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***ADVOCATES FOR TRANSPORTATION AND ENVIRONMENTAL EQUITY PREVAIL IN  
CHALLENGE TO SAN DIEGO COUNTY’S FAILURE TO ADDRESS CLIMATE AND  
ENVIRONMENTAL DAMAGE FROM VEHICLE TRAVEL***

SAN DIEGO, CA – Cleveland National Forest Foundation (“CNFF”), Coastal Environmental Rights Foundation (“CERF”) and Sierra Club are pleased to announce a successful outcome of their legal challenge<sup>1</sup> to the County of San Diego’s deeply flawed approach to evaluating the climate and environmental impacts of transportation. This week, facing an upcoming court hearing on the merits of the litigation, the County Board of Supervisors prudently reversed the prior Board’s actions. However, revoking a wrong does not alone make a right. The Board needs to urgently make up for time lost and enact proper analysis and reduction of transportation impacts.

The case arose from the County’s June 2020 adoption of rules for implementing Senate Bill 743, a state law enacted in 2013 that changed the way the transportation impacts of development are addressed under the California Environmental Quality Act (“CEQA”). As a result of SB 743, rather than focusing solely on traffic congestion and delay, agencies must now address vehicle miles traveled (“VMT”) or other measures that more accurately reveal and more effectively reduce the climate, air quality, and other impacts of vehicle travel. The intent was to help local governments reduce greenhouse gas emissions and vehicle pollutants which impact human health, air quality, and exacerbate climate change, while also moving toward more compact development patterns, better transit, and active transportation like biking and walking. Agencies were given until July 20, 2020 to comply with the 2013 law.

The transportation sector, including emissions from extracting and processing fuels, accounts for more than half of California’s climate pollution. Cars and trucks account for a vast majority of that pollution.<sup>2</sup> Yet the County’s approach to transportation analysis challenged in the lawsuit would have exempted the vast majority of General Plan developments from any requirement to calculate or reduce VMT. This would have facilitated increased greenhouse gas emissions from future development projects without any disclosure, analysis, or mitigation. Recognizing that its approach was inconsistent with guidance from the State of California’s Office of Planning and Research, and not wanting to face a court hearing, the Board of Supervisors elected to rescind the VMT rules it adopted in 2020.

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<sup>4</sup><https://drive.google.com/file/d/1fZQteGmEvTTLGx3wOHtx7ayIeFtmX4mq/view?usp=sharing>

<sup>2</sup> California Air Resources Board, California Greenhouse Gas Emissions from 2000 to 2019: Trends of Emissions and Other Indicators (July 28, 2021), at [https://ww3.arb.ca.gov/cc/inventory/pubs/reports/2000\\_2019/ghg\\_inventory\\_trends\\_00-19.pdf](https://ww3.arb.ca.gov/cc/inventory/pubs/reports/2000_2019/ghg_inventory_trends_00-19.pdf).

“While the County of San Diego is back at square one for implementing compliance with SB743 that upholds the spirit and letter of the law, the circle is tightening on the false housing arguments used to circumvent the law. By revoking their previous efforts to simply exempt development from VMT rules, the County is now able to complement rather than contradict regional efforts to solve both the climate and housing crises with responsible transit, bike and walk infrastructure.” said Duncan McFetridge, Director of CNFF. “New regional leadership recognizes that planning for equitable housing needs to go hand in hand with confronting the climate crisis. We look forward to working with the Board and staff to implement the real intent of SB 743 in the context of a new County Climate Action Plan and an updated regional transportation plan.”

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