

August 29, 2008

Ms. Mellanie Marshall
Associate Planner
City of Sacramento, Development Services Department
Environmental Planning Services
300 Richards Boulevard, Third Floor
Sacramento, CA 95811

Subject: **Draft Master Environmental Impact Report for the
Sacramento 2030 General Plan Project**
SMAQMD reference # SAC200500814 E

Dear Ms. Marshall,

Thank you for the opportunity to comment on the Draft Master Environmental Impact Report (DMEIR) for the Sacramento 2030 General Plan. During the development of the DMEIR for the 2030 General Plan, City staff reached out to the District for input on draft air quality impact statements and mitigation. Through the use of a collaborative process, many of the air quality-related issues in the draft document now better address the districts initial concerns. We appreciated the collaboration and the time you and other City staff spent in working with the District during the development of the document. Our comments on as-yet-unresolved issues in the document follow.

Toxic Air Contaminants

The Air Quality chapter of the DMEIR contains a discussion¹ of the thresholds of significance promulgated by the District and used in the chapter's analysis. Thresholds are presented for oxides of nitrogen, (NO_x), reactive organic gasses (ROG), particulate matter (PM₁₀), carbon monoxide (CO), toxic air contaminants (TACs) and others. Regarding TACs, the document recognizes there is no ambient air quality standard and refers to the District's *Recommended Protocol for Evaluating the Location of Sensitive Land Uses Adjacent to Major Roadways*. The DMEIR states:

"Toxic air contaminants (TACs) have no ambient air quality standard. The SMAQMD considers TAC exposures to be significant if... TACs create a risk of 10 in 1 million for cancer from stationary TAC source emissions, or greater than 446 in a million from mobile TAC source emissions..."²

The statement errs in declaring that 446 increased chances of cancer in a population of 1,000,000 is a threshold of significance. This number is used in the

¹ City of Sacramento General Plan 2030 DMEIR, pg 6.1-9 and 6.1-10

² Ibid, pg 6.1-18

District's Protocol as an evaluation criterion and is not intended to function as a threshold of significance. Rather, it is the point at which the District recommends the project proponent conduct a site-specific health risk assessment for the project.

This error about the District's "threshold" is repeated when the document discusses Impact 6.1-6, "TAC Emissions in excess of SMAQMD quantitative thresholds." The document states the impact of TACs will be significant but that new Mitigation Measure 6.1-6 will reduce impacts of TACs to less-than-significant. The District disagrees since the "threshold" that you have determined to use is incorrectly assumed to be such.

Mitigation Measure 6.1-6 states:

"The City shall consider the potential health effects of locating sensitive uses adjacent to certain sources of toxic air contaminants....the City shall require the preparation of a Health Impact assessment if recommended by SMAQMD or CARB protocols to identify health issues related to siting sensitive land uses near TAC sources and to identify alternative approaches to development"³

Measure 6.1-6 does not include a requirement to reduce the exposure of sensitive receptors to TAC emissions through the use of design features or building components that reduce TAC concentration, nor does it require that a project implement the alternative approaches if they are found to reduce exposure levels.

In the Cumulative Impact and Mitigation Measure section of the air quality chapter, the document discusses Impact 6.1-11 "[cumulative] TAC emission concentration in excess of 10 in 1 million". The "10 in 1 million" [potential increased cancer cases] phrase references the District's threshold of significance for stationary sources. The District does recommend use of a 10 in 1 million threshold when analyzing TAC impacts from major roadways or highways.

The document comes to the conclusion that build-out of the General Plan would lead to a significant cumulative TAC impact. In addition, it states that Mitigation Measure 6.1-6, listed above will bring this cumulative impact down to a cumulatively less than significant level. The District disagrees for the reasons stated above.

Climate Change

The City of Sacramento has shown leadership in the climate change area with many actions. Among these have been the creation of a Sustainability Master Plan and its Implementation Plan, the designation of a City Energy Manager, the City's 3-4 year participation in the California Climate Action Registry, the verification of the City's operational emissions for 3 years, the signing of the UN

³ Ibid, pg 6.1-19

Environmental Accords and the award of a \$400,000 grant for solar projects from Solar America Cities. We applaud these actions and initiative.

The practice of CEQA-based analysis of project-related climate change and greenhouse gas (GHG) emissions and the identification of appropriate mitigation measures in environmental documents are evolving quickly. Hundreds of CEQA documents have passed through that office with discussions of climate change. In addition, while there is no state-wide threshold of significance for greenhouse gas emissions, there is a process underway to develop such a threshold and clear interim guidance regarding how to evaluate and mitigate GHG emissions pending establishment of a threshold.

On two occasions, the District has issued correspondence to the local jurisdictions regarding addressing climate change in CEQA documents. That guidance encourages lead agencies to analyze all potentially significant impacts, including GHG emissions, even in the absence of thresholds. It also encourages the discussion of significance of those emissions and their mitigation. In addition, in January, 2008, the California Air Pollution Control Officers Association (CAPCOA) issued guidance on CEQA & Climate Change which gives suggestions on how municipalities can address GHG emissions from projects subject to CEQA.

The City of Sacramento General Plan DMEIR addresses climate change and greenhouse gas emissions reduction separately in Chapter 8. We believe this discussion appropriately sets the stage for understanding the rationale for mitigating climate change.

The 2030 City of Sacramento General Plan contains inconsistent and conflicting information on population growth. According to the Population chapter of the DMEIR, the City population consists of about 33% of the total population of the County and is expected to grow from 467,343 (January 2007) to 528,880 people by 2025⁴, or by a total of 61,537 residents. Employment is expected to grow from 310,300 (2005) to 450,000 jobs by 2030, or an additional 137,000 jobs. Housing units will grow by 97,000 dwelling units. In our review of these figures we note that these the number of dwelling units outpaces the number of new residents by 35,463 units. Our understanding from conversations with City planners has been that the City expects to grow by 200,000 people⁵ between 2005 and 2030. In the DMEIR's Appendix C, population is predicted to grow to 751,240 under the 2030 General Plan and to 631,161 people under the 1988 General Plan.⁶ We believe the DMEIR's population figures should be rechecked and made consistent or have their differences explained. The City's General Plan will guide the City's projected robust development and it is critical that the DMEIR adequately and fully address the environmental impacts from this development.

4 Ibid, pg 5-2

5 E-mail, Jim McDonald, City Long Range Planner, 8/4/02008

6 Technical Appendices to DMEIR, Appendix C pg 59

In the discussion of the project's impact on climate change, the document takes the position that:

- 1) No state or regional agency has issued guidance regarding the analysis of GHG emissions;
- 2) The City of Sacramento does not yet have a 1990 inventory of GHG emissions and so no firm conclusions can be drawn;
- 3) It is difficult to determine what the City of Sacramento's responsibility will be to reduce statewide GHG emissions to meet the AB 32 reduction targets.

By the end of the chapter, the document concludes *"it is not known what the specific GHG reduction targets would be for implementation of the 2030 General Plan. Therefore, it cannot be determined whether or not the project's cumulative contribution to GHG emissions, as measured by the AB 32 targets, would be considerable."*⁷

The District believes the analysis of the project's impact on climate change and the conclusion the document reaches are incorrect. The inventory discussion is confusing and is known to contain some errors which we will highlight below. The significance determination is unclear and therefore the mitigation for the GHG emissions should be re-evaluated. In addition, the discussion of climate change's impact on the project does not include a discussion of any policies to address those impacts.

- **Greenhouse Gas Emission Inventory**

It is difficult to follow the analysis of the GHG emissions for the 2030 General Plan at buildout. Through the use of ratios, the EMFAC model, the CEFS inventory and linear regression, the document comes to the conclusion that the policy area at buildout would generate 62,752 tons/day CO₂ under 1988 General Plan policies and would generate 63,490 tons/day CO₂ at buildout under 2030 General Plan policies. If the "daily" figure represents an average day, the City's emissions would be 22,904,480 tons/year CO₂ under the 1988 Plan and 23,317,385 CO₂ tons/year under the 2030 General Plan.

CO₂ emissions in the General Plan Area

	In DMEIR- tons/day	SMAQMD calculation tons/year
Under 1988 General Plan	62,752	22,904,480
Under 2030 General Plan	63,490	23,317,385
difference	+738	+ 269,370

⁷ City of Sacramento General Plan 2030 DMEIR, pg 8-56.

Many of the figures in the text do not match up with the information in Table 8-3. The connection of references to "8 tons", to "85 tons"⁸, to "256 tons"⁹ and to "291 tons"¹⁰ to Table 8-3 is unclear. We understand from City environmental planners that there were errors in the section and that some text was not updated but will be corrected in the final. It's also not clear whether wastewater water treatment GHG emissions and solid waste were included in Table 8-3. It's also puzzling why emissions from area sources (i.e. water heaters, cooking, furnaces) were modeled using a ratio applied to EMFAC VMT results. VMT typically grows faster than population. Area sources are more accurately estimated using population data. We suggest the text of the section be redone to contain the correct figures, to more clearly explain the ratios and what's included in the inventory.

The document states that the inventory's CO₂ emissions for VMT are likely overstated because people move around.¹¹ Since an inventory is a "snapshot," so to speak, taken at one moment in time it is unclear why this comment is relevant to the discussion.

Nevertheless, twenty-two to twenty-three million tons/year of CO₂ for build out of the policy area in 2030 does seem like a large estimate. As a comparison, the County of Sacramento's GHG inventory in their Climate Action Plan has 4,050,816 tons/year CO₂ for both its operational and community-wide emissions for 2005. The City of Galt's inventory for 2005 discussed in their new General Plan shows 182,437 tons/year CO₂. Finally, the DMEIR states that the daily GHG emissions for the entire SACOG region would be 55,280¹² tons/day if the 2035 MTP were not implemented. This amount is less than 63,490 lbs CO₂/day the document calculated for the City of Sacramento alone. These quick comparisons lead us to believe that the estimated policy area GHG inventory may be overstated.

- **Greenhouse Gas Emission Inventory Comparison**

The analysis presents a comparison of the policy area operational emissions at buildout under the existing 1988 General Plan with the operational emissions at buildout under the proposed 2030 General Plan. According to Table 8-3, emissions from mobile sources, area sources and electricity for the policy area under the new General Plan will be greater than those emissions would be under the existing General Plan by an additional 738 tons/day or 269,370 tons per year.

There is little discussion as to why GHG emissions would be greater for the Policy area under the new General Plan than under the existing. Better land use policies and mitigation in the general plan should decrease emissions over the life of the plan. There is also no discussion as to why the table includes an analysis

8 Ibid, pg 8-36

9 Ibid, pg 8-38

10 Ibid, pg 8-55

11 Ibid, pg 8-38

12 Ibid pg 8-47

of the emissions of the six county region. However we note that the emissions for the 6 county region decrease whereas the emissions for the policy area increase. It would be interesting to have a discussion in the actual DMEIR of what effect the policy area's new General Plan will have on the rest of the region. Without such a discussion, readers might conclude it would be preferable to continue the policies presented in the 1988 General Plan and not adopt the 2030 General Plan.

Appendix C in the Technical Appendices contains a table entitled "2035 Comparison of Regional Transportation Performance Measures"¹³. Some of the table's information is displayed below. The information could be quite useful in a discussion of the benefits of the City's 2030 General Plan. The statistics indicate that with the 2030 General Plan, the City will actually have over 100,000 more people than it would if it developed under the 1988 General Plan. In addition, VMT per capita, vehicle trips per capita and daily vehicle trips will be reduced. That's a tremendous benefit which is not highlighted in the DMEIR. The District recommends that if there is a reworking of this chapter, there be a discussion of the implications of the comparison made which could make use of these statistics to build a better argument.

2035 Comparison of Regional Transportation Measures			
Performance measures	City of Sacramento		change
	No project	Plus Project	
population	631,161	751,240	8.7%
Daily VMT	3,333,599	3,453,042	1.8%
Daily vehicle trips per capita	5.3	4.6	-6.9%
Daily vehicle trips per household	14.4	12.5	-6.9%
Daily VMT per capita	39.7	33.8	-8.1%
Daily VMT per person trip	5.8	5.4	-3.5%

In January, 2008, the California Air Pollution Control Officers Association (CAPCOA) released a resource referenced by the DMEIR titled CEQA and Climate Change. In chapter 8 of that document, "Analytical Methodologies for GHG," the authors discuss the analysis of environmental impacts of a general plan. Fifth among the methodologies for General Plan analysis discussed is a study of the "increment between buildout of updated General Plan and Existing General Plan Area," similar to the comparison methodology used in the DMEIR. The CAPCOA document states:

The actual GHG emissions impact could be described as the difference between buildout under existing and proposed land use plan (No Build Alternative). However, the courts have held that an EIR should also analyze the difference between the proposed General Plan and the

¹³ Appendix C, Technical Appendices, DMEIR, pg 59

existing environment. (*Environmental Planning & Information Council V, County of El Dorado (EPIC)* (1982) 131 Cal.App.3d 350).¹⁴

Clearly, the collective position of the California Air Pollution Officers is that General Plans should contain some analysis of a baseline level of GHG emissions.

- **Baseline GHG emission inventory**

The City states it does not yet have a baseline inventory of GHG emissions. The City is working with the Sacramento Area Green Partnership in its effort to develop a 2005 inventory of region wide emissions and is waiting for the results to come from this joint effort. That inventory, based on ICLEI software and guidance, will depend on each municipality providing Jones and Stokes, the contractor hired to do this work, with data. If a 2005 baseline is established, one could make some assumptions to discount the resulting emissions levels to arrive at an estimated 1990 baseline level.

Regardless, there are ways to estimate a baseline and in any case it is clear in numerous Attorney General communications in the OPR Technical Advisory that development of mitigation strategies should not be delayed by the absence of an inventory.

- **Reduction Targets**

The document states that because the City has not determined its 1990 baseline emissions, it cannot come up with a specific reduction target.¹⁵ There are ways to estimate needed reductions. AB32 requires the state to reduce GHG emissions to 1990 levels by 2020 and to even less by 2050. If the City of Sacramento were to use the AB32 reduction target, it would seem reasonable that an appropriate interim target reduction could be the 28-33% figure referenced in the MDEIR. The document states:

*"Reducing GHG emissions to 1990 levels will require a 28 to 33 percent reduction in "business as usual" GHG emissions for the entire state."*¹⁶

With the adoption of an interim target, the City could more proactively discuss actions it plans to take to begin to realize the needed reductions. Moreover, we believe there are many mitigation actions already underway that the City should take credit for in such a discussion.

- **Significance Determination**

At its conclusion to Chapter 8, the DMEIR states that "... it cannot be determined whether a project's contribution to climate change would be significant in the absence of state guidance, threshold, or methodologies."¹⁷ It also states "...it is anticipated that due to the net increase in VMTs and the overall growth of the

14 CAPCOA CEQA and Climate Change, pg 67

15 Ibid, pg 8-34

16 Ibid, pg 8-34

17 Ibid, pg 8-55

city that the proposed project would result in a cumulative contribution to GHG emissions and potentially contribute to climate change." With these statements, the document seems to be equivocating in determining whether the project's impact to global GHG is significant or not. The District believes it would be more correct to call the project's impact significant and unavoidable and to require as much mitigation as possible to deal with the impact.

- **Mitigation**

The document presents GHG mitigation measures which the Office of the Attorney General has published in a five and one-half page table. In the left column of Table 8-5, the Attorney General recommended measures are listed and on the right side, the document lists the 2030 GP policies or programs that address each measure. These General Plan policies are not called mitigation, but, in effect, they are. We applaud the City for discussing the Attorney General's recommended measures in light of hundreds of City General Plan Policies and have the following comments regarding individual measures:

- General Plan policies ER 6.1.2, 6.1.4, 6.1.5 and ER Program 11 do not specifically address the jobs-housing balance. We recommend the City recheck the accuracy of the whole table.

Office of the Attorney General- Recommendations for Addressing Global Warming in General Plans	
Attorney General Recommended Measure	Sacramento 2030 GP Policy or Program that Addresses Measure
Housing- improve the jobs-housing balance and promote a range of housing choices near jobs, services and transit to reduce vehicle miles traveled	ER 6.1.2= the City shall require development projects that exceed the SMAQMD ROG and NOX thresholds ... ER 6.1.4= The City shall comply with pertinent State regulations to assess citywide greenhouse gas emissions.... ER 6.1.5= The City shall reduce GHG from new development.... ER Program 11= The City shall adopt a Climate Action Plan...

- Some of the General Plan policies are not as robust as the Attorney General's "recommended measures." The Attorney General measures uses language like "provide," "require," "include," "target funds," etc. In contrast, the General Plan policies use language like "promote," "seek," "strive for" which does not create as clear a context for specific action or enforceability.

Attorney General Recommended Measure	Sacramento 2030 GP Policy or Program that Addresses Measure
<u>Strengthen</u> local building codes for new construction and renovation to <u>require</u> a higher level of energy efficiency	LU 2.6.3= The City shall <u>promote</u> sustainable building practices... LU 2.6.5= The City shall <u>promote</u> the retrofitting of existing structures with green building technologies... LU 2.6.6= The City shall <u>seek</u>

<p><u>Adopt</u> energy and water efficiency retrofit ordinances that require upgrades as a condition of issuing permits for renovations or additions, and on the sale of residences and buildings.</p>	<p>to reduce the "heat island effect".... LU 2.6.3= The City shall <u>promote</u> sustainable building practices... LU 2.6.5= The City shall <u>promote</u> the retrofitting of existing structures with green building technologies... LU 2.6.6= The City shall <u>seek</u> to reduce the "heat island effect".... U 6.6.6= The City shall <u>encourage</u> the installation and construction of renewable energy systems, U Program 11= The City will conduct a study...</p>
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- We note that some measures have strongly worded actions that will take place which do provide the clarity needed.

Attorney General Recommended Measure	Sacramento 2030 GP Policy or Program that Addresses Measure
<p><u>Require</u> that all new government buildings and all major renovations and additions, meet identified green building standards.</p>	<p>LU 8.1.5 = The City shall <u>ensure</u> that all new or renovated City-owned buildings are energy efficient....</p>
<p><u>Require</u> bike lanes and bicycle/pedestrian paths</p>	<p>LU 2.7.6= The City shall <u>require</u> new development... create walkable, pedestrian-scaled blocks...M 1.3.3+ The City shall <u>construct</u> new bikeways and pedestrianways in existing neighborhoods to improve connectivity...</p>

Despite the fact the DMEIR does not call the listed General Plan policies mitigation, it seems to strongly imply the measures are feasible mitigation. It states "as shown in the table, the project complies with all feasible and applicable measures to bring California to the emission reduction targets."¹⁸ Because some of the language in the policies is permissive and may not be enforced, the District would disagree that all feasible and applicable measures have been used. The District recommends that the policies in the General Plan be reviewed to commit the City to more specific action where possible.

- **Adaptation to Climate Change**

As previously mentioned, the document contains a lengthy discussion about water resources in California, decreasing snowpack, potential for increased flooding, potential for increased temperature and sea level rise, among other things. These potential outcomes could be very serious and could lead to increases in the region's air quality problems with criteria pollutants.

The District believes the General Plan should have some policies to address these potential outcomes. Policies could include participation in research to examine the effects of climate change in Sacramento County; preparation of response strategies for the impact; setting performance standards, etc. The District believes it's important for the City to have a policy that commits them to the

¹⁸ Ibid 8-40

creation of a Climate Action Plan which could delineate the City's plan to get on the AB32 trajectory of emissions reductions.

- **Climate Action Plan**

In the General Plan Administration and Implementation section of the 2030 General Plan, the City commits to Program ER 11 and 12. These programs consist of the development and adaptation of a Climate Action Plan in 2008-2009. That Plan will "monitor climate change impacts; outline a strategy for reducing greenhouse gas emission and adapting to climate change..."¹⁹ The City also commits to reporting to the City Council annually on the Plan. The District applauds the City for these programs and welcomes the opportunity to assist, review and comment on the Plan.

Since the City's current position is that it does not yet have a 1990 baseline and can't determine an appropriate reduction target, a robust Climate Action Plan would provide the City the opportunity to outline steps it will take to create the needed inventory, create a target and commit to mitigation. The DMEIR or the General Plan itself should identify who will develop the plan and when the plan will be developed.

Consistency with Blueprint Preferred Scenario

The DMEIR includes an analysis of the 2030 General Plan's consistency with the Blueprint Preferred Scenario (or MTP scenario). The 2030 General Plan builds on the past commitments of the City to the Blueprint, including the adoption of Blueprint friendly Smart Growth Planning Principals in 2001 and the resolution to accept the Blueprint jobs/housing allocation adopted in November 2005. The General Plan is a map to the compact, sustainable communities envisioned in the Blueprint. The District applauds the City for its endeavor to develop a plan that is consistent with this important regional planning effort.

General Plan Technical Background Report

Included in the City of Sacramento General Plan 2030 DMEIR are two CDs. One of the CDs contains the Technical Appendices and the other contains the 956 page General Plan Technical Background Report. According to the Technical Background Report "the purpose of the TBR is to provide a profile and analysis of existing conditions pertaining to the Policy area. " In addition, it says "the TBR will be used as the foundation document for the development of subsequent planning policies and programs..."²⁰ While this report discusses existing air quality conditions, standards, regulatory context, and local efforts in chapter 6.5, there is no mention of Climate Change. The document is silent about GHG, climate change or global warming.

¹⁹ City of Sacramento Draft General Plan 2030, Pg 4-48

²⁰ General Plan Technical Background Report, pg ES-1

The District recommends that a separate chapter needs be added to this Report to discuss Climate Change's "existing conditions." Such a chapter could cover, among other things, current regulations, methods, climate change effects, sources of greenhouse gases and adaptation to climate change

Thank you for your consideration of these comments. If you have any questions, please contact the District's land use Program Coordinator, Larry Robinson, at 916-874-4819 or lrobinson@airquality.org.

Sincerely,

A handwritten signature in black ink, appearing to read "Larry Greene". The signature is fluid and cursive, with a long horizontal stroke at the end.

Larry Greene
Executive Director/Air Pollution Control Officer