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May 5, 2009

Mr. Ted Droettboom
Joint Policy Committee
P.O. Box 2050
101 Eight Street
Oakland, CA 94604-2050

Subject: *Proposed Joint Policy Committee (JPC) Policies for the Implementation of S.B. 375*

Dear Mr. Droettboom:

Contra Costa County appreciates the opportunity to review and comment on the proposed policies for implementation of Senate Bill (S.B.) 375 that were discussed at the March 20, 2009 meeting of the Joint Policy Committee. It is our understanding that this matter was held over and continued for further deliberation by the Joint Policy Committee (JPC) at their May 15, 2009 meeting.

While Contra Costa County supports the overall intent and purpose of the proposed S.B. 375 implementation policies, we also acknowledge that it will require the cooperation and good will of both local governments and regional agencies to successfully implement a program aimed at reducing greenhouse gases in the Bay Area. Therefore, Contra Costa County believes it is crucial that the greenhouse gas reduction targets be realistic and achievable, and that the process to determine the targets and goals be inclusive of those who will ultimately be responsible for their implementation, namely the counties, cities, and congestion management agencies from throughout the nine-county Bay Area region. With this perspective, please accept the following comments from Contra Costa County on the proposed S.B. 375 implementation policies:

1. Expand JPC Partnership to Include CMAs: It is noted that a number of the congestion management agencies (CMAs) from several counties, including our own Contra Costa Transportation Authority, have in earlier comments advocated expanding the JPC to specifically include the nine CMAs. Contra Costa County supports this request because in order to successfully implement S.B. 375, cities, towns, and counties will need the direct representation of their CMAs in the

DRAFT

- process. The CMAs are in a good position to effectively and realistically link transportation investment decisions of their constituent cities and counties to the actions being considered by the JPC in response to S.B. 375. The JPC would benefit by expanding its membership to include the direct participation of the CMAs.
2. Identify A Meaningful Process for Review and Input by Local Governments and the Public: It is noted that S.B. 375 spells out minimum requirements for local governments and the general public to provide input throughout the process of developing a Sustainable Communities Strategy (SCS). It would be our expectation that the JPC will be soon initiating preparation of a public participation plan for outreach to local governments and the public in the nine-county Bay Area region. The public participation plan should exceed the minimum requirements of S.B. 375 and should be presented to cities and counties for review and suggestions to ensure those individuals and organizations that have been involved in local land use issues are involved in the SCS process. It is particularly important that the draft SCS be presented in a manner that fully discloses potential conflicts with adopted general plans.
 3. Setting Realistic and Achievable Targets: Contra Costa County supports the vigorous implementation of S.B. 375 with the goal of achieving measurable and significant greenhouse gas reductions; however, we believe that setting realistic targets that are achievable is vital to the successful implementation of S.B. 375. The Contra Costa Transportation Authority, and several other CMAs, has earlier commented that setting unrealistic targets can potentially increase the risk of litigation if the Regional Transportation Plan goals are not achieved. We share the concern stated by the Contra Costa Transportation Authority (and for that matter other CMAs) that such litigation would negatively affect the ability to implement county-based transportation plans, many of which are based voter-approved transportation funding measures. It would be very unfortunate if the regional efforts aimed at reducing greenhouse gas emissions disregarded the plans and priorities already set by the CMAs, which represent years of consensus building at the local level.
 4. Development of the Sustainable Communities Strategy: It is our understanding that the SCS is intended as an enhanced land use element that will be developed within the Regional Transportation Plan, which will set forth a growth strategy for the region that strives towards achieving greenhouse gas emissions reductions, if it is feasible to do so, and help meet California's climate change goals. The SCS is not in any way intended to supersede a local general plan, local specific plan, or local zoning, nor is a local general plan, local specific plan, or local zoning required to be consistent with the SCS. With this understanding of what an SCS is intended to be, or not to be, we urge the JPC to consider the wide range policies and implementation programs that are already in place at the local level which when taken together will contribute to an overall reduction in greenhouse gas emissions for the Bay Area region. For example, here in Contra Costa County by

DRAFT

voter approval we have enacted an Urban Limit Line, to contain urban development within certain areas of the county; agricultural preservation measures, to preserve and protect valuable and resource rich agricultural lands; and, a transportation sales tax measure, to fund transportation investments that support and/or reinforce the growth patterns under approved General Plans. The point is that significant measures, many of which were approved by the voters, are already being implemented with goals and objectives that are parallel to, or supportive of, S.B. 375's goal of reducing the region's greenhouse emissions. The local measures and initiatives that already exist need to be recognized in the development of the SCS.

5. Rural Sustainability: S.B. 375 includes a rural sustainability provision that recognizes the rural contribution towards reducing greenhouse gas emissions. More specifically, it requires that financial incentives in the Regional Transportation Plan be considered for counties that have resource areas or farmland, for the purposes of, for example, transportation investments of the preservation and safety of a county road system, farm to market, and interconnectivity between regions. S.B. 375 also requires consideration of financial assistance to counties that discourage growth in rural areas. It is our hope and expectation that the JPC will prepare policies that will provide guidance to the Metropolitan Transportation Commission (MTC) and the Association of Bay Area Governments (ABAG) in fulfilling this statute's provisions for rural sustainability.

In closing, thank you again for the opportunity to provide comment on the implementation of S.B. 375. Contra Costa County stands ready to cooperate and provide assistance we can in the implementation of S.B. 375 to the JPC and ABAG/MTC.

Sincerely,

Susan Bonilla
Chair, Board of Supervisors

CC: M. Viramontes, Chair, CCTA
R. McCleary, Executive Director, CCTA

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