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Supervisor Roberta MacGlashan
Chair, Sacramento County Board of Supervisors
700 H Street, Suite 2450
Sacramento, CA 95814

RE: Comments on General Plan Update: Proposed Vision and Growth Management Strategy

Dear Chair MacGlashan:

The Attorney General's Office appreciates this opportunity to comment on the vision and growth management strategy that your staff has proposed for your review at the Board hearing on March 9th. We are submitting these comments on the Attorney General's behalf, pursuant to her independent duty to protect the public health and natural resources of the State and not on behalf of any other entity.

As you may know, the Attorney General's Office submitted detailed comments on the draft Environmental Impact Report (draft EIR), has met several times with both the environmental and planning staffs, and also met with Interim County Executive Steven Szalay. Our concerns have been focused on the County's need to comply with the California Environmental Quality Act (CEQA) in its General Plan Update process. The County's EIR found that the General Plan, even at the levels of growth now being projected, will have a significant adverse impact on climate change. We believe the same is true with respect to impacts on air quality.

We have consistently encouraged the County to fully explore all feasible mitigation measures to reduce these significant impacts, as required by CEQA.[1] We have emphasized the need for the County to consider measures to reduce vehicle miles traveled (VMT) and resulting greenhouse gas emissions, and to look at requirements for increased density, mixed use

[1] Cal. Public Resources Code, § 21002; Cal. Code Regs., tit. 14, § 15021, subd. (a)(2).

development, and transit-oriented development. Accordingly, we congratulate the County on its decision to suspend the General Plan adoption process to re-examine, with the assistance of the County's consultant, DC&E, the growth management and land supply assumptions that went into the proposed General Plan land use element.

In light of the significant impacts of the proposed General Plan, and the need to look at all feasible means of reducing VMT, we believe it is critical for the County to require that new residential developments provide: (1) sufficiently high densities to support transit; (2) infrastructure, including transit, that is put in place at the same time the project is developed; (3) a jobs-housing balance that reduces the need for long commutes and ensures low VMT; (4) a project design that will enable residents to walk, ride bicycles, or take transit to their jobs and schools; and (5) a reasonable amount of mixed-use development. A recent report from the Center for Clean Air Policy (summary attached) found that "[A]n inclusive planning process following smart growth principles that yields more walkable neighborhoods with broader options for housing and transportation can help communities, businesses and individuals make money, save money and improve quality of life."

The recommendations in the DC&E Report and, to a large degree, the recommendations in the staff report, would substantially achieve these objectives. We therefore urge the County to adopt, at a minimum, the recommendations set forth in the staff report. If the County chooses to adopt alternative measures, we stress that these measures must be equally effective to those that the staff has proposed to reduce VMT and greenhouse gas emissions.

There may, of course, be other means to achieve the County's environmental and quality of life goals. In the Attorney General's settlement with the City of Stockton, for example, Stockton agreed to consider a differential fee program that allows infill developments to pay lower fees than developments in outlying or greenfield areas, and a phasing program where Stockton will locate a specified number of new housing units in infill areas, and consider limiting greenfield development until certain criteria are met. Sacramento County may or may not want to consider these types of mitigation measures. This office recognizes that the planning process is a local prerogative and, as long as mitigation is sufficient, specific actions to be adopted are within a local jurisdiction's discretion.

This is a golden opportunity for Sacramento County to become a leader in smart growth planning and reducing greenhouse gas emissions, a path that all local governments will have to follow to comply with the State's climate change goals and emission reductions under AB 32 and SB 375. Consistent with the purposes of CEQA, our comments are intended to support the

County in improving its General Plan. Please let us know if we can assist in any way.

Sincerely,

/s/

LISA TRANKLEY
Deputy Attorney General

For KAMALA D. HARRIS
Attorney General

LT:pc
cc: Vice Chair Don Nottoli
Supervisor Susan Peters
Supervisor Phil Serna
Supervisor Jimmy Yee