



1400 K Street, Suite 400 • Sacramento, California 95814  
Phone: 916.658.8200 Fax: 916.658.8240  
[www.cacities.org](http://www.cacities.org)

April 10, 2017

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

RE: California Air Resources Board 2017 Climate Change Scoping Plan Update

Dear Chair Nichols:

On behalf of the League of California Cities, we would like to thank the Air Resources Board (ARB) for the opportunity to comment on the draft of the 2017 Climate Change Scoping Plan Update that was released on January 20, 2017. 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.

The League appreciates 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. 27).

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. Realizing these innovative approaches will depend upon a robust and sustained effort, requiring both direct state support and investment in programs at the local and regional level to reduce GHG emissions, and expanded support for effective statewide initiatives such as the Beacon Program that are rooted in local government and engage local community leaders, staff and stakeholders on an ongoing basis.

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:**

Evaluations: The League has identified the following specific comments and concerns related to the evaluations described in the scoping plan.

1. Page 100: Employing VMT as a metric of transportation statewide will help to 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.

COMMENT: The purpose of the change in how transportation impacts are evaluated for purposes of CEQA is to promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses (PRC Section 21099(b)(1)). The draft guideline implementing this change chose VMT as the preferred metric. This metric should not be employed statewide unless and until it is determined to be successful within “transit priority areas.” We will not know whether VMT as a metric for evaluating transportation impacts will achieve these three goals for several years. Use of the VMT metric outside a transit-rich environment may delay development and make it more difficult for cities to approve the housing units allocated to them through the RHNA process.

Following the draft guideline means determining that a project will have a significant adverse impact on the environment based upon the VMT generated by the project. This means more EIRs will be required for development projects proposed in cities without transit (i.e. residents need cars); and cities without a job base (i.e. residents need to commute to work). More EIRs means higher costs and less housing.

2. Page 101: The State can provide guidance and tools to assist local governments in achieving reduction in GHG emissions associated with the transportation sector, both at the project level, and in long term plans and in supporting sustainable community strategies developed under SB 375.

COMMENT: The League of California Cities welcomes such guidance and tools.

3. Page 105: Support and assist local and regional governments, through grant programs and technical assistance, to develop and implement plans that are consistent with the goals in “Vibrant Communities and Landscapes,” including AB 2087 (help local and State agencies apply core investment principles when planning conversation and mitigation projects; implementation of updated General Plan Guidelines).

COMMENT: The League of California Cities welcomes such grant programs and technical assistance.

4. Page 134-36: The State must accommodate population growth and economic growth in a far more sustainable manner than in the past. Longer-term GHG reduction targets cannot be achieved without land use decisions that allow more efficient use and management of land and infrastructure.

Local governments have primary authority to plan, zone, approve, and permit how and where land is developed to accommodate population growth, economic growth, and the changing needs of their jurisdictions.

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 State and local climate and other goals, local actions that reduce VMT are also necessary to meet transportation sector-specific goals and achieve the 2030 target under SB 32.

COMMENT: The League of California Cities agrees that local land use decisions play a critical role in reducing GHG emissions associated with the transportation sector, both at the project level, and in long-term plans. However, these paragraphs fail to take into account the competing public policy objectives found in two important state laws: (1) Each city must plan for its fair share of the regional housing need for all economic segments of the community (Gov't Code 65584); and (2) A city may not disapprove a housing project that is affordable for very low, lower, or middle income residents if the project is consistent with the city's general plan and zoning unless it has a specific adverse impact on the public health and safety as supported by substantial evidence. The requirement for each city (no matter its proximity to transit) to plan for and approve housing competes with the State's goal to reduce GHG emissions in the transportation sector.

4. Page 136: 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.

Local Actions, Appendix B: The League has identified the following specific comments and concerns related to the Local Actions Appendix.

Page 1: "Streamline permitting and environmental review and reduce fees for small-scale renewable energy systems" is suggested as an example of local municipal policy direction that could apply broadly to the community within the general plan or climate action plan area.

Page 2: "Reduce permit fees and streamline permitting requirements for energy-efficiency and renewable energy-related building renovations."

COMMENT: Municipal fee recovery is limited to the costs of providing services or products. Therefore, when fees are reduced (below cost), a city must draw on its general fund to make up the deficit. A suggestion that fees be reduced for small-scale renewable energy systems or energy-efficiency and renewable energy-related building renovations should be accompanied by an acknowledgement that this reduction means that the city is (1) subsidizing the cost of permitting and otherwise regulating the system; and (2) choosing between providing this subsidy and some other city service.

If you have any questions, please do not hesitate to contact me at (916) 658-8250.

Sincerely,



Erin Evans-Fudem  
Legislative Representative  
League of California Cities

cc: Members, California Air Resources Board