

From: Anne Cardwell
To: Charlie Knox; D Simpkins; Heather McLaughlin; Jayne York; Jim Erickson
Date: 10/7/2008 11:41:19 AM
Subject: Fwd: AG's Office: CEQA on AB32 for Local Agency Level

fyi...

Jayne, please print for the meeting. Thank you!

>>> Marilyn Bardet <mjbardet@sbcglobal.net> 10/7/2008 11:35 AM >>>

Good morning, Charlie,

The supplemental traffic study opens up significant new impacts that the Addendum does not adequately analyse by any measure. It's my understanding that "Conditions of Approval", no matter how appropriate or desirable as recommended measures, are not recognized as mitigations as legally required under CEQA, with mitigation monitoring programs to ensure enforcement, which would be legally defensible. As we have always known, the traffic associated to the revised Project will not be reduced by the proposed 'mitigations' to less than significant levels and poses significant cumulative impacts to air quality, tailpipe emissions and other roadway pollutants elevating local ozone levels (city-wide) and affecting especially East 2nd corridor neighborhoods and Semple Elementary. It's clear that the suggested 'mitigations' are phantoms, since no evaluation has been made of the overall impact of the cumulative effects of having traffic flow along East 2nd, from Tennys Drive to First Street, with a number of intersections left out of the supplemental study and with suggested mitigations only bringing LOS up to a grade "D"-- all traffic to flow into and out of our Downtown on such a crippled boulevard.

I'm submitting into the record from the Attorney General's office a list of recommended strategies for local agencies to enforce AB32, to reduce vehicle miles traveled. It's clear that the intent of AB32 and the AG's interpretation, EVEN IN THE ABSENCE of established final protocols, is for cities to do everything in their power to reduce VMT, which includes better land use planning to drastically reduce commute traffic.

I'm also submitting the Land Use Subgroup of the Climate Action Team's (LUSCAT) summary comments made to Air Resources Board, incorporating public and agency comments, regarding the scope and type of protocols being proposed for municipalities with regard to reducing GHG and VMT through innovative landuse and transit planning.



The California Environmental Quality Act
Addressing Global Warming Impacts at the Local Agency Level

Under the California Environmental Quality Act (CEQA), local agencies have a very important role to play in California's fight against global warming – one of the most serious environmental effects facing the State today. Where local agencies undertake projects directly, they can and should design sustainable projects from the start, incorporating global warming related considerations into their projects at the earliest feasible time. Further, local agencies can encourage well-designed, sustainable private projects by analyzing and disclosing to the public the environmental benefits of such projects in any required environmental documents. And where projects as proposed will have significant global warming related effects, local agencies can require feasible changes or alternatives, and impose enforceable, verifiable, feasible mitigation measures to substantially lessen those effects. By the sum of their decisions, local agencies will help to move the State away from “business as usual” and toward a low-carbon future.

This document provides information that may be helpful to local agencies in carrying out their duties under CEQA as they relate to global warming. Included in this document are various measures that may reduce the global warming related impacts of a project. As appropriate, the measures can be included as design features of a project, required as changes to the project, or imposed as mitigation (whether undertaken directly by the project proponent or funded by mitigation fees). The measures set forth in this package are examples; the list is not intended to be exhaustive. Moreover, the measures cited may not be appropriate for every project. The decision of whether to approve a project – as proposed or with required changes or mitigation – is for the local agency, exercising its informed judgment in compliance with the law and balancing a variety of public objectives.

The first section of this document lists examples of measures that could be applied to a diverse range of projects where the lead agency determines that the project under consideration will have significant global warming related effects. In general, a given measure should not be considered in isolation, but as part of a larger set of measures that, working together, will reduce greenhouse gas emissions and the effects of global warming.

The second section of this document lists examples of potential greenhouse gas reduction measures in the general plan context. This section is included both to suggest how the measures set forth in the first section could be incorporated into a general plan, as well as to identify measures that are general plan specific. The measures in the second section may also be appropriate for inclusion in larger scale plans, including regional plans (*e.g.*, blueprint plans) and in specific plans. Including these types of measures at the larger planning level, as appropriate, will help to ensure more sustainable project-specific development.

The third section provides links to sources of information on global warming impacts and emission reduction measures. The list is not complete, but may be a helpful start for local agencies seeking more information to carry out their CEQA obligations as they relate to global warming.

The endnotes set forth just some of the many examples of exemplary emission reduction measures already being implemented by local governments and agencies, utilities, private industry, and others. As these examples evidence, California at every level of government is taking up the challenge, devising new and innovative solutions, and leading the charge in the fight against global warming.

(1) Generally Applicable Measures

Energy Efficiency¹

- Design buildings to be energy efficient. Site buildings to take advantage of shade, prevailing winds, landscaping and sun screens to reduce energy use.²
- Install efficient lighting and lighting control systems. Use daylight as an integral part of lighting systems in buildings.
- Install light colored “cool” roofs, cool pavements, and strategically placed shade trees.³
- Provide information on energy management services for large energy users.⁴
- Install energy efficient heating and cooling systems, appliances and equipment, and control systems.⁵
- Install light emitting diodes (LEDs) for traffic, street and other outdoor lighting.⁶
- Limit the hours of operation of outdoor lighting.
- Use solar heating, automatic covers, and efficient pumps and motors for pools and spas.⁷
- Provide education on energy efficiency.⁸

Renewable Energy

- Install solar and wind power systems, solar and tankless hot water heaters, and energy-efficient heating ventilation and air conditioning. Educate consumers about existing incentives.⁹
- Install solar panels on carports and over parking areas.¹⁰
- Use combined heat and power in appropriate applications.¹¹

Water Conservation and Efficiency¹²

- Create water-efficient landscapes.¹³
- Install water-efficient irrigation systems and devices, such as soil moisture-based irrigation controls.
- Use reclaimed water for landscape irrigation in new developments and on public property. Install the infrastructure to deliver and use reclaimed water.
- Design buildings to be water-efficient. Install water-efficient fixtures and appliances.
- Use graywater. (Graywater is untreated household waste water from bathtubs, showers, bathroom wash basins, and water from clothes washing machines.) For example, install dual plumbing in all new development allowing graywater to be used for landscape irrigation.¹⁴
- Restrict watering methods (*e.g.*, prohibit systems that apply water to non-vegetated surfaces) and control runoff.
- Restrict the use of water for cleaning outdoor surfaces and vehicles.
- Implement low-impact development practices that maintain the existing hydrologic character of the site to manage storm water and protect the environment. (Retaining storm water runoff on-

site can drastically reduce the need for energy-intensive imported water at the site.)¹⁵

- Devise a comprehensive water conservation strategy appropriate for the project and location. The strategy may include many of the specific items listed above, plus other innovative measures that are appropriate to the specific project.
- Provide education about water conservation and available programs and incentives.¹⁶

Solid Waste Measures

- Reuse and recycle construction and demolition waste (including, but not limited to, soil, vegetation, concrete, lumber, metal, and cardboard).
- Provide interior and exterior storage areas for recyclables and green waste and adequate recycling containers located in public areas.
- Recover by-product methane to generate electricity.¹⁷
- Provide education and publicity about reducing waste and available recycling services.¹⁸

Land Use Measures

- Include mixed-use, infill, and higher density in development projects to support the reduction of vehicle trips, promote alternatives to individual vehicle travel, and promote efficient delivery of services and goods.¹⁹
- Educate the public about the benefits of well-designed, higher density development.²⁰
- Incorporate public transit into project design.
- Preserve and create open space and parks. Preserve existing trees, and plant replacement trees at a set ratio.
- Develop “brownfields” and other underused or defunct properties near existing public transportation and jobs.
- Include pedestrian and bicycle-only streets and plazas within developments. Create travel routes that ensure that destinations may be reached conveniently by public transportation, bicycling or walking.²¹

Transportation and Motor Vehicles

- Limit idling time for commercial vehicles, including delivery and construction vehicles.
- Use low or zero-emission vehicles, including construction vehicles.
- Promote ride sharing programs *e.g.*, by designating a certain percentage of parking spaces for ride sharing vehicles, designating adequate passenger loading and unloading and waiting areas for ride sharing vehicles, and providing a web site or message board for coordinating rides.
- Create car sharing programs. Accommodations for such programs include providing parking spaces for the car share vehicles at convenient locations accessible by public transportation.²²
- Create local “light vehicle” networks, such as neighborhood electric vehicle (NEV) systems.²³
- Provide the necessary facilities and infrastructure to encourage the use of low or zero-emission vehicles (*e.g.*, electric vehicle charging facilities and conveniently located alternative fueling

stations).

- Increase the cost of driving and parking private vehicles by, *e.g.*, imposing tolls and parking fees.
- Institute a low-carbon fuel vehicle incentive program.²⁴
- Build or fund a transportation center where various public transportation modes intersect.
- Provide shuttle service to public transit.
- Provide public transit incentives such as free or low-cost monthly transit passes.
- Promote “least polluting” ways to connect people and goods to their destinations.²⁵
- Incorporate bicycle lanes and routes into street systems, new subdivisions, and large developments.
- Incorporate bicycle-friendly intersections into street design.
- For commercial projects, provide adequate bicycle parking near building entrances to promote cyclist safety, security, and convenience. For large employers, provide facilities that encourage bicycle commuting, including, *e.g.*, locked bicycle storage or covered or indoor bicycle parking.
- Create bicycle lanes and walking paths directed to the location of schools, parks and other destination points.²⁶
- Work with the school district to restore or expand school bus services.
- Institute a telecommute work program. Provide information, training, and incentives to encourage participation. Provide incentives for equipment purchases to allow high-quality teleconferences.
- Provide information on all options for individuals and businesses to reduce transportation-related emissions. Provide education and information about public transportation.

Off-Site Mitigation

If, after analyzing and requiring all reasonable and feasible on-site mitigation measures for avoiding or reducing greenhouse gas-related impacts, the lead agency determines that additional mitigation is required, the agency may consider additional off-site mitigation. The project proponent could, for example, fund off-site mitigation projects (*e.g.*, alternative energy projects, or energy or water audits for existing projects) that will reduce carbon emissions, conduct an audit of its other existing operations and agree to retrofit, or purchase carbon “credits” from another entity that will undertake mitigation.

The topic of offsets can be complicated, and a full discussion is outside the scope of this summary document. Issues that the lead agency should consider include:

- The location of the off-site mitigation. (If the off-site mitigation is far from the project, any additional, non-climate related benefits of the mitigation will be lost to the local community.)
- Whether the emissions reductions from off-site mitigation can be quantified and verified.
- Whether the mitigation ratio should be greater than 1:1 to reflect any uncertainty about the effectiveness of the offset.

(2) **General Plan Measures**²⁷

Global warming measures may be reflected in a general plan as goals, policies, or programs; in land use designations; or as additional mitigation measures identified during the CEQA review process. Many of the measures listed above may be appropriate for inclusion in a general plan. In addition, a non-exhaustive list of measures specific to the general plan context follows. The examples are listed under required general plan elements. A given example may, however, be appropriate for inclusion in more than one element, or in a different element than listed. Global warming measures may, alternatively, be included in an optional Climate Change or Energy element.

Conservation Element²⁸

- **Climate Action Plan or Policy**: Include a comprehensive climate change action plan that includes: a baseline inventory of greenhouse gas emissions from all sources; greenhouse gas emissions reduction targets and deadlines; and enforceable greenhouse gas emissions reduction measures.²⁹ (Note: If the Climate Action Plan complies with the requirements of Section 15064(h)(3) of the CEQA Guidelines, it may allow for the streamlining of individual projects that comply with the plan's requirements.)
- **Climate Action Plan Implementation Program**: Include mechanisms to ensure regular review of progress toward the emission reduction targets established by the Climate Action Plan, report progress to the public and responsible officials, and revise the plan as appropriate, using principles of adaptive management. Allocate funding to implement the plan. Fund staff to oversee implementation of the plan.
- Strengthen local building codes for new construction and renovation to require a higher level of energy efficiency.³⁰
- Require that all new government buildings, and all major renovations and additions, meet identified green building standards.³¹
- Ensure availability of funds to support enforcement of code and permitting requirements.
- Adopt a "Green Building Program" to require or encourage green building practices and materials.³² The program could be implemented through, *e.g.*, a set of green building ordinances.
- Require orientation of buildings to maximize passive solar heating during cool seasons, avoid solar heat gain during hot periods, enhance natural ventilation, and promote effective use of daylight. Orientation should optimize opportunities for on-site solar generation.
- Provide permitting-related and other incentives for energy efficient building projects, *e.g.*, by giving green projects priority in plan review, processing and field inspection services.³³
- Conduct energy efficiency audits of existing buildings by checking, repairing, and readjusting heating, ventilation, air conditioning, lighting, water heating equipment, insulation and weatherization.³⁴ Offer financial incentives for adoption of identified efficiency measures.³⁵
- Partner with community services agencies to fund energy efficiency projects, including heating, ventilation, air conditioning, lighting, water heating equipment, insulation and weatherization, for low income residents.
- Target local funds, including redevelopment and Community Development Block Grant resources, to assist affordable housing developers in incorporating energy efficient designs and

features.

- Provide innovative, low-interest financing for energy efficiency and alternative energy projects. For example, allow property owners to pay for energy efficiency improvements and solar system installation through long-term assessments on individual property tax bills.³⁶
- Fund incentives to encourage the use of energy efficient vehicles, equipment and lighting.³⁷ Provide financial incentives for adoption of identified efficiency measures.
- Require environmentally responsible government purchasing.³⁸ Require or give preference to products that reduce or eliminate indirect greenhouse gas emissions, *e.g.*, by giving preference to recycled products over those made from virgin materials.³⁹
- Require that government contractors take action to minimize greenhouse gas emissions, *e.g.*, by using low or zero-emission vehicles and equipment.
- Adopt a “heat island” mitigation plan that requires cool roofs, cool pavements, and strategically placed shade trees.⁴⁰ (Darker colored roofs, pavement, and lack of trees may cause temperatures in urban environments to increase by as much as 6-8 degrees Fahrenheit as compared to surrounding areas.⁴¹) Adopt a program of building permit enforcement for re-roofing to ensure compliance with existing state building requirements for cool roofs on non-residential buildings.
- Adopt a comprehensive water conservation strategy. The strategy may include, but not be limited to, imposing restrictions on the time of watering, requiring water-efficient irrigation equipment, and requiring new construction to offset demand so that there is no net increase in water use.⁴² Include enforcement strategies, such as citations for wasting water.⁴³
- Adopt water conservation pricing, *e.g.*, tiered rate structures, to encourage efficient water use.⁴⁴
- Adopt fees structures that reflect higher costs of services for outlying areas.⁴⁵
- Adopt water-efficient landscape ordinances.⁴⁶
- Strengthen local building codes for new construction and implement a program to renovate existing buildings to require a higher level of water efficiency.
- Adopt ordinances requiring energy and water efficiency upgrades as a condition of issuing permits for renovations or additions, and on the sale of residences and buildings.⁴⁷
- Provide individualized water audits to identify conservation opportunities.⁴⁸ Provide financial incentives for adopting identified efficiency measures.
- Provide water audits for large landscape accounts. Provide financial incentives for efficient irrigation controls and other efficiency measures.
- Require water efficiency training and certification for irrigation designers and installers, and property managers.⁴⁹
- Implement or expand city or county-wide recycling and composting programs for residents and businesses. Require commercial and industrial recycling.
- Extend the types of recycling services offered (*e.g.*, to include food and green waste recycling).
- Establish methane recovery in local landfills and wastewater treatment plants to generate electricity.⁵⁰

- Implement Community Choice Aggregation (CCA) for renewable electricity generation. (CCA allows cities and counties, or groups of them, to aggregate the electric loads of customers within their jurisdictions for purposes of procuring electrical services. CCA allows the community to choose what resources will serve their loads and can significantly increase renewable energy.)⁵¹
- Preserve existing conservation areas (*e.g.*, forested areas, agricultural lands, wildlife habitat and corridors, wetlands, watersheds, and groundwater recharge areas) that provide carbon sequestration benefits.
- Establish a mitigation program for development of conservation areas. Impose mitigation fees on development of such lands and use funds generated to protect existing, or create replacement, conservation areas.
- Provide public education and information about options for reducing greenhouse gas emissions through responsible purchasing, conservation, and recycling.

Land Use Element⁵²

- Adopt land use designations to carry out policies designed to reduce greenhouse gas emissions, *e.g.*, policies to minimize or reduce vehicle miles traveled, expand development near existing public transportation corridors, encourage alternative modes of transportation, and increase infill, mixed use, and higher density development.
- Identify and facilitate the development of land uses not already present in local districts – such as supermarkets, parks and recreation fields, and schools in neighborhoods; or residential uses in business districts – to reduce vehicle miles traveled and allow bicycling and walking to these destinations.
- Create neighborhood commercial districts.
- Require bike lanes and bicycle/pedestrian paths.
- Prohibit projects that impede bicycle and walking access, *e.g.*, large parking areas that cannot be crossed by non-motorized vehicles, and new residential communities that block through access on existing or potential bicycle and pedestrian routes.
- Site schools to increase the potential for students to walk and bike to school.⁵³
- Enact policies to limit or discourage low density development that segregates employment, services, and residential areas.⁵⁴
- Where there are growth boundaries, adopt policies providing certainty for infill development.⁵⁵
- Require best management practices in agriculture and animal operations to reduce emissions, conserve energy and water, and utilize alternative energy sources, including biogas, wind and solar.

Circulation Element⁵⁶

- In conjunction with measures that encourage public transit, ride sharing, bicycling and walking, implement circulation improvements that reduce vehicle idling. For example, coordinate controlled intersections so that traffic passes more efficiently through congested areas.⁵⁷
- Create an interconnected transportation system that allows a shift in travel from private

passenger vehicles to alternative modes, including public transit, ride sharing, car sharing, bicycling and walking. Before funding transportation improvements that increase vehicle miles traveled, consider alternatives such as increasing public transit or improving bicycle or pedestrian travel routes.

- Give funding preference to investment in public transit over investment in infrastructure for private automobile traffic.⁵⁸
- Include safe and convenient bicycle and pedestrian access in all transportation improvement projects.
- Ensure that non-motorized transportation systems are complete, connected and not interrupted by impassable barriers, such as freeways.⁵⁹
- Require amenities for non-motorized transportation, such as secure and convenient bicycle parking.⁶⁰
- Provide adequate and affordable public transportation choices including expanded bus routes and service and other transit choices such as shuttles, light rail, and rail where feasible.
- Assess transportation impact fees on new development in order to maintain and increase public transit service.⁶¹
- Provide public transit incentives, including free and reduced fare areas.⁶²
- Adopt a comprehensive parking policy that discourages private vehicle use and encourages the use of alternative transportation.⁶³ For example, reduce parking for private vehicles while increasing options for alternative transportation; eliminate minimum parking requirements for new buildings; “unbundle” parking (require that parking is paid for separately and is not included in rent for residential or commercial space); and set appropriate pricing for parking.
- Develop school transit plans to substantially reduce automobile trips to, and congestion surrounding, schools. (According to some estimates, parents driving their children to school account for 20-25% of the morning commute.) Plans may address, *e.g.*, necessary infrastructure improvements and potential funding sources; replacing older diesel buses with low or zero-emission vehicles; mitigation fees to expand school bus service; and Safe Routes to School programs⁶⁴ and other formal efforts to increase walking and biking by students.
- Create financing programs for the purchase or lease of vehicles used in employer ride sharing programs.
- Enter into partnerships to create and expand polluting vehicle buy-back programs to include vehicles with high greenhouse gas emissions.
- Provide public education and information about options for reducing motor vehicle-related greenhouse gas emissions. Include information on trip reduction; trip linking; public transit; biking and walking; vehicle performance and efficiency (*e.g.*, keeping tires inflated); low or zero-emission vehicles; and car and ride sharing.

Housing Element⁶⁵

- Improve the jobs-housing balance and promote a range of affordable housing choices near jobs, services and transit.
- Concentrate mixed use, and medium to higher density residential development in areas near jobs, transit routes, schools, shopping areas and recreation.
- Increase density in single family residential areas located near transit routes or commercial areas. For example, promote duplexes in residential areas and increased height limits of multi-unit buildings on main arterial streets, under specified conditions.
- Encourage transit-oriented developments.⁶⁶
- Impose minimum residential densities in areas designated for transit-oriented, mixed use development to ensure higher density in these areas.
- Designate mixed use areas where housing is one of the required uses.
- In areas designated for mixed use, adopt incentives for the concurrent development of different land uses (*e.g.*, retail with residential).
- Promote infill, mixed use, and higher density development by, for example, reducing developer fees;⁶⁷ providing fast-track permit processing; reducing processing fees; funding infrastructure loans; and giving preference for infrastructure improvements in these areas.

Open Space Element⁶⁸

- Preserve forested areas, agricultural lands, wildlife habitat and corridors, wetlands, watersheds, groundwater recharge areas and other open space that provide carbon sequestration benefits.
- Establish a mitigation program for development of those types of open space that provide carbon sequestration benefits. Require like-kind replacement for, or impose mitigation fees on development of such lands. Use funds generated to protect existing, or create replacement, open space.
- Allow alternative energy projects in areas zoned for open space where consistent with other uses and values.
- Protect existing trees and encourage the planting of new trees. Adopt a tree protection and replacement ordinance, *e.g.*, requiring that trees larger than a specified diameter that are removed to accommodate development must be replaced at a set ratio.
- Connect parks and publicly accessible open space through shared pedestrian/bike paths and trails to encourage walking and bicycling.

Safety Element⁶⁹

- Address expected effects of climate change that may impact public safety, including increased risk of wildfires, flooding and sea level rise, salt water intrusion; and health effects of increased heat and ozone, through appropriate policies and programs.
- Adopt programs for the purchase, transfer or extinguishment of development rights in high risk areas.

- Monitor the impacts of climate change. Use adaptive management to develop new strategies, and modify existing strategies, to respond to the impacts of climate change.

Energy Element

Many of the goals, policies, or programs set forth above may be contained in an optional energy element. The resources set forth below may be useful to local agencies in developing an energy element or an energy conservation plan.

- The California Public Utilities Commission issued a report entitled California Long Term Energy Efficiency Strategic Plan in September 2008. The report serves as a road map for achieving maximum energy savings across all major groups and sectors in California. Section 12 of the report focuses on the role of local governments as leaders in using energy efficiency to reduce energy use and greenhouse gas emissions. The section includes numerous specific suggestions for local government policies designed to reduce energy use. The report is available at <http://www.californiaenergyefficiency.com/index.shtml>.
- The Local Government Commission produced a detailed report in 2002 entitled General Plan Policy Options for Energy Efficiency in New and Existing Development. The document sets forth energy saving policies suitable for inclusion in general plans. Policies range from exceeding State minimum building efficiency standards, to retrofitting buildings to reduce energy consumption, to implementing energy conservation strategies for roofs, pavement and landscaping. The report also contains suggested general plan language. The report is available here: http://www.redwoodenergy.org/uploads/Energy_Element_Report.pdf.
- The California Energy Commission summarizes the energy-related efforts of Humboldt County, City of Pleasanton, City of Pasadena, City and County of San Francisco, the Los Angeles area, City of Chula Vista, the San Diego region, City of San Diego, City and County of San Luis Obispo, and City of Santa Monica, in the 2006 Integrated Energy Policy Report at pp. 82-87, available here: <http://www.energy.ca.gov/2006publications/CEC-100-2006-001/CEC-100-2006-001-CMF.PDF>.
- In 2006, the Association of Monterey Bay Area Governments published a regional energy plan, available here: http://www.ambag.org/programs/EnergyWatch/regional_plan.html. Part 1 describes the plan's goals and course of action. Part 2 describes actions that local agencies already have taken and identifies the most cost-effective measures in each sector. The appendices list existing energy programs that may provide support and funding for energy efficiency projects, suggest language for energy-related provisions to be included in general plans, and list and give brief explanations of more than one hundred energy-saving measures.
- The California Local Energy Efficiency Program (CALeep) has available on its website, <http://www.caleep.com/default.htm>, various resources and documents, including an energy "Workbook." The Workbook lays out a process for instituting local energy efficiency programs based in part on information developed in six California pilot projects (Inland Empire Utilities Agency, City of Oakland, San Joaquin Valley, Sonoma County, South Bay Cities Council of Governments, and Ventura County Regional Energy Alliance). The Workbook is designed to be used by local officials to initiate, plan, organize, implement, and assess energy efficiency activities at the local and regional level.

(3) **Resources About Global Warming and Local Action**

The following web sites and organizations provide general information about mitigating global warming impacts at the local level. These sites represent only a small fraction of the available resources. Local agencies are encouraged to conduct their own research in order to obtain the most current and relevant materials.

- The U.S. Conference of Mayors' Climate Protection Agreement contains valuable information for the many local agencies that are joining the fight against global warming. The Agreement is available here: http://www.coolcities.us/resources/bestPracticeGuides/USM_ClimateActionHB.pdf. Over one hundred and twenty California cities have joined the "Cool Cities" campaign, which means they have signed the U.S. Mayor's Climate Protection Agreement and are taking concrete steps toward addressing global warming. These steps include preparing a city-wide greenhouse gas emissions inventory and creating and implementing a local Climate Action Plan. Additional resources, including various cities' Climate Action Plans, are located at the Cool Cities website: <http://www.coolcities.us/resources.php>.
- In July 2007, Alameda County became one of twelve charter members of the "Cool Counties" initiative. Participating counties sign a Climate Stabilization Declaration, which is available at the website for King County (Washington State): <http://www.metrokc.gov/exec/news/2007/0716dec.aspx>. Participating counties agree to work with local, state, and federal governments and other leaders to reduce county geographical greenhouse gas emissions to 80% below current levels by 2050 by developing a greenhouse gas emissions inventory and regional reduction plan. Current member counties are recruiting new members and are committed to sharing information. Cool Counties contact information is available at: <http://www.kingcounty.gov/exec/coolcounties>.
- Local Governments for Sustainability, a program of International Cities for Local Environmental Initiatives (ICLEI), has initiated a campaign called Cities for Climate Protection (CCP). The membership program is designed to empower local governments worldwide to take action on climate change. Many California cities have joined ICLEI. More information is available at the organization's website: <http://www.iclei.org/>.
- The Institute for Local Government (ILG), an affiliate of the California State Association of Counties and the League of California Cities, has instituted a program called the California Climate Action Network (CaliforniaCAN!). The program provides information about the latest climate action resources and case studies. More information is available at the CaliforniaCAN! website: <http://www.cacities.org/index.jsp?displaytype=§ion=climate&zone=ilsg>.
ILG's detailed list of climate change "best practices" for local agencies is available at http://www.cacities.org/index.jsp?displaytype=§ion=climate&zone=ilsg&sub_sec=climate_local.
ILG maintains a list of local agencies that have adopted Climate Action Plans. The list is available here: <http://www.cacities.org/index.jsp?zone=ilsg&previewStory=27035>. According to ILG, the list includes Marin County and the cities of Arcata, Berkeley, Los Angeles, Palo Alto, San Diego, and San Francisco. Many additional local governments are in the process of conducting greenhouse gas inventories.
- The non-profit group Natural Capitalism Solutions (NCS) has developed an on-line Climate

Protection Manual for Cities. NCS states that its mission is “to educate senior decision-makers in business, government and civil society about the principles of sustainability.” The manual is available at <http://www.climatemanual.org/Cities/index.htm>.

- The Local Government Commission provides many planning-related resources for local agencies at its website: <http://www.lgc.org/>.

In cooperation with U.S. EPA, LGC has produced a booklet discussing the benefits of density and providing case studies of well-designed, higher density projects throughout the nation. *Creating Great Neighborhoods: Density in Your Community* (2003) is available here: http://www.lgc.org/freepub/PDF/Land_Use/reports/density_manual.pdf.

- The Pew Center on Global Climate Change was established in 1998 as a non-profit, non-partisan and independent organization. The Center’s mission is to provide credible information, straight answers, and innovative solutions in the effort to address global climate change. See <http://www.pewclimate.org>. The Pew Center has published a series of reports called *Climate Change 101*. These reports provide a reliable and understandable introduction to climate change. They cover climate science and impacts, technological solutions, business solutions, international action, recent action in the U.S. states, and action taken by local governments. The *Climate Change 101* reports are available at http://www.pewclimate.org/global-warming-basics/climate_change_101.
- The Climate Group, www.theclimategroup.org, is a non-profit organization founded by a group of companies, governments and activists to “accelerate international action on global warming with a new, strong focus on practical solutions.” Its website contains a searchable database of about fifty case studies of actions that private companies, local and state governments, and the United Kingdom, have taken to reduce GHG emissions. Case studies include examples from California. The database, which can be searched by topic, is available at http://theclimategroup.org/index.php/reducing_emissions/case_studies.
- The Bay Area Climate Solutions Database features over 130 climate-related projects, programs and policies in the San Francisco Bay Area that are being undertaken by businesses, public agencies, non-government organizations, and concerned individuals. The database is available at <http://www.bayareaclimate.org/services.html>.
- U.S. EPA maintains a list of examples of codes that support “smart growth” development, available here: <http://www.epa.gov/piedpage/codeexamples.htm>. Examples include transit-oriented development in Pleasant Hill and Palo Alto, rowhouse design guidelines from Mountain View, and street design standards from San Diego.
- In November 2007, U.S. EPA issued a report entitled “Measuring the Air Quality and Transportation Impacts of Infill Development.” This report summarizes three regional infill development scenarios in Denver, Colorado; Boston, Massachusetts; and Charlotte, North Carolina. The analysis shows how standard transportation forecasting models currently used by metropolitan planning organizations can be modified to capture at least some of the transportation and air quality benefits of brownfield and infill development. In all scenarios, more compact and transit oriented development was projected to substantially reduce vehicle miles traveled. As the agency found, “The results of this analysis suggest that strong support for infill development can be one of the most effective transportation and emission-reduction investments a region can pursue.” The report is available at

http://www.epa.gov/smartgrowth/impacts_infill.htm.

- The Urban Land Institute (ULI) is a nonprofit research and education organization providing leadership in responsible land use and sustainability. In 2007, ULI produced a report entitled, “Growing Cooler: The Evidence on Urban Development and Climate Change,” which reviews existing research on the relationship between urban development, travel, and greenhouse gases emitted by motor vehicles. It further discusses the emissions reductions that can be expected from compact development and how to make compact development happen. “Growing Cooler” is available at <http://www.smartgrowthamerica.org/gcindex.html>.
- The California Department of Housing and Community Development, <http://www.hcd.ca.gov/>, has many useful resources on its website related to housing policy and housing elements and specific recommendations for creating higher density and affordable communities. See <http://www.hcd.ca.gov/hpd/hrc/plan/he/>.
- The California Transportation Commission (CTC) recently made recommendations for changes to regional transportation guidelines to address climate change issues. Among other things, the CTC recommends various policies, strategies and performance standards that a regional transportation agency should consider including in a greenhouse reduction plan. These or analogous measures could be included in other types of planning documents or local climate action plans. The recommendation document, and Attachment A, entitled Smart Growth/Land Use Regional Transportation Plan Guidelines Amendments, are located at http://www.dot.ca.gov/hq/transprog/ctcbooks/2008/0108/12_4.4.pdf.
- The California Energy Commission’s Research Development and Demonstration (RD&D) Division supports energy research, development and demonstration projects designed to bring environmentally safe, affordable and reliable energy services and products to the marketplace. On its website, http://www.energy.ca.gov/research/reports_pubs.html, RD&D makes available a number of reports and papers related to energy efficiency, alternative energy, and climate change.
- The Governor’s Office of Planning and Research (OPR) provides valuable resources for lead agencies related to CEQA and global warming at <http://opr.ca.gov/index.php?a=ceqa/index.html>. Among the materials available are a list of environmental documents addressing climate change and greenhouse gas emissions and a list of local plans and policies addressing climate change. In addition, OPRs’ The California Planners’ Book of Lists 2008, which includes the results of surveys of local agencies on matters related to global warming, is available at <http://www.opr.ca.gov/index.php?a=planning/publications.html#pubs-C>.
- The California Air Pollution Control Officers Association has prepared a white paper entitled “CEQA and Climate Change” (January 2008). The document includes a list of mitigation measures and information about their relative efficacy and cost. The document is available at <http://www.capcoa.org/ceqa/?docID=ceqa>.
- The Attorney General’s global warming website includes a section on CEQA. See <http://ag.ca.gov/globalwarming/ceqa.php>. The site includes all of the Attorney General’s public comment letters that address CEQA and global warming.

(4) Endnotes

1. Energy efficiency leads the mitigation list because it promises significant greenhouse gas reductions through measures that are cost-effective for the individual residential and commercial energy consumer.
2. Leadership in Energy and Environmental Design (LEED) administers a Green Building Ratings program that provides benchmarks for the design, construction, and operation of high-performance green buildings. More information about the LEED ratings system is available at <http://www.usgbc.org/DisplayPage.aspx?CategoryID=19>. Build it Green is a non-profit, membership organization that promotes green building practices in California. The organization offers a point-based, green building rating system for various types of projects. See <http://www.builditgreen.org/guidelines-rating-systems>. Lawrence Berkeley National Laboratories' Building Technologies Department is working to develop coherent and innovative building construction and design techniques. Information and publications on energy efficient buildings are available at the Department's website at <http://btech.lbl.gov>. The California Department of Housing and Community Development has created an extensive Green Building & Sustainability Resources handbook with links to green building resources, available at http://www.hcd.ca.gov/hpd/green_build.pdf.
3. For more information, see Lawrence Berkeley National Laboratories, Heat Island Group at <http://eetd.lbl.gov/HeatIsland/>.
4. See California Energy Commission, "How to Hire an Energy Services Company" (2000) at http://www.energy.ca.gov/reports/efficiency_handbooks/400-00-001D.PDF.
5. Energy Star is a joint program of the U.S. Environmental Protection Agency and the U.S. Department of Energy that certifies energy efficient products and provides guidelines for energy efficient practices for homes and businesses. More information about Energy Star-certified products is available at <http://www.energystar.gov/>. The Electronic Product Environmental Assessment Tool (EPEAT) is a system that ranks computer products based on their conformance to a set of environmental criteria, including energy efficiency. More information about EPEAT is available at <http://www.epeat.net/AboutEPEAT.aspx>.
6. LED lighting is substantially more energy efficient than conventional lighting and can save money. See http://www.energy.ca.gov/efficiency/partnership/case_studies/TechAsstCity.pdf (noting that installing LED traffic signals saved the City of Westlake about \$34,000 per year). As of 2005, only about a quarter of California's cities and counties were using 100% LEDs in traffic signals. See California Energy Commission (CEC), Light Emitting Diode Traffic Signal Survey (2005) at p. 15, available at <http://www.energy.ca.gov/2005publications/CEC-400-2005-003/CEC-400-2005-003.PDF>. The CEC's Energy Partnership Program can help local governments take advantage of energy saving technology, including, but not limited to, LED traffic signals. See <http://www.energy.ca.gov/efficiency/partnership/>.
7. See Palm Desert Energy Partnership at <http://www.sce.com/rebatesandsavings/palmdesert>. The City, in partnership with Southern California Edison, provides incentives and rebates for efficient equipment. See Southern California Edison, Pool Pump and Motor Replacement Rebate Program at <http://www.sce.com/RebatesandSavings/Residential/pool/pump-motor>.
8. Many cities and counties provide energy efficiency education. See, for example, the City of Stockton's Energy Efficiency website at <http://www.stocktongov.com/energysaving/index.cfm>. See also "Green

County San Bernardino,” <http://www.greencountysb.com/> at pp. 4-6. Private projects may also provide education. For example, a homeowners’ association could provide information and energy audits to its members on a regular basis.

9. See <http://www.gosolarcalifornia.ca.gov/documents/CEC-300-2007-008-CMF.PDF>. At the direction of Governor Schwarzenegger, the California Public Utilities Commission (CPUC) approved the California Solar Initiative on January 12, 2006. The initiative creates a \$3.3 billion, ten-year program to install solar panels on one million roofs in the State. See <http://www.gosolarcalifornia.ca.gov/nshp/index.html>.
10. For example, Alameda County has installed two solar tracking carports, each generating 250 kilowatts. By 2005, the County had installed eight photovoltaic systems totaling over 2.3 megawatts. The County is able to meet 6 percent of its electricity needs through solar power. See <http://www.acgov.org/gsa/Alameda%20County%20-%20Solar%20Case%20Study.pdf>.
11. Many commercial, industrial, and campus-type facilities (such as hospitals, universities and prisons) use fuel to produce steam and heat for their own operations and processes. Unless captured, much of this heat is wasted. Combined heat and power (CHP) captures waste heat and re-uses it, *e.g.*, for residential or commercial space heating or to generate electricity. See U.S. EPA, Catalog of CHP Technologies at http://www.epa.gov/chp/documents/catalog_of_%20chp_tech_entire.pdf. The average efficiency of fossil-fueled power plants in the United States is 33 percent. By using waste heat recovery technology, CHP systems typically achieve total system efficiencies of 60 to 80 percent. CHP can also substantially reduce emissions of carbon dioxide. <http://www.epa.gov/chp/basic/efficiency.html>. Currently, CHP in California has a capacity of over 9 million kilowatts. See list of California CHP facilities at <http://www.eea-inc.com/chpdata/States/CA.html>.
12. The California Energy Commission has found that the State’s water-related energy use – which includes the conveyance, storage, treatment, distribution, wastewater collection, treatment, and discharge – consumes about 19 percent of the State’s electricity, 30 percent of its natural gas, and 88 billion gallons of diesel fuel every year. See <http://www.energy.ca.gov/2007publications/CEC-999-2007-008/CEC-999-2007-008.PDF>. Accordingly, reducing water use and improving water efficiency can help reduce energy use and associated greenhouse gas emissions.
13. The Water Conservation in Landscaping Act of 2006 (AB 1881) requires the Department of Water Resources (DWR), not later than January 1, 2009, to update the Model Water Efficient Landscape Ordinance. The draft of the entire updated Model Water Efficient Landscape Ordinance will be made available to the public. See <http://www.owue.water.ca.gov/landscape/ord/updatedOrd.cfm>.
14. See Graywater Guide, Department of Water Resources, Office of Water Use Efficiency and Transfers at http://www.owue.water.ca.gov/docs/graywater_guide_book.pdf. See also The Ahwahnee Water Principles, Principle 6, at http://www.lgc.org/ahwahnee/h2o_principles.html. The Ahwahnee Water Principles have been adopted by City of Willits, Town of Windsor, Menlo Park, Morgan Hill, Palo Alto, Petaluma, Port Hueneme, Richmond, Rohnert Park, Rolling Hills Estates, San Luis Obispo, Santa Paula, Santa Rosa, City of Sunnyvale, City of Ukiah, Ventura, Marin County, Marin Municipal Water District, and Ventura County.

15. See Office of Environmental Health Hazard Assessment and the California Water and Land Use Partnership, Low Impact Development, at <http://www.coastal.ca.gov/nps/lid-factsheet.pdf>.
16. See, for example, the City of Santa Cruz, Water Conservation Office at <http://www.ci.santa-cruz.ca.us/wt/conservation>; Santa Clara Valley Water District, Water Conservation at <http://www.valleywater.org/conservation/index.shtm>; and Metropolitan Water District and the Family of Southern California Water Agencies, Be Water Wise at <http://www.bewaterwise.com>. Private projects may provide or fund similar education.
17. See Public Interest Energy Research Program, Dairy Power Production Program, Dairy Methane Digester System, 90-Day Evaluation Report, Eden Vale Dairy (Dec. 2006) at <http://www.energy.ca.gov/2006publications/CEC-500-2006-083/CEC-500-2006-083.PDF>. See also discussion in the general plan section, below, relating to wastewater treatment plants and landfills.
18. Many cities and counties provide information on waste reduction and recycling. See, for example, the Butte County Guide to Recycling at <http://www.recyclebutte.net>. The California Integrated Waste Management Board's website contains numerous publications on recycling and waste reduction that may be helpful in devising an education project. See <http://www.ciwmb.ca.gov/Publications/default.asp?cat=13>. Private projects may also provide education directly, or fund education.
19. See U.S. EPA, Our Built and Natural Environments, A Technical Review of the Interactions between Land Use, Transportation, and Environmental Quality (Jan. 2001) at pp. 46-48 <http://www.epa.gov/dced/pdf/built.pdf>.
20. See California Department of Housing and Community Development, Myths and Facts About Affordable and High Density Housing (2002), available at <http://www.hcd.ca.gov/hpd/mythsnfacts.pdf>.
21. Palo Alto's Green Ribbon Task Force Report on Climate Protection recommends pedestrian and bicycle-only streets under its proposed actions. See <http://www.city.palo-alto.ca.us/civica/filebank/blobdload.asp?BlobID=7478>.
22. There are a number of car sharing programs operating in California, including City CarShare <http://www.citycarshare.org/> and Zip Car <http://www.zipcar.com/>.
23. The City of Lincoln has a NEV program. See <http://www.lincolnev.com/index.html>.
24. The County of Los Angeles has instituted an alternative fuel vehicle purchasing program open to County employees, retirees, family members, and contractors and subcontractors. See <http://www.lacounty.gov/VPSP.htm>.
25. Promoting "least polluting" methods of moving people and goods is part of a larger, integrated "sustainable streets" strategy now being explored at U.C. Davis's Sustainable Transportation Center. Resources and links are available at the Center's website. See <http://stc.ucdavis.edu/outreach/ssp.php>.
26. See, for example, Marin County's Safe Routes to Schools program at <http://www.saferoutestoschools.org>; see also California Center for Physical Activity's California Walk to School website at <http://www.cawalktoschool.com>.

27. For information on the general plan process, see Governor's Office of Planning and Research, General Plan Guidelines (1998), available at <http://ceres.ca.gov/planning/genplan/gpg.pdf>.
28. The Conservation Element addresses the conservation, development, and use of natural resources including water, forests, soils, rivers, and mineral deposits. Measures proposed for the Conservation Element may alternatively be appropriate for other elements. In practice, there may be substantial overlap in the global warming mitigation measures appropriate for the Conservation and Open Space Elements.
29. See the Attorney General's settlement agreement with the County of San Bernardino, available at http://ag.ca.gov/cms_pdfs/press/2007-08-21_San_Bernardino_settlement_agreement.pdf; Attorney General's settlement agreement with the City of Stockton, available at http://ag.ca.gov/cms_attachments/press/pdfs/n1608_stocktonagreement.pdf. See also Marin County Greenhouse Gas Reduction Plan (Oct. 2006) at http://www.co.marin.ca.us/depts/CD/main/pdf/final_ghg_red_plan.pdf; Marin Countywide Plan (Nov. 6, 2007) at http://www.co.marin.ca.us/depts/CD/main/fm/cwpdocs/CWP_CD2.pdf; Draft Conservation Element, General Plan, City of San Diego at <http://www.sandiego.gov/planning/genplan/pdf/generalplan/ce070918.pdf>.
30. Public Resources Code Section 25402.1(h)2 and Section 10-106 of the Building Energy Efficiency Standards establish a process that allows local adoption of energy standards that are more stringent than the statewide Standards. More information is available at the California Energy Commission's website. See http://www.energy.ca.gov/title24/2005standards/ordinances_exceeding_2005_building_standards.html; see also California Public Utilities Commission, California Long Term Energy Efficiency Strategic Plan (Sept. 2008) at p. 92, available at <http://www.californiaenergyefficiency.com/docs/EEStrategicPlan.pdf>.
31. See, e.g., LEED at <http://www.usgbc.org/DisplayPage.aspx?CategoryID=19>; see also Build it Green at <http://www.builditgreen.org/guidelines-rating-systems>.
32. During 2007 and 2008, an unprecedented number of communities across the State adopted green building requirements in order to increase energy efficiency and decrease greenhouse gas emissions and other environmental impacts within their jurisdictions. The California Attorney General's office has prepared a document that identifies common features of recent green building ordinances and various approaches that cities and counties have taken. The document is available at <http://ag.ca.gov/globalwarming/greenbuilding.php>.
33. See, e.g., "Green County San Bernardino," <http://www.greencountysb.com/>. As part of its program, the County is waiving permit fees for alternative energy systems and efficient heating and air conditioning systems. See <http://www.greencountysb.com/> at p. 3. For a representative list of incentives for green building offered in California and throughout the nation, see U.S. Green Building Council, Summary of Government LEED Incentives (updated quarterly) at <https://www.usgbc.org/ShowFile.aspx?DocumentID=2021>.
34. For example, Riverside Public Utilities offers free comprehensive energy audits to its business customers. See <http://www.riversideca.gov/utilities/busi-technicalassistance.asp>.

35. Under Southern California Gas Company's Energy Efficiency Program for Commercial/Industrial Large Business Customers, participants are eligible to receive an incentive based on 50% of the equipment cost, or \$0.50 per therm saved, whichever is lower, up to a maximum amount of \$1,000,000 per customer, per year. Eligible projects require an energy savings of at least 200,000 therms per year. See <http://www.socalgas.com/business/rebates>.
36. The City of Berkeley is in the process of instituting a "Sustainable Energy Financing District." According to the City, "The financing mechanism is loosely based on existing 'underground utility districts' where the City serves as the financing agent for a neighborhood when they move utility poles and wires underground. In this case, individual property owners would contract directly with qualified private solar installers and contractors for energy efficiency and solar projects on their building. The City provides the funding for the project from a bond or loan fund that it repays through assessments on participating property owners' tax bills for 20 years." See <http://www.cityofberkeley.info/Mayor/PR/pressrelease2007-1023.htm>.
- The California Energy Commission's Public Interest Energy Research Program estimates that the technical potential for rooftop applications of photovoltaic systems in the State is about 40 gigawatts in 2006, rising to 68 gigawatts in 2016. See Public Interest Energy Research Program, California Rooftop Photovoltaic (PV) Resource Assessment and Growth Potential by County (2007), available at <http://www.energy.ca.gov/publications/displayOneReport.php?pubNum=CEC-500-2007-048>.
37. As described in its Climate Action Plan, the City of San Francisco uses a combination of incentives and technical assistance to reduce lighting energy use in small businesses such as grocery stores, small retail outlets, and restaurants. The program offers free energy audits and coordinated lighting retrofit installation. In addition, the City offers residents the opportunity to turn in their incandescent lamps for coupons to buy fluorescent units. See San Francisco's Climate Action Plan, available at <http://www.sfenvironment.org/downloads/library/climateactionplan.pdf>.
38. Among other strategies for reducing its greenhouse gas emissions, Yolo County is considering a purchasing policy that mandates all purchases of electrical equipment meet or exceed the PG&E Energy Star rating. This would require departments to purchase improved efficiency refrigerators, microwaves and related appliances that have greater power efficiencies and less GHG impacts. See <http://www.yolocounty.org/Index.aspx?page=878>.
39. See, for example, Los Angeles County Green Purchasing Policy, June 2007 at <http://www.responsiblepurchasing.org/UserFiles/File/General/Los%20Angeles%20County,%20Green%20Purchasing%20Policy,%20June%202007.pdf>. The policy requires County agencies to purchase products that minimize environmental impacts, including greenhouse gas emissions. See also California Energy Commission, Existing Green Procurement Initiatives, available at http://www.cec.org/files/pdf/ECONOMY/Green-Procurement_Initiatives_en.pdf.
40. Some local agencies have implemented a cool surfaces programs in conjunction with measures to address storm water runoff and water quality. See, for example, The City of Irvine's Sustainable Travelways/Green Streets program at http://www.cityofirvine.org/depts/redevelopment/sustainable_travelways.asp; The City of Los Angeles's Green Streets LA program at http://water.lgc.org/water-workshops/la-workshop/Green_Street_Daniels.pdf/view; see also The

Chicago Green Alley Handbook at

http://egov.cityofchicago.org/webportal/COCWebPortal/COC_EDITORIAL/GreenAlleyHandbook_Jan.pdf.

41. See the website for Lawrence Berkeley National Laboratory's Urban Heat Island Group at <http://eetd.lbl.gov/HeatIsland/LEARN/> and U.S. EPA's Heat Island website at www.epa.gov/heatisland/. To learn about the effectiveness of various heat island mitigation strategies, see the Mitigation Impact Screening Tool, available at <http://www.epa.gov/heatisld/resources/tools.html>.
42. For example, the City of Lompoc has a policy to "require new development to offset new water demand with savings from existing water users, as long as savings are available." See <http://www.ci.lompoc.ca.us/departments/comdev/pdf07/RESRCMGMT.pdf>.
43. The Eastern Municipal Water District imposes fines on all customers, including residential customers, for excessive runoff. See Water Use Efficiency Ordinance 72.23, available at <http://www.emwd.org/usewaterwisely>.
44. The Irvine Ranch Water District in Southern California, for example, uses a five-tiered rate structure that rewards conservation. The water district has a baseline charge for necessary water use. Water use that exceeds the baseline amount costs incrementally more money. While "low volume" water use costs \$.082 per hundred cubic feet (ccf), "wasteful" water use costs \$7.84 per ccf. See http://www.irwd.com/AboutIRWD/rates_residential.php. Marin County has included tiered billing rates as part of its general plan program to conserve water. See Marin County Countywide Plan, page 3-204, PFS-2.q, available at http://www.co.marin.ca.us/depts/CD/main/fm/cwpdocs/CWP_CD2.pdf.
45. The Sacramento Regional Sanitation District has adopted a tiered sewer impact fee ordinance that charges less for connections to identified "infill communities" as compared to identified "new communities." See <http://www.srcsd.com/pdf/ord-0106.pdf>.
46. See the City of Fresno's Watering Regulations and Ordinances at <http://www.fresno.gov/Government/DepartmentDirectory/PublicUtilities/Watermanagement/Conservation/WaterRegulation/WateringRegulationsandRestrictions.htm>.
47. See, e.g., the City of San Diego's plumbing retrofit ordinance at <http://www.sandiego.gov/water/conservation/selling.shtml>; City of San Francisco's residential energy conservation ordinance (fact sheet) at http://www.sfgov.org/site/uploadedfiles/dbi/Key_Information/19_ResidEnergyConsBk1107v5.pdf.
48. The City of Roseville offers free water conservation audits through house calls and on-line surveys. See http://www.roseville.ca.us/eu/water_utility/water_conservation/for_home/programs_n_rebates.asp.
49. See Landscape Performance Certification Program, Municipal Water District of Orange County at http://waterprograms.com/wb/30_Landscapers/LC_01.htm.
50. For example, San Diego's Metropolitan Wastewater Department (SDMWD) installed eight digesters at one of its wastewater treatment plants. Digesters use heat and bacteria to break down the organic solids removed from the wastewater to create methane, which can be captured and used for energy. The methane generated by SDMWD's digesters runs two engines that supply enough energy for all of the

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plant's needs, and the plant sells the extra energy to the local grid. See <http://www.sandiego.gov/mwwd/facilities/ptloma.shtml>. In addition, the California Air Resources Board approved the Landfill Methane Capture Strategy as an early action measure. <http://www.arb.ca.gov/cc/ccea/landfills/landfills.htm>. Numerous landfills in California, such as the Puenta Hills Landfill in Los Angeles County (http://www.lacsd.org/about/solid_waste_facilities/puente_hills/clean_fuels_program.asp), the Scholl Canyon Landfill in the City of Glendale (http://www.glendalewaterandpower.com/the_environment/renewable_energy_development.aspx), and the Yolo Landfill in Yolo County, are using captured methane to generate power and reduce the need for other more carbon-intensive energy sources.

51. On April 30, 2007, the Public Utilities Commission authorized a CCA application by the Kings River Conservation District on behalf of San Joaquin Valley Power Authority (SJVPA). SJVPA's Implementation Plan and general CCA program information are available at www.communitychoice.info. See also <http://www.co.marin.ca.us/depts/CD/main/comdev/advance/Sustainability/Energy/cca/CCA.cfm>. (County of Marin); and http://sfwater.org/mto_main.cfm/MC_ID/12/MSC_ID/138/MTO_ID/237 (San Francisco Public Utilities Commission). See also Public Interest Energy Research, Community Choice Aggregation (fact sheet) (2007), available at <http://www.energy.ca.gov/publications/displayOneReport.php?pubNum=CEC-500-2006-082>.
52. The Land Use Element designates the type, intensity, and general distribution of uses of land for housing, business, industry, open-space, education, public buildings and grounds, waste disposal facilities, and other categories of public and private uses.
53. The Center for Physical Activity within the California Department of Public Health supports school siting and joint use policies and practices that encourage kids to walk and bike to school; discourage car trips that cause air pollution and damage the environment; and position schools as neighborhood centers that offer residents recreational, civic, social, and health services easily accessible by walking or biking. The Center offers school siting resources on its website at http://www.caphysicalactivity.org/school_siting.html#resources.
54. Samples of local legislation to reduce sprawl are set forth in the U.S. Conference of Mayors' Climate Action Handbook. See http://www.iclei.org/documents/USA/documents/CCP/Climate_Action_Handbook-0906.pdf.
55. For a list and maps related to urban growth boundaries in California, see Urban Growth Boundaries and Urban Line Limits, Association of Bay Area Governments (2006) at <http://www.abag.ca.gov/jointpolicy/Urban%20Growth%20Boundaries%20and%20Urban%20Limit%20Lines.pdf>.
56. The Circulation Element works with the Land Use element and identifies the general location and extent of existing and proposed major thoroughfares, transportation routes, terminals, and other local public utilities and facilities.
57. See Orange County Transportation Authority, Signal Synchronization at <http://www.octa.net/signals.aspx>. Measures such as signal synchronization that improve traffic flow

must be paired with other measures that encourage public transit, bicycling and walking so that improved flow does not merely encourage additional use of private vehicles.

58. San Francisco's "Transit First" Policy is listed in its Climate Action Plan, available at <http://www.sfenvironment.org/downloads/library/climateactionplan.pdf>. The City's policy gives priority to public transit investments and provides public transit street capacity and discourages increases in automobile traffic. This policy has resulted in increased transit service to meet the needs generated by new development.
59. The City of La Mesa has a Sidewalk Master Plan and an associated map that the City uses to prioritize funding. As the City states, "The most important concept for sidewalks is connectivity. For people to want to use a sidewalk, it must conveniently connect them to their intended destination." See <http://www.ci.la-mesa.ca.us/index.asp?NID=699>. See also Toolkit for Improving Walkability in Alameda County, available at http://www.acta2002.com/ped-toolkit/ped_toolkit_print.pdf; Centers of Disease Control and Prevention website (list of walkability-related resources) at <http://www.cdc.gov/nccdphp/dnpa/hwi/toolkits/walkability/references.htm>.
60. See the City of Oakland's Bicycle Parking Requirements ordinance, available at www.oaklandpw.com/assetfactory.aspx?did=3337.
61. San Francisco assesses a Downtown Transportation Impact Fee on new office construction and commercial office space renovation within a designated district. The fee is discussed in the City's Climate Action plan, available at <http://www.sfenvironment.org/downloads/library/climateactionplan.pdf>.
62. For example, Seattle, Washington maintains a public transportation "ride free" zone in its downtown from 6:00 a.m. to 7:00 p.m. daily. See http://transit.metrokc.gov/tops/accessible/paccessible_map.html#fare.
63. See, for example, Reforming Parking Policies to Support Smart Growth, Metropolitan Transportation Commission (June 2007) at http://www.mtc.ca.gov/planning/smart_growth/parking_seminar/Toolbox-Handbook.pdf; see also the City of Ventura's Downtown Parking and Mobility Plan, available at http://www.cityofventura.net/community_development/resources/mobility_parking_plan.pdf, and its Downtown Parking Management Program, available at http://www.ci.ventura.ca.us/depts/comm_dev/downtownplan/chapters.asp.
64. See Safe Routes to School Toolkit, National Highway Traffic Safety Administration (2002) at www.nhtsa.dot.gov/people/injury/pedbimot/bike/Safe-Routes-2002; see also www.saferoutestoschools.org (Marin County).
65. The Housing Element assesses current and projected housing needs. In addition, it sets policies for providing adequate housing and includes action programs for that purpose.
66. The U.S. Conference of Mayors cites Sacramento's Transit Village Redevelopment as a model of transit-oriented development. More information about this project is available at <http://www.cityofsacramento.org/planning/projects/65th-street-village/>. The Metropolitan Transportation Commission (MTC) has developed policies and funding programs to foster transit-

oriented development. More information is available at MTC's website: http://www.mtc.ca.gov/planning/smart_growth/#tod. The California Department of Transportation maintains a searchable database of 21 transit-oriented developments at <http://transitorienteddevelopment.dot.ca.gov/miscellaneous/NewHome.jsp>.

67. The City of Berkeley has endorsed the strategy of reducing developer fees or granting property tax credits for mixed-use developments in its Resource Conservation and Global Warming Abatement Plan. City of Berkeley's Resource Conservation and Global Warming Abatement Plan p. 25 at <http://www.baaqmd.gov/pln/GlobalWarming/BerkeleyClimateActionPlan.pdf>.
68. The Open Space Element details plans and measures for preserving open space for natural resources, the managed production of resources, outdoor recreation, public health and safety, and the identification of agricultural land. As discussed previously in these Endnotes, there may be substantial overlap in the measures appropriate for the Conservation and Open Space Elements.
69. The Safety Element establishes policies and programs to protect the community from risks associated with seismic, geologic, flood, and wildfire hazards.

Individual/Group	Comments on LUSCAT Report
American Farmland Trust	<p>The Scoping Plan should reflect the state planning use priorities as set forth in AB 857, including promoting infill development and equity, protecting environmental and agricultural resources, and encouraging efficient development patterns.</p> <ul style="list-style-type: none"> • Reference in full the historic objectives of the Blueprint planning grants, which include explicitly planning to avoid conversion of prime farmland. • Department of Conservation will be studying the greenhouse gas emissions associated with the conversion of agricultural land to urban uses. We would encourage consideration both of the direct and indirect emissions. Conserve agricultural land by minimizing its conversion to urban uses. • Develop model policies that local governments can adopt, and include mitigation penalties using low-density ratios or taxes on increased land values. • Reference and encourage work that CDFG is undertaking to develop a strategic plan for agriculture. This plan should explore opportunities for farmers and ranchers to supplement income from food production with additional returns from sustainable enterprises that conserve energy, generate alternative energy, sequester carbon and otherwise reduce or offset the impact of greenhouse gases. • Promote local food. Establish a system for tracking and measuring "food miles traveled" and, then explore ways in which the distance food commodities must be transported from producer to consumer could be reduced, and the GHG implications of the reduction.
BART (San Francisco Bay Area Rapid Transit)	<ul style="list-style-type: none"> • Providing sufficient funding is critical to emissions reductions from transportation sector. Recommends that transit would be an eligible recipient of Cap and Trade auction allocations, as in current Lieberman-Warner bill (S2191); supporters of transit and more compact development are advocating that the share be revised and expanded to include a 10 percent share for metropolitan accessibility (6 percent for transit, and 4 percent as incentives for supporting land use strategies). Increased land values in highly accessible locations (such as urban core, inner suburbs or regional transit nodes) could negatively impact low income residents. The State should consider strategies to address this impact. • Consider transit investments and implementation of compact land use strategies for eligibility as an offset provider under Cap and Trade. • Acknowledge temperature differences between coast/inland and consider land use and transportation investment strategies to mitigate as it pertains to additional energy needed for building heating and cooling requirements. • LUSCAT should identify key short-term issues in the state budget that would set the state down the wrong path on reducing emissions. State should avoid selling off state land such that it would encourage sprawl. • Transportation costs and accessibility have a role in determining land values. The state should investigate mechanisms for the public to capture a portion of this increase in land value that may arise, as it is the policy change which may lead to land value increase in certain strategic locations (e.g., AB 1221 (Ma), which seeks to direct the tax increment in a defined area near a transit node to pay for affordable housing and infrastructure in support of higher-intensity development). If this is what is referenced on p. 72, item 6.1., be more specific on the recommendation. • The State should analyze if there are any significant carbon sequestration co-benefits of preserving forest, agriculture lands, and open space by encouraging more compact development. If there are co-benefits, regions that preserve these natural features should be rewarded. • Pg. 79-80, consider a measure on regional accessibility via non-auto modes. One example of an accessibility performance measure, perhaps under Prosperity Indicators (or Transportation Choices), could be: X percent of population should have non-auto access within Y (60 ?) minute travel time to Z (500,000 ??) jobs. • The State could also consider stronger policy links to existing fund sources; policies should promote appropriate land use decisions by local jurisdictions; reference BART's system extension policy, or MTC's Transit Oriented Development Policy for transit extensions. • The State should assess opportunities to align existing state resources (including education funds) more systematically to achieve key state goals, such as reducing GHG emissions and moderating VMT growth. • Editing comments: The overall report is extremely dense, long on background, short on specifics, and could use some

	<p>additional editing. One suggestion is to recast the report as more of an overview of topics and responsibilities using bullets as frequently as possible. Details could be shifted to an appendix. For example:</p> <p>Planning to Reduce GHG Emissions:</p> <ul style="list-style-type: none"> o All levels of government need to refocus their efforts o Greater Coordination is needed o Cannot lose sight of need to address resource conservation, improved health, affordable housing and better access to services and recreation <ul style="list-style-type: none"> • Pg. 64 – Transportation (4.4.3), under transit considerations. Replace 1st statement with “Research land use, site design, parking and other transportation demand management strategies and policies that would enable transit, walking and bicycling to be more competitive in suburban centers, and identify best practices to reduce transportation emissions in these important regional destinations. As applicable,, revise state policies to ensure state and regional transportation and land use investments are consistent with best practices.” • Pg. 65, under transit considerations, for 3rd bullet, remove (including ‘BART’) as “public transit” is already included in the statement • Pg 63, LEM, reexamine this suggestion. Not aware of any success from LEM, despite it being around for 10 years • Pg 72, item 6.2, Oakland’s S-15 Overlay Zone, requiring only 0.5 parking spaces per unit, is good example to promote. What about zoning changes to promote infill? • Item 6.3 – “streamline local approval processes and improve CEQA.” Specific? Incentives? • Item 6.4, what criteria would be followed? Improve modeling to what end? What type of improvements is needed? • Item 6.4, Loan fund? How repaid? Why not grants? • Pg. 73, What about reducing employer-provided parking, not just cash out? Enabling cities within corridors to share tax revenue such that land use decisions promoting transit are made on a corridor basis (per Will Fleissig)?
CAPCOA	<p>Provides comments in the following areas:</p> <ul style="list-style-type: none"> • GHG reduction targets should be based on an equitable distribution of reductions needed from all emission sectors; be technically and economically feasible to achieve; factor the level and location of different types of residential, commercial and industrial development expected to occur over the next several decades into the equation used to establish specific targets for each region; local governments should incorporate climate action plans into their general plan updates that are consistent with the regional targets; and through the budget process, the State should develop mechanisms to incentivize compliance with regional GHG targets and establish criteria for rewarding enhanced progress toward achieving the targets • Adequate guidance and effective tools, such as GHG quantification protocols and best practices for GHG reductions, are essential for helping regions to achieve GHG reduction targets. Guidance on projects subject to CEQA is critical for developers and local government to understand the role and requirements for new development in meeting regional GHG targets. Local implementation of a statewide threshold should be closely linked to achieving regional GHG reduction targets • The Scoping Plan should require State agencies to be responsible for achieving GHG reduction targets for infrastructure and facilities they control and manage. State agencies should implement projects to demonstrate leadership and serve as models for local governments and businesses. • The Scoping Plan should establish a process to identify and remove barriers to GHG-efficient and use development, while avoiding the potential to negatively impact public health (e.g. – allowing the siting of a toxic emission source near residential development or other sensitive receptors). • EJ should be a fundamental element of the land use strategies advanced under AB 32; look for opportunities to dedicate funds to mitigating impacts on these communities
CSAC	<p>The California State Association of Counties supports the development of voluntary regional GHG emissions reductions targets that are developed cooperatively between the State, regional, and local governments.</p> <ul style="list-style-type: none"> • While we understand the focus on supporting various transportation alternatives to the vehicle as a means for GHG emissions reductions, we also stress the importance of supporting an increase in funding for the preservation of the existing transportation system, especially local streets and roads, as this

	<p>system serves as the transit right-of-way and is critical to a seamless, efficient, multi-modal transportation system.</p> <ul style="list-style-type: none"> • Also, provide financial incentives for rural sustainability. While the Draft Submission lends support to incentives for better planning policies and critical recourse land protection, it does not recognize that counties must remain whole for the important purpose of service delivery. CSAC advocates that any new GHG emissions reductions strategies that focus on city-oriented growth and require conservation of critical resource and agricultural lands within the unincorporated area should include a mechanism to compensate county governments for the loss of property taxes and other fees and taxes so that counties can continue to provide the necessary services to all countywide area residents. • Further, as we discuss future funding options (congestion pricing, gas taxes, mitigation fees, etc.) we must consider the current systems that are severely underfunded and dependent upon some of these revenue streams for critical preservation and safety needs. • CSAC is concerned about the suggested need for legislation regarding waste diversion goals. While we agree that there is a need to address the future direction of the State's diversion program, we do not agree that the first step should be a higher diversion goal. Instead, other changes that would address existing problems associated with the California Waste Management Act's implementation should be fully vetted and in place before mandating a higher diversion goal. Such changes would include eliminating some of the Act's existing restrictions on what counts towards diversion; providing for "real" consumer and manufacturer responsibility; placing more emphasis on program implementation and less so on numeric compliance. • The final submission should recognize that many local agencies are in the process of developing, or have already initiated climate change-related programs. CSAC supports the inclusion of these programs into the larger GHG reduction framework and supports acknowledgement and credit given for these local efforts.
<p>CTA (California Transit Association)</p>	<p>CTA recommends that the promotion of public transit as a significant way to reduce VMT be a prominent component in the LUSCAT report.</p> <ul style="list-style-type: none"> • Pg. 64. CTA supports research into the adoption of policies which increase and facilitate transit capacity <i>between</i> suburban areas and city centers • Include advice that regional and local government coordinate land use planning in order to maximize existing transit service and to encourage more investment in public transit as a way to achieve regional emission targets • Pg. 64-65, State should consider increasing the availability of transit opportunities through the following strategies: <ul style="list-style-type: none"> ○ Fund transit oriented development planning and public involvement. ○ Fund bicycle facility and route improvements, particularly to improve last-mile-to-transit access to bicycle riders. ○ Provide funding for incentives to lower transit pass costs to increase ridership ○ Increase the pool of funds available for transit projects, and in particular for extending existing transit systems. ○ Make funding available for capital investments and operations for feeder service to make the last mile connection to transit. ○ Promote programs that reduce driving and congestion while promoting healthy physical activity and connecting interested residents with information and incentives to add more walking, bicycle riding, public transit (including BART), and carpooling ○ Make additional investments by the state into modernizing transit facilities, vehicles, systems and track ways to expand capacity and retain current ridership. ○ Examine how support for transit could take into account the costs of transit system[s]' shift to clean fuels and efficient vehicles. • Greatly increased funding to transit is the most important strategy that the ARB can include in its scoping plan. • Emphasize 'greening" of public transit. • Use cap and trade auction dollars for transit funding; Lieberman-Warner Climate Security Act (S. 2191) allocates revenue from emission allowances directly for public transit investment

<p>California Building Industry Association</p>	<p>CBIA endorses the Regional Blueprint planning process as a core strategy.</p> <ul style="list-style-type: none"> ● LUSCAT recommendation that “High Transportation Carbon Footprint Development” should be mitigated through the adoption of a statewide indirect source rule (Section 4.4.6) ignores factors considered under a regional planning approach where such development may be close to transit options, within a regional preferred growth area and close to amenities such as schools, retail and suburban employment centers. ● Supports LUSCAT recommendation in Section 3.4 on “Reducing Barriers to Efficient Land-Use Development.” Include the priorities identified in H-S “Section 6: Create Opportunities for GHG Efficient Land Use Development: <ul style="list-style-type: none"> ○ OPR should convene a multi-agency advisory group to examine ways to improve land use coordination and goal attainment (Strategic Growth Council); ○ CEQA should be revised to support greenhouse gas efficient growth; ○ Local governments whose general plans are consistent with a regional blueprint that produces GHG reductions beyond “business as usual” should not have to evaluate greenhouse gas in their general plan CEQA documents ○ Projects that are consistent with general plans that are consistent with regional blueprints that achieve GHG reductions should not have to evaluate greenhouse gas impacts in their CEQA documents; ○ State technical, fiscal and regulatory programs should provide priority consideration to regional and local priority planning projects as identified through a Blueprint.” ● Include the role of California’s existing housing stock; final LUSCAT submission needs strategies and programs to reduce the carbon footprint of existing residents and settlements
<p>California Food and Justice Coalition</p>	<p>The production, distribution and access to food within a community must be integrated in to land use planning and be included when developing land use recommendations to reduce GHG emissions. Non-local food distribution increases emissions and affects low-income communities (e.g., Ports of Oakland, Long Beach). References NRDC study that found that 250,000 tons of global warming gases released were attributable to food imports, resulting in significant health impacts.</p> <p>Recommendations:</p> <ul style="list-style-type: none"> ● Promote wherever possible measures that preserve and expands land for sustainable food production geared towards feeding nearby populations, with special priority on farmland preservation that is connected to production methods that reduce carbon emissions (using a life cycle analysis), and farmland accessible to EJ communities. ● Support investment in regionally oriented food systems infrastructure (packing, processing, distribution and retail) that increases consumer and institutional access to healthy locally grown food. <p>Possible strategies:</p> <ul style="list-style-type: none"> ● Review and where possible implement local and state tax policy to identify and create mechanisms for encouraging farmers to grow sustainable food for local markets, and distributors and retailers to buy locally ● Incent the preservation and expansion of land for food production, and disincen the conversion of agricultural land to low-density housing. ● Department of Conservation to provide tax incentives to land users and land holders who are generating sustainable food production for local markets. ● Integrate food sector issues into all support state agencies provide to local and regional governments to develop carbon reduction strategies, including developing simple, low-cost, efficient carbon monitoring systems that are accessible for both small and big governments and businesses and prioritizing the implementation of peer-reviewed scientifically-based strategies that are known to reduce carbon. ● Support the integration of all food system planning into all local general plans, regional blueprints and similar regional land use, climate change response and planning tools. ● Provide permitting easements, support and incentives to farmers who invest in alternative energy generation on their land, such as wind and solar. ● Coordinate and build upon the variety of Federal and State funding available for food system reform to ensure that efforts complement and support each other. ● Promote regional food processing and distribution in industrial center planning to avoid food traveling around the state or country for processing before arriving back to the region of origin for purchase by consumers

	<ul style="list-style-type: none"> • Promote cities developing policies that remove barriers and incentivize community-driven food production for local consumption on public land, particularly urban land, including green ways, utility and, parks and other underutilized public land. • DOC to develop a program to measure “Food Miles” for use by cities to measure the impact of increasing the purchase of local foods by institutions and consumers. • Use “food miles” calculator to protect agricultural land based on an accounting of potential transportation-related carbon emission reductions by growing food near population centers. • Require government facilities to develop and implement plans to source farm products from local or regional farms.
Center for Biological Diversity	<p>Comments:</p> <ul style="list-style-type: none"> • The 6-day public comment period for this report is inadequate, particularly given report was sent to ARB April 4 • The report seems deliberately lacking in specific, concrete measures or even providing examples to clarify the scope or form of such measures (e.g., Chapter 4 “Sector Strategies”, On pages 60 and 61, “LUSCAT recommends the State consider the appropriateness of the following strategies...Consider developing a package of programs and resources targeted at rural community assistance.”). ARB staff have implied that they are considering concrete proposals for quantitative reductions from the land use sector • The report fails to adequately explain its comments regarding CEQA; worst of these is on page 38, “The inappropriate use of the CEQA process thwarts more than facilitates residential infill development.” Impugns CEQA rather than suggesting measures to overcome obstacles. Greenbelt Alliance paper provides a specific measure for addressing infill issues, “However, CEQA exists for a good reason—to help protect the environment—and if used well does not need to impede infill development projects. One way cities can help defuse the risk of CEQA lawsuits is to prepare “tiered EIRs” on Specific Area Plans. Such an EIR anticipates the problems that would result from certain types and intensities of development, lifts the burden of environmental review from individual projects, and helps address the cumulative effects of multiple projects in geographic proximity.” • Need more examples of specific measures to encourage and facilitate infill; Provides info from Chapters 8 and 9 of Greenbelt Alliance: “1. Set a time limit on permit processing, requiring staffs to process applications within a set period of time. 2. Assign specific staff to shepherd each infill project through the approvals process. Conduct staff and commissioner training to be sure everyone is up-to-date on guidelines, requirements, and procedures. 3. Carry out pre-application reviews with developers concerning potential projects. 4. Adopt clear procedures for review, to eliminate uncertainty about what both the city and developers should expect. 5. Establish “as-of-right” zoning under which developers that meet zoning requirements are allowed to build without lengthy hearings to obtain a conditional use permit or a general plan amendment. 6. Reduce environmental review requirements for individual infill projects by preparing EIRs on Specific Plans for infill areas. 7. Reduce design review uncertainties by establishing clear urban design guidelines, again often in conjunction with Specific Plans, that can let developers, neighbors, planners, and design review committees know what features are expected.” • Section 9: Working Constructively with Neighbors (page 39) offers the following specific measures: “1. Require developers to meet with neighbors before submitting plans for a project. Often designs can be changed to meet neighbor concerns, and neighbors later do not feel like they’ve been “blindsided” with the development proposal. 2. Prepare Specific Plans in which residents have an opportunity to prepare a vision for their community and influence design guidelines for infill development. 3. Organize small meetings between developers and key neighborhood leaders to develop buy-in before holding general public meetings or workshops. 4. Encourage community development corporations (CDCs), which have a strong neighborhood base, to undertake infill development. 5. Promote intensive infill development on sites with few neighbors nearby, such as former industrial areas, downtown parcels, or along arterial strips. 6. Ensure that infill development provides attractive new amenities for a neighborhood, such as shops, cafes, restaurants, dry cleaners, child care centers, parks, community gardens, restored ecological features, pedestrian friendly street designs, and attractive public spaces. Neighbors may then be less likely to oppose infill.”
ClimatePlan	<p>ClimatePlan supports the overall approach to land use-related GHG emissions spelled out in both the LUSCAT Report and the Haagren-Smit Declaration:</p> <ul style="list-style-type: none"> • Foster regional collaboration to achieve reductions in GHGs related to land use and transportation.

	<ul style="list-style-type: none"> • Support the assignment of regional land use-related GHG reduction targets to the regions, when coupled with mechanisms to help local governments achieve the targets. • Support a prominent role for the State of California in the area of technical assistance, modeling and best practices. The State should create standards by which to quantify GHG emissions, model land use impacts on GHG emissions, and chart progress in GHG reduction. • Support a strong role for the State in using its infrastructure funding to incentivize GHG-efficient development and discourage development that is not GHG-efficient. • Explore the Indirect Source Rule, the treatment of CEQA with regards to GHG emissions, and two important policies proven to change individual driver behavior: Pay As You Drive Insurance and Congestion Pricing. • We ask that the following issues be addressed in upcoming planning documents, including the CARB scoping plan: <ul style="list-style-type: none"> ○ Specificity and definitiveness are vital. ClimatePlan asks CARB to give very clear, definitive direction with respect to land use and California's AB32 goals in the Scoping Plan. ○ The framework needs measurable benchmarks and goals and consequences for not achieving those benchmarks. Clearly identify mechanisms for ensuring that local governments do their share. Local governments should have both incentives to meet the regional targets, and consequences for failing to act. ○ Major changes to land use planning and infrastructure investment will require significant sources of new funds. We support the Haagen-Smit Declaration's priority on securing "new and continuous funding," and encourage LUSCAT to revisit, or offer more detail, on its Strategy Costs and Costs Savings section. ○ If regional planning is to work effectively, agencies such as COGs, MPOs, RTPAs and AQMDs will need not only to work collaboratively like never before but also have clear and distinct responsibilities and authority for planning, implementation and, if need be, enforcement of new GHG reduction requirements. ○ The framework should specifically integrate incentives for land conservation and disincentives for sprawl. ○ ClimatePlan strongly believes that a more complete treatment of public transportation is warranted, as is a full set of recommendations on improving performance and expanding service. We would specifically ask for attention to finding a sustainable source of funding for public transportation operations, not simply capital investment.
Climate Protection Campaign	Provided the August 2007 report, Greenhouse Gas Emission Measurement in the Transportation Sector: Status, Problems and Possible Solutions
Community Alliance of Family Farmers	<p>Land use practices for agricultural production and food transportation play a key part in California's climate impact. Provides following suggestions (similar to CA Food and Justice Coalition):</p> <ul style="list-style-type: none"> • Reduce food miles by tracking and localizing food distribution; CARB should require food distributors and retailers to track and label all items bought within a day's drive as local; once implemented, CARB should require large supermarkets, food retailers and government procurement programs to carry a minimum number of local product lines and provide carbon credits to the distributors and retailers that demonstrate above-average commitment to local sourcing • Monitor, preserve and expand land use for food production, and create disincentives for the conversion of agricultural land to low-density housing; monitor the carbon impact from the transition of agricultural land to low-density housing, to ensure that future policy is scientifically informed by the impact of farmland conversion • Encourage sustainable farming that reduces fertilizer intensity; ARB should direct DOC to develop metrics to monitor real, verifiable and non-additional emission reduction standards for sustainable farming practices • Develop metrics for local governments to build low-carbon and healthy food programs; Integrate food system planning into local general plans, regional blue prints and similar regional land use, climate change response and planning tools. Direct the DOC to develop a protocol for measuring 'food miles' that cities can use to track impacts from municipal food policies • Research solar and wind farming opportunities; ARB can direct the PUC to work closely with other agencies to identify policy opportunities for expanding solar and wind generation on farmland.

<p>Fehr & Peers (U.C. Davis)</p>	<p>Lauren Hilliard working on research project examining role of local and regional governments in AB32 implementation. Some thoughts, recommendations are:</p> <ul style="list-style-type: none"> ● Provide clear guidance to developers and jurisdictions to help them avoid lawsuits. <i>Voluntary</i> GHG strategies for a State mandate to reduce GHG emissions is inconsistent as it opens door for entities (including AG) to sue localities ● Regional targets may not promote local flexibility; suggests “ARB will oversee a Local Carbon Budget program where Metropolitan Planning Organizations/ Regional Transportation Planning Agencies and Air District are to be the point of regulation; further, in recognizing the importance of local land-use planning and the need for local-level flexibility to achieve a greenhouse gas per capita budget, the emission reduction responsibility will be placed on cities and counties”: a market-based policy approach allowing inter-jurisdictional trading, would increase flexibility; consider EJ and affordable housing ● There are too many existing barriers and disincentives for creating the sustainable developments outlined in Blueprint plans. ● Level of Service (LOS) Policy in General Plans determine kind of roadways connecting sustainable developments; maintaining a higher LOS may be an inefficient use of public funds; LOS disincents builders in urban areas, since roads are already congested; higher LOS thresholds negatively impact pedestrians and bicyclists (roads get widened); higher LOS Policy = more VMT; Fehr & Peers is currently conducting research with Cal Poly, SLO focusing on the relationship between speed, LOS, VMT, and criteria/GHG emissions ● CEQA standards/thresholds of significance favor auto-based standards and not multi-modal (e.g., peds, bicyclists, transit) ● LUSCAT report does not discuss additional forces acting against higher density development: NIMBY, and market-tendency for sprawl building based on cheaper land/lower mitigation fees ● Need to coordinate language in legislative bills dealing with LUSCAT-related issues; SB 375 should be a LUSCAT priority recommendation ● Report should highlight need for “sustainable corridors” that consider the environmental, economic, and social implications of policies/plans/funding that go into their creation. ● Text suggestions include: <ul style="list-style-type: none"> ○ LOS Policy. While mandating a specific LOS Policy or methodology may not be in line with the State’s objective of having local flexibility, the State will mandate a methodology in which communities must examine how their current of proposed LOS Policy has tradeoffs with the following: costs, air quality, physical space, sustainable transportation modes and greenhouse gasses. ○ Education to public, agency staff, local elected officials, and advocacy groups. The State will fund outreach efforts to educate stakeholders of the tradeoffs involved with new LOS Policies that allow for more vehicle congestion, but more sustainable communities ○ Sustainable Transportation Divisions. The State will fund new positions within “Sustainable Transportation Divisions” in all layers of government to assist in the implementation of Climate Action Plans or new policies generated to create sustainable corridors ○ Implement Local Carbon Budgets. ARB will oversee a Local Carbon Budget program where Metropolitan Planning Organizations/ Regional Transportation Planning Agencies and Air District are to be the point of regulation; further, in recognizing the importance of local land-use planning and the need for local-level flexibility to achieve a greenhouse gas per capita budget, the emission reduction responsibility will be placed on cities and counties. ○ General Plans. Aligning the land use and transportation plan for a region is a must if AB 32 goals are to be met. One way to do this might be: <ul style="list-style-type: none"> ▪ Caltrans withholds transportation funding for regions without Blueprints (and ARB provides funding for Blueprints and other sustainable development projects) ▪ Metropolitan Planning Organizations withhold transportation funding for jurisdictions who do not align their land use/transport plans with the Regional Blueprint and Regional Transportation Plan; they would also distribute funding for sustainable land use and transportation planning and require that those funds be used for additional good planning efforts ○ Regional Transportation Impact Analysis (TIA) – Doing TIAs at a regional level gives developers incentive to build urban infill because models will show a reduction in regional VMT and not focus just on the increase of vehicles to the roadway system adjacent to the project. While existing models are
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	<p>not perfect, there are many efforts underway to better quantify regional VMT reduction from compact development. There is a problem with this though, and that is in order to accurately assess regional VMT reduction from a project, you have to know that the land use from the model is true – unfortunately, unless the land use/transportation patterns in General Plans can get matched with regional plans/models then the results could be false (again, land use projects are local decision). This would have to be paired with an aggressive plan to get General Plans aligned with Regional Plans through strong incentives and disincentives.</p> <ul style="list-style-type: none"> ○ Coordinate Legislative Bill Language. Ensure that the efforts from LUSCAT are communicated during the drafting of bill language, so that barriers to implementation of greenhouse gas reduction strategies are reduced
LAUSD	<ul style="list-style-type: none"> ● Los Angeles Unified School District agrees with the Long Term Land Use Vision Principle #4. ● Impending state budget cuts to education funding will reduce or eliminate many districts' ability to finance GHG reduction efforts. Districts require financial incentives in addition to Prop 98 funding. ● Supports increased collaboration across all levels of government. ● Supports siting schools in locations that are centrally located, but urban school districts like LAUSD have limited choices. Make siting criteria voluntary. ● Increase funding for High Performance Incentive Grant Program. ● Supports the review of schools funding mechanisms to encourage the rebuilding and revitalization of schools in existing urban areas.
League of California Cities	<ul style="list-style-type: none"> ● Any process developed by the state in terms of addressing land use strategies should place local governments on an equal footing with the LUSCAT state agencies ● League supports regional "goals" (vs. targets), the calculation of which should first take into account reduction in GHGs that will be gained from a more fuel efficient fleet and using lower carbon fuels. ● The state should provide resources to develop models and flexible methodologies as well as encourage best practices ● Build on regional Blueprints; notes that the most successful ones have been bottom-up driven ● Blueprints, RTP, and RHNA should be integrated into one planning process, which would reduce confusion and produce more focused plans ● Revolving fund for planning (Section 6.5) is a good idea ● VMT not the only performance indicator; also include number of units per land developed for residential purposes and percentage of units zoned in housing inventory over total assigned housing need ● Goals need to more explicitly recognize (and commit funding to) that different infrastructure needs (e.g., firefighting in multi-story housing, code enforcement officers educated about mixed use buildings etc) will result from the growth envisioned by the draft document. ● More Specificity in Transportation Funding Needed. ● Page 61 recommends streamlining permit processes for reducing discretionary approvals for multifamily, infill, and affordable housing developments. Taken on its face, this statement suggests that existing provisions of various laws are not sufficient but no analysis or justification is provided. If this pertains to CEQA, the report should so stipulate. ● Disagrees with need to increase enforcement of the housing element since 80 percent of the local agencies in the state had an approved housing element ● Disagrees with the Land Use Legislative Needs Section 6.2 request for legislation that would require LAFCOs to consider infill capacity and GHG emissions prior to granting approvals in extensions of spheres of influence. It would serve as a one-size-fits all rather than a flexible approach. ● Supports an increase in funding for the preservation of the existing transportation system, especially local streets and roads; future funding options (congestion pricing, gas taxes, mitigation fees, etc.) must consider the current systems that are severely under-funded and dependent upon some of these revenue streams for critical preservation and safety needs. ● Disagrees that higher Waste Diversion Goals are needed. Rather, eliminate some of the Act's existing restrictions on what counts towards diversion; providing for "real" consumer and manufacturer responsibility; placing more emphasis on program implementation and less so on numeric compliance.

Muriel Strand	<p>Measures in current report are not specific enough, are “Phase I” actions and do not provide meaningful guidance to local jurisdictions. More radical “Phase II” strategies are needed to achieve a sustainable future.</p> <p>Phase 1 Sustainable Actions (Including but not limited to:)</p> <ul style="list-style-type: none"> ● Recalibrate city/county utility billing to effectively reward and motivate more conservation & waste reduction, by charging strictly on a volume basis. ● Delete oil subsidies ● Reduce the workweek to 32 then 24 hours. The same amount of work will then create more jobs. ● Ban nonrecyclable plastic take-out food containers ● Tax parking spaces, lawns & plastic bags ● Require traffic calming devices to be bicycle-friendly too ● Revise the vehicle code to give first priority to bicycles, and second to transit. ● Require pedestrian walkways to be adjacent to buildings (or residential gardens) rather than adjacent to parking or streets. ● Require truly visible street addresses to reduce confusion & excess driving ● Ban nonrecyclable plastic take-out food containers; also leafblowers & loud motorcycles ● Protect clotheslines, natural landscapes, and affordable housing from the “blight” label ● No airport investments because flying uses too much fuel ● Match people wishing to trade houses and reduce their commutes ● Require LEED certification in the city to exclude irrigation (except for food plants), fossil-fuel landscape maintenance equipment, and fossil-fuel fertilizers & pesticides. <p>Phase 2 Sustainable Actions (Including but not limited to:)</p> <ul style="list-style-type: none"> ● Develop and support (more) classes in traditional crafts & skills, such as spinning, weaving, sewing, smithing, woodworking, etc. ● Provide information on courses and workshops for learning sustainable skills ● Redesign water treatment processes to compete with bottled water ● Develop a low-cost community garden design option ● Actively support planting & use of tree crops such as pecans ● Develop a permitting process for composting toilets ● Develop standard designs & a streamlined permitting process for passive solar construction & renovation ● Convert parking lots and suburban streets to urban farms ● Revise zoning codes to include inoffensive ways to keep chickens, rabbits & goats in residential yards ● Loans for graywater systems in residential & commercial buildings ● Convert parking pavement to water-permeable surfaces ● Get Cal-PERS to invest in children—nursing, nutrition, skills, education—for elders’ pensions ● Design & build a prototype manually-operated clothes washer ● Recognize that mothers are working when they are raising our children
Orange County Transportation Authority	<p>Suggestions in the following areas:</p> <p>GHG reduction targets:</p> <ul style="list-style-type: none"> ● Any 2020 targets should be based on time projections needed to implement the land use and transportation policies and actions that jurisdictions will rely on; ● Targets should be created only after all measures implementing AB 32 are adopted and only after a broad, inclusive stakeholder process; ● Targets should be advisory, with flexibility granted to local agencies to achieve such goals; ● Avoid language that would directly tie project funding or create liability for local agencies if targets are not achieved; ● Use incentive-based compliance measures rather than punitive policies; ● To allow for regional/local alignment, both RTP and local general plans should be subject to similar requirements to ensure adopted policies can be implemented <p>Blueprint Planning:</p> <ul style="list-style-type: none"> ● Targets should not be tied to any specific transportation planning document, since would create liabilities ● Regional differences in how Blueprints operate must be acknowledged ● Avoid one-size fits all and consider the established role of county transportation commissions ● CTC guidelines were recently for addressing GHG emissions within the RTP; emission reductions from implementing these guidelines should be reflected in future LUSCAT/CARB documents

	<p>Transportation funding:</p> <ul style="list-style-type: none"> LUSCAT/CARB should ensure that county sales tax measures (e.g., OC's M2) are protected; State transportation funding should allow for implementation of currently programmed projects <p>CEQA Guidelines:</p> <ul style="list-style-type: none"> Agencies need a uniform methodology to perform GHG analyses under CEQA; many entities (e.g., CAPCOA) have offered suggestions but report should be clear that the guidelines released by OPR will be the definitive method of analyzing GHG emissions in environmental analysis documents <p>Congestion pricing:</p> <ul style="list-style-type: none"> 91 Express Lane is good example of congestion pricing policy; rates vary depending on number of vehicles per hour; 3+ carpools can use toll road free at most times <p>Costs of Implementation:</p> <ul style="list-style-type: none"> LUSCAT report assumes that costs of implementing sector strategies would have a net zero cost through 2020 and that existing funding for land-use/transportation activities could be shifted to meet state's GHG goals. This is conjecture and inconsistent with statements (e.g., Principle 10) that state that new funding mechanisms are needed given current lack of funding There will be costs of implementing LUSCAT strategies; new, innovative forms of funding are needed (e.g., Cap and Trade, public-private partnerships) Need stable state transportation funding
The Pacific Forest Trust	<ul style="list-style-type: none"> Emphasize the significant impacts of land conversion; natural and working landscapes absorb and store CO₂ from the atmosphere and act as "carbon reserves," as well as provide critical ecosystem services such as water quality, wildlife habitat, recreation and local products In addition to incentives, include disincentives for GHG-intensive sprawl and development that involves the conversion of prime forest and agricultural land. Adopt a statewide mitigation program and policy of "no net loss" requiring mitigation for net current emissions from development, as well as future and cumulative impacts of land conversion. Integrate conservation into regional and local models, plans and GHG targets
Pacific Gas and Electric	<ul style="list-style-type: none"> Encourage local jurisdictions to consider access (e.g., height, setbacks from the property line, exterior aesthetic design restrictions, yard projections, lot orientation, and lot coverage requirements) to renewable energy such as solar energy, daylight, and wind as they restructure their zoning and building code laws to address climate change. Local governments should consider the impact of the amount of paving, street paving materials, and vegetation planning to specifically reduce the impact of heat islands due to public works projects. The LEEDND standards listed on page 62 of the LUSCAT report may not be in effect at the end 2008; consider writing in the "LEED Rating System" as a generic substitute for LEEDND until the final direction of the LEED program is determined.
Planning and Conservation League	<ul style="list-style-type: none"> The draft report fails to provide clear recommendations on the policy mechanisms necessary to ensure that significant quantifiable emission reductions occur through better land use and transportation activities in California; revise report to characterize enforcement as its core strategy and outline specific measures that CARB should adopt to ensure success Rather than focusing on CEQA "thresholds", the report should recommend that CARB and other agencies fulfill their legal mandate under CEQA as Lead and Responsible Agencies to ensure that greenhouse gas emissions are analyzed and avoided or mitigated where feasible Report should propose specific methods to avoid disproportionately impacting low-income communities in the implementation of its proposed land use and transportation policy reforms
Regional Council of Rural Counties	<p>Supportive of report, including policies:</p> <ul style="list-style-type: none"> To identify financial disincentives to GHG related local and regional planning and alternatively recommend incentives, including consideration of tax reform efforts. Recognition that local government will need financial and regulatory assistance and implementation flexibility. To develop clear guidance and expectations for regional and local government in the form of guidelines, information, methodologies and technical resources, and consider developing a package of programs and resources targeted at rural community assistance. Require policies to remove barriers to, and allows development in appropriate infill locations. The report

	<p>acknowledges that CEQA challenges are a major impediment to approving the infill housing in many communities and regions that would help to address GHG emissions.</p> <ul style="list-style-type: none"> • That the LUSCAT does not support mandatory local climate action plans, but recommends that ARB should develop a Climate Action Plan Template to assist local government and small businesses. • That the ARB should base its targets and recommendations on where the greatest reductions can be achieved for the lowest cost.
<p>Sacramento Area Council of Governments</p>	<p>SACOG supports regional targets in the transportation sector that are supported by technical and financial assistance to help the regions succeed.</p> <ul style="list-style-type: none"> • Provides well-documented examples of why GHG reduction targets should be set at regional level (by regional transportation agencies) and not local level (paper by Dan Sperling accompanying Haagen-Smit action document proposes local targets). Setting GHG per household reduction targets would work against the success of Blueprint plans. Blueprint processes are in place; creating a new, parallel system for VMT would, at best, be cumbersome and confusing. • Accountability measures and incentives are needed to ensure regional plans are effectively implemented at the local level. Suggested metrics include: <ul style="list-style-type: none"> • After an RTP is adopted that meets its GHG reduction target, the MPO can calculate and allocate carbon emissions/household to be attained by 2020 (2050) for every jurisdiction in the region • As city/counties make land use decisions, the relationship of those actions can be compared to the likely land use development for that local government in the adopted RTP. Modeling can determine whether the local action increases or decreases carbon emissions/household compared to the RTP • Relatively small number (4) regional agencies represent the large majority of the state's population – much more workable than state-created targets for several hundred local governments in the state • Suggested co-benefits to other sectors: <ul style="list-style-type: none"> ○ Higher percentage of attached housing, which reduces heating and cooling energy per square foot, compared to detached housing ○ Smaller yards and less water demand, saving treatment and pumping energy ○ Shorter infrastructure runs, saving pumping energy for water/sewer, and uses less embedded energy for roads and pipes ○ Preserves grazing, farm and forest land with carbon sequestration benefits ○ Mixed-use, higher density developments flatten peak demand, allowing energy to be served more efficiently and making renewable more cost-effective • The state should be clear about whether regional targets for transportation and land use address these co-benefits in the calculations or not (GHG reduction estimates?)
<p>SANDAG</p>	<ul style="list-style-type: none"> • Ensure that land use strategies related to building codes and standards are adequately addressed and promoted. Acknowledge the close relationship between building- and transportation-related land use impacts (including measures in water and energy reports; concerned that the role of local governments in regulating building code-related land use could be falling through the cracks of the state climate change planning process. • Report should address Transportation Demand Management (TDM) strategies such as ridesharing and telecommuting; Transportation modeling is mistakenly described as TDM on page 32Pg. 11, 'Promote State Leadership', include facilities that are exempted from local land use regulation by the State, such as public school facilities • Pg. 12 and 71, define net zero cost and provide rationale and research for statement "it is assumed that state, regional, and local agency partners will be able to redistribute and leverage existing funding..." • State that GHG emissions from state facilities will be subtracted out of any regional targets. • Page 19 in section on land use planning, discuss the land use regulatory process (including zoning, regulatory permits, subdivision regulations, building permits, etc.) • Pg. 29, change "Rural Transportation Planning Area (RTPAs)" to "Regional Transportation Planning Agencies." • Pg. 39 and 40, "Natural Resources Protection and Agricultural Land" section should discuss land use planning and regulatory activities required or allowed under State and/or Federal law: <ul style="list-style-type: none"> ○ State law pertaining to local general plans calls for elements addressing open space, conservation, safety and seismic safety, which can include land use-related policies related to natural resource protection and agricultural land.

	<ul style="list-style-type: none"> ○ The California Coastal Act contains policies related to natural resource protection and agricultural land for areas located in the Coastal Zone. ○ State and Federal laws pertaining to endangered species protection, as well as the State Natural Communities Conservation Program, (all administered by State DF&G) set forth requirements and policies related to natural resource protection. ● Pg. 41, "Water Planning, Distribution, and Quality" should include State law requirements re. evaluation of water supply in local general plans, evaluation of water supply availability during the review of major development projects. ● Pg. 52, "School Siting Guidelines", discuss possibility of requiring proposed school sites to be subject to local government review in relation to land use-related impacts and mitigation measures related to GHG emissions ● Pg. 53, first sentence: "providing GHG reduction targets for the transportation and land use sector" is not clear; would these targets pertain only to emissions from autos and light trucks, or would they also pertain to other emissions that may be affected by land use policies, such as energy and water?; If setting regional GHG emission targets, consider setting targets that include all sectors that are affected by land use (water and energy) ● Pg. 55, California regional blueprint plans do not include "land use designations," but rather include land-use policy recommendations that are recommendations to local governments/other land use regulatory authorities. ● Pg. 57, the discussion does not make a clear distinction between the items listed in Section 4.2 and those listed in Section 4.3. ● Pg. 60, if State requires regional blueprint plans to include specific content pertaining to climate change policies and strategies, there should be funding provided to meet these requirements. ● Pg. 79 and 80, it is not clear how each of the performance indicators listed here pertains directly to reduction of greenhouse gas emissions, or how this information would be used. ● Pg. 60, OPR/CEQA discussion should include: specific thresholds (defined by State) for projects that would not have to evaluate impacts to climate change (due to project type, size and/or location). Small projects consistent with land use plans should not have to evaluate impacts to climate change; The State should provide methodologies for determining GHG emissions from projects to establish evaluation consistency throughout the state; Guidance should be provided in CEQA for alternative mitigation strategies that encourage contributions to transit instead of road widening and auto-oriented mitigation measures. ● Regional Blueprints (vs. Regional Transportation Plans) are the most suitable planning tool for developing regional climate change policy ● Local governments need to update their general plans so that they look beyond 2020 and are consistent with the timeline of regional blueprints and RTPs. ● Citations should be provided for: <ul style="list-style-type: none"> ○ The correlation between VMT and GHG ○ Methodology for determining that the selected mitigation strategies are "those that could significantly reduce emissions." (Pages 58, 63) ○ Conclusion that congestion pricing will reduce VMT and GHG emissions. (Pages 68-69) ○ Statement that "large-scale public education programs in California have been very successful at reducing energy use and waste." (Page 70)
Southern California Association of Governments	<ul style="list-style-type: none"> ● Supports MPOs as play major role in AB 32 implementation. Recommends that regional differences be considered when developing statewide programs such as funding sources, size and implementation authority. SCAG's federal funding restricts allowable work to transportation planning – this would constrain its ability to take on regional role envisioned by LUSCAT report. Agrees with report's assertion that "the state should work with regional and local government to develop consistent funding mechanisms to support planning activities and plan implementation that are not solely dependent on sales tax revenues, new development or transportation funds." ● Supports LUSCAT's recommendation for expanding role of Regional Blueprint Planning. Agrees that funding, guidance and training (guidelines, modeling tools) are needed. ● Recommends holding multiple workshops throughout So. Cal. Once draft Scoping Plan is released

<p>South Bay Cities Council of Governments</p>	<p>SBCCOG has a vision that differs substantially from the <i>smart growth</i> (density and transit) strategy upon which the LUSCAT submission to the ARB is based. This sub-region of Los Angeles County is a fully developed suburban area. Transit service is poor and most trips are taken by automobile resulting in many intersections with Level of Service E and F. There is little vacant land, so most new construction will take the form of redevelopment of existing buildings.</p> <ul style="list-style-type: none"> • We believe that the most direct and quickest route to making trips shorter is not only by looking at other modes such as transit and biking but also by introducing a system of neighborhood transportation which should then stimulate, along with other policies, the development of neighborhood economies. Density, if it is needed, would then fit into that evolving framework of neighborhood functionality and neighborhood transportation. This strategy is supported by our research into the transportation performance of eight South Bay neighborhoods conducted between 2004 and 2008. A strategy different from smart growth is necessary because, based on our research, there is no reason to believe that more density would produce anything but more congestion. • The State of California could support the efforts of the Medium Speed Electric Vehicle Alliance in their petition to the National Transportation Safety Administration (NTSA) to allow NEVs to travel at 35MPH in 35MPH zones (NEVs are currently prohibited by the NTSA from traveling at a speed greater than 25MPH significantly handicapping their effectiveness in replacing gasoline fueled vehicles as a second or third car in many households). • The smart growth strategy is not ready to become state-wide policy because it lacks necessary implementation details. The lack of clear definition opens the door to potential development abuses. Because smart growth parameters are not well defined, it becomes difficult for practitioners to separate not-so-smart dense infill projects from those that can lead to VMT reductions. • Doubts that public transit can scale-up to effectively serve the current population size and extent. In 1920 when the Pacific Electric system provided excellent transit service there were 800,000 people in LA County and the primary destination was the downtown central business district. Today there are over 10 million people traveling to tens of thousands of destinations. The situation may be too complex for any system of public transit to effectively cover without other complimentary modes such as the use of NEVs. • Before LUSCAT adopts the smart growth strategy, it should work with regional transit agencies to identify the mode share required of public transit in 2010, 2015 and 2020 along with the plan and the costs for achieving it in each region in the state. • The way in which the built environment is <i>used</i> causes travel demand, not the built environment itself. Changes in institutional policies will likely be less expensive and faster to deploy than re-constructing the built environment. The draft Scoping Plan recognized this fact by including a telecommuting recommendation but it does not go far enough. The idea is to encourage <i>distributed organizations</i> that rely on broadband networks to comprehensively move the work to the worker and services to the consumer.
<p>The Climate Group</p>	<ul style="list-style-type: none"> • The report should include specific recommendations on ways to measure actual Vehicle Miles Traveled (VMT) instead of modeling of VMT. Since you “can’t reduce or manage what you can’t or don’t measure” it is important to include these recommendations in the report. • One of the recommendations of ways to measure actual VMT could be through automobile odometer readings. Currently in California, cars older than six years old are required to receive a smog check every two years, which includes the recording of odometer readings. This information should be included in public records and odometer readings should be required for the “gap” years, those cars six years old or newer. This information will also help in instituting one of the other recommended programs such as “pay as you drive” insurance or regional VMT charges. The State could also require annual odometer readings and use the existing test-only smog stations to do so. • Another way to measure actual VMT is a certification, subject to period audit, on the annual vehicle registration renewal form. Documentation, such as the odometer reading from a third party e.g. oil changes, tune ups etc. could be part of an audit. This data should also be kept in the public record. • A high tech solution would be a GPS-type system installed on cars
<p>Transportation Solutions Defense and Education Fund</p>	<p>TRANSDEF believes that the following elements of the report are essential to bring about the level of change needed to achieve AB32 VMT goals:</p> <ul style="list-style-type: none"> • Regional targets for GHG emissions reduction from the land use sector; mandatory for each region; per capita reduction target for existing residents, and a separate one (lower given LUSCAT future strategies) for future residents

<p>(original comments plus follow-up email)</p>	<ul style="list-style-type: none"> ● CEQA Guidelines; additional GHGs should be considered a significant impact. Add the following to the Air Quality section of the Checklist: "Result in greenhouse gas emissions that delay the attainment of AB 32 targets?" ● High-Speed Rail; need to impose minimum density zoning guidelines as the requirement for station siting, to catalyze a densification of future growth around station areas, and a development focus on urban cores. ● Indirect Source Mitigation Fees; need to be high enough to channel growth into walkable higher density communities ● Congestion Pricing; start pricing highways to provide appropriate economic incentives to discourage single-occupant driving, and to encourage carpooling, walking, biking and using transit ● Pay as You Drive Insurance Premiums ● Strategies to reduce employee commute trips; revisit Legislature's rescission (SB 437) of authority of APCDs to impose Employee Trip Reduction Ordinances. ● Include following strategies for further consideration <ul style="list-style-type: none"> ○ Funding for urban and infill schools ○ Market-priced parking ○ LAFCOs need to restrict annex of vacant lands, thus pushing infill ● Consider innovation TCM measures such as adoption of mitigations for increases in trip generation and GHG emissions as part of the conditions of local project approval. These should include best management practices in parking, including parking pricing, parking cash-out, ecopasses, car sharing, unbundling of parking from leases and real estate purchases, and shuttles. Changing status quo will be VERY difficult; ● Include a section providing strategies for educating the public on why the LUSCAT program is needed, what the world according to LUSCAT will look like, and how it will function. Color drawings pulled from various guides for fighting sprawl would be helpful in providing a visual sense of what is intended. ● ARB will need to create an extensive CEQA Mitigation Bank, which will enable small projects to pay a mitigation fee to be able to receive a Mitigated Negative Declaration. ● Offered to provide editing. Report structure tends to give everything in it equal priority. But some things stand out head and shoulders above the rest of the text in their significance. One of these is Principle #3 of 1.1.2 on pg. 8. This may be the first time this thought has been expressed in a State document. It should be given prominence, as it is the very heart of LUSCAT. ● Define "LDV" in the chart on pg. 15. Put footnote 3 on that page. Where are footnotes 1 & 2 on pg. 14? ● We suggest a restructuring of Section 4.0, so that 4.1, 4.2, and 4.4 instead become 4.0.1, 4.0.2, and 4.0.3. We think this is important to bring the significance level of those sections down a notch, as they are only introductions. We suggest 4.3 be deleted, with 4.4.6 that it refers to being moved to be part of Transportation, as all the strategies mentioned belong there. We suggest 4.0 and 4.4 (now 4.03) should not be used as tables of contents. That is too confusing, when the referred-to text is just a page or so away. 4.0.3 could instead just discuss the three groupings for each sector strategy following. We then suggest renumbering 4.4.1 as 4.1, 4.4.2 as 4.2, 4.4.3 as 4.3 (including 4.4.6 as its subsection 4.3.1), 4.4.4 as 4.4, and 4.4.5 as 4.5.
<p>Western Riverside Council of Governments</p>	<p>Provided specific comments for the following LUSCAT sections:</p> <ul style="list-style-type: none"> ● Section 1.1.2 (Principles), "2. Going forward the State will adopt policies to address land use decisions directed at reducing GHG emissions in a collaborative effort with local and regional governments." Provide clarification to term "collaborative effort." ● Section 2.2.1 (CEQA), clarify what LUSCAT has in mind for CEQA. Suggests one way to increase efficient of CEQA process would be to educate judicial system on local governments land use decisions and practices ● Section 2.3.3 (Transportation/Blueprint Planning) <ul style="list-style-type: none"> ○ Change Blueprint process by hiring local consultants who understand the local government's issues and conduct more frequent meetings to ensure all local needs are met ○ "Any additional Blueprint funding resources should be tied to demonstration of progress in implementation across all blueprint goals, including housing, transportation, and resource protection." WRCOG: State needs to shepherd this process from Blueprint process concept to implementation stages if State wants to connect funding resources to the process ● Section 2.4.3 (Housing),

- "State agencies with housing funding programs should examine their criteria and, when appropriate and within their statutory authority, incorporate climate change consideration." WRCOG: If State wants local governments to include this in their housing programs, then State should provide **assistance** (e.g., through template documents)
- "Existing infill exemption provisions for infill do not work." WRCOG: clarify data behind this statement. Document has statements throughout that do not have supporting **documentation**. Will an appendix provide this info?
- Section 2.5.3 (Natural Resources/Ag)
 - Clarify what is meant by "terrestrial sequestration." Additional background info would be helpful
 - Clarify what is meant by "sequestration potential"
- Section 2.9.2 (State Capital Outlay)
 - RE. State building designs, State may want to consider building a LEED basic program.
- Section 2.10 (**School Construction**). State needs to recognize that local governments have no authority on how a school district sites its schools, and when developing strategies for school siting, the State needs to be very clear and not hold local governments accountable for school activities.
- Section 3.1 (**Defining Target**), "Targets in all sectors should be analyzed for cost per ton of reduction. ARB should based its targets and recommendations on where the greatest reductions can be achieved for the lowest cost." WRCOG: this statement leads reader to believe that the State is only interested in "low hanging fruit." All sectors should be considered equal and not equitable when defining targets to ensure State is going to meet AB32 goal
- Section 4.3 (**Pay as you Drive**), WRCOG: this is a regressive tax on those who may not be able to afford it. Although intent is to mobilize people close to work centers, there are areas of the state where residents can't afford to move closer
- Section 4.4.1 (**Land Use**),
 - "The Integrated Waste Management Board will develop watershed-friendly sustainable landscape guidelines that reduce GHGs... WRCOG: shouldn't this be DWR's responsibility?"
 - "By developing protocols and working lands model that can be adapted to the needs and circumstances of a particular local government, the consequences of GHG emissions and other ecosystem services can be factored into the local land use decision-making process. WRCOG: clarify "ecosystem services", Unclear what State is trying to convey in this statement.
 - Identify improvements to **CEQA** to reduce barriers...for updating the CEQA Guidelines pursuant to AB 97." WRCOG: should be SB 97.
 - "Award and manage grants and loans from Prop 84 to support the development of sustainable communities." WRCOG: Provide clarification as to whether this statement would dilute the intent of Prop 84
 - Section 6.8 (**Waste**), "Increase mandatory recycling goals by jurisdictions from 50% to 75% by 2015." WRCOG: some jurisdictions have not met 50% goal for reasons outside the control of local government. Much harder for locals to achieve this goal than for State facilities and schools. Therefore, pursue this strategy at state level and not the local government level

>>> Norma Fox <normafox@hotmail.com> 10/7/2008 2:01 PM >>>

Dr. Mr. Knox,

Can you please include the attached document and this email message in the Administrative Record for the Benicia Business Park project.

Also please forward this message and the attachment to all City Council members and other interested staff members.

The document is Table 15, extracted from the 132 pg. report, 'BAAQMD CEQA GUIDELINES.' (The full 132 page report is located at http://www.baaqmd.gov/pln/ceqa/ceqa_guide.pdf , and the full report should also be included in the administrative record.)

In this table, BAAQMD lists all feasible mitigation measures (as of year 2000) that should be applied in order to reduce air quality impacts from motor vehicles below threshold levels.

This is relevant because, in the Statement of Overriding Conditions that LSA Associates prepared for the Benicia Business Park EIR, they state the following regarding Mitigation Measure AIR-2 (mitigation in response to Impact AIR-2, ozone precursors exceeding BAAQMD thresholds):

"The *BAAQMD CEQA Guidelines* identifies potential mitigation measures for various types of projects. The following are considered to be feasible and effective in further reducing vehicle trip generation and resulting emissions from the project."

They then list several mitigations that they will implement which are suggested by the *BAAQMD CEQA Guidelines*, but they do not list all feasible measures, only the easy (cheap) ones.

Following their list of mitigations, they state that those measures will not be sufficient to reduce ozone precursors to levels below BAAQMD significance threshold. They claim "no mitigation available with currently feasible technology to reduce the project's regional air quality impacts to a less than significant level."

And based on that claim of no other mitigation available, they are asking the City Council to override CEQA air quality requirements and approve this extremely harmful ozone impact by signing the Statement of Overriding Considerations.

This misrepresentation of the facts needs to be included in the Administrative Record.

Also please note that in our General Plan, Program 4.10.B states that the City shall require that projects with significant air quality impacts must include all feasible mitigation measures needed to reduce impact to less than significant levels.

Thanks,

Norma Fox

BAAQMD CEQA GUIDELINES

Assessing the Air Quality Impacts of Projects and Plans

December 1999

[Note: the full 132 page report should be included as part of the Administrative record for the Benicia Business Park approval process. The full report is located at http://www.baaqmd.gov/pln/ceqa/ceqa_guide.pdf]

Copied on the following pages is Table 15, located on pdf pages 65-68 of the report:

MITIGATION MEASURES FOR REDUCING MOTOR VEHICLE EMISSIONS FROM COMMERCIAL, INSTITUTIONAL AND INDUSTRIAL PROJECTS

Mitigation Measure	Supporting Factors to Enhance Effectiveness	Effectiveness
<i>Rideshare Measures</i>		
Implement carpool/vanpool program e.g., carpool ridematching for employees, assistance with vanpool formation, provision of vanpool vehicles, etc.	<ul style="list-style-type: none"> Employer provides support measures such as carpool/vanpool subsidies, preferential parking, guaranteed ride home program, etc. Coordinate with regional ridesharing organization, e.g., RIDES for Bay Area Commuters. Multiple smaller worksites coordinate programs. Limited parking supply and/or implementation of parking fees or parking cash-out. 	1% - 4% (work trips)
<i>Transit Measures</i>		
Construct transit facilities such as bus turnouts/bus bulbs, benches, shelters, etc.	<ul style="list-style-type: none"> Transit service with frequent headways available at project or on roadways adjacent to project. Transit use incentives for employees, e.g., on-site distribution of passes, subsidized transit passes, etc. Transit route maps and schedules posted at stops. Shade trees/landscaping planted at transit stops. 	0.5% - 2% (all trips)
Design and locate buildings to facilitate transit access, e.g., locate building entrances near transit stops, eliminate building setbacks, etc.	<ul style="list-style-type: none"> Jurisdiction provides design guidelines addressing transit accessibility. Consultation with transit provider during project design, review. 	0.1% - 0.5% (all trips)
<i>Services Measures</i>		
Provide on-site shops and services for employees, such as cafeteria, bank/ATM, dry cleaners, convenience market, etc.	<ul style="list-style-type: none"> Sufficient number of employees at worksite, or cooperation among multiple worksites. Safe, direct pedestrian access between employment and retail areas. Jurisdiction provides density bonuses, other incentives to encourage mixed land uses. 	0.5% - 5% (work trips)
Provide on-site child care, or contribute to off-site child care within walking distance.	<ul style="list-style-type: none"> Sufficient number of employees at worksite, or cooperation among multiple worksites. 	0.1% - 1% (work trips)

<i>Shuttle Measures</i>		
Establish mid-day shuttle service from worksite to food service establishments/commercial areas.	<ul style="list-style-type: none"> • Sufficient number of employees at worksite, or cooperation among multiple worksites. • Commercial area located within 3 miles. • Frequent, scheduled service during lunch hours. • Coordination among multiple employers, e.g., at business parks. • Provide commute shuttle to transit station, use same vehicle for mid-day shuttle. 	0.5% - 1.5% (work trips)
Provide shuttle service to transit stations/multimodal centers.	<ul style="list-style-type: none"> • Major transit facility/multimodal center located within 3 miles of project. • Transit use incentives for employees, e.g., on-site distribution of passes, subsidized transit passes, etc. • Frequent, scheduled service during peak commute periods. • Coordination among multiple employers, e.g., at business parks. • Free or subsidized service. • Provide mid-day shuttle to commercial areas, use same vehicle for commute shuttle. 	1% - 2% (work trips)
<i>Parking Measures</i>		
Provide preferential parking (e.g., near building entrance, sheltered area, etc.) for carpool and vanpool vehicles.	<ul style="list-style-type: none"> • Most effective if parking supply is limited and/or located far from building entrance. 	0.5% - 1.5% (work trips)
Implement parking fees for single occupancy vehicle commuters.	<ul style="list-style-type: none"> • Reduced or waived fees for carpools and vanpools. • Complemented by transit, ridesharing programs, other commute alternatives. • Revenues used to support commute alternatives. • Provisions in place to avoid offsite parking spillover. 	2% - 20% (work trips)

<p>Implement parking cash-out program for employees (i.e., non-driving employees receive transportation allowance equivalent to value of subsidized parking).</p>	<ul style="list-style-type: none"> • Complemented by transit, ridesharing programs, other commute alternatives. • Implement at worksites not subject to State parking cash-out requirements. • Tax benefits if travel allowance offered as transit/ridesharing subsidy. • Provisions in place to avoid offsite parking spillover. 	<p>2% - 20% (work trips)</p>
<p><i>Bicycle and Pedestrian Measures</i></p>		
<p>Provide secure, weather-protected bicycle parking for employees.</p>	<ul style="list-style-type: none"> • Bicycle parking location is more convenient than auto parking. • Project located adjacent to, or within 1/4 mile of, Class I bicycle path or Class II bicycle lane. • Significant number of employees live within 5 miles of worksite. • Employer provides bicycle support measures, e.g., bicycle route maps, tools for emergency repairs, etc. 	<p>0.5% - 2% (work trips)</p>
<p>Provide safe, direct access for bicyclists to adjacent bicycle routes.</p>	<ul style="list-style-type: none"> • Local jurisdiction has adopted comprehensive bicycle plan. • Significant number of employees live within 5 miles of worksite. • Employer provides bicycle support measures, e.g., bicycle route maps, tools for emergency repairs, etc. • Provide push buttons or sensors to activate traffic signals. 	<p>0.5% - 2% (work trips)</p>

Provide showers and lockers for employees bicycling or walking to work.	<ul style="list-style-type: none"> • Significant number of employees live within 5 miles (bicycling)/2 miles (walking). • Project located adjacent to, or within 1/4 mile of, Class I bicycle path or Class II bicycle lane. • Employer provides bicycle support measures, e.g., bicycle route maps, tools for emergency repairs, etc. 	0.5% - 2% (work trips)
Provide secure short-term bicycle parking for retail customers and other non-commute trips.	<ul style="list-style-type: none"> • Bicycle parking location is more convenient than auto parking. • Project located adjacent to, or within 1/4 mile of, Class I bicycle path or Class II bicycle route. 	1% - 2% (non-work trips)
Provide direct, safe, attractive pedestrian access from project to transit stops and adjacent development.	<ul style="list-style-type: none"> • Jurisdiction provides design guidelines addressing pedestrian accessibility. • Pedestrians separated from traffic, parking areas. • Shade trees/landscaping planted at pedestrian areas. • Benches, fountains, other amenities provided to enhance pedestrian environment. 	0.5% - 1.5% (all trips)
<i>Other Measures</i>		
Implement compressed work week schedule (e.g., 4/40, 9/80).	<ul style="list-style-type: none"> • Consult with employees prior to program implementation. 	2% - 10% (work trips)
Implement home-based telecommuting program.	<ul style="list-style-type: none"> • Participation increased if employer provides/assists with provision of equipment (modem, computer, etc.). • Especially effective if employee commute trips are long. 	0.5% - 1.5% (work trips)