CITY OF MORGAN HILL

PUBLIC WORKS DEPARTMENT
100 EDES COURT
MORGAN HILL, CA 95037-5301
ENGINEERING: 408-776-7337
MAINTENANCE: 408-776-7333
FAX: 408-779-6282
WWW.MORGAN-HILL.CA.GOV

November 19, 2008

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

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

Dear Chair Nichols:

On behalf of the City of City of Morgan Hill, thank you for the opportunity to comment on the California Air Resources Board's (ARB) Proposed Scoping Plan (Scoping Plan).

General Comments

We are proud of the work we have done already on reducing our City's greenhouse gas emissions (GHG emissions). Last year, we became a member of ICLEI (Local Governments for Sustainability) and used ICLEI's model to calculate our community wide carbon emissions (300,000 tons in 2005) and our government operation emissions (7,700 tons in 2005.) Morgan Hill's Mayor, Steve Tate, also signed the Mayors Climate Protection Agreement and the City Council adopted an Environmental Agenda with 13 goals to create a sustainable community, which included meeting the goals of AB 32.

In addition, a new position was created within the Environmental Programs Division to further the goals of the Environmental Agenda. Since 2007, Environmental Programs staff has completed the following GHG reduction tasks:

- Piloted the "Lose 5,000 lbs. of Carbon Dioxide in 30 Days" campaign that specifically targets households to reduce GHG emissions by modifying behavior and modifying the home to consume less energy. The City is currently working with Energy Watch to provide free energy audits to participants to increase knowledge of ways to increase home energy efficiency.
- Created a pilot program allowing residents and businesses to buy local carbon offsets
- Created a local online carbon calculator
- Implemented the Build It Green Program and Checklist for residential development
- Drafted a green building ordinance for all development
- Conducted a lighting retrofit of 3 municipal building that will save 162,373 kWh per year, reducing carbon emissions by 41 tons
- Provided Eco Passes to city employees that allows them to take public transit for free
- Worked with Specialized bicycles to obtain a fleet of bicycles for employees to use between city facilities or other related activities during the workday

In order for the City to meet the goals of AB 32, it will require substantial work and cost. It will be necessary for the ARB to identify additional funding sources for communities to reduce GHG emissions.

California Light-Duty Vehicle Standards

The City of Morgan Hill is supportive of the measures outlined in California Light-Duty Vehicle GHG Standards. Sixty -three percent of our community wide emission stem from vehicle miles traveled (VMT.)

Energy Efficiency

In the Energy Efficiency measures of the Scoping Plan, the City believes that local government can play a vital role in facilitating energy efficiency in local communities. Often, energy companies serve large areas and miss the opportunity to engage local businesses and residents. Local governments are better positioned in the community to understand the specific energy usage in our community and disseminate the necessary information and services. We ask that the ARB consider including a collaborative effort between cities and energy companies to achieve energy efficient targets.

Green Building

The City is supportive of green and sustainable building practices in new and existing public, residential and commercial buildings. The City is also supportive of the ability for local governments to voluntarily go above and beyond any existing state green building standards. AB 2939 (Hancock, 2008,) which was vetoed by the Governor, would make such local actions less cumbersome. The ability for local governments to voluntarily go beyond the state green building standards is one more way for cities to lead in GHG reductions in the future. The cities within Silicon Valley, including Morgan Hill, are more than ready to go above these standards. In some instances, cities have already adopted green building ordinances above the state's green building code and many other Silicon Valley cities are likely to follow in 2009.

Sustainable Forest

Although the Scoping Plan acknowledges the benefits of existing forest to sequester carbon dioxide, the Plan has overlooked the greater benefits of urban trees in relation to reducing the heat island effect, urban run-off and electricity usage in the summer. In fact, urban trees can be protected against wildfire and can serve as a short term solution to sequester carbon dioxide while technology and regulation standards are being implemented in the next 10 years. The City of Morgan Hill utilized the itree software developed by the U.S. Forest Service to account for the benefits of city owned trees and found that city owned trees sequestered 237 tons of carbon dioxide in 2005. Also, cities can provide the necessary maintenance to ensure the health and survival of urban trees. The value of urban trees should be included in the scoping plan with identified funding sources to allow communities to expand their urban forest and report reductions.

Local Government Actions and Regional Targets

Climate change can be battled on three fronts: behavioral /social norms changes, regulations and technology. The City acknowledges and supports the need for local governments to make GHG reductions within its operations. However, the Scoping Plan should not overlook the potential for local governments to implement programs that would encourage sustainable behaviors in the community. Local governments can quantifiably measure behavior changes from social marketing campaigns. If the ARB considers this within the Scoping Plan, funding sources need to be identified to ensure communities are able to carry out successful campaigns.

Carbon Fees

The City is supportive of tax credits, grants, loans and other incentives to assist the public, businesses and local agencies that invest in energy efficient equipment and technology and fuel efficient low emission vehicles. The City also supports carbon fees provided that some of the funding is disbursed to local governments to continue reducing community wide emissions.

Offsets

The current integrity of the carbon offset market is questionable. Many offsets represent a subsidy or investment rather than actually reducing a particular amount of carbon dioxide. The existing protocols are many and too complex to follow, requiring additional resources to implement.

Although climate change is a global issue, verifying carbon offsets can only be taken seriously at a local or state level. Carbon offsets outside of California pose a threat to the integrity of counting carbon reductions. The ARB should consider this aspect and provide methodologies that are less complex and do not require a substantial amount of resources to verify.

While the City of Morgan Hill is generally supportive of a number of programs and policies outlined in the Scoping Plan, it is crucial for state policymakers take account for the means that will be needed to achieve the goals. AB 32 requires that reductions in GHG emissions must achieve the maximum technologically feasible and cost effective reductions and for the ARB to "consider the cost-effectiveness of these regulations." (HSC §38560) In addition, we believe that the Scoping Plan appropriately allow the SB 375 process to develop regional transportation-related GHG targets. Implementation of the regional planning processes in SB 375 are new and largely untested.

As both the state and local governments are faced with critical budget shortages, additional costs to heavily invest in GHG emission technologies in the next 2 to 3 years will become more burdensome for local governments. While local governments can influence development design to a certain extent, the reality is that developers will only build projects that will be purchased by willing customers and that are profitable. In order to effect the desired change, incentives must be provided to the development community and local agencies in order to encourage more

development in areas where the reductions in GHG emissions will be the greatest. The City of Morgan Hill strongly encourages the ARB to consider these limitations as it moves forward with the Scoping Plan

Thank you again for the opportunity to comment. The City of Morgan Hill looks forward to working with the ARB in the future.

Sincerely yours,

Anthony Eulo
Program Administrator