

**Adam Fieseler**

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**From:** Adam Fieseler  
**Sent:** Tuesday, September 25, 2012 7:42 AM  
**To:** 'Charles Alexander'  
**Subject:** RE: RCAP Written Comment

Charles,

Thanks for the comments. I have added them to the record.

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**From:** Charles Alexander [mailto:sushibar007@hotmail.com]  
**Sent:** Monday, September 24, 2012 5:29 PM  
**To:** Adam Fieseler  
**Subject:** RE: RCAP Written Comment  
**Importance:** High

That which is voluntary today could potentially be made compulsory three years hence. Therein lieth quite a problem.

The concerns concerning 2050, especially, come from the connection of the "proverbial dots" on just what would be necessary to seriously achieve said target, remembering that two plus two equals four, not five.

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From: afieseler@co.shasta.ca.us  
To: sushibar007@hotmail.com  
Date: Mon, 24 Sep 2012 17:15:39 -0700  
Subject: RE: RCAP Written Comment

Charles,

To clarify, SB 97 required changes to CEQA for greenhouse gases. Those changes allowed for certified plans (i.e. adopted by local government) that reduce greenhouse gas emissions, could be used to streamline the CEQA process. Below is a link, the first paragraph on the page is a great summary.

<http://ceres.ca.gov/ceqa/guidelines/>

The SB 97 called for the changes by the Resource Agency with a very broad brush on what should be included. I know it is not possible to read the entire info provided on the website however, the final state of reasoning provides a great wealth of information.

I wish we could have talked about these concerns sooner. I believe we discussed the unknowns after 2020 and through 2050. A bare bones outline presented by State Agencies and what is required to be in CAPS to be certified plans is the years 2020, 2035 and 2050 no matter how fuzzy the crystal ball is.

This plan is not a state mandate and is not required, it voluntary like all of the measures shown in the RCAP.

Thanks,

Adam

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**From:** Charles Alexander [mailto:sushibar007@hotmail.com]  
**Sent:** Monday, September 24, 2012 4:47 PM  
**To:** Adam Fieseler

05/17/2013

**Subject:** RCAP Written Comment

**Importance:** High

Thank you the the opportunity, here today, to provide Comment on the Climate Action Plan.

Now, the feasibility needed for to satisfy the 2035 & 2050 GHG targets simply does not does not exist. Even if all economic activity were to absolutely shut down, which is not possible in any human society, the extent to which that may theoretically be possible will not be able to satisfy the 2050 targets, & likewise for the 2035 targets. After all, to reduce all carbon (& carbon equivalent) emissions by  $\geq 83\%$  of 2008 esimated emissions is to attempt something which simply cannot be done, absent some "extreme & compulsory population reduction measures." Even the 2035 targets cannot be satisfied, ultimately, without imposition of large scale suffering upon the populace.

Now, it has been said that CEQA incentives for to draft & adopt a Climate Region Action Plan stem from SB\_97. Having just now read verbatim SB\_97, I find nothing therein that should be at all construed as penalising of municipalities (i.e., cities, counties, & the like), via CEQA, for failure to adopt a Climate Region Action Plan. Below is the actual language of SB\_97, taken from [http://www.leginfo.ca.gov/pub/07-08/bill/sen/sb\\_0051-0100/sb\\_97\\_bill\\_20070824\\_chaptered.html](http://www.leginfo.ca.gov/pub/07-08/bill/sen/sb_0051-0100/sb_97_bill_20070824_chaptered.html)

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BILL NUMBER: SB 97 CHAPTERED

BILL TEXT

CHAPTER 185

FILED WITH SECRETARY OF STATE AUGUST 24, 2007

APPROVED BY GOVERNOR AUGUST 24, 2007

PASSED THE SENATE AUGUST 21, 2007

PASSED THE ASSEMBLY AUGUST 21, 2007

AMEND ED IN ASSEMBLY AUGUST 21, 2007

AMENDED IN ASSEMBLY JULY 16, 2007

INTRODUCED BY Senator Dutton

JANUARY 17, 2007

An act to add Section 21083.05 to, and to add and repeal Section 21097 of, the Public Resources Code, relating to the California Environmental Quality Act.

LEGISLATIVE COUNSEL'S DIGEST

SB 97, Dutton. CEQA: greenhouse gas emissions.

The California Environmental Quality Act (CEQA) requires a lead agency to prepare, or cause to be prepared, and certify the completion of, an environmental impact report on a project, as defined, that it proposes to carry out or approve that may have a significant effect on the environment, or to adopt a negative declaration if it finds that the project will not have that effect. CEQA requires the Office of Planning and Research (OPR) to prepare and develop proposed guidelines for the implementation of CEQA by public agencies.

The California Global Warming Solutions Act of 2006 designates the State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases that cause global warming in order to reduce emissions of greenhouse gases.

The bill would require the OPR, by July 1, 2009, to prepare, develop, and transmit to the Resources Agency guidelines for the feasible mitigation of greenhouse gas emissions or the effects of greenhouse gas emissions, as required by CEQA, including, but not limited to, effects associated with transportation or energy consumption. The Resources Agency would be required to certify and adopt those guidelines by January 1 2010. The OPR would be required to periodically update the guidelines to incorporate new information or criteria established b y the State Air Resources Board pursuant to the California Global Warming Solutions Act of 2006.

This bill would provide that in an environmental impact report, negative declaration, mitigated negative declaration, or other document required by CEQA for either transportation projects funded under the Highway Safety, Traffic Reduction, Air Quality and Port Security Bond Act of 2006, or projects funded under the Disaster Preparedness and Flood Prevention Bond Act of 2006, the failure to analyze adequately the effects of greenhouse

gas emissions otherwise required to be reduced pursuant to regulations adopted under the Global Warming Solutions Act of 2006 does not create a cause of action for a violation of CEQA. The bill would provide that this provision shall apply retroactively for any of the above documents that are not final and shall be repealed on January 1, 2010.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 21083.05 is added to the Public Resources Code, to read:

21083.05. (a) On or before July 1 2009, the Office of Planning and Research shall prepare, develop, and transmit to the Resources Agency guidelines for the mitigation of greenhouse gas emissions or the effects of greenhouse gas emissions as required by this division, including, but not limited to, effects associated with transportation or energy consumption.

(b) On or before January 1 2010, the Resources Agency shall certify and adopt guidelines prepared and developed by the Office of Planning and Research pursuant to subdivision (a).

(c) The Office of Planning and Research and the Resources Agency shall periodically update the guidelines to incorporate new information or criteria established by the State Air Resources Board pursuant to Division 25.5 (commencing with Section 38500) of the Health and Safety Code.

SEC. 2. Section 21097 is added to the Public Resources Code, to read:

21097. (a) The failure to analyze adequately the effects of greenhouse gas emissions otherwise required to be reduced pursuant to regulations adopted by the State Air Resources Board under Division 25.5 (commencing with Section 38500) of the Health and Safety Code in an environmental impact report, negative declaration, mitigated negative declaration, or other document required pursuant to this division for either a transportation project funded under the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006 (Chapter 12.49 (commencing with Section 8879.20) of Division 1 of Title 2 of the Government Code), or a project funded under the Disaster Preparedness and Flood Prevention Bond Act of 2006 (Chapter 1.699 (commencing with Section 5096.800) of Division 5), does not create a cause of action for a violation of this division.

(b) Nothing in this section shall be construed as a limitation to comply with any other requirement of this division or any other provision of law.

(c) This section shall apply retroactively to an environmental impact report, negative declaration, mitigated negative declaration, or other document required pursuant to this division that has not become final.

(d) This section shall remain in effect only until January 1 2010, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2010, deletes or extends that date.

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Take a look at paragraph (a) of § 21097, "failure [...] does not create a cause of action for a violation of this division." Isn't THAT interesting?

Remember, that just like the promised incentives for the "Solar Water Heater" program, any incentives promised by any one or more agencies of the State of California can just as easily disappear, if/when sufficient number of jurisdictions agree to bind themselves to Climate Region Action Plans. And then what? We will have, in such event, bound ourselves to a regime that would bind the people of the County, & of each of the three cities within the County, to something that will ultimately prove as infeasible as the act of climbing to the moon on a step-ladder, alone. And how will it end up in that state of infeasibility? Take a look at the impossibility of the 2050 targets! Take a look at the infeasibility of the 2035 targets. As the plan is re-evaluated & rewritten every five years, beginning in 2015 & ending in 2030, the evolution of it will most likely reflect everything that some people have been warning of concerning its possible final form.

There is quite the admission on pg. 2-6 of the current document. "2050 emission levels & reduction potentials are highly speculative."

And here's another admission of wishful thinking on pg. 2-8. "The County anticipates that new technologies and State or Federal policies will be developed and will assist the community to achieve [the 2035 target] goal."

And here's another admission from pg. 2-9. "In 2035, State & local reductions increase in scale, but do not provide enough reductions to counteract the community's forecast emissions growth or the more aggressive 2035

target." Translation, "we seriously doubt the feasibility of the 2035 targets, even under the most optimistic of scenarios."

Having looked at the list of measures proposed, in juxtaposition with last year's "Potential Measures Worksheet," what is there now is certainly preferable to what was in the earlier document. However, there is one measure that definitely should be deleted from the list! And there are still others that, though not worthy of immediate deletion from the list, nevertheless may prove problematic, especially given possible conflicts with other measures. And still there be others that, otherwise, give cause for concern.

Here's a potential conflict of measures. The Solar-Voltatic System program contemplated in Meas. BE-7 would be in direct conflict with Measure GI-1, "Urban Forest." That is because those north of their neighbors who have trees might sue to have those trees removed, & that because of the solar panels in the potential shadow of those self-same trees.

The measure titled "Commute Trip Reduction," found on pg.s 2-20 & 2-21 as T-2, and on pg.s 3-20 & 3-21 as T-4, that could be in potential conflict with Meas. B-1 "(Retrofit of) Existing Buildings." Here's how. If a person needs to move from one part of the County to another, because of the need to shorten distance between residence & new found place of employment, & he/she cannot afford to sell his/her home because of the infeasibility of certain requisite retrofits, then that person may be forced, at least for a time, to settle for the longer commute distances, or else go unemployed. Hence, another potential conflict of measures.

Measure W-1 "Water Conservation," found on pg.s 4-16 & 4-17. Rename it "Water Rationing" & one would be in closer proximity to the truth. We, here in NorCal, are NOT the cause of other peoples water problems! Neither should we be punished for merely having water, simply because the aquagreed of So-Cal (as recently expressed in the latest push for a Peripheral Chunnel) has reared its ugly head again! This would, doubtless, entail the possible mandatory installation of spy meters on all water service inlets. And the same problems encountered with other smart meters would be encountered here, as well.

And what about "Lumber Waste Diversion Ordinance" measure found on pg. 2-18? Does this mean no more saving of surplus wood for firewood, handi-crafts, etc., because XX% of all surplus wood from construction would have to be diverted to licensed disposal facility, or else? Talk about making one more dependent on OPEC for winter heating fuel! Bad policy! Well intentioned, perhaps, but nevertheless likely to, in practice, turn out to be bad, ultimately.

Now, for a measure that should be stricken from the list. "Smart Grid Integration." It appears as Measure BE-5 on pg.s 2-14, 2-15, 3-14, & B-8. Smart meters, a.k.a. "Spy Meters" allow a person's electrical usage habits to be remotely monitored, in real time. Some more advance versions of the device, such as are used in such E.U. member states as the Netherlands, even allow for the remote shutting off of certain appliances. Anyone who is on in-home-life-support would do well to make all efforts to REFUSE smart meters. What should happen if/when one on life support is caused to die because his/her device was shut off because of a smart meter? And then there's the possibility of information falling into the wrong hands. What perverted predator would not salivate at the thought of being able to use the info. for his/her own nefarious purposes? Burglary can likewise be facilitated. ; As can any crime of revenge one can't think of who is seriously premeditating such. Exes with axes to grind, who are also adept at the art of hacking, can find info. gathered from smart meters quite useful. I could go on, but time doth not permit. Suffice it to say, so-called "Smart Grid Integration" is a manifestly bad idea!