



## Community energy planning: Where to begin?

By Philip L. Millenbah, AICP

California cities will need to act quickly to implement changes to comply with recently passed State legislation, but where to begin? City planners and officials are feeling overwhelmed by the dramatic legislative shift and are looking for clarity and guidance.

Senate Bill 97 (*Dutton, 2007, CEQA: greenhouse gas emissions. Chapter 185, Section 21083.05 to 21097, Public Resources Code*) requires the Governor's Office of Planning and Research (OPR) to recommend guidelines for the feasible mitigation of greenhouse gas emissions or their effects to the Resource Agency for consideration. The deadlines are July 1, 2009, for the OPR recommendation and January 1, 2010, for adoption by the Resource Agency.

The likely outcome of this process will be to require that local governments perform an analysis of energy issues affecting the city and also offer mitigations for the potential greenhouse gas (GHG) emissions impacts of growth within their jurisdictions. This review may be at project level or citywide.

Another bill, AB 32 (*Nuñez, the California Global Warming Solutions Act of 2006; Division 25.5, commencing with Section 38500, Health and Safety Code*), requires that California reduce its greenhouse gas emissions to 2000 levels by 2010 and to 1990 levels by 2020. AB 32 changed the State's energy priorities: California must still meet its energy goals, but it must do so while reducing the volume of carbon dioxide emissions that result from burning fossil fuels for electricity and transportation.

Meanwhile, the State attorney general took an active stance on global warming and energy use by filing lawsuits against cities and counties for seemingly ignoring the relationship between land use and GHG.

### Begin with the General Plan

Cities should incorporate an energy element in their General Plans. This will help their CEQA review and findings for new projects while also addressing citywide energy and global warming issues. The element can include sustainability programs that many cities are already implementing, such as—

- Encourage alternative fuels;
- Provide bikes for city employees;
- Facilitate bike riding;

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Surinder Sikand	(650) 224-9426	sikan@comcast.net
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<b>South Bay</b>		
Licinia McMorrow	(408) 535-7814	Licinia.McMorrow@sanjoseca.gov

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### Community energy planning... (continued from previous page)

- Charge fees for sprawl to encourage transit oriented development;
- Improve the efficiency of city government energy use;
- Encourage residential and office developers to provide onsite stores and services (drug stores, banks, etc);
- Provide preferential parking (reserving parking for car-pools);
- Promote mass transit; upgrade facilities, infrastructure, and convenience; encourage employer transit subsidies; cash out for parking;
- Promote ridesharing;
- Give city employees incentives to reduce driving (transit passes);
- Slow down traffic; implement traffic calming measures to encourage walking; and
- Time traffic signals to keep cars and trucks moving, increasing fuel economy and decreasing emissions.

Beyond the above list of what cities and counties are already doing is a host of other ideas to consider.

### Getting serious about mixed use

Planners understand that cities need to do something about smart growth and mixed use in order to stop sprawl and encourage public transportation.

Vehicle Miles traveled (VMT) is the 800 pound gorilla in the energy conservation equation. VMT is rising three times faster than vehicle registrations. Discretionary driving—trips to the store or gym, not work trips—is the primary growth factor in VMT.

What to do? Get your local developer to help. A successful mixed-use development can reduce discretionary VMT. Recent research shows that, for mixed-use to be successful, it must contain the kinds of stores that would eliminate discretionary trips. The inclusion of a grocery store will help reduce VMT, and it will also help to attract tenants and buyers to the new housing. So create mixed use, but be specific about what uses are allowed, encouraged, and required.

### Municipal solar and conservation utility (MSCU)

In the 1980s the California Energy Commission implemented the Municipal Solar Utility (MSU) program in several cities in California. MSUs developed and implemented solar leasing and purchase programs, negotiated special utility agreements with the local electric utility, and developed municipal energy conservation programs. Today the MSU could be a simple and effective city operating entity for developing new solar programs.

Hoping to encourage the use of solar energy among residents, the cities of Pleasanton and Livermore recently joined in approving and implementing a residential photovoltaic (PV) system, the Tri-Valley

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Emy Mendoza (510) 326-1919 lemendoza@earthlink.net

### Newsletter Designer

Nancy Roberts (408) 723-3200 tproberts@sbcglobal.net

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Naphtali H. Knox, FAICP  
Tel: (415) 699-7333  
[knoxnaph@gmail.com](mailto:knoxnaph@gmail.com)

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## Community energy planning... (continued from previous page)

Solar Program ("Tri-Valley program to help homeowners learn about installation," by Meera Pal, *Tri-Valley Herald*, February 2, 2008.

[http://origin.insidebayarea.com/trivalleyherald/localnews/ci\\_8205355](http://origin.insidebayarea.com/trivalleyherald/localnews/ci_8205355)).

The program will direct property owners to determine whether their roofs are suitable for solar installations, what rebates are available, and what vendors to contact for installing the equipment.

The cities of Berkeley and San Francisco also have announced ways to help residents finance solar installations.

## Brownfield sites

Cities can turn their brownfields into renewable energy production sites. There may not be a need to completely clean up the sites if only renewable energy equipment is installed. And the city likely would get some revenue from the property.

## Renewable Energy Certificates (REC)

Renewable Energy Certificates are also known as Green tags, Renewable Energy Credits, and Tradable Renewable Certificates (TRCs). All are tradable environmental commodities that represent proof that one megawatt-hour (MWh) of electricity was generated from an eligible renewable energy resource ([http://en.wikipedia.org/wiki/Green\\_tags](http://en.wikipedia.org/wiki/Green_tags)). The certificates can be sold and traded, and the new owner can claim to have purchased renewable energy.

In states with REC programs, a green energy producer (such as a wind farm) is credited with one REC for every 1,000 kilowatt hours (1,000 kWh or one MWh) of electricity it produces. (For reference, an average residential customer consumes about 800 kWh in a month.) A certifying agency gives each REC a unique identification number to make sure its production isn't double-counted. Once the green energy is fed into the electrical grid, the accompanying REC can be sold on the open market. Cities can generate valuable RECs from any solar program they develop, whether through their MSCU or other city solar and wind projects.

## Community Choice aggregation

Six years ago, California enacted "Community Choice" laws (AB 117, Migden, 2002) in an effort to stabilize utility rates. In this scheme, a city becomes a power "aggregator" (it aggregates the electrical load of interested electricity consumers within its boundaries) and buys power generated from renewable sources — usually by purchasing RECs generated by "green" power sites. REC aggregation plans can ensure that there is a demand for municipal solar energy plants while also controlling utility rates and market volatility. San Francisco and other jurisdictions around the state have decided to pool their customers in an effort to locally generate increasing amounts of renewable energy using this method.

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## DIRECTOR'S NOTE

By Juan Borrelli, AICP, SNI Senior Planner, City of San José

**Y**ou gotta' be in it, to win it! Don't delay submitting your Northern Section Awards application by **5 PM Friday, March 21st**. We have many different award categories including a new one this year in the Outstanding Planning Awards category for "Innovation in Green Community Planning." Visit [www.norcalapa.org](http://www.norcalapa.org) and download the Awards Program Policy for a complete listing of all award categories, eligibility criteria, and the Awards application form. Contact one of our Section Awards Program Co-Directors **Andrea Ouse**, AICP, at [andrea.ouse@lsa-assoc.com](mailto:andrea.ouse@lsa-assoc.com) or Eileen Whitty, AICP, at [ewhitty@ebmud.com](mailto:ewhitty@ebmud.com) if you have questions.

Please join me in a very big 'Thank You' to **Michele Rodriguez**, AICP, for her excellent service and dedication over the past year and a half as Northern Section's Planning Diversity Director. Michele stepped down from the position as she was elevated to Membership Inclusion Director, California Chapter, in January. And a big 'Thank You' to **Laura Cacho**, who served the Section for the past seven months as one of the Board's two Student Representatives. Laura stepped down to focus her efforts on graduating this year from DCRP at UC Berkeley. We wish them both much success as we welcome our newest Board Members who were appointed at the Board's January Retreat—Planning Diversity Director **Connie Galambos Malloy**, South Bay RAC Chair **Licinia McMorrow**, and UC Berkeley Student Representative **Lucas Woodward**.

Since the late 1960s, when Nevada's legislature first passed a law allowing publicly traded corporations to obtain gambling licenses, Las Vegas has been the gambling and entertainment capital of the country. It also became quickly known for extravagant shows starring famous entertainers (the Rat Pack, Elvis), bawdy comedians, and scantily-clad dancers. By the 1970s, Las Vegas was known as "Sin City." Robert Venturi, Denise Scott Brown, and Steven Izenour, in their book *Learning from Las Vegas*, suggested that architects and planners could learn from the haphazard, sprawling growth and casino-based strip development of this contemporary postmodern city.

What can we learn from Las Vegas today? APA will be exploring the lessons Las Vegas has to offer at the **100th National Planning Conference**, April 27 to May 1, 2008. More than 5,500 planners, students, and citizens are expected to attend more than 400 conference sessions, mobile workshops, training seminars, and special events, and untold networking opportunities. Visit [www.planning.org](http://www.planning.org) for more information and to register to attend what is sure to be a unique and enjoyable planning conference in the world's largest gambling and entertainment desert oasis. ■



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## Competing initiatives qualify for June ballot

By Bryan W. Wenter, AICP

California's continuing experiment with "direct democracy" is alive and well. Since 1911, when Governor Hiram Johnson and his Progressive Party championed the initiative, referendum, and recall "to restore absolute sovereignty to the people" and away from special interests by placing legislative authority directly in the hands of voters, Californians have embraced that power.

The number of initiatives proposed has spiked sharply upward in recent decades. On average, fewer than 15 initiatives were filed each year in the 1970s. The number of initiatives increased steadily through the 1980s and 1990s. Last year, 103 citizen-sponsored initiatives were filed, including several efforts to "reform" eminent domain by amending the state constitution.

### Proposition 90 and the continuing reaction to Kelo

The efforts to change California's eminent domain laws by way of the ballot initiative come on the heels of the voters' narrow rejection of Proposition 90 in 2006. Promoted as an effort to restrict government's use of the power of eminent domain, Proposition 90 would also have significantly changed state law on regulatory takings, and in so doing would have severely impaired the ability of government agencies to protect and advance the public welfare.

Proposition 90 (and similar ballot measures in other states) was ostensibly motivated by the United States Supreme Court's decision in *Kelo v. City of New London*, which merely affirmed the power of local governments to use eminent domain for redevelopment. The case involved a challenge to eminent domain proceedings instituted to implement an economically distressed city's economic development plan. The plan's objective was to create jobs and increase tax and other revenues, in part by constructing a variety of improvements (including a hotel, pedestrian riverwalk, residences, and a U.S. Coast Guard Museum) intended to capitalize on a recently constructed pharmaceutical research facility and the new commerce it was expected to attract.

The landowners subject to the condemnation proceedings sued, asking the Supreme Court to determine whether the city's decision to take their property for the purpose of economic development satisfies the "public use" requirement of the Fifth Amendment. The Court premised its decision largely on the limited institutional role that courts have in a democracy and the respect they should give to legislative and executive bodies in determining local public

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## Competing initiatives qualify for June ballot

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needs. In light of the comprehensive character of the plan, the thorough deliberation that preceded its adoption, and the limited scope of judicial review, the Court held that the plan “unquestionably serves a public purpose” and thereby satisfies the public use requirement of the Fifth Amendment.

Despite the narrow holding in *Kelo*, the case was widely and carelessly criticized by politicians, the press, and the general public. The negative reaction to the decision has generally failed to acknowledge the fact that New London’s use of the eminent domain power was consistent with more than 50 years of Supreme Court precedent interpreting the public use requirement. For example, in *Berman v. Parker* in 1954, the Court held that the government could condemn non-blighted land for private redevelopment. In 1984, Justice O’Connor, who authored a vitriolic dissent in *Kelo*, wrote a unanimous opinion in *Hawaii Housing Authority v. Midkiff*, allowing the state to use eminent domain to break up concentrated private land holdings by transferring the condemned lands to the tenants of the former owners. And in 2003, the Court held in *Brown v. Legal Foundation of Washington* that using the interest earned on the funds that lawyers hold on behalf of their clients to provide legal services for the needy satisfies the constitutional public use requirement.

A variety of property rights and anti-government groups have exploited the opportunity presented by the misunderstanding and negative reaction to *Kelo* to promote severe restrictions on the power of eminent domain, along with other more radical changes that the groups almost invariably attempt to conceal or deemphasize. Because of those efforts, Californians will consider two competing eminent domain ballot initiatives in the upcoming state primary election this June.

## Proposition 98

Proposition 98, dubbed the “California Property Owners and Farmland Protection Act,” is sponsored by a coalition that includes, most notably, the Howard Jarvis Taxpayers Association. Styled as a response to *Kelo*, Proposition 98’s supporters regularly attempt to minimize the range of sweeping changes it would bring about. In a July 11, 2007, article for the *Daily Journal*, the president of the taxpayers group asserted that Proposition 98 “is simple and provides real property-rights protections for all.” The article’s exclusive focus on the issue of eminent domain would fairly lead one to believe that Proposition 98 is targeted only at condemnation. However, like Proposition 90 before it, Proposition 98 is actually a complex initiative that would do much more than respond to the perceived abuses of *Kelo*.

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## Competing initiatives qualify for June ballot

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In terms of mechanics, Proposition 98 would add new language to the state constitution that says “[p]rivate property may not be taken or damaged for private use.” The initiative also seeks to add substantial new language to the same section of the constitution, including definitions of the terms “taken,” “public use,” and “private use.” The proposed constitutional provisions are written in broad and ambiguous terms that would lead to extensive litigation with real potential to prevent or reverse broad categories of public welfare regulations.

Proposition 98 would define “taken” to include “transferring the ownership, occupancy, or use of property from a private owner to any person or entity other than a public agency.” “Taken” is also defined as “limiting the price a private owner may charge another person to purchase, occupy, or use his or her real property.” If enacted, the initiative’s definition of the term “taken” to include transfers of property to public agencies could be interpreted to require public agencies to pay for exactions for public improvements and facilities needed to accommodate new growth, such as streets, parks, and schools. (New development presently can be required to “pay its own way” because, under current law, such conditions are not considered takings.) The initiative would also eliminate rent control laws because such laws limit the price a person may charge to occupy or use his property, and it could be interpreted to prohibit inclusionary zoning ordinances.

Under Proposition 98, the term “public use” would be defined to mean “use and ownership by a public agency or regulated public utility for the public use stated at the time of the taking, including public facilities, public transportation, and public utilities . . . and leasing limited space for private uses incidental to the stated public use . . .” This definition of “public use” would restrict the use of eminent domain to a stated public use and prohibit condemnation for a private use under any circumstances. Coupled with other provisions relating to eminent domain, the initiative would expand the categories for which just compensation must be paid, expand public agency liability for attorney’s fees and costs, and expand the landowner’s right to repurchase the property before it may be put to any use that is substantially different from the stated public use or convey the property to another person or agency.

Perhaps most critically, Proposition 98 would expansively define the term “private use” to include

- transfer of ownership, occupancy or use of private property or associated property rights to any person or entity other than a public agency or a regulated public utility;

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- transfer of such property or property rights to a public agency for the consumption of natural resources (e.g., land acquisition for reservoirs and rights-of-way for pipelines and canals); and
- regulation of the ownership, occupancy, or use of privately owned real property or associated property rights in order to transfer an economic benefit to one or more private persons at the expense of the property owner.

In expanding the definition of “private use” to include regulations that transfer an economic benefit to private parties, Proposition 98 could undermine numerous land use and environmental regulatory protections intended to safeguard the public health, safety, and welfare, including zoning regulations, growth control measures, water supply and quality protections, and farm land preservation requirements. Many traditional planning and zoning measures that seek to make a community a pleasant place to live and work could be weakened or overturned.

Unfortunately, Proposition 98—like Proposition 90 before it—ignores the inherent complexity and tensions that exist in a democracy, as the U.S. and California supreme courts have both recently recognized. In *Keystone Bituminous v. DeBenedictis*, the U.S. Supreme Court reasoned that “[u]nder our system of government, one of the State’s primary ways of preserving the public weal is restricting the uses individuals can make of their property. While each of us is burdened somewhat by such restrictions, we, in turn, benefit greatly from the restrictions that are placed on others.” And last year, in *Hernandez v. City of Hanford*, the California supreme court acknowledged that “land use and planning decisions cannot be made in any community without some impact on the economy of the community”. Given that such spillover effects are likely, it would be possible for litigation to occur over almost any project, since Proposition 98 prohibits regulations that “transfer an economic benefit to one or more private persons at the expense of the property owner.”

And because the initiative prohibits the taking of private property for a private use, and defines “private use” to include public agency takings of private property “for the consumption of natural resources,” Proposition 98 could very well limit the government’s ability to undertake public water projects.

In addition to its likely substantive effects, Proposition 98 would also change fundamental concepts regarding the separation of co-equal branches of government and the nature of judicial review. For example, it would require the courts to independently

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## Competing initiatives qualify for June ballot

*(continued from previous page)*

evaluate the wisdom of the legal and policy choices of public agencies “without deference” to their findings.

## Proposition 99

In response to Proposition 98, a coalition led by the League of California Cities sponsored Proposition 99, the “Homeowners and Private Property Protection Act.” The initiative is narrowly tailored “to respond specifically to the facts and the decision of the U.S. Supreme Court in *Kelo v. City of New London* . . . .” To that end, Proposition 99 provides that “[s]tate and local governments are prohibited from acquiring by eminent domain an owner-occupied residence for the purpose of conveying it to a private person.” The initiative provides definitions for all of the key terms contained in that prohibition.

In terms of eminent domain, Proposition 99 would protect single-family residences such as detached homes, condominiums, and townhouses that were owner-occupied for at least one year before an agency’s initial written purchase offer. The initiative would not apply to renters, business owners, farms, or churches. Proposition 99 contains exceptions for protecting public health and safety, preventing serious, repeated criminal activity, responding to an emergency, and remedying environmental contamination. Proposition 99 also contains a “poison pill” under which the initiative would supersede Proposition 98 if it receives the greater number of votes. So even if both initiatives pass, Proposition 99 would become law if it receives more votes.

## How will I vote?

Propositions 98 and 99 would have dramatically different effects on the powers of public agencies to regulate for the protection and advancement of the public health, safety, and welfare.

Proponents of Proposition 98 say it is needed to end the use of eminent domain for redevelopment purposes. Opponents complain that it is not confined to the issue of eminent domain and contains a hidden agenda that would end rent control and surreptitiously make land use planning difficult, if not impossible.

Proponents of Proposition 99 call it a straightforward response to the *Kelo* decision that protects homeowners from condemnation that would transfer owner-occupied homes to any other private person or business. Opponents claim Proposition 99 would provide only weak protection against eminent domain.

Be sure to vote in June. I’m planning on voting no and yes.

*Bryan W. Wenter, AICP, is a land use attorney with Morgan Miller Blair in Walnut Creek. ■*

## Citywide bicycle rental programs

“Bicing,” a successful bicycle rental service that the City of Barcelona implemented, is becoming popular through much of Europe ([www.bicing.com](http://www.bicing.com)—the site is in Catalan and Castilian Spanish). The service functions much like car-sharing. Once you register with Bicing and activate your swipe card, you can use any one of Bicing’s 1,500 bikes. The first half-hour of every trip is free, and you can return your bike to any Bicing location around the city. Every half-hour over the initial free half-hour costs 30 eurocents, making Bicing the cheapest public transport system in Barcelona. You can keep any one bike for up to two hours, and you can always return a bike, run your errand, and grab another for no additional charge. A local program could make bikes available for rent at major (or all) Bay Area transit stops so that transit riders could wheel themselves to their final destinations.



Original graphic by Lutzka Zivny  
©2007

## Neighborhoods

Neighborhood energy systems allow communities to generate their own electricity. They offer potential advantages such as cost reductions and energy savings up to 40 percent.

Micro-grids are a subset of community-based distributed generation (DG) or combined heating and power (CHP) systems that focus on power quality and reliability. Micro-grids are used in communities (often in industrial parks) that require higher electric reliability and higher power quality than can be provided by the electric utility. Rather than invest in systems for individual buildings or businesses, the community pools resources and shares the benefits of the community-based system. Generally, micro-grids include DG and power conditioning, but may also include energy storage, CHP, and/or renewable energy facilities.

## Transmission corridors

Cities should identify where new transmission lines for locally based generation facilities must be located in order to connect those facilities to the grid or support regional energy needs. Cities should begin the process of designing and approving those corridors.

## Location and permitting of distributed energy facilities

Cities should amend their zoning ordinances to allow the construction of neighborhood scale energy facilities. Recently, a design review board in a Chicago suburb ordered a permit applicant to move the requested solar panels from the south roof to the north roof for aesthetic reasons. *Hello?*

(continued on next page)

# Onward and upward

Former Seattle planning director **John S. Rahaim** is San Francisco's new director of planning. He takes over from **Dean Macris, FAICP**, who in 2004 returned to the job he formerly held (1980–1992) to lead the planning department on an interim basis while the City searched for a new director. Rahaim was the founding executive director of Seattle's office of urban design and executive director of the design commission, 1999–2002. He was associate director of the City of Pittsburgh planning department, 1984–89. He holds a bachelor's degree in architecture from the University of Michigan and a Master of Architecture from the University of Wisconsin-Milwaukee. ■

Community energy planning... (continued from previous page)

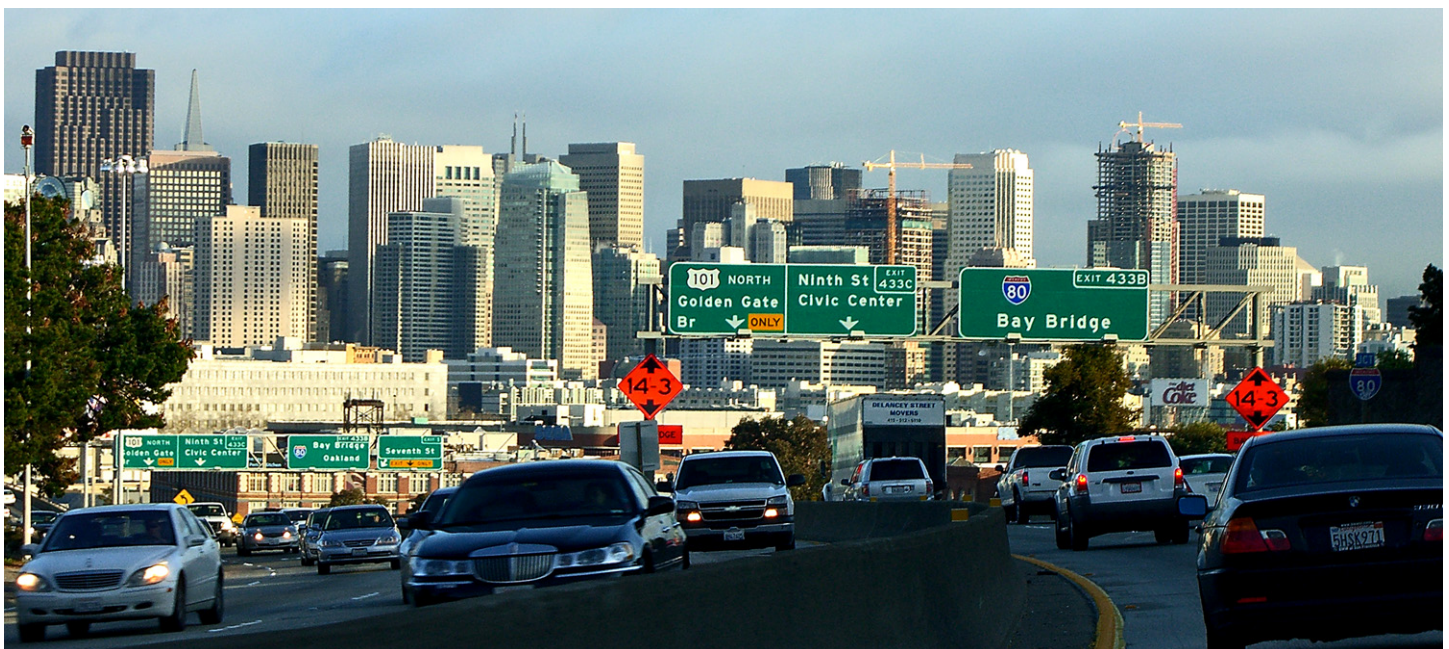
## Solar and wind programs

Install solar PV or small scale wind systems on municipal buildings. Cities can enter into power purchase agreements where third parties install solar equipment at no cost to the city. The city gets either a utility cost reduction or a lease payment for leasing the roof. Cities can also buy solar systems outright. In both cases, cities should negotiate for retaining the renewable energy certificates.

Vertical axis wind systems ([http://www.quietrevolution.co.uk/faq\\_general.htm](http://www.quietrevolution.co.uk/faq_general.htm)) are small, have nicely designed covers for aesthetics and safety, and have lights on the outside. They look good on small single-story buildings or as parking lot lights. Vertical axis generators can be placed in turbulent locations because the vertical axis can use wind from any direction.

The proposed 12-story San Francisco PUC building to open in 2010 at 525 Golden Gate Avenue will sport vertical axis wind generators. Attached to the street side of a 20-foot-wide stairwell on the outside of the building, "behind a wall of clear glass, you'll see a 190-foot-high stack of swirling wind turbines. These turbines are part of a system that will generate 40 percent of the building's annual power needs. They'll also be a kinetic sculpture that never stops. And yes, it's a bird-friendly design: Think corkscrews that twist, rather than fan blades that chop." (Read the full article by APA Award winner John King, "I just want to say one word to you: sustainability," *San Francisco Chronicle*, January 15, 2008.

(continued on next page)



City skyline from the south  
©Naphtali H. Knox, 2008



## JOBS

### RBF CONSULTING

#### **Environmental Planner**

RBF Consulting in Walnut Creek is currently seeking an **Environmental Planner** to join our team and collaborate with technical experts throughout RBF on a variety of CEQA-related documents for urban in-fill, transit oriented development, and transportation and public works projects that will improve the quality of life in Northern California for generations to come. Responsibilities include preparation and management of environmental documents, including Initial Studies/Mitigated Negative Declarations and EIR's. The position requires a minimum of 5 years of experience and a BS in Environmental Studies, City and Regional Planning or a related field. The candidate should possess thorough understanding and proven success in the preparation of CEQA documents and EIR's.

RBF offers excellent compensation, benefits packages, bonus plans and relocation assistance.

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Email resume to: [hmail@rbf.com](mailto:hmail@rbf.com)

### Community energy planning... *(continued from previous page)*

<http://www.sfgate.com/cgi-bin/article.cgi?file=/chronicle/archive/2008/01/15/DDHSUCILE.DTL> Click on the photo to see a rendering by KMD architects of the building and its wind turbines.)

Some cities already have solar purchase or solar equipment leasing programs for their residents. The programs are very popular with residents and have received a great deal of press.

And don't forget the little things. Allow for clotheslines in the zoning code. Don't charge a building permit fee for solar equipment installations. And use the Subdivision Map Act provision that allows cities to use solar orientation as a design criterion for map approval

#### **Support feed-in tariffs (FIT)**

A feed-in tariff is a renewable energy law which obliges energy suppliers (such as PG&E) to buy electricity produced from renewable resources at a fixed price, usually over a fixed period. These legal guarantees ensure investment security and the support of all viable renewable energy technologies. The European Union has found it to be the best policy tool for the fastest, lowest-cost deployment of renewables. Germany is now the world leader in renewable energy deployment, thanks largely to their implementing the FIT.

It is expected that a FIT will be introduced this year in the California legislature. Cities should actively support it. FIT is much more effective than tax credits and is not subject to federal whims.

#### **Estimating project-related transportation energy use**

Over the long haul, transportation plays the most important part in solving the region's energy conservation and global warming problems. Accessible methodology for analyzing the impacts of our transportation projects can help us make energy-efficient planning decisions. The Sightline Institute (formerly Northwest Environment Watch, a not-for-profit think tank in Seattle—<http://www.sightline.org/>) recently developed a general estimate showing that in congested urban areas a single new lane-mile of road adds at least 100,000 tons of GHG over 50 years. That kind of ballpark project analysis can help planners and citizens choose among project and design alternatives.

Ballpark emissions estimates can be calculated for every large project by using a standard formula. The city can quickly estimate how many cars are generated by a new project, and the fuel needs generated by the project, and use the data to compare alternatives.

*(continued on next page)*



## Planning to reduce greenhouse-gas emissions

“Northern California just may be the epicenter for innovative land planning policies that can help achieve reduced greenhouse-gas emissions. The challenge of climate change is global, but it will require local solutions. Land-use planning efforts can be one more opportunity for Californians to lead the way.” So writes **Hing Wong, AICP**, in an op-ed piece on addressing climate change through land use. The article—part of APA’s ongoing communication strategy to bring more visibility to APA and the field of planning—appeared in the *San Francisco Chronicle*, January 29, 2008.

<http://www.sfgate.com/cgi-bin/article.cgi?f=/c/a/2008/01/29/EDJJUNNF9.DTL>

*Hing Wong is vice president of administration for APA California, senior regional planner with the Association of Bay Area Governments, and treasurer of the California Planning Foundation. ■*

## Economic development

A by-product of a well thought-out energy plan is new business moving into your city. We have seen cities develop solar plans for residents, for example, followed by manufacturers and solar dealers relocating to those cities. Just as green buildings seem to be attracting more tenants and buyers, and consequently higher sales prices than non-green buildings, we are also starting to see people and businesses attracted to cities with meaningful sustainable energy and transportation plans. Oceanside implemented a solar leasing program, attracted over \$20 million in private investment, and a new cluster of solar companies moved to the city.

## Conclusion

While the laws requiring that cities implement energy reduction programs may be new, many proven and sustainable energy reduction options are already available to cities to help them meet the new requirements.

*Philip L. Millenbah, AICP, is a contract city planner and energy consultant in San Francisco. Reach him at [www.energy-planning.net](http://www.energy-planning.net) ■*

## Where in the world?



*Answer on page 15*

## LETTERS

"Thank you for your ongoing work on the *Northern News*; great look and great contents."

**Larry Tong**

*East Bay Regional Park District, Oakland*

"I am assuming the role of Newsletter Editor for the San Francisco Bay Chapter of the Association of Environmental Professionals. Our webmaster, Marc Descollognes, and I are both fans of the *Northern News* presentation, and I am wondering if you can provide me with any tips or suggestions about creating a newsletter in the format you use... You put out a great newsletter!"

**Jessica Viramontes**

*Christopher A. Joseph & Associates, Oakland*

## What others are saying

### Deforestation

It's no secret that "human encroachment is shrinking the world's rain forests [but] Africa is now a leader in destructiveness." Worldwide, "50,000 square miles of tropical forest are being cleared every 12 months—equivalent to one Mississippi." Deforestation "accounts for about 20 percent of manmade emissions, second only to burning of fossil fuels for electricity and heat [and] sends more carbon dioxide into the atmosphere than all the world's planes, trains, trucks and automobiles."

Edward Harris, Associated Press, "*Rain forests fall at 'alarming' rate*," February 2, 2008.

<http://economictimes.indiatimes.com/>

### Salmon in troubled waters

"The number of chinook salmon returning to the Sacramento River and its tributaries last fall was astonishingly low. 'This is an economic rumbling that will go right through every coastal community,' said Rep. Mike Thompson of California's North Coast. 'It's not just the commercial fishermen that are economically harmed; all kinds of businesses depend on the fishery.' Regulators and biologists say salmon stocks are down throughout the West Coast, which could mean the crash is related to ocean conditions—possibly linked to global warming—that have disrupted the marine food chain. But fishermen are convinced that increased water exports from the delta are to blame."

Terence Chea, Associated Press, "California salmon collapse roils West Coast fishing industry," *San Francisco Chronicle*, Feb. 2, 2008. <http://www.sfgate.com/cgi-bin/article.cgi?f=/n/a/2008/02/02/financial/f085015S55.DTL&feed=rss.business>

### Certification? Or ballot-box planning?

"If our 'citizen' planning circles got as much of an earful from professional planners about the iniquities of ballot box planning as we're currently churning up on CM requirements, we'd probably have one heck of a well-educated planning public."

Central Coast Section Director Jay Higgins, AICP, Santa Barbara, in *Coastal Connection*, the newsletter of the Central Coast Section, California APA, Winter 2008, p. 12. <http://centralcoastapa.org/Winter%202008.pdf> ■

## Greenest cities in Northern California

Popular Science magazine named “America’s 50 greenest cities” on February 8th. Seven Northern California cities were recognized:

2. San Francisco
4. Oakland
7. Berkeley
13. Sunnyvale
23. Santa Rosa
43. Concord
44. Fremont

Complete article at

<http://www.popsci.com/environment/article/2008-02/americas-50-greenest-cities?page=1>

## Opting out of APA over Certification Maintenance

*The following is from a personal communication from David E. Booher to his colleagues on the California Planning Roundtable. Mr. Booher gave Northern News his permission to share these excerpts with our readers. –Ed.*

### Problems with CE [the APA continuing education program]

I decided to not renew my membership in APA/AICP. This decision came after a long and deep reflection because I have been a member for over 35 years and have always found my engagement with the members to be professionally and personally very rewarding. I still have the same feelings about CCAPA and will convert to a chapter-only membership.

[However,] I have grown increasingly concerned about the evolution of the national organization. In a nutshell, it seems to me the national organization has increasingly become focused on self-aggrandizement and on ... being concerned with the organization’s interests, instead of ... advancing the shared mission of the membership. In my view APA and AICP should be about the mission its members share, not about controlling the profession. The CE program and the way it was handled by APA/AICP was simply the last straw for me.

[P]roblems ... presented [to APA] prior to the CE program being enacted ... apparently had little effect on the [organization’s] decision. If this program is more about APA control of entry into the profession, hegemony over the content of the acceptable knowledge of the profession, and increased revenues for the organization, ... that might explain why the concerns [were] brushed off before and suggest that merely being more persuasive may be irrelevant.

#### **David E. Booher**

Davis, California

*David Booher was President of the California Chapter of APA from 1979 through 1980, founded the California Planning Roundtable in 1980, and served as an APA Director and AICP Commissioner from 1981 through 1984. He was inducted into the AICP College of Fellows in 2003 for his record of accomplishments in planning policy and institution building, negotiating many planning policies in California, and leading the reinvigoration of the California Chapter and the emergence of the Center for Collaborative Policy as a national leader in collaboration. ■*

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#### **Answer to “Where in the world?”**

Jaisalmer Fort, Rajasthan, northern India

Photo by: Jean Lin, AICP

# NORTHERN SECTION CALENDAR

2008 NSCCAPA Awards applications are available at [www.norcalapa.org](http://www.norcalapa.org). Categories include Outstanding Planning, Leadership and Service, Planning Achievement, Journalism/Media, and Planning Landmark or Pioneer. Only the first place winners of section awards will be eligible to be nominated for California Chapter awards. Applications are due by 5:00 PM, Thursday, March 21, 2008. Materials received after this date will not be accepted and will not be returned.

## MARCH

Sun	Mon	Tue	Wed	Thu	Fri	Sat
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2	3	4	<b>5</b>	<b>6</b>	<b>7</b>	8
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30	31					

## MARCH

**3/1,  
3/22**

### AICP Test Preparation

10 AM – 3 PM, San José State University King Library, Room 525 – Cultural Heritage Center, 4th and San Fernando, San José. Materials charge is \$50 – \$75. Remaining sessions are March 22, April 12, and May 3. Call Don Bradley, AICP Director, 650-592-0915 or email [dr.donbradley@comcast.net](mailto:dr.donbradley@comcast.net) with your name, email, phone numbers, and any questions.

**3/6**

### NSCCAPA Board Meeting

6:30 – 8:30 PM. Parsons Transportation Group, 50 Fremont Street, Suite 1500, San Francisco. 2 blocks from Embarcadero BART at the corner of Fremont and Mission Streets. Use public transit or the expensive parking under the building. RSVP [Iris.Starr@parsons.com](mailto:Iris.Starr@parsons.com)

**3/5-7**

### Third National Summit on Equitable Development, Social Justice, & Smart Growth

New Orleans. Hosted by PolicyLink, Regional Equity '08 will offer participants in-depth exploration of the groundbreaking achievements, innovative strategies, and lasting policies that connect low-income/low-wealth communities to resources and opportunities. Register at [www.regionalequity08.org](http://www.regionalequity08.org), or email [dsm@policylink.org](mailto:dsm@policylink.org) for more information.

**3/19**

### South Bay RAC Networking and Brainstorming Happy Hour

6:30 – 9 PM, Firehouse #1, 69 N. San Pedro St., San José. Join us for appetizers and drinks to celebrate the renewed South Bay RAC and brainstorm future South Bay RAC events. RSVP to Licinia McMorro, South Bay RAC Chair, [licinia.mcmorrow@sanjoseca.gov](mailto:licinia.mcmorrow@sanjoseca.gov)

**3/21**

### Spring Speaker Series, SJSU Urban Planning Coalition

6 – 7:30 PM, San José State University, Clark Hall, 100H. "Project Management for Planners." Speaker is Harish Chinai, Project Management Institute. \$5 suggested donation. Light refreshments. Third in a monthly series of speakers on "Perspectives in Planning." For more information or to express an interest in speaking, contact Taryn Hanano, [taryn.hanano@gmail.com](mailto:taryn.hanano@gmail.com) For location map, see [http://www.sjsu.edu/about\\_sjsu/visiting/campus\\_maps/#main\\_campus](http://www.sjsu.edu/about_sjsu/visiting/campus_maps/#main_campus)

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30	31					

**MARCH**

**3/21 2008 NSCCAPA Awards applications due, 5 PM.**  
 Applications available at [www.norcalapa.org](http://www.norcalapa.org). Categories include Outstanding Planning, Leadership and Service, Planning Achievement, Journalism/Media, and Planning Landmark or Pioneer. Only the first place winners of section awards will be eligible to be nominated for California chapter awards. Questions? Contact Andrea Ouse, [andrea.ouse@lsa-assoc.com](mailto:andrea.ouse@lsa-assoc.com) or Eileen Whitty, [ewhitty@ebmud.com](mailto:ewhitty@ebmud.com)

**3/25-28 Changing Climates, 2008 NAEP/AEP Joint Conference**  
 Omni Hotel, 675 L Street, San Diego.  
 Registration now available on-line at [www.naep.org](http://www.naep.org)

**APRIL**

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<b>27</b>	<b>28</b>	<b>29</b>	<b>30</b>			

**APRIL**

**4/12 AICP Test Preparation**  
 10 AM – 3 PM, San José State University King Library, Room 525 – Cultural Heritage Center, 4th and San Fernando, San José. Materials charge is \$50 – 75. Last session is May 3. Call Don Bradley, AICP Director, 650-592-0915 or email [dr.donbradley@comcast.net](mailto:dr.donbradley@comcast.net) with your name, email, phone numbers, and any questions.

**4/24 Spring Speaker Series, SJSU Urban Planning Coalition**  
 6 – 7:30 PM., San José State University Martin Luther King, Jr. Library, Room 255, 4th and San Fernando, San José (see map [http://www.sjsu.edu/about\\_sjsu/visiting/campus\\_maps/#main\\_campus](http://www.sjsu.edu/about_sjsu/visiting/campus_maps/#main_campus)) Tentative Topic: Planning for bicycles. \$5 suggested donation. Light refreshments. Fourth in a monthly series of speakers on “Perspectives in Planning.” For more information or to express an interest in speaking, contact Taryn Hanano, [taryn.hanano@gmail.com](mailto:taryn.hanano@gmail.com)

**4/27 – 5/1 APA National Planning Conference**  
 Paris and Bally’s Hotels, Las Vegas, Nevada.  
 An opportunity to learn and see planning practice in action. Mobile workshops provide a living laboratory experience in the host city and surrounding region. AICP members earn CM credits for participating in sessions and mobile workshops. Register online at [www.planning.org](http://www.planning.org)

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**MAY**

**5/8**

**NSCCAPA Board Meeting**

6:30 – 8:30 PM. ENTRIX, Inc.,  
2300 Clayton Road, Suite 200  
Concord.

**5/16**

**2008 Northern Section Awards**

Argonaut Hotel, Cannery Building, Fisherman’s Wharf,  
San Francisco.

Contact Andrea Ouse, [andrea.ouse@lsa-assoc.com](mailto:andrea.ouse@lsa-assoc.com) or  
Eileen Whitty, [ewhitty@ebmud.com](mailto:ewhitty@ebmud.com)

## *In memoriam—Irwin J. Mussen*

*Northern News* has learned of the passing of **Irwin J. Mussen** on February 8. He was 76.

Mr. Mussen, most recently a community development consultant based in San Francisco, was an urban planner dedicated to creating housing for the poor and to environmental justice.

Irwin Mussen was a deputy to San Francisco mayors George Christopher (1956-64) and John J. (Jack) Shelley (1964-68). He served as the city’s urban renewal coordinator from 1964 to 1967 under T. J. (Jack) Kent, the coordinator of housing, planning, and development for the city (and later, deputy for development). Under Kent, a professor of city planning on leave from UC Berkeley, Mr. Mussen advised the mayor on renewal, housing, and development activities. As co-director of the Community Renewal Program (CRP), a federally funded program to study and guide urban renewal, Mr. Mussen wrote the prospectus for the CRP and prepared the annual reports required for receipt of federal money. Mr. Mussen also chaired the committee that ironed out differences between city agencies regarding urban renewal programs. He was involved in the Market Street Task Force, which coordinated the design of the two-decked subway for BART and the Municipal Railway (MUNI) and the above-ground street design and improvements.

In later years, Mr. Mussen was an urban and environmental planner in the Planning and Research Division of the Bay Area Air Quality Management District.

Mr. Mussen was an active member of a number of community organizations in the Bay Area. He was a founder of Resources for Community Development, a widely-regarded developer of affordable housing for people who have few options. The organization has built over 1,150 units of affordable housing in communities in Alameda, Contra Costa, and Solano counties.

Mr. Mussen also worked and volunteered in Greece and Israel. He was director of the San Francisco office of Friends of the Earth Middle East, originally founded as EcoPeace in 1994. The organization brings together Jordanian, Palestinian, and Israeli environmentalists to work toward a common goal of sustainable development and peace in their region. One project is an integrated sustainable regional development plan to share the natural resources in the Dead Sea Basin.

Mr. Mussen also was instrumental for more than a decade in the 1980s in “Project Renewal” of the United Jewish Appeal. Volunteering through the San Francisco Jewish Community Federation, he contributed urban planning assistance to Kiryat Shmona, Israel’s northernmost city, and the Municipality of Nesher, at the eastern edge of Haifa and Mount Carmel. ■