



August 22, 2023

Mr. Christian Clegg
City Manager's Office
City of Bakersfield
1600 Truxtun Ave., Fifth Floor
Bakersfield, CA 93301

RE: Comment Letter Climate Action Plan – Recommendation to Focus on a General Plan and Eliminate the use of a Climate Action Plan

Dear Mr. Clegg:

We collectively write to you today on behalf of a diverse coalition to express our preliminary concerns regarding the City of Bakersfield's Draft Climate Action Plan (CAP). Collectively, we represent hundreds of local employers who provide jobs for thousands of city residents. Our organizations stand united in requesting that the City of Bakersfield immediately eliminate the Climate Action Plan (CAP) and focus on delivering a General Plan that works for Bakersfield and doesn't tie our hands to speculative future requirements from the State of California.

First, a CAP is not a required element of the General Plan. The City of Bakersfield and your planning staff are aware that the use of a CAP is not a legal requirement. As such, our organizations steadfastly believe that a General Plan should not focus on items that go beyond what is legally required for the City to have a General Plan.

Along these same lines, we further argue that the City of Bakersfield should not consider the use of "Reach Goals" that go beyond State mandates. For example, the proposed "Reach Goal" to eliminate natural gas in dwelling units should not be required. Natural gas is an integral part of the State's energy grid. Just this month, the California Energy Commission extended the life of three natural gas power plants to meet the daily needs of California residents. By reducing natural gas in homes, you eliminate an affordable energy source for many in Bakersfield, specifically those residents in our disadvantaged communities.

Furthermore, we are very concerned that the implementation of a CAP will leave the City vulnerable to future lawsuits. Jurisdictions that have introduced CAPs are now experiencing lawsuits related to their adopted plans. Consider, for example, the current housing crisis which points to the impacts that CEQA-related lawsuits have had on stifling growth and needed solutions for our community. We urge the City to focus on developing its General Plan so it can facilitate growth, future development and economic prosperity. By going down the path of implementing a CAP, the future of the community is at greater risk for predatory lawsuits.

Our greatest concern is for the economic vitality of our City and the prosperity of all its residents, especially those in disadvantaged communities and low-income households. It is widely accepted that the strategies and measures in the draft CAP will lead to both higher costs of living and conducting business in the City of Bakersfield. Despite this general acknowledgment, we are unaware of any effort undertaken to quantify the impact on housing affordability, homelessness, wages, or job creation, among other items. Disadvantaged communities and low-income households, especially those at risk of experiencing homelessness, are the most vulnerable. Should the City proceed with a CAP, it is imperative that the City conduct a rigorous economic impact assessment of the draft CAP to inform local decision-making.

Lastly, as members of the local business community, we value the opportunity to participate in the development of documents and plans with wide- and long-ranging impacts on our region's economic vitality. Despite the initial public review period opening on July 10, 2023, many of our organizations did not become aware of the draft CAP's existence until early August. As we

expressed during our in-person meeting with City staff on August 16, 2023, we are frustrated by the apparent lack of transparency and limited deliberate outreach to key stakeholders.

Our coalition urges the City to eliminate the implementation of a CAP. A CAP is not required for a General Plan and will invite predatory lawsuits. The CAP contains "Reach Goals" that go beyond current laws and mandates that will have serious impacts on our disadvantaged communities. Let's work together to put Bakersfield first, not misguided policy ideals that lack practical application.

Best Regards,

ABC Central California
California Independent Petroleum Association
Castle & Cooke California, Inc.
Central Valley Business Federation
Greater Bakersfield Chamber
Home Builders Association of Kern County
Kern Citizens for Energy
Kern County Black Chamber of Commerce
Kern County Hispanic Chamber of Commerce
Kern County Tax Payers Association
Kern Economic Development Corporation
The Bakersfield Association of Realtors
Western States Petroleum Association

Cc Mayor Karen Goh
Vice Mayor Andrae Gonzalez
Councilmember Eric Arias
Councilmember Ken Weir
Councilmember Bob Smith
Councilmember Bruce Freeman
Councilmember Patty Gray
Councilmember Manpreet Kaur
Kassandra Gale, Assistant Planning Director