

0012-110
San Rafael

Mayor
Albert J. Boro

Council Members
Greg Brockbank
Damon Connolly
Barbara Heller
Cyr N. Miller

December 9, 2008

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

ORIGIN: [unclear]
Copies:

Board Clerk
Executive Officer

Chair
ORIGINAL
Copies:

Board Clerk
Executive Officer
Chair

RE: Comments on Air Resources Board Proposed Scoping Plan

Dear Chair Nichols:

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

We are proud of the work we have done already on reducing our City's greenhouse gas emissions (GHG emissions). In addition to adoption of green building standards, we are midway through the preparation of a Climate Change Action Plan to identify and prioritize additional efforts that the City can take to achieve these important goals.

While the City of San Rafael is generally supportive of a number of programs and policies outlined in the Scoping Plan, it is crucial for state policymakers to avoid establishment of additional unfunded mandates. 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. The implementation of SB 375 is supposed to work from a bottom up approach, in that, local governments are supposed to be involved through regional planning efforts, and by developing regional transportation-related GHG targets. As such, implementation of the regional planning processes in SB 375 is both new and largely untested. The ARB is currently being lobbied by numerous environmental groups and others to increase the amount of metric tons of greenhouse gas emissions reductions required by local governments through transportation related planning programs. It would be premature and unnecessary to now "move the goal posts" by establishing higher amounts of greenhouse gas emissions reductions, when the effort to establish targets will ultimately be determined during the SB 375 process. The 5 MMT figure, while a placeholder, nevertheless sets an appropriate benchmark that helps assure that the state can achieve its overall 2020 goal."

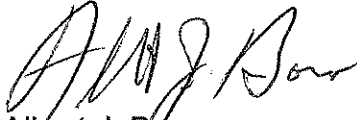
Presently, local governments simply do not have the monetary resources to go beyond current local efforts to reduce greenhouse gas emissions. Please keep in mind that cities throughout California are facing the prospect of laying off or furloughing employees, and prioritizing existing governmental services against additional resources necessary to implement climate change initiatives.

While local governments can influence the design of new developments to be more energy efficient, in a largely built-out city such as San Rafael, our ability to achieve GHG reductions will necessitate the retrofitting of existing homes and businesses. To achieve these objectives, there will need to be financial incentive and financing programs to incentivize building owners to invest in upgrades.

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 San Rafael 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 San Rafael looks forward to working with the ARB in the future.

Sincerely,

A handwritten signature in black ink, appearing to read "Albert J. Boro". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Albert J. Boro
Mayor

cc: League of California Cities, 1400 K Street, Sacramento, CA 95864