



ALAMEDA COUNTY COMMUNITY DEVELOPMENT AGENCY  
PLANNING DEPARTMENT

December 7, 2010

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Honorable Board of Supervisors  
Administration Building  
1221 Oak Street  
Oakland, CA 94612

Dear Board Members:

**SUBJECT: PROPOSED CLIMATE ACTION PLAN FOR  
UNINCORPORATED AREAS OF ALAMEDA COUNTY**

**RECOMMENDATION:**

It is recommended that the Board:

- (1) Hear a brief staff presentation and take public testimony;
- (2) Adopt the Planning Commission and Planning Staff recommendation for the Alameda County Community Climate Action Plan as an advisory document, and direct staff to conduct environmental review for the CCAP in anticipation of formal inclusion of the CCAP in the County's General Plan.

**BACKGROUND DISCUSSION/SUMMARY:**

The Alameda County Community Climate Action Plan (CCAP) is part of the County's response to the federal, state and county actions designed to reduce greenhouse gas emissions (GHG) and the resulting effects on global climate change. The CCAP intends to inspire residents and businesses to participate in community efforts to reduce GHG emissions; demonstrate Alameda County's commitment to comply with State GHG reduction efforts; and provide clear guidance to County staff regarding when and how to implement the Plan's key provisions. The CCAP comprises policy measure suggestions designed to help Alameda County reduce its emissions of GHGs back to the Year 1990 levels, as required by State Laws AB 32 and SB 375. This is roughly a 15% decrease from 2005 levels, the base year for GHG emissions used in the CCAP. Using a wide range of probable policy tools in seven major categories – Land Use, Transportation, Energy Conservation, Green Infrastructure, Water Conservation, Waste Reduction and applicable Statewide GHG Emission Reduction Initiatives – staff believes that this reduction is achievable.

Staff's direction for developing the CCAP originates in several State and Local actions:

**State Actions:**

- Assembly Bill 32 (2006): The California Global Warming Solutions Act of 2006 requires California to reduce statewide GHG emissions to 1990 levels by 2020.
- Executive Order S-3-05 (2005): Established targets for reducing GHG emissions to 1990 levels by 2020, and to 80 percent below 1990 levels by 2050.
- Senate Bill SB 375 requires regional land use, housing and transportation plans to comply with regional GHG emission reduction targets – in other words, to conform to the 15% required reduction by the Year 2020.
- California's Climate Change Scoping Plan - Pursuant to AB 32 the Air Resources Board (ARB) approved the Climate Change Scoping Plan (Scoping Plan). The Scoping Plan encourages local governments to adopt reduction targets for municipal operations emissions and community-wide emissions that parallel the State's climate protection efforts. ARB has also provided guidance for cities and counties to reduce GHG emissions to 15 percent below 2005 levels by 2020.
- Assembly Bill (AB) 1493: This passed bill will reduce GHG emissions from passenger cars, light trucks and sport utility vehicles by more than 15%.
- Low Carbon Fuel Standards (LCFS): This State standard requires a further GHG reduction of about 10% for all vehicles.
- Renewable Energy Portfolio Standard (RPS): The ARB's adopted RPS requires PG&E and other major electric providers to derive 33% of their energy from renewable sources.

**Local Actions:** The Board has directed County action with the following Resolutions:

- County Climate Change Leadership Resolution (2006): The Board adopted Climate Change Leadership Resolution (R-2006-20). This resolution commits the County to take steps to reduce GHG emissions and adapt to the effects of climate change, and calls for integrating climate protection into the County's planning processes.
- Cool Counties Initiative (2007): The Board resolved to sign the Cool Counties Climate Stabilization Declaration (R-2007-336), which committed the County to work towards achieving an 80 percent reduction in greenhouse gas emissions by 2050.
- Strategic Vision (2008): The Board adopted the Alameda County Strategic Vision, which identifies the environment and sustainability as key County priorities. The values expressed within the document further support the County's climate protection initiatives.

All of these actions are implicit in the measures in the CCAP, and work toward the goal of 15% GHG reduction.

**Policy Categories:** Statewide Initiatives using a variety of programmatic and technical measures plus six policy categories of the CCAP include actions that achieve GHG reductions angles. Many of the measures would work in conjunction with each other. Measures include:

- Transportation improvements for bicycles and pedestrians in both the public and private sectors;
- Enhancing access to public transit, improving schedules, infrastructure and convenience;
- Actively implementing policies for smart growth, transit-oriented development and modified parking in core areas and near major transit stops.
- Supporting expansion and enhancement of quality neighborhood commercial uses;
- Supporting efforts to help households and businesses conserve energy;
- Implementing programs to improve energy conservation in new/existing buildings;

- Supporting the installation of renewable energy systems;
- Providing both incentives and limited mandates for reducing wasteful water use;
- Enhancing waste reduction and diversion programs, with an ultimate goal of virtually zero waste;
- Encouraging producers and sellers to manufacture and market goods of recycled materials, to help complete the waste reduction cycle;
- Improving opportunities for biological infrastructure – greenways, street trees, local agricultural parks, community gardens – and establishing additional local farmers’ markets.

The complete set of these measures in all areas, with summary descriptions, is found in Section II of the CCAP.

**The Process to Date:** The process of developing the CCAP has included extensive public participation. Initial public input was sought at a series of four public workshops in late 2009, which (along with the consultant’s reference material and staff refinement) provided the basis for the first draft CCAP in March of 2010. This was followed by a series of public hearings and meetings before several bodies:

- Agricultural Advisory Committee
- Sunol Citizens’ Advisory Committee
- Castro Valley Municipal Advisory Council
- Unincorporated Services Committee of the Board
- Castro Valley Sanitary District
- Planning Commission

While staff believes that all of the measures in the original draft had solid potential to reduce County GHG at modest cost and inconvenience, many of them were vigorously opposed by various commentators, primarily on economic grounds. Planning Staff consequently initiated a series of roundtable discussions with community stakeholders about how to make the complement of measures more acceptable while still maintaining the CCAP’s ability to achieve 15% GHG reductions. Two public roundtables and one agency roundtable were held, which resulted in significant changes to the measures. Planning Staff was able to adjust many aspects of the CCAP to accommodate stakeholders’ concerns. For example, three measures (the Residential and Commercial Energy Conservation Ordinances and the Commercial Parking Fee), were excluded from further consideration (see Table 1, Changes to CCAP Measures). Several others were modified and often reduced in their ability to mitigate GHG emissions. Some initially mandatory measures were made voluntary or incentive-based; others had exemptions or clarifications added. Enough of these modified measures were retained for the current draft to still achieve a 15% reduction in GHG.

During this process, Staff learned that Statewide Initiatives – AB 1493, the Low Carbon Fuel Standard and the Renewable Energy Portfolio Standard – could be incorporated as measures for which the County could assume credit within its boundaries. The ability to count GHG reductions for these measures made it possible to reduce the strength of other measures dramatically, including most of those opposed by stakeholders (please refer to Figure 1, Comparison of GHG Reduction by Category). A new draft released in September 2010 incorporated all of these changes.

The Castro Valley Municipal Advisory Council (CVMAC) held two public hearings on this matter in 2010, the most recent on October 25, 2010. At each hearing, concern was expressed about the possible impact of the CCAP on business and homeowners during a low point in the economic cycle.

The Council and the public also expressed concern that the CCAP relies on some mandatory elements (including ordinances and fees) rather than a purely voluntary or incentive-based approach. To this end, the CVMAC crafted a resolution that incorporates these ideas (see attached CVMAC resolution. The CVMAC resolution states that it can support the adoption of the CCAP *only if all of the CVMAC recommended changes are also adopted.*

As with the roundtable sessions that preceded the CVMAC sessions, Planning Staff was able to find common ground with the CVMAC on a number of recommendations to moderate measures without losing sight of the overall goal of the CCAP. It has been possible, through addition of the Statewide Initiative reductions, to greatly modify most of the mandatory elements of the CCAP and make them voluntary or incentive-based – but for some key measures, a guarantee of performance is required to reach the target, and the CVMAC approach will not allow the certainty or quantification necessary to achieve the goal of 15% GHG reduction.

#### Planning Commission

Most recently, on November 1 and November 15, 2010, the Planning Commission heard this matter. At each meeting, the Commission received the staff analysis and heard testimony from interested parties. The basis for the discussion was the September 21, 2010 Revised Draft CCAP, which Staff had recommended for adoption along with some revisions as outlined in the November 1 staff analysis (attached), and the CVMAC resolution. The Planning Commission allocated the bulk of the public hearing to discussing the two recommendations to achieve what they believed to be an effective balance. For some measures, the Commissioners selected the Staff recommendation, sometimes with minor revisions; in other cases the Commissioners chose the CVMAC recommendations again, at times with minor revisions. For several measures, the Commissioners crafted either a different approach or a compromise measure.

Table 1 contains a complete summary list of all of the changes recommended by the Planning Commission, and a brief description of the relative effect on the effectiveness of the measure. This table provides a complete current set of revisions to the September 21, 2010 draft of the CCAP. Table 2 includes a side-by-side comparison of the remaining measures where the Planning Commission and CVMAC recommendations differ.

After discussion with the project consultant, Planning Staff believes that the Planning Commission's revised measures, if implemented diligently, will allow the County to achieve its target 15% GHG reduction goal, and staff can recommend these revisions along with the September 21, 2010 Draft CCAP.

#### **DISCUSSION:**

A review of the attached Table 1, demonstrates that with the Planning Commission action, which includes formal approval of several earlier changes, the CCAP has evolved significantly from its first draft. Staff understands the temporary economic concerns that stakeholders have about certain measures, and in many cases staff has responded by either reducing the strength of the measure or by resetting the timeframe for implementation from short-term (1-2 years) to medium term (2-5 years) – in effect a form of phasing - to allow for an economic rebound and to also give the County time to better understand technological advances. Staff believes that with the proposed changes, short-term economic impact is minimized. Staff also expects significant developments in the private market to address some of these issues (green building, energy efficiency, recycled content) as well as actions taken at the state level that will move California toward reduced emissions.

The implementation of the CCAP requires that a new inventory be done in 2014 as a "check-in" to measure our progress. At that point Staff will reassess the need for certain measures, with a new community process to be undertaken at that time. Some additional considerations:

- Important side benefits of CCAP policies would be making communities more livable and comfortable, more pedestrian- and bicycle-friendly, more water and energy efficient and more resilient to price spikes in natural resources (water/gas). It would also result in more stable neighborhoods, cleaner air, healthier environs, and creation of green jobs.
- The County is currently in an update phase for the Eden and Castro Valley General Plans; it is now necessary to include GHG reduction strategies in these Plans. The preparation of the CCAP is a mitigation measure for Eden Plan EIR and maybe for the Castro Valley Plan as well; the success of the plans at reducing GHG will hinge on the effectiveness of the CCAP.
- While the development cycle has ebbed, it is a good time to institute these measures, which would provide CEQA relief and certainty for the development community.
- Legal considerations are real and potentially significant. The County could face a legal challenge for not having a GHG reduction strategy that fully conforms to AB32.

## CONCLUSION

After conducting an extensive and rigorous community process, staff believes the CCAP in its current form strikes an effective balance between protecting the environment and economic growth. It includes a built-in review process to assess the progress of the CCAP over time so that the County has the ability to fine tune the approach to GHG reduction in an informed and inclusive process. As such, staff recommends approval of the CCAP in its current form, with direction to staff to begin the environmental review and implementation process.

Sincerely,



Chris Bazar  
Director, Community Development Agency

## Attachments

Climate Action Plan available at:

[http://www.acgov.org/cda/planning/documents/100921\\_Alameda\\_CAP\\_Public\\_Review\\_FinalV2\\_hi-res.pdf](http://www.acgov.org/cda/planning/documents/100921_Alameda_CAP_Public_Review_FinalV2_hi-res.pdf)

