



1300 I STREET, SUITE 125
P.O. BOX 944255
SACRAMENTO, CA 94244-2550

Public: 916/445-9555
Telephone: (916) 327-7877
Facsimile: (916) 327-2319
E-Mail: lisa.trankley@doj.ca.gov

October 5, 2007

Brian R. Smith, AICP
City of Santa Maria
110 S. Pine Street, #101
Santa Maria, CA 93458-5082

RE: Comments on the Notice of Preparation of a Draft Environmental Impact Report for the
Bradley Ranch East Project (SCH Number 2007091008)

Dear Mr. Smith:

The Attorney General submits these comments to the City of Santa Maria (City) on the Notice of Preparation of a Draft Environmental Impact Report for the Bradley Ranch East Project. The Notice indicates that the City will prepare a draft Environmental Impact Report (EIR) and is seeking comments regarding environmental issues to address in the EIR. In response, we are writing to encourage you to consider in the EIR the impacts of the project that contribute to global warming and feasible ways to mitigate them.

The Attorney General of the State of California submits these comments pursuant to his responsibility to protect the natural resources of the State from pollution, impairment, or destruction in furtherance of the public interest. (*See* Cal. Const., art. V., § 13; Cal. Gov. Code, §§ 12511, 12600-12612; *D'Amico v. Board of Medical Examiners*, 11 Cal.3d 1, 14-15 (1974).) These comments are made on behalf of the Attorney General and not on behalf of any other California agency or office.

According to the Notice, the Bradley Ranch East Project proposes a predominantly residential master planned new community on approximately 2300 acres, with as many as 9,500 dwelling units. The community will also include some commercial and industrial uses. Developing this project invariably will result in increases in emissions of greenhouse gases that contribute to global warming. Global warming, in turn, threatens to have serious consequences on the State of California, including the loss of snowpack, an increase of as much as 55 percent in the risk of large wildfires, reductions in the quality and quantity of agricultural production, exacerbation of California's air quality problems, and adverse impacts on human health from increased heat stress

Brian R. Smith, AICP
September 27, 2007
Page 2

and heat related deaths, and increases in asthma, respiratory and other health problems.¹ Accordingly, the California Environmental Quality Act requires the City to analyze the incremental effect the construction and operation of the project will have on the cumulative environmental impact of global warming.² In other words, you should clearly describe the greenhouse gasses that will be generated from the project.

There are many specific alternatives and mitigation measures to reduce greenhouse gas emissions that the City should identify and evaluate in the draft EIR. While it is beyond the scope of this letter to identify specific mitigation measures, we have attached a list of measures that we ask lead agencies to consider. We have also included a list of modeling tools available to estimate greenhouse gas emissions of projects. If the City is interested, we would be happy to provide you with examples of greenhouse gas analyses from other EIR's.

We understand that evaluating land use in terms of global warming presents new and difficult challenges. Yet the profoundly serious threats of climate change require that governments at all levels do their best to reduce greenhouse gasses. Only in this way can the state attain the goals embodied in AB 32, the Global Warming Solutions Act.

Please don't hesitate to call if we can be of assistance.

Sincerely,

/S/

LISA TRANKLEY
Deputy Attorney General

For EDMUND G. BROWN JR.
Attorney General

¹Amy Lynd Luers, Daniel R. Cayan et. al, *Our Changing Climate: Assessing the Risks to California* (July 2006) at pp. 2, 10. The report was prepared by the Climate Change Center at the direction of CalEPA pursuant to its authority under Executive Order S-3-5.

²See Public Resources Code, § 21083(b); Cal.Code Regs., tit. 14, § 15065; and Cal. Code Regs., tit. 14, § 15130, subd. (a).