using local materials at all. Thus, the DPEIR concludes significant and unavoidable impacts while failing to require all feasible mitigation.
<p><b>Misc-4</b> Require Best Management Practices in Agriculture and Animal Operations</p>	Here, the DPEIR fails to mention agriculture or animal operations whatsoever. Thus, the DPEIR concludes significant and unavoidable impacts while failing to require all feasible mitigation.
<p><b>Misc-5</b> Require Environmentally Responsible Purchasing, such as:</p>	Here, the DPEIR fails to mention or address environmentally responsible purchasing. Specifically, the DPEIR fails to discuss sustainable packaging, post-consumer recycled copier paper,

<ul style="list-style-type: none"> <li>• Purchasing products with sustainable packaging;</li> <li>• Purchasing post-consumer recycled copier paper, paper towels, and stationary;</li> <li>• Purchasing and stocking communal kitchens with reusable dishes and utensils;</li> <li>• Choosing sustainable cleaning supplies;</li> <li>• Leasing equipment from manufacturers who will recycle the components at their end of life;</li> <li>• Choosing ENERGY STAR appliances and Water Sense-certified water fixtures;</li> <li>• Choosing electronic appliances with built in sleep-mode timers;</li> <li>• Purchasing ‘green power’ (e.g. electricity generated from renewable or hydropower) from the utility; and</li> <li>• Choosing locally-made and distributed products.</li> </ul> <p><i>Range of Effectiveness:</i> Varies depending on Project Applicant and strategies selected. Best Management Practice.</p>	<p>reusable dishes and utensils, sustainable cleaning supplies, equipment that will be recycled at the end of its life, ENERGY STAR appliances, Water Sense fixtures, appliances with sleep-mode timers, “green power” from the utility, or locally-made and distributed products. While PMM-GHG-1(d)(vii) states that projects <i>may include</i> increasing the use of renewable energy, the measure fails to mention the utility or source of this renewable energy. Thus, the DPEIR concludes significant and unavoidable impacts while failing to require all feasible mitigation.</p>
<p><b>Measures – General Plans</b></p>	
<p><b>General Plans</b></p>	
<p><b>GP-2</b> Establish a Local Farmer’s Market</p> <p><i>Range of Effectiveness:</i> Varies depending on Project Applicant and strategies selected. Best Management Practice.</p>	<p>Here, the DPEIR fails to mention or recommend that applicable projects establish a local farmer’s market. Thus, the DPEIR concludes significant and unavoidable impacts while failing to require all feasible mitigation.</p>
<p><b>GP-3</b> Establish Community Gardens</p> <p><i>Range of Effectiveness:</i> Varies depending on Project Applicant and strategies selected. Best Management Practice.</p>	<p>Here, the DPEIR fails to mention or recommend that applicable projects establish community gardens. Thus, the DPEIR concludes significant and unavoidable impacts while failing to require all feasible mitigation.</p>

These measures offer a cost-effective, feasible way to incorporate lower-emitting design features into the proposed Project, which subsequently, reduces emissions released during Project operation. A revised CEQA evaluation should be prepared to include additional mitigation measures, as well as include an updated air quality analysis to ensure that the necessary mitigation measures are implemented to reduce emissions to below thresholds. The revised CEQA evaluation should also demonstrate a commitment to the project-level implementation of these measures prior to Project approval, to ensure that the Project’s significant emissions are reduced to the maximum extent possible.

*Feasible Mitigation Measures Available to Reduce Emissions – Sacramento Metropolitan Air Quality Management District (SMAQMD)*

In an effort to reduce the Project’s emissions, we identified several mitigation measures that are applicable to the Project but not previously considered by the DPEIR.

Additional feasible mitigation measures can be found in the Sacramento Metropolitan Air Quality Management District’s (“SMAQMD”) *Quantifying Greenhouse Gas Mitigation Measures*, which attempt to reduce emissions.<sup>6</sup> Mitigation for criteria pollutant and GHG emissions should include consideration of the following measures in an effort to reduce construction emissions to the maximum extent feasible.

<b>SMAQMD’s Basic Construction Emission Control Practices<sup>7</sup></b>	
<i>The following Basic Construction Emissions Control Practices are considered feasible for controlling fugitive dust from a construction site. The practices also serve as best management practices (BMPs), allowing the use of the non-zero particulate matter significance thresholds. Lead agencies should add these emission control practices as Conditions of Approval (COA) or include in a Mitigation Monitoring and Reporting Program (MMRP).</i>	
Water all exposed surfaces two times daily. Exposed surfaces include, but are not limited to soil piles, graded areas, unpaved parking areas, staging areas, and access roads.	Here, the DPEIR states that the Project would “[p]rovide an operational water truck on-site at all times. Use watering trucks to minimize dust; watering should be sufficient to confine dust plumes to the project work areas. Sweep paved streets at least once per day where there is evidence of dirt that has been carried on to the roadway” (p. 2.0-24). However, the DPEIR fails to specify that exposed surfaces would be watered twice daily. As a result, we cannot verify that the Project has implemented all feasible mitigation with respect to watering exposed surfaces.
Cover or maintain at least two feet of free board space on haul trucks transporting soil, sand, or other loose material on the site. Any haul trucks that would be traveling along freeways or major roadways should be covered.	Here, the DPEIR states that the Project would “[c]over trucks when hauling dirt” (p. 2.0-24). However, the DPEIR fails to specify how much or which of the haul trucks would be covered and when. As a result, we cannot verify that the Project has implemented all feasible mitigation with respect to watering exposed surfaces.
Use wet power vacuum street sweepers to remove any visible trackout mud or dirt onto adjacent public roads at least once a day. Use of dry power sweeping is prohibited.	Here, the DPEIR states that the Project would “[s]weep paved streets at least once per day where there is evidence of dirt that has been carried on to the roadway” (p. 2.0-24). However, the DPEIR fails to specify what kind of street sweepers would be used, and as a result, we cannot verify that streets would be swept with wet power vacuum street sweepers instead of dry power sweeping. Thus, we cannot verify that the Project has implemented all feasible mitigation with respect to street sweeping.

<sup>6</sup> <http://www.capcoa.org/wp-content/uploads/2010/11/CAPCOA-Quantification-Report-9-14-Final.pdf>

<sup>7</sup> “Basic Construction Emission Control Practices (Best Management Practices).” Sacramento Metropolitan Air Quality Management District (SMAQMD), July 2019, available at: <https://www.epa.gov/sites/production/files/2015-09/documents/nedc-model-contract-sepcification.pdf>.

Limit vehicle speeds on unpaved roads to 15 miles per hour (mph).	Here, the DPEIR fails to mention limiting vehicle speeds on unpaved roads to 15 miles per hour. Thus, we cannot verify that the Project has implemented all feasible mitigation.
All roadways, driveways, sidewalks, parking lots to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.	Here, the DPEIR fails to mention paving roadways, driveways, sidewalks, and parking lots as soon as possible, or laying down building pads after grading. Thus, we cannot verify that the Project has implemented all feasible mitigation.
<i>The following practices describe exhaust emission control from diesel powered fleets working at a construction site. California regulations limit idling from both on-road and offroad diesel-powered equipment. The California Air Resources Board (CARB) enforces idling limitations and compliance with diesel fleet regulations.</i>	
Minimize idling time either by shutting equipment off when not in use or reducing the time of idling to 5 minutes [California Code of Regulations, Title 13, sections 2449(d)(3) and 2485]. Provide clear signage that posts this requirement for workers at the entrances to the site.	Here, the DPEIR states that the Project would “[m]inimize idling time to 5 minutes—saves fuel and reduces emissions” (p. 2.0-24). However, the DPEIR fails to mention providing clear signage that posts this requirement for workers at entrances to the site. Thus, we cannot verify that this measure will be fully implemented, and as a result, the Project has not implemented all feasible mitigation.
Provide current certificate(s) of compliance for CARB’s In-Use Off-Road Diesel-Fueled Fleets Regulation [California Code of Regulations, Title 13, sections 2449 and 2449.1].	Here, while the DPEIR states that “Off-Road Heavy-Duty trucks shall comply with the California State Regulation for In-Use Off-Road Diesel Vehicles (Title 13, CCR §2449),” the DPEIR fails to mention providing current certificates of compliance. Thus, we cannot verify that this measure will be fully implemented, and as a result, the Project has not implemented all feasible mitigation.
<i>Although not required by local or state regulation, many construction companies have equipment inspection and maintenance programs to ensure work and fuel efficiencies</i>	
Maintain all construction equipment in proper working condition according to manufacturer’s specifications. The equipment must be checked by a certified mechanic and determine to be running in proper condition before it is operated.	Here, while the DPEIR states that Projects would “[e]nsure that all construction equipment is properly tuned and maintained,” (p. 2.0-24) the DPEIR fails demonstrate how this would be achieved or requiring equipment to be checked by a certified mechanic. As a result, we cannot verify that that this measure would be implemented, and we find that the Project has not implemented all feasible mitigation.
<b>SMAQMD’s Enhanced Exhaust Control Practices<sup>8</sup></b>	
1. The project representative shall ensure that emissions from all off-road diesel powered equipment used on the project site do not exceed 40% opacity for more than three minutes in any one hour.	Here, the DPEIR fails to mention ensuring emissions from all off-road diesel powered equipment do not exceed 40% for more than three minutes in any one hour. As a result, we cannot verify that that this measure would be implemented, and we find that the Project has not implemented all feasible mitigation.

<sup>8</sup> “Enhanced Exhaust Control Practices.” Sacramento Metropolitan Air Quality Management District (SMAQMD) October 2013, available at: <http://www.airquality.org/LandUseTransportation/Documents/Ch3EnhancedExhaustControlFINAL10-2013.pdf>.

<ul style="list-style-type: none"> <li>• Any equipment found to exceed 40 percent opacity (or Ringelmann 2.0) shall be repaired immediately.</li> <li>• Non-compliant equipment will be documented and a summary provided to the lead agency and District monthly.</li> <li>• A visual survey of all in-operation equipment shall be made at least weekly.</li> <li>• A monthly summary of the visual survey results shall be submitted throughout the duration of the project, except that the monthly summary shall not be required for any 30-day period in which no construction activity occurs. The monthly summary shall include the quantity and type of vehicles surveyed as well as the dates of each survey.</li> </ul>	
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### Diesel Particulate Matter Health Risk Emissions Inadequately Addressed

The DPEIR concludes that the Project’s construction-related health risk impact would be significant. Specifically, the DPEIR states:

“[T]his PEIR identifies project-level mitigation measures consistent with applicable regulations and policies designed to reduce impacts. Lead Agencies may choose to include project-level mitigation measures in environmental documents as they determine to be appropriate and feasible. However, because of the anticipated construction emissions, the regional nature of the analysis and SCAG’s lack of authority to impose project-level mitigation measures, this PEIR finds impacts related to air emission impacts on sensitive receptors during construction could be significant and unavoidable even with implementation of mitigation” (p. 3.3-81).

However, despite the “regional nature of the analysis” and “SCAG’s lack of authority to impose project-level mitigation measures,” the DPEIR may require future projects to conduct project-level health risk assessments (“HRA”) *in order to be consistent with the Connect SoCal Plan*. As such, the DPEIR should require future projects that claim consistency with the plan to conduct project-level construction and operational HRAs in order to ensure that the Project’s health risk impact is fully evaluated. Until an updated CEQA evaluation for the Project is prepared requiring project-level HRAs, the Project should not be approved.

SWAPE has received limited discovery regarding this project. Additional information may become available in the future; thus, we retain the right to revise or amend this report when additional information becomes available. Our professional services have been performed using that degree of care and skill ordinarily exercised, under similar circumstances, by reputable environmental consultants

practicing in this or similar localities at the time of service. No other warranty, expressed or implied, is made as to the scope of work, work methodologies and protocols, site conditions, analytical testing results, and findings presented. This report reflects efforts which were limited to information that was reasonably accessible at the time of the work, and may contain informational gaps, inconsistencies, or otherwise be incomplete due to the unavailability or uncertainty of information obtained or provided by third parties.

Sincerely,



Matt Hagemann, P.G., C.Hg.



Paul E. Rosenfeld, Ph.D.



# **EXHIBIT B**

January 24, 2020

*Sent via email and USPS*

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**Re: Draft Program Environmental Impact Report for Connect SoCal 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (State Clearing House Number 2019011061)**

Dear Mr. Ok:

These comments are submitted on behalf of the Center for Biological Diversity (the “Center”) regarding the Draft Program Environmental Impact Report (“DEIR”) for Connect SoCal 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (“RTP/SCS”). The Center has reviewed the DEIR and RTP/SCS and provides these comments for consideration by the Southern California Association of Governments (SCAG).

The Center is encouraged to see several conservation facets of the RTP/SCS, including SCAG’s attention to preserve, enhance, and restore regional wildlife connectivity (RTP/SCS at 50), avoid growth in wetlands, wildlife corridors, biodiverse areas, wildfire prone areas and floodplains (RTP/SCS at 55), encourage housing and commercial development near public transit and urban areas (RTP/SCS at 48) and incorporate greenbelts into planning initiatives (RTP/SCS at 55). The Center respectfully submits these comments to help achieve SCAG’s aspirations of a “healthier, safer, more resilient and economically vibrant region” by facilitating a comprehensive approach to growth that addresses human transportation and development needs, the needs of wildlife and habitats that are fragmented by transportation infrastructure and development, and how we can make human and natural communities more resilient to climate change.

The Center is a non-profit, public interest environmental organization dedicated to the protection of native species and their habitats through science, policy, and environmental law. The Center has over 1.7 million members and online activists throughout California and the United States. The Center and its members have worked for many years to protect imperiled plants and wildlife, open space, air and water quality, and overall quality of life for people in Southern California.

## **I. The Connect SoCal Goals Should Include Maintaining and Enhancing Wildlife Movement and Habitat Connectivity**

The Center is encouraged to see the inclusion of Goal #10, “Promote conservation of natural and agricultural lands and restoration of critical habitats” (DEIR at ES-7); however, integrating wildlife connectivity is critical to overall ecosystem health and biodiversity. Doing so would also improve chances of attaining other goals, including supporting healthy and equitable communities, reducing greenhouse gas emissions and improving air quality, and adapting to climate change. Preserving and restoring habitat connectivity would help ensure invaluable ecosystem services that benefit human communities, including but not limited to water purification, erosion control, groundwater recharge, resilience to extreme weather events (e.g., severe storms and flooding), carbon sequestration, and crop pollination.

As mentioned in the Center’s Notice of Preparation comment letter, roads and traffic create barriers that lead to habitat loss and fragmentation, which harms wildlife and people. As barriers to wildlife movement and the cause of injuries and mortalities due to wildlife vehicle collisions, roads and traffic can affect an animal’s behavior, movement patterns, reproductive success, and physiological state, which can lead to significant impacts on individual wildlife, populations, communities, landscapes, and ecosystem function (Mitsch and Wilson 1996; Trombulak and Frissell 2000; van der Ree et al. 2011; Haddad et al. 2015; Marsh and Jaeger 2015; Ceia-Hasse et al. 2018). For example, habitat fragmentation from roads and traffic has been shown to cause mortalities and harmful genetic isolation in mountain lions in southern California (Riley et al. 2006, 2014, Vickers et al. 2015), increase local extinction risk in amphibians and reptiles (Cushman 2006; Brehme et al. 2018), cause high levels of avoidance behavior and mortality in birds and insects (Benítez-López et al. 2010; Loss et al. 2014; Kantola et al. 2019), and alter pollinator behavior and degrade habitats (Trombulak and Frissell 2000; Goverde et al. 2002; Aguilar et al. 2008). Habitat fragmentation also severely impacts plant communities. An 18-year study found that reconnected landscapes had nearly 14% more plant species compared to fragmented habitats, and that number is likely to continue to rise as time passes (Damschen et al. 2019). The authors conclude that efforts to preserve and enhance connectivity will pay off over the long-term and “[conservation] plans that focus solely on habitat area, will leave unrealized the substantial, complementary, and persistent gains in biodiversity attributable specifically to landscape connectivity,” (Damschen et al. 2019).

The Center recommends the goal be edited as follows:

Goal #10: “Promote conservation of natural and agricultural lands **and habitat connectivity** and restoration of critical habitats **and wildlife movement corridors.**”

## **II. The Connect SoCal Guiding Principles Should Include Maintaining and Enhancing Wildlife Movement and Habitat Connectivity to Protect Wildlife and Improve Public Safety**

Wildlife vehicle collisions pose a major public safety and economic threat, as well as a threat to the region’s wildlife and biodiversity. During 2015 to 2018 more than 26,000 incidents involving vehicles and wildlife were reported to the California Highway Patrol, which included

reports of animals standing next to, in, or running across lanes, collisions with large animals, or swerving to avoid collisions and resulting in a crash (Shilling et al. 2019). State reports and car insurance companies estimate that that 7,000 to 23,000 wildlife vehicle collisions (with large mammals) have occurred annually on California roads (Shilling et al. 2017; Shilling et al. 2018; Shilling et al. 2019; State Farm Insurance Company 2016, 2018). These crashes result in human loss of life, injuries, emotional trauma, and property damages that can add up to an estimated \$300-600 million per year and over \$1 billion from 2015-2018, based on reported wildlife vehicle collisions. And it is important to note that collisions with large animals often go unreported as much as 5- to 10-fold (Donaldson and Lafon 2008; Olson et al. 2014; Donaldson 2017) Thus, avoiding and minimizing impacts of transportation projects and development on wildlife movement and habitat connectivity would help preserve biodiversity and ecosystem health while protecting human health and safety.

The Guiding Principles should reflect the need to adequately address wildlife movement and habitat connectivity issues to minimize wildlife vehicle collisions. Outside of California many states, including Arizona, Colorado, Florida, Montana, Nevada, Oregon, New Mexico, Utah, Washington, and Wyoming, have been proactively addressing wildlife connectivity issues and realizing the benefits of wildlife crossing infrastructure. For example, Arizona, Colorado, and Wyoming have seen 80-96% reductions in wildlife vehicle collisions while gradually increasing the level of wildlife permeability over time (it appears that some species take more time than others to adapt to crossings) on sections of highways where they have implemented wildlife crossing infrastructure, such as underpasses, culverts, overpasses, wildlife fencing, and escape ramps (Dodd et al. 2012; Sawyer et al. 2012; Kintsch et al. 2018). Utah just completed the state's largest wildlife overpass at Parleys Canyon for moose, elk, and deer. Washington State is about to complete its largest wildlife overpass on I-90, which is anticipated to provide habitat connectivity for a wide variety of species between the North and South Cascade Mountains. The overpass cost \$6.2 million as part of a larger \$900 million expansion project that will include multiple wildlife crossings along a 15-mile stretch of highway. Savings from less hospital bills, damage costs, and road closures from fewer wildlife vehicle collisions will make up those costs in a few years (Valdes 2018). State transportation departments are actively pursuing these types of projects because of the benefits for wildlife connectivity, public safety, and the economy. California needs to follow suit and more actively invest in preserving habitat connectivity where there are no roads while also enhancing or restoring connectivity where roads or other transportation infrastructure already exist.

The Draft Plan recognizes two important ecological components about southern California. First, it recognizes the incomparable biological diversity of California, due primarily to its flora:

“The region’s desert, mountain and coastal habitats have some of the highest concentrations of native plant and animal species on the planet. Southern California is part of the California Floristic Province, one of the planet’s top twenty-five biodiversity hotspots.” (RTP/SCS at 23)

Secondly, it recognizes the significant contribution to greenhouse gas sequestration that plants, exposed soils and open space provide:

“In addition to their respective roles in biodiversity and food production, both natural areas and farmlands help reduce the impacts of climate change by capturing greenhouse gases in the soil, plants, and trees instead of allowing them to concentrate in the atmosphere.” (RTP/SCS at 36)

In addition, southern California native plants are adapted to our unique “Mediterranean” climate and persist in our relatively arid conditions where rainfall primarily occurs on the winter. For all of these reasons, the Draft Plan needs to adopt the commitment to the preferential use of native plants as part of the final 2020-2045 Regional Transportation/Sustainable Communities Plan.

Much literature is available on the use of native plants on roadsides. The Federal Highway Administration produced a Managers Guide to Roadside Revegetation Using Native Plants (FHA-DOT 2007), which notes:

“Native plants are a foundation of ecological health and function. Revegetating roadsides with native plants is a key practice for managing environmental impacts and improving conditions for healthy ecosystems. The ability to establish native plant communities on roadsides is central to determining whether the transportation corridor will be a healthy environment or a damaged one.”

The Guide continues to tout the benefits of using native plants along transportation corridors as follows:

“Native plants along roadsides offer ecological, economic, safety, and aesthetic advantages. Ecologically, healthy native plant communities often are the best long-term defense against invasive and noxious weeds. Economically, maintenance costs for managing problematic vegetation are reduced, as are the concerns that sometimes result when weeds from roadsides invade neighboring lands or when pollution from herbicides occurs.”

From the perspective of safety, the FHA states:

“The establishment of native plant communities supports transportation safety goals in a number of ways. One of the most important is by improving the function of roadside engineering. Appropriate vegetation can enhance visibility and support design features to help drivers recover if their vehicles leave the pavement. When native plant materials are incorporated into road design, they can improve long-term slope stability while softening visual experiences.”

Native roadside vegetation helps to identify local place, reduces the cost of roadside maintenance, and requires little to no pesticides (Quarles 2003). Tinsley et al (2007) found that native revegetation grass and forb seed mixes outperformed non-native seed mixes in establishing cover on roadsides and concluded that “suites of early- and late-successional native species can provide a highly effective mix for revegetation projects”. In order to assure successful planting with native plant species, care must be taken when planning native roadside

plantings. Plant selection must consider soil type and compaction from engineered slopes, harsh microclimates directly adjacent to roads, invasive species, and pollution from vehicle emissions. Haan et al. (2012) found that “soil characteristics largely determined plant survival” but other considerations were also important considerations. Karim and Mallik (2007) found that “floristic zonation along roadsides is a function of roadside microtopography, substrate type and environmental gradients created by the road building process” and that certain native plant species were more successful in certain zones. Therefore, careful selection of native species is crucial to successfully vegetating transportation corridors. Fortunately, California’s diverse native flora provides the diversity to meet the roadside zones. Several drought tolerant native species lists, tailored to local conditions are readily available for the South Bay of Los Angeles County<sup>1</sup> and coastal southern California<sup>2</sup>.

Because of the ongoing pollinator crisis, the Draft Plan also needs to adopt the commitment to use best management practices for pollinators as part of the final 2020-2045 Regional Transportation/Sustainable Communities Plan. The Federal Highways Administration (FHA-DOT 2015) provides guidelines for best management practices that will benefit pollinators and includes a focus on using native plants. Wildlife connectivity typically focuses on large animals that require safe passage through and beyond their home territories and because of that scale, automatically protects a suite of more localized plants and animals. Here, linear roadside corridors are obviously inappropriate for large mammals, but can still be important and indeed crucial to plants and small animals, including invertebrates. Therefore, these types of linear features should not be overlooked for their potential ecological benefits.

While some of the SCAG transportation goals include roads and road improvements in urbanized areas, these areas provide great opportunities to transition plantings to native plants that are drought tolerant, sequester carbon, provide linear habitat for local fauna and identify a sense of place based on southern California’s iconic flora. For these reasons and those listed above, the Draft Plan would benefit from the incorporation of a commitment to the preferential use of native plants as part of the final 2020-2045 Regional Transportation/Sustainable Communities Plan.

Therefore, the Center recommends Connect SoCal Guiding Principles to be edited as follows:

Guiding Principle #2: Place high priority for transportation funding in the region on projects and programs that improve **human** mobility, accessibility, reliability and safety, and **wildlife connectivity that is based on native southern California flora**. ~~that preserve the existing transportation system~~

Guiding Principle #5: Encourage transportation investments that will result in improved air quality and public health **and safety**, and reduced greenhouse gas emissions

<sup>1</sup> See <https://bestofthesouthbay.com/10-drought-tolerant-california-native-plants/>

<sup>2</sup> See <https://www.scpr.org/news/2015/05/13/51644/go-native-a-list-of-drought-friendly-california-pl/>

### **III. The Projects on the Transportation System Project List Undercut the SCAG's Stated Land Use Strategies and Sustainability Goals**

The Center is encouraged to see that SCAG's land use strategies include prioritizing infill and redevelopment; facilitating multimodal transportation for various purposes (*i.e.*, work, education, other destinations); urban greening; and avoiding growth in wetlands, wildlife corridors, biodiverse areas, wildfire prone areas, and floodplains. However, the Transportation Project List contains over 300 pages of projects in Appendix 2.0, many of which include the widening and extension of freeways, which will result in increased greenhouse gas ("GHG") emissions and fragment landscapes and wildlife connectivity while promoting sprawl development, some of which is located in high fire hazard severity zones.

As the Center noted in its NOP comments to SCAG last year, scientific studies and state agency reports from the California Air Resources Board ("CARB") have shown the state will not achieve the necessary GHG emissions reductions to meet its mandates for 2030 and 2050 without significant changes to how communities and transportation systems are planned, funded and built. Significant reductions in GHG emissions is the only pathway to limiting the impacts of climate crisis, which are already being felt by people and wildlife throughout the state. Those reductions will not be achieved by small half measures of simply encouraging more zero-emission vehicles or hoping local agencies will change their land use decision-making in the future. Instead agencies at all levels—state, regional and local—must take head on the interconnected relationship between the climate crisis and land use, housing, workforce growth and transportation investments. Fundamental changes in land use planning for the future by local and regional land use agencies and hard questions about existing transportation plans must occur.

For example, the Transportation Project List earmarks an astounding \$600,000,000 for the 138 Northwest Corridor Improvement Project to support leapfrog sprawl development like Tejon Ranch Company's proposed Centennial city. Centennial would be located 60 miles away from a major work center (*i.e.*, downtown Los Angeles) so the Project's anticipated 57,000 residents will be forced to drive long distances to reach jobs, schools, and supplies for decades during Project build-out. Centennial alone would generate 75,000 new vehicle trips per day, with an average trip length of 45 miles. The development will also pave over pristine native grasslands rich with endemic and rare species in a mountain lion movement corridor important for statewide genetic connectivity and an area designated as having very high fire hazard severity.

In addition to the 138 Northwest Corridor Improvement Project, there are many projects that involve paving over dirt roads, which could lead to increased traffic that would result in increased greenhouse gas emissions from increasing VMT and significant impact on small animal species since roads with heavy traffic may deter movement from a wide range of small animals (Brehme et al. 2013; Brehme et al. 2018). Transportation projects should focus more on public transit infrastructure and less on widening already large freeways and paving dirt roads, both of which facilitate the use of more cars and increase vehicle miles traveled, commute times, air pollution, and greenhouse gas emissions.

The Transportation Project List allocates many millions of dollars on I-15 expansion projects even while the I-15 continues to be a major barrier to mountain lion and wildlife

movement, and critical wildlife crossings along the I-15 remain unfunded. Instead of further degrading habitat connectivity by expending hundreds of millions of dollars on multi-lane highways in remote areas that will fill up with GHG emitting vehicles, SCAG should prioritize funding for more public transit and adequate wildlife crossings on existing highways. For instance, critical wildlife crossings such as the Liberty Canyon Wildlife Crossing are not yet fully funded. In fact, in the 300-page project list, there is only a *single* listed proposal for a wildlife crossing.

As it stands, the RTP/SCS contains laudable goals regarding sustainable development, reducing VMT, and increasing wildlife connectivity. However, many of the projects on the Transportation Project List will undercut these goals by increasing VMT and exacerbating existing connectivity problems. If SCAG is serious about addressing this region-wide issue, it should work to reallocate funding away from particularly damaging projects and instead allocate funding towards public transit and wildlife connectivity projects.

#### **IV. SCAG Should Aim for Higher Per Capita VMT Reductions**

The Center is encouraged by SCAG's goals and guiding principles that focus on supporting more development supported by existing public transit. (RTP/SCS at 8.) However, the Center believes SCAG can and should do more to reduce daily vehicles miles traveled. Increases in VMT negatively impact communities by leading to more vehicle crashes, poorer air quality, increases in chronic diseases associated with reduced physical activity, and worse mental health. Also, as noted above, the natural environment is impacted as higher VMT leads to more collisions with wildlife and fragments habitat. Therefore, any additional step SCAG takes to reduce VMT will have co-benefits of better air quality, decreased chronic disease, decreased wildlife-vehicle collisions, and less habitat fragmentation.

As currently drafted, the RTP/SCS boasts of a 4.1% reduction in VMT per capita from a 2045 baseline and a 9.5% reduction from the base year of 2016. (RTP/SCS at 5, 122.) However, these reductions are far less than reductions in VMT detailed in the December 2018 Technical Advisory issued by the Governor's Office of Planning and Research ("OPR VMT Report"). The OPR VMT Report concluded, "achieving 15 percent lower per capita (residential) or per employee (office) VMT than existing development is both generally achievable and is supported by evidence that connects this level of reduction to the State's emissions goals." (OPR VMT Report at 12.) OPR emphasized that land use decisions to reduce GHG emissions associated with the transportation sector are crucial to meet the state's GHG reductions goals. (*Id.* at 3.) The OPR VMT Report further noted that because California cannot meet its climate goals without curbing single-occupancy vehicle activity, land use patterns and transportation options will need to change to support reductions in VMT. (*Id.* at 10.) Historically regional SCS and RTPs have lead increases in VMT rather than decreasing them as SB 375 intended. While SCAG's RTP/SCS has taken a small step in the right direction, it is not enough, and more fundamental changes are needed. The Center urges SCAG to utilize the RTP/SCS process to set the region on the path reducing its VMT at the level necessary to address the climate crisis and meet the state's GHG reduction goals.



## V. The DEIR Fails to Adequately Assess or Mitigate Impacts to Mountain Lions (*Puma concolor*) and Regional Wildlife Connectivity Throughout the SCAG Region

The Center is encouraged to see SCAG acknowledge the importance of wildlife corridors and habitat connectivity by including the preservation, enhancement, and restoration of regional wildlife connectivity (RTP/SCS at 50), avoiding growth in wetlands, wildlife corridors, biodiverse areas, wildfire prone areas and floodplains (RTP/SCS at 55), and drawing attention to greenbelts (RTP/SCS at 55). Mountain lions are a key indicator species of wildlife connectivity. As the last remaining wide-ranging top predator in the region, the ability to move through large swaths of interconnected habitat is vital for genetic connectivity and their long-term survival. In addition, impacts to mountain lions in the SCAG region could have severe ecological consequences; loss of the keystone species would have ripple effects on other plant and animal species, potentially leading to a decrease in biodiversity and diminished overall ecosystem function. Without mountain lions, increased deer populations can overgraze vegetation and cause stream banks to erode (Ripple and Beschta 2006; Ripple and Beschta 2008). Many scavengers, including foxes, raptors, and numerous insects, would lose a reliable food source (Ruth and Elbroch 2014; Barry et al. 2019). Fish, birds, amphibians, reptiles, rare native plants, and butterflies would diminish if this apex predator were lost (Ripple and Beschta 2006; Ripple and Beschta 2008; Ripple et al. 2014).

In light of recent studies regarding imperiled mountain lion populations in Southern California, the DEIR fails to disclose or describe the RTP/SCS's severe impacts on mountain lion populations throughout the SCAG region. CEQA requires a "mandatory finding of significance" if there is substantial evidence in the record that the Project *may* cause a "wildlife population to drop below self-sustaining levels; threaten to eliminate a plant or animal community; substantially reduce the number or restrict the range of an endangered, rare or threatened species . . ." (CEQA Guidelines § 15065(a)(1).) This means that a project is deemed to have a significant impact on the environment as a matter of law if it reduces the habitat of a species, or reduces the number or range of an endangered, rare, or threatened species.<sup>3</sup> (See *Endangered Habitats League, Inc. v. County of Orange* (2005) 131 Cal.App.4th 777, 792 fn. 12 [citing *Defend the Bay v. City of Irvine* (2004) 119 Cal.App.4th 1261, 1273–1274].)

There is ample scientific evidence that indicates mountain lion populations in Southern California are imperiled and that human activities and land use planning that does not integrate adequate habitat connectivity can have adverse impacts on mountain lions. Continued habitat loss and fragmentation has led to 10 genetically isolated populations within California. Several populations in Southern California are facing an extinction vortex due to high levels of inbreeding, low genetic diversity, and high human-caused mortality rates from car strikes on roads, depredation kills, rodenticide poisoning, poaching, disease, and increased human-caused wildfires (Ernest et al. 2003; Ernest et al. 2014; Riley et al. 2014; Vickers et al. 2015; Benson et al. 2016; Gustafson et al. 2018; Benson et al. 2019). This is detailed in the Center's petition to

<sup>3</sup> On June 25, 2019, the Center and Mountain Lion Foundation submitted a petition pursuant to 14 Cal. Code Regs. § 670.1 to the California Fish and Game Commission requesting the Commission list the Santa Ana mountain lion population and other populations as "endangered" or "threatened" under the California Endangered Species Act.

the California Fish and Game Commission to protect Southern California and Central Coast mountain lions under the California Endangered Species Act (Yap et al. 2019).

Mountain lions in the Santa Monica Mountains and Santa Ana Mountains were found to have dangerously low genetic diversity and effective population size, and they are likely to become extinct within 50 years if gene flow with other mountain lion populations is not improved (Benson et al. 2016; Gustafson et al. 2018; Benson et al. 2019). Due to extreme isolation caused by roads and development, the Santa Monica and Santa Ana mountains populations exhibit high levels of inbreeding, and, with the exception of the endangered Florida panther, have the lowest genetic diversity observed for the species globally (Ernest et al. 2014; Riley et al. 2014; Gustafson et al. 2018; Benson et al. 2019). In addition, Gustafson et al. (2018) found that the nearby mountain lion population in the San Gabriel/San Bernardino Mountains also has low genetic diversity and effective population size, which indicates that they too have a high risk of extinction. The long-term survival of these mountain lions, along with those in the Tehachapi and Sierra Pelona mountains, are vital for statewide genetic connectivity (Gustafson et al. 2018). Improved connectivity among the mountain lion populations within the SCAG Region and beyond is essential for the long-term survival of Southern California mountain lion populations (Gustafson et al. 2017; Gustafson et al. 2018; Benson et al. 2019).

Growth and development in identified “major highway projects” (RTP/SCS at Exhibit 3.2), “transit priority areas” (RTP/SCS at Exhibit 3.7), “priority growth area - high quality transit areas” (RTP/SCS at Exhibit 3.8), and “livable corridors” (RTP/SCS at 3.10) could have severe impacts on Southern California’s already-imperiled mountain lion populations. Such development without addressing wildlife connectivity issues and integrating effective wildlife crossings and corridors could lead to the extirpation of multiple mountain lion populations in the SCAG region. The RTP/SCS should encourage the involvement of wildlife connectivity experts from CDFW and other agencies, organizations, academic institutions, communities, and local groups starting at the initial planning stage of development and transportation projects so that habitat connectivity can be strategically integrated into project design and appropriately considered in the project budget. The RTP/SCS should require highway projects to include adequate wildlife crossing infrastructure in order to reduce impacts to mountain lions and other species.

Project planning should consider the impacts of climate change on wildlife movement and habitat connectivity in the design and implementation of projects and any mitigation. Climate change is increasing stress on species and ecosystems, causing changes in distribution, phenology, physiology, vital rates, genetics, ecosystem structure and processes, and increasing species extinction risk (Warren et al. 2011). A 2016 analysis found that climate-related local extinctions are already widespread and have occurred in hundreds of species, including almost half of the 976 species surveyed (Wiens 2016). A separate study estimated that nearly half of terrestrial non-flying threatened mammals and nearly one-quarter of threatened birds may have already been negatively impacted by climate change in at least part of their distribution (Pacifi et al. 2017). A 2016 meta-analysis reported that climate change is already impacting 82 percent of key ecological processes that form the foundation of healthy ecosystems and on which humans depend for basic needs (Scheffers et al. 2016). Genes are changing, species' physiology and physical features such as body size are changing, species are moving to try to keep pace with

suitable climate space, species are shifting their timing of breeding and migration, and entire ecosystems are under stress (Parmesan and Yohe 2003; Root et al. 2003; Parmesan 2006; Chen et al. 2011; Maclean and Wilson 2011; Warren et al. 2011; Cahill et al. 2012).

## **VI. Conclusion**

Thank you for the opportunity to submit comments on the DEIR and RTP/SCS for Connect SoCal. We look forward to working with SCAG to foster land use policy and growth patterns that promote wildlife movement and habitat connectivity, facilitate public health and safety, and move towards the State's climate change goals. Please do not hesitate to contact the Center with any questions at the number or email listed below.

Sincerely,

A handwritten signature in black ink, appearing to read 'Tiffany Yap', with a stylized flourish at the end.

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(provided on CD via USPS)

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# **EXHIBIT C**



December 20, 2018

*Sent via email and FedEx (if applicable)*

California Department of Transportation (Caltrans)  
Division of Transportation Planning  
California Transportation Plan  
Office of State Planning  
1120 N Street, MS 32  
Sacramento, CA 95814  
(916) 654-2852  
[CTP@dot.ca.gov](mailto:CTP@dot.ca.gov)

**Re: California Transportation Plan 2050 - Comments**

Dear California Transportation Plan 2050 Planners:

These comments are submitted on behalf of the Center for Biological Diversity (the “Center”) regarding the California Transportation Plan (CTP) 2050. The Center is encouraged by Caltrans’ commitment to increase safety and security on bridges, highways, and roads and create a low-carbon transportation system that protects human and environmental health. To achieve these goals, it is imperative that Caltrans integrate wildlife connectivity into the design and implementation of California’s transportation infrastructure.

The Center urges Caltrans to improve driver safety and minimize the impact of roads and traffic on wildlife movement and habitat connectivity with the following actions:

1. Collect and analyze standardized roadkill and wildlife vehicle collision data.
2. Build climate-wise wildlife crossing infrastructure in high priority areas.
3. Prioritize wildlife movement and habitat connectivity on ALL transportation projects.
4. Designate an expert unit dedicated to address wildlife connectivity issues. This unit should form strategic collaborations and partnerships with other connectivity experts.
5. Evaluate the effectiveness of wildlife crossing infrastructure to inform future mitigation.
6. Upgrade existing culverts to facilitate wildlife connectivity as part of routine maintenance.
7. Provide up-to-date guidance for best practices for climate-wise connectivity.
8. Engage with volunteer and community scientists and platforms.
9. Improve multimodal transportation design.
10. Allocate more funding to prioritize wildlife connectivity.

The Center is a non-profit, public interest environmental organization dedicated to the protection of native species and their habitats through science, policy, and environmental law. The Center has over 68,000 thousand members and online activists throughout California and the United States. The Center has worked for many years to protect imperiled plants and wildlife, open space, air and water quality, and overall quality of life for people in location of Project.

## **I. ROADS CREATE BARRIERS THAT LEAD TO HABITAT LOSS AND FRAGMENTATION, WHICH HARMS WILDLIFE AND PEOPLE**



Desert tortoise crossing the road in Joshua Tree National Park.  
Photo Credit: National Park Service.

Roads and traffic are drivers of habitat loss and fragmentation, which have been identified as major stressors on California's unique ecosystems and biodiversity (CDFW 2015). As barriers to wildlife movement and the cause of injuries and mortalities due to wildlife vehicle collisions, roads and traffic can affect an animal's behavior, movement patterns, reproductive success, and physiological state, which can lead to significant impacts on individual wildlife, populations, communities, and landscapes (Trombulak and Frissell 2000, Haddad et al. 2015, van der Ree 2015, Ceia-Hasse et al. 2018). For example, habitat fragmentation from roads and traffic has been shown to cause mortalities and harmful genetic isolation in mountain lions in southern California (Riley et al. 2006, 2014, Vickers et al. 2015), increase local extinction risk in amphibians and reptiles (Cushman 2006, Brehme et al. 2018), cause high levels of avoidance behavior and mortality in birds (Benitez-Lopez et al. 2010, Loss et al. 2014), and alter pollinator behavior and degrade habitats (Trombulak and Frissell 2000, Goverde et al. 2002, Aguilar et al. 2008). In addition, wildlife vehicle collisions pose a major public safety and economic threat. Over the last three years (2015-2017) it is estimated that 7,000 to 23,000 wildlife vehicle collisions have occurred annually on California roads (Shilling et al. 2017, Shilling et al. 2018, State Farm Insurance Company 2016, 2018). These crashes result in human loss of life, injuries, emotional trauma, and property damages that can add up to \$300-600 million per year.

Caltrans' mission statement is to “[p]rovide a safe, sustainable, integrated, and efficient transportation system to enhance California’s economy and livability” (Caltrans 2018a). Thus, **Caltrans should include an additional goal in the CTP 2050 to maintain and improve climate-wise connectivity to sustain functional, healthy ecosystems and ensure public safety.** This can be accomplished by avoiding intact wildlife corridors and the implementing effective wildlife crossing infrastructure. Crossing structures are useful as mitigation for new projects and as retroactive restoration in areas where existing roads have high incidence of wildlife vehicle conflict or where species movement has been severely impacted. When appropriately implemented, wildlife crossing infrastructure has been shown to improve wildlife permeability and reduce wildlife vehicle collisions (Dodd et al. 2004, 2012, Bissonnette and Rosa 2012, Sawyer et al. 2012, Sawaya et al. 2014, Kintsch et al. 2018). Thus, by maintaining and restoring climate-wise habitat connectivity that facilitates movement required for current and future species ranges and behaviors, Caltrans would improve driver safety while allowing California’s special biodiversity to thrive.

## II. CALTRANS IS NOT ADEQUATELY ADDRESSING WILDLIFE MOVEMENT OR HABITAT CONNECTIVITY ISSUES



A baby black bear was struck by a car on the road and a red fox feeds on roadkill.  
Photo credit: Robert Berdan.

Because Caltrans has authority and jurisdiction over most of California’s roads and highways, Caltrans is the best suited agency to make roads safe for both motorists and wildlife. Caltrans should be proactively addressing the environmental and public safety impacts that result from the maintenance, design, construction, and traffic of California roads. However, Caltrans is failing to keep people safe and ecosystems healthy by neglecting to acknowledge the need for appropriate data to determine priority areas for preserving, enhancing, or developing effective wildlife connectivity on existing or planned roads. Caltrans is falling behind other state transportation departments that are prioritizing road safety and wildlife connectivity in their project design and implementation.

### A. Caltrans has insufficient data to identify priority areas, determine the magnitude of the problem, and inform effective mitigation

In July and August of 2018 the Center requested roadkill and wildlife vehicle collision data under the California Public Records Act (PRA), Government Code § 6250 *et seq.* In

response to the PRA requests, the Center received various documents, including records and summary reports of animal hits from 2010 to 2017 from the Transportation Systems Network (TSN) (these are reported animal vehicle collisions), carcass removal data from 2001 to 2018 from Caltrans Division of Maintenance, and website links to spatial data (i.e., GIS layers) for the locations of bridges, underpasses, culverts, and traffic volume (Appendix 1). In addition, the Center received a 2017 contract not to exceed \$250,000 between Caltrans and the Western Transportation Institute (WTI) to conduct a hotspot analysis for large mammal-vehicle collisions in California, the data used by WTI for their analyses, and summaries of WTI’s preliminary analyses (Appendix 2).

Following a close review of the documents, it became apparent that Caltrans has failed to systematically collect or record roadkill data. This is concerning because systematic, reliable roadkill and animal vehicle collision data are needed to accurately identify the existence and magnitude of road safety and conservation issues (Donaldson 2017, Shilling et al. 2018). Carcass removal data input varied and often did not include important details like species information, date and time information, or specific location information. For example, the 52 recorded roadkill pickups in 2017 in District 7 (Los Angeles and Ventura Counties) included two dogs, one coyote, one raccoon and 48 unidentified species. These data are insufficient for meaningful analyses. Alarming, four of the 12 Caltrans Districts (9, 10, 11, and 12) had no roadkill data for the past seven years (2011-2017), even though they cumulatively had an average of ~1200 roadkill pickups annually from 2004 to 2010. In addition, several of the remaining Districts with data, including Districts 4 (the San Francisco Bay Area) and 7 (Los Angeles and Ventura Counties), had markedly less records compared to previous years. The lack of data and low numbers contradict a study conducted by the UC Davis Road Ecology Center, which identified wildlife vehicle collision hotspots in all of these Districts using independently collected roadkill data from the California Roadkill Observation System and Caltrans animal crash data (Shilling et al. 2018). See Figure 1.

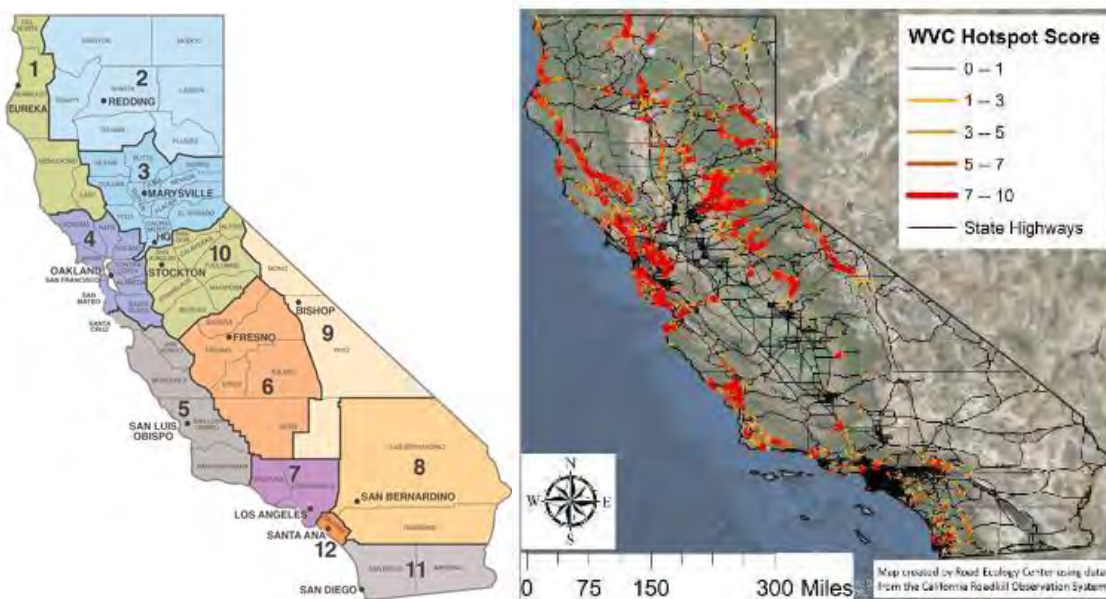


Figure 1. Map of Caltrans Districts and identified wildlife vehicle collision hotspots. Sources: Caltrans, Shilling et al. 2018.

According to the WTI summary regarding carcass removal (Appendix 2.2), the number of records in the database for species of concern to human safety (except for mule deer) or biological conservation were low, and “[l]ooking at the species distribution maps for CA, there are probably many more hit of these species in locations that did not report these species at all” (Appendix 2.2). Thus, WTI concludes that the data are insufficient “to conduct meaningful analyses” on any species other than deer (Appendix 2.2). Search and reporting effort seemed to vary among the districts over time, and WTI recommended that Caltrans implement the same level of higher effort across all Caltrans Districts in order to be able to accurately identify roadkill hotspots and improve safety for both drivers and wildlife.

While animal collision data from reported crashes were somewhat better, there were significant discrepancies between data summaries from Caltrans and WTI. For example, Caltrans reported 10,538 total reported crashes with animals from 2005-2014, with 33 human fatalities and 1,708 human injuries (Appendix 2.4). WTI’s numbers were slightly different, with 10,552 reported animal collisions, 28 human fatalities, and 1,617 human injuries within that same timeframe (Appendix 2.3). The reasons for the mismatching numbers are unclear, but similar issues have occurred with other independent analyses of Caltrans data. Shilling et al. (2018) reported one fatality and 268 injuries from reported animal collisions in 2017 while Caltrans (2018b) reported 12 fatalities and 383 injuries. More data transparency is needed so these kinds of issues can be resolved, and accurate information can be provided to decisionmakers.

The large mammal vehicle collision hotspot analysis that Caltrans contracted out is narrow in focus and does not comprehensively address issues of habitat fragmentation and driver safety, as other animals on or near roads can be involved in crashes (Shilling et al. 2017, 2018). Caltrans’ insufficient data further limits WTI’s analysis to only mule deer, even though numerous other large mammals, such as mountain lions, black bears, and elk, are hit on California roads every year (Shilling et al. 2017, 2018). In addition, injuries and fatalities sustained by animals that are hit can impact the resilience and persistence of a species’ population (Trombulak and Frissell 2000, Marsh and Jaeger 2015, van der Ree 2015, Ceia-Hasse et al. 2018). Thus, this kind of limited analysis does not provide sufficient information regarding how to effectively minimize the environmental and safety impacts of roads and traffic.

The lack of systematic animal collision and roadkill data undermines Caltrans’ ability to accurately identify where and how often animal collisions are occurring. According to both Caltrans’ summary report and WTI’s preliminary analyses using only Caltrans’ reported animal crash data, there was an average of about 1,000 reported animal collisions per year between 2005 and 2014 (Appendix 2). However, independent analyses of Caltrans’ animal crash data combined with roadkill data recorded by volunteer scientists in the California Roadkill Observation System showed that ~7,000 animal collisions per year occurred between 2015 and 2017 (Shilling et al. 2017, 2018). Although these analyses are conducted for different timeframes, the stark difference in the magnitude of animal collisions occurring on California roads requires more attention. In addition, these estimates likely underrepresent the actual number of annual animal collisions. Several studies indicate that these types of collisions are often underreported (Donaldson and Lafon 2008, Donaldson 2017), which is further supported by car insurance claims; State Farm Insurance Company estimated that there were >23,000 deer collision claims per fiscal year from

2015-2018 (State Farm 2016, 2018). This underscores the need for systematic roadkill and crash data to determine animal crash hotspots so that the issues of wildlife movement and habitat connectivity on existing roads can be appropriately addressed. **The lack of such data makes Caltrans unable to effectively mitigate these wildlife vehicle collisions, thereby making them unable to make roads safer for both people and wildlife.** Without systematically collecting and analyzing roadkill and animal crash data, Caltrans will not be able to accomplish their mission to “[p]rovide a safe, sustainable, integrated, and efficient transportation system to enhance California’s economy and livability” (Caltrans 2018a).

**B. Caltrans is not building enough wildlife crossing infrastructure.**



Bobcat at a culvert. Photo credit: National Park Service.

According to Shilling et al. (2018), Caltrans builds only 2-3 wildlife crossings per year statewide, which is grossly insufficient to address the major threat that roads pose to wildlife connectivity and driver safety (12 human deaths and 383 human injuries due to ~7,000-23,000 wildlife vehicle collisions in 2017 [Caltrans 2018b, Shilling et al. 2018, State Farm Insurance Company 2018]). Generally, these crossings are not standalone projects that have the purpose of addressing wildlife connectivity issues; instead, they are embedded as mitigation in larger construction/expansion/maintenance projects that have already been approved or funded. Although embedded mitigation measures are important for minimizing connectivity impacts of those types of projects, they are limited in addressing wildlife connectivity and driver safety needs in identified high priority areas. Many identified major wildlife vehicle collision hotspots are not in areas where Caltrans has planned projects (Shilling et al. 2018). Thus, **a more efficient and effective way to address wildlife connectivity and driver safety issues is to proactively implement wildlife crossing infrastructure in areas where wildlife vehicle collisions are most numerous.**

An exception to this pattern is the Highway 17 Connectivity Project, a collaboration between Caltrans and local/regional stakeholders, including the UC Santa Cruz Puma Project, Pathways for Wildlife, Midpeninsula Regional Open Space District, Peninsula Open Space Trust, the Land Trust of Santa Cruz County, Santa Clara Valley Transportation Authority, and others, in the Santa Cruz Mountains. Based on existing knowledge of local experts, wildlife movement studies (with GPS telemetry data and camera monitoring data), and roadkill data analyses, wildlife vehicle collision hotspots were identified at Laurel Curve and Lexington Reservoir on Highway 17 and have been prioritized for the maintenance of habitat connectivity and the implementation of wildlife crossing infrastructure (Diamond et al. 2015). Land was purchased to preserve high quality habitat in the high priority areas on both sides of Highway 17 and the best locations to facilitate wildlife connectivity and reduce wildlife vehicle collisions were chosen to retrofit, construct, and maintain wildlife crossing structures (underpasses and culverts) (Diamond et al. 2015). The project is currently in the design phase and construction is expected to begin in 2020 (Gary 2018). More projects like the Highway 17 Connectivity Project need to be proactively planned, funded, and implemented.

**C. Other state transportation departments are proactively addressing wildlife connectivity and wildlife movement issues.**



Deer on a wildlife overpass in Colorado. Photo credit: Josh Richert.

Spotted salamanders exiting an underpass in Massachusetts. Photo credit Noah Charney.

Outside of California many states, including Arizona, Colorado, Florida, Montana, Nevada, Oregon, New Mexico, Utah, Washington, and Wyoming, have been proactively addressing wildlife connectivity issues and realizing the benefits of wildlife crossing infrastructure. For example, Arizona, Colorado, and Wyoming have seen 80-96% reductions in wildlife vehicle collisions while gradually increasing the level of wildlife permeability over time (it appears that some species take more time than others to adapt to crossings) on sections of highways where they have implemented wildlife crossing infrastructure, such as underpasses, culverts, overpasses, wildlife fencing, and escape ramps (Sawyer et al. 2012, Dodd et al. 2012, CDOT 2017, Kintsch et al. 2018). Utah just completed the state's largest wildlife overpass at Parleys Canyon for moose, elk, and deer. Washington State is about to complete its largest wildlife overpass on I-90, which is anticipated to provide habitat connectivity for a wide variety

of species between the North and South Cascade Mountains. The overpass cost \$6.2 million as part of a larger \$900 million expansion project that will include multiple wildlife crossings along a 15-mile stretch of highway. Savings from less hospital bills, damage costs, and road closures from fewer wildlife vehicle collisions will make up those costs in a few years (Valdes 2018). State transportation departments are actively pursuing these types of projects because of the benefits for wildlife connectivity, public safety, and the economy. California needs to follow suit and more actively invest in preserving habitat connectivity where there are no roads while also enhancing or restoring connectivity where roads or other transportation infrastructure already exist.

### **III. RECOMMENDATIONS FOR IMPROVED WILDLIFE CONNECTIVITY AND DRIVER SAFETY**



Mountain lion using a culvert. Photo credit: Parks Canada.

Caltrans has stated that they are motivated to “provide a modern, statewide transportation system that is clean, safe, and integrated” (Caltrans 2014), and they proclaim that they “want the department to be the best state Department of Transportation in the country – one that is broadly viewed as well-performing, efficient, transparent, accountable and modern” (Caltrans 2014). If Caltrans is serious about being a leader in making California’s transportation infrastructure safe and sustainable, then they have some catching up to do. Caltrans must consider how to accommodate, enhance, and restore habitat connectivity and wildlife movement in the design, planning, and implementation of multimodal transportation systems. Below are recommendations the Center proposes Caltrans adopt in the CTP 2050.



### **Recommendation 1: Collect and analyze standardized roadkill and wildlife vehicle collision data.**

Standardized roadkill and wildlife vehicle collision data should be a priority for transportation planning and wildlife management (Dodd et al. 2012, Shilling et al. 2017, 2018, Donaldson 2017). Data from reported collisions alone is insufficient, as collisions are often vastly underreported (Donaldson and Lafon 2008, Donaldson 2017, Shilling et al. 2017, 2018). In addition, data transparency is needed for accurate analyses to take place. Olson et al. (2014) has shown that implementing available technologies, such as GPS, mobile applications, map viewers, and electronic databases, is a cost-effective way to improve data efficiency, accuracy, and management. Utah's state personnel use a wildlife vehicle collision reporter mobile app to record roadkill data (Ashland 2018). California should do the same. Standardized data and data transparency will allow for analyses to be conducted at a finer spatial scale so that priority areas for wildlife road conflict can be accurately identified and appropriate mitigation measures can be implemented. These data should be made publicly available for other agencies and organizations to use and analyze.

### **Recommendation 2: Build climate-wise wildlife crossing infrastructure in high priority areas.**

Caltrans should proactively identify high priority areas for wildlife crossing infrastructure using the best available scientific information and implement them as standalone retrofit projects. Although Caltrans does not currently have sufficient roadkill and wildlife collision data, they can turn to other experts for guidance regarding priority areas to investigate or address now. The scientific community is a valuable resource that can provide Caltrans with information regarding connectivity issues. For example, CDFW's California Essential Habitat Connectivity Project provides a working foundation to build upon. It can help identify areas that require finer-scale data collection and analyses to determine where there are intact connectivity areas to prioritize for preservation or areas that require connectivity enhancement or restoration. Caltrans should integrate systematic roadkill and wildlife vehicle collision data with existing data and platforms to improve their understanding of habitat connectivity and wildlife movement issues on existing and planned transportation infrastructure.

There are other sources of information that can be consulted to proactively address connectivity issues on California's roads. The UC Davis Road Ecology Center has published multiple studies in which they identify wildlife vehicle collision hotspots using Caltrans' animal collision data combined with roadkill data collected by volunteer scientists throughout the state (Shilling et al. 2017, 2018). These studies can be used to inform wildlife connectivity projects to reduce wildlife vehicle collisions and improve driver safety. Studies and experts can also be consulted to determine priority areas where species of conservation concern are being impacted by roads. For example, a 2009 study shows that traffic on Vasco Road in Livermore, CA causes high levels of mortality in two federally threatened species, California red-legged frogs and California tiger salamanders (Mendelsohn et al. 2009). Due to the sensitivity of these species and their need to migrate from terrestrial burrows to temporal pools for breeding, this area should be prioritized for connectivity infrastructure to facilitate the safe passage of these amphibians along this road. Caltrans should use the best scientific information available to protect, enhance, or

restore wildlife connectivity at existing and planned roads or other transportation infrastructure. These projects should be planned and implemented as standalone retrofit projects.

**Recommendation 3: Prioritize wildlife movement and habitat connectivity on ALL transportation projects.**

Caltrans should adequately assess the impacts of all maintenance, expansion, or new transportation projects on wildlife movement and habitat connectivity and require connectivity actions through the California Environmental Quality Act (CEQA) process. They should consult with CDFW as well as local and regional stakeholders to accurately identify connectivity impacts due to their projects and appropriately mitigate those impacts through avoidance and minimization measures. Local and regional wildlife movement, habitat connectivity, and wildlife vehicle collision data should be collected and analyzed in the project area before projects are approved and budgets are set (Lesbarreres and Fahrig 2012, Shilling et al. 2018). New and renovated roads should be designed with wildlife connectivity in mind – it is easier to plan a new road to avoid or minimize impacts to wildlife connectivity than it is to retroactively build wildlife crossings.

Caltrans recently published climate change vulnerability assessments that bring attention to current and potential future damage on roads and other transportation infrastructure due to extreme weather events associated with climate change (Caltrans 2018c). With climate change predicted to alter the landscape, it is important to consider potential shifts in wildlife movement patterns due to changes in species distributions and home ranges. To further increase the resiliency of the state highway system to climate change, Caltrans should integrate climate-wise wildlife connectivity needs, in consultation with CDFW and other connectivity experts, as they rebuild damaged roads, retrofit existing roads, and construct new roads. This, in addition to their proactive approach to other climate change vulnerabilities, will improve California's transportation infrastructure and help keep people and wildlife safe.

**Recommendation 4: Designate an expert unit dedicated to address wildlife connectivity issues. This unit should form strategic collaborations and partnerships with other connectivity experts.**

Caltrans should establish a dedicated team of experts to address the complicated and expansive issues of wildlife movement and habitat connectivity. In addition, Caltrans should involve wildlife connectivity experts from CDFW and other agencies, organizations, academic institutions, communities, and local groups at the beginning of transportation projects so that climate-wise connectivity can be strategically integrated into project design and appropriately considered in the project budget.

Caltrans should crowdsource for local knowledge by sponsoring, coordinating, and organizing connectivity working groups with local and regional stakeholders, including agencies, organizations, academic institutions, and communities, to more easily identify priority connectivity issues. As part of these working groups Caltrans engineers should be trained and updated on how high priority areas for wildlife road conflict are identified and best practices to incorporate climate-wise wildlife connectivity actions.

**Recommendation 5: Evaluate the effectiveness of wildlife crossing infrastructure to inform future mitigation.**

To provide appropriate mitigation for habitat connectivity and wildlife movement, the effectiveness of wildlife crossing infrastructure planning, design, and strategies should be thoroughly and systematically evaluated to determine which strategies work better than others and how they can be improved. This should include the long-term monitoring and maintenance of crossing infrastructure as well as the use of appropriate metrics that adequately reflect effectiveness, such as species passage rates and counts of wildlife vehicle collision occurrences. In addition, Caltrans should archive stamped engineering plans and drawings for crossings for engineers to reference for future projects. The data and evaluations should inform future mitigation strategies and be made available to the public.

**Recommendation 6: Upgrade existing culverts to facilitate wildlife connectivity as part of routine maintenance.**

A vast system of culverts already exists throughout California's road systems. Although some were built for purposes unrelated to habitat connectivity and wildlife movement, many can function as corridors for multiple species. Upgrading culverts to accommodate wildlife movement as part of standard routine maintenance could increase connectivity. Arizona does this on their highways. Caltrans already alters culverts for use by humans and farm animals (*e.g.*, horses, cattle). They should extend this practice to include improvements for habitat connectivity and wildlife movement.

**Recommendation 7: Provide up-to-date guidance for best practices to improve climate-wise connectivity.**

Caltrans' 2009 wildlife crossing guidance manual is outdated. Caltrans should be using the best available scientific information to preserve or improve habitat connectivity for multiple species, including small, medium, and large mammals, amphibians, reptiles, birds, fish, and invertebrates. Guidance should adequately reflect the ecological and behavioral needs of target species as well as climate change adaptations. As mentioned previously, strategic partnerships with connectivity experts from various agencies, institutions, and organizations could inform best practices to preserve, enhance, and restore wildlife connectivity. In addition, information from previous mitigation strategies, including those conducted within California as well as in other states (*e.g.*, Dodd et al. 2012, CDOT 2017) should provide insight on how to design the most effective wildlife crossing infrastructure. Caltrans should facilitate best practices by updating their wildlife crossing guidance manual to reflect the best available scientific information regarding wildlife connectivity. Guidance should incorporate lessons learned and areas in need of improvement based on previous projects and mitigation measures.

**Recommendation 8: Engage with volunteer and community scientists and platforms.**

Using data collected by community and volunteer scientists can be a cost-effective way to acquire reliable data needed to identify general patterns and conservation needs across large

biogeographical spatial scales (Devictor et al. 2010). Thus, using community science can help in identifying high-risk areas for wildlife connectivity and driver safety (Olson et al. 2014, Waetjen and Shilling 2017, Periquet et al. 2018), as evidenced by the studies from the Road Ecology Center (Shilling et al. 2017, 2018). Caltrans should work with community science platforms like the California Roadkill Observation System, iNaturalist, or other mobile applications to incorporate additional data into their database that can be included in their analyses.

### **Recommendation 9: Improve multimodal transportation design.**

According to Caltrans, Californians seek more opportunities for walking, biking, or using public transit (Caltrans 2016). Yet Caltrans continues to focus most of their efforts on building and expanding more roads to accommodate (and facilitate) more cars. According to a 2017 analysis by INRIX, Los Angeles and San Francisco are two of the three most congested cities in the US, and at #1, Los Angeles residents spend over 100 hours a year stuck in traffic, which is estimated to cost the city's economy over \$19 billion (McCarthy 2018). Long commutes cause increased stress levels and leave little to no time to exercise or spend time with families or communities, which can lead to mental and physical health impacts, reduced quality of life, and shorter life spans (Leyden et al. 2003, Frumkin et al. 2004, Ewing et al. 2008). In addition, emissions from road transportation contribute to poor air quality that can lead to serious health effects, including respiratory and cardiovascular disease, compromised birth outcomes, and premature death (Anderson et al. 2011, Lin et al. 2012, Caiazzo et al. 2013, Chen et al. 2017). A recent study found that emissions from road transportation cause 53,000 premature deaths annually in the US, and California has about 12,000 early deaths every year due to air pollution from road transportation and commercial/residential sources (Caiazzo et al. 2013). Thus, Caltrans has a responsibility to make roads and other transportation infrastructure safer for drivers and communities where there are roads. Major cities around the world are acknowledging the detrimental effects of roads and traffic on people, and they are shifting their land use design focus from cars to human health and well-being (Conniff 2018). By reducing the amount of new roads and implementing design oriented towards pedestrians, cyclists, and transit instead of cars, Caltrans can (and should) create transportation infrastructure that improves public health and safety and preserves wildlife connectivity.

### **Recommendation 10: Allocate more funding to prioritize wildlife connectivity.**

Wildlife connectivity is already severely impaired by over 400,000 road miles in California (FHWA 2017). Caltrans should prioritize restoring connectivity on existing roads by funding studies on how to improve connectivity and funding action towards reestablishing habitat connections. Although Caltrans is the lead agency for the Liberty Canyon Wildlife Connectivity Project, the first constructed wildlife overpass in California (Caltrans 2018d), unless funding is secured the project cannot be completed. Caltrans should not rely solely on outside sources to implement needed connectivity mitigation on roads they are managing. They should allocate more of their own funding to connectivity projects like Liberty Canyon to effectively restore wildlife connectivity.

## V. CONCLUSION

California is a biodiversity hotspot with many endemic species and unique habitats. The health of these ecosystems and human well-being are intertwined, and they intersect on California's roads. Thus, to preserve healthy ecosystems and keep people safe as human populations continue to increase and climate change progresses, Caltrans has a responsibility to design and implement transportation infrastructure that facilitates climate-wise wildlife movement and habitat connectivity.

Thank you for the opportunity to submit comments on the California Transportation Plan 2050. Please add the Center to your notice list for all future updates to the California Transportation Plan 2050. We look forward to working to assure that Caltrans integrates climate-wise wildlife movement and habitat connectivity into California's transportation infrastructure design to safeguard the health and safety of both people and the natural environment. Please do not hesitate to contact the Center with any questions at the number or email listed below.

Sincerely,

A handwritten signature in black ink, appearing to read 'T. Yap', with a large, stylized flourish at the end.

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Appendices  
Cited References

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## APPENDICES

<b>File</b>	<b>Description</b>	<b>Attached</b>	<b>Provided on CD</b>
	<b>APPENDIX 1</b>		
<b>A1.1</b>	Center for Biological Diversity PRA dated Aug 9, 2018	x	
<b>A1.2</b>	Caltrans PRA Response dated Sept 14, 2018	x	
<b>A1.3</b>	Caltrans carcass removal data (excel spreadsheet)		x
<b>A1.4</b>	Caltrans animal crash data 2010-2017 Summary	x	
<b>A1.5</b>	Caltrans animal crash data 2010-2017 Detail		x
<b>A1.6</b>	zip drive of Caltrans culverts		x
<b>A1.7</b>	zip drive of Caltrans culverts		x
<b>A1.8</b>	Caltrans animal crash data key		x
	<b>APPENDIX 2</b>		
<b>A2.1</b>	Contract between Caltrans and Western Transport Institute (WTI) dated May 26, 2017	x	
<b>A2.2</b>	WTI summary report on Caltrans carcass data 2001-2009	x	
<b>A2.3</b>	WTI summary report on Caltrans animal crash data 2005-2014	x	
<b>A2.4</b>	Caltrans animal crash data 2005-2014	x	
<b>A2.5</b>	WTI - Caltrans animal crash data 2005-2014		x
<b>A2.6</b>	WTI - Caltrans animal crash data key		x

## APPENDIX A1.1



August 9, 2018

**Via U.S. Mail and Email:**

Marcy Freer  
Public Records Officer  
Office of the General Counsel  
Caltrans  
1120 N Street  
Sacramento, California 95814  
[marcy.freer@dot.ca.gov](mailto:marcy.freer@dot.ca.gov)

**Re: California Public Records Act Request: Caltrans Wildlife-Vehicle Collision Data, Dated July 5, 2018**

Dear Ms. Freer:

On July 5, 2018, pursuant to the California Public Records Act, Government Code § 6250 *et seq.*, we requested any and all “public records” relating to wildlife vehicle collision data from all Caltrans Districts and Caltrans Headquarters, as follows:

1. Wildlife-vehicle-collision (roadkill carcass and vehicle collision) data from earliest date available to present from all Caltrans Districts and Caltrans Headquarters. This includes but is not limited to data within the Traffic Accident Surveillance and Analysis System (TASAS) and the Integrated Maintenance Management System (IMMS) databases, data maintained by Districts or Headquarters in Geographic Information Systems, and data from all Divisions and Offices or similar. Please include all data or reports relevant to wildlife-vehicle collisions or entities related to wildlife-vehicle collisions, including but not limited to data and reports from or to the California Department of Fish and Wildlife and the US Fish and Wildlife Service.
2. Electronic, GIS-compatible Point-Mile and Tenth Point-Mile highway-segment traffic volumes spatial datasets from 2010 to present for all state highways and existing, completed, and proposed wildlife crossings (e.g., maintained bridges/underpasses and culverts) spreadsheets and spatial datasets from 2010 to present for all state highways.

Per Government Code § 6253.9 we requested that the data be provided in the form of spreadsheets compatible with software analysis programs (e.g., xls or csv files) and spatial data compatible with ArcGIS (e.g., shapefiles). We also had asked that all files come with the appropriate metadata, including column heading descriptions for tabular data and code keys.

On July 12, 2018 we received roadkill data from IMMS in an Excel spreadsheet. Neither a code key nor heading descriptions were initially provided. We requested these on July 16, 2018, and received them on July 17, 2018. The data provided did not include any spatial data, nor did it provide appropriate resolution for spatial analysis.

On July 16, 2018 we received animal vehicle collision data from TASAS/TSN in the form of Word documents and text files. These data were not provided in a spreadsheet compatible with analysis programs, as requested, nor were they accompanied with the appropriate metadata. And again, no spatial data were provided. In addition, the response did not include any data regarding traffic volumes and wildlife crossings (item #2 in our original request). Yet according to Caltrans, our request was complete and the file was closed.

On July 26, 2018 we sent an email to Caltrans stating that we had not yet received all of the requested data and they had prematurely closed the file. We requested that the TASAS/TSN data be provided in an Excel or csv file, with a code key and header definitions. We also requested spatial data for both the IMMS and the TASAS/TSN data and the missing spatial data regarding traffic volumes and wildlife crossings. Caltrans responded on August 1, 2018, stating they could not provide the data in an Excel format. They resent a summary text file for the TASAS/TSN data, and they provided the following links to GIS data (not the specific GIS data requested):

- <http://www.dot.ca.gov/hq/tsip/gis/datalibrary/index.php>
- <https://caltrans.maps.arcgis.com/apps/webappviewer/index.html?id=11293df57acf40c99479aa9f466ce9ba>

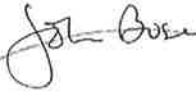
We are aware that the Western Transportation Institute (WTI) is working with Caltrans to conduct hotspot analyses for large mammal-vehicle collisions in California ([https://westerntransportationinstitute.org/research\\_projects/hotspot-analyses-for-large-mammal-vehicle-collisions-in-california/](https://westerntransportationinstitute.org/research_projects/hotspot-analyses-for-large-mammal-vehicle-collisions-in-california/)), and data provided by Caltrans to WTI as well as any follow up data from WTI would fall within the scope of our request. Therefore, we expect those data to be provided in Caltrans' response. We respectfully request the contract between Caltrans and WTI for this project.

In summary, Caltrans has not fully responded to our request, and the file should not be closed. We will consider our initial PRA request complete once we receive the following:

1. Any and all carcass/roadkill data from IMMS, TASAS/TSN, or in standalone databases (GIS or otherwise) maintained by Caltrans Headquarters and individual districts (which should include, among other things, data provided to or by WTI).
  - a. Spreadsheets – csv or Excel files
  - b. Spatial data – GIS layers (*i.e.*, shapefiles)
  - c. Associated metadata for all files
2. Locations of current maintained bridges, underpasses, and culverts
  - a. Spatial data – GIS layers (*i.e.*, shapefiles)
  - b. Associated metadata for all files
3. Traffic volume data
  - a. Spatial data – GIS layers (*i.e.*, shapefiles)
  - b. Associated metadata for all files
4. Contract between Caltrans and WTI for the hotspot analysis project for large mammal-vehicle collisions in California

Thank you for time. We look forward to your response. If you have any questions or suggestions for facilitating this request, please email me at [jbuse@biologicaldiversity.org](mailto:jbuse@biologicaldiversity.org) or call me at (323) 533-4416. Thank you for your assistance.

Sincerely,



John Buse  
Center for Biological Diversity  
General Counsel, Legal Director  
1212 Broadway Avenue, Suite 800  
Oakland, CA 94612  
Phone (323) 533-4416  
[jbuse@biologicaldiversity.org](mailto:jbuse@biologicaldiversity.org)

## APPENDIX A1.2



September 14, 2018

CPRA Request Replies To: Center for Biological Diversity

Dear Mr. Buse,

**As your request is currently stated, not all records in Caltrans' possession are maintained or** readily available in the specific format(s) that you have requested. Some divisions do own reporting systems that work with your requested formats, but not all. For any replies mentioned below that are not addressed in your specified format(s), please know that Caltrans does not produce those requested records in the requested format(s). Moreover, those requested electronic format(s) are not such that have been used by Caltrans to create copies of the subject records for its own use or for provision to other agencies.

We are providing to you, the most current records noted from those Caltrans divisions deemed appropriate to address this multi-faceted CPRA request. This letter summarizes what docs (or some links are provided below) are included. Some of the docs attached to the CPRA system are too large to read/open; therefore, we will also copy them onto a flash drive or disk to mail to you tomorrow. Your questions are below in bold black font; specific Caltrans divisions noted in blue font; their replies in black font referencing links or documents attached to this response.

1. Any and all carcass/roadkill data from IMMS, TASAS/TSN, or in standalone databases (GIS or otherwise) maintained by Caltrans Headquarters and individual districts (which should include, among other things, data provided to or by WTI):

a. Spreadsheets – csv or Excel files –

**DRISI:** Unfortunately, the TSN TSAR report is available only in pdf, text or doc format. Please see attached docs. It is not available in csv or Excel formats.

**Division of Maintenance:**

See attached Doc – 2018 Carcass CPRA; Sheet **1 contains 'Legend'; Sheet 2 contains 'Key'**.

b. Spatial data – GIS layers (i.e., shapefiles) –

**DRISI:** Currently there are no GIS layers for collision data in TSN.

c. Associated metadata for all files –

**DRISI:** **TSN uses collision data from CHP's SWITRS database; see TSAR reference card.**

2. Locations of current maintained bridges, underpasses, and culverts:

a. Spatial data – GIS layers (i.e., shapefiles) –

**DRISI:** See link to the Caltrans GIS Library – regarding bridges:

<http://www.dot.ca.gov/hq/tsip/gis/datalibrary/Metadata/Bridges.html>

**Division of Maintenance:**

See attachment(s) - Culverts data to June 2018; Bridges data Excel file - April 1, 2017

Also from [Structure, Maintenance & Investigations](#) – Bridges reporting: US.DOT-FHWA – 2017;

See - <https://www.fhwa.dot.gov/bridge/nbi/ascii.cfm>

b. Associated metadata for all files – captured within; no additional keys.

3. Traffic volume data:

a. Spatial data – GIS layers (i.e., shapefiles) –

**DRISI:** See link to the Caltrans GIS Library – regarding traffic volumes

<http://www.dot.ca.gov/hq/tsip/gis/datalibrary/Metadata/AADT.html>

**Division of Traffic Operations:**

See shapefiles Traffic Volumes (Vehicle and Truck) on [Caltrans GIS Data Library](#)

b. Associated metadata for all files – captured within; no additional keys.

4. Contract between Caltrans and WTI:

a. For the hotspot analysis project for large mammal-vehicle collisions in California –

**Division of Environmental Services:**

See attachment including seven (7) docs of reporting, and this link is provided for you here:

- GIS – Critical Habitat. See link in Data Basin for CH-Region 8. Select CA records within the downloaded file > <https://psw.databasin.org/datasets/0185da5b1b0048cebef752f26c241e99>
- Click on "view record" in link above and download the zip file that is lower on the linked page.

*Denise Delaney*

*Division of Research, Innovation and System Information (DRISI)*

## APPENDIX A1.4

California Department of Transportation

OTM22215

TSAR - ACCIDENT SUMMARY

Policy controlling the use of Traffic Accident Surveillance and Analysis System (TASAS) - Transportation Systems Network (TSN) Reports

1. TASAS - TSN has officially replaced the TASAS - "Legacy" database.
2. Reports from TSN are to be used and interpreted by the California Department of Transportation (Caltrans) officials or authorized representative.
3. Electronic versions of these reports may be emailed between Caltrans' employees only using the State computer system.
4. The contents of these reports shall be considered confidential and may be privileged pursuant to 23 U.S.C. Section 409, and are for the sole use of the intended recipient(s). Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message. Do not print, copy o

California Department of Transportation

OTM22215

TSAR - ACCIDENT SUMMARY

REPORT PARAMETERS:

REPORT DATE : 07/16/2018  
 REFERENCE DATE : 07/16/2018

SUBMITTOR : TRBDOMSI

REPORT TITLE : ' Animal hits '  
 EVENT ID : 4026444

LOCATION CRITERIA:

Statewide Report

SELECTION CRITERIA:

1 1 AND 600 - PARTY TYPE IN W,X,Z

Accidents Date Range:

From -- 01/01/2010 To -- 12/31/2017

OTM22215

Page#1

07/16/2018 TASAS SELECTIVE RECORD RETRIEVAL Event 4026444  
 08:14 AM TSAR - ACCIDENT SUMMARY ID  
 ' Animal hits '

TOTAL		PERSONS		MOTOR VEHICLES INVOLVED				<---LINES CODED--->	
ACCIDENTS	FATAL	INJURY	PDO	KILLED	INJURED	NUMBER	PCT	CODE	NUMBER
9087	25	1097	7965	30	1322				
					8871	97.6	1		3 0.0 1
					181	2.0	2		8851 97.4 2
					22	0.2	3		189 2.1 3
					7	0.1	>3		36 0.4 4
									4 0.0 5
									1 0.0 6
									3 0.0 7
									0 0.0 8
									0 0.0 9

<---- HOUR OF DAY ---->			<--- ACCESS CONTROL --->			<--- SIDE OF HIGHWAY --->		
NUMBER	PCT	CODE	NUMBER	PCT	CODE	NUMBER	PCT	CODE
306	3.4	00- 12 MID.	4220	46.4	C-CONVENTIONAL	2855	31.4	N-NORTHBOUND

269	3.0	01-	1 A.M.	1766	19.4	E-EXPRESSWAY	2803	30.8	S-SOUTHBOUND
265	2.9	02-	2 A.M.	3100	34.1	F-FREEWAY	1720	18.9	E-EASTBOUND
252	2.8	03-	3 A.M.	1	0.0	S-1-WAY CITY ST	1709	18.8	W-WESTBOUND
283	3.1	04-	4 A.M.	0	0.0	--INVALID DATA			
454	5.0	05-	5 A.M.	0	0.0	+--NO DATA			
513	5.6	06-	6 A.M.						
375	4.1	07-	7 A.M.						
355	3.9	08-	8 A.M.						
302	3.3	09-	9 A.M.						
287	3.2	10-	10 A.M.	<-----	YEAR	<-----	MONTH	<-----	DAY OF WEEK

>

CODE	NUMBER	PCT	CODE	NUMBER	PCT	CODE	NUMBER	PCT	CODE
234	2.6	11-	11 A.M.						
175	1.9	12-	12 NOON						
162	1.8	13-	1 P.M.	0	0.0	2006	510	5.6	01-JANUARY
140	1.5	14-	2 P.M.	0	0.0	2007	416	4.6	02-FEBRUARY
173	1.9	15-	3 P.M.	0	0.0	2008	420	4.6	03-MARCH
219	2.4	16-	4 P.M.	0	0.0	2009	604	6.6	04-APRIL
456	5.0	17-	5 P.M.	972	10.7	2010	829	9.1	05-MAY
565	6.2	18-	6 P.M.	1056	11.6	2011	814	9.0	06-JUNE
617	6.8	19-	7 P.M.	1108	12.2	2012	828	9.1	07-JULY
909	10.0	20-	8 P.M.	1182	13.0	2013	772	8.5	08-AUGUST
842	9.3	21-	9 P.M.	1102	12.1	2014	950	10.5	09-SEPTEMBER
522	5.7	22-	10 P.M.	1172	12.9	2015	1152	12.7	10-OCTOBER
402	4.4	23-	11 P.M.	1229	13.5	2016	1119	12.3	11-NOVEMBER
10	0.1	25-	UNKNOWN	1266	13.9	2017	673	7.4	12-DECEMBER

OTM22215

Page#2

07/16/2018  
08:14 AM

TASAS SELECTIVE RECORD RETRIEVAL  
TSAR - ACCIDENT SUMMARY  
' Animal hits '

Event 4026444  
ID

<-- PRIMARY COLLISION FACTOR -->			<--- TYPE OF COLLISION --->			<--- ROADWAY		
CONDITION --->								
NUMBER	PCT	CODE	NUMBER	PCT	CODE	NUMBER	PCT	CODE
18	0.2	1-INFLUENCE ALCOHOL						
5	0.1	2-FOLLOW TOO CLOSE	101	1.1	A-HEAD-ON	8	0.1	A-HOLES, RUTS
4	0.0	3-FAILURE TO YIELD	31	0.3	B-SIDESWIPE	1	0.0	B-LOOSE MATERIAL
110	1.2	4-IMPROPER TURN	20	0.2	C-REAR END	87	1.0	C-OBSTRUCTION ON
ROA								
333	3.7	5-SPEEDING	109	1.2	D-BROADSIDE	49	0.5	D-CONSTRUCT-REPAIR-
ZONE								
39	0.4	6-OTHER VIOLATIONS	2984	32.8	E-HIT OBJECT	0	0.0	E-REDUCED ROAD
WIDTH								
2	0.0	B-IMPROPER DRIVING	40	0.4	F-OVERTURN	0	0.0	F-FLOODED
8469	93.2	C-OTHER THAN DRIVER	13	0.1	G-AUTO-PEDESTRIAN	24	0.3	G-OTHER
34	0.4	D-UNKNOWN	5750	63.3	H-OTHER	8882	97.7	H-NO UNUSUAL
CONDITION								
0	0.0	E-FELL SLEEP	39	0.4	<-NOT STATED	36	0.4	<-NOT STATED
73	0.8	<-NOT STATED	0	0.0	-INVALID CODES	0	0.0	-INVALID CODES
0	0.0	-INVALID CODES						



1000	11.0	D-PICKUP/PANEL TRUCK IMPROPER TURN	4	0.0	D-MAKING RIGHT TURN	20	0.2	0	0.0	4-
52	0.6	E-PICKUP/PANEL W/TRAILER SPEEDING	3	0.0	E-MAKING LEFT TURN	28	0.3	0	0.0	5-
40	0.4	F-TRUCK/TRUCK TRACTOR VIOLATIONS	0	0.0	F-MAKING U TURN	14	0.2	0	0.0	6-OTHER
185	2.0	G-TRUCK/TRACTOR & 1 TRAILER PHONE* (INATTN)	0	0.0	G-BACKING	28	0.3	0	0.0	A-CELL
21	0.2	2-TRUCK/TRACTOR & 2 TRAILER ELECTRC EQUIP*(INATTN)	149	1.6	H-SLOWING, STOPPING	0	0.0	0	0.0	B-
0	0.0	3-TRUCK/TRACTOR & 3 TRAILER RADIO/CD/HDPHN*(INATTN)	13	0.1	I-PASS OTHER VEHICLE	0	0.0	0	0.0	C-
0	0.0	4-SINGLE UNIT TANKER (INATTN)	39	0.4	J-CHANGING LANES	0	0.0	0	0.0	D-SMOKING*
2	0.0	5-TRUCK/TRA & 1 TANK TRALR OBSCUREMENT	0	0.0	K-PARKING	10	0.1	0	0.0	E-VISION
2	0.0	6-TRUCK/TRA & 2 TANK TRALR INATTENTION - OTHER	1	0.0	L-ENTER FROM SHLDR	15	0.2	0	0.0	F-
12	0.1	H-SCHOOL BUS TRAFFIC	34	0.4	M-OTHER UNSAFE TURN	2	0.0	0	0.0	G-STOP & GO
22	0.2	I-OTHER BUS RAMP	13	0.1	N-CROSS INTO OPP LN	26	0.3	3	0.0	H-ENTER/LEAVE
377	4.1	J-EMERGENCY VEHICLE COLLISION	4	0.0	O-PARKED	45	0.5	1	0.0	I-PREVIOUS
0	0.0	K-HIGHWAY CONST EQUIP.** WITH ROAD	2	0.0	P-MERGING	3	0.0	0	0.0	J-UNFAMILIAR
3	0.0	L-BICYCLE VEHICLE EQUIP	0	0.0	Q-TRAVEL WRONG WAY	0	0.0	0	0.0	K-DEFECT
44	0.5	M-OTHER-MOTOR VEH VEHICLE	40	0.4	R-OTHER	11	0.1	0	0.0	L-UNINVOLVED
11	0.1	N-OTHER-NON-MOTOR VEH	31	0.3	<-NOT STATED	38	0.4	2	0.0	M-OTHER
1	0.0	O-SPILLED LOADS			8864 97.5	15	0.2			N-NONE APPARENT
2	0.0	P-DISENGAGED TOW			1 0.0	0	0.0			P-WIND
0	0.0	Q-UNINVOLVED VEHICLE ACCIDENT			PEDESTRIAN	0	0.0	0	0.0	R-RAMP
0	0.0	R-MOPED			14 0.2	0	0.0			S-RUNAWAY VEHICLE
0	0.0	T-TRAIN	1	0.0	2- XING XWALK - INTRST	0	0.0	0	0.0	T-EATING* (INATTN)
17	0.2	U-PEDESTRIAN (INATTN)	0	0.0	3- XING XWALK - NOT INTR	0	0.0	0	0.0	U-CHILDREN*
1	0.0	V-DISMOUNT PEDESTRIAN ANIMALS* (INATTN)	3	0.0	4- XING NOT XWALK	0	0.0	0	0.0	V-
826	9.1	W-ANIMAL - LIVESTOCK PERSNL HYGIENE*(INATTN)	9	0.1	5- ROADWAY - INCL SHLDR	0	0.0	0	0.0	W-
6096	67.1	X-ANIMAL - DEER (INATTN)	0	0.0	6- NOT IN ROADWAY	0	0.0	0	0.0	X-READING*
2165	23.8	Z-ANIMAL - OTHER STATED	0	0.0	7- APRH-LEAVE SCHL BUS	9069	99.8	9087	100.0	<-NOT STATED
		1244 13.7 - INVALID CODES			1 0.0	1	0.0			--DOES NOT APPLY

<---- DIRECTION OF TRAVEL ---->  
 CODES EFF. 01-01-01

<---- SPECIAL INFORMATION ---->

\* INATTENTION

NUMBER PCT CODE

NUMBER PCT CODE

2873	31.6	N-N, NE, NW BOUND	2	0.0	A-HAZARDOUS MATERIALS
2847	31.3	S-S, SE, SW BOUND	81	0.9	B-CELL PHONE IN USE*
1722	19.0	E-EASTBOUND	8921	98.2	C-CELL PHONE NOT IN USE*
1717	18.9	W-WESTBOUND	2	0.0	D-CELL PHONE NONE/UNKNOWN*
9076	99.9	<-NOT STATED	9064	99.7	<-NOT STATED
0	0.0	--DOES NOT APPLY	10	0.1	--DOES NOT APPLY
0	0.0	-INVALID CODES	0	0.0	-INVALID CODES

\* SPECIAL INFORMATION CODES EFF. 04-01-01

\*\* INCLUDES EQUIPMENT ENGAGED IN  
 CONST/MAINT ACTIVITIES AS OF  
 00-02-22  
 OTM22215

Page#4

07/16/2018 TASAS SELECTIVE RECORD RETRIEVAL Event 4026444  
 08:14 AM TSAR - PARTY SUMMARY ID  
 ' Animal hits '

<----- OBJECT STRUCK ----->

<----- LOCATION OF COLLISION ----->

PRIMARY		OTHERS		CODE		PRIMARY		OTHERS		CODE	
NUMBER	PCT	NUMBER	PCT	NUMBER	PCT	NUMBER	PCT	NUMBER	PCT	NUMBER	PCT
1	0.0	7	0.1	01-SIDE OF BRIDGE RAILING		5	0.1	10	0.1	A-BEYOND MEDIAN OR	
0	0.0	0	0.0	02-END OF BRIDGE RAILING							
STRIPE-LEFT											
0	0.0	0	0.0	03-PIER, COLUMN, ABUTMENT		38	0.4	135	1.5	B-BEYOND SHLDER	
DRIVERS LEFT											
0	0.0	0	0.0	04-BOTTOM OF STRUCTURE		5	0.1	3	0.0	C-LEFT SHOULDER AREA	
0	0.0	0	0.0	05-BRIDGE END POST IN GORE		1972	21.7	109	1.2	D-LEFT LANE	
2	0.0	5	0.1	06-END OF GUARD RAIL		569	6.3	38	0.4	E-INTERIOR LANES	
0	0.0	0	0.0	07-BRIDGE APPROACH GUARD RAIL		6392	70.3	399	4.4	F-RIGHT LANE	
0	0.0	2	0.0	10-LIGHT OR SIGNAL POLE		15	0.2	25	0.3	G-RIGHT SHOULDER AREA	
1	0.0	5	0.1	11-UTILITY POLE		58	0.6	259	2.9	H-BEYOND SHLDER DRIVERS	
RIGHT											
1	0.0	3	0.0	12-POLE (TYPE NOT STATED)		1	0.0	0	0.0	I-GORE AREA	
6	0.1	24	0.3	13-TRAFFIC SIGN/SIGN POST		9	0.1	0	0.0	J-OTHER	
0	0.0	0	0.0	14-OTHER SIGNS NOT TRAFFIC		25	0.3	6	0.1	V-HOV LANE(S)	
4	0.0	29	0.3	15-GUARDRAIL		1	0.0	0	0.0	W-HOV LANE BUFFER AREA	
9	0.1	43	0.5	16-MEDIAN BARRIER		1182	13.0	18	0.2	<-NOT STATED	
0	0.0	3	0.0	17-WALL (EXCEPT SOUND WALL)		7793	85.8	9087	100.0	--DOES NOT APPLY	
3	0.0	14	0.2	18-DIKE OR CURB		0	0.0	0	0.0	-INVALID CODES	
0	0.0	0	0.2	19-TRAFFIC ISLAND							
0	0.0	0	0.0	20-RAISED BARS							
0	0.0	2	0.0	21-CONCRETE OBJ (HDWL, D.I.)							
1	0.0	19	0.2	22-GUIDEPOST, CULVERT, PM							
9	0.1	50	0.6	23-CUT SLOPE OR EMBANKMENT							
12	0.1	62	0.7	24-OVER EMBANKMENT							
0	0.0	3	0.0	25-IN WATER		<----- DRUG/PHYSICAL ----->					
5	0.1	20	0.2	26-DRAINAGE DITCH		PRIMARY		OTHERS			
6	0.1	52	0.6	27-FENCE		NUMBER	PCT	NUMBER	PCT	CODE	
3	0.0	50	0.6	28-TREES							
2	0.0	11	0.1	29-PLANTS		8897	97.9	0	0.0	A-HAD NOT BEEN DRINKING	
0	0.0	0	0.0	30-SOUND WALL		32	0.4	0	0.0	B-HBD - UNDER INFLUENCE	



1	0.0	0	0.0	40-NATURAL MATRL ON ROAD	33	0.4	0	0.0	C-HBD - NOT UNDER
INFLUENCE									
1	0.0	1	0.0	41-TEMP BARRICADES, CONES	11	0.1	0	0.0	D-HBD - IMPAIRMENT
UNKNOWN									
2	0.0	3	0.0	42-OTHER OBJECT ON ROAD	0	0.0	6	0.1	E-UNDER DRUG INFLUENCE
6	0.1	17	0.2	43-OTHER OBJECT OFF ROAD	0	0.0	1	0.0	F-OTHER PHYSICAL
IMPAIRMENT									
22	0.2	461	5.1	44-OVERTURNED	106	1.2	0	0.0	G-IMPAIRMENT NOT KNOWN
0	0.0	0	0.0	45-CRASH CUSHION (SAND)	23	0.3	0	0.0	H-NOT APPLICABLE
0	0.0	1	0.0	46-CRASH CUSHION (OTHER)	0	0.0	3	0.0	I-FATIGUE
1	0.0	1	0.0	51-CALL BOX	9068	99.8	9086	100.0	< NOT STATED
0	0.0	1	0.0	98-UNKNOWN OBJECT STRUCK	0	0.0	0	0.0	--DOES NOT APPLY
4	0.0	3	0.0	99- NO OBJECT INVOLVED	0	0.0	0	0.0	-INVALID CODES
8986	98.9	218	2.4	V1 THRU V9 VEHICLE 1 TO 9					
2	0.0	1	0.0	<< NOT STATED					
2243	24.7	9087	100.0	-- DOES NOT APPLY					
0	0.0	0	0.0	- INVALID CODES					

## APPENDIX A2.1



**EXHIBIT A**  
**Out of State University (State Funds) Agreement**

**SCOPE OF WORK**

1. The work to be performed under this Agreement shall be in accordance with the Contractor's Technical Proposal entitled *Hotspot Analyses for Large Mammal-Vehicle Collisions in California*, dated January 15, 2017, **Attachment 1**, and the Scope of Work in this Agreement. The proposal is attached hereto and incorporated by reference. If there is any conflict between the Contractor's Technical and Cost Proposals, and provisions in the **STD 213 Agreement**, including **Exhibits A, B, C, D and E**, and **Attachments 1** to this Agreement, the latter will prevail over **Attachments 1**.
2. The services shall be performed at Western Transportation Institute at Montana State University.
3. Subcontracting is not permitted under this Agreement. All references to subcontracting or subcontractors as found herein are not applicable to this Agreement.
4. This Agreement will commence on the start date **June 1, 2017** as presented herein or upon approval by Department of General Services (DGS), whichever is later and no work shall begin before that time. This Agreement is of no effect unless approved by DGS. The Contractor shall not receive payment for work performed prior to approval of the Agreement and before receipt of notice to proceed by the Contract Manager. This Agreement shall expire on **December 31, 2018**. The services shall be provided during. The parties may amend this agreement as permitted by law.
5. All inquiries during the term of this Agreement will be directed to the project representatives listed below:

<b>Department of Transportation</b>	<b>Contractor:</b> Montana State University, Western Transportation Institute
Section/Unit: Biology	Section/Unit: Road Ecology
Contract Manager: James Henke	Project Manager: Marcel Huijser
Address: 1120 N Street Sacramento, CA 95814	Address: P.O. Box 172470 Bozeman, MT 59717
Phone Number: (916) 653-6121	Phone Number: (406) 543-2377
Email: <a href="mailto:James.Henke.Jr@dot.ca.gov">James.Henke.Jr@dot.ca.gov</a>	Email: <a href="mailto:mhuijser@montana.edu">mhuijser@montana.edu</a>

The project representatives during the term of this Agreement may be changed by advance written notice without the necessity of an amendment to the Agreement.

**EXHIBIT B**

**Out of State University (State Funds) Agreement**

**BUDGET DETAIL AND PAYMENT PROVISIONS**

**1. Invoicing and Payment**

- A. For services satisfactorily rendered and approved by the Caltrans' Contract Manager, and upon receipt and approval of the invoices, Caltrans agrees to compensate the Contractor in accordance with the **Cost Proposal, Attachment 1**, or appropriate section in **Exhibit B**. Incomplete or disputed invoices shall be returned to the Contractor, unpaid, for correction.
- B. Invoices shall include the Agreement Number and shall be submitted in triplicate not more frequently than monthly in arrears to:

Department of Transportation  
Division of Environmental Analysis  
Office of Biological Studies  
Attention: James Henke, Contract Manager  
1120 N Street, MS 27  
Sacramento, CA 95814

- C. Invoices shall be itemized in accordance with the **Cost Proposal, Attachment 1**, and include supporting documentation for materials and supplies.

**2. Budget Contingency Clause**

- A. It is mutually understood between the parties that this Agreement may have been written before ascertaining the availability of congressional or legislative appropriation of funds, for the mutual benefit of both parties in order to avoid program and fiscal delays that would occur if the Agreement were executed after that determination was made.
- B. This Agreement is valid and enforceable only if sufficient funds are made available to Caltrans by the United States Government or the California State Legislature for the purpose of this program. In addition, this Agreement is subject to any additional restrictions, limitations, conditions, or any statute enacted by the Congress or the State Legislature that may affect the provisions, terms or funding of this Agreement in any manner.
- C. It is mutually agreed that if the Congress or the California State Legislature does not appropriate sufficient funds for the program, this Agreement shall be amended to reflect any reduction in funds.
- D. Caltrans has the option to terminate the Agreement under the thirty (30) day termination clause or to amend the Agreement to reflect any reduction of funds.

**3. Prompt Payment Clause**

Payment will be made in accordance with, and within the time specified in, Government Code (GC) Chapter 4.5, commencing with Section 927.

**4. Rates**

- A. Rates for these services may be found on **Attachment 1** of this document.

**EXHIBIT B**

**Out of State University (State Funds) Agreement**

- B. If the Contractor has not entered into an Agreement with a Federal Agency and therefore is not bound by that Federal Agency's negotiated rates, the basis for determining overhead and indirect costs shall be based upon the cost principles as outlined in **Attachment 1**

**5. Allowable Costs and Payments**

- A. The method of payment for this Agreement will be based on actual costs. There will be no fixed fee as Montana State University Western Transportation Institute is a non-profit organization. Wages and fringe benefits will be reimbursed at actual costs. Actual costs shall not exceed the estimated wage rates and other estimated costs set forth in the Contractor's **Cost Proposal, Attachment 1**, without prior written agreement between Caltrans and the Contractor.
- B. The Contractor will be reimbursed for direct costs, other than salary costs that are identified in the Contractor's **Cost Proposal, Attachment 1**.
- C. Contractor will bill in arrears for costs incurred during the billing period. If applicable, salary costs will be itemized and billed by position classification. Documentation supporting specific salary costs will be presented if requested by Caltrans. Non-wage costs will be billed, in summary, according to general expense categories. A detailed report of transactions will support the billing. Individual expenditures exceeding five hundred dollars (\$500.00) will be supported a photocopy of the original documentation. Documentation in support of expenditures less than five hundred dollars (\$500.00) will be presented if requested by Caltrans.
- D. Transportation and subsistence costs shall not exceed rates authorized to be paid non-represented state employees under current California Department of Human Resources rules. Travel and subsistence information can be found at the following website:  
<http://www.dot.ca.gov/hq/asc/travel/>
- E. The total amount payable by Caltrans shall not exceed **\$250,000.00**.
- F. The Contractor shall not commence performance of work or services until this Agreement has been approved by Caltrans. No payment will be made prior to approval nor for any work performed prior to approval of this Agreement.

**EXHIBIT B**

**Out of State University (State Funds) Agreement**

**6. Cost Principles**

- A. The Contractor agrees that the Contract Cost Principles and Procedures in 48 CFR, Part 31, and the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, in 2 CFR, Part 200, shall be used to determine the allowable individual items of cost.
- B. Any costs for which payment has been made to the Contractor that are determined by subsequent audit to be unallowable under 48 CFR, Part 31 or 2 CFR, Part 200, are subject to repayment by Contractor to Caltrans.
- C. Any subcontract entered into as a result of this Agreement shall contain all of the provisions of this Section.

**7. Excise Tax**

The State of California is exempt from federal excise taxes, and no payment will be made for any taxes levied on employees' wages. Caltrans will pay for any applicable State of California or local sales or use taxes on the services rendered or equipment or parts supplied pursuant to this Agreement. Caltrans may pay any applicable sales and use tax imposed by another state.

**EXHIBIT D**

**Out of State University (State Funds) Agreement**

**SPECIAL TERMS AND CONDITIONS**

**1. Settlement of Disputes**

- A. Any dispute concerning a question of fact arising under this Agreement that is not disposed of by agreement shall be decided by the Contract Officer, who may consider any written or verbal evidence submitted by the Contractor. The decision of the Contract Officer, issued in writing, shall be conclusive and binding on both parties to the Agreement on all questions of fact considered and determined by the Contract Officer.
- B. Neither the pendency of a dispute nor its consideration by the Contract Officer will excuse the Contractor from full and timely performance in accordance with the terms of the Agreement.

**2. Evaluation of Contractor**

Performance of the Contractor under this Agreement will be evaluated. The evaluation shall be prepared on Contract/Contractor Evaluation Sheet, STD 4, and maintained in the Office file, and DGS, Office of Legal Services, if it is negative and over \$5,000.

**3. Subcontractors**

The contractor shall perform the work contemplated with resources available within its own organization and no portion of the work shall be subcontracted.

**4. Contractor's Reports and/or Meetings**

- A. The Contractor shall submit progress reports on a quarterly basis to allow the Caltrans' Contract Manager to determine if the Contractor is performing to expectations or is on schedule, to provide communication of interim findings and to afford occasions for airing difficulties or special problems encountered so that remedies can be developed.
- B. The Contractor shall meet with the Caltrans' Contract Manager as needed to discuss progress on the Agreement.
- C. Prior to completion of the Agreement, the Contractor shall hold a final meeting with the Caltrans' Contract Manager to present findings, conclusions and recommendations and shall submit a comprehensive final report on the project.
- D. Montana State University Western Transportation Institute will furnish Caltrans with a draft final report and a final report detailing the work performed in **Technical Proposal, Attachment 1** as follows:
  - 1. Five (5) copies of the draft final report shall be submitted to Caltrans for review and comment. Caltrans is allowed sixty (60) days for review and comment.
  - 2. Seventy (70) copies of the final report shall be submitted to Caltrans. At least ten (10) copies shall be submitted in hard-bound format and sixty (60) copies shall be placed on CD-ROM disks using standard PDF format.
- E. Any document or written report prepared as a requirement of this Contract shall contain, in a separate section preceding the main body of the document, a list of all Contracts and subcontracts (including



**EXHIBIT D**

**Out of State University (State Funds) Agreement**

dollar amounts) relating to the preparation of those documents or reports if the combined costs for work by non-employees of the Contractor exceed \$5,000.

**5. Publication**

- A. The Contractor shall not copyright any deliverable(s) developed and funded under this Agreement.
- B. The Contractor shall have the right to publish any and all information, conclusions and developments (except that which is designated as CONFIDENTIAL by the State) resulting from work conducted under this Agreement.
- C. Any publication by Contractor shall give proper credit to the State. All publications shall bear an appropriate inscription acknowledging the State's copyright ownership to the Work and Deliverable(s) (including but not limited to, all reports, design materials, advertisements, training materials, writings, articles, computer programs, inventions and any documentation related to the Agreement) consisting of a "c" in a circle followed by the four-digit year in which the Work or Deliverable was produced, followed by the words "California Department of Transportation. All rights reserved."
- D. The Contractor shall submit to the State any materials released for publication simultaneously with submission to the publisher for the purpose of comment and review by the State with respect to the presence of patentable, confidential and/or proprietary subject matter within the materials released for publication.
- E. The State will take all reasonable steps to have United States Patent Applications, or other appropriate protection of intellectual property, filed prior to the time the information, conclusions or developments are published or otherwise made available to the public.
- F. The Contractor agrees to keep confidential any proprietary information supplied to it by the State during the course of the Agreement and designated in writing as "CONFIDENTIAL". Such information will not be included in any published material without the prior written approval of the parties.
- G. All publications shall contain the following disclaimer in a separate section preceding the main body of the document.

"The contents of this report reflect the views of the author who is responsible for the facts and accuracy of the data presented herein. The contents do not necessarily reflect the official views or policies of the State of California or the Federal Highway Administration. This publication does not constitute a standard, specification or regulation."

**6. Ownership of Proprietary Property:**

- A. For the purposes of this section (**Ownership of Proprietary Property**), the following definitions shall apply:
- B. **Work:** As delineated in **Exhibit A (Scope of Work)** of the Agreement and **Attachment 1, Cost Proposal**.

**EXHIBIT D**

**Out of State University (State Funds) Agreement**

- C. **Work Product:** As defined as Deliverables in **Attachment 1** and **Exhibit A** of the Agreement including but not limited to, all Work and Deliverables conceived or made, or made hereafter conceived or made, either solely or jointly with others during the term of this Agreement and during a period of six (6) months after the termination thereof, which relates to the Work commissioned or performed under this Agreement.
- D. **Inventions:** Any idea, methodologies, design, concept, technique, invention, discovery, improvement or development regardless of patentability made solely by the Contractor or jointly with the Contractor's subcontractor and/or the Contractor's subcontractor's employee's with one or more employees of Caltrans, during the term of this Agreement and in performance of any Work under this Agreement, provided that either the conception or reduction to practice thereof occurs during the term of this Agreement and in performance of Work issued under this Agreement.

E. **Ownership of Work Product and Rights:**

- 1) **Ownership of Work Product:** All Work Product derived by the Work performed by the Contractor, its employees or by any of the Contractor's subcontractor's employees under this Agreement, shall be owned by Caltrans and shall be considered works made for hire by the Contractor's subcontractor for Caltrans. Caltrans shall own all United States and international copyrights in the Work Product.

As such, all Work Product shall contain, in a conspicuous place, a copyright designation consisting of a "c" in a circle followed by the four-digit year in which the Work Product was produced, followed by the words "California Department of Transportation." For example, a Work Product created in the year 2003 would contain the copyright designation © 2003 California Department of Transportation.

- 2) **Vesting of Copyright Rights:** Contractor, its employees or any of Contractor's subcontractor's employees agrees to perpetually assign, and upon creation of each Work Product automatically assigns, to Caltrans, its successors and assigns, ownership of all United States and international copyrights in each and every Work Product, insofar as any such Work Product, by operation of law, may not be considered work made for hire by the Contractor's subcontractor from Caltrans. From time to time upon Caltrans request, the Contractor's subcontractor and/or its employees shall confirm such assignments by execution and delivery of such assignments, confirmations or assignment, or other written instruments as Caltrans may request. Caltrans, its successors and assigns, shall have the right to obtain and hold in its or their own name(s) all copyright registrations and other evidence of rights that may be available for Work Product. Contractor hereby agrees to waive all moral rights relating to identification of authorship restriction or limitation on use, or subsequent modifications of the Work.
- 3) **Avoidance of Infringement:** In performing services under this Agreement, Contractor and its employees agree to avoid designing or developing any items that infringe one or more patents or other intellectual property rights of any third party. If Contractor or its employees becomes aware of any such possible infringement in the course of performing any work under this Agreement, Contractor or its employees shall immediately notify Caltrans in writing.

**EXHIBIT D**

**Out of State University (State Funds) Agreement**

4) **Confidentiality and Information:** Caltrans may provide its own intellectual property, confidential business and technical information to the Contractor in connection with the work to be performed by the Contractor under this Agreement. Such intellectual property and information shall be designated as confidential upon or prior to disclosure by Caltrans. In addition, the preparation and specifications of the deliverables shall in all instances be treated as confidential, unless and until disclosed publically by Caltrans. All confidential written materials shall be marked with the legend "California Department of Transportation-Confidential." The Contractor shall use its best efforts to prohibit any use or disclosure of Caltrans' confidential information, except as necessary to perform work under this Agreement. In the event that Contractor is an entity or otherwise will be causing individuals in its employ or under its supervision to participate in the rendering of the work, Contractor warrants that it shall cause each of such individuals to execute a Confidentiality Agreement.

5) **Additional Conditions**

**SUBCONTRACTORS:** Contractor shall affirmatively bind by contract all subcontractors or service vendors providing services under this Agreement to conform to the provisions of this Exhibit E. Contractor shall then provide the signed contract to the Caltrans Contract Manager prior to the commencement of any work.

F. Caltrans hereby agrees to grant Western Transportation Institute, Montana State University, a nonexclusive royalty-free right to use the Work Product under this agreement solely and exclusively for educational and research purposes and for no other purpose whatsoever.

7. **Confidentiality of Data**

- A. All financial, statistical, personal, technical, or other data and information relative to the Caltrans' operations, which is designated confidential by Caltrans' and made available to the Contractor in order to carry out this Agreement, shall be protected by the Contractor from unauthorized use and disclosure.
- B. Permission to disclose information on one occasion or public hearing held by the Caltrans relating to this Agreement shall not authorize the Contractor to further disclose such information or disseminate the same on any other occasion.
- C. The Contractor shall not comment publicly to the press or any other media regarding this Agreement or the Caltrans' actions on the same, except to the Caltrans' staff, Contractor's own personnel involved in the performance of this Agreement, at public hearings, or in response to questions from a Legislative committee.
- D. The Contractor shall not issue any news release or public relations item of any nature whatsoever regarding work performed or to be performed under this Agreement without prior review of the contents thereof by Caltrans and receipt of Caltrans' written permission.
- E. All information related to the construction estimate is confidential and shall not be disclosed by the Contractor to any entity, other than Caltrans.

**EXHIBIT D**

**Out of State University (State Funds) Agreement**

F. Any subcontract, entered into as a result of this Agreement, shall contain all of the provisions of this clause.

**8. State-Owned Data - Integrity and Security**

A. Contractor shall comply with the following requirements to ensure the preservation, security, and integrity of State-owned data on portable computing devices and portable electronic storage media:

1. Encrypt all Caltrans-owned data stored on portable computing devices and portable electronic storage media using government-certified Advanced Encryption Standard (AES) cipher algorithm with a 256-bit or 128-bit encryption key to protect Caltrans' data stored on every sector of a hard drive, including temp files, cached data, hibernation files, and even unused disk space.  
Data encryption shall use cryptographic technology that has been tested and approved against exacting standards, such as FIPS 140-2 Security Requirements for Cryptographic Modules.
2. Encrypt, as described above, all State-owned data transmitted from one computing device or storage medium to another.
3. Maintain confidentiality of all State-owned data by limiting data sharing to those individuals contracted to provide services on behalf of the State, and limit use of State information assets for State purposes only.
4. Install and maintain current anti-virus software, security patches, and upgrades on all computing devices used during the course of the Agreement.
5. Notify the Contract Manager immediately of any actual or attempted violations of security of Caltrans-owned data, including lost or stolen computing devices, files, or portable electronic storage media containing State-owned data.
6. Advise the owner of the Caltrans-owned data, the agency Information Security Officer, and the agency Chief Information Officer of vulnerabilities that may present a threat to the security of State-owned data and of specific means of protecting that State-owned data.

B. Contractor shall use the Caltrans-owned data only for State purposes under this Agreement.

C. Contractor shall not transfer State-owned data to any computing system, mobile device, or desktop computer without first establishing the specifications for information integrity and security as established for the original data file(s). (State Administrative Manual (SAM) section 5335.1)

**9. Termination**

A. Caltrans reserves the right to terminate this Agreement without cause upon thirty (30) days written notice to the Contractor or immediately in the event of material breach by the Contractor.

B. In the event that the total contract amount is expended prior to the expiration date, Caltrans may, at its discretion, terminate this contract with thirty (30) days notice to contractor.

**EXHIBIT D**

**Out of State University (State Funds) Agreement**

**10. Disabled Veterans Business Enterprise (DVBE) Participation (Without Goals)**

Caltrans has established no goals for the participation of DVBE for this Agreement. However, the Contractor shall be fully informed respecting the California Public Contract Code Section 10115 et seq., which is incorporated by reference. Contractor is urged to obtain DVBE subcontractor participation should clearly defined portions of the work become available.

**11. Retention of Records/Audits**

- A. For the purpose of determining compliance with Government Code Section 8546.7, the Contractor, subcontractors and Caltrans shall maintain all books, documents, papers, accounting records, and other evidence pertaining to the performance of the Agreement, including but not limited to, the costs of administering the Agreement. All parties shall make such materials available at their respective offices at all reasonable times during the Agreement period and for three years from the date of final payment under the Agreement. Caltrans, the State Auditor, FHWA, or any duly authorized representative of the Federal government having jurisdiction under Federal laws or regulations (including the basis of Federal funding in whole or in part) shall have access to any books, records, and documents of the Contractor that are pertinent to the Agreement for audits, examinations, excerpts, and transactions, and copies thereof shall be furnished if requested.

**12. Prohibition From Bidding**

This Agreement is subject to the provisions of Section 10365.5 of the Public Contract Code which states: "No contractor who has been awarded a consulting services Agreement may submit a bid for, nor be awarded a Agreement for, the provision of services, goods and supplies, or any other related action which is required, suggested or otherwise deemed appropriate in the end product of the original consulting services Agreement."

**13. Consultant Contractor's Rights and Obligations**

The Contractor is advised that the provisions of Public Contract Code Sections 10335 through 10381 pertaining to the duties, obligations and rights of a consultant service Contractor are applicable to this Agreement.

**14. Audit Review Procedures**

- A. Any dispute concerning a question of fact arising under an interim or post audit of this Agreement that is not disposed of by agreement shall be reviewed by Caltrans' Chairperson of the Audit Review Committee (ARC). The ARC will consist of the Deputy Director, Audits & Investigations (Chairperson); Deputy Director of the functional Program area; the Chief Counsel, Legal Division, or their designated alternates; and if the Caltrans chooses, two representatives of the Caltrans' choosing, from private industry. The two representatives from private industry will be advisory in nature only and will not have voting rights. Additional members or their alternates may serve on the ARC.
- B. Not later than thirty (30) days after issuance of the final audit report, the Contractor may request a review by the ARC of unresolved audit issues. The request for review will be submitted in writing to the Chairperson of the ARC. The request must contain detailed information of the factors involved in the dispute as well as justifications for reversal. A meeting by the ARC will be scheduled if the

**EXHIBIT D**

**Out of State University (State Funds) Agreement**

Chairperson concurs that further review is warranted. After the meeting, the ARC will make recommendations to the appropriate Chief Deputy Director. The Chief Deputy Director will make the final decision for Caltrans. The final decision will be made within three (3) months of receipt of the notification of dispute.

- C. Neither the pendency of a dispute nor its consideration by Caltrans will excuse the Contractor from full and timely performance, in accordance with the terms of this Agreement.
- D. Nothing in this Agreement shall be construed to waive the Sovereign immunity of Contractor as a state entity of the State of Montana.

**EXHIBIT E**

**Out of State University (State Funds) Agreement**

**Additional Provisions**

**1. General Provisions Required in all Insurance Policies**

- A. Deductible: Contractor is responsible for any deductible or self-insured retention contained within the insurance program.
- B. Coverage Term: Coverage must be in force for the complete term of this Agreement. If insurance expires during the term of this Agreement, a new certificate must be received by the Caltrans Contract Manager at least ten (10) days prior to the expiration of the insurance. Any new insurance must continue to comply with the original terms of this Agreement (enter agreement number).
- C. Policy Cancellation or Termination and Notice of Non-Renewal: Contractor shall provide, to the Caltrans Contract Manager within five (5) business days, following receipt by Contractor, a copy of any cancellation or non-renewal of insurance required by this Agreement. In the event Contractor fails to keep, in effect at all times, the specified insurance coverage, the State may, in addition to any other remedies it may have, terminate this Agreement upon the occurrence of such event, subject to the provisions of this Agreement.
- D. Primary Clause: Any required insurance contained in this Agreement shall be primary, and not excess or contributory, to any other insurance carried by the State.
- E. Inadequate Insurance: Inadequate or lack of insurance does not negate the Contractor's obligations under this Agreement.
- F. Endorsements: Any required endorsements requested by the State must be physically attached to all requested certificates of insurance and not substituted by referring to such coverage on the certificate of insurance.
- G. Insurance Carrier Required Rating: All insurance companies must carry a rating acceptable to the Department of General Services, Office of Risk and Insurance Management (ORIM). If the Contractor is self-insured for a portion or all of its insurance, review of financial information including a letter of credit may be required. Department of General Services, ORIM Website: <http://www.dgs.ca.gov/orim/home.aspx>
- H. Contractor shall include all of its subcontractors as insured's under Contractor's insurance or supply evidence of insurance to the State equal to the policies, coverage's and limits required of Contractor.
- I. The State will not be responsible for any premiums or assessments on the policy.
- J. Montana State University, as a state agency, warrants and represents that it is self-funded for liability insurance, both public and property, with such protection being limited to the officers, employees, servants and agents of Montana State University while acting within the scope of their employment. The parties further agree that nothing contained herein shall be construed or interpreted as (1) denying to either party any remedy or defense available to such party under the laws of the State of Montana; (2) the consent of the State of Montana or its agents and-agencies to be sued; or (3) a waiver of sovereign immunity of the State of Montana beyond the waiver provided in Title 2, Ch. 9, Montana Codes Annotated.

**EXHIBIT E**

**Out of State University (State Funds) Agreement**

K. Montana State University shall require all subcontractors to comply with the provisions of Exhibit E.

**2. Insurance Requirements**

**A. Commercial General Liability**

- 1) Contractor shall maintain general liability on an occurrence form with limits not less than \$1,000,000 per occurrence and \$2,000,000 aggregate for bodily injury and property damage liability. The policy shall include coverage for liabilities arising out of premises, operations, independent contractors, products, completed operations, personal and advertising injury, and liability assumed under an insured Agreement. This insurance shall apply separately to each insured against whom claim is made or suit is brought subject to the Contractor's limit of liability. The policy must include:

Caltrans, State of California, its officers, agents, and employees are included as additional insured, but only with respect to work performed under this Agreement. The additional insured endorsement must accompany the certificate of insurance.

- 2) This endorsement must be supplied under form acceptable to the Department of General Services, Office of Risk and Insurance Management.

**3. Automobile Liability**

Contractor shall maintain motor vehicle liability with limits not less than \$1,000,000 combined single limit per accident. Such insurance shall cover liability arising out of a motor vehicle including owned, hired and non-owned motor vehicles. The same additional insured designation and endorsement required for general liability is to be provided for this coverage.

**4. Workers' Compensation and Employer's Liability**

Contractor shall maintain statutory worker's compensation and employer's liability coverage for all its employees who will be engaged in the performance of the Agreement. Employer's liability limits of \$1,000,000 are required. When work is performed on State owned or controlled property the workers' compensation policy shall contain a waiver of subrogation in favor of the State. The waiver of subrogation endorsement shall be provided to the Caltrans' Contract Manager.



Hotspot analyses for large mammal-vehicle collisions in California  
Technical proposal  
15 January 2017  
Marcel Huijser, WTI-MSU

## Background

Wildlife-vehicle collisions affect human safety, property and wildlife. The total number of large mammal-vehicle collisions has been estimated at one to two million in the United States annually (Conover et al. 1995, Huijser et al. 2009a). These collisions were estimated to cause 211 human fatalities, 29,000 human injuries, and over one billion US dollars in property damage annually (Conover et al. 1995). More recent studies that include costs associated with human injuries and human fatalities estimated the yearly costs associated with wildlife-vehicle collisions between 6-12 billion US dollars (Huijser et al. 2009a). In most cases, the animals die immediately or shortly after the collision (Allen & McCullough 1976). In some cases, it is not just the individual animals that suffer. Road mortality may also affect some species on the population level (e.g., van der Zee et al. 1992, Huijser & Bergers 2000), and some species may even be faced with a serious reduction in population survival probability because of direct road mortality, habitat fragmentation, and other negative effects associated with roads and traffic (Proctor 2003, Huijser et al. 2007). In addition, some species also represent a monetary value that is lost once an individual animal dies (Romin & Bissonette 1996, Conover 1997).

The highways in the State of California are important for local, state and interstate travel. However, the frequency of wildlife-vehicle collisions, specifically with mule deer (or black-tailed deer) (*Odocoileus hemionus*), was considered high enough for Caltrans to explore procedures and tools to identify and prioritize wildlife-vehicle collision hotspots, using District 10 as an example (Huijser et al. 2014). These procedures and tools are intended to help standardize future analyses of wildlife-vehicle collision data. Once wildlife-vehicle collision hotspots have been identified and prioritized, potential future mitigation measures need to be evaluated based improving human safety, biological conservation, and cost-benefit analyses. These mitigation measures should be aimed at reducing wildlife-vehicle collisions, particularly with mule deer and other large mammals, and at providing safe crossing opportunities for a wide range of wildlife species.

## Goals and Objectives

This project aims to conduct a statewide hotspot analysis of wildlife-vehicle collisions in the state of California. The results of the analyses will help Caltrans make informed decisions on the potential future implementation of mitigation measures for wildlife along highways. The goals are to improve human safety, reduce unnatural deaths of large mammals, while also maintaining or improving habitat connectivity for wildlife. This project will be based on the methods developed from a pilot study we conducted in Caltrans District 10 titled, Procedures and Tools

for Wildlife-Vehicle Collision Hotspot Analyses; Using Caltrans District 10 as an Example (Huijser et al. 2014). The objectives for the current project are to:

1. Provide sound data on locations where collisions with large mammal species along highways in California may be a safety and economic concern. In this case an economic concern is primarily based on parameters related to human safety.

2. Prioritize hotspot locations within each of the 12 Caltrans Districts based on:

a. Human safety data: i.e. wildlife-vehicle crash data and carcass removal data managed by Caltrans).

b. Cost-benefit data on the implementation of mitigation measures including wildlife fences and wildlife crossings structures, and animal detection systems based on the model developed by Huijser et al. (2009a). Note that other mitigation measures are not effective, not evaluated at all, or not substantially effective (up to 50% reduction in wildlife-vehicle collisions at best).

c. Biological conservation data derived from the California Essential Habitat Connectivity analyses (Spencer et al, 2010)).

The prioritization will assist with funding decisions and prioritizing transportation investments in the State Highway Operations and Protection Plan within each district. Note: Wildlife fencing in combination with wildlife underpasses and overpasses can reduce collisions with large ungulates by about 80% or more (range 79 to nearly 100%) if they are implemented over road sections that are at least 3 mi long (Huijser et al. 2016), and a wide variety of species uses wildlife underpasses and overpasses extensively (Clevenger & Huijser 2011). Animal detection systems can also reduce collisions with large mammals substantially (range: about 58 to nearly 100%) but this measure should be considered experimental still as there are often installation and reliability problems associated with animal detection system projects. In addition, animal detection systems are only suitable for large mammal species; small and medium sized species are not or unlikely to be detected. For more discussion on the pros and cons of wildlife fencing in combination with wildlife underpasses and overpasses vs. animal detection systems see Huijser et al. (2008; 2009b).

3. The procedures, tools and outcome of the project should be aligned with and be consistent with the Caltrans 2015-2020 Strategic Plan and goals related to Safety and Sustainability.

This project relates to all state managed highways in California. The total length of these highways is estimated at about 15,117 mi (total length of the highways, ignoring potential multiple lanes).

## Tasks

The specific tasks for this project are:

**Task 1: Kick-off meeting.** The researchers will participate in a kick-off meeting over the phone with Caltrans personnel to discuss the tasks in greater detail and to ensure that both Caltrans and the researchers understand what the tasks are and how they will be conducted. Caltrans will invite the appropriate personnel from within Caltrans (including traffic safety staff) and other stakeholders (e.g. natural resource management agency personnel). The researchers will take notes and will deliver meeting notes including action items.

**Task 2: Obtain data.** The researchers will request three statewide datasets from Caltrans: 1. Wildlife-vehicle crash data recorded by California Highway Patrol (CHP) in the TASAS, 2. Carcass removal data recorded by Caltrans maintenance personnel in the Integrated Maintenance and Management System (IMMS), and 3. Caltrans Animal Vehicle Collision (AVC) data base. The researchers will request data for the last 10 years (e.g. 1 January 2007 – 31 December 2016). Note that the analyses will be based on existing digital data. However, some digital data may have to be imported in excel from PDFs. Note that the researchers hope to have the crash (TASAS) and carcass removal data (IMMS) relate to the exact same time period so that they are directly comparable. The period for which the Caltrans Animal Vehicle Collision (AVC) data are available for may not be for the same ten years. Note that the species that are included in the data are large mammals only (i.e. deer size and larger): i.e. deer species (mule deer), black bear, mountain lion, elk, and bighorn sheep. Note that the carcass removal data are likely to contain the species name for each record. Only records of wild mammal species that are similar in size to deer or that are larger than deer will be included in the analyses as smaller species are less likely to result in substantial vehicle damage and be a serious threat to human safety. See Huijser et al. (2014) for an example of the hotspot identification process. Data that relate to domestic species (including e.g. domestic cats, domestic dogs, cattle, horses) will be excluded as livestock is or should be controlled by people. Note that the carcass data for the highways in California are likely to mostly relate to mule deer (Pers. Com. James Henke, Caltrans). Most likely, the crash data do not contain the species name of the animals involved. Crash data typically only include a fraction of the number of animal carcasses that are removed, and crash data also tend to relate to more serious accidents with substantial vehicle damage and/or potential human injuries and human fatalities. Therefore, even though the crash data may lack data on the species involved, these data are likely to be wildlife-vehicle crashes with a relatively high level of threat to human safety.

**Task 3: Conduct statewide wildlife-vehicle collision hotspot analysis.** Hotspots are highway segments that have a relatively high concentration of wildlife-vehicle collisions. The researchers will conduct separate analyses for the TASAS, IMMS, and AVC data and identify hotspots on a map (i.e. in a Geographical Information System). The hotspot identification process will result in hotspots that are based on human safety only. This is important as an alternative process that would identify hotspots based on – for example - nature conservation may result in the

identification of very different road segments as this may include different species and habitat. This is not a problem, but it is important to recognize that the “departure point” for the identification and prioritization process is to identify wildlife-vehicle collision hotspots based on human safety rather than anything else. The researchers propose to identify hotspots based on a “disproportionate” concentration of crashes or carcasses given the distribution of crashes or carcass in each Caltrans District (see Bingham & Noon 1997; Huijser et al. 2014). In addition, the researchers propose to identify the “worst” hotspots in each Caltrans District, regardless of whether they have a disproportionate concentration of crashes or carcasses (see Huijser et al. 2014). The researchers will select the five highest ranking hotspots based on wildlife-vehicle collisions in each district for further analyses (Task 4, 5, 6, and 7). The identification and prioritization process will be documented in a step by step manner (similar to Huijser et al. 2014) as a reference for potential future analyses by Caltrans.

Task 4: Conduct cost-benefit analysis for potential wildlife-mitigation measures for the five highest ranking hotspots in each district (see Task 3) based on Huijser et al. (2009a). Note that these analyses are primarily based on human safety parameters. The mitigation measures evaluated will include wildlife fences and wildlife crossing structures, and animal detection systems. The researchers will also summarize the ongoing costs associated with large mammal-vehicle collisions if no mitigation measures are implemented. The researchers will rank the five highest ranking collision hotspots within each district based on the cost benefit analyses. Note: The economic parameters will be based on the costs for deer, elk and moose-vehicle collisions described in Huijser et al. (2009a). Almost all of the records in California are likely to relate to large wild mammals that are similar in size to deer rather than elk or moose. The economic parameters will likely include the total costs associated with wildlife-vehicle collisions in each hotspot as well as the costs standardized per mile road length within each hotspot. The identification and prioritization process will be documented in a step by step manner (similar to Huijser et al. 2014) as a reference for potential future analyses by Caltrans.

Task 5. Evaluate the five highest ranking collision hotspots within each district (see Task 3) for overlap with the habitat and corridors identified through the California Essential Habitat Connectivity analyses (Spencer et al, 2010)), the international (IUCN), federal and state conservation status of the species that have been reported as roadkill, and overlap with federally designated critical habitat for amphibians, reptiles, and mammals, as identified by the US Fish and Wildlife Service. The identification and prioritization process will be documented in a step by step manner (similar to Huijser et al. 2014) as a reference for potential future analyses by Caltrans.

Task 6. Summarize the human safety, economic, and biological conservation rankings for the five highest ranking collision hotspots in each district (see Task 3). The researchers propose to weigh each group of parameters (human safety, economic, and biological conservation) equally for this final prioritization step; i.e. human safety, economics and nature conservation have equal weight for the five highest ranking collision hotspots within each district. Note that road sections that are not a major concern for human safety are not part of this process to start with. Showing

the data for each parameter and parameter group allows Caltrans and others to change parameter selection and add potential weight to the parameters at a later time, should they choose to do so.

Task 7. The researchers will identify the target species based on the crash and carcass data and other species that occur in the area and that are a conservation concern (Task 5). The researchers will formulate appropriate mitigation measures aimed at reducing direct road mortality and providing safe crossing opportunities for the selected species. Besides general recommendations for mitigation measures the researchers will formulate site specific suggestions for potential future mitigation measures for the five highest ranking collision hotspots within each district. This includes a site visit to the five highest ranking collision hotspots within each of the 12 Caltrans districts (60 hotspots in total). The researchers will evaluate the five highest ranking collision hotspots for potential water crossings as structures that are primarily designed for water may also be made suitable for terrestrial and semi-aquatic species.

Task 8: Deliver report and in person presentation. The researchers will address the comments by Caltrans on the draft report. In addition, the researchers will present the results of the project in person to Caltrans in Sacramento, California.

### **Deliverables**

1. Notes kickoff meeting: 30 June 2017.
2. Draft methodology for review and comment: 31 Dec 2017.
3. Statewide collision hotspot map (GIS files): 31 May 2018.
4. Draft report for review and comment (MS Word and PDF files): 31 Aug 2018.
5. In person presentation to Caltrans in Sacramento, California (incl. Powerpoint file): 31 Oct 2018.
6. Final report and maps (MS Word, PDF, GIS files): 31 Dec 2018.

### **Responsibilities Caltrans**

1. Caltrans invites the appropriate people for the kick-off meeting (through telephone)
2. Caltrans provides the following shapefiles for GIS:
  - a. The highways to be included for this project
  - b. The coordinates for the mile reference posts (or other geo referencing system) used to describe the location of wildlife-vehicle crashes, or wildlife carcasses.
  - c. The wildlife-vehicle crash data (TASAS), carcass removal data (IMMS), and Caltrans Animal Vehicle Collision data (AVC) data base for the last 10 years (e.g. 1 January 2007 – 31 December 2016).
  - d. The shape files (GIS) with the habitat and corridors identified through the California Essential Habitat Connectivity analyses (Spencer et al, 2010).

- e. The shape files (GIS) with federally designated critical habitat for amphibians, reptiles, and mammals (as identified by the US Fish and Wildlife Service).
- f. The shape files for stream, rivers, lakes, and other water bodies in the state of California.

3. Provide the Caltrans 2015-2020 Strategic Plan and goals related to Safety and Sustainability.



Montana State University Western Transportation Institute  
 Agreement Number 43A0359  
 Attachment 1  
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**Budget**

Budget						Other Direct Expenses			Totals
Task #	Task Title	Marcel Huijser	James Begley	Rob Ament	Jerilyn Brodowy	Total Hours/Total Costs	Travel	Supplies/Minor equipment	Total Costs
		\$62.62	\$40.76	\$69.50	\$55.93				
1	Kick off meeting	40				40			\$2,504.80
		\$2,504.80	\$0.00	\$0.00	\$0.00	\$2,504.80			\$2,504.80
2	Obtain data	160	160			320			\$16,540.80
		\$10,019.20	\$6,521.60	\$0.00	\$0.00	\$16,540.80			\$16,540.80
3	Hotspot analyses	320	800			1120		\$2,000.00	\$54,646.40
		\$20,038.40	\$32,608.00	\$0.00	\$0.00	\$52,646.40		\$2,000.00	\$54,646.40
4	Cost benefit analyses	160				160			\$10,019.20
		\$10,019.20	\$0.00	\$0.00	\$0.00	\$10,019.20			\$10,019.20
5	Biol. Cons. Analyses	320	80			400			\$23,299.20
		\$20,038.40	\$3,260.80	\$0.00	\$0.00	\$23,299.20			\$23,299.20
6	Summarize rankings	40				40			\$2,504.80
		\$2,504.80	\$0.00	\$0.00	\$0.00	\$2,504.80			\$2,504.80
7	Mitigation recommendations	355.1375				355.1375		\$6,000.00	\$28,238.71
		\$22,238.71	\$0.00	\$0.00	\$0.00	\$22,238.71	\$6,000.00		\$28,238.71
8	Final report and presentation	320	160	80	40	600		\$1,500.00	\$35,857.20
		\$20,038.40	\$6,521.60	\$5,560.00	\$2,237.20	\$34,357.20	\$1,500.00		\$35,857.20
	<b>TOTAL HOURS</b>	1715.1375	1200	80	40	3035.1375			0
	<b>TOTAL DIRECT COSTS (includes ben.)</b>	\$107,401.91	\$48,912.00	\$5,560.00	\$2,237.20	\$164,111.11	\$7,500.00	\$2,000.00	\$173,611.11
0.44	Indirect Costs at 44%	\$47,256.84	\$21,521.28	\$2,446.40	\$984.37	\$72,208.89	\$3,300.00	\$880.00	\$76,388.89
	<b>TOTAL</b>	\$154,658.75	\$70,433.28	\$8,006.40	\$3,221.57	\$236,320.00	\$10,800.00	\$2,880.00	\$250,000.00



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## RESUMES

Marcel Huijser, PhD  
**Research Ecologist, Western Transportation Institute**

### Qualifications Overview

Marcel Huijser is a research ecologist with 24 years of experience. Specializing in road ecology since 1995, he has conducted research in Europe, North America, South America and Asia. His focus is on the ecological impacts of transportation infrastructure as well as mitigation measures aimed at reducing these impacts. Most of his research relates to reducing large mammal-vehicle collisions, providing safe crossing opportunities for wildlife, and cost-benefit analyses of mitigation measures. Huijser has taught a road ecology course for MSc and PhD students and has also provided several multiple day courses to various agencies and toll road companies.

Marcel Huijser has led several dozens of road ecology projects, **including a report to U.S. Congress** on reducing wildlife-vehicle collisions (2008), and several handbooks containing practical suggestions on implementing effective mitigation measures aimed at reducing wildlife-vehicle collisions and providing safe crossing opportunities for wildlife (2011). While mitigation measures may be required based on human safety and biological conservation parameters alone, Huijser also developed a cost-benefit model (2009) that serves as a decision support tool based on economics. While Huijser is an applied research ecologist he values publishing in peer-reviewed journals, including a recent article on wildlife fences (2016).

### Selected Relevant Project Experience

1. Evaluation of wildlife crossing structures and fencing along Hwy 93, Montana. Funded by Montana Department of Transportation, Federal Highway Administration, and US DOT (\$900,000; 2002-2016).
2. Survey for all states and provinces in the US and Canada to document the current practices with the collection, analyses and use of animal-vehicle collision and animal carcass data. Funded by the Transportation Research Board, National Academies (\$30,000; 2005-2007).

### Years of Experience: 24

#### Project Role

- Principal Investigator

#### Subject Area Expertise

- Road ecology
- Ecological impacts of transportation infrastructure
- Mitigation measures aimed at reducing large mammal-vehicle collisions and providing safe crossing opportunities for wildlife
- Cost-benefit analyses for wildlife mitigation measures

#### Education

- PhD, road ecology, Wageningen University, The Netherlands
- MSc, ecology, Wageningen University, The Netherlands

#### Key Skills

- Ecology
- Data analyses
- Writing and presentation
- Project management

#### Contact:

- [mhuijser@montana.edu](mailto:mhuijser@montana.edu)

3. Wildlife-vehicle collision reduction study: report to congress. Funded by Federal Highway Administration (\$185,000; 2006-2009).
4. Cost-benefit analyses of mitigation measures aimed at reducing collisions with large ungulates in the United States and Canada: a decision support tool. Funded by the Wilburforce Foundation (\$3,000; 2008-2009).

James S. Begley, M.S.

**Spatial Data Analyst, Western Transportation Institute**

### **Key Qualifications**

James Begley has 20 years of experience with wildlife research and management issues pertaining to a wide variety of wildlife species. He has extensive experience with GIS analyses, modeling, and mapping for projects ranging from small urban forests to national forest planning clusters. For example, James was heavily involved with wildlife sustainability assessments required for forest plan revisions of national forests in Northeast Washington and Northeast Oregon.

### **Selected Relevant Project Experience**

Assisted with WTI's efforts with pre-construction wildlife research and monitoring for proposed wildlife crossing structures associated with the Snoqualmie Pass East project. Duties included surveying for carnivores using non-invasive techniques, remote camera surveys, small mammal live-trapping, snow tracking, and database/project management.

Conducted GIS analyses for road ecology projects in Jasper National Park (Canada), Boundary County (Idaho), Cabinet-Purcell range (Montana), Jackson area (Wyoming), and central California.

Developed dispersal habitat connectivity models for American marten, Canada lynx, grizzly bear, and wolverine to help managers determine impacts of a proposed expansion for the Stevens Pass Resort, Washington.

Conducted GIS modeling for terrestrial species sustainability assessments for forest plan revisions of national forests in Northeast Washington and Northeast Oregon.

Developed land stewardship plans as a natural resources consultant for a conservation easement within the Suncadia master plan resort and the City of Roslyn's designated urban forest. Duties and responsibilities included the development of stand by stand, site specific prescriptions to achieve goals of wildlife habitat enhancement/restoration, hazardous fuels reduction, human safety, recreation, and visual aesthetics.

### **Years of Experience: 20**

#### **Project Role**

- Geographical Information Systems expert, spatial analyst

#### **Subject Area Expertise**

- Spatial data analyses
- Natural Resource Management

#### **Education**

- M.Sc., Resource Management, Central Washington University.
- B.Sc., Natural Resource Management (Wildlife), Washington State University.

#### **Key Skills**

- Spatial data analyses
- Natural Resource Management

Participated in the following wildlife research studies for the United States Forest Service: (1) National Fire/Fire Surrogate Study; (2) I-90 Wildlife Habitat Linkage Assessment; (3) Pendleton Dry Forest Management Study; (4) Barred Owl Ecology Study; (5) Yakima Elk Habitat Study; and (6) Post Fire/Salvage Harvest Effects on Cavity Nesting Birds. Duties included field data collection, data entry, database management, and analyses.

STATE OF CALIFORNIA  
**AGREEMENT SUMMARY**

STD 215 (Rev. 04/2017)

CHECK HERE IF ADDITIONAL PAGES ARE ATTACHED

AGREEMENT NUMBER <b>43A0359</b>	AMENDMENT NUMBER
------------------------------------	------------------

1. CONTRACTOR'S NAME Montana State University Western Transportation Institute		2. FEDERAL I.D. NUMBER 81-6010045
3. AGENCY TRANSMITTING AGREEMENT Department of Transportation	4. DIVISION, BUREAU, OR OTHER UNIT Office of Biology	5. AGENCY BILLING CODE 60961
6a. CONTRACT ANALYST NAME Ehite Gebre	6b. EMAIL ehite.gebre@dot.ca.gov	6c. PHONE NUMBER (916)227 6029

7. HAS YOUR AGENCY CONTRACTED FOR THESE SERVICES BEFORE?  
 No  Yes (If Yes, enter prior Contractor Name and Agreement Number)  
 PRIOR CONTRACTOR NAME \_\_\_\_\_ PRIOR AGREEMENT NUMBER \_\_\_\_\_

8. BRIEF DESCRIPTION OF SERVICES  
 Procedures and Tools for Wildlife-Vehicle Collision Hotspot Analysis

9. AGREEMENT OUTLINE (include reason for Agreement; identify specific problem, administrative requirement, program need or other circumstances making the Agreement necessary; include special or unusual terms and conditions.)

This Agreement conduct a statewide hotspot analysis of wildlife-vehicle collisions in the state of California. The results of the analyses will help Caltrans make informed decisions on the potential future implementation of mitigation measures for wildlife along highways. The goals are to improve human safety, reduce unnatural deaths of large mammals, while also maintaining or improving habitat connectivity for wildlife.

10. PAYMENT TERMS (More than one may apply)

- Monthly Flat Rate       Quarterly       One-Time Payment       Progress Payment  
 Itemized Invoice       Withhold \_\_\_\_\_ %       Advanced Payment Not To Exceed  
 Reimbursement / Revenue      \$ \_\_\_\_\_ or \_\_\_\_\_ %  
 Other (Explain) Arrears

11. PROJECTED EXPENDITURES


FUND TITLE	ITEM	FISCAL YEAR	CHAPTER	STATUTE	PROJECTED EXPENDITURES
SHA	2660-001-0042	16/17	23	2017	\$ 250,000
					\$
					\$
					\$
					\$

OBJECT CODE 032	AGREEMENT TOTAL \$ 250,000
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OPTIONAL USE 3292 0000000812 N 032	AMOUNT ENCUMBERED BY THIS DOCUMENT \$ 250,000.00
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I certify upon my own personal knowledge that the budgeted funds for the current budget year are available for the period and purpose of the expenditure stated above.

PRIOR AMOUNT ENCUMBERED FOR THIS AGREEMENT \$ 0.00
TOTAL AMOUNT ENCUMBERED TO DATE \$ 250,000.00

ACCOUNTING OFFICER'S SIGNATURE 	ACCOUNTING OFFICER'S NAME (Print or Type) Amanda Tomblador	DATE SIGNED 5/15/17
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**AGREEMENT SUMMARY**

STD 215 (Rev. 04/2017)

12. AGREEMENT	TERM		TOTAL COST OF THIS TRANSACTION	BID, SOLE SOURCE, EXEMPT
	FROM	THROUGH		
Original	6/0117	12/31/18	\$ 250,000	Exempt SCM 5.80 (A)(5)
Amendment No. 1			\$	
Amendment No. 2			\$	
Amendment No. 3			\$	
<b>TOTAL</b>			<b>\$ 250,000</b>	

## 13. BIDDING METHOD USED

- Request for Proposal (RFP) (Attach justification if secondary method is used)
  Use of Master Service Agreement  
 Invitation for Bid (IFB)
  Exempt from Bidding (Give authority for exempt status)
  Sole Source Contract (Attach STD. 821)  
 Other (Explain) SCM 5.80 (A)(5)

Note: Proof of advertisement in the State Contracts Register or an approved form STD. 821, Contract Advertising Exemption Request, must be attached

## 14. SUMMARY OF BIDS (List of bidders, bid amount and small business status) (if an amendment, sole source, or exempt, leave blank)

## 15. IF AWARD OF AGREEMENT IS TO OTHER THAN THE LOWER BIDDER, EXPLAIN REASON(S) (if an amendment, sole source, or exempt, leave blank)

## 16. WHAT IS THE BASIS FOR DETERMINING THAT THE PRICE OR RATE IS REASONABLE?

Contractor is a non-profit Organization; therefore only actual allowable costs for approved project will be paid.

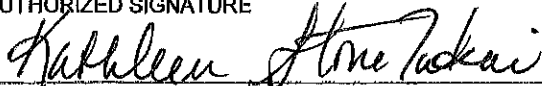
## 17a. JUSTIFICATION FOR CONTRACTING OUT (Check one)

- Contracting out is based on cost savings per Government Code 19130(a). The State Personnel Board has been so notified.
  Contracting out is justified based on Government Code 19130(b). When this box is checked, a completed JUSTIFICATION - CALIFORNIA CODE OF REGULATIONS, TITLE 2, SECTION 547.60 must be attached to this document.

## 17b. EMPLOYEE BARGAINING UNIT NOTIFICATION

- By checking this box, I hereby certify compliance with Government Code section 19132(b)(1).

## AUTHORIZED SIGNATURE



## SIGNER'S NAME (Print or Type)

Kathleen Stonetakai

## DATE SIGNED

5/17/2017

18. FOR AGREEMENTS IN EXCESS OF \$5,000: Has the letting of the agreement been reported to the Department of Fair Employment and Housing?  No  Yes  N/A

19. HAVE CONFLICT OF INTEREST ISSUES BEEN IDENTIFIED AND RESOLVED AS REQUIRED BY THE STATE CONTRACT MANUAL SECTION 7.10?  No  Yes  N/A

20. FOR CONSULTING AGREEMENTS: Did you review any contractor evaluations on file with the DGS Legal Office?  None on file  No  Yes  N/A

21. IS A SIGNED COPY OF THE FOLLOWING ON FILE AT YOUR AGENCY FOR THIS CONTRACTOR?

A. Contractor Certification Clauses

B. STD 204 Vendor Data Record

No  Yes  N/A

No  Yes  N/A

22. REQUIRED RESOLUTIONS ARE ATTACHED

No  Yes  N/A

24. IS THIS A SMALL BUSINESS AND/OR A DISABLED VETERAN BUSINESS CERTIFIED BY DGS?

No  Yes

SB/DVBE Certification Number:

23. ARE DISABLED VETERANS BUSINESS ENTERPRISE GOALS REQUIRED?

(If an amendment, explain changes if any)

No (Explain below)  Yes \_\_\_\_\_ % of Agreement

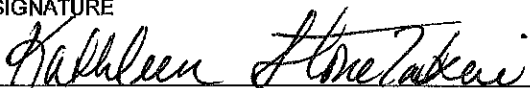
Exempt per SCM 8:12 (D)

25. IS THIS AGREEMENT (WITH AMENDMENTS) FOR A PERIOD OF TIME LONGER THAN THREE YEARS?

No  Yes (If Yes, provide justification below)

I certify that all copies of the referenced Agreement will conform to the original agreement sent to the Department of General Services.

## SIGNATURE



## NAME/TITLE (Print or Type)

Kathleen Stonetakai, Contract Officer

## DATE SIGNED

5/17/2017

**AGREEMENT SUMMARY**

STD 215 (Rev. 04/2017)

**JUSTIFICATION - CALIFORNIA CODE OF REGULATIONS, TITLE 2, SECTION 547.60**

In the space provided below, the undersigned authorized state representative documents, with specificity and detailed factual information, the reasons why the contract satisfies one or more of the conditions set forth in Government Code section 19130(b). Please specify the applicable subsection. Attach extra pages if necessary.


The section of GC 19130(b)(3) noted below applies to this proposed contract.

(b) Personal services contracting also shall be permissible when any of the following conditions can be met:

(3) The services contracted are not available within civil service, cannot be performed satisfactorily by civil service employees, or are of such a highly specialized or technical nature that the necessary expert knowledge, experience, and ability are not available through the civil service system.

The hot spot and cost benefit analysis that will be conducted requires understanding of specialized scientific methodology involving statistical analysis and functional analysis of animal-vehicle collision data and cost-benefit of associated mitigation measures for avoidance and minimization of animal-vehicle collisions and ultimately for conservation purposes. The contractors have developed this methodology and are recognized experts in this field: Huijser, M. P., J. W. Duffield, A. P. Clevenger, R. J. Ament, and P. T. McGowen. 2009. Cost-benefit analyses of mitigation measures aimed at reducing collisions with large ungulates in the United States and Canada; a decision support tool. Ecology and Society 14(2): 15. [online] URL: <http://www.ecologyandsociety.org/vol14/iss2/art15/>

The undersigned represents that, based upon his or her personal knowledge, information or belief the above justification correctly reflects the reasons why the contract satisfies Government Code section 19130(b).

SIGNATURE 	NAME/TITLE(Print or Type) James Henke - Senior Environmental Planner	DATE SIGNED 5/12/17
PHONE NUMBER (916) 653-6121	STREET ADDRESS 1120 N Street	
EMAIL james.henke.jvr@dot.ca.gov	CITY Sacramento, CA	STATE CA
		ZIP 95814



## APPENDIX A2.2

Carcass removal data

Period 1 Jan 2000 – 31 Dec 2009 (10 years)

Includes the following data sources and periods:

- AVC data 1 Jan 2000 – 31 Dec 2005
- IMMS data 1 Jan 2006 – 31 Dec 2009

Note: Each individual carcass now corresponds to a record in the database

Note: The species descriptions were made consistent and are as precise as possible.

Certain: We will conduct hotspot analyses for mule deer (excluding other species). There are 3424 observations of mule deer carcasses in the database.

Question 1: During kickoff meeting it was mentioned that additional (statewide) analyses should be conducted for certain species, e.g. Elk (*Cervus canadensis*), Bighorn sheep (*Ovis canadensis*), and Mountain lion (*Puma concolor*). Now that we have the full species list, do we want to add species for which Caltrans wants statewide analyses?

Question 2: However, looking at the low numbers in the database for species that could be of concern to human safety (with the exception of mule deer) or biological conservation, it seems that these species have too low of a number to conduct meaningful analyses. Looking at the species distribution maps for CA, there are probably many more hit of these species in locations that did not report these species at all. So, do we want to cancel statewide analyses for these species? Just a simple map (per species) for the selected species (see first question) that has the observations plotted?

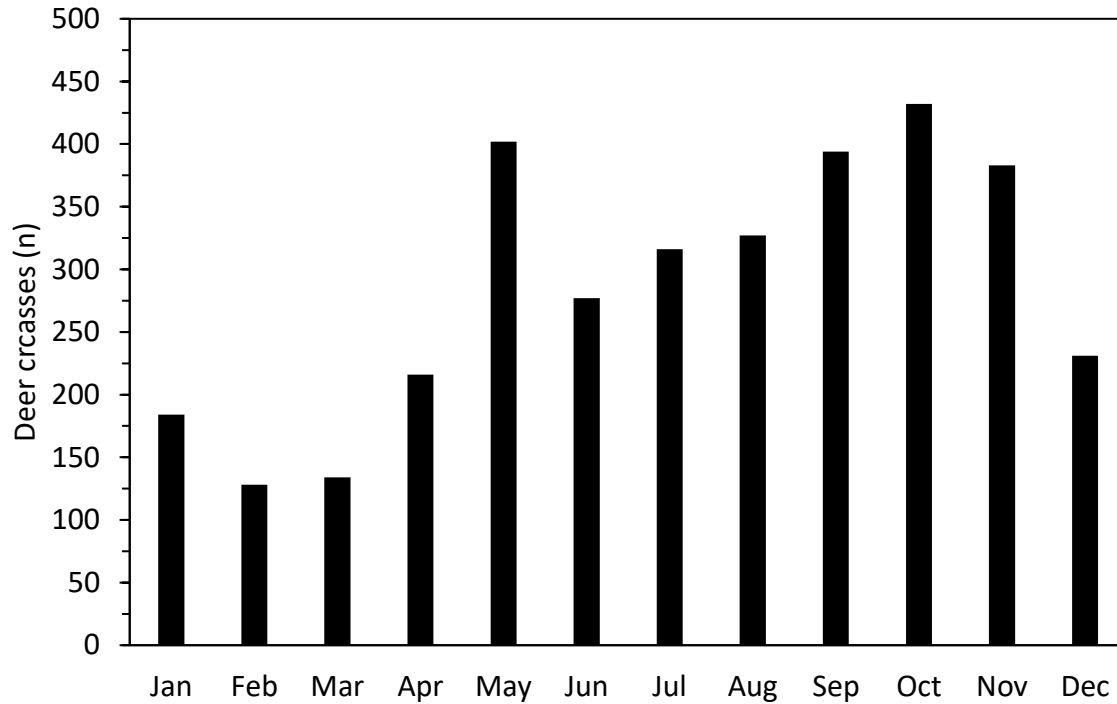
Discussion: perhaps these carcass removal data show that when it comes to specific species that are relatively rare (even if they are big), other organizations/people may have removed the carcasses before the road maintenance crews come by. So, this then suggests that for these species other data sources may need to be consulted (e.g. data from natural resource management agencies, citizen science data etc.).

Table A. Species reported in carcass removal database 2000-2009.

Species ID by Marcel	Total	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
Mule deer ( <i>Odocoileus hemionus</i> )	3424	357	123	833	487	462	142	155	287	321	257
Unknown	743			7				201	207	176	152
Raccoon ( <i>Procyon lotor</i> )	315	24	5	13	17	18	9	14	37	104	74
Coyote ( <i>Canis latrans</i> )	211	28	2	25	29	29	12	6	11	18	51
Virginia opossum ( <i>Didelphis</i> )	99	14	2	17	16	8	14	3	6	13	6
Skunk sp.	88	10		4	5	3	8	6	16	21	15
Bird	65	8	1	7	3	8	34		3	1	
Black bear ( <i>Ursus americanus</i> )	50			20		7		2	13	5	3
Fox sp.	22	6			2	1		1	6	4	2
Rabbit sp.	21							2	9	8	2
Bobcat ( <i>Lynx rufus</i> )	20	5		2	5	2	1		1	1	3
Rabbit or hare sp.	18	6		3	2	2	5				
Elk ( <i>Cervus canadensis</i> )	17			2	1	5			3	4	2
Squirrel sp.	5	1		1			2			1	
Gray fox ( <i>Urocyon cinereoargenteus</i> )	4	2	1						1		
Mammal sp.	4				1	2	1				
Mountain lion ( <i>Puma concolor</i> )	4		1	2						1	
American badger ( <i>Taxidea taxus</i> )	3										3
Red fox ( <i>Vulpes vulpes</i> )	3									2	1
Wild boar ( <i>Sus scrofa</i> )	3										3
Jack rabbit ( <i>Lepus sp.</i> )	2								1	1	
Bighorn sheep ( <i>Ovis canadensis</i> )	1								1		
Kit fox ( <i>Vulpes macrotis</i> )	1	1									
River otter ( <i>Lontra canadensis</i> )	1									1	
Pronghorn ( <i>Antilocapra americana</i> )	1			1							
	5125	462	135	937	568	547	228	390	602	682	574

Mule deer only

Peak in May, and longer peak in Sep-Nov.



Mule deer were not reported in some years (Table B).

For district 1 through 8, reporting seems to be (mostly) restricted to 2006-2009.

For district 9, 12, reporting seems to be mostly restricted to 2000-2005.

Suggestions:

1. Conduct analyses for each district, using all available carcass removal data for the individual districts. Note that District 8 and 11 have very few observations though.

2. Do not conduct state-wide analyses... If you do, you would need huge correction factors that are questionable to begin with. It is better to conduct state-wide analyses only with the deer crash data (and forego the state-wide analyses with deer carcass removal data).

Discussion: Not all districts seem to report deer carcasses, at least not with the same level of effort. In addition, within each district, the search and reporting level seems to vary substantially. If the purpose of collecting the carcass data is to be able to identify carcass hotspots, then this suggests that more attention needs to be given to report carcasses with similar search and reporting effort between years as well as between districts.

Table B. Deer carcasses reported per district per year.

District	Total Of Count	<>	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
1	230		15	10	18				41	71	37	38
2	202				175					3	14	10
3	9								1	3	1	4
4	367								40	83	135	109
5	32								11	12	6	3
6	58				2	1			4	14	22	15
7	14								6	1	3	4
8	5								2	2		1
9	670		95	35	140	127	157	115		1		
10	1746		222	73	487	347	290	13	48	95	99	72
11	3		1							1	1	
12	88		24	5	11	12	15	14	2	1	3	1
	3424		357	123	833	487	462	142	155	287	321	257

## APPENDIX A2.3

Crash data. 1 Jan 2005 – 31 December 2014

There were 10,552 reported crashes with either livestock, deer, or other animals (Table x). There were 25 crashes with 28 human fatalities, mostly with deer (Table A). There were 1351 crashes with 1617 human injuries, also mostly with deer (Table B).

Table A. Human fatalities because of a crash with livestock, deer, or other animal species

Human fatalities in an individual crash (n)	Crashes (n)			
	Livestock	Deer	Other species	Total
0	1156	6909	2462	10527
1	6	12	4	22
2	0	1	2	3
Total crashes (n)	1162	6922	2468	10552
Total crashes (%)	11.01	65.60	23.39	100.00
Total crashes with human fatalities (n)	6	13	6	25
Total crashes with human fatalities (%)	24.00	52.00	24.00	100.00

Table B. Human injuries because of a crash with livestock, deer, or other animal species

Human injuries in an individual crash (n)	Crashes			
	Livestock	Deer	Other species	Total
0	954	6075	2172	9201
1	149	736	240	1125
2	49	102	48	199
3	3	7	7	17
4	6	1	0	7
5	1	1	1	3
Total crashes (n)	1162	6922	2468	10552
Total crashes (n)	11.01	65.60	23.39	100.00
Total crashes with human injuries (n)	208	847	296	1351
Total crashes with human injuries (%)	15.40	62.69	21.91	100.00

Most of the crashes were with passenger cars (7764 out of 10552 crashes) (Table C). However, the percentage of crashes that resulted in at least one human injury or human fatality was 9.66% for passenger cars (vehicle type A) and 5.72% for pickups (vehicle type D), whereas this was 91.13% for motorcycles (vehicle type C) (Table C). For passenger cars the percentage of human injuries or human fatalities was higher with livestock crashes (22.36%) compared to crashes with deer or other species (Table D). The same applied to pickups (9.88%), but for motorcyclists the percentage of human injuries or human fatalities was at least 90% regardless of the species group involved (Table D).

Table C. Human injuries or fatalities because of a crash with livestock, deer, or other species by vehicle type.

Vehicle type	Crashes with human injuries or fatalities (n)			Crashes with at least one human injury or fatality (%)
	None	≥1	Total	
A-PASNGR CAR/STA WAGON	7014	750	7764	9.66
B-PASNGR CAR W/TRAILER	12	1	13	7.69
C-MOTORCYCLE	47	483	530	91.13
D-PICKUP/PANEL TRUCK	1253	76	1329	5.72
E-PICKUP/PANEL W/TRAILER	53	5	58	8.62
F-TRUCK/TRUCK TRACTOR	48	4	52	7.69
G-TRUCK/TRACTOR & 1 TRAILER	204	8	212	3.77
H-SCHOOL BUS	20	1	21	4.76
I-OTHER BUS	22	1	23	4.35
J-EMERGENCY VEHICLE	404	28	432	6.48
L-BICYCLE	0	3	3	100.00
M-OTHER-MOTOR VEH	43	1	44	2.27
N-OTHER-NON-MOTOR VEH	1	0	1	0.00
2-TRUCK/TRACTOR & 2 TRAILER	32	2	34	5.88
U-PEDESTRIAN	1	6	7	85.71
UNKNOWN	27	1	28	3.57
V-DISMOUNT PEDESTRIAN	1	0	1	0.00

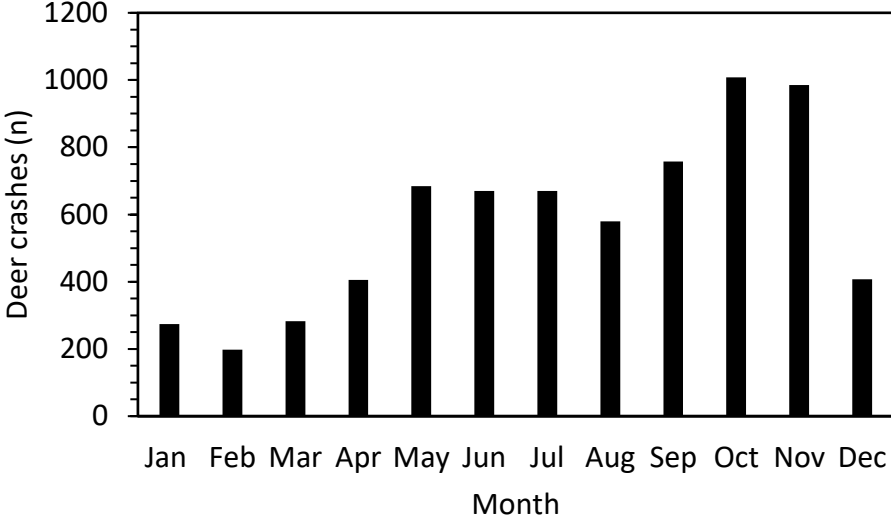


Table D. Human injuries or fatalities because of a crash with livestock, deer, or other species by vehicle type.

Species group	Human injuries or fatalities (n)	A-PASNGR CAR/STA WAGON	C-MOTORCYCLE	D-PICKUP/PANEL TRUCK
Livestock	None	552	0	228
	≥1	159	14	25
	≥1 (%)	22.36	100.00	9.88
Deer	None	4703	37	820
	≥1	410	378	38
	≥1 (%)	8.02	91.08	4.43
Other species	None	1759	10	205
	≥1	181	91	13
	≥1 (%)	9.33	90.10	5.96

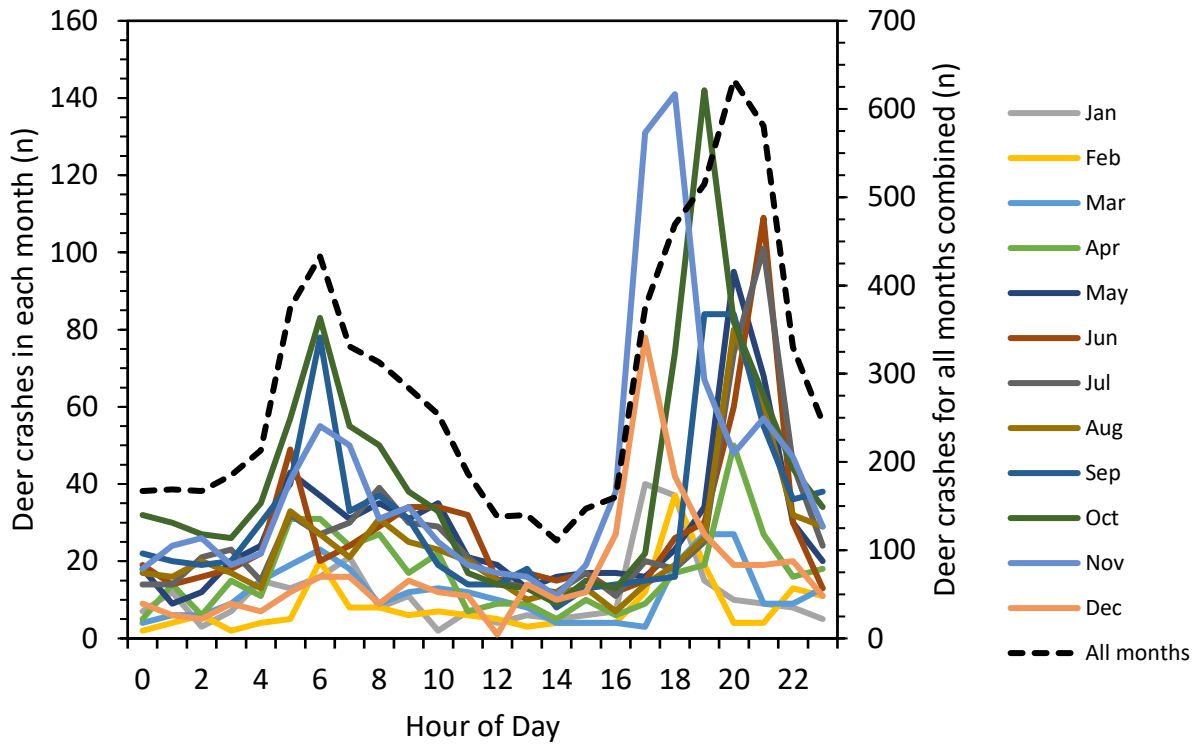
Deer only analyses

Distribution of deer crashes per month (n=6922 in total)



# Deer crashes by the hour of the day

Per month and for all months combined



The number of deer crashes per district per year.

This appears relatively consistent, allowing for statewide analyses

District	Total	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
1	790	77	64	70	78	75	66	72	94	103	91
2	1366	110	115	155	140	139	121	150	141	146	149
3	913	74	69	74	93	100	92	94	90	114	113
4	789	93	82	91	92	80	75	75	63	75	63
5	1104	90	70	105	108	108	114	139	128	148	94
6	272	38	33	35	28	25	22	23	24	27	17
7	205	18	18	10	21	13	12	25	33	31	24
8	129	4	10	9	19	7	13	10	21	15	21
9	540	35	32	33	38	38	54	74	70	83	83
10	568	60	66	59	76	65	44	42	59	60	37
11	143	7	8	10	14	16	11	16	25	14	22
12	103	9	17	10	12	6	12	7	12	14	4
Total	6922	615	584	661	719	672	636	727	760	830	718

## APPENDIX A2.4

## *California Department of Transportation*

*OTM22215*

### *TSAR - ACCIDENT SUMMARY*

Policy controlling the use of Traffic Accident Surveillance and Analysis System (TASAS) - Transportation Systems Network (TSN) Reports

1. TASAS - TSN has officially replaced the TASAS - "Legacy" database.
2. Reports from TSN are to be used and interpreted by the California Department of Transportation (Caltrans) officials or authorized representative.
3. Electronic versions of these reports may be emailed between Caltrans' employees only using the State computer system.
4. The contents of these reports shall be considered confidential and may be privileged pursuant to 23 U.S.C. Section 409, and are for the sole use of the intended recipient(s). Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message. Do not print, copy or forward.

*California Department of Transportation*

*OTM22215*

***TSAR - ACCIDENT SUMMARY***

**REPORT PARAMETERS:**

REPORT DATE : 07/07/2017  
REFERENCE DATE : 07/07/2017  
SUBMITTOR : TRRKIM  
REPORT TITLE : ' Animal Crashes '  
EVENT ID : 3926696

**LOCATION CRITERIA:**

Statewide Report

**SELECTION CRITERIA:**

1 1 AND 600 - PARTY TYPE IN W,X,Z

**Accidents Date Range:**

From -- 01/01/2005 To -- 12/31/2014

TASAS SELECTIVE RECORD RETRIEVAL
TSAR - ACCIDENT SUMMARY
' Animal Crashes '

Table with columns: TOTAL ACCIDENTS, FATAL, INJURY, PDO, PERSONS KILLED, INJURED, MOTOR VEHICLES INVOLVED NUMBER, PCT, CODE, <---LINES CODED---> NUMBER, PCT, CODE.

Table with columns: <---- HOUR OF DAY ----> NUMBER, PCT, CODE; <--- ACCESS CONTROL ---> NUMBER, PCT, CODE; <--- SIDE OF HIGHWAY ---> NUMBER, PCT, CODE; <----- YEAR -----> NUMBER, PCT, CODE; <----- MONTH -----> NUMBER, PCT, CODE; <----- DAY OF WEEK -----> NUMBER, PCT, CODE.



TASAS SELECTIVE RECORD RETRIEVAL
TSAR - ACCIDENT SUMMARY
' Animal Crashes '

Table with 3 columns: NUMBER, PCT, CODE. Rows include collision factors like 1-INFLUENCE ALCOHOL, 2-FOLLOW TOO CLOSE, etc.

Table with 3 columns: NUMBER, PCT, CODE. Rows include collision types like A-HEAD-ON, B-SIDESWIPE, C-REAR END, etc.

Table with 3 columns: NUMBER, PCT, CODE. Rows include roadway conditions like A-HOLES, RUTS, B-LOOSE MATERIAL, etc.

Table with 3 columns: NUMBER, PCT, CODE. Rows include weather conditions like A-CLEAR, B-CLOUDY, C-RAINING, etc.

Table with 3 columns: NUMBER, PCT, CODE. Rows include lighting conditions like A-DAY LIGHT, B-DUSK/DAWN, C-DARK-STREET LIGHT, etc.

Table with 3 columns: NUMBER, PCT, CODE. Rows include road surface conditions like A-DRY, B-WET, C-SNOWY, ICY, etc.

Table with 3 columns: NUMBER, PCT, CODE. Rows include right of way control conditions like A-CONTROL FUNCTIONING, B-CONTROL NOT FUNCTIONING, etc.

Table with 3 columns: NUMBER, PCT, CODE. Rows include highway group conditions like R-IND. ALIGN RIGHT, L-IND. ALIGN LEFT, etc.

Table with 3 columns: NUMBER, PCT, CODE. Rows include intersection/ramp accident location conditions like 1-RAMP INTERSECTION (EXIT), 2-RAMP, etc.

TASAS SELECTIVE RECORD RETRIEVAL
TSAR - PARTY SUMMARY
' Animal Crashes '

Table with columns: PARTY TYPE, MOVEMENT PRECEDING COLLISION, OTHER ASSOCIATED FACTORS. Includes sub-columns for NUMBER, PCT, CODE, #1, #2. Rows list various vehicle types and accident codes with their respective percentages.

Table with columns: DIRECTION OF TRAVEL, SPECIAL INFORMATION. Includes sub-columns for NUMBER, PCT, CODE. Rows list travel directions and special information codes.

\*\* INCLUDES EQUIPMENT ENGAGED IN CONST/MAINT ACTIVITIES AS OF 00-02-22

\* SPECIAL INFORMATION CODES EFF. 04-01-01

\* INATTENTION CODES EFF. 01-01-01

TASAS SELECTIVE RECORD RETRIEVAL
TSAR - PARTY SUMMARY
' Animal Crashes '

Table with columns for PRIMARY NUMBER, PCT, OTHERS NUMBER, PCT, CODE, and LOCATION OF COLLISION (NUMBER, PCT, CODE). Includes sub-sections for DRUG/PHYSICAL and various object codes like 01-SIDE OF BRIDGE RAILING, 02-END OF BRIDGE RAILING, etc.

**From:** Matthew Hargrove <[mhargrove@cbpa.com](mailto:mhargrove@cbpa.com)>

**Date:** May 4, 2020 at 2:33:52 PM PDT

**To:** "Jahn, Bill" <[billjahn@roadrunner.com](mailto:billjahn@roadrunner.com)>

**Cc:** Kome Ajise <[ajise@scag.ca.gov](mailto:ajise@scag.ca.gov)>, Tess Rey-Chaput <[REY@scag.ca.gov](mailto:REY@scag.ca.gov)>, Darin Chidsey <[CHIDSEY@scag.ca.gov](mailto:CHIDSEY@scag.ca.gov)>, "Sarah J. Jepson" <[Jepson@scag.ca.gov](mailto:Jepson@scag.ca.gov)>, Art Yoon <[ArtYoon@scag.ca.gov](mailto:ArtYoon@scag.ca.gov)>, Sarah Miller <[miller@scag.ca.gov](mailto:miller@scag.ca.gov)>, "Barger, Kathryn" <[kbarger@bos.lacounty.gov](mailto:kbarger@bos.lacounty.gov)>, "ASaraiya@bos.lacounty.gov" <[ASaraiya@bos.lacounty.gov](mailto:ASaraiya@bos.lacounty.gov)>, Rex S Hime <[rexhime@cbpa.com](mailto:rexhime@cbpa.com)>, "steve@calretailers.com" <[steve@calretailers.com](mailto:steve@calretailers.com)>, "ddunmoyer@cbia.org" <[ddunmoyer@cbia.org](mailto:ddunmoyer@cbia.org)>, "richard@pacificadvocacygroup.com" <[richard@pacificadvocacygroup.com](mailto:richard@pacificadvocacygroup.com)>, "chris@wma.org" <[chris@wma.org](mailto:chris@wma.org)>, "president@glarealtors.com" <[president@glarealtors.com](mailto:president@glarealtors.com)>, "marty@glarealtors.com" <[marty@glarealtors.com](mailto:marty@glarealtors.com)>, "dianecgavar@gmail.com" <[dianecgavar@gmail.com](mailto:dianecgavar@gmail.com)>, "Dianecarlton@HDAOR.com" <[Dianecarlton@HDAOR.com](mailto:Dianecarlton@HDAOR.com)>, "Genewunderlich@srcar.org" <[Genewunderlich@srcar.org](mailto:Genewunderlich@srcar.org)>

**Subject:** Please Delay ConnectSoCal Process for 90 Days

President Jahn, and members of SCAG:

Attached please find a request to postpone action on the ConnectSoCal process for 90 days to allow the signatory organizations and individual companies the ability to participate fully.

Thank you for our attention to this matter.

Respectfully,  
Matthew

MATTHEW HARGROVE  
SR. VP FOR GOVERNMENT RELATIONS  
CALIFORNIA BUSINESS PROPERTIES ASSOCIATION  
[www.cbpa.com](http://www.cbpa.com)  
[mhargrove@cbpa.com](mailto:mhargrove@cbpa.com)  
916-248-9533



May 4, 2020

**TO:** The Honorable Bill Jahn  
 President  
 Southern CA Assn of Governments (SCAG)  
 900 Wilshire Blvd., Ste. 1700  
 Los Angeles, CA 90017

**FR:** California Business Properties Association  
 California Retailers Association  
 California Building Industry Assn.  
 Institute of Real Estate Management  
 International Council of Shopping Centers  
 Western Electrical Contractors Assn.  
 Greater Los Angeles REALTORS®  
 Building Owners & Managers Association. of CA  
 NAIOP: The Commercial Real Estate Development Assn.  
 Western Manufactured Housing Communities Assn.  
 Greater Antelope Valley Assn. of REALTORS®  
 High Desert Assn. of REALTORS®  
 Southwest Riverside County Assn. of REALTORS®

**Re: Request for Postponement of SCAG’s Final “Connect SoCal” Plan (2020-2045 Regional Transportation Plan/Sustainable Communities Strategy) and the Program Environmental Impact Report (PEIR).**

Dear President Jahn:

In light of the extraordinary nature of the global pandemic impacting all Californians, a statewide coalition of business and industry associations who are signers of this letter respectfully ask SCAG to postpone its May 7, 2020 meeting, which is being advanced for consideration of the proposed final 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (“Connect SoCal” or the “Plan”) and its associated proposed final Program Environmental Impact Report (the “PEIR”). Specifically, on behalf of our members in Southern California and across the state, we ask SCAG to postpone consideration of the Plan and the PEIR for a period of 90 days during these unprecedented times and to address emerging concerns over the proposed final documents.

While our nation, is coping with an unparalleled public health emergency, state and local governments have imposed stay-at-home orders to address COVID-19’s unique nature. Since the COVID-19 emergency also delayed SCAG’s public release of the proposed final Connect SoCal and PEIR it should come as no surprise that the public, SCAG stakeholders and our members are equally challenged to review it. A 90-day extension of time during this public health crisis is a reasonable request that will allow all interested parties to take necessary steps to review and thoughtfully consider the approximately 10,000 pages that local decisionmakers will vote on.

Most concerning for our members is the material claim that Connect SoCal includes significant errors in fact. At a time when California is experiencing a homelessness and housing crisis, it is alarming to learn that the Plan, as recently proposed, fails to include all approved and entitled housing and property development. Instead of aggregating local government approvals of entitled housing and employment growth and incorporating that data into its modeling and planning, it appears that Connect SoCal underwent arbitrary changes by SCAG staff that wrongly reduces the number of housing units, commercial property and jobs planned for in approved land use entitlements. These deviations from the prior draft are egregious, making the Plan, as now proposed, not in alignment with a number of existing entitlements that have been approved through a public process consistent with statewide policy. If approved as proposed, SCAG’s

Plan would mean that much-needed housing and jobs would be put at risk at a time when the state of California lacks over 3.5 million homes. This is wrong and unacceptable.

Further, it is surprising that SCAG staff is signaling an intent to move forward with a questionable action at a time when our federal, state and local governments are putting virtually everything else on hold. It is unreasonable and unethical for SCAG to rush to adopt Connect SoCal and the PEIR with its apparent flaws and under the current circumstances.

We respectfully urge SCAG to postpone consideration of Connect SoCal and the PEIR for 90 days. The COVID-19 pandemic that we are confronting coupled with the real questions about the integrity of the proposed final documents warrant such a delay.

Thank you for taking our views into consideration. If you have any questions regarding this request, please contact Matthew Hargrove, Sr. Vice President, Government Relations, California Business Properties Association ([mhargrove@cbpa.com](mailto:mhargrove@cbpa.com); 916-248-9533).

###

cc: Electronically distributed to SCAG Officers and Executive Staff



# SOUTHWEST REGIONAL COUNCIL OF CARPENTERS

*Representing Carpenters in Southern California, Nevada, Arizona, Utah, New Mexico, and Colorado*

**Pete Rodriguez**  
President/COO

**Dan Langford**  
Executive Secretary-Treasurer/CEO

**Frank Hawk**  
Vice President/COO

May 1, 2020

The Honorable Bill Jahn  
President, Southern California Association of Governments  
900 Wilshire Blvd., Ste. 1700  
Los Angeles, CA 90017

Dear President Jahn,

I had originally planned to write you to request that the Southern California Association of Governments postpone, for at least 90 days from its scheduled May 7, 2020 meeting, consideration of the proposed final 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy ("Connect SoCal" or the "Plan") and its associated proposed final Program Environmental Impact Report (the "PEIR"). However, I understand that there has been an agreement reached to allow the filing of the Plan with the federal government but hold off on filing any report with the state for up to 120 days.

The Southwest Regional Council of Carpenters supports this compromise in order to satisfy our obligations to the federal government while also providing time to refine and review the Plan. We are concerned that the Plan does not accurately include some already approved and entitled construction projects, including Centennial at Tejon Ranch, which could create legal and regulatory uncertainty moving forward and impact construction jobs. The current Plan in part would create confusion about one or more critical projects right as our region faces an unparalleled level of uncertainty and housing instability. A further review of the plan is in order.

We appreciate the effort to temporarily resolve this matter and provide an opportunity to correct the Plan, assuring it accommodates all approved building and development projects and the construction jobs associated with these projects. We hope we can count on you and other members to use this time and solicit the feedback of knowledgeable stakeholders to ensure the Plan fits the needs of our region and its residents.

Sincerely,

Dan Langford  
Executive Secretary-Treasurer  
Southwest Regional Council of Carpenters

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## SOUTHWEST REGIONAL COUNCIL

533 S. Fremont Ave., 10th Fl. Los Angeles, CA 90071  
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■ Nevada - 971 1977 ■ New Mexico - 1319 ■ Utah - 801

**From:** Melanie Schlotterbeck <[melanie@schlotterbeck.net](mailto:melanie@schlotterbeck.net)>

**Sent:** Tuesday, May 5, 2020 8:59 AM

**To:** Tess Rey-Chaput <[REY@scag.ca.gov](mailto:REY@scag.ca.gov)>

**Cc:** Jason Greenspan <[greenSPAN@scag.ca.gov](mailto:greenSPAN@scag.ca.gov)>; India Brookover <[Brookover@scag.ca.gov](mailto:Brookover@scag.ca.gov)>

**Subject:** Comments on the Final Connect SoCal Plan

Greetings,

Friends of Harbors, Beaches and Parks respectfully submits these comments and wishes to express our support for the natural and farmland policies within the Connect SoCal Plan.

Please confirm receipt of this letter.

Sincerely,

Melanie



**MELANIE SCHLOTTERBECK, CMP**  
Green Vision Coordinator

Melanie@Schlotterbeck.net  
(714) 779-7561 (office)  
(714) 501-3133 (cell)

*We work to protect the natural lands, waterways, and beaches of Orange County.*

P.O. Box 9256  
Newport Beach, CA 92658

[www.FHBP.org](http://www.FHBP.org)  
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May 5, 2020

Kome Ajise and the Connect SoCal Team  
Southern California Association of Governments  
900 Wilshire Blvd., Ste. 1700  
Los Angeles, CA 90017

RE: Support for the 2020 Connect SoCal Natural Lands Policies

Dear Mr. Ajise and team:

Friends of Harbors, Beaches and Parks (FHBP) has been engaged with the Southern California Association of Governments (SCAG) for many years—most recently providing substantive comments on the 2020 Connect SoCal Natural and Farmlands policies. Based on the revisions in the final documents, **we are pleased to express our support for final natural lands policies within Connect SoCal and the Natural and Farmlands Appendix.**

We thank you again for this opportunity to provide additional feedback. We only have one comment as it relates to Exhibit 5 (page 17 of the Natural and Farmland Appendix). While we appreciate the addition of the Southern Habitat Conservation Plan (HCP) boundary into this map, it appears the boundary is incorrect. The Southern HCP Study Area is wholly contiguous with the Central/Coastal Natural Community Conservation Plan (NCCP)/HCP. Further, by adding the Southern HCP without modifying the overlay of the Orange County Transportation Authority's NCCP/HCP, the map incorrectly displays the OCTA Plan Study Area. Because the OCTA Conservation Plan covers all of Orange County, we recommend a patterned overlay for all of Orange County. That way, the Central/Coastal NCCP/HCP and Southern HCP are visible, and the entirety of the OCTA NCCP/HCP is also appropriately defined. Based on this current iteration of the exhibit, it appears that the OCTA Plan *only* covers north/northwest Orange County and a sliver between the Central/Coastal and Southern HCP, which is both inaccurate and confusing. Please see our suggested layout in Attachment 1. Should you need the GIS shapefile for any of these areas, please let us know and we can provide it to you.

Thank you addressing this mapping issue in the final version of Connect SoCal. We hope our feedback is constructive and helps SCAG achieve its overarching goal of reducing greenhouse gas emissions and vehicle miles travelled.

Sincerely,

Michael Wellborn  
President

Attachment 1 - Sample Map of Orange County Conservation Plan Areas

**Original Map**



**Revised Map**



# Proposed Map



**From:** Haig Kartounian [<mailto:Haig.Kartounian@sce.com>]  
**Sent:** Tuesday, May 5, 2020 10:13 AM  
**To:** Kome Ajise <[ajise@scag.ca.gov](mailto:ajise@scag.ca.gov)>  
**Cc:** Darin Chidsey <[CHIDSEY@scag.ca.gov](mailto:CHIDSEY@scag.ca.gov)>; Jason Greenspan <[greenspan@scag.ca.gov](mailto:greenspan@scag.ca.gov)>; Art Yoon <[ArtYoon@scag.ca.gov](mailto:ArtYoon@scag.ca.gov)>; Jeff W. Liu <[LIUJ@scag.ca.gov](mailto:LIUJ@scag.ca.gov)>; Chris Thompson <[Chris.Thompson@sce.com](mailto:Chris.Thompson@sce.com)>; Zanku Armenian <[Zanku.Armenian@sce.com](mailto:Zanku.Armenian@sce.com)>; Qiana Charles <[Qiana.Charles@sce.com](mailto:Qiana.Charles@sce.com)>  
**Subject:** SCE Support for Connect SoCal

Dear Mr. Ajise,

As we had discussed last week, attached to this email is a letter of support from Southern California Edison (SCE) for SCAG's timely adoption of the Proposed Connect SoCal and the Final PEIR. Please let us know if we can be of any further assistance.

Best regards,  
**Haig Kartounian**  
Public Affairs Manager  
Southern California Edison (SCE)  
T. 626-302-3418 | M. 818-516-2013  
2244 Walnut Grove Ave., Rosemead, CA 91770  
[Haig.Kartounian@sce.com](mailto:Haig.Kartounian@sce.com)  
[@SCE\\_HaigK](#)



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CONNECT WITH US:



May 5, 2020

Mr. Kome Ajise  
Executive Director  
Southern California Association of Governments (SCAG)  
900 Wilshire Blvd., Suite 1700  
Los Angeles, CA 90017

Dear Mr. Ajise,

On behalf of Southern California Edison (SCE), I am writing to support Southern California Association of Governments' (SCAG) approval of the Connect SoCal 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy. At SCE, we value our long-time partnership with SCAG. We are committed to building a clean energy future together with our local government and community partners. The Connect SoCal plan lays out a foundation for sustainable transportation and housing development throughout a significant portion of our service territory. We look forward to working with you and our local government partners on the successful implementation of this plan so we can realize its economic, environmental, and quality of life benefits.

Importantly, the timely approval of the Connect SoCal plan will better position our region to secure state and federal funding at a critical time. We understand the ramifications that the COVID-19 crisis has had on our country and region, and we would not want to place our economic recovery at a disadvantage for capital funding as a result of a lapse in conforming with federal requirements. Delays in the adoption of the proposed final Connect SoCal and the accompanying Program Environmental Impact Report (PEIR) could risk losing funding for vital transportation and affordable housing projects to other regions. Furthermore, it is difficult to predict when and what additional stimulus programs could come from our state and federal governments, so we must be poised to take advantage of these opportunities as they arise.

Long term, the Connect SoCal plan will help guide our region's transition to lower emissions. California will undergo a major transition in how we produce and consume energy over the next quarter century. The built environment, both housing and transportation infrastructure, has a tremendous influence on how energy is consumed. Improved air quality, combined with greater access to housing and transportation, will improve the quality of life in our region over time and allow our economy to continue to thrive.

We stand ready to help implement the Connect SoCal plan once it is approved. We strongly urge SCAG to approve this plan in a timely fashion so we can give our region every potential advantage in recovering from our current economic situation, and more long term, to start realizing the potential economic, environmental, and quality of life benefits this plan can potentially unlock.

Sincerely,



Chris Thompson

P.O. Box 800  
2244 Walnut Grove Avenue  
Rosemead, California 91770  
(626) 302-1363

May 5, 2020

The Honorable Bill Jahn  
President, Southern California Association of Governments  
900 Wilshire Blvd, Suite 1700  
Los Angeles, CA 90017

SUBJECT: 'Connect SoCal' - Adopting Resolution 20-621-1 (SUPPORT)


Dear President Jahn and SCAG Regional Council District Chairs,

On behalf of BizFed, a grassroots alliance of more than 190 business organizations representing 400,000 employers with over 3.5 million employees in Los Angeles County, we appreciate the planning, professionalism, and great work of SCAG staff in presenting the Connect SoCal plan to many diverse stakeholders in the SCAG region. BizFed supports adopting resolution 20-621-1 for the May 7th Regional Council.

We applaud the increased communication with SCAG leadership over the last two weeks recognizing the COVID-19 pandemic as it relates to the Connect SoCal, the 2020-2045 Regional Transportation Plan/Sustainable Communities Plan. Thank you for considering our comments.

The diverse business community remains committed to work closely with SCAG leaders and staff over the 120 days following May 7<sup>th</sup> to better assure that we have a viable and attainable housing plan for Southern California while protecting continued funding for our transportation agencies.

Sincerely,



Sandy Sanchez  
BizFed Chair  
FivePoint



David Fleming  
BizFed Founding Chair



Tracy Hernandez  
BizFed Founding CEO  
IMPOWER, Inc.

CC: Kome Ajise, SCAG Executive Director

## BizFed Association Members

Action Apartment Association  
 Alhambra Chamber of Commerce  
 American Beverage Association  
 American Hotel & Lodging Association  
 American Institute of Architects – Los Angeles  
 Angeles Emeralds  
 Apartment Association, California Southern Cities  
 Apartment Association of Greater Los Angeles  
 Arcadia Association of REALTORS  
 AREAA North Los Angeles SFV SCV  
 Asian Business Association  
 Association of Club Executives  
 Association of Independent Commercial Producers  
 Azusa Chamber of Commerce  
 Bell Gardens Chamber of Commerce  
 Beverly Hills Bar Association  
 Beverly Hills Chamber of Commerce  
 BNI 4SUCCESS  
 Boyle Heights Chamber of Commerce  
 Building Industry Association, LA / Ventura  
 Building Industry Association, Baldyview  
 Building Owners & Managers Association, Greater LA  
 Burbank Association of REALTORS  
 Burbank Chamber of Commerce  
 Business & Industry Council for Emergency Planning & Preparedness  
 Business Resource Group  
 CalAsian Chamber  
 CalCFA  
 California Apartment Association, Los Angeles  
 California Asphalt Pavement Association  
 California Association of Food Banks  
 California Bankers Association  
 California Bus Association  
 California Business Roundtable  
 California Cannabis Industry Association  
 California Construction and Industry Materials Association  
 California Contract Cities Association  
 California Fashion Association  
 California Gaming Association  
 California Grocers Association  
 California Hispanic Chamber of Commerce  
 California Hotel & Lodging Association  
 California Independent Oil Marketers Association  
 California Independent Petroleum Association  
 California Life Sciences Association  
 California Manufacturers & Technology Association  
 California Metals Coalition  
 California Restaurant Association  
 California Retailers Association  
 California Small Business Alliance  
 California Society of CPAs -Los Angeles Chapter  
 California Sportfishing League  
 California Trucking Association  
 Carson Chamber of Commerce  
 Carson Dominguez Employers Alliance  
 CDC Small Business Finance  
 Central City Association  
 Century City Chamber of Commerce  
 Cerritos Regional Chamber of Commerce  
 Citrus Valley Association of REALTORS  
 Commercial Industrial Council/Chamber of Commerce  
 Construction Industry Air Quality Coalition  
 Construction Industry Coalition on Water Quality  
 Council on Trade and Investment for Filipino Americans  
 Covina Chamber of Commerce  
 Culver City Chamber of Commerce  
 Downey Association of REALTORS  
 Downey Chamber of Commerce  
 Downtown Long Beach Alliance  
 El Monte/South El Monte Chamber  
 El Segundo Chamber of Commerce  
 Employers Group  
**Engineering Contractor's Association**  
 EXP  
 F.A.S.T. - Fixing Angelenos Stuck In Traffic  
 FilmLA  
 Friends of Hollywood Central Park  
 Fur Information Council of America  
 FuturePorts  
 Gardena Valley Chamber of Commerce  
 Gateway to LA  
 Glendale Association of REALTORS  
 Glendale Chamber of Commerce  
 Glendora Chamber of Commerce  
 Greater Antelope Valley Association of REALTORS  
 Greater Lakewood Chamber of Commerce  
 Greater Los Angeles African American Chamber  
 Greater Los Angeles Association of REALTORS  
 Greater Los Angeles New Car Dealers Association  
 Harbor Trucking Association  
 Historic Core Business Improvement District  
 Hollywood Chamber of Commerce  
 Hollywood Property Owners Alliance  
 Hong Kong Trade Development Council  
 Hospital Association of Southern California  
 Hotel Association of Los Angeles  
 Huntington Park Area Chamber of Commerce  
 Independent Cities Association  
 Industry Manufacturers Council  
 Inglewood Airport Area Chamber of Commerce  
 Inland Empire Economic Partnership  
 International Warehouse Logistics Association  
 Irwindale Chamber of Commerce  
 La Cañada Flintridge Chamber of Commerce  
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 L.A. South Chamber of Commerce  
 Larchmont Boulevard Association  
 Latino Food Industry Association  
 LAX Coastal Area Chamber of Commerce  
 League of California Cities  
 Long Beach Area Chamber of Commerce  
 Los Angeles Area Chamber of Commerce  
 Los Angeles County Board of Real Estate  
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 Los Angeles Gateway Chamber of Commerce  
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 Los Angeles Parking Association  
 Maple Business Council  
 Motion Picture Association of America  
 MoveLA a Project of Community  
 NAIOP Southern California Chapter  
 National Association of Royalty Owners  
 National Association of Tobacco Outlets  
 National Association of Women Business Owners  
 National Association of Women Business Owners – Los Angeles  
 National Hispanic Medical Association  
 National Latina Business Women  
 Orange County Business Council  
 Pacific Merchant Shipping Association  
 Pacific Palisades Chamber of Commerce  
 Panorama City Chamber of Commerce  
 Paramount Chamber of Commerce  
 Pasadena Chamber of Commerce  
 Pasadena-Foothills Association of Realtors  
 PhRMA  
 Planned Parenthood Southern Affiliates of California  
 Pomona Chamber of Commerce  
 Propel L.A.  
 Rancho Southeast Association of REALTORS  
 Recording Industry Association of America  
 Regional Black Chamber - San Fernando Valley  
 Regional Chamber of Commerce-San Gabriel Valley  
 Rosemead Chamber of Commerce  
 San Dimas Chamber of Commerce  
 San Gabriel Chamber of Commerce  
 San Gabriel Valley Economic Partnership  
 San Pedro Peninsula Chamber of Commerce  
 Santa Clarita Valley Chamber of Commerce  
 Santa Clarita Valley Economic Development Corp.  
 Santa Monica Chamber of Commerce  
 Sherman Oaks Chamber of Commerce  
 South Bay Association of Chambers  
 South Bay Association of REALTORS  
 South Gate Chamber of Commerce  
 Southern California Contractors Association  
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 Southern California Grant Makers  
 Southern California Leadership Council  
 Southern California Minority Suppliers Development Council Inc. +  
 Southern California Water Coalition  
 Southland Regional Association of REALTORS  
 Sunland-Tujunga Chamber of Commerce  
 The Young Professionals at the Petroleum Club  
 Torrance Area Chamber  
 Town Hall Los Angeles  
 Tri-Counties Association of REALTORS  
 United Chambers San Fernando Valley & Region  
 United States-Mexico Chamber  
 Unmanned Autonomous Vehicle Systems Association  
 US Resiliency Council  
 Valley Economic Alliance  
 Valley Industry & Commerce Association  
 Vernon Chamber of Commerce  
 Vietnamese American Chamber of Commerce  
 Warner Center Association  
 West Hollywood Chamber of Commerce

West Los Angeles Chamber of Commerce  
West San Gabriel Valley Association of  
REALTORS  
West Valley/Warner Center Association  
Chamber  
Western Manufactured Housing Association

Western States Petroleum Association  
Westside Council of Chambers  
Westwood Community Council  
Westwood Village Rotary Club  
Whittier Chamber of Commerce  
Wilmington Chamber of Commerce

World Trade Center Los Angeles  
Young Professionals in Energy - LA Chapter



**From:** Chris Tzeng <ctzeng@wrcog.us>

**Sent:** Tuesday, May 5, 2020 12:51 PM

**To:** ePublic Comment Group <ePublicComment@scag.ca.gov>; CEHD Public Comment Group <CEHDPublicComment@scag.ca.gov>; TC Public Comment Group <TCpubliccomment@scag.ca.gov>; EEC Public Comment Group <EECpubliccomment@scag.ca.gov>

**Cc:** Rick Bishop <rbishop@wrcog.us>; Chris Gray <cgray@wrcog.us>

**Subject:** WRCOG Letter of Support for Final Connect SoCal Plan

Dear SCAG staff,

WRCOG is pleased to provide the attached letter of support for Resolution No. 20-621-1 – the Proposed Final Connect SoCal (2020-2045 Regional Transportation Plan/Sustainable Communities Strategy and Program Environmental Impact Report (PEIR)) to the CEHD, EEC and TC Policy Committees, as well as the Regional Council.

Please do not hesitate to contact us if you have any questions or need additional information.

*In light of COVID-19, WRCOG's office is closed to the public and staff are working remotely. Emails and phone calls will be responded to as usual.*

Regards,

Christopher Tzeng  
Program Manager  
Western Riverside Council of Governments  
3390 University Ave., Suite 200  
Riverside, CA 92501-3314  
Phone: (951) 405-6711

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## Western Riverside Council of Governments

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May 5, 2020

The Honorable Bill Jahn  
President  
Southern California Association of Governments  
900 Wilshire Blvd., Ste. 1700  
Los Angeles, CA 90017

**Subject: Letter of Support for Resolution No. 20-621-1 for the Proposed Final Connect SoCal (2020-2045 Regional Transportation Plan/Sustainable Communities Strategy and Program Environmental Impact Report (PEIR))**

Dear President Jahn:

I write to express the Western Riverside Council of Government's (WRCOG) support for Resolution No. 20-621-1 – the Proposed Final Connect SoCal (2020-2045 Regional Transportation Plan/Sustainable Communities Strategy and Program Environmental Impact Report (PEIR)). SCAG is the region's designated Regional Transportation Planning Agency and Metropolitan Planning Organization. With those designations, federal and state mandates require SCAG to develop a Regional Transportation Plan every four years in order to incorporate transportation projects to qualify for federal and state funding.

The WRCOG Executive Committee voted unanimously to move forward with the approval of the Connect SoCal Plan, and provided the direction to submit a letter of support to approve the Connect SoCal Plan as is. This action was taken prior to WRCOG learning of the items contained in Resolution No. 20-621-1. However, WRCOG believes the items contained in the Resolution support our Executive Committee's recommendation as the Resolution does not place a hold on transportation funding.

One of the most critical elements of the Plan is to approve portions of the Plan in order for the federal agencies to determine if the Plan meets federal transportation conformity. The Resolution approves the Plan as required for federal transportation conformity purposes and adopts the Consistency Amendment No. 19-12 to the Federal Transportation Improvement Program (FTIP). This will enable the region, the County Transportation Commissions, and the local jurisdictions to attain federal and state funding for transportation projects. Connect SoCal has its most direct affect to the Southern California economy by the jobs created from the transportation projects included in the Plan. The Plan expects to directly generate an annual average of more than 168,400 jobs from the construction, maintenance and operations expenditures. Any loss of transportation dollars because the Plan does not meet its federal deadlines directly jeopardizes job creation.

It is our understanding that Connect SoCal is a long-range transportation plan, first and foremost, over a 25-year period. SCAG also produces the Plan as a policy framework for growth and planning for the next 25 years. SCAG makes it very clear that it does not have authority to implement the Plan and that it relies on local agencies to implement the Plan's goals and policies. WRCOG

Honorable Bill Jahn

5/5/2020

Page 2

appreciates that the resolution is allowing for more time to review the Plan in order to consider its implications in light of the short and long-term impacts of the COVID-19 pandemic on the region. That being said, there are so many unknowns regarding any long-term behavioral impacts that might result from COVID-19 that we do not expect that it would be prudent to make significant changes to the Plan because of the pandemic. WRCOG believes Connect SoCal is somewhat similar to a jurisdiction's General Plan; jurisdictions are not making immediate amendments their General Plan in light of the COVID-19 pandemic but fully recognize it might be necessary to do so in due time.

WRCOG appreciates SCAG staff offering additional time and effort to work with local authorities to identify and restore locally approved entitlements as conveyed by local jurisdictions. We appreciate the resources SCAG staff has already committed over the span of the last four years to ensure input is received from elected officials, local jurisdiction staff, partner agencies, stakeholders, and the general public. Again, WRCOG believes the Plan serves as a policy framework and has no implication to a jurisdiction's General Plan nor does Connect SoCal take away local land use authority.

We support SCAG's Resolution No. 20-621-1 for the Proposed Final Connect SoCal (2020-2045 Regional Transportation Plan/Sustainable Communities Strategy and Program Environmental Impact Report (PEIR)). Should you have any questions regarding this letter of support, please do not hesitate to contact me at [rbishop@wrcog.us](mailto:rbishop@wrcog.us) or at (951) 405-6701.

Sincerely,

A handwritten signature in cursive script that reads "Rick Bishop".

Rick Bishop  
Executive Director  
Western Riverside Council of Governments

**From:** Anthony Dedousis <anthony@abundanthousingla.org>

**Sent:** Tuesday, May 5, 2020 1:16 PM

**To:** 2020 PEIR <2020PEIR@scag.ca.gov>; ePublic Comment Group <ePublicComment@scag.ca.gov>

**Cc:** Leonora Camner <leonora@abundanthousingla.org>; Fatima Malik <fmalik2085@gmail.com>; Sonja Trauss <sonja@yimbylaw.org>; Elizabeth Hansburg <elizabeth@peopleforhousing.org>

**Subject:** Comment letter - 5/7 Regional Council meeting

Hello,

Hope your week is going well. Please see attached for a comment letter regarding Action Item 2 (Proposed Final Connect SoCal) for Thursday's regional council meeting.

Thank you,

Anthony Dedousis

--

**Anthony Dedousis**

Director, Policy and Research

Abundant Housing LA

515 S Flower Street, 18th Floor

Los Angeles, CA 90071

516-660-7402



May 5, 2020

The Honorable Bill Jahn  
Southern California Association of Governments  
Attn: SCAG Regional Council  
900 Wilshire Blvd. Ste. 1700  
Los Angeles, CA 90017

**Subject: Demographics and Growth Forecast - Connect SoCal**

Dear President Jahn,

The undersigned organizations would like to thank you for the opportunity to comment on the Southern California Association of Governments' (SCAG) Connect SoCal plan. We recognize that Connect SoCal represents a significant opportunity to provide long-term strategic guidance on Southern California's land use and transportation policies. For that reason, we are writing to express serious concern about the staff-recommended methodology for developing the [demographics and growth forecasts](#) in Connect SoCal.

These forecasts, which project the population, number of households, and number of jobs in Southern California's jurisdictions by 2045, incorporate "local input" from representatives of these jurisdictions. By and large, these forecasts tacitly assume the continuation of exclusionary zoning in high-opportunity coastal areas, which limits their population growth, and also assume that heavy, sprawl-centric growth in exurban jurisdictions will continue.

Consider the fact that, under Connect SoCal's projections, Beverly Hills' population will increase by only 3% over the next 25 years (35,800 in 2045, compared to 34,700 today), while Coachella's population is projected to nearly triple (129,300 in 2045, compared to 45,300 today.)

Since Connect SoCal provides guidance on the region's transportation investments over the next 25 years, these projections effectively perpetuate unsustainable sprawl. The severe consequences to the region of this type of plan will include rising traffic, greenhouse gas emissions, and housing costs. This threat multiplier would accelerate climate change and put more people at risk of heat and air pollution-related illnesses.

These forecasts impede efforts to solve our region's housing shortage and affordability crisis. They undermine the Regional Housing Needs Assessment (RHNA) process by implicitly assuming that jurisdictions' housing growth targets (which, at the Regional Council's direction, allocate most of the region's housing target to coastal cities near jobs and transit) will not be met. If RHNA targets are ignored, housing near high-opportunity job centers will continue to become more and more unaffordable, and more Californians will be

forced into long car commutes. This threatens the region's economy and imposes a heavy cost on every resident.

Prioritizing exurban development is also dangerous for the environment. Pushing population growth further into sparsely-populated regions threatens the preservation of wilderness areas and natural habitats, and places more people in fire-prone areas subject to public safety electricity shutoffs. This will also increase greenhouse gas (GHG) emissions, air pollution, and vehicle miles traveled (VMT), since exurban living involves far greater car dependency than urban living.

Finally, continued exurban sprawl will necessitate increased regional spending on automobile and truck infrastructure, pollution remediation, water and energy infrastructure, and healthcare spending. We are particularly concerned that forecasting heavy growth away from Southern California's urban communities will lead to more government spending on road widening and freeway construction in exurban areas, at the expense of much-needed transit projects in dense urban areas.

This approach to forecasting puts Connect SoCal at odds with state legislation like AB 32, SB 375, and SB 743, that call for regional and statewide reductions in GHG emissions and VMT. It contradicts SCAG's own regional housing plan (the "Coastal Plan"), which urges placement of new homes near jobs to reduce VMT. It also puts Connect SoCal at risk of not meeting the California Air Resources Board's requirements for a Sustainable Communities Strategy that achieves GHG emission reduction targets.

Additionally, we would like to reiterate our support for swift final adoption and certification of the RHNA targets and methodology that were approved in November 2019. We would also remind the Regional Council that state housing law requires that the RHNA distribution must further the following statutory objectives:

- Increasing the housing supply and the mix of housing types, tenure, and affordability in all cities and counties.
- Promoting infill development, socioeconomic equity, protection of environmental and agricultural resources, efficient development patterns, and greenhouse gas reductions.
- Promoting an improved intraregional relationship between jobs and housing, especially for low wage workers.
- Balancing housing options for each income category geographically rather than concentrating them.
- Affirmatively furthering fair housing.

We believe that the Coastal Plan RHNA methodology aligns with these objectives and furthers the goals of the SCS to reduce VMT and GHG emissions. We stand by the Coastal Plan RHNA methodology for determining jurisdictions' housing allocations, and urge the Regional Council to certify the Coastal Plan RHNA methodology without delay.

Therefore, we respectfully ask that the Regional Council instruct SCAG staff to revise the demographics and growth forecasts in Connect SoCal to better reflect the RHNA targets and the Coastal Plan distribution of housing units in coastal communities, as consistent with the approved RHNA methodology.

Thank you,

Leonora Camner  
Managing Director  
Abundant Housing LA

Anthony Dedousis  
Director, Policy and Research  
Abundant Housing LA

Fatima Malik  
President  
League of Women Voters of Los Angeles County

Sonja Trauss  
President  
YIMBY Law

Elizabeth Hansburg  
Executive Director  
People for Housing, Orange County

**From:** Dan Silver <dsilverla@me.com>  
**Sent:** Tuesday, May 5, 2020 1:41 PM  
**To:** ePublic Comment Group <ePublicComment@scag.ca.gov>  
**Subject:** Regional Council, May 7, 2020, Item 2, Proposed Final Connect SoCal

Gentlepersons:

Please know that Dan Silver, on behalf of Endangered Habitats League, will attend via the internet and “raise hand” to offer public comments to the Regional Council on May 7, 2020 on the following item:

*Proposed Final Connect SoCal (2020-2045 Regional Transportation Plan/Sustainable Communities Strategy and Program Environmental Impact Report (PEIR)*

However, in case of technical difficulties, please read this testimony below into the record.

Thank you  
Dan Silver

---

Good afternoon Chair Jahn and members of the Regional Council. My name is Dan Silver and I’m the Executive Director of the regional non-profit Endangered Habitats League. Our organization is one of the more than 40 that participated in supporting the Natural and Farmlands Conservation Policy in the 2020 Connect SoCal Plan.

Inclusion of this conservation policy is written confirmation that SCAG agrees that land use, transportation, and housing sectors can advance their goals while *simultaneously* advancing conservation goals. These sectors are no longer seen as incongruent with conservation, and instead SCAG recognizes all goals can be achieved with proper planning and implementation.

SCAG has a tremendous opportunity with the 2020 Plan. The state has provided ambitious reduction targets for both greenhouse gas (GHG) emissions and vehicle miles traveled (VMT) for passenger and light duty vehicles. Conservation of our natural lands can have a significant role in both. Converting land from its natural state to more urban uses increases GHG emissions. Leaving land as is, allows the vegetation and soil to sequester carbon. Further, most greenfield developments are at the urban fringe—far from services, transit, and amenities, thus increasing both GHG emissions and VMTs. Preservation of those fringe greenfield sites will eliminate the need for any VMT for projects that *could* have been built. In other words, land conservation can reduce both GHG and VMT to help SCAG achieve its mandate.

To conclude, we are pleased to support this work and these policies—and that of the GreenPrint that recently launched with The Nature Conservancy. We continue to support these leading edge and innovative policies. We hope SCAG is able to support local, regional, and statewide conservation efforts for acquisition, restoration, and funding as appropriate. Thank you.



---

Dan Silver, Executive Director  
Endangered Habitats League  
8424 Santa Monica Blvd., Suite A 592  
Los Angeles, CA 90069-4267

213-804-2750

[dsilverla@me.com](mailto:dsilverla@me.com)

<https://ehleague.org>

**From:** Ben Libbey <ben@yesinmybackyard.org>  
**Sent:** Tuesday, May 5, 2020 3:26 PM  
**Cc:** 2020 PEIR <2020PEIR@scag.ca.gov>; ePublic Comment Group <ePublicComment@scag.ca.gov>  
**Subject:** Connect SoCal 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy

5/5/2020

The Honorable Bill Jahn  
President, Southern California Association of Governments  
900 Wilshire Blvd., Ste. 1700  
Los Angeles, CA 90017

[2020PEIR@scag.ca.gov](mailto:2020PEIR@scag.ca.gov); [ePublicComment@scag.ca.gov](mailto:ePublicComment@scag.ca.gov);  
Via Email

Re: Connect SoCal 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy

Dear President Jahn,

Yes In My Backyard submits this letter to advise SCAG to pass a Connect SoCal 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy whose population growth projections match the population growth projections in the SCAG housing plan (RHNA). In other words, the housing plan and the transportation plan need to match.

We understand that SCAG wishes to complete this planning process quickly and that a large amount of time and effort have gone into formulating this Sustainable Communities Strategy. However, taking time to adjust the strategy and fix certain inadequacies will save enormous amounts of time and money in the long run.

As proposed, this strategy fails to satisfy important requirements from state agencies. We join with the California Air Resources Board to request that the difference between the Regional Housing Needs Assessment (RHNA) growth estimates, and the Connect SoCal growth estimates be accounted for.

As SCAG staff and representatives are aware, representatives of the California Air Resources Board have reviewed drafts of the Connect SoCal Plan. They identified a large number of deficiencies in the plan, in their January 24th letter, and advised that should these deficiencies not be remedied the plan would not meet their standards.

The first progress report on the reduction of Greenhouse Gas (GHG) emissions in the state, as required by SB 150, has shown that California is lagging behind its goals. Emissions reductions are mandated pursuant to both SB 375 and Executive Order N-19-19. It is the responsibility of the Air Resources Board to monitor progress made towards these reductions and assess local compliance with these goals. Connect SoCal is a Sustainable Communities Strategy and therefore falls under the purview of the CARB.

California Gov Code § 65080 governs the creation and implementation of Sustainable Communities Strategies. It explicitly mandates that these plans be created in a way that incorporates realistic projections of regional growth related to the RHNA process allocations.

*(B) Each metropolitan planning organization shall prepare a sustainable communities strategy, subject to the requirements of Part 450 of Title 23 of, and Part 93 of Title 40 of, the Code of Federal Regulations, including the requirement to utilize the most recent planning assumptions considering local general plans and other factors. The sustainable communities strategy shall*

*(i) identify the general location of uses, residential densities, and building intensities within the region,*

*(ii) identify areas within the region sufficient to house all the population of the region, including all economic segments of the population, over the course of the planning period of the regional transportation plan taking into account net migration into the region, population growth, household formation and employment growth,*  
*(iii) identify areas within the region sufficient to house an eight-year projection of the regional housing need for the region pursuant to Section 65584,*  
*(iv) identify a transportation network to service the transportation needs of the region,*  
*(v) gather and consider the best practically available scientific information regarding resource areas and farmland in the region as defined in subdivisions (a) and (b) of Section 65080.01,*  
*(vi) consider the state housing goals specified in Sections 65580 and 65581,*  
*(vii) set forth a forecasted development pattern for the region, which, when integrated with the transportation network, and other transportation measures and policies, will reduce the greenhouse gas emissions from automobiles and light trucks to achieve, if there is a feasible way to do so, the greenhouse gas emission reduction targets approved by the state board, and*  
*(viii) allow the regional transportation plan to comply with Section 176 of the federal Clean Air Act (42 U.S.C. Sec. 7506).*

(65080.(b)(2)(B))

Any Sustainable Communities Strategy must take into account the RHNA allocations for a region as the transportation and housing aspects of the strategy are intended to complement each other. A failure to do so would likely result in requests for modification and further work from state regulators.

In their January letter the California Air Resources Board specifically requested that the difference between the Regional Housing Needs Assessment (RHNA) process growth estimates and the Connect SoCal growth estimates be accounted for. These differences have not been accounted for in the final draft. The plan makes brief mention of the RHNA process and explains its own methodology but does nothing to address the differences between the two.

Accurate population data and estimates are a key part of reducing the number of vehicle miles travelled. If the plan cannot accurately predict where people will live and work in the future, there is little chance that it will be able to effectively meet the targets set within it. For this reason it is very concerning that the population growth estimates contained within this plan are so distinct from those estimated during the RHNA allocation process.

The RHNA allocation numbers are binding to a large extent. Localities must demonstrate to the state that they can reasonably meet their goals. Additionally, should they fail to meet the required housing production targets they may be forced to revise their housing elements and will be subject to streamlining on certain projects. Compliance is not optional and so it is counterproductive that SCAG staff would intentionally deviate from these targets.

If SCAG would like to ensure that the process of enacting this plan goes as smoothly as possible it must meet the standards that state regulators will be using in their assessments. The more revisions the state requires for the plan, the more time and money the process will consume. Though much of the plan is prepared for the purposes of satisfying federal and state law, it will still influence transportation development and investment. A plan based on arbitrary and expedient facts will serve little practical purpose as regional, county, and local officials try to implement it.

SCAG should pass a plan that incorporates the feedback from CARB. Specifically, SCAG should ensure that the population and growth estimates in the Sustainable Communities Strategy match those derived from the RHNA process to as great an extent as possible. Failure to do so will result in more wasted time when state regulators require major revisions to the plan.

Sincerely,

A handwritten signature in black ink that reads "Sonja Trauss". The signature is written in a cursive, flowing style with a large initial 'S'.

Sonja Trauss  
Executive Director  
YIMBY Law



5/5/2020

The Honorable Bill Jahn  
President, Southern California Association of Governments  
900 Wilshire Blvd., Ste. 1700  
Los Angeles, CA 90017

[2020PEIR@scag.ca.gov](mailto:2020PEIR@scag.ca.gov); [ePublicComment@scag.ca.gov](mailto:ePublicComment@scag.ca.gov);  
Via Email

Re: Connect SoCal 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy

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**(65080.(b)(2)(B))**

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Sincerely,

A handwritten signature in black ink that reads "Sonja Trauss". The signature is written in a cursive, flowing style with a prominent flourish at the end of the name.

Sonja Trauss  
Executive Director  
YIMBY Law

From: graysonapeters@everyactioncustom.com <graysonapeters@everyactioncustom.com>  
Sent: Tuesday, May 5, 2020 5:19 PM  
To: ePublic Comment Group <ePublicComment@scag.ca.gov>  
Subject: Save the Coastal Plan

Dear Southern California Association of Governments,

I am writing to express my concerns about the focus of Connect SoCal on exurban development, and the potential delay of the Connect SoCal adoption, which has the potential to cause SCAG to fail to meet its October RHNA deadline to move forward with the Coastal Plan. Since Connect SoCal provides guidance on the region's transportation investments over the next 25 years, these projections effectively perpetuate unsustainable sprawl. The severe consequences to the region of this type of plan will include rising traffic, greenhouse gas emissions, and housing costs. This threat multiplier would accelerate climate change and put more people at risk of heat and air pollution-related illnesses.

In addition to this problem, SCAG is considering delaying the adoption of Connect SoCal by 120 days without a clear objective to accomplish during that time. The issue with delaying adoption is that it could put our region at risk of not moving forward with the Coastal Plan as required by the RHNA process, since the Coastal Plan is linked with the growth forecasts of Connect SoCal. Noncompliance with RHNA cannot be an option for our region.

We believe that the Coastal Plan RHNA methodology aligns with the goals of the SCS to reduce VMT and GHG emissions. We stand by the Coastal Plan RHNA methodology for determining jurisdictions' housing allocations, and urge the Regional Council to certify the Coastal Plan RHNA methodology without delay.

Therefore, I respectfully ask that the Regional Council prevent delay of Connect SoCal and support the Coastal Plan finalization by the October deadline.

Personally sent by Grayson Peters using an Advocacy Tool provided in partnership between Abundant Housing LA and Inclusive Claremont.

Sincerely,  
Grayson Peters  
715 Gayley Ave Los Angeles, CA 90024-2432 [graysonapeters@gmail.com](mailto:graysonapeters@gmail.com)



From: gary.ray.benjamin@everyactioncustom.com <gary.ray.benjamin@everyactioncustom.com>  
Sent: Tuesday, May 5, 2020 5:20 PM  
To: ePublic Comment Group <ePublicComment@scag.ca.gov>  
Subject: Save the Coastal Plan

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Therefore, I respectfully ask that the Regional Council prevent delay of Connect SoCal and support the Coastal Plan finalization by the October deadline.

Personally sent by Gary Benjamin using an Advocacy Tool provided in partnership between Abundant Housing LA and Inclusive Claremont.

Sincerely,

Gary Benjamin

1046 N Normandie Ave Los Angeles, CA 90029-2445 [gary.ray.benjamin@gmail.com](mailto:gary.ray.benjamin@gmail.com)

From: kellanmartz@everyactioncustom.com <kellanmartz@everyactioncustom.com>  
Sent: Tuesday, May 5, 2020 5:20 PM  
To: ePublic Comment Group <ePublicComment@scag.ca.gov>  
Subject: Save the Coastal Plan

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Therefore, I respectfully ask that the Regional Council prevent delay of Connect SoCal and support the Coastal Plan finalization by the October deadline.

Personally sent by Kellan Martz using an Advocacy Tool provided in partnership between Abundant Housing LA and Inclusive Claremont.

Sincerely,

Kellan Martz

1267 N Hayworth Ave Apt 5 West Hollywood, CA 90046-5222 [kellanmartz@gmail.com](mailto:kellanmartz@gmail.com)

From: noah.a.schechter@everyactioncustom.com <noah.a.schechter@everyactioncustom.com>  
Sent: Tuesday, May 5, 2020 5:23 PM  
To: ePublic Comment Group <ePublicComment@scag.ca.gov>  
Subject: Save the Coastal Plan

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Therefore, I respectfully ask that the Regional Council prevent delay of Connect SoCal and support the Coastal Plan finalization by the October deadline.

Personally sent by Noah Schechter using an Advocacy Tool provided in partnership between Abundant Housing LA and Inclusive Claremont.

Sincerely,

Noah Schechter

6635 De Longpre Ave Apt 1 Los Angeles, CA 90028-7851 [noah.a.schechter@gmail.com](mailto:noah.a.schechter@gmail.com)

From: mmabbas786@everyactioncustom.com <mmabbas786@everyactioncustom.com>  
Sent: Tuesday, May 5, 2020 5:24 PM  
To: ePublic Comment Group <ePublicComment@scag.ca.gov>  
Subject: Save the Coastal Plan

Dear Southern California Association of Governments,

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Therefore, I respectfully ask that the Regional Council prevent delay of Connect SoCal and support the Coastal Plan finalization by the October deadline.

Personally sent by Mahdi Abbas using an Advocacy Tool provided in partnership between Abundant Housing LA and Inclusive Claremont.

Sincerely,

Mahdi Abbas

1681 Amberwood Dr Apt 102 South Pasadena, CA 91030-1915 [mmabbas786@gmail.com](mailto:mmabbas786@gmail.com)

From: andy@everyactioncustom.com <andy@everyactioncustom.com>  
Sent: Tuesday, May 5, 2020 5:25 PM  
To: ePublic Comment Group <ePublicComment@scag.ca.gov>  
Subject: Save the Coastal Plan

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Personally sent by Andy Freeland using an Advocacy Tool provided in partnership between Abundant Housing LA and Inclusive Claremont.

Sincerely,  
Andy Freeland  
645 W 9th St Apt 516 Los Angeles, CA 90015-1651 [andy@andyfreeland.net](mailto:andy@andyfreeland.net)

From: jsbradley523@everyactioncustom.com <jsbradley523@everyactioncustom.com>  
Sent: Tuesday, May 5, 2020 5:26 PM  
To: ePublic Comment Group <ePublicComment@scag.ca.gov>  
Subject: Save the Coastal Plan

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Personally sent by Jamison Bradley using an Advocacy Tool provided in partnership between Abundant Housing LA and Inclusive Claremont.

Sincerely,  
Jamison Bradley  
10405 Irene St Los Angeles, CA 90034-3654 [jsbradley523@gmail.com](mailto:jsbradley523@gmail.com)

From: dtlajosh@everyactioncustom.com <dtlajosh@everyactioncustom.com>  
Sent: Tuesday, May 5, 2020 5:27 PM  
To: ePublic Comment Group <ePublicComment@scag.ca.gov>  
Subject: Save the Coastal Plan

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Personally sent by Joshua Gray-Emmer using an Advocacy Tool provided in partnership between Abundant Housing LA and Inclusive Claremont.

Sincerely,  
Joshua Gray-Emmer  
416 S Spring St Los Angeles, CA 90013-1991 [dtlajosh@gmail.com](mailto:dtlajosh@gmail.com)

From: jgoldmanca@everyactioncustom.com <jgoldmanca@everyactioncustom.com>  
Sent: Tuesday, May 5, 2020 5:29 PM  
To: ePublic Comment Group <ePublicComment@scag.ca.gov>  
Subject: Save the Coastal Plan

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Personally sent by Joe Goldman using an Advocacy Tool provided in partnership between Abundant Housing LA and Inclusive Claremont.

Sincerely,

Joe Goldman

11733 Montana Ave Apt 104 Los Angeles, CA 90049-4793 [jgoldmanca@gmail.com](mailto:jgoldmanca@gmail.com)



From: [dlg@everyactioncustom.com](mailto:dlg@everyactioncustom.com) <[dlg@everyactioncustom.com](mailto:dlg@everyactioncustom.com)>  
Sent: Tuesday, May 5, 2020 5:29 PM  
To: ePublic Comment Group <[ePublicComment@scag.ca.gov](mailto:ePublicComment@scag.ca.gov)>  
Subject: Save the Coastal Plan

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Personally sent by Daniel Gould using an Advocacy Tool provided in partnership between Abundant Housing LA and Inclusive Claremont.

Sincerely,  
Daniel Gould  
2356 Kelton Ave Los Angeles, CA 90064-2102 [dlg@dangould.com](mailto:dlg@dangould.com)

From: cpdr.editor@everyactioncustom.com <cpdr.editor@everyactioncustom.com>  
Sent: Tuesday, May 5, 2020 5:33 PM  
To: ePublic Comment Group <ePublicComment@scag.ca.gov>  
Subject: Save the Coastal Plan

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Personally sent by Joshua Stephens using an Advocacy Tool provided in partnership between Abundant Housing LA and Inclusive Claremont.

Sincerely,  
Joshua Stephens  
11645 Chenault St Los Angeles, CA 90049-4554 [cpdr.editor@gmail.com](mailto:cpdr.editor@gmail.com)

From: sean.youssefi@everyactioncustom.com <sean.youssefi@everyactioncustom.com>  
Sent: Tuesday, May 5, 2020 5:40 PM  
To: ePublic Comment Group <ePublicComment@scag.ca.gov>  
Subject: Save the Coastal Plan

Dear Southern California Association of Governments,

I am writing to express my concerns about the focus of Connect SoCal on exurban development, and the potential delay of the Connect SoCal adoption, which has the potential to cause SCAG to fail to meet its October RHNA deadline to move forward with the Coastal Plan. Since Connect SoCal provides guidance on the region's transportation investments over the next 25 years, these projections effectively perpetuate unsustainable sprawl. The severe consequences to the region of this type of plan will include rising traffic, greenhouse gas emissions, and housing costs. This threat multiplier would accelerate climate change and put more people at risk of heat and air pollution-related illnesses.

In addition to this problem, SCAG is considering delaying the adoption of Connect SoCal by 120 days without a clear objective to accomplish during that time. The issue with delaying adoption is that it could put our region at risk of not moving forward with the Coastal Plan as required by the RHNA process, since the Coastal Plan is linked with the growth forecasts of Connect SoCal. Noncompliance with RHNA cannot be an option for our region.

We believe that the Coastal Plan RHNA methodology aligns with the goals of the SCS to reduce VMT and GHG emissions. We stand by the Coastal Plan RHNA methodology for determining jurisdictions' housing allocations, and urge the Regional Council to certify the Coastal Plan RHNA methodology without delay.

Therefore, I respectfully ask that the Regional Council prevent delay of Connect SoCal and support the Coastal Plan finalization by the October deadline.

Personally sent by Sean Youssefi using an Advocacy Tool provided in partnership between Abundant Housing LA and Inclusive Claremont.

Sincerely,  
Sean Youssefi  
1422 19th St Apt B Santa Monica, CA 90404-2818 [sean.youssefi@gmail.com](mailto:sean.youssefi@gmail.com)

From: jainasolo100@everyactioncustom.com <jainasolo100@everyactioncustom.com>  
Sent: Tuesday, May 5, 2020 5:40 PM  
To: ePublic Comment Group <ePublicComment@scag.ca.gov>  
Subject: Save the Coastal Plan

Dear Southern California Association of Governments,

I am writing to express my concerns about the focus of Connect SoCal on exurban development, and the potential delay of the Connect SoCal adoption, which has the potential to cause SCAG to fail to meet its October RHNA deadline to move forward with the Coastal Plan. Since Connect SoCal provides guidance on the region's transportation investments over the next 25 years, these projections effectively perpetuate unsustainable sprawl. The severe consequences to the region of this type of plan will include rising traffic, greenhouse gas emissions, and housing costs. This threat multiplier would accelerate climate change and put more people at risk of heat and air pollution-related illnesses.

In addition to this problem, SCAG is considering delaying the adoption of Connect SoCal by 120 days without a clear objective to accomplish during that time. The issue with delaying adoption is that it could put our region at risk of not moving forward with the Coastal Plan as required by the RHNA process, since the Coastal Plan is linked with the growth forecasts of Connect SoCal. Noncompliance with RHNA cannot be an option for our region.

We believe that the Coastal Plan RHNA methodology aligns with the goals of the SCS to reduce VMT and GHG emissions. We stand by the Coastal Plan RHNA methodology for determining jurisdictions' housing allocations, and urge the Regional Council to certify the Coastal Plan RHNA methodology without delay.

Therefore, I respectfully ask that the Regional Council prevent delay of Connect SoCal and support the Coastal Plan finalization by the October deadline.

Personally sent by Chris Rothery using an Advocacy Tool provided in partnership between Abundant Housing LA and Inclusive Claremont.

Sincerely,  
Chris Rothery  
4203 Nipomo Ave Lakewood, CA 90713-3235 [jainasolo100@yahoo.com](mailto:jainasolo100@yahoo.com)

From: brfoley.usc@everyactioncustom.com <brfoley.usc@everyactioncustom.com>  
Sent: Tuesday, May 5, 2020 5:42 PM  
To: ePublic Comment Group <ePublicComment@scag.ca.gov>  
Subject: Save the Coastal Plan

Dear Southern California Association of Governments,

I am writing to express my concerns about the focus of Connect SoCal on exurban development, and the potential delay of the Connect SoCal adoption, which has the potential to cause SCAG to fail to meet its October RHNA deadline to move forward with the Coastal Plan. Since Connect SoCal provides guidance on the region's transportation investments over the next 25 years, these projections effectively perpetuate unsustainable sprawl. The severe consequences to the region of this type of plan will include rising traffic, greenhouse gas emissions, and housing costs. This threat multiplier would accelerate climate change and put more people at risk of heat and air pollution-related illnesses.

In addition to this problem, SCAG is considering delaying the adoption of Connect SoCal by 120 days without a clear objective to accomplish during that time. The issue with delaying adoption is that it could put our region at risk of not moving forward with the Coastal Plan as required by the RHNA process, since the Coastal Plan is linked with the growth forecasts of Connect SoCal. Noncompliance with RHNA cannot be an option for our region.

We believe that the Coastal Plan RHNA methodology aligns with the goals of the SCS to reduce VMT and GHG emissions. We stand by the Coastal Plan RHNA methodology for determining jurisdictions' housing allocations, and urge the Regional Council to certify the Coastal Plan RHNA methodology without delay.

Therefore, I respectfully ask that the Regional Council prevent delay of Connect SoCal and support the Coastal Plan finalization by the October deadline.

Personally sent by Brad Foley using an Advocacy Tool provided in partnership between Abundant Housing LA and Inclusive Claremont.

Sincerely,  
Brad Foley  
2702 S Normandie Ave Los Angeles, CA 90007-2114 [brfoley.usc@gmail.com](mailto:brfoley.usc@gmail.com)

From: nkburns3@everyactioncustom.com <nkburns3@everyactioncustom.com>  
Sent: Tuesday, May 5, 2020 5:47 PM  
To: ePublic Comment Group <ePublicComment@scag.ca.gov>  
Subject: Save the Coastal Plan

Dear Southern California Association of Governments,

I am writing to express my concerns about the focus of Connect SoCal on exurban development, and the potential delay of the Connect SoCal adoption, which has the potential to cause SCAG to fail to meet its October RHNA deadline to move forward with the Coastal Plan. Since Connect SoCal provides guidance on the region's transportation investments over the next 25 years, these projections effectively perpetuate unsustainable sprawl. The severe consequences to the region of this type of plan will include rising traffic, greenhouse gas emissions, and housing costs. This threat multiplier would accelerate climate change and put more people at risk of heat and air pollution-related illnesses.

In addition to this problem, SCAG is considering delaying the adoption of Connect SoCal by 120 days without a clear objective to accomplish during that time. The issue with delaying adoption is that it could put our region at risk of not moving forward with the Coastal Plan as required by the RHNA process, since the Coastal Plan is linked with the growth forecasts of Connect SoCal. Noncompliance with RHNA cannot be an option for our region.

We believe that the Coastal Plan RHNA methodology aligns with the goals of the SCS to reduce VMT and GHG emissions. We stand by the Coastal Plan RHNA methodology for determining jurisdictions' housing allocations, and urge the Regional Council to certify the Coastal Plan RHNA methodology without delay.

Therefore, I respectfully ask that the Regional Council prevent delay of Connect SoCal and support the Coastal Plan finalization by the October deadline.

Personally sent by Nicholas Burns III using an Advocacy Tool provided in partnership between Abundant Housing LA and Inclusive Claremont.

Sincerely,  
Nicholas Burns III  
11574 Ohio Ave Apt 103 Los Angeles, CA 90025-3022 [nkburns3@gmail.com](mailto:nkburns3@gmail.com)

From: Terenceheuston@everyactioncustom.com <Terenceheuston@everyactioncustom.com>  
Sent: Tuesday, May 5, 2020 5:48 PM  
To: ePublic Comment Group <ePublicComment@scag.ca.gov>  
Subject: Save the Coastal Plan

Dear Southern California Association of Governments,

I am writing to express my concerns about the focus of Connect SoCal on exurban development, and the potential delay of the Connect SoCal adoption, which has the potential to cause SCAG to fail to meet its October RHNA deadline to move forward with the Coastal Plan. Since Connect SoCal provides guidance on the region's transportation investments over the next 25 years, these projections effectively perpetuate unsustainable sprawl. The severe consequences to the region of this type of plan will include rising traffic, greenhouse gas emissions, and housing costs. This threat multiplier would accelerate climate change and put more people at risk of heat and air pollution-related illnesses.

In addition to this problem, SCAG is considering delaying the adoption of Connect SoCal by 120 days without a clear objective to accomplish during that time. The issue with delaying adoption is that it could put our region at risk of not moving forward with the Coastal Plan as required by the RHNA process, since the Coastal Plan is linked with the growth forecasts of Connect SoCal. Noncompliance with RHNA cannot be an option for our region.

We believe that the Coastal Plan RHNA methodology aligns with the goals of the SCS to reduce VMT and GHG emissions. We stand by the Coastal Plan RHNA methodology for determining jurisdictions' housing allocations, and urge the Regional Council to certify the Coastal Plan RHNA methodology without delay.

Therefore, I respectfully ask that the Regional Council prevent delay of Connect SoCal and support the Coastal Plan finalization by the October deadline.

Personally sent by Terence Heuston using an Advocacy Tool provided in partnership between Abundant Housing LA and Inclusive Claremont.

Sincerely,

Terence Heuston

2632 N Commonwealth Ave Los Angeles, CA 90027-1210 [Terenceheuston@gmail.com](mailto:Terenceheuston@gmail.com)

From: jblumenkopf@everyactioncustom.com <jblumenkopf@everyactioncustom.com>  
Sent: Tuesday, May 5, 2020 5:52 PM  
To: ePublic Comment Group <ePublicComment@scag.ca.gov>  
Subject: Save the Coastal Plan

Dear Southern California Association of Governments,

I am writing to express my concerns about the focus of Connect SoCal on exurban development, and the potential delay of the Connect SoCal adoption, which has the potential to cause SCAG to fail to meet its October RHNA deadline to move forward with the Coastal Plan. Since Connect SoCal provides guidance on the region's transportation investments over the next 25 years, these projections effectively perpetuate unsustainable sprawl. The severe consequences to the region of this type of plan will include rising traffic, greenhouse gas emissions, and housing costs. This threat multiplier would accelerate climate change and put more people at risk of heat and air pollution-related illnesses.

In addition to this problem, SCAG is considering delaying the adoption of Connect SoCal by 120 days without a clear objective to accomplish during that time. The issue with delaying adoption is that it could put our region at risk of not moving forward with the Coastal Plan as required by the RHNA process, since the Coastal Plan is linked with the growth forecasts of Connect SoCal. Noncompliance with RHNA cannot be an option for our region. A delay that improves the growth forecasts, but does not delay the adoption of the Coastal Plan, would be an acceptable alternative.

We believe that the Coastal Plan RHNA methodology aligns with the goals of the SCS to reduce VMT and GHG emissions. We stand by the Coastal Plan RHNA methodology for determining jurisdictions' housing allocations, and urge the Regional Council to certify the Coastal Plan RHNA methodology without delay.

Therefore, I respectfully ask that the Regional Council prevent delay of Connect SoCal and support the Coastal Plan finalization by the October deadline.

Personally sent by Joshua Blumenkopf using an Advocacy Tool provided in partnership between Abundant Housing LA and Inclusive Claremont.

Sincerely,  
Joshua Blumenkopf  
290 N Hudson Ave Pasadena, CA 91101-4421 [jblumenkopf@gmail.com](mailto:jblumenkopf@gmail.com)



From: derekjsanders@everyactioncustom.com <derekjsanders@everyactioncustom.com>  
Sent: Tuesday, May 5, 2020 5:55 PM  
To: ePublic Comment Group <ePublicComment@scag.ca.gov>  
Subject: Save the Coastal Plan

Dear Southern California Association of Governments,

I am writing to express my concerns about the focus of Connect SoCal on exurban development, and the potential delay of the Connect SoCal adoption, which has the potential to cause SCAG to fail to meet its October RHNA deadline to move forward with the Coastal Plan. Since Connect SoCal provides guidance on the region's transportation investments over the next 25 years, these projections effectively perpetuate unsustainable sprawl. The severe consequences to the region of this type of plan will include rising traffic, greenhouse gas emissions, and housing costs. This threat multiplier would accelerate climate change and put more people at risk of heat and air pollution-related illnesses.

In addition to this problem, SCAG is considering delaying the adoption of Connect SoCal by 120 days without a clear objective to accomplish during that time. The issue with delaying adoption is that it could put our region at risk of not moving forward with the Coastal Plan as required by the RHNA process, since the Coastal Plan is linked with the growth forecasts of Connect SoCal. Noncompliance with RHNA cannot be an option for our region. A delay that improves the growth forecasts, but does not delay the adoption of the Coastal Plan, would be an acceptable alternative.

We believe that the Coastal Plan RHNA methodology aligns with the goals of the SCS to reduce VMT and GHG emissions. We stand by the Coastal Plan RHNA methodology for determining jurisdictions' housing allocations, and urge the Regional Council to certify the Coastal Plan RHNA methodology without delay.

Therefore, I respectfully ask that the Regional Council improve the SCS growth forecasts to reduce exurban sprawl, and prevent delay of the Coastal Plan finalization by the October deadline.

Personally sent by Derek Sanders using an Advocacy Tool provided in partnership between Abundant Housing LA and Inclusive Claremont.

Sincerely,

Derek Sanders

4255 Lockwood Ave Apt 3 Los Angeles, CA 90029-3877 [derekjsanders@gmail.com](mailto:derekjsanders@gmail.com)

From: lukehklipp@everyactioncustom.com <lukehklipp@everyactioncustom.com>  
Sent: Tuesday, May 5, 2020 5:56 PM  
To: ePublic Comment Group <ePublicComment@scag.ca.gov>  
Subject: Save the Coastal Plan

Dear Southern California Association of Governments,

I am writing to express my concerns about the focus of Connect SoCal on exurban development, and the potential delay of the Connect SoCal adoption, which has the potential to cause SCAG to fail to meet its October RHNA deadline to move forward with the Coastal Plan. Since Connect SoCal provides guidance on the region's transportation investments over the next 25 years, these projections effectively perpetuate unsustainable sprawl. The severe consequences to the region of this type of plan will include rising traffic, greenhouse gas emissions, and housing costs. This threat multiplier would accelerate climate change and put more people at risk of heat and air pollution-related illnesses.

In addition to this problem, SCAG is considering delaying the adoption of Connect SoCal by 120 days without a clear objective to accomplish during that time. The issue with delaying adoption is that it could put our region at risk of not moving forward with the Coastal Plan as required by the RHNA process, since the Coastal Plan is linked with the growth forecasts of Connect SoCal. Noncompliance with RHNA cannot be an option for our region. A delay that improves the growth forecasts, but does not delay the adoption of the Coastal Plan, would be an acceptable alternative.

We believe that the Coastal Plan RHNA methodology aligns with the goals of the SCS to reduce VMT and GHG emissions. We stand by the Coastal Plan RHNA methodology for determining jurisdictions' housing allocations, and urge the Regional Council to certify the Coastal Plan RHNA methodology without delay.

Therefore, I respectfully ask that the Regional Council improve the SCS growth forecasts to reduce exurban sprawl, and prevent delay of the Coastal Plan finalization by the October deadline.

Personally sent by Luke Klipp using Abundant Housing LA's Advocacy Tool. AHLA is a grassroots pro-housing organization.

Sincerely,  
Luke Klipp  
1320 N Hoover St Los Angeles, CA 90027-6008 [lukehklipp@gmail.com](mailto:lukehklipp@gmail.com)

From: carnow@everyactioncustom.com <carnow@everyactioncustom.com>  
Sent: Tuesday, May 5, 2020 5:59 PM  
To: ePublic Comment Group <ePublicComment@scag.ca.gov>  
Subject: Save the Coastal Plan

Dear Southern California Association of Governments,

I am writing to express my concerns about the focus of Connect SoCal on exurban development, and the potential delay of the Connect SoCal adoption, which has the potential to cause SCAG to fail to meet its October RHNA deadline to move forward with the Coastal Plan. Since Connect SoCal provides guidance on the region's transportation investments over the next 25 years, these projections effectively perpetuate unsustainable sprawl. The severe consequences to the region of this type of plan will include rising traffic, greenhouse gas emissions, and housing costs. This threat multiplier would accelerate climate change and put more people at risk of heat and air pollution-related illnesses.

In addition to this problem, SCAG is considering delaying the adoption of Connect SoCal by 120 days without a clear objective to accomplish during that time. The issue with delaying adoption is that it could put our region at risk of not moving forward with the Coastal Plan as required by the RHNA process, since the Coastal Plan is linked with the growth forecasts of Connect SoCal. Noncompliance with RHNA cannot be an option for our region. A delay that improves the growth forecasts, but does not delay the adoption of the Coastal Plan, would be an acceptable alternative.

We believe that the Coastal Plan RHNA methodology aligns with the goals of the SCS to reduce VMT and GHG emissions. We stand by the Coastal Plan RHNA methodology for determining jurisdictions' housing allocations, and urge the Regional Council to certify the Coastal Plan RHNA methodology without delay.

Therefore, I respectfully ask that the Regional Council improve the SCS growth forecasts to reduce exurban sprawl, and prevent delay of the Coastal Plan finalization by the October deadline.

Sincerely,

Charlie Carnow

8821 Alcott St Apt 7 Los Angeles, CA 90035-5604 [carnow@gmail.com](mailto:carnow@gmail.com)

From: bsiegemundbroka@everyactioncustom.com <bsiegemundbroka@everyactioncustom.com>  
Sent: Tuesday, May 5, 2020 6:14 PM  
To: ePublic Comment Group <ePublicComment@scag.ca.gov>  
Subject: Save the Coastal Plan

Dear Southern California Association of Governments,

I am writing to express my concerns about the focus of Connect SoCal on exurban development, and the potential delay of the Connect SoCal adoption, which has the potential to cause SCAG to fail to meet its October RHNA deadline to move forward with the Coastal Plan. Since Connect SoCal provides guidance on the region's transportation investments over the next 25 years, these projections effectively perpetuate unsustainable sprawl. The severe consequences to the region of this type of plan will include rising traffic, greenhouse gas emissions, and housing costs. This threat multiplier would accelerate climate change and put more people at risk of heat and air pollution-related illnesses.

In addition to this problem, SCAG is considering delaying the adoption of Connect SoCal by 120 days without a clear objective to accomplish during that time. The issue with delaying adoption is that it could put our region at risk of not moving forward with the Coastal Plan as required by the RHNA process, since the Coastal Plan is linked with the growth forecasts of Connect SoCal. Noncompliance with RHNA cannot be an option for our region. A delay that improves the growth forecasts, but does not delay the adoption of the Coastal Plan, would be an acceptable alternative.

We believe that the Coastal Plan RHNA methodology aligns with the goals of the SCS to reduce VMT and GHG emissions. We stand by the Coastal Plan RHNA methodology for determining jurisdictions' housing allocations, and urge the Regional Council to certify the Coastal Plan RHNA methodology without delay.

Therefore, I respectfully ask that the Regional Council improve the SCS growth forecasts to reduce exurban sprawl, and prevent delay of the Coastal Plan finalization by the October deadline.

Personally sent by Barbara Siegemund-Broka using Abundant Housing LA's Advocacy Tool. AHLA is a grassroots pro-housing organization.

Sincerely,

Barbara Siegemund-Broka

1649 2nd St Manhattan Beach, CA 90266-7009 [bsiegemundbroka@gmail.com](mailto:bsiegemundbroka@gmail.com)

From: chickitta@everyactioncustom.com <chickitta@everyactioncustom.com>  
Sent: Tuesday, May 5, 2020 6:20 PM  
To: ePublic Comment Group <ePublicComment@scag.ca.gov>  
Subject: Save the Coastal Plan

Dear Southern California Association of Governments,

I am writing to express my concerns about the focus of Connect SoCal on exurban development, and the potential delay of the Connect SoCal adoption, which has the potential to cause SCAG to fail to meet its October RHNA deadline to move forward with the Coastal Plan. Since Connect SoCal provides guidance on the region's transportation investments over the next 25 years, these projections effectively perpetuate unsustainable sprawl. The severe consequences to the region of this type of plan will include rising traffic, greenhouse gas emissions, and housing costs. This threat multiplier would accelerate climate change and put more people at risk of heat and air pollution-related illnesses.

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We believe that the Coastal Plan RHNA methodology aligns with the goals of the SCS to reduce VMT and GHG emissions. We stand by the Coastal Plan RHNA methodology for determining jurisdictions' housing allocations, and urge the Regional Council to certify the Coastal Plan RHNA methodology without delay.

Therefore, I respectfully ask that the Regional Council improve the SCS growth forecasts to reduce exurban sprawl, and prevent delay of the Coastal Plan finalization by the October deadline.

Personally sent by Nancy Barba using Abundant Housing LA's Advocacy Tool. AHLA is a grassroots pro-housing organization.

Sincerely,  
Nancy Barba  
9069 Carson St Culver City, CA 90232-2502 [chickitta@gmail.com](mailto:chickitta@gmail.com)

From: a3grossi@everyactioncustom.com <a3grossi@everyactioncustom.com>  
Sent: Tuesday, May 5, 2020 6:23 PM  
To: ePublic Comment Group <ePublicComment@scag.ca.gov>  
Subject: Save the Coastal Plan

Dear Southern California Association of Governments,

I am writing to express my concerns about the focus of Connect SoCal on exurban development, and the potential delay of the Connect SoCal adoption, which has the potential to cause SCAG to fail to meet its October RHNA deadline to move forward with the Coastal Plan. Since Connect SoCal provides guidance on the region's transportation investments over the next 25 years, these projections effectively perpetuate unsustainable sprawl. The severe consequences to the region of this type of plan will include rising traffic, greenhouse gas emissions, and housing costs. This threat multiplier would accelerate climate change and put more people at risk of heat and air pollution-related illnesses.

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We believe that the Coastal Plan RHNA methodology aligns with the goals of the SCS to reduce VMT and GHG emissions. We stand by the Coastal Plan RHNA methodology for determining jurisdictions' housing allocations, and urge the Regional Council to certify the Coastal Plan RHNA methodology without delay.

Therefore, I respectfully ask that the Regional Council improve the SCS growth forecasts to reduce exurban sprawl, and prevent delay of the Coastal Plan finalization by the October deadline.

Personally sent by Alexandra Grossi using Abundant Housing LA's Advocacy Tool. AHLA is a grassroots pro-housing organization.

Sincerely,  
Alexandra Grossi  
2135 Fair Park Ave Los Angeles, CA 90041-1956 [a3grossi@gmail.com](mailto:a3grossi@gmail.com)

From: mwalzman9@everyactioncustom.com <mwalzman9@everyactioncustom.com>  
Sent: Tuesday, May 5, 2020 6:27 PM  
To: ePublic Comment Group <ePublicComment@scag.ca.gov>  
Subject: Save the Coastal Plan

Dear Southern California Association of Governments,

I am writing to express my concerns about the focus of Connect SoCal on exurban development, and the potential delay of the Connect SoCal adoption, which has the potential to cause SCAG to fail to meet its October RHNA deadline to move forward with the Coastal Plan. Since Connect SoCal provides guidance on the region's transportation investments over the next 25 years, these projections effectively perpetuate unsustainable sprawl. The severe consequences to the region of this type of plan will include rising traffic, greenhouse gas emissions, and housing costs. This threat multiplier would accelerate climate change and put more people at risk of heat and air pollution-related illnesses.

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We believe that the Coastal Plan RHNA methodology aligns with the goals of the SCS to reduce VMT and GHG emissions. We stand by the Coastal Plan RHNA methodology for determining jurisdictions' housing allocations, and urge the Regional Council to certify the Coastal Plan RHNA methodology without delay.

Therefore, I respectfully ask that the Regional Council improve the SCS growth forecasts to reduce exurban sprawl, and prevent delay of the Coastal Plan finalization by the October deadline.

Personally sent by Michael W using Abundant Housing LA's Advocacy Tool. AHLA is a grassroots pro-housing organization.

Sincerely,  
Michael W  
2209 La Mesa Dr Santa Monica, CA 90402-2328 [mwalzman9@gmail.com](mailto:mwalzman9@gmail.com)

From: thecarolanngordon@everyactioncustom.com <thecarolanngordon@everyactioncustom.com>  
Sent: Tuesday, May 5, 2020 6:27 PM  
To: ePublic Comment Group <ePublicComment@scag.ca.gov>  
Subject: Save the Coastal Plan

Dear Southern California Association of Governments,

I am writing to express my concerns about the focus of Connect SoCal on exurban development, and the potential delay of the Connect SoCal adoption, which has the potential to cause SCAG to fail to meet its October RHNA deadline to move forward with the Coastal Plan. Since Connect SoCal provides guidance on the region's transportation investments over the next 25 years, these projections effectively perpetuate unsustainable sprawl. The severe consequences to the region of this type of plan will include rising traffic, greenhouse gas emissions, and housing costs. This threat multiplier would accelerate climate change and put more people at risk of heat and air pollution-related illnesses.

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We believe that the Coastal Plan RHNA methodology aligns with the goals of the SCS to reduce VMT and GHG emissions. We stand by the Coastal Plan RHNA methodology for determining jurisdictions' housing allocations, and urge the Regional Council to certify the Coastal Plan RHNA methodology without delay.

Therefore, I respectfully ask that the Regional Council improve the SCS growth forecasts to reduce exurban sprawl, and prevent delay of the Coastal Plan finalization by the October deadline.

Personally sent by Carol Gordon using Abundant Housing LA's Advocacy Tool. AHLA is a grassroots pro-housing organization.

Sincerely,  
Carol Gordon  
2801 Glendower Ave Los Angeles, CA 90027-1118 [thecarolanngordon@gmail.com](mailto:thecarolanngordon@gmail.com)



From: sboedecker@everyactioncustom.com <sboedecker@everyactioncustom.com>  
Sent: Tuesday, May 5, 2020 6:34 PM  
To: ePublic Comment Group <ePublicComment@scag.ca.gov>  
Subject: Save the Coastal Plan

Dear Southern California Association of Governments,

I am writing to express my concerns about the focus of Connect SoCal on exurban development, and the potential delay of the Connect SoCal adoption, which has the potential to cause SCAG to fail to meet its October RHNA deadline to move forward with the Coastal Plan. Since Connect SoCal provides guidance on the region's transportation investments over the next 25 years, these projections effectively perpetuate unsustainable sprawl. The severe consequences to the region of this type of plan will include rising traffic, greenhouse gas emissions, and housing costs. This threat multiplier would accelerate climate change and put more people at risk of heat and air pollution-related illnesses.

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We believe that the Coastal Plan RHNA methodology aligns with the goals of the SCS to reduce VMT and GHG emissions. We stand by the Coastal Plan RHNA methodology for determining jurisdictions' housing allocations, and urge the Regional Council to certify the Coastal Plan RHNA methodology without delay.

Therefore, I respectfully ask that the Regional Council improve the SCS growth forecasts to reduce exurban sprawl, and prevent delay of the Coastal Plan finalization by the October deadline.

Personally sent by Sarah Boedecker using Abundant Housing LA's Advocacy Tool. AHLA is a grassroots pro-housing organization.

Sincerely,  
Sarah Boedecker  
12965 Macneil St Sylmar, CA 91342-4919  
[sboedecker@gmail.com](mailto:sboedecker@gmail.com)

From: prabhu.r.reddy@everyactioncustom.com <prabhu.r.reddy@everyactioncustom.com>  
Sent: Tuesday, May 5, 2020 6:36 PM  
To: ePublic Comment Group <ePublicComment@scag.ca.gov>  
Subject: Save the Coastal Plan

Dear Southern California Association of Governments,

I am writing to express my concerns about the focus of Connect SoCal on exurban development, and the potential delay of the Connect SoCal adoption, which has the potential to cause SCAG to fail to meet its October RHNA deadline to move forward with the Coastal Plan. Since Connect SoCal provides guidance on the region's transportation investments over the next 25 years, these projections effectively perpetuate unsustainable sprawl. The severe consequences to the region of this type of plan will include rising traffic, greenhouse gas emissions, and housing costs. This threat multiplier would accelerate climate change and put more people at risk of heat and air pollution-related illnesses.

In addition to this problem, SCAG is considering delaying the adoption of Connect SoCal by 120 days without a clear objective to accomplish during that time. The issue with delaying adoption is that it could put our region at risk of not moving forward with the Coastal Plan as required by the RHNA process, since the Coastal Plan is linked with the growth forecasts of Connect SoCal. Noncompliance with RHNA cannot be an option for our region. A delay that improves the growth forecasts, but does not delay the adoption of the Coastal Plan, would be an acceptable alternative.

We believe that the Coastal Plan RHNA methodology aligns with the goals of the SCS to reduce VMT and GHG emissions. We stand by the Coastal Plan RHNA methodology for determining jurisdictions' housing allocations, and urge the Regional Council to certify the Coastal Plan RHNA methodology without delay.

Therefore, I respectfully ask that the Regional Council improve the SCS growth forecasts to reduce exurban sprawl, and prevent delay of the Coastal Plan finalization by the October deadline.

Personally sent by Prabhu Reddy using Abundant Housing LA's Advocacy Tool. AHLA is a grassroots pro-housing organization.

Sincerely,  
Prabhu Reddy  
6247 Majorca Cir Long Beach, CA 90803-4814 [prabhu.r.reddy@gmail.com](mailto:prabhu.r.reddy@gmail.com)

From: Nicole\_m\_beaudoin@everyactioncustom.com <Nicole\_m\_beaudoin@everyactioncustom.com>  
Sent: Tuesday, May 5, 2020 6:38 PM  
To: ePublic Comment Group <ePublicComment@scag.ca.gov>  
Subject: Save the Coastal Plan

Dear Southern California Association of Governments,

Housing has never been more important than now, when we're all required to "shelter in place" at home. I am writing to express my concerns about the focus of Connect SoCal on exurban development, and the potential delay of the Connect SoCal adoption, which has the potential to cause SCAG to fail to meet its October RHNA deadline to move forward with the Coastal Plan. Since Connect SoCal provides guidance on the region's transportation investments over the next 25 years, these projections effectively perpetuate unsustainable sprawl. The severe consequences to the region of this type of plan will include rising traffic, greenhouse gas emissions, and housing costs. This threat multiplier would accelerate climate change and put more people at risk of heat and air pollution-related illnesses.

In addition to this problem, SCAG is considering delaying the adoption of Connect SoCal by 120 days without a clear objective to accomplish during that time. The issue with delaying adoption is that it could put our region at risk of not moving forward with the Coastal Plan as required by the RHNA process, since the Coastal Plan is linked with the growth forecasts of Connect SoCal. Noncompliance with RHNA cannot be an option for our region. A delay that improves the growth forecasts, but does not delay the adoption of the Coastal Plan, would be an acceptable alternative.

We believe that the Coastal Plan RHNA methodology aligns with the goals of the SCS to reduce VMT and GHG emissions. We stand by the Coastal Plan RHNA methodology for determining jurisdictions' housing allocations, and urge the Regional Council to certify the Coastal Plan RHNA methodology without delay.

Therefore, I respectfully ask that the Regional Council improve the SCS growth forecasts to reduce exurban sprawl, and prevent delay of the Coastal Plan finalization by the October deadline.

Personally sent by Nicole Beaudoin using Abundant Housing LA's Advocacy Tool. AHLA is a grassroots pro-housing organization.

Sincerely,  
Nicole Beaudoin  
1616 S Redondo Blvd Los Angeles, CA 90019-5355 [Nicole\\_m\\_beaudoin@yahoo.com](mailto:Nicole_m_beaudoin@yahoo.com)

From: jedwards@everyactioncustom.com <jedwards@everyactioncustom.com>  
Sent: Tuesday, May 5, 2020 6:39 PM  
To: ePublic Comment Group <ePublicComment@scag.ca.gov>  
Subject: Save the Coastal Plan

Dear Southern California Association of Governments,

I am writing to express my concerns about the focus of Connect SoCal on exurban development, and the potential delay of the Connect SoCal adoption, which has the potential to cause SCAG to fail to meet its October RHNA deadline to move forward with the Coastal Plan. Since Connect SoCal provides guidance on the region's transportation investments over the next 25 years, these projections effectively perpetuate unsustainable sprawl. The severe consequences to the region of this type of plan will include rising traffic, greenhouse gas emissions, and housing costs. This threat multiplier would accelerate climate change and put more people at risk of heat and air pollution-related illnesses.

In addition to this problem, SCAG is considering delaying the adoption of Connect SoCal by 120 days without a clear objective to accomplish during that time. The issue with delaying adoption is that it could put our region at risk of not moving forward with the Coastal Plan as required by the RHNA process, since the Coastal Plan is linked with the growth forecasts of Connect SoCal. Noncompliance with RHNA cannot be an option for our region. A delay that improves the growth forecasts, but does not delay the adoption of the Coastal Plan, would be an acceptable alternative.

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Therefore, I respectfully ask that the Regional Council improve the SCS growth forecasts to reduce exurban sprawl, and prevent delay of the Coastal Plan finalization by the October deadline.

Personally sent by Jonathan Edwards using Abundant Housing LA's Advocacy Tool. AHLA is a grassroots pro-housing organization.

Sincerely,  
Jonathan Edwards  
161 S Madison Ave Apt 12 Pasadena, CA 91101-2544 [jedwards@gmail.com](mailto:jedwards@gmail.com)

From: spinnakerkelly@everyactioncustom.com <spinnakerkelly@everyactioncustom.com>  
Sent: Tuesday, May 5, 2020 6:47 PM  
To: ePublic Comment Group <ePublicComment@scag.ca.gov>  
Subject: Save the Coastal Plan

Dear Southern California Association of Governments,

I am writing to express my concerns about the focus of Connect SoCal on exurban development, and the potential delay of the Connect SoCal adoption, which has the potential to cause SCAG to fail to meet its October RHNA deadline to move forward with the Coastal Plan. Since Connect SoCal provides guidance on the region's transportation investments over the next 25 years, these projections effectively perpetuate unsustainable sprawl. The severe consequences to the region of this type of plan will include rising traffic, greenhouse gas emissions, and housing costs. This threat multiplier would accelerate climate change and put more people at risk of heat and air pollution-related illnesses.

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Therefore, I respectfully ask that the Regional Council improve the SCS growth forecasts to reduce exurban sprawl, and prevent delay of the Coastal Plan finalization by the October deadline.

Personally sent by Kelly Koldus using Abundant Housing LA's Advocacy Tool. AHLA is a grassroots pro-housing organization.

Sincerely,  
Kelly Koldus  
388 E Ocean Blvd Unit 806 Long Beach, CA 90802-5265 [spinnakerkelly@yahoo.com](mailto:spinnakerkelly@yahoo.com)

From: saheinzman@everyactioncustom.com <saheinzman@everyactioncustom.com>  
Sent: Tuesday, May 5, 2020 6:49 PM  
To: ePublic Comment Group <ePublicComment@scag.ca.gov>  
Subject: Save the Coastal Plan

Dear Southern California Association of Governments,

I am writing to express my concerns about the focus of Connect SoCal on exurban development, and the potential delay of the Connect SoCal adoption, which has the potential to cause SCAG to fail to meet its October RHNA deadline to move forward with the Coastal Plan. Since Connect SoCal provides guidance on the region's transportation investments over the next 25 years, these projections effectively perpetuate unsustainable sprawl. The severe consequences to the region of this type of plan will include rising traffic, greenhouse gas emissions, and housing costs. This threat multiplier would accelerate climate change and put more people at risk of heat and air pollution-related illnesses.

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Therefore, I respectfully ask that the Regional Council improve the SCS growth forecasts to reduce exurban sprawl, and prevent delay of the Coastal Plan finalization by the October deadline.

Personally sent by Andrew Heinzman using Abundant Housing LA's Advocacy Tool. AHLA is a grassroots pro-housing organization.

Sincerely,  
Andrew Heinzman  
1866 Greenfield Ave Los Angeles, CA 90025-4400 [saheinzman@gmail.com](mailto:saheinzman@gmail.com)

From: cengelh1@everyactioncustom.com <cengelh1@everyactioncustom.com>  
Sent: Tuesday, May 5, 2020 6:59 PM  
To: ePublic Comment Group <ePublicComment@scag.ca.gov>  
Subject: Save the Coastal Plan

Dear Southern California Association of Governments,

I am writing to express my concerns about the focus of Connect SoCal on exurban development, and the potential delay of the Connect SoCal adoption, which has the potential to cause SCAG to fail to meet its October RHNA deadline to move forward with the Coastal Plan. Since Connect SoCal provides guidance on the region's transportation investments over the next 25 years, these projections effectively perpetuate unsustainable sprawl. The severe consequences to the region of this type of plan will include rising traffic, greenhouse gas emissions, and housing costs. This threat multiplier would accelerate climate change and put more people at risk of heat and air pollution-related illnesses.

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We believe that the Coastal Plan RHNA methodology aligns with the goals of the SCS to reduce VMT and GHG emissions. We stand by the Coastal Plan RHNA methodology for determining jurisdictions' housing allocations, and urge the Regional Council to certify the Coastal Plan RHNA methodology without delay.

Therefore, I respectfully ask that the Regional Council improve the SCS growth forecasts to reduce exurban sprawl, and prevent delay of the Coastal Plan finalization by the October deadline.

Personally sent by Chase Engelhardt using Abundant Housing LA's Advocacy Tool. AHLA is a grassroots pro-housing organization.

Sincerely,  
Chase Engelhardt  
1635 Stoner Ave Los Angeles, CA 90025-1863 [cengelh1@gmail.com](mailto:cengelh1@gmail.com)

From: brooksdunn51@everyactioncustom.com <brooksdunn51@everyactioncustom.com>  
Sent: Tuesday, May 5, 2020 7:53 PM  
To: ePublic Comment Group <ePublicComment@scag.ca.gov>  
Subject: Save the Coastal Plan

Dear Southern California Association of Governments,

I am writing to express my concerns about the focus of Connect SoCal on exurban development, and the potential delay of the Connect SoCal adoption, which has the potential to cause SCAG to fail to meet its October RHNA deadline to move forward with the Coastal Plan. Since Connect SoCal provides guidance on the region's transportation investments over the next 25 years, these projections effectively perpetuate unsustainable sprawl. The severe consequences to the region of this type of plan will include rising traffic, greenhouse gas emissions, and housing costs. This threat multiplier would accelerate climate change and put more people at risk of heat and air pollution-related illnesses.

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We believe that the Coastal Plan RHNA methodology aligns with the goals of the SCS to reduce VMT and GHG emissions. We stand by the Coastal Plan RHNA methodology for determining jurisdictions' housing allocations, and urge the Regional Council to certify the Coastal Plan RHNA methodology without delay.

Therefore, I respectfully ask that the Regional Council improve the SCS growth forecasts to reduce exurban sprawl, and prevent delay of the Coastal Plan finalization by the October deadline.

Personally sent by Brooks Dunn using Abundant Housing LA's Advocacy Tool. AHLA is a grassroots pro-housing organization.

Sincerely,  
Brooks Dunn  
2000 Alberta Ave Apt 10 Venice, CA 90291-4565 [brooksdunn51@gmail.com](mailto:brooksdunn51@gmail.com)



**From:** Connor Medina <[cmedina@ocbc.org](mailto:cmedina@ocbc.org)>  
**Date:** May 5, 2020 at 7:20:25 PM PDT  
**To:** Sarah Miller <[miller@scag.ca.gov](mailto:miller@scag.ca.gov)>  
**Cc:** Rachel Rolnicki <[rrolnicki@ocbc.org](mailto:rrolnicki@ocbc.org)>  
**Subject:** OCBC Comment Letter for May 7 Meeting

Good evening Sarah,

Orange County Business Council (OCBC) submits this letter to President Jahn in favor of SCAG staff's recommendation for item two on the Regional Council's May 7 agenda. We ask that this letter be distributed to President Jahn, Executive Director Ajise, and, if it's not too much trouble, the Regional Council members. I am not sure if I should reach out to you or to a colleague for this request, so please forgive me if I should be connecting with another member of the SCAG team!

Thank you, and please let me know if you have any questions. We appreciate the opportunity to comment. Have a great night!

Kind regards,  
Connor

**Connor Medina**  
Government Affairs Specialist  
Orange County Business Council

2 Park Plaza, Suite 100 | Irvine, CA 92614  
Cell: 559.960.4692 | [cmedina@ocbc.org](mailto:cmedina@ocbc.org)

[www.ocbc.org](http://www.ocbc.org) and [www.LocationOC.com](http://www.LocationOC.com)



May 5, 2020

The Honorable Bill Jahn  
President  
Southern California Association of Governments  
900 Wilshire Blvd., Ste. 1700  
Los Angeles, CA 90017

**Re: Connect SoCal Resolution on May 7 – SUPPORT**

Dear President Jahn,

Orange County Business Council (OCBC) has proudly collaborated with the Southern California Association of Governments (SCAG) over the years. OCBC works with SCAG to address Southern California's housing needs and plan long-range transportation priorities. **OCBC is in support of the recommended action for item two on the SCAG meeting agenda for May 7, 2020.** OCBC hopes that the SCAG Regional Council adopts this resolution on May 7, as it would offer the business community the time needed to further collaborate with SCAG staff for 120 additional days.

OCBC commends SCAG for incorporating input from the business community and housing advocates during this process. COVID-19 has caused an unprecedented disruption in the Regional Transportation Plan/Sustainable Communities Strategy review process, and all stakeholders are learning together how to best ensure the process adapts to the realities of the pandemic. In order for public input to be appropriately considered in the midst of COVID-19, flexibility is absolutely crucial. OCBC thanks you for listening to our members and other stakeholders. OCBC looks forward to continued cooperation with SCAG so that both transportation and housing priorities are in alignment.

Sincerely,

A handwritten signature in black ink, appearing to read "Rachel Rolnicki".

Rachel Rolnicki  
Vice President of Government Affairs  
Orange County Business Council

cc: Members, SCAG Regional Council  
Kome Ajise, Executive Director

From: rmuli2010@everyactioncustom.com <rmuli2010@everyactioncustom.com>  
Sent: Tuesday, May 5, 2020 8:49 PM  
To: ePublic Comment Group <ePublicComment@scag.ca.gov>  
Subject: Save the Coastal Plan

Dear Southern California Association of Governments,

I am writing to express my concerns about the focus of Connect SoCal on exurban development, and the potential delay of the Connect SoCal adoption, which has the potential to cause SCAG to fail to meet its October RHNA deadline to move forward with the Coastal Plan. Since Connect SoCal provides guidance on the region's transportation investments over the next 25 years, these projections effectively perpetuate unsustainable sprawl. The severe consequences to the region of this type of plan will include rising traffic, greenhouse gas emissions, and housing costs. This threat multiplier would accelerate climate change and put more people at risk of heat and air pollution-related illnesses.

In addition to this problem, SCAG is considering delaying the adoption of Connect SoCal by 120 days without a clear objective to accomplish during that time. The issue with delaying adoption is that it could put our region at risk of not moving forward with the Coastal Plan as required by the RHNA process, since the Coastal Plan is linked with the growth forecasts of Connect SoCal. Noncompliance with RHNA cannot be an option for our region. A delay that improves the growth forecasts, but does not delay the adoption of the Coastal Plan, would be an acceptable alternative.

We believe that the Coastal Plan RHNA methodology aligns with the goals of the SCS to reduce VMT and GHG emissions. We stand by the Coastal Plan RHNA methodology for determining jurisdictions' housing allocations, and urge the Regional Council to certify the Coastal Plan RHNA methodology without delay.

Therefore, I respectfully ask that the Regional Council improve the SCS growth forecasts to reduce exurban sprawl, and prevent delay of the Coastal Plan finalization by the October deadline.

Personally sent by Rebecca Muli using Abundant Housing LA's Advocacy Tool. AHLA is a grassroots pro-housing organization.

Sincerely,  
Rebecca Muli  
36806 Cascina Ln Beaumont, CA 92223-6322 [rmuli2010@yahoo.com](mailto:rmuli2010@yahoo.com)

**From:** Ray Kennedy <j\_ray\_kennedy@yahoo.com>

**Sent:** Tuesday, May 5, 2020 9:34 PM

**To:** ePublic Comment Group <ePublicComment@scag.ca.gov>

**Subject:** Comment for the May 7 Regional Council Meeting on Connect SoCal and PEIR

I've gone through the draft Connect SoCal plan and, at this point in the process, would have one suggestion: add a mention of the traffic load related to Joshua Tree National Park -- nearly 3 million visitors in 2019 -- similar to the mention of the seasonal traffic heading to Big Bear on pages 27-28 of the Demographics & Growth Forecast under "***A NOTE REGARDING MOUNTAIN-AREA SEASONAL CHARACTERISTICS***".

Given those JTNP visitor statistics (and a reasonable assumption that most people visiting the park arrive via Interstate 10 and Highway 62 rather than Highway 247), Highway 62 ends up carrying hundreds of thousands (or millions) of vehicles per year that wouldn't be expected on the basis of local population and employment -- and as the Forecast states on p. 28, "***special attention must be given to those [Big Bear-area] communities to acknowledge the unique demographic conditions and travel needs of these areas***".

I hope you will agree that the unique demographics conditions and travel needs of the Morongo Basin -- particularly related to Highway 62 -- merit similar consideration.

Thank you for your attention.

J. Ray Kennedy, PhD  
Morongo Valley  
Member, Morongo Valley Action Committee

From: pegbej1@everyactioncustom.com <pegbej1@everyactioncustom.com>  
Sent: Tuesday, May 5, 2020 9:54 PM  
To: ePublic Comment Group <ePublicComment@scag.ca.gov>  
Subject: Save the Coastal Plan

Dear Southern California Association of Governments,

I am writing to express my concerns about the focus of Connect SoCal on exurban development, and the potential delay of the Connect SoCal adoption, which has the potential to cause SCAG to fail to meet its October RHNA deadline to move forward with the Coastal Plan. Since Connect SoCal provides guidance on the region's transportation investments over the next 25 years, these projections effectively perpetuate unsustainable sprawl. The severe consequences to the region of this type of plan will include rising traffic, greenhouse gas emissions, and housing costs. This threat multiplier would accelerate climate change and put more people at risk of heat and air pollution-related illnesses.

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Therefore, I respectfully ask that the Regional Council improve the SCS growth forecasts to reduce exurban sprawl, and prevent delay of the Coastal Plan finalization by the October deadline.

Personally sent by Peggy Bejarano using Abundant Housing LA's Advocacy Tool. AHLA is a grassroots pro-housing organization.

Sincerely,  
Peggy Bejarano  
710 N La Fayette Park Pl Los Angeles, CA 90026-2945 [pegbej1@gmail.com](mailto:pegbej1@gmail.com)

From: mcast42@everyactioncustom.com <mcast42@everyactioncustom.com>  
Sent: Tuesday, May 5, 2020 9:57 PM  
To: ePublic Comment Group <ePublicComment@scag.ca.gov>  
Subject: Save the Coastal Plan

Dear Southern California Association of Governments,

I am writing to express my concerns about the focus of Connect SoCal on exurban development, and the potential delay of the Connect SoCal adoption, which has the potential to cause SCAG to fail to meet its October RHNA deadline to move forward with the Coastal Plan. Since Connect SoCal provides guidance on the region's transportation investments over the next 25 years, these projections effectively perpetuate unsustainable sprawl. The severe consequences to the region of this type of plan will include rising traffic, greenhouse gas emissions, and housing costs. This threat multiplier would accelerate climate change and put more people at risk of heat and air pollution-related illnesses.

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Therefore, I respectfully ask that the Regional Council improve the SCS growth forecasts to reduce exurban sprawl, and prevent delay of the Coastal Plan finalization by the October deadline.

Personally sent by Michelle Castelletto using Abundant Housing LA's Advocacy Tool. AHLA is a grassroots pro-housing organization.

Sincerely,  
Michelle Castelletto  
3608 Keystone Ave Apt 4 Los Angeles, CA 90034-5622 [mcast42@yahoo.com](mailto:mcast42@yahoo.com)

From: derekryder.101@everyactioncustom.com <derekryder.101@everyactioncustom.com>  
Sent: Tuesday, May 5, 2020 11:09 PM  
To: ePublic Comment Group <ePublicComment@scag.ca.gov>  
Subject: Save the Coastal Plan

Dear Southern California Association of Governments,

I am writing to express my concerns about the focus of Connect SoCal on exurban development, and the potential delay of the Connect SoCal adoption, which has the potential to cause SCAG to fail to meet its October RHNA deadline to move forward with the Coastal Plan. Since Connect SoCal provides guidance on the region's transportation investments over the next 25 years, these projections effectively perpetuate unsustainable sprawl. The severe consequences to the region of this type of plan will include rising traffic, greenhouse gas emissions, and housing costs. This threat multiplier would accelerate climate change and put more people at risk of heat and air pollution-related illnesses.

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Therefore, I respectfully ask that the Regional Council improve the SCS growth forecasts to reduce exurban sprawl, and prevent delay of the Coastal Plan finalization by the October deadline.

Personally sent by Derek Ryder using Abundant Housing LA's Advocacy Tool. AHLA is a grassroots pro-housing organization.

Sincerely,  
Derek Ryder  
4111 Glenalbyn Dr Los Angeles, CA 90065-3144 [derekryder.101@gmail.com](mailto:derekryder.101@gmail.com)

From: jgperez2@everyactioncustom.com <jgperez2@everyactioncustom.com>  
Sent: Wednesday, May 6, 2020 1:00 AM  
To: ePublic Comment Group <ePublicComment@scag.ca.gov>  
Subject: Save the Coastal Plan

Dear Southern California Association of Governments,

I am writing to express my concerns about the focus of Connect SoCal on exurban development, and the potential delay of the Connect SoCal adoption, which has the potential to cause SCAG to fail to meet its October RHNA deadline to move forward with the Coastal Plan. Since Connect SoCal provides guidance on the region's transportation investments over the next 25 years, these projections effectively perpetuate unsustainable sprawl. The severe consequences to the region of this type of plan will include rising traffic, greenhouse gas emissions, and housing costs. This threat multiplier would accelerate climate change and put more people at risk of heat and air pollution-related illnesses.

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Therefore, I respectfully ask that the Regional Council improve the SCS growth forecasts to reduce exurban sprawl, and prevent delay of the Coastal Plan finalization by the October deadline.

Personally sent by John Perez using Abundant Housing LA's Advocacy Tool. AHLA is a grassroots pro-housing organization.

Sincerely,  
John Perez  
12026 Imperial Hwy Apt 14 Norwalk, CA 90650-3012 [jgperez2@outlook.com](mailto:jgperez2@outlook.com)



From: dave@everyactioncustom.com <dave@everyactioncustom.com>  
Sent: Wednesday, May 6, 2020 1:00 AM  
To: ePublic Comment Group <ePublicComment@scag.ca.gov>  
Subject: Save the Coastal Plan

Dear Southern California Association of Governments,

I am writing to express my concerns about the focus of Connect SoCal on exurban development, and the potential delay of the Connect SoCal adoption, which has the potential to cause SCAG to fail to meet its October RHNA deadline to move forward with the Coastal Plan. Since Connect SoCal provides guidance on the region's transportation investments over the next 25 years, these projections effectively perpetuate unsustainable sprawl. The severe consequences to the region of this type of plan will include rising traffic, greenhouse gas emissions, and housing costs. This threat multiplier would accelerate climate change and put more people at risk of heat and air pollution-related illnesses.

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Therefore, I respectfully ask that the Regional Council improve the SCS growth forecasts to reduce exurban sprawl, and prevent delay of the Coastal Plan finalization by the October deadline.

Personally sent by Dave Roberts using Abundant Housing LA's Advocacy Tool. AHLA is a grassroots pro-housing organization.

Sincerely,  
Dave Roberts  
409 Healdsburg Ave Healdsburg, CA 95448-3814 [dave@daberoberts.com](mailto:dave@daberoberts.com)

From: noahad@everyactioncustom.com <noahad@everyactioncustom.com>  
Sent: Wednesday, May 6, 2020 1:01 AM  
To: ePublic Comment Group <ePublicComment@scag.ca.gov>  
Subject: Save the Coastal Plan

Dear Southern California Association of Governments,

I'm concerned about SCAG's progress adopting the RTP/SCS, particularly the implications for RHNA allocation.

I've heard about this potential 120-day delay adopting the "Connect SoCal" plan, and I don't see any rationale for it. We need our city council members to show up, adopt the plan, and then we can get to work on the 'coastal plan' for RHNA.

We can't let the current pandemic distract us from the epochal threat of climate change. We can't let deep-pocketed greenfield developers nor reactionary anti-development forces distract us either. Our regional government has to be clear-eyed about the only path forward: dramatically reducing greenhouse gas emissions, slashing VMT, limiting sprawl, and creating healthier communities.

That means adopting the RTP and SCS now, even though they do the bare minimum according to CARB's standards. There's no time to lose – "Connect SoCal" requires a lot of approvals, and there's too much federal cash at stake, to get tangled up in petty politics. SCAG cannot risk missing its October RHNA deadline to move forward with the Coastal Plan.

I respectfully ask of the Regional Council that there be no delay for delay's sake of the RTP/SCS, and that my representatives work quickly and steadily toward implementing a RHNA growth forecast and allocation that will ensure a sustainable future for our region.

Personally sent by Noah D using Abundant Housing LA's Advocacy Tool. AHLA is a grassroots pro-housing organization.

Sincerely,  
Noah D

1403 N Gardner St Los Angeles, CA 90046-4101 [noahad@comcast.net](mailto:noahad@comcast.net)

From: wesleyreutimann@everyactioncustom.com <wesleyreutimann@everyactioncustom.com>  
Sent: Wednesday, May 6, 2020 3:47 AM  
To: ePublic Comment Group <ePublicComment@scag.ca.gov>  
Subject: Save the Coastal Plan

Dear Southern California Association of Governments,

I am writing to express my concerns about Connect SoCal's focus on exurban development, and the potential delay of the Connect SoCal adoption, which has the potential to cause SCAG to fail to meet its October RHNA deadline to move forward with the Coastal Plan.

As Connect SoCal provides guidance on the region's transportation investments over the next 25 years, these projections effectively perpetuate unsustainable sprawl. The severe consequences of further sprawl include more pollution and greenhouse gas emissions, higher transportation costs, and more time lost stuck in traffic. More sprawl will accelerate climate change and put more people at risk of heat and air pollution-related illnesses.

In addition to this problem, SCAG is considering delaying the adoption of Connect SoCal by 120 days without a clear objective to accomplish during that time. The issue with delaying adoption is that it could put our region at risk of not moving forward with the Coastal Plan as required by the RHNA process, since the Coastal Plan is linked with the growth forecasts of Connect SoCal. Noncompliance with RHNA cannot be an option. A delay that improves the growth forecasts, but does not delay the adoption of the Coastal Plan, would be an acceptable alternative.

I respectfully ask that the Regional Council improve the SCS growth forecasts to reduce exurban sprawl, and prevent delay of the Coastal Plan finalization by the October deadline.

Sincerely,  
Wesley Reutimann  
1361 Wicks Rd Pasadena, CA 91103-2322  
[wesleyreutimann@gmail.com](mailto:wesleyreutimann@gmail.com)

From: [dynamique@everyactioncustom.com](mailto:dynamique@everyactioncustom.com) <[dynamique@everyactioncustom.com](mailto:dynamique@everyactioncustom.com)>  
Sent: Wednesday, May 6, 2020 6:32 AM  
To: ePublic Comment Group <[ePublicComment@scag.ca.gov](mailto:ePublicComment@scag.ca.gov)>  
Subject: Save the Coastal Plan

Dear Southern California Association of Governments,

I am writing to express my concerns about the focus of Connect SoCal on exurban development, and the potential delay of the Connect SoCal adoption, which has the potential to cause SCAG to fail to meet its October RHNA deadline to move forward with the Coastal Plan. Since Connect SoCal provides guidance on the region's transportation investments over the next 25 years, these projections effectively perpetuate unsustainable sprawl. The severe consequences to the region of this type of plan will include rising traffic, greenhouse gas emissions, and housing costs. This threat multiplier would accelerate climate change and put more people at risk of heat and air pollution-related illnesses.

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We believe that the Coastal Plan RHNA methodology aligns with the goals of the SCS to reduce VMT and GHG emissions. We stand by the Coastal Plan RHNA methodology for determining jurisdictions' housing allocations, and urge the Regional Council to certify the Coastal Plan RHNA methodology without delay.

Therefore, I respectfully ask that the Regional Council improve the SCS growth forecasts to reduce exurban sprawl, and prevent delay of the Coastal Plan finalization by the October deadline.

Personally sent by Brian Trautman using Abundant Housing LA's Advocacy Tool. AHLA is a grassroots pro-housing organization.

Sincerely,  
Brian Trautman  
6355 De Soto Ave Apt B130 Woodland Hills, CA 91367-2634 [dynamique@gmail.com](mailto:dynamique@gmail.com)

From: ms.fleur.mitchell@everyactioncustom.com <ms.fleur.mitchell@everyactioncustom.com>  
Sent: Wednesday, May 6, 2020 8:03 AM  
To: ePublic Comment Group <ePublicComment@scag.ca.gov>  
Subject: Save the Coastal Plan

Dear Southern California Association of Governments,

I am writing to express my concerns about the focus of Connect SoCal on exurban development, and the potential delay of the Connect SoCal adoption, which has the potential to cause SCAG to fail to meet its October RHNA deadline to move forward with the Coastal Plan. Since Connect SoCal provides guidance on the region's transportation investments over the next 25 years, these projections effectively perpetuate unsustainable sprawl. The severe consequences to the region of this type of plan will include rising traffic, greenhouse gas emissions, and housing costs. This threat multiplier would accelerate climate change and put more people at risk of heat and air pollution-related illnesses.

In addition to this problem, SCAG is considering delaying the adoption of Connect SoCal by 120 days without a clear objective to accomplish during that time. The issue with delaying adoption is that it could put our region at risk of not moving forward with the Coastal Plan as required by the RHNA process, since the Coastal Plan is linked with the growth forecasts of Connect SoCal. Noncompliance with RHNA cannot be an option for our region. A delay that improves the growth forecasts, but does not delay the adoption of the Coastal Plan, would be an acceptable alternative.

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Therefore, I respectfully ask that the Regional Council improve the SCS growth forecasts to reduce exurban sprawl, and prevent delay of the Coastal Plan finalization by the October deadline.

Personally sent by Fleur Mitchell using Abundant Housing LA's Advocacy Tool. AHLA is a grassroots pro-housing organization.

Sincerely,  
Fleur Mitchell  
610 Boccaccio Ave Venice, CA 90291-4809 [ms.fleur.mitchell@gmail.com](mailto:ms.fleur.mitchell@gmail.com)

From: akolachalam@everyactioncustom.com <akolachalam@everyactioncustom.com>  
Sent: Wednesday, May 6, 2020 8:11 AM  
To: ePublic Comment Group <ePublicComment@scag.ca.gov>  
Subject: Save the Coastal Plan

Dear Southern California Association of Governments,

I am writing to express my concerns about the focus of Connect SoCal on exurban development, and the potential delay of the Connect SoCal adoption, which has the potential to cause SCAG to fail to meet its October RHNA deadline to move forward with the Coastal Plan. Since Connect SoCal provides guidance on the region's transportation investments over the next 25 years, these projections effectively perpetuate unsustainable sprawl. The severe consequences to the region of this type of plan will include rising traffic, greenhouse gas emissions, and housing costs. This threat multiplier would accelerate climate change and put more people at risk of heat and air pollution-related illnesses.

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Therefore, I respectfully ask that the Regional Council improve the SCS growth forecasts to reduce exurban sprawl, and prevent delay of the Coastal Plan finalization by the October deadline.

Personally sent by Arjun Kolachalam using Abundant Housing LA's Advocacy Tool. AHLA is a grassroots pro-housing organization.

Sincerely,  
Arjun Kolachalam  
616 N Flores St West Hollywood, CA 90048-2147 [akolachalam@gmail.com](mailto:akolachalam@gmail.com)

From: tommyatlee@everyactioncustom.com <tommyatlee@everyactioncustom.com>  
Sent: Wednesday, May 6, 2020 8:51 AM  
To: ePublic Comment Group <ePublicComment@scag.ca.gov>  
Subject: Save the Coastal Plan

Dear Southern California Association of Governments,

I am writing to express my concerns about the focus of Connect SoCal on exurban development, and the potential delay of the Connect SoCal adoption, which has the potential to cause SCAG to fail to meet its October RHNA deadline to move forward with the Coastal Plan. Since Connect SoCal provides guidance on the region's transportation investments over the next 25 years, these projections effectively perpetuate unsustainable sprawl. The severe consequences to the region of this type of plan will include rising traffic, greenhouse gas emissions, and housing costs. This threat multiplier would accelerate climate change and put more people at risk of heat and air pollution-related illnesses.

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Therefore, I respectfully ask that the Regional Council improve the SCS growth forecasts to reduce exurban sprawl, and prevent delay of the Coastal Plan finalization by the October deadline.

Personally sent by Thomas Atlee using Abundant Housing LA's Advocacy Tool. AHLA is a grassroots pro-housing organization.

Sincerely,  
Thomas Atlee  
147 N Norton Ave Los Angeles, CA 90004-3912 [tommyatlee@gmail.com](mailto:tommyatlee@gmail.com)

From: npaganin@everyactioncustom.com <npaganin@everyactioncustom.com>  
Sent: Wednesday, May 6, 2020 10:21 AM  
To: ePublic Comment Group <ePublicComment@scag.ca.gov>  
Subject: Save the Coastal Plan

Dear Southern California Association of Governments,

I am writing to express my concerns about the focus of Connect SoCal on exurban development, and the potential delay of the Connect SoCal adoption, which has the potential to cause SCAG to fail to meet its October RHNA deadline to move forward with the Coastal Plan. Since Connect SoCal provides guidance on the region's transportation investments over the next 25 years, these projections effectively perpetuate unsustainable sprawl. The severe consequences to the region of this type of plan will include rising traffic, greenhouse gas emissions, and housing costs. This threat multiplier would accelerate climate change and put more people at risk of heat and air pollution-related illnesses.

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Therefore, I respectfully ask that the Regional Council improve the SCS growth forecasts to reduce exurban sprawl, and prevent delay of the Coastal Plan finalization by the October deadline.

Personally sent by Nicholas Paganini using Abundant Housing LA's Advocacy Tool. AHLA is a grassroots pro-housing organization.

Sincerely,  
Nicholas Paganini  
606 Naomi St Redlands, CA 92374-4157  
[npaganin@uci.edu](mailto:npaganin@uci.edu)



From: hughmartinez@everyactioncustom.com <hughmartinez@everyactioncustom.com>  
Sent: Wednesday, May 6, 2020 10:37 AM  
To: ePublic Comment Group <ePublicComment@scag.ca.gov>  
Subject: Save the Coastal Plan

Dear Southern California Association of Governments,

I am writing to express my concerns about the focus of Connect SoCal on exurban development, and the potential delay of the Connect SoCal adoption, which has the potential to cause SCAG to fail to meet its October RHNA deadline to move forward with the Coastal Plan. Since Connect SoCal provides guidance on the region's transportation investments over the next 25 years, these projections effectively perpetuate unsustainable sprawl. The severe consequences to the region of this type of plan will include rising traffic, greenhouse gas emissions, and housing costs. This threat multiplier would accelerate climate change and put more people at risk of heat and air pollution-related illnesses.

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Therefore, I respectfully ask that the Regional Council improve the SCS growth forecasts to reduce exurban sprawl, and prevent delay of the Coastal Plan finalization by the October deadline.

Personally sent by Hugh Martinez using Abundant Housing LA's Advocacy Tool. AHLA is a grassroots pro-housing organization.

Sincerely,  
Hugh Martinez  
664 N Grand Ave Los Angeles, CA 90012-2212 [hughmartinez@hotmail.com](mailto:hughmartinez@hotmail.com)

From: thomasirwin13@everyactioncustom.com <thomasirwin13@everyactioncustom.com>  
Sent: Wednesday, May 6, 2020 11:25 AM  
To: ePublic Comment Group <ePublicComment@scag.ca.gov>  
Subject: Save the Coastal Plan

Dear Southern California Association of Governments,

I am writing to express my concerns about the focus of Connect SoCal on exurban development, and the potential delay of the Connect SoCal adoption, which has the potential to cause SCAG to fail to meet its October RHNA deadline to move forward with the Coastal Plan. Since Connect SoCal provides guidance on the region's transportation investments over the next 25 years, these projections effectively perpetuate unsustainable sprawl. The severe consequences to the region of this type of plan will include rising traffic, greenhouse gas emissions, and housing costs. This threat multiplier would accelerate climate change and put more people at risk of heat and air pollution-related illnesses.

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Therefore, I respectfully ask that the Regional Council improve the SCS growth forecasts to reduce exurban sprawl, and prevent delay of the Coastal Plan finalization by the October deadline.

Personally sent by Thomas Irwin using Abundant Housing LA's Advocacy Tool. AHLA is a grassroots pro-housing organization.

Sincerely,

Thomas Irwin

962 S Woods Ave East Los Angeles, CA 90022-3931 [thomasirwin13@gmail.com](mailto:thomasirwin13@gmail.com)

**From:** Henry Fung <calwatch@gmail.com>  
**Sent:** Wednesday, May 6, 2020 11:34 AM  
**To:** ePublic Comment Group <ePublicComment@scag.ca.gov>  
**Subject:** SCAG Regional Council comment - Connect SoCal adoption

Dear Honorable Members of the Regional Council,

While I support a 120 day pause in the adoption of Connect SoCal for purposes other than for federal air quality conformity, there needs to be a clear purpose as to the purpose of the pause. This should be done to better design the plan to conform with Sustainable Community Strategy requirements, and to address changes in transportation and planning strategies as a result of COVID-19, and not to modify or repeal the adopted Regional Housing Needs Assessment methodology.

The comments from the Air Resources Board and community organizations need to be addressed, and there needs to be a clear concordance between previously approved developments and specific plans and the planning in Connect SoCal. However, this does not also mean that the changes to RHNA in placing more homes in cities with better job and transit access need to be neglected, or that existing developments and RHNA housing allocations cannot be reconciled. As stated in the RHNA allocation presentation, existing need reflects the needs of the people already living in the region, who are living in overcrowded conditions. The spread of COVID-19 among family units and in homeless shelters and group homes shows clearly the impact of crowding on this disease. While some situations are hard to mitigate, like nursing homes with skilled workers going from home to home in order to make ends meet, others, such as multigenerational families in small homes due to inability for younger generations to move out, can be with more housing construction.

Sincerely,  
Henry Fung

**From:** Nate Farnsworth <nfarnsworth@yorbalindaca.gov>

**Sent:** Wednesday, May 6, 2020 12:00 PM

**To:** ePublic Comment Group <ePublicComment@scag.ca.gov>

**Subject:** Comment for the May 7 Regional Council Meeting on Connect SoCal and PEIR

Please see the attached comment letter from the City of Yorba Linda on the Connect SoCal Plan. A hard copy will be sent in the mail also.

Sincerely,

**NATE FARNSWORTH**

Planning Manager

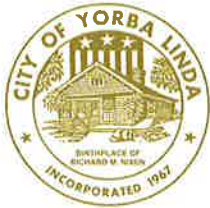
4845 Casa Loma Avenue | Yorba Linda, CA 92886

**P:** 714-961-7131 **W:** [yorbalindaca.gov](http://yorbalindaca.gov)

**CITY of YORBA LINDA**



Please note City operations and services are currently impacted by the COVID-19 situation. Please visit the City's devoted webpage for the latest updates: [yorbalindaca.gov/coronavirus](http://yorbalindaca.gov/coronavirus).



# CITY OF YORBA LINDA

4845 CASA LOMA AVENUE • YORBA LINDA • CALIFORNIA 92886

May 6, 2020

Kome Ajise  
Executive Director  
Southern California Association of Governments  
900 Wilshire Boulevard, Suite 1700  
Los Angeles, California 90017

**Subject: Additional Comments on Draft Connect SoCal Plan and PEIR**

Dear Mr. Ajise:

On behalf of the City of Yorba Linda, I want to express my appreciation to you and the SCAG organization for the effort that has gone into the preparation of the 2020 Regional Transportation Plan/Sustainable Communities Strategy (referred to as "Connect SoCal") and its accompanying Program Environmental Impact Report (PEIR).

On January 21, 2020, we provided a comment letter expressing our concerns and recommended revisions to the document. We appreciate all the changes SCAG has made to the documents based on our comments. Unfortunately, we continue to have significant concerns with the consistency between the RHNA and the Connect SoCal Plan as required per state housing law. We appreciate that SCAG took the time to provide a detailed master response to this concern on pages i-iv of the Connect SoCal Appendix 2. Nevertheless, the response falls short in explaining how these two documents are consistent. We provide the following additional comments for your consideration:

- 1) Paragraph 1 of the section entitled, "Existing Need Portion of the 6th Cycle RHNA" from Master Response 1 (see page iii) states, "In accordance with Government Code Section 65080(b)(2)(B)(iii), as discussed above, Connect SoCal's SCS identifies areas within the region sufficient to house an eight-year projection of the RHNA need, meaning the "projected need" portion (504,970 units) of the 6th Cycle (2021- 2029) RHNA." This response really does not address the intent of the law, which is that the RHNA should be consistent with the SCS. The law does not distinguish between "existing need" and "projected need" RHNA being consistent with the SCS, but states that the RHNA must be consistent with the development pattern of the SCS.

Furthermore, projected household growth comes from a variety of different factors, including existing population living in overcrowded conditions that form new households as more housing units are constructed. Since existing households are simply occupied existing housing units, as the market becomes flooded with more

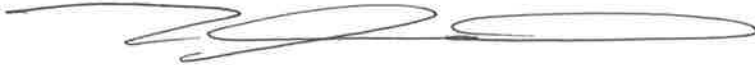
housing units as a result of the RHNA, there will likely be an increase in household growth into those additional housing units. The SCS should take into account the approved RHNA development pattern.

- 2) Paragraph 3 of the section entitled, "Existing Need Portion of the 6th Cycle RHNA" from Master Response 1 (see page iv) states, "The 6th Cycle RHNA allocation at the jurisdiction level will not be finalized until October 2020 following an appeals process which may result in changes to the RHNA at the jurisdictional level... Until this planning work is done at the local level, it would be speculative for Connect SoCal to make assumptions about potential development levels and patterns that includes the 6th Cycle 'existing need.'"
  - a. Are not both "projected need" **and** "existing need" housing units appealable through the RHNA process? Why is it that Connect SoCal can make assumptions about the potential development levels and patterns for "projected need" but not "existing need"? Jurisdictions are not going to distinguish the construction of their housing units between "projected need" vs. "existing need." They are simply going to permit the housing units.
  - b. Historically most appeals have not been granted by SCAG. In fact, it has actually been pretty rare for an appeal to be granted. Based on historic trends, it seems like SCAG would be able to make assumptions about how the final RHNA may turn out following the appeals.
  - c. While SCAG may not be able to make assumptions about development levels and patterns at the traffic analysis zone (TAZ) geographic level, SCAG should be able to make assumptions at the jurisdictional level or at least at the county level. As it stands, the RHNA and SCS are not consistent at any geographic level as required by state law.
  - d. While RHNA and Connect SoCal may be more consistent in much of the SCAG region under the current RHNA methodology, Orange County and much of Los Angeles County are going to be extremely inconsistent between the forecasts in Connect SoCal and the RHNA allocation.
- 3) Jurisdictions are going to be relying on the data assumptions in the RTP/SCS and the RHNA. For example, many jurisdictions are going to rely on the RTP/SCS for compliance with SB 743 in screening projects for VMT impacts. However, if the RTP/SCS doesn't accurately account for 2/3 of total RHNA, more than 800,000 units. This will significantly impact jurisdictions' reliance on the RTP/SCS for compliance with CEQA. To further emphasize this point, jurisdictions are going to be required to demonstrate that their rezoning efforts to accommodate their RHNA complies with VMT thresholds established under the RTP. For example, in Yorba Linda, the RTP/SCS growth forecasts project 900 households through 2045; however, the RHNA has required the city to plan for over 2,400 housing units by 2029. In other words, the RTP/SCS assumes a growth of 36 households per year, while RHNA assumes 300 housing units per year. This discrepancy could not be considered even remotely consistent by any stretch of the imagination.

Connect SoCal Comment Letter 2  
May 6, 2020

The City recognizes and appreciates the time and effort provided by everyone on this important and complex issue and for your consideration of these items. Please let us know if you need any additional clarification or have any questions by contacting Nate Farnsworth, Planning Manager, at (714) 961-7131 or [nfarnsworth@yorbalingca.gov](mailto:nfarnsworth@yorbalingca.gov).

Sincerely,

A handwritten signature in black ink, appearing to read 'Nate Farnsworth', with a long horizontal flourish extending to the right.

Nate Farnsworth  
Planning Manager

cc: David Brantley, Community Development Director

From: marek.slipski@everyactioncustom.com <marek.slipski@everyactioncustom.com>  
Sent: Wednesday, May 6, 2020 12:15 PM  
To: ePublic Comment Group <ePublicComment@scag.ca.gov>  
Subject: Save the Coastal Plan

Dear Southern California Association of Governments,

I am writing to express my concerns about the focus of Connect SoCal on exurban development, and the potential delay of the Connect SoCal adoption, which has the potential to cause SCAG to fail to meet its October RHNA deadline to move forward with the Coastal Plan. Since Connect SoCal provides guidance on the region's transportation investments over the next 25 years, these projections effectively perpetuate unsustainable sprawl. The severe consequences to the region of this type of plan will include rising traffic, greenhouse gas emissions, and housing costs. This threat multiplier would accelerate climate change and put more people at risk of heat and air pollution-related illnesses.

In addition to this problem, SCAG is considering delaying the adoption of Connect SoCal by 120 days without a clear objective to accomplish during that time. The issue with delaying adoption is that it could put our region at risk of not moving forward with the Coastal Plan as required by the RHNA process, since the Coastal Plan is linked with the growth forecasts of Connect SoCal. Noncompliance with RHNA cannot be an option for our region. A delay that improves the growth forecasts, but does not delay the adoption of the Coastal Plan, would be an acceptable alternative.

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Therefore, I respectfully ask that the Regional Council improve the SCS growth forecasts to reduce exurban sprawl, and prevent delay of the Coastal Plan finalization by the October deadline.

Personally sent by Marek Slipski using Abundant Housing LA's Advocacy Tool. AHLA is a grassroots pro-housing organization.

Sincerely,  
Marek Slipski  
801 E Walnut St Pasadena, CA 91101-5610 [marek.slipski@gmail.com](mailto:marek.slipski@gmail.com)



From: peyton.nander@everyactioncustom.com <peyton.nander@everyactioncustom.com>  
Sent: Wednesday, May 6, 2020 12:22 PM  
To: ePublic Comment Group <ePublicComment@scag.ca.gov>  
Subject: Save the Coastal Plan

Dear Southern California Association of Governments,

I respectfully ask that the Regional Council delay the connect SoCal plan. During a pandemic is the wrong time to push a long term plan that pushes growth of people next to each other. Look at Covid in NYC.

Personally sent by peyton nander nander using Abundant Housing LA's Advocacy Tool. AHLA is a grassroots pro-housing organization.

Sincerely,

peyton nander nander

9601 Wilshire Blvd Beverly Hills, CA 90210-5213 [peyton.nander@gmail.com](mailto:peyton.nander@gmail.com)

**From:** David Leger <davidl@southbaycities.org>  
**Sent:** Wednesday, May 6, 2020 12:48 PM  
**To:** ePublic Comment Group <ePublicComment@scag.ca.gov>  
**Subject:** SBCCOG Comments on Connect SoCal

Please find the attached letter from the South Bay Cities Council of Governments (SBCCOG) regarding the proposed 2020 RTP/SCS item.

Should you have any questions, please contact SBCCOG Executive Director, Jacki Bacharach, at 310-371-7222.

Sincerely,

**David Leger**  
Analyst & Assistant Board Secretary  
(310) 371-7222 ext. 202  
South Bay Cities Council of Governments



**SOUTH BAY CITIES**  
COUNCIL OF GOVERNMENTS

2355 Crenshaw Blvd., #125  
Torrance, CA 90501  
(310) 371-7222  
[sbccog@southbaycities.org](mailto:sbccog@southbaycities.org)  
[www.southbaycities.org](http://www.southbaycities.org)

May 6, 2020

Kome Ajise, Executive Director  
Southern California Association of Governments  
900 Wilshire Blvd., Ste. 1700  
Los Angeles, CA 90017

Dear Mr. Ajise,

As the Chair of the South Bay Cities Council of Governments (SBCCOG) Board of Directors, I am writing about the proposed 2020 RTP/SCS. The Board understands the urgency of adopting a draft document on May 7 related to the statutory requirements.

Assuming adoption, I urge SCAG to respond to this unprecedented crisis by immediately taking the step of updating, within a year, the adopted 2020 RTP/SCS. The region has changed significantly and in ways we have yet to fully comprehend as a result of the COVID 19 pandemic. As currently written, the 2020 RTP/SCS is unfortunately divorced from the reality within our municipalities and region. This will surely persist for years making it imperative to act now and not wait for the update in 2024.

Epidemiologists and other medical experts have warned of a second wave of infection, possibly seasonal recurrences, and the prospect of more novel viruses in the near future. I'm certain you are aware of the ever-changing circumstances, so I will not go into detail about our concerns. Below is a top-level list of draft plan elements the SBCCOG believes should be re-evaluated and revised:

**The single most obvious disconnect from reality is the financing assumptions.** According to the RTP: *“Our region continues to rely heavily on local sources of tax revenue. Eight sales tax measures in the region are the key reason that local sources generate 60 percent of core revenues for transportation improvements. Our region’s success in providing local sources of transportation funding also increases our ability to secure federal and state funding that requires local contributions. Transit related costs comprise the largest share of O&M for the region, totaling \$173.9 billion.”*

If the 2008 recession is a guide, the pandemic’s devastation of sales tax revenue may continue unabated through 2020 and probably into 2021. This clearly means that the revenue projected from the 8 sales tax measures that provide the core funding are unrealistic. Planned investments, no longer financially constrained, should be downscaled or replaced by less expensive alternatives.

**Other recommendations:**

1. Growth projections should be reviewed, especially considering the small business wreckage and the resulting job apocalypse. Jobs drive demand for housing; post-recovery job forecasts should be included in a revised RTP/SCS.
2. Demand management assumptions should be reviewed considering advances in telework, distance education and tele-medicine that have accelerated in reaction to the pandemic. Continuing some portion of these activities, which should be advocated in the RTP/SCS, will

LOCAL GOVERNMENTS IN ACTION

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Manhattan Beach Palos Verdes Estates Rancho Palos Verdes Redondo Beach Rolling Hills  
Rolling Hills Estates Torrance Los Angeles District #15 Los Angeles County

dramatically change the demand for mobility.

3. Goods movement assumptions should be reviewed considering the well-recognized need to shorten supply chains. That will lead to more domestic manufacturing, less port generated traffic, more intra-regional freight traffic, and more building space used to store inventory.
4. Residential density may become less strategic due to the increased risk of infection transmission. Consumer attitudes, which have already begun rejecting high density living, may prove to be a more important factor in housing demand than the relevant science. That reality should lead to re-evaluation of the potential for development outside of the already crowded coastal counties.
5. The RTP/SCS assumptions that the transit network will continue to expand accompanied by transit-oriented development should be re-evaluated. As mentioned, funding for the ambitious construction projects and for O&M are in doubt. Continued utility of public transit, in its present form, is in doubt. Even prior to the COVID-19 pandemic, transit ridership had been in a ten-year decline. Consumer apprehension about occupying a crowded space makes a transit recovery unlikely. Buses and rail cars are seen as opportunities for infection that increase the risks to both operators and passengers.
6. Finally, given the turbulence and the upset of foundational assumptions, it will be a good time to step back and look at substantially different alternative spatial structures for organizing the region. It may be time to rethink the efficacy of TOD and the supporting transit investments, including the long commute and the supporting highway investments.

The SBCCOG developed, tested and calibrated impacts for a structure consisting of neighborhood nodes connected by fiber networks with mobility in the form of micro-mobility. This strategy will facilitate institutionalizing the telework, distance education and telemedicine practices that were adopted ad hoc in order to cope with home sheltering. This spatial arrangement should be considered as the basis for an effective form of sustainability and resilience. It will require a much different investment pattern, require less monetary investment, and should deploy in years not decades.

Thank you for your consideration. These unprecedented times call for truly innovative responses. There will be no returning to the old normal. A television pundit recently offered the following observation – *“Everything has changed. Somethings wrong if convictions do not change.”*

With gratitude,

A handwritten signature in black ink, appearing to read 'Christian Horvath', with a long horizontal line extending to the right.

Christian Horvath, SBCCOG Chair  
Councilman, City of Redondo Beach

From: pmoorman@everyactioncustom.com <pmoorman@everyactioncustom.com>  
Sent: Wednesday, May 6, 2020 1:11 PM  
To: ePublic Comment Group <ePublicComment@scag.ca.gov>  
Subject: Save the Coastal Plan

Dear Southern California Association of Governments,

I am writing to express my concerns about the focus of Connect SoCal on exurban development, and the potential delay of the Connect SoCal adoption, which has the potential to cause SCAG to fail to meet its October RHNA deadline to move forward with the Coastal Plan. Since Connect SoCal provides guidance on the region's transportation investments over the next 25 years, these projections effectively perpetuate unsustainable sprawl. The severe consequences to the region of this type of plan will include rising traffic, greenhouse gas emissions, and housing costs. This threat multiplier would accelerate climate change and put more people at risk of heat and air pollution-related illnesses.

In addition to this problem, SCAG is considering delaying the adoption of Connect SoCal by 120 days without a clear objective to accomplish during that time. The issue with delaying adoption is that it could put our region at risk of not moving forward with the Coastal Plan as required by the RHNA process, since the Coastal Plan is linked with the growth forecasts of Connect SoCal. Noncompliance with RHNA cannot be an option for our region. A delay that improves the growth forecasts, but does not delay the adoption of the Coastal Plan, would be an acceptable alternative.

We believe that the Coastal Plan RHNA methodology aligns with the goals of the SCS to reduce VMT and GHG emissions. We stand by the Coastal Plan RHNA methodology for determining jurisdictions' housing allocations, and urge the Regional Council to certify the Coastal Plan RHNA methodology without delay.

Therefore, I respectfully ask that the Regional Council improve the SCS growth forecasts to reduce exurban sprawl, and prevent delay of the Coastal Plan finalization by the October deadline.

Personally sent by Paul Moorman using Abundant Housing LA's Advocacy Tool. AHLA is a grassroots pro-housing organization.

Sincerely,  
Paul Moorman  
1210 N Flores St Apt 14 West Hollywood, CA 90069-2940 pmoorman@illinoisalumni.org

**From:** Melanie Schlotterbeck <melanie@schlotterbeck.net>  
**Sent:** Wednesday, May 6, 2020 1:18 PM  
**To:** ePublic Comment Group <ePublicComment@scag.ca.gov>  
**Subject:** Agenda Item 2

Greetings,

I intend to participate via Zoom tomorrow for the Regional Council meeting and will raise my hand and unmute at the appropriate time during tomorrow's meeting. That said, I'm submitting my comments into the record to be read if I am unable to provide them due to technical difficulties.

Thank you in advance.

Melanie

Good afternoon members. My name is Melanie Schlotterbeck and I'm speaking on behalf of more than 45 conservation and community groups that support the natural and farmland policies included in Connect SoCal. These groups include local, regional, state, and federal organizations and also represent each county in the SCAG territory. This year the coalition was thrilled to see conservation of natural and farmlands as a recognized tool that planners and agencies can use to reduce greenhouse gas emissions and vehicle miles travelled.

We wanted to take an opportunity to thank you, SCAG and the consultants working on this plan for taking seriously the comments raised by our coalition. Conservation groups, cities, counties, infrastructure and park agencies—among others—have been working for decades to bring about meaningful change in the landscape through the protection of lands like Tejon Ranch, the Santa Monica Mountains, numerous coastal and inland parks, non-profit owned conservation lands, as well as private preserves that serve as mitigation or landbanks.

Together, with SCAG's support a lot more can be achieved. For example, there is work to be done to protect wildlife corridors—like the one that connects the Laguna Coast to the Cleveland National Forest under the 5 freeway, or the connection between Orange County, Riverside and San Diego Counties that protects the known movement areas for the cougar. Our local population of cougars, as you may be aware, recently became a candidate species under the California Endangered Species Act.

Thank you again for hard work. We look forward to acquiring, restoring, and managing natural and farmlands in the SCAG region with your support. We urge approval of the natural and farmland policies within the Connect SoCal Plan.

**From:** Paul Little <[Paul@pasadena-chamber.org](mailto:Paul@pasadena-chamber.org)>

**Sent:** Wednesday, May 6, 2020 1:31 PM

**To:** Tess Rey-Chaput <[REY@scag.ca.gov](mailto:REY@scag.ca.gov)>

**Subject:** Resolution No. 20-621-1

Good afternoon,

I would urge the SCAG Regional Council to adopt resolution 20-621-1 and follow the staff recommendation to allow more time for input into the plan and delay implementation for 120 days.

The transportation and housing plans for Southern California are too important to all our cities and counties to have it rushed to approval when most of those effected are unable to provide meaningful input.

Thank you,

Paul

*Paul Little*

Paul Little  
President and Chief Executive Officer  
Pasadena Chamber of Commerce  
44 North Mentor Avenue  
Pasadena, CA 91106-1745

[www.pasadena-chamber.org](http://www.pasadena-chamber.org)

From: zennon@everyactioncustom.com <zennon@everyactioncustom.com>  
Sent: Wednesday, May 6, 2020 1:40 PM  
To: ePublic Comment Group <ePublicComment@scag.ca.gov>  
Subject: Save the Coastal Plan

Dear Southern California Association of Governments,

I am writing to express my concerns about the focus of Connect SoCal on exurban development, and the potential delay of the Connect SoCal adoption, which has the potential to cause SCAG to fail to meet its October RHNA deadline to move forward with the Coastal Plan. Since Connect SoCal provides guidance on the region's transportation investments over the next 25 years, these projections effectively perpetuate unsustainable sprawl. The severe consequences to the region of this type of plan will include rising traffic, greenhouse gas emissions, and housing costs. This threat multiplier would accelerate climate change and put more people at risk of heat and air pollution-related illnesses.

In addition to this problem, SCAG is considering delaying the adoption of Connect SoCal by 120 days without a clear objective to accomplish during that time. The issue with delaying adoption is that it could put our region at risk of not moving forward with the Coastal Plan as required by the RHNA process, since the Coastal Plan is linked with the growth forecasts of Connect SoCal. Noncompliance with RHNA cannot be an option for our region. A delay that improves the growth forecasts, but does not delay the adoption of the Coastal Plan, would be an acceptable alternative.

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Therefore, I respectfully ask that the Regional Council improve the SCS growth forecasts to reduce exurban sprawl, and prevent delay of the Coastal Plan finalization by the October deadline.

Personally sent by Zennon Ulyate-Crow using Abundant Housing LA's Advocacy Tool. AHLA is a grassroots pro-housing organization.

Sincerely,  
Zennon Ulyate-Crow  
PO Box 680 Topanga, CA 90290-0680  
[zennon@me.com](mailto:zennon@me.com)



**From:** Thelma Pamplin [<mailto:myvoice@oneclickpolitics.com>]

**Sent:** Wednesday, May 6, 2020 11:43 AM

**To:** Kome Ajise

**Subject:** Urge the Regional Council to support Resolution 20-621-1 for the 'Connect SoCal' plan

Re: Urge the Regional Council to support Resolution 20-621-1 for the 'Connect SoCal' plan

Dear Hon. Kome Ajise,

We appreciate all the great work SCAG staff have done in listening to our recent communications with the many diverse stakeholders in Southern California.

Therefore, we request the SCAG Regional Council supports Resolution 20-621-1 as is, to ensure that we are protecting and leveraging every available transportation and housing dollar needed to build the critical infrastructure necessary to move our economy forward.

The 120 day delay within the adopting resolution will enable SCAG the time and ability to correct some severe errors. One example of this involves the Plan's depiction of already approved and entitled housing projects. A change occurred with a fully entitled project that will provide much-needed housing in the region to meet our housing production numbers along with job creation essential to help our region recover from this pandemic.

We respectfully urge the SCAG Regional Council to support the staff's recommendation of Resolution 20-621-1 to postpone the consideration of the Connect SoCal and the PEIR and continue working with the business community.

Sincerely,

Thelma Pamplin

[tpamplin@hotmail.com](mailto:tpamplin@hotmail.com)

13015 Spinning Ave Gardena, CA 90249 Constituent

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**From:** DeAndre Valencia <myvoice@oneclickpolitics.com>  
**Sent:** Tuesday, May 5, 2020 10:29 AM  
**To:** Kome Ajise <ajise@scag.ca.gov>  
**Subject:** Urge the Regional Council to support Resolution 20-621-1 for the 'Connect SoCal' plan

Re: Urge the Regional Council to support Resolution 20-621-1 for the 'Connect SoCal' plan

Dear Hon. Kome Ajise,

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We respectfully urge the SCAG Regional Council to support the staff's recommendation of Resolution 20-621-1 to postpone the consideration of the Connect SoCal and the PEIR and continue working with the business community.

Sincerely,  
DeAndre Valencia  
[deandre.vaencia@bizfed.org](mailto:deandre.vaencia@bizfed.org)  
460 Lucer Ct #111 Pomona, CA 91766 Constituent

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**From:** John Musella <myvoice@oneclickpolitics.com>

**Sent:** Tuesday, May 5, 2020 12:36 PM

**To:** Kome Ajise <ajise@scag.ca.gov>

**Subject:** Urge the Regional Council to support Resolution 20-621-1 for the 'Connect SoCal' plan

Re: Urge the Regional Council to support Resolution 20-621-1 for the 'Connect SoCal' plan

Dear Hon. Kome Ajise,

We appreciate all the great work SCAG staff have done in listening to our recent communications with the many diverse stakeholders in Southern California.

Therefore, we request the SCAG Regional Council supports Resolution 20-621-1 as is, to ensure that we are protecting and leveraging every available transportation and housing dollar needed to build the critical infrastructure necessary to move our economy forward.

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We respectfully urge the SCAG Regional Council to support the staff's recommendation of Resolution 20-621-1 to postpone the consideration of the Connect SoCal and the PEIR and continue working with the business community.

Sincerely,

John Musella

[john@musellagroup.com](mailto:john@musellagroup.com)

24522-C Windsor Dr. Valencia, CA 91355 Constituent

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**From:** Regional Cal. Black Chamber SFV <myvoice@oneclickpolitics.com>

**Sent:** Tuesday, May 5, 2020 7:19 PM

**To:** Kome Ajise <ajise@scag.ca.gov>

**Subject:** Urge the Regional Council to support Resolution 20-621-1 for the 'Connect SoCal' plan

Re: Urge the Regional Council to support Resolution 20-621-1 for the 'Connect SoCal' plan

Dear Hon. Kome Ajise,

We appreciate all the great work SCAG staff have done in listening to our recent communications with the many diverse stakeholders in Southern California.

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We respectfully urge the SCAG Regional Council to support the staff's recommendation of Resolution 20-621-1 to postpone the consideration of the Connect SoCal and the PEIR and continue working with the business community.

Sincerely,

Regional Cal. Black Chamber SFV

[regionalblackchamber@yahoo.com](mailto:regionalblackchamber@yahoo.com)

16133 Ventura blvd ste 700 Encino, CA 91436-2406 Constituent

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**From:** Jerard Wright <myvoice@oneclickpolitics.com>

**Sent:** Wednesday, May 6, 2020 9:27 AM

**To:** Kome Ajise <ajise@scag.ca.gov>

**Subject:** Urge the Regional Council to support Resolution 20-621-1 for the 'Connect SoCal' plan

Re: Urge the Regional Council to support Resolution 20-621-1 for the 'Connect SoCal' plan

Dear Hon. Kome Ajise,

We appreciate all the great work SCAG staff have done in listening to our recent communications with the many diverse stakeholders in Southern California.

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We respectfully urge the SCAG Regional Council to support the staff's recommendation of Resolution 20-621-1 to postpone the consideration of the Connect SoCal and the PEIR and continue working with the business community.

Sincerely,

Jerard Wright

[jerardwrightwfg@gmail.com](mailto:jerardwrightwfg@gmail.com)

21221 South Western Avenue, Suite 110 Torrance, CA 90501 Constituent

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**From:** Randy Gordon <myvoice@oneclickpolitics.com>

**Sent:** Wednesday, May 6, 2020 11:20 AM

**To:** Kome Ajise <ajise@scag.ca.gov>

**Subject:** Urge the Regional Council to support Resolution 20-621-1 for the 'Connect SoCal' plan

Re: Urge the Regional Council to support Resolution 20-621-1 for the 'Connect SoCal' plan

Dear Hon. Kome Ajise,

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We respectfully urge the SCAG Regional Council to support the staff's recommendation of Resolution 20-621-1 to postpone the consideration of the Connect SoCal and the PEIR and continue working with the business community.

Sincerely,

Randy Gordon

[cbos@lbchamber.com](mailto:cbos@lbchamber.com)

1 World Trade Center, Suite 1650 Long Beach, CA 90831 Constituent

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**From:** Stephanie Thornton <myvoice@oneclickpolitics.com>

**Sent:** Wednesday, May 6, 2020 11:22 AM

**To:** Kome Ajise <ajise@scag.ca.gov>

**Subject:** Urge the Regional Council to support Resolution 20-621-1 for the 'Connect SoCal' plan

Re: Urge the Regional Council to support Resolution 20-621-1 for the 'Connect SoCal' plan

Dear Hon. Kome Ajise,

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We respectfully urge the SCAG Regional Council to support the staff's recommendation of Resolution 20-621-1 to postpone the consideration of the Connect SoCal and the PEIR and continue working with the business community.

Sincerely,

Stephanie Thornton

[thornton\\_stephanie@hotmail.com](mailto:thornton_stephanie@hotmail.com)

2507 South Bronson Ave Apt 18 Los Angeles, CA 90018 Constituent

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**From:** Nichole Cannon <myvoice@oneclickpolitics.com>

**Sent:** Wednesday, May 6, 2020 11:31 AM

**To:** Kome Ajise <ajise@scag.ca.gov>

**Subject:** Urge the Regional Council to support Resolution 20-621-1 for the 'Connect SoCal' plan

Re: Urge the Regional Council to support Resolution 20-621-1 for the 'Connect SoCal' plan

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Sincerely,

Nichole Cannon

[ncannon2010@gmail.com](mailto:ncannon2010@gmail.com)

21221 S. Western Ave, Suite 110 Torrance, CA 90501 Constituent

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From: vyki.englert@everyactioncustom.com <vyki.englert@everyactioncustom.com>  
Sent: Wednesday, May 6, 2020 2:03 PM  
To: ePublic Comment Group <ePublicComment@scag.ca.gov>  
Subject: Save the Coastal Plan

Dear Southern California Association of Governments,

I am writing to express my concerns about the focus of Connect SoCal on exurban development, and the potential delay of the Connect SoCal adoption, which has the potential to cause SCAG to fail to meet its October RHNA deadline to move forward with the Coastal Plan. Since Connect SoCal provides guidance on the region's transportation investments over the next 25 years, these projections effectively perpetuate unsustainable sprawl. The severe consequences to the region of this type of plan will include rising traffic, greenhouse gas emissions, and housing costs. This threat multiplier would accelerate climate change and put more people at risk of heat and air pollution-related illnesses.

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Therefore, I respectfully ask that the Regional Council improve the SCS growth forecasts to reduce exurban sprawl, and prevent delay of the Coastal Plan finalization by the October deadline.

Personally sent by Victoria englert using Abundant Housing LA's Advocacy Tool. AHLA is a grassroots pro-housing organization.

Sincerely,  
Victoria englert  
2639 Pepper Ave Los Angeles, CA 90065-1122 [vyki.englert@gmail.com](mailto:vyki.englert@gmail.com)

From: careyjkayser@everyactioncustom.com <careyjkayser@everyactioncustom.com>  
Sent: Wednesday, May 6, 2020 2:43 PM  
To: ePublic Comment Group <ePublicComment@scag.ca.gov>  
Subject: Save the Coastal Plan

Dear Southern California Association of Governments,

I am writing to express my concerns about the focus of Connect SoCal on exurban development, and the potential delay of the Connect SoCal adoption, which has the potential to cause SCAG to fail to meet its October RHNA deadline to move forward with the Coastal Plan. Since Connect SoCal provides guidance on the region's transportation investments over the next 25 years, these projections effectively perpetuate unsustainable sprawl. The severe consequences to the region of this type of plan will include rising traffic, greenhouse gas emissions, and housing costs. This threat multiplier would accelerate climate change and put more people at risk of heat and air pollution-related illnesses.

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Therefore, I respectfully ask that the Regional Council improve the SCS growth forecasts to reduce exurban sprawl, and prevent delay of the Coastal Plan finalization by the October deadline.

Personally sent by Carey Kayser using Abundant Housing LA's Advocacy Tool. AHLA is a grassroots pro-housing organization.

Sincerely,  
Carey Kayser  
2929 St George St Los Angeles, CA 90027-3025 [careyjkayser@gmail.com](mailto:careyjkayser@gmail.com)

From: sinnocente@everyactioncustom.com <sinnocente@everyactioncustom.com>  
Sent: Wednesday, May 6, 2020 2:59 PM  
To: ePublic Comment Group <ePublicComment@scag.ca.gov>  
Subject: Save the Coastal Plan

Dear Southern California Association of Governments,

I am writing to express my concerns about the focus of Connect SoCal on exurban development, and the potential delay of the Connect SoCal adoption, which has the potential to cause SCAG to fail to meet its October RHNA deadline to move forward with the Coastal Plan. Since Connect SoCal provides guidance on the region's transportation investments over the next 25 years, these projections effectively perpetuate unsustainable sprawl. The severe consequences to the region of this type of plan will include rising traffic, greenhouse gas emissions, and housing costs. This threat multiplier would accelerate climate change and put more people at risk of heat and air pollution-related illnesses.

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Therefore, I respectfully ask that the Regional Council improve the SCS growth forecasts to reduce exurban sprawl, and prevent delay of the Coastal Plan finalization by the October deadline.

Personally sent by Sheena Innocente using Abundant Housing LA's Advocacy Tool. AHLA is a grassroots pro-housing organization.

Sincerely,  
Sheena Innocente  
1461 Sycamore Ave Tustin, CA 92780-6280 [sinnocente@g.ucla.edu](mailto:sinnocente@g.ucla.edu)

**From:** J.P. Rose <JRose@biologicaldiversity.org>  
**Sent:** Wednesday, May 6, 2020 4:03 PM  
**To:** Tess Rey-Chaput <REY@scag.ca.gov>; ePublic Comment Group <ePublicComment@scag.ca.gov>  
**Cc:** 2020 PEIR <2020PEIR@scag.ca.gov>; Sarah Miller <miller@scag.ca.gov>; Tiffany Yap <TYap@biologicaldiversity.org>; Theresa Rettinghouse <trettinghouse@biologicaldiversity.org>  
**Subject:** Letter from Center for Biological Diversity re Connect SoCal Plan and FEIR

Dear President Jahn and Regional Councilmembers,

Attached please find a letter from the Center for Biological Diversity regarding the Proposed Final Connect SoCal Plan and Final Program Environmental Impact Report. The letter's references, including references for Exhibits A-D, are available [here](#). We would appreciate if you could confirm receipt of the letter and that you were able to access the references.

We look forward to working with SCAG over the next few months to address the issues identified in the letter.

Warm regards,

J.P. Rose  
Urban Wildlands Staff Attorney  
CENTER *for* BIOLOGICAL DIVERSITY  
660 S. Figueroa Street #1000  
Los Angeles, CA 90017  
Cell: (408) 497-7675  
Office: (213) 785-5406  
Twitter: @JPRose5  
[jrose@biologicaldiversity.org](mailto:jrose@biologicaldiversity.org)



May 6, 2020

*Sent via email*

President Bill Jahn  
Southern California Association of Governments  
Attn: SCAG Regional Council  
900 Wilshire Blvd. Ste. 1700  
Los Angeles, CA 90017  
Tess Rey-Chaput, Staff Contact  
[rey@scag.ca.gov](mailto:rey@scag.ca.gov)  
[ePublicComment@scag.ca.gov](mailto:ePublicComment@scag.ca.gov)

**Re: Proposed Final Connect SoCal Plan and Final Program Environmental Impact Report  
(State Clearing House Number 2019011061)**

Dear President Jahn and Regional Councilmembers:

These comments are submitted on behalf of the Center for Biological Diversity (the “Center”) regarding the Connect SoCal 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (“Plan”) and the Plan’s Final Program Environmental Impact Report (“FEIR”). As outlined in our letter of May 1, 2020 (the “May 1 Letter”), the Center requests the Southern California Association of Governments (“SCAG”) to postpone the May 7 hearing and revise and recirculate the Plan and FEIR.

The Center understands from reviewing the staff report released on May 5 and from discussions with SCAG staff that SCAG intends to approve the Plan and FEIR on May 7 for federal transportation conformity purposes only, and then continue to work with stakeholders over the following 120 days to address remaining issues with the Plan. The Center looks forward to working collaboratively with SCAG to address our concerns over the next few months, and urges SCAG to recirculate the EIR and/or prepare a supplemental EIR in order to assist in addressing these concerns. A recirculated or supplemental EIR will help ensure that the public is able to participate fully in this critical planning process.

This letter identifies further issues with the Plan and FEIR that we hope can be resolved through future discussions and collaboration with SCAG.

## **I. Background on the Center**

The Center is a non-profit, public interest environmental organization dedicated to the protection of native species and their habitats through science, policy, and environmental law. The Center has over 1.7 million members and online activists throughout California and the United States. The Center and its members have worked for many years to protect imperiled plants and wildlife, open space, air and water quality, and overall quality of life for people in Southern California.

### **I. The FEIR Does Not Adequately Analyze or Mitigate the Plan's Impacts of Nitrogen Deposition on Sensitive Habitats and Listed Species.**

The Center has retained Stuart B. Weiss, Ph.D and Travis Longcore, Ph.D to evaluate the impacts of nitrogen deposition from transportation sources on sensitive habitats and species within the Plan region. Attached as Exhibit A (and incorporated by reference) is an analysis prepared by Drs. Weiss and Longcore (the "Nitrogen Deposition Analysis") which concludes that (1) deposition of nitrogen on natural lands represents is a significant threat to sensitive resources; (2) expansion of the transportation system associated with the Plan may increase deposition of nitrogen; and (3) the FEIR does not assess the impacts of nitrogen deposition on sensitive natural resources, including listed species. The Nitrogen Deposition Analysis provides examples of mitigation projects throughout California which address increased nitrogen deposition impacts, demonstrating that feasible mitigation measures are available. The Center is submitting this analysis to highlight this regional issue which requires a regional solution, and to remind SCAG of its obligation to analyze and mitigate all reasonably foreseeable significant impacts of the Plan. Impacts on listed species such as the Quino checkerspot butterfly also require the EIR to include a mandatory finding of significance, detailed analysis of the impact, and adoption of all feasible mitigation measures. Potential impacts to listed species may also require issuance of applicable take permits under the California Endangered Species Act ("CESA") and Federal Endangered Species Act.

Nitrogen deposition associated with the Plan also has the potential to impact the western Joshua tree,<sup>1</sup> which is currently being considered for listing under CESA. On April 13, 2020, the California Department of Fish and Wildlife issued a report determining that there is sufficient scientific information available to indicate that listing of the western Joshua tree may be warranted and recommended that the petition be accepted and considered.<sup>2</sup> The California Fish and Game Commission will vote on whether to grant candidacy status to the western Joshua tree at the hearing on June 24-25, 2020. Candidacy status would then grant the western Joshua tree temporary protections under CESA, and require heightened review and analysis of projects that have the potential to directly or indirectly impact the western Joshua tree. As noted in the May 1 Letter, CESA prohibits the "take" of any candidate species absent the issuance of an incidental

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<sup>1</sup> See Center for Biological Diversity, *A Petition to List the Western Joshua Tree (Yucca brevifolia) as Threatened under the California Endangered Species Act (CESA)* (Oct. 15, 2019), available at <https://www.biologicaldiversity.org/species/plants/pdfs/CESA-petition-Western-Joshua-Tree-10-15-19.pdf>.

<sup>2</sup> State of California, Natural Resources Agency, Department of Fish and Wildlife, *Report to the Fish and Game Commission, Evaluation of a Petition from the Center for Biological Diversity to List Western Joshua Tree (Yucca brevifolia) as Threatened under the California Endangered Species Act* (February 2020), available at [https://www.biologicaldiversity.org/species/plants/pdfs/SS\\_04\\_15-16\\_Item\\_19\\_Western-Joshua-Tree-consent.pdf](https://www.biologicaldiversity.org/species/plants/pdfs/SS_04_15-16_Item_19_Western-Joshua-Tree-consent.pdf).

take permit. (Fish & Game Code §2080; Cal. Code Regs., tit. 14, § 783.1.) As such, candidacy status would require incidental take permits for actions that may result in the take of western Joshua trees. The EIR must analyze this issue and SCAG should coordinate with the California Department of Fish and Wildlife to ascertain whether an incidental take permit is required.

## **II. The FEIR Fails to Adequately Assess and Mitigate Impacts of Sprawl Development in High Fire-prone Areas to Wildfire Risk.**

Fire is a natural and necessary ecological process for many different ecosystems within the region; however, increased human-caused ignitions and the expansion of flammable non-native grasses has led to increased fire activity in the area, which is harmful to numerous biological resources and people. Although the Plan “de-prioritizes growth on lands that are vulnerable to wildfire” (Plan at 47), the Plan fails to acknowledge the potential impacts of more fire ignitions from placing homes and people in high fire-prone areas. The FEIR points to changing climate as the primary driver of increased fire-risk, stating that the wildfires of 2017 and 2018 were “created by perfect fire conditions” due to “record-breaking” heat, years of drought, and an increase of forest pests and disease linked to climate change (FEIR at 3.20-4). The FEIR neglects to mention the major role sprawl development has had in increasing wildfire ignitions, fire frequency, and burned area over the past few decades.

On November 13, 2018, the Center sent a letter to the San Diego County Board of Supervisors discussing the wildfire impacts of poorly planned development in San Diego County (the “November 13 Letter”). A copy of the November 13 Letter is attached hereto as Exhibit B and is hereby incorporated by reference. The issues raised in the November 13 Letter are equally applicable to the Connect SoCal Plan and FEIR—(1) developments in fire-prone natural areas that have historically burned have the highest chances of burning; (2) development in fire-prone areas will lead to more frequent fires in Southern California; (3) public safety in developments in high fire-prone areas cannot be guaranteed; (4) developments often contain insufficient fire safety measures and fire protection plans; (5) increased human ignitions will increase unnatural levels of smoke; (6) the direct economic impacts of wildfires are worsening; (7) the devastating environmental, health, social, and economic costs of poorly-planned, leapfrog developments in areas that will burn are too great, such that there is no justification for approving this Plan as currently proposed. The FEIR does not contain sufficient analysis of these issues.

### **A. The FEIR Fails to Adequately Assess Wildfire Risk and the Potential Impacts of More Fire Ignitions from Placing Homes and People in High Fire-Prone Areas.**

According to a report from Governor Gavin Newsom’s Office, construction of more homes in the wildland-urban interface is one of the main factors that “magnify the wildfire threat and place substantially more people and property at risk than ever before” (Governor Newsom’s Strike Force 2019). In a new scientific study, Syphard et al. (2019) found that housing and human infrastructure in fire-prone wildlands are the main drivers of fire ignitions and structure loss. This is not new information; scientists have been reporting it for many years in scientific, peer-reviewed journals, and firefighters have observed it. And the Plan acknowledges that it will result in the “direct consumption of 41,546 acres of greenfield” (FEIR at 3.4-75), most of which

likely consists of high fire-prone habitats, like chaparral, shrub/scrubland, and grasslands. Yet the FEIR fails to adequately assess the Plan's impacts on wildfire risk by neglecting to use the best available science.

Sprawl developments with low/intermediate densities extending into habitats that are prone to fire have led to more frequent wildfires caused by human ignitions, like power lines, arson, improperly disposed cigarette butts, debris burning, fireworks, campfires, or sparks from cars or equipment (Keeley et al. 1999; Keeley and Fotheringham 2003; Syphard et al. 2007; Syphard et al. 2012; Bistinas et al. 2013; Balch et al. 2017; Keeley and Syphard 2018; Radeloff et al. 2018; Syphard et al. 2019). Human-caused fires account for 95-97% of all fires in Southern California's Mediterranean habitats (Syphard et al. 2007; Balch et al. 2017). In the SCAG region counties, Keeley and Syphard (2018) found that human ignitions were responsible for 98-100% of fires between 1919-2016. Leapfrog developments in high fire-prone areas have the highest predicted fire risk (Syphard et al. 2013), and multiple studies indicate that developments with low/intermediate-density clusters surrounded by fire-dependent vegetation (*i.e.*, grasslands, chaparral, scrub) in areas with a history of fires have the highest chances of burning (Syphard et al. 2012; Bistinas et al. 2013; Syphard et al. 2013; Syphard et al. 2019). Yet, the FEIR ignores this ample scientific evidence linking sprawl development in high fire-prone wildlands with increased fire risk; the Plan could result in the placement of more homes and communities in high fire-prone areas that have burned in the past and will inevitably burn again.

The FEIR fails to acknowledge the potential wildfire hazard from increased human-caused ignitions in the SCAG region. By placing people in fire-prone areas, the induced sprawl perpetuated by the Plan would increase the number of potential ignition sources, and therefore the risk of wildfires occurring. In particular, the FEIR fails to mention the increase of electrical equipment in the SCAG region due to the Plan. Power lines and electrical equipment are a significant source of human-caused ignitions (Keeley and Syphard 2018). The 2017 Thomas Fire, 2017 Tubbs Fire, 2018 Camp Fire, and 2018 Woolsey Fire were found to have been caused by electrical transmission lines and electrical equipment, and the 2019 Kincade Fire is suspected to have been caused by power lines as well. Placing homes and people in high fire-prone areas would only increase the potential likelihood of these ignition sources, as has been documented in multiple scientific studies (Keeley et al. 1999; Keeley and Fotheringham 2003; Syphard et al. 2007; Syphard et al. 2012; Bistinas et al. 2013; Balch et al. 2017; Keeley and Syphard 2018; Radeloff et al. 2018; Syphard et al. 2019). Thus, the FEIR fails to adequately assess wildfire risk in the Project area.

Although public utilities companies (*i.e.*, PG&E and Southern California Edison) are altering operations in the form of power outages and blackouts during extreme weather conditions (Callahan et al. 2019; Krishnakumar et al. 2019; Fry et al. 2019a), wildfires can still spark and spread quickly towards homes, as evidenced by the recent fires in Moraga (Hernández et al. 2019) and Saddle Ridge/Sylmar (Fry et al. 2019b). And the power outages themselves disproportionately burden our most vulnerable communities, including the elderly, poor, and disabled (Chabria and Luna 2019), and can cause traffic jams and collisions (CBS San Francisco 2019). Michael Wara, Director of the Climate and Energy Policy Program and a senior research scholar at the Stanford Woods Institute for the Environment, estimated that PG&E's power outage in Northern and Central California could have an economic impact of \$2.5 billion in



losses, with most of the burden on businesses (Callahan et al. 2019). It is clear that placing more homes and businesses in known fire-prone areas and wind corridors is irresponsible and can lead to deadly and costly consequences. Again, the FEIR fails to adequately assess and mitigate impacts of increased wildfire risk.

### **B. The FEIR Fails to Adequately Assess and Mitigate the Impacts to Special-status Species Due to Increased Human-caused Ignitions.**

As mentioned previously, sprawl developments with low/intermediate densities extending into habitats that are prone to fire, such as chaparral and scrub/shrubland habitats, have led to more frequent wildfires caused by human ignitions, and these types of developments have the highest chances of burning (Keeley et al. 1999; Keeley and Fotheringham 2003; Syphard et al. 2007; Syphard et al. 2012; Bistinas et al. 2013; Syphard et al. 2013; Balch et al. 2017; Keeley and Syphard 2018; Radeloff et al. 2018; Syphard et al. 2019). This could disrupt the natural fire regime and lead to a dangerous feedback loop of deadly fires and habitat destruction.

Much of the non-desert SCAG region is dominated by chaparral and scrub/shrublands, native California habitats that are adapted to infrequent (every 30 to 150 years), large, high-intensity crown fire regimes (Keeley and Fotheringham 2001). However, if these regimes are disrupted, the habitats become degraded (Keeley 2005; Keeley 2006; Syphard et al. 2018). When fires occur too frequently, type conversion occurs and the native shrublands are replaced by non-native grasses and forbs that burn more frequently and more easily, ultimately eliminating native habitats and biodiversity while increasing fire threat over time (Keeley 2005; Keeley 2006; Syphard et al. 2009; Safford and Van de Water 2014; Syphard et al. 2018). This could have serious consequences for special-status species in the SCAG region that rely on these native habitats for survival, such as the federally endangered Quino checkerspot butterfly (*Euphrdryas editha quino*) and the federally threatened coastal California gnatcatcher (*Polioptila californica californica*). In addition, large-scale landscape changes due to vegetation-type conversion from shifts in natural fire regimes could impact wide-ranging species like mountain lions (Jennings 2018), whose populations are already struggling in the area due to lack of connectivity and genetic isolation (Gustafson et al. 2018; Dellinger 2019). There is no mention of this in the FEIR. Thus, the FEIR fails to adequately disclose, assess, and mitigate potential wildfire impacts of the Project on special-status species.

### **C. The FEIR Fails to Adequately Assess and Mitigate the Potential Health and Air Quality Impacts from Increased Smoke from Human-caused Ignitions.**

Human-caused wildfires at the urban wildland interface that burn through developments, as is becoming more common with housing extending into fire-prone habitats, increase the frequency and toxicity of smoke exposure to communities in and downwind of the fires. This can lead to harmful public health impacts due to increased air pollution not only from burned vegetation, but also from burned homes, commercial buildings, cars, etc. Buildings and structures often contain plastic materials, metals, and various stored chemicals that release toxic chemicals when burned, such as pesticides, solvents, paints, and cleaning solutions (Weinhold 2011).

Increased fire frequency due to human activity and ill-placed developments lead to increased occurrences of poor outdoor and indoor air quality from smoke (*e.g.*, Phuleria et al. 2005), which can have public health effects. Hospital visits for respiratory symptoms (*e.g.*, asthma, acute bronchitis, pneumonia, or chronic obstructive pulmonary disease) and cardiovascular systems have been shown to increase during and/or after fire events (Künzli et al. 2006; Viswanathan et al. 2006; Delfino et al. 2009; Rappold et al. 2012; Liu et al. 2015; Reid et al. 2016). Children, elderly, and those with underlying chronic disease are the most vulnerable to the harmful health effects of increases in wildfire smoke. The FEIR fails to adequately assess and mitigate the Plan's potential impacts of increased smoke exposure due to increased human-caused ignitions.

#### **D. The FEIR Fails to Adequately Assess and Mitigate the Impact of Increased Wildfires on Fire Protection Services and Utilities.**

The FEIR fails to consider the impacts on firefighters and first responders of the Plan inducing growth and perpetuating sprawl in a high fire-prone natural areas subject to intermittent wildfires. Adding over 41,000 acres of development to these wild areas will necessitate significant firefighting costs from both state and local authorities. Cal Fire is primarily responsible for addressing wildfires when they occur, and its costs have continued to increase as wildfires in the wildland urban interface have grown more destructive. During the 2017-2018 and the 2018-2019 fiscal years, Cal Fire's fire suppression costs were \$773 million and an estimated \$635 million, respectively (Cal Fire 2019). Note that this does not include the cost of lives lost, property damage, or clean up during these years, which is estimated to be billions of dollars. The vast majority of wildfires in Southern California are caused by humans (Balch et al. 2017; Keeley and Syphard 2018), and inducing sprawl development in high fire hazard areas will increase the frequency and likelihood of such fires (Syphard et al. 2012; Syphard et al. 2013; Radeloff et al. 2018; Syphard et al. 2019). The FEIR fails to consider how the Plan will impact utilities and state finances or draw limited fire-fighting resources from other areas. The Regional Council should not be approving a Regional Transportation Plan that will induce unsustainable sprawl in high fire-prone areas and burden future generations of California with the costs of defending and recovering even more cities from dangerous blazes.

According to Captain Michael Feyh of the Sacramento Fire Department, California no longer has a fire season (Simon 2018); wildfires in California are now year-round because of increased human ignitions in fire-prone areas. Emergency calls to fire departments have tripled since the 1980s (Gutierrez and Cassidy 2018), and firefighters (and equipment) are being spread thin throughout the state. Firefighters often work 24- to 36-hour shifts for extended periods of time (often weeks at a time), and they are being kept away from their homes and families for more and more days out of the year (Bransford et al. 2018; Del Real and Kang 2018; Gutierrez 2018; Simon 2018; Ashton et al. 2018). In addition, the firefighting force often must rely on volunteers to battle fires year-round.

The extended fire season is taking a toll on the physical, mental, and emotional health of firefighters, as well as the emotional health of their families (Del Real and Kang 2018; Simon 2018; Ashton et al. 2018). The physical and mental fatigue of endlessly fighting fires and

experiencing trauma can lead to exhaustion, which can cause mistakes in life-or-death situations while on duty, and the constant worry and aftermath that family members endure when their loved ones are away working in life-threatening conditions can be harrowing (Ashton et al. 2018). According to psychologist Dr. Nancy Bohl-Penrod, the strain of fighting fires without having sufficient breaks can impact firefighters' interactions with their families, their emotions, and their personalities (Bransford et al. 2018). There have also been reports that suicide rates and substance abuse have been increasing among firefighters (Simon 2018; Greene 2018). This is not sustainable.

The FEIR fails to adequately assess and mitigate the impacts to fire protection services. Placing an additional development in fire-prone areas will further burden already strained people and resources. Funding is already lacking for the increasing costs of fire suppression and property damage from wildfires in California; costs were over \$30 billion from 2010 to 2017, and the destruction from 2018's Camp Fire and Woolsey Fire will likely cost additional billions of dollars. And the Plan provides no mechanism for developers to reimburse Cal Fire for the many millions (or billions) of dollars Cal Fire will likely expend when—not if—Southern California communities need to be defended from natural or human-caused wildfires in the vicinity. If costs are not sufficiently covered by the developers, California and federal residents end up paying in the form of fire insurance premiums and taxes that support Cal Fire and federal government subsidies and grants for homes in high risk areas. And these costs do not include other indirect/hidden costs associated with wildfires, such as the costs of doctors' appointments, medication, sick days taken from places of work, funerals, etc. As the costs of housing in California continues to increase, these costs will also continue to rise. Given the current lack of funding and shortage of firefighting personnel, any development in high fire-prone areas should be required to provide adequate funding and resources for firefighting operations and safety measures. The FEIR fails to adequately assess and mitigate impacts of increased wildfire risk.

#### **E. The FEIR Fails to Provide Adequate Fire Safety Measures to Effectively Mitigate Wildfire Impacts.**

Although the FEIR provides mitigation measures SMM WF-1 through SMM WF-3 to participate in information sharing, education, and outreach and develop a regional resilience program, these measures are insufficient to mitigate the increased risk of human ignitions and the increased strain on firefighting resources that would accompany the Plan's propagation of sprawl in fire-prone areas. In addition, recommended project level mitigation measures are threadbare. First and foremost, the primary recommendation to minimize impacts to wildfire risk should be to avoid placing human infrastructure in high fire-prone areas, yet this is not mentioned in any of the mitigation measures. Second, developers should be required to go above and beyond current state and federal standards and building codes to further minimize wildfire risk. While enforceable defensible space regulations is a laudable goal, recommending that developers follow the law and build to code is insufficient. Although defensible space immediately adjacent to structures, ember-resistant vents and roofing, and internal sprinklers may help make homes *fire-resistant*, even the best mitigation cannot make a development *fire-proof*. According to an analysis conducted in the aftermath of the Camp Fire, while 51% of homes built to code survived the blaze, the remaining 49% did not (Kasler and Reese 2019). In addition, homes can add fuel to fires, and fire safety is not guaranteed.

There are other mitigation measures that should be implemented to minimize wildfire impacts sprawl development in high fire-prone areas. For example, external sprinklers with an independent water source would reduce flammability of structures (California Chaparral Institute 2018). Although external sprinklers are not required by law, water-protected structures are much less likely to burn compared to dry structures, yet the FEIR does not provide this in the recommended project level mitigation measures. In addition, local solar power paired with batteries could reduce power flow (and therefore reduce extreme temperatures) in electricity lines, which would reduce the need for power outages during extreme weather conditions and provide power for communities when outages are necessary (Lee 2019). Michael Wara argues that solar power and batteries for homes and “microgrids” linking business districts would help make communities in high fire risk areas safer because it would provide backup power for medical devices, refrigerators, and the internet to run while allowing the main power grid to get shut down (Wara 2018). Yet the FEIR does not provide, or even discuss, these mitigation measures to minimize wildfire impacts.

Public safety threats are often exacerbated by infrastructure unable to accommodate the consequences of more human-caused fires at the wildland urban interface. Thus, it is imperative that adequate safety plans for residents and construction/maintenance workers that reflect real-world experience associated with wildfires in California are in place prior to an emergency. Notification systems may not function as expected during an emergency, and evacuation routes can get clogged with traffic quickly, endangering the lives of those trying to evacuate. In addition, the combination of smoke obscuring roads and signage, trees collapsing or being flung into roadways by the wind, and the emotional state of those fleeing for their lives can lead to deadly collisions and roadblocks. And survivors are left to cope with the death of loved ones, physical injuries, and emotional trauma from the chaos that wildfires have inflicted on their communities. These issues are heartbreakingly depicted in an article published in the *Sacramento Bee* on Oct 22, 2017 (Lundstrom et al. 2017). Thus the FEIR should require any new developments in or near high fire-prone areas to have a substantive fire protection plan for residents and businesses, yet it only provides a recommendation for a fire protection plan for construction/maintenance activity (in PMM WF-2). The FEIR fails to adequately assess and mitigate fire impacts of the Plan.

It is important to note that even if an adequate evacuation plan is in place, in natural areas with high fire threat where fires have historically burned, a public safety or evacuation plan may not be enough to safeguard people and homes from fires. Having warning systems and evacuation routes in place is important for fire preparedness and fire safety, but these are not guaranteed to function when a fire occurs. And wildfires may ignite with little or no notice, and, as mentioned previously, in severe weather conditions, wind-driven fires can spread quickly—they can cover 10,000 hectares in one to two days as embers are blown ahead of the fires and towards adjacent fuels (e.g., flammable vegetation, structures) (Syphard et al. 2011). This occurred in the recent Camp Fire in Butte County, which spread at a rate of 80 hectares a minute (about one football field per second) at its fastest, and in its first 14 hours burned over 8,000 hectares (Sabalow et al. 2018). In these types of emergencies warning systems can be slow and ineffective at reaching all residents in harm’s way, and planned evacuation routes may not be sufficient. These issues were observed during the Camp Fire, which led to at least 85 deaths and

13,000 burned homes (Sabalow et al. 2018), as well as in last year's Tubbs Fire in Sonoma County and Thomas Fire in Santa Barbara County and Ventura County, which led to more than 40 deaths and almost \$12 billion in property damage (Lundstrom et al. 2017; St. John 2017). The FEIR fails to adequately consider or assess the danger of fast-moving wildfires and mitigate the resulting impacts.

To the extent SCAG believes it has no authority or obligation to impose specific mitigation measures or standards on projects included in the Plan, we would respectfully disagree. Our legal basis for this position is outlined in section III (pages 2-4) the May 1 Letter, which is incorporated herein by reference.

## **II. The “Baseline” Set Forth in the Plan and FEIR May Not Comply with CEQA.**

CEQA requires that the EIR describe the environmental “baseline,” which is normally “the physical environmental conditions in the vicinity of the project, as they exist at the time the notice of preparation is published.” (*Communities for a Better Environment v. South Coast Air Quality Management Dist.* (2010) 48 Cal.4th 310, 320-321; Guidelines § 15125(a).) The “baseline” must be sufficiently detailed that it provides “an understanding of the significant effects of the proposed project and its alternatives.” (*Id.*) An agency must use its “best efforts to find out and disclose all that it reasonably can” and gather this information “at the earliest possible time in the environmental review process.” (Guidelines § 15144; Pub. Res. Code § 21003.1(a).)

Importantly, the baseline is not determined based upon “hypothetical situations,” but upon *existing physical conditions*. (*Communities for a Better Environment*, 48 Cal.4th at 322.) The Supreme Court held that “an approach using hypothetical allowable conditions as the baseline results in illusory comparisons that can only mislead the public as to the reality of the impacts and subvert full consideration of the actual environmental impacts, a result at direct odds with CEQA’s intent.” (*Id.*, internal quotations omitted)

The Center is concerned that the Plan and FEIR may not comply with this mandate. The Plan defines the “baseline” to include projects that “will result” from current programs including “transportation projects that have already received environmental clearance.” (Plan at 120.) There is a significant difference between existing physical conditions and *hypothetical conditions* based upon when the region *might* look like if currently entitled projects are actually built. For instance, the EIR/EIS for the Highway 138 Northwest Improvement Project was approved a few years ago, but according to MTA’s website the project will only be constructed if “demand requires.” Likewise, the 12,000-acre Centennial City proposed for Tejon Ranch received CEQA approvals from L.A. County over a year ago, but there are no current plans to begin construction. The Plan and FEIR fail to provide the public with a clear picture of *existing physical conditions* and instead impermissibly assume that such “paper projects” are or *will* be built.

This error impacts numerous sections of the EIR, including, but not limited to its analysis of air quality, GHGs, biological resources, and land use. The error also leads to a flawed

alternatives analysis, as “all three alternatives assume the same regional employment, population, and housing growth projections and roughly the same overall transportation budget.” (FEIR at 4.0-5.) It’s simply incorrect to assume the same overall transportation budget as the approval (or lack of approval) of the Plan will have a significant impact on transportation budgets and funding. These assumptions baked into the alternatives analysis also ignore the link between highway construction/expansion and sprawl development—the FEIR is wrong to assume that housing growth projects will be the same with or without the Plan and attendant highway construction. The FEIR and Plan need to be revised to give the public a clear picture of the project and no project conditions.

### **III. The FEIR’s GHG Analysis is Incomplete and Inadequate.**

The FEIR’s GHG analysis unfortunately remains incomplete and inadequate. The FEIR states that the CARB report on which the FEIR bases its goals and targets “is based on modeling that incorporates cleaner technologies and fuels (CTF) . . . .” (FEIR at 3.8-34.) As noted in section VI of the May 1 Letter, we are concerned that these assumptions may not be applicable due to federal rollbacks in emissions standards. By the same token, the estimates that GHG emissions will *decrease* during the life of the Plan may be incorrect. (See FEIR at 3.8-63 & 64; see also FEIR at 3.8-60 [“GHG emissions and transportation data were projected to 2045 using SCAG’s Regional Travel Demand Model and ARB’s EMFAC2014 emissions model”].) Likewise, the FEIR may not necessarily assume that “increasingly stringent regulations . . . will result in a reduced demand for all types of energy” when in fact the opposite appears to be true. (FEIR at 3.8-60.)

As with the air quality section of the FEIR discussed in the May 1 Letter, the FEIR fails to provide a clear comparison of no project versus project conditions – what will projected GHG emissions be in the absence of the Plan versus with the Plan? The Plan does not appear to squarely address how the billions of dollars in funding it will release for GHG-inducing highway projects (and attendant sprawl) will actually increase GHG emissions. Instead, the FEIR claims that GHG emissions will not be “reduced sufficiently to meet the GHG emissions reduction targets established for California . . . .” (FEIR at 3.8-61.) This misleadingly suggests the Plan will in fact be reducing GHG emissions as compared to a “no project” alternative, when that may not be the case.

### **IV. The FEIR’s GHG Mitigation Measures are Inadequate, Unfunded, and Unenforceable.**

The FEIR states that impacts of the Plan on GHGs will be significant. As such, CEQA requires that SCAG adopt all feasible mitigation measures to reduce the impacts of GHGs. The letter by Matt Hagemann, P.G., C.Hg. and Paul E. Rosenfeld, Ph.D of the expert consulting firm SWAPE (the “SWAPE Letter,” included as Exhibit A to the May 1 Letter) explains that the FEIR does not include all feasible mitigation measures, and that the proposed measures lack performance standards or are otherwise unenforceable.

The FEIR states that “SCAG cannot require implementing agencies to adopt mitigation, and it is ultimately the responsibility of the implementing agency to determine and adopt project-

specific mitigation.” (FEIR at 3.8-60.) While SCAG cannot compel another agency to take a certain step, SCAG can provide in the Plan and FEIR that if certain specific and performance-based measures are *not* incorporated into individual projects, then such individual projects are *not* consistent with the Plan.

Instead, the Plan and FEIR attempt to have it both ways by offering the Plan as a means to “streamline environmental review pursuant to SB 375, SB 743, or SB 226” and a tiering document while also simply saying mitigation proposals should simply be “considered” by lead agencies. (FEIR at 3.8-60.) In other words, a lead agency may disregard concrete mitigation measures while still availing itself of the Plan as a CEQA streamlining document. Such bureaucratic “hot potato” serves no public purpose and creates the illusion of government agencies addressing problems while failing to provide any real solutions. It also violates CEQA. (See *City of Marina v. Board of Trustees of California State University* (2006) 39 Cal. 4th 341, 366-67.)

More specifically, while the “SCAG Mitigation Measures” have laudatory goals, they simply don’t require SCAG or any other agency to take concrete steps to reduce GHG emissions. For instance, SMM GHG-1 states that SCAG shall continue to work with counties to adopt climate action plans. (FEIR at 3.8-68.) SMM GHG-2, SMM GHG-3, and SMM GHG-4 are similarly vague, unenforceable, and lack performance-based standards. Nonetheless, as noted in the May 1 Letter (at page 3), San Diego County in the adjacent SANDAG region disclaimed responsibility to reduce GHGs using a climate action plans by citing a lack of funding from SANDAG.

We are concerned that counties and cities will similarly adopt climate action plans that lack enforceable and performance-based mitigation measures, particularly when SCAG is not committing to assist in funding these plans or conditioning the release of funds upon clear and enforceable mitigation measures. This concern is already being born out with the L.A. County Public Review Draft CAP,<sup>3</sup> which is woefully inadequate to reduce GHGs in L.A. County. We have attached our comments on the L.A. County Draft herein as Exhibit C. Like the Plan, L.A. County’s Public Review Draft CAP contains many laudatory goals but fails to set forth enforceable and performance-based measures to actually reach those goals. L.A. County’s Public Review Draft CAP also fails to identify any funding sources for GHG reduction programs. Nonetheless, both the Plan and L.A. County’s CAP intend to act as “CEQA streamlining” documents, thus having the effect of streamlining GHG-intensive development while failing to offer enforceable and performance-based mitigation measures to reduce the impacts of such development. The Center urges SCAG to redirect significant resources to programs to reduce GHG emissions.

The FEIR’s “Project Level Mitigation Measures” are likewise deficient, as outlined in more detail in the SWAPE Letter. The SWAPE Letter, our letter on the L.A. County Draft CAP, and South Coast Air Quality Management District’s comment letter (“SCAQMD Letter”) outline

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<sup>3</sup> Los Angeles County Department of Regional Planning, Los Angeles County Climate Action Plan Public Review Draft (March 2020), available at [http://planning.lacounty.gov/assets/upl/case/2019-002015\\_cap-public-review-draft.pdf](http://planning.lacounty.gov/assets/upl/case/2019-002015_cap-public-review-draft.pdf).

mitigation measures the FEIR can require of lead agencies in order to show consistency with the Plan.

For instance, the Plan and FEIR could require that new projects incorporate EV-charging infrastructure in order to show consistency with the Plan. The SCAQMD Letter specifically proposes *requiring* “at least five percent of all vehicle parking spaces include electric vehicle (EV) charging stations, or at a minimum, require the appropriate infrastructure to facilitate sufficient electric charging for passenger vehicles and trucks to plug-in.” (SCAQMD Letter at 11.) Instead of adopting this as an enforceable mitigation measure, the FEIR simply refers back to the optional and unenforceable PMM GHG-1. (FEIR at 9.0-51.)

The lack of EV chargers is a regional issue necessitating regional approaches. SCAG can and should condition consistency with the Plan (and access to billions of dollars for transportation projects associated with the Plan) on feasible measures to reduce GHGs, such as requiring minimum numbers of EV chargers.

#### **V. The FEIR and Plan Should Include Stronger Policies To Limit Sprawl Development and Minimize Habitat Loss.**

The Center remains concerned that the FEIR does not provide a clear picture of the loss of habitat caused by the Plan. On the one hand, the FEIR disclaims responsibility for specific land uses, claiming that “SCAG lacks the land use authority to enforce specific land uses.” (FEIR at 3.8-780) On the other hand, the Plan on its own terms will result in the destruction of “41,546 acres of greenfield [including areas with] a high potential to contain sensitive plant communities and riparian habitats” (FEIR at 3.4-75). Likewise, the Plan claims a “reduction” in greenfield development of 29 percent and points to a “2045 baseline” of 100 square miles of greenfield development, versus 71 square miles in the Plan. (Plan at 118, 123.)

As the Plan notes, “decades of lower-density development (particularly housing) has occurred farther from employment-rich areas, increasing congestion, automobile dependency, leapfrog development and air pollution, and limiting the effectiveness of public transit.” (Plan at 20.) Unfortunately, it appears that the Plan will continue this legacy.

The Center supports the goals in the 2017 CARB Scoping Plan Update, which are referenced in the FEIR. This document recommends that “local governments consider policies to reduce VMT, including: land use and community design that reduces VMT; transit-oriented development; street design policies that prioritize transit, biking, and walking; and increasing low carbon mobility choices, including improved access to viable and affordable public transportation and active transportation opportunities.” (FEIR at 3.8-39.)

There are other measures the Plan and FEIR can take to reduce impacts of the Plan while ensuring adequate housing development. The Center’s comments on the L.A. County Sustainability Plan (Exhibit D, incorporated by reference) include recommendations to (1) require larger buffers between sensitive uses and freeways; (2) implement zero net energy standards; (3) use concrete and enforceable policies to limit sprawl development; and (4) limit discretionary development in high fire areas.



## VI. Conclusion

Thank you for the opportunity to submit comments on the Plan and FEIR. The Center looks forward to working with SCAG to move the Plan forward in a way that truly minimizes impacts to special-status species like the mountain lion and regional wildlife connectivity while upholding air quality and GHG standards and goals. Please feel free to contact the Center with any questions at the number or email listed below.

Sincerely,



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# **Exhibit A**

**Creekside Center for Earth Observation**  
Menlo Park, California

**Land Protection Partners**  
Los Angeles California

## **Effects of Nitrogen Deposition on Sensitive Species and Habitats Resulting from the Southern California Association of Governments Regional Transportation Plan**

Stuart B. Weiss, Ph.D.  
Travis Longcore, Ph.D.

May 6, 2020

The Southern California Association of Governments (SCAG) prepared a long-range Regional Transportation Plan (RTP) and associated Program Environmental Impact Report (PEIR). The plan is known as Connect SoCal and includes over \$650 billion in future transportation infrastructure. The Center for Biological Diversity has retained us to evaluate the potential impacts of nitrogen deposition from transportation sources on sensitive habitats and species within the project region.

Deposition of nitrogen on natural lands represents a significant threat to sensitive resources (Bytnerowicz and Fenn 1996, Allen et al. 1998, Weiss 1999). Nitrogen is, quite literally, fertilizer and its presence encourages growth of plants that are nutrient limited. For southern California scrublands and grasslands, the addition of excess nitrogen promotes the growth of nonnative, invasive grass species. The PEIR does not assess the impacts of this adverse impact on sensitive natural resources, including endangered species, as we present in detail below.

### **Expanding the Transportation System May Increase Deposition of Nitrogen**

Vehicles powered by internal combustion engines emit nitrogen oxides ( $\text{NO}_x$ ) produced by high temperature combustion. Vehicular  $\text{NO}_x$  emissions are closely regulated by the California Air Resources Board and are controlled effectively by catalytic converters. An unfortunate side-effect of the catalytic converters is the production of ammonia gas ( $\text{NH}_3$ ); there is a fundamental tradeoff between  $\text{NO}_x$  and  $\text{NH}_3$  production from vehicles equipped with catalytic converters (Heeb et al. 2006). Even as  $\text{NO}_x$  emissions decline in response to regulation,  $\text{NH}_3$  emissions from roadways will increase (Kean et al. 2009, Leip et al. 2011, Fenn et al. 2018). For example, on-road  $\text{NH}_3$  emissions increased 91% between 1990 and 2010 in the United States (Leip et al. 2011, Xing et al. 2013) and nitrogen deposition in this form has increased throughout many regions even as  $\text{NO}_x$  emissions have decreased (Du et al. 2014, Li et al. 2016, Hůnová et al. 2017).

Ammonia is not a regulated element of tailpipe emissions, but its deposition causes environmental impacts. The PEIR does not consider NH<sub>3</sub> emissions and the analysis of impacts cannot rely on CARB regulations to reduce them over the life of the RTP. All sources of nitrogen emissions should be considered together, and the amount of emissions with the RTP compared to a no project scenario that still takes into account CARB regulations already in place. It is highly likely that the RTP will result in increased nitrogen emissions over that period and in specific locations when compared with a scenario with existing regulations in place but without the road construction associated with the RTP.

### **Southern California Is Already a Nitrogen Deposition Hotspot**

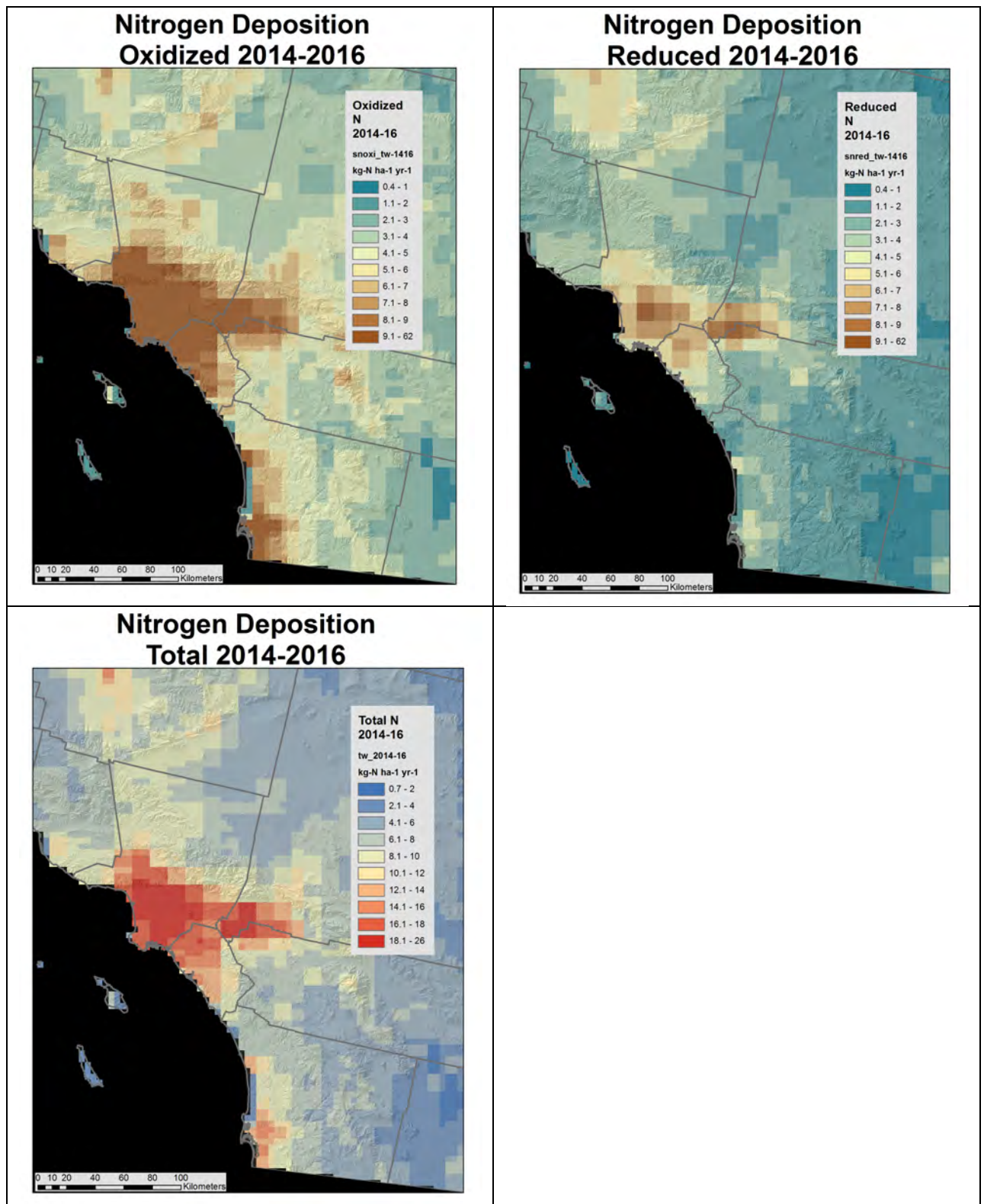
Southern California has some the highest nitrogen deposition in the United States (Fenn et al. 2003, Fenn et al. 2010, Fenn et al. 2018). The maps below are from TDEP (Total Deposition), produced by the US Environmental Protection Agency (**Figure 1**). TDEP synthesizes measurements and atmospheric models and represent the state of the art in deposition estimates at regional scales, presented on a 4 km grid (Schwede and Lear 2014). Dry deposition, a complex process whereby gases adsorb onto surfaces or are absorbed directly by plants in the absence of precipitation, dominates in coastal California. Total deposition in the region (at the 4 km scale) can exceed 25 kg-N ha<sup>-1</sup> year<sup>-1</sup>, and local hotspots can exceed 50 kg-N ha<sup>-1</sup> year<sup>-1</sup> (Fenn et al. 2003). Pre-industrial background is estimated at < 1 kg-N ha<sup>-1</sup> year<sup>-1</sup>. Oxidized-N results from emissions of nitrogen oxides (NO<sub>x</sub>) and reduced-N results from emissions of ammonia (NH<sub>3</sub>). Both forms are important, but have different magnitudes and local patterns (**Figure 1**).

### **Nitrogen Exceeding Critical Loads Degrades Sensitive Natural Communities**

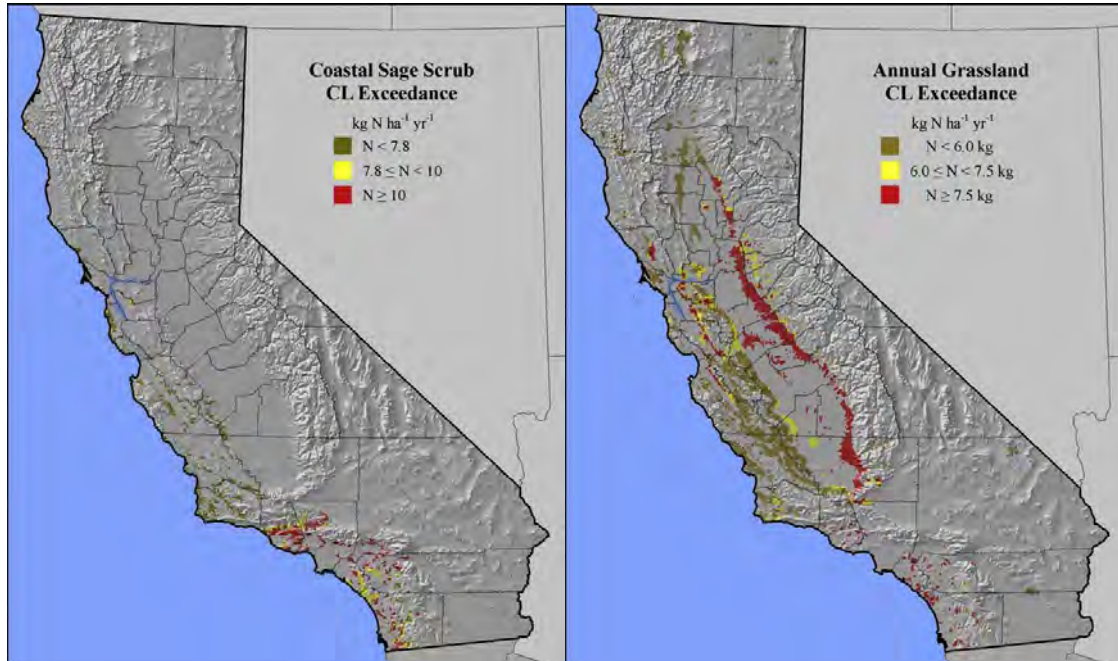
Deposition of atmospheric nitrogen favors non-native annual plants; and native annual forbs are declining due to competition from those non-native annuals (Padgett and Allen 1999, Padgett et al. 1999, Weiss 1999, Cione et al. 2002, Fenn et al. 2010).

Fenn et al. (2010) identified the “critical loads” of nitrogen deposition beyond which vegetation communities are disrupted. In native grasslands, nonnative grass invasion is facilitated at 6 kg N ha<sup>-1</sup> y<sup>-1</sup> of deposition (Weiss 1999, Fenn et al. 2010). For coastal sage scrub, a decrease in native plant richness is seen at 7.8–10 kg N ha<sup>-1</sup> y<sup>-1</sup> (Fenn et al. 2011). At 10 kg N ha<sup>-1</sup> y<sup>-1</sup>, a significant decrease in arbuscular mycorrhizal spore density is observed (Fenn et al. 2011), which has potentially significant impacts on the ability of native plants to form symbiotic relationships with these fungi and exclude nonnative plants (St. John 1993, Corkidi et al. 2002). In chaparral and oak woodlands, the epiphytic lichen community is transformed into nutrient-tolerant species at 5.5 kg N ha<sup>-1</sup> y<sup>-1</sup>.





**Figure 1.** TDEP estimates of oxidized, reduced, and total nitrogen deposition (Schwede and Lear 2014).



**Figure 2.** Critical load exceedances for coastal sage scrub and grassland in California (Fenn et al. 2010). The critical load for CSS is  $7.8 \text{ kg N ha}^{-1} \text{ yr}^{-1}$  and  $6.0 \text{ kg N ha}^{-1} \text{ yr}^{-1}$  for grassland.

Much of the region subject to additional development of transportation infrastructure under the SoCal Connect RTP is approaching or has exceeded the critical loads for coastal sage scrub and grasslands. Those areas already exceeding critical levels have been mapped (**Figure 2**).

Because the scrublands and grasslands of the project area are already subject to nitrogen deposition at or near established critical loads, any additional deposition would constitute a significant impact. Although the PEIR claims that  $\text{NO}_x$  will decline over the life of the project, total nitrogen deposition is not considered, and the control measures that reduce  $\text{NO}_x$  from internal combustion engines will result in an increase in  $\text{NH}_3$  emissions.

### **Emissions from Roads Impacts Endangered Species Habitat**

The  $\text{NO}_x$  and  $\text{NH}_3$  emissions from a road have local and regional impacts, both of which can impact endangered species in the project area. The plume from the road line source elevates pollutant concentrations for several hundred yards downwind, falling off in an exponential decay with distance, because of dispersion upward and deposition downward (Seinfeld and Pandis 2016). For example, along Highway 280 in San Mateo County, ammonia deposition at the fence line (~50 yards from the road centerline) was about  $10 \text{ kg-N ha}^{-1} \text{ yr}^{-1}$ , and was reduced to  $1 \text{ kg-N ha}^{-1} \text{ yr}^{-1}$  500 yards to the east (Fenn et al. 2010, Fenn et al. 2018). The situation with  $\text{NO}_x$  is more complicated, because of the rapid (scale of seconds) conversion of the primary emissions of NO (little deposition) to  $\text{NO}_2$  (higher deposition) as the plume moves downwind, which mutes the distance effect so that  $\text{NO}_2$  deposition decreases by only 50% over the same gradient.

Once the local plume disperses upward, emissions contribute to, but become difficult to detect relative to, background, especially in polluted regions like Southern California. The emissions merge with the regional plume and undergo further chemical transformations, such as the

oxidation of NO<sub>2</sub> into HNO<sub>3</sub> and formation of particulate of NH<sub>4</sub>NO<sub>3</sub> (a major component of PM<sub>2.5</sub>). These compounds can travel and deposit long distances downwind.

The PEIR sets a standard for assessing local impacts of individual projects that is too conservative. The PEIR limits consideration of impacts on sensitive species to only 500 feet surrounding projects. Elevated local deposition of nitrogen occurs at least to 1,500 feet away from a roadway or point source (Fenn et al. 2010, Fenn et al. 2018), and other edge effects such as light pollution have impacts more than 500 feet away.

Nitrogen deposition originating both locally and as part of the regional plume impacts habitat for threatened, rare, and endangered species in the project area. We focus on two examples, the Quino checkerspot butterfly and the array of endangered and threatened plant species that are found in Southern California.

### ***Quino Checkerspot Butterfly***

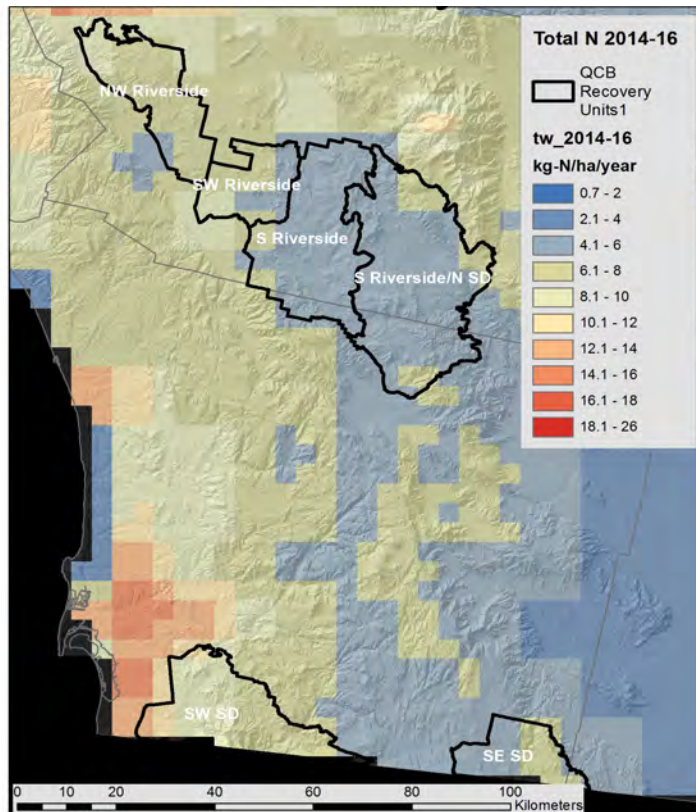
Quino checkerspot (*Euphydryas editha quino*) was once an unimaginably common spring butterfly of the open forblands, grasslands, and sparse shrublands of Southern California where it typically laid its eggs on the small native forb, *Plantago erecta* (Mattoni et al. 1997). As these landscapes were lost to urban development throughout Los Angeles and Orange county, the remaining populations in Riverside and San Diego counties have been threatened by the invasion of nonnative grasses spread through the ranching era and accelerated by deposition of nitrogen. The grasses thrive in the presence of additional nitrogen and choke out the diminutive native forbs that once carpeted the understory of sparse scrublands in the spring (Minnich and Dezzani 1998, Minnich 2008), a pattern that has been repeated across the state (Huenneke et al. 1990, Weiss 1999). The decline in grasslands has been underway for 200 years, associated with widespread grazing, then urbanization. The degradation of open scrublands and their forb understory has only accelerated in the past 40–50 years (Allen et al. 1998, Minnich and Dezzani 1998, Talluto and Suding 2008).

Nitrogen deposition is currently high across the recovery units of Quino checkerspot butterfly, and artificially elevated soil nitrogen is identified as a key threat that must be remediated in the recovery plan (U.S. Fish and Wildlife Service 2003). Within the project area, Recovery Units in Riverside County are vulnerable to impacts from the RTP (**Figure 3**). The species Recovery Plan is clear, that “Conversion from native vegetation to nonnative annual grassland will be the greatest threat to Quino checkerspot butterfly reserves,” and ties this conversion to nitrogen pollution, along with fire, grazing, and off-road vehicle activity (U.S. Fish and Wildlife Service 2003). This concern is well-founded, since additional nitrogen decreases the size and density of the larval host plant *P. erecta* (Koide et al. 1988).

Highway expansion projects included in the Plan’s project list may have local nitrogen deposition impacts on listed species like Quino checkerspot. At a minimum, these include (1) the widening of highway 79 (RTP ID 3A04SH12), which is within 1.5 miles of critical habitat for Quino checkerspot at Skinner Reservoir and (2) the widening of I-15, which is adjacent to the Northwest Riverside recovery unit outlined in the recovery plan. In addition to these local impacts, the regional plume of nitrogen pollution threatens the remaining range of the species.

Both types of impacts should be recognized and a framework for mitigation established in the PEIR.

Nitrogen deposition poses a direct threat to the viability of Quino checkerspot butterfly in areas that have been set aside and are being managed for the species, because nitrogen deposition critical levels are being exceeded. To be clear, nitrogen deposition is a threat to habitats that have already been protected for conservation and are being held in perpetuity for that purpose. Without a strategy to offset impacts of nitrogen deposition, those investments will be in vain.



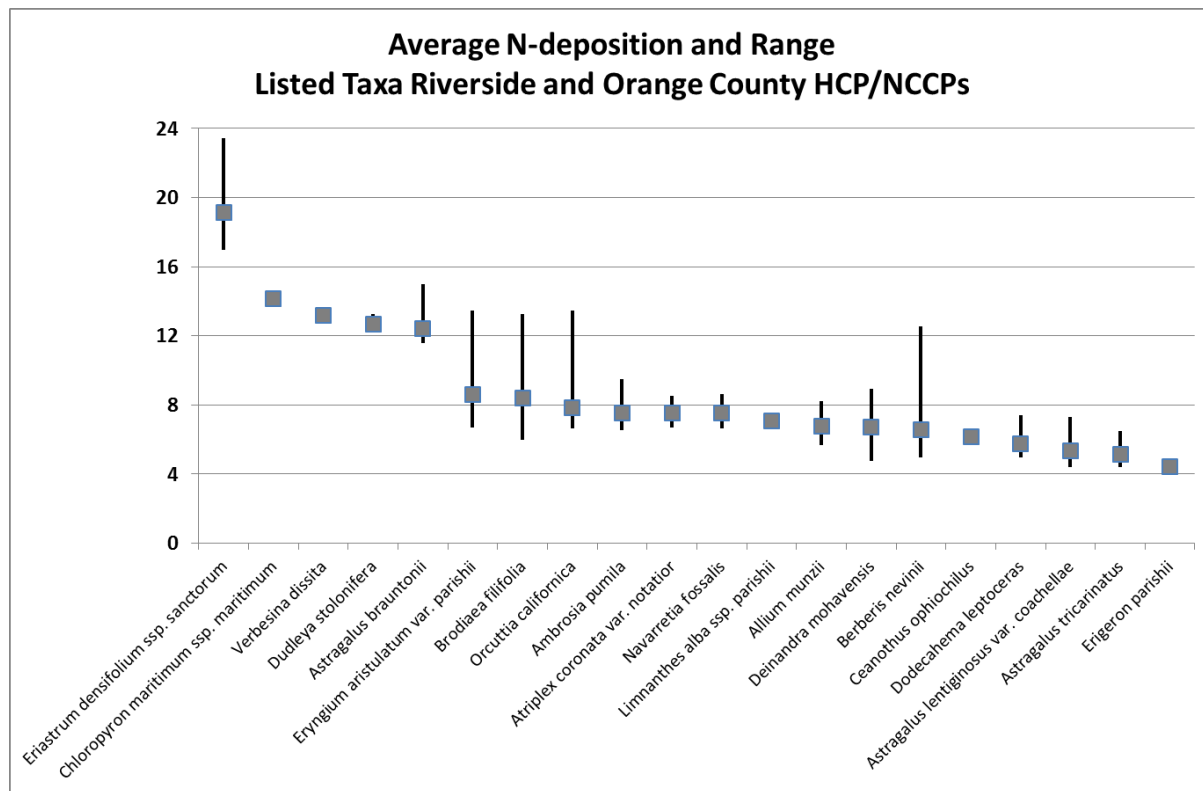
**Figure 3.** 2014–2016 total nitrogen deposition in relation to Recovery Units for Quino checkerspot butterfly (U.S. Fish and Wildlife Service 2003).

### ***Endangered Plant Species***

The RTP area includes many plant species that are threatened, rare, or endangered. All of these species are adversely impacted by nitrogen deposition through direct and indirect mechanisms (Fenn et al. 2010). Directly, additional nitrogen favors nonnative invasive species that out-compete native species, as documented above. Indirectly, the additional nonnative annual grasses and weeds on the landscape fundamentally transforms fire return intervals. Areas subject to annual grass invasion facilitated by nitrogen deposition burn more often than native habitats and the repeated fire then excludes species that must grow for years before they set seed (e.g., some coastal sage scrub and chaparral species) or are not adapted to fire (e.g., desert species).

To illustrate that listed plant species are already found within the RTP area and are threatened by nitrogen deposition, we collated the total nitrogen deposition for listed plant taxa located in

Riverside and Orange Counties that have been subject to Habitat Conservation Plans (HCPs) and Natural Community Conservation Plans (NCCPs). The exposure of the locations of these listed plant taxa near or exceed the defined critical thresholds defined for the vegetation communities where they are found (**Figure 4**).



**Figure 4.** Average and range of annual total nitrogen deposition (N-kg ha<sup>-1</sup> yr<sup>-1</sup>) for 2014-2016 period for habitat occupied by listed plant species covered by HCPs and NCCPs in Los Angeles County and Orange County.

### A Regional Strategy Is Necessary to Mitigate Nitrogen Deposition

Mitigation of nitrogen deposition associated with continued expansion of the transportation system will not be effective if put off to project-level environmental review and mitigation planning. A program-level approach is necessary because of the difficulty of reversing impacts and the need to act regionally to protect sensitive habitats and imperiled species.

It is difficult to restore habitats that have been degraded by nitrogen deposition. Invasive grasses end up dominating the seedbank, the point of completely excluding native plant species (Cione et al. 2002). Although fire has been suggested to reduce exotic seed banks, use of fire to restore degraded grasslands is generally not feasible because of air quality regulations and risk. Effective restoration of scrublands can be achieved through the use of mechanical or chemical weed control over a sustained period, followed by seeding of native species (Brooks et al. 2019). Such an approach is labor intensive, requires large amounts of seed, and also relies on use of mycorrhizal inoculum that forms a network with the planted species and helps exclude nonnative species (St. John 1993).

The transportation network has contributed substantially to the existing conditions of nitrogen pollution that degrade private and protected lands on an ongoing basis. Mitigating these impacts requires a regional plan and mitigation scheme so that mitigation offsets from individual projects can be used to protect, manage, and restore habitats for endangered species that may not occur at a transportation project location but are nevertheless incrementally harmed by that project. Only a program-level approach can analyze these impacts and establish an equitable process through which each project can pay its fair share of the consequences of nitrogen pollution.

### **Precedents for Mitigation for Nitrogen Deposition Impacts on Sensitive Species in California**

Mitigation for increased nitrogen deposition impacts on sensitive species emissions has been implemented in California since 2001. The link between N-deposition and adverse modification of Bay checkerspot butterfly habitat through increased annual grass growth was established by Weiss (1999). Since that time, prime examples of off-site mitigation for nitrogen emissions resulting from infrastructure projects include:

*Metcalf Energy Center, Los Esteros Critical Energy Facility, Donald von Raesfeld Generating Plant:* These three natural gas-fired powerplants in Santa Clara County independently provided mitigation for cumulative impacts of increased NO<sub>x</sub> and NH<sub>3</sub> emissions, starting in 2001. Mitigation actions included acquisition of sensitive serpentine grassland habitat (211 acres of habitat), ongoing funding for monitoring and management (>\$100,000 per year), and establishment of endowments (~\$2,000,000) for funding after the power plants are retired.

*Highway projects in Santa Clara County:* Widening Highway 101 and construction of interchanges in Coyote Valley by the Santa Clara Valley Transportation Authority (VTA) triggered a Section 7 consultation that resulted in 540 acres of serpentine being acquired along with ongoing monitoring and management funding, and a \$700,000 management endowment. The project was also the trigger for the development of the Santa Clara Valley Habitat Plan.

*Santa Clara Valley Habitat Conservation Plan/Natural Communities Conservation Plan (Valley Habitat Plan):* This comprehensive plan covers 19 taxa, including 10 taxa dependent on nitrogen sensitive serpentine grassland. The 50-year, \$665,000,000 (2013 dollars) plan will result in a reserve system of ~42,000 acres, provide monitoring and management funds for the duration of the plan, and a >\$100,000,000 endowment for management in perpetuity. One funding source for the Valley Habitat Plan is a small *one-time* nitrogen deposition fee based on vehicle trips generated by a project (\$45.80 per single residence, or \$4.70 per new daily vehicle trip for commercial projects).

*Otay Power Generating Station:* This natural gas-fired powerplant at the western base of Otay Mountain (San Diego County) provided \$400,000 for habitat management to mitigate impacts on the Quino checkerspot butterfly.

*Lange's Metalmark butterfly at Antioch Dunes National Wildlife Refuge:* The Refuge is a remnant sand dune system supporting the endangered butterfly and two endangered plants. Nitrogen deposition has contributed to the nutrient poor dunes becoming overrun with annual grass growth. Five gas-fired powerplants surrounding the Antioch Dunes NWR were approved

by the California Energy Commission in the 2000s. As part of a lawsuit settlement, the Marsh Landing Generating Station committed to ~\$2,000,000 in funding for dune management and community pollution response.

### **About the Authors**

Stuart B. Weiss (Ph.D. Stanford University) is founder and Chief Scientist of the Creekside Center for Earth Observation, which provides scientific support for conservation and restoration. Dr. Weiss has expertise in population biology, climate change, statistical analysis, GIS, and most aspects of conservation biology. He is a recognized expert in nitrogen deposition and biodiversity, not only publishing scientific papers but also consulting on mitigation strategies and implementation, as well as organizing scientific sessions on nitrogen deposition at major conferences.

Dr. Travis Longcore is a principal of Land Protection Partners and Associate Adjunct Professor in the Institute of the Environment and Sustainability at UCLA. He was graduated *summa cum laude* from the University of Delaware with an Honors B.A. in Geography, holds an M.A. and a Ph.D. in Geography from UCLA, and is professionally certified as a Senior Ecologist by the Ecological Society of America. He is a 23-year member of the Los Angeles County Environmental Review Board. Longcore has authored or co-authored over 45 scientific papers in top peer-reviewed journals such as *Auk*, *Biological Conservation*, *Conservation Biology*, *Environmental Management*, *Frontiers in Ecology and the Environment*, *Trends in Evolution and Ecology*, and *Urban Forestry and Urban Greening*. He has provided scientific review of environmental compliance documents and analysis of complex environmental issues for local, regional, and national clients for 22 years.

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# **EXHIBIT B**



November 13, 2018

***Via Electronic Mail and Hand Delivery (with references)***

San Diego County Board of Supervisors  
Attn: David Hall  
Clerk of the Board of Supervisors  
1600 Pacific Highway, Room 335  
San Diego, CA 92101  
[David.hall@sdcountry.ca.gov](mailto:David.hall@sdcountry.ca.gov)

**Re: Wildfire Impacts of Poorly-planned Development in San Diego County**

Dear Supervisors:

These comments are submitted on behalf of the Center for Biological Diversity (Center) regarding the approval or pending approval of the following Projects:

1. Warner Ranch
2. Lilac Hills
3. Newland Sierra
4. Valiano
5. Harmony Grove Village South
6. Otay Ranch Village 14, 16, 19
7. Otay Ranch Village 13
8. Otay 250 Sunroad
9. Project Specific Requests (PSRs)

While the Center has many concerns regarding the environmental impacts and inadequate analyses provided in the Environmental Impact Reports of the proposed Projects, the purpose of this letter is to voice our concern regarding the public safety impacts of these poorly-planned, sprawl developments in fire-prone chaparral ecosystems in San Diego County. The Center reviewed the Environmental Impact Report of each Project to determine the cumulative impacts of these developments on wildfire risk and analyze the adequacy of proposed mitigation measures. Project footprints were compared to the fire history and fire threat of the region, as identified by state agencies (the Department of Forestry and Fire Protection [Cal Fire] and the California Public Utilities Commission [CPUC]), and the total number of housing units and potential residents for all the developments were calculated.

The proposed developments would be placed in natural landscapes dominated by fire-prone native chaparral and coastal sage scrub habitats that rely on wildfires to persist. Exurban developments like those proposed – with low to intermediate housing densities extending into chaparral and scrublands – have been shown to lead to frequent human-caused ignitions and fire

frequencies that exceed historical, natural levels in Southern California (Syphard et al. 2018). When fires occur too frequently, chaparral and sage scrub ecosystems are replaced by highly flammable non-native grasses, ultimately eliminating native habitats and increasing fire risks to communities.

By approving these sprawl Projects, the County will allow for the construction of almost 15,000 homes in natural areas dominated by chaparral and sage scrub habitat that regularly experience fire. The U.S. Census Bureau estimates that there are 2.87 persons per household in San Diego County, so together the developments would put more than 40,000 potential residents at risk. Placing more than 40,000 potential residents in fire-prone natural areas that are anticipated to burn without thoroughly considering the severe environmental, health, social, and economic consequences or requiring appropriate, science-based analyses regarding wildfire risk is reckless and a dereliction of your duty to the public. The developments will increase wildfire risks that could cause residents to lose their homes and the lives of loved ones and first responders. The increased fire risk could also worsen public health, destroy native ecosystems, and reduce biodiversity. These poorly-planned developments are not a solution to current housing needs; they will only lead to increased risk of harm and expenses for the County's residents.

Wildland fires are inevitable, natural processes in Southern California that are necessary and beneficial for chaparral and scrub ecosystems. The Center urges the County to protect human lives, property, and native biodiversity, by reforming growth strategies to focus on avoiding the placement of developments in high fire threat areas. Existing homes in fire-risk areas should be incentivized to complete retrofits with fire-resistant construction, appropriate defensible space, and homeowner fire safety education. Urban planning and design should focus on infill development in urban core areas, where wildfire threat is lower and people have access to jobs, public transit, and community. We can no longer dismiss California's natural fire regime and the direct relationship between urban sprawl and deadly wildfires. The County needs to stop approving development in high wildfire threat areas to keep its residents healthy and safe and to protect native biodiversity.

The Center is a non-profit, public interest environmental organization dedicated to the protection of native species and their habitats through science, policy, and environmental law. The Center has over 1 million members and online activists throughout California and the United States. The Center has worked for many years to protect imperiled plants and wildlife, open space, air and water quality, and overall quality of life in Southern California, including San Diego County.

## **I. Developments in Fire-prone Natural Areas That Have Historically Burned Have the Highest Chances of Burning**

Approving these Projects will allow for the construction of almost 15,000 homes in areas that Cal Fire has identified as having extreme fire threat to people and the CPUC has determined to have elevated and/or extreme fire threat. Almost all the proposed Projects are located in or adjacent to natural areas that have evolved with fire historically and have burned multiple times in the last 140 years. In fact, 20 fires have burned in areas of the Otay Ranch Villages since

1910, with the most recent and largest fire in the area occurring in 2007 (the Harris 2 Fire, ~91,000 acres burned).

Between the years 2000 and 2011, nearly 1,000 homes per year were destroyed by wildfires in Southern California (Syphard et al. 2012), and those numbers appear to be rising, considering last year's fires burned over 10,000 structures and this year's Camp Fire in Butte County and Woolsey Fire in Ventura County have destroyed almost 7,000 homes. Multiple studies indicate that developments with low/intermediate-density clusters surrounded by fire-dependent vegetation (*i.e.*, chaparral) in areas with a history of fires – like those proposed by the County – have the highest chances of burning (Syphard et al. 2012; Syphard et al. 2013). By approving these Projects, the San Diego Board of Supervisors will be directly endangering the lives of more than 40,000 people by placing homes in the exact arrangement and placement for maximum fire susceptibility in areas where fires will inevitably burn.

## **II. Development in Fire-prone Areas Will Lead to More Human Ignitions and Too Frequent Fire in Southern California Shrublands**

In Southern California, sprawl developments with low/intermediate densities extending into chaparral and sage scrub habitats that are prone to fire have led to more frequent wildfires caused by human ignitions, like arson, improperly disposed cigarette butts, debris burning, fireworks, campfires, or sparks from cars or equipment (Keeley et al. 1999; Keeley and Fotheringham 2003; Syphard et al. 2007; Syphard et al. 2012; Bistinas et al. 2013; Balch et al. 2017; Radeloff et al. 2018). Human-caused fires account for 95% of all fires in Southern California (Syphard et al. 2013), and homes filled with petroleum-based products, such as wood interiors, paint, and furniture, provide additional fuel for the fires to burn longer and spread farther (Keeley et al. 2007). The most numerous and largest fires in San Diego County have been caused by equipment and powerlines in the wildland-urban interface, where housing density is low to intermediate (Syphard and Keeley 2015), and leapfrog developments have been found to have the highest predicted fire risk in the County (Syphard et al. 2013). With the increased ignition risk that comes with these poorly planned developments in high fire-prone areas, the County will only be fueling more frequent, larger, and more destructive wildfires.

The proposed developments would lead to a dangerous feedback loop of deadly fires and habitat destruction. Most would be placed in areas dominated by chaparral and sage scrub, native California habitats that rely on wildfires to persist. These habitats are adapted to infrequent (every 30 to 150 years), large, high-intensity crown fire regimes (Pyne et al. 1996; Keeley and Fotheringham 2001), and if these regimes are disrupted, the habitats become degraded (Keeley 2005, 2006a,b; Syphard et al. 2018). When fires occur too frequently, type conversion occurs and the native shrublands are replaced by non-native grasses and forbs that burn more frequently and more easily, ultimately eliminating native habitats and biodiversity while increasing fire threat over time (Keeley 2005, 2006a,b; Syphard et al. 2009; Safford and Van de Water 2014; Syphard et al. 2018). Thus, placing developments in these high fire-prone areas will lead to more frequent fires that will threaten the lives of more than 40,000 people who will live in or near these areas while degrading the health and biodiversity of Southern California's special ecosystems.

### **III. Public Safety in These New Development Areas Cannot be Guaranteed**

Public safety issues are exacerbated by unreliable infrastructure to accommodate the consequences of more fires. Evacuating from wildfires can be life-threatening and having safety plans in place beforehand is not always enough. For example, while having warning systems and evacuation routes in place are important for fire preparedness and fire safety (e.g., County of San Diego, 2018, Lilac Hills Ranch App J Fire Protection Plan) their functionality when a fire occurs is not guaranteed. Wildfires may ignite with little or no notice, and warning systems can be slow and ineffective at reaching all residents in harm's way. This was the case in last year's Tubbs Fire in Sonoma County and Thomas Fire in Santa Barbara and Ventura Counties, which led to more than 40 deaths and almost \$12 billion in property damage (St. John 2017; Lundstrom et al. 2017).

Instead of placing people and homes in places where residents will have to rely on potentially faulty warning systems and evacuation routes to escape from fires, the County should build homes in areas where fire is least likely to occur, such as in infill development in urban core areas. By avoiding placing developments in fire prone natural areas, the County could reduce the risk of fire and more effectively protect lives, property, and the natural environment.

### **IV. The Developments Contain Insufficient Fire Safety Measures and Fire Protection Plans**

Despite the glaring wildfire issues of placing developments in fire-prone ecosystems, the County remains complacent with the developers' fire protection plans that rely on fuel modification zones that are counterproductive and guidelines that are inadequate (e.g., County of San Diego, 2018, Harmony Grove Village South FEIR Appendix L Fire Protection Plan). Reliance on general guidelines and firesafe building/planning codes without sufficiently analyzing site-specific conditions or strategically implementing precautionary fire safety measures can lead to a false sense of safety and preparedness. Wildfire risk cannot be addressed with a one-size-fits-all solution.

Large fires in Southern California landscapes dominated by chaparral and shrublands are often associated with foehn winds (strong, warm, dry, and often downslope winds), such as the Santa Ana winds (Keeley 2006b). The region's largest fires have historically occurred in known wind corridors (Moritz et al. 2010). And in severe weather conditions, wind-driven fires can spread quickly – they can cover 10,000 hectares in one to two days (that's an area the size of Escondido, CA), as embers are blown ahead of the fires and towards adjacent fuels (e.g., flammable vegetation, structures) (Syphard et al. 2011).

The primary approach to mitigating fire risk is through home safety measures to make structures less flammable and vegetation reduction in the defensible space immediately surrounding homes. However, a common misconception regarding defensible space in chaparral and scrub habitats immediately surrounding structures is that the wider the fuel modification zone the more protected the structures are from wildfires. For example, the Newland Sierra Project states that they plan to implement a 250-foot fuel modification zone to reduce fire risk, which is more than double the 100-foot fuel modification zone required by state law (County of

San Diego, 2018 Newland Sierra FEIR, Appendix N Fire Protection Plan). In the September 26, 2018 public hearing, the Board of Supervisors was satisfied that the project was doing as much as they could to mitigate the threat of fire. In addition, some local ordinances require homeowners to clear 300 feet or more of defensible space, and there have been reports of some people being unable to obtain fire insurance without that 300-foot zone (Syphard et al. 2014). However, these actions and guidelines neglect science and may not be appropriate for all regions or habitat types, and they could be dangerously misleading.

In a study conducted in San Diego County, the most effective vegetation treatment distances ranged between 16 to 58 feet from the home (Syphard et al. 2014). Fuel reduction treatments more than 100 feet from structures did not provide additional protection, even for structures situated on steep slopes (Syphard et al. 2014). And because continued disturbance can lead to type conversion from native shrublands to nonnative grasslands that can burn more quickly and easily, extended fuel modification zones could lead to further habitat degradation and increased fire threat (Merriam 2006; Keeley 2006a,b). Thus, asserting that a fuel modification zone beyond the 100-foot requirement provides additional mitigation and improved fire safety in a high fire-prone area gives a false sense of security. The best way to improve fire safety is to proactively reduce exposure to wildfire risk by avoiding the placement of homes in fire-dependent ecosystems (Syphard et al. 2014).

Another critical component of protecting lives and property from wildfires is fire hazard and fire safety education for homeowners in or near fire hazard areas. Structures with fire-resistant features, such as ember-resistant vents, fire-resistant roofs, and surrounding defensible space, have been shown to reduce the risk of destruction due to wildfires (Quarles et al. 2010; Syphard et al. 2014). However, simply stating that the structures are built to fire code does not guarantee that fire threat will be reduced. Proper maintenance and upkeep of the structures themselves as well as the immediate surroundings (*e.g.*, removing leaf litter from gutters and roofing; removing flammable materials like wood fences, overhanging tree branches, or trash cans away from the home) are required to reduce the chances of the structures burning. In addition, external sprinklers with an independent water source would reduce flammability of structures, yet none of the proposed developments include this feature on their structures. And while these fire-resistant structural features are important for fire safety and homeowners should be properly informed, the focus should be on retrofitting existing homes and structures in or near high fire-prone areas with these features, not putting these features on new homes that should not be placed in high fire-prone areas in the first place.

As noted above, the number of homes being destroyed by fires in Southern California are starting to become thousands per year. The arrangement and location of developments have been found to be the main drivers of fire susceptibility, with the highest chances of burning in developments like those proposed by the County – low/intermediate-density clusters surrounded by wildland vegetation in areas with a history of fires (Syphard et al. 2012; Syphard et al. 2013). Thus, the best way to make new construction as fire safe as possible is to avoid placing them in high fire-prone areas (Pincetl et al. 2008; Syphard et al. 2012; Syphard et al. 2013; Moritz et al. 2014). Land-use planning must be reformed to more appropriately consider wildfire risk management.

## **V. Increased Human Ignitions Will Increase Unnatural Levels of Smoke.**

Smoke is a product of the natural and necessary wildfire regime in chaparral and sage scrub ecosystems. However, new leapfrog developments situated in fire-prone chaparral and sage scrub habitats, like those at issue here, will lead to increased human ignitions that will produce increased levels of smoke beyond what is natural. This can lead to harmful public health impacts due to increased air pollution not only from burned vegetation, but also from burned homes, commercial buildings, cars, etc. Buildings and structures often contain plastic materials, metals, and various stored chemicals that release toxic chemicals when burned, such as pesticides, solvents, paints, and cleaning solutions (Weinhold 2011). Thus, human-caused wildfires at the urban wildland interface that burn through developments, as is becoming more common with housing extending into fire-prone chaparral and shrublands, increase the frequency and toxicity of smoke exposure to communities in and downwind of the fires.

Increased fire frequency due to human activity and ill-placed developments will lead to increased occurrences of poor air quality from smoke, which can have public health effects. Hospital visits for respiratory symptoms (*e.g.*, asthma, acute bronchitis, pneumonia, or chronic obstructive pulmonary disease) have been shown to increase during and/or after fire events (Kunzli et al. 2006; Viswanathan et al. 2006; Delfino et al. 2009; Rappold et al. 2012; Liu et al. 2015; Reid et al. 2016). In particular, a study assessing the health impacts of the 2003 Cedar Fire in San Diego County, which burned an area of about 280,000 acres that consisted of chaparral and scrub-dominated landscapes and almost 3,000 structures, there were increases in hospital emergency room visits for asthma, respiratory problems, eye irritation, and smoke inhalation (Viswanathan et al. 2006). The proposed Projects do not thoroughly consider the health impacts that communities will have to suffer if developments are placed in fire-prone shrublands where they will disrupt the natural fire regime and increase fire frequency and smoke exposure. The County needs to consider these public health impacts and refrain from placing poorly-planned, leapfrog developments in landscapes dominated by fire-prone chaparral and shrublands.

## **VI. The Direct Economic Impacts of Wildfires Are Worsening**

The direct economic impacts of human-caused wildfires are staggering. The cost of fire suppression and property damage from wildfires in California is over \$18 billion since 2010, which, after adjusting for inflation, is double the cost from the previous three decades combined (Figure 1). Placing more housing in fire-prone natural areas has led to more costly fires, and these patterns will continue should the proposed Projects be approved.

Who shoulders these costs? California and federal residents end up paying in the form of fire insurance premiums and taxes that support Cal Fire and federal government subsidies and grants for homes in high risk areas. And these costs do not include other indirect/hidden costs associated with wildfires, such as the costs of doctors' appointments, medication, sick days taken from places of work, funerals, etc. As the costs of housing in California continues to increase, these costs will also continue to rise, further exacerbating the affordable housing crisis.





Figure 1. Costs of Fire Suppression and Property Damage by Decade. \*Property damage cost data include 2017 insurance claim estimates and no 2018 costs. Data Source: Cal Fire and the Bureau of Labor Statistics.

## VII. Conclusion

San Diego County can no longer afford to recklessly neglect the science of wildfires and wildfire risk in Southern California. The devastating environmental, health, social, and economic costs of poorly-planned, leapfrog developments in areas that *will* burn are too great. The Center urges the County to avoid placing developments like Newland Sierra and the Otay Ranch Villages in high fire-prone natural areas. Instead, the County should focus on creating communities in areas with lower wildfire risk, such as in infill development in urban core areas, where people will have access to jobs, public transit, and amenities. In addition, the County should prioritize retrofitting older homes and structures in the wildland-urban interface with fire resistant features, like ember-resistant vents, fire-resistant roofs, external sprinklers, and appropriate defensible space/fuel modification zones. Land-use planning must be reformed to more appropriately consider wildfire risk management and protect human lives, property, and the native biodiversity of Southern California’s unique landscape.

Any focus on forest management to address California’s fires is profoundly misguided. It makes no sense to complain about, and spend millions of dollars on, logging forests that are far away from communities when the actual fire threat facing thousands of families results primarily from poor planning in the interface adjacent to homes and businesses. Moreover, most of 2018’s most extensive fires in California were not even in forests, and instead primarily burned grasslands and chaparral. We must also be honest about the conditions that are actually driving the fires – human ignitions, high winds, drought, and climate-change leading to hotter, drier conditions. Forest management is simply a scapegoat to ignore the difficult problems that need to be addressed, like poor land-use planning and climate change. California needs to stop allowing the building of flammable homes in flammable terrain, and fight climate change, instead of blaming the condition of California’s forests for these fires.

Thank you for the opportunity to submit comments on these proposed Projects. We look forward to working to assure that the County forges responsible, fire safe planning to safeguard the health and safety of its residents and the natural environment. Please do not hesitate to contact the Center with any questions at the email listed below.

Sincerely,

A handwritten signature in black ink, appearing to read 'T. Yap', with a large, stylized flourish at the end.

Tiffany Yap, D.Env/PhD  
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**References**  
(Attached on CD)

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# **EXHIBIT C**



April 30, 2020

*Sent via email*

Los Angeles County  
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Los Angeles, California 90012  
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**Re: Comments on Public Review Draft of Los Angeles County Climate Action Plan**

Dear Department of Regional Planning:

The Center for Biological Diversity (“Center”) submits the following comments on the Los Angeles County Climate Action Plan Public Review Draft (“Draft CAP”). While the Draft CAP includes some laudable goals, it suffers from a lack of clear and enforceable measures to ensure significant reductions in regional greenhouse gas (“GHG”) emissions. Many of our concerns were also reflected in our comments on the Draft Sustainability Plan, which is included as Attachment 1 and incorporated by reference.

The Center is a non-profit, public interest environmental organization dedicated to the protection of native species and their habitats through science, policy, and environmental law. The Center has over one million members and online activists throughout California and the United States. The Center has worked for many years to protect imperiled plants and wildlife, open space, air and water quality, and overall quality of life for people in Los Angeles County (“County”).

**I. Climate Change Is an Urgent and Existential Concern.**

Recent science has made clear that human-caused climate change is causing widespread harms to human society and natural systems, and climate change threats are becoming increasingly dangerous. In its 2018 *Special Report on Global Warming of 1.5°C*, the Intergovernmental Panel on Climate Change (“IPCC”)—the leading international scientific body for the assessment of climate change—describes the devastating harms that would occur at 2°C warming. The report highlights the necessity of limiting warming to 1.5°C to avoid catastrophic impacts to people and life on Earth (IPCC 2018). The report also provides overwhelming evidence that climate hazards are more urgent and more severe than previously thought, and that aggressive reductions in emissions within the next decade are essential to avoid the most devastating climate change harms.



The impacts of climate change are already being felt by humans and wildlife. Thousands of studies conducted by researchers around the world have documented changes in surface, atmospheric, and oceanic temperatures; melting glaciers; diminishing snow cover; shrinking sea ice; rising sea levels; ocean acidification; and increasing atmospheric water vapor (USGCRP 2017). In California, climate change will transform our climate, resulting in impacts including, but not limited to, increased temperatures and wildfires and a reduction in snowpack and precipitation levels and water availability.

## **II. The County Has a Responsibility to Reduce GHG Emissions.**

California gives local authorities like the County significant responsibility over land use and planning decisions within their jurisdictions. But with that responsibility comes a corresponding obligation to account for the negative environmental impacts of those decisions—especially when it comes to controlling GHG emissions. As the California Air Resources Board (“CARB”) explains:

Local governments are essential partners in achieving California’s goals to reduce GHG emissions. Local governments can implement GHG emissions reduction strategies to address local conditions and issues and can effectively engage citizens at the local level. Local governments also have broad jurisdiction, and sometimes unique authorities, through their community-scale planning and permitting processes, discretionary actions, local codes and ordinances, outreach and education efforts, and municipal operations. Further, local jurisdictions can develop new and innovative approaches to reduce GHG emissions that can then be adopted elsewhere.

(CARB 2017.) California’s Scoping Plan, which lays out the statewide blueprint for meeting the legislature’s greenhouse gas reduction targets, also specifically calls out local governments as essential to meeting these targets:

[L]ocal governments and agencies are critical leaders in reducing emissions through actions that reduce demand for electricity, transportation fuels, and natural gas, and improved natural and working lands management. . . . Over the last 60 years, development patterns have led to sprawling suburban neighborhoods, a vast highway system, growth in automobile ownership, and under-prioritization of infrastructure for public transit and active transportation. Local decisions about these policies today can establish a more sustainable built environment for the future.

(CARB 2017.) Thus, the County must take seriously its obligation to do its utmost to ensure that it is reducing GHG emissions and contributing to the state’s achievement of its emissions reduction targets.

### **III. The Draft CAP Fails to Explain How It Will Meet State Goals.**

While the Draft CAP acknowledges statewide climate goals (Draft CAP at 6-8 & 36), it does not explain how measures in the Draft CAP will actually meet these statewide climate goals. For instance, statewide targets require GHG emissions to be reduced to 1990 levels by 2020, 40 percent below 1990 levels by 2030, and 80 percent below 1990 levels by 2050, and achieve statewide carbon neutrality by 2045. (Draft CAP at 17 & 36.)

In contrast, the Draft CAP includes a different set of goals: by 2025, reduce GHG emissions by 25 percent below 2015 levels; by 2035, reduce GHG emissions by 50 percent below 2015 levels; and by 2045, achieve carbon neutrality in unincorporated Los Angeles County. (Draft CAP at 8.) The Draft CAP fails to explain how these goals are either consistent or inconsistent with each of the statewide goals.

The Draft CAP therefore does not qualify as a CEQA “streamlining” document. CEQA Guidelines section 15183.5(b)(1)(D) require that a climate action plan demonstrate that it will achieve planned reductions on a project by project basis. In *Cleveland National Forest Foundation v. San Diego Association of Governments*, the California Supreme Court provided more clarity on what facts, data, and goals projects should analyze in their greenhouse gas analyses under CEQA. ((2017) 3 Cal.5th 497.) The Court found that although an “Executive Order ‘is not an adopted GHG reduction plan’ and that ‘there is no legal requirement to use it as a threshold of significance[,]’ ... [t]he Executive Order’s 2050 goal of reducing California’s greenhouse gas emissions to 80 percent below 1990 levels expresses the pace and magnitude of reduction efforts that the scientific community believes necessary to stabilize the climate. This scientific information has important value to policymakers and citizens in considering the emission impacts of a project like SANDAG’s regional transportation plan.” (*Id.* at 515-516.) Therefore, the Draft CAP should include further discussion on measures that could ensure the County meets statewide goals.

### **IV. The Draft CAP’s GHG Emissions Inventory Is Incomplete.**

The Draft CAP lists five categories of GHG emissions in its GHG inventory: transportation, stationary energy, waste, industrial processes and product use (“IPPU”), and agriculture, forestry and, other land use (“AFOLU”). (Draft CAP at 30-32.) The CAP should set forth the emissions categories in more detail. A guide prepared by the Bay Area Air Quality Management District (“BAAQMD”) recommends, for example, listing the GHG emissions of specific items such as streetlights and traffic signals. (BAAQMD 2009.)

The Draft CAP also does not explain whether “transportation” emissions include emissions outside the County by activity within the County (for example, from exported goods or tourist travel to County from outside the County). This very shortcoming led to a judge invalidating Sonoma County’s CAP last year, after the judge determined that it failed to account for all of the County’s emissions by excluding transboundary emissions.<sup>1</sup> (Attachment 2.)

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<sup>1</sup> The court also held that the CAP’s GHG reduction measures were not clearly defined or enforceable, which is also an issue with the Draft CAP here.

## V. The Draft CAP's Reduction Strategies and Measures Are Non-Binding And Unenforceable.

The Draft CAP states that if future projects “tier” off of it, then compliance will negate the need for a qualitative analysis of future projects’ GHG emissions. (Draft CAP at 15.) The Draft CAP also correctly lays out the legal requirements of a climate action plan. (Draft CAP at 15.) For instance, a CAP must “Specify measures or a group of measures, including performance standards, that substantial evidence demonstrates, if implemented on a project-by-project basis, would collectively achieve the specified emissions level....” (Draft CAP at 15.) Therefore, the Final CAP, and any such plan prepared pursuant to CEQA Guidelines 15183.5, must meet the requirements for all first-tier environmental review documents and thus must impose enforceable requirements and measures with defined performance standards.<sup>2</sup>

Unfortunately, many of the Draft CAP’s reduction measures are largely non-binding and unenforceable, and generally lack performance standards. Notably, the words “encourage,” “promote,” “support” or “whenever feasible” occur many times in the sections describing the Draft CAP’s implementation measures. These measures are legally inadequate and cannot be considered mitigation under CEQA and applicable case law. (*Lincoln Place Tenants Assn. v. City of Los Angeles* (2007) 155 Cal.App.4th 425, 445 [“A ‘mitigation measure’ is a suggestion or change that would reduce or minimize significant adverse impacts on the environment caused by the project as proposed”]); *Preserve Wild Santee v. City of Santee* (2012) 210 CA 4th 260, 281 [mitigation measures that are so undefined that their effectiveness is impossible to determine are legally inadequate].) The California Attorney General has also expressly disapproved such an approach for measures upon which an agency relies:

### **Can a lead agency rely on policies and measures that simply “encourage” GHG efficiency and emissions reductions?**

**No.** Mitigation measures must be “fully enforceable.” *Adequate mitigation does not, for example, merely “encourage” or “support” carpools and transit options, green building practices, and development in urban centers.* While a menu of hortatory GHG policies is positive, it does not count as adequate mitigation because there is no certainty that the policies will be implemented.

(CA Attorney General 2009.) The California Attorney General further states that programmatic plans to reduce GHG emissions pursuant to CEQA Guidelines section 15183.5 must “[i]dentify a set of specific, enforceable measures that, collectively, will achieve the emissions targets....” (CA Attorney General 2019.)

In *Sierra Club v. County of San Diego* (2014) 231 Cal.App.4th 1152, the Fourth District Court of Appeal criticized the County of San Diego for including measures in its CAP that were not backed up by a firm commitment by the County that they would be implemented. The Court noted that many of the measures in the CAP “are not currently funded,” such that the County of San Diego could not rely upon such unfunded programs to meet GHG reductions. (*Id.* at 1168-

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<sup>2</sup> Specifically, CEQA Guidelines section 15183.5(b)(1)(D) states that measures should have “performance standards” which demonstrate they will achieve the planned reductions on a project by project basis.

1169.) The *Sierra Club* opinion also questioned whether people would actually participate in various programs outlined in the CAP, given that the record contained no evidence of such participation. (*Id.* at 1170.) Here, the Draft CAP suffers from similar defects – there is no evidence of funding for many of the various programs set forth in the Final CAP, nor evidence in the record that people or industry will actually participate in the voluntary programs described in the Draft CAP.

Accordingly, although the Draft CAP’s reduction measures may generally be worthwhile objectives for the County to pursue, the Draft CAP fails as a CEQA compliance tool because it relies upon non-enforceable measures. The Draft CAP also does not have adequate mechanisms to monitor progress towards achieving verifiable reduction targets.

## **VI. Strategy 2 Fails to Include Sufficient Measures to Support Transit Oriented Communities.**

The Center generally supports the goals of Strategy 2 to support transit oriented communities. However, the targets are unclear, inadequate, and do not provide a path to actually achieve this goal. For instance, the 2025 target is to (1) “increase new housing built within 1/2 mile of high frequency transit to 50%” and (2) “reduce VMT per capita to 20 miles.” This target does not specify what the “50%” is a percent of – does this mean 50% of all new housing units in the County? This needs to be clarified in the Final CAP. In addition, it is unclear whether the County is intending to reduce VMT per capita to 20 miles *per day* or some other amount of time. More importantly, VMT per capita of 20 miles a day is still an extremely high number; the CAP should have more aggressive goals to reduce VMT per capita by 2025. As described in further detail in our comment letter on the Draft Sustainability Plan, significant reductions in VMT are required if the state is to meet its GHG reduction goals. (See Attachment 1 at p. 9-10.)

Unfortunately, the Actions supporting Strategy 2 provide no concrete requirements or criteria, or way to measure success. For instance, Action T1 states “Expand the number and extent of transit oriented communities, by encouraging development within High Quality Transit Areas, while ensuring vital public amenities such as parks and active transportation infrastructure are included.” (Draft CAP at 50.) Action T1 fails to contain a clear plan how such development will be “encouraged” such that it is little more than a hortatory statement. Likewise, Action T2 states “Develop community plans that will increase the percentage of residents who could live and work within the same community, and that could decrease the vehicle miles traveled.” (*Id.*) This action suffers from the same defects as Action T1. It also fails to specify any target increase in percentage of residents who live or work in the same community, or elements of such “community plans.”

## **VII. Strategy 3 Fails to Include Sufficient Measures to Reduce VMT.**

Strategy 3 aims to reduce single occupancy vehicle (“SOV”) vehicle trips. However, the Draft CAP does not contain sufficiently aggressive goals. For instance, the Draft CAP only seeks 15 percent of trips to be non-SOV trips by 2025. (Draft CAP at 51.) As we noted in our comments on the Draft Sustainability Plan (Attachment 1), even if this target is met, in five years 85 percent of trips in the County will still be by car. The Draft CAP should call for much stronger measures to reduce SOV trips and VMT. The best way to do this is to limit development

in areas far from existing cities, as remote developments generate disproportionately high levels of VMT.

The actions within Strategy 3 are similarly inadequate. For instance, Action T5 states “develop a transportation technology strategy to proactively address how evolving tech-enabled mobility options can support public transit and advance OurCounty goals.” (Draft Plan at 51.) This is extremely vague and suffers from the defects outlined in Section V above. Similarly, Action T8 generally refers to “expand[ing] shade along and over pedestrian networks through zoning code revisions that encourage shade-providing building features,” but provides no enforceable requirements or metrics as to how much “shade expansion” will be required. (Draft CAP at 52.) Also illustrative of this problem is Action T11, which states, “Develop and implement a transportation demand management (TDM) ordinance that requires developers to incorporate measures such as subsidized transit passes and car share.” (Draft CAP at 53.) The time and opportunity to develop measures to require of developers for future projects is here in the CAP, if the County wishes to use the CAP as a CEQA streamlining document.

#### **VIII. Strategy 4 Does Not Include A Clear Plan to Institutionalize Low-Carbon Transportation.**

The Center supports Strategy 4 – institutionalize low-carbon transportation. (Draft CAP at 44.) However, the related “Targets” are woefully inadequate – the Draft Plan only seeks 500 EV and 200 ZEV charging stations at County-owned or public properties, and contains no targets for the remainder of the County (e.g., private businesses, residential developments). (Draft CAP at 55.) Likewise, the “Actions” provide no actual mandate for developers or landowners to incorporate charging stations into infrastructure.

If the County is serious about institutionalizing low carbon transportation, it needs to do far more than simply add a few hundred EV chargers at public venues. The CAP should instead include aggressive mandates for every new development (commercial and residential) to include an adequate number of EV chargers, as well as a crediting system in order to incentivize the retrofitting of existing commercial and residential developments with EV chargers.

The CAP should also require installation of charging stations at *all* County-owned properties and public venues, as well as in appropriate public right-of-ways.

And as with the other sections of the CAP, the “Actions” are vague, unenforceable, and do not include any performance criteria. For instance, Action T20 states: “Partner with a car or ride-sharing organization to provide access to EVs for low-income and disadvantaged community residents.” (Draft CAP at 57.) Action T20 does not provide any guidance as to what “partnering” means, nor does it provide any benchmark for success. How much expanded access to EVs will the County pursue via this measure? By failing to include any actual target or goal to measure success, the Draft CAP dooms this (and many other Actions) to failure.

#### **IX. Strategy 5 Does Not Contain Clear Plan To Accelerate Freight Decarbonization.**

The Center supports the goal to accelerate freight decarbonization. Unfortunately, once again, the Draft CAP’s Targets and Actions are not sufficient to meaningfully support this goal.

The Draft CAP does not even clear targets for medium-duty delivery trucks – it simply states that 25-50 percent of medium-duty delivery trucks should be electric or zero emission by 2025. (Draft CAP at 58.) This renders it unclear whether the goal is 25 percent or 50 percent. And the Draft CAP simply has no corresponding and more aggressive targets for 2035 and 2045.

Likewise, the Actions are untenably vague. By way of example, Action T25 states: “Implement freight decarbonization technologies along highway corridors passing through unincorporated communities ...” (Draft CAP at 59.) No specifics, enforceable mandates, or performance criteria are used to define this purportedly “Major Action.”

**X. Strategy 6 Contains No Plan to Implement Zero Emissions Technologies for Off-road Vehicles and Equipment.**

The Draft CAP should include concrete plans to implement and eventually require zero emissions technologies off-road vehicles and equipment. Instead, the Action items include non-binding language like: “Partner with SCAQMD and AVAQMD to *encourage* the use of zero-emission and near-zero-emission construction, agriculture, and manufacturing equipment.” (Draft CAP at 60, emphasis added.) The CAP can, and should, require zero emission or near-zero emission equipment by a specific date.

**XI. Strategy 7 Does Not Provide A Plan To Decarbonize Building Energy Use.**

The Center supports decarbonizing building energy use, but finds that the Draft CAP squanders an opportunity to establish the County as a leader in this area. The Final CAP should require zero net energy on all new commercial and residential construction. Zero net energy is feasible, as other projects in the County that have recently been approved include a goal of zero net greenhouse gas emissions.<sup>3</sup>

Indeed, the Draft CAP does not even contain goals that are consistent with state-wide goals. The California Energy Efficiency Strategic Plan provides:

All new residential construction will be zero net energy (ZNE) by 2020.  
All new commercial construction will be ZNE by 2030  
50% of commercial buildings will be retrofit to ZNE by 2030  
50% of new major renovations of state buildings will be ZNE by 2025.<sup>4</sup>

In contrast, the Draft CAP only sets a target of 50 percent of all new buildings and major building renovations being “net zero carbon” by 2025 and 100 percent by 2045. (Draft CAP at 63.) The Draft Plan should contain far more aggressive goals that are consistent with climate science; the entire building sector should achieve zero emissions no later than later than 2045,

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<sup>3</sup> See California Department of Fish and Wildlife, *Newhall Ranch Resource and Development Management and Development Plan, Final Additional Environmental Analysis*, Appendix 2.1, available at [http://planning.lacounty.gov/assets/upl/case/tr\\_53108\\_appendix-2-0-cdfw-final-aea-excerpts.pdf](http://planning.lacounty.gov/assets/upl/case/tr_53108_appendix-2-0-cdfw-final-aea-excerpts.pdf).

<sup>4</sup> California Public Utilities Commission, *Zero Net Energy*, available at <https://www.cpuc.ca.gov/ZNE/>.

with interim enforceable benchmarks.<sup>5</sup> Moreover, the Draft CAP also does not explain whether term “net zero carbon” is consistent with the state definition of zero net energy.

Strategy 7’s Actions fair no better. For instance, Action SE2 simply states “Establish carbon intensity limits for buildings over 20,000 square feet.” (Draft CAP at 64.) This contains no objection performance criteria – at best, it is a promise to develop performance criteria at some unspecified time in the future. As such, it fails as a CEQA mitigation measure. (See discussion in Section V above.)

Action SE4 also vaguely promises to “Adopt building code requirements for electric water and space heating and encourage alternatives to other natural gas uses in new and existing buildings.” (Draft CAP at 64.) The CAP needs to actually describe building code requirements or provide performance criteria. And “encouraging alternatives” is not a CEQA mitigation measure. Action SE7 likewise promises collaboration with the City of Los Angeles and Santa Monica to “develop building energy and emissions performance standards,” but provides no specifics on what those standards will entail, or what level of emissions reductions they would be expected or required to provide. (Draft CAP at 65.)

Action SE5 states “Adopt CALGreen Tier 1 green building standards and identify which Tier 2 standards could be adopted as code amendments.” (Draft CAP at 64.) However, significant portions of the California Green Building Standards are already mandatory. Such that it is unclear whether there is simply a restatement of existing law.<sup>6</sup>

Action SE6 is problematic for other reasons. This Action states, “Incentivize net zero energy residential and commercial buildings through streamlined development reviews.” (Draft CAP at 65.) First, as noted above, zero net energy should be *required*, not simply incentivized. Second, the Action does not explain what or how development review will be “streamlined.” While a CAP that complies with CEQA can streamline some aspects of development, development review should not be streamlined in a way that overlooks other non-climate impacts of a project, such as impacts on air quality, public health, wildlife, and traffic.

In contrast to the vague and unenforceable Actions in the Draft CAP, there are number of enforceable policies that can be used to reach achieve zero emissions by 2045 for all buildings. The Sierra Club’s *Building Electrification Action Plan for Climate Leaders* outlines various proposals, including a zero emission building code, local ordinances restricting gas and requiring all-electric new construction for all building types, GHG performance benchmarking, and air pollution standards for appliances. (See footnote 5.)

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<sup>5</sup> Rachel Golden, *Building Electrification Action Plan for Climate Leaders* <https://www.sierraclub.org/sites/www.sierraclub.org/files/Building%20Electrification%20Action%20Plan%20for%20Climate%20Leaders.pdf> (Dec. 2019).

<sup>6</sup> See California Building Standards Commission, “California’s Green Building Code,” available at <https://www.dgs.ca.gov/BSC/Resources/Page-Content/Building-Standards-Commission-Resources-List-Folder/CALGreen>.

## **XII. Strategy 9 Does Not Provide A Concrete Plan To Increase Energy Resilience.**

The Center supports the Draft CAP's goal to shift to a renewables-based electricity supply which ensures equitable access to affordable, local, and reliable energy sources. (Draft CAP at 69.) The Center urges the County to include more ambitious targets for distributed energy resources ("DER"). The Draft CAP calls for a 200 megawatt increase in DER capacity by 2025 and a 1 gigawatt increase by 2045. The Center urges the County to incorporate a target of 1 gigawatt in photovoltaic ("PV") energy by 2025 and 4 gigawatts by 2045. The Draft CAP should include a target for 500 megawatts of distributed storage capacity by 2045 and 2 gigawatts by 2045.

DER plays a unique and vital role in creating a renewable energy future that not only promotes deeper renewable penetration, but also advances fundamental goals of equal access to clean energy, social justice, and biodiversity protection. With minimal water use, no emissions from generation, and minimal land use impacts, distributed solar is the most sustainable energy source currently in production.<sup>7</sup> Further, building up distributed solar allows communities to gain local control over their energy system rather than leaving that control in the hands of investor-owned monopoly utilities. This shift empowers communities to make their own energy choices and gives them access to cheaper and cleaner energy, driving energy democracy. Progressive community solar policy can also enable renters and individuals who cannot afford to buy solar energy systems to invest in renewable energy, which in turn creates economic growth and local employment opportunities.

Studies show that far more ambitious targets for DER are currently feasible. A study by the National Renewable Energy Laboratory found that Los Angeles could support 9 gigawatts of rooftop solar, or 60 percent of its estimated total energy demand, using fairly conservative estimates.<sup>8</sup> Another study by the Institute of the Environment and Sustainability at the University of California, Los Angeles ("UCLA") found that rooftop solar can provide 7200 gigawatt hours of on-site building demands in a study area of 1.2 million parcels in L.A. County, which would meet approximately 29 percent of on-site building demands.<sup>9</sup>

The UCLA study found that remaining building demand that would be met by grid sources is approximately 18,000 gigawatt hours, and the potential solar output to export to the grid that is not used on-site is 16,400 gigawatt hours – this significant amount of additional electricity could be available for use by neighboring properties or elsewhere. The UCLA study also found that existing policies regulating grid operations limit potential rooftop solar output; in 20 percent of communities, current policies would reduce the technical potential of net solar generation by limiting the size of the arrays that can be installed. Moreover, the UCLA study found that lower-income and at-risk communities have greatest capacity for solar energy exports

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<sup>7</sup> Wisner, R. et al., "The environmental and public health benefits of achieving high penetrations of solar energy in the United States," *Nature Energy* Vol. 113, pp. 472-486 (2016); Hernandez, R.R., Hoffacker, M.K. and C. Fields, "Efficient Use of Land to Meet Sustainable Energy Needs," *Nature Climate Change*, Vol. 5: 353-358, (2015).

<sup>8</sup> Pieter Gagnon, et al., *Rooftop Solar Photovoltaic Technical Potential in the United States: A Detailed Assessment* (Jan. 2016), available at <https://www.nrel.gov/docs/fy16osti/65298.pdf>.

<sup>9</sup> Erik Porse, et al., *Net solar generation potential from urban rooftops in Los Angeles*, Energy Policy (July 2020).



to the grid. In short, the County should take a hard look at the actual solar capacity of the County based upon existing studies and include policies to meet or exceed the actual solar capacity.

The proposed Actions are also insufficient to address either the targets in the Draft CAP or the more aggressive targets proposed by the Center. Action SE14 proposes developing a community energy map that identifies opportunities for deploying distributed energy resources and microgrids in order to improve energy resiliency in disadvantaged communities. (Draft CAP at 69.) Instead of merely generating a map, the County should develop a program or ordinance to fund and facilitate PV and storage microgrid development, especially for unincorporated and fire-prone areas. The County could begin this program in fire-prone communities, and aim for a minimum of 10 percent PV and storage microgrids instead of simply 10 percent DER installation in fire-prone communities.

### **XIII. Strategy 10 Fails to Provide a Plan To Reach the Target Renewable Energy Goals.**

The Center supports the general goal of Strategy 10 to increase renewable energy, but notes that much stronger targets should be incorporated into the Draft CAP. The Draft CAP calls for installation of solar on only 20 percent of commercial buildings over 50,000 square feet and at least 10 percent of single family residential buildings by 2025, and higher targets for 2035 and 2045.

The Draft CAP should set far more ambitious targets. It should require solar on 60 percent of commercial buildings of any size that are solar compatible and 50 percent of residential buildings by 2025, and 100 percent of all solar compatible buildings by 2030.

The Draft CAP also does not specify *how much* solar must be installed on buildings; by its own terms, a single small panel could be installed on a building, and that building could potentially count towards the goals. As with other sections of the Draft CAP, the Draft CAP does not explain or provide data (e.g., in appendices) how the anticipated GHG mitigation potential is supported by the target.

Once again, the proposed mitigation strategies or “Actions” fall far short of even meeting the Draft CAP’s existing targets. For instance, Action SE17 simply promises that the County will “encourage 100% renewable energy resource mix by 2025.” (Draft CAP at 72.) The severity and urgency of the climate crisis requires governments to do far more than simply “encourage” positive steps—the climate crisis (and state laws and policies) *requires* far more aggressive actions.

Moreover, the Draft CAP should strengthen the County’s role in supporting the community choice aggregation program. More specifically, the Draft CAP should include a no-cost subscription program for low-income families as well as tenants to participate. Such programs could be funded by creating a Community Energy Benefits Fund that would then be overseen by citizen task force or other non-governmental body—the Portland Clean Energy Fund illustrate of how such a program could function. Another example is East Bay Community Energy, which serves Alameda County.

#### **XIV. The Draft CAP Fails to Contain Any Clear Plan To Support Strategy 16, Conserve Forests and Working Lands**

The Center supports the conservation of forests and working lands. The Center also supports the targets to increase urban tree canopy. However, the Draft CAP fails to acknowledge how this plan fits into other related plans and programs. In particular, the City of Los Angeles is currently moving forward with a “Safe Sidewalks” initiative that will likely result in the destruction of many thousands of urban trees.<sup>10</sup>

Moreover, the Center supports Action A1 – supporting “the preservation of agricultural and working lands, including rangelands, and restore forest lands, by limiting the conversion of these lands to residential or other uses through tools such as the creation of agricultural easements, particularly within high climate-hazard areas and SEAs.” (Draft CAP at 87.) Yet, as outlined in our comments on the Draft Sustainability Plan, the County has a pattern and practice of *approving* large-scale development in rangelands and forest lands, particularly in high fire hazard areas. (See Attachment 1 at p. 4.) Action A1’s unenforceable promise to “limit” such conversion is unavailing and fails as a CEQA mitigation measure. (Draft CAP at 87.)

#### **XV. The Draft CAP Fails to Identify Funding Sources for Mitigation Strategies.**

As noted above, in *Sierra Club v. County of San Diego* (2014) 231 Cal.App.4th 1152, the Court of Appeal determined that measures in a CAP were insufficient when they were not adequately funded. (*Id.* at 1168-1169.) Here, the various “actions” in the Draft CAP acknowledge that funding will be required (using icons ranging from a \$ to \$\$\$\$\$), but fail to include a specific estimate of how much funding may cost, or identify an available source of funding. Similarly, the handful of sentences in the Implementation Plans “identification of funding sources” provide no specificity nor commitment for funding any of the Draft CAP’s Actions. (See Draft CAP at 92.) This renders the Draft CAP inadequate as a CEQA streamlining document. Moreover, this omission calls into question whether any of the programs outlined in the Draft CAP will ever be implemented.

#### **XVI. The Draft EIR Should Provide Further Detail on Mitigation Measures for Individual Projects.**

The Center understands that the County will be preparing an EIR for the CAP. (See, e.g., Draft CAP at 15 [“With the adopted CAP, project-specific environmental documents that incorporate applicable CAP actions can “tier off” the environmental document adopted for the CAP to meet project-level CEQA evaluation requirements for GHG emissions.”].) In addition, CEQA Guidelines section 15183.5(b)(1)(F) requires that a climate action plan be adopted in a public process “after environmental review.” Subdivision (b)(2) provides that “[a] plan for the reduction of greenhouse gas emissions, once adopted following certification of an EIR or adoption of an environmental document, may be used in the cumulative impacts analysis of later project.”

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<sup>10</sup> Safe Sidewalks LA, Draft Environmental Impact Report, available at <https://sidewalks.lacity.org/environmental-impact-report>.

The Center hereby requests a minimum 90-day comment period for the Draft EIR in order to allow for adequate review by the public, particularly given the importance of the document for region-wide planning and the complexity of the issues. We hope that the Draft EIR and next draft of the CAP include and evaluate clear and enforceable measures to put the County on track to reach each of the statewide goals.

## **XVII. Conclusion**

Thank you for the opportunity to submit comments on the Draft CAP. The Center strongly supports many of the goals of the Draft CAP. But these goals are not supported by clear, enforceable, and funded policies. The Center urges the County to significantly revise the CAP in order to address these deficiencies.

Please do not hesitate to contact us if you would like to meet to further discuss these issues.

Sincerely,



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(attached via OneDrive link)

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# **Attachment 1**



May 24, 2019

*Sent via email and FedEx*

Los Angeles County Chief Sustainability Office  
Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, California 90012  
[sustainability@lacounty.gov](mailto:sustainability@lacounty.gov)

**Re: Comments on Discussion Draft of Los Angeles Countywide Sustainability Plan**

Dear Los Angeles County Chief Sustainability Office:

These comments are submitted on behalf of the Center for Biological Diversity (“Center”) regarding the Discussion Draft of the Los Angeles Countywide Sustainability Plan (“Draft Plan”). The Center appreciates the Chief Sustainability Office’s efforts in developing the Draft Plan and generally supports the goals of the Draft Plan. We urge the Chief Sustainability Office and the Los Angeles County Board of Supervisors (“Board”) to ensure that the strategies and policies supporting these goals are clear and enforceable.

**A. Background on the Center for Biological Diversity.**

The Center for Biological Diversity (“Center”) is a non-profit, public interest environmental organization dedicated to the protection of native species and their habitats through science, policy, and environmental law. The Center has over one million members and online activists throughout California and the United States. The Center has worked for many years to protect imperiled plants and wildlife, open space, air and water quality, and overall quality of life for people in Los Angeles County.

## **B. The Center Urges Stronger Buffers to Ensure Healthy Community Environments.**

We strongly support Goals 1 and 4—“resilient and healthy community environments where residents thrive in place” and opportunities for residents and businesses to “transition to clean economy sectors.” (Draft Plan at 20 & 72.) We also support strong efforts to decrease the public health problems generated by freeways and oil and gas drilling, but are concerned that the proposed targets and actions do not go far enough.

### *The Plan Should Require Larger Buffers between Sensitive Uses and Freeways*

We support “siting of new sensitive uses, such as playgrounds, daycare centers, schools, residences, or medical facilities” farther from freeways, but are concerned that the proposed 500-foot buffers are insufficient. Studies indicate even people **900 to 1200 feet** from freeways experience health impacts and sensitive receptors such as children and the elderly suffer the most. (Lin 2002.) A review of 700 studies concluded that pollution causes asthma attacks in children, the onset of childhood asthma, impaired lung function, premature death and death from cardiovascular diseases, and cardiovascular morbidity. (Health Effects Institute 2010.) The Health Effects Institute study concluded that the “exposure zone” was 300 to 500 meters from the highways (984 feet to 1640 feet). (*Id.*) Other studies have reached similar conclusions. (Suglia 2008.) Living near expressways also increases the likelihood that residents will suffer from dementia. (Chen 2017.) The University of Southern California’s Environmental Health Centers have also collected data and studies showing risks and health impacts to pregnant women, babies, children, teenagers, adults, and seniors of living by a freeway.<sup>1</sup>

### *The Plan Should Require 2500-foot Setbacks to Separate Oil and Gas Facilities from Homes*

We would like to emphasize our support for the Draft Plan’s inclusion of a series of actions to address the disproportionate exposure of low-income communities of color to fossil fuel extraction and refining (Actions 2, 3, 4, 5 and 7). In addition, we support Action 78 that calls for collaborating with the City of Los Angeles to develop a sunset strategy for oil and gas operations that prioritizes disproportionately impacted neighborhoods. In the final adoption of the plan, we urge the County to incorporate a more specific, concrete and common sense measure that we have supported at the City and County as an ally of the STAND-LA coalition: a 2500-foot setback (or buffer zone) to separate oil and gas facilities from homes, schools and other sensitive land uses, with a plan to phase out existing oil and gas within no more than five years. We are also supportive of the Draft Plan’s inclusion of a commitment to a “Just Transition” that examines the impact of the transition to a cleaner economy and develops strategies for supporting displaced workers and connecting them with meaningful job training and employment opportunities (Actions 56 and 57).

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<sup>1</sup> University of Southern California Environmental Health Centers, *References: Living Near Busy Roads or Traffic Pollution*, available at <http://envhealthcenters.usc.edu/infographics/infographic-living-near-busy-roads-or-traffic-pollution/references-living-near-busy-roads-or-traffic-pollution> (collecting studies). See also Tony Barboza and Jon Schleuss, “L.A. keeps building near freeways, even though living there makes people sick,” *Los Angeles Times* (Mar. 2, 2017), available at <http://www.latimes.com/projects/la-me-freeway-pollution/>.



### *Reducing Asthma and Toxic Emissions through Less VMT*

The Center strongly supports decreasing child asthma rates as proposed by the Draft Plan. However, this will not be possible if the Board continues to approve projects that add more unnecessary freeway traffic and air pollution to the region. An example of this is the recently-approved Centennial development approved by the Board, which will add 75,000 new long distance car commuters onto our freeways, increasing air pollution and hindering efforts to reduce toxic emissions.

#### **C. The Center Supports Goal 2 and Urges Implementation of Zero Net Energy Standards.**

We support the Plan’s Goal 2—ensuring that “[b]uildings and infrastructure that support human health and resilience.” (Draft Plan at 42.) The Center notes that Action Item 30 envisions the County will “Pilot high performance building standards for new County buildings beyond the current LEED Gold standard, such as Passive House, Zero Net Energy, Net Zero Water, Net Zero Waste...” (Draft Plan at 50.) The Center urges the Plan to require more than just a “pilot” for Zero Net Energy and instead move forward with policies and standards to require zero net energy for new construction.

Zero net energy is feasible, as other projects in the County that have recently been approved include a goal of zero net greenhouse gas emissions. Such projects intend to achieve that goal through reducing onsite greenhouse gas emissions to the greatest extent practicable, but also by offsetting any other emissions through local emissions reductions projects.<sup>2</sup>

#### **D. The Center Supports Goal 3 and Urges Concrete and Enforceable Policies to Limit Sprawl Development.**

The Center strongly supports the Draft Plan’s goal of equitable and sustainable land use and development without displacement. (Draft Plan at 58.) The Center agrees that the way the County “choose[s] to direct that growth has huge implications for the environment, the economy and social equity.” (*Id.*) Likewise, the Center agrees:

Patterns of exurban sprawl and development in high-hazard areas can place major burdens on our infrastructure and public budgets, especially for unincorporated communities where the County of Los Angeles acts as the municipal service provider. Outward growth limits the resources we could otherwise be investing in our existing communities, where we can promote sustainability, health and well-being by improving walkability and promoting a mixture of uses.

(Draft Plan at 58.) The Draft Plan is correct that exurban sprawl imposes a hidden tax on existing communities. Studies recognize that sprawl “may deprive the poor of economic

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<sup>2</sup> See California Department of Fish and Wildlife, *Newhall Ranch Resource and Development Management and Development Plan, Final Additional Environmental Analysis*, Appendix 2.1, available at [http://planning.lacounty.gov/assets/upl/case/tr\\_53108\\_appendix-2-0-cdfw-final-aea-excerpts.pdf](http://planning.lacounty.gov/assets/upl/case/tr_53108_appendix-2-0-cdfw-final-aea-excerpts.pdf).

opportunity...when jobs, stores, good schools and other resources migrate outward from the core city, poverty is concentrated in the neighborhoods that are left behind.” (Frumkin 2002.) Studies also show that sprawl disproportionately increases costs on local government through increased infrastructure costs. (Litman 2015.) One study found that the external costs of sprawl are around \$500 billion annually and \$650 billion internally. (*Id.*) Sprawl also has significant equity implications—“the abandonment of the metropolitan core leaves inner cities and first-ring suburbs struggling to provide adequate services with an eroded tax base even as growth continues on the periphery.” (Belzer 2002.)

The Draft Plan is also correct that “[u]rban sprawl generally requires expensive and expansive infrastructure networks that drain resources and contribute significantly to greenhouse gas emissions.” (Draft Plan at 60.)

Unfortunately, with the exception of Supervisor Kuehl, the Board has not shown they are serious about curbing urban sprawl. County supervisors just approved one of the biggest urban sprawl projects in California history last month, the 12,000-acre Centennial Specific Plan, on remote wildlands in the northern corner of the County. The Center informed the County that Centennial would result in less investment in existing communities and—as observed by the developer’s own consultants—draw demand away from existing communities in Santa Clarita and San Fernando. The development would also require the construction of a new six-lane freeway (the Northwest 138 Corridor “Improvement Project”), at an initial cost to taxpayers of \$830 million.

The Board also just approved the 1,300-acre Northlake development over the objection of the Santa Monica Mountains Conservancy (and the Center). That project will pave over pristine wildlands, inhibit wildlife connectivity in the region, and disproportionately contribute to greenhouse gas emissions, traffic, and air pollution.

If the County is serious about ending its historical pattern of approving more development in the county’s diminishing wildlands and rangelands, then it needs to adopt strong enforceable policies to meet this goal. Action 44 is a step in the right direction. The Draft Plan states, “Prohibit the conversion of working lands to residential uses, including farms and rangelands.” (Draft Plan at 60.) Such a policy—if it were actually consistently enforced—would be a strong step forward in protecting the County’s natural resources.

#### **E. The Center Supports the Draft Plan’s Target to Limit Discretionary Development in High Fire Areas.**

We support Strategy 3E—limiting development in high fire areas. The science is clear that we can no longer continue building new large-scale development in high fire areas. In Southern California, sprawl developments with low/intermediate densities extending into chaparral and sage scrub habitats that are prone to fire have led to more frequent wildfires caused by human ignitions, like arson, improperly disposed cigarette butts, debris burning, fireworks, campfires, or sparks from cars or equipment (Keeley et al. 1999; Keeley and Fotheringham 2003; Syphard et al. 2007; Syphard et al. 2012; Bistinas et al. 2013; Balch et al. 2017; Radeloff et al. 2018). Human-caused fires account for 95% of all fires in Southern California (Syphard et al.

2013), and homes filled with petroleum-based products, such as wood interiors, paint, and furniture, provide additional fuel for the fires to burn longer and spread farther (Keeley et al. 2007). The most numerous and largest fires in Southern California have been caused by equipment and powerlines in the wildland-urban interface, where housing density is low to intermediate (Syphard and Keeley 2015), and leapfrog developments have been found to have the highest predicted fire risk in the County (Syphard et al. 2013).

More development in high fire areas such as chaparral and sage scrub would lead to a dangerous feedback loop of deadly fires and habitat destruction. These habitats are adapted to infrequent (every 30 to 150 years), large, high-intensity crown fire regimes (Pyne et al. 1996; Keeley and Fotheringham 2001), and if these regimes are disrupted, the habitats become degraded (Keeley 2005, 2006a,b; Syphard et al. 2018). When fires occur too frequently, type conversion occurs and the native shrublands are replaced by non-native grasses and forbs that burn more frequently and more easily, ultimately eliminating native habitats and biodiversity while increasing fire threat over time (Keeley 2005, 2006a,b; Syphard et al. 2009; Safford and Van de Water 2014; Syphard et al. 2018). Thus, placing developments in these high fire-prone areas will lead to more frequent fires while degrading the health and biodiversity of Southern California's ecosystems.

Nonetheless, the "actions" in the Draft Plan do not set forth a clear plan to actually limit development in high fire areas. In particular, while the Countywide "Target" states "no new discretionary development in high hazard areas" by 2025, there is no "action" proposed to meet this target. (Draft Plan at 70.) Instead, as mentioned above, the County has been approving large-scale development such as Centennial and Northlake in high fire areas. By approving entitlements for these projects now despite the science showing such development is dangerous, costly, and environmentally harmful, the County is ensuring large-scale development will continue in fire-prone areas for many years.

#### **F. The Center Strongly Supports Goal 5 and Urges The County To Develop a Wildlife Connectivity Ordinance**

The Center strongly supports the Draft Plan's goal of thriving ecosystems, habitats, and biodiversity. (Draft Plan at 78.) To realize this goal, the Plan must consider the issue of wildlife connectivity and the effects of suburban development on wild areas, as explained below.

##### *Habitat Connectivity Is Essential for Wildlife Movement and Biodiversity Conservation.*

Habitat connectivity is vital for wildlife movement and biodiversity conservation. Limiting movement and dispersal with barriers (*e.g.*, development, roads, or fenced-off croplands) can affect animals' behavior, movement patterns, reproductive success, and physiological state, which can lead to significant impacts on individual wildlife, populations, communities, and landscapes (Trombulak and Frissell 2000; Tewksbury et al. 2002; Cushman 2006; van der Ree et al. 2011; Haddad et al. 2015; Ceia-Hasse et al. 2018). Individuals can die off, populations can become isolated, sensitive species can become locally extinct, and important ecological processes like plant pollination and nutrient cycling can be lost. In addition, connectivity between high quality habitat areas in heterogeneous landscapes is important to

allow for range shifts and species migrations as climate changes (Heller and Zavaleta 2009, Cushman et al. 2013). Lack of wildlife connectivity results in decreased biodiversity and degraded ecosystems. Thus, preserving and maintaining natural and created corridors is critical for species and habitat conservation in fragmented landscapes (Gilbert-Norton et al., 2010).

Wildlife connectivity and migration corridors are important at the local, regional, and continental scale. Local connectivity that links aquatic and terrestrial habitats would allow various sensitive species to persist, including state- and federally-protected California red-legged frogs (*Rana draytonii*), arroyo toads (*Anaxyrus californicus*), and other species. At a regional scale, medium- and large-sized mammals that occur in Los Angeles County, such as mountain lions (*Puma concolor*), bobcats (*Lynx rufus*), gray foxes (*Urocyon cinereoargenteus*), ring-tailed cats (*Bassariscus astutus*), and mule deer (*Odocoileus hemionus*), require large patches of heterogeneous habitat to forage, seek shelter/refuge, and find mates.

#### *Climate Change Is Likely to Significantly Alter Wildlife Behavior and Movement.*

A strong, international scientific consensus has established that human-caused climate change is causing widespread harms to human society and natural systems, and climate change threats are becoming increasingly dangerous. In a 2018 *Special Report on Global Warming of 1.5°C* from the Intergovernmental Panel on Climate Change (IPCC), the leading international scientific body for the assessment of climate change describes the devastating harms that would occur at 2°C warming, highlighting the necessity of limiting warming to 1.5°C to avoid catastrophic impacts to people and life on Earth (IPCC 2018). In addition to warming, many other aspects of global climate are changing. Thousands of studies conducted by researchers around the world have documented changes in surface, atmospheric, and oceanic temperatures; melting glaciers; diminishing snow cover; shrinking sea ice; rising sea levels; ocean acidification; and increasing atmospheric water vapor (USGCRP, 2017).

Climate change is increasing stress on species and ecosystems, causing changes in distribution, phenology, physiology, vital rates, genetics, ecosystem structure and processes, and increasing species extinction risk (Warren et al., 2011). A 2016 analysis found that climate-related local extinctions are already widespread and have occurred in hundreds of species, including almost half of the 976 species surveyed (Wiens 2016). A separate study estimated that nearly half of terrestrial non-flying threatened mammals and nearly one-quarter of threatened birds may have already been negatively impacted by climate change in at least part of their distribution (Pacifici et al. 2017). A 2016 meta-analysis reported that climate change is already impacting 82 percent of key ecological processes that form the foundation of healthy ecosystems and on which humans depend for basic needs (Scheffers et al. 2016). Genes are changing, species' physiology and physical features such as body size are changing, species are moving to try to keep pace with suitable climate space, species are shifting their timing of breeding and migration, and entire ecosystems are under stress (Cahill et al., 2012; Chen et al., 2011; Maclean & Wilson, 2011; Parmesan, 2006; Parmesan & Yohe, 2003; Root et al., 2003; Warren et al., 2011). As such, it is imperative that current and future land use planning consider the impacts of climate change on wildlife movement.

*Corridor Redundancy Helps Retain Functional Connectivity and Resilience.*

Corridor redundancy (*i.e.* the availability of alternative pathways for movement) is important in regional connectivity plans because it allows for improved functional connectivity and resilience. Compared to a single pathway, multiple connections between habitat patches increase the probability of movement across landscapes by a wider variety of species, and they provide more habitat for low-mobility species while still allowing for their dispersal (Mcrae et al., 2012; Olson & Burnett, 2013; Pinto & Keitt, 2008). In addition, corridor redundancy provides resilience to uncertainty, impacts of climate change, and extreme events, like flooding or wildfires, by providing alternate escape routes or refugia for animals seeking safety (Cushman et al., 2013; Mcrae et al., 2008; Mcrae et al., 2012; Olson & Burnett, 2013; Pinto & Keitt, 2008).

*Human Development and Associated Noise and Lighting Can Interfere with the Behavior of Local Wildlife Such as Mountain Lions.*

Human development and associated noise can degrade adjacent wildlife habitat and behavior. (*See, e.g.,* Slabbekoorn 2008.) For instance, field observations and controlled laboratory experiments have shown that traffic noise can significantly degrade habitat value for migrating songbirds. (Ware et al. 2015.) This finding followed lab results indicating that subjects exposed to 55 and 61 dBA simulated traffic noise exhibited decreased feeding behavior and duration, as well as increased vigilance behavior. (*Id.*) Such behavioral shifts increase the risk of starvation, thus decreasing survival rates. A recent study also highlighted the detrimental impacts of siting development near areas protected for wildlife. The study noted that “Anthropogenic noise 3 and 10 dB above natural sound levels . . . has documented effects on wildlife species richness, abundance, reproductive success, behavior, and physiology.” (Buxton, et al.) The study further noted that “there is evidence of impacts across a wide range of species [] regardless of hearing sensitivity, including direct effects on invertebrates that lack ears and indirect effects on plants and entire ecological communities (e.g., reduced seedling recruitment due to altered behavior of seed distributors).” (*Ibid.*) Moreover, human transportation networks and development resulted in high noise exceedances in protected areas. (*Ibid.*)

There also is strong evidence documenting the effects of human activity specifically on mountain lions. One study found that mountain lions are so fearful of humans and noise generated by humans that they will abandon the carcass of a deer and forgo the feeding opportunity just to avoid humans. (Smith 2017.)<sup>3</sup> The study concluded that even “non-consumptive forms of human disturbance may alter the ecological role of large carnivores by affecting the link between these top predators and their prey.” (Smith 2017.) In addition, the study found that mountain lions respond fearfully upon hearing human vocalizations. Another study demonstrates that mountain lions exposed to other evidence of human presence (lighting, vehicles, dogs) will impact mountain lion behavior. (Wilmers 2013.) Other studies documented diet shifts in mountain lions near human development, and recommended minimizing any development in mountain lion habitat. (Smith 2016; *see also* Smith 2015.)

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<sup>3</sup> *See also* Sean Greene, “How a fear of humans affects the lives of California's mountain lions,” *Los Angeles Times* (June 27, 2017), available at <http://beta.latimes.com/science/sciencenow/la-sci-sn-pumas-human-noise-20170627-story.html>.

Additional studies similarly documented that mountain lions avoid “urban, agricultural areas, and roads and prefer[] riparian areas and more rugged terrain.” (Zeller 2017; *see also* Vickers 2015.) One study found that over half (55 percent) of radio collared mountain lions in urban areas did not survive, and the majority were killed by humans either by vehicle strikes or using depredation permits. (Vickers 2015.) As such, the Plan should include policies to minimize development in open space areas, as “edge effects” from such development can interfere with animal behavior and movement.

*Creating and Enhancing Wildlife Crossings Is Critical to Maintaining Healthy Ecosystems.*

We recommend that the Draft Plan include stronger policies to promote wildlife movement and/or include a goal to develop a county wildlife connectivity ordinance. Enhanced connectivity helps sustain functional ecosystems and ensure public safety. Although natural, existing corridors in fragmented landscapes have been shown to have more wildlife movement compared to created corridors (Gilbert-Norton et al., 2010), crossing structures combined with setbacks at the entrances and exits are useful as retroactive restoration in areas where existing roads have high incidence of wildlife vehicle conflict or where species movement has been severely impacted. When appropriately implemented, wildlife crossing infrastructure has been shown to improve wildlife permeability and reduce wildlife vehicle collisions (Bissonette & Rosa, 2012; Dodd Jr. et al., 2004; Dodd et al., 2012; Kintsch et al., 2018; Sawaya et al., 2014; Sawyer et al., 2012).

Outside of California many other states and jurisdictions have been proactively addressing wildlife connectivity issues. For example, Arizona, Colorado, and Wyoming have seen 80-96% reductions in wildlife vehicle collisions while gradually increasing the level of wildlife permeability over time (it appears that some species take more time than others to adapt to crossings) on sections of highways where they have implemented wildlife crossing infrastructure, such as underpasses, culverts, overpasses, wildlife fencing, and escape ramps (Dodd et al., 2012; Kintsch et al., 2017; Kintsch et al., 2018; Sawyer et al., 2012). Utah just completed the state’s largest wildlife overpass at Parleys Canyon for moose, elk, and deer. Washington State is about to complete its largest wildlife overpass on I-90, which is anticipated to provide habitat connectivity for a wide variety of species between the North and South Cascade Mountains. The overpass cost \$6.2 million as part of a larger \$900 million expansion project that will include multiple wildlife crossings along a 15-mile stretch of highway. Savings from less hospital bills, damage costs, and road closures from fewer wildlife vehicle collisions will make up those costs in a few years (Valdes 2018). State and local officials are actively pursuing these types of projects because of the benefits for wildlife connectivity, public safety, and the economy. And in neighboring Ventura County, the Board of Supervisors recently adopted a first-of-its-kind ordinance to protect wildlife connectivity.

### *The Draft Plan Should Provide Clear Action Items To Support Wildlife Connectivity*

We are concerned that the action items proposed in the Draft Plan are insufficient to support Goal 5. In particular, lacking from the action items is any clear plan for ensuring habitat connectivity within the region.

Instead, it appears that the County has not prioritized this issue. For instance, the County General Plan EIR anticipated a significant adverse effect on wildlife movement.<sup>4</sup> The California Department of Fish and Wildlife (“CDFW”) urged the County to develop mitigation opportunities for wildlife connectivity, since such “opportunities for wildlife corridors and nursery sites are best established during large scale planning efforts such as this General Plan.” CDFW noted that “Wildlife corridor areas can be delineated and set aside in the General Plan for current and future conservation efforts. An assessment could be placed on development within the Project area to secure the acquisition of these critical linkages and sites, therefore reducing impacts to wildlife corridors and nursery sites and ensuring biological diversity.”<sup>5</sup> The County did not implement CDFW’s recommendations.

The Plan should include a goal to develop a wildlife connectivity ordinance. Moreover, while the proposed “actions” to support Goal 5 are all helpful measures, more is needed. The Plan should incorporate policies that support an “urban growth boundary.” Urban growth boundaries have been used in other jurisdictions as a tool to encourage development in or near existing communities while leaving natural areas undeveloped. Without a clearly defined urban growth boundary, developers will continue to propose—and the Board will continue to approve—development in wild and fire-prone areas, which will further inhibit wildlife connectivity while increasing traffic and air pollution.

### **G. The Center Supports Goals 7 and 8 and Encourages Stronger Policies To Reduce VMT.**

We support Goals 7 and Goal 8—a fossil fuel-free LA County with convenient, safe and affordable transportation that reduces car dependency. However, the targets and associated actions do not include sufficiently ambitious goals to reduce vehicle miles travelled (“VMT”). The Draft Plan’s aims for “[a]t least 15% of all trips will be by foot, bike, micromobility, or public transit.” (Draft Plan at 108.) This means that even if this target is met, in six years 85 percent of trips in the County will still be by car. The Draft Plan should call for much stronger measures to reduce single occupancy vehicle trips and VMT. The best way to do this is to limit development in areas far from existing cities that generate high VMT and limit new freeway development, which induces additional VMT.

The December 2018 Technical Advisory issued by the Governor’s Office of Planning and Research (the “VMT Report”)<sup>6</sup> contains helpful guidance and analysis that could be

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<sup>4</sup> County of Los Angeles, *Los Angeles County General Plan Update Draft Environmental Impact Report* (June 2014), available at [http://planning.lacounty.gov/assets/upl/project/gp\\_2035\\_deir.pdf](http://planning.lacounty.gov/assets/upl/project/gp_2035_deir.pdf).

<sup>5</sup> County of Los Angeles, *Los Angeles County General Plan Update Final Environmental Impact Report* (March 2015), available at [http://planning.lacounty.gov/assets/upl/project/gp\\_2035\\_lac-gpu-final-eir-final.pdf](http://planning.lacounty.gov/assets/upl/project/gp_2035_lac-gpu-final-eir-final.pdf).

<sup>6</sup> The VMT Report is available at [http://opr.ca.gov/docs/20190122-743\\_Technical\\_Advisory.pdf](http://opr.ca.gov/docs/20190122-743_Technical_Advisory.pdf).

incorporated into the Draft Plan. For instance, the VMT Report states that land use decisions to reduce GHG emissions associated with the transportation sector are crucial in order to meet the GHG reductions set forth in SB 375. (VMT Report at 3.) The VMT Report further notes that California cannot meet its climate goals without curbing single-occupancy vehicle activity; land use patterns and transportation options will need to change to support reductions in VMT. (*Id.* at 10.) The VMT Report also proposes a “per capita” or “per employee” threshold of 15 percent below existing development as a reasonable threshold. (*Id.* at 10.) The VMT Report reiterates the conclusion of the California Air Resources Board that “there is a gap between what SB 375 can provide and what is needed to meet the State’s 2030 and 2050 goals.” (*Id.*)

The VMT Report confirms that VMT-intensive development impacts human health and the environment: “Human health is impacted as increases in vehicle travel lead to more vehicle crashes, poorer air quality, increases in chronic diseases associated with reduced physical activity, and worse mental health. Increases in vehicle travel also negatively affect other road users, including pedestrians, cyclists, other motorists, and many transit users. The natural environment is impacted as higher VMT leads to more collisions with wildlife and fragments habitat. Additionally, development that leads to more vehicle travel also tends to consume more energy, water, and open space (including farmland and sensitive habitat). This increase in impermeable surfaces raises the flood risk and pollutant transport into waterways.” (VMT Report at 3.) As such, if the County took strong steps to reduce VMT, it would have co-benefits of better air quality, decreased chronic disease, decreased wildlife-vehicle collisions, and less habitat fragmentation.

The VMT Report further states that roadway expansion projects can induce substantial VMT such that the environmental reviews should incorporate quantitative estimates of induced VMT. (VMT Report at 23.) The VMT Report explains that “[b]uilding new roadways, adding roadway capacity in congested areas, or adding roadway capacity to areas where congestion is expected in the future, typically induces additional vehicle travel.” (*Id.* at 24.) The Plan should thus contain policies to discourage unnecessary highway development and instead focus infrastructure resources on alternative transportation projects.

## **H. Conclusion**

Thank you for the opportunity to submit comments on the Draft Plan. Again, the Center strongly supports the goals of the Draft Plan. But if the goals in the plan are not supported by clear and enforceable policies, then the final Plan will be ineffective in achieving these goals.

Los Angeles County’s traffic jams, air pollution, fragmented wildlife habitat, and diminishing wildlands are a legacy of poor planning decisions made by local officials, often made under pressure from profit-driven developers. Unfortunately Los Angeles County and its Board have continued to approve costly, dangerous, and environmentally-damaging development despite (1) strong public opposition and (2) science confirming that such development is inappropriate in light of the climate crisis, extinction crisis, and the risks of building in fire-prone landscapes.



The Center urges the Chief Sustainability Office and Board to use this Plan as a means to establish a new vision for Los Angeles County that supports healthy communities and healthy wildlands. For such a vision to become reality, it must be supported by clear, binding, and legally enforceable policies. As long as such policies are vague or absent, developers will continue proposing—and officials will likely keep approving—projects that take the county in the wrong direction.

Please do not hesitate to contact the Center at the number or email listed below.

Sincerely,

A handwritten signature in blue ink, appearing to read 'J.P. Rose', with a stylized flourish at the end.

J.P. Rose  
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Center for Biological Diversity  
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Los Angeles, California, 90017  
[jrose@biologicaldiversity.org](mailto:jrose@biologicaldiversity.org)

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# **Attachment 2**

1 Hon. Nancy Case Shaffer  
2 Superior Court for the County of Sonoma  
3 3035 Cleveland Avenue, Suite 200  
4 Santa Rosa, CA 95403  
5 Telephone: (707) 521-6729

**FILED**  
SUPERIOR COURT OF CALIFORNIA  
COUNTY OF SONOMA

JUL 20 2017

BY M. Conley  
Deputy Clerk

8 SUPERIOR COURT FOR THE STATE OF CALIFORNIA  
9 COUNTY OF SONOMA

11 CALIFORNIA RIVERWATCH,

12 Petitioner,

13 v.

15 COUNTY OF SONOMA, ET AL.

16 Defendants.

Case No.: SCV-259242

ORDER GRANTING PETITION  
FOR WRIT OF MANDATE

18 This matter was tried to the court on March 23, 2017, the Honorable Nancy Case  
19 Shaffer presiding. The Law Office of Jack Silver and Jerry Bernhaut and Jack Silver  
20 appeared on behalf of Petitioner; the Office of Sonoma County Counsel and Bruce Goldstein  
21 and Verne Ball appeared on behalf of Respondent Sonoma County Regional Climate  
22 Protection Authority. At the conclusion of the hearing, the court ordered further briefing.  
23 The matter was deemed submitted on April 21, 2017, when all briefs were submitted.

24 I. SUMMARY OF RULING

25 The court finds that the Sonoma County Regional Climate Protection Authority's Final  
26 Programmatic EIR ("the PEIR") for Climate Action 2020 and Beyond, its Climate Action  
27 plan ("CAP") and the County of Sonoma's approval of the CAP violate CEQA, in that the  
28 inventory of greenhouse gas emissions is based on insufficient information; the PEIR fails to



1 include effectively enforceable, clearly defined performance standards for the mitigation  
2 measures regarding Green House Gas ("GHG") emissions, identified as "GHG Reduction  
3 Measures;" and fails to develop and fully analyze a reasonable range of alternatives.

4 Accordingly, the approval of the PEIR was a prejudicial abuse of discretion by  
5 Respondent. Given the lack of information and other material defects, as a matter of law the  
6 PEIR cannot fulfill its basic CEQA purpose as an information document.

7 The court finds that there is insufficient information in the administrative record to  
8 support the factual conclusion that the CAP will achieve its fundamental purpose of reducing  
9 Respondent's countywide GHG emissions to the stated target of 25% below 1990 levels by  
10 2020.

## 11 I. FACTS

12 Petitioner seeks a writ of mandate overturning Respondent's certification and of a  
13 Final Programmatic EIR (the PEIR) for its Climate Action Aplan (CAP) and the approval of  
14 the CAP on the grounds that the approvals violate CEQA.

### 15 A. The Project

16 The CAP Project is a planning-level document to guide analysis of the greenhouse gas  
17 (GHG) impacts of future projects in the county.

18 In 2006, the California legislature passed AB 32, the Global Warming Solutions Act  
19 (the Act) which, among other things, establishes a statewide goal of achieving 1990-level  
20 GHG impacts by 2020.

21 CEQA Guideline 15183.5 allows agencies to adopt an overall long-range plan such as  
22 a general plan or similar plan governing GHG analysis of subsequent projects. Respondent  
23 adopted the CAP in accord with Guideline 15183.5 as a method of providing an overall *tiered*  
24 *analysis* of GHG impacts in subsequent projects as a method of complying with the Act's  
25 mandate. (1 AR 4, 10.)  
26  
27  
28



1 of the California Supreme Court, “the heart of CEQA.” *Laurel Heights Improvement Assn. v.*  
2 *Regents of the University of California* (1988) 47 Cal.3d 376, 392 (*Laurel Heights I*).

3 The ultimate mandate of CEQA is “to provide public agencies and the public in  
4 general with *detailed information* about the effect [of] a proposed project” and to minimize  
5 those effects and choose possible alternatives. (emphasis added) ( PRC 21061.) The public  
6 and public participation hold a “privileged position” in the CEQA process based on  
7 fundamental “notions of democratic decision-making.” (*Concerned Citizens of Costa Mesa,*  
8 *Inc. v. 32<sup>nd</sup> District Agricultural Association* (1986) 42 Cal.3d 929, 936.)

9 As a fundamental benchmark that generally applies to all issues in CEQA the court, is  
10 that the court, in considering an issue, should look to see if “the public could discern... the  
11 ‘analytic route the... agency traveled from evidence to action.’” (See *Al Larson Boat Shop*  
12 *Inc. v. Bd. of Harbor Commissioners* (1993) 18 Cal.App.4th 729, 749; see also *Topanga Assn.*  
13 *for a Scenic Community v. County of Los Angeles* (1974) 11 Cal.3d 506, 513-514, 522.)

14 The burden of investigation rests with the government and not the public. (*Lighthouse*  
15 *Field Beach Rescue v. City of Santa Cruz* (2005) 131 Cal.App.4<sup>th</sup> 1170, 1202.)

### 16 **C. Standard of review**

#### 17 **1. Preliminary Basis for Standard of Review**

18 The standard of review is in dispute here. This dispute arises out of the divergent  
19 characterizations of the issues by the parties.

20 Public Resources Code section 21168 provides that when a court reviews a  
21 determination, finding, or decision of a public agency, "as a result of a proceeding in which  
22 by law a hearing is required to be given, evidence is required to be taken and discretion in the  
23 determination of facts is vested in a public agency ... the court shall not exercise its  
24 independent judgment on the evidence but shall only determine whether the act or decision is  
25 supported by substantial evidence in the light of the whole record." However, review is *de*  
26 *novo* when the court must determine whether the agency has prejudicially abused its  
27 discretion either by failing to proceed in the manner required by law or by reaching a decision  
28 that is not supported by substantial evidence. (*Laurel Heights I, supra* 47 Cal.3d 392, fn.5.)

1 “[A] reviewing court must adjust its scrutiny to the nature of the alleged defect, depending on  
2 whether the claim is predominantly one of improper procedure or a dispute over the facts.”  
3 *Vineyard Area Citizens for Responsible Growth, Inc. v. City of Rancho Cordova* (2007) 40  
4 Cal.4th 412, 435 (“*Vineyard*”).

5 As the court explained in *Vineyard*:

6 [A]n agency may abuse its discretion under CEQA either by failing to proceed in the  
7 manner CEQA provides or by reaching factual conclusions unsupported by substantial  
8 evidence. (§21168.5.) Judicial review of these two types of error differs significantly:  
9 while we determine de novo whether the agency has employed the correct procedures,  
10 “scrupulously enforc[ing] all legislatively mandated CEQA requirements” (*Citizens of*  
11 *Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553, 564...), we accord greater  
12 deference to the agency's substantive factual conclusions. In reviewing for substantial  
13 evidence, the reviewing court “may not set aside an agency's approval of an EIR on  
14 the ground that an opposite conclusion would have been equally or more reasonable,”  
15 for, on factual questions, our task “is not to weigh conflicting evidence and determine  
16 who has the better argument.”(*Laurel Heights I, supra*, 47 Cal.3d at p. 393....)<sup>2</sup>

17 While courts must give deference as to substantive factual decisions, courts demand  
18 strict compliance with “legislatively mandated CEQA requirements.” (*Citizens of Goleta*  
19 *Valley v. Bd. of Supervisors* (1990) 52 Cal.3d 553, 564 (*Goleta II*)). A Respondent is entitled  
20 to no deference where the law has been misapplied, or where the decision was based on “an  
21 erroneous legal standard.” (*East Peninsula Educ. Council, Inc. v. East Peninsula Unif. Sch.*  
22 *Dist.* (1989) 210 Cal.App.3d 155, 165.)

23 Courts must ‘determine de novo whether the agency has employed the correct  
24 procedures, “scrupulously enforc[ing] all legislatively mandated CEQA requirements”....’  
25 (*Vineyard Area Citizens for Responsible Growth, supra*, 40 Cal.4th 435, citing *Goleta II*, 52  
26 Cal.3d at 564.) *Failure to include required information is a failure to proceed in the manner*  
27

28  

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<sup>2</sup> *Laurel Heights I* is *Laurel Heights Improvement Assn. v. Regents of University of California* (1988) 47 Cal.3d 376, 400 (*Laurel Heights I*

1 required by law and demands strict scrutiny. (*Sierra Club v. State Bd. of Forestry* (1994) 7  
2 Cal.4th 1215, 1236; *Vineyard, supra*, 40 Cal.4th at 435.) The court reviews the PEIR here de  
3 novo.

4 Nevertheless, agency actions are presumed to comply with applicable law unless the  
5 petitioner presents proof to the contrary. (Evid. Code § 664; *Foster v. Civil Service*  
6 *Commission of Los Angeles County* (1983) 142 Cal.App.3d 444, 453.) The petitioner in a  
7 CEQA action thus has the burden of proving that an EIR is insufficient. (*Al Larson Boat*  
8 *Shop, Inc. v. Board of Harbor Commissioners* (1993) 18 Cal.App.4th 729, 740.)

## 9 **2. Standard of Review: Substantial-Evidence Test**

10 The substantial-evidence test applies to substantive issues in a decision certifying an  
11 EIR. The court must uphold the decision if it is supported by substantial evidence in the  
12 record as a whole. (*Bowman v. City of Petaluma* (1986) 185 Cal.App.3d 1065, 1075; see  
13 *River Valley Preservation Project v. Metropolitan Transit Dev. Bd.* (1995) 37 Cal.App.4th  
14 154, 166; see *Santa Teresa Citizen Action Group v. City of San Jose* (2003) 114 Cal.App.4th  
15 689, 703. The “substantial evidence” test requires the court to determine “whether the act or  
16 decision is supported by substantial evidence in the light of the whole record.” (*Chaparral*  
17 *Greens v. City of Chula Vista* (1996) 50 Cal.App.4th 1134, 1143; *River Valley Preservation*  
18 *Project v. Metropolitan Transit Develop. Bd.* (1995) 37 Cal.App.4th 154, 168.)

19 When applying the substantial-evidence standard, the court must focus not upon the  
20 “correctness” of a report’s environmental conclusions, but only upon its “sufficiency as an  
21 informative document.” (*Laurel Heights I* 47 Cal.3d at 393.) The findings of an administrative  
22 agency are presumed to be supported by substantial evidence. (*Taylor Bus. Service, Inc. v.*  
23 *San Diego Bd. of Education* (1987) 195 Cal.App.3d 1331.) The court must resolve reasonable  
24 doubts in favor of the findings and decision. (*Id.*)

25 A claim that the EIR lacks *sufficient* information regarding an issue will be treated as  
26 an argument that the EIR is not supported by substantial evidence. (*Barthelemy v. Chino*  
27 *Basin Munic. Water Dist.* (1995) 38 Cal.App.4th 1609, 1620.) The petitioners in *Barthelemy*  
28

1 asserted that it was a failure to proceed in the manner required by law where an EIR did not  
2 include key information. The court rejected that argument.

3 **a) The Definition of “Substantial Evidence”**

4 Substantial evidence is “enough relevant information and reasonable inferences” to  
5 allow a “fair argument” supporting a conclusion, in light of the whole record before the lead  
6 agency. (14 CCR § 15384(a); PRC §21082.2; *City of Pasadena v. State of California* (2nd  
7 Dist.1993) 14 Cal.App.4th 810, 821-822.) Other decisions define “substantial evidence” as  
8 that with “ponderable legal significance,” reasonable in nature, credible, and of solid value.  
9 (*Stanislaus Audubon Society, Inc., v. County of Stanislaus* (1995) 33 Cal.App.4th 144.)

10 Substantial evidence includes facts, reasonable assumptions predicated upon facts,  
11 and expert opinion supported by facts. (PRC §21082.2(c); see also Guidelines 15064(g)(5),  
12 15384.) It does not include argument, speculation, unsubstantiated opinion or narrative,  
13 clearly incorrect evidence, or social or economic impacts not related to an environmental  
14 impact. (Guideline 15384.)

15 **3. Prejudicial Abuse of Discretion**

16 A court may only issue a writ in a CEQA case for an abuse of discretion, including  
17 making a finding without substantial evidence, if the error was *prejudicial*. (*Chaparral*  
18 *Greens v. City of Chula Vista* (1996) 50 Cal.App.4th 1134, 1143.) The court must defer to the  
19 agency’s substantive conclusions and uphold the determination unless. ((Id); see PRC §  
20 21168, 21168.5, *Laurel Heights I, supra*, 47 Cal.3d at 392, fn.5; Remy, et al., Guide to the  
21 California Environmental Quality Act (10<sup>th</sup> Ed.1999) Chapter XI (D), p.590.)

22 **4. Tiered EIRs**

23 As discussed further below, the PEIR here is a tiered EIR prepared in accordance with  
24 Guideline 15183.5, which specifically allows for preparation of an overall, first-tier EIR and  
25 planning document to govern analysis of GHG emissions and control GHG emissions in order  
26 to comply with the statewide mandates to reduce GHG emissions.  
27

28 A tiered EIR scheme allows an agency to produce a general EIR focusing on an  
overall plan or policy and later conduct more limited, narrow subsequent EIR review for

1 individual projects within the broad plan or scope of the original, general EIR. (PRC 21068.5,  
2 21093(a); Guideline 15152; *Koster v. County of San Joaquin* (1996) 47 Cal.App.4<sup>th</sup> 29, 36.)

3 “Tiering” is defined in PRC 21068.5 as:

4 coverage of general matters and environmental effects in an [EIR] prepared for a  
5 policy, plan, program or ordinance followed by narrower or site-specific [EIRs] which  
6 incorporate by reference the discussion in any prior [EIR] and which concentrate on  
7 the... effects which (a) are capable of being mitigated, or (b) were not analyzed... in  
8 the prior [EIR].

9 In other words, it is ‘a process by which agencies can adopt programs, plans, policies, or  
10 ordinances with EIRs focusing on “the big picture” and can use streamlined CEQA review for  
11 individual projects that are consistent with such... [first tier plans]....’ (*Koster v. County of*  
12 *San Joaquin* (3d Dist. 1996) 47 Cal.App. 4<sup>th</sup> 29, 36.) The later EIRs need not repeat the  
13 analysis or revisit the issues from the original EIR. (Guideline 15385.)

14 Guideline 15152 is the overall provision governing first-tier documents in general and  
15 in its detailed discussion demonstrates clearly what such documents must do, what they must  
16 include, and how they may be used.<sup>i</sup> Environmental impact reports “shall be tiered whenever  
17 feasible, as determined by the lead agency.” (PRC 21093(b).) This “is needed in order to  
18 provide increased efficiency in the CEQA Process. It allows agencies to deal with broad  
19 environmental issues in EIRs at planning stage and then to provide more detailed examination  
20 of specific effects....These later EIRs are excused by the tiering concept from repeating the  
21 analysis of the broad environmental issues examined in the [first tier] EIRs.” (Discussion  
22 following Guideline 15385.)

23 PRC 21094(c) states that “[f]or purposes of compliance with this section, an initial  
24 study shall be prepared to assist the lead agency in making the determinations required by this  
25 section.”

### 26 27 **C. GREENHOUSE GAS EMISSIONS**

28 The Global Warming Solutions Act (“the Act”) ‘implements deep reductions in  
greenhouse gas emissions, recognizing that “[g]lobal warming poses a serious threat to the

1 economic well-being, public health, natural resources, and the environment of California...”  
2 (Health & Saf.Code, § 38501, subd. (a).) Through this enactment, the Legislature has  
3 expressly acknowledged that greenhouse gases have a significant environmental effect.’  
4 (*Communities for a Better Environment v. City of Richmond* (2010) 184 Cal.App.4th 70, 91  
5 (*CEB*).) Guideline 15183.5 governs tiering and streamlining the analysis of GHG  
6 emissions.<sup>ii</sup> Subdivision (b) sets forth the specific things such a plan should do.

7 **1. The Role of the CAP in Subsequent GHG Analysis**

8 A key issue is the ultimate role this CAP will play in subsequent GHG analysis of  
9 future projects. Here neither party clearly addresses the intended role and effect of the CAP  
10 in the review of subsequent projects.

11 The CAP at 1013-1016 generally indicates that the CAP is intended to eliminate any  
12 need to conduct any GHG analysis in future discretionary projects that comply with the CAP.  
13 Specifically, the introduction to the checklist of standards and measures, states that:

14 Discretionary projects that utilize the checklist, as modified by the individual agency,  
15 and can demonstrate consistency with all applicable mandatory local or regional  
16 measures in the CAP, can conclude that their impacts related to [GHG] emissions  
17 would be less than significant under CEQA because the project would be consistent  
18 with a qualified GHG reduction plan under... Guidelines Section 15183.5.

19 The introduction then quotes 15183.5(b) and (b)(2) in part as follows:

20 (b) Pursuant to sections 15064(h)(3) and 15130(d), a lead agency may determine that a  
21 project's incremental contribution to a cumulative effect is not cumulatively  
22 considerable if the project complies with the requirements in a previously adopted  
23 plan or mitigation program under specified circumstances.

24 ...

25 (b)(2) A plan for the reduction of greenhouse gas emissions, once adopted following  
26 certification of an EIR or adoption of an environmental document, may be used in the  
27 cumulative impacts analysis of later projects. An environmental document that relies  
28 on a greenhouse gas reduction plan for a cumulative impacts analysis must identify



1 those requirements specified in the plan that apply to the project, and, if those  
2 requirements are not otherwise binding and enforceable, incorporate those  
3 requirements as mitigation measures applicable to the project.

4 It reiterates that the ‘significance threshold for projects using the checklist for streamlining is  
5 “consistency with an applicable plan for the reduction of [GHG] emissions meeting the  
6 requirements of...15183.5” ’ All of this indicates an intent that a future project complying  
7 with this CAP and its standards and measures need include no independent GHG analysis.

## 8 **2. Respondent’s Contention That Petitioner Imposes Non-Existent Requirements**

9 Respondent argues, that Petitioner is improperly trying to impose requirements on the  
10 CAP that do not exist in Guideline 15183.5. This argument is expressly stated at the start of  
11 its brief and is repeated throughout its papers. This argument is itself groundless; it is  
12 contrary to the fundamental purpose of CEQA requirements.

13 First, Respondent contends that the Guideline merely gives a list of what such a plan  
14 “should” do; not what it “must” do. Although the Guideline does only state what such a plan  
15 “should” include, (see end note ii, Guideline 15183.5), it expressly states that it is a tiering  
16 mechanism and that it must comply with the standards for first-tier programs or plan EIRs. It  
17 is *titled* “Tiering and Streamlining the Analysis of Greenhouse Gas Emissions.” (Emphasis  
18 added.) It begins by explaining that agencies may develop a GHG plan or standards in a plan  
19 using a tiering method, governed by the standards for tiering. It states that agencies *may*  
20 handle GHG analysis:

21 at a *programmatic* [i.e., first-tier] level, such as in a general plan, a long range  
22 development plan, or a separate plan to reduce greenhouse gas emissions. *Later*  
23 project-specific environmental documents *may tier from* and/or incorporate by  
24 reference that existing programmatic review. Project-specific environmental  
25 documents *may* rely on an EIR containing a programmatic analysis of greenhouse gas  
26 emissions as provided in *section 15152 (tiering), 15167 (staged EIRs) 15168*  
27 *(program EIRs), 15175-15179.5 (Master EIRs), 15182 (EIRs Prepared for Specific*  
28 *Plans), and 15183 (EIRs Prepared for General Plans, Community Plans, or Zoning).*

1 (emphasis added.)

2 As noted above, the CAP also makes it clear that, as a first-tier document, it is to be  
3 used in such a manner that, if complied with, will excuse the analysis of a future project from  
4 revisiting GHG emissions. Therefore, the CAP, and any such plan prepared under 15183.5,  
5 must meet the requirements for all first-tier documents and thus must impose effectively  
6 enforceable requirements and measures with defied performance standards.

7 Second, although Respondent is correct that the requirements on which Petitioner  
8 relies are not necessarily in the Guideline itself, they are applicable to *all* CEQA review and,  
9 specifically, to first-tier documents, as explained above. Petitioner's further arguments, such  
10 as that the CAP must provide a clear, complete, and accurate GHG "inventory," i.e., the  
11 existing GHG emissions associated with activities in the county, are consistent with a  
12 standard CEQA mandate, which is that an environmental document must present clear,  
13 meaningful information sufficient to allow the agency and public to make an intelligent,  
14 informed decision, or, stated another way, sufficient to make clear the analytic route of the  
15 agency. (*Concerned Citizens of Costa Mesa, Inc. v. 32<sup>nd</sup> District Agricultural Association*  
16 (1986) 42 Cal.3d 929, 936; *Al Larson Boat Shop Inc. v. Bd. of Harbor Commissioners,*  
17 *supra*, 18 Cal.App.4th at 749; *Topanga Assn. for a Scenic Community v. County of Los*  
18 *Angeles* (1974) 11 Cal.3d 506, 513-514, 522. Therefore, it must be based on substantial  
19 evidence. (See section C.2., above.)  
20

### 21 **3. Existing Conditions**

22 Petitioner first argues that the PEIR fails to describe existing conditions accurately  
23 because it limits the range of emissions from vehicles miles traveled (VMT) associated with  
24 land-use activities in the county and to and from 18 nearby regional locations. Petitioner  
25 contends that the baseline or current GHG emissions level associated with the county should  
26 include all VMT for trips associated with activities in the county, not only within the county  
27 and to and from the 18 nearby regional locations used in the PEIR and that Respondent thus  
28 understates the current GHG emissions. Respondent focuses on two general categories of  
VMT omitted from the PEIR: VMTs generated by goods exported from the county to

1 locations beyond (produce, medical equipment, beer, and wine) , and tourist travel to Sonoma  
2 County.

3 **a) CEQA Baselines and Quantifying Current GHG Levels**

4 Ordinarily, an EIR must clearly and consistently describe the baseline, which is  
5 *normally* the *existing* environmental setting or conditions. The existing conditions, at the time  
6 the notice of preparation ("NOP") is published, "normally constitute the baseline physical  
7 conditions by which the lead agency determines whether an impact is significant." (Guideline  
8 15125(a).) Guideline 15126.2(a) states that the agency "should normally limit its examination  
9 to changes in the existing physical conditions in the affected area as they exist at the  
10 time...environmental analysis is commenced."

11 Guideline 15183.5(b)(1)(A) sets forth special requirements for GHG first-tier plans  
12 such as the CAP. Such plans are required to "[q]uantify greenhouse gas emissions, both  
13 existing and projected over a specified time period, resulting from activities within a defined  
14 geographic area."

15 Respondent notes that the ordinary requirements governing determination of the  
16 "baseline" apply where there is a project that may alter this in of itself in order to determine  
17 the extent of any impact which a project will have. (See Guideline 15126.2(a).)

18 **b) VMT Data**

19 The CAP explanation of how it determined the GHG inventory is found at AR 1050,  
20 et seq. It used 2010 data because that year includes largely complete or complete activity data  
21 for all sectors as needed to calculate GHG levels; this is not challenged by Petitioner. (See  
22 AR 1052; Memorandum of Points and Authorities in Support of Petition for Writ of Mandate,  
23 9:1-3.) The response to comment at AR 1084 explains that the VMTs were determined by  
24 considering the travel in the county plus travel between the county and 18 external "traffic  
25 analysis zones" ("TAZ").

26 Respondent relies on Guideline 15130(b) which provides that studies of cumulative  
27 impacts are guided by "standards of practicality and reasonableness." According to Guideline  
28 15364, "Feasible" means capable of being accomplished in a successful manner within a

1 reasonable period of time, taking into account economic, environmental, legal, social, and  
2 technological factors.’ Thus, “[a]n evaluation of the environmental effects of a proposed  
3 project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in the light of  
4 what is reasonably feasible .... The courts have looked not for perfection but for adequacy,  
5 completeness, and a good faith effort at full disclosure.” (Guideline 15151; see also *Citizens*  
6 *to Preserve the Ojai v. County of Ventura, supra*, 176 Cal.App.3d at 429.) Petitioner argues  
7 that an agency is “not required to engage in sheer speculation as to future environmental  
8 consequences [Citations], [but an] EIR [is] required to set forth and explain the basis for any  
9 conclusion that analysis of the cumulative impact of offshore emissions [is] wholly infeasible  
10 and speculative.” (*Citizens to Preserve the Ojai, supra*, 176 Cal.App.3d at 430.)

11 Respondent correctly argues that ultimately GHG emissions must be considered in  
12 light of their cumulative worldwide impact because of their nature. The Supreme Court in  
13 *Center for Biological Diversity v. California Dept. of Fish and Wildlife* (2015) 62 Cal.4<sup>th</sup> 204,  
14 at 219-220, considered a challenge to an agency’s GHG analysis. The Court explained:

15 [W]e address two related aspects of the greenhouse gas problem that inform our  
16 discussion of CEQA significance.

17 First, because of the global scale of climate change, *any one project's contribution is*  
18 *unlikely to be significant by itself. The challenge for CEQA purposes is to determine*  
19 *whether the impact of the project's emissions of greenhouse gases is cumulatively*  
20 *considerable*, in the sense that “the incremental effects of [the] individual project are  
21 considerable when viewed in connection with the effects of past projects, the effects of  
22 other current projects, and the effects of probable future projects.” (§ 21083, subd.  
23 (b)(2); see Guidelines, § 15064, subd. (h)(1).) “With respect to climate change, an  
24 individual project's emissions will most likely not have any appreciable impact on the  
25 global problem by themselves, but they will contribute to the significant cumulative  
26 impact caused by greenhouse gas emissions from other sources around the globe. *The*  
27 *question therefore becomes whether the project's incremental addition of greenhouse*  
28 *gases is ‘cumulatively considerable’ in light of the global problem, and thus*

1 significant.” (Crockett, Addressing the Significance of Greenhouse Gas Emissions  
2 Under CEQA: California's Search for Regulatory Certainty in an Uncertain World  
3 (July 2011) 4 Golden Gate U. Env'tl. L.J. 203, 207–208 (hereafter Addressing the  
4 Significance of Greenhouse Gas Emissions ).)

5 Second, the global scope of climate change and the fact that carbon dioxide and other  
6 greenhouse gases, once released into the atmosphere, are not contained in the local  
7 area of their emission means that *the impacts to be evaluated are also global rather*  
8 *than local. For many air pollutants, the significance of their environmental impact*  
9 *may depend greatly on where they are emitted; for greenhouse gases, it does not.* For  
10 projects, like the present residential and commercial development, which are designed  
11 to accommodate long term growth in California's population and economic activity,  
12 this fact gives rise to an argument that a certain amount of greenhouse gas emissions is  
13 as inevitable as population growth. Under this view, a significance criterion framed in  
14 terms of efficiency is superior to a simple numerical threshold because CEQA is not  
15 intended as a population control measure.

16 (emphasis added.)

17 Consistent with the Supreme Court’s discussion in that case, the EIR here expressly  
18 discusses the global nature of GHG emissions, explaining that “unlike other resource areas  
19 that are primarily concerned with localized project impacts... the global nature of climate  
20 change requires a broader analytic approach. Although this section focuses on GHG  
21 emissions generated as a result of the CAP, the analysis considered them in the context of  
22 potential state, national, and global GHG impacts.” (AR 314.) It also noted global GHG  
23 concentrations. (AR 81, 106, 316.)

24 The PEIR analysis considered VMT for the county and the 18 TAZs in the region, and  
25 only for automobile traffic and “emissions that local governments have primary influence or  
26 control over.” (AR 85.) It did not consider travel by other means such as by airplane or  
27 emissions over which the local entities have no direct control. (AR 85.) The PEIR explained  
28

1 at AR 82 and 85 that it was relying on the International Council for Local Environmental  
2 Initiatives (ICLEI) Protocol and that:

3 the ICLEI Community Protocol does not require air travel emissions to be included in  
4 the basic emissions necessary for protocol-compliance GHG inventories because it  
5 recognizes that local governments have less control over such sources as air travel and  
6 that information is often not available to precisely describe an airport's emissions to a  
7 specific community.

8 Similarly, it noted that methodologies exist to estimate emissions further afield but associated  
9 with local activities but rejected these methodologies because the information might be  
10 difficult to obtain or are not "common" approaches. (AR 85-86.) For example, the response  
11 to the comment at AR 85-86 stated:

12 [w]hile there are methodologies to estimate upstream emissions..., these  
13 methodologies are commonly used to prepare what is known as a "consumption-  
14 based" inventory, which estimate the life cycle "carbon footprint" of everything  
15 households (and...other consumers) consume. There are also methodologies to  
16 estimate "downstream" emissions associated with the transportation, end use, and  
17 disposal of goods produced in a jurisdiction, but such methodologies require highly  
18 detailed information about the entire downstream supply chain, including the ultimate  
19 geographical destination of goods that can be difficult to come by, especially if such  
20 data is privately held. While one could estimate emissions using a consumption-based  
21 approach of a "downstream" emissions method, these are not the common approach  
22 used for community emissions, or national emissions at present, and if used, would  
23 make it impossible to compare regional inventories.

24 As a result, the response contends, "nearly every" national, state, and local agency preparing a  
25 CAP has used the "activity-based" approach to calculate and define the GHG inventories.  
26 (AR 86.) Respondent asserts that by avoiding the methodologies which include upstream or  
27 downstream data, and instead using the ICLEI Protocol, the CAP inventory "can be compared  
28 to those other communities, using a common standard..." (Ibid.)

1 The question before the court is whether there is information in the record showing  
2 that Respondent might or might not feasibly have included the additional data as Petitioner  
3 contends, or whether Respondent did not need to include it.

4 Respondent's primary argument that it did not need to include additional emissions  
5 estimates is based on its assertion that CEQA only requires an agency to do what is feasible,  
6 and further that it need not, and should not, engage in speculation over data that is  
7 unknowable. The basic that a public agency is only required to do what is feasible, discussed  
8 above, is correct, but Respondent has not persuasively shown that it defeats Petitioner's  
9 arguments regarding the need for more information about MVT. The response to comments  
10 at AR 84-86 expressly admits that there are methodologies to quantify the additional sources  
11 of GHG emissions Petitioner identifies, but did not use them because they are not  
12 "commonly" used or the information "can be difficult to come by." This argument does not  
13 establish that Respondent had substantial evidence to support its approval.

14 The record, including the admissions in the PEIR shows that Respondent had a  
15 feasible ability to include the additional GHG data. Respondent compares the data used in  
16 this CAP to that used by other agencies. (AR 86; generally AR 84-86.) This is a logical  
17 explanation for employing the ICLEI Protocol used, but it does not demonstrate that it was  
18 "infeasible" to obtain the additional MVT data, especially given that Respondent  
19 acknowledges that the methodologies exist.

20 Had the EIR explained that it was unable to obtain the necessary information, or that  
21 there were no methodologies that it could have used to obtain/include it, Respondent's would  
22 have been justified in failing to obtain this data. However, here, Petitioner complains that  
23 Respondent appears merely to have avoided including greater, more complete, information  
24 based on the assumption that it would be "too much work."

25 The court grants the petition on this point.

#### 26 **D. MITIGATION MEASURES**

27 Petitioner also argues that Respondent failed to adopt "definite, clearly defined and  
28 enforceable" mitigations measures. It contends that at least some of the mitigation measures

1 and standards it sets forth are unclear, vague, and not fully enforceable. Petitioner points out  
2 that the EIR concludes that the CAP would be “beneficial” and would thus support applicable  
3 regulatory plans for reducing GHG emissions, so, it contends, no mitigation for GHG  
4 emissions is necessary. (AR 204.)

5 Respondent argues that the CAP is not intended as a mitigation measure. No  
6 mitigation is needed because it is a plan to reduce GHG emissions in subsequent projects.

7 What Petitioner contends is not that the CAP and EIR need to adopt mitigation  
8 measures for the CAP itself, but instead that the CAP, in setting forth purported mitigation  
9 measures for future analysis and handling of GHG emissions, fails to present sufficient clearly  
10 defined and enforceable mitigation measures and standards.

11 Respondent points out this is not a “project” in the sense of an activity that will do  
12 anything that might create GHG emissions but instead is a plan for handling analysis and  
13 mitigation of GHG emissions in future projects. Therefore, there is clearly nothing about this  
14 Project to mitigate. Petitioner's contention that the PEIR should imposing sufficiently defined  
15 and enforceable mitigations measures, is a different issue.

16 Guideline 15183.5(b)(1)(D) and (E) are instructive. Subdivision (D) states that the  
17 plan should “[s]pecify measures or a group of measures, including performance standards,  
18 that substantial evidence demonstrates, if implemented on a project-by-project basis, would  
19 collectively achieve the specified emissions level. Subdivision (E) states that the plan should  
20 “[e]stablish a mechanism to monitor the plan's progress toward achieving the level and to  
21 require amendment if the plan is not achieving specified levels.” (Emphasis added.)  
22

### 23 **1. Role and Purpose of Mitigation Measures in CEQA**

24 Mitigation measures are needed, even required, where a project may have a significant  
25 impact and the purpose of the measures is to reduce any impact to less than significant. (PRC  
26 21003.1(b); Guideline 15002(a)(3).)

### 27 **2. Deferral of Mitigation**

28 In general, it is improper for an agency to rely on *deferred* mitigation. (*Sundstrom v.*  
*County of Mendocino* (1988) 202 Cal.App.3d 296, 306; *Defend the Bay v. City of Irvine*



1 (2004) 119 Cal.App.4<sup>th</sup> 1261, 1275-1276.) An agency cannot find a significant impact to be  
2 mitigated to a less-than-significant level based on a deferred mitigation measure. (*Sundstrom*  
3 *v. County of Mendocino, supra*, 202 Cal.App.3d at 306. It is a violation of CEQA when an  
4 agency “simply requires a project applicant to obtain a biological report and then comply with  
5 any recommendations that may be made in the report. [Citation.]” (*Defend the Bay v. City of*  
6 *Irvine* (2004) 119 Cal.App.4<sup>th</sup> 1261, 1275; see also *Endangered Habitats League, Inc. v.*  
7 *County of Orange* (2005) 131 Cal.App.4<sup>th</sup> 777, 793.)

8 “Deferral of the specifics of mitigation is permissible where the local entity commits  
9 itself to mitigation and lists the alternatives to be considered, analyzed and possibly  
10 incorporated in the mitigation plan.” (*Defend the Bay v. City of Irvine* (2004) 119 Cal.App.4<sup>th</sup>  
11 1261, 1275-1276; see also *Sacramento Old City Assn. v. City Council* (1991) 229 Cal.App.3d  
12 1011, 1028-1030.) This applies where “mitigation is known to be feasible, but where the  
13 practical considerations prohibit devising such measures early,” so that “[w]here future action  
14 to carry a project forward is contingent on devising means to satisfy such criteria, the agency  
15 should be able to rely on its commitment as evidence that significant impacts will in fact be  
16 mitigated.” (*Sacramento Old City Assn., supra*, 229 Cal.App.3d at 1028-1029.)

17 Because of the nature of first-tier tier EIRs, in particular, deferral of the specifics of  
18 mitigation measures, as long as they contain clear performance standards, is particularly  
19 appropriate and logical. (See, e.g., *Rio Vista Farm Bureau Center v. County of Solano* (1<sup>st</sup>  
20 Dist.1992) 5 Cal.App.4<sup>th</sup> 351 (“*Rio Vista Farm Bureau*”); *Al Larson Boat Shop Inc. v. Bd. of*  
21 *Harbor Commissioners, supra*, 18 Cal.App.4<sup>th</sup> 729.) In *Rio Vista Farm Bureau*, a first-tier  
22 “program EIR” serving as “primary planning document for hazardous waste management in  
23 the county” was found to contain sufficient mitigation measures adopted as policies to guide  
24 subsequent projects. The court rejected a challenge based on the assertion that the mitigation  
25 measures were “vague, inconclusive, and even inconsistent,” finding the measures sufficient  
26 “given the broad, nebulous scope of the project under evaluation.” (*Rio Vista Farm Bureau,*  
27 *supra*, 5 Cal.App.4<sup>th</sup> at 376.) The court found that the specificity of mitigation measures  
28

1 should be proportionate to the specificity of the underlying project, which in that case was a  
2 broad planning document to guide later site-specific projects.

3       The court in *Coastal Hills Rural Preservation v. County of Sonoma* (2016) 2  
4 Cal.App.5th 1234, 1258, upholding the trial court’s order denying a CEQA petition for writ of  
5 mandate, explained that although “CEQA usually requires mitigation measures to be defined  
6 in advance” and not deferred, “deferral [of mitigation measures] is permitted if, in addition to  
7 demonstrating some need for deferral, the agency (1) commits itself to mitigation; and (2)  
8 spells out, in its environmental impact report, the possible mitigation options that would meet  
9 “specific performance criteria” contained in the report.”

10       In *Sundstrom, supra*, the county required future hydrological studies as conditions of a  
11 use permit and required that any mitigation measures that the study suggested would become  
12 mandatory. This was held to be improper because the impacts and mitigation measures were  
13 not determined.

14       The court in *Gentry v. City of Murrieta* (1995) 36 Cal.App.4<sup>th</sup> 1359 found an Negative  
15 Declaration defective because it improperly relied on deferred formulation of specific  
16 mitigation measures. There, the city required the applicant to comply with any existing  
17 ordinance protecting the Stephens’ kangaroo rat and allowed the city to require a biological  
18 report on the rat and compliance with any recommendations in the report. The court found  
19 this to be insufficient because it, like the approval in *Sundstrom*, was based on compliance  
20 with a report that had not yet even been performed.

21       By contrast, the court in *Schaeffer Land Trust v. San Jose City Council* (1989) 215  
22 Cal.App.3d 612, upheld an Negative Declaration for a general plan amendment for a parcel of  
23 land which, regarding traffic issues, required any future development to comply with  
24 applicable “level of service” standards. Unlike the other cases mentioned above, here the  
25 mitigation measures were delayed because the development and impacts were not concrete,  
26 but the mitigation was fixed to set standards which, by definition, ensured that there would be  
27 no significant impact. Mitigation with deferred specifics was found to satisfy CEQA where  
28 the lead agency had committed to mitigation meeting a specified range of criteria and project

1 approval required the developer to obtain permits and adopt seven itemized measures in  
2 coordination and consultation with relevant agencies. *Defend the Bay, supra*, 1276.

3 In *Endangered Habitats League, Inc. v. County of Orange* (2005) 131 Cal.App.4<sup>th</sup>  
4 777, 794, the court found a mitigation measure that required replacement habitat preservation  
5 to satisfy CEQA even though the specifics were not fully determined but where the approval  
6 set forth *specific possibilities and parameters that the mitigation needed to meet*.

### 7 **3. The Role of the CAP in Subsequent GHG Analysis**

8 The key issue here in determining the sufficiency of mitigation measures is the role  
9 this CAP is intended to play in a GHG analysis of future projects. As noted above, one aspect  
10 of first-tier plans and EIRs is that they may obviate the need for later projects falling within  
11 their ambit to conduct new CEQA review on certain issues where the future projects comply  
12 with the first-tier plan. Any later discretionary project that complies with its criteria, such as  
13 the standards and requirements it imposes, would not need to do further study of GAG  
14 emissions. Accordingly, the standards and requirements the CAP imposes for reducing or  
15 minimizing GHG emissions must be considered mitigation measures for purposes of CEQA  
16 and must comply with the CEQA requirements. This means that they must set forth clearly  
17 defined and enforceable performance standards to be met. Because of the intended  
18 streamlining, Petitioner correctly contends that the performance standards and measures set  
19 forth the PEIR must be clear, definite, and enforceable.  
20

21 Here also, Respondent contends that Petitioner is imposing requirements and standards  
22 that do not exist in Guideline 15183.5. Respondent ignores the fundamental CEQA  
23 requirements which underlie Petitioner's claims. Respondent contends that Guideline 15183.5  
24 does not require mitigation measures for the CAP or within the CAP imposed on future  
25 projects. This position not only conflicts with 15183.5 itself, it is fundamentally contrary to  
26 the principles of CEQA review.

27 It is axiomatic in CEQA that any measures or requirements imposed be sufficiently  
28 defined to be enforceable and that, in the context of tiering, any subsequent project may avoid  
analysis of an issue only if it complies with a first-tier document that satisfies CEQA

1 requirements. As noted above, PRC 21094(a) states that where a prior first-tier EIR has been  
2 certified and applies to a subsequent project, the agency “*need not examine those effects*  
3 *which ... were either (1) mitigated or avoided... as a result of the prior [EIR] or (2) examined*  
4 *at a sufficient level of detail in the prior [EIR] to enable those effects to be mitigated or*  
5 *avoided by site specific revisions, the imposition of conditions, or by other means....”*

6 Accordingly, to obviate the need to address an issue or impact as part of a later project’s  
7 CEQA review, a first-tier plan or program document and EIR must sufficiently analyze that  
8 issue or impact to determine that compliance with the document and its mitigations will  
9 mitigate or avoid the impact. The mitigation requirements in a first-tier document for  
10 avoiding or mitigating the impact *must* include performance standards that are mandatory and  
11 include specific, and effectively enforceable performance standards. (*Coastal Hills Rural*  
12 *Preservation v. County of Sonoma* (2016) 2 Cal.App.5th 1234, 1258.)

13 The prior discussion of Guideline 15183.5 addresses the impact of tiering  
14 mechanisms. Again, the CAP, and any such plan prepared under 15183.5, must meet the  
15 requirements for all first-tier documents and thus must impose effectively enforceable  
16 requirements and measures with defied performance standards.

17 Further, Guideline 15183.5 *does require the CAP to impose mitigation measures on*  
18 *future projects. As both Respondent and the CAP itself acknowledge, and as noted above,*  
19 *subdivision (b) expressly states that “a lead agency may determine that a project's incremental*  
20 *contribution to a cumulative effect is not cumulatively considerable if the project complies*  
21 *with the requirements in a previously adopted plan or mitigation program under specified*  
22 *circumstances.” This plan or mitigation program, i.e., the CAP, according to (b)(2), “may be*  
23 *used in the cumulative impacts analysis of later projects” which clearly means that it need not.*  
24 *However, (b)(2) continues to state that if it is so used for a later project, that project must*  
25 *comply with the requirements and mitigation measures from the CAP. Once again, in the*  
26 *Guideline’s words, a later project that in fact “relies on [the CAP] for a cumulative impacts*  
27 *analysis must identify those requirements specified in the plan that apply to the project, and, if*  
28

1 *those requirements are not otherwise binding and enforceable, incorporate those*  
2 *requirements as mitigation measures....”*

3 In countering Petitioner's complaint that some of the so-called measures or standards  
4 are too vague or loose or ill-defined to be properly enforceable, Respondent asserts that this  
5 will be “cured” because Guideline 15183.5(b)(2) states that any requirements that are not  
6 “binding and enforceable” will be incorporated as mitigation measures in the project’s CEQA  
7 document. This “interpretation” does not withstand scrutiny. As explained above, a first-tier  
8 document, in order to be used to avoid revisiting analysis of an issue in a later project, must  
9 have sufficiently analyzed the issue and found any significant impact to be mitigated or  
10 avoided by complying with the document. That means that any requirement, such as  
11 mitigation, must have sufficiently defined, clear, and mandatory performance standards to be  
12 effectively enforceable and to have predictable results. If the requirements or measures are so  
13 ill-defined as to be unenforceable as a practical matter, and effectively meaningless, merely  
14 “incorporating” them into the later project’s CEQA document will obviously not fix that  
15 problem. What the state in the Guideline must mean, therefore, is not that an ineffective  
16 measure may simply be incorporated into a later project’s document, as Respondent asserts,  
17 but that a measure or requirement must be incorporated in the document *if it is not enforced*  
18 *independently, or through some other mechanism.*

#### 20 **4. The Measures in the CAP**

21 The CAP sets forth requirements and standards or mitigation measures at AR 1015-  
22 1048.

23 Respondent primarily argues that under Guideline 15183.5(b)(2), any measure which  
24 the CAP imposes and which is “not otherwise binding and enforceable” must be incorporated  
25 into future projects. As addressed above, this argument is not meritorious. Guideline  
26 15183.5(b)(2) expressly requires that:

27 *“An environmental document that relies on a greenhouse gas reduction plan for a*  
28 *cumulative impacts analysis must identify those requirements specified in the plan that*  
*apply to the project, and, if those requirements are not otherwise binding and*

1            *enforceable, incorporate those requirements as mitigation measures* applicable to the  
2            project. *If there is substantial evidence that the effects of a particular project may be*  
3            *cumulatively considerable notwithstanding the project's compliance with the specified*  
4            *requirements in the plan for the reduction of greenhouse gas emissions, an EIR must*  
5            *be prepared for the project.*

6            (emphasis added.)

7            Petitioner singles out three of the specific measures or requirements in the CAP for  
8            discussion as demonstrating a lack of meaningful enforceability and clear standards.

9            **a) 5-R4 (AR 1026)**

10           The first is 5-R4 (AR 1026.) This “trip-reduction ordinance” requires employers with  
11           50+ employees to offer one of several options to employees in order to reduce GHG  
12           emissions: “pre-tax transit expenses, transit or vanpool subsidy, free or low cost shuttle, *or an*  
13           *alternative benefit.*” (Emphasis added.) It is the latter to which Petitioner objects, arguing  
14           that it is vague and undefined either in what it must be like or what it must achieve, so that  
15           there is no way to enforce this. As a result, Petitioner contends, a project could offer as  
16           “alternative benefit” which no-one can at this point predict, and argue that it need not do GHG  
17           analysis because it has “complied” with this measure. Respondent contends that an  
18           alternative of purchasing GHG offsets is considered and this is correct but this is not the  
19           definition of “an alternative benefit,” which is left open and could be anything. Petitioner is  
20           correct on this point.

21           Respondent contended that Petitioner failed to exhaust administrative remedies on this  
22           specific issue.

23           According to PRC section 21177, “[a] person shall not maintain an action or  
24           proceeding unless that person objected to the approval of the project orally or in writing  
25           during the public comment period provided by this division or prior to the close of the public  
26           hearing on the project before the filing of the notice of determination.” This does not,  
27           however, bar an association or organization formed after approval from raising a challenge  
28           which one of its constituent members had raised, directly or by agreeing with or supporting

1 another's comments. (PRC section 21177(c).) Moreover, someone may file a legal challenge  
2 based on an issue as long as "any person" raised that issue during the review process. PRC  
3 section 21177(a); see *Friends of Mammoth v. Board of Supervisors* (1972) 8 Cal.3d 247, 267-  
4 268. It also does not apply to any grounds of which the agency did not give required notice  
5 and for which there was no hearing or opportunity to be heard. PRC section 21177(e).

6 A party challenging decision under CEQA cannot, to exhaust administrative remedies,  
7 rely merely on "general objections" or "unelaborated comments." *Sierra Club v. City of*  
8 *Orange* (2008) 163 Cal.App.4<sup>th</sup> 523, 535; *Coalition for Student Action v. City of Fullerton*  
9 (1984) 153 Cal.App.3d 1194, 1197. However, "[l]ess specificity is required to preserve an  
10 issue for appeal in an administrative proceeding than in a judicial proceeding...." *Citizens*  
11 *Association for Sensible Development of Bishop Area v. County of Inyo* (1985) 172  
12 Cal.App.3d 151, 163.

13 Petitioner responds that only the substance of the issue must be raised at the  
14 administrative level, relying on *Save Our Residential Environment v. City of West Hollywood*  
15 (1992) (Cal.App.4th 1745, 1750.) And further that less specificity is required to exhaust an  
16 issue in an administrative proceeding than in a judicial one, relying on *Woodward park*  
17 *Homeowners Assn. v. City of Fresno* (2007) 150 Cal.app.4th 683, 712 and *Brothers Real*  
18 *Estate Group v. City of Los Angeles* (2008) 153 Cal.App.4th 1385, 1395. The court finds that  
19 Petitioner did articulate this as a basic contention in the underlying administrative  
20 proceedings. (AR 66 and AR 67.)

21 **b) 4-L-1 (AR 1024)**

22 Petitioner's attack 4-L-1, at AR 1024, which requires consistency with applicable  
23 "adopted policies" on mixed-use and transit-oriented development, such as zoning codes,  
24 general plans, etc., and states that agencies must "support mixed use [sic] development in  
25 city-centers and transit-oriented development locations through their General Plans, etc." is  
26 not persuasive. Petitioner contends that this is too vague because "mixed-use" has been  
27 interpreted to allow hotels and tourist destinations built downtown or near rail stations.  
28 Petitioner focuses on one portion of this requirement that is open-ended. Nothing indicates

1 that the type of use that could be allowed in a mixed-use development, whether store,  
2 museum, eatery, office, or hotel, has any bearing on GHG emissions. Petitioner cites no  
3 evidence or explanation in support of this claim and does not explain how this is material.  
4 What matters is that there are clear, adopted standards mandating such development and  
5 Petitioner does not challenge that portion of the measure at all.

6 It is possible that the measure could be found too vague and Petitioner may be  
7 challenging it on that basis as well. Petitioner refers to it when mentioning how an  
8 “undefined alternative... lacks the required specificity” and Petitioner again mentions it on the  
9 following page with reference to “tentative plans” for future mitigation in ill-defined  
10 subsequent regulation to be adopted. This, merely requires each jurisdiction to “identify such  
11 appropriate areas and include unspecified policies and incentives to encourage development  
12 near high-quality transit service.” It requires the jurisdiction to define requirements and  
13 identify potential incentives, giving a list of the types that these “may include,” the last being  
14 “other related items.” Again, this does not give any clear performance standards regarding  
15 how to achieve this or what the parameters are. As Petitioner argues, for the third measure,  
16 the court in *Communities for a Better Environment v. City of Richmond*, 184 Cal.App.4<sup>th</sup> 70,  
17 92, found a measure insufficiently specific where it required reduction of mobile emission  
18 sources though “transportation smart” development because “reliance on tentative plans for  
19 future mitigation... significantly undermines CEQA’s goals of full disclosure and informed  
20 decision making.” Under this analysis, this measure is also defective.

21  
22 **c) 2-L-1 (AR 1021)**

23 Lastly, Petitioner argues that 2-L-1, at AR 1021, is defective. This measure mandates  
24 that the project “comply with local requirement(s) for rooftop solar PV on new residential  
25 development. It states that each jurisdiction “will define which new development must  
26 provide rooftop solar [PV] by defining qualifying criteria... and the amount of solar  
27 required...” As Petitioner argues, this sets no standards at all, just like 4-L-1, but instead  
28 merely general principles and future possibilities. This violates CEQA.



1           Petitioner further argues that the measures in general do not guarantee any likelihood  
2 of implementation. This is clear from the ones discussed above. Petitioner cites 1-R2 as  
3 another example. It states that two named agencies “will work with the participating  
4 communities to implement energy efficient retrofits. Actions may include: Implementing a...  
5 weatherization program, expanding energy efficiency outreach/education campaigns...,  
6 promoting the smart grid,” etc. Again, none of this goes beyond stating wishful thinking,  
7 good intentions, and an intent to “work” with others. Measures that fall into this category  
8 violate CEQA as well.

9           Petitioner also generally attacks the measures as lacking meaningful enforceability.  
10 Petitioner also contends that of all of them, only 1-S1 and 1-S2 are actually enforceable  
11 because they govern building energy and lighting efficiency, both controlled by state  
12 regulation. The court finds a few others in addition to 1-S1 and 1-S2 to be similarly  
13 enforceable. These include 1-L1, based on Windsor’s building code, 1-L2, requiring LED  
14 lights in new development.

15           Aside from those few, Petitioner is correct that most are not enforceable, either  
16 because they are too vague and lacking in meaningful mandatory requirements such as those  
17 already discussed, which only “require” some “alternative” that is not specified or governed  
18 by set parameters. Others, such as 1-L3 through 2-L2, state mitigation measures but then state  
19 that these are “voluntary,” or “encouraged,” or only necessary where “applicable” based on  
20 circumstances or criteria that are not defined. Others again rely on other jurisdictions such as  
21 the cities creating applicable requirements that in some unspecified manner promote the  
22 stated, vague, open-ended policies that lack any parameters or requirements. These are too  
23 numerous to list them all here but this general characteristic dominates almost all of the  
24 measures from what I have read.

25           Accordingly, the court grants the petition with respect to mitigation. Because the  
26 record does not provide adequate information about extraterritorial emissions the agency and  
27 the public could not and the court cannot determine whether the CAP would achieve its stated  
28 goal to reduce GAG impacts to pre-1990 levels by 2020.

1           **E. ALTERNATIVES**

2           Petitioner asserts that Respondent violated CEQA by adopting as the “environmentally  
3 superior alternative” the Zero Net Energy Buildings Alternative because it fails to address  
4 GHG emissions from transportation while Respondent declined to evaluate an alternative with  
5 a moratorium on, or significant reduction of, new or expanded vineyards, wineries and tourist  
6 destinations. (AR 94; 426-427.)

7           Respondent contends that the analysis is sufficient because Petitioner believes that  
8 reducing or stopping growth, and in particular growth that involves travel of people and goods  
9 to and from the county, is necessary, and Petitioner cannot impose such mandates on R;  
10 Respondent considered a range of alternatives; and choosing the moratorium alternative  
11 would require the court to “dramatically substitute” its judgment for Respondent’s.

12           CEQA requires all EIRs to consider alternatives to the project. (*Friends of the Old*  
13 *Trees v. Dept. of Forestry & Fire Protection* (1<sup>st</sup> Dist.1997) 52 Cal.App.4<sup>th</sup> 1383, 1393-1395  
14 (*Friends of Old Trees*.)

15           **1. Importance and Central Role of Alternatives Analysis**

16           PRC section 21002 states that “it is the policy of the state that public agencies should  
17 not approve projects as proposed if there are feasible alternatives or feasible mitigation  
18 measures available which would substantially lessen the significant environmental effects...”  
19 An agency may not approve a project that will result in significant impacts *unless it first finds*  
20 *that mitigation measures or alternatives are infeasible*. (PRC section 21081; Guidelines  
21 15091, 15093.)

22           The Supreme Court decided that considering alternatives is one of the most important  
23 functions of an EIR. (*Wildlife Alive v. Chickering* (1976) 18 Cal.3d 190, 197.) In fact, “[t]he  
24 core of the EIR is the mitigation and alternatives sections.” (*Citizens of Goleta Valley v. Bd.*  
25 *of Supervisors* (1990) 52 Cal.3d 553, 564, 566 (*Goleta II*.)

26           Without evidence regarding why the alternatives are insufficient to meet the project or  
27 CEQA goals, meaningful analysis is impossible. An EIR must “explain in meaningful detail  
28 the reasons and facts supporting [the] conclusion.” (*Marin Municipal Water Dist. v. KG Land*

1 *Corp. California* (1991) 235 Cal.App.3d 1652, 1664.) Failure to provide sufficient analysis  
2 or alternatives makes it impossible for the court to “intelligently examine the validity of the...  
3 action.” (*Topanga Assn. for a Scenic Community v. County of Los Angeles* (1974) 11 Cal.3d  
4 506, 513-514, 522.)

5 The alternatives must be discussed in the EIR itself, provided for public review, and  
6 subject to analysis, and the agency cannot cure defects by providing analysis in its official  
7 response. (See *Friends of the Old Trees, supra*, 52 Cal.App.4th at 1403-1405.)

## 8 **2. Authority on Analyzing Alternatives and Feasibility**

9 The discussion should evaluate the relative merits of each alternative 14 CCR  
10 §15126.6(a). Respondents need not analyze or adopt alternatives that are not feasible. 14  
11 CCR ' 15126.6(c), (f); *Citizens of Goleta Valley v. Bd. of Supervisors* (1990) 52 Cal.3d 553,  
12 564, 566 (*Goleta II*). However, the document *must* consider alternatives that *are* feasible.  
13 *EPIC v. Johnson* (1985) 170 Cal.App.3d 604, 610; *Friends of the Old Trees, supra*, 52  
14 Cal.App.4<sup>th</sup> 1404.

15 Ultimately, determining if alternatives are suitable involves a three-part test governed  
16 by the “rule of reason” as set forth in Guideline 15126.6. (See *Citizens of Goleta Valley v.*  
17 *Bd. of Supervisors* (1990) 52 Cal.3d 553, 564, 566 (*Goleta II*); *Save San Francisco Bay*  
18 *Association v. San Francisco Bay Conservation and Development Commission* (1992) 10  
19 Cal.App.4<sup>th</sup> 908, 919.) The analysis must consider alternatives that 1) may “attain most of the  
20 basic objectives of the project,” 2) reduce or avoid the project’s impacts, and 3) are  
21 “potentially feasible.” (Guideline 15126.6(a), (f).)

22 The analysis of alternatives is required to set forth facts and “*meaningful analysis*” of  
23 these alternatives rather than “just the agency’s bare conclusions or opinions.” (*Laurel*  
24 *Heights I, supra*, 47 Cal.3d 376, 404-405; *Goleta II, supra*, 52 Cal.3d 569; *Preservation*  
25 *Action Council v. City of San Jose* (2006) 141 Cal.App.4<sup>th</sup> 1336, 1353.) All analysis must  
26 include “detail sufficient to enable those who did not participate... to understand and to  
27 consider meaningfully” the alternatives. (*Laurel Heights I, supra*, 404-405.)  
28

1 As notes above, “feasible” means able to be “accomplished in a successful manner  
2 within a reasonable period... taking into account economic, environmental, social, and  
3 technological factors.” (PRC section 21061.1.)

4 When the agency determines that alternatives are infeasible, it “shall describe the  
5 specific reasons for rejecting identified...project alternatives.” (Guideline 15091(a), (c).) The  
6 analysis of alternatives is required to set forth facts and “*meaningful analysis*” of these  
7 alternatives rather than “just the agency’s bare conclusions or opinions.” (*Laurel Heights I*,  
8 *supra*, 47 Cal.3d 376, 404-405; *Goleta II, supra*, 52 Cal.3d 569; *Preservation Action Council*  
9 *v. City of San Jose* (2006) 141 Cal.App.4<sup>th</sup> 1336, 1353.) All analysis must include “detail  
10 sufficient to enable those who did not participate... to understand and to consider  
11 meaningfully” the alternatives. (*Laurel Heights I, supra*, 404-405.)

12 The agency must make findings identifying specific considerations making an  
13 alternative infeasible and the specific benefits of the Project that outweigh the relative harm.  
14 (PRC § 21002.1(b), 21081, Guideline 15092(b); *Preservation Action Council, supra*, 1353.)

15 On the other hand, as usual, the requirement is one of reasonableness and a “crystal  
16 ball” inquiry is not necessary. (*Residents Ad Hoc Stadium Committee v. Bd. of Trustees* (3d  
17 Dist.1979) 89 Cal.App.3d 272, 286.) The key, as with most aspects of an EIR is that the  
18 agency must provide enough information about the analytical path taken to allow the court to  
19 “intelligently examine the validity of the administrative action.” (*Topanga Assn. for a Scenic*  
20 *Community v. County of Los Angeles* (1974) 11 Cal.3d 506, 513-514, 522.) However, no  
21 “ironclad rule” other than the “rule of reason” governs the decision. (Guideline 15126.6(a).)

22 An agency cannot find an alternative infeasible simply because the developer does not  
23 want to do it. (*Uphold Our Heritage v. Town of Woodside* (2007) 147 Cal.App.4<sup>th</sup> 587, 601.)  
24 In fact, the analysis must include alternatives that are reasonable “even if they substantially  
25 impede the project or are more costly.” (*San Bernardino Valley Audubon Society v. County of*  
26 *San Bernardino* (1984) 155 Cal.App.3d 738, 750; see also *Preservation Action Council v.*  
27 *City of San Jose* (2006) 141 Cal.App.4<sup>th</sup> 1336.)  
28

1 An EIR or decision thereon also cannot merely state that an alternative is infeasible  
2 simply because it is too expensive or will not lead to sufficient return without providing  
3 supporting analysis. (*Preservation Action Council v. City of San Jose* (2006) 141 Cal.App.4<sup>th</sup>  
4 1336.) “The fact that an alternative may be more expensive or less profitable is not sufficient  
5 to show that the alternative is financially infeasible. What is required is evidence that the  
6 *additional costs or lost profitability* are sufficiently severe as to render it impractical to  
7 proceed with the project.” (*Citizens of Goleta Valley v. Board of Supervisors* (1988) 197  
8 Cal.App.3d 1167, 1181; *Uphold Our Heritage, supra*, 599; (emphasis added).)

9 An alternative should be capable of “substantially lessening” adverse impacts but it  
10 need only have fewer impacts and it need not be impact free. PRC 21002; Guideline  
11 15126.6(a); *Citizens of Goleta Valley v. Board of Supervisors (Goleta II)* (1990) 52 Cal.3d  
12 553, 566.

### 13 **3. Reasonable Range**

14 An EIR must describe a reasonable range of alternatives to the proposed project or its  
15 location that would feasibly achieve most of the project’s objectives, while reducing or  
16 avoiding any of its significant effects. (Guideline 15126.6(a), (d).)

17 The EIR “shall focus on alternatives... which are capable of avoiding or substantially  
18 lessening any significant effects of the project, even if these alternatives would impede to  
19 some degree the attainment of the project objective, or would be more costly.” (Guideline  
20 15126.6(b).)

21 The EIR must set forth the alternatives necessary to permit a reasoned choice and in a  
22 manner that will allow “meaningful evaluation.” (Guideline 15126.6(a), (d), (f); *Goleta II*;  
23 see also *Laurel Heights I, supra*; see also *San Bernardino Valley Audubon Soc., Inc. v. County*  
24 *of San Bernardino* (1984) 155 Cal.App.3d 738, 750-751 (the detail must allow a reasonable  
25 choice “so far as environmental aspects are concerned.”).)

26 If an EIR excludes certain alternatives, it should identify the alternatives and set forth  
27 the reasons. (*Goleta II, supra*, 569; Guideline 15126.6(b).) The court in determining if the  
28

1 EIR included a reasonable range of alternatives may consider the entire record to determine if  
2 alternatives were properly excluded from consideration. (*Goleta II, supra*, 569.)

3 Alternatives that would eliminate or reduce significant environmental impacts *must* be  
4 considered even if they would cost more or “to some degree” impede attainment of the  
5 project’s objectives. (Guideline 15126.6(b).)

#### 6 **4. Detail of Relevant Decisions on the Adequacy of Alternatives**

7 In *Friends of the Old Trees, supra*, 52 Cal.App.4th 1383, an extreme case, there was  
8 no discussion of alternatives in the versions submitted for public review. The agency argued  
9 that the fact it considered mitigation should suffice, while the real party marked a box  
10 selecting a certain method of cutting. The court also noted that the *public* brought forth “the  
11 only true alternatives,” and that these were discussed only after the document was approved.  
12 (*Friends of the Old Trees, supra*, 52 Cal.App.4th 1405.) The court found the discussion  
13 inadequate. (*Id.*, 1403-1405.)

14 In *Citizens of Goleta Valley v. Board of Supervisors (Goleta I)*, (1988) 197  
15 Cal.App.3d 1167, the EIR considered a smaller hotel to be an economically infeasible  
16 alternative to the proposed hotel at issue. Because the EIR lacked *evidence* that the smaller  
17 hotel was economically infeasible, the court considered it error to deny the writ of mandate.  
18 The court found that although the EIR contained estimated figures of costs, the record did not  
19 reveal any *evidence* which *analyzed* the alternative in terms of comparative costs, comparative  
20 profits or losses, or comparative economic benefit to the project proponent, residents, or the  
21 community at large. (*Id.*, 1180.)

22 The court in *Uphold Our Heritage v. Town of Woodside* (2007) 147 Cal.App.4<sup>th</sup> 587,  
23 at 599, addressed a project to demolish an historic mansion in order to construct a new,  
24 smaller single-family residence. The court found that evidence that alternatives of historic  
25 rehabilitation or rehabilitation with a new addition, would cost between \$4.9 million and \$10  
26 million was not substantial evidence that alternatives were not economically feasible since  
27 there was no evidence of the likely cost of a proposed replacement home or average cost of  
28

1 building the proposed 6,000 square foot home in the city. It also found that whether the  
2 developer wanted to do the alternative was irrelevant to determining if it is not feasible.

3         *San Joaquin Raptor/Wildlife Rescue Center v. County of Stanislaus (Arambel and*  
4 *Rose Development, Inc.)* (1994) 27 Cal.App.4th 713, also dealt with alternatives analysis.  
5 The court found, in the context of a proposed housing development, that the discussion of  
6 housing density alternatives was inadequate. The DEIR stated that a lower density would  
7 “lessen the impacts,” but failed to identify which impacts it meant or to what degree. The  
8 court ruled that “[s]uch a bare conclusion without an explanation of its factual and analytical  
9 basis is insufficient.” *Id.*, at 736. The court went on to state:

10             That lower density might not be “economically feasible,” is not sufficient  
11 justification for the failure to give basic information as to density alternatives  
12 which were considered and rejected. Contrary to [respondent’s] argument,  
13 [petitioners] are not required to show there are reasonable alternatives. *It is the*  
14 *project proponent’s responsibility to provide an adequate discussion of*  
15 *alternatives....* If the project proponent concludes there are no feasible  
16 alternatives, it must explain in *meaningful detail* in the EIR the basis for that  
17 conclusion. Thus, even if alternatives are rejected, an EIR *must explain why*  
18 each suggested alternative either does not satisfy the goals of the proposed  
19 project, does not offer substantial environmental advantages or cannot be  
20 accomplished.

21  
22 *Id.*, at 737 (emphasis added).

### 23         **5. Whether Feasibility Finding Is Necessary**

24         As noted above, PRC sections 21002, 21081, and Guidelines 15091, 15093 together  
25 forbid approval of a project that *will result in significant impacts without first finding that*  
26 *any environmentally superior alternatives are infeasible*. Petitioner argues that Respondent  
27 failed to consider an alternative that is environmentally superior.

1                   **6. The Alternatives Analysis for the CAP**

2                   The alternatives analysis is at AR 425-438. The PEIR explains that it developed and  
3 analyzed only *one* other alternative, the Carbon Offset Alternative, in addition to the chosen  
4 Zero Net Energy Buildings plan and the mandatory no-project alternative. It expressly  
5 rejected a growth moratorium, reduced density, greater density, increased Sonoma Clean  
6 Power, expanded transit service, 1990 Levels by 2020 (AB32), and 80% Below 1990 Levels  
7 by 2020.

8                   The real issue here is whether the Respondent, in rejecting formulating other  
9 alternatives, has considered a reasonable range, as required, and whether Respondent has  
10 provided sufficient explanation of infeasibility or other reasoning to support not considering  
11 other proposed alternatives.

12                   Respondent's analysis is insufficient. Respondent considered almost no range at all,  
13 and only one other alternative that essentially is one that does nothing other than to authorize  
14 Respondent to buy GHG offsets for all GHG impacts from projects. Although Respondent  
15 argues to the contrary, this alternative seems both infeasible and at the same time would not  
16 actually do anything to control or limit actual GHG production. As an alternative, this  
17 appears to be one of form, but not of substance.

18                   By contrast, the moratorium or reduced-development alternative which Petitioner  
19 proposes, and which was presented to Respondent in public comments (see, e.g., AR 93-94,  
20 response to comment) along with others noted but rejected without being developed, include  
21 real solutions that differ significantly from the chosen CAP. At least some, like the  
22 moratorium or growth limit, also address issues of GHG production from travel. While it is  
23 logical that some may be infeasible or incompatible with goals of growth, this is not alone,  
24 without explanation or support, a basis for not even considering those alternatives, or  
25 modified versions. For example, Respondent noted a moratorium on growth of wineries or  
26 housing "until the jobs-housing balance in the County is more equitable," but this does not  
27 even address the issues of Petitioner's proposed moratorium, it is arbitrarily limited, and it  
28 does not even seem to make much sense. There is no evidence or explanation for what it



1 would be or why Respondent could not consider a similar, but different one, such as Petitioner  
2 proposed. That is the purpose of actually developing and considering alternatives. Given  
3 that there are available alternatives that differ drastically from what Respondent has  
4 considered and given that Respondent has, in effect, considered only one other option that is  
5 perhaps only nominally an alternative, this analysis fails to consider a reasonable range of  
6 alternatives, or even any range at all.

7 The court Grants the petition on this issue.

## 8 **F. RESPONSE TO PUBLIC COMMENTS**

9 Petitioner next argues that Respondent's response to public comments was insufficient  
10 in violation of Guideline 15088(c).

11 The “evaluation and response to public comments is an essential part of the CEQA  
12 process.” (Discussion following CEQA Guideline 15088.) The final EIR must include  
13 evaluation and responses to all comments received in the public-comment period. PRC  
14 section 21091(d)(2)(A). Guideline 15088 governs responses to comments and subdivision (c)  
15 governs the substance of such responses. It requires responses to address issues “in detail”  
16 and demonstrate “why specific comments and suggestions were not accepted.” Most  
17 importantly, perhaps, the responses must explain the reasons for rejecting suggestions with a  
18 “good faith, reasoned analysis” and must not rely on “[c]onclusory statements unsupported by  
19 factual information.” Guideline 15088(c).

### 20 **1. Exhaustion of Administrative Remedies**

21 Respondent first contends that Petitioner failed to exhaust administrative remedies on  
22 this issue. The court has found, above, that Petitioner exhausted its administrative remedies.  
23

24 Petitioner's argument here is collateral and not persuasive. Although Petitioner points  
25 out that a few responses may not sufficiently resolve issues, that is of little importance in of  
26 itself. What matters are the fundamental defects that have not been cured as discussed above:  
27 failure to properly determine GHG inventory, or demonstrate that Respondent could not  
28 practically have done more or did not need to do more; ill-defined mitigation measures  
lacking enforceable criteria or parameters; and lack of reasonable range of alternatives.

1 The court denies the Petition with respect to the comments..

2 **G. WHETHER RESPONDENTS' ERROR WAS PREJUDICIAL**

3 Respondent contends that even if Petitioner demonstrated error, it was not prejudicial.

4 As noted at the outset, in order for the court to issue a writ of mandate, it must find not only  
5 error, i.e., a violation of CEQA, but that error was prejudicial. (*Chaparral Greens v. City of*  
6 *Chula Vista* (1996) 50 Cal.App.4th 1134, 1143; see PRC 21168, 21168.5, *Laurel Heights I,*  
7 *supra* 47 Cal.3d 392, fn.5; Remy, et al., Guide to the California Environmental Quality Act  
8 (10<sup>th</sup> Ed.1999) Chapter XI(D), p.590.)

9 Respondent's failure to impose meaningful, effectively enforceable mitigation  
10 measures, when presenting compliance with the CAP as a way for future projects to avoid any  
11 other GHG analysis, is fundamentally and on its face, prejudicial. The failure to present a  
12 reasonable range of alternatives or to properly inventory GHG emissions as required are also  
13 on, their face, prejudicial because they prevent informed decision making or public review,  
14 the very bases of CEQA. (*Sierra Club v. State Bd. of Forestry* (1994) 7 Cal.4th 1215, 1228-  
15 1230, 1235-1237 (failure to put critical information in an environmental document was in of  
16 itself a prejudicial abuse of discretion partly because it "frustrated the purpose of the public  
17 comment provisions"); *Save Cuyama Valley v. County of Santa Barbara* (2013) 213  
18 Cal.App.4th 1059, at 1073 ("[a]n error is prejudicial when an agency fails to comply with a  
19 mandatory CEQA procedure or when a report omits information and thereby precludes  
20 informed decision making); *Lighthouse Field Beach Rescue v. City of Santa Cruz* (2005) 131  
21 Cal.App.4th 1170, 1182.; *Schoen v. Dept. of Forestry & Fire Protection* (1997) 58  
22 Cal.App.4th 556, 565 ("We cannot overlook a prejudicial error by surmising that the project  
23 would have gone forward anyway.")) . )

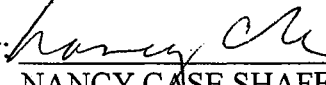
24  
25 Based on the foregoing,  
26  
27  
28

1 NOW, THEREFORE,

2 ORDER

3 1. The Petition for Mandamus is granted as stated above.

4 Dated: 7/20/17

5 By:   
6 NANCY CASE SHAFFER  
7 Judge of the Superior Court

8 END NOTES

9 (a) "Tiering" refers to using the analysis of general matters contained in a broader EIR (such  
10 as one prepared for a general plan or policy statement) with later EIRs and negative  
11 declarations on narrower projects; incorporating by reference the general discussions from the  
broader EIR; and concentrating the later EIR or negative declaration solely on the issues  
specific to the later project.

12 (b) Agencies are encouraged to tier the environmental analyses which they prepare for  
13 separate but related projects including general plans, zoning changes, and development  
14 projects. This approach can eliminate repetitive discussions of the same issues and focus the  
15 later EIR or negative declaration on the actual issues ripe for decision at each level of  
16 environmental review. Tiering is appropriate when the sequence of analysis is from an EIR  
17 prepared for a general plan, policy, or program to an EIR or negative declaration for another  
18 plan, policy, or program of lesser scope, or to a site-specific EIR or negative declaration.  
Tiering does not excuse the lead agency from adequately analyzing reasonably foreseeable  
significant environmental effects of the project and does not justify deferring such analysis to  
a later tier EIR or negative declaration. However, the level of detail contained in a first tier  
EIR need not be greater than that of the program, plan, policy, or ordinance being analyzed.

19 (c) Where a lead agency is using the tiering process in connection with an EIR for a large-  
20 scale planning approval, such as a general plan or component thereof (e.g., an area plan or  
community plan), the development of detailed, site-specific information may not be feasible  
21 but can be deferred, in many instances, until such time as the lead agency prepares a future  
22 environmental document in connection with a project of a more limited geographical scale, as  
long as deferral does not prevent adequate identification of significant effects of the planning  
approval at hand.

23 (d) Where an EIR has been prepared and certified for a program, plan, policy, or ordinance  
24 consistent with the requirements of this section, any lead agency for a later project pursuant to  
or consistent with the program, plan, policy, or ordinance should limit the EIR or negative  
25 declaration on the later project to effects which:

- 26 (1) Were not examined as significant effects on the environment in the prior EIR; or  
27 (2) Are susceptible to substantial reduction or avoidance by the choice of specific revisions in  
the project, by the imposition of conditions, or other means.

28 (e) Tiering under this section shall be limited to situations where the project is consistent with  
the general plan and zoning of the city or county in which the project is located, except that a  
project requiring a rezone to achieve or maintain conformity with a general plan may be  
subject to tiering.

1  
2 (f) A later EIR shall be required when the initial study or other analysis finds that the later  
3 project may cause significant effects on the environment that were not adequately addressed  
4 in the prior EIR. A negative declaration shall be required when the provisions of Section  
5 15070 are met.

6 (1) Where a lead agency determines that a cumulative effect has been adequately addressed in  
7 the prior EIR, that effect is not treated as significant for purposes of the later EIR or negative  
8 declaration, and need not be discussed in detail.

9 (2) When assessing whether there is a new significant cumulative effect, the lead agency shall  
10 consider whether the incremental effects of the project would be considerable when viewed in  
11 the context of past, present, and probable future projects. At this point, the question is not  
12 whether there is a significant cumulative impact, but whether the effects of the project are  
13 cumulatively considerable. For a discussion on how to assess whether project impacts are  
14 cumulatively considerable, see Section 15064(i).

15 (3) Significant environmental effects have been "adequately addressed" if the lead agency  
16 determines that:

17 (A) they have been mitigated or avoided as a result of the prior environmental impact report  
18 and findings adopted in connection with that prior environmental report; or

19 (B) they have been examined at a sufficient level of detail in the prior environmental impact  
20 report to enable those effects to be mitigated or avoided by site specific revisions, the  
21 imposition of conditions, or by other means in connection with the approval of the later  
22 project.

23 (g) When tiering is used, the later EIRs or negative declarations shall refer to the prior EIR  
24 and state where a copy of the prior EIR may be examined. The later EIR or negative  
25 declaration should state that the lead agency is using the tiering concept and that it is being  
26 tiered with the earlier EIR.

27 (h) There are various types of EIRs that may be used in a tiering situation. These include, but  
28 are not limited to, the following:

(1) General plan EIR (Section 15166).

(2) Staged EIR (Section 15167).

(3) Program EIR (Section 15168).

(4) Master EIR (Section 15175).

(5) Multiple-family residential development/residential and commercial or retail mixed-use  
development (Section 15179.5).

(6) Redevelopment project (Section 15180).

(7) Projects consistent with community plan, general plan, or zoning (Section 15183).

One specific example of a first-tier EIR is a "program" EIR as set forth in Guideline  
15168. This details the nature and requirements and uses of such a first-tier EIR, in a manner  
similar to that set forth in 15152, and gives another good picture of how they are to be used  
and what they must do to be so used in compliance with CEQA. It states, in full,

(a) General. A program EIR is an EIR which may be prepared on a series of actions  
that can be characterized as one large project and are related either:

(1) Geographically,

(2) As logical parts in the chain of contemplated actions,

(3) In connection with issuance of rules, regulations, plans, or other general criteria to  
govern the conduct of a continuing program, or

1  
2 (4) As individual activities carried out under the same authorizing statutory or  
3 regulatory authority and having generally similar environmental effects which can be  
4 mitigated in similar ways.

(b) Advantages. Use of a program EIR can provide the following advantages. The  
5 program EIR can:

6 (1) Provide an occasion for a more exhaustive consideration of effects and alternatives  
7 than would be practical in an EIR on an individual action,

8 (2) Ensure consideration of cumulative impacts that might be slighted in a case-by-  
9 case analysis,

(3) Avoid duplicative reconsideration of basic policy considerations,

10 (4) Allow the lead agency to consider broad policy alternatives and program wide  
11 mitigation measures at an early time when the agency has greater flexibility to deal with basic  
12 problems or cumulative impacts,

(5) Allow reduction in paperwork.

13 (c) Use With Later Activities. Subsequent activities in the program must be examined  
14 in the light of the program EIR to determine whether an additional environmental document  
15 must be prepared.

16 (1) If a later activity would have effects that were not examined in the program EIR, a  
17 new initial study would need to be prepared leading to either an EIR or a negative declaration.

18 (2) If the agency finds that pursuant to Section 15162, no new effects could occur or  
19 no new mitigation measures would be required, the agency can approve the activity as being  
20 within the scope of the project covered by the program EIR, and no new environmental  
21 document would be required.

(3) An agency shall incorporate feasible mitigation measures and alternatives  
22 developed in the program EIR into subsequent actions in the program.

23 (4) Where the subsequent activities involve site specific operations, the agency should  
24 use a written checklist or similar device to document the evaluation of the site and the activity  
25 to determine whether the environmental effects of the operation were covered in the program  
26 EIR.

27 (5) A program EIR will be most helpful in dealing with subsequent activities if it deals  
28 with the effects of the program as specifically and comprehensively as possible. With a good  
and detailed analysis of the program, many subsequent activities could be found to be within  
the scope of the project described in the program EIR, and no further environmental  
documents would be required.

(d) Use With Subsequent EIRS and Negative Declarations. A program EIR can be  
used to simplify the task of preparing environmental documents on later parts of the program.  
The program EIR can:

(1) Provide the basis in an initial study for determining whether the later activity may  
have any significant effects.

(2) Be incorporated by reference to deal with regional influences, secondary effects,  
cumulative impacts, broad alternatives, and other factors that apply to the program as a whole.

(3) Focus an EIR on a subsequent project to permit discussion solely of new effects  
which had not been considered before.

(e) Notice With Later Activities. When a law other than CEQA requires public notice  
when the agency later proposes to carry out or approve an activity within the program and to

1  
2 rely on the program EIR for CEQA compliance, the notice for the activity shall include a  
statement that:

- 3 (1) This activity is within the scope of the program approved earlier, and  
4 (2) The program EIR adequately describes the activity for the purposes of CEQA.

5 ii (a) Lead agencies may analyze and mitigate the significant effects of greenhouse gas  
6 emissions at a programmatic level, such as in a general plan, a long range development plan,  
7 or a separate plan to reduce greenhouse gas emissions. Later project-specific environmental  
8 documents may tier from and/or incorporate by reference that existing programmatic review.  
9 Project-specific environmental documents may rely on an EIR containing a programmatic  
analysis of greenhouse gas emissions as provided in section 15152 (tiering), 15167 (staged  
EIRs) 15168 (program EIRs), 15175-15179.5 (Master EIRs), 15182 (EIRs Prepared for  
Specific Plans), and 15183 (EIRs Prepared for General Plans, Community Plans, or Zoning).

10 (b) Plans for the Reduction of Greenhouse Gas Emissions. Public agencies may *choose to*  
11 *analyze and mitigate significant greenhouse gas emissions in a plan for the reduction of*  
12 *greenhouse gas emissions or similar document.* A plan to reduce greenhouse gas emissions  
13 may be used in a cumulative impacts analysis as set forth below. Pursuant to sections  
14 15064(h)(3) and 15130(d), a lead agency may determine that a project's incremental  
contribution to a cumulative effect is not cumulatively considerable if the project complies  
with the requirements in a previously adopted plan or mitigation program under specified  
circumstances.

15 (1) *Plan Elements. A plan for the reduction of greenhouse gas emissions should:*

16 (A) Quantify greenhouse gas emissions, both existing and projected over a specified  
time period, resulting from activities within a defined geographic area;

17 (B) Establish a level, based on substantial evidence, below which the contribution to  
greenhouse gas emissions from activities covered by the plan would not be cumulatively  
considerable;

18 (C) Identify and analyze the greenhouse gas emissions resulting from specific actions  
or categories of actions anticipated within the geographic area;

19 (D) Specify measures or a group of measures, including performance standards, that  
substantial evidence demonstrates, if implemented on a project-by-project basis, would  
20 collectively achieve the specified emissions level;

21 (E) Establish a mechanism to monitor the plan's progress toward achieving the level  
and to require amendment if the plan is not achieving specified levels;

22 (F) Be adopted in a public process following environmental review.

23 (2) Use with Later Activities. A plan for the reduction of greenhouse gas emissions,  
once adopted following certification of an EIR or adoption of an environmental document,  
24 may be used in the cumulative impacts analysis of later projects. An environmental document  
that relies on a greenhouse gas reduction plan for a cumulative impacts analysis must identify  
25 those requirements specified in the plan that apply to the project, and, if those requirements  
are not otherwise binding and enforceable, incorporate those requirements as mitigation  
26 measures applicable to the project. If there is substantial evidence that the effects of a  
particular project may be cumulatively considerable notwithstanding the project's compliance  
27 with the specified requirements in the plan for the reduction of greenhouse gas emissions, an  
EIR must be prepared for the project.  
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(c) Special Situations. As provided in Public Resources Code sections 21155.2 and 21159.28, environmental documents for certain residential and mixed use projects, and transit priority projects, as defined in section 21155, that are consistent with the general use designation, density, building intensity, and applicable policies specified for the project area in an applicable sustainable communities strategy or alternative planning strategy need not analyze global warming impacts resulting from cars and light duty trucks.

A lead agency should consider whether such projects may result in greenhouse gas emissions resulting from other sources, however, consistent with these Guidelines.

## PROOF OF SERVICE BY MAIL

I certify that I am an employee of the Superior Court of California, County of Sonoma, and that my business address is 600 Administration Drive, Room 107-J, Santa Rosa, California, 95403; that I am not a party to this case; that I am over the age of 18 years; that I am readily familiar with this office's practice for collection and processing of correspondence for mailing with the United States Postal Service; and that on the date shown below I placed a true copy of Order Granting Petition for Writ of Mandate in an envelope, sealed and addressed as shown below, for collection and mailing at Santa Rosa, California, first class, postage fully prepaid, following ordinary business practices.

Date: July 20, 2017

JOSÉ OCTAVIO GUILLÉN  
Court Executive Officer

By: Missy Lemley  
Missy Lemley, Deputy Clerk

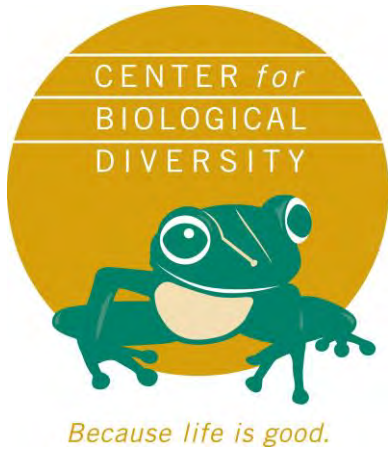
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# **EXHIBIT D**



May 24, 2019

*Sent via email and FedEx*

Los Angeles County Chief Sustainability Office  
Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, California 90012  
[sustainability@lacounty.gov](mailto:sustainability@lacounty.gov)

**Re: Comments on Discussion Draft of Los Angeles Countywide Sustainability Plan**

Dear Los Angeles County Chief Sustainability Office:

These comments are submitted on behalf of the Center for Biological Diversity (“Center”) regarding the Discussion Draft of the Los Angeles Countywide Sustainability Plan (“Draft Plan”). The Center appreciates the Chief Sustainability Office’s efforts in developing the Draft Plan and generally supports the goals of the Draft Plan. We urge the Chief Sustainability Office and the Los Angeles County Board of Supervisors (“Board”) to ensure that the strategies and policies supporting these goals are clear and enforceable.

**A. Background on the Center for Biological Diversity.**

The Center for Biological Diversity (“Center”) is a non-profit, public interest environmental organization dedicated to the protection of native species and their habitats through science, policy, and environmental law. The Center has over one million members and online activists throughout California and the United States. The Center has worked for many years to protect imperiled plants and wildlife, open space, air and water quality, and overall quality of life for people in Los Angeles County.

## **B. The Center Urges Stronger Buffers to Ensure Healthy Community Environments.**

We strongly support Goals 1 and 4—“resilient and healthy community environments where residents thrive in place” and opportunities for residents and businesses to “transition to clean economy sectors.” (Draft Plan at 20 & 72.) We also support strong efforts to decrease the public health problems generated by freeways and oil and gas drilling, but are concerned that the proposed targets and actions do not go far enough.

### *The Plan Should Require Larger Buffers between Sensitive Uses and Freeways*

We support “siting of new sensitive uses, such as playgrounds, daycare centers, schools, residences, or medical facilities” farther from freeways, but are concerned that the proposed 500-foot buffers are insufficient. Studies indicate even people **900 to 1200 feet** from freeways experience health impacts and sensitive receptors such as children and the elderly suffer the most. (Lin 2002.) A review of 700 studies concluded that pollution causes asthma attacks in children, the onset of childhood asthma, impaired lung function, premature death and death from cardiovascular diseases, and cardiovascular morbidity. (Health Effects Institute 2010.) The Health Effects Institute study concluded that the “exposure zone” was 300 to 500 meters from the highways (984 feet to 1640 feet). (*Id.*) Other studies have reached similar conclusions. (Suglia 2008.) Living near expressways also increases the likelihood that residents will suffer from dementia. (Chen 2017.) The University of Southern California’s Environmental Health Centers have also collected data and studies showing risks and health impacts to pregnant women, babies, children, teenagers, adults, and seniors of living by a freeway.<sup>1</sup>

### *The Plan Should Require 2500-foot Setbacks to Separate Oil and Gas Facilities from Homes*

We would like to emphasize our support for the Draft Plan’s inclusion of a series of actions to address the disproportionate exposure of low-income communities of color to fossil fuel extraction and refining (Actions 2, 3, 4, 5 and 7). In addition, we support Action 78 that calls for collaborating with the City of Los Angeles to develop a sunset strategy for oil and gas operations that prioritizes disproportionately impacted neighborhoods. In the final adoption of the plan, we urge the County to incorporate a more specific, concrete and common sense measure that we have supported at the City and County as an ally of the STAND-LA coalition: a 2500-foot setback (or buffer zone) to separate oil and gas facilities from homes, schools and other sensitive land uses, with a plan to phase out existing oil and gas within no more than five years. We are also supportive of the Draft Plan’s inclusion of a commitment to a “Just Transition” that examines the impact of the transition to a cleaner economy and develops strategies for supporting displaced workers and connecting them with meaningful job training and employment opportunities (Actions 56 and 57).

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<sup>1</sup> University of Southern California Environmental Health Centers, *References: Living Near Busy Roads or Traffic Pollution*, available at <http://envhealthcenters.usc.edu/infographics/infographic-living-near-busy-roads-or-traffic-pollution/references-living-near-busy-roads-or-traffic-pollution> (collecting studies). See also Tony Barboza and Jon Schleuss, “L.A. keeps building near freeways, even though living there makes people sick,” *Los Angeles Times* (Mar. 2, 2017), available at <http://www.latimes.com/projects/la-me-freeway-pollution/>.

### *Reducing Asthma and Toxic Emissions through Less VMT*

The Center strongly supports decreasing child asthma rates as proposed by the Draft Plan. However, this will not be possible if the Board continues to approve projects that add more unnecessary freeway traffic and air pollution to the region. An example of this is the recently-approved Centennial development approved by the Board, which will add 75,000 new long distance car commuters onto our freeways, increasing air pollution and hindering efforts to reduce toxic emissions.

#### **C. The Center Supports Goal 2 and Urges Implementation of Zero Net Energy Standards.**

We support the Plan’s Goal 2—ensuring that “[b]uildings and infrastructure that support human health and resilience.” (Draft Plan at 42.) The Center notes that Action Item 30 envisions the County will “Pilot high performance building standards for new County buildings beyond the current LEED Gold standard, such as Passive House, Zero Net Energy, Net Zero Water, Net Zero Waste...” (Draft Plan at 50.) The Center urges the Plan to require more than just a “pilot” for Zero Net Energy and instead move forward with policies and standards to require zero net energy for new construction.

Zero net energy is feasible, as other projects in the County that have recently been approved include a goal of zero net greenhouse gas emissions. Such projects intend to achieve that goal through reducing onsite greenhouse gas emissions to the greatest extent practicable, but also by offsetting any other emissions through local emissions reductions projects.<sup>2</sup>

#### **D. The Center Supports Goal 3 and Urges Concrete and Enforceable Policies to Limit Sprawl Development.**

The Center strongly supports the Draft Plan’s goal of equitable and sustainable land use and development without displacement. (Draft Plan at 58.) The Center agrees that the way the County “choose[s] to direct that growth has huge implications for the environment, the economy and social equity.” (*Id.*) Likewise, the Center agrees:

Patterns of exurban sprawl and development in high-hazard areas can place major burdens on our infrastructure and public budgets, especially for unincorporated communities where the County of Los Angeles acts as the municipal service provider. Outward growth limits the resources we could otherwise be investing in our existing communities, where we can promote sustainability, health and well-being by improving walkability and promoting a mixture of uses.

(Draft Plan at 58.) The Draft Plan is correct that exurban sprawl imposes a hidden tax on existing communities. Studies recognize that sprawl “may deprive the poor of economic

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<sup>2</sup> See California Department of Fish and Wildlife, *Newhall Ranch Resource and Development Management and Development Plan, Final Additional Environmental Analysis*, Appendix 2.1, available at [http://planning.lacounty.gov/assets/upl/case/tr\\_53108\\_appendix-2-0-cdfw-final-aea-excerpts.pdf](http://planning.lacounty.gov/assets/upl/case/tr_53108_appendix-2-0-cdfw-final-aea-excerpts.pdf).

opportunity...when jobs, stores, good schools and other resources migrate outward from the core city, poverty is concentrated in the neighborhoods that are left behind.” (Frumkin 2002.) Studies also show that sprawl disproportionately increases costs on local government through increased infrastructure costs. (Litman 2015.) One study found that the external costs of sprawl are around \$500 billion annually and \$650 billion internally. (*Id.*) Sprawl also has significant equity implications—“the abandonment of the metropolitan core leaves inner cities and first-ring suburbs struggling to provide adequate services with an eroded tax base even as growth continues on the periphery.” (Belzer 2002.)

The Draft Plan is also correct that “[u]rban sprawl generally requires expensive and expansive infrastructure networks that drain resources and contribute significantly to greenhouse gas emissions.” (Draft Plan at 60.)

Unfortunately, with the exception of Supervisor Kuehl, the Board has not shown they are serious about curbing urban sprawl. County supervisors just approved one of the biggest urban sprawl projects in California history last month, the 12,000-acre Centennial Specific Plan, on remote wildlands in the northern corner of the County. The Center informed the County that Centennial would result in less investment in existing communities and—as observed by the developer’s own consultants—draw demand away from existing communities in Santa Clarita and San Fernando. The development would also require the construction of a new six-lane freeway (the Northwest 138 Corridor “Improvement Project”), at an initial cost to taxpayers of \$830 million.

The Board also just approved the 1,300-acre Northlake development over the objection of the Santa Monica Mountains Conservancy (and the Center). That project will pave over pristine wildlands, inhibit wildlife connectivity in the region, and disproportionately contribute to greenhouse gas emissions, traffic, and air pollution.

If the County is serious about ending its historical pattern of approving more development in the county’s diminishing wildlands and rangelands, then it needs to adopt strong enforceable policies to meet this goal. Action 44 is a step in the right direction. The Draft Plan states, “Prohibit the conversion of working lands to residential uses, including farms and rangelands.” (Draft Plan at 60.) Such a policy—if it were actually consistently enforced—would be a strong step forward in protecting the County’s natural resources.

#### **E. The Center Supports the Draft Plan’s Target to Limit Discretionary Development in High Fire Areas.**

We support Strategy 3E—limiting development in high fire areas. The science is clear that we can no longer continue building new large-scale development in high fire areas. In Southern California, sprawl developments with low/intermediate densities extending into chaparral and sage scrub habitats that are prone to fire have led to more frequent wildfires caused by human ignitions, like arson, improperly disposed cigarette butts, debris burning, fireworks, campfires, or sparks from cars or equipment (Keeley et al. 1999; Keeley and Fotheringham 2003; Syphard et al. 2007; Syphard et al. 2012; Bistinas et al. 2013; Balch et al. 2017; Radeloff et al. 2018). Human-caused fires account for 95% of all fires in Southern California (Syphard et al.

2013), and homes filled with petroleum-based products, such as wood interiors, paint, and furniture, provide additional fuel for the fires to burn longer and spread farther (Keeley et al. 2007). The most numerous and largest fires in Southern California have been caused by equipment and powerlines in the wildland-urban interface, where housing density is low to intermediate (Syphard and Keeley 2015), and leapfrog developments have been found to have the highest predicted fire risk in the County (Syphard et al. 2013).

More development in high fire areas such as chaparral and sage scrub would lead to a dangerous feedback loop of deadly fires and habitat destruction. These habitats are adapted to infrequent (every 30 to 150 years), large, high-intensity crown fire regimes (Pyne et al. 1996; Keeley and Fotheringham 2001), and if these regimes are disrupted, the habitats become degraded (Keeley 2005, 2006a,b; Syphard et al. 2018). When fires occur too frequently, type conversion occurs and the native shrublands are replaced by non-native grasses and forbs that burn more frequently and more easily, ultimately eliminating native habitats and biodiversity while increasing fire threat over time (Keeley 2005, 2006a,b; Syphard et al. 2009; Safford and Van de Water 2014; Syphard et al. 2018). Thus, placing developments in these high fire-prone areas will lead to more frequent fires while degrading the health and biodiversity of Southern California's ecosystems.

Nonetheless, the "actions" in the Draft Plan do not set forth a clear plan to actually limit development in high fire areas. In particular, while the Countywide "Target" states "no new discretionary development in high hazard areas" by 2025, there is no "action" proposed to meet this target. (Draft Plan at 70.) Instead, as mentioned above, the County has been approving large-scale development such as Centennial and Northlake in high fire areas. By approving entitlements for these projects now despite the science showing such development is dangerous, costly, and environmentally harmful, the County is ensuring large-scale development will continue in fire-prone areas for many years.

#### **F. The Center Strongly Supports Goal 5 and Urges The County To Develop a Wildlife Connectivity Ordinance**

The Center strongly supports the Draft Plan's goal of thriving ecosystems, habitats, and biodiversity. (Draft Plan at 78.) To realize this goal, the Plan must consider the issue of wildlife connectivity and the effects of suburban development on wild areas, as explained below.

##### *Habitat Connectivity Is Essential for Wildlife Movement and Biodiversity Conservation.*

Habitat connectivity is vital for wildlife movement and biodiversity conservation. Limiting movement and dispersal with barriers (*e.g.*, development, roads, or fenced-off croplands) can affect animals' behavior, movement patterns, reproductive success, and physiological state, which can lead to significant impacts on individual wildlife, populations, communities, and landscapes (Trombulak and Frissell 2000; Tewksbury et al. 2002; Cushman 2006; van der Ree et al. 2011; Haddad et al. 2015; Ceia-Hasse et al. 2018). Individuals can die off, populations can become isolated, sensitive species can become locally extinct, and important ecological processes like plant pollination and nutrient cycling can be lost. In addition, connectivity between high quality habitat areas in heterogeneous landscapes is important to

allow for range shifts and species migrations as climate changes (Heller and Zavaleta 2009, Cushman et al. 2013). Lack of wildlife connectivity results in decreased biodiversity and degraded ecosystems. Thus, preserving and maintaining natural and created corridors is critical for species and habitat conservation in fragmented landscapes (Gilbert-Norton et al., 2010).

Wildlife connectivity and migration corridors are important at the local, regional, and continental scale. Local connectivity that links aquatic and terrestrial habitats would allow various sensitive species to persist, including state- and federally-protected California red-legged frogs (*Rana draytonii*), arroyo toads (*Anaxyrus californicus*), and other species. At a regional scale, medium- and large-sized mammals that occur in Los Angeles County, such as mountain lions (*Puma concolor*), bobcats (*Lynx rufus*), gray foxes (*Urocyon cinereoargenteus*), ring-tailed cats (*Bassariscus astutus*), and mule deer (*Odocoileus hemionus*), require large patches of heterogeneous habitat to forage, seek shelter/refuge, and find mates.

#### *Climate Change Is Likely to Significantly Alter Wildlife Behavior and Movement.*

A strong, international scientific consensus has established that human-caused climate change is causing widespread harms to human society and natural systems, and climate change threats are becoming increasingly dangerous. In a 2018 *Special Report on Global Warming of 1.5°C* from the Intergovernmental Panel on Climate Change (IPCC), the leading international scientific body for the assessment of climate change describes the devastating harms that would occur at 2°C warming, highlighting the necessity of limiting warming to 1.5°C to avoid catastrophic impacts to people and life on Earth (IPCC 2018). In addition to warming, many other aspects of global climate are changing. Thousands of studies conducted by researchers around the world have documented changes in surface, atmospheric, and oceanic temperatures; melting glaciers; diminishing snow cover; shrinking sea ice; rising sea levels; ocean acidification; and increasing atmospheric water vapor (USGCRP, 2017).

Climate change is increasing stress on species and ecosystems, causing changes in distribution, phenology, physiology, vital rates, genetics, ecosystem structure and processes, and increasing species extinction risk (Warren et al., 2011). A 2016 analysis found that climate-related local extinctions are already widespread and have occurred in hundreds of species, including almost half of the 976 species surveyed (Wiens 2016). A separate study estimated that nearly half of terrestrial non-flying threatened mammals and nearly one-quarter of threatened birds may have already been negatively impacted by climate change in at least part of their distribution (Pacifichi et al. 2017). A 2016 meta-analysis reported that climate change is already impacting 82 percent of key ecological processes that form the foundation of healthy ecosystems and on which humans depend for basic needs (Scheffers et al. 2016). Genes are changing, species' physiology and physical features such as body size are changing, species are moving to try to keep pace with suitable climate space, species are shifting their timing of breeding and migration, and entire ecosystems are under stress (Cahill et al., 2012; Chen et al., 2011; Maclean & Wilson, 2011; Parmesan, 2006; Parmesan & Yohe, 2003; Root et al., 2003; Warren et al., 2011). As such, it is imperative that current and future land use planning consider the impacts of climate change on wildlife movement.

*Corridor Redundancy Helps Retain Functional Connectivity and Resilience.*

Corridor redundancy (*i.e.* the availability of alternative pathways for movement) is important in regional connectivity plans because it allows for improved functional connectivity and resilience. Compared to a single pathway, multiple connections between habitat patches increase the probability of movement across landscapes by a wider variety of species, and they provide more habitat for low-mobility species while still allowing for their dispersal (Mcrae et al., 2012; Olson & Burnett, 2013; Pinto & Keitt, 2008). In addition, corridor redundancy provides resilience to uncertainty, impacts of climate change, and extreme events, like flooding or wildfires, by providing alternate escape routes or refugia for animals seeking safety (Cushman et al., 2013; Mcrae et al., 2008; Mcrae et al., 2012; Olson & Burnett, 2013; Pinto & Keitt, 2008).

*Human Development and Associated Noise and Lighting Can Interfere with the Behavior of Local Wildlife Such as Mountain Lions.*

Human development and associated noise can degrade adjacent wildlife habitat and behavior. (*See, e.g.,* Slabbekoorn 2008.) For instance, field observations and controlled laboratory experiments have shown that traffic noise can significantly degrade habitat value for migrating songbirds. (Ware et al. 2015.) This finding followed lab results indicating that subjects exposed to 55 and 61 dBA simulated traffic noise exhibited decreased feeding behavior and duration, as well as increased vigilance behavior. (*Id.*) Such behavioral shifts increase the risk of starvation, thus decreasing survival rates. A recent study also highlighted the detrimental impacts of siting development near areas protected for wildlife. The study noted that “Anthropogenic noise 3 and 10 dB above natural sound levels . . . has documented effects on wildlife species richness, abundance, reproductive success, behavior, and physiology.” (Buxton, et al.) The study further noted that “there is evidence of impacts across a wide range of species [] regardless of hearing sensitivity, including direct effects on invertebrates that lack ears and indirect effects on plants and entire ecological communities (e.g., reduced seedling recruitment due to altered behavior of seed distributors).” (*Ibid.*) Moreover, human transportation networks and development resulted in high noise exceedances in protected areas. (*Ibid.*)

There also is strong evidence documenting the effects of human activity specifically on mountain lions. One study found that mountain lions are so fearful of humans and noise generated by humans that they will abandon the carcass of a deer and forgo the feeding opportunity just to avoid humans. (Smith 2017.)<sup>3</sup> The study concluded that even “non-consumptive forms of human disturbance may alter the ecological role of large carnivores by affecting the link between these top predators and their prey.” (Smith 2017.) In addition, the study found that mountain lions respond fearfully upon hearing human vocalizations. Another study demonstrates that mountain lions exposed to other evidence of human presence (lighting, vehicles, dogs) will impact mountain lion behavior. (Wilmers 2013.) Other studies documented diet shifts in mountain lions near human development, and recommended minimizing any development in mountain lion habitat. (Smith 2016; *see also* Smith 2015.)

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<sup>3</sup> *See also* Sean Greene, “How a fear of humans affects the lives of California's mountain lions,” *Los Angeles Times* (June 27, 2017), available at <http://beta.latimes.com/science/sciencenow/la-sci-sn-pumas-human-noise-20170627-story.html>.



Additional studies similarly documented that mountain lions avoid “urban, agricultural areas, and roads and prefer[] riparian areas and more rugged terrain.” (Zeller 2017; *see also* Vickers 2015.) One study found that over half (55 percent) of radio collared mountain lions in urban areas did not survive, and the majority were killed by humans either by vehicle strikes or using depredation permits. (Vickers 2015.) As such, the Plan should include policies to minimize development in open space areas, as “edge effects” from such development can interfere with animal behavior and movement.

*Creating and Enhancing Wildlife Crossings Is Critical to Maintaining Healthy Ecosystems.*

We recommend that the Draft Plan include stronger policies to promote wildlife movement and/or include a goal to develop a county wildlife connectivity ordinance. Enhanced connectivity helps sustain functional ecosystems and ensure public safety. Although natural, existing corridors in fragmented landscapes have been shown to have more wildlife movement compared to created corridors (Gilbert-Norton et al., 2010), crossing structures combined with setbacks at the entrances and exits are useful as retroactive restoration in areas where existing roads have high incidence of wildlife vehicle conflict or where species movement has been severely impacted. When appropriately implemented, wildlife crossing infrastructure has been shown to improve wildlife permeability and reduce wildlife vehicle collisions (Bissonette & Rosa, 2012; Dodd Jr. et al., 2004; Dodd et al., 2012; Kintsch et al., 2018; Sawaya et al., 2014; Sawyer et al., 2012).

Outside of California many other states and jurisdictions have been proactively addressing wildlife connectivity issues. For example, Arizona, Colorado, and Wyoming have seen 80-96% reductions in wildlife vehicle collisions while gradually increasing the level of wildlife permeability over time (it appears that some species take more time than others to adapt to crossings) on sections of highways where they have implemented wildlife crossing infrastructure, such as underpasses, culverts, overpasses, wildlife fencing, and escape ramps (Dodd et al., 2012; Kintsch et al., 2017; Kintsch et al., 2018; Sawyer et al., 2012). Utah just completed the state’s largest wildlife overpass at Parleys Canyon for moose, elk, and deer. Washington State is about to complete its largest wildlife overpass on I-90, which is anticipated to provide habitat connectivity for a wide variety of species between the North and South Cascade Mountains. The overpass cost \$6.2 million as part of a larger \$900 million expansion project that will include multiple wildlife crossings along a 15-mile stretch of highway. Savings from less hospital bills, damage costs, and road closures from fewer wildlife vehicle collisions will make up those costs in a few years (Valdes 2018). State and local officials are actively pursuing these types of projects because of the benefits for wildlife connectivity, public safety, and the economy. And in neighboring Ventura County, the Board of Supervisors recently adopted a first-of-its-kind ordinance to protect wildlife connectivity.

### *The Draft Plan Should Provide Clear Action Items To Support Wildlife Connectivity*

We are concerned that the action items proposed in the Draft Plan are insufficient to support Goal 5. In particular, lacking from the action items is any clear plan for ensuring habitat connectivity within the region.

Instead, it appears that the County has not prioritized this issue. For instance, the County General Plan EIR anticipated a significant adverse effect on wildlife movement.<sup>4</sup> The California Department of Fish and Wildlife (“CDFW”) urged the County to develop mitigation opportunities for wildlife connectivity, since such “opportunities for wildlife corridors and nursery sites are best established during large scale planning efforts such as this General Plan.” CDFW noted that “Wildlife corridor areas can be delineated and set aside in the General Plan for current and future conservation efforts. An assessment could be placed on development within the Project area to secure the acquisition of these critical linkages and sites, therefore reducing impacts to wildlife corridors and nursery sites and ensuring biological diversity.”<sup>5</sup> The County did not implement CDFW’s recommendations.

The Plan should include a goal to develop a wildlife connectivity ordinance. Moreover, while the proposed “actions” to support Goal 5 are all helpful measures, more is needed. The Plan should incorporate policies that support an “urban growth boundary.” Urban growth boundaries have been used in other jurisdictions as a tool to encourage development in or near existing communities while leaving natural areas undeveloped. Without a clearly defined urban growth boundary, developers will continue to propose—and the Board will continue to approve—development in wild and fire-prone areas, which will further inhibit wildlife connectivity while increasing traffic and air pollution.

### **G. The Center Supports Goals 7 and 8 and Encourages Stronger Policies To Reduce VMT.**

We support Goals 7 and Goal 8—a fossil fuel-free LA County with convenient, safe and affordable transportation that reduces car dependency. However, the targets and associated actions do not include sufficiently ambitious goals to reduce vehicle miles travelled (“VMT”). The Draft Plan’s aims for “[a]t least 15% of all trips will be by foot, bike, micromobility, or public transit.” (Draft Plan at 108.) This means that even if this target is met, in six years 85 percent of trips in the County will still be by car. The Draft Plan should call for much stronger measures to reduce single occupancy vehicle trips and VMT. The best way to do this is to limit development in areas far from existing cities that generate high VMT and limit new freeway development, which induces additional VMT.

The December 2018 Technical Advisory issued by the Governor’s Office of Planning and Research (the “VMT Report”)<sup>6</sup> contains helpful guidance and analysis that could be

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<sup>4</sup> County of Los Angeles, *Los Angeles County General Plan Update Draft Environmental Impact Report* (June 2014), available at [http://planning.lacounty.gov/assets/upl/project/gp\\_2035\\_deir.pdf](http://planning.lacounty.gov/assets/upl/project/gp_2035_deir.pdf).

<sup>5</sup> County of Los Angeles, *Los Angeles County General Plan Update Final Environmental Impact Report* (March 2015), available at [http://planning.lacounty.gov/assets/upl/project/gp\\_2035\\_lac-gpu-final-eir-final.pdf](http://planning.lacounty.gov/assets/upl/project/gp_2035_lac-gpu-final-eir-final.pdf).

<sup>6</sup> The VMT Report is available at [http://opr.ca.gov/docs/20190122-743\\_Technical\\_Advisory.pdf](http://opr.ca.gov/docs/20190122-743_Technical_Advisory.pdf).

incorporated into the Draft Plan. For instance, the VMT Report states that land use decisions to reduce GHG emissions associated with the transportation sector are crucial in order to meet the GHG reductions set forth in SB 375. (VMT Report at 3.) The VMT Report further notes that California cannot meet its climate goals without curbing single-occupancy vehicle activity; land use patterns and transportation options will need to change to support reductions in VMT. (*Id.* at 10.) The VMT Report also proposes a “per capita” or “per employee” threshold of 15 percent below existing development as a reasonable threshold. (*Id.* at 10.) The VMT Report reiterates the conclusion of the California Air Resources Board that “there is a gap between what SB 375 can provide and what is needed to meet the State’s 2030 and 2050 goals.” (*Id.*)

The VMT Report confirms that VMT-intensive development impacts human health and the environment: “Human health is impacted as increases in vehicle travel lead to more vehicle crashes, poorer air quality, increases in chronic diseases associated with reduced physical activity, and worse mental health. Increases in vehicle travel also negatively affect other road users, including pedestrians, cyclists, other motorists, and many transit users. The natural environment is impacted as higher VMT leads to more collisions with wildlife and fragments habitat. Additionally, development that leads to more vehicle travel also tends to consume more energy, water, and open space (including farmland and sensitive habitat). This increase in impermeable surfaces raises the flood risk and pollutant transport into waterways.” (VMT Report at 3.) As such, if the County took strong steps to reduce VMT, it would have co-benefits of better air quality, decreased chronic disease, decreased wildlife-vehicle collisions, and less habitat fragmentation.

The VMT Report further states that roadway expansion projects can induce substantial VMT such that the environmental reviews should incorporate quantitative estimates of induced VMT. (VMT Report at 23.) The VMT Report explains that “[b]uilding new roadways, adding roadway capacity in congested areas, or adding roadway capacity to areas where congestion is expected in the future, typically induces additional vehicle travel.” (*Id.* at 24.) The Plan should thus contain policies to discourage unnecessary highway development and instead focus infrastructure resources on alternative transportation projects.

## **H. Conclusion**

Thank you for the opportunity to submit comments on the Draft Plan. Again, the Center strongly supports the goals of the Draft Plan. But if the goals in the plan are not supported by clear and enforceable policies, then the final Plan will be ineffective in achieving these goals.

Los Angeles County’s traffic jams, air pollution, fragmented wildlife habitat, and diminishing wildlands are a legacy of poor planning decisions made by local officials, often made under pressure from profit-driven developers. Unfortunately Los Angeles County and its Board have continued to approve costly, dangerous, and environmentally-damaging development despite (1) strong public opposition and (2) science confirming that such development is inappropriate in light of the climate crisis, extinction crisis, and the risks of building in fire-prone landscapes.

The Center urges the Chief Sustainability Office and Board to use this Plan as a means to establish a new vision for Los Angeles County that supports healthy communities and healthy wildlands. For such a vision to become reality, it must be supported by clear, binding, and legally enforceable policies. As long as such policies are vague or absent, developers will continue proposing—and officials will likely keep approving—projects that take the county in the wrong direction.

Please do not hesitate to contact the Center at the number or email listed below.

Sincerely,

A handwritten signature in blue ink, appearing to read 'J.P. Rose', with a stylized flourish at the end.

J.P. Rose  
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(Attached on CD)

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From: c.balbera@everyactioncustom.com <c.balbera@everyactioncustom.com>  
Sent: Wednesday, May 6, 2020 4:30 PM  
To: ePublic Comment Group <ePublicComment@scag.ca.gov>  
Subject: Save the Coastal Plan

Dear Southern California Association of Governments,

I am writing to express my concerns about the focus of Connect SoCal on exurban development, and the potential delay of the Connect SoCal adoption, which has the potential to cause SCAG to fail to meet its October RHNA deadline to move forward with the Coastal Plan. Since Connect SoCal provides guidance on the region's transportation investments over the next 25 years, these projections effectively perpetuate unsustainable sprawl. The severe consequences to the region of this type of plan will include rising traffic, greenhouse gas emissions, and housing costs. This threat multiplier would accelerate climate change and put more people at risk of heat and air pollution-related illnesses.

In addition to this problem, SCAG is considering delaying the adoption of Connect SoCal by 120 days without a clear objective to accomplish during that time. The issue with delaying adoption is that it could put our region at risk of not moving forward with the Coastal Plan as required by the RHNA process, since the Coastal Plan is linked with the growth forecasts of Connect SoCal. Noncompliance with RHNA cannot be an option for our region. A delay that improves the growth forecasts, but does not delay the adoption of the Coastal Plan, would be an acceptable alternative.

We believe that the Coastal Plan RHNA methodology aligns with the goals of the SCS to reduce VMT and GHG emissions. We stand by the Coastal Plan RHNA methodology for determining jurisdictions' housing allocations, and urge the Regional Council to certify the Coastal Plan RHNA methodology without delay.

Therefore, I respectfully ask that the Regional Council improve the SCS growth forecasts to reduce exurban sprawl, and prevent delay of the Coastal Plan finalization by the October deadline.

Personally sent by Caleb Balbera using Abundant Housing LA's Advocacy Tool. AHLA is a grassroots pro-housing organization.

Sincerely,  
Caleb Balbera  
8542 Alcott St Los Angeles, CA 90035-3664 [c.balbera@yahoo.com](mailto:c.balbera@yahoo.com)

**From:** ARIOS, JUSTIN <JUSTIN.ARIOS@costamesaca.gov>  
**Sent:** Wednesday, May 6, 2020 4:52 PM  
**To:** ePublic Comment Group <ePublicComment@scag.ca.gov>  
**Cc:** Curtis, Barry <barry.curtis@costamesaca.gov>; Le, Jennifer <jennifer.le@costamesaca.gov>; ASHABI, MINOO <MINOO.ASHABI@costamesaca.gov>  
**Subject:** City of Costa Mesa Comment for Final Draft Connect SoCal 2020 RTP/SCS and PEIR

To whom it may concern,

Please see the attached public comment letter from the City of Costa Mesa regarding the Final Draft Connect SoCal 2020 RTP/SCS and PEIR, on the agenda for the CEHD Committee and Regional Council Meetings for May 7<sup>th</sup>.


If you have any questions please email me. Thanks,

**Justin Arios**

Assistant Planner

Development Services Department

77 Fair Drive | Costa Mesa | CA 92626 |

 Please consider the environment before printing this email. Thank you!

*Until further notice, Costa Mesa City Hall is closed to the public in keeping with Governor Newsom's direction regarding COVID-19. The City leadership team is committed to continuing to provide essential city services and will be providing services to the public online, via telephone and through our website in order to follow the Governor's guidance and reduce the potential spread of COVID-19.*

*In the interim, please email if you have any further questions.*



# CITY OF COSTA MESA

P.O. BOX 1200 • 77 FAIR DRIVE • CALIFORNIA 92628-1200

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May 6, 2020

Mr. Kome Ajise  
Executive Director  
Southern California Association of Governments  
900 Wilshire, Suite 1700  
Los Angeles, California 90017

**RE: City of Costa Mesa Comments Regarding Final Draft Connect SoCal 2020 RTP/SCS and PEIR**

Dear Mr. Ajise,

The City of Costa Mesa thanks you and your team for the tremendous effort that has gone into the creation of the Connect SoCal Plan and PEIR. This is a monumental task every four years, and this cycle in particular has seen significant challenges to the development of the planning documents.

We appreciate the opportunity to provide comments on the draft Connect SoCal and PEIR documents. We also appreciate all of the changes SCAG has made to the documents based on the comments contained in the City's formal response to the draft document and its informal comments offered in countless meetings over the past four years. Unfortunately, the City of Costa Mesa continues to have significant concerns, as the Orange County Council of Government's (OCCOG) has been expressing over the past six months, with the consistency between the RHNA and the Connect SoCal Plan as required per state housing law. We appreciate that SCAG took the time to provide a detailed response to this concern on pages i-iv of the Connect SoCal Appendix 2. Nevertheless, the response falls short in explaining how these two documents are consistent. We provide the following additional comments for your consideration:

- 1) Paragraph 1 of the section entitled, "Existing Need Portion of the 6<sup>th</sup> Cycle RHNA" from Master Response 1 (see page iii) states, "In accordance with Government Code Section 65080(b)(2)(B)(iii), as discussed above, Connect SoCal's SCS identifies areas within the region sufficient to house an eight-year projection of the RHNA need, **meaning the "projected need" portion (504,970 units) of the 6th Cycle (2021- 2029) RHNA.**" This response does not address the intent of the law, which is that the RHNA should be consistent with the SCS. The law does not distinguish between "existing need" and "projected need" RHNA being consistent with the SCS, but states that the RHNA must be consistent with the development pattern of the SCS. Furthermore, projected household growth comes from a variety of different factors, including existing population living in overcrowded conditions that form new households as more housing units are constructed. Since existing households are simply occupied existing housing units, as the market becomes flooded with more housing units as a result of the RHNA, there will likely be an increase in household growth into those additional housing units. The SCS should take into account the approved RHNA development pattern.
- 2) Paragraph 3 of the section entitled, "Existing Need Portion of the 6<sup>th</sup> Cycle RHNA" from Master Response 1 (see page iv) states, "The 6th Cycle RHNA allocation at the jurisdiction level will not

be finalized until October 2020 following an appeals process which may result in changes to the RHNA at the jurisdictional level. Until this planning work is done at the local level, it would be speculative for Connect SoCal to make assumptions about potential development levels and patterns that includes the 6th Cycle 'existing need.'"

- a. Aren't both "projected need" and "existing need" housing units appealable through the RHNA process? Why is it that Connect SoCal can make assumptions about the potential development levels and patterns for "projected need" but not "existing need"? Jurisdictions are not going to distinguish the construction of their housing units between "projected need" vs. "existing need." They are simply going to permit the housing units.
  - b. Historically most appeals have not been granted by SCAG. In fact, it has actually been relatively rare for an appeal to be granted. Based on historic trends, it seems like SCAG could make reasonable assumptions regarding the final RHNA following the appeals.
  - c. While RHNA and Connect SoCal may be more consistent in much of the SCAG region under the current RHNA methodology, extreme inconsistencies will exist for Orange County and much of Los Angeles County between the forecasts in Connect SoCal and the RHNA allocation.
- 3) Jurisdictions are going to be relying on the data assumptions in the RTP/SCS and the RHNA. For example, many jurisdictions are going to rely on the RTP/SCS for compliance with SB 743 in screening projects for VMT impacts. However, the RTP/SCS doesn't accurately account for two-thirds of the total RHNA, more than 800,000 units. This will significantly impact jurisdictions' reliance on the RTP/SCS for compliance with CEQA.

In addition to the concerns expressed herein, the City of Costa Mesa believes that the request from several business groups to delay a vote on final approval of the Connect SoCal Plan by the SCAG Regional Council for 90 days is a reasonable request.

At the OCCOG Board meeting of April 23, 2020, representatives of the Building Industry Association expressed significant concerns with the accuracy of the entitlement data incorporated in the proposed Connect SoCal Sustainable Communities Strategy. As you know, Orange County raised this same concern more than a year ago, and we greatly appreciated the additional review opportunity that SCAG extended to all the jurisdictions on October 31, 2019, to review and make corrections to the entitlement database for their respective jurisdictions at the small traffic analysis zone geography. With the leadership of the Center for Demographic Research (CDR) at CSU Fullerton, every Orange County jurisdiction participated in the entitlement database review opportunity and provided corrections back to SCAG to ensure all entitlements in Orange County were accurately incorporated into the RTP/SCS growth forecast. At the same time, we also recognize that the time afforded for the additional review opportunity was very compressed, and that some jurisdictions and subregions may not have had the same coordinated effort as Orange County to conduct a quality control check on the entitlement database under the expedited timeline.

The City of Costa Mesa recognizes the importance of having an error-free SCS document that does not put housing and nonresidential projects in jeopardy of challenge from CEQA lawsuits that could impact the creation of needed jobs and housing units in the region due to known inconsistencies between entitled projects and the land use pattern of the region's SCS.

Further, given the status of the negotiations on the SAFE Act between the State of California Air Resources Board (CARB) and United States Environmental Protection Agency (EPA), and the memo that EPA has issued stating that regulatory penalties will be stayed for a 90-day window from the date of the expiration of conformity, the City of Costa Mesa believes there is little risk to our region in providing additional time for stakeholders to review the document. This additional time will allow the building

community and affected jurisdictions to carefully review the RTP/SCS and related documents and, consistent with the two prior RTP/SCS processes, allow for appropriate corrections for entitled projects and local input.

Should SCAG believe that the arguments put forth for a delay by the business community are still unwarranted, the City of Costa Mesa would support decoupling approval of the RTP from the SCS portion of the Connect SoCal plan for the 90-day period of review. This would afford stakeholders adequate time to ensure entitlements and development agreements, as well as pending housing projects that comply with General Plans and the existing RTP/SCS, are accurately included in the Plan while not jeopardizing transportation funding. This is an essential element of economic recovery for Southern California ensuring jobs, housing and transportation solutions work for the region and meet all applicable legal mandates, including air quality. We believe this would avoid inadvertently inviting legal hurdles to the construction of housing projects that have already been approved and planned for by a jurisdiction, while still keeping our region in conformity. The 90-day time period being requested is well below the one-year threshold for delay of the SCS that would require approval by the legislation.

The City of Costa Mesa appreciates your consideration of its additional comments provided in this letter and your ongoing collaboration. It is a shared goal to have an RTP/SCS adopted that is credible and defensible on all levels.

Sincerely,



**Barry Curtis, AICP**

Director of Economic and Development Services

**From:** Arnie Corlin [<mailto:myvoice@oneclickpolitics.com>]

**Sent:** Wednesday, May 6, 2020 2:32 PM

**To:** Kome Ajise <[ajise@scag.ca.gov](mailto:ajise@scag.ca.gov)>

**Subject:** Urge the Regional Council to support Resolution 20-621-1 for the 'Connect SoCal' plan

Re: Urge the Regional Council to support Resolution 20-621-1 for the 'Connect SoCal' plan

Dear Hon. Kome Ajise,

We appreciate all the great work SCAG staff have done in listening to our recent communications with the many diverse stakeholders in Southern California.

Therefore, we request the SCAG Regional Council supports Resolution 20-621-1 as is, to ensure that we are protecting and leveraging every available transportation and housing dollar needed to build the critical infrastructure necessary to move our economy forward.

The 120 day delay within the adopting resolution will enable SCAG the time and ability to correct some severe errors. One example of this involves the Plan's depiction of already approved and entitled housing projects. A change occurred with a fully entitled project that will provide much-needed housing in the region to meet our housing production numbers along with job creation essential to help our region recover from this pandemic.

We respectfully urge the SCAG Regional Council to support the staff's recommendation of Resolution 20-621-1 to postpone the consideration of the Connect SoCal and the PEIR and continue working with the business community.

Sincerely,

Arnie Corlin

[acorlin@aol.com](mailto:acorlin@aol.com)

8726 South Sepulveda Blvd, Suite D2111 Los Angeles, CA 90045 Constituent

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**From:** Dexter McLeod [<mailto:myvoice@oneclickpolitics.com>]

**Sent:** Wednesday, May 6, 2020 2:42 PM

**To:** Kome Ajise <[ajise@scag.ca.gov](mailto:ajise@scag.ca.gov)>

**Subject:** Urge the Regional Council to support Resolution 20-621-1 for the 'Connect SoCal' plan

Re: Urge the Regional Council to support Resolution 20-621-1 for the 'Connect SoCal' plan

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We respectfully urge the SCAG Regional Council to support the staff's recommendation of Resolution 20-621-1 to postpone the consideration of the Connect SoCal and the PEIR and continue working with the business community.

Sincerely,

Dexter McLeod

[lasouthchamber@outlook.com](mailto:lasouthchamber@outlook.com)

335 E. Albertoni Street, Ste 200 box 832 Carson, CA 90746 Constituent

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**From:** Dennise MEJIA [<mailto:myvoice@oneclickpolitics.com>]

**Sent:** Wednesday, May 6, 2020 4:02 PM

**To:** Kome Ajise <[ajise@scag.ca.gov](mailto:ajise@scag.ca.gov)>

**Subject:** Urge the Regional Council to support Resolution 20-621-1 for the 'Connect SoCal' plan

Re: Urge the Regional Council to support Resolution 20-621-1 for the 'Connect SoCal' plan

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We respectfully urge the SCAG Regional Council to support the staff's recommendation of Resolution 20-621-1 to postpone the consideration of the Connect SoCal and the PEIR and continue working with the business community.

Sincerely,

Dennise MEJIA

[dcmejia@nlbwa-la.org](mailto:dcmejia@nlbwa-la.org)

7657 winnetka 712 Winnetka, CA 91306 Constituent

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**From:** NLBWA-LA Rizo [<mailto:myvoice@oneclickpolitics.com>]

**Sent:** Wednesday, May 6, 2020 4:39 PM

**To:** Kome Ajise <[ajise@scag.ca.gov](mailto:ajise@scag.ca.gov)>

**Subject:** Urge the Regional Council to support Resolution 20-621-1 for the 'Connect SoCal' plan

Re: Urge the Regional Council to support Resolution 20-621-1 for the 'Connect SoCal' plan

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We respectfully urge the SCAG Regional Council to support the staff's recommendation of Resolution 20-621-1 to postpone the consideration of the Connect SoCal and the PEIR and continue working with the business community.

Sincerely,

NLBWA-LA Rizo

[alyssa@nlbwa-la.org](mailto:alyssa@nlbwa-la.org)

645 W 9th St, unit 110-272 Los Angeles, CA 90015 Constituent

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**From:** Arturo Zendejas [<mailto:myvoice@oneclickpolitics.com>]

**Sent:** Wednesday, May 6, 2020 4:58 PM

**To:** Kome Ajise <[ajise@scag.ca.gov](mailto:ajise@scag.ca.gov)>

**Subject:** Urge the Regional Council to support Resolution 20-621-1 for the 'Connect SoCal' plan

Re: Urge the Regional Council to support Resolution 20-621-1 for the 'Connect SoCal' plan

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We respectfully urge the SCAG Regional Council to support the staff's recommendation of Resolution 20-621-1 to postpone the consideration of the Connect SoCal and the PEIR and continue working with the business community.

Sincerely,

Arturo Zendejas

[arturozendejas@gmail.com](mailto:arturozendejas@gmail.com)

3695 Linden Avenue, Unit 11A Long Beach, CA 90807 Constituent

Prepared by OneClickPolitics (tm) at [www.oneclickpolitics.com](http://www.oneclickpolitics.com). OneClickPolitics provides online communications tools for supporters of a cause, issue, organization or association to contact their elected officials. For more information regarding our policies and services, please contact [info@oneclickpolitics.com](mailto:info@oneclickpolitics.com)

**From:** Melanie Schlotterbeck <melanie@schlotterbeck.net>  
**Sent:** Wednesday, May 6, 2020 1:08 PM  
**To:** EEC Public Comment Group <EECPubliccomment@scag.ca.gov>  
**Subject:** Agenda Item 1

Greetings,

I intend to participate via Zoom tomorrow for the EEC meeting and will raise my hand and unmute at the appropriate time during tomorrow's meeting. That said, I'm submitting my comments into the record to be read if I am unable to provide them due to technical difficulties.

Thank you in advance.

Melanie

Good morning. My name is Melanie Schlotterbeck and I've had the privilege of working with staff and consultants at SCAG for nearly a decade as a bridge to the conservation non-profit world. By way of background, this is my third Regional Transportation Plan and Sustainable Community Strategy. Since 2012, I've organized a coalition of conservation and community groups to comment on and later support the plans. These groups span the spectrum from local, regional, state, and federal organizations. Further, they also cover the entire geographic range of SCAG from Ventura to Imperial and everything in between. These organizations are particularly interested in the role conservation of natural lands offer in reducing greenhouse gas emissions and reducing vehicle miles travelled.

This year SCAG has listed conservation of our natural and farmlands as a priority tool for reaching these two key goals. So, it is only fitting that this decision that Natural Lands Coalition has grown from its original 31 in 2012 up to 48 supporters this year. We wanted to take an opportunity to thank you, SCAG and the consultants working on this plan for taking seriously the comments raised by our coalition. We extend our support for the Natural and Farmland policies in the Connect SoCal Plan and its associated appendix.

With many hundreds of thousands of acres preserved throughout the SCAG region, the alignment of the Connect SoCal Plan offers yet another tool in the toolbox for supporting growth in urban areas, near transit, and simultaneously supporting the conservation of our natural lands and wildlife corridors. Further, we appreciate the thought and care that went into reviewing and outlining risky areas to build, whether it is related to sea level rise or wildfires, these constrained areas often overlap with vital habitat for our plants and animals.

We hope you continue to engage with the non-profit arena to align mutual interests in the conservation goals. We urge your support of this agenda item and advance it to the Regional Council.

**List of Public Comments**

Received after 5pm on Wednesday, May 6, 2020

	Date	Sender Name	Organization	Topic	Notes	Subject Line
1.	May 6, 2020	Richard Lambros et al.	Southern California Leadership Council et al.	Connect SoCal/PEIR (Letter)	Support the proposed Resolution No. 20-621-1	Support for SCAG's Proposed Resolution (Reso No. 20-621-1), Which Postpones for 120-Days the Regional Council's Consideration of the Final "Connect SoCal" Plan, Certifies the Program Environmental Impact Report (PEIR), and Approves the RTP Components of Connect SoCal for Transportation Conformity Purposes Only
2.	May 6, 2020	Paavo Monkkonen	UCLA Luskin School of Public Affairs	Connect SoCal/PEIR	Urge adoption of full RTP/SCS on May 7	Public comments for May 7 Regional Council Meeting
3.	May 6, 2020	Daniel Poineau	Resident of Los Angeles, CA	Connect SoCal/PEIR	Concerns about delay of Connect SoCal adoption	Save the Coastal Plan
4.	May 6, 2020	Ann Bickerton	Resident of Los Angeles, CA	Connect SoCal/PEIR	Concerns about delay of Connect SoCal adoption	Save the Coastal Plan
5.	May 6, 2020	Ryan Koyanagi	Resident of Pomona, CA	Connect SoCal/PEIR	Concerns about delay of Connect SoCal adoption	Save the Coastal Plan
6.	May 6, 2020	Michael Dworsky	Resident of Los Angeles, CA	Connect SoCal/PEIR	Concerns about delay of Connect SoCal adoption	Save the Coastal Plan
7.	May 7, 2020	Chris Edgar	Resident of Ladera Ranch, CA	Connect SoCal/PEIR	Concerns about delay of Connect SoCal adoption	Save the Coastal Plan

**List of Public Comments**

Received after 5pm on Wednesday, May 6, 2020

	Date	Sender Name	Organization	Topic	Notes	Subject Line
8.	May 7, 2020	Zachary Steinert-Threlkeld	Resident of Los Angeles, CA	Connect SoCal/PEIR	Concerns about delay of Connect SoCal adoption	Save the Coastal Plan
9.	May 7, 2020	Matt Stauffer	Resident of Los Angeles, CA	Connect SoCal/PEIR	Concerns about delay of Connect SoCal adoption	Save the Coastal Plan
10.	May 7, 2020	Gregory Dina	Resident of Los Angeles, CA	Connect SoCal/PEIR	Concerns about delay of Connect SoCal adoption	Save the Coastal Plan
11.	May 7, 2020	Denny Schneider and Robert Acherman	Alliance for a Regional Solution to Airport Congestion	Connect SoCal/PEIR	Suggest revisions to Connect SoCal relevant to COVID-19 and more	Comments to the Final Program Environmental Impact Report (PEIR) (SCH#2019011061) in accordance with the California Environmental Quality Act (CEQA) for Connect SoCal (2020-2045 Regional Transportation Plan/Sustainable Communities Strategy [RTP/SCS]).
12.	May 7, 2020	Anthony Dedousis et al.	Abundant Housing LA et al.	Connect SoCal/PEIR	Concern for methodology for developing the demographics and growth forecasts in Connect SoCal	Demographics and Growth Forecast - Connect SoCal
13.	May 7, 2020	Jerard Wright	BizFed	Connect SoCal/PEIR	Resolution 20-621-1	Resolution 20-621-1
14.	May 7, 2020	Jerard Wright	BizFed	Connect SoCal/PEIR	Resolution 20-621-1	Public Testimony - Resolution 20-621-1

**List of Public Comments**

Received after 5pm on Wednesday, May 6, 2020

	Date	Sender Name	Organization	Topic	Notes	Subject Line
15.	May 7, 2020	Jordan Fanaris	Resident of Venice, CA	Connect SoCal/PEIR	Resolution 20-621-1	Public Testimony - Resolution 20-621-1
16.	May 7, 2020	David Wheatley	Resident	Connect SoCal	Supports more community input from individuals	Public Comment for SCAG Thursday 05/07/20 at 1pm Please read aloud.
17.	May 8, 2020	Brent Gaisford	Resident of Los Angeles, CA	Connect SoCal/PEIR	Concerns about delay of Connect SoCal adoption	Save the Coastal Plan
18.	May 8, 2020	David Barboza	Resident of Whittier, CA	Connect SoCal/PEIR	Concerns about delay of Connect SoCal adoption	Save the Coastal Plan
19.	May 12, 2020	Phillip A. Washington	Los Angeles Country Metropolitan Transit Authority	Connect SoCal	Support and recommendation for adoption of Proposed Final Connect SoCal	N/A





**SOUTHERN CALIFORNIA LEADERSHIP COUNCIL**



**LOS ANGELES COUNTY ECONOMIC DEVELOPMENT CORPORATION**  
*Advancing Opportunity and Prosperity for All*

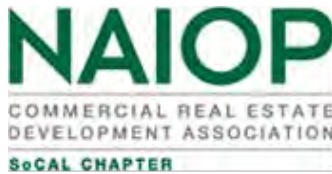


**Los Angeles County Business Federation**

Strengthening the Voice of Business Since 2008



**LOS ANGELES AREA CHAMBER OF COMMERCE**



May 6, 2020

The Honorable Bill Jahn  
President, Southern California Association of Governments  
900 Wilshire Blvd., Ste. 1700  
Los Angeles, CA 90017

and by electronic mail to SCAG Officers and Executive Staff

**Re: Support for SCAG’s Proposed Resolution (Reso No. 20-621-1), Which Postpones for 120-Days the Regional Council’s Consideration of the Final “Connect SoCal” Plan, Certifies the Program Environmental Impact Report (PEIR), and Approves the RTP Components of Connect SoCal for Transportation Conformity Purposes Only**

The Honorable Bill Jahn  
President, Southern California Association of Governments  
May 6, 2020  
Page 2 of 5

Dear President Jahn and Members of the Regional Council:

On April 27, 2020, on behalf of the business and industry associations that are signatories to this letter, 18 members of our growing coalition wrote to ask SCAG to postpone, for 90 days following its scheduled May 7, 2020 meeting, its consideration of the proposed final 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (“Connect SoCal”) and its associated proposed final Program Environmental Impact Report (the “PEIR”). As you know, our coalition was not alone in making this request. Numerous other organizations, including business, labor, and local government groups also requested a 90-day delay of the scheduled consideration of Connect SoCal.

Given our request and the urgency in which it was made, we appreciate the work that you and your fellow officers have done in recent days and your willingness to hear our concerns and seek solutions. Further, we were particularly pleased when we reviewed SCAG’s just-released agenda packet for the upcoming May 7<sup>th</sup> Regional Council meeting. Having done so, we **support** the proposed Resolution No. 20-621-1 (the “Adopting Resolution”) therein and the direction and intent that it expresses, in that it will provide an additional 120 days before the Regional Council considers the adoption of the final 2020-2045 RTP/SCS titled, Connect SoCal.

In our prior letter, our coalition had sought additional time for plan review (a 90-day delay) based on the following factors:

- The current global, once-in-a-century pandemic and the emergency governmental orders imposed because of it have created unprecedented challenges, which not only delayed the release of the final Connect SoCal Plan and PEIR, but have also confounded stakeholder and general public efforts to review, distill, discuss and consider the final Plan’s merits in the limited time allotted.
- The unique need for this particular RTP/SCS to consider both how the Plan might comport with the foreseeable lasting effects of the pandemic; and how Connect SoCal might be conditioned and enhanced in ways that will give the Plan greater flexibility and capacity to foster economic recovery from the depths of a precipitous pandemic induced recession.
- The very serious concern we have regarding the fact that a number of approved and entitled development and housing projects, and related employment, were omitted from the land use maps and modeling that underpin Connect SoCal, and that local general plans might not be appropriately reflected in Connect SoCal.

Now, however, our coalition believes that if SCAG’s Regional Council approves, during its May 7<sup>th</sup> meeting, the proposed Adopting Resolution as written, the concerns outlined above can be addressed. Passing the Adopting Resolution will allow stakeholders to work with SCAG’s staff over the following 120 days to better assure that the final Connect SoCal, when adopted in its entirety, will reflect existing entitlements and local general plans. Moreover, it will allow the transportation plan components of Connect SoCal to be adopted this week, thus

The Honorable Bill Jahn  
President, Southern California Association of Governments  
May 6, 2020  
Page 3 of 5

assuring that no transportation projects will be delayed or jeopardized while all interested stakeholders work to understand and potentially improve the final Connect SoCal.

We applaud SCAG for its leadership and responsiveness over the last two weeks in recognizing our concerns as they relate to Connect SoCal. We look forward to working with SCAG and its able staff to ensure we have a viable regional land use strategy and transportation plan for Southern California; and we are grateful that we can do so in a way that protects continued funding for our region's transportation agencies.

Sincerely,



Richard Lambros, Managing Director  
Southern California Leadership Council



Lucy Dunn, President & CEO  
Orange County Business Council (OCBC)



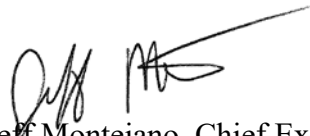
Bill Allen, Chief Executive Officer  
Los Angeles Economic Development  
Corporation (LAEDC)



Maria Salinas, President & CEO  
Los Angeles Area Chamber of Commerce



Tracy Hernandez, Chief Executive Officer  
Los Angeles County Business Federation  
(BizFed)



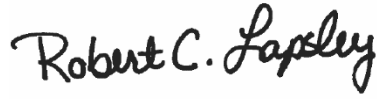
Jeff Montejano, Chief Executive Officer  
Building Industry Association of Southern  
California (BIASC)



The Honorable Bill Jahn  
President, Southern California Association of Governments  
May 6, 2020  
Page 4 of 5



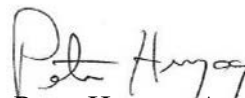
Dan Dunmoyer, President & CEO  
California Building Industry Association  
(CBIA)



Robert C. Lapsley, President  
California Business Roundtable (CBRT)



Mario Rodriguez, Chairman  
Hispanic 100



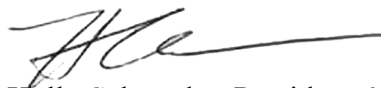
Peter Herzog, Assistant Director of  
Legislative Affairs  
NAIOP SoCal



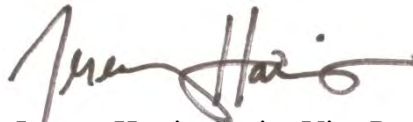
Paul Granillo, President & CEO  
Inland Empire Economic Partnership (IEEP)



William R. Manis, President & CEO  
San Gabriel Valley Economic Partnership



Holly Schroeder, President & CEO  
Santa Clarita Valley Economic Development  
Corporation



Jeremy Harris, Senior Vice President  
Long Beach Area Chamber of Commerce



The Honorable Bill Jahn  
President, Southern California Association of Governments  
May 6, 2020  
Page 5 of 5



Ray Baca, Executive Director  
Engineering Contractors' Association (ECA)



Mike Lewis, Senior Vice President  
Construction Industry Air Quality Coalition (CIAQC)



Denise Cooper, President  
Southern California Contractors Association



Theresa Harvey, President & CEO  
North Orange County Chamber



NORTH  
ORANGE COUNTY  
CHAMBER



David L. Elliott, President/CEO  
Santa Ana Chamber of Commerce



M.C. Townsend, President  
Regional Black Chamber of Commerce San  
Fernando Valley



Russell Johnson, Director of Government  
Affairs  
Associated Builders and Contractors Southern  
California



**From:** Richard Lambros [<mailto:rlambros@southerncaliforniagroup.com>]

**Sent:** Wednesday, May 6, 2020 5:06 PM

**To:** Jahn, Bill <[billjahn@roadrunner.com](mailto:billjahn@roadrunner.com)>

**Cc:** Richardson, Rex <[Rex.richardson@longbeach.gov](mailto:Rex.richardson@longbeach.gov)>; Alan Wapner <[awapner@ci.ontario.ca.us](mailto:awapner@ci.ontario.ca.us)>;

Lorimore, Clint <[CLorimore@Eastvaleca.gov](mailto:CLorimore@Eastvaleca.gov)>; Jan Harnik ([jharnik@dc.rr.com](mailto:jharnik@dc.rr.com))

<[cityhall@cityofpalmdesert.org](mailto:cityhall@cityofpalmdesert.org)>; Kome Ajise <[ajise@scag.ca.gov](mailto:ajise@scag.ca.gov)>; Darin Chidsey

<[CHIDSEY@scag.ca.gov](mailto:CHIDSEY@scag.ca.gov)>; Sarah Miller <[miller@scag.ca.gov](mailto:miller@scag.ca.gov)>

**Subject:** Letter in Support for SCAG's Proposed Resolution

Good afternoon Bill,

On behalf of the coalition group members signed onto the attached letter to you and the Regional Council, we are submitting this letter of support for SCAG's proposed Adopting Resolution, which would postpone the Regional Council's consideration of the final "Connect SoCal" Plan for 120 days and approve the RTP components of Connect SoCal for transportation conformity purposes only.

Also, a number of our coalition members plan to give comments in support during tomorrow's Regional Council Meeting.

Best,  
Rich

Richard J. Lambros | Managing Director  
Southern California Leadership Council  
444 S. Flower Street, 37th Floor, Los Angeles CA 90071  
T: (213) 236-4810 | M: (909) 225-0095 | F: (213) 622-7100  
E: [richard.lambros@socalc.org](mailto:richard.lambros@socalc.org) | W: [www.socalc.org](http://www.socalc.org)



*Three former Governors and over three dozen Presidents/CEOs of major companies and agencies comprise the Southern California Leadership Council, a nonprofit, nonpartisan organization formed to provide leadership on major public policies critical to economic vitality, job growth and the quality of life in Southern California.*

**From:** Paavo Monkkonen <paavo.monkkonen@ucla.edu>  
**Sent:** Wednesday, May 6, 2020 5:42 PM  
**To:** ePublic Comment Group <ePublicComment@scag.ca.gov>  
**Subject:** public comments for May 7 Regional Council Meeting

My name is Paavo Monkkonen, ex officio member of SCAG's RHNA subcommittee and professor of Urban Planning at UCLA. I write to express my dismay and confusion at seeing the staff recommendation to delay adopting Connect SoCal. The recommendation disregards SCAG's own planning process, and the years of careful work that has brought the plan to this point. There is an amendment process built in to enable SCAG to adjust plans to emergencies in a sensible manner. This is the appropriate course of action - once we have actual data on the impacts of COVI-19 - rather than this last minute delay in adopting a plan that has been painstakingly prepared.

I do not see in the staff report evidence of the payoff or even the goal for this delay. I don't think we could derive credible forecasts in the next 60 days about this unprecedented event with a completely uncertain future. Putting SCAG staff and local governments to rush to adjust forecasts and quantify differences between General Plans in 60 days is not the right move in an emergency. This delay would negatively impact the RHNA timeline, another planning process into which this body has put enormous effort and deliberation, and delay of Connect SoCal would disadvantage cities seeking to move forward on housing element updates, and potentially put SCAG in a position to violate statute.

I urge the Regional Council to adopt the full RTP/SCS today. This is a plan that has been three years in the making. The draft - which is almost identical to the proposed final - has been out for review since November. We don't know what the fallout from COVIC-19 is going to do to the region, but we can amend this plan in a year once we do, or revise completely in 3 years. We should respect the process rather than creating uncertainty by delaying and approving only parts of it. Thank you for your time and attention.

--

Paavo Monkkonen  
Associate Professor of Urban Planning and Public Policy  
UCLA Luskin School of Public Affairs  
<http://luskin.ucla.edu/person/paavo-monkkonen/>

From: dpoineau@everyactioncustom.com <dpoineau@everyactioncustom.com>  
Sent: Wednesday, May 6, 2020 5:50 PM  
To: ePublic Comment Group <ePublicComment@scag.ca.gov>  
Subject: Save the Coastal Plan

Dear Southern California Association of Governments,

I am writing to express my concerns about the focus of Connect SoCal on exurban development, and the potential delay of the Connect SoCal adoption, which has the potential to cause SCAG to fail to meet its October RHNA deadline to move forward with the Coastal Plan. Since Connect SoCal provides guidance on the region's transportation investments over the next 25 years, these projections effectively perpetuate unsustainable sprawl. The severe consequences to the region of this type of plan will include rising traffic, greenhouse gas emissions, and housing costs. This threat multiplier would accelerate climate change and put more people at risk of heat and air pollution-related illnesses.

In addition to this problem, SCAG is considering delaying the adoption of Connect SoCal by 120 days without a clear objective to accomplish during that time. The issue with delaying adoption is that it could put our region at risk of not moving forward with the Coastal Plan as required by the RHNA process, since the Coastal Plan is linked with the growth forecasts of Connect SoCal. Noncompliance with RHNA cannot be an option for our region. A delay that improves the growth forecasts, but does not delay the adoption of the Coastal Plan, would be an acceptable alternative.

We believe that the Coastal Plan RHNA methodology aligns with the goals of the SCS to reduce VMT and GHG emissions. We stand by the Coastal Plan RHNA methodology for determining jurisdictions' housing allocations, and urge the Regional Council to certify the Coastal Plan RHNA methodology without delay.

Therefore, I respectfully ask that the Regional Council improve the SCS growth forecasts to reduce exurban sprawl, and prevent delay of the Coastal Plan finalization by the October deadline.

Personally sent by Daniel Poineau using Abundant Housing LA's Advocacy Tool. AHLA is a grassroots pro-housing organization.

Sincerely,  
Daniel Poineau  
939 S Hill St Apt 635 Los Angeles, CA 90015-3283 [dpoineau@gmail.com](mailto:dpoineau@gmail.com)



From: aebickerton@everyactioncustom.com <aebickerton@everyactioncustom.com>  
Sent: Wednesday, May 6, 2020 7:59 PM  
To: ePublic Comment Group <ePublicComment@scag.ca.gov>  
Subject: Save the Coastal Plan

Dear Southern California Association of Governments,

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Therefore, I respectfully ask that the Regional Council improve the SCS growth forecasts to reduce exurban sprawl, and prevent delay of the Coastal Plan finalization by the October deadline.

Personally sent by Ann Bickerton using Abundant Housing LA's Advocacy Tool. AHLA is a grassroots pro-housing organization.

Sincerely,  
Ann Bickerton  
11871 Washington Pl Los Angeles, CA 90066-4640 [aebickerton@gmail.com](mailto:aebickerton@gmail.com)

From: ryank.pf@everyactioncustom.com <ryank.pf@everyactioncustom.com>  
Sent: Wednesday, May 6, 2020 8:28 PM  
To: ePublic Comment Group <ePublicComment@scag.ca.gov>  
Subject: Save the Coastal Plan

Dear Southern California Association of Governments,

I am writing to express my concerns about the focus of Connect SoCal on exurban development, and the potential delay of the Connect SoCal adoption, which has the potential to cause SCAG to fail to meet its October RHNA deadline to move forward with the Coastal Plan. Since Connect SoCal provides guidance on the region's transportation investments over the next 25 years, these projections effectively perpetuate unsustainable sprawl. The severe consequences to the region of this type of plan will include rising traffic, greenhouse gas emissions, and housing costs. This threat multiplier would accelerate climate change and put more people at risk of heat and air pollution-related illnesses.

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Therefore, I respectfully ask that the Regional Council improve the SCS growth forecasts to reduce exurban sprawl, and prevent delay of the Coastal Plan finalization by the October deadline.

Personally sent by Ryan Koyanagi using Abundant Housing LA's Advocacy Tool. AHLA is a grassroots pro-housing organization.

Sincerely,  
Ryan Koyanagi  
1210 Redwood View Dr Pomona, CA 91766-4117 [ryank.pf@gmail.com](mailto:ryank.pf@gmail.com)

From: dmisha@everyactioncustom.com <dmisha@everyactioncustom.com>  
Sent: Wednesday, May 6, 2020 10:54 PM  
To: ePublic Comment Group <ePublicComment@scag.ca.gov>  
Subject: Save the Coastal Plan

Dear Southern California Association of Governments,

If we are serious about climate change, equity, and protecting the environment for all Californians, we cannot keep encouraging exurban sprawl and greenfield development far from jobs. I am writing to ask you to appropriately weight these deleterious impacts when setting the SCS growth forecasts. You should make these changes expeditiously so that we can comply with our RHNA deadline and meet our commitment to solving California's housing crisis.

I am writing to express my concerns about the focus of Connect SoCal on exurban development, and the potential delay of the Connect SoCal adoption, which has the potential to cause SCAG to fail to meet its October RHNA deadline to move forward with the Coastal Plan. Since Connect SoCal provides guidance on the region's transportation investments over the next 25 years, these projections effectively perpetuate unsustainable sprawl. The severe consequences to the region of this type of plan will include rising traffic, greenhouse gas emissions, and housing costs. This threat multiplier would accelerate climate change and put more people at risk of heat and air pollution-related illnesses.

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Therefore, I respectfully ask that the Regional Council improve the SCS growth forecasts to reduce exurban sprawl, and prevent delay of the Coastal Plan finalization by the October deadline.

Personally sent by Michael Dworsky using Abundant Housing LA's Advocacy Tool. AHLA is a grassroots pro-housing organization.

Sincerely,  
Michael Dworsky  
1752 Federal Ave Apt 4 Los Angeles, CA 90025-4133 [dmisha@gmail.com](mailto:dmisha@gmail.com)

From: edgar\_chris@everyactioncustom.com <edgar\_chris@everyactioncustom.com>  
Sent: Thursday, May 7, 2020 6:50 AM  
To: ePublic Comment Group <ePublicComment@scag.ca.gov>  
Subject: Save the Coastal Plan

Dear Southern California Association of Governments,

I am writing to express my concerns about the focus of Connect SoCal on exurban development, and the potential delay of the Connect SoCal adoption, which has the potential to cause SCAG to fail to meet its October RHNA deadline to move forward with the Coastal Plan. Since Connect SoCal provides guidance on the region's transportation investments over the next 25 years, these projections effectively perpetuate unsustainable sprawl. The severe consequences to the region of this type of plan will include rising traffic, greenhouse gas emissions, and housing costs. This threat multiplier would accelerate climate change and put more people at risk of heat and air pollution-related illnesses.

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Therefore, I respectfully ask that the Regional Council improve the SCS growth forecasts to reduce exurban sprawl, and prevent delay of the Coastal Plan finalization by the October deadline.

Personally sent by Chris Edgar using Abundant Housing LA's Advocacy Tool. AHLA is a grassroots pro-housing organization.

Sincerely,  
Chris Edgar  
3 Bell Pasture Rd Ladera Ranch, CA 92694-1412 [edgar\\_chris@hotmail.com](mailto:edgar_chris@hotmail.com)

From: zsteinert@everyactioncustom.com <zsteinert@everyactioncustom.com>  
Sent: Thursday, May 7, 2020 7:27 AM  
To: ePublic Comment Group <ePublicComment@scag.ca.gov>  
Subject: Save the Coastal Plan

Dear Southern California Association of Governments,

I am writing to express my concerns about the focus of Connect SoCal on exurban development, and the potential delay of the Connect SoCal adoption, which has the potential to cause SCAG to fail to meet its October RHNA deadline to move forward with the Coastal Plan. Since Connect SoCal provides guidance on the region's transportation investments over the next 25 years, these projections effectively perpetuate unsustainable sprawl. The severe consequences to the region of this type of plan will include rising traffic, greenhouse gas emissions, and housing costs. This threat multiplier would accelerate climate change and put more people at risk of heat and air pollution-related illnesses.

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Personally sent by Zachary Steinert-Threlkeld using Abundant Housing LA's Advocacy Tool. AHLA is a grassroots pro-housing organization.

Sincerely,  
Zachary Steinert-Threlkeld  
4005 Monroe St Los Angeles, CA 90029-2995 [zsteinert@gmail.com](mailto:zsteinert@gmail.com)

From: stauffermt@everyactioncustom.com <stauffermt@everyactioncustom.com>  
Sent: Thursday, May 7, 2020 7:40 AM  
To: ePublic Comment Group <ePublicComment@scag.ca.gov>  
Subject: Save the Coastal Plan

Dear Southern California Association of Governments,

I am writing to express my concerns about the focus of Connect SoCal on exurban development, and the potential delay of the Connect SoCal adoption, which has the potential to cause SCAG to fail to meet its October RHNA deadline to move forward with the Coastal Plan. Since Connect SoCal provides guidance on the region's transportation investments over the next 25 years, these projections effectively perpetuate unsustainable sprawl. The severe consequences to the region of this type of plan will include rising traffic, greenhouse gas emissions, and housing costs. This threat multiplier would accelerate climate change and put more people at risk of heat and air pollution-related illnesses.

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Therefore, I respectfully ask that the Regional Council improve the SCS growth forecasts to reduce exurban sprawl, and prevent delay of the Coastal Plan finalization by the October deadline.

Personally sent by Matt Stauffer using Abundant Housing LA's Advocacy Tool. AHLA is a grassroots pro-housing organization.

Sincerely,  
Matt Stauffer  
908 S Hobart Blvd Apt 504 Los Angeles, CA 90006-1265 [stauffermt@gmail.com](mailto:stauffermt@gmail.com)

From: gregdina@everyactioncustom.com <gregdina@everyactioncustom.com>  
Sent: Thursday, May 7, 2020 8:28 AM  
To: ePublic Comment Group <ePublicComment@scag.ca.gov>  
Subject: Save the Coastal Plan

Dear Southern California Association of Governments,

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Personally sent by GREGORY DINA using Abundant Housing LA's Advocacy Tool. AHLA is a grassroots pro-housing organization.

Sincerely,  
GREGORY DINA  
6427 W 86th Pl Los Angeles, CA 90045-3702 [gregdina@gmail.com](mailto:gregdina@gmail.com)



**ARSAC** *Alliance for a Regional Solution to Airport Congestion*  
7929 Breen Ave., Los Angeles, CA 90045  
310 641-4199 [WWW.RegionalSolution.org](http://WWW.RegionalSolution.org) [info@regionalsolution.org](mailto:info@regionalsolution.org)

May 6, 2020

Regional Council  
Southern California Association of Governments  
900 Wilshire Blvd, Suite 1700  
Los Angeles, CA 90017

Via email: [CEHDPublicComment@scag.ca.gov](mailto:CEHDPublicComment@scag.ca.gov)

Re: Comments to the Final Program Environmental Impact Report (PEIR) (SCH#2019011061) in accordance with the California Environmental Quality Act (CEQA) for Connect SoCal (2020-2045 Regional Transportation Plan/Sustainable Communities Strategy [RTP/SCS]).

Dear Regional Council Members:

ARSAC, the Alliance for a Regional Solution to Airport Congestion, requests that the SCAG Regional Council revise the Connect So Cal 2020-2045 RTP/SCS to incorporate:

1. The rebaselining of the RTP/SCS in light of the COVID-19 global pandemic
2. The re-inclusion of the concept and program of “Regionalization” in the Aviation Element
3. The inclusion of our comments and changes not made by SCAG from our PEIR comment letter.

### **1. Revision of RTP/SCS baseline due to COVID-19**

As of today, air traffic is down over 90%. According to one aviation expert, the number of passengers flying today in the US is about 1954 levels. Aviation publications such as *Air Transport World* and *Aviation Week and Space Technology* are predicting that it will take about 10 years for air travel to return to 2019 passenger counts. As an effect of 9/11, it took until 2014 before LAX had exceeded year 2000 passenger counts.

ARSAC expects that the world of air transportation will change vastly once the economy reopens in the United States. As with the changes to the commercial airline industry in 2001, here are the changes that will come in 2020 and 2021:

- a. Fleet rationalization: Older aircraft such as the McDonnell Douglas MD-80 and MD-90, Boeing 757, 767 and passenger versions of the 747-400 (British Airways, KLM, Qantas, etc.) will be retired.
- b. Boeing 737 MAX will be recertified for flight by 2021. These will replace the older 737's.
- c. New aircraft will be introduced such as the Airbus A220 (was CSeries) and Boeing 777X.
- d. Airlines will shrink their route systems to their core routes (e.g. LAX-JFK, etc.) that will result in flight losses at all Southern California commercial airports (e.g. LGB-SEA, etc.).

### **2. Re-inclusion of the concept and program of “Regionalization” in the Aviation Element**

In revising the Aviation Element of the RTP/SCS, ARSAC requests that the term, “Regionalization” be placed back into the document as we had discussed in our PEIR comment letter. Regionalization was invented as a concept in Los Angeles. Please see the excerpts from the “Southern California Regional Airport



**ARSAC** *Alliance for a Regional Solution to Airport Congestion*

Letter to SCAG

May 6, 2020

Page 2

Study” published in March 1964. Also attached is an October 22, 1968 *New York Times* article discussing regional airports. In addition, regionalization has been addressed in airport planning books such as, “Airport Management” (Newcastle, WA: Aviation Supplies and Academics, Inc., 2015-2019, pages 159-160). “Often, a regional aviation system plan is developed ...to relieve congestion at a major commercial service airport.” This sentences ties into what ARSAC has promoted for the past 25 years and until this year, what SCAG has promoted for the past 50 years- a robust network of regional airports to serve Southern California’s airport capacity needs thereby taking pressure off of expanding LAX into surrounding neighborhoods.

**3. Inclusion of our comments and changes not made by SCAG from our PEIR comment letter.**

Please add in the changes identified in our PEIR comment letter. In addition, we would recommend additional corrections be made:

- a. SCAG calculates cargo operations at all SCAG region airports, not just the top 5. If all airport cargo operations were included, then some smaller SCAG airports would show growth in operations.
- b. Inclusion of the City of Palmdale’s plans for a new airport passenger terminal on the northwest corner of Air Force Plant 42 on land owned by the City of Palmdale.
- c. Alaska Airlines acquired Virgin America in 2016. Virgin America’s final flight was on April 28, 2018. [https://en.wikipedia.org/wiki/Alaska\\_Airlines#Virgin\\_America\\_acquisition](https://en.wikipedia.org/wiki/Alaska_Airlines#Virgin_America_acquisition)
- d. Spelling of Cathay Pacific Airlines. Appears as Los Angeles street name, “Carthay”.

ARSAC will continue to work with SCAG to improve our regional economic and environmental conditions. We encourage SCAG to increase its outreach and to foster discussion and action within each of the Counties and Cities of our region.

Please contact us if you have any questions. We are happy to work with you.

Sincerely,



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Vice President

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Attachments:

1. ARSAC 2020-2035 RTP/SCS PEIR letter, January 24, 2020
2. *New York Times* article, “Los Angeles Turning to Satellite Airfields”, October 22, 1968
3. Southern California Regional Airport Study, March 1964 (5 selected pages)



**ARSAC Alliance for a Regional Solution to Airport Congestion**  
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January 24, 2020

Mr. Randal Ok  
Southern California Association of Governments  
900 Wilshire Blvd, Suite 1700  
Los Angeles, CA 90017

Via email: [2020PEIR@scag.ca.gov](mailto:2020PEIR@scag.ca.gov)

Re: Comments to the Draft Program Environmental Impact Report (PEIR) (SCH#2019011061) in accordance with the California Environmental Quality Act (CEQA) for Connect SoCal (2020-2045 Regional Transportation Plan/Sustainable Communities Strategy).

Dear Mr. Ok:

Since 1995, ARSAC has advocated for the increased utilization of unconstrained underserved or unserved outlying regional airports such as Ontario and Palmdale to meet Southern California's airport capacity needs instead of expanding LAX.

ARSAC supports a safe, secure, modern and convenient LAX. LAX, the dominant So Cal airport, is limited in operational land and is in a very congested airspace. In 2016, ARSAC negotiated a second legal settlement to extend the 153 gate cap by four additional years through December 31, 2024. The gate cap is based upon Aircraft Design Group III sized aircraft comprised of the narrow body mainline aircraft such as the Airbus A320 and Boeing 737 series commercial airplanes. LAX is currently the largest public works project in Los Angeles County.

ARSAC is disappointed with the PEIR:

1. The outreach for public comment appears to very limited.
2. The time for public comment is too short. The PEIR was released in December when most people are paying attention to the holidays and not public policy. SCAG should extend the comment period an additional 45 days and provide lots of publicity to encourage public comment.
3. The content of the PEIR appears to be thinner in scope than in the past, especially the Aviation Element. Instead of doing the RTP right, it appears as "RTP Lite."

The draft document repeatedly states its lack of authority to mandate actions. SCAG can be a much stronger contributor to the economic and environmental development of this region by providing increased guidance for transportation priorities. It provides extensive housing priorities and goals and to increase mass transportation to reduce vehicle miles travelled. It appears to favor "active transportation" such as bikes and scooters but fails to project how will be used to generate meaningful data resulting in congestion improvement.

ARSAC strongly agrees with the five decade old principle that our airport system must provide a regional accommodation to travelers and cargo. Mass transit train stations and buses must be



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built to support our airport system. Much of the RTP discusses “livable communities” in which single vehicle traffic is discouraged for densified communities. The call for active mobility choices with inadequate parking may serve local communities, but this will not work well for travelers who generally have luggage. Bike centric projects may increase active transportation alternatives but it also reduces vehicle capacity and slows down vehicle traffic resulting in increased GHG.

Traffic around LAX is legendary. Despite all of the major changes proposed we expect that “Every day will be like Thanksgiving gridlock” if the increased projection of 127 Million Annual Passengers (MAP) occurs. No documentation is provided anywhere in the RTP to validate that this 35% increase from current gridlock can be accommodated within or around LAX.

ARSAC strongly encourages data collection and analysis activity to highlight the sources of passengers and to encourage airlines to offer flights at airports most convenient to travelers.

SCAG congestion analyses and “transportation analysis zones” around airports must be detailed enough to identify potential action for improvements not only at end of the planning period of 2045, but also incrementally to match changes within airport areas. When will this data be used? If it is only for 2045, then it will be too late.

In this RTP, SCAG seems to have backed away from 5 decades of advocacy for regional accommodation of commercial aviation needs. The wording, “Regionalization” in reference to Aviation is absent from the draft despite its critical importance to ensuring optimum access and emergency back up for both natural and man-made disasters.

The definition of regionalization has been crafted by ARSAC and the cities of Inglewood and Culver City in 2011 which SCAG should consider adopting:

“Regionalization is the proactive redistribution of a portion of Southern California’s aviation demand to unconstrained airports in the Southern California region other than LAX, in order to achieve a more equitable and proportional allocation of airport growth and aircraft operations among the airports, reduce congestion, increase safety, and minimize vehicle miles traveled, with consequent benefits to both the environment and the economy.”

ARSAC was part of the coalition to “SetONTario Free” whereby Ontario International Airport (ONT) ownership and management returned to local control. ONT has been dramatically increasing domestic service and adding new long-haul international service such as Taipei, Republic of China. ONT is a great example of airport regionalization in Southern California.



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We agree with the RTP statement: “SCAG has and will continue to play a role in terms of aviation systems research, planning, and analysis, as well as encouraging collaboration and communication amongst the region’s aviation stakeholders.”

As the federally recognized Metropolitan Planning Organization (MPO) for Southern California and its ability to prioritize ground transportation dollars, SCAG must do more to help underutilized regional airports become more attractive for airline service by providing easy access by road, rail (Metrorail, Metrolink, Amtrak, High Speed Rail such as Brightline/Virgin Trains) and other mass transit.

Part of Southern California’s freeway congestion problems stems from leakage of passengers from one airport catchment area (natural marketing area) to other airports causing millions of extra vehicle miles traveled. All of Palmdale Regional Airport’s possible passengers are forced to drive to Hollywood-Burbank (BUR), Ontario International (ONT) or Los Angeles International (LAX) to catch a flight. LAX has 70% of the region’s flights including 95% of the international flights. While it is not possible to accommodate all leakage from one catchment area to another, without airline service at places such as PMD freeway congestion will continue to increase. SCAG must work with airports in the region to have ground access projects prioritized. SCAG must re-commit itself to making airport regionalization a reality.

In the RTP, some airports having commercial jet service are designated “Reliever Airports”.

Were these “Reliever Airports” included in calculations such as Air Quality, Green House Gas Emissions, Noise, etc.???

Additional information that should be included in the RTP about “reliever airports”:

1. March Inland Port (RIV). As of 2018, Amazon Air has 6 cargo flights per day.

Reference: [https://en.wikipedia.org/wiki/March\\_Air\\_Reserve\\_Base](https://en.wikipedia.org/wiki/March_Air_Reserve_Base)

2. Palmdale Regional Airport (PMD). PMD has charter Boeing 737 flights to support US Defense projects such as the B-21 bomber program. The City of Palmdale is in the planning process to build a new passenger terminal on the northwest corner of Air Force Plant 42 (southeast corner of Sierra Highway and Avenue M). This location is adjacent to the Metrolink Antelope Valley Line and would be perfect for a train station stop to make PMD an intermodal and multimodal facility. Virgin Trains USA could also make this a station.

Reference 1: [https://en.wikipedia.org/wiki/Palmdale\\_Regional\\_Airport](https://en.wikipedia.org/wiki/Palmdale_Regional_Airport)

Reference 2: <https://cityofpalmdale.org/DocumentCenter/View/5858/Palmdale-Regional-Airport-Facts-and-Figures-PDF?bidId=>

Reference 3: [https://www.avpress.com/news/palmdale-explores-return-of-service-to-airport/article\\_c0ffc290-bbf9-11e9-8a1a-7fd9889b4667.html](https://www.avpress.com/news/palmdale-explores-return-of-service-to-airport/article_c0ffc290-bbf9-11e9-8a1a-7fd9889b4667.html)



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3. San Bernardino International Airport (SBD). SBD has a new passenger terminal with Federal Inspection Service (FIS) facilities. SBD has commercial aircraft Maintenance, Repair and Overhaul (MRO) facilities. FedEx and UPS have cargo flights from SBD to 9 US cities. Reference: [https://en.wikipedia.org/wiki/San\\_Bernardino\\_International\\_Airport](https://en.wikipedia.org/wiki/San_Bernardino_International_Airport)

4. Southern California Logistics Airport (VCV). SCLA is a major aircraft storage, maintenance, overhaul and testing facility. Boeing Capital Corporation, a subsidiary of The Boeing Company, stores aircraft here for future leases and sales. GE Aircraft Engines does flight testing of engines here including the new GE9X engine powering the new Boeing 777X. Airtanker 910, which has a McDonnell Douglas DC-10, uses VCV for fighting forest fires in California. Reference: [https://en.wikipedia.org/wiki/Southern\\_California\\_Logistics\\_Airport](https://en.wikipedia.org/wiki/Southern_California_Logistics_Airport)

**Main document comments and questions.**

1. RTP Page 1.03: “The region is home to the two largest container ports in the Western Hemisphere (Los Angeles and Long Beach), and the world’s fifth busiest airport system (Los Angeles World Airports).”

The statement above needs to be updated. According to Airport Council Internationals, Los Angeles International Airport (LAX) is the world’s fourth busiest airport as of 2018. Los Angeles World Airports operates LAX. LAX is on track to becoming the world’s third busiest airport according to first half 2019 figures. Reference: [https://en.wikipedia.org/wiki/List\\_of\\_busiest\\_airports\\_by\\_passenger\\_traffic](https://en.wikipedia.org/wiki/List_of_busiest_airports_by_passenger_traffic)

2. RTP Appendix 3.13. This document leaves out the noise contours for airports classified as “Reliever Airports.”

Palmdale (PMD), March Inland (RIV), San Bernardino International (SBD) and Southern California Logistics Airport (VCV) all have jet air traffic that impacts airport neighbors with noise, pollution and vibration issues. Are these reliever airports included in the air quality, greenhouse gas emission, noise and other analyses? If not, then the RTP could be inadequate in disclosing and analyzing these important issues.

**Aviation and Airport Ground Access Technical Report comments and questions**

1. Overall. SCAG must recommit to an active policy of “regionalization”, a policy that SCAG embraced for the past five decades. Why does SCAG no longer mention regionalization in the RTP? How can we get SCAG to implement regionalization?



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2. Executive Summary, page 2. "Only a small percentage of air passengers used transit to travel to and from the region's airports."

SCAG must work with airports in the region to identify and prioritize projects that will encourage passengers to use public and mass transit to airports. Hollywood-Burbank Airport (BUR) is a good local model of being an intermodal and multimodal facility. LAX is working on the Landside Access Modernization Program (LAMP) to improve mass transit connectivity. Plans to extend the Metro Gold Line and Metrolink to and from Ontario International (ONT) need to be prioritized.

3. Executive Summary, page 2. "The majority of air passengers in the region are traveling to and from Los Angeles International Airport." Again, SCAG needs an active regionalization program to help redirect passengers who are leaking from other SCAG airports. This will help to reduce pressure on LAX to expand in the future and to reduce traffic congestion on freeways and local streets around LAX.
4. Executive Summary, page 2. "The growth in air passenger demand globally can be explained in part due to the health of the economy and an ongoing trend of decreasing airfare."

The statement is correct, but leaves out important components of growing international air service: Open Skies Agreements between the United States and other countries which removed restrictions on city pairs and aircraft types and the use of new fuel efficient long range aircraft such as the Airbus A350XWB and the Boeing 787 Dreamliner that have made flying between smaller size markets profitable.

5. Exhibit 1, SCAG Region Airports, Page 4.

Why is Palmdale Regional Airport listed as "Palmdale Air Terminal" on the map?

6. Table 1, Commercial Air Carriers (and Destinations) Operating in the SCAG Region Airports, Pages 10 and 13
  - a. The list appears to be LAX-centric. Why was the list not broken out by individual SCAG airports with airlines and destinations?
  - b. The destinations are missing for Aer Lingus (Dublin), Aeroflot (Moscow), Aeromexico (Mexico City, etc.), Aeromexico Connect, Air Canada (Vancouver, Calgary, Edmonton, Toronto, Montreal), Air Canada Rouge and Air China (Beijing). Where did the information about "O&M Existing Service" and "Bridges, pavement" come from?
  - c. Why were these airlines not listed? Air Italy (Milan)? Boutique Air (Merced)? Finnair (Helsinki)?
  - d. Why are Air Canada and Volaris listed twice?



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- e. Norwegian Air Shuttle has reduced its destinations from LAX
  - f. Scandinavian Airlines just switched its destination from Stockholm to Copenhagen
  - g. Thomas Cook Airlines, WOW Air and XL Airways France have ceased operations.
7. Table 2, SCAG Region Cargo Airlines and Destinations, Pages 14 and 15
    - a. The list appears to be LAX-centric. Why was the list not broken out by individual SCAG airports with airlines and destinations?
    - b. Does this list account for Amazon's Prime Air operation at March Inland Port (RIV)?
  8. MPO's have no authority over Airport Development, Pages 18 and 19. Please refer to our comments above concerning active regionalization.
  9. Where are air passengers coming from and how are they getting to the airport?, Pages 24 to 26. Again, SCAG has an opportunity and a responsibility to work with airports in facilitating projects to create and enhance mass transit projects to airports to encourage more air passengers to use transit options other than single occupancy vehicles or Transportation Networking providers.
  10. Air Cargo traffic to the SCAG region airports, Page 26. Why did SCAG only include the top 5 cargo airports in the SCAG modeling program for truck trips? Other airports such as San Bernardino (FedEx and UPS) and March Inland Port (Amazon Prime Air) produce truck trips. It is anticipated that these 2 airports will likely see increases in cargo service from these cargo carriers and this will impact roadways with more truck traffic.
  11. Strategies, Page 31. Again, SCAG must be more pro-active in working with SCAG region airports on ground access to make these airports more intermodal and multimodal.
  12. Table 12, SCAG Region Airport Forecast for 2020-2045 RTP/SCS, Page 33. What documentation and justification has LAWA provided for the projected 127 Million Annual Passengers in the 2045 horizon year?
  13. General Aviation Forecast, Page 34. Does the forecast include the possible closure of Santa Monica Airport (SMO)? Does the forecast include membership flying services such as SurfAir and FLOAT?
  14. New Airport Ground Access and Modernization Projects, Pages 34 to 36. ARSAC appreciates that the 2028 Olympic Games are mentioned, but again, it appears that there is lack of urgency in this RTP to have airport access projects completed before the Olympic games making the airports in the SCAG region, "Olympics ready." ARSAC supports efforts to bring Metrolink and Metrorail to Ontario International Airport (ONT).
  15. Supersonic aircraft missing from RTP. Supersonic passenger aircraft are expected to debut during the 2020-2045 timeframe of the RTP. These include the Boom Technology Overture and Aerion AS2 supersonic business jet. Boom has 10 options each from Japan Airlines and Virgin Atlantic, both of whom serve LAX.

Reference 1: [https://en.wikipedia.org/wiki/Boom\\_Technology](https://en.wikipedia.org/wiki/Boom_Technology)



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Reference 2: <https://en.wikipedia.org/wiki/Aerion>

16. Drones also missing from RTP. Drones are being deployed for law enforcement and commercial purposes such as filming and package delivery.
17. Helicopters also missing from RTP. Helicopters are used law enforcement, fire fighting, medical, news coverage and private transportation. Helicopters negatively affect residents when they fly low.
18. VTOL. New services such as Uber Elevate are on the horizon. This service will require new landing pads to enable its usage. The safety of manned and unnamed VTOL needs to be examined. From Wikipedia: “UberAIR / UberElevate will provide short flights using VTOL aircraft. Demonstration flights are projected to start in 2020 in Dallas and Los Angeles. Commercial operations are projected to begin in 2023.[48] Although technically feasible, the program is expected to encounter safety and regulatory obstacles.[49]”

Reference: [https://en.wikipedia.org/wiki/Uber#Riding\\_with\\_Uber](https://en.wikipedia.org/wiki/Uber#Riding_with_Uber)

**Passenger Rail Technical Report comments and questions**

1. Table 1, Private Transportation Providers, Page 18. Destinations are missing for Tres Estrellas de Oro and TUFESA.
2. Los Angeles to Las Vegas, Page 27. Was XpressWest and its successor Virgin Trains USA approved for a Palmdale to Victorville segment? Why is this not mentioned about a Virgin Trains station in Palmdale?
3. Airport Ground Access, Page 33. Were the City of Palmdale’s plans for a new airport terminal on the northwest corner of Air Force Plant 42 (southeast corner of Sierra Highway and Avenue M) considered in this RTP?

ARSAC will continue to work with SCAG to improve our regional economic and environmental conditions. We encourage SCAG to increase its outreach and to foster discussion and action within each of the Counties and Cities of our region.

Sincerely,

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# Los Angeles Turning to Satellite Airfields

## Expert Gives Views on Area's Growing Traffic Problem

By GLADWIN HILL  
Special to The New York Times

LOS ANGELES, Oct. 20—Tomorrow's air traveler is going to have to think not only about his destination and type of conveyance—the supersonic airliner, subsonic "jumbo" jets or short-range feeder-line craft—but also about where he is going to alight.

If his destination is Los Angeles, depending on where he comes from, his landing point may be any of a half-dozen spots: the familiar Los Angeles International Airport; an auxiliary "seaport" in the ocean; a mini-airport in the heart of the city; satellite fields up to 60 miles away, or even Las Vegas, Nev.

This is likely to be duplicated in the nation's other big metropolises.

These are some of the tentative conjectures of one of the nation's foremost air traffic experts, Francis T. Fox, who has been for the last decade the general manager of Los Angeles's fast-growing, profit-making municipal airport system.

Mr. Fox, a lanky, personable man who comes from Worcester, Mass., relinquished his post last week to become director of aviation for Howard Hughes in Las Vegas.

### Successor Chosen

His successor will be Clifton A. Moore, who has been his chief deputy.

Mr. Fox's move has drawn attention in the air transport business because the Los Angeles job pays \$46,000 a year, the Fox administration has been very successful and the speculation is that Mr. Hughes must have dangled some exceptionally challenging project, as well as money, to lure the incumbent away.

Mr. Fox, in an interview last week, professed uncertainty about the ultimate objectives Mr. Hughes might have in mind. But he discounted the idea that Mr. Hughes was nursing some grand design to transform Las Vegas, 225 miles northeast of Los Angeles, suddenly into the aeronautical hub of the nation or the world.

But he hinted that it might burgeon as an important long-range air terminal.

Speaking as one of the principal authors of "Project Horizon," the comprehensive Federal study made of the national air transport outlook in 1961, Mr. Fox said:

"The outlook for air traffic



The New York Times

Oct. 21, 1968

on the West Coast for the next 20 or 30 years seems pretty clear.

"This"—he pointed to the vista seen through the windows of his tower office at Los Angeles International—"will always be a major transcontinental and regional terminal.

"We're handling 20 million passengers a year now, and with the doubled runway system we're putting in we could handle 80 million. But we could see the saturation point coming about 1975. So three years ago we began developing a satellite system—the Ontario Airport [40 miles east] and Palmdale [60 miles northeast].

### Seaport Studied

"By 1985 there will be 200 million air passengers a year in and out of southern California. About 60 million of them will come through here. Ontario will handle 15 to 20 million more.

"We studied the feasibility of a seaport about 10 miles out in the ocean as an annex to this airport. There's a nice extinct volcano under water we could anchor to and build an island of about five square miles, with four 12,000-foot runways.

"But we shelved that for the time being because the costs—drilling tunnels to get people ashore, and all that—were a lot more than the alternative we're going ahead with. That's our downtown 'metroport.'

"Thirty-five per cent of our traffic here now is trips under 400 miles. We figured if we could move that chunk downtown, it would be a big relief here and make things a lot easier for short-haul travelers."

The "metroport," due to be completed in three years, will be an 80-acre concrete structure built over the railroad tracks at the Union Terminal, with a 5,000-car garage and, on

top, a 1,700-foot runway that can handle both big passenger helicopters and the coming "STOL" (short take-off and landing) planes.

Those planes will carry 100 to 150 passengers at 400 miles an hour.

"There's a market for 6 to 8 million passengers a year right out of the center of the city," Mr. Fox said.

"But," he continued, "the big one for the 1980's will be Palmdale—for the supersonic and hypersonic long-range traffic of the future, transcontinental and intercontinental."

### Test Center For Planes

Palmdale, on the edge of the Mojave Desert, has long been a test center for major aircraft manufacturers. It has a 6,000-acre field. The Los Angeles Department of Airports is in the process of acquiring 17,000 to 20,000 adjacent acres.

The coming "jumbo" transports, carrying from 350 to 500 passengers, will be just slightly faster than today's 600-mile-an-hour jetliners. The supersonic transports will be in the 1,500-mile-an-hour-range.

"I don't foresee necessarily any strict segregation of the two types of traffic among different airports," Mr. Fox said.

"The supersonics are being designed to operate off the kind of runway we have here at International. But there's this qualification: the noise problem—not sonic booms, but general airport noise, landings, take-offs and running-up engines. The courts and Government may force the SST's into certain airports.

"The city fathers here, for instance, may ban that kind of traffic at L. A. International, and it will end up in Palmdale or Las Vegas."

Las Vegas does not yet have an air traffic problem. Last year, its McCarran International



**Francis T. Fox, former head of the Los Angeles municipal airport system, foresees the growth of satellite airfields near major cities.**

al Airport handled 2.8 million passengers. This year, the rate is up about 13 per cent.

But Las Vegas does have an airport problem. McCarran lies right in the path of high-priced urban development. Mr. Hughes, who owns a lot of undeveloped acreage, has offered to give the city a new supersonic-age airport in exchange for McCarran.

The deal is contingent on feasibility study of a new site.

The feasibility study will be one of Mr. Fox's initial tasks, along with assisting in Mr. Hughes's projected acquisition of Air West, the recent combination of three regional feeder airlines.

What happens to the long-distance traveler to Los Angeles who finds himself set down at an airport 60 miles or more from the city?

"This whole satellite system of airports," Mr. Fox said, "will be connected by a high-level rapid transit system of the air. Anything flying up to 4,000 feet will be shuttle aircraft, running among airports—big-capacity helicopters and STOL's

"I think you're going to see explosive development in this field of short-haul air transportation."

And when it comes to shutting, he says, the main expenditure of time will be in the transfer of passengers and baggage from the long-range planes to the ferry planes.

The shuttle craft will be fast, so it will not make a great deal of difference, he says, whether the trip is 40 miles from Ontario or 60 miles from Palmdale or even 225 miles from Las Vegas.

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*March 1964*

**SOUTHERN CALIFORNIA REGIONAL AIRPORT STUDY**

*By: Kenneth G. Clare*

*SRI Project No. IS-4200*

*Prepared for:*

THE JOHN RANDOLPH HAYNES AND DORA HAYNES FOUNDATION  
LOS ANGELES, CALIFORNIA

*Approved:*

A handwritten signature in cursive script, appearing to read "Edward L. Perkins".

EDWARD L. PERKINS, MANAGER  
ECONOMICS RESEARCH

A handwritten signature in cursive script, appearing to read "Carleton Green".

CARLETON GREEN, GENERAL MANAGER  
SOUTHERN CALIFORNIA LABORATORIES

## FOREWORD

The need for this study has long been recognized by community leaders throughout Southern California. The Los Angeles Chamber of Commerce, in a report of its Board of Directors on August 15, 1957, approved a recommendation that its Aviation Committee initiate action leading to the development of a comprehensive study to analyze future requirements for aviation facilities in the Greater Los Angeles Area. Such a study was to be concerned with the facilities required, types of administrative organization, and methods of financing the system of facilities needed.

In 1960, the Regional Airport Study Committee was formed as the agency responsible for arranging the necessary support for the research study and assisting in the implementation of the results of the research. In 1960, the Committee proposed that Stanford Research Institute undertake a preliminary investigation of Southern California's future airport requirements. That investigation, as requested and financed by The John Randolph Haynes and Dora Haynes Foundation and the Southern California Improvement Foundation, culminated in March 1961 with the release of a report entitled "Southern California's Airport Requirements: A Program of Research."

In this preliminary study, the Institute indicated that a comprehensive regional study was needed to provide the data, analyses, and conclusions basic to identification of Southern California's future airport requirements and the means of meeting these requirements. In July 1962, The John Randolph Haynes and Dora Haynes Foundation offered to support Stanford Research Institute's proposed program of research, and in August 1962 the Institute initiated the study.

In February 1963, the Southern California Aviation Council, Inc., was formed as the permanent successor to the interim Regional Airport Study Committee. Its primary objective is to develop an understanding of the needs of air transportation in Southern California and of the methods by which these needs can be met. Of special concern to the Council is the dissemination of information on the future needs of air transportation to government officials, industry groups, community organizations, and the general public.

The Institute wishes to acknowledge the general support and aid received from the Council throughout the study in obtaining the cooperation of public and community organizations concerned with airports. Especially noteworthy is the help given by the officers and directors of the Council. William J. Phillips is President; the other officers and directors are: Leland C. Launer, Chairman of the Board and Director from

Orange County; Charles Detoy and Paul Anderson, Vice Presidents; George A. Miller, a Vice President and Director from Santa Barbara County; Melvin Burt, Treasurer and Director from Los Angeles County; Lee Pitt, Secretary and Executive Director; Robert S. Fox, Director from Imperial County; Robert A. Byers, Director from Kern County; George V. Berkey, Director from Riverside County; Arthur B. Groos, Director from San Bernardino County; Harlan Torkelson, Director from San Diego County; and William M. Kerrigan, Director from Ventura County.

Valuable information and guidance were obtained from representatives of a wide variety of other organizations. Particularly helpful were the managers and staff personnel of airports throughout the region. Many officials of the Federal Aviation Agency also contributed invaluable assistance. Planning officials of various city, county, and state government agencies were generous in their help, and private groups, such as the chambers of commerce of a number of cities, provided useful information and guidance.

Airborne Instruments Laboratory, a division of Cutler-Hammer, Inc., under a subcontract to the Institute, contributed significantly to the research. Martin A. Warskow, Fred Pogust, Ed Hooten, and Howard Burns were those primarily involved in the task undertaken by this organization, the estimation of airport capacity and the analysis of airspace utilization.

Dr. Kenneth G. Clare served as project leader of this study, and Dr. Irving Dow was project manager. The study was conducted as part of the Institute's Aviation Research Program headed by Richard K. Waldo. Other members of the Institute's staff who contributed to the project included Dr. George M. Brinton, James E. Gorham, William L. Metzger, James H. McCarthy, Dr. Leo Moran, Harry A. Gillis, and Herbert A. Bricker. The research study was administered by Carleton Green, General Manager, and Edward L. Perkins, Manager of Economics Research, Southern California Laboratories.

Integration of Airports within Counties with an Intercounty  
Coordinating Agency

The future development of county airport systems and the establishment of an organization to facilitate voluntary coordination among county systems represents a third alternative scheme of organization. Under this plan, municipal and private airports would be brought into expanded county systems.

One of the advantages of the county system of airports is that there is in being in every county an organizational entity with responsibility for operating county airports. Each of the nine counties already administers at least one airport under a county system, and two counties--Kern and San Diego--presently have several airports in their county systems. Thus, each county has the nucleus for the establishment of a county system of airports, and it would be relatively easy to expand the systems to encompass municipal and private airports in the county area.

The area represented by each of the counties (except perhaps Orange) is quite large, affording opportunities to consolidate comparatively large groups of airports under single county administrations. These groupings would be sufficient to achieve substantial economies in airport operation. The larger groupings permitted by the previously discussed regional authority or district might not add significantly greater opportunities for such economies. With expanded county systems of airports, it would be possible to establish a comprehensive price structure for a substantial number of airports, and this advantage, together with the economies indicated above, could result in sound financial operations.

A disadvantage of organizing county systems of airports, as contrasted with a regional authority or district, is the need to rely on coordination of airport planning and operations among the counties. However, in view of the limited number of counties involved, it seems clear that it would be entirely practicable to create an intercounty coordinating agency, as discussed later.

On balance, the county system of airports, with provision for regular intercounty coordination of planning and operations, appears preferable to alternative organizational structures that might be adopted to achieve the integration of the region's airports into airport systems. Conceivably, this organization of county systems and an intercounty coordinating agency might be a transition step to a broad regional authority or district. It would seem wise, however, to defer any decision on this latter organizational structure until a reasonable amount of experience has been gained under the county organizational structure. Moreover,

this experience would be essential in establishing the appropriate geographic limits for an authority or district.

To fully develop the county airport systems within a reasonable time, it would be necessary to expedite the transfer of municipal and private airports to county ownership or, as an interim measure, to county operation. To facilitate the transfer of municipal airports to the counties, it may be necessary for the state legislature to limit, with some exceptions, the general authority of a municipality to own and operate an airport. It is recognized that the acquisition of vital municipal and private fields by county governments will not be accomplished at once. It is anticipated that some years would be required to arrange the financing and the necessary legal steps to accomplish the full integration of these fields into county systems.

In view of the regional scope of the area served by LAX and the political problem of accomplishing a transfer of LAX from the city to the county, it is not recommended that LAX now be placed in the proposed Los Angeles County airport system. Rather, LAX should remain under the control of the City of Los Angeles for the period of time during which the proposed intercounty coordinating and planning agency and the county airport systems become firmly established. At an appropriate stage, consideration should be given to the possible change of the intercounty agency from an instrument of coordination of airport planning and operation to an administrative entity with responsibility for all or specified airports of the region. In the event that such a change is contemplated, an assessment should then be made of the advisability of transferring LAX from the city to this new organization or to the Los Angeles County system of airports, assuming the county systems continue to function.

The adoption of county systems of airports should be accompanied by the immediate creation of the intercounty coordinating agency, as indicated previously. This agency can be created under a joint powers agreement to which participating counties would be signatory. Representatives of the various county airport staffs would meet frequently to consider common problems of airport planning, airport operation, pricing of airport services, and financing of new development. In addition, the intercounty coordinating agency should have a small permanent staff that would function on a continuing basis to assess the adequacy of the airport systems serving the aviation needs of the region and to provide a common basis for the planning of developments within the individual counties. While the intercounty coordinating agency would be essentially voluntary, it is anticipated that it would be effective in achieving a high degree of cooperation among the counties in their airport planning and operation and in resolving possible conflicts among the counties.

**From:** Robert Acherman [<mailto:robertacherman@aol.com>]  
**Sent:** Thursday, May 7, 2020 9:18 AM  
**To:** Hiroshi Ishikawa <[ishikawa@scag.ca.gov](mailto:ishikawa@scag.ca.gov)>  
**Cc:** Denny Schneider <[Denny@WeLiveFree.com](mailto:Denny@WeLiveFree.com)>  
**Subject:** Fwd: ARSAC comments to 2020-2035 Final EIR RTP

Hello Hiroshi,

I am have attached ARSAC's comments to the Final 2020-2035 RTP/SCS.

The Aviation Element needs to be redone: "Regionalization" needs to be put back in place as a policy. It might not be a planning term found in Google, but it was invented in LA and is in at least 2 academic textbooks I have on airport planning.

Taking regionalization out of the RTP walks away from SCAG's 50 year commitment to this policy. Many battles have been fought including in 1998 where SCAG successfully set a limit of 78 Million Annual Passengers (MAP) by 2015 on LAX in the RTP.

Even though air traffic is down to 1950's levels, air travel will return and the ground access and airspace capacity issues will return with it. Now is the time for planning and making the investments to help alleviate ground access issues and make our unconstrained outlying regional airports more attractive for airline service by providing the critical mass of various ground transportation options at these airports. The longer we wait, the more expensive and more difficult it will become to expand the outlying, unconstrained regional airports to meet Southern California's airport capacity needs for now and in the future.

We are happy to work with you.

Sincerely,  
Robert Acherman  
Vice President  
ARSAC  
(310) 927-2127

cc: Denny Schneider, ARSAC President

Sent from my iPhone

Begin forwarded message:

**From:** Robert Acherman <[robertacherman@aol.com](mailto:robertacherman@aol.com)>  
**Date:** May 6, 2020 at 4:42:27 PM PDT  
**To:** "[CEHDPublicComment@scag.ca.gov](mailto:CEHDPublicComment@scag.ca.gov)" <[CEHDPublicComment@scag.ca.gov](mailto:CEHDPublicComment@scag.ca.gov)>  
**Cc:** "[denny@welivefree.com](mailto:denny@welivefree.com)" <[denny@welivefree.com](mailto:denny@welivefree.com)>  
**Subject:** ARSAC comments to 2020-2035 Final EIR RTP  
**Reply-To:** Robert Acherman <[robertacherman@aol.com](mailto:robertacherman@aol.com)>

Dear Regional Council Members:

Attached are comments from ARSAC on the 2020-2035 FEIR RTP/SCS.

Please contact us with any questions.

Sincerely,  
Robert Acherman  
Vice President  
Alliance for a Solution to Airport Congestion  
(310) 927-2127

cc: Denny Schneider, President





May 5, 2020

The Honorable Bill Jahn  
Southern California Association of Governments  
Attn: SCAG Regional Council  
900 Wilshire Blvd. Ste. 1700  
Los Angeles, CA 90017

**Subject: Demographics and Growth Forecast - Connect SoCal**

Dear President Jahn,

The undersigned organizations would like to thank you for the opportunity to comment on the Southern California Association of Governments' (SCAG) Connect SoCal plan. We recognize that Connect SoCal represents a significant opportunity to provide long-term strategic guidance on Southern California's land use and transportation policies. For that reason, we are writing to express serious concern about the staff-recommended methodology for developing the [demographics and growth forecasts](#) in Connect SoCal.

These forecasts, which project the population, number of households, and number of jobs in Southern California's jurisdictions by 2045, incorporate "local input" from representatives of these jurisdictions. By and large, these forecasts tacitly assume the continuation of exclusionary zoning in high-opportunity coastal areas, which limits their population growth, and also assume that heavy, sprawl-centric growth in exurban jurisdictions will continue.

Consider the fact that, under Connect SoCal's projections, Beverly Hills' population will increase by only 3% over the next 25 years (35,800 in 2045, compared to 34,700 today), while Coachella's population is projected to nearly triple (129,300 in 2045, compared to 45,300 today.)

Since Connect SoCal provides guidance on the region's transportation investments over the next 25 years, these projections effectively perpetuate unsustainable sprawl. The severe consequences to the region of this type of plan will include rising traffic, greenhouse gas emissions, and housing costs. This threat multiplier would accelerate climate change and put more people at risk of heat and air pollution-related illnesses.

These forecasts impede efforts to solve our region's housing shortage and affordability crisis. They undermine the Regional Housing Needs Assessment (RHNA) process by implicitly assuming that jurisdictions' housing growth targets (which, at the Regional

Council's direction, allocate most of the region's housing target to coastal cities near jobs and transit) will not be met. If RHNA targets are ignored, housing near high-opportunity job centers will continue to become more and more unaffordable, and more Californians will be forced into long car commutes. This threatens the region's economy and imposes a heavy cost on every resident.

Prioritizing exurban development is also dangerous for the environment. Pushing population growth further into sparsely-populated regions threatens the preservation of wilderness areas and natural habitats, and places more people in fire-prone areas subject to public safety electricity shutoffs. This will also increase greenhouse gas (GHG) emissions, air pollution, and vehicle miles traveled (VMT), since exurban living involves far greater car dependency than urban living.

Finally, continued exurban sprawl will necessitate increased regional spending on automobile and truck infrastructure, pollution remediation, water and energy infrastructure, and healthcare spending. We are particularly concerned that forecasting heavy growth away from Southern California's urban communities will lead to more government spending on road widening and freeway construction in exurban areas, at the expense of much-needed transit projects in dense urban areas.

This approach to forecasting puts Connect SoCal at odds with state legislation like AB 32, SB 375, and SB 743, that call for regional and statewide reductions in GHG emissions and VMT. It contradicts SCAG's own regional housing plan (the "Coastal Plan"), which urges placement of new homes near jobs to reduce VMT. It also puts Connect SoCal at risk of not meeting the California Air Resources Board's requirements for a Sustainable Communities Strategy that achieves GHG emission reduction targets.

Additionally, we would like to reiterate our support for swift final adoption and certification of the RHNA targets and methodology that were approved in November 2019. We would also remind the Regional Council that state housing law requires that the RHNA distribution must further the following statutory objectives:

- Increasing the housing supply and the mix of housing types, tenure, and affordability in all cities and counties.
- Promoting infill development, socioeconomic equity, protection of environmental and agricultural resources, efficient development patterns, and greenhouse gas reductions.
- Promoting an improved intraregional relationship between jobs and housing, especially for low wage workers.
- Balancing housing options for each income category geographically rather than concentrating them.
- Affirmatively furthering fair housing.

We believe that the Coastal Plan RHNA methodology aligns with these objectives and furthers the goals of the SCS to reduce VMT and GHG emissions. We stand by the Coastal

Plan RHNA methodology for determining jurisdictions' housing allocations, and urge the Regional Council to certify the Coastal Plan RHNA methodology without delay.

Therefore, we respectfully ask that the Regional Council instruct SCAG staff to revise the demographics and growth forecasts in Connect SoCal to better reflect the RHNA targets and the Coastal Plan distribution of housing units in coastal communities, as consistent with the approved RHNA methodology.

Thank you,

Leonora Camner  
Managing Director  
Abundant Housing LA

Anthony Dedousis  
Director, Policy and Research  
Abundant Housing LA

Michael Schneider  
Founder  
Streets For All

Fatima Malik  
President  
League of Women Voters of Los Angeles County

Sonja Trauss  
President  
YIMBY Law

Elizabeth Hansburg  
Executive Director  
People for Housing, Orange County

**From:** Anthony Dedousis <anthony@abundanthousingla.org>  
**Sent:** Thursday, May 7, 2020 10:09 AM  
**To:** 2020 PEIR <2020PEIR@scag.ca.gov>; ePublic Comment Group <ePublicComment@scag.ca.gov>  
**Cc:** Leonora Camner <leonora@abundanthousingla.org>; Michael Schneider <michael@streetsforall.org>  
**Subject:** Comment letter - 5/7 Regional Council meeting

Hello,

Please see attached for a comment letter regarding Action Item 2 (Proposed Final Connect SoCal) for today's regional council meeting, now updated to reflect Streets for All's participation in our joint letter. My apologies for the double email.

Thank you,

Anthony Dedousis

--

**Anthony Dedousis**

Director, Policy and Research  
Abundant Housing LA  
515 S Flower Street, 18th Floor  
Los Angeles, CA 90071  
516-660-7402

**From:** Jerard Wright <jerard.wright@bizfed.org>  
**Sent:** Thursday, May 7, 2020 10:26 AM  
**To:** EEC Public Comment Group <EECPubliccomment@scag.ca.gov>  
**Subject:** Support for Resolution 20-621-1

Thank you for the opportunity to speak,

I am Jerard Wright, Policy Manager of BizFed.

On behalf of LA County BizFed, we support the staff recommended Resolution 20-621-1. We applaud the professionalism and great work of SCAG staff over the last few years of the Connect SoCal plan.

BizFed is committed to working closely with SCAG leaders and staff after today's vote to better assure that we have a viable housing plan while protecting funding for our Transportation agencies to help jumpstart our economy post COVID.

Thank you for your time and attention.

Join our effort to #ProtectAllLACountyWorkers in their fight against COVID-19! Click [here](#) to donate today and get involved!



Jerard Wright, Policy Manager  
(323) 919-9424 - [jerard.wright@bizfed.org](mailto:jerard.wright@bizfed.org)  
Los Angeles County Business Federation  
A grassroots alliance of 190 diverse business groups mobilizing 400,000 employers  
- [BizFed.org](http://BizFed.org)  
#BusinessMakesLAWork

**From:** Jerard Wright <jerard.wright@bizfed.org>

**Sent:** Thursday, May 7, 2020 11:12 AM

**To:** TC Public Comment Group <TCpubliccomment@scag.ca.gov>; eepubliccomment@scag.ca.gov

**Subject:** Public Testimony - Resolution 20-621-1

As we learned at today's CEHD committee voted unanimously (38-0-0) to support Resolution 20-621-1 providing consensus for a sensible path forward on a process that will protect projects.

Join our effort to #ProtectAllLACountyWorkers in their fight against COVID-19! Click [here](#) to donate today and get involved!



Jerard Wright, Policy Manager

(323) 919-9424 - [jerard.wright@bizfed.org](mailto:jerard.wright@bizfed.org)

Los Angeles County Business Federation

A grassroots alliance of 190 diverse business groups mobilizing 400,000 employers

- [BizFed.org](http://BizFed.org)

#BusinessMakesLAWork

From: jorfanaris@everyactioncustom.com <jorfanaris@everyactioncustom.com>  
Sent: Thursday, May 7, 2020 12:18 PM  
To: ePublic Comment Group <ePublicComment@scag.ca.gov>  
Subject: Save the Coastal Plan

Dear Southern California Association of Governments,

I am writing to express my concerns about the focus of Connect SoCal on exurban development, and the potential delay of the Connect SoCal adoption, which has the potential to cause SCAG to fail to meet its October RHNA deadline to move forward with the Coastal Plan. Since Connect SoCal provides guidance on the region's transportation investments over the next 25 years, these projections effectively perpetuate unsustainable sprawl. The severe consequences to the region of this type of plan will include rising traffic, greenhouse gas emissions, and housing costs. This threat multiplier would accelerate climate change and put more people at risk of heat and air pollution-related illnesses.

In addition to this problem, SCAG is considering delaying the adoption of Connect SoCal by 120 days without a clear objective to accomplish during that time. The issue with delaying adoption is that it could put our region at risk of not moving forward with the Coastal Plan as required by the RHNA process, since the Coastal Plan is linked with the growth forecasts of Connect SoCal. Noncompliance with RHNA cannot be an option for our region. A delay that improves the growth forecasts, but does not delay the adoption of the Coastal Plan, would be an acceptable alternative.

We believe that the Coastal Plan RHNA methodology aligns with the goals of the SCS to reduce VMT and GHG emissions. We stand by the Coastal Plan RHNA methodology for determining jurisdictions' housing allocations, and urge the Regional Council to certify the Coastal Plan RHNA methodology without delay.

Therefore, I respectfully ask that the Regional Council improve the SCS growth forecasts to reduce exurban sprawl, and prevent delay of the Coastal Plan finalization by the October deadline.

Sincerely,  
Jordan Fanaris  
2914 Clune Ave Venice, CA 90291-4656  
[jorfanaris@gmail.com](mailto:jorfanaris@gmail.com)

From: jorfanaris@everyactioncustom.com <jorfanaris@everyactioncustom.com>  
Sent: Thursday, May 7, 2020 12:18 PM  
To: ePublic Comment Group <ePublicComment@scag.ca.gov>  
Subject: Save the Coastal Plan

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Therefore, I respectfully ask that the Regional Council improve the SCS growth forecasts to reduce exurban sprawl, and prevent delay of the Coastal Plan finalization by the October deadline.

Sincerely,  
Jordan Fanaris  
2914 Clune Ave Venice, CA 90291-4656  
[jorfanaris@gmail.com](mailto:jorfanaris@gmail.com)



From: David Wheatley <freshwater@prodigy.net>  
Sent: Thursday, May 7, 2020 12:38 PM  
To: ePublic Comment Group <ePublicComment@scag.ca.gov>  
Subject: Public Comment for SCAG Thursday 05/07/20 at 1pm Please read aloud.

Good afternoon!

I am new to your organization as of this morning's zoom meeting although I have heard of you.

I'm involved with the Community in opposing development and encouraging public participation in government.

I have read parts of your substantial proposal. Thank you for doing it.

May I make some suggestions?

We need more community input from individuals. We need to cast a broader net to find these people.

We need to establish a separate department to elicit community input. This department would not be involved in nor would it advocate for or defend the plan but would only elicit, collect, organize and present the community input.

The plan is strong in transportation, climate, and development. It is in my opinion weak in the preservation of neighborhoods.

It is also weak in assessing and planning for how plans cause decreased mental health and increased trauma to residents. These are very serious problems.

My perception is that public input is underrepresented in the plan and in the planning process and in the zoom meetings. This is a also serious problem.

I would like to participate more in the planning process if permitted.

Please let me know.

Thank you very much.

Sincerely,

David Wheatley

323-821-0203

From: brentgaisford@everyactioncustom.com <brentgaisford@everyactioncustom.com>  
Sent: Friday, May 8, 2020 11:09 AM  
To: ePublic Comment Group <ePublicComment@scag.ca.gov>  
Subject: Save the Coastal Plan

Dear Southern California Association of Governments,

I am writing to express my concerns about the focus of Connect SoCal on exurban development, and the potential delay of the Connect SoCal adoption, which has the potential to cause SCAG to fail to meet its October RHNA deadline to move forward with the Coastal Plan. Since Connect SoCal provides guidance on the region's transportation investments over the next 25 years, these projections effectively perpetuate unsustainable sprawl. The severe consequences to the region of this type of plan will include rising traffic, greenhouse gas emissions, and housing costs. This threat multiplier would accelerate climate change and put more people at risk of heat and air pollution-related illnesses.

In addition to this problem, SCAG is considering delaying the adoption of Connect SoCal by 120 days without a clear objective to accomplish during that time. The issue with delaying adoption is that it could put our region at risk of not moving forward with the Coastal Plan as required by the RHNA process, since the Coastal Plan is linked with the growth forecasts of Connect SoCal. Noncompliance with RHNA cannot be an option for our region. A delay that improves the growth forecasts, but does not delay the adoption of the Coastal Plan, would be an acceptable alternative.

We believe that the Coastal Plan RHNA methodology aligns with the goals of the SCS to reduce VMT and GHG emissions. We stand by the Coastal Plan RHNA methodology for determining jurisdictions' housing allocations, and urge the Regional Council to certify the Coastal Plan RHNA methodology without delay.

Therefore, I respectfully ask that the Regional Council improve the SCS growth forecasts to reduce exurban sprawl, and prevent delay of the Coastal Plan finalization by the October deadline.

Personally sent by Brent Gaisford using Abundant Housing LA's Advocacy Tool. AHLA is a grassroots pro-housing organization.

Sincerely,  
Brent Gaisford  
4447 Lockwood Ave Los Angeles, CA 90029-2706 [brentgaisford@gmail.com](mailto:brentgaisford@gmail.com)

From: dejaybe@everyactioncustom.com <dejaybe@everyactioncustom.com>  
Sent: Saturday, May 9, 2020 4:22 PM  
To: ePublic Comment Group <ePublicComment@scag.ca.gov>  
Subject: Save the Coastal Plan

Dear Southern California Association of Governments,

I am writing to express my concerns about the focus of Connect SoCal on exurban development, and the potential delay of the Connect SoCal adoption, which has the potential to cause SCAG to fail to meet its October RHNA deadline to move forward with the Coastal Plan. Since Connect SoCal provides guidance on the region's transportation investments over the next 25 years, these projections effectively perpetuate unsustainable sprawl. The severe consequences to the region of this type of plan will include rising traffic, greenhouse gas emissions, and housing costs. This threat multiplier would accelerate climate change and put more people at risk of heat and air pollution-related illnesses.

In addition to this problem, SCAG is considering delaying the adoption of Connect SoCal by 120 days without a clear objective to accomplish during that time. The issue with delaying adoption is that it could put our region at risk of not moving forward with the Coastal Plan as required by the RHNA process, since the Coastal Plan is linked with the growth forecasts of Connect SoCal. Noncompliance with RHNA cannot be an option for our region. A delay that improves the growth forecasts, but does not delay the adoption of the Coastal Plan, would be an acceptable alternative.

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Therefore, I respectfully ask that the Regional Council improve the SCS growth forecasts to reduce exurban sprawl, and prevent delay of the Coastal Plan finalization by the October deadline.

Personally sent by David Barboza using Abundant Housing LA's Advocacy Tool. AHLA is a grassroots pro-housing organization.

Sincerely,  
David Barboza  
7239 Comstock Ave Unit C Whittier, CA 90602-1353 [dejaybe@gmail.com](mailto:dejaybe@gmail.com)



**Metro**

Los Angeles County  
Metropolitan Transportation Authority

One Gateway Plaza,  
Los Angeles, CA 90012-2952

Phillip A. Washington  
Chief Executive Officer  
213.922.7555 Tel  
213.922.7447 Fax  
washingtonp@metro.net

SCAG staff rec'd by mail on 5/12/20

May 4, 2020

Hon. Bill Jahn  
President, Regional Council  
Southern California Association of Governments  
900 Wilshire Blvd., Ste. 1700  
Los Angeles, CA 90017

President Jahn:

The Los Angeles Metropolitan Transportation Authority (Metro) would like to provide its support and recommendation for adoption of Southern California Association of Governments' (SCAG) Proposed Final "Connect SoCal" Regional Transportation Plan/Sustainable Communities Strategy 2020-2045 (RTP/SCS) at the May 7, 2020 Regional Council Meeting, and also forwarding the RTP/SCS for federal approval as soon as possible to avoid a conformity lapse. Metro believes it should be a regional priority to avoid a potential lapse in federal funding to our planned projects, which could result from a conformity lapse.

Metro recognizes that given the current pandemic crisis, leveraging our transportation investments to stabilize the economy and improve our future mobility is more critical than ever. The overall RTP/SCS speaks to more than \$630 billion in transportation investments and operations, more than half of which will flow through Metro.

The Connect SoCal plan aligns closely with many strategic Metro plans and policies, including Metro's Vision 2028 Plan and Draft 2020 Long Range Transportation Plan (LRTP). Metro has closely collaborated with SCAG throughout the four-year effort to craft the Connect SoCal plan, and has coordinated the development of the Metro Draft LRTP during this process.

Collectively, our plans share many of the stated goals of Connect SoCal to improve mobility, accessibility, safety, economic prosperity, and resiliency of our region while supporting healthy equitable communities. As the largest provider of public transportation in Southern California, Metro recognizes the critical role we play as a partner in achieving the ambitious goals identified in the Connect SoCal plan as well as the vital importance of delivering our transportation infrastructure projects in supporting the region's economic recovery.

The timely adoption of SCAG's Connect SoCal Plan is a regional priority to avoid a potential lapse in federal funding to our planned projects. Metro looks forward to our continued partnership in advancing sustainable mobility strategies throughout the region.

Sincerely,

Phillip A. Washington  
Chief Executive Officer

cc: SCAG Regional Council Members