



Climate & Air Quality Committee

January 28, 2009

Update on Senate Bill 97 – Greenhouse Gas Mitigation

Issue: Senate Bill 97 requires the Governor’s Office of Planning and Research (OPR) to prepare CEQA guidelines for the mitigation of greenhouse gas (GHG) emissions or effects from GHG emissions and submit them to the Resources Agency for adoption.

Recommendation: None. This item is for information only.

Discussion: In January 2009, OPR released drafted amendments to the CEQA guidelines on greenhouse gas emissions. The guidelines outline three steps for compliance: quantifying GHG emissions, determining if the impact of emissions is significant, and identifying mitigation measures that will reduce the impact to less than significant.

Emissions and impacts of GHG can be estimated, calculated, or described in one of two ways: a model or method of calculation to quantify emissions for a project, or a qualitative method describing impacts. Earlier documents released by OPR have identified, among others, I-PLACE³S as a tool for estimating emissions.

Determining significance, as outlined by the OPR guidelines, will be up to the lead agency. OPR, however, consulted with the California Air Resources Board (CARB) to recommend a method for determining levels of significance that may be used by the lead agency. CARB’s draft suggestions include consistency with AB32 and SB375 targets; ongoing monitoring and evaluation of emissions; consistency with CARB performance standards on water use, waste, transportation; and project level CO₂e emission targets. At a minimum, the lead agency should consider the project’s impact on the goals set forth in the Global Warming Act of 2006, the project’s potential to decrease fuel consumption, and the project’s potential to decrease energy consumption.

For cumulative impacts, OPR has added language stating significance can be discussed by presenting a summary of projections in a regional transportation plan or regional blueprint plan. Similarly, if the lead agency is “tiering” an EIR, then no additional GHG analysis or mitigation is needed if it is consistent with an approved regional plan that addresses GHG emissions.

Mitigation measures are up to the lead agency. OPR provided some guidelines and examples, which include reduction of vehicle miles traveled (VMT) through land use measures, LEED certified buildings, and taking the project beyond Title 24 standards.

The next step is for OPR to incorporate comments received by February 2, 2009, and send recommendations to the Resources Agency for final adoption.

Approved by:

Mike McKeever
Executive Director

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Key Staff: Raef Porter, Associate Analyst (916) 340-6261