



November 19, 2008

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City Manager

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

CO 11-89

RE: City of Modesto Comments on Air Resources Board Proposed Scoping Plan

Dear Chair Nichols:

On behalf of the City of Modesto, 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 significant work we have done already on reducing our City's greenhouse gas emissions (GHG emissions). For example, the City adopted a technical update to its Urban Area General Plan and Master Environmental Impact Report (MEIR) last month. One component of this technical update is an additional section of the MEIR that analyzes climate change. The MEIR lists no less than 22 individual City policies that have been determined to reduce, avoid or mitigate environmental impacts associated with GHG emissions.

While the City of Modesto is generally supportive of a number of programs and policies outlined in the Scoping Plan, it is crucial for state policymakers take account for the means that will be needed to achieve the goals. 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. Implementation of the regional planning processes in SB 375 is new and largely untested. The 5 MMT figure, while a place holder nevertheless sets an appropriate benchmark that helps assure that the state can achieve its overall 2020 goal."

As both the state and local governments are faced with critical budget shortages, additional costs to heavily invest in GHG emission technologies in the next 2 to 3 years will become more burdensome for local governments. While local governments can influence development design to a certain extent, the reality is that developers will only build projects that will be purchased by willing customers and that are profitable. 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 Modesto 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 Modesto looks forward to working with the ARB in the future.

Sincerely,

Greg Nyhoff
ORIGINAL:
Greg Nyhoff
City Manager
Copies:

Board Clerk
Executive Officer
Chair

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