



**Kern Council
of Governments**

September 17, 2010

James Goldstene
Executive Officer
California Air Resources Board
Sacramento, CA
95812

Subject: Kern Council of Governments Support for the 2 and 5% Targets

Dear Mr. Goldstene:

On September 16, 2010 the Kern COG Board approved the enclosed response to the August 9, 2010 ARB staff report on SB 375 targets, which was uploaded to the ARB website on September 13th. In addition, the Kern COG Board instructed staff to coordinate on the development of an 8-MPO target that includes east Kern.

The Kern COG Board approved staff's recommendation to support the San Joaquin Valley Air Pollution Control District (SJVAPCD) Board recommendation for the 2% by 2020 and the 5% by 2035 placeholder targets. The SJVAPCD Board approved on September 16th.

We respectfully urge you to consider the recent actions taken by our Board and the SJVAPCD Board.

Sincerely,

A handwritten signature in black ink, appearing to read "Ronald E. Brummett".

For Ronald E. Brummett
Executive Director

CC: Doug Ito, Jeff Lindberg
Enclosure

SB 375 Target Setting

Kern COG Response to 8-9-10 ARB Staff Report – Version 3

The following comments are being provided to the California Air Resources Board and will be incorporated into a response letter to be approved by the Kern COG Board on September 16, 2010. The CARB staff report is available at <http://www.arb.ca.gov/cc/sb375/sb375.htm>.

- **Valleywide Target Precedent** - Kern COG is seriously concerned that a single placeholder target for the "Valley" will preclude the option to establish targets for subregions or a single MPO in the 8-county area. Half of the Kern Region lies in the East Kern Air Basin, and is NOT in the "Valley." The Kern region is committed to striving to work with the other 7 Valley MPOs to develop a single 8-county or multi-county target(s), however, if coordination is not possible, the precedent the proposed Valley placeholder target sets needs to be clarified. **Recommendation:** Provide separate provisional target(s) to MPO(s) from the San Joaquin Valley 8-County region that are unable to coordinate with the rest of the Valley. Base targets on modeling information specific to the each MPO.
- **10% Reduction by 2035 is Too Ambitious** – As pointed out in the 8-9-10 Staff Report this target is way beyond any modeling provided from any Valley MPO to date. Kern bears little resemblance to the big four major metropolitan areas, and basing targets for Kern on what other regions can do is arbitrary, unfair and could have serious repercussions to state environmental, economic and equity goals. For example the rural nature of the San Joaquin Valley and lack of mass transit options make emissions savings difficult to achieve. **Recommendation:** Provide provisional targets that reflect local modeling and are NOT based on comparison to other regions.

On April 23, 2010 Kern COG provided to ARB modeling and technical information as required by SB 375 Government Code Section 65080 (b)(2)(A)(ii). These results are for an alternative land use scenario that showed a .5 percentage point reduction when compared to the baseline 2035 scenario using the same methodology as used in the ARB 8-9-10 staff report:

Per-Capita Target Based on Technical Information Provided to ARB (4/23/10) by the Kern MPO

	2020	2035
Kern COG	2% Decrease	8% Increase

(methodology excludes 100% XX thru county travel)

The 5% decrease by 2020 and 10% decrease by 2035 proposed by ARB staff is NOT based on the technical information provided by the MPO. The ARB staff proposal ignores the local information adopted as part of an extensive and open

public process for the Kern region. The technical information provided are consistent to similar sized MPOs outside the Valley area such as the Monterey Bay region which is showing a 14% increase by 2035. The Kern region and the 7 other Valley MPOs should be treated like the 6 other MPOs where the targets were based on the modeling and technical information they provided.

- **Placeholder Targets** - Kern COG supports the concept of the placeholder targets with provisional targets to be provided by 2012. This will allow more time to enhance the modeling to more accurately reflect local conditions on what is ambitious, yet achievable as well as interregional travel and strategic employment areas. **Recommendation:** New modeling enhancements underway may not be ready by 2012 due to the limited modeling resources of the Valley MPOs. Allow an additional update of information to the provisional targets prior to their final adoption in 2014 or the next RTP cycle.
- **Subarea Targets for MPOs Split by Air Districts** - Kern County is a diverse region governed by two separate air districts/basins. The East Kern Air District is not in the San Joaquin Valley. **Recommendation:** If an MPO is split by air districts, allow the MPO to provide information during the provisional update for creating separate targets for each air district sub area similar to the process in the SCAG region. For example, the San Joaquin Valley portion could apply to the San Joaquin Valley Target.
- **Strategic Employment Areas** - Kern COG is dominated by rural resource land uses. These areas contain employment activities strategic to the state climate change and other goals. The RTAC recommended consideration for Strategic Employment Areas (such as military, wind energy, prisons, etc.) in the target setting process. There is no mention of this in the staff report. **Recommendation:** Allow not only an exemption for Strategic Employment Areas but a credit because of their essential contribution to climate change and other state goals.
- **Alternative Numeric Method to Percent Per Capita CO2 Reduction** – The percent per capita method creates problems for smaller high growth MPOs that can be subject to dramatic percent per capita changes because their population may be doubling every 30-40 years. It is important not to force an APS on a region that can show a significant savings in CO2 emissions compared to the future year baseline but are unable demonstrate compliance with their approved provisional target on a percent per capita basis. This could result in the voluntary APS strategies being ignored by the local governments in the region, wiping out the potential emissions savings demonstrated by the MPO's proposed SCS that is considered ambitious and achievable by the local MPO. MPO's should be allowed to prepare an SCS if their target meets one of the following requirements:
 - a. Current Method - The Percent Per Capita CO2 Reduction from 2005 baseline meets or is better than the MPO's approved target.

Or

- b. Alternate Method (10% Reduction in CO₂) - The MPO's proposed SCS shows a CO₂ emissions 10% below the statewide average, and the numeric pounds of CO₂ per capita is 10% below the region's 2020 and 2035 baseline emissions (pre-Pavely/LCF). For example, if the average SCS is 20 pounds per person in 2035, an MPO would need to show that it was below 18 pounds per person. This method should be considered as an addition to Section IV. of the Functionally Equivalent Document.

This alternative method reflects the RTACs recommendation for a substantial improvement in CO₂ emissions.

- **Pavley/LCF** - 2010 Provisional Targets do not include Pavely and Low Carbon Fuels standards as required by SB 375. **Recommendation:** Provide Targets that include the emission savings provided by technology gains from Pavely and Low Carbon Fuels efforts statewide.

Kern COG is supportive of CARBs efforts to work with the 8-Valley MPOs and to provide more time to improve information being provided in your bottom-up approach to target setting.