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June 16, 2008

Jim Louie, Senior Planner
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Re: Solano County General Plan Draft Environmental Impact Report
SCH# 2007122069

Dear Mr. Louie:

Thank you for taking the time to meet with our office to discuss the Draft Environmental Impact Report (“DEIR”) for the Solano County General Plan Update (“Project” or “General Plan”). As we mentioned at the meeting, we believe this DEIR shows true leadership on the part of Solano County and contains many excellent ideas for addressing some of the very serious environmental issues that will face the County in the coming decades, including global warming and water availability. We strongly support the County’s stated goal of reducing Countywide greenhouse emissions to 20 percent below 1990 levels by 2020. (DEIR, Project Description at p. 3-21.)

We appreciate our discussion and your thoughts about how the DEIR might be improved. And we note that the preliminary suggestions for changes that you have made to us are well considered and wholly appropriate. As discussed below, however, some additional actions are necessary to ensure compliance with the California Environmental Quality Act (“CEQA”).¹

First, the global warming section of the DEIR should be amended to address adequately all sources of greenhouse gas emissions resulting from the Project, and to mitigate for these

¹The Attorney General submits these comments pursuant to his independent power and duty 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* (1974) 11 Cal.3d 1, 14-15.) While this letter sets forth those deficiencies that are of particular concern, it is not intended to be an exhaustive discussion of the DEIR’s compliance with CEQA.

emissions through concrete goals, policies, programs, land use designations and mitigation measures. Second, and relatedly, the DEIR should consider an adequate range of alternatives, including an alternative that is more consistent with the County's, and the State's, climate objectives. Third, to constitute permissible mitigation, the County's commitment to develop a Climate Action Plan should be further developed. Fourth, the DEIR should analyze and mitigate for the Project's impacts to water supply. Finally, the changes required to correct these deficiencies are sufficiently substantial to require recirculation under CEQA.

Background

Purpose of the General Plan

A general plan is a constitution for future growth. (*Napa Citizens for Honest Gov't v. Napa County* (2001) 91 Cal.App.4th 342, 355.) The Solano County General Plan Update anticipates significant future growth in Solano County. According to the DEIR, over the next two decades, the population of the County is expected to grow from 422,890 to 595,260 – an increase of approximately 171,000 people. (DEIR, Other CEQA Considerations, at p. 6-2.) Within the unincorporated County – most of which is currently designated agricultural – the number of households is expected to double, from 7,380 in 2008 to 14,290 in 2030; the population is expected to double, from 19,990 to 39,460; and employment is anticipated to double, from 3,039 jobs to 6,644 jobs. (*Ibid.*) Because the General Plan will guide the County in its development plans over the next two decades, it is critical that the DEIR adequately address the environmental impacts resulting from that development.

Global Warming

The DEIR does an excellent job of describing the phenomenon of global warming and its serious repercussions for the County, California and the Nation. (DEIR, Other CEQA Considerations, at pp. 6-12 through 6-26.)

As the DEIR notes, greenhouse gases in the atmosphere trap heat near the Earth's surface. Unnaturally elevated atmospheric concentrations of these gases, emitted from human activities, cause average temperatures to increase, with adverse impacts on humans and the environment.² (DEIR, Other CEQA Considerations, at p. 6-14.) As the DEIR recognizes, the overwhelming scientific consensus is that global warming is already underway. (*Ibid.*) According to the leading experts, including the Intergovernmental Panel on Climate Change ("IPCC"), continuing the current rate of emissions will result in disastrous environmental effects, including

²See also Intergovernmental Panel on Climate Change, Fourth Assessment Report (IPCC 4th) (2007) Working Group (WG) I, Frequently Asked Question 2.1, *How Do Human Activities Contribute to Climate Change and How Do They Compare with Natural Influences?* http://ipcc-wg1.ucar.edu/wg1/FAQ/wg1_faq-2.1.html.

increasingly rapid sea level rise, increased frequency of droughts and floods, and increased stress on wildlife and plants due to rapidly shifting climate zones. To avoid the most catastrophic outcomes (so-called “dangerous climate change”), we must reduce our emissions and stabilize atmospheric levels of greenhouse gases, with emissions peaking during the 2000-2015 time period. (*Id.* at p. 6-15 [citing the IPCC].)

The DEIR discusses in some detail how global warming will affect California, resulting in warmer temperatures, more extreme weather events, decreased snowpack in the Sierras, rising sea levels, and reductions in water supply and water quality. (*Id.* at pp. 6-13 to 6-26.) The DEIR also discusses those direct and indirect impacts that are expected to have particular effects in Solano County. They include present and projected impacts to the County’s low-lying areas caused by sea level rise; expansion of County floodplains; intrusion of salt water into the Delta and water supplies; and impacts to County agriculture due to reductions in water supply and water supply reliability. (*Id.* at pp. 6-20 to 6-24.)

With Executive Order S-3-05 and the California Global Warming Solutions Act of 2006 (“AB 32”), the Governor and Legislature recognized California’s vulnerability to the adverse effects of increasing temperatures, the urgency of curbing greenhouse gas emissions, and California’s important role as a leader in the fight against climate change. Informed by the science, California is committed to reducing total greenhouse gas emissions to 1990 levels by 2020, and to 80 percent below 1990 levels by 2050, even as the State’s population and economy grow. Addressing the problem requires prompt action at every opportunity. According to Rajendra Pachauri, Chairman of the United Nations IPCC, “If there’s no action before 2012, that’s too late. What we do in the next two to three years will determine our future. This is the defining moment.”³

Global Warming Under CEQA

CEQA requires that “[e]ach public agency shall mitigate or avoid the significant effects on the environment of projects that it carries out or approves whenever it is feasible to do so.” (Pub. Res. Code, § 21002.1, subd. (b).) This requirement is the “core of an EIR.” (*Citizens of Goleta Valley v. Board of Supervisors of Santa Barbara County* (1990) 52 Cal.3d 553, 564-65.) Global warming is an “effect on the environment” under CEQA, and an individual project’s incremental contribution to global warming can be cumulatively considerable. (See Cal. Pub. Res. Code, § 21083.05, subd. (a); see also Sen. Rules Comm., Off. Of Sen. Floor Analyses, Analysis of Sen. Bill No. 97 (2007-2008 Reg. Sess.) Aug. 22, 2007.)

By its nature, a general plan governs a large area of development over an extended period

³Rosenthal, *U.N. Chief Seeks More Leadership on Climate Change*, N.Y. Times (November 18, 2007).

of time. Local governments in their planning documents therefore have a very important role to play in the fight against global warming. As the Attorney General's Office has noted, there are many effective measures that a local government can include in its general plan. To take just a few examples, a local agency can require water conservation measures, green building standards, building energy efficiency standards that exceed the State minimum, and land use designations that facilitate more compact development.⁴ In the last category, the California Energy Commission ("CEC") has noted that better land use decisions are essential. According to the CEC, if we do not address growth in vehicle miles traveled ("VMT"), it will completely overwhelm the other advances that the State is making to control emissions and lower the carbon content of fuel.⁵ But, as the California Energy Commission has found, "[l]and use choices that result in lower energy use and VMT reductions are possible and examples are beginning to emerge across the state."⁶

Discussion

1. Global Warming

a. The DEIR does not adequately identify all existing greenhouse gas emissions.

An EIR must provide an accurate depiction of existing environmental conditions. (Cal. Code Regs., tit. 14 (hereinafter "CEQA Guidelines"), § 15125, subd. (a).) "Before the impacts of a project can be assessed and mitigation measures considered, an EIR must describe the existing environment. It is only against this baseline that any significant environmental effects can be determined." (*County of Amador v. El Dorado County Water Agency* (1999) 76 Cal.App.4th 931, 952.)

While the DEIR provides baseline estimates of greenhouse gas emissions for California and for the San Francisco Bay Area Basin portion of Solano County, it does not provide any estimate of emissions for the Sacramento Valley Air Basin portion of the County. (DEIR, Other CEQA Considerations, at pp. 6-25 to 6-26.) Without a complete baseline estimate, "analysis of impacts, mitigation measures, and project alternatives becomes impossible." (*County of Amador, supra*, 76 Cal.App.4th at 953.)

⁴See the Attorney General's fact sheet, available at http://ag.ca.gov/globalwarming/pdf/GW_mitigation_measures.pdf.

⁵California Energy Commission, *The Role of Land Use in Meeting California's Energy and Climate Change Goals*, Final Staff Report (August 2007), at pp. 10, 18.

⁶*Id.* at p. 10; see also *California Energy Commission, 2007 Integrated Energy Policy Report*, Committee Final Report (November 2007), Chapter 8, Mitigating Energy Needs With Smart Growth, at p. 261.

The DEIR states that no greenhouse gas emissions inventory has been conducted for the Sacramento Valley Air Basin portion of Solano County. (DEIR, Other CEQA Considerations, at p. 6-26.) However, a lead agency must make reasonably conscientious efforts to collect additional data or make further inquiries of environmental or regulatory agencies having expertise in the matter. (*Berkeley Keep Jets Over the Bay Committee v. Board of Port Comm'rs* (2001) 91 Cal.App.4th 1344, 1370.) The County is not excused from determining the existing greenhouse gas emissions in the Sacramento Valley Air Basin simply because an inventory does not yet exist.

b. The DEIR improperly excludes reasonably foreseeable sources of greenhouse gas emissions from its analysis.

An EIR must identify and assess all significant environmental impacts of the proposed project, including direct and indirect impacts. (CEQA Guidelines, §§ 15064, 15358, subd. (a).) Here, the DEIR fails to evaluate the possibility of increased emissions from any sources other than VMT and construction. (DEIR, Other CEQA Considerations, at p. 6-33). Although the DEIR acknowledges that emissions from other sectors such as energy, industry, and agriculture “should not be entirely overlooked,” (*id.* at p. 6-34), it appears that the document omits any estimate of emissions from these sources. It is reasonably foreseeable that these sectors will be direct and indirect sources of greenhouse gas emissions. Consequently, the DEIR should include them in its analysis.

Because emissions from all sources are not included in the calculations, the DEIR’s assessment of the greenhouse gas emissions resulting from the project may be significantly understated.⁷ An understatement of emissions would subvert one of the basic purposes of CEQA, which is to inform the public of potential, significant environmental impacts of a proposed project. (CEQA Guidelines, § 15002, subd. (a)(1).)

c. The DEIR does not properly mitigate the emissions resulting from the Project.

The DEIR fails to analyze and require an adequate suite of feasible mitigation for the projected greenhouse gas emissions. The DEIR contains many pages of proposed policies and programs to reduce emissions. Some of these measures are concrete, tangible, innovative, and will reduce the County’s emissions, provided they are promptly implemented on adoption of the General Plan. For example, Mitigation Measure RS I-38 provides measurable goals when it states that the County will “[d]evelop and implement financially and technically feasible green

⁷Other comments have raised concerns that the DEIR does not provide an estimate of greenhouse gas emissions under the Maximum Development Scenario. (See, e.g., Shute, Mihaly & Weinberger letter at p. 43.) This would also result in substantial understatement of emissions.

building standards, including standards that exceed Title 24 state energy-efficiency requirements for residential and commercial buildings by at least 20 percent, and comply with the guidelines for the California Energy Star Homes Program.”

Likewise, Mitigation Measure RS I-46 will “[r]equire all commercial, institutional, and industrial development to reduce potential urban heat island effect by using US EPA-Energy Star rated roofing materials and light colored paint, light colored paving materials for internal roads and parking, and use shade trees to shade south and west sides of new or renovated buildings and to achieve a minimum of 50% shading for all parking lots surfaces” and will “[a]mend the County zoning ordinance to encompass these requirements.” This measure provides enforceable standards and, equally importantly, includes an implementation strategy. We appreciate the County’s leadership by example by its inclusion of such measures.

The majority of mitigation measures in the DEIR are, however, unenforceable preferences and goals, rather than definite commitments to adopt enforceable policies or specific standards. (See DEIR at pp. 6-36 to 6-42.) The DEIR offers a menu of policies to “encourage,” “promote,” and “consider” means of reducing emissions, such as “encourage the location of industrial development in cities,” “promote green building by adopting and supporting LEED principles,” “promote alternative forms of transportation,” and “consider a trip reduction ordinance and incentives.” Contrary to the requirements of CEQA, these are bare policy statements, not true mitigation measures that will be implemented (e.g, through ordinances, programs, development standards, or land use designations) to reduce or avoid environmental impacts. (See CEQA Guidelines, § 15126.4, subd. (a)(2).) Each statement of policy should be paired with an enforceable, achievable standard. From our discussions, we understand – and very much appreciate – that the County is prepared to add language that will make many of the proposed mitigation measures more than bare statements of intent, but we remain concerned with the lack of clear implementation strategies.

2. Alternatives Analysis

a. The DEIR does not contain an adequate range of alternatives designed to address global warming.

An EIR is required to identify a reasonable range of alternatives and to set forth facts and meaningful analyses of these alternatives. (*Preservation Action Council v. City of San Jose* (2006) 141 Cal.App.4th 1336, 1353 (internal citations omitted); CEQA Guidelines, § 15126.6, subd. (a).) The County in the DEIR has acknowledged the serious nature of global warming, has noted the State’s emissions reductions targets, and has set its own objective of reducing greenhouse gas emissions to 20 percent below 1990 levels by 2020 (DEIR, Project Description, at p. 3-21).

Under these circumstances, it is reasonable to expect that the County would examine an alternative designed to meet County and State climate objectives. But it does not appear that the

County has done so. According to the DEIR, AB 32's emissions targets require that per capita emissions be reduced to 9 tons of carbon dioxide equivalent per person per year. (DEIR, Other CEQA Considerations, at 6-32.) The DEIR calculates that the Project at full buildout will result in emissions of 16.5 tons per person per year; thus “[p]er capita rates of CO₂ emissions would not meet the levels required to meet the goals of AB 32[.]” (*Ibid.*)

The DEIR for this General Plan – which will guide development for the next two decades – should evaluate an alternative that is specifically designed to ensure that the County does its part toward cumulatively reducing greenhouse gas emissions, stabilizing atmospheric concentrations of greenhouse gases, and avoiding dangerous climate change. The DEIR does not suggest that such an alternative is infeasible. One would expect that this alternative might explore, for example, higher density development that focuses growth within the existing city limits; the preservation of agriculture; energy and water conservation; green building practices; mixed-use development; and the promotion of alternative transportation. We urge the County to recirculate the DEIR to include such an alternative.

b. The DEIR's alternatives analysis does not include sufficient information to allow meaningful comparison with the Project.

An EIR must include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the Project. (CEQA Guidelines, § 15126.6, subd. (d).) The DEIR describes three action alternatives to the Project. But the environmental impact analysis provided for each is insufficient to allow comparison. The DEIR's treatment of global warming impacts is illustrative. The DEIR does not quantify the greenhouse gas emissions that would result from each alternative. It is therefore impossible to know from the abbreviated discussion the amount by which emissions would be reduced in each alternative. Consequently, the public cannot meaningfully compare the emissions resulting from the alternatives to those from the Project. The EIR's “statutory goal of public information regarding a proposed project has not been met.” (*Laurel Heights Improvement Ass'n v. Regents of California* (1988) 47 Cal.3d 376, 404.)

3. As written, the DEIR's commitment to develop a Climate Action Plan to mitigate global warming resulting from the Project improperly defers analysis to the future.

The County proposes to develop and adopt a Climate Action Plan (“CAP”). The CAP has two primary objectives: to “create adaptation strategies to address the impacts of climate change on the county, such as sea level rise, increased risk of flooding, diminished water supplies, public health, and local agricultural-based economy” and to “reduce total greenhouse gas emissions in the county to 20 percent below 1990 levels by 2020[.]” (DEIR, Other CEQA Considerations, at p. 6-47.) We understand from the County that it intends to integrate the CAP into its General Plan,

and will amend the DEIR to make that clear. This is essential if the CAP is to be enforceable.⁸

In stating its intent to prepare a CAP, the County has shown substantial leadership. Of particular note is the County's decision to require adaptation strategies to address potential effects of climate change. (DEIR, Other CEQA Considerations, at p. 6-47.) The DEIR notes that concerns regarding sea level rise led to the development of a Sea Level Rise Strategic Program, which has been included as an implementation measure in the General Plan Update. (*Ibid.*) We applaud the County for including this strategy as part of the General Plan Update. But sea level rise is only one of many climate related challenges the County will face. For example, as the DEIR notes, water availability will change with Solano County's changing climate; "there is likely to be less 'slack' in the system than under current operations and expectations." (DEIR, Other CEQA Considerations, at p. 6-23.) The General Plan Update should encompass similar strategic programs for other major climate changes noted in the EIR, including "increased frequency and magnitude of flooding, diminished water supply, habitat loss, and possible impacts to public health and the local economy, including agriculture." (*Ibid.*)

Turning to the planned CAP's outlined mitigation strategies, we note that many of the specifics of the CAP have yet to be developed. Under CEQA, a lead agency cannot defer development of the specifics of a mitigation measure to the future. (*San Joaquin Raptor Rescue Center v. County of Merced* (2007) 149 Cal.App.4th 645, 670 [holding that provision in EIR that allowed specifics of mitigation for biological impacts to be determined after future study violated CEQA where there were no specific criteria or standards of performance].) "CEQA's demand for meaningful information is not satisfied by simply stating information will be provided in the future." (*Vineyard Area Citizens for Responsible Growth, Inc. v. City of Rancho Cordova* (2007) 40 Cal.4th 412, 431 (internal quotation omitted).)

Under certain limited circumstances, a project may use a future, not yet existing "mitigation plan" as mitigation for a current project.⁹ A mitigation plan is acceptable mitigation where the EIR includes a performance objective for the plan and the plan is sufficiently formulated that the lead agency and the public can have a level of assurance that the objective of

⁸Provided that the CAP is completed and integrated into the General Plan, the County and project proponents will be able to benefit substantially from CEQA's streamlining provisions. (See, e.g., CEQA Guidelines, §§ 15152, subds. (d), (f); 15130, subds. (d), (e) [discussing tiering and cumulative impacts, respectively]; see also Pub. Res. Code, § 21081.6, subd. (b).)

⁹If at all possible, a fully realized CAP should be included in a general plan update, rather than being developed through a subsequent process. The Attorney General's Office acknowledges, however, that the issue of global warming has come to local governments' attention relatively recently. Where, as in Solano County's case, the general plan process was begun some time ago, we recognize that it may be necessary to complete the CAP and to integrate it into the general plan in a subsequent update.

the plan – real mitigation – will be achieved. (See, e.g., *Sacramento Old City Assn. v. City Council* (1991) 229 Cal.App.3d 1011, 1020-22, 1028-30 [holding that EIR’s plan to develop parking mitigation strategy did not defer mitigation where EIR established a performance objective and set forth in detail the various mitigation strategies that would be analyzed in developing the plan, where formulation of the precise means of mitigating the impacts was impractical at the time of project approval, and where lead agency had approved funds for the required study].)

The County’s plan to develop a CAP has several attributes that will help to ensure that real mitigation will be achieved. For example, it articulates a specific performance standard: reduce Countywide emissions by 20 percent below 1990 levels by 2020. (DEIR, Other CEQA Considerations, at p. 6-47.) In addition, it requires an emissions inventory, which will assist in identifying sources and formulating appropriate emissions reduction measures. (DEIR, Other CEQA Considerations, at p. 6-47.) But these attributes, standing alone, are not sufficient to ensure mitigation. Accordingly, we urge the County to consider adding the following elements to the EIR so that the County does not run afoul of CEQA’s rule against deferral:

- *Clear deadline for CAP completion.* The EIR should include reasonable deadlines for completion of the CAP and integration into the General Plan so that mitigation is not unduly delayed. We understand the County is considering adopting such deadlines.
- *Mitigation specificity.* The EIR should include a description of the specific measures the County knows will be analyzed for inclusion in the CAP.
- *Monitoring and reporting.* The EIR should require the CAP to include, as part of the enforcement process, monitoring and reporting to ensure the measures will be implemented and effective. (See *Lincoln Place Tenants Ass’n v. City of Los Angeles* (2007) 155 Cal.App.4th 425, 446; Pub. Res. Code, § 21081.6, subd. (a), CEQA Guidelines, § 15091, subd. (3)(d).) We understand the County is developing monitoring and reporting requirements for the CAP.
- *Adaptive management.* In the face of uncertainty, adaptive management – pursuant to which mitigation measures are monitored and will be updated over time should they prove ineffective to meet the County’s climate goal – is essential. We understand that the County is considering including adaptive management as an element for the CAP. We urge it to do so.
- *Interim decisions.* The EIR should include a mechanism to ensure that no decisions made in the interim between adoption of the General Plan Update and completion and integration of the CAP will frustrate or prevent meeting the CAP’s goals.

We urge the County to consider these recommendations in order to make the CAP an effective tool for mitigating the global warming effects of the Project.

4. The DEIR fails to adequately analyze the impacts of the project to water supplies.

An EIR must inform decision-makers and the public of the intended sources of water for the project, and the environmental impacts of exploiting those sources. (*Vineyard Area Citizens for Responsible Growth, Inc. v. Rancho Cordova* (2007) 40 Cal.4th 412, 431, citing *Stanislaus Heritage Project v. County of Stanislaus* (1996) 48 Cal.App.4th 182, 206.) Such analysis cannot be deferred. (*Ibid.*) “An EIR evaluating a planned land use project must assume that all phases of the project will eventually be built and will need water, and must analyze, to the extent reasonably possible, the impacts of providing water to the entire proposed project.” (*Ibid.*)

The DEIR does not adequately analyze the impacts of the Project on water supply. Instead, it acknowledges that insufficient water is available to meet the demands of the Project, and simply concludes that the impact of the Project on water supply would be significant. “Available water sources would be insufficient to serve some of the unincorporated areas of the county with the buildup of the Preferred Plan. New methods to obtain water and additional sources of supply would be required.” (DEIR, Executive Summary, at p. 2-49.)

The DEIR attempts to mitigate the impacts by requiring verification of sufficient water supply before new development subdivisions are approved, and by monitoring groundwater. These mitigation efforts are insufficient. “An EIR that neglects to explain the likely sources of water and analyze their impacts, but leaves long-term water supply considerations to later stages of the project, does not serve the purpose of sounding an ‘environmental alarm bell’ (*Laurel Heights Improvement Assn. v. Regents of the University of California* (1988) 47 Cal.3d 376, 392) before the project has taken on overwhelming ‘bureaucratic and financial momentum.’ (*Id.* at 395.)” (*Vineyard, supra*, 40 Cal.4th at 441.) Thus, the water supply analysis fails to comport with CEQA.

5. The DEIR should be recirculated to incorporate significant new information.

CEQA requires recirculation of an EIR when significant new information is added after notice and opportunity for public comment is provided. (Pub. Res. Code, § 21092.1; CEQA Guidelines, § 15088.5, subd. (a).) “Significant new information” includes disclosures showing 1) that a new significant environmental impact would result from the project or from a mitigation measure; 2) a substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted to reduce the impact to a level of insignificance; 3) a feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the significant environmental impacts of the project and the project proponent declines to adopt it; or 4) the draft EIR was so fundamentally inadequate and conclusory that meaningful public review and comment were precluded. (CEQA Guidelines, § 15088.5, subds. (a)(1)-(4).)

For several reasons, the DEIR must be revised and recirculated. First, as discussed above,

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the DEIR suffers from an inadequate description of the baseline for greenhouse gas emissions and improperly excludes reasonably foreseeable sources of emissions from its analysis. This information should be supplied, and the DEIR recirculated. Second, the global warming mitigation measures should be revised to be made enforceable and achievable, and to include implementation strategies. These revisions will add significant new information, necessitating recirculation of the DEIR. Third, the DEIR should consider an alternative designed to meet appropriate greenhouse gas emissions reduction targets. Analysis of this new alternative would require recirculation. Fourth, the County has indicated that it is considering revising its plan to adopt a Climate Action Plan to ensure that it is an enforceable mitigation measure. The revisions are substantial enough that they require recirculation. And finally, the County should revise the DEIR to adopt a more thoughtful approach to mitigating the effects of the project on water supply.

Conclusion

As drafted, the DEIR does not sufficiently address the environmental impacts of the General Plan Update. We are encouraged by the County's willingness to work with us to address these concerns. We strongly urge the County to recirculate a DEIR that creates enforceable measures to mitigate global warming, that includes a discussion and analysis of an alternative that would be consistent with the State's and the County's climate goals, and that better addresses the important issue of water supply.

Thank you for your time and consideration.

Sincerely,

/S/

DEBORAH R. SLON
Deputy Attorney General

For EDMUND G. BROWN JR.
Attorney General