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Submitted Electronically

Mary Nichols, Chair
California Air Resources Board
1001 I Street
Sacramento, CA 95814

Re: Comments on the Discussion Draft 2030 Target Scoping Plan Update

Dear Chair Nichols:

On behalf of the League of California Cities (League), we would like to thank the Air Resources Board (ARB) for the opportunity to comment on the Discussion Draft 2030 Target Scoping Plan Update (Discussion Draft). We also thank ARB for acknowledging that close coordination and partnerships at the local level are needed to reach the State's long term climate and environmental goals.

Thank you in advance for your consideration of the following comments and suggestions:

General Comments

California's 482 cities are proud of what they have accomplished to help reduce greenhouse gas (GHG) emissions. Cities across the State have found cost efficient, innovative solutions that accommodate the unique characteristics of their communities. Many have completed GHG inventories, created climate change action plans, and implemented programs that are significantly reducing GHG emissions. It is helpful that the Discussion Draft acknowledges that "local actions are critical for implementation of California's ambitious climate agenda" (pg. 32) and that "many local governments have already initiated efforts to reduce GHG emissions beyond those required by the State" (pg. 31).

Cities and other local agencies are implementing innovative approaches to address climate change through energy efficiency and conservation, water and wastewater systems, green building, waste reduction and recycling, climate-friendly purchasing, renewable energy and low-carbon fuels, efficient transportation, land use and community design, open space protection and offsetting carbon emissions. Cities are also actively participating in rigorous voluntary programs designed to achieve measureable reductions in GHG emissions and energy use, such as the Beacon program administered by Institute of Local Government through the Statewide Energy Efficiency Collaborative, on behalf of the California Public Utilities Commission.

However, as innovative and successful as these and other local efforts have been, local agencies throughout California lack adequate staff and financial resources to plan, implement, and continue effective programs to reduce GHG emissions. We urge the ARB to recognize and address in the upcoming Draft 2030 Target Scoping Plan Update (Draft Plan) that with the elimination of local redevelopment agencies in 2011, local agencies lost the most powerful and effective tool to repair and upgrade infrastructure to accommodate additional growth, promote infill and transit-oriented development, and over \$1 billion per year in affordable housing funds. Since then, despite a significant

rebound in state revenues, no major source of revenue has been identified to fill this vacuum. Moreover, most revenue options available to local agencies to fund infrastructure and affordable housing face two-thirds voter approval requirements. Thus, it is imperative that the State prioritize spending to fund efforts by local, regional, and non-profit organizations to design and implement effective GHG emission reduction programs and best practices in ways that reflect the particular challenges, circumstances, and opportunities in each local community.

Specific Comments and Concerns

Introduction: California's Approach to Addressing Climate Change: Environmental Justice (pgs. 26-29)

1. In this section, the phrase “environmental justice communities” is used (pg. 26) but is not defined. Within this same discussion, the phrase “disadvantaged and low-income communities” is also used and not defined.

COMMENT: It is not clear from the text if these phrases are synonymous. In order to avoid confusion and in the interest of being more precise, it would be helpful if the Draft Plan provided a definition of "environmental justice communities." This would allow for the proper identification of these important communities. Additionally, the Draft Plan should define or reference the specific code section containing the definition of “disadvantage and low-income communities.” Currently, there are multiple code sections defining these communities.

2. The Discussion Draft states (page 26): "It is important to note that both the impacts of climate change and the health inequities we see in our communities share similar root causes: the inequitable distribution of social, political and economic power. These power imbalances result in systems (i.e., economic, transportation, land use zoning, etc.) and conditions that drive both health inequities and GHG emissions.

COMMENT: As presently drafted, it is difficult to understand the meaning of these sentences. For example, how is land use zoning a system? How is land use zoning a "power imbalance?" How is "land use zoning" an inequitable distribution of social, political and economic power? How does zoning land use contribute to GHG emissions? Answering these questions will provide needed clarity.

3. The Environmental Justice Advisory Committee (EJAC) makes a number of recommendations (pages 28-29). One recommendation is: "Coordination of strategies between State, federal and local agencies for strong, enforceable, evidence-based policies to prevent and address sprawl with equity at the center."

COMMENT: This recommendation raises a number of important questions. How do "evidence-based policies" prevent and address sprawl? What does it mean for local agencies to keep "equity at the center?" What is meant by "sprawl?" These questions should be answered in order for the EJAC recommendation to be understood.

COMMENT: In several places, the Discussion Draft fails to acknowledge that cities and counties are required to plan for a share of the regional housing need. Many in the housing advocacy community argue strongly in favor of all communities planning for its fair share of affordable housing. It is important to note that the State's interest in reducing VMT and GHG emissions may be in conflict with the State's requirement that all cities and counties plan for their fair share of the housing needs. A city or county removed from the inner city could be accused of promoting "sprawl" when it plans for its fair share.

II. Key Sectors: Transportation Sustainability (pages 48-57)

1. The Discussion Draft states (pg.49): "In addition, growing market demand for walkable, bikeable, and transit-accessible communities presents a significant opportunity to shift California's transportation systems toward a lower-carbon future while realizing significant public health benefits through increased levels of physical activity (i.e., walking and bicycling)."

COMMENT: This statement does not contain a footnote or sufficient foundation for the claim. It would be helpful if more information could be provided regarding what parts of the state and in what circumstances and among which socio-economic groups the "growing market demand" is occurring.

2. The Discussion Draft states (pg.50): "Stronger SB 375 GHG reduction targets will enable the State to make significant progress towards this goal, but alone will not provide all of the VMT growth reductions that will be needed. There is a gap between what SB 375 can provide and what is needed to meet the State's 2030 and 2050 goals. More needs to be done through continued land use changes, synergies with emerging mobility solutions like ridesourcing, and changes in travel behavior, especially among millennials."

COMMENT: Again - there is no footnote or foundation for the "gap" that is identified. There is also no indication of what type of "land use changes" are needed to reduce VMT. The Discussion Draft relies heavily on reduction of VMT and does not address the need for public transit funding. Additionally, there is no mention of the role the development community could play in funding public transit.

3. The Discussion Draft states (pg. 51): "Employing VMT as the metric of transportation impact statewide will help ensure GHG reductions planned under SB 375 will be achieved through on-the-ground development, and will also play an important role in creating the additional GHG reductions needed beyond SB 375 across the State. Implementation of this change will rely, in part, on local land use decisions to reduce GHG emissions associated with the transportation sector, both at the project level, and in long-term plans (including general plans, climate action plans, specific plans, and transportation plans) and supporting sustainable community strategies developed under SB 375. The State can provide guidance and tools to assist local governments in achieving those objectives."

COMMENT: The League has strongly opposed and has provided extensive comments on this provision which is contained in the draft SB 743 CEQA Guidelines. Additionally, we question the assertion that changing the metric to VMT will "also play an important role in creating the additional GHG reductions needed beyond SB 375 across the State." It is unclear what is meant by this statement. It should be noted that SB 743 simply prohibits LOS as a transportation metric in CEQA. A reduction of VMT does not necessarily equate to a reduction in GHG emissions.

4. The Discussion Draft (pg. 51) recommends the following objectives and goals: Update CEQA metric of transportation impact from LOS to VMT statewide; and promote all feasible policies to reduce VMT including land use changes and community design that reduce VMT.

COMMENT: It is important to note that it will not be possible in many areas of the state for a city or county to achieve its Regional Housing Need Assessment (RHNA) and reduce VMT. Not all of the needed housing units can be constructed in the urban core of a city or county. Thus, it will be extremely difficult to reduce VMT in all areas.

III. Key Sectors: Natural and Working Lands Including Agricultural Lands

1. The Discussion Draft states (pg. 63): "California will continue to pursue development and new infrastructure construction patterns that avoid greenfield development and increase conservation opportunities for natural and working lands to reduce the rate of conversion to intensified uses."

Success here will depend on working through local and regional land use planning and permitting, as well as developing incentives for participation by local governments and individual landowners."

COMMENT: It is not clear what is meant by "California will continue to pursue development patterns that avoid greenfield development since local governments make land use decisions." Additionally, the second sentence refers to "regional land use planning and permitting." It would be helpful if the Draft Plan could provide more information since we are unaware of any regional land use authority.

IV. Achieving Success

1. The Discussion Draft states (pg. 104): "Land use decisions affect GHG emissions associated with transportation, water use, wastewater treatment, waste generation and treatment, energy consumption, and conversion of natural and working lands. Local land use decisions also play a particularly critical role in reducing GHG emissions associated with the transportation sector, both at the project level, and in long-term plans, including general plans, local and regional climate action plans, specific plans, transportation plans, and supporting sustainable community strategies developed under SB 375 among others. While the State can do more to accelerate and incentivize these local decisions to better align with mutual State and local climate and other goals, local actions that reduce vehicle miles travelled (VMT) are also necessary for meeting transportation sector specific goals and achieving the 2030 target under SB 32."

COMMENT: This statement does not provide enough detail or foundation regarding the type of "land use decisions" affect GHG emissions associated with water use? More information should be provided in the Draft Plan.

2. The Discussion Draft states (pg. 106): "ARB believes that achieving no net increase in GHG emissions is the correct overall objective but may not be appropriate or feasible for every development project, and the inability to mitigate a project's GHG emissions to zero does not necessarily imply a substantial contribution to the cumulatively significant environmental impact of climate change under CEQA."

COMMENT: When considering the ability to achieve no net increase in GHG emissions, ARB must closely examine the impact that will have on the cost of housing and ultimately the impact on housing supply.

We would like to thank ARB for the opportunity to provide comments on the Discussion Draft. While a number of sections are missing from the Discussion Draft, it has been helpful to get some additional insight into what may be included in the Draft 2030 Target Scoping Plan. The League looks forward to reviewing that document when it is released in January and providing additional detailed comments.

If you have any questions, please let me know.

Sincerely,



Jason Rhine
Legislative Representative