City of Alameda • California

December 10, 2008

Mary Nichols
Chair, California Air Resources Board
1001 I Street
P.O. Box 2815
Sacramento, CA 95814

RE: City of Alameda Comments on Air Resources Board Proposed Scoping Plan

Dear Chair Nichols:

I am writing on behalf of the City of Alameda to thank you for the opportunity to comment on the California Air Resources Board's (CARB) Proposed Scoping Plan (Scoping Plan). We are proud of the work we have done already on reducing our City's greenhouse gas (GHG) emissions. As you may be aware, the City of Alameda has its own electric utility, Alameda Power & Telecom (AP&T), and more than 80% of AP&T's energy is derived from clean, renewable resources such as geothermal and hydroelectric facilities. In addition, in February, the City adopted a Local Action Plan for Climate Protection and is working with the community, through a public-private partnership called Community Action for a Sustainable Alameda, to reduce GHG emissions.

While the City of Alameda is generally supportive of a number of programs and policies outlined in the Scoping Plan, we do have some comments:

Funding. Mitigating the sources of GHG emissions costs money and time. With the State's "take" of $350 million in local redevelopment dollars in the most recent budget, along with the decline in local property tax, sales tax, and overall revenue to local governments, it will be difficult for local governments to finance the upfront costs of achieving GHG emission reductions on their own. Additional funding will be needed to allow communities to conduct planning and implementation activities.

Acknowledging Current Economic Uncertainties. CARB must appropriately balance its climate goals with current economic uncertainties, which directly affect the feasibility of certain types of development. Increasing the target will put pressure on CARB to adopt higher targets at the regional level. As a result, it will be more difficult for compact developments to achieve the California Environmental Quality Act streamlining contained in SB 375. As demonstrated by the Governor's proposed budget recommendations, such streamlining can have an important economic effect and help stimulate the economy.

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Green Buildings. The City of Alameda supports green and sustainable building practices in new and existing public, residential, and commercial buildings. While we appreciate the State Building Standards Commission's issuance of new voluntary green building standards, we also supported AB 2939 (Hancock), which would have allowed local governments to enact stronger local green building standards. In addition, local governments that adopt stronger green building standards should be able to count those measures as additional GHG emissions reductions.

Maintain the 5 Million Metric Tons Regional Transportation-Related GHG Target: Although the Scoping Plan acknowledges that the actual regional transportation-related GHG targets will be set through the regional process developed in SB 375, many are advocating that this number be raised. Given the deference the Scoping Plan gives to the SB 375 process, perhaps such an increase would largely be symbolic. However, since CARB has ultimate responsibility for setting the targets, a higher number would create political pressure for setting higher regional targets, regardless of the findings of the Regional Targets Advisory Committee. This is contrary to what SB 375 stands for.

No Accounting for Infrastructure Costs. The Scoping Plan does not analyze the costs of infill infrastructure, such as sewer pipes, new fire rescue equipment, schools, parks, and other public facilities, needed to serve more compact development patterns. For complex reasons stemming from the Takings Clause, Mitigation Fee Act, and other laws, local agencies often cannot pay for the infrastructure from developer fees alone. The Scoping Plan does not specify how local agencies will raise the funding necessary to provide these facilities. This will be a challenge for local governments, given the constitutional limits (for example, Propositions 13 and 218 and the two-thirds vote requirement) placed on the ability of local government to raise new revenues.

Better Model for Other States to Follow. In supporting SB 375, cities and counties are accepting their responsibility. The best thing that could happen for all is for local governments to achieve, and even greatly exceed, the established targets. AB 32 needs this kind of success to show the rest of the country that such reductions are possible.

Higher Target Not Needed to Achieve the 2020 Goal. The Scoping Plan lays out a plan to meet the statutory goal in AB 32. Increasing this number goes beyond the clear direction in AB 32.

Thank you again for the opportunity to comment.

Sincerely,

Beverly J. Johnson
Mayor