

Date: December 16, 2015

From: Dan Titus, Alta Loma, California

To: The Rancho Cucamonga City Council

RE: Statement Regarding the Rancho Cucamonga Sustainability and Climate Action Plan

A Climate Action Plan (CAP) appears to be a Trojan horse that sets into motion Sustainable Community Strategy (SCS) parameters and reinforces these through continued solicitation of SCS grants. The plan is 100% voluntary; however, by approving a CAP, the city agrees to yet more state control, costs and regulation via follow ups for the CAP. For example, Green House Gas (GHG) inventories will be required every 5 years. Builders already build to “green standards”, which makes much of a CAP unnecessary and redundant.

The city steps into the states sphere of influence by agreeing to a voluntary request. This dilutes our elected official’s authority as it is usurped, and in many cases abdicated away. This regional form of *governance* is not how our form of *government*, in a democratic republic, was designed to operate.

Our contention is that a CAP is voluntary. Therefore, there is really no problem to address.

However, consultants and staff generally promote CAPs as a way to generate revenue, solve developer problems, and protect the city from litigation. All without regard to the financial constraints necessary to protect taxpayers and property rights

Contentions regarding CAP claims and observations are made in the remainder of this paper:

- CAPs are designed to save developers money
- CAPs create opportunities for grant money
- CAPs are necessary because the threat of lawsuits
- CAPs have ongoing operations and maintenance costs

1. CAPs are not required. It is 100% voluntary

According to the report, *Agenda 21: Sustainable Development in California*, “City carbon inventories are voluntary. The California Air Resources Board (CARB) scoping plan implementing AB 32 cannot specifically mandate that each individual city adopt its own greenhouse gas reduction plan to meet AB 32 targets.”

2. CAPs are designed to save developers money

SanBag claims, ‘Climate Action Plans (CAPs) are created to streamline developer projects. According to Katheryn Lin, the CAP process would, “save developer money as they don’t have to create their own CEQA for greenhouse gasses, saving six to nine months of processing time...the CAP only applies to the CEQA requirement of for CO2 reduction. Projects will still have to meet criteria for ‘other’ CEQA requirements.” Therefore, the CAP is designed to save developers money, offering only marginal economies at taxpayers expense. For example, the projected cost savings would only be between \$2 -\$5K per project.

3. CAPs create opportunities for grant money

SanBag claims that a CAP plan increases grant opportunities for the city: transportation, infrastructure, cap and trade, water conservation, planning, affordable housing, etc. Having a CAP will put the city in a more competitive position when seeking grant opportunities. This is why half the cities in California already have a CAP. Conversely, it can be argued, that half of the cities in California have not expensed valuable resources in seeking grant money because of increased regulation brought on by grant terms and conditions.

4. CAPs are necessary because the threat of lawsuits

In response to the question do we need a CAP? The answer is no. However, CAPs are generally sold as a preemptive measure in regards to lawsuits. Cities can be sued if they have a CAP; they can be sued if they don’t have a CAP. There are no guarantees. Therefore, the argument is moot.

5. CAPs have ongoing operations and maintenance costs

Builders already build to “green standards’, therefore a CAP is redundant. In addition to initial development costs for the CAP there are ongoing maintenance costs. For example, there are initial costs of about \$48K to SanBag.

CC:

Mayor Michael

Mayor Pro Tem Spagnolo

Council Members:

Alexander

Kennedy

Williams

Clerk of the board: 2 copies and receipt

Questions for the Fontana Director of Planning & Staff Regarding the Fontana Climate Action Plan (CAP)

Question 1: How much grant money did you receive to develop the Climate Action Plan (CAP)?

Question 2: If yes to question 1, Please provide copies of the grant terms and conditions for the CAP.

Question 3: How much “out-of-pocket” has the spent so far on the cost of the CAP?

a. Please explain how the plan is a requirement and how it will financially impact business, residents, and property owners in Fontana.

Page 1 – “The city of Fontana recognizes the threat of anthropogenic climate change, related to human activities...”

"Climate change," according to the National Academy of Sciences, refers to any significant, measurable change of climate lasting for an extended period.

Question 4: Define what is significant, how that measure was determined, and by whom. How do you accurately and separately identify “natural factors” from “human activities”?

Page 1: “... {The city of Fontana} is committed to reducing community green house gas (GHG) emissions in order to prepare for a sustainable future, in which residents are healthy, businesses thrive, and communities prosper.”

Question 5: Please define “sustainable”. Furthermore,

a. Please define “healthy” and specifically show quantitatively how this term will benefit businesses and residents, and property owners in Fontana.

b. Please define “thrive” and quantitatively show how businesses and residents, and property owners will benefit from the CAP.

Page 3 – “Implementing the plan will require collaboration between ... businesses and residents.”.

Question 6: Please define “require” given the fact the CAP is voluntary? Furthermore,

a. Define “collaboration” and illustrate specifically how this will be accomplished.

Question: Will the city have to retrofit all buildings to renewables to get to a zero carbon footprint by installing solar?

SCS in CAP? Costs? Financial analysis?

What is the problem the c?

What is the cause of the problem?f