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September 4, 2013

Mike Moore
Planning and Building Director
City of Mill Valley
26 Corte Madera Avenue
Mill Valley, CA 94941

Subject: Mill Valley Climate Action Plan

Dear Mr. Moore,

Bay Area Air Quality Management District (District) staff has reviewed the City of Mill Valley's (City) 2040 General Plan (Plan) and Draft Environmental Impact Report (DEIR). The Plan will serve as the long term strategic document to guide and direct the City's policies, programs, and resources including planning for land use, transportation, and housing. We understand that the City is utilizing the Plan as its Climate Action Plan (CAP) as well.

The District commends the City for addressing GHG emissions in its 2040 Plan and supports the City's efforts in developing a Climate Action Plan. The District has the following comments specific to Mill Valley's Climate Action Plan.

GHG Reduction Measures

We support the City for including local actions, that when coupled with state actions, will help Mill Valley achieve its GHG reduction targets. However, the District recommends that the City strengthen its local actions to ensure the estimated reductions in GHG emissions are achieved; to protect against potential shortfalls from state actions; and to better place the City on the trajectory to achieve the State's 2050 climate stabilization goal of an 80 percent reduction below 1990 GHG emissions (Executive Order S-3-05).

We strongly encourage the City to include more mandatory, versus voluntary, measures in the CAP to increase the likelihood that the City's GHG reduction target will be met. In specific, the CAP contains a number of voluntary measures for energy efficiency (ERM 17, 18, 22, and 23) where the emission reductions anticipated are based on unjustified assumptions or no implementation mechanisms. The noted measures should be amended to mandatory measures with implementation programs that ensure GHG emission reductions occur. Without such assurances the estimated emission reductions should not be credited toward meeting the City's emission target goals.

We also recommend for the CAP to include additional measures to reduce GHG emissions from transportation and the existing built environment. The CAP notes that half of the City's GHG emissions are related to transportation, however, the CAP's transportation reduction measures contribute less than 10 percent to the City's total emission reductions. In regard to existing buildings, the DEIR, page 1-1, acknowledges that the City "is essentially built out," and does not anticipate significant new residential construction. Therefore, we recommend that the City target GHG reductions from the existing building stock. The City's Housing Needs

Assessment indicates that 80 percent of the City's residential buildings were constructed before 1978, prior to Title 24 energy efficiency standards (Table A-17, Age of Housing Stock 2010). Adopting a mandatory program to increase energy efficiency in the existing building stock could capture substantial GHG reductions.

District staff recommends that the CAP strengthen its GHG reduction approach as follows:

- Strengthen ERM. 29, Public Transportation, to include an implementation plan for increasing public transportation mode share to more than the stated goal of 10 percent from the current 8 percent by 2020. Additional programs may include expanding park and ride lots, working with transit providers to improve service, providing real-time transit information, and enhancing bicycle and pedestrian connections to transit.
- Add a time of sale energy efficiency upgrade requirement to residential and commercial buildings, such as a residential/commercial energy conservation ordinance (RECO/CECO).
- Amend ERM.17, Energy Efficiency Reductions Beyond Title 24, to be a mandatory measure requiring new construction projects meet energy efficiency reductions at least 25 percent beyond Title 24.
- Amend ERM. 22, Energy Efficiency, to be a mandatory measure requiring existing commercial and residential buildings meet CALGreen Tier 1 standards for energy efficiency by 2025, or other stated timeframe as appropriate.

Two of the largest GHG emission reduction measures included in the CAP call for reducing indoor water use by 20 percent in 2020 and 30 percent in 2040 (ERM.7) and for diverting 90 percent of paper waste from landfills in 2020 and 100 percent in 2040. However, the CAP does not justify how improvements in water efficiency and waste diversion will occur. We recommend that the CAP specify the policies, programs, and timelines for how all the stated goals in the emission reduction measures will be implemented, or the estimated reductions should not be credited toward meeting the City's goal.

Monitoring and Implementation

The CAP contains a monitoring policy stating that the City will monitor and update the CAP as necessary to meet Mill Valley's GHG reduction targets (CL.3, page 116). Ongoing and adequate monitoring of the CAP is necessary for determining whether the CAP is achieving its implementation goals and reduction targets; and whether the CAP can serve as a potentially tierable document for future projects. We recommend that the CAP include a more specific monitoring plan that outlines procedures for annual reports that monitor whether local and state measures included in the CAP are being updated; and for updating the City's GHG inventory and reduction measures every 2-3 years.

Emissions Inventory

The GHG emissions data in the CAP (Table 6.1, Projected Growth in GHG Emissions by Sector for business as usual) does not match the emissions data in the Appendix. The emissions table in the Appendix shows a 2005 baseline emissions of 90,806 MTCO_{2e}/year; while Table 6.1, page

110, shows a 2005 baseline emissions of 94,880 MTCO₂e/year. This difference should be explained or corrected. In addition, to ensure transparency and to understand how the City's emissions inventory was developed, we recommend that the City provide detailed explanations and references for all emissions data.

We commend the City for addressing the critical issue of climate change through local action. By addressing the issues in this letter, we believe that the City's Climate Action Plan would more likely achieve its GHG reduction target and that the City would be in a good position to use the CAP as a tierable document under CEQA.

District staff is available to assist Mill Valley in addressing these comments. If you have any questions, please contact Sigalle Michael, Senior Planner, at (415) 749-4683 or smichael@baaqmd.gov.

Sincerely,



Jean Roggenkamp
Deputy Air Pollution Control Officer

cc: BAAQMD Director Susan Adams