

Transportation Solutions Defense and Education Fund

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May 5, 2008

By E-Mail

Panama Bartholemy
California Energy Commission
1516 9th Street
Sacramento, CA 95814

Re: Draft LUSCAT Scoping Plan Submission

Dear Panama:

The Transportation Solutions Defense and Education Fund, TRANSDEF, is very pleased by the draft LUSCAT report. We are convinced that land use strategies and VMT reduction will prove to be absolutely vital in achieving AB 32 targets. We are further convinced that the draft report is right on target in proposing effective strategies to make that possible. The agencies that collaborated in compiling this draft submission to the Scoping Plan have listened well to the input they received, and come up with good strategic choices for the report.

Recognizing that the LUSCAT report surveys a highly complex system of institutions, each with their own legislative mandate and culture, we think it useful to distill from the report the very core of LUSCAT's strategic approach. A Scoping Plan that reduces emissions from the land use sector on the scale required to meet AB 32 targets will, by necessity, require profound change in expectations, behavior, and policy. We believe that each of the following elements of the report to be an essential part of the innovation needed to bring about that level of change:

- Regional targets for GHG emissions reduction from the land use sector.
- CEQA Guidelines
- High-Speed Rail
- Indirect Source Mitigation Fees.
- Congestion Pricing
- Pay as You Drive Insurance Premiums
- Strategies to reduce employee commute trips

Each of these core strategies needs to be further developed to optimize its effectiveness. We offer these thoughts to expand on the work by LUSCAT:

- We believe regional targets for GHG emissions reduction need to be mandatory,

with each region conducting a negotiation process to sub-allocate the targets to individual jurisdictions, based on expected future growth. Each jurisdiction would have a per capita reduction target for its existing residents, and a separate one for its future residents, in the recognition that LUSCAT policies will result in substantially lower per capita emissions for new residents.

- The CEQA Guidelines need to identify what constitutes a significant impact. We suggest that emissions of additional GHGs be considered a significant impact. Add the following to the Air Quality section of the Checklist: “Result in greenhouse gas emissions that delay the attainment of AB 32 targets?”
- The State needs to support High-Speed Rail as the future armature tying together its regions. This system needs to become the default mode of choice for interregional travel. It will also provide the infrastructure for extensive networks for intraregional travel. The development of High-Speed Rail needs to impose minimum density zoning guidelines as the requirement for station siting, to catalyze a densification of future growth around station areas, and a development focus on urban cores.
- Indirect Source Mitigation Fees need to be high enough to channel growth into walkable higher density communities. The economic rewards for building auto-dependent subdivisions must be made unattractive, in comparison. The fee would capture the full transportation costs of sprawl, including its increased VMT and GHG emissions. The fee would serve to level the playing field, making infill projects competitive with greenfield projects. New communities need to be connected to their regions by a network of convenient transit.
- California needs to dramatically change its priorities in transportation funding. We need to stop building highway capacity to accommodate growth in demand for single-occupant driving. Instead, we need to start pricing highways to provide appropriate economic incentives to discourage single-occupant driving, and to encourage carpooling, walking, biking and using transit. We need to invest the savings from ending highway construction, as well as the proceeds of congestion pricing, in cost-effective transit networks, including a system of subsidies to enable low-income people to maintain mobility.
- The single most effective VMT reduction measure in California has been the Employee Trip Reduction Ordinance. Unfortunately, the Legislature rescinded the authority of air pollution control districts to impose such ordinances when it adopted Health & Safety Code Section 40717.9, enacted as SB 437. To implement effective strategies to reduce employee commute trips, the Scoping Plan needs to ask the Legislature to revisit this issue.

Other Promising Submitted Strategies

In addition to the strategies included in the LUSCAT report, several strategies submitted by stakeholders showed great promise. We recommend the following strategies be listed for further consideration, as the Scoping Plan is developed:

- Funding for Urban and Infill Schools. A major impediment to Smart Growth is the perception of poor quality urban schools. Attracting families into cities will require

good schools. Part of the solution will be additional funding from the State. Please note: The Education Code requirements for playing fields tend to prevent new schools from being sited in infill locations, and push them instead to greenfield locations far from students' neighborhoods. This needs to be fixed.

- Market-Priced Parking. We need to stop using public funds to subsidize parking. Requiring parking to pay its own way will have a VMT reduction effect, and will result in more economic use of scarce land resources.
- LAFCOs and Infill Determination of Need. LAFCOs need to be instruments of State policy, restricting the annexation of vacant lands so as to push development into infill locations.
- Sequestration Plan. The multiple wildland and greenspace protection strategies proposed by ClimatePlan and Forest Trust may possibly not belong within LUSCAT. They do need to find a home somewhere within the Scoping Plan.

TRANSDEF's Own Strategies

TRANSDEF has come before the Air Resources Board several times to ask the agency to adopt a list of Transportation Control Measures that it finds to be Reasonably Available. Unfortunately, VMT reduction was not seen back then as an area ARB wanted to enter. The recognition of human-caused global warming, and the accompanying need to reduce VMT, should change that.

Because the California Clean Air Act requires non-attainment areas to adopt all feasible control measures, TRANSDEF believes this to be the most direct regulatory route to an effective VMT reduction program. We would be pleased to discuss innovative TCM concepts in detail with ARB. Here is one:

- Adoption of mitigations for increases in trip generation and GHG emissions as part of the conditions of local project approval. These should include best management practices in parking, including parking pricing, parking cash-out, ecopasses, car sharing, unbundling of parking from leases and real estate purchases, and shuttles.

TRANSDEF is pleased to see the direction LUSCAT has taken. We stand ready to work with LUSCAT and ARB to further develop policies and programs to assist our State in reducing its GHG emissions. Please contact us at the number above.

Sincerely,

/s/ DAVID SCHONBRUNN

David Schonbrunn,
President