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*submitted via electronic mail:* climate@planning.lacounty.gov

**Re: Building Industry Association (BIA-LAV) Comment Letter – 2045 Climate Action Plan  
– The Scope of the Pending Draft EIR based on the Initial Study; Need to Review Land  
Use Policies and Their Climate Change Implications vis-à-vis Housing and Population.**

Dear Ms. Hua and Regional Planning Staff,

The Los Angeles/Ventura Chapter of the Building Industry Association of Southern California, Inc. (BIA-LAV) is a non-profit trade association promotes and supports homebuilding activities in the Los Angeles and Ventura Counties. BIA-LAV and our members have long supported reasonable and balanced environmental policies, and sought to harmonize (i) the increasing need for additional housing to support our growing population with (ii) environmental sustainability, resiliency and goals. On behalf of our membership, we respectfully provide these comments concerning the scope of the pending environmental review of the County's update of its climate action plan, which will be referred to as the "2045 CAP." Specifically, the comments below respond to the initial study that was posted by the County.

There is increasing general acceptance of the reality that anthropogenic, global climate change ("GCC") is one of the most dire pressing challenges and that it must be addressed urgently and boldly. The State of California has long been ahead of the rest of our nation and most of the world's other nations in articulating such recognition. That said, the steps that could possibly be undertaken to address GCC would themselves each have myriad and profound consequences for our society and our citizenry at large.

As homebuilders, BIA-LAV's membership understands how challenging it will be to both address climate change and maintain standards of living. Moreover, we need to do more to raise standards of living for a great many citizens. Our society will need to undertake bold steps even if we were all to choose the best possible steps to address GCC. We will pay far more, however, if we were to take missteps, impose ill-considered measures, or adhere to existing public policies that are proven wrong in light of new data.

With that in mind, the County's pending study in advance of the 2045 CAP needs to be both circumspect and thorough so that all of the County's policies will (i) cohere and point accurately toward desired GCC benefits, while also (ii) best serve our region's population and benefit the economy on which we all depend. BIA-LAV respectfully asserts that the County would shirk its responsibilities under the California Environmental Quality Act (CEQA) if the draft environmental impact report (EIR) for the 2045 CAP were to not include a serious, thorough study of the impacts the Climate Action Plan will have on (i) **population and housing**, (ii) **land use and planning**, and (iii) all other potential environmental impacts (direct, indirect and cumulative) identified in Appendix G of the CEQA Guidelines. All such impacts should be scrutinized specifically through the lens of GCC and the need to reduce greenhouse gases (GHG) emissions.

**There are three primary reasons why potentially significant environmental effects of the 2045 CAP on population and housing must be studied and reflected in the draft EIR for the 2045 CAP:**

First, the preferred initial study for the pending 2045 CAP indicates that the County will study and potentially propose eliminating natural gas and propane heating and cooking from all new development in the unincorporated county. We recognize that such a general goal has been ambitiously embraced even before it has been studied in the context of more rigorous CEQA environmental review. Undoubtedly, however, any such measure would have profound impacts particularly on housing and population, as well as on land use and other impacts concerning which study is required pursuant to Appendix G of the CEQA Guidelines. Therefore, these considerations must be studied in the pending EIR.

Presently, the only available practical, large scale alternative to natural gas or propane heating is to use electric heat pumps. Federal studies have long indicated that electric heat pumps operate relatively inefficiently when ambient temperatures fall. One such federal study last decade indicated that efficiency drops when ambient temperatures fall below 45°.<sup>1</sup> Although gradual technological improvements have been made and will presumably continue, it is nonetheless entirely foreseeable that electric heat pumps will continue to have relatively limited efficacy when ambient temperatures drop to low levels, which is inevitable by degree in many parts of the county. When this fact is combined with the fact that electrical power outages at different scales are inevitable from time to time, the County must recognize that such de-carbonization will inevitably require citizens to flee their homes from time to time for warmth. Homeowners already have limited or no use of wood burning fireplaces to comply with other environmental concerns.

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<sup>1</sup> U.S. Department of Energy Office of Energy Efficiency & Renewable Energy, Measure Guideline: Heat Pump Water Heaters in New and Existing Homes (Feb. 2012), at 8  
<https://www.nrel.gov/docs/fy12osti/53184.pdf>

Therefore, any County mandate to “de-carbonized” heating will foreseeably have profound effect on (i) the utility of all new housing that is built subject to the proposed mandate (especially in colder parts of the county such as the more elevated north county), (ii) the quantum of new housing production, (iii) the consumer acceptance thereof, and (iv) population. We can all foresee inevitable disruptions – of different durations and however localized or widespread – in the electrical power supplies which would necessarily power electric heat pumps. Consequently, any requirement that all new housing in the unincorporated areas of the County must be “de-carbonized” would create serious life-safety issues for citizens who would reside in such housing. Such a policy would also have a profound impact on both the consumer-desirability and general economic viability of such new housing. For these reasons alone, the foreseeable effect of the projected 2045 CAP on housing, population and land use must be studied.

Second, the County’s ongoing land use policies, particularly as they relate to so-called “edge” or “greenfield” development (e.g., “new town” development or new suburban development), have evolved and been extended thus far without any meaningful and informed consideration of their GCC implications. The County continues to assume, for example, that heroic reductions in per capita vehicle miles traveled (VMT) should be pursued through increasingly constrictive land use restrictions and related incentives, and that concomitant GHG reductions will result from compelling far more transit-oriented urban redevelopment and largely curtailing suburban and exurban (new town) development. Such assumptions underlie the County’s recent update to the housing element of its general plan.

The most recent data show, however, that the County’s assumptions and conclusions about the GCC environmental effects of its land use policies are demonstrably incorrect. A growing body of compelling evidence shows that both jobs and housing demand are fleeing the more urbanized areas in favor of suburban and relatively bucolic “work from home” environs, accelerating a trend that was growing before the pandemic.<sup>2</sup> One recent study shows that COVID-19 pandemic has accelerated an antecedent trend towards urban exodus toward the suburbs, the exurbs, and significantly smaller cities – primarily in sunbelt states with less constrictive land use policies but also substantially higher per capita GHG emission rates.<sup>3</sup> For

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<sup>2</sup> Stephan D. Whitaker, “Did the COVID-19 Pandemic Cause an Urban Exodus?” Federal Reserve Bank of Cleveland, February 5, 2021, <https://www.clevelandfed.org/newsroom-and-events/publications/cfed-district-data-briefs/cfddb-20210205-did-the-covid-19-pandemic-cause-an-urban-exodus>.

<sup>3</sup> Families and individuals are rapidly fleeing California in great numbers to move to far less GCC-caring states. Mark Calvey, “Census Finds Almost 1% of Californians Left the Golden State in Past Year,” San Francisco Business Times, December 21, 2021, <https://www.bizjournals.com/sanfrancisco/news/2021/12/21/census-finds-almost-1-of-californians-left-golden.html>.

example, between 2019 and 2021, U.S. consumer preference for larger homes in less dense areas grew from 53% to 60%.<sup>4</sup>

No new CAP can be thoughtfully completed without studying and taking into account its impact in light of Angelenos' evolving preferences for housing and lifestyle preferences, because the interplay of the CAP with these popular preferences will unquestionably affect both the County's population growth and retention and the potential realization of additional housing stock in the County, which themselves affect climate action. Moreover, given California's and the county's relatively superior transition to electric vehicle use and other vehicular fleet and fuel change, the County should, in order to best address GCC, be pursuing positive land use policies which accommodate potential population growth and discourage out-migration in concert with promoting fleet and fuel change.<sup>5</sup>

Third, new data has been garnered recently by the scientists worried about the increasingly ominous outlook for GCC concerning the GHG implications of different housing typologies and densities. One recent study on the topic of urban sustainability shows the life-cycle, per capita GHG impacts of taller buildings, such as those which are being strongly promoted by the existing land use policies throughout the County and the cities located within it, are GCC-harmful on a per capita, life-cycle basis when compared lower, less intense development.<sup>6</sup> The study strongly indicates that the type of mid-rise and high-rise downtown development that is now being hyped by governmental regional planners is harmful from a life-cycle, per capita GHG standpoint. The study thus also indicates the need for Los Angeles County and its Department of Regional Planning to reconsider and reverse their singularly constrictive, centripetal, and urban-centric policies.

Such emerging data on land use patterns and GHG impacts call for a new, exhaustive and open-minded look at the County's land use policies. Given that the County must want to make the 2045 CAP as sound and effective as it can be, the County must carefully study, disclose to the public in the draft EIR, and take into account emerging data of the type discussed above. Thus,

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<sup>4</sup> Vianney Gomez, "More Americans now say they prefer a community with big houses, even if local amenities are farther away," Pew Research Center, August 26, 2021, <https://www.pewresearch.org/fact-tank/2021/08/26/more-americans-now-say-they-prefer-a-community-with-big-houses-even-if-local-amenities-are-farther-away/>.

<sup>5</sup> As reflected in relatively recent studies by the federal government, California has the second lowest per capita energy-related CO<sub>2</sub> emissions amongst the 50 states. U.S. Energy Info. Admin., "Energy-Related Carbon Dioxide Emissions by State, 2005-2016," February 27, 2019, <https://www.eia.gov/environment/emissions/state/analysis/>.

<sup>6</sup> Francesco Pomponi, "Decoupling Density from Tallness in Analysing the Life Cycle Greenhouse Gas Emissions of Cities," Nature Partners Journal – Urban Sustainability, July 5, 2021, <https://doi.org/10.1038/s42949-021-00034-w>.

when preparing the draft EIR for the 2045 CAP, the County should both study broadly and reconcile the County's housing, population, land use, and achievable GHG reductions.

Notably, the County's policymakers will always retain discretion concerning county regional planning, housing policy and land use approvals. Their ongoing discretion will apply to general plan amendments and all relevant policies, as well as to all individual project approvals made and conditioning imposed – or not imposed – under CEQA (i.e., overriding considerations). Given the critical need to put in place the best and most carefully balanced policies to address GCC consistent with the broader goal of general betterment, BIA-LAV respectfully requests that the County study carefully and thoroughly the housing, population, land use and planning implications of the measures that are appropriate for the 2045 CAP. Thank you for your consideration and we look forward to the opportunity for further discussion.

Sincerely,



Carlos Rodriguez,  
Chief Policy Officer  
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cc:

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