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Administrative Operations  
Engineering, Surveying and Permit Services  
Planning and Community Development  
Roads

September 14, 2010

File: SB 375

Clerk of the Board  
Air Resources Board  
1001 I Street  
Sacramento, California 95814

**RE: Kern County Comments: Proposed Regional Greenhouse Gas Emission Reduction Targets for Automobiles and Light Trucks Pursuant to Senate Bill 375 September 23, 2010 Air Resources Board Meeting**

Honorable Board Members,

Kern County appreciates the opportunity to participate in formulating this very important milestone of a regional target for implementation of SB 375. The following comments are presented on behalf of the Kern County Board of Supervisors as directed at a public hearing on August 31, 2010.

On August 9, 2010 staff of the California Air Resources Board (ARB) released the draft "Proposed Regional Greenhouse Gas Emission Reduction Targets for Automobiles and Light Trucks" pursuant to Senate Bill 375 (SB 375 Steinberg, Statutes of 2008). SB 375 requires ARB to develop regional greenhouse gas emission reduction targets for passenger vehicles. ARB is to establish targets for 2020 and 2035 for each region covered by one of the State's 18 metropolitan planning organizations (MPO). Kern Council of Government (KernCOG) is the MPO which represents Kern County and the cities of Arvin, Bakersfield, California City, Delano, Maricopa, McFarland, Ridgecrest, Shafter, Taft, Tehachapi and Wasco. The Kern County Board of Supervisors designated the Planning and Community Development Department to participate in the KernCOG process developed to ensure that a collaborative, ambitious, yet achievable, target would be provided to your Board for consideration. The committee process, which included numerous meetings and workshops over the last 18 months included not just the County but all cities in the region working together to address the requirements of SB 375.

The legislative guidance for establishing emission reduction targets is the establishment of regional targets which are described in the legislature as "ambitious and achievable." Although the KernCOG Board on April 16, 2009 approved a recommended regional target which was also approved by the Kern County Board of Supervisors, that target was rejected by the ARB staff

planners without explanation. Further the thoughtful and detailed modeling that supports the request for consideration of Kern County's approach which acknowledges our unique military installations, through-trips and extensive wind area was also rejected without explanation. Instead the staff have placed the county in a second category, labeled us a "Valley MPO" and classified us with the eight counties of the San Joaquin Valley Air District. There is no text or description of Kern County in the staff report that includes any portion of the County other than the San Joaquin Valley. The staff recommendation is that we be given a placeholder target as a region that can be re-examined in 2012 while the counties determine if they can come up with a regional plan or decide to have multi-county plans.

While this approach may be viable for the valley portion of the County it completely disregards the remaining mountain and desert areas and establishes a county-wide target based on the characteristics of the San Joaquin Valley portion of Kern County. Further, the staff report states that these "Valley MPOs" represent 10 percent of the State population when in reality that figure includes all of Kern County, not just the valley portion. Kern County objects to the report with its emphasis on the inappropriate label of KernCOG as a Valley MPO with no distinction of the eastern desert portion, the lack of acknowledgement of our unique position as a MPO with a County that includes valley, mountain and desert areas in two distinct air basins with different land uses and travel patterns, and the ramifications of establishing an unrealistic and unachievable target.

The target being proposed for the San Joaquin Valley MPO's which on the list includes Kern County is a 5% per capita reduction for GHG by 2020 and a 10% per capita reduction for GHG for 2035. This is in sharp contrast to the preliminary target provided in July of a 1 % to 7% reduction. The proposed target for Kern County bears no relation to the potentially achievable gains reviewed and developed over a long and intense 18 month process which included extensive local participation. From that process, which includes the recent update of many cities General Plans and an extensive Blueprint process, the proposed target submitted to your Board on April 23, 2010 shows a 2% decrease by 2010 and an 8% increase in 2035 where business as usual would be over 20 to 24% county wide. These numbers do not include provisions for implementation of cleaner fuel standards for vehicles starting in 2012 required by Assembly Bill 1493 (Pavley).

Our proposed targets assume subregional targets to allow for collaboration with the valley counties and allowances for our renewable energy areas and military installations. As a reminder, the reductions are to be achieved through management of land use. As a local agency, the Kern County Board of Supervisors has no control over the land use on military installations and housing for the two installations (China Lake Naval Weapons Station and Edwards Air Force Base) is provided in the communities rather than on the base. The Department of Defense could change a mission, transfer 1,000's of personnel to the base which would then require housing in the community and increase trips with no oversight by the Board of Supervisors. While we support our strong military presence in Kern County and future

expansion of the mission here and in other areas of California, to be required to reduce trips caused by a Federal action is inappropriate. The Federal government should be responsible for trips attributable to military installations that can be quantified and should be credited in the modeling as KernCOG has recommended and the region has requested. This credit should extend to all trips attributable to any Federal Lands (such as U.S. Forest Service, Parks and Bureau of Land Management) which are not under the jurisdiction of local governments for land use.

The third category in the staff report is six MPO's labeled as "small" which have been allowed to set targets that include increases. These increases are being recommended by your staff. However, one of these MPOs is the Monterey Bay Area Governments with a population of over 765,000 people, comparable to Kern County. The logic of creating this category while rejecting the KernCOG proposed target is not clear or explained in the staff report.

### **Recommended Target**

The Kern County Board of Supervisors is committed to the preparation of a Sustainable Communities Strategy (SCS) but the 10% reduction by 2035 is not achievable and is beyond any modeling provided from any Valley MPO or KernCOG to date. Basing the target on a comparison to the largest metropolitan areas is arbitrary and will have serious repercussions for State environmental, economic and equity goals. The lack of funding for significant transit or light rail options severely limits the expansion of such services in the rural areas of the valley, mountain and desert areas of Kern County. The placeholder targets should reflect local modeling and not be based on arbitrary comparisons to other regions. Specific adjustments for military installations, federal lands and the recognition of strategic employment areas for a growing renewable energy industry should be granted.

Kern County supports the goal of working with the San Joaquin Valley counties on science based modeling and development of a regional plan. This would be based on your support for the use of sub regional targets in the modeling which take into account our unique characteristics. The concept of "one region-one target" has been accepted by the Kern County areas and cities, but the opportunity for each area to establish sub - regional targets allows for real buy-in by these very different communities to implementing the important goals of SB 375.

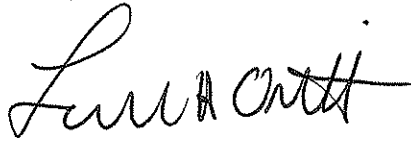
**Kern County asks that you adopt a placeholder target of a 2% decrease by 2010 and a 5% decrease by 2035 for the seven Valley MPOs and KernCOG, amendment of the label "Valley MPO" to specifically identify Kern COG on the decision as including "eastern kern" and express support for a credit for trips associated with land use on federal land.**

The County's requested target is very ambitious and will require implementation of changes to land use patterns that are much different from past patterns of growth in Kern County. Yet, the Board of Supervisors has committed to the target and is clear that "business as usual" cannot be

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the future for California. But the proposed staff recommendation ignores our regional work, imposes a "one size fits" solution to fit a Sacramento view of California and will create an atmosphere of failure before the hard work of developing and implementing a SCS even begins. The Kern County Board of Supervisors asks that you reject the Staff recommendation and adopt the recommendation of the KernCOG Board and Kern County Board of Supervisors.

Sincerely,



LORELEI H. OVIATT, AICP, Director  
Kern County Planning & Community Development Dept.

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cc: Board of Supervisors  
County Administrative Office  
County Counsel  
Development Services Agency  
Grand Jury  
Kern Council of Government  
City of Arvin  
City of Bakersfield  
City of California City  
City of Delano  
City of Maricopa  
City of McFarland  
City of Ridgecrest  
City of Shafter  
City of Taft  
City of Tehachapi  
City of Wasco