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Mr. Panama Bartholomy
 California Energy Commission, Advisor
 to Chairperson Pfannenstiel (M.S. #33)
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Dear Mr. Bartholomy:

SUBJECT: Comments on LUSCAT Submission to CARB Scoping Plan on Local Government, Land Use and Transportation

Thank you for the opportunity to provide comments on the *LUSCAT Submission to CARB Scoping Plan on Local Government, Land Use and Transportation*. As a member of the LUSCAT advisory group, SANDAG has followed the LUSCAT process closely and is encouraged by the quality of the final document. The report makes a clear and compelling case for the role of land use in reducing VMT and associated greenhouse gas (GHG) emissions. In its "sector structure" recommendations, the document provides an appropriate framework for the state to address the climate change impacts of land use, transportation, and local government activities, and the specific "sector strategies" are mostly reflective of our experience at the regional level.

While SANDAG supports most of the recommendations, we do have several suggestions that we believe would improve the report and better assist CARB in considering land use and transportation in its Scoping Plan, as enumerated below.

1. On Page 5, 6, we recommend that land use-related planning and regulatory issues pertinent to the Energy and Water sectors (along with other sectors) be addressed in conjunction with land use-related issues pertinent to the Transportation sector. These issues relate not only to building design, but also to site planning, location of new development and redevelopment, siting of energy production facilities (including distributed generation facilities) and distribution facilities, and the like.

The Climate Action Team and CARB should ensure that land use strategies related to building codes and standards are adequately addressed and promoted. It is our understanding that VMT-related land use strategies are being evaluated by LUSCAT, while building-related land use strategies are being addressed by the Electricity and

Natural Gas Subgroup. However, it is critical that state agencies acknowledge the close relationship between building- and transportation-related land use impacts. Many practices can reduce GHG emissions from building energy consumption while also reducing emissions from transportation. Local governments are able to implement these land use practices, but the building code component is not addressed in this document despite its focus on local government and land use. Our concern is that the role of local governments in regulating building code-related land use could be falling through the cracks of the state climate change planning process. Local governments should be engaged around these strategies, and they should be recognized for carbon savings that result from implementing the strategies locally.

2. The report does not address important Transportation Demand Management (TDM) strategies such as ridesharing and telecommuting. These measures are valuable for meeting any regional VMT-related targets for 2020, since they can be implemented quickly while land use and infrastructure strategies take more time. Moreover, TDM programs are often managed by regional agencies and their contribution to reaching regional transportation GHG targets must be recognized and accounted for. It should also be noted that transportation modeling is mistakenly described as TDM on page 32.
3. On Page 11 of the report, the discussion under “Promote State Leadership” should address not only facilities that are built and operated by State agencies, but also facilities that are exempted from local land use regulation by the State, such as public school facilities.
4. Pages 12 and 71 have the following language, “Implementation of sector strategies should have a net zero cost through 2020. Based on analysis put forth, it is assumed that state, regional, and local agency partners will be able to redistribute and leverage existing funding revenues for land use and transportation activities to meet the state’s regional GHG targets, while continuing to meet the balance of the State’s other land use and transportation goals.” The report needs to define “net zero cost,” and it should provide the research and rationale for these broad statements. It seems to imply that all we need to do is shift funding around and we can meet new GHG goals as well as meet all other state goals. Yet other sections of the report refer to tax/fiscal and other barriers to GHG efficient growth. We also know that public transit funding is not keeping pace with demand, either for transit operations or capital improvements to existing systems.
5. SANDAG supports LUSCAT’s emphasis on state leadership, particularly in the area of state infrastructure and facilities operation. It should be made clear that GHG emissions from state facilities will be subtracted out of any regional targets.
6. On Page 19, the section on land use planning should discuss the land use regulatory process (including zoning, regulatory permits, subdivision regulations, building permits, etc.) that is used by local governments to implement General Plan policies and other state and local policies and requirements.
7. On Page 29, we believe that the section entitled “Rural Transportation Planning Area (RTPAs)” is actually discussing “Regional Transportation Planning Agencies.” The text of this section should be corrected accordingly.

8. On Pages 39 and 40, the section on “Natural Resources Protection and Agricultural Land” does not include a discussion of several land use planning and regulatory activities required or allowed under State and/or Federal law:
 - State law pertaining to local general plans calls for preparation and adoption of general plan elements addressing open space, conservation, safety and seismic safety. These elements often include land use-related policies related to natural resource protection and agricultural land.
 - The California Coastal Act contains policies related to natural resource protection and agricultural land for areas located in the Coastal Zone.
 - State and Federal laws pertaining to endangered species protection, as well as the State Natural Communities Conservation Program, set forth requirements and policies related to natural resource protection. These programs are administered by the State Department of Fish and Game.
9. From pages 41 to 43, the section on “Water Planning, Distribution, and Quality” does not address requirements in State law pertaining evaluation of water supply in local general plans, as well as State law requiring an evaluation of water supply availability during the review of major development projects.
10. On Page 52, the section on “School Siting Guidelines” should discuss the possibility of requiring proposed school sites to be subject to local government review in relation to land use-related impacts and mitigation measures related to GHG emissions.
11. On Page 53, the reference in the first sentence to “providing GHG reduction targets for the transportation and land use sector” is not clear; would these targets pertain only to emissions from autos and light trucks, or would they also pertain to other emissions that may be affected by land use policies, such as energy and water? If a decision is made to set regional GHG emission targets, consideration should be given to setting targets that include all sectors that are affected by land use (see earlier discussion above ref. p. 5, 6).
12. On Page 55, in the second paragraph, the sentence “State agency land use decisions should support regional Blueprint plan land use designations when appropriate” is incorrect. To our knowledge, California regional blueprint plans do not include “land use designations,” but rather include policy recommendations regarding land use that are recommendations to local governments and other land use regulatory authorities.
13. On Page 57, the discussion on this page does not make a clear distinction between the items listed in Section 4.2 and those listed in Section 4.3.
14. On Page 60, if the State requires regional blueprint plans to include specific content pertaining to climate change policies and strategies, there should be funding provided to meet these requirements.

15. On Pages 79 and 80, it is not clear how each of the performance indicators listed here pertains directly to reduction of greenhouse gas emissions, or how this information would be used.
16. The report notes that OPR is charged with developing CEQA climate change guidelines under SB 97, but does not offer specific concepts on how CEQA should be addressed. We believe that the following components should be provided to CEQA lead agencies, at a minimum:
 - The State should define specific thresholds for projects that would not have to evaluate impacts to climate change (due to project type, size and/or location). Small projects that are consistent with land use plans should not have to evaluate impacts to climate change.
 - The State should provide methodologies for determining GHG emissions from projects to establish evaluation consistency throughout the state.
 - Guidance should be provided in CEQA for alternative mitigation strategies that encourage contributions to transit instead of road widening and auto-oriented mitigation measures.
17. The report appropriately highlights the role that Regional Blueprints and Regional Comprehensive Plans can play in climate change mitigation. We wish to emphasize that Regional Blueprints are the most suitable planning tool for developing regional climate change policy, rather than only Regional Transportation Plans. Further, to enable regions to address GHG comprehensively at a regional level, local governments need to update their general plans so that they look beyond 2020 and are consistent with the timeline of regional blueprints and RTPs.
18. The document would benefit from citations on the following items:
 - The correlation between VMT and GHG
 - Methodology for determining that the selected mitigation strategies are “those that could significantly reduce emissions.” (Pages 58, 63)
 - Conclusion that congestion pricing will reduce VMT and GHG emissions. (Pages 68-69)
 - Statement that “large-scale public education programs in California have been very successful at reducing energy use and waste.” (Page 70)

Thank you for considering these comments. If you have any questions about the comments, please contact Brain Holland at (619) 699-6915.

Sincerely,



ROB RUNDLE
Principal Regional Planner
RR/sgf