

1625 SHATTUCK AVENUE

SUITE 300

BERKELEY, CA 94709

TEL: 510 848 3815

FAX: 510 848 4315

www.dceplanning.com

December 10, 2008

Mary D. Nichols
California Air Resources Board (CARB)
1001 I Street
PO Box 2815
Sacramento, CA 95812

Re: Comments on Proposed AB 32 Scoping Plan

Dear Chairman Nichols:

Thank you for the opportunity to comment on the Climate Change Proposed Scoping Plan for implementing Assembly Bill 32 (AB 32), the Global Warming Solutions Act of 2006. While my comments on the Proposed Scoping Plan focus on its regional transportation-related greenhouse gas (GHG) targets, I have also commented on several other components of the Plan.

Regional Transportation-Related Greenhouse Gas Targets

I urge CARB to increase its targeted reduction of regional transportation-related GHG emissions. The research that CARB cites in the Scoping Plan, as well as the independent work of other researchers, supports a higher target for 2020 than 5 million metric tons of carbon dioxide equivalent (MMT_{CO₂E}) of GHG. I recommend a target of 11 to 14 MMT, which is more ambitious but still readily achievable.

The Scoping Plan's target is based upon a 2008 survey of travel models for land use, transit and auto pricing policies, funded in part by CARB. The Scoping Plan's target assumes a 4% reduction of VMT by 2020, which is consistent with the survey's findings regarding better coordination of land use and transit. However, the study also notes that the addition of pricing policies—such as congestion pricing, increased gasoline taxes and parking fees—“would bring significantly greater reductions both in the shorter and longer term time horizons.” It also notes that all travel models “are likely to underestimate [VMT] reductions from land use, transit, and pricing policies,” meaning that the 4% reduction of VMT is likely to be a low estimate.¹

In addition, other independent researchers have argued in favor of a higher target. A 2008 study by Reid Ewing and Arthur C. Nelson concluded that significantly greater reductions could be achieved through land use policies that reflect the principles of smart growth, such

¹ Rodier, Caroline, 2008, “A Review of the International Modeling Literature: Transit, Land Use, and Auto Pricing Strategies to Reduce Vehicle Miles Traveled and Greenhouse Gas Emissions,” page 20, http://www.arb.ca.gov/planning/tsaq/docs/rodier_8-1-08_trb_paper.pdf, accessed on December 1, 2008.

as an improved jobs-housing balance that reduces vehicle commuting. Their research also supports a higher target based on pricing policies for transportation and parking. Ewing and Nelson's research supports a target of approximately 11 to 14 MMTCO₂E.²

These findings support a more aggressive target for GHG reductions that result from reduced VMT. They also highlight the importance of quantifying potential GHG reductions that would result from pricing strategies, as well as indirect source rules and other regulatory strategies. (The Proposed Scoping Plan does not quantify these reductions, stating that they will be quantified as an implementation task for SB 375.)

The long-term nature of transportation and land use decisions makes it especially important to choose aggressive targets now. If local and regional governments choose to build auto-oriented suburbs and invest heavily in vehicular transportation from now until 2020, it will be far more difficult to achieve Governor Schwarzenegger's target for an 80 percent reduction in GHG emissions by 2050.

Cap-and-Trade Program

The Proposed Scoping Plan does not discuss the possibility of including VMT reductions within CARB's proposed cap-and-trade system. In the immediate term, this decision may be appropriate, since it is difficult to quantify and verify these emissions compared to emissions from stationary sources. However, it is likely that researchers will develop new instruments within the next several years for quantifying these emissions. Therefore, the Scoping Plan should recommend a system that allows Regional Transportation Planning Agencies to sell credits if they exceed their GHG reduction targets for VMT emissions. A white paper by William Fulton, a principal at DC&E, identifies potential market mechanisms that could be used to sell these credits.³

Green Building

The new Green Building Standards Code that is cited in the Proposed Scoping Plan is an excellent step that will improve the environmental performance of new buildings. However, California's many existing buildings are not thoroughly addressed in the Scoping Plan, which should include some or all of the following measures to reduce GHG emissions related to their operation:

- ◆ A system to require green building upgrades in conjunction with building remodels
- ◆ A requirement for green building upgrades at time of title transfer
- ◆ A financing system, such as those that have been developed for solar systems, that finances the costs of improvements over time through a property tax assessment

² Ewing, Reid, and Arthur C. Nelson, 2008, "CO₂ Reductions Attributable to Smart Growth in California," <http://www.solutionsforglobalwarming.org/docs/California-Ewing-Nelson-Analysis.pdf>, accessed on December 9, 2008.

³ Fulton, William, Jess Daniels and Aaron Engstrom, 2008, "White Paper: Integrating Land Use Into a Market-Based Implementation System for AB 32," <https://webfiles.berkeley.edu/svetlanadubenko/shared/Bill%20Fulton-%20Solimar%20Land%20Use%20AB%2032%20White%20Paper%20March%202008.pdf>, accessed on December 9, 2008.

Water Use

Measures W-1 through W-6 in the Proposed Scoping Plan call for various water efficiency improvements that are intended to reduce GHG emissions associated with water delivery, treatment and use. However, none of these measures appear to call for more compact development patterns, which would also help to reduce water use—smaller homes and multi-family development require less water than a traditional single-family home. CARB should consider including compact development in its proposed measures for reducing water-related emissions.

Implementation

The Implementation portion of the Scoping Plan includes a section describing personal actions that people can take to reduce their GHG emissions, such as purchasing a more efficient vehicle and planting shade trees. This section should also discuss the personal decision to live and work in a compact, transit-oriented community, which has a much greater effect on GHG emissions than some of the other actions discussed here.

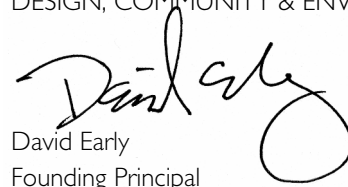
In addition, the Proposed Scoping Plan includes little information about how CARB will track implementing agencies' progress towards the 2020 target. It is essential for CARB to identify how it will track progress on measures that require implementation at the local government level, such as VMT reductions. If it is not possible to address this further in the Scoping Plan, I urge CARB and CalEPA to develop tracking measures as quickly as possible.

Closing Remarks

I appreciate all of CARB's work to implement AB 32 and help California reduce its GHG emissions. I look forward to continued opportunities to assist CARB with this process.

Sincerely,

DESIGN, COMMUNITY & ENVIRONMENT, INC.



David Early
Founding Principal