

Climate Change Action Plan- Meeting Notes

GHG/CEQA Technical Workgroup Meeting on February 18, 2009

A “Draft Report of CEQA GHG Guidance – Level of Significance Subcommittee (February 18, 2009)” was provided for today’s discussion.

Appendix H: Qualitative/Quantitative CASCADE Approach (OR)

Appendix I: Qualitative/Quantitative CASCADE Approach (AND)

Appendix J: Qualitative/Quantitative CASCADE Approach (OR/AND Mixed)

Questions/Concerns/Comments

- The last Technical Workgroup meeting is scheduled for March 4th at 10:00 am in Fresno. Then, the District plans to hold workshops in April with recommendations to go to the District’s Governing Board in late fall, maybe August.
- If the State adopts a CEQA Guidance, how will the District tie in their CEQA Guidance to the guidance the State has adopted?
- How will emissions be calculated in a qualitative approach? What is the approach in numerically calculating emissions through CEQA for a proposed project?
- A quantitative approach with a low significance threshold level will result in an increase of EIR to be written. In relation, land use agencies may do more statements of overriding considerations. And, the amount of emissions reduction will be lower.
- A qualitative and quantitative approach will lead to an increase in litigation.
- How was it determined that a qualitative standard be met first before a quantitative standard? For example, a qualitative approach would work for development projects because there is not enough data to do a quantitative approach (eg. URBEMIS) such as assigning a certain emission reduction number to a mitigation measure. For transportation projects, a quantitative approach would be looked at.
- The District has ongoing discussion with the subcommittee on the order of this (qualitative first, quantitative second, or vice versa) and it is not set yet.
- Appendix I is to be corrected to say “(Criteria 2) **AND** (Criteria’s 3 and 4) to match the graph.
- Regarding the AND approach shown in Appendix I, it could penalize larger efficient project and let smaller inefficient project through. This approach needs to be further evaluated.
- The criteria “project meets AB32 standards” means to meeting an adopted general plan for example. It would be helpful to add a footnote to clarify this.
- What is the difference between criteria’s 2 and 3 in Appendixes I and J? They are both a qualitative standard and the boxes depicting it could be merged into one instead.
- In the flowcharts presented as Appendix I and Appendix J, Criteria 2 says “Project meets AB 32 standard. What if no AB32 standard is adopted, what would be used for the criteria?”

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- If AB32 does actually have an actual standard to follow, then the criteria's 2 and 3 in Appendixes I and j should stay as separated boxed. Otherwise, there could be inconsistency and conflict with no meeting State's standard or other standards.
- Regarding the Mixed approach in Appendix J, this is consistent with the approach South Coast AQMD has.
- A previous discussion with Fresno COG indicates that their work on SB375 will not be completed until 1 or 2 years from now.
- There is an issue of Impact fees. That should be further evaluated.
- AB32 has a cost effectiveness factor. What are the cost effectiveness screens being imposed, if any, in CEQA?
- In response to the above, cost effectiveness can be found in a feasibility analysis.
- The District is proposing that the subcommittee holds a conference call on Feb. 20th, Feb. 25th, and March 2nd at 1:30 pm. The last Technical workshop is scheduled for March 4th at 10:00 am. Anyone wishing to join or be removed from the subcommittee is to inform Arnaud Marjollet at arnaud.marjollet@valleyair.org.

Recommendations

- It was recommended that the District wait to see what the State CEQA Guidelines will be before finalizing any guidance for the Central Valley.
- It was recommended that the District retain flexibility across sectors for GHG/CEQA Guidance/setting up criteria.
- Support for a qualitative AND quantitative approach. It will provide with a decrease in GHG emissions, and it will provide less uncertainty.
- There is also opposition to the And approach.
- Wait for ARB to see what they propose for any standards set before proposing something for the Central Valley. Any standards that are set must have significant backing.
- When establishing thresholds for GHG, be reminded that it's not just at a facility level causing the problem but it's a global issue.
- It was suggested that the term "Significant" shown in the Appendixes discussed at today's meeting be changed to say "Potentially Significant. The terms will depend on where the process demonstrated by the graph fits in the CEQA process. It was also suggested that the term "project" could be clarified to say "Project with designs and mitigations" to fit what the District intends to express here.
- The Technical workgroup had an extended discussion on the item above. It was concluded that overall the goal was to determine whether or not a project was significant.
- Please provide written comments to Arnaud Marjollet at arnaud.marjollet@valleyair.org by March 4, 2009.