



California Building
Industry Association

1215 K Street
Suite 1200
Sacramento, CA 95814
916/443-7933
fax 916/443-1960
www.cbia.org

2008 OFFICERS

Chairman
RAYMOND C. BECKER
DMB
El Rancho San Benito
Hollister

Vice Chairman
HORACE HOGAN II
Brehm Communities
Carlsbad

CFO/Secretary
JOHN R. YOUNG
Young Homes
Rancho Cucamonga

President & CEO
ROBERT RIVINIUS, CAE
Sacramento

MEMBER ASSOCIATIONS

Building Industry
Association of
Central California
Modesto

Building Industry
Association of the Delta
Stockton

Building Industry
Association of
Fresno/Madera Counties
Fresno

Building Industry
Association of
San Diego County
San Diego

Building Industry
Association of
Southern California
Diamond Bar

Home Builders
Association of
Central Coast
San Luis Obispo

Home Builders
Association of
Kern County
Bakersfield

Home Builders
Association of
Northern California
San Ramon

Home Builders
Association of
Tulare & Kings Counties
Visalia

North State Building
Industry Association
Sacramento

May 21, 2008

The Honorable Jackalyne Pfannenstiel
Chair, California Energy Commission
1516 Ninth Street, MS-33
Sacramento, CA 95814-5512

Re: Comments on *LUSCAT Submission to CARB Scoping Plan on Local Government, Land Use & Transportation – Draft 4/8/08*

Dear Chair Pfannenstiel:

On behalf of the California Building Industry Association, thank you for the opportunity to serve on the Advisory Committee for the Land Use Subcommittee of the Climate Action Team (LUSCAT). Additionally, thank you, your staff, CARB staff and a host of others who have worked with me and my colleagues over the past number of months on this important aspect of AB 32 implementation. These comments build on our submittal from February 22 (attached) and are focused on the key policy principles that we believe are central to creating a land use strategy for California that achieves greenhouse gas reductions, accommodates growth in market-realistic ways and allows the California housing market to lead our state's eventual economic recovery.

The land use/transportation sector of AB 32 implementation is extremely complex. This complexity is exacerbated by attempting to solve decades old land use debates through the AB 32 process. The challenge of developing strategies that encourage more efficient growth and that achieve greenhouse gas reductions is one that will take a great deal of collaboration and teamwork. Distractions from the core issues will only cause us to get sidetracked.

As we have noted in the LUSCAT meetings, in private meetings with staff and at the Haagen-Smit symposium, we endorse the Regional Blueprint planning process as a core strategy. We applaud LUSCAT for its recognition of this bottom's up approach. We also support LUSCAT in its views that achieving the goals of AB 32 in the land use/transportation sector must be balanced with the other statutory requirements placed on local governments, including providing for the full-range of housing needs.

Blueprints can be an effective framework to help guide local governments in longer-term planning and transportation decisions and aid regions in achieving conformity with federally mandated air quality requirements.

It is important that the recommendations/strategies put forth by the LUSCAT be viewed through the lens of effective regional planning. An example of a specific LUSCAT recommendation that falls short of this principle is the suggestion to mitigate “High Transportation Carbon Footprint Development” through the adoption of a statewide indirect source rule. (Section 4.4.6) This approach ignores factors which would be considered under a regional planning approach where such development may be close to transit options, within a regional preferred growth area and close to amenities such as schools, retail and suburban employment centers. As 80% of vehicles miles traveled (VMT) are created by discretionary trips, these are important factors in efficient land use planning.

We support the LUSCAT’s recommendation in Section 3.4 on “Reducing Barriers to Efficient Land-Use Development.” As is noted in the section, if one of the strategies for reducing greenhouse gas emissions from the land use sector is to encourage higher-density urban development, then the necessary regulatory reform must accompany the strategy. Although not in the LUSCAT submission, but arising out of the Haagen-Smit symposium, we encourage LUSCAT to include the priorities identified in “Section 6: *Create Opportunities for GHG Efficient Land Use Development.*”

If the State is going to be successful in reducing the impact of land use, transportation and development on climate goals, then all opportunities for improved planning must be realized.

- OPR should convene a multi-agency advisory group to examine ways to improve land use coordination and goal attainment (Strategic Growth Council);
- CEQA should be revised to support greenhouse gas efficient growth;
- Local governments whose general plans are consistent with a regional blueprint that produces GHG reductions beyond “business

as usual" should not have to evaluate greenhouse gas in their general plan CEQA documents

- Projects that are consistent with general plans that are consistent with regional blueprints that achieve GHG reductions should not have to evaluate greenhouse gas impacts in their CEQA documents;
- State technical, fiscal and regulatory programs should provide priority consideration to regional and local priority planning projects as identified through a Blueprint."

Finally, we would once again ask the LUSCAT to include the role of California's existing housing stock to address the goals of AB 32. As we have noted before, of the approximately 13 million existing residential structures, 8 million were constructed prior to California's landmark energy efficiency building standards and there are great opportunities for cost effective emissions reductions from this sector. Exclusively focusing on the less than 1% that gets added each year in new development fails to recognize this opportunity in the housing and land use sector. The final LUSCAT submission needs to address strategies and programs aimed at reducing the carbon footprint of existing residents and settlements.

Again, thank you for the opportunity to offer these comments.

Sincerely,

Richard Lyon
Senior Legislative Advocate