

## **5.0 LATE LETTERS RECEIVED AFTER THE CLOSE OF THE PUBLIC COMMENT PERIOD**

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Several letters were received after the close of the Draft EIR comment period. These letters are included in this section.

### **Late Letters**

- 5.1 Metrolink, January 19, 2011
- 5.2 Santa Clarita Organization for Planning and the Environment, January 24, 2011
- 5.3 Crystal Springs Ranch, February 9, 2011
- 5.4 Tony Collette, February 12, 2011
- 5.5 Sierra Club, February 14, 2011
- 5.6 Santa Clarita Organization for Planning and the Environment, February 15, 2011
- 5.7 Nancy Eckels and Don Thorne, February 14, 2011
- 5.8 METRO, February 15, 2011
- 5.9 Crystal Springs Ranch, March 21, 2011



Southern California Regional Rail Authority

January 19, 2011

Mr. Jeff Hogan  
Senior Planner  
City of Santa Clarita  
23920 Valencia Blvd. Suite 300  
Santa Clarita, CA 91355

Re: Draft of Environmental Impact Report (DEIR) for the City of Santa Clarita Vista Canyon and Ancillary Annexation Areas

Dear Mr. Hogan,

The Southern California Regional Rail Authority (SCRRA) reviewed a copy of the DEIR for the proposed Vista Canyon annexation and construction of a Metrolink train station as part of the project. Thanks again for providing the opportunity to comment on this document. As background information, SCRRA is a five-county Joint Powers Authority (JPA) that operates the regional commuter rail system known as Metrolink. Additionally, SCRRA provides rail engineering, construction, operations and maintenance services to its five JPA member agencies. The JPA consists of the Los Angeles County Metropolitan Transportation Authority (METRO), San Bernardino Associated Governments (SANBAG), Orange County Transportation Authority (OCTA), Riverside County Transportation Commission (RCTC) and Ventura County Transportation Commission (VCTC).

1

In the project area, the railroad tracks and right of way are owned by MTA and operated and maintained by SCRRA. SCRRA operates the Metrolink Antelope Valley commuter rail route through the proposed station and project area. Currently, this service operates seven days a week.

2

The SCRRA reiterates the following comments for the City's consideration:

1. As presented, the SCRRA understands that the new station would replace the existing Via Princessa station once completed. The station design should include two additional tracks at which time the existing platforms would be modified to inner platforms. These additional tracks will be used as a freight siding. The station area and tracks could also be used as a turn-back facility for passenger train operations.
2. All aspects of the station project within the railroad right of way, including, but not limited to the station, passenger amenities, and the entirety of the railroad infrastructure is considered part of the project. The City/Developer is responsible for funding all aspects of the station development including all railroad infrastructure (tracks, track realignment, signals, station, grade separations etc.) related work.
3. The proposed station is subject to approval of the railroad right of way owner, METRO, and the SCRRA. The station shall be built according to SCRRA station design standards.

3

4. A total of not less than 1,900 station parking spaces should be planned (the projected demand for parking by 2015).
5. The operations and maintenance of the station including the passenger platforms shall be the City/Developer responsibility.
6. City will provide a plan for outreaching to Metrolink riders that will be affected by the station's relocation.

3

If you have any questions regarding these comments please contact me at 213 452-0253 or [chank@scrra.net](mailto:chank@scrra.net)

4

Sincerely,



Kim Chan  
Rail Corridor Crossing Engineer

**Late Letter No. 5.1 Letter from Metrolink, Southern California Regional Rail Authority (SCRRA),  
January 19, 2011**

**Response 1**

The comment provides factual background information pertaining to the SCRRA only and does not raise an environmental issue within the meaning of the California Environmental Quality Act (CEQA). The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project. However, because the comment does not raise an environmental issue, no further response is required.

**Response 2**

The comment restates Metrolink rail information contained in the Draft EIR. (See Draft EIR Section 4.3, Traffic and Access, pp. 4.3-19 to -20.) The comment does not, however, raise an environmental issue within the meaning of CEQA. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project. However, because the comment does not raise an environmental issue, no further response is required.

**Response 3**

The comment requests that the proposed Vista Canyon station replace the existing Via Princessa station, and that the station design accommodate freight siding and to provide a turn-back facility for passenger train operations. Should the proposed project (including the Vista Canyon station) be approved, the City of Santa Clarita and the project applicant will coordinate with SCRRA and Metrolink on all aspects of station design.

The comment also states that the City and project applicant are responsible for securing funding for all aspects of the proposed Vista Canyon station development, including all railroad infrastructure. As disclosed in Draft EIR Section 1.0, Project Description, page 1.0-28, the applicant/City is responsible securing funding for (1) "[c]onstruction of the platform and accessory station improvements within the Metrolink right-of-way as part of a new City/Metrolink transit center," and (2) "[g]rading and various trail and drainage improvements within the Metrolink right-of-way adjacent to the project site."

The comment further states that the proposed station is subject to approval of the right-of way owner, METRO and SCRRA. Additionally, the comment reiterates that the station must be built to SCRRA's station design standards. Draft EIR Section 1.0, Project Description, acknowledge that implementation of the proposed station would require discretionary approvals from agencies such as Metrolink, MTA, and SCRRA. (See Draft EIR, pp. 1.0-2 and -17.)



The comment additionally requests that a total of not less than 1,900 parking spaces be provided at the proposed Vista Canyon station. As discussed in Section 4.3, Traffic and Access, of the Draft EIR (p. 4.3-19), the existing Via Princess station has 392 parking spaces -- 378 regular; 14 disabled. The Vista Canyon station would provide 750 parking spaces, as provided in Table 4.3-18. Based on existing and projected ridership statistics, the Vista Canyon station would adequately accommodate parking demand.

The comment further states that the operation and maintenance of the station shall be the responsibility of the City and project applicant. As provided in the Draft EIR, the City of Santa Clarita will maintain and operate the Vista Canyon station.

Finally, the comment requests that the City of Santa Clarita provide a plan for providing public outreach to Metrolink riders that will be affected by the stations relocation. The City of Santa Clarita will coordinate with Metrolink to ensure that the existing riders utilizing the Via Princess station are notified of the station's relocation and available transit opportunities (e.g., a list of proximate station sites). The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project.

**Response 4**

The comment, which provides contact information should the City have any questions regarding the letter, is noted. No further response is required given that the comment does not address or question the content of the Draft EIR.

**SCOPE**

**Santa Clarita Organization for Planning and the Environment**  
TO PROMOTE, PROTECT AND PRESERVE THE ENVIRONMENT, ECOLOGY  
AND QUALITY OF LIFE IN THE SANTA CLARITA VALLEY  
POST OFFICE BOX 1182, SANTA CLARITA, CA 91386



11-6-10

Jeff Hogan  
City of Santa Clarita  
23920 Valencia Blvd.  
Santa Clarita, CA 91355

**RECEIVED**  
PLANNING DIVISION

**JAN 24 2011**

CITY OF SANTA CLARITA

**PLEASE COPY TO ALL PLANNING COMMISSIONERS**

Re: Vista Canyon - MASTER CASE NO. 07-127, ANNEXATION 07-002 A & B (INCLUDES AMENDMENTS TO THE CITY'S SPHERE OF INFLUENCE), PRE-ZONE 07-001A & B, GENERAL PLAN AMENDMENT 07-001A & B, SPECIFIC PLAN 07-001, TENTATIVE TRACT MAP 69164, CONDITIONAL USE PERMIT 07-009, OAK TREE PERMIT 07-019, ENVIRONMENTAL IMPACT REPORT SCH NO. 2007071039

Dear Mr. Hogan:

We submit these initial comments for the record. We will be providing additional detailed comments as the public review process proceeds. We note that we have attended every public hearing on this project and presented oral testimony on the adequacy of the Environmental Impact Report at those hearings. We expect, and CEQA requires, that a response to those timely oral comments be provided.

1

Due to the extent of this environmental document, estimated at some 20,000 to 30,000 pages, including appendices that must be reviewed for accuracy and consistency, and added to the other three major planning projects now in process (the County General Plan update, the City General Plan update and the Mission Village tract of Newhall Ranch), each numbering approximately the same amount of pages as this document, all by the same EIR consultant, Impact Sciences, we were unable to provide written comments within the assigned comment period.

2

However, CEQA requires that these written comments be considered even if the consultant and the applicant choose not to provide responses to them. We will be circulating a copy of our comments to each of the commenting agencies and to the Planning Commission for their reference and review.

3

**Request for Extension of the Comment Period Denied**

We note that the comment period began before the DEIR was even provided to the Planning Commission or the public. For that reason and due to the voluminous amount of material covered by this document, we believe that the comment period should have been extended as was immediately requested by several commentors at the first hearing. Such an extension would not

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have been an imposition since the planning department has announced a schedule of several public hearings before the Planning Commission extending into 2011.

Such an extension would have allowed other interested parties and agencies full access to all comments and responses in the final document and would ultimately benefit this project by providing the decision-makers a thorough review of the proposal.

4

**We also assert that the comment period should now be extended because essential information is missing from the provided documentation.**

For example, in our initial review two reports listed as available in the Table of Contents are missing from the Appendices in the Flood section:

- PACE, Drainage/Fluvial Study (2009)
- Alliance Land Planning and Engineering, Inc., Drainage Concept/SUSMP Vista Canyon

5

These reports are essential for evaluating the flood hazards and channelization proposals in this project. **Please provide these reports to all noticed recipients of the DEIR.**

We are concerned that other listed information may also not be available for review, but the short review period for this extensive document has not allowed us time for a full investigation of the appendices.

6

In addition, information needed to verify statements made at the public hearing is not available in the DEIR or in the appendices.

7

**Annexation**

Our initial concern is the proposal for a general plan amendment and an annexation into the City of Santa Clarita from the County jurisdiction. We believe that such an action is inappropriate prior to the current general plan update. Since the County and City general plan are proceeding as two separate documents, it makes that review confusing and possibly inconsistent. We therefore request that this annexation not be processed until after the completion of the general plan update unless the current County zoning (700 units, not 1350 units) and Significant Ecological Area protections are included in the current project proposal.

8

We believe such sequencing is particularly appropriate in light of the substantial opposition to the included additional annexations by residents of those areas.

**FEMA Line**

The applicant should apply for an Army Corps 404 permit and streambed alternation permit prior to Plan approval so that the plan incorporates their concerns. The FEMA line is not an acceptable substitution for the resource line as will be delineated by the California Dept. of Fish and Game and the Army Corps of Engineers. The City has long touted its intention of protecting the Santa Clara River. If this is really the case and not just rhetoric, then the most protective resource boundaries should be delineated, not the least.

9

This Plan proposes to fill the floodplain to create a new FEMA line, and then use this new delineation as the resource boundary. From even a preliminary review of the maps, it is obvious that such a ruse is not protective of the existing riverine resources. Further, FEMA does not have

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the authority to make such resource decisions. A plan that narrows the river channel, creating increased flow velocity at pinch points up stream and down stream is not protective of the river resource or ground water recharge. It also does not comply with the LA Regional Water Quality Board's Resolution on Hydromodification. (Attached).

10

As indicated by the DEIR, the required 7,500' linear feet of buried soil cement bank protection substantially narrows the river. In the Significant Hazard chapter of the DEIR states that this modification will cause water to raise in immediate area, but will dissipate in upstream and downstream areas. This is consistent with well-known flood patterns identified by the Army Corps of Engineers in other areas. (Please see attached graphic). Further, the US Geological Survey has recently indicated the potential for extreme flooding events in the Southwestern US due to weather changes caused by global warming.<sup>1</sup> The only way to safeguard the community against such an event is to preserve the floodplain.

11

The applicant has represented to you that FEMA has approved the project. In fact the letter from FEMA states that his project will increase downstream flows and raise water levels. The FEMA process will require that downstream property owners be notified and that they accept the flood risk. After notification, there is a 90-day appeal process in which they can challenge the approval. FEMA will require proof that the downstream property owners have been notified.<sup>2</sup>

12

We believe the City should notify the property owners in those areas now so that they can participate in the CEQA process. How will that affect flooding in these areas? Will it cause a change in the flood maps for their area and increase their flood insurance? This issue must be addressed in the DEIR.

13

The impact of 500,000 cubic yards of compacted fill imported from off site along with additional onsite fill totaling an estimated at 830,000 cubic yards used to fill the floodplain, will reduce ground water recharge needed to replenish municipal wells that already have severely reduced production in the dry session. An additional 1.7 million cubic yards of "remedial" fill is also indicated by the DEIR. PLEASE PROVIDE AN ANALYSIS OF THE LOSS OF GROUND WATER RECHARGE DUE TO FILLING AND COMPACTION OF THE FLOODPLAIN. Compacted fill will reduce the efficiency of permeable pavement and increase run off.

14

Since it appears that part of the soil used for this project will come from or near the Whittiker Bermite or NTS properties, the soil should be tested for contamination due to the prior hazardous chemicals use on these properties. We note that the two borrow sites mentioned in the DEIR are already built.

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## **Water Quality**

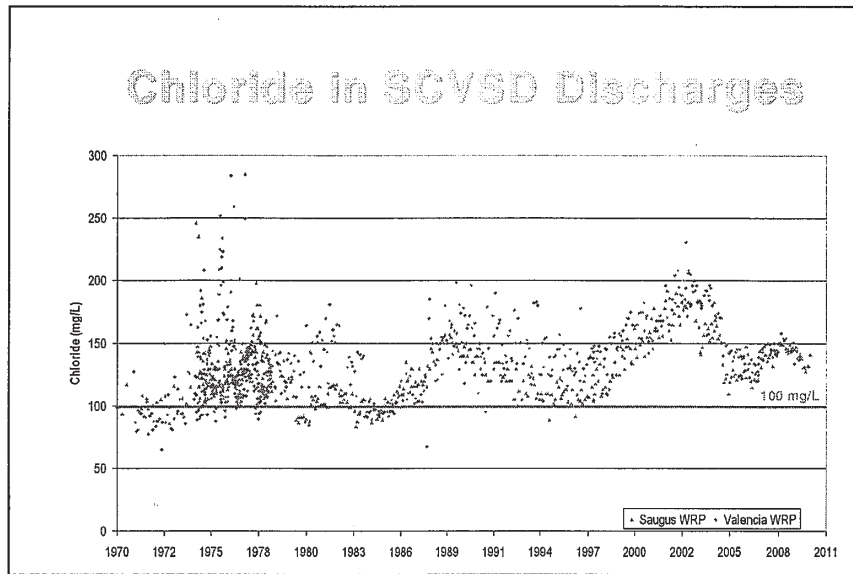
### **Chlorides**

Currently the Sanitation Districts 26 and 32 in the Santa Clarita Valley do not comply with the Clean Water Act Act Total Maximum Daily Load (TMDL) effluent standard of 100 ug/l of Chloride as indicated by the chart below supplied at a recent Sanitation District public hearing:

16

<sup>1</sup> [http://www.usgs.gov/newsroom/article.asp?ID=2683&from=rss\\_home](http://www.usgs.gov/newsroom/article.asp?ID=2683&from=rss_home)

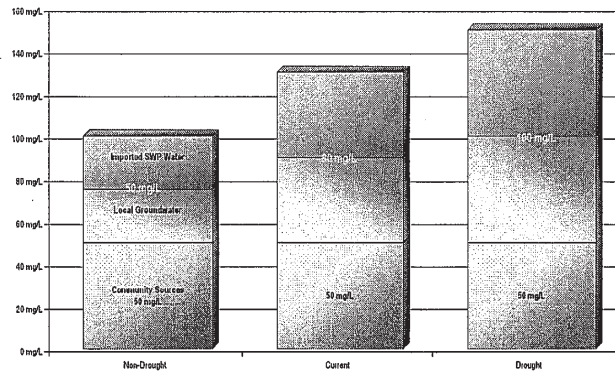
<sup>2</sup> Appendix 4.2, FEMA letter dated Nov 9, 2009



16

The Santa Clarita Sanitation Districts' failure to meet the Clean Water TMDL standard for chloride of 100mg/l in the Santa Clara River is a result in part due to the sharp and continuing increase in the use of imported State Water Project (SWP) water as seen by the chart below, (also supplied by the Sanitation Districts).

Chloride Sources During Drought & Non-Drought Conditions



17

This problem may be further aggravated by high levels of chlorides in the wells proposed to be used for these tracts. However, we cannot evaluate this potential problem because the well source is not identified, nor is any water quality data on this issue included in the DEIR. There is substantial evidence under either scenario that the chloride levels in the effluent of the treatment plant will be substantially increased.

18

The developer has publicly argued that he will use ground water in the area and that ground water is low in chlorides, so additional treatment is not needed, again without anything to substantiate these assertions. Further, the WSA and DEIR make no mention of AB134 chaptered in 2001 by Assemblyman Kelly that sets certain requirements on the percentage use of state water and ground water in the CLWA/Santa Clarita Water Division territory, i.e. Castaic Lake Water Agency Law, Chapter 28 of the Statutes of 1962, Section 15.1 (a)(2)(B) (d) “ During any rolling five-year period, the Agency shall use imported water for not less than 50% of the water supply demand within the area described in paragraph (1) of subdivision (a).” [the current Santa Clarita Water Agency territory].

19

NO analysis of existing demand within the Santa Clarita Water Co service area was made; no analysis of ability to comply with this law was disclosed. No mention of the cumulative water needs for this service area including Riverpark, Keystone and other previously approved projects. There is NO indication of what wells/pumps will supply this project and no water quality data for supply wells that would support statements that reverse osmosis is not needed.

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In fact, this project must depend on a high percentage of state water as wells in this area of thin alluvial sediment already go dry in the summer months.<sup>3</sup>

21

**Water Supply**

The 2005 Urban Water Management Plan is out-dated. New requirements by the legislature were imposed by SBX7 updating disclosure requirement and water conservation goals. The UWMP or our valley is in process. The City should wait for its competition so that an accurate picture of water supply is available to the Planners and decision-makers.

22

In the 2nd appellate Court decision of *C-Win v. Castaic Lake Water Agency*, the Court found that Water Supply Assessments cannot be challenged independently, but only as part of the CEQA process. We therefore attach our comment letter on the CLWA, Santa Clarita Division’s Water Supply Assessment (WSA).

23

**Overdraft of the Santa Clara River**

Overdraft of the alluvial aquifer has been at issue for many years. While water agencies and other developers such as Newhall Land and Farming argued that the Santa Clara River was not in a state of overdraft, downstream users including United Water Conservation District and Ventura County remain skeptical and concerned. They withdrew their objections only after a Memorandum of Understanding<sup>4</sup> was signed, agreeing to ground water monitoring in which United Conservation District would participate.

24

The DEIR does not give an accurate view of the full extent of ground water pumping in the Upper Santa Clara Basin. For example, the ground water pumping chart on page 4.8-25 leaves off pumping by Newhall Land and Farming, and other private users as disclosed in the 2009 Water Supply Report in the appendices. This chart makes it appear that only around 40% of the alluvial aquifer is currently utilized while in fact, the alluvial aquifer is fully utilized. (See ground

<sup>3</sup> Appendix 4.8, Basin Yield update (2009)

<sup>4</sup> MOU between the Santa Clarita Water Agencies and United Conservation District, August 2001



water production chart – all users 2009 Annual Water Report<sup>5</sup>). Why is this information not in the main body of the document? This information should be included.

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The local well owners' association has long complained that private pumping is underestimated in ground water documents and have expressed concern that the viability of their wells may be affected by additional pumping<sup>6</sup>.

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Further, there is considerable biological evidence that overdraft of the Santa Clara River exists, particularly in the upper reaches. The die back of vegetation away from the center of the streambed in the upper reaches is a prime indication of such overdraft as described in USGS "Sustainability of Ground Water Resources", Circular 1186<sup>7</sup>. **No studies exist to evaluate this impact and it is not discussed in the DEIR EIS.**

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Also, no study of subsidence, another indication of groundwater overdraft has ever been conducted for the Upper Santa Clara Basin.

27

These omissions become even more disturbing upon reading in the EIR/EIS for the Newhall Land's Santa Clara River 404 permit (Also produced by Impact Sciences, the same consultant who wrote this EIR):

"Groundwater quality is a key factor in assessing the Alluvial aquifer as a municipal and Agricultural water supply. In terms of the aquifer system, there is no convenient long-term record of water quality, (*i.e.*, water quality data in one or more single wells that spans several decades and continues to the present). Thus, in order to examine a long-term record of water quality in the Alluvium, individual records have been integrated from several wells completed in the same aquifer materials and in close proximity to each other to examine historical trends in general mineral groundwater quality throughout the basin. Based on these records of groundwater quality, wells within the Alluvium have experienced historical fluctuations in general mineral content, as indicated by electrical conductivity (EC), which correlates with fluctuations of individual constituents that contribute to EC. The historic water quality data indicates that, on a long-term basis, there has not been a notable trend and, specifically, there has not been a decline in water quality within the Alluvium.

28

Specific conductance within the Alluvium exhibits a westward gradient, corresponding with the direction of groundwater flow in the Alluvium. EC is lowest in the easternmost portion of the Basin, and highest in the west. Water quality in the Alluvium generally exhibits an inverse correlation with precipitation and streamflow, with a stronger correlation in the easternmost portion of the Basin, where groundwater levels fluctuate the most. Wet periods have produced substantial recharge of higher quality (low EC) water, and dry periods have resulted in declines in groundwater levels, with a corresponding increase in EC (and individual contributing constituents) in the deeper parts of the Alluvium."<sup>8</sup>

<sup>5</sup> Appendix 4.8

<sup>6</sup> See comment letters, Newhall Ranch Specific Plan and Landmark Village from Santa Clarita Valley Well Owners Association, available in LA County and CLWA files, produced upon request.

<sup>7</sup> Whole document can be viewed at [pubs.usgs.gov/circ/circ1186](http://pubs.usgs.gov/circ/circ1186) Relevant section is "Effects of Ground water Development on Ground water Flow – Streams", see especially pg. 5 of pdf attachment

<sup>8</sup> DEIR/EIS prepared by Impact Sciences for the Santa Clara River Federal 404 permit and State Fish and Game Dept. River Alteration permit, released April 2009, page 4.3-57

This information was not included in this DEIR, although these facts were well known to this DEIR consultant. Why was it omitted? This statement seems to be saying that everything is fine only as long as past precipitation trends continue, but that drought particularly causes a problem in the eastern portions of the basin. The discussion continues:

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“Similar to the Alluvium, groundwater quality in the Saugus Formation is a key factor in assessing that aquifer as a municipal and agricultural water supply. As with groundwater level data, long-term Saugus groundwater quality data is not sufficiently extensive (few wells) to permit any basinwide analysis or assessment of pumping-related impacts on quality. As with the Alluvium, EC has been chosen as an indicator of overall water quality, and records have been combined to produce a long-term depiction of water quality. Water quality in the Saugus Formation has not historically exhibited the precipitation-related fluctuations seen in the Alluvium. Based on the historical record over the last 50 years, groundwater quality in the Saugus has exhibited a slight overall increase in EC. More recently, several wells within the Saugus Formation have exhibited an additional increase in EC similar to that seen in the Alluvium.”<sup>9</sup>

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**This section states that both the Saugus Aquifer and the Alluvial Aquifer are exhibiting some increase in EC indicative of ground water overdraft.** There is no discussion of the well-established connectivity of the Alluvial and Saugus aquifers. Since re-charge of the Saugus aquifer depends at least in part of the alluvial aquifer, re-charge to the Saugus will be reduced by over-draft of the alluvium.

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A further indication of potential problems and misinformation is provided by the two citations below from Castaic Lake Water Agency’s (CLWA) submittal to the Dept. of Health Services for permission to put water from the polluted Saugus wells back into the drinking water system after treatment.

CLWA states at page 7 of the Engineering Report Executive Summary<sup>10</sup>:

*“It should also be noted that, per the 2005 Urban Water Master Plan (UWMP), given a single dry year there would be insufficient capacity from the existing and planned local, wholesale, and banked supplies to meet future needs of CLWA and the other purveyors without incorporating the restoration of Saugus 1 and 2.”*

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and at page 7-20 of its Engineering Report”

*“It should also be noted that, as investigated in the UWMP, all alternative purveyors identified in this assessment are approaching their maximum groundwater withdrawal capacity and, therefore, may not be able to provide supplemental water to the Agency in order to meet their expected demand.”*

The DEIR contains no analysis of loss of recharge due to fill and compaction of the flood plain. Instead the applicant promotes the absurd hypothesis that urban development and hardscaping increases ground water recharge. This concept runs afoul of hundreds of reports produced by agencies from the US EPA and USGS to the Los Angeles and San Gabriel Watershed Council.

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<sup>9</sup> *Ibid.*, page 4.3-59-60

<sup>10</sup> Document attached



**Waste Water**

The DEIR states *“The proposed project includes a wastewater reclamation plant (WRP), which would be owned and operated by the City of Santa Clarita and recycle up to 395,411 gallons per day (gpd) of wastewater, including the proposed project's estimated 214,265 gpd of wastewater. The proposed WRP would be designed as a scalping plant and would not treat solids; any solids generated by the proposed project would be discharged to the existing sewer and treated at the existing Valencia WRP.”*<sup>11</sup>

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In order for the City to own and operate a Sanitation Plant, the City would have to receive a permit from the Regional Water Quality Control Board. Where is this permit? Has the City applied for the permit? If not when do they intend to apply? There is no indication that the City supports this proposal.

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A City owned water reclamation plant will also require the formation of a Sanitation District for this project with approval by the Local Agency Formation Commission. Has an application to form a Sanitation District been made?

36

This project is currently not in a Sanitation District. To be served by the Valencia Treatment Plant for solids as indicated by the DEIR, the project would have to annex into the Sanitation District that requires acceptance by the Sanitation Districts and Local Agency Formation Commission approval. Since the DEIR states that solids will be removed to the Valencia Plant, the applicant apparently proposes to both create his own sanitation district and annex to the County Sanitation District as well.

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No discussion of reverse osmosis for treatment to remove chlorides from the effluent is discussed. Please refer to the discussion of chlorides above.

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This proposal will be extremely costly. The November 2010 staff report stated that “All costs associated with the ongoing operation and maintenance of the WRP would be paid for by future residents and property owners within the project site.”

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If this is the case, the City must require:

- formation of and annexation to sanitation district prior to issuing any grading and building permits.
- Reverse osmosis of treated water to remove chlorides so that current residents will not suffer an increase in the sewer fees from costs associated with salt removal
- Bonding to ensure that the full cost of the treatment plant will be paid for by the developer

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**Biology**

Compliance Biology did spade foot and arroyo toad surveys for this DEIR, Commissioners should question the use of this company, since this is the company that did not find them on the Riverpark project, although other biologists later had no problem identifying them. Also, the City contracted with a biologist that located arroyo toads on the CEMEX property just east of this location after another consultant working for the mine didn't find any. It is ironic that now when a housing development is before the City rather than a mine that the City has so little concern for

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<sup>11</sup> DIER, pg. 4.21-1

the habitat and existents of these creatures. Such an attitude is not consistent with the City's stance on the CEMEX mine. We therefore request that the City provide independent surveys for this project and independently review the adequacy of the Western Spadefoot Toad mitigation plan.

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The Fish and Game Department indicates that 17 acres of jurisdictional waters (all floodplain) will be impacted by the project requiring around 50 acres of mitigation. How will this impact be mitigated? If the City truly cares about the Santa Clara River, it must require that these impacts be addresses and mitigated in the DEIR.

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The best mitigation is avoidance. The project should be removed from the floodplain.

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Resource agencies including the California Fish and Game Dept, the County of Los Angeles and the Santa Monica Mountains Conservancy all decry the impacts to riparian habitat as well as loss of the wildlife corridor. These losses are significant and not mitigated. Arrundo removal, particularly is not an acceptable mitigation for impacts to riparian habitat and loss of wetlands.

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Animals, like humans must have water to survive and must be able to migrate within their range to preserve their gene pool. We concur with these agencies and ask that the impacts to the floodplain riparian habitat and the wildlife corridor be fully mitigated or that only a modified alternative 1 that also protects the wildlife corridor be approved.

#### **Metro Link Train Station**

There is no commitment by the Metropolitan Transit Authority for Metrolink to build a train station in this area. The entire project is designed around this concept, but not even a single letter is disclosed in the EIR regarding this matter. Further, SCOPE submitted a request for all documents submitted by public agencies on this proposal. No correspondence from the MTA, MetroLink or any other apparent responsible agency was provided. We assert that his proposal cannot be approved without some commitment for this station. No grading should be allowed with out a guarantee of a station.

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Without a verifiable commitment this project should be denied.

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#### **Traffic**

Traffic impacts are considered significant due to their impact on Hwy 14 and local roads. Although a MetroLink station is proposed for this area, no on or off ramp from Hwy 14 is proposed. Instead the applicant will supposedly pay fees to CalTrans for mitigation. This seems impractical.

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Page 4 of the November 2010 staff report states "The Vista Canyon applicant has also negotiated a mutually acceptable fair share mitigation agreement with Caltrans to address its impacts on SR 14. Therefore, given the above operational challenges with a new interchange and the mitigation measures already required of the Vista Canyon project, a new interchange on SR 14 was determined to not be warranted."

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However, page 15 of the same staff report seems to contradict the above statement "However, because there are presently no planned and programmed improvements for SR-14, nor is there an

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established funding program, the project's payment of an in-lieu fee would not fully mitigate the identified significant impacts. Therefore, mitigation is considered infeasible and the identified impacts would remain significant and unavoidable.”

The applicant claims to have an agreement with CalTrans and includes in the DEIR an unsigned and undated agreement that he would sign “upon project approval”. There is no written verification or even a letter from CalTrans indicating that they have agreed to this mitigation contract.

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The City must resolve the inconsistencies in its own staff report and provide some written verification from CalTrans that such an agreement will be accepted before this project is approved.

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#### Air Quality

We note that the air quality analysis for the preferred project is based on the presence of a transit station. Without the Metrolink transit station, the air quality analysis for this project will have to be re-circulated, as it will substantially change. The traffic analysis also assumes the proposed project's buildout of office and retail space. Yet the developer has stated that those facilities may not be feasible in the current high vacancy rate of retail of office rental space. If those uses are changed to residential, that will change the traffic, air quality and climate change sections of the DEIR, necessitating a new review of the project.

51

The Santa Clarita Valley is in a Federal non-attainment zone for ozone, PM10 (particulate Matter smaller than 10 microns) and PM2.5.<sup>12</sup>

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The health effects of this pollution as described on Table 4.4-2 are as follows:

**Ozone** –“ (a) Pulmonary function decrements and localized lung edema in humans and animals; (b) Risk to public health implied by alterations in pulmonary morphology and host defense in animals; (c) Increased mortality risk; (d) Risk to public health implied by altered connective tissue metabolism and altered pulmonary morphology in animals after long-term exposures and pulmonary function decrements in chronically exposed humans; (e)Vegetation damage; and (f) Property damage.”

**PM10** “(a) Exacerbation of symptoms in sensitive patients with respiratory or cardiovascular disease; (b) Declines in pulmonary function growth in children; and (c) Increased risk of premature death from heart or lung diseases in the elderly”.

**PM2.5** Same as above.

53

Small particle pollution is particularly devastating, as the cilia in the lungs cannot remove it from the lungs, causing chronic debilitation.<sup>13</sup>

Local schools have already noted a 50% increase in the use of inhalers by school children. Parents in this area have already testified as to their concerns over increased traffic on Los Canyon road affecting the elementary school in that area. Air pollution in our valley cannot

<sup>12</sup> DEIR page 4.4-11

<sup>13</sup> <http://www.epa.gov/apti/course422/ap7a.html>

continue to be ignored or brushed off merely by saying that some of the problem is due to air pollution from other areas. With two freeways and the vast majority of households completely auto-dependent, we must take strong action to remedy this problem.

53

Parks will be located next to railroad where high noise levels and air pollution from diesel fuel will affect children. Therefore a Health Risk Assessment will be required. This document should have been included in the DEIR.

54

We note that SCAQMD's December 3<sup>rd</sup> letter states that the mitigation for this project does *not* include all feasible mitigation to reduce air pollutants. As air pollution is considered and unavoidable significant impact, the City must include all feasible mitigation to reduce this impact. We ask that the City include these as well as the suggested mitigation for Greenhouse Gas Reduction provided by CAPCOA and the Office of the Attorney General. (Attached).

55

### Consistency

The Consistency Study provided in the Appendix 4.7 is inadequate. Often when the project is inconsistent with a current goal or policy, the analysis states that the policy is not applicable to this project. For instance:

**Policy 5.3:** Maintain adequate levels of service on roadways and at intersection to reduce emissions from delays.

**Not Applicable:** This Policy is a responsibility of and directed to the City of Santa Clarita. This Policy is not applicable to the proposed project.

This project creates significant impacts to local intersections. It is not consistent with the current general plan policy for levels of service.

Or, it merely states that it is consistent when it obviously is not

**Policy 3.3:** Identify and protect areas of significant ecological value, including, but not limited to, significant ecological habitats such as the wildlife corridor between the Santa Susana Mountains and the San Gabriel Mountains and preserve and enhance existing Significant Ecological Areas (SEAs).

**Consistent:** The project EIR includes mitigation measures in Section 4.6, Biological Resources, that would minimize or mitigate biological impacts of the project and would result in the protection and enhancement of the Santa Clara River SEA on the project site.

The project is not consistent with this policy as noted by the letter from the Santa Monica Mountains Conservancy dated Nov. 19<sup>th</sup> 2010, the letter from the County of Los Angeles dated Dec 3<sup>rd</sup>, and the letter from the California Dept. of Fish and Game dated Dec.13<sup>th</sup>, 2010.

It is not enough to merely claim that a project is consistent with the goals and policies of the General Plan. It has to in fact BE consistent.

56

### Conclusion

The DEIR concludes that Significant Unavoidable Impacts with implementation of the project

57

would occur to Traffic, Air Quality, Noise and Solid Waste. We believe that significant unavoidable impacts should also be indicated for biology, due to the loss of the floodplain riparian resources, destruction of an area designated as Significant Ecological Area and the wildlife corridor as well as water quality due to the unmitigated increase in chloride level releases to the Santa Clara River.

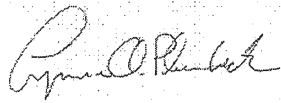
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The Planning Commission is under no obligation to approve a project requesting a Plan Amendment change and one that includes so many significant unavoidable impacts. We therefore urge the Planning Commission to deny this project because it provides no guarantee of the promised public benefits while being extremely destructive to the environment.

59

Sincerely,



Lynne Plambeck  
President

CC: LA LAFCO  
LA County Sanitation Districts  
LA Regional Water Quality Board

Attachments:

1. LA Regional Water Quality Control Board Resolution on Hydromodification
2. New York Times article on the effect of levees on the Mississippi River
3. SCOPE letter to CLWA on Vista Ranch Water Supply Assessment
4. USGS Circular 1186 regarding Ground Water overdraft
5. CLWA Engineering Report, 2009 for permission to use treated water from the polluted Saugus wells as a drinking water source.
6. CAPCOA and Attorney General's (see pages 2-4) list of feasible greenhouse gas mitigation



The New York Times

## The High Risks of Denying Rivers Their Flood Plains

**Losing trust in levees, experts now favor more natural flood controls.**

By WILLIAM K. STEVENS

For decades Americans have insisted on settling next to rivers and streams, like moths drawn to a flame, just as people have throughout history. And to protect their cities and farms, engineers have tried to ward off the inevitable flood waters with levees, flood walls, dams, dikes and diversion channels. To some extent this ambitious attempt to bend nature to human desires has worked.

But nature still wins often enough, as this month's destructive floods in the upper Mississippi valley vividly testify. Even the gains have come at enormous cost to the ecology of flood plains, some experts say, and in some cases control measures have perversely resulted in worse flooding.

By cutting off the flood plain's waters, levees and diversion channels have destroyed and degraded stream-side habitats that contain some of the country's richest biological resources. They have also prevented the flood plain from performing one of its most important natural functions: flood control. By storing and slowing flood waters, the plain reduces their force and height. Containing this water in a narrowly corseed channel, as is commonly done to protect farms and urban settlements, has the opposite effect. It raises both the velocity and the height of the flood and makes it all the more frightening and destructive when it breaks through defenses, as it has repeatedly done in the Midwest.

These realizations are leading flood-plain managers at all levels of government toward a different approach: cooperating with nature rather than trying to subdue it. The emphasis increasingly is on keeping new development away from the flood plain, pre-

serving or restoring its ecosystems and letting water flow as freely as possible so that natural flood-control mechanisms can work.

Across the country, states and communities are exploring alternatives to dikes, levees and flood walls. They are acquiring wetlands to serve as natural flood basins. They are sculpturing the plain to create detention areas for flood waters. They are preserving stretches of flood plain in urban areas which, in between periods of high water, serve as parks, ball fields and greenways. Some communities are discouraging new development on flood plains by requiring expensive flood-proofing measures, such as putting buildings on piers and constructing private detention ponds. One town, Soldiers Grove, Wis., has taken the radical step of moving its entire business district to higher ground.

"For too long we've been trying to adjust rivers to human needs, and then we wonder why our rivers are messed up and why we continue to get flooded; it's not a mystery," said Larry Larson, director of the Association of State Floodplain Managers, an organization of professionals engaged in flood-plain management and flood control. "We need to adjust human behavior to river systems."

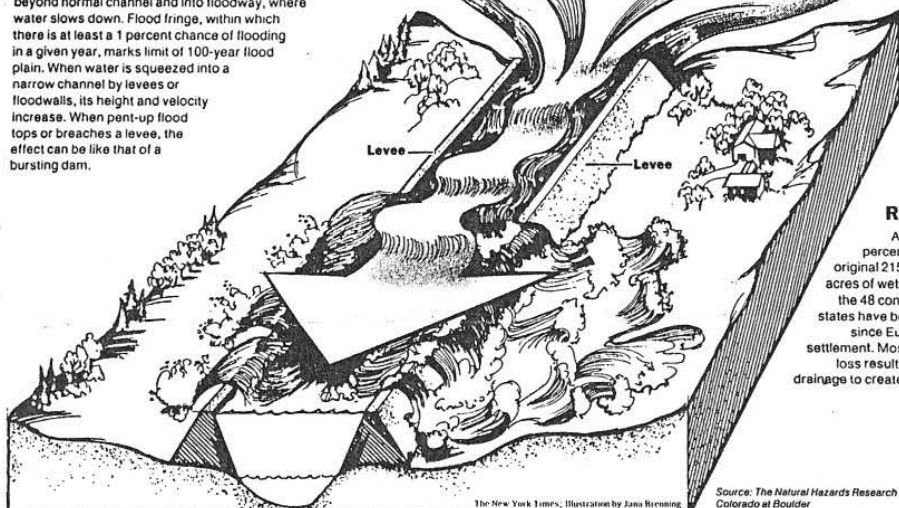
Sometimes, he said, this means that developed areas "need to be cleared out so the river can flood, as we know it will, without damaging property." In other instances less drastic measures can suffice.

One obvious limitation to the new strategy is that many communities have long since committed themselves to living on the flood plain, and with traditional structural methods of flood control. "We can't pick Des Moines up and put it on a hill," said Harry Kitch, an Army Corps of Engineers official in Washington who handles flood-control planning in the central United States. The more

Continued on Page B7

### The natural ways of the river

Flooded river under natural conditions spreads beyond normal channel and into floodway, where water slows down. Flood fringe, within which there is at least a 1 percent chance of flooding in a given year, marks limit of 100-year flood plain. When water is squeezed into a narrow channel by levees or floodwalls, its height and velocity increase. When pent-up flood tops or breaches a levee, the effect can be like that of a bursting dam.

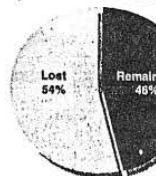


The New York Times, Illustration by Jane Reining

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overfl  
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Wetlands, the n  
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assembly of plants, anin  
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on occasional flooding and  
destroyed or degraded w  
water is cut off by levee-  
diversion chann

### Rivers deprived of wetlan

About 54 percent of the original 215 million acres of wetlands in the 48 contiguous states have been lost since European settlement. Most of the loss resulted from drainage to create farms.



Source: The Natural Hazards Research and Applications Information Center, University Colorado at Boulder

3359



# CEQA & Climate Change

*Evaluating and Addressing Greenhouse  
Gas Emissions from Projects Subject to  
the California Environmental Quality Act*

January 2008



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To: Interested Parties

The California Air Pollution Control Officers Association (CAPCOA) is pleased to release a resource guide to addressing greenhouse gas (GHG) emissions from projects subject to the California Environmental Quality Act (CEQA).

This resource guide has been prepared to support local governments as they develop their programs and policies around climate change issues. It is not a guidance document. It is not intended to dictate or direct how any agency chooses to address GHG emissions. Rather, it is intended to provide a common platform of information about key elements of CEQA as they pertain to GHG, including an analysis of different approaches to setting significance thresholds.

The resource guide also contains an organized review of available tools and models for evaluating GHG emissions, and an overview of strategies for mitigating potentially significant GHG emissions from projects. As we note, these tools need to be updated and improved, however they can be used now. CAPCOA intends to revise the resource guide periodically to include updated tools and models, and the most current mitigation strategies.

Finally, we recognize that this is an evolving policy area, especially in light of the passage of the Global Climate Change Solutions Act of 2006 (AB-32). As the California Air Resources Board and other state agencies and offices develop policies and regulations to address GHG emissions, the interface between CEQA and these other programs may change. This resource guide is offered in the spirit of making tools and information available in a straightforward and useful manner to help us all move forward in a coordinated and collaborative way.

Questions and comments should be directed to John Yu: [john@capcoa.org](mailto:john@capcoa.org).

Sincerely,

Douglas Quetin  
President



## **Disclaimer**

The California Air Pollution Control Officers Association (CAPCOA) has prepared this white paper consideration of evaluating and addressing greenhouse gas emissions under the California Environmental Quality Act (CEQA) to provide a common platform of information and tools to support local governments.

This paper is intended as a resource, not a guidance document. It is not intended, and should not be interpreted, to dictate the manner in which an air district or lead agency chooses to address greenhouse gas emissions in the context of its review of projects under CEQA.

This paper has been prepared at a time when California law has been recently amended by the Global Warming Solutions Act of 2006 (AB 32), and the full programmatic implications of this new law are not yet fully understood. There is also pending litigation in various state and federal courts pertaining to the issue of greenhouse gas emissions. Further, there is active federal legislation on the subject of climate change, and international agreements are being negotiated. Many legal and policy questions remain unsettled, including the requirements of CEQA in the context of greenhouse gas emissions. This paper is provided as a resource for local policy and decision makers to enable them to make the best decisions they can in the face of incomplete information during a period of change.

Finally, this white paper reviews requirements and discusses policy options, but it is not intended to provide legal advice and should not be construed as such. Questions of legal interpretation, particularly in the context of CEQA and other laws, or requests for advice should be directed to the agency's legal counsel.

# Acknowledgements

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## List of Acronyms and Abbreviations

<u>Acronym/ Abbreviation</u>	<u>Meaning</u>
AB 32	Assembly Bill 32 Global Warming Solutions Act of 2006
AG	Attorney General
ARB	Air Resources Board
ASTM	American Society of Testing and Material
BAAQMD	Bay Area Air Quality Management District
BAU	Business as Usual
BEES	Building for Environmental and Economic Sustainability
Calfire	California Fire
Caltrans	California Department of Transportation
CAP	Criteria Air Pollutants
CAPCOA	California Air Pollution Control Officers Association
CARB	California Air Resource Board
CAT	Climate Action Team
CCAP	Center for Clean Air Policy
CCAR	California Climate Action Registry
CDFA	California Department of Food and Agriculture
CEC	California Energy Commission
CEQA	California Environmental Quality Act
CF	Connectivity Factor
CH <sub>4</sub>	Methane
CIWMB	California Integrated Waste Management Board
CO	Carbon Monoxide
CO <sub>2</sub>	Carbon Dioxide
CNG	Compressed Natural Gas
CPUC	California Public Utilities Commission
CUFRR	California Urban Forestry
DGS	Department of General Services
DOE	U.S. Department of Energy
DOF	Department of Finance
DPF	Diesel Particulate Filter
DWR	Department of Water Resources
E85	85% Ethanol
EEA	Massachusetts Executive Office of Energy and Environmental Affairs
EERE	Energy Efficiency and Renewable Energy
EIR	Environmental Impact Report
EOE	Encyclopedia of Earth
EPA	U.S. Environmental Protection Agency
ETC	Edmonton Trolley Coalition
EV	Electric Vehicles
FAR	Floor Area Ratio

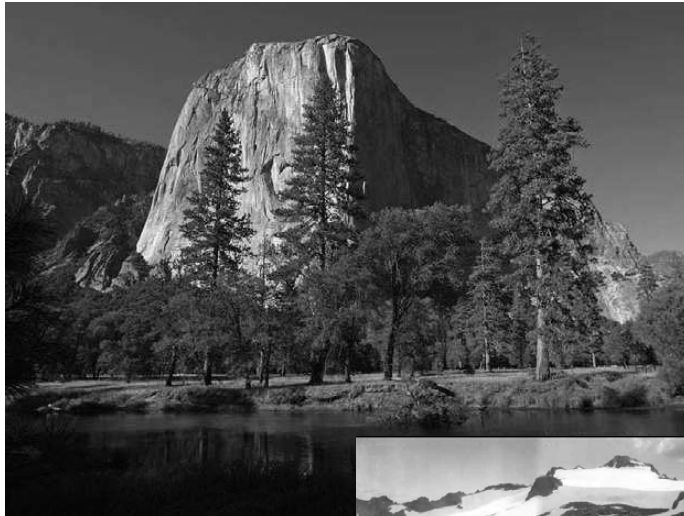
GHG	Greenhouse Gas
GGEP	Greenhouse Gas Emissions Policy
GGRP	Greenhouse Gas Reduction Plan
GP	General Plan
GWP	Global Warming Potential
IGCC	Integrated Gasification Combined Cycle
IOU	Investor Owned Utility
IPCC	International Panel on Climate Change
IT	Information Technology
ITE	Institute of Transportation Engineers
J&S	Jones & Stokes
km	Kilometer
LandGem	Landfill Gas Emissions Model
LEED	Leadership in Energy and Environmental Design
LNG	Liquefied Natural Gas
MBUAPCD	Monterey Bay Unified Air Pollution Control District
MEPA	Massachusetts Environmental Policy Act
MND	Mitigated Negative Declaration
MMT CO <sub>2</sub> e	Million Metric Tons Carbon Dioxide Equivalent
MW	Megawatts
N <sub>2</sub> O	Nitrous Oxide
NACAA	National Association Clean Air Agencies
ND	Negative Declaration
NEV	Neighborhood Electric Vehicle
NIST	National Institute of Standards and Technology
NO <sub>x</sub>	Oxides of Nitrogen
NREL	National Renewable Energy Laboratory
NSCAPCD	Northern Sonoma County Air Pollution Control District
NSR	New Source Review
OPR	State Office of Planning and Research
PFC	Perfluorocarbon
PG&E	Pacific Gas & Electric
POU	Publicly Owned Utility
PM	Particulate Mater
RoadMod	Road Construction Emissions Model
ROG	Reactive Organic Gas
RPS	Renewable Portfolio Standards
RTP	Regional Transportation Plan
S-3-05	Executive Order S-3-05
SB	Senate Bill
SBCAPCD	Santa Barbara County Air Pollution Control District
SCAQMD	South Coast Air Quality Management District
SCM	Sustainable Communities Model
SIP	State Implementation Plan
SJVAPCD	San Joaquin Valley Unified Air Pollution Control District
SLOCAPCD	San Luis Obispo County Air Pollution Control District

SMAQMD	Sacramento Metropolitan Air Quality Management District
SMUD	Sacramento Municipal Utilities District
SO <sub>x</sub>	Sulfur Oxides
SP	Service Population
SRI	Solar Reflectance Index
SWP	State Water Project
TAC	Toxic Air Contaminants
TBD	To Be Determined
TDM	Transportation Demand Management
TMA	Transportation Management Association
THC	Total Hydrocarbon
UC	University of California
ULEV	Ultra Low Emission Vehicle
UNFCCC	United Nations Framework Convention on Climate Change
URBEMIS	Urban Emissions Model
USGBC	U.S. Green Building Council
VMT	Vehicle Miles Traveled
VTPI	Victoria Transit Policy
YSAQMD	Yolo-Solano Air Quality Management District

Introduction

The California Environmental Quality Act (CEQA) requires that public agencies refrain from approving projects with significant adverse environmental impacts if there are feasible alternatives or mitigation measures that can substantially reduce or avoid those impacts. There is growing concern about greenhouse gas emissions<sup>1</sup> (GHG) and recognition of their significant adverse impacts on the world’s climate and on our environment. In its most recent reports, the International Panel on Climate Change (IPCC) has called the evidence for this “unequivocal.” In California, the passage of the

Global Warming Solutions Act of 2006 (AB 32) recognizes the serious threat to the “economic well-being, public health, natural resources, and the environment of California” resulting from global warming. In light of our current understanding of these impacts, public agencies approving projects subject to the CEQA are facing increasing pressure to identify and address potential significant impacts due to GHG emissions. Entities acting as lead agencies in the CEQA process are looking for guidance on how to adequately address the potential climate change impacts in meeting their CEQA obligations.



Air districts have traditionally provided guidance to local lead agencies on evaluating and addressing air pollution impacts from projects subject to CEQA. Recognizing the need for a common platform of information and tools to support decision makers as they establish policies and programs for GHG and CEQA, the California Air Pollution Control Officers Association has prepared a white paper reviewing policy choices, analytical tools, and mitigation strategies.

This paper is intended to serve as a resource for public agencies as they establish agency procedures for reviewing GHG emissions from projects under CEQA. It considers the application of thresholds and offers three alternative programmatic approaches toward

<sup>1</sup> Throughout this paper GHG, CO<sub>2</sub>, CO<sub>2</sub>e, are used interchangeably and refer generally to greenhouse gases but do not necessarily include all greenhouse gases unless otherwise specified.

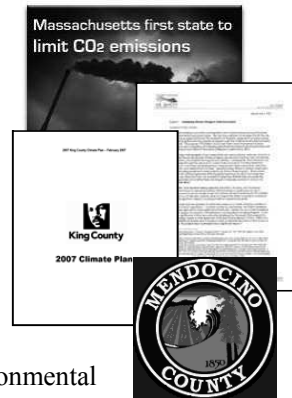


determining whether GHG emissions are significant. The paper also evaluates tools and methodologies for estimating impacts, and summarizes mitigation measures. It has been prepared with the understanding that the programs, regulations, policies, and procedures established by the California Air Resources Board (CARB) and other agencies to reduce GHG emissions may ultimately result in a different approach under CEQA than the strategies considered here. The paper is intended to provide a common platform for public agencies to ensure that GHG emissions are appropriately considered and addressed under CEQA while those programs are being developed.

### **Examples of Other Approaches**

Many states, counties, and cities have developed policies and regulations concerning greenhouse gas emissions that seek to require or promote reductions in GHG emissions through standards for vehicle emissions, fuels, electricity production/renewables, building efficiency, and other means. A few have developed guidance and are currently considering formally requiring or recommending the analysis of greenhouse gas emissions for development projects during their associated environmental processes. Key work in this area includes:

- Massachusetts Office of Energy and Environmental Affairs Greenhouse Gas Emissions Policy;
- King County, Washington, Executive Order on the Evaluation of Climate Change Impacts through the State Environmental Policy Act;
- Sacramento AQMD interim policy on addressing climate change in CEQA documents; and
- Mendocino AQMD updated guidelines for use during preparation of air quality impacts in Environmental Impact Reports (EIRs) or mitigated negative declarations.



The following paper evaluates options for lead agencies to ensure that GHG emissions are appropriately addressed as part of analyses under CEQA. It considers the use of significance thresholds, tools and methodologies for analyzing GHG emissions, and measures and strategies to avoid, reduce, or mitigate impacts.

### **Greenhouse Gas Significance Criteria**

This white paper discusses three basic options air districts and lead agencies can pursue when contemplating the issues of CEQA thresholds for greenhouse gas emissions. This paper explores each path and discusses the benefits and disbenefits of each. The three basic paths are:

- No significance threshold for GHG emissions;

- GHG emissions threshold set at zero; or
- GHG threshold set at a non-zero level.

Each has inherent advantages and disadvantages. Air districts and lead agencies may believe the state or national government should take the lead in identifying significance thresholds to address this global impact. Alternatively, the agency may believe it is premature or speculative to determine a clear level at which a threshold should be set. On the other hand, air districts or lead agencies may believe that every GHG emission should be scrutinized and mitigated or offset due to the cumulative nature of this impact. Setting the threshold at zero will place all discretionary projects under the CEQA microscope. Finally, an air district or lead agency may believe that some projects will not benefit from a full environmental impact report (EIR), and may believe a threshold at some level above zero is needed.

This paper explores the basis and implications of setting no threshold, setting a threshold at zero and two primary approaches for those who may choose to consider a non-zero threshold. The first approach is grounded in statute (AB 32) and executive order (EO S-3-05) and explores four possible options under this scenario. The options under this approach are variations of ways to achieve the 2020 goals of AB 32 from new development, which is estimated to be about a 30 percent reduction from business as usual.

The second approach explores a tiered threshold option. Within this option, seven variations are discussed. The concepts explored here offer both quantitative and qualitative approaches to setting a threshold as well as different metrics by which tier cut-points can be set. Variations range from setting the first tier cut-point at zero to second-tier cut-points set at defined emission levels or based on the size of a project. It should be noted that some applications of the tiered threshold approach may require inclusion in a General Plan or adoption of enabling regulations or ordinances to render them fully effective and enforceable.

### **Greenhouse Gas Analytical Methodologies**

The white paper evaluates various analytical methods and modeling tools that can be applied to estimate the greenhouse gas emissions from different project types subject to CEQA. In addition, the suitability of the methods and tools to characterize accurately a project's emissions is discussed and the paper provides recommendations for the most appropriate methodologies and tools currently available.

The suggested methodologies are applied to residential, commercial, specific plan and general plan scenarios where GHG emissions are estimated for each example. This chapter also discusses estimating emissions from solid waste facilities, a wastewater treatment plant, construction, and air district rules and plans.

Another methodology, a service population metric, that would measure a project's overall GHG efficiency to determine if a project is more efficient than the existing statewide average for per capita GHG emissions is explored. This methodology may be more directly correlated to a project's ability to help achieve objectives outlined in AB 32, although it relies on establishment of an efficiency-based significance threshold. The subcommittee believes this methodology may eventually be appropriate to evaluate the long-term GHG emissions from a project in the context of meeting AB 32 goals. However, this methodology will need further work and is not considered viable for the interim guidance presented in this white paper.

### Greenhouse Gas Mitigation Measures

Common practice in environmental protection is first to avoid, then to minimize, and finally to compensate for impacts. When an impact cannot be mitigated on-site, off-site mitigation can be effectively implemented in several resource areas, either in the form of offsetting the same impact or preserving the resource elsewhere in the region.

This white paper describes and evaluates currently available mitigation measures based on their economic, technological and logistical feasibility, and emission reduction effectiveness. The potential for secondary impacts to air quality are also identified for each measure. A summary of current rules and regulations affecting greenhouse gas emissions and climate change is also provided.



Reductions from transportation related measures (e.g., bicycle, pedestrian, transit, and parking) are explored as a single comprehensive approach to land use. Design measures that focus on enhancing alternative transportation are discussed. Mitigation measures are identified for transportation, land use/building design, mixed-use development, energy efficiency, education/social awareness and construction.

**Purpose**

CEQA requires the avoidance or mitigation of significant adverse environmental impacts where there are feasible alternatives available. The contribution of GHG to climate change has been documented in the scientific community. The California Global Warming Solutions Act of 2006 (AB 32) mandates significant reductions in greenhouse gases (GHG); passage of that law has highlighted the need to consider the impacts of GHG emissions from projects that fall under the jurisdiction of the California Environmental Quality Act (CEQA). Because we have only recently come to fully recognize the potential for significant environmental impacts from GHG, most public agencies have not yet established policies and procedures to consider them under CEQA. As a result, there is great need for information and other resources to assist public agencies as they develop their programs.

Air districts have historically provided guidance to local governments on the evaluation of air pollutants under CEQA. As local concern about climate change and GHG has increased, local governments have requested guidance on incorporating analysis of these impacts into local CEQA review. The California Air Pollution Control Officers Association (CAPCOA), in coordination with the CARB, the Governor’s Office of Planning and Research (OPR) and two environmental consulting firms, has harnessed the collective expertise to evaluate approaches to analyzing GHG in CEQA. The purpose of this white paper is to provide a common platform of information and tools to address climate change in CEQA analyses, including the evaluation and mitigation of GHG emissions from proposed projects and identifying significance threshold options.



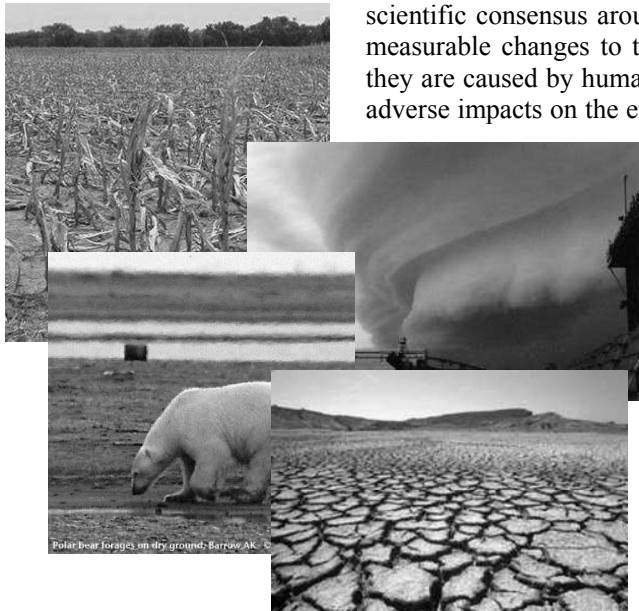
CEQA requires public agencies to ensure that potentially significant adverse environmental effects of discretionary projects are fully characterized, and avoided or mitigated where there are feasible alternatives to do so. Lead agencies have struggled with how best to identify and characterize the magnitude of the adverse effects that individual projects have on the global-scale phenomenon of climate change, even more so since Governor Schwarzenegger signed Executive Order S-3-05 and the state Legislature enacted The Global Warming Solutions Act of 2006 (AB 32). There is now a resounding call to establish procedures to analyze and mitigate greenhouse gas (GHG) emissions. The lack of established thresholds does not relieve lead agencies of their responsibility to analyze and mitigate significant impacts, so many of these agencies are seeking guidance from state and local air quality agencies. This white paper addresses issues inherent in establishing CEQA thresholds, evaluates tools, catalogues mitigation measures and provides air districts and lead agencies with options for incorporating climate change into their programs.

## Background

### National and International Efforts

International and Federal legislation have been enacted to deal with climate change issues. The Montreal Protocol was originally signed in 1987 and substantially amended in 1990 and 1992. In 1988, the United Nations and the World Meteorological Organization established the IPCC to assess the scientific, technical and socioeconomic information relevant to understanding the scientific basis of risk of human-induced climate change, its potential impacts, and options for adaptation and mitigation. The

most recent reports of the IPCC have emphasized the scientific consensus around the evidence that real and measurable changes to the climate are occurring, that they are caused by human activity, and that significant adverse impacts on the environment, the economy, and human health and welfare are unavoidable.



In October 1993, President Clinton announced his Climate Change Action Plan, which had a goal to return greenhouse gas emissions to 1990 levels by the year 2000. This was to be accomplished through 50 initiatives that relied on innovative voluntary partnerships between the private sector and

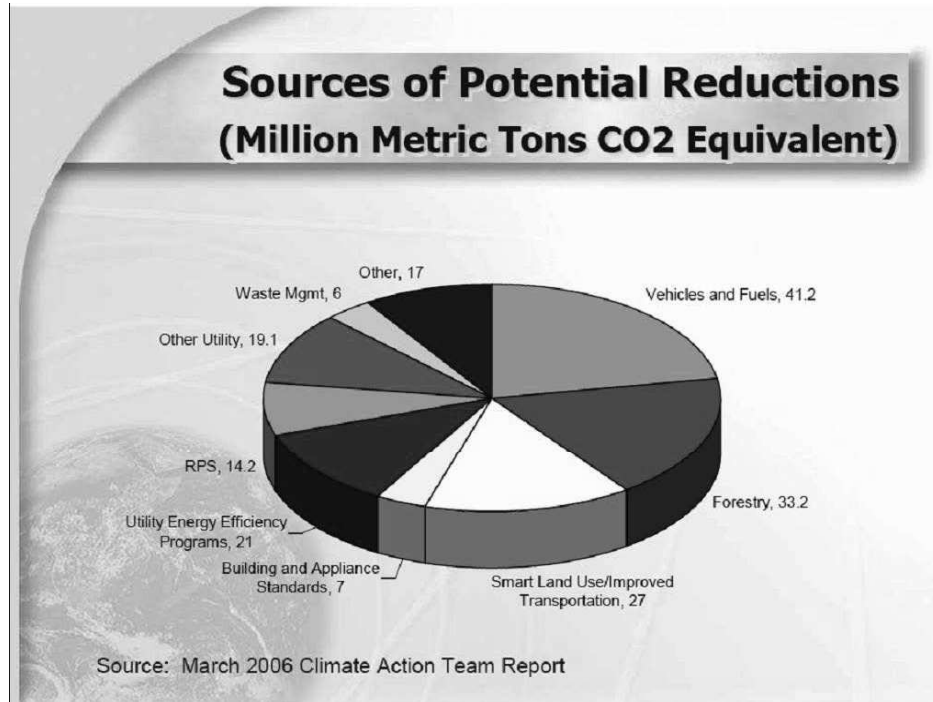
government aimed at producing cost-effective reductions in greenhouse gas emissions. On March 21, 1994, the United States joined a number of countries around the world in signing the United Nations Framework Convention on Climate Change (UNFCCC). Under the Convention, governments agreed to gather and share information on greenhouse gas emissions, national policies, and best practices; launch national strategies for addressing greenhouse gas emissions and adapting to expected impacts, including the provision of financial and technological support to developing countries; and cooperate in preparing for adaptation to the impacts of climate change.

These efforts have been largely policy oriented. In addition to the national and international efforts described above, many local jurisdictions have adopted climate change policies and programs. However, thus far little has been done to assess the significance of the affects new development projects may have on climate change.

Executive Order S-3-05

On June 1, 2005, Governor Schwarzenegger issued Executive Order S-3-05 (S-3-05). It included the following GHG emission reduction targets: by 2010, reduce GHG emissions to 2000 levels; by 2020, reduce GHG emissions to 1990 levels; by 2050, reduce GHG emissions to 80 percent below 1990 levels. To meet the targets, the Governor directed the Secretary of the California Environmental Protection Agency, to coordinate with the Secretary of the Business, Transportation and Housing Agency, Secretary of the Department of Food and Agriculture, Secretary of the Resources Agency, Chairperson of the CARB, Chairperson of the Energy Commission and President of the Public Utilities Commission on development of a Climate Action Plan.

The Secretary of CalEPA leads a Climate Action Team (CAT) made up of representatives from the agencies listed above to implement global warming emission reduction programs identified in the Climate Action Plan and report on the progress made toward meeting the statewide greenhouse gas targets that were established in the Executive Order.



SOURCE: ARB 2007

In accord with the requirements of the Executive Order, the first report to the Governor and the Legislature was released in March 2006 and will be issued bi-annually thereafter. The CAT Report to the Governor contains recommendations and strategies to help ensure the targets in Executive Order S-3-05 are met.

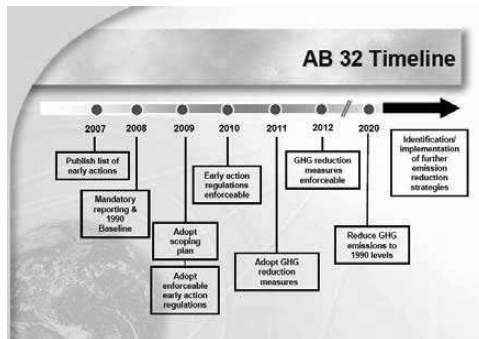


California Global Warming Solutions Act of 2006 (AB 32)

In 2006, the California State Legislature adopted the California Global Warming Solutions Act of 2006. AB 32 establishes a cap on statewide greenhouse gas emissions and sets forth the regulatory framework to achieve the corresponding reduction in statewide emissions levels. AB 32 charges the California Air Resources Board (CARB), the state agency charged with regulating statewide air quality, with implementation of the act. Under AB 32, greenhouse gases are defined as: carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride.

The regulatory steps laid out in AB 32 require CARB to: adopt early action measures to reduce GHGs; to establish a statewide greenhouse gas emissions cap for 2020 based on 1990 emissions; to adopt mandatory reporting rules for significant source of greenhouse gases; and to adopt a scoping plan indicating how emission reductions will be achieved via regulations, market mechanisms and other actions; and to adopt the regulations needed to achieve the maximum technologically feasible and cost-effective reductions in greenhouse gases.

AB 32 requires that by January 1, 2008, the State Board shall determine what the statewide greenhouse gas emissions inventory was in 1990, and approve a statewide greenhouse gas emissions limit that is equivalent to that level, to be achieved by 2020. While the level of 1990 GHG emissions has not yet been approved, CARB's most recent emission inventory indicates that California had annual emissions of 436 million metric tons of carbon dioxide equivalent (MMT CO<sub>2</sub>e) in 1990 and 497 MMT CO<sub>2</sub>e in 2004.



SOURCE: ARB 2007

The regulatory timeline laid out in AB 32 requires that by July 1, 2007, CARB adopt a list of discrete early action measures, or regulations, to be adopted and implemented by January 1, 2010. These actions will form part of the State's comprehensive plan for achieving greenhouse gas emission reductions. In June 2007, CARB adopted three discrete early action measures. These three new proposed regulations meet the definition of

“discrete early action greenhouse gas reduction measures,” which include the following: a low carbon fuel standard; reduction of HFC-134a emissions from non-professional servicing of motor vehicle air conditioning systems; and improved landfill methane capture. CARB estimates that by 2020, the reductions from those three discrete early action measures would be approximately 13-26 MMT CO<sub>2</sub>e.

CARB evaluated over 100 possible measures identified by the CAT for inclusion in the list of discrete early action measures. On October 25, 2007 CARB gave final approval to the list of Early Action Measures, which includes nine discrete measures and 35

additional measures, all of which are to be enforceable by January 1, 2010. AB 32 requires that by January 1, 2009, CARB adopt a scoping plan indicating how emission reductions will be achieved via regulations, market mechanisms and other actions.

Senate Bill 97

Senate Bill (SB) 97, signed in August 2007, acknowledges that climate change is an important environmental issue that requires analysis under CEQA. This bill directs the OPR to prepare, develop, and transmit to the Resources Agency guidelines for the feasible mitigation of GHG emissions or the effects of GHG emissions, by July 1, 2009. The Resources Agency is required to certify or adopt those guidelines by January 1, 2010. This bill also protects projects funded by the Highway Safety, Traffic Reduction, Air Quality and Port Security Bond Act of 2006, or the Disaster Preparedness and Flood Protection Bond Act of 2006 (Proposition 1B or 1E) from claims of inadequate analysis of GHG as a legitimate cause of action. This latter provision will be repealed on January 1, 2010. Thus, this “protection” is highly limited to a handful of projects and for a short time period.



**The Role of Air Districts in the CEQA Process**

Air districts assume one of three roles in the CEQA process. They may be lead agencies when they are adopting regulations and air quality plans. In some instances, they can also be a lead agency when approving permits to construct or operate for applicants subject to district rules. However, in many cases where an air district permit is involved, another agency has broader permitting authority over the project and assumes the role of lead agency. In these situations, the air district becomes what is referred to as a responsible agency under CEQA. When CEQA documents are prepared for projects that do not involve discretionary approval of a district regulation, plan or permit, the air district may assume the role of a concerned or commenting agency. In this role, it is typical for air districts to comment on CEQA documents where there may be air quality-related adverse impacts, such as projects that may create significant contributions to existing violations of ambient standards, cause a violation of an ambient standard or create an exposure to toxic air contaminants or odors. In some cases, the air district may also act in an “advisory” capacity to a lead agency early on in its review of an application for a proposed development project.

A few air districts in California began developing significance thresholds for use in CEQA analyses in the late 1980’s and early 1990’s. By the mid-1990’s most air districts had developed CEQA thresholds for air quality analyses. Many of the districts have included in their guidance the analysis of rule development and permits that may be subject to CEQA.



## What is Not Addressed in this Paper

### Impacts of Climate Change to a Project

The focus of this paper is addressing adverse impacts to climate change and the ability to meet statewide GHG reduction goals caused by proposed new land development projects.



CEQA also requires an assessment of significant adverse impacts a project might cause by bringing development and people into an area affected by climate change (CEQA Guidelines §15126.2). For example, an area that

experiences higher average temperatures due to climate change may expose new development to more frequent exceedances and higher levels of ozone concentrations. Alternatively, a rise in sea level brought on by climate change may inundate new development locating in a low-lying area. The methodologies, mitigation and threshold approaches discussed in this paper do not specifically address the potential adverse impacts resulting from climate change that may affect a project.

### Impacts from Construction Activity

Although construction activity has been addressed in the analytical methodologies and mitigation chapters, this paper does not discuss whether any of the threshold approaches adequately addresses impacts from construction activity. More study is needed to make this assessment or to develop separate thresholds for construction activity. The focus of this paper is the long-term adverse operational impacts of land use development.



**Introduction**

Any analysis of environmental impacts under CEQA includes an assessment of the nature and extent of each impact expected to result from the project to determine whether the impact will be treated as significant or less than significant. CEQA gives lead agencies discretion whether to classify a particular environmental impact as significant. "The determination of whether a project may have a significant effect on the environment calls for careful judgment on the part of the public agency involved," ref: CEQA Guidelines §15064(b) ("Guidelines"). Ultimately, formulation of a standard of significance requires the lead agency to make a policy judgment about where the line should be drawn distinguishing adverse impacts it considers significant from those that are not deemed significant. This judgment must, however, be based on scientific information and other factual data to the extent possible (Guidelines §15064(b)).

CEQA does not require that agencies establish thresholds of significance. Guidelines §15064.7(a) encourages each public agency "...to develop and publish thresholds of significance that the agency uses in the determination of the significance of environmental effects. A threshold of significance is an identifiable quantitative, qualitative or performance level of a particular environmental effect, non-compliance with which means the effect will normally be determined to be significant by the agency and compliance with which normally means the effect will be determined to be less than significant."

Once such thresholds are established, an impact that complies with the applicable threshold will "normally" be found insignificant and an impact that does not comply with the applicable threshold will "normally" be found significant.

Additionally, Guidelines §15064.7(b) requires that if thresholds of significance are adopted for general use as part of the lead agency's environmental review process they must be adopted by ordinance, resolution, rule or regulation, and developed through a public review process and be supported by substantial evidence.

While many public agencies adopt regulatory standards as thresholds, the standards do not substitute for a public agency's use of careful judgment in determining significance. They also do not replace the legal standard for significance (i.e., if there is a fair argument, based on substantial evidence in light of the whole record that the project may have a significant effect, the effect should be considered significant) (Guidelines §15064(f)(1). Also see *Communities for a Better Environment v. California Resource Agency* 103 Cal. App. 4<sup>th</sup> 98 (2002)). In other words, the adoption of a regulatory standard does not create an irrebuttable presumption that impacts below the regulatory standard are less than significant.

**Summary of CEQA Thresholds at Air Districts**

This section briefly summarizes the evolution of air district CEQA significance thresholds. Ventura County APCD, in 1980, was the first air district in California that formally adopted CEQA significance thresholds. Their first CEQA assessment document contained impact thresholds based on project type: residential, nonresidential, and government. Then, as now, the District's primary CEQA thresholds applied only to ROG and NO<sub>x</sub>. The 1980 Guidelines did not address other air pollutants.

Santa Barbara County APCD and the Bay Area AQMD adopted thresholds in 1985. The South Coast AQMD recommended regional air quality thresholds in 1987 for CO, SO<sub>2</sub>, NO<sub>2</sub>, particulates, ROG, and lead. Most of the other California air districts adopted CEQA guidance and thresholds during the 1990's. Air districts have updated their thresholds and guidelines several times since they were first published.

Originally, most districts that established CEQA thresholds focused on criteria pollutants for which the district was nonattainment and the thresholds only addressed project level impacts. Updates during the 1990's began to add additional air quality impacts such as odors, toxic air contaminants and construction. Several air districts also developed thresholds for General Plans that relied on an assessment of the plan consistency with the district's air quality plans. A consistency analysis involves comparing the project's land use to that of the general plan and the population and employment increase to the forecasts underlying the assumptions used to develop the air quality plan.

Most air district thresholds for CEQA are based on the threshold for review under the New Source Review (NSR). The NSR threshold level is set by district rule and is different depending on the nonattainment classification of the air district. Areas with a less severe classification have a higher NSR trigger level while the most polluted areas have the lowest NSR trigger level. Some districts, such as Ventura County APCD, have significantly lower CEQA thresholds that are not tied to the NSR requirements. In Ventura, one set of CEQA thresholds is 25 pounds per day for all regions of Ventura County, except the Ojai Valley. The second set of CEQA thresholds was set at 5 pounds per day for the Ojai Valley.

The Sacramento Metropolitan AQMD bases its thresholds for ozone precursors on the projected land use share of emission reductions needed for attainment. The emission reductions needed to reach attainment are based on commitments made in the state implementation plan (SIP) prepared for the federal clean air act.



**CEQA Considerations in Setting Thresholds**

Public agencies use significance thresholds to disclose to their constituents how they plan on evaluating and characterizing the severity of various environmental impacts that could be associated with discretionary projects that they review. Significance thresholds are also used to help identify the level of mitigation needed to reduce a potentially significant impact to a less than significant level and to determine what type



of an environmental document should be prepared for a project; primarily a negative declaration, mitigated negative declaration or an environmental impact report.

While public agencies are not required to develop significance thresholds, if they decide to develop them, they are required to adopt them by ordinance, resolution, rule or regulation through a public process. A lead agency is not restrained from adopting any significance threshold it sees as appropriate, as long as it is based on substantial evidence. CEQA Guidelines §15064.7 encourages public agencies to develop and publish significance thresholds that are identifiable, quantitative, qualitative or performance level that the agency uses in the determination of the significance of environmental effects. The courts have ruled that a “threshold of significance” for a given environmental effect is simply that level at which the lead agency finds the effects of the project to be significant.

Before an agency determines its course with regard to climate change and CEQA, it must be made clear that a threshold, or the absence of one, will not relieve a lead agency from having to prepare an EIR or legal challenges to the adequacy of an analysis leading to a conclusion, or lack of a conclusion, of significance under CEQA. CEQA has generally favored the preparation of an EIR where there is any substantial evidence to support a fair argument that a significant adverse environmental impact may occur due to a proposed project. This paper explores three alternative approaches to thresholds, including a no threshold option, a zero threshold option and a non-zero threshold option.

Fair Argument Considerations

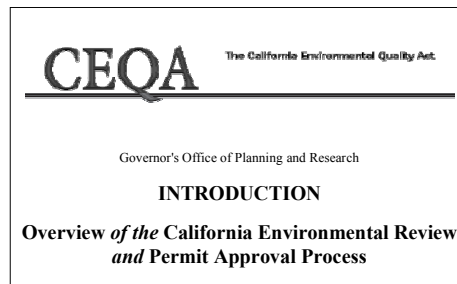
Under the CEQA fair argument standard, an EIR must be prepared whenever it can be fairly argued, based on substantial evidence in the administrative record, that a project may have a significant adverse effect on the environment. “Substantial evidence” comprises “enough relevant information and reasonable inferences from this information that a fair argument can be made to support a conclusion, even though other conclusions might also be reached.” (Guidelines §15384) This means that if factual information is presented to the public agency that there is a reasonable possibility the project could have

a significant effect on the environment, an EIR is required even if the public agency has information to the contrary (Guidelines §15064 (f)).

The courts have held that the fair argument standard “establishes a low threshold for initial preparation of an EIR, which reflects a preference for resolving doubts in favor of environmental review.” (*Santa Teresa Citizen Action Group v. City of San Jose* [2003] 114 Cal.App.4th 689) Although the determination of whether a fair argument exists is made by the public agency, that determination is subject to judicial scrutiny when challenged in litigation. When the question is whether an EIR should have been prepared, the court will review the administrative record for factual evidence supporting a fair argument.

The fair argument standard essentially empowers project opponents to force preparation of an EIR by introducing factual evidence into the record that asserts that the project may have a significant effect on the environment. This evidence does not need to be conclusive regarding the potential significant effect.

In 1998, the Resources Agency amended the State CEQA Guidelines to encourage the use of thresholds of significance. Guidelines §15064 (h) provided that when a project’s impacts did not exceed adopted standards, the impacts were to be considered less than significant. The section went on to describe the types of adopted standards that were to be considered thresholds. Guidelines § 15064.7 provided that agencies may adopt thresholds of significance to guide their determinations of significance. Both of these sections were challenged when environmental groups sued the Resources Agency in 2000 over the amendments. The trial court concluded that §15064.7 was proper, if it was applied in the context of the fair argument standard.



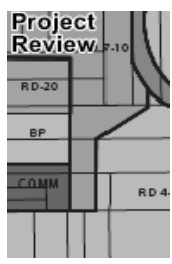
At the appellate court level, §15064(h) was invalidated.<sup>2</sup> Establishing a presumption that meeting an adopted standard would avoid significant impacts was “inconsistent with controlling CEQA law governing the fair argument approach.” The Court of Appeal explained that requiring agencies to comply with a regulatory standard “relieves the agency of a duty it would have under the fair argument approach to look at evidence beyond the regulatory standard, or in contravention of the standard, in deciding whether an EIR must be prepared. Under the fair argument approach, any substantial evidence supporting a fair argument that a project may have a significant environmental effect would trigger the preparation of an EIR.” (*Communities for a Better Environment v. California Resources Agency* [2002] 103 Cal.App.4th 98)

<sup>2</sup> Prior §15064(h) has been removed from the State CEQA Guidelines. Current §15064(h) discusses cumulative impacts.

In summary, CEQA law does not require a lead agency to establish significance thresholds for GHG. CEQA guidelines encourage the development of thresholds, but the absence of an adopted threshold does not relieve the agency from the obligation to determine significance.

Defensibility of CEQA Analyses

The basic purposes of CEQA, as set out in the State CEQA Guidelines, include: (1) informing decision makers and the public about the significant environmental effects of proposed projects; (2) identifying ways to reduce or avoid those impacts; (3) requiring the implementation of feasible mitigation measures or alternatives that would reduce or avoid those impacts; and (4) requiring public agencies to disclose their reasons for approving any project that would have significant and unavoidable impacts (Guidelines §15002). CEQA is enforced through civil litigation over procedure (i.e., did the public agency follow the correct CEQA procedures?) and adequacy (i.e., has the potential for impacts been disclosed, analyzed, and mitigated to the extent feasible?).



The California Supreme Court has held that CEQA is "to be interpreted in such manner as to afford the fullest possible protection to the environment within the reasonable scope of the statutory language." (*Friends of Mammoth v. Board of Supervisors* [1972] 8 Cal.3d 247, 259) Within that context, the role of the courts is to weigh the facts in each case and apply their judgment. Although the court may rule on the adequacy of the CEQA work, the court is not empowered to act in the place of the public agency to approve or deny the project for which the CEQA document was prepared. Further, the court's review is limited to the evidence contained in the administrative record that was before the public agency when it acted on the project.

Putting aside the issue of CEQA procedure, the defensibility of a CEQA analysis rests on the following concerns:

- whether the public agency has sufficiently analyzed the environmental consequences to enable decision makers to make an intelligent decision;
- whether the conclusions of the public agency are supported by substantial evidence in the administrative record; and
- whether the agency has made a good faith effort at the full disclosure of significant effects.

CEQA analyses need not be perfect or exhaustive -- the depth and breadth of the analysis is limited to what is "reasonably feasible." (Guidelines §15151) At the same time, the analysis "must include detail sufficient to enable those who did not participate in its preparation to understand and to consider meaningfully the issues raised by the proposed



project.” (Laurel Heights Improvement Assn. v. Regents of University of California (1988) 47 Cal.3d 376)

By itself, establishment of a GHG threshold will not insulate individual CEQA analyses from challenge. Defensibility depends upon the adequacy of the analysis prepared by the lead agency and the process followed. However, the threshold can help to define the boundaries of what is a reasonable analysis by establishing when an analysis will be required and the basic scope of that analysis. The threshold would attempt to define the point at which an analysis will be required and when a level of impact becomes significant, requiring preparation of an EIR. If the threshold includes recommendations for the method or methods of analysis, it can establish the minimum level of analysis to address this issue.

### Considerations in Setting Thresholds for Stationary Source Projects

In many respects, the analysis of GHG emissions from stationary sources is much more straightforward than the analysis of land use patterns, forecasted energy consumption, and emissions from mobile sources. The reason is that, for the most part, the latter analyses depend largely on predictive models with myriad inputs and have a wider range of error. Emissions from stationary sources involve a greater reliance on mass and energy balance calculations and direct measurements of emissions from the same or similar sources. Energy demand is more directly tied to production, and even associated mobile source emissions will likely fall within narrower predictive windows.



### Implementing CEQA Without a Threshold

A lead agency is not required to establish significance thresholds for GHG emissions from stationary sources. The lead agency may find that it needs more information or experience evaluating GHG from these types of projects to determine an appropriate significance threshold. As with other project types, the lead agency could conduct a project specific analysis to determine whether an environmental impact report is needed and to determine the level of mitigation that is appropriate. The agency might also rely on thresholds established for criteria pollutants as a screening method, and analyze GHG emissions (and require mitigation) from projects with emissions above the criteria pollutant thresholds. Over time, the agency could amass information and experience with specific project categories that would support establishing explicit thresholds. The lead agency may also choose to base local CEQA thresholds on state guidelines or on the category-specific reduction targets established by ARB in its scoping plan for implementing AB32. Resource constraints and other considerations associated with implementing CEQA without GHG thresholds for stationary sources would be similar to those outlined for other types of projects (see Chapter 5 – No Threshold Option).

### Implementing CEQA with Threshold of Zero

A lead agency may find that any increase in GHG emissions is potentially significant under CEQA. The resources and other considerations for implementing a threshold of zero for stationary sources are the same as those outlined for other types of projects (see Chapter 6 – Zero Threshold Option).

### Implementing CEQA with a Non-Zero Threshold

A lead agency may identify one or more non-zero thresholds for significance of emissions of GHG from stationary sources. The agency could elect to rely on existing thresholds for reviewing new or modified stationary sources of GHG, if the state or local air district has established any. The agency could also apply the threshold(s) established for non-stationary sources to GHG emissions from stationary sources. Significance thresholds could also be established by ordinance, rule, or policy for a given category of stationary sources; this approach is especially conducive to a tiered threshold approach. For example, the agency could establish significance and mitigation tiers for stationary compression-ignition diesel-fueled generators. Under such an approach, the project proponent could be first required to use a lower GHG-emitting power source if feasible, and if not, to apply mitigation based on the size of the generator and other defined considerations, such as hours of operation. Certain classes of generators could be found to be insignificant under CEQA (e.g., those used for emergency stand-by power only, with a limit on the annual hours of use). As with non-stationary projects, the goal of establishing non-zero thresholds is to maximize environmental protection, while minimizing resources used. Resource and other considerations outlined for non-stationary projects are applicable here (see Chapter 7 – Non-Zero Threshold Options).

### Implementing CEQA with Different Thresholds for Stationary and Non-stationary Projects

Although a lead agency may apply the same thresholds to stationary and non-stationary projects, it is not required to do so. There are, in fact, some important distinctions between the two types of projects that could support applying different thresholds. The lead agency should consider the methods used to estimate emissions. Are the estimates a “best/worst reasonable scenario” or are they based on theoretical maximum operation? How accurate are the estimates (are they based on models, simulations, emission factors, source test data, manufacturer specifications, etc.)? To what extent could emissions be reduced through regulations after the project is constructed if they were found to be greater than originally expected (i.e., is it possible to retrofit emissions control technology onto the source(s) of GHG at a later date, how long is the expected project life, etc.)? Are there emission limits or emissions control regulations (such as New Source Review) that provide certainty that emissions will be mitigated? Generally, stationary source emissions are based on maximum emissions (theoretical or allowed under law or regulation), are more accurate, and are more amenable to retrofit at a later time than non-stationary source emissions. It is also more likely that category specific

rules or some form of NSR will apply to stationary sources than non-stationary projects. Notwithstanding, it is almost always more effective and cost-efficient to apply emission reduction technology at the design phase of a project. There are, therefore, a number of considerations that need to be evaluated and weighed before establishing thresholds – and which may support different thresholds for stationary and non-stationary projects. Furthermore, the considerations may change over time as new regulations are established and as emissions estimation techniques and control technology evolves.

Direct GHG Emissions from Stationary Sources



The main focus of this paper has been the consideration of projects that do not, in the main, involve stationary sources of air pollution, because stationary source projects are generally a smaller percentage of the projects seen by most local land use agencies. That said, some discussion of stationary sources is warranted. As the broader program for regulating GHG from these sources is developed, the strategies for addressing them

under CEQA will likely become more refined.

The primary focus of analysis of stationary source emissions has traditionally been those pollutants that are directly emitted by the source, whether through a stack or as fugitive releases (such as leaks). CAPCOA conducted a simplified analysis of permitting activity to estimate the number of stationary source projects with potentially significant emissions of greenhouse gases that might be seen over the course of a year. This analysis looked only at stationary combustion sources (such as boilers and generators), and only considered direct emissions. A lead agency under CEQA may see a different profile of projects than the data provided here suggest, depending on what other resources are affected by projects. In addition, air districts review like-kind replacements of equipment to ensure the new equipment meets current standards, but such actions might not constitute a project for many land use agencies or other media regulators. The data does provide a useful benchmark, however, for lead agencies to assess the order of magnitude of potential stationary source projects. A similar analysis is included for non-stationary projects in Chapter 7.

**Table 1: Analysis of GHG Emissions from Stationary Combustion Equipment Permits<sup>3</sup>**

	BAAQMD	SMAQMD	SJVUAPCD	SCAQMD
Total Applications for Year	1499	778	1535	1179
Affected at threshold of:				
900 metric tons/year	26	43	63	108
10,000 metric tons/year	7	5	26	8
25,000 metric tons/year	3	1	11	4

<sup>3</sup> District data varies based on specific local regulations and methodologies.

Emissions from Energy Use

In addition to the direct emissions of GHG from stationary projects, CEQA will likely need to consider the project’s projected energy use. This could include an analysis of opportunities for energy efficiency, onsite clean power generation (e.g., heat/energy recovery, co-generation, geothermal, solar, or wind), and the use of dedicated power



contracts as compared to the portfolio of generally available power. In some industries, water use and conservation may provide substantial GHG emissions reductions, so the CEQA analysis should consider alternatives that reduce water consumption and wastewater discharge. The stationary project may also have the opportunity to use raw or feedstock materials that have a smaller GHG footprint; material substitution should be evaluated where information is available to do so.

Emissions from Associated Mobile Sources

The stationary project will also include emissions from associated mobile sources. These will include three basic components: emissions from employee trips, emissions from delivery of raw or feedstock materials, and emissions from product transport. Employee trips can be evaluated using trip estimation as is done for non-stationary projects, and mitigations would include such measures as providing access to and incentives for use of public transportation, accessibility for bicycle and pedestrian modes of transport, employer supported car or vanpools (including policies such as guaranteed rides home, etc). Upstream and downstream emissions related to goods movement can also be estimated with available models. The evaluation will need to determine the extent of the transport chain that should be included (to ensure that all emissions in the chain have been evaluated and mitigated, but to avoid double counting). Mitigations could include direct actions by operators who own their own fleet, or could be implemented through contractual arrangements with independent carriers; again, the evaluation will need to consider how far up and down the chain mitigation is feasible and can be reasonably required.



Comparing Emissions Changes Across Pollutant Categories

The potential exists for certain GHG reduction measures to increase emissions of criteria and toxic pollutants known to cause or aggravate respiratory, cardiovascular, and other health problems. For instance, GHG reduction efforts such as alternative fuels and methane digesters may create significant levels of increased pollutants that are detrimental to the health of the nearby population (e.g.; particulate matter, ozone precursors, toxic air contaminants). Such considerations should be included in any CEQA analysis of a project’s environmental impacts. While there are many win-win

**CEQA**  
and  
**Climate Change**

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strategies that can reduce both GHG and criteria/toxic pollutant emissions, when faced with situations that involve tradeoffs between the two, the more immediate public health concerns that may arise from an increase in criteria or toxic pollutant emissions should take precedence. GHG emission reductions could be achieved offsite through other mitigation programs.

**Introduction**

Under state law, it is the purview of each lead agency to determine what, if any, significance thresholds will be established to guide its review of projects under CEQA. While the state does provide guidelines for implementing CEQA, the guidelines have left the decision of whether to establish thresholds (and if so, at what level) to individual lead agencies. Frequently, lead agencies consult with resource-specific agencies (such as air districts) for assistance in determining what constitutes a significant impact on that specific resource.

With the passage of AB 32, the ARB has broad authority to regulate GHG emissions as necessary to meet the emission reduction goals of the statute. This may include authority to establish emission reduction requirements for new land use projects, and may also enable them to recommend statewide thresholds for GHG under CEQA.

In developing this white paper, CAPCOA recognizes that, as the GHG reduction program evolves over time, GHG thresholds and other policies and procedures for CEQA may undergo significant revision, and that uniform statewide thresholds and procedures may be established. This paper is intended to serve as a resource for public agencies until such time that statewide guidance is established, recognizing that decisions will need to be made about GHG emissions from projects before such guidance is available. This paper is not, however, uniform statewide guidance. As stated before, it outlines several possible approaches without endorsing any one over the others.

Some air districts may choose to use this paper to support their establishment of guidance for GHG under CEQA, including thresholds. This paper does not, nor should it be construed to require a district to implement any of the approaches evaluated here. Decisions about whether to provide formal local guidance on CEQA for projects with GHG emissions, including the question of thresholds, will be made by individual district boards.

Each of the 35 air districts operates independently and has its own set of regulations and programs to address the emissions from stationary, area and mobile sources, consistent with state and federal laws, regulations, and guidelines. The independence of the districts allows specific air quality problems to be addressed on a local level. In addition, districts have also established local CEQA thresholds of significance for criteria pollutants – also to address the specific air quality problems relative to that particular district.

The overall goal of air district thresholds is to achieve and maintain health based air quality standards within their respective air basins and to reduce transport of emissions to other air basins. In establishing recommended thresholds, air districts consider the existing emission inventory of criteria pollutants and the amount of emission reductions needed to attain and maintain ambient air quality standards.



However, unlike criteria pollutants where individual districts are characterized by varying levels of pollutant concentrations and source types, greenhouse gases (GHG) and their attendant climate change ramifications are a global problem and, therefore, may suggest a uniform approach to solutions that ensure both progress and equity.

Under SB97, the Office of Planning and Research is directed to prepare, develop, and transmit to the Resources Agency guidelines for the feasible mitigation of GHG emissions or the effects of GHG emissions through CEQA by July 1, 2009. Those guidelines may recommend thresholds. As stated, this paper is intended to provide a common platform of information and tools to support local decision makers until such time that statewide guidance or requirements are promulgated.

### **Local Ability to Promulgate District-Specific GHG Thresholds**

One of the primary reasons behind the creation of air districts in California is the recognition that some regions within the state face more critical air pollution problems than others and, as has often been pointed out – one size does not fit all. For example, a “Serious” federal nonattainment district would need greater emission reductions than a district already in attainment – and, therefore, the more “serious” district would set its criteria pollutant CEQA thresholds of significance much lower than the air district already in attainment.

The action of GHGs is global in nature, rather than local or regional (or even statewide or national). Ultimately there may be a program that is global, or at least national in scope. That said, actions taken by a state, region, or local government can contribute to the solution of the global problem. Local governments are not barred from developing and implementing programs to address GHGs. In the context of California and CEQA, lead agencies have the primary responsibility and authority to determine the significance of a project’s impacts.

Further, air districts have primary authority under state law for "control of air pollution from all sources, other than emissions from motor vehicles." (H&SC §40000) The term air contaminant or "air pollutant" is defined extremely broadly, to mean "any discharge, release, or other propagation into the atmosphere" and includes, but is not limited to, soot, carbon, fumes, gases, particulate matter, etc. Greenhouse gases and other global warming pollutants such as black carbon would certainly be included in this definition, just as the U.S. Supreme Court held in *Massachusetts v. EPA* that greenhouse gases were air pollutants under the federal Clean Air Act. Therefore, air districts have the primary authority to regulate global warming pollutants from nonvehicular sources. AB 32 does not change this result. Although it gives wide responsibility to CARB to regulate greenhouse gases from all sources, including nonvehicular sources, it does not preempt the districts. AB 32 specifically states That "nothing in this division shall limit or expand the existing authority of any district..."(H&SC § 38594). Thus, districts and CARB retain concurrent authority over nonvehicular source greenhouse gas emissions.

**Introduction**

The CEQA statutes do not require an air district or any lead agency to establish significance thresholds under CEQA for any pollutant. While there are considerations that support the establishment of thresholds (which are discussed in other sections of this document), there is no obligation to do so.

An air district or other lead agency may elect not to establish significance thresholds for a number of reasons. The agency may believe that the global nature of the climate change problem necessitates a statewide or national framework for consideration of environmental impacts. SB 97 directs OPR to develop “guidelines for the mitigation of greenhouse gas emissions or the effects of greenhouse gas emissions by July 1, 2009,” and directs the California Resources Agency to certify and adopt the guidelines by June 30, 2010.



An agency may also believe there is insufficient information to support selecting one specific threshold over another. As described earlier, air districts have historically set CEQA thresholds for air pollutants in the context of the local clean air plan, or (in the case of toxic air pollutants) within the framework of a rule or policy that manages risks and exposures due to toxic pollutants.

There is no current framework that would similarly manage impacts of greenhouse gas pollutants, although the CARB is directed to establish one by June 30, 2009, pursuant to AB 32. A local agency may decide to defer any consideration of thresholds until this framework is in place.

Finally, an agency may believe that the significance of a given project should be assessed on a case-by-case basis in the context of the project at the time it comes forward.

**Implementing CEQA Without Significance Thresholds for GHG**

The absence of a threshold does not in any way relieve agencies of their obligations to address GHG emissions from projects under CEQA. The implications of not having a threshold are different depending on the role the agency has under CEQA – whether it is acting in an advisory capacity, as a responsible agency, or as a lead agency.

Implications of No Thresholds for an Agency Acting in an Advisory Capacity

Air districts typically act in an advisory capacity to local governments in establishing the framework for environmental review of air pollution impacts under CEQA. This may include recommendations regarding significance thresholds, analytical tools to assess emissions and impacts, and mitigations for potentially significant impacts. Although districts will also address some of these issues on a project-specific basis as responsible agencies, they may provide general guidance to local governments on these issues that

are program wide, and these are advisory (unless they have been established by regulation).

An air district that has not established significance thresholds for GHG will not provide guidance to local governments on this issue. This does not prevent the local government from establishing thresholds under its own authority. One possible result of this would be the establishment of different thresholds by cities and counties within the air district. Alternatively, the air district could advise local governments not to set thresholds and those jurisdictions may follow the air district's guidance.

It is important to note here (as has been clearly stated by the Attorney General in comments and filings) that lack of a threshold does *not* mean lack of significance. An agency may argue lack of significance for any project, but that argument would have to be carried forth on a case-by-case, project specific basis. By extension then, a decision not to establish thresholds for GHG is likely to result in a greater workload for responsible and lead agencies as they consider individual projects under CEQA.

#### Implications of No Thresholds for a Responsible Agency

If there are no established thresholds of significance, the significance of each project will have to be determined during the course of review. The responsible agency (e.g., the air district) will review each project referred by the lead agency. The review may be qualitative or quantitative in nature. A qualitative review would discuss the nature of GHG emissions expected and their potential effect on climate change as the district understands it. It could also include a discussion of the relative merits of alternative scenarios. A quantitative analysis would evaluate, to the extent possible, the expected GHG emissions; it would also need to evaluate their potential effect on climate change and might include corresponding analysis of alternatives. The air district, as a responsible agency, may also identify mitigation measures for the project.

The lack of established thresholds will make the determination of significance more resource intensive for each project. The district may defer to the lead agency to make this determination, however the district may be obligated, as a responsible agency, to evaluate the analysis and determination.



#### Implications of No Thresholds for a Lead Agency

The main impact of not having significance thresholds will be on the primary evaluation of projects by the lead agency. Without significance thresholds, the agency will have to conduct some level of analysis of every project to determine whether an environmental impact report is needed. There are three fundamental approaches to the case-by-case analysis of significance, including presumptions of significance or insignificance, or no presumption:

1. The agency can begin with a presumption of significance and the analysis would be used to support a case-specific finding of no significance. This is similar to establishing a threshold of zero, except that here, the “threshold” is rebuttable. This approach may result in a large number of projects proceeding to preparation of an environmental impact report. Because of the attendant costs, project proponents may challenge the determination of significance, although formal challenge is less likely than attempts to influence the determination.
2. The agency can begin with a presumption of insignificance, and the analysis would be used to support a case-specific finding of significance. A presumption of insignificance could be based on the perspective that it would be speculative to attempt to identify the significance of GHG emissions from a project relative to climate change on a global scale. This approach might reduce the number of projects proceeding to preparation of environmental impact reports. It is likely to have greater success with smaller projects than larger ones, and a presumption of *insignificance* may be more likely to be challenged by project opponents.
3. It is not necessary for the lead agency to have any presumption either way. The agency could approach each project from a *tabula rasa* perspective, and have the determination of significance more broadly tied to the specific context of the project; this approach is likely to be resource intensive, and creates the greatest uncertainty for project proponents. To the extent that it results in a lead agency approving similar projects based on different determinations of significance for GHG emissions, it may be more vulnerable to challenge from either proponents or opponents of the project. Alternatively, in the absence of either thresholds or presumptions, the lead agency could use each determination of significance to build its approach in the same way that subsequent judgments define the law.



**Relevant Citations**

The full text of relevant citations is in Appendix A.

Public Resources Code – §21082.2, Significant Effect on Environment; Determination; Environmental Impact Report Preparation.

State CEQA Guidelines – §15064, Determining the Significance of the Environmental Effects Caused by a Project.



**Introduction**

If an air district or lead agency determines that any degree of project-related increase in GHG emissions would contribute considerably to climate change and therefore would be a significant impact, it could adopt a zero-emission threshold to identify projects that would need to reduce their emissions. A lead agency may determine that a zero-emission threshold is justified even if other experts may disagree. A lead agency is not prevented from adopting any significance threshold it sees as appropriate, as long as it is based on substantial evidence.

If the zero threshold option is chosen, all projects subject to CEQA would be required to quantify and mitigate their GHG emissions, regardless of the size of the project or the availability of GHG reduction measures available to reduce the project’s emissions. Projects that could not meet the zero-emission threshold would be required to prepare environmental impact reports to disclose the unmitigable significant impact, and develop the justification for a statement of overriding consideration to be adopted by the lead agency.



**Implementing CEQA With a Zero Threshold for GHG**

The scientific community overwhelmingly agrees that the earth’s climate is becoming warmer, and that human activity is playing a role in climate change. Unlike other environmental impacts, climate change is a global phenomenon in that all GHG emissions generated throughout the earth contribute to it. Consequently, both large and small GHG generators cause the impact. While it may be true that many GHG sources are individually too small to make any noticeable difference to climate change, it is also true that the countless small sources around the globe combine to produce a very substantial portion of total GHG emissions.

A zero threshold approach is based on a belief that, 1) all GHG emissions contribute to global climate change and could be considered significant, and 2) not controlling emissions from smaller sources would be neglecting a major portion of the GHG inventory.

CEQA explicitly gives lead agencies the authority to choose thresholds of significance. CEQA defers to lead agency discretion when choosing thresholds. Consequently, a zero-emission threshold has merits.



The CEQA review process for evaluating a project's impact on global climate change under the zero threshold option would involve several components. Air quality sections would be written by lead agencies to include discussions on climate change in CEQA documents, GHG emissions would be calculated, and a determination of significance would be made. The local air districts would review and comment on the climate change discussions in environmental documents. Lead agencies may then revise final EIRs to accommodate air district comments. More than likely, mitigation measures will be specified for the project, and a mitigation monitoring program will need to be put in place to ensure that these measures are being implemented.

Since CEQA requires mitigation to a less than significant level, it is conceivable that many projects subjected to a zero threshold could only be deemed less than significant with offsite reductions or the opportunity to purchase greenhouse gas emission reduction credits. GHG emission reduction credits are becoming more readily available however the quality of the credits varies considerably. High quality credits are generated by actions or projects that have clearly demonstrated emission reductions that are real, permanent, verifiable, enforceable, and not otherwise required by law or regulation. When the pre- or post-project emissions are not well quantified or cannot be independently confirmed, they are considered to be of lesser quality. Similarly, if the reductions are temporary in nature, they are also considered to be poor quality. Adoption of a zero threshold should consider the near-term availability and the quality of potential offsets.

There are also environmental justice concerns about the effects of using offsite mitigations or emission reduction credits to offset, or mitigate, the impacts of a new project. Although GHGs are global pollutants, some of them are emitted with co-pollutants that have significant near-source or regional impacts. Any time that increases in emissions at a specific site will be mitigated at a remote location or using emission reduction credits, the agency evaluating the project should ensure that it does not create disproportionate impacts.



#### Administrative Considerations

If electing to pursue a zero threshold, an air district or lead agency should consider the administrative costs and the environmental review system capacity. Some projects that previously would have qualified for an exemption could require further substantial analysis, including preparation of a Negative Declaration (ND), a Mitigated Negative Declaration (MND) or an EIR. Moreover, the trade-offs between the volume of projects requiring review and the quality of consideration given to reviews should be considered. It may also be useful to consider whether meaningful mitigation can be achieved from smaller projects.

Consideration of Exemptions from CEQA

A practical concern about identifying GHG emissions as a broad cumulative impact is whether the zero threshold option will preclude a lead agency from approving a large set of otherwise qualified projects utilizing a Categorical Exemption, ND, or MND. The results could be a substantial increase in the number of EIR's. This is a valid and challenging concern, particularly for any threshold approach that is based on a zero threshold for net GHG emission increases.

CEQA has specified exceptions to the use of a categorical exemption. Specifically, CEQA Guidelines §15300.2 includes the following exceptions:

*“(b) Cumulative Impact. All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.”*

*“(c) Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.”*

These CEQA Guidelines sections could be argued to mean that any net increase in GHG emissions would preclude the use of a categorical exemption. However, as described below, if the following can be shown, then the exceptions above could be argued not to apply:

- (1) Cumulative local, regional and/or state GHG emissions are being reduced or will be reduced by adopted, funded, and feasible measures in order to meet broader state targets.
- (2) Mandatory state or local GHG reduction measures would apply to the project's emissions such that broader GHG reduction goals would still be met and the project contributions would not be cumulatively considerable.
- (3) Project GHG emissions are below an adopted significance threshold designed to take into account the cumulative nature of GHG emissions.

A similar argument could be made relative to the use of a ND (provided no additional mitigation (beyond existing mandates) is required to control GHG emissions) and to the use of a MND instead of an EIR. However, due to the “fair argument” standard, which is discussed in Chapter 3, caution is recommended in use of a ND or MND unless all three elements above can be fully supported through substantial evidence and there is no substantial evidence to the contrary. Establishing a significance threshold of zero is likely to preclude the use of a categorical exemption.

**Relevant Citations**

The full text of relevant citations is in Appendix A.

Public Resources Code – §21004, Mitigating or Avoiding a Significant Effect; Powers of Public Agency.

State CEQA Guidelines – §15064, Determining the Significance of the Environmental Effects Caused by a Project.

State CEQA Guidelines – §15130, Discussion of Cumulative Impacts.

State CEQA Guidelines – §15064.7, Thresholds of Significance.

## Introduction

A non-zero threshold could minimize the resources spent reviewing environmental analyses that do not result in real GHG reductions or to prevent the environmental review system from being overwhelmed. The practical advantages of considering non-zero thresholds for GHG significance determinations can fit into the concept regarding whether the project's GHG emissions represent a "considerable contribution to the cumulative impact" and therefore warrant analysis.

Specifying a non-zero threshold could be construed as setting a *de minimis* value for a cumulative impact. In effect, this would be indicating that there are certain GHG emission sources that are so small that they would not contribute substantially to the global GHG budget. This could be interpreted as allowing public agencies to approve certain projects without requiring any mitigation of their GHG. Any threshold framework should include a proper context to address the *de minimis* issue. However, the CEQA Guidelines recognize that there may be a point where a project's contribution, although above zero, would not be a *considerable contribution* to the cumulative impact and, therefore, not trigger the need for a significance determination.

GHG emissions from all sources are under the purview of CARB and as such may eventually be "regulated" no matter how small. Virtually all projects will result in some direct or indirect release of GHG. However, a decision by CARB to regulate a class of sources does not necessarily mean that an individual source in that class would constitute a project with significant GHG impacts under CEQA. For example, CARB has established criteria pollutant emission standards for automobiles, but the purchase and use of a single new car is not considered a project with significant impacts under CEQA. At the same time, it is important to note that it is likely that all meaningful sources of emissions, no matter how small are likely to be considered for regulation under AB 32. It is expected that projects will have to achieve some level of GHG reduction to comply with CARB's regulations meant to implement AB 32. As such all projects will have to play a part in reducing our GHG emissions budget and no project, however small, is truly being considered *de minimis* under CARB's regulations.

This chapter evaluates a range of conceptual approaches toward developing GHG significance criteria. The air districts retained the services of J&S an environmental consulting, firm to assist with the development of a Statute and Executive Order-based threshold (Approach 1) and a tiered threshold (Approach 2) based on a prescribed list of tasks and deliverables. Time and financial constraints limited the scope and depth of this analysis, however, the work presented here may be useful in developing interim guidance while AB 32 is being implemented. J&S recognized that approaches other than those described here could be used.

As directed, J&S explored some overarching issues, such as:

- what constitutes "new" emissions?

- how should “baseline emissions” be established?
- what is cumulatively “considerable” under CEQA?
- what is “business as usual” ? and
- should an analysis include “life-cycle” emissions?

The answers to these issues were key to evaluating each of the threshold concepts.

### **Approach 1 – Statute and Executive Order Approach**

Thresholds could be grounded in existing mandates and their associated GHG emission reduction targets. A project would be required to meet the targets, or reduce GHG emissions to the targets, to be considered less than significant.

AB 32 and S-3-05 target the reduction of statewide emissions. It should be made clear that AB 32 and S-3-05 do not specify that the emissions reductions should be achieved through uniform reduction by geographic location or by emission source characteristics. For example, it is conceivable, although unlikely, that AB 32 goals could be achieved by new regulations that only apply to urban areas or that only apply to the transportation and/or energy sector. However, this approach to evaluating GHG under CEQA is based on the presumption that a new project must at least be consistent with AB 32 GHG emission reduction mandates.

The goal of AB 32 and S-3-05 is the significant reduction of future GHG emissions in a state that is expected to rapidly grow in both population and economic output. As such, there will have to be a significant reduction in the per capita GHG output for these goals to be met. CEQA is generally used to slow or zero the impact of new emissions, leaving the reduction of existing emission sources to be addressed by other regulatory means. With these concepts in mind, four options were identified for statute/executive order-based GHG significance thresholds and are described below.

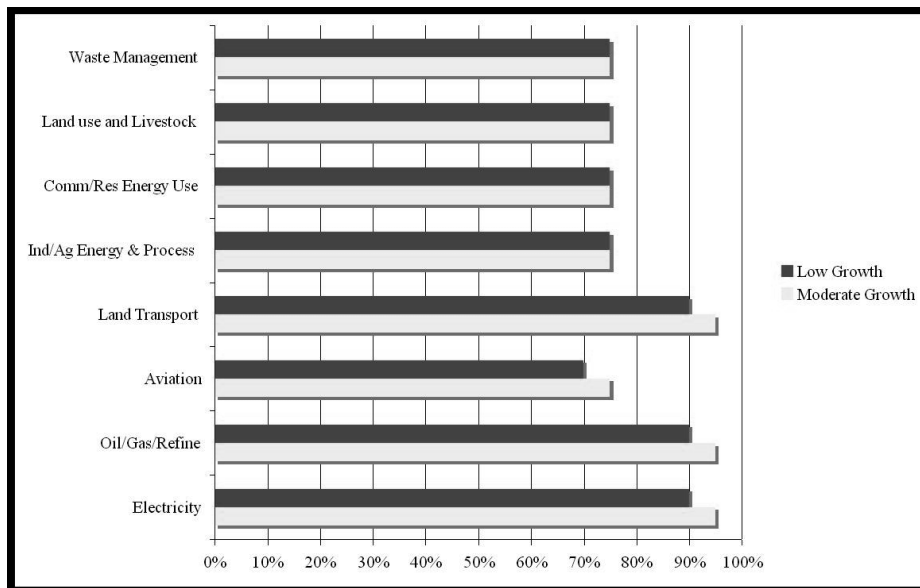
Threshold 1.1: AB 32/S-3-05 Derived Uniform Percentage-Based Reduction. AB 32 requires the state to reduce California-wide GHG emissions to 1990 levels by 2020. Reducing greenhouse gas emission levels from 2020 to 1990 levels could require a 28 to 33 percent reduction of business-as-usual GHG emissions depending on the methodology used to determine the future emission inventories. The exact percent reduction may change slightly once CARB finalizes its 1990 and 2020 inventory estimates. In this context, business-as-usual means the emissions that would have occurred in the absence of the mandated reductions. The details of the business-as-usual scenario are established by CARB in the assumptions it uses to project what the state’s GHG emissions would have been in 2020, and the difference between that level and the level that existed in 1990 constitutes the reductions that must be achieved if the mandated goals are to be met.

Chapter 7

CEQA with  
Non-Zero GHG  
Thresholds

- Approach 1: Statute and Executive Order
- 1.1: AB32/S-3-05 Derived Uniform Percentage-Based Reduction

This threshold approach would require a project to meet a percent reduction target based on the average reductions needed from the business-as-usual emission from all GHG sources. Using the 2020 target, this approach would require all discretionary projects to achieve a 33 percent reduction from projected business-as-usual emissions in order to be considered less than significant. A more restrictive approach would use the 2050 targets. S-3-05 seeks to reduce GHG emissions to 80 percent below 1990 levels by 2050. To reach the 2050 milestone would require an estimated 90 percent reduction (effective immediately) of business-as-usual emissions. Using this goal as the basis for a significance threshold may be more appropriate to address the long-term adverse impacts associated with global climate change. Note that AB 32 and S-3-05 set emission inventory goals at milestone years; it is unclear how California will progress to these goals in non-milestone years.



SOURCE: ARB 2007

Threshold 1.2: Uniform Percentage-Based (e.g.50%) Reduction for New Development.

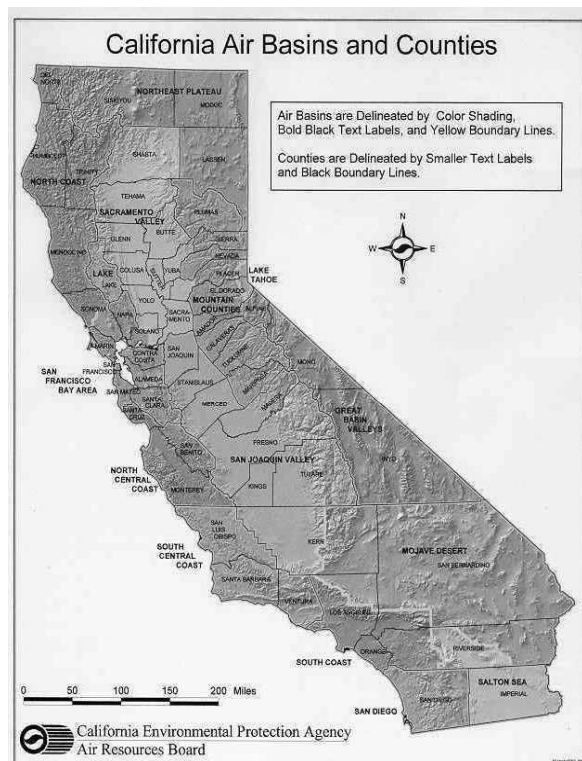
This threshold is based on a presumption that new development should contribute a greater percent reduction from business-as-usual because greater reductions can be achieved at lower cost from new projects than can be achieved from existing sources. This approach would establish that new development emit 50 percent less GHG emissions than business-as-usual development. This reduction rate is greater than the recommended reduction rate for meeting the Threshold 1.1 2020 target (33 percent) but is significantly less restrictive than the Threshold 1.1 2050 target reduction rate (90 percent). If a 50 percent GHG reduction were achieved from new development, existing emissions would have to be reduced by 25 to 30 percent in order to meet the 2020 emissions goal depending on the year used to determine the baseline inventory. Although this reduction goal is reasonable for achieving the 2020 goal, it would not be possible to



reach the 2050 emissions target with this approach even if existing emissions were 100 percent controlled.

Threshold 1.3: Uniform Percentage-Based Reduction by Economic Sector. This threshold would use a discrete GHG reduction goal specific to the economic sector associated with the project. There would be specific reduction goals for each economic sector, such as residential, commercial, and industrial development. Specifying different reduction thresholds for each market sector allows selection of the best regulatory goal for each sector taking into account available control technology and costs. This approach would avoid over-regulating projects (i.e. requiring emissions to be controlled in excess of existing technology) or under-regulating projects (i.e. discouraging the use of available technology to control emissions in excess of regulations). This approach requires extensive information on the emission inventories and best available control technology for each economic sector. This data will be compiled as CARB develops its scoping plan under AB 32 and its implementing regulations; as a result, this approach will be more viable in the long term.

Threshold 1.4: Uniform Percentage-Based Reduction by Region. AB 32 and S-3-05 are written such that they apply to a geographic region (i.e. the entire state of California) rather than on a project or sector level. One could specify regions of the state such as the South Coast Air Basin, Sacramento Valley, or Bay Area which are required to plan (plans could be developed by regional governments, such as councils of governments) and demonstrate compliance with AB 32 and S-3-05 reduction goals at a regional level. To demonstrate that a project has less than significant emissions, one would have to show compliance with the appropriate regional GHG plan. Effectively this approach allows for analysis of GHG emissions at a landscape scale smaller than the state as a whole.



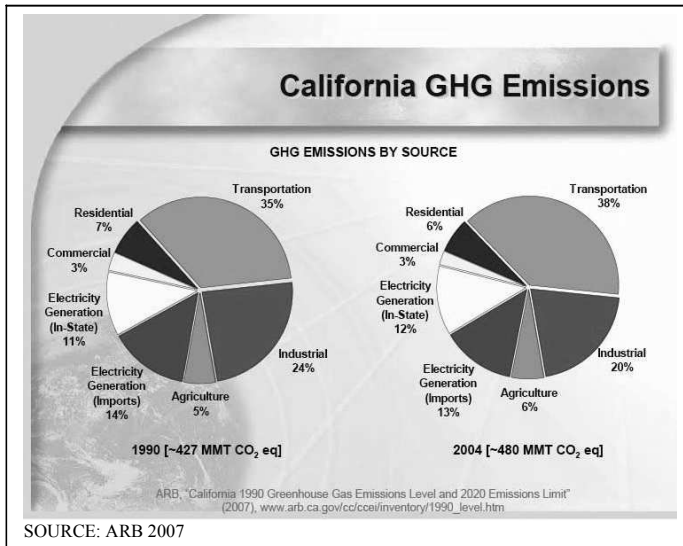
Specifying regions in rough correlation to existing air basins or jurisdictional control allows for regional control of emissions and integration with regional emission reduction strategies for criteria and toxic air pollutants. Although differing GHG reduction controls for each region are possible, it is likely that all regions would be

required to achieve 1990 emission inventories by the year 2020 and 80 percent less emissions by 2050. Threshold 1.4 is considered viable long-term significance criteria that is unlikely to be used in the short term.

### Implementing CEQA Thresholds Based on Emission Reduction Targets

#### Characterizing Baseline and Project Emissions

While the population and economy of California is expanding, all new projects can be considered to contribute new emissions. Furthermore, GHG impacts are exclusively cumulative impacts; there are no non-cumulative GHG emission impacts from a climate change perspective. “Business-as-usual” is the projection of GHG emissions at a future date based on current technologies and regulatory requirements in absence of other reductions. For example to determine the future emissions from a power plant for “business-as-usual” one would multiply the projected energy throughput by the current emission factor for that throughput. If adopted regulations (such as those that may be



promulgated by CARB for AB 32) dictate that power plant emissions must be reduced at some time in the future, it is appropriate to consider these regulation standards as the new business-as-usual for a future date. In effect, business-as-usual will continue to evolve as regulations manifest. Note that “business-as-usual” defines the CEQA No Project conditions, but does not necessarily form the baseline under

CEQA. For instance, it is common to subtract the future traffic with and without a project to determine the future cumulative contribution of a project on traffic conditions. However, existing conditions at the time of issuance of the notice of preparation is normally the baseline.

#### Establishing Emission Reduction Targets

One of the obvious drawbacks to using a uniform percent reduction approach to GHG control is that it is difficult to allow for changes in the 1990 and future emission inventories estimates. To determine what emission reductions are required for new projects one would have to know accurately the 1990 budget and efficacy of other GHG promulgated regulations as a function of time. Since CARB will not outline its

regulation strategy for several more years, it is difficult to determine accurately what the new project reductions should be in the short term. Future updates to the 1990 inventory could necessitate changes in thresholds that are based on that inventory. It is important to note that it is difficult to create near term guidance for a uniform reduction threshold strategy since it would require considerable speculation regarding the implementation and effectiveness of forthcoming CARB regulations.

Of greater importance are the assumptions used to make the projected 2020 emission inventories. Projecting future inventories over the next 15-50 years involves substantial uncertainty. Furthermore, there are likely to be federal climate change regulations and possibly additional international GHG emission treaties in the near future. To avoid such speculation, this paper defines all future emission inventories as hypothetical business-as-usual projections.

This white paper is intended to support local decisions about CEQA and GHG in the near term. During this period, it is unlikely that a threshold based on emission reduction targets would need to be changed. However, it is possible that future inventory updates will show that targets developed on the current inventory were not stringent enough, or were more stringent than was actually needed.

### **Approach 2 – Tiered Approach**

The goal of a tiered threshold is to maximize reduction predictability while minimizing administrative burden and costs. This would be accomplished by prescribing feasible mitigation measures based on project size and type, and reserving the detailed review of an EIR for those projects of greater size and complexity. This approach may require inclusion in a General Plan, or adoption of specific rules or ordinances in order to fully and effectively implement it.

A tiered CEQA significance threshold could establish different levels at which to determine if a project would have a significant impact. The tiers could be established based on the gross GHG emission estimates for a project or could be based on the physical size and characteristics of the project. This approach would then prescribe a set of GHG mitigation strategies that would have to be incorporated into the project in order for the project to be considered less than significant.

The framework for a tiered threshold would include the following:

- disclosure of GHG emissions for all projects;
- support for city/county/regional GHG emissions reduction planning;
- creation and use of a “green list” to promote the construction of projects that have desirable GHG emission characteristics;
- a list of mitigation measures;

- a decision tree approach to tiering; and
- quantitative or qualitative thresholds.

### Decision-Tree Approach to Tiering

CEQA guidance that allows multiple methodologies to demonstrate GHG significance will facilitate the determination of significance for a broad range of projects/plans that would otherwise be difficult to address with a single non-compound methodology. Even though there could be multiple ways that a project can determine GHG significance using a decision-tree approach, only one methodology need be included in any single CEQA document prepared by the applicant. The presence of multiple methodologies to determine significance is designed to promote flexibility rather than create additional analysis overhead. Figure 1 shows a conceptual approach to significance determination using a tiered approach that shows the multiple routes to significance determination.

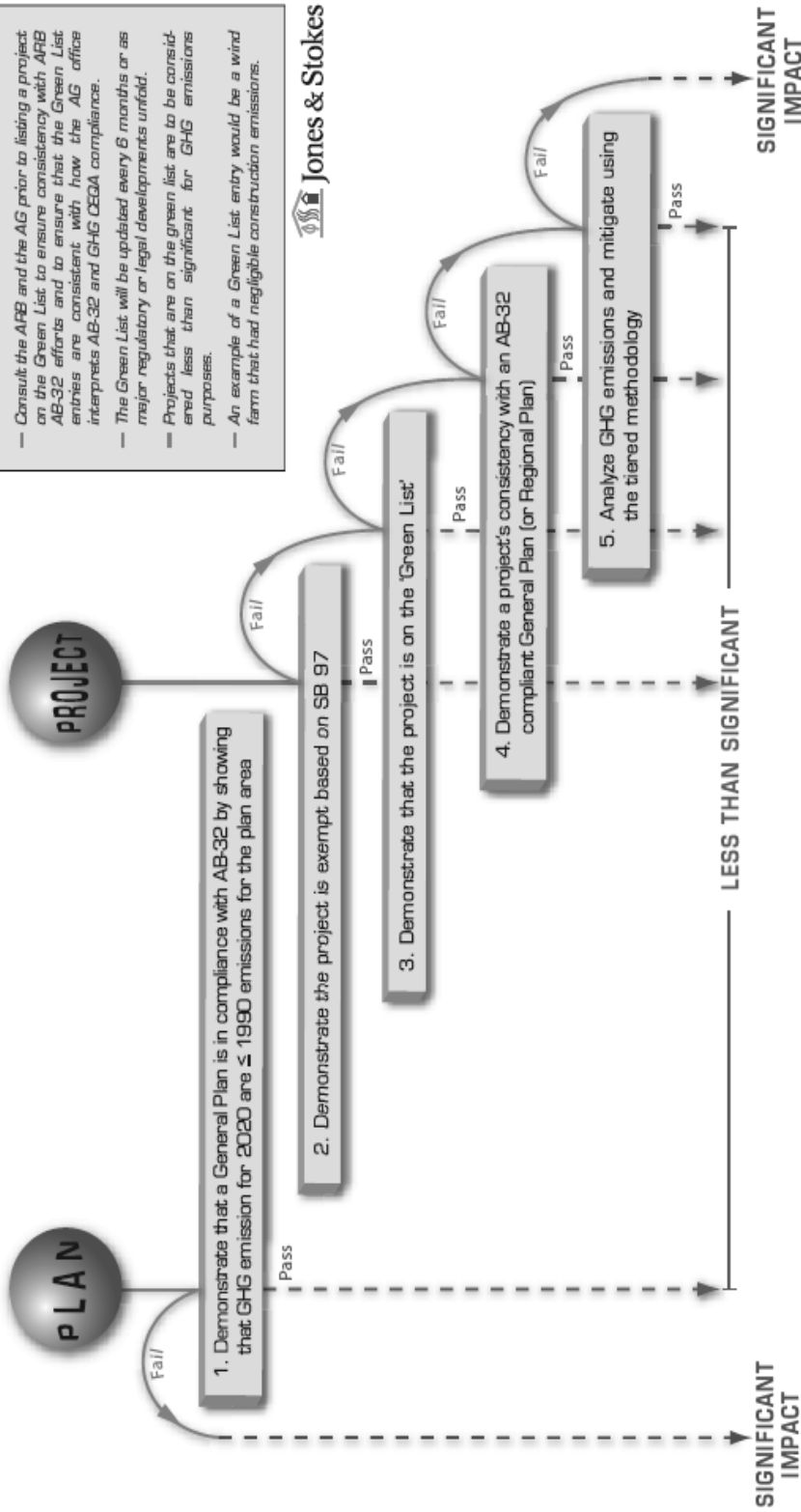
### **Figure 1 Detail Description**

Figure 1 pictorially represents how an agency can determine a project's or plan's significance for CEQA analysis using the non-zero threshold methodology. The emissions associated with a project/plan are assumed to have a significant impact unless one can arrive at a less-than-significant finding by at least one of the methodologies below.

1. Demonstrate that a General Plan (GP) or Regional Plan is in Compliance with AB32
  - For most GPs or RPs this will require demonstration that projected 2020 emissions will be equal to or less than 1990 emissions.
  - GPs or RPs are expected to fully document 1990 and 2020 GHG emission inventories.
  - Projection of 2020 emissions is complicated by the fact that CARB is expected to promulgate emission reductions in the short term. Until explicit CARB regulations are in place, unmitigated GP 2020 emission inventories represent business-as-usual scenarios.
  - EIRs for GPs or RPs which demonstrate 2020 mitigated emissions are less than or equal to 1990 emissions are considered less than significant.
2. Demonstrate the Project is Exempt Based on SB 97
  - As specified in SB 97, projects that are funded under November 2006 Proposition 1B (Highway Safety, Traffic Reduction, Air Quality and Port Security Bond Act) and 1C (Disaster Preparedness and Flood Prevention Bond Act) may be exempt from analysis until January 1, 2010.

# Climate Change Significance Criteria Flow Chart

- This chart pictorially represents how an agency can determine a project's or plan's significance for CEQA analysis.
- The emissions associated with a project./plan are assumed to have a significant impact unless one can arrive at a less-than-significant finding by at least one of the methodologies below.



**The Green List (Conceptual Approach)**

- Publish, and update a list of projects and project types that are deemed a positive contribution to CA efforts to reduce GHG emissions.
- Consult the AFB and the AG prior to listing a project on the Green List to ensure consistency with AFB AB-32 efforts and to ensure that the Green List entries are consistent with how the AG office interprets AB-32 and GHG CEQA compliance.
- The Green List will be updated every 6 months or as major regulatory or legal developments unfold.
- Projects that are on the green list are to be considered less than significant for GHG emissions purposes.
- An example of a Green List entry would be a wind farm that had negligible construction emissions.

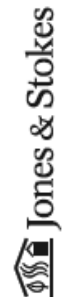
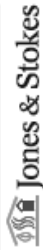


Figure 1  
Climate Change Significance Criteria Flow Chart

- An exemption can be used in an ND, MND, or EIR to support a less than significant finding for GHG impacts.
3. Demonstrate that the Project is on the ‘Green List’
    - This list would include projects that are deemed a positive contribution to California efforts to reduce GHG emissions. If the project is of the type described on the Green List it is considered less than significant.
    - If the Green List entry description requires mitigation for impacts other than GHG, this methodology can be used in MNDs or EIRs; if the Green List entry does not require mitigation this methodology can be used in NDs, MNDs, or EIRs.
  4. Demonstrate a Project’s Compliance with a General Plan
    - If a project is consistent with an appropriate General Plan’s Greenhouse Gas Reduction Plan (GGRP), a project can be declared less than significant.
    - Note that at this time there are no known jurisdictions that have a GGRP that has been fully subject to CEQA review. While Marin County has adopted a forward-thinking GGRP and it is described in the most recent GP update, the associated EIR does not analyze the secondary environmental impacts of some of the GGRP measures such as tidal energy. While one can reference GGRPs that have not been reviewed fully in CEQA, to attempt to show a project’s compliance with such a plan as evidence that the project’s GHG emission contributions are less than significant may not be supported by substantial evidence that cumulative emissions are being fully addressed in the particular jurisdiction.
    - Compliance with a CEQA-vetted GGRP can be cited as evidence for all CEQA documents (Categorical Exemption, ND, MND, and EIR).
  5. Analyze GHG Emissions and Mitigate using the Tiered Methodology
    - Guidance and mitigation methodology for various development projects (residential, commercial, industrial) are listed in the form of tiered thresholds. If a project incorporates the mitigation measures specified in the tiered threshold tables the project is considered less than significant.
    - All project emissions are considered less than significant if they are less than the threshold(s).
    - If the tiered approach requires mitigation, this methodology can be used in MNDs or EIRs; if the tiered approach does not require mitigation this methodology can be used in NDs, MNDs, or EIRs.



The Green List

- The Green List would be a list of projects and project types that are deemed a positive contribution to California's efforts to reduce GHG emissions.
- If this approach is followed, it is suggested that CARB and the Attorney General (AG) are consulted prior to listing a project on the Green List to ensure consistency with CARB AB 32 efforts and to ensure that the Green List entries are consistent with how the AG office interprets AB 32 and GHG CEQA compliance.
- The Green List should be updated every 6 months or as major regulatory or legal developments unfold.
- Projects that are on the Green List are to be considered less than significant for GHG emissions purposes.
- A tentative list of potential Green List entries is presented below. Actual Green List entries should be far more specific and cover a broad range of project types and mitigation approaches. The list below is merely a proof-of-concept for the actual Green List.
  1. Wind farm for the generation of wind-powered electricity
  2. Extension of transit lines to currently developed but underserved communities
  3. Development of high-density infill projects with easily accessible mass transit
  4. Small hydroelectric power plants at existing facilities that generate 5 mw or less (as defined in Class 28 Categorical Exemption)
  5. Cogeneration plants with a capacity of 50 mw or less at existing facilities (as defined in Class 29 Cat Exemption)
  6. Increase in bus service or conversion to bus rapid transit service along an existing bus line
  7. Projects with LEED "Platinum" rating
  8. Expansion of recycling facilities within existing urban areas
  9. Recycled water projects that reduce energy consumption related to water supplies that services existing development
  10. Development of bicycle, pedestrian, or zero emission transportation infrastructure to serve existing regions

There are also several options for tiering and thresholds, as shown in Table 2 below. One could establish strictly numeric emissions thresholds and require mitigation to below the specific threshold to make a finding of less than significant. One could establish narrative emissions threshold that are based on a broader context of multiple approaches to GHG reductions and a presumption that projects of sufficiently low GHG intensity are less than significant.

In Concept 2A, a zero threshold would be applied to projects and thus only projects that result in a reduction of GHG emissions compared to baseline emissions would be less than significant absent mitigation. All projects would require quantified inventories. All projects that result in a net increase of GHG emissions would be required to mitigate their emissions to zero through direct mitigation or through fees or offsets or the impacts

**Table 2: Approach 2 Tiering Options**

	<b>Concept 2A Zero</b>	<b>Concept 2B Quantitative</b>	<b>Concept 2C Qualitative</b>
Tier 1	Project results in a net reduction of GHG emissions  <i>Less than Significant</i>	Project in compliance with an AB 32-compliant General/Regional Plan, on the Green List, or below Tier 2 threshold.  Level 1 Reductions (Could include such measures as: bike parking, transit stops for planned route, Energy Star roofs, Energy Star appliances, Title 24, water use efficiency, etc.)  <i>Less than Significant</i>	Project in compliance with an AB 32-compliant General/Regional Plan, on the Green List, or below Tier 2 threshold.  Level 1 Reductions (See measures under 2B)  <i>Less than Significant</i>
Tier 2	Project results in net increase of GHG emissions  Mitigation to zero (including offsets)  <i>Mitigated to Less than Significant</i>	Above Tier 2 threshold  Level 2 Mitigation (Could include such measures as: Parking reduction beyond code, solar roofs, LEED Silver or Gold Certification, exceed Title 24 by 20%, TDM measures, etc.)  <i>Mitigated to Less than Significant</i>	Above Tier 2 threshold  Level 2 Mitigation (See measures under 2B)  <i>Mitigated to Less than Significant</i>
Tier 3	Mitigation infeasible to reduce emissions to zero (e.g., cost of offsets infeasible for project or offsets not available)  <i>Significant and Unavoidable</i>	Above Tier 2 threshold With Level 1, 2 Mitigation  Level 3 Mitigation: (Could include such measures as: On-site renewable energy systems, LEED Platinum certification, Exceed Title 24 by 40%, required recycled water use for irrigation, zero waste/high recycling requirements, mandatory transit passes, offsets/carbon impact fees)  <i>Mitigated to Less than Significant</i>	Above Tier 3 thresholds  Quantify Emissions, Level 3 Mitigation (see measures under 2B), and Offsets for 90% of remainder  <i>Significance and Unavoidable</i>

would be identified as significant and unavoidable. This could be highly problematic and could eliminate the ability to use categorical exemptions and negative declarations for a wide range of projects.

In Concepts 2B and 2C, the first tier of a tiered threshold includes projects that are within a jurisdiction with an adopted greenhouse gas reduction plan (GGRP) and General Plan/Regional Plan that is consistent with AB 32 (and in line with S-3-05), or are on the Green List, or are below the Tier 2 threshold. All Tier 1 projects would be required to implement mandatory reductions required due to other legal authority (Level 1 reductions) such as AB 32, Title 24, or local policies and ordinances. With Level 1

reduction measures, qualifying Tier 1 projects would be considered less than significant without being required to demonstrate mitigation to zero.

In Concept 2B, the Tier 2 threshold would be quantitative, and quantified inventories would be required. Several quantitative threshold options are discussed below. A more comprehensive set of Level 2 mitigation would be required. If the project's emissions still exceed the Tier 2 threshold, an even more aggressive set of Level 3 mitigation measures would be required including offsets (when feasible) to reduce emissions below the Tier 2 threshold.

In Concept 2C, there would be two thresholds, a lower Tier 2 threshold (the "low bar") and a higher Tier 3 threshold (the "high bar"). The Tier 2 threshold would be the significance threshold for the purposes of CEQA and would be qualitative in terms of units (number of dwelling units, square feet of commercial space, etc.) or a per capita ratio. Projects above the Tier 2 threshold would be required to implement the comprehensive set of Level 2 mitigation. Projects below the Tier 2 threshold would not be required to quantify emissions or reductions. The Tier 3 threshold would be a threshold to distinguish the larger set of projects for which quantification of emissions would be required. Level 3 mitigation would be required and the project would be required to purchase offsets (when feasible) in the amount of 90 percent of the net emissions after application of Level 1 reductions and Level 2 and 3 mitigation. A variant on Concept 2C would be to require mandatory Level 3 mitigation without quantification and offsets.

#### Approach 2 Threshold Options

Seven threshold options were developed for this approach. The set of options are framed to capture different levels of new development in the CEQA process and thus allow different levels of mitigation. Options range from a zero first-tier threshold (Threshold 2.1) up to a threshold for GHG that would be equivalent to the capture level (i.e., number of units) of the current criteria pollutant thresholds used by some air districts (Threshold 2.4). The decision-based implementation approach discussed above could be used for any of these options. Table 3 below compares the results of each of the approaches discussed here.

#### Threshold 2.1: Zero First Tier Tiered Threshold.

This option would employ the decision tree concept and set the first tier cut-point at zero. The second tier cut-point could be one of the qualitative or quantitative thresholds discussed below. First-tier projects would be required to implement a list of very feasible and readily available mitigation measures.

#### Threshold 2.2: Quantitative Threshold Based on Market Capture

A single quantitative threshold was developed in order to ensure capture of 90 percent or more of likely future discretionary developments. The objective was to set the emission

threshold low enough to capture a substantial fraction of future residential and non-residential development that will be constructed to accommodate future statewide population and job growth, while setting the emission threshold high enough to exclude small development projects that will contribute a relatively small fraction of the cumulative statewide GHG emissions.

The quantitative threshold was created by using the following steps:

- Reviewing data from four diverse cities (Los Angeles in southern California and Pleasanton, Dublin, and Livermore in northern California) on pending applications for development.
- Determining the unit (dwelling unit or square feet) threshold that would capture approximately 90 percent of the residential units or office space in the pending application lists.
- Based on the data from the four cities, the thresholds selected were 50 residential units and 30,000 square feet of commercial space.
- The GHG emissions associated with 50 single-family residential units and 30,000 square feet of office were estimated and were found to be 900 metric tons and 800 metric tons, respectively. Given the variance on individual projects, a single threshold of 900 metric tons was selected for residential and office projects.
- A 900 metric ton threshold was also selected for non-office commercial projects and industrial projects to provide equivalency for different projects in other economic sectors.
- If this threshold is preferred, it is suggested that a more robust data set be examined to increase the representativeness of the selected thresholds. At a minimum, a diverse set of at least 20 cities and/or counties from throughout the state should be examined in order to support the market capture goals of this threshold. Further, an investigation of market capture may need to be conducted for different commercial project types and for industrial projects in order to examine whether multiple quantitative emissions thresholds or different thresholds should be developed.

The 900-ton threshold corresponds to 50 residential units, which corresponds to the 84<sup>th</sup> percentile of projects in the City of Los Angeles, the 79<sup>th</sup> percentile in the City of Pleasanton, the 50<sup>th</sup> percentile in the City of Livermore and the 4<sup>th</sup> percentile in the City of Dublin. This is suggestive that the GHG reduction burden will fall on larger projects that will be a relatively small portion of overall projects within more developed central cities (Los Angeles) and suburban areas of slow growth (Pleasanton) but would be the higher portion of projects within moderately (Livermore) or more rapidly developing areas (Dublin). These conclusions are suggestive but not conclusive due to the small sample size. The proposed threshold would exclude the smallest proposed developments

from potentially burdensome requirements to quantify and mitigate GHG emissions under CEQA. While this would exclude perhaps 10 percent of new residential development, the capture of 90 percent of new residential development would establish a strong basis for demonstrating that cumulative reductions are being achieved across the state. It can certainly serve as an interim measure and could be revised if subsequent regulatory action by CARB shows that a different level or different approach altogether is called for.

The 900-ton threshold would correspond to office projects of approximately 35,000 square feet, retail projects of approximately 11,000 square feet, or supermarket space of approximately 6,300 square feet. 35,000 square feet would correspond to the 46<sup>th</sup> percentile of commercial projects in the City of Los Angeles, the 54<sup>th</sup> percentile in the City of Livermore, and the 35<sup>th</sup> percentile in the City of Dublin. However, the commercial data was not separated into office, retail, supermarket or other types, and thus the amount of capture for different commercial project types is not known. The proposed threshold would exclude smaller offices, small retail (like auto-parts stores), and small supermarkets (like convenience stores) from potentially burdensome requirements to quantify and mitigate GHG emissions under CEQA but would include many medium-scale retail and supermarket projects.

The industrial sector is less amenable to a unit-based approach given the diversity of projects within this sector. One option would be to adopt a quantitative GHG emissions threshold (900 tons) for industrial projects equivalent to that for the residential/commercial thresholds described above. Industrial emissions can result from both stationary and mobile sources. CARB estimates that their suggested reporting threshold for stationary sources of 25,000 metric tons accounts for more than 90 percent of the industrial sector GHG emissions (see Threshold 2.3 for 25,000 metric ton discussion). If the CARB rationale holds, then a 900 metric ton threshold would likely capture at least 90 percent (and likely more) of new industrial and manufacturing sources. If this approach is advanced, we suggest further examination of industrial project data to determine market capture.

This threshold would require the vast majority of new development emission sources to quantify their GHG emissions, apportion the forecast emissions to relevant source categories, and develop GHG mitigation measures to reduce their emissions.

#### Threshold 2.3: CARB Reporting Threshold

CARB has recently proposed to require mandatory reporting from cement plants, oil refineries, hydrogen plants, electric generating facilities and electric retail providers, cogeneration facilities, and stationary combustion sources emitting  $\geq 25,000$  MT CO<sub>2</sub>e/yr. AB 32 requires CARB to adopt a regulation to require the mandatory reporting and verification of emissions. CARB issued a preliminary draft version of its proposed reporting requirements in August 2007 and estimates that it would capture 94 percent of the GHG emissions associated with stationary sources.



Chapter 7

- CEQA with Non-Zero GHG Thresholds
- Approach 2: Tiered
  - 2.3: CARB Mandatory Reporting
  - 2.4: Regulated Emissions Inventory Capture

This threshold would use 25,000 metric tons per year of GHG as the CEQA significance level. CARB proposed to use the 25,000 metric tons/year value as a reporting threshold, not as a CEQA significance threshold that would be used to define mitigation requirements. CARB is proposing the reporting threshold to begin to compile a statewide emission inventory, applicable only for a limited category of sources (large industrial facilities using fossil fuel combustion).

A 25,000 metric ton significance threshold would correspond to the GHG emissions of approximately 1,400 residential units, 1 million square feet of office space, 300,000 square feet of retail, and 175,000 square feet of supermarket space. This threshold would capture far less than half of new residential or commercial development.

As noted above, CARB estimates the industrial-based criteria would account for greater than 90 percent of GHG emissions emanating from stationary sources. However, industrial and manufacturing projects can also include substantial GHG emissions from mobile sources that are associated with the transportation of materials and delivery of products. When all transportation-related emissions are included, it is unknown what portion of new industrial or manufacturing projects a 25,000-ton threshold would actually capture.

An alternative would be to use a potential threshold of 10,000 metric tons considered by the Market Advisory Committee for inclusion in a Greenhouse Gas Cap and Trade System in California. A 10,000 metric ton significance threshold would correspond to the GHG emissions of approximately 550 residential units, 400,000 square feet of office space, 120,000 square feet of retail, and 70,000 square feet of supermarket space. This threshold would capture roughly half of new residential or commercial development.

Threshold 2.4: Regulated Emissions Inventory Capture

Most California air districts have developed CEQA significance thresholds for NOx and ROG emissions to try to reduce emissions of ozone precursors from proposed sources that are not subject to NSR pre-construction air quality permitting. The historical management of ozone nonattainment issues in urbanized air districts is somewhat analogous to today's concerns with greenhouse gas emissions in that regional ozone concentrations are a cumulative air quality problem caused by relatively small amounts of NOx and ROG emissions from thousands of individual sources, none of which emits enough by themselves to cause elevated ozone concentrations. Those same conditions apply to global climate change where the environmental problem is caused by emissions from a countless number of individual sources, none of which is large enough by itself to cause the problem. Because establishment of NOx/ROG emissions CEQA significance thresholds has been a well-tested mechanism to ensure that individual projects address cumulative impacts and to force individual projects to reduce emissions under CEQA, this threshold presumes the analogy of NOx/ROG emission thresholds could be used to develop similar GHG thresholds.

The steps to develop a GHG emission threshold based on the NOx/ROG analogy were as follows:

- For each agency, define its NOx/ROG CEQA thresholds.
- For each agency, define the regional NOx/ROG emission inventory the agency is trying to regulate with its NOx/ROG thresholds.
- For each agency, calculate the percentage of the total emission inventory for NOx represented by that agency's CEQA emission threshold. That value represents the "minimum percentage of regulated inventory" for NOx.
- The current (2004) California-wide GHG emission inventory is 499 million metric tons per year of CO<sub>2</sub> equivalent (MMT CO<sub>2</sub>e). Apply the typical "minimum percentage of regulated inventory" value to the statewide GHG inventory, to develop a range of analogous GHG CEQA thresholds.

The preceding methodology was applied to two different air quality districts: the Bay Area Air Quality Management District (BAAQMD), a mostly-urbanized agency within which most emissions are generated from urban areas; and the San Joaquin Valley Air Pollution Control District (SJVAPCD), which oversees emissions emanating in part from rural areas that are generated at dispersed agricultural sources and area sources. For example, in the Bay Area the NOx threshold is 15 tons/year. The total NOx inventory for 2006 was 192,000 tons/year (525 tons/day). The threshold represents 0.008 percent of the total NOx inventory. Applying that ratio to the total statewide GHG emissions inventory of 499 MMT CO<sub>2</sub>e (2004) yields an equivalent GHG threshold of 39,000 MMT CO<sub>2</sub>e.

The range of analogous CEQA GHG thresholds derived from those two agencies is tightly clustered, ranging from 39,000 to 46,000 tons/year. A 39,000 to 46,000 metric ton threshold would correspond to the GHG emissions of approximately 2,200 to 2,600 residential units, 1.5 to 1.8 million square feet of office space, 470,000 to 560,000 square feet of retail, and 275,000 to 320,000 square feet of supermarket space. This threshold would capture far less than half of new residential or commercial development. Similarly, this threshold would capture less of new industrial/manufacturing GHG emissions inventory than Thresholds 2.2 or 2.3.

#### Threshold 2.5: Unit-Based Thresholds Based on Market Capture

Unit thresholds were developed for residential and commercial developments in order to capture approximately 90 percent of future development. The objective was to set the unit thresholds low enough to capture a substantial fraction of future housing and commercial developments that will be constructed to accommodate future statewide population and job growth, while setting the unit thresholds high enough to exclude small development projects that will contribute a relatively small fraction of the cumulative statewide GHG emissions. Sector-based thresholds were created by using the same steps



and data used to create Threshold 2.2- Quantitative Threshold Based on Market Capture above.

The distribution of pending application data suggests that the GHG reduction burden will fall on larger projects that will be a relatively small portion of overall projects within more developed central cities and suburban areas of slow growth but would be the higher portion of projects within moderately or rapidly developing areas. The proposed threshold would exclude the smallest proposed developments from potentially burdensome requirements to quantify and mitigate GHG emissions under CEQA. While this would exclude perhaps 10 percent of new residential development, the capture of 90 percent of new residential development would establish a strong basis for demonstrating that cumulative reductions are being achieved across the state. It can certainly serve as an interim measure and could be revised if subsequent regulatory action by CARB shows that a different level or different approach altogether is called for.

A similar rationale can be applied to the development of a commercial threshold. Threshold 2.5 would exclude many smaller businesses from potentially burdensome requirements to quantify and mitigate GHG emissions under CEQA. It should be noted that the GHG emissions of commercial projects vary substantially. For example, the carbon dioxide emissions associated with different commercial types were estimated as follows:

- 30,000 square-foot (SF) office = 800 metric tons/year CO<sub>2</sub>
- 30,000 SF retail = 2,500 metric tons/year CO<sub>2</sub>
- 30,000 SF supermarket = 4,300 metric tons/year CO<sub>2</sub>

Thus, in order to assure appropriate market capture on an emissions inventory basis, it will be important to examine commercial project size by type, instead of in the aggregate (which has been done in this paper).

The industrial sector is less amenable to a unit-based approach given the diversity of projects within this sector. One option would be to use a quantitative threshold of 900 tons for industrial projects in order to provide for rough equivalency between different sectors. Industrial emissions can result from both stationary and mobile sources. However, if the CARB rationale for > 90 percent stationary source capture with a threshold of 25,000 metric tons holds, then a 900 metric ton threshold would likely capture at least 90 percent (and likely more) of new industrial sources. Further examination of unit-based industrial thresholds, such as the number of employees or manufacturing floor space or facility size, may provide support for a unit-based threshold based on market capture.

This threshold would require the vast majority of new development emission sources to quantify their GHG emissions, apportion the forecast emissions to relevant source categories, and develop GHG mitigation measures to reduce their emissions.

#### Threshold 2.6. Projects of Statewide, Regional, or Areawide Significance

For this threshold, a set of qualitative, tiered CEQA thresholds would be adopted based on the definitions of “projects with statewide, regional or areawide significance” under the Guidelines for California Environmental Quality Act, CCR Title 14, Division 6, Section 15206(b).

Project sizes defined under this guideline include the following:

- Proposed residential development of more than 500 dwelling units.
- Proposed shopping center or business establishment employing more than 1,000 persons or encompassing more than 500,000 square feet of floor space.
- Proposed commercial office building employing more than 1,000 persons or encompassing more than 250,000 square feet of floor space.
- Proposed hotel/motel development of more than 500 rooms.
- Proposed industrial, manufacturing or processing plant or industrial park planned to house more than 1,000 persons, or encompassing more than 600,000 square feet of floor space.

These thresholds would correspond to the GHG emissions of approximately 9,000 metric tons for residential projects, 13,000 metric tons for office projects, and 41,000 metric tons for retail projects. These thresholds would capture approximately half of new residential development and substantially less than half of new commercial development. It is unknown what portion of the new industrial or manufacturing GHG inventory would be captured by this approach.

#### Threshold 2.7 Efficiency-Based Thresholds

For this approach, thresholds would be based on measurements of efficiency. For planning efforts, the metric could be GHG emissions per capita or per job or some combination thereof. For projects, the metric could be GHG emission per housing unit or per square foot of commercial space. In theory, one could also develop metrics for GHG emissions per dollar of gross product to measure the efficiency of the economy.

This approach is attractive because it seeks to benchmark project GHG intensity against target levels of efficiency. The thresholds would need to be set such that there is reasonably foreseeable and sufficient reductions compared to business as usual to support meeting AB 32 and S-3-05 goals in time (in combination with command and control regulations). Because this approach would require substantial data and modeling to fully develop, this is a concept considered as a potential future threshold and not appropriate

for interim guidance in the short term. Thus, it is not evaluated in the screening evaluation in the next section.

Table 3 compares the results for each of the approaches.

**Table 3: Comparison of Approach 2 Tiered Threshold Options**

Threshold	GHG Emission Threshold (metric tons/year)	Future Development Captured by GHG Threshold
2.1: Zero Threshold	0 tons/year	All
2.2: Quantitative Threshold Based on Market Capture	~900 tons/year	Residential development > 50 dwelling units Office space > 36,000 ft <sup>2</sup> Retail space >11,000 ft <sup>2</sup> Supermarkets >6,300 ft <sup>2</sup> small, medium, large industrial
2.3: CARB GHG Mandatory Reporting Threshold OR Potential Cap and Trade Entry Level	25,000 metric tons/year OR 10,000 metric tons/year	Residential development >1,400 dwelling units OR 550 dwelling units Office space >1 million ft <sup>2</sup> OR 400,000 ft <sup>2</sup> Retail space >300,000 ft <sup>2</sup> OR 120,000 ft <sup>2</sup> Supermarkets >175,000 ft <sup>2</sup> OR 70,000 ft <sup>2</sup> medium/larger industrial
2.4: Regulated Inventory Capture	40,000 – 50,000 metric tons/year	Residential development >2,200 to 2,600 dwelling units Office space >1.5 to 1.8 million ft <sup>2</sup> Retail space >470,000 to 560,000 ft <sup>2</sup> Supermarkets >270,000 to 320,000 ft <sup>2</sup> medium/larger industrial
2.5: Unit-Based Threshold Based on Market Capture	Not applicable.	Residential development >50 dwelling units Commercial space >50,000 ft <sup>2</sup> > small, medium, large industrial (with GHG emissions > 900 tonsCO <sub>2</sub> e)
2.6: Projects of Statewide, Regional, or Areawide Significance	Not applicable.	Residential development >500 dwelling units Office space >250,000 ft <sup>2</sup> Retail space >500,000 ft <sup>2</sup> Hotels >500 units Industrial project >1,000 employees Industrial project >40 acre or 650,000 ft <sup>2</sup>
2.7: Efficiency-Based Thresholds	TBD tons/year/person TBD tons/year/unit	Depends on the efficiency measure selected.

### Implementing CEQA With Tiered Thresholds

Several issues related to Approach 2 are addressed below:

1. *Some applications of this approach may need to be embodied in a duly approved General Plan, or in some other formal regulation or ordinance to be fully enforceable.* Because CEQA does not expressly provide that projects may be deemed insignificant based on implementation of a set of mitigations, this approach may need to be supported with specific and enforceable mechanisms adopted with due public process.
2. *How would this concept affect adoption of air district rules and regulations?* Proposed air district rules and regulations may be subject to CEQA like other projects and plans. Thus, if significance thresholds were adopted by an APCD or AQMD, then they could also apply to air district discretionary actions. If GHG emissions would be increased by a rule or regulation for another regulated pollutant, that would be a potential issue for review under CEQA.
3. *Mitigation measures may not be all-inclusive; better measures now or new future technology would make these measures obsolete.* The mandatory mitigation measures could be periodically updated to reflect current technology, feasibility, and efficiency.
4. *Total reduction may not be quantified or difficult to quantify.* CEQA only requires the adoption of feasible mitigation and thus the reduction effectiveness of required mitigation should not be in question. However, the precise reduction effectiveness may indeed be difficult to identify. As described above, if a quantitative threshold is selected as the measure of how much mitigation is mandated, then best available evidence will need to be used to estimate resultant GHG emissions with mitigation adoption. If a qualitative threshold is selected, then it may not be necessary to quantify reductions.
5. *Difficult to measure progress toward legislative program goals.* One could require reporting of project inventories to the Climate Action Registry, air district, or regional council of governments, or other suitable body. Collection of such data would allow estimates of the GHG intensity of new development over time, which could be used by CARB to monitor progress toward AB 32 goals.
6. *Measures may have adverse impacts on other programs.* The identification of mandatory mitigation will need to consider secondary environmental impacts, including those to air quality.
7. *Consideration of life-cycle emissions.* In many cases, only direct and indirect emissions may be addressed, rather than life-cycle emissions. A project applicant has traditionally been expected to only address emissions that are closely related and within the capacity of the project to control and/or influence. The long chain

8. of economic production resulting in materials manufacture, for example, involves numerous parties, each of which in turn is responsible for the GHG emissions associated with their particular activity. However, there are situations where a lead agency could reasonably determine that a larger set of upstream and downstream emissions should be considered because they are being caused by the project and feasible alternatives and mitigation measures may exist to lessen this impact.

**Approach 2 Tiered Threshold with Mandatory Mitigation**

As shown in Table 2, due to the cumulative nature of GHG emissions and climate change impacts, there could be a level of mandatory reductions and/or mitigation for all projects integrated into a tiered threshold approach. In order to meet AB 32 mandates by 2020 and S-3-05 goals, there will need to be adoption of GHG reduction measures across a large portion of the existing economy and new development. As such, in an effort to support a determination under CEQA that a project has a less than considerable contribution to significant cumulative GHG emissions, mitigation could be required on a progressively more comprehensive basis depending on the level of emissions.

- Level 1 Reductions – These reduction measures would apply to all projects and would only consist of AB 32 and other local/state mandates. They would be applied to a project from other legal authority (not CEQA). Level 1 reductions could include such measures as bike parking, transit stops for planned routes, Energy Star roofs, Energy Star appliances, Title 24 compliance, water use efficiency, and other measures. All measures would have to be mandated by CARB or local regulations and ordinances.
- Level 2 Mitigation – Projects that exceed the determined threshold would be required to first implement readily available technologies and methodologies with widespread availability. Level 2 Mitigation could include such measures as: parking reduction below code minimum levels, solar roofs, LEED Silver or Gold Certification, exceed Title 24 building standards by 20 percent, Traffic Demand Management (TDM) measures, and other requirements.
- Level 3 Mitigation - If necessary to reduce emissions to the thresholds, more extensive mitigation measures that represent the top tier of feasible efficiency design would also be required. Level 3 Mitigation could include such measures as: on-site renewable energy systems, LEED Platinum certification, exceed Title 24 building requirements by 40 percent, required recycled water use for irrigation, zero waste/high recycling requirements, mandatory transit pass provision, and other measures.
- Offset Mitigation – If, after adoption of all feasible on-site mitigation, the project is still found to exceed a Tier 2 quantitative threshold, or exceed a Tier 3 qualitative threshold, or if a project cannot feasibly implement the mandatory on-site mitigation, then purchases of offsets could be used for mitigation. In the case

of a quantitative threshold, the amount of purchase would be to offset below the Tier 2 significance threshold. In the case of a qualitative threshold, the amount of purchase could be to offset GHG emissions overall to below the lowest equivalent GHG emissions among the Tier 2 qualitative thresholds. With Threshold 2.5, this would be approximately 900 tons of GHG emissions (corresponding to 50 residential units). With Threshold 2.6, this would be approximately 9,000 tons (corresponding to 500 residential units). Alternatively, one could require purchase of offsets in the amount of a set percentage (such as 90% or 50% for example) of the residual GHG emissions (after other mitigation). As discussed earlier, any decision to include or require the use of emission reduction credits (or offsets) must consider issues of availability, quality, and environmental justice.

### **Substantial Evidence Supporting Different Thresholds**

If a project can be shown by substantial evidence not to increase GHG emissions relative to baseline emissions, then no fair argument will be available that the project contributes considerably to a significant cumulative climate change impact.

It is more challenging to show that a project that increases GHG emissions above baseline emissions does not contribute considerably to a significant cumulative climate change impact. It is critical therefore, to establish an appropriate cumulative context, in which, although an individual project may increase GHG emissions, broader efforts will result in net GHG reductions.

Approach 1-based thresholds that by default will require an equal level of GHG reductions from the existing economy (Thresholds 1.1, 1.3, and 1.4) may be less supportable in the short run (especially before 2012) than Approach 1.2 (which requires new development to be relatively more efficient than a retrofitted existing economy). This is because, prior to 2012, there will only be limited mandatory regulations implementing AB 32 that could address the existing economy in a truly systematic way that can be relied upon to demonstrate that overall GHG reduction goals can be achieved by 2020. Approach 1.2 will still rely on substantial reductions in the existing economy but to a lesser degree.

Approach 1-based thresholds that would spread the mitigation burden across a sector (Threshold 1.3) or across a region (Threshold 1.4) will allow for tradeoffs between projects or even between municipalities. In order to demonstrate that a sector or a region is achieving net reductions overall, there would need to be feasible, funded, and mandatory requirements in place promoting an overall reduction scheme, in order for a project to result in nominal net increased GHG emissions.

Approach 2-based thresholds that capture larger portions of the new development GHG inventory (Thresholds 2.2 and 2.5) would promote growth that results in a smaller increase in GHG emissions; they may therefore be more supportable than thresholds that do not and that have a greater reliance on reductions in the existing economy (Thresholds

2.3, 2.4, and 2.6), especially in the next three to five years. With an established cumulative context that demonstrates overall net reductions, all threshold approaches could be effective in ensuring growth and development that significantly mitigates GHG emissions growth in a manner that will allow the CARB to achieve the emission reductions necessary to meet AB 32 targets. In that respect, all of these thresholds are supported by substantial evidence.

### Evaluation of Non-Zero Threshold Options

Overarching issues concerning threshold development are reviewed below. Where appropriate, different features or application of the two conceptual approaches and the various options for thresholds under each conceptual approach described above are analyzed. The screening evaluation is summarized in Tables 4 (Approach 1) and 5 (Approach 2). The summary tables rate each threshold for the issues discussed below based on the level of confidence (low, medium or high) ascribed by J&S. The confidence levels relate to whether a threshold could achieve a particular attribute, such as emission reduction effectiveness. For example, a low emission reduction effectiveness rating means the threshold is not expected to capture a relatively large portion of the new development inventory.

As described above, Threshold 2.7 is not included in this evaluation because the data to develop an efficiency-based threshold has not been reviewed at this time and because this threshold is not considered feasible as an interim approach until more detailed inventory information is available across the California economy.

#### What is the GHG Emissions Effectiveness of Different Thresholds?

Effectiveness was evaluated in terms of whether a threshold would capture a large portion of the GHG emissions inventory and thus require mitigation under CEQA to control such emissions within the larger framework of AB 32. In addition, effectiveness was also evaluated in terms of whether a threshold would require relatively more or less GHG emissions reductions from the existing economy versus new development. This is presumptive that gains from the existing economy (through retrofits, etc.) will be more difficult and inefficient relative to requirements for new development.

Approach 1-based thresholds that require equivalent reductions relative to business-as-usual (Thresholds 1.1, 1.3, and 1.4) for both the existing and new economy will be less effective than thresholds that support lower-GHG intensity new development (Approach 1.2). However, since Approach 1-based thresholds do not establish a quantitative threshold below which projects do not have to mitigate, the market capture for new development is complete.

Approach 2-based thresholds can be more or less effective at capturing substantial portions of the GHG inventory associated with new development depending on where the quantitative or qualitative thresholds are set. Lower thresholds will capture a broader range of projects and result in greater mitigation. Based on the review of project data for



the select municipalities described in the Approach 2 section above, thresholds based on the CARB Reporting Threshold/Cap and Trade Entry Level (Threshold 2.4) or CEQA definitions of “Statewide, Regional or Areawide” projects (Threshold 2.6) will result in a limited capture of the GHG inventory. Lower quantitative or qualitative thresholds (Thresholds 2.1, 2.2 and 2.5) could result in capture of greater than 90 percent of new development.

#### Are the Different Thresholds Consistent with AB 32 and S-3-05?

Thresholds that require reductions compared to business-as-usual for all projects or for a large portion of new development would be consistent with regulatory mandates. In time, the required reductions will need to be adjusted from 2020 (AB 32) to 2050 (S-3-05) horizons, but conceptually broad identification of significance for projects would be consistent with both of these mandates. Thresholds that exclude a substantial portion of new development would likely not be consistent, unless it could be shown that other more effective means of GHG reductions have already been, or will be adopted, within a defined timeframe.

All Approach 1-based thresholds would be consistent with AB 32 and S-3-05 if it can be demonstrated that other regulations and programs are effective in achieving the necessary GHG reduction from the existing economy to meet the overall state goals.

Approach 2-based thresholds that include substantive parts of the new development GHG inventory (Thresholds 2.1, 2.2 and 2.5) will be more consistent with AB 32 and S-3-05 than those that do not (Thresholds 2.3, 2.4, and 2.6) unless it can be demonstrated that other regulations and programs are effective in achieving the necessary GHG reduction from the existing economy to meet the overall state goals.

#### What are the Uncertainties Associated with Different Thresholds?

All thresholds have medium to high uncertainties associated with them due to the uncertainty associated with the effectiveness of AB 32 implementation overall, the new character of GHG reduction strategies on a project basis, the immaturity of GHG reduction technologies or infrastructure (such as widespread biodiesel availability), and the uncertainty of GHG reduction effectiveness of certain technologies (such as scientific debate concerning the relative lifecycle GHG emissions of certain biofuels, for example).

In general, Approach 1-based thresholds have higher uncertainties than Approach 2 thresholds because they rely on a constantly changing definition of business-as-usual. Threshold 1.2, with its relatively smaller reliance on the existing economy for GHG reductions has relatively less uncertainty than other Approach 1 thresholds. Thresholds that spread mitigation more broadly (Thresholds 1.3 and 1.4) have less uncertainty by avoiding the need for every project to mitigate equally.

Approach 2 thresholds with lower quantitative (2.1 and 2.2) or qualitative (2.5) thresholds will have uncertainties associated with the ability to achieve GHG reductions

from small to medium projects. Approach 2 thresholds with higher quantitative (2.3, 2.4) or qualitative (2.6) thresholds will have uncertainties associated with the ability to achieve relatively larger GHG reductions from the existing economy.

What are Other Advantages/Disadvantages of the Different Thresholds?

Thresholds with a single project metric (Thresholds 1.1, 1.2, 2.1, 2.2, 2.3, 2.4, 2.5, and 2.6) will be easier to apply to individual projects and more easily understood by project applicants and lead agencies broadly. Thresholds that spread mitigation across sectors (1.3) or regions (1.4), while simple in concept, will require adoption of more complicated cross-jurisdictional reduction plans or evaluation of broad sector-based trends in GHG intensity reduction over time. Approach 1 options would require all projects to quantify emissions in order to determine needed reductions relative to business-as-usual (which will change over time as described above). Concepts that are unit-based (Threshold 2.5 and 2.6) will not result in thresholds that have equal amount of GHG emissions, and thus equity issues may arise.

**Table 4: Non-Zero Threshold Evaluation Matrix – Approach 1**

Approach 1	I.1 28% - 33% Reduction from BAU by 2020 by Project	I.2 50% Reduction from BAU by 2020 by Project	I.3 28% - 33% Reduction by 2020 by Sector	I.4 28% - 33% Reduction by 2020 by Region
<i>GHG Emissions Reduction Effectiveness</i>	<b>Low</b> - Captures all new projects but relies on a high level of reductions from the existing economy. <b>Low</b> - Some projects will not be able to afford this level of reduction without effective market-based mechanisms like offsets.	<b>Medium</b> - Captures all new projects and has a more realistic level of reductions from the existing economy. <b>Low</b> - Some projects will not be able to afford this level of reduction without effective market-based mechanisms like offsets.	<b>Low</b> - Captures all new projects but relies on a high level of reductions from the existing economy. <b>Medium</b> - Sectors as a whole will be better able to achieve reductions than individual projects.	<b>Low</b> - Captures all new projects but relies on a high level of reductions from the existing economy. <b>Low</b> - Some regions and newly developed areas may not be able to afford this level of reduction without effective market-based mechanisms like offsets.
<i>Economic Feasibility</i>	<b>Medium</b> - Some projects will not be able to achieve this level of reduction without effective market-based mechanisms like offsets.	<b>Low</b> - Relatively larger set of projects will not be able to achieve this level of reduction without effective market-based mechanisms like offsets.	<b>High</b> - Some projects will not be able to achieve this level of reduction without effective market-based mechanisms like offsets.	<b>Medium</b> - Some regions and newly developed areas may not be able to afford this level of reduction without effective market-based mechanisms like offsets.
<i>Technical Feasibility</i>	<b>Low</b> - Absent broader reductions strategies, each project may reinvent the wheel each time to achieve mandated reductions. <b>Medium</b> - Would require heavy reliance on command and control gains.	<b>Low</b> - Absent broader reductions strategies, each project may reinvent the wheel each time to achieve mandated reductions. <b>High</b>	<b>Low</b> - Absent broader reductions strategies, each project may reinvent the wheel each time to achieve mandated reductions. <b>Medium-High</b> - Would rely on command and control gains, but would allow sectoral flexibility.	<b>Low</b> - Absent broader reductions strategies, each project may reinvent the wheel each time to achieve mandated reductions. <b>Medium-High</b> - Would rely on command and control gains, but would allow regional flexibility.
<i>Consistency with AB-32 and S-03-05</i>	<b>Low</b> - Will require all types of projects to reduce the same regardless of the cost/ton of GHG reductions.	<b>Low</b> - Will require all types of projects to reduce the same regardless of the cost/ton of GHG reductions.	<b>Low/Medium</b> - Allows tradeoffs within sector between high and low cost reduction possibilities but not between sectors.	<b>Low/Medium</b> - Allows tradeoffs within region between high and low cost reduction possibilities, but not between regions.
<i>Cost Effectiveness</i>	<b>High</b> - BAU changes over time. Ability to reduce GHG emissions from existing economy will take years to demonstrate. Ability to limit GHG emissions from other new development will take years to demonstrate.	<b>Medium/High</b> - BAU changes over time. Ability to limit GHG emissions from other new development will take years to demonstrate.	<b>High</b> - BAU changes over time. Ability to reduce GHG emissions from existing economy will take years to demonstrate. Ability to limit GHG emissions from other new development will take years to demonstrate.	<b>High</b> - BAU changes over time. Ability to reduce GHG emissions from existing economy will take years to demonstrate. Ability to limit GHG emissions from other new development will take years to demonstrate.
<i>Uncertainties</i>	Simple/easy to explain. Requires all projects to quantify emissions.	Simple/easy to explain. Requires all projects to quantify emissions.	Spreads mitigation broadly Requires all projects to quantify emissions.	Spreads mitigation broadly Requires all projects to quantify emissions.
<i>Other Advantages</i>	Requires all projects to quantify emissions.	Requires all projects to quantify emissions.	Requires all projects to quantify emissions.	Requires all projects to quantify emissions.
<i>Other Disadvantages</i>	Requires all projects to quantify emissions.	Requires all projects to quantify emissions.	Requires all projects to quantify emissions.	Requires all projects to quantify emissions.

**Table 5: Non-Zero Threshold Evaluation Matrix – Approach 2**

Approach 2	2.1	2.2	2.3	2.4	2.5	2.6
	<b>Zero Threshold</b>	<b>Quantitative (900 tons)</b>	<b>Quantitative CARB Reporting Threshold/Cap and Trade (25,000 tons/ 10,000 tons)</b>	<b>Quantitative Regulated Inventory Capture (~40,000 – 50,000 tons)</b>	<b>Qualitative Unit-Based Thresholds</b>	<b>Statewide, Regional or Areawide (CEQA Guidelines 15206(b)).</b>
<i>GHG Emissions Reduction Effectiveness</i>	<b>High</b> - Captures all sources.	<b>High</b> - Market capture at >90%. Captures diverse sources.	<b>Medium</b> - Moderate market capture.	<b>Low</b> - Low market capture.	<b>High</b> - Market capture at ~90%. Captures diverse sources; excl. smallest proj.	<b>Medium</b> - Moderate market capture. Excludes small and med. projects.
<i>Economic Feasibility</i>	<b>Low</b> - Early phases will be substantial change in BAU, esp. for smaller projects; may be infeasible to mitigate.	<b>Medium</b> - Early phases will be substantial change in BAU, esp. for smaller projects; may be infeasible to mitigate.	<b>High</b> - Large projects have greater ability to absorb cost.	<b>High</b> - Large projects have greater ability to absorb cost.	<b>Medium</b> - Early phases will be substantial change in BAU, esp. for smaller projects; may be infeasible to mitigate.	<b>High</b> - Large projects have greater ability to absorb cost.
<i>Technical Feasibility</i>	<b>Low</b> - Early phases will be substantial change in BAU, esp. for smaller projects; may be infeasible to mitigate.	<b>Medium</b> - Early phases will be substantial change in BAU, esp. for smaller projects; may be inefficient to mitigate.	<b>High</b> - Greater opportunities for multiple reduction approaches.	<b>High</b> - Greater opportunities for multiple reduction approaches.	<b>Medium</b> - Early phases will be substantial change in BAU, particularly for smaller projects may be inefficient to mitigate.	<b>High</b> - Greater opportunities for multiple reduction approaches.
<i>Logistical Feasibility</i>	<b>Low</b> - Unless fee or offset basis, very difficult to mitigate all projects.	<b>Medium</b> - BMPs broadly written to allow diversity; new req. will take time to integrate into new dev.	<b>High</b> - Less mitigation.	<b>High</b> - Less mitigation.	<b>Medium</b> - BMPs broadly written to allow diversity; new req. will take time to integrate into new dev.	<b>High</b> - Less mitigation.
<i>Consistency with AB-32 and S-03-05</i>	<b>High</b> - Market capture.	<b>High</b> - Market capture at >90%.	<b>Low</b> - Would rely on command and control success heavily.	<b>Low</b> - Would rely on command and control success heavily.	<b>Medium</b> - Need to demonstrate adequate market capture over time.	<b>Low</b> - Would rely on command and control success heavily.
<i>Cost Effectiveness</i>	<b>Low</b> - Will result in inefficient mitigation approaches. Efficiency will improve in time.	<b>Medium</b> - Emphasis is on new dev., req. for mitigation will result in inefficient mitigation approaches in early phases. Efficiency will improve in time.	<b>Medium</b> - Relies on command and control reductions for existing economy more heavily. With focus on larger projects, eff. of mitigation for new dev. high.	<b>Medium</b> - Relies on command and control reductions for existing economy more heavily. With focus on larger projects, eff. of mitigation for new dev. high.	<b>Medium</b> - Emphasis is on new dev.; req. for mitigation will result in inefficient mitigation approaches in early phases. Efficiency will improve in time.	<b>Medium</b> - Relies on command and control reductions for existing economy more heavily. With focus on larger projects, eff. of mitigation for new dev. high.
<i>Uncertainties</i>	<b>High</b> - Time to adapt for res. and comm. sectors. Ability to mitigate without market-based mechanism for smaller projects unlikely.	<b>Medium/High</b> - Time to adapt for res. and comm. sectors. Ability to mitigate without market-based mechanism for smaller projects uncertain.	<b>High</b> - Gains from command and control likely longer to be realized.	<b>High</b> - Gains from command and control likely longer to be realized.	<b>Medium/High</b> - Time to adapt for res. and comm. sectors. Ability to mitigate without market-based mechanism for smaller projects uncertain.	<b>High</b> - Gains from command and control likely longer to be realized.
<i>Other Advantages</i>	Single threshold.	Single threshold. BMPs can be updated. Greenlist can be updated.	Single threshold. Does not change CEQA processing for most projects. CARB inventory = project inv. All projects treated same.	Single threshold. Does not change CEQA processing for most projects. Follows established SIP practice.	BMPs can be updated. Greenlist can be updated. Unit-Based thresholds can be updated.	Existing guideline. Does not change CEQA processing for most projects. Endorsed by Cal. Chapter of the APA.
<i>Other Disadvantages</i>	Requires all projects to quantify emissions.	Requires nearly all projects to quantify emissions.			Sectoral projects have different GHG emis. Only largest projects to quantify emis.	Sectoral projects have different GHG emissions.



**Introduction**

This chapter evaluates the availability of various analytical methods and modeling tools that can be applied to estimate the greenhouse gas emissions from different project types subject to CEQA. This chapter will also provide comments on the suitability of the methods and tools to accurately characterize a projects emissions and offer recommendations for the most favorable methodologies and tools available. Some sample projects will be run through the methodologies and modeling tools to demonstrate what a typical GHG analysis might look like for a lead agency to meet its CEQA obligations. The air districts retained the services of EDAW environmental consultants to assist with this effort.

**Methodologies/Modeling Tools**

There are wide varieties of discretionary projects that fall under the purview of CEQA. Projects can range from simple residential developments to complex expansions of petroleum refineries to land use or transportation planning documents. It is more probably than not, that a number of different methodologies would be required by any one project to estimate its direct and indirect GHG emissions. Table 10 contains a summary of numerous modeling tools that can be used to estimate GHG emissions associated with various emission sources for numerous types of project's subject to CEQA. The table also contains information about the models availability for public use, applicability, scope, data requirements and its advantages and disadvantages for estimating GHG emissions.

In general, there is currently not one model that is capable of estimating all of a project's direct and indirect GHG emissions. However, one of the models identified in Table 9 would probably be the most consistently used model to estimate a projects direct GHG emissions based on the majority of projects reviewed in the CEQA process. The Urban Emissions Model (URBEMIS) is designed to model emissions associated with development of urban land uses. URBEMIS attempts to summarize criteria air pollutants and CO<sub>2</sub> emissions that would occur during construction and operation of new development. URBEMIS is publicly available and already widely used by CEQA practitioners and air districts to evaluate criteria air pollutants emissions against air district-adopted significance thresholds. URBEMIS is developed and approved for statewide use by CARB. The administrative reasons for using URBEMIS are less important than the fact that this model would ensure consistency statewide in how CO<sub>2</sub> emissions are modeled and reported from various project types.

One of the shortfalls of URBEMIS is that the model does not contain emission factors for GHGs other than CO<sub>2</sub>, except for methane (CH<sub>4</sub>) from mobile-sources, which is converted to CO<sub>2</sub>e. This may not be a major problem since CO<sub>2</sub> is the most important GHG from land development projects. Although the other GHGs have a higher global warming potential, a metric used to normalize other GHGs to CO<sub>2</sub>e, they are emitted in far fewer quantities. URBEMIS does not calculate other GHG emissions associated with

off-site waste disposal, wastewater treatment, emissions associated with goods and services consumed by the residents and workers supported by a project. Nor does URBEMIS calculate GHGs associated with consumption of energy produced off-site. (For that matter, URBEMIS does not report criteria air pollutant emissions from these sources either).

Importantly, URBEMIS does not fully account for interaction between land uses in its estimation of mobile source operational emissions. Vehicle trip rates are defaults derived from the Institute of Transportation Engineers trip generation manuals. The trip rates are widely used and are generally considered worst-case or conservative. URBEMIS does not reflect “internalization” of trips between land uses, or in other words, the concept that a residential trip and a commercial trip are quite possibly the same trip, and, thus, URBEMIS counts the trips separately. There are some internal correction settings that the modeler can select in URBEMIS to correct for “double counting”; however, a project-specific “double-counting correction” is often not available. URBEMIS does allow the user to overwrite the default trip rates and characteristics with more project-specific data from a traffic study prepared for a project.

### **Residential, Commercial, Mixed-Use Type Projects/ Specific Plans**

#### Direct Emissions

URBEMIS can be used to conduct a project-specific model run and obtain CO<sub>2</sub>e emissions for area and mobile sources from the project, and convert to metric tons CO<sub>2</sub>e. When a project-specific traffic study is not available, the user should consult with their local air district for guidance. Many air district staff are experienced practitioners of URBEMIS and can advise the lead agency or the modeler on how to best tailor URBEMIS default input parameters to conduct a project-specific model run. When a traffic study has been prepared for the project, the user must overwrite default trip length and trip rates in URBEMIS to match the total number of trips and vehicle miles traveled (VMT) contained in the traffic study to successfully conduct a project-specific model run. URBEMIS is recommended as a calculation tool to combine the transportation study (if available) and EMFAC emission factors for mobile-sources. Use of a project-specific traffic study gets around the main shortfall of URBEMIS: the lack of trip internalization. URBEMIS also provides the added feature of quantifying direct area-source GHG emissions.

#### Important steps for running URBEMIS

1. Without a traffic study prepared for the project, the user should consult with the local air district for direction on which default options should be used in the modeling exercise. Some air districts have recommendations in the CEQA guidelines.
2. If a traffic study was prepared specifically for the project, the following information must be provided:



- a. Total number of average daily vehicle trips *or* trip-generation rates by land use type per number of units; and,
  - b. Average VMT per residential *and* nonresidential trip.
  - c. The user overwrites the “Trip Rate (per day)” fields for each land use in URBEMIS such that the resultant “Total Trips” and the “Total VMT” match the number of total trips and total VMT contained in the traffic study.
  - d. Overwrite “Trip Length” fields for residential and nonresidential trips in URBEMIS with the project-specific lengths obtained from the traffic study.
3. Calculate results and obtain the CO<sub>2</sub> emissions from the URBEMIS output file (units of tons per year [TPY]).

### Indirect Emissions

URBEMIS does estimate indirect emissions from landscape maintenance equipment, hot water heaters, etc. URBEMIS does not however, provide modeled emissions from indirect sources of emissions, such as those emissions that would occur off-site at utility providers associated with the project’s energy demands. The California Climate Action Registry (CCAR) Protocol v.2.2 includes methodology, which could be used to quantify and disclose a project’s increase in indirect GHG emissions from energy use. Some assumptions must be made for electrical demand per household or per square foot of commercial space, and would vary based on size, orientation, and various attributes of a given structure. An average rate of electrical consumption for residential uses is 7,000 kilowatt hours per year per household and 16,750 kilowatt hours per thousand square feet of commercial floor space. Commercial floor space includes offices, retail uses, warehouses, and schools. These values have been increasing steadily over the last 20 years. Energy consumption from residential uses has increased due to factors such as construction and occupation of larger homes, prices of electricity and natural gas, and increased personal income allowing residents to purchase more electronic appliances. Commercial energy consumption is linked to factors such as vacancy rates, population, and sales.

The modeler will look up the estimated energy consumption for the project’s proposed land uses under year of project buildout, or use the values given in the previous paragraph for a general estimate. The CCAR Protocol contains emission factors for CO<sub>2</sub>, CH<sub>4</sub>, and nitrous oxide. The “CALI” region grid serves most of the State of California. If a user has information about a specific utility provider’s contribution from renewable sources, the protocol contains methodology to reflect that, rather than relying on the statewide average grid. The incremental increase in energy production associated with project operation should be accounted for in the project’s total GHG emissions for inclusion in the environmental document.

The incremental increase in energy production associated with project operation should be accounted for in the project’s total GHG emissions, but it should be noted that these emissions would be closely controlled by stationary-source control-based regulations and additional regulations are expected under AB 32. However, in the interest of disclosing project-generated GHG emissions and mitigating to the extent feasible, the indirect emissions from off-site electricity generation can be easily calculated for inclusion in the environmental document.

**Example Project Estimates for GHG Emissions**

Residential Project

Project Attributes:

- 68 detached dwelling units
- 15.9 acres
- 179 residents
- 0 jobs
- Located in unincorporated Placer County (PCAPCD jurisdiction)
- Analysis year 2009

As shown in Table 6, the project’s direct GHG emissions per service population (SP) would be approximately 8 metric tons CO<sub>2</sub>e/SP/year.

**Table 6: Residential Project Example GHG Emissions Estimates**

<b>URBEMIS Output (Project Specific)</b>	<b>Metric Tons/Year CO<sub>2</sub>e</b>	<b>Demographic Data</b>	
Area-source emissions	251	Residents	179
Mobile-source emissions	1,044	Jobs	0
Indirect emissions (from CCAR Protocol)	174		
Total operational emissions	<b>1,469</b>	Service population	179
Operational emissions/SP	<b>8.2</b>		
Notes: CO <sub>2</sub> e = carbon dioxide equivalent; CCAR = California Climate Action Registry; SP = service population(see definition of service population below in discussion of Normalization/Service Population Metric).			
Sources: EDAW 2007, ARB 2007b, CCAR 2007, CEC 2000			

Commercial Project

Project Attributes:

- Free Standing Discount Superstore: 241 thousand square feet (ksf)
- 0 residents

- 400 jobs
- Located in the San Joaquin Valley Air Pollution Control District's (SJVAPCD) jurisdiction
- Analysis year 2009

**Table 7: Commercial Project Example GHG Emissions Estimates**

URBEMIS Output (Project Specific)	Metric Tons/Year CO <sub>2</sub> e	Demographic Data	
Area-source emissions	464	Residents	0
Mobile-source emissions	13,889	Jobs	400
Indirect emissions (from CCAR Protocol)	1,477		
Total operational emissions	<b>15,830</b>	Service population	400
Operational emissions/SP	<b>39.6</b>		
Notes: CO <sub>2</sub> e = carbon dioxide equivalent; CCAR = California Climate Action Registry; SP = service population (see definition of service population below in discussion of Normalization/Service Population Metric).			
Sources: EDAW 2007, ARB 2007b, CCAR 2007, CEC 2000			

### Specific Plan

If used traditionally with default trip rates and lengths, rather than project-specific (Traffic Analysis Zone-specific) trip rates and lengths, URBEMIS does not work well for specific plan or general plan-sized projects with multiple land use types proposed. However, in all instances, projects of these sizes (several hundred or thousand acres) would be accompanied by a traffic study. Thus, for large planning-level projects, URBEMIS can be used as a calculation tool to easily obtain project-specific mobile-source emissions. The user should follow the steps discussed above; wherein he/she overwrites the default ITE trip rates for each land use type with that needed to make total VMT match that contained in the traffic study. The URBEMIS interface is a simple calculator to combine the traffic study and EMFAC emissions factors for mobile-source CO<sub>2</sub>.

#### Project Attributes:

- 985 acres
- Total dwelling units: 5,634
- Commercial/Mixed Use: 429 ksf
- Educational: 2,565 ksf
- 14,648 residents
- 3,743 jobs
- Located in Sacramento County (SMAQMD jurisdiction)
- Analysis year 2009

**Table 8: Specific Plan Example GHG Emissions Estimates**

URBEMIS Output (Project Specific)	Metric Tons/Year CO <sub>2</sub> e	Demographic Data	
Area-source emissions	23,273	Residents	14,648
Mobile-source emissions	73,691	Jobs	3,743
Indirect emissions (from CCAR Protocol)	32,744		
Total operational emissions	<b>129,708</b>	Service population	18,391
Operational emissions/SP	<b>7.1</b>		
Notes: CO <sub>2</sub> e = carbon dioxide equivalent; CCAR = California Climate Action Registry; SP = service population (see definition of service population below in discussion of Normalization/Service Population Metric).			
Sources: EDAW 2007, ARB 2007b, CCAR 2007, CEC 2000			

The specific plan example, when compared to the residential or commercial examples, illustrates the benefit of a mixed-use development when you look at CO<sub>2</sub>e emissions per resident or job (service population) metric (see definition of service population below in discussion of Normalization/Service Population Metric). Though this particular specific plan is not an example of a true jobs/housing balance, the trend is clear: accommodating residents and jobs in a project is more efficient than residents or jobs alone.

#### Stationary- and Area-Source Project Types

GHG emissions from stationary or area sources that require a permit to operate from the air district also contain both direct and indirect sources of emissions. Examples of these types of sources would be fossil fuel power plants, cement plants, landfills, wastewater treatment plants, gas stations, dry cleaners and industrial boilers. All air districts have established procedures and methodologies for projects subject to air district permits to calculate their regulated pollutants. It is anticipated that these same procedures and methodologies could be extended to estimate a permitted facility's GHG calculations. For stationary and area sources that do not require air district permits, the same methodologies used for permitted sources could be used in addition to URBEMIS and CCAR GRP to calculate GHG emissions from these facilities.

#### Wastewater Treatment Facilities

Direct GHG emissions associated with a proposed waste water treatment plant can be calculated using AP-42 emission factors from Chapter 4.3.5 Evaporative Loss Sources: Waste Water-Greenhouse Gases and the CCAR methodology. In general, most wastewater operations recover CH<sub>4</sub> for energy, or use a flare to convert the CH<sub>4</sub> to CO<sub>2</sub>. There are many types of wastewater treatment processes and the potential for GHG emissions from different types of plants varies substantially. There is not one standard set of emission factors that could be used to quantify GHG emissions for a state

“average” treatment plant. Thus, research will need to be conducted on a case-by-case basis to determine the “Fraction Anaerobically Digested” which is a function of the type of treatment process. Indirect emissions from these facilities can be calculated using the CCAR energy use protocols and URBEMIS model for transportation emissions.

#### Solid Waste Disposal Facilities

Air districts will have emission estimate methodologies established for methane emissions at permitted landfills. In addition, EPA’s Landfill Gas Emissions Model (LandGem) and the CCAR methodology could also be used to quantify GHG emissions from landfill off gassing; however, this model requires substantial detail be input. The model uses a decomposition rate equation, where the rate of decay is dependent on the quantity of waste in place and the rate of change over time. This modeling tool is free to the public, but substantial project detail about the operation of the landfill is needed to run the model. Indirect emissions from these facilities can be calculated using the CCAR energy use protocols and URBEMIS model for transportation emissions.

#### Construction Emissions

GHG emissions would occur during project construction, over a finite time. In addition, a project could result in the loss of GHG sequestration opportunity due primarily to the vegetation removed for construction. URBEMIS should be used to quantify the mass of CO<sub>2</sub> that would occur during the construction of a project for land development projects. Some construction projects would occur over an extended period (up to 20–30 years on a planning horizon for general plan buildout, or 5–10 years to construct a dam, for example). OFFROAD emission factors are contained in URBEMIS for CO<sub>2</sub> emissions from construction equipment. For other types of construction projects, such as roadway construction projects or levee improvement projects, SMAQMD’s spreadsheet modeling tool, the Road Construction Emissions Model (RoadMod), should be used. This tool is currently being updated to include CO<sub>2</sub> emissions factors from OFFROAD.

The full life-cycle of GHG emissions from construction activities is not accounted for in the modeling tools available, and the information needed to characterize GHG emissions from manufacture, transport, and end-of-life of construction materials would be speculative at the CEQA analysis level. The emissions disclosed will be from construction equipment and worker commutes during the duration of construction activities. Thus, the mass emissions in units of metric tons CO<sub>2</sub>e/year should be reported in the environmental document as new emissions.

#### General Plans

In the short-term, URBEMIS can be used as a calculation tool to model GHG emissions from proposed general plans, but only if data from the traffic study is incorporated into model input. The same methodology applied above in the specific plan example applies to general plans. The CCAR GRP can be used to approximate indirect emissions from

increased energy consumption associated with the proposed plan area. The same models and methodologies discussed previously for wastewater, water supply and solid waste would be used to estimate indirect emissions resulting from buildout of the general plan.

In the longer-term, more complex modeling tools are needed, which would integrate GHG emission sources from land use interaction, such as I-PLACE<sup>3</sup>S or CTG Energetics' Sustainable Communities Custom Model attempt to do. These models are not currently available to the public and only have applicability in certain areas of the state. It is important that a tool with statewide applicability be used to allow for consistency in project treatment, consideration, and approval under CEQA.

### Scenarios

At the general plan level, the baseline used for analyzing most environmental impacts of a general plan update is typically no different from the baseline for other projects. The baseline for most impacts represents the existing conditions, normally on the date the Notice of Preparation is released. Several comparative scenarios could be relevant, depending on the exact methodological approach and significance criteria used for GHG assessment:

- Existing Conditions. The GHG emissions associated with the existing, on-the-ground conditions within the planning area.
- 1990 conditions. The GHG emissions associated with the general plan area in 1990. This is relevant due to the state's AB 32 GHG emission reduction goals' benchmark year of 1990. The GHG-efficiency of 1990 development patterns could be compared to that of the general plan buildout.
- Buildout of the Existing General Plan. The GHG emissions associated with buildout of the existing general plan (without the subject update). This is the no project alternative for the purposes of general plan CEQA analysis.
- Buildout of the Updated General Plan. The GHG emissions associated with buildout of the general plan, as proposed as a part of the subject update. This would include analysis of any changes included as a part of the general plan update for the existing developed portions of the planning area. Many communities include redevelopment and revitalization strategies as a part of the general plan update. The general plan EIR can include assumptions regarding what level and type of land use change could be facilitated by infill and redevelopment. Many jurisdictions wish to provide future projects consistent with these land use change assumptions with some environmental review streamlining. In addition, many communities include transit expansions, pedestrian/bicycle pathway improvements, multi-modal facility construction, travel demand policies, energy efficiency policies, or other measures that could apply to the existing developed area, just as they may apply to any new growth

areas. Such policies could affect the overall GHG emissions of the built out general plan area.

- Increment between Buildout of Updated General Plan and Existing General Plan Area. There are many important considerations associated with the characterization of the impact of the General Plan update. The actual GHG emissions impact could be described as the difference between buildout under the existing and proposed land use plan (No-Build Alternative). However, the courts have held that an EIR should also analyze the difference between the proposed General Plan and the existing environment (*Environmental Planning & Information Council v. County of El Dorado* (EPIC) (1982) 131 Cal.App.3d 350). At the General Plan level, over the course of buildout, some new land uses are introduced, which could potentially add operational GHG emissions and potentially remove existing sequestration potential. Some properties become vacant and are not redeveloped. Other properties become vacant and then are redeveloped. Communities cannot pretend to understand fully in advance each component of land use change. The programmatic document is the preferred method of environmental analysis. Through this programmatic framework, communities develop buildout assumptions as a part of the General Plan that are normally used as a basis of environmental analysis. For certain aspects of the impact analysis, it becomes important not just to understand how much “new stuff” could be accommodated under the updated General Plan, but also the altered interactions between both “new” and “existing” land uses within the planning area. As addressed elsewhere, there are tools available for use in understanding land use/transportation interactions at the General Plan level. Without the GHG targets established by AB 32, a simple mass comparison of existing conditions to General Plan buildout might be appropriate.

However, within the current legal context, the GHG efficiency of the updated General Plan becomes the focus of analysis. Some options in this regard include:

- Estimate the GHG emissions associated with all the land uses included within the planning area upon buildout of the General Plan using no project specific information (regional, countywide, or statewide defaults). Estimate GHG emissions using project specific information from the transportation engineer, transportation demand policies, community design elements, energy efficiency requirements, wastewater treatment and other public infrastructure design changes, and other components. Compare these two calculations. Is the second calculation reduced by the percent needed to meet AB 32 goals compared to the first calculation?
- Estimate the GHG emissions associated with the 1990 planning area and the per-capita or per-service population GHG associated with the 1990 planning area. (Many communities are establishing GHG inventories using different tools). Estimate the GHG emissions associated with buildout of the proposed General Plan update and the resulting per-capita or per-service population GHG



emissions. Compare the two calculations. Is the General Plan buildout per-capita or per-service population level greater than the 1990 estimate?

Example General Plan Update: Proposed new growth area

Project Attributes:

- 10,050 single family dwelling units
- 652 multi-family dwelling units
- 136 acres parks
- 2,047 ksf commercial (regional shopping center)
- 2,113 ksf office
- 383 acres industrial park
- 31,293 new residents
- 4,945 new jobs
- Located in Stanislaus County (SJVAPCD jurisdiction)
- Analysis year 2025

**Table 9: General Plan Example GHG Emissions Estimates**

URBEMIS Output (Project Specific)	Metric CO <sub>2</sub> e	Tons/Year	Demographic Data
Construction emissions	12,083*		Residents 31,293
Area-source emissions	45,708		
Mobile-source emissions	263,954		Jobs 4,945
Indirect emissions (from CCAR Protocol)	78,385		
Total operational emissions	<b>388,046</b>		Service population 36,238
Operational emissions/SP	<b>10.7</b>		

\* Approximately 241,656 metric tons CO<sub>2</sub>e total at general plan buildout (assumes 20-year buildout period). Construction emissions were not included in total operational emissions.  
Notes:  
CO<sub>2</sub>e = carbon dioxide equivalent; CCAR = California Climate Action Registry; SP = service population (see definition of service population below in discussion of Normalization/Service Population Metric).  
Sources: EDAW 2007, ARB 2007b, CCAR 2007, CEC 2000

Due to the programmatic level of analysis that often occurs at the general plan level, and potential for many relevant GHG emission quantities, it could be preferable to use a qualitative approach. Such an analysis could address the presence of GHG-reducing policy language in the general plan.

Three possible tiers of approaches to addressing GHG mitigation strategies, either as general plan policy, general plan EIR mitigation measures, or both, include:

- Forward planning
- Project toolbox
- Defer to GHG reductions plan

The three basic approaches are described below.

1. Bring reduction strategies into the plan itself. The most effective way for local jurisdictions to achieve GHG emissions reductions in the medium- and long-term is through land use and transportation policies that are built directly into the community planning document. This involves creating land use diagrams and circulation diagrams, along with corresponding descriptive standards, that enable and encourage alternatives to travel and goods movement via cars and trucks. The land use and circulation diagrams provide a general framework for a community where people can conduct their everyday business without necessarily using their cars. The overall community layout expressed as a part of the land use and circulation diagrams is accompanied by a policy and regulatory scheme designed to achieve this community layout. Impact fees, public agency spending, regulations, administrative procedures, incentives, and other techniques are designed to facilitate land use change consistent with the communities' overall vision, as expressed in policy and in the land use diagram. There are many widely used design principles that can be depicted in land use and circulation diagrams and implemented according to narrative objectives, standards, and policies:

- Connectivity. A finely-connected transportation network shortens trip lengths and creates the framework for a community where homes and destinations can be placed close in proximity and along direct routes. A hierarchical or circuitous transportation network can increase trip lengths and create obstacles for walking, bicycling, and transit access. This policy language would likely be found in the Circulation Element.
- Compactness. Compact development, by its nature, can increase the efficiency of infrastructure provision and enable travel modes other than the car. If communities can place the same level of activity in a smaller space, GHG emissions would be reduced concurrently with VMT and avoid unnecessary conversion of open space. This policy language would likely be found in the Land Use Element.
- Diversity. Multiple land use types mixed in proximity around central “nodes” of higher-activity land uses can accommodate travel through means other than a car. The character and overall design of this land use mix is, of course, different from community to community. This policy language would likely be found in the Land Use Element.
- Facilities. Pedestrian, bicycle, and public transportation improvements, planning, and programming are sometimes an afterthought. To get a more GHG-efficient mode share, safe and convenient bike lanes, pedestrian pathways, transit shelters, and other facilities are required to be planned along with the vehicular travel network. This policy language would likely be found in the Circulation Element.

- Redevelopment. One way to avoid GHG emissions is to facilitate more efficient and economic use of the lands in already-developed portions of a community. Reinvestment in existing neighborhoods and retrofit of existing buildings is appreciably more GHG efficient than greenfield development, and can even result in a net reduction in GHG emissions. This policy language would likely be found in the Conservation or Land Use Element.
  - Housing and Employment. Most communities assess current and future economic prospects along with long-range land use planning. Part of the objective for many communities is to encourage the coalescence of a labor force with locally available and appropriate job opportunities. This concept is best known as “jobs-housing balance.” This policy language would likely be found in the Housing Element.
  - Planning Level Versus Project Level. For transportation-related GHG emissions that local governments can mitigate through land use entitlement authority, the overall community land use strategy and the overall transportation network are the most fruitful areas of focus. The reduction capacity of project-specific mitigation measures is greatly limited if supportive land use and transportation policies are lacking at the community planning level. The regional economic context, of course, provides an important backdrop for land use and transportation policy to address GHG emissions. Within this context, the general plan is the readily available tool for local governments to establish such land use and transportation strategies. This policy language would likely be found in the Land Use and Circulation Elements.
  - Shipping Mode Shift. Locate shipping-intensive land uses in areas with rail access. Some modes of shipping are more GHG-intensive than others. Rail, for example, requires only about 15 to 25 percent of the energy used by trucks to ship freight equivalent distances and involves reduced transportation-related GHG emissions. Cities and counties have little direct control over the method of shipment that any business may choose. Nevertheless, as a part of the general planning process, cities and counties can address constraints on the use of rail for transporting goods. This policy language would likely be found in the Land Use and Circulation Elements.
2. Provide a “toolbox” of strategies after the project site has been selected. In addition to the examples of design principles that are built into the community planning process, communities can offer project applicants a range of tools to reduce GHG emissions. Mitigation strategies are elaborated in detail in Chapter 9.
3. Defer to General Plan implementation measure. Develop and implement a GHG Emissions Reduction Plan. Another option for local governments would be development of an implementation measure as a part of the general plan that outlines an enforceable GHG reduction program. Perhaps the most well known example of this approach is the result of California’s Attorney General settlement of the lawsuit brought against San

Bernardino County. The County has agreed to create a 1990 GHG inventory and develop measures to reduce such emissions according to the state's overall goals. Other communities have pursued similar programs (i.e., the City of San Diego, Marin County). Along with the inventories, targets, and example reduction measures, these programs would include quantitative standards for new development; targets for reductions from retrofitting existing development; targets for government operations; fee and spending program for GHG reduction programs; monitoring and reporting; and other elements. The local government itself should serve as a model for GHG reduction plan implementation, by inventorying emissions from government operations and achieving emission reductions in accordance with the plan's standards. An optional climate change element could be added to contain goals, policies, and this implementation strategy, or this could belong in an optional air quality element.

### **Other Project Types**

#### Air District Rules, Regulations and Air Quality Plans

Air district air quality plans, rules and regulations could have the potential to increase or decrease GHG emissions within their respective jurisdiction. In general, air district air quality plans, rules and regulations act to reduce ozone precursors, criteria air pollutant and toxic air contaminant emissions, which would almost always act to reduce GHG emissions simultaneously. However, this may not always be the case.

#### Air Quality Plans

Air districts will have to include GHG emissions analysis as part of their criteria air pollutant and toxic air contaminant air pollutant analysis when considering the adoption of air quality plans and their subsequent rules and regulations needed to implement the plans. Multiple models and methodologies will be needed to accomplish this analysis.

#### Regional Transportation Plans

Regional transportation plans would also need to be evaluated on a case-by-case basis to determine if a net increase or decrease in GHG emissions would occur. Complex interactions between the roadway network, operating conditions, alternative transportation availability (such as public transit, bicycle pathways, and pedestrian infrastructure), and many other independent parameters specific to a region should be considered. Regional transportation models exist to estimate vehicular emissions associated with regional transportation plans, which includes the ability to estimate GHG emissions.

### **Normalization/Service Population Metric**

The above methodology would provide an estimate of the mass GHG emissions generated by a proposed project, which could be compared to a mass emission threshold. EDAW developed a methodology that would measure a project's overall GHG efficiency

in order to determine if a project is more efficient than the existing statewide average for per capita GHG emissions. The following steps could be employed to estimate the GHG-“efficiency,” which may be more directly correlated to the project’s ability to help obtain objectives outlined in AB 32, although it relies on establishment of an efficiency-based significance threshold. The subcommittee believes this methodology may eventually be appropriate to evaluate the long-term GHG emissions from a project in the context of meeting AB 32 goals. However, this methodology will need substantially more work and is not considered viable for the interim guidance presented in this white paper.

- Divide the total operational GHG emissions by the Service Population (SP) supported by the project (where SP is defined as the sum of the number of residents and the number of jobs supported by the project). This value should be compared to that of the projected statewide GHG emissions inventory from the applicable end-use sectors (electricity generation, residential, commercial/institutional, and mobile-source) in 1990 divided by the projected statewide SP for the year 2020 (i.e., AB 32 requirements), to determine if the project would conflict with legislative goals.
  - If the project’s operational GHG/SP falls below AB 32 requirements, then the project’s GHG emissions are less than cumulatively considerable.
  - If the project’s operational GHG/SP exceed AB 32 requirements (a substantial contribution), then the project’s GHG emissions would conflict with legislative requirements, and the impact would be cumulatively considerable and mitigation would be required where feasible.
- New stationary and area sources/facilities: calculate GHG emissions using the CCAR GRP. All GHG emissions associated with new stationary or area sources should be treated as a net increase in emissions, and if deemed significant, should be mitigated where feasible.
- Road or levee construction projects or other construction-only projects: calculate GHG emissions using the RoadMod, which will be updated to contain GHG emission factors from EMFAC and OFFROAD. All construction-generated GHG emissions should be treated as a net increase, and if deemed significant, should be mitigated to the extent feasible.
- Air District rulemaking or air quality management plan-type projects should be evaluated on a case-by-case basis for secondary impacts of increased GHG emissions generation. In most cases, the types of projects that act to reduce regional air pollution simultaneously act to reduce GHG emissions, and would be beneficial, but should be evaluated for secondary effects from GHG emissions.
- Regional transportation plans should also be evaluated on a case-by-case basis for potential to either reduce or increase GHG emissions from the transportation sector. EMFAC can be utilized to determine the net change in GHG emissions

associated with projected vehicle VMT and from operating speed changes associated with additional or alleviated congestion.

To achieve the goals of AB 32, which are tied to GHG emission rates of specific benchmark years (i.e., 1990), California would have to achieve a lower rate of emissions per unit of population and per unit of economic activity than it has now. Further, in order to accommodate future population and economic growth, the state would have to achieve an even lower rate of emissions per unit than was generated in 1990. (The goal to achieve 1990 quantities of GHG emissions by 2020 means that this will need to be accomplished in light of 30 years of population and economic growth in place beyond 1990.) Thus, future planning efforts that would not encourage new development to achieve its fair share of reductions in GHG emissions would conflict with the spirit of the policy decisions contained in AB 32, thus impeding California’s ability to comply with the mandate.

Thus, if a statewide context for GHG emissions were pursued, any net increase in GHG emissions within state boundaries would be considered “new” emissions. For example, a land development project, such as a specific plan, does not necessarily create “new” emitters of GHG, but would theoretically accommodate a greater number of residents in the state. Some of the residents that move to the project could already be California residents, while some may be from out of state (or would ‘take the place’ of in-state residents who ‘vacate’ their current residences to move to the new project). Some may also be associated with new births over deaths (net population growth) in the state. The out-of-state residents would be contributing new emissions in a statewide context, but would not necessarily be generating new emissions in a global context. Given the California context established by AB 32, the project would need to accommodate an increase in population in a manner that would not inhibit the state’s ability to achieve the goals of lower total mass of emissions.

The average net influx of new residents to California is approximately 1.4 percent per year (this value represents the net increase in population, including the net contribution from births and deaths). With population growth, California also anticipates economic growth. Average statewide employment has grown by approximately 1.1 percent over the last 15 years. The average percentage of population employed over the last 15 years is 46 percent. Population is expected to continue growing at a projected rate of approximately 1.5 percent per year through 2050. Long-range employment projection data is not available from the California Department of Finance (DOF) and can be extrapolated in different ways (e.g., linear extrapolation by percentage rate of change, percentage of population employed, mathematical series expansion, more complex extrapolation based on further research of demographic projections such as age distribution). Further study would be needed to refine accurate employment projections from the present to 2050. For developing this framework, employment is assumed to have a constant proportionate relationship with the state’s population. The projected number of jobs is assumed to be roughly 46 percent of the projected population.

In light of the statewide context established by California law, consistency is most important for evaluating GHG emissions from projects. Thus, URBEMIS and the CCAR GRP are the recommended tools for quantification of GHG emissions from most project types in the short term. Over the long term, more sophisticated models that integrate the relationship between GHG emissions and land use, transportation, energy, water, waste, and other resources, and have similar application statewide would have better application to the problem, but may not currently be as accessible or as easily operable. I-PLACE<sup>3</sup>S and CTG Energetics' Sustainable Communities Model (SCM) are two examples of such models that contain emission factors for GHGs, which could be refined to have applicability statewide and made available to CEQA practitioners. Other models are likely to be developed, given the importance of this issue.

### **Short-Term and Long-Term Methodologies**

The following tools can be used to quantify a project's GHG emissions until tools that are more comprehensive become available statewide:

1. Land development projects: URBEMIS 2007 v. 9.2 and the CCAR GRP v. 2.2 (short-term); further development of I-PLACE<sup>3</sup>S or CTG's Sustainable Communities Model (long-term).
2. New stationary and area sources/facilities: AP-42 Chapter 4.3, LandGem v. 3.02, and/or CCAR GRP v. 2.2.
3. Road or levee construction projects or other construction-only projects: RoadMod/OFFROAD 2007.

Ideally, I-PLACE<sup>3</sup>S or CTG's Sustainable Communities Model would be expanded to apply to all regions of the state. These types of models use an integrated approach, which is the best approach for reasonably approximating the emissions that result from interaction between land uses, but neither is available to the public and would create consistency problems in reporting emissions from projects across the state if these were used today. However, a similar model with statewide applicability will likely be developed due to the importance of the issue. Table 10 Summary of Modeling Tools for Estimating GHG Emissions and Project Applicability



**Table 10: Summary of Modeling Tools for GHG Emissions**

Method/Tool Description	Availability	Applicability	Scope	Ease of Use	Data Input (Requirements and Guidance)	Data Output	Recommendation Comments	Advantages/Disadvantages
URBEMIS 2007	Public domain -Download ( <a href="http://www.urbemis.com">www.urbemis.com</a> ) free of charge	Land development and construction projects (construction, mobile- and area-source emissions)	Local	Fairly Easy	Land use information, operational data and assumptions (e.g., jurisdiction, (lb/day acres of land use tons/year type, year of operation, etc.)	Mobile-source Construction & Operational CO <sub>2</sub> projects	-Recommended for land development and construction projects -Also recommended for net change in and applicable statewide land use (zoning changes) -Widely used for assessment of other air quality impacts	-Does not quantify indirect emissions from energy consumption or other GHGs (except methane from mobile-sources) -Free, available to public, and applicable statewide
California Climate Action Registry General Reporting Protocol v. 2.2	Public guidance document	Indirect emissions from land development projects, stationary-area-source facilities regulated under AB 32	and State	Easy	Energy consumption	CO <sub>2</sub> e (Metric tons/year)	-Recommended for indirect emissions from energy consumption for addition to CO <sub>2</sub> development projects, and for down by utility provider new stationary- or (statewide average grid area- sources to be only) regulated	-Contains emission factors for CH <sub>4</sub> and N <sub>2</sub> O in addition to CO <sub>2</sub> -Does not contain emission factors broken down by utility provider (statewide average grid area- sources to be only)
Clean Air and Climate Projection (CACP) Software	Public agencies (members of ICLEI, NACAA, or similar)	Local governments used for emissions inventories	Local	N/A	Energy waste generation/disposal transportation usage,	CO <sub>2</sub> e (tons/year)	-Recommended for inventories of local government entities activities (must be a member of affiliated agency or group)	-Not available to public
CTG Sustainable Communities Model	Custom model	Land development	Regional, scalable	N/A	Land use information, operational (mobile, economic, infrastructure) energy, assumptions	CO <sub>2</sub> e (tons/year)	-An integrated and comprehensive modeling tool, but cannot obtain	-Not available to public

Method/Tool Description	Availability	Applicability	Scope	Ease of Use	Data Input (Requirements and Guidance)	Data Output	Recommendation Comments	Advantages/Disadvantages
I-PLACE <sup>3</sup>	Access fee through local COG Only available for eight California counties	Land use change	Regional, scalable	Fairly Easy	Parcel information	CO <sub>2</sub> (lb/day or tons/year)	-Recommended for land development projects and use changes -Especially good for general plans	-Not freely available to public -Not applicable statewide -Actually provides insight into land use interaction -Can include very specific project attributes -Trip rates are from behavioral survey data, instead of ITE
EMFAC 2007	Public domain	On-road mobile sources	Statewide, regional	Fairly Easy	Vehicle information	fleet CO <sub>2</sub> (grams/mile)	-Not recommended for most projects (URBEMIS preferred) -Could be used for certain Air District Rulemaking applications	-Can compare emissions based on speed-distribution factors contained in URBEMIS -Not a stand-alone model
OFFROAD 2007	Public domain	Off-road mobile sources (construction equipment)	Statewide, regional	Fairly Easy	Construction information	fleet CO <sub>2</sub> (lb/day)	-Not recommended (URBEMIS preferred) -could be used for certain Air District Rulemaking applications (re: construction equipment)	-Emission factors contained in URBEMIS
RoadMod (to be updated to include CO <sub>2</sub> )	Public domain	Off-road and on-road mobile sources (construction equipment and haul trucks)	Statewide	Easy	Construction information	CO <sub>2</sub> (lb/day or tons/project)	-Recommended for construction-only projects (linear nature; i.e., levees, roads, pipelines)	-To be updated to support emissions factors from OFFROAD 2007

Method/Tool Description	Availability	Applicability	Scope	Ease of Use	Data Input (Requirements and Guidance)	Data Output	Recommendation Comments	Advantages/Disadvantages
DTIM	Public domain	On-road mobile sources	Statewide, regional	Difficult (consists of a series of three programs and requires input files from traffic and emissions modeling)	-EMFAC files -Traffic model output files (e.g., link, interzonal, and trip end data) -User options file -Optional files	CO <sub>2</sub> (tons/year)	-Not recommended	-Not updated to support EMFAC 2007 emission factors -Input files include output files from regional transportation models which more accurately reflect VMT
Southeast Climate Change Partnership Spreadsheet Model (UK)	Public domain <a href="http://www.climate.southeast.org.uk/">http://www.climate.southeast.org.uk/</a>	UK government/agencies/organizations used for emissions inventories	Local, county, regional	Fairly easy	Energy waste generation/disposal, usage, CO <sub>2</sub> , transportation	CO <sub>2</sub> (tonnes/year)	-Not recommended for use in California, but could be a valuable source for building an applicable spreadsheet model	-Applicability for UK, but could be updated with CA-specific emission factors
EPA AP-42; Evaporation Loss Sources document Chapter 4.3.5	Public reference document	GHG emissions from waste treatment facilities	Facility level	Easy equation; substantial research needed to use	Biochemical oxygen demand (BOD) loading, Fraction anaerobically digested	CH <sub>4</sub> (lb/year)	-Recommended for Publicly owned treatment works (POTW) projects	-Substantial research needed to determine the "fraction anaerobically digested" parameter, which is dependent on the type of treatment plant/process
LandGem 3.02	Public domain <a href="http://www.epa.gov/ttn/catc/dir-1/lan_dgem-v302.xls">http://www.epa.gov/ttn/catc/dir-1/lan_dgem-v302.xls</a>	GHG emissions from anaerobic decomposition associated with landfills	Facility Level	Moderate	Solid waste processing, analysis, lifetime waste in place	CO <sub>2</sub> , CH <sub>4</sub> (Mega grams/year)	-Recommended for landfill emissions	-Emission rates change dependent on years of decomposition, waste in place rates of change. -Complex decomposition rate equation, but good first approximation

Method/Tool Description	Availability	Applicability	Scope	Ease of Use	Data Input (Requirements and Guidance)	Data Output	Recommendation Comments	Advantages/Disadvantages
CARROT	Registry members	Stationary source emissions, vehicle fleet sources	Facility mobile level	Moderate	Facility-specific information	All GHGs	-Recommended for reporting facilities under AB 32 and for indirect emissions from energy consumption (CCAR Protocol)	-Estimates all GHGs and normalizes to CO <sub>2</sub> e -Not publicly available
<p>Notes:            GHG = greenhouse gas; AB = assembly bill; CO<sub>2</sub>e = carbon dioxide equivalent; CH<sub>4</sub> = methane; N<sub>2</sub>O = nitrous oxide; COG = council of governments ; ITE = Institute of Transportation Engineers; CCAR = California Climate Action Registry            Source: Data compiled by EDAW and the California Air Pollution Control Officers Association in 2007</p>								

## Chapter 9: Mitigation Strategies for GHG

### Chapter 9

Mitigation  
Strategies for  
GHG

#### Introduction

This chapter (and Appendix B) identifies existing and potential mitigation measures that could be applied to projects during the CEQA process to reduce a project's GHG emissions that would be identified using the analytical methodologies included in this white paper. The Subcommittee retained the services of EDAW to assist with this effort. EDAW performed a global search of mitigation measures currently in practice and under study that would reduce GHG emissions.

Table 16 (Appendix B) provides a brief description of each measure along with an assessment of their feasibility (from a standpoint of economical, technological, and logistical feasibility, and emission reduction effectiveness), and identifies their potential for secondary impacts to air quality. During the global search performed, EDAW also took note of GHG reduction strategies being implemented as rules and regulation (e.g., early action items under AB 32), which are summarized in Table 18 (Appendix C). It is important to note that though compliance with such would be required by regulation for some sources, such strategies may be applicable to other project and source types.

The recurring theme that echoes throughout a majority of these measures is the shift toward New Urbanism, and research has consistently shown that implementation of Neotraditional Development techniques reduces VMT and associated emissions. The material reviewed assessed reductions from transportation-related measures (e.g., bicycle, pedestrian, transit, and parking) as a single comprehensive approach to land use. This comprehensive approach focuses on development design criteria conducive to enhancing alternate modes of transportation, including transit, walking, and bicycling. Transportation Demand Management (TDM) programs are viewed as a mechanism to implement specific measures. TDM responsibilities may include offering incentives to potential users of alternative modes of transportation and monitoring and reporting mode split changes.

The comprehensive approach makes it more difficult to assess reductions attributable to each measure. Nevertheless, there is a strong interrelationship between many of the measures, which justifies a combined approach. Consider the relationship between bike parking nonresidential, bike parking residential, endtrip facilities, and proximity to bike path/bike lane measures. In reality, these measures combined act as incentives for one individual to bike to work, while implementation of a single measure without the others reduces effectiveness.

The global nature of GHG emissions is an important feature that enables unique mitigation: abatement. When designing a project subject to CEQA, the preferred practice is first to avoid, then to minimize, and finally to compensate for impacts. Where the impact cannot be mitigated on-site, off-site mitigation is often and effectively implemented in several resource areas, either in the form of offsetting the same impact or preserving the resource elsewhere in the region. Frequently, mitigation fee programs or funds are established, where the proponent pays into the program and fees collected

throughout the region or state are used to implement projects that, in turn, proportionately offset the impacts of the projects to the given resource. It may be more cost-effective to reduce as much GHG on-site as feasible (economically and technologically). Then the proponent would pay into a “GHG retrofit fund” to reduce equivalent GHG emissions off-site. In contrast to regional air pollutant offset programs such as the Carl Moyer Program, it matters greatly where reductions of ozone precursors occur, as ozone affects regional air quality. The GHG retrofit fund could be used to provide incentives to upgrade older buildings and make them more energy efficient. This would reduce demand on the energy sector and reduce stationary source emissions associated with utilities. This program has been successfully implemented in the United Kingdom where developments advertise “carbon neutrality.” Of course, some GHG emissions occur associated with operation of the development, but the development would offset the remainder of emissions through off-site retrofit. Avoiding emissions that would otherwise continue to occur at existing development would be a unique opportunity for mitigation of GHG emissions. Reduction of GHG emissions also may have important side benefits including reduction of other forms of pollution.

Depending on the significance threshold concept adopted, projects subject to the CEQA process would either qualitatively or quantitatively identify the amount of GHG emissions associated with their project using the analytical methodologies identified in the previous chapter. The analysis would then apply the appropriate number of mitigation measures listed in Appendix B to their project to reduce their GHG emissions below the significance level. Calculating the amount of GHG emission reductions attributable to a given mitigation measure would require additional research. The examples below illustrate how a project would be mitigated using this approach.

### **Residential Project Example**

Project Attributes:

- 68 detached dwelling units
- 15.9 acres
- Located in unincorporated Placer County PCAPCD jurisdiction)
- Assume URBEMIS defaults for a rural project in Placer County, in absence of a traffic study (This is contrary to the recommendations contained under Task 1; a traffic study is necessary to assess project-specific GHG emissions).
- Analysis year 2009

**Table 11: Residential Project Example GHG Emissions Estimates with Mitigation**

URBEMIS Output (Unmitigated)	Metric Tons/Year CO <sub>2</sub> e	URBEMIS Output (Mitigated)	Metric Tons/Year CO <sub>2</sub> e	Percent Reduction
Area-source emissions	252	Area-source emissions	215	14.6
Mobile-source emissions	1,047	Mobile-source emissions	916	12.5
Total direct operational emissions (area + mobile)	1,299	Total operational emissions (area + mobile)	1,131	12.9
Notes: CO <sub>2</sub> e = carbon dioxide equivalent				
Sources: Data compiled by EDAW in 2007				

Using URBEMIS 2007 and assuming the project would implement the mitigation measures listed below, yearly project-generated emissions of CO<sub>2</sub>e would be reduced by approximately 13 percent. Implementation of the following mitigation measures is assumed:

- 100 housing units within one-half-mile radius of project’s center, including this project’s 68 residential units;
- provision of 80 jobs in the study area;
- retail uses present with one-half-mile radius of project’s center;
- 10 intersections per square mile;
- 100% of streets with sidewalks on one side;
- 50% of streets with sidewalks on both sides;
- 30% of collectors and arterials with bike lanes, or where suitable, direct parallel routes exist;
- 15% of housing units deed restricted below market rate;
- 20% energy efficiency increase beyond Title 24; and
- 100% of landscape maintenance equipment electrically powered and electrical outlets in front and rear of units.



**Example Project Methodology and Mitigation**

**Table 12 –Residential Projects Example Methodology and Mitigation**

Source	Methodology	Mitigation
Direct Emissions		
Construction	URBEMIS (OFFROAD emission factors)	MM C-1→MM C-4
Mobile Sources	URBEMIS (EMFAC emission factors)	MM T-3→MM T-8, MM T-10→MM T-14, MM T-16, MM T-19→MM T-21  MM D-2→MM D-8, MM D-10→MM D-15, MM D-17  MM S-1→MM S-2 MM M-1→MM M-2
Area Sources	URBEMIS	MM D-13→MM D-15, MM D-17
Indirect Emissions		
Energy Consumption	CCAR GRP & CEC	MM E-1→MM E-8, MM E-10, MM E-12→MM E-23  MM S-1→MM S-2 MM M-1→MM M-2

**Table 13 –Commercial Projects Example Methodology and Mitigation**

Source	Methodology	Mitigation
Direct Emissions		
Construction	URBEMIS (OFFROAD emission factors)	MM C-1→MM C-4
Mobile Sources	URBEMIS (EMFAC emission factors)	MM T-1→MM T-2, MM T-4→MM T-15, MM T-17→MM T-21  MM D-1→MM D-3, MM D-5→MM D-6, MM D-10, MM D-12, MM D-14→MM D-17  MM E-24 MM S-1→MM S-2 MM M-1→MM M-2
Area Sources	URBEMIS	MM D-14→MM D-17
Indirect Emissions		
Energy Consumption	CCAR GRP & CEC	MM E-1, MM E-4→MM E-13, MM E-16→MM E-24 MM S-1→MM S-2 MM M-1→MM M-2

**Table 14 – Specific Plans Example Methodology and Mitigation**

Source	Methodology	Mitigation
Direct Emissions		
Construction	URBEMIS (OFFROAD emission factors)	MM C-1→MM C-4
Mobile Sources	Short-term: URBEMIS (EMFAC emission factors). Long-term: I-PLACE <sup>3</sup> S/CTG SCM	MM T-1→MM T-21 MM D-1→MM D-12, MM D-18→MM D-19 MM E-24 MM S-1→MM S-2 MM M-1→MM M-2
Area Sources	Short-term: URBEMIS (EMFAC emission factors). Long-term: I-PLACE <sup>3</sup> S/CTG SCM	MM D-13→MM D-19 MM E-1→MM E-24 MM S-1→MM S-2
Indirect Emissions		
Energy Consumption	Short-term: CCAR GRP & CEC. Long-term: I-PLACE <sup>3</sup> S/CTG SCM	MM M-1→MM M-2

General Plans

- Include a general plan policy to reduce emissions within planning area to a level consistent with legislative requirements.
- Implementation strategies include preparation of a GHG reduction plan.
- Projects consistent with a general plan could be responsible for complying with such a policy.

**Table 15 – General Plans Example Methodology and Mitigation**

Source	Methodology	Mitigation
Direct Emissions		
Construction	URBEMIS (OFFROAD emission factors).	MS G-1 MM G-15
Mobile Sources	Short-term: URBEMIS (EMFAC emission factors). Long-term: I-PLACE <sup>3</sup> S/CTG SCM	MS G-1 MS G-2→MS C-7, MS G-9, MS G-12, MS-13→MS-14, MS-16→MS-23
Area Sources	Short-term: URBEMIS (EMFAC emission factors). Long-term: I-PLACE <sup>3</sup> S/CTG SCM	MS G-1 MS G-8→MS C-11, MS G-134, MS G-12, MS-15, MS-17, MS-22
Indirect Emissions		
Energy Consumption	Short-term: CCAR GRP & CEC. Long-term: I-PLACE <sup>3</sup> S/CTG SCM	

## Other Project Types

### Air District Rules and Regulations

Air district rules and regulations could have the potential to increase or decrease GHG emissions within the respective jurisdiction. In general, air district rules and regulations act to decrease criteria air pollutant or toxic air contaminant emissions, which would usually act to reduce GHG emissions simultaneously. However, this may not always be the case and air district rules and regulations could address emissions from a large variety of different source types. Reductions of GHG emissions associated with implementation of applicable mitigation, which could also vary greatly, would need to be evaluated on a case-by-case basis. However, once applicable mitigation measures are identified, percent reductions based on the best available research to date, such as those specified in Table 15, could be applied to determine mitigated emissions.

### Air Quality Plans

Similarly to air district rules and regulations, air quality plans could have the potential to increase or decrease GHG emissions because of criteria air pollutant reduction strategies. In general, strategies implemented by air districts to reduce criteria air pollutants also act to reduce GHG emissions. However, this may not always be the case. Reductions of GHG emissions associated with implementation of applicable mitigation would need to be evaluated on a case-by-case basis. The methodology identified above for determining whether the strategies contained within the GHG reduction plan would adhere to the level specified in general plan policy could also be used to determine the reductions associated with CAP strategies.

### Regional Transportation Plans

Regional transportation plans and reductions of GHG emissions associated with implementation of applicable mitigation would also need to be evaluated on a case-by-case basis to determine if a net increase or decrease in GHG emissions would occur. Complex interactions between the roadway network, operating conditions, alternative transportation availability (such as public transit, bicycle pathways, and pedestrian infrastructure), and many other independent parameters specific to a region should be considered. EMFAC 2007 can be used with VMT from the RTP to create an inventory of GHG emissions. Reductions associated with implementation of applicable measures contained in Table 16 could be accomplished by accounting for VMT reductions in the traffic model.

Many states, counties, and cities have developed policies and regulations concerning greenhouse gas emissions that seek to require or promote reductions in GHG emissions through standards for vehicle emissions, fuels, electricity production/renewables, building efficiency, and other means. However, we could only identify three public agencies in the United States that are considering formally requiring the analysis of greenhouse gas emissions and climate change for development projects during their associated environmental processes. There may be others, but they were not identified during research conducted during preparation of this paper.

The following is a summary of those three efforts.

**Commonwealth of Massachusetts - MEPA Greenhouse Gas Emissions Policy and Protocol**

The Massachusetts Executive Office of Energy and Environmental Affairs (EEA) has determined that the phrase “damage to the environment” as used in the Massachusetts Environmental Policy Act (MEPA) includes the emission of greenhouse gases caused by projects subjects to MEPA Review. EEA has published a Greenhouse Gas Emissions Policy (GGEP) to fulfill the statutory obligation to take all feasible measures to avoid, minimize or mitigate damage to the environment.

The GGEP concerns the following projects only:

- The Commonwealth or a state agency is the proponent;
- The Commonwealth or a state agency is providing financial assistance;
- The project is privately funded, but requires an Air Quality Permit from the department of Environmental Protection;
- The project is privately funded, but will generate:
  - 3,000 or more new vehicle trips per day for office projects;
  - 6,000 or more new vehicle trips per day for mixed use projects that are 25% or more office space; or
  - 10,000 or more new vehicle trips per day for other projects.

As a comparison, the trip generation amounts correspond as follows:

- 3,000 vehicle trips per day = approximately 250,000 square foot office development;
- 6,000 or more new vehicle trips per day for mixed use projects that are 25% or more office space = if 25% office space, then equivalent to approximately 130,000 square feet of office and either 100,000 square feet of retail or 450 single-family residential units or some combination thereof.
- 10,000 or more new vehicle trips per day = approximately 1,000 single family residential units or 250,000 square feet retail.

The draft policy states it is not intended to create a numerical GHG emission limit or a numerical GHG emissions reduction target, but rather to ensure that project proponents and reviewers have considered the GHG emissions impacts of their projects and taken all feasible means and measure to reduce those impacts.

The draft policy notes that some projects within these categories will have little or no greenhouse gas emission and the policy will not apply to such projects. EEA intends to identify in the scoping certificate whether a project falls within this *de minimis* exception.

The GGEP requires qualifying projects to do the following:

- to quantify their GHG emissions;
- identify measures to minimize or mitigate such emissions;
- quantify the reduction in emissions and energy savings from mitigation.

Emissions inventories are intended to focus on carbon dioxide, but analysis of other GHGs may be required for certain projects. EEA will require analysis of direct GHG emissions and indirect (electricity and transportation) emissions. The GGEP references the protocols prepared by the World Resource Institute as guidance for inventory preparation.

The policy is still in draft form, but the comment period closed on August 10, 2007.

#### **King County, Washington - Executive Order on the Evaluation of Climate Change Impacts through the State Environmental Policy Act (SEPA)**

On June 27, 2007, the King County Executive Ron Sims directed all King County Departments, as follows:

*“...effective September 1, 2007 to require that climate impacts, including, but not limited to those pertaining to greenhouse gases, be appropriately identified and evaluated when such Departments are acting as the lead agency in reviewing the environmental impacts of private or public proposals pursuant to the State Environmental Policy Act”.*

The Executive Order does not define what a “climate impact” is. Based on statements of the County Deputy Chief of Staff\*

- County agencies will ask project proponents to supply information on transportation, energy usage and other impacts of proposed projects using the County’s existing SEPA checklist.

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\* Marten Law Group: Environmental News, August 1, 2007, “King County (WA) First in Nation to Require Climate Change Impacts to be Considered During Environmental Review of New Projects”.

- There is no current plan to require project proponents to take action to mitigate the impacts identified.
- Development of emissions thresholds and mitigation requirements will be undertaken in connection with the County's upcoming 2008 update of its Comprehensive Plan.

### **Sacramento Metropolitan Air Quality Management District**

The Sacramento Metropolitan Air Quality Management District released an interim guidance on addressing climate change in CEQA documents on September 6, 2007. While very general in nature, the District recommends that CEQA environmental documents include a discussion of anticipated GHG emissions during both the construction and operation phases of the project. This includes assessing the GHG emissions from projects (using readily available models) to determine whether a project may have a significant impact. If so, then the District recommends addressing all of the District's GHG mitigation measures (drawn from comments made by the California Attorney General) – with explanations on how the mitigation will be implemented or providing rationale for why a measure would be considered infeasible. The District provides assistance to agencies in their analysis of GHG emissions and the applicability of specific mitigation measures. The District's guidance can be found at: <http://64.143.64.21/climatechange/ClimateChangeCEQAguidance.pdf>

### **Mendocino Air Quality Management District – CEQA Guidelines**

The Mendocino AQMD updated its “Guidelines for Use During Preparation of Air Quality Impacts in EIRs or Mitigated Negative Declarations” in May 2007. The guidelines call for preparing estimates of the increased emissions of air contaminations (including GHG) for projects.

The guidelines state that GHG emissions should be presumed to have a significant impact if CO emissions from District-approved modeling exceed either of the following:

- 80% of the level defined as significant for stationary sources in Regulation 1, Rule 130 (s2) of the District (which is 550 lbs/day for CO, meaning a threshold of 440 lbs/day for CO for stationary sources); or
- levels established in District Regulation 1 Rule 130 (i2) for indirect sources (which is 690 lbs/day for CO for indirect sources).

If an average passenger vehicle emits 22 grams of CO/mile and 0.8 lb/mile of CO<sub>2</sub>, then the 690-lb/day threshold for CO corresponds to approximately 11,400 lb/day CO<sub>2</sub> threshold for passenger vehicle-related emissions. If one assumes that the average passenger vehicle goes 12,500 miles/year (about 35 miles/day), then this is a threshold equivalent to about 420 vehicles. Using an average in California of about 1.77 vehicles/household, this would correspond to about 250 households/dwelling units.

# **Appendix A**

## **Relevant Citations**



## Appendix A: Relevant Citations

Citations from the Public Resources Code (Division 13, §21000 et seq.) as amended through January 1, 2005.

### **Public Resources Code – Section 21004, MITIGATING OR AVOIDING A SIGNIFICANT EFFECT; POWERS OF PUBLIC AGENCY:**

“In mitigating or avoiding a significant effect of a project on the environment, a public agency may exercise only those express or implied powers provided by law other than this division. However, a public agency may use discretionary powers provided by such other law for the purpose of mitigating or avoiding a significant effect on the environment subject to the express or implied constraints or limitations that may be provided by law.”

### **Public Resources Code – Section 21082.2, SIGNIFICANT EFFECT ON ENVIRONMENT; DETERMINATION; ENVIRONMENTAL IMPACT REPORT PREPARATION:**

- (a) The lead agency shall determine whether a project may have a significant effect on the environment based on substantial evidence in light of the whole record.
- (b) The existence of public controversy over the environmental effects of a project shall not require preparation of an environmental impact report if there is no substantial evidence in light of the whole record before the lead agency that the project may have a significant effect on the environment.
- (c) Argument, speculation, unsubstantiated opinion or narrative, evidence which is clearly inaccurate or erroneous, or evidence of social or economic impacts which do not contribute to, or are not caused by, physical impacts on the environment, is not substantial evidence. Substantial evidence shall include facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts.
- (d) If there is substantial evidence, in light of the whole record before the lead agency, that a project may have a significant effect on the environment, an environmental impact report shall be prepared.
- (e) Statements in an environmental impact report and comments with respect to an environmental impact report shall not be deemed determinative of whether the project may have a significant effect on the environment.

Citations from the Guidelines for California Environmental Quality Act, CCR, Title 14, Division 6 (§15000 et seq.) as amended through July 27, 2007.

AG=Attorney General; ARB=California Air Resources Board; ASTM=American Society for Testing and Material; BAAQMD=Bay Area Air Quality Management District; BEES= Building for Environmental and Economic Sustainability; CA=California; Caltrans=California Department of Transportation; CAPs=Criteria Air Pollutants; CCAP=Center for Clean Air Policy; CF=Connectivity Factor; CIWMB=California Integrated Waste Management Board; CO= Carbon Monoxide; CO<sub>2</sub>=Carbon Dioxide; DGS=Department of General Services; DOE=U.S. Department of Energy; DPF=Diesel particulate Filter; E85=85% Ethanol; EERE=Energy Efficiency and Renewable Energy; EOE=Encyclopedia of Earth; EPA=U.S. Environmental Protection Agency; ETC=Edmonton Trolley Coalition; EVs/CNG=Electric Vehicles/Compressed Natural Gas; FAR=Floor Area Ratio; GHG=Greenhouse Gas; ITE=Institute of Transportation Engineers; kg/m<sup>2</sup>=kilogram per square meter; km=Kilometer; lb=pound; LEED=Leadership in Energy and Environmental Design; M=Million; NA=Not Available; NEV=Neighborhood Electric Vehicle; NIST=National Institute of Standards and Technology; NO<sub>x</sub>=Oxides of Nitrogen; NREL=National Renewable Energy Laboratory; N/S=North/South; PG&E=Pacific Gas and Electric; PM=Particulate Matter; SJVAPCD=San Joaquin Valley Air Pollution Control District; SMAQMD=Sacramento Metropolitan Air Quality Management District; SMUD=Sacramento Municipal Utilities District; SO<sub>x</sub>=Sulfur Oxides; SRI=Solar Reflectance Index; TACs=Toxic Air Contaminants; TDM=Transportation Demand Management; TMA=Transportation Management Association; THC=Total Hydrocarbon; ULEV=Ultra Low Emission Vehicle; USGBC=U.S. Green Building Council; and VTPI=Victoria Transit Policy.

A-1

**State CEQA Guidelines – Section 15064, DETERMINING THE SIGNIFICANCE OF THE ENVIRONMENTAL EFFECTS CAUSED BY A PROJECT:**

- (a) Determining whether a project may have a significant effect plays a critical role in the CEQA process.
- (1) If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, the agency shall prepare a draft EIR.
- (2) When a final EIR identifies one or more significant effects, the Lead Agency and each Responsible Agency shall make a finding under Section 15091 for each significant effect and may need to make a statement of overriding considerations under Section 15093 for the project.
- (b) The determination of whether a project may have a significant effect on the environment calls for careful judgment on the part of the public agency involved, based to the extent possible on scientific and factual data. An ironclad definition of significant effect is not always possible because the significance of an activity may vary with the setting. For example, an activity which may not be significant in an urban area may be significant in a rural area.
- (c) In determining whether an effect will be adverse or beneficial, the Lead Agency shall consider the views held by members of the public in all areas affected as expressed in the whole record before the lead agency. Before requiring the preparation of an EIR, the Lead Agency must still determine whether environmental change itself might be substantial.
- (d) In evaluating the significance of the environmental effect of a project, the Lead Agency shall consider direct physical changes in the environment which may be caused by the project and reasonably foreseeable indirect physical changes in the environment which may be caused by the project.
- (1) A direct physical change in the environment is a physical change in the environment which is caused by and immediately related to the project. Examples of direct physical changes in the environment are the dust, noise, and traffic of heavy equipment that would result from construction of a sewage treatment plant and possible odors from operation of the plant.
- (2) An indirect physical change in the environment is a physical change in the environment which is not immediately related to the project, but which is caused indirectly by the project. If a direct physical change in the environment in turn causes another change in the environment, then the other change is an indirect physical change in the environment. For example, the construction of a new sewage treatment plant may facilitate population growth in the service area due to the increase in sewage treatment capacity and may lead to an increase in air pollution.
- (3) An indirect physical change is to be considered only if that change is a reasonably foreseeable impact which may be caused by the project. A change which is speculative or unlikely to occur is not reasonably foreseeable.
- (e) Economic and social changes resulting from a project shall not be treated as significant effects on the environment. Economic or social changes may be used, however, to determine that a physical change shall be regarded as a significant effect on the environment. Where a physical change is caused by economic or social effects of a

project, the physical change may be regarded as a significant effect in the same manner as any other physical change resulting from the project. Alternatively, economic and social effects of a physical change may be used to determine that the physical change is a significant effect on the environment. If the physical change causes adverse economic or social effects on people, those adverse effects may be used as a factor in determining whether the physical change is significant. For example, if a project would cause overcrowding of a public facility and the overcrowding causes an adverse effect on people, the overcrowding would be regarded as a significant effect.

(f) The decision as to whether a project may have one or more significant effects shall be based on substantial evidence in the record of the lead agency.

(1) If the lead agency determines there is substantial evidence in the record that the project may have a significant effect on the environment, the lead agency shall prepare an EIR (*Friends of B Street v. City of Hayward* (1980) 106 Cal.App.3d 988). Said another way, if a lead agency is presented with a fair argument that a project may have a significant effect on the environment, the lead agency shall prepare an EIR even though it may also be presented with other substantial evidence that the project will not have a significant effect (*No Oil, Inc. v. City of Los Angeles* (1974) 13 Cal.3d 68).

(2) If the lead agency determines there is substantial evidence in the record that the project may have a significant effect on the environment but the lead agency determines that revisions in the project plans or proposals made by, or agreed to by, the applicant would avoid the effects or mitigate the effects to a point where clearly no significant effect on the environment would occur and there is no substantial evidence in light of the whole record before the public agency that the project, as revised, may have a significant effect on the environment then a mitigated negative declaration shall be prepared.

(3) If the lead agency determines there is no substantial evidence that the project may have a significant effect on the environment, the lead agency shall prepare a negative declaration (*Friends of B Street v. City of Hayward* (1980) 106 Cal.App. 3d 988).

(4) The existence of public controversy over the environmental effects of a project will not require preparation of an EIR if there is no substantial evidence before the agency that the project may have a significant effect on the environment.

(5) Argument, speculation, unsubstantiated opinion or narrative, or evidence that is clearly inaccurate or erroneous, or evidence that is not credible, shall not constitute substantial evidence. Substantial evidence shall include facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts.

(6) Evidence of economic and social impacts that do not contribute to or are not caused by physical changes in the environment is not substantial evidence that the project may have a significant effect on the environment.

(7) The provisions of sections 15162, 15163, and 15164 apply when the project being analyzed is a change to, or further approval for, a project for which an EIR or negative declaration was previously certified or adopted (e.g. a tentative subdivision, conditional use permit). Under case law, the fair argument standard does not apply to determinations of significance pursuant to sections 15162, 15163, and 15164.

(g) After application of the principles set forth above in Section 15064(f)(g), and in marginal cases where it is not clear whether there is substantial evidence that a project may have a significant effect on the environment, the lead agency shall be guided by the following principle: If there is disagreement among expert opinion supported by facts

over the significance of an effect on the environment, the Lead Agency shall treat the effect as significant and shall prepare an EIR.

(h)(1) When assessing whether a cumulative effect requires an EIR, the lead agency shall consider whether the cumulative impact is significant and whether the effects of the project are cumulatively considerable. An EIR must be prepared if the cumulative impact may be significant and the project's incremental effect, though individually limited, is cumulatively considerable. "Cumulatively considerable" means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.

(2) A lead agency may determine in an initial study that a project's contribution to a significant cumulative impact will be rendered less than cumulatively considerable and thus is not significant. When a project might contribute to a significant cumulative impact, but the contribution will be rendered less than cumulatively considerable through mitigation measures set forth in a mitigated negative declaration, the initial study shall briefly indicate and explain how the contribution has been rendered less than cumulatively considerable.

(3) A lead agency may determine that a project's incremental contribution to a cumulative effect is not cumulatively considerable if the project will comply with the requirements in a previously approved plan or mitigation program which provides specific requirements that will avoid or substantially lessen the cumulative problem (e.g., water quality control plan, air quality plan, integrated waste management plan) within the geographic area in which the project is located. Such plans or programs must be specified in law or adopted by the public agency with jurisdiction over the affected resources through a public review process to implement, interpret, or make specific the law enforced or administered by the public agency. If there is substantial evidence that the possible effects of a particular project are still cumulatively considerable notwithstanding that the project complies with the specified plan or mitigation program addressing the cumulative problem, an EIR must be prepared for the project.

(4) The mere existence of significant cumulative impacts caused by other projects alone shall not constitute substantial evidence that the proposed project's incremental effects are cumulatively considerable.

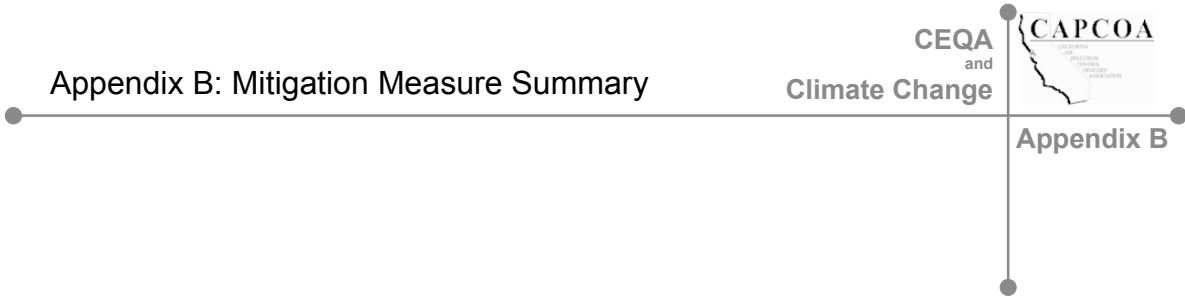
**State CEQA Guidelines – Section 15130, DISCUSSION OF CUMULATIVE IMPACTS:**

(a)(3). "An EIR may determine that a project's contribution to a significant cumulative impact will be rendered less than cumulatively considerable and thus is not significant. A project's contribution is less than cumulatively considerable if the project is required to implement or fund its fair share of a mitigation measure or measures designed to alleviate the cumulative impact. The lead agency shall identify facts and analysis supporting its conclusion that the contribution will be rendered less than cumulatively considerable.

**State CEQA Guidelines – Section 15064.7, THRESHOLDS OF SIGNIFICANCE:**

"Each public agency is encouraged to develop and publish thresholds of significance that the agency uses in the determination of the significance of environmental effects. A threshold of significance is an identifiable quantitative, qualitative or performance level

of a particular environmental effect, non-compliance with which means the effect will normally be determined to be significant by the agency and compliance with which means the effect normally will be determined to be less than significant.”



# Appendix B

## Mitigation Measure Summary

Table 16 Mitigation Measure Summary						
Mitigation Measure	Applicable Project/Source Type <sup>1</sup>	Effective	Feasible (Yes/No)	Secondary Effects (Yes/No)	Agency/Organization/Other <sup>6</sup>	Description/Comments
		Emissions Reduction/Score <sup>2</sup>	Technical <sup>4</sup>	Cost (Yes/No) <sup>3</sup>	Logistical <sup>5</sup>	
<b>Transportation</b>						
<b>Bicycle/Pedestrian/Transit Measures</b>						
<b>MM T-1: Bike Parking</b>	LD (C, M), I, SP, TP, AQP, RR, P/Mobile	1%-5%/High: CCAP presents combined % reductions for a range of mitigation measures (Dierkers et al. 2007). SMAQMD allocates combined reductions among individual measures (e.g., 2.5% reduction for all bicycle-related measures and one-quarter of 2.5% for each individual measure) (TIAX 2005, EDAW 2006, SMAQMD 2007). VTPI presents % reductions for showers and combined measures in the TDM encyclopedia (VTPI	Yes (Caltrans 2005, Dierkers et al. 2007, VTPI 2007)	Yes (Caltrans 2005, Dierkers et al. 2007, VTPI 2007)	Yes (Caltrans 2005, Dierkers et al. 2007, VTPI 2007)	Nonresidential projects provide plentiful short- and long-term bicycle parking facilities to meet peak season maximum demand (e.g., one bike rack space per 20 vehicle/employee parking spaces).
<b>MM T-2: End of Trip Facilities</b>	LD (C, M), I, SP, TP, AQP, RR, P/Mobile	Yes: Lockers (\$1,200-\$2,950 average), Racks (\$70-\$2,000, \$70/bike on average). Yes (Caltrans 2005, Dierkers et al. 2007, VTPI 2007)	Yes (Caltrans 2005, Dierkers et al. 2007, VTPI 2007)	Adverse: No Beneficial: CAPs, TACs	Caltrans, Portland Bicycle Master Plan (City of Portland 1998), CCAP Transportation Emissions Guidebook (Dierkers et al. 2007), SMAQMD Recommended Guidance for Land Use Emission Reductions (SMAQMD 2007), VTPI, CA air quality management and control districts, and cities/countries.	Nonresidential projects provide "end-of-trip" facilities including showers, lockers, and changing space (e.g., four clothes lockers and one shower provided for every 80 employee parking spaces, separate facilities for each gender for projects with 160 or more employee parking spaces).
<b>MM T-3: Bike-Parking at Multi-</b>	LD (R, M), SP, AQP, RR,	Yes: Lockers (\$1,200-	Yes (Caltrans 2005,	Adverse: No Beneficial:		Long-term bicycle parking is provided at apartment

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Table 16

Mitigation Measure Summary

Mitigation Measure	Applicable Project/Source Type <sup>1</sup>	Effective	Feasible (Yes/No)	Secondary Effects (Yes/No)	Agency/Organization/Other <sup>6</sup>	Description/Comments
		Emissions Reduction/Score <sup>2</sup>	Cost (Yes/No) <sup>3</sup>	Technical <sup>4</sup>	Logistical <sup>5</sup>	
Unit Residential	P/Mobile	2007). JSA bases estimates on CCAP information (JSA 2004).	\$2,950, \$700/bike on average). Racks (\$70-\$2,000, \$70/bike on average).	Dierkers et al. 2005, 2007, VTPI 2007	2005, Dierkers et al. 2007, VTPI 2007	complexes or condominiums without garages (e.g., one long-term bicycle parking space for each unit without a garage). Long-term facilities shall consist of one of the following: a bicycle locker, a locked room with standard racks and access limited to bicyclists only, or a standard rack in a location that is staffed and/or monitored by video surveillance 24 hours per day.
<b>MM T-4:</b> Proximity to Bike Path/Bike Lanes	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile		Yes	Yes (Caltrans 2005, Dierkers et al. 2007, VTPI 2007)	Yes (Caltrans 2005, Dierkers et al. 2007, VTPI 2007)	Entire project is located within one-half mile of an existing/planned Class I or Class II bike lane and project design includes a comparable network that connects the project uses to the existing offsite facility. Project design includes a designated bicycle route connecting all units, on-site bicycle parking facilities, offsite bicycle facilities, site entrances, and primary building entrances to existing Class I or Class II bike lane(s) within one-half mile. Bicycle route connects to all streets contiguous with project site. Bicycle route has minimum conflicts with automobile parking and circulation

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		Emissions Reduction/Score <sup>2</sup>	Technical <sup>4</sup>	Logistical <sup>5</sup>		facilities. All streets internal to the project wider than 75 feet have Class II bicycle lanes on both sides.

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Mitigation Measure	Applicable Project/Source Type <sup>1</sup>	Effective	Feasible (Yes/No)	Secondary Effects (Yes/No)	Agency/Organization/Other <sup>6</sup>	Description/Comments	
		Emissions Reduction/Score <sup>2</sup>	Cost (Yes/No) <sup>3</sup>	Technical <sup>4</sup>	Logistical <sup>5</sup>		
<b>MM T-5:</b> Pedestrian Network	LD (R, C, M), I, SP, TP, AOP, RR, P/Mobile	1%-10%/High: CCAP presents combined % reductions for a range of mitigation measures (Dierkers et al. 2007). SMAQMD allocates 1% for each individual measure (TIAX 2005, EDAAW 2006, SMAQMD 2007).	Yes	Yes (Dierkers et al. 2007, VTPI 2007)	Yes (Dierkers et al. 2007, CAPs, TACs VTPI 2007)	Adverse: No Beneficial: CCAP Transportation Emissions Guidebook (Dierkers et al. 2007), SMAQMD Recommended Guidance for Land Use Emission Reductions (SMAQMD 2007), VTPI, CA air quality management and control districts, and cities/counties.	The project provides a pedestrian access network that internally links all uses and connects to all existing/planned external streets and pedestrian facilities contiguous with the project site. Project design includes a designated pedestrian route interconnecting all internal uses, site entrances, primary building entrances, public facilities, and adjacent uses to existing external pedestrian facilities and streets. Route has minimal conflict with parking and automobile circulation facilities. Streets (with the exception of alleys) within the project have sidewalks on both sides. All sidewalks internal and adjacent to project site are minimum of five feet wide. All sidewalks feature vertical curbs. Pedestrian facilities and improvements such as grade separation, wider sidewalks, and traffic calming are implemented wherever feasible to minimize pedestrian barriers. All site entrances provide pedestrian access.
<b>MM T-6:</b> Pedestrian	LD (R, C, M), I, SP, TP,		Yes	Yes (Dierkers et al. 2007,	Yes (Dierkers et al. 2007,	Adverse: No Beneficial:	Site design and building placement minimize barriers to

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Mitigation Measure Summary**

Mitigation Measure	Applicable Project/Source Type <sup>1</sup>	Effective	Cost (Yes/No) <sup>3</sup>	Technical <sup>4</sup>	Feasible (Yes/No)	Secondary Effects (Yes/No)	Agency/Organization/Other <sup>6</sup>	Description/Comments
Barriers Minimized	AQP, RR, P/Mobile	Emissions Reduction/Score <sup>2</sup>		VTPI 2007)	al. 2007, VTPI 2007)	CAPs, TACs		pedestrian access and interconnectivity. Physical barriers such as walls, berms, landscaping, and slopes between residential and nonresidential uses that impede bicycle or pedestrian circulation are eliminated.
<b>MM T-7: Bus Shelter for Existing/Planned Transit Service</b>	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile	1%-2%/High: CCAP presents these % reductions (Dierkers et al., 2007). SMAQMD assigns from .25%-1%, depending on roadway frequency (TIAX 2005, EDRAW 2006, SMAQMD 2007).	Yes: \$15,000-\$70,000.	Yes (Dierkers et al. 2007, VTPI 2007)	Yes (Dierkers et al. 2007, VTPI 2007)	Adverse: No Beneficial: CAPs, TACs	CCAP Transportation Emissions Guidebook (Dierkers et al. 2007), SMAQMD Recommended Guidance for Land Use Emission Reductions (SMAQMD 2007), VTPI, City of Calgary (City of Calgary 2004), CA air quality management and control districts, and cities/countries.	Bus or streetcar service provides headways of one hour or less for stops within one-quarter mile; project provides safe and convenient bicycle/pedestrian access to transit stop(s) and provides essential transit stop improvements (i.e., shelters, route information, benches, and lighting).

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		Emissions Reduction/Score <sup>2</sup>	Technical <sup>4</sup>	Cost (Yes/No) <sup>3</sup>	Logistical <sup>5</sup>	
MM T-8: Traffic Calming	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile	1%-10%/High: CCAP presents combined % reductions for a range of mitigation measures (Dierkers et al. 2007). SMAQMD allocates .25%-1.0% for each individual measure depending on percent of intersections and streets with improvements (TIAX 2005, EDAW 2006, SMAQMD 2007).	Yes (Dierkers et al. 2007, VTPI 2007)	Yes (Dierkers et al. 2007, CAPs, TACs VTPI 2007)	Adverse: No Beneficial: CCAP Transportation Emissions Guidebook (Dierkers et al. 2007), SMAQMD Recommended Guidance for Land Use Emission Reductions (SMAQMD 2007), VTPI, CA air quality management and control districts, and cities/counties.	Project design includes pedestrian/bicycle safety and traffic calming measures in excess of jurisdiction requirements. Roadways are designed to reduce motor vehicle speeds and encourage pedestrian and bicycle trips by featuring traffic calming features. All sidewalks internal and adjacent to project site are minimum of five feet wide. All sidewalks feature vertical curbs. Roadways that converge internally within the project are routed in such a way as to avoid "skewed intersections;" which are intersections that meet at acute, rather than right, angles. Intersections internal and adjacent to the project feature one or more of the following pedestrian safety/traffic calming design techniques: marked crosswalks, count-down signal timers, curb extensions, speed tables, raised crosswalks, raised intersections, median islands, tight corner radii, and roundabouts or mini-circles. Streets internal and adjacent to the project feature pedestrian safety/traffic calming measures such as on-street parking, planter strips with street trees,

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Mitigation Measure Summary**

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		Emissions Reduction/Score <sup>2</sup>	Technical <sup>4</sup>	Logistical <sup>5</sup>		and chicanes/chokers (variations in road width to discourage high-speed travel).
<b>Parking Measures</b>						
MM T-9: Paid Parking (Parking Cash Out)	LD (C, M), I, SP, TP, AQP, RR, P/Mobile	1%-30%/High: CCAP presents a range of 15%-30% reduction for parking programs (Dierkers et al. 2007). SMAQMD presents a range of 1.0%-7.2%, depending on cost/day and distance to transit (TIAX 2005, EDAW 2006, SMAQMD 2007). Shoupe presents a 21% reduction [\$5/day for commuters to downtown L/A, with elasticity of -0.18 (e.g., if price increases 10%, then solo driving goes down by 1.8% more)] (Shoupe 2005). Urban Transit Institute	Yes (Dierkers et al. 2007, VTPI 2007)	Adverse: No Beneficial: CAPs, TACs	CCAP Transportation Emissions Guidebook (Dierkers et al. 2007), SMAQMD Recommended Guidance for Land Use Emission Reductions (SMAQMD 2007), VTPI, CA air quality management and control districts, and cities/counties.	Project provides employee and/or customer paid parking system. Project must have a permanent and enforceable method of maintaining user fees for all parking facilities. The facility may not provide customer or employee validations. Daily charge for parking must be equal to or greater than the cost of a transit day/monthly pass plus 20%.

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		Emissions Reduction/Score <sup>2</sup>	Cost (Yes/No) <sup>3</sup>	Technical <sup>4</sup>	Logistical <sup>5</sup>			
<b>MM T-10:</b> Minimum Parking	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile	1%-30%/High: CCAP presents a range of 1%-10% reduction in trips to central city sites, and 2%-4% in suburban sites (VTPI 2007). 15%-30% reduction for parking programs (Dierkers et al. 2007). SMAQMD presents a maximum of 6% (Nelson/Nygaard Consulting Associates, 2005, TIAAX 2005, EDAW 2006).	Yes	Yes (Dierkers et al. 2007, VTPI 2007)	Yes (Dierkers et al. 2007, VTPI 2007). Note that in certain areas of the state, the minimum parking required by code is greater than the peak parking demand for most land uses. Simply meeting minimum code requirements in these areas would not result in an emissions reduction.	Adverse: No Beneficial: CAPs, TACs	CCAP Transportation Emissions Guidebook (Dierkers et al. 2007), SMAQMD Recommended Guidance for Land Use Emission Reductions (SMAQMD 2007), VTPI, Governor's Office of Smart Growth (Annapolis, Maryland) (Zimble, CA air quality management and control districts, and cities/counties).	Provide minimum amount of parking required. Once land uses are determined, the trip reduction factor associated with this measure can be determined by utilizing the ITE parking generation publication. The reduction in trips can be computed as shown below by the ratio of the difference of minimum parking required by code and ITE peak parking demand to ITE peak parking demand for the land uses multiplied by 50%. Percent Trip Reduction = 50 * [(min parking required by code - ITE peak parking demand) / (ITE peak parking demand)]



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<b>MM T-11:</b> Parking Reduction Beyond Code/Shared Parking	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile	<b>Emissions Reduction/Score<sup>2</sup></b> 1%-30%/High: CCAP presents a range of 15%-30% reduction for parking programs (Dierkers et al. 2007). SMAQMD presents a maximum of 12% (Nelson/Nygaard, 2005, TIAx 2005, EDAW 2006).	Yes	Yes (Dierkers et al. 2007, VTPI 2007)	Yes (Dierkers et al. 2007, VTPI 2007)	Adverse: No Beneficial: CAPs, TACs		Provide parking reduction less than code. This measure can be readily implemented through a shared parking strategy, wherein parking is utilized jointly among different land uses, buildings, and facilities in an area that experience peak parking needs at different times of day and day of the week.
<b>MM T-12:</b> Pedestrian Pathway Through Parking	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile	1%-4%/Moderate: CCAP presents combined % reductions for a range of mitigation measures (Dierkers et al. 2007). SMAQMD allocates 0.5% reduction for this measure (TIAx 2005, EDAW 2006, SMAQMD 2007).	Yes	Yes (Dierkers et al. 2007, VTPI 2007)	Yes (Dierkers et al. 2007, VTPI 2007)	Adverse: No Beneficial: CAPs, TACs		Provide a parking lot design that includes clearly marked and shaded pedestrian pathways between transit facilities and building entrances.

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		<b>Emissions Reduction/Score<sup>2</sup></b>	<b>Cost (Yes/No)<sup>3</sup></b>	<b>Technical<sup>4</sup></b>	<b>Logistical<sup>5</sup></b>				
<b>MM T-13: Off-Street Parking</b>	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile	1%-4%/Moderate: CCAP presents combined % reductions for a range of mitigation measures (Dierkers et al. 2007). SMAQMD allocates a range of 0.1%-1.5% for this measure (TIAX 2005, EDAX 2006, SMAQMD 2007).	Yes	Yes (Dierkers et al. 2007, VTPI 2007)	Yes (Dierkers et al. 2007, VTPI 2007)	Yes	Adverse: No Beneficial: CAPs, TACs	AG, State of CA	Parking facilities are not adjacent to street frontage.
<b>MM T-14: Parking Area Tree Cover</b>	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile	Annual net CO <sub>2</sub> reduction of 3.1 kg/m <sup>2</sup> canopy cover/Moderate (McPherson 2001).	Yes: \$19 per new tree for CA, cost varies for maintenance, removal and replacement (McPherson 2001).	Yes	Yes	Yes	Adverse: VOCs Beneficial: CAPs, TACs	AG, State of CA Department of Justice (Goldberg 2007) and cities/counties (e.g., parking lot ordinances in Sacramento, Davis, and Los Angeles, CA).	Provide parking lot areas with 50% tree cover within 10 years of construction, in particular low emitting, low maintenance, native drought resistant trees. Reduces urban heat island effect and requirement for air conditioning, effective when combined with other measures (e.g., electrical maintenance equipment and reflective paving material).
<b>MM T-15: Valet Bicycle Parking</b>	LD (C, M), SP, AQP, TP, RR, P/Mobile	NA/Low	Yes	Yes	Yes: Raley Field (Sacramento CA)	Yes: Raley Field (Sacramento CA)	Adverse: No Beneficial: CAPs, TACs	Raley Field (Sacramento, CA).	Provide spaces for the operation of valet bicycle parking at community event "centers" such as amphitheaters, theaters, and stadiums.
<b>MM T-16: Garage Bicycle Storage</b>	LD (R, M), SP, AQP, TP, RR, P/Mobile	NA/Low	Yes: Less than \$200/multiple bike rack.	Yes	Yes	Yes	Adverse: No Beneficial: CAPs, TACs	City of Fairview, OR	Provide storage space in one-car garages for bicycles and bicycle trailers.

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		Emissions Reduction/Score <sup>2</sup>			Logistical <sup>5</sup>			
<b>MM T-17:</b> Preferential Parking for EVs/CNG Vehicles	LD (C, M), I, SP, TP, AQP, RR, P/Mobile	NA/Low	Yes	Yes	Yes	Adverse: No Beneficial: CAPs, TACs	USGBC, CA air quality management and control districts and cities/counties (e.g., BAAQMD).	Provide preferential parking space locations for EVs/CNG vehicles.
<b>MM T-18:</b> Reduced/No Parking Fee for EVs/CNG Vehicles	LD (C, M), I, SP, TP, AQP, RR, P/Mobile	NA/Low	Yes	Yes	Yes	Adverse: No Beneficial: CAPs, TACs	Hotels (e.g., Argonaut in San Francisco, CA)	Provide a reduced/no parking fee for EVs/CNG vehicles.

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		Emissions Reduction <sup>3</sup> /Score <sup>2</sup>	Technical <sup>4</sup>	Logistical <sup>5</sup>		
<b>Miscellaneous Measure</b>						
<b>MM T-19:</b> TMA Membership	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile	1%-28%/High: CCAP presents a range of 3%-25% for TDMs with complementary transit and land use measures (Dierkers et al. 2007). VTPI presents a range of 6%-7% in the TDM encyclopedia (VTPI 2007). URBEMIS offers a 2%-10% range in reductions for a TDM that has 5 elements that are pedestrian and transit friendly and 1%-5% for 3 elements. SMAQMD presents a reduction of 5% (TIAX 2005, EDAW 2006, SMAQMD 2007).	Yes (Dierkers et al. 2007, VTPI 2007)	Yes (Dierkers et al. 2007, VTPI 2007)	Adverse: No Beneficial: CAPs, TACs (e.g., SMAQMD).	Include permanent TMA membership and funding requirement. Funding to be provided by Community Facilities District or County Service Area or other nonrevocable funding mechanism. TDMs have been shown to reduce employee vehicle trips up to 28% with the largest reductions achieved through parking pricing and transit passes. The impact depends on the travel alternatives.
<b>MM T-20:</b> ULEV	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile	NA/Low	Yes	Yes: Fueling stations might not be readily available depending on location. More than 900 E85 fueling	Adverse: No Beneficial: CAPs, TACs (e.g., SMAQMD).	Use of and/or provide ULEV that are 50% cleaner than average new model cars (e.g., natural gas, ethanol, electric).

Table 16 Mitigation Measure Summary								
Mitigation Measure	Applicable Project/Source Type <sup>1</sup>	Effective	Cost (Yes/No) <sup>3</sup>	Technical <sup>4</sup>	Feasible (Yes/No)	Secondary Effects (Yes/No)	Agency/Organization/Other <sup>6</sup>	Description/Comments
		Emissions Reduction/Score <sup>2</sup>			Logistical <sup>5</sup>			
<b>MM T-21: Flex Fuel Vehicles</b>	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile	5466.97 lb GHG/year/Low (DOE Fuel Economy)	Yes: E85 costs less than gasoline per gallon, but results in lower fuel economy.	Yes	Yes: More than 900 E85 fueling stations in the U.S., 5 in CA. Vehicles available in select regions only	Adverse: Yes Issues with the energy intensive ethanol production process (e.g., wastewater treatment requirements). Beneficial: CAPs, TACs	DGS, CA air quality management and control districts and cities/counties (e.g., SJV/APCD).	Use of and/or provide vehicles that utilize gasoline/ethanol blends (e.g., E85).
<b>Design</b>								
<b>Commercial &amp; Residential Building Design Measures</b>								
<b>MM D-1: Office/Mixed Use Density</b>	LD (C, M), SP, TP, AQP, RR, P/Mobile	0.05% <sup>a</sup> -2%/Moderate: This range is from SMAQMD, depending	Yes	Yes (VTPI 2007)	Yes (VTPI 2007)	Adverse: No Beneficial: CAPs, TACs	CA air quality management and control districts and cities/counties	Project provides high density office or mixed-use proximate to transit. Project must provide

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Mitigation Measure	Applicable Project/Source Type <sup>1</sup>	Effective	Feasible (Yes/No)	Secondary Effects (Yes/No)	Agency/Organization/Other <sup>6</sup>	Description/Comments	
		<b>Emissions Reduction/Score<sup>2</sup></b>	<b>Cost (Yes/No)<sup>3</sup></b>	<b>Technical<sup>4</sup></b>	<b>Logistical<sup>5</sup></b>		
		on FAR and headway frequencies (Nelson/Nygaard Consulting Associates 2005, EDAW 2006, SMAQMD 2007).			(e.g., SMAQMD).	safe and convenient pedestrian and bicycle access to all transit stops within one-quarter mile.	
<b>MM D-2:</b> Orientation to Existing/Planned Transit, Bikeway, or Pedestrian Corridor	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile	0.4%-1%/Moderate: CCAP attributes a 0.5% reduction per 1% improvement in transit frequency (Dierkers et al. 2007). SMAQMD presents a range of 0.25%-5% (JSA 2005, EDAW 2006, SMAQMD 2007).	Yes	Yes (Dierkers et al. 2007)	Yes (Dierkers et al. 2007)	Adverse: No Beneficial: CAPs, TACs	CA air quality management and control districts and cities/counties (e.g., SMAQMD).  Project is oriented towards existing transit, bicycle, or pedestrian corridor. Setback distance between project and existing or planned adjacent uses is minimized or nonexistent. Setback distance between different buildings on project site is minimized. Setbacks between project buildings and planned or existing sidewalks are minimized. Buildings are oriented towards existing or planned street frontage. Primary entrances to buildings are located along planned or existing public street frontage. Project provides bicycle access to any planned bicycle corridor(s). Project provides pedestrian access to any planned pedestrian corridor(s).
<b>MM D-3:</b> Services Operational	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile	0.5%-5%/Moderate	Yes	Yes	Yes	Adverse: No Beneficial: CAPs, TACs	CA air quality management and control districts and cities/counties (e.g., SMAQMD).  Project provides on-site shops and services for employees.

**Table 16  
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<b>MM D-4:</b> Residential Density (Employ Sufficient Density for New Residential Development to Support the Use of Public Transit)	LD (R, M), SP, TP, AQP, RR, P/Mobile	Emissions Reduction/Score <sup>2</sup> 1%-40%/High: #7, EPA presents a range of 32%-40% (EPA 2006). SMAQMD presents a range of 1%-12% depending on density and roadway frequencies (Nelson/Nygaard Consulting Associates 2005, JSA 2005, EDAAW 2006, SMAQMD 2007). Nelson/Nygaard presents a trip reduction formula: Trip Reduction = $0.6 * (1 - (19749 * ((4.814 + \text{households per residential acre}) / (4.814 + 7.14)))^{0.6})$	Yes	Yes (VTPI 2007, Holtzclaw 2007)	Yes (VTPI 2007, Holtzclaw 2007)	Adverse: No Beneficial: CAPs, TACs (e.g., SMAQMD).	CA air quality management and control districts and cities/counties	Project provides high-density residential development. Transit facilities must be within one-quarter mile of project border. Project provides safe and convenient bicycle/pedestrian access to all transit stop(s) within one-quarter mile of project border.
<b>MM D-5:</b> Street Grid	LD (R, C, M), I, SP, TP, AQP, RR,	1%/Moderate: SMAQMD presents this % reduction (JSA	Yes	Yes (Dierkers et al. 2007, VTPI 2007)	Yes (Dierkers et al. 2007, VTPI 2007)	Adverse: No Beneficial: CAPs, TACs	CA air quality management and control districts and cities/counties	Multiple and direct street routing (grid style). This measure only applies to projects

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**Mitigation Measure Summary**

Mitigation Measure	Applicable Project/Source Type <sup>1</sup>	Effective	Feasible (Yes/No)	Secondary Effects (Yes/No)	Agency/Organization/Other <sup>6</sup>	Description/Comments
		Emissions Reduction/Score <sup>2</sup>	Cost (Yes/No) <sup>3</sup>	Technical <sup>4</sup>	Logistical <sup>5</sup>	
	P/Mobile	2005, EDAW 2006, SMAQMD 2007).			VTP1 2007)	with an internal CF $\geq 0.80$ , and average of one-quarter mile or less between external connections along perimeter of project. [CF= # of intersections / (# of cul-de-sacs + intersections)]. Cul-de-sacs with bicycle/pedestrian through access may be considered “complete intersections” when calculating the project’s internal connectivity factor. External connections are bike/pedestrian pathways and access points, or streets with safe and convenient bicycle and pedestrian access that connect the project to adjacent streets, sidewalks, and uses. If project site is adjacent to undeveloped land; streets, pathways, access points, and right-of-ways that provide for future access to adjacent uses may count for up to 50% of the external connections. Block perimeter (the sum of the measurement of the length of all block sides) is limited to no more than 1,350 feet. Streets internal to the project should connect to streets external to the project whenever possible.

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		Emissions Reduction/Score <sup>2</sup>	Cost (Yes/No) <sup>3</sup>	Technical <sup>4</sup>	Logistical <sup>5</sup>	
<b>MM D-6:</b> NEV Access	LD (R, C, M), SP, TP, AQP, RR, P/Mobile	0.5%-1.5%/Low: SMAQMD presents this % reduction (EDAW 2006, SMAQMD 2007).	Yes	Yes (Litman 1999, Sperling 1994)	Adverse: No Beneficial: CAPs, TACs	Make physical development consistent with requirements for neighborhood electric vehicles. Current studies show that for most trips, NEVs do not replace gas-fueled vehicles as the primary vehicle.
<b>MM D-7:</b> Affordable Housing Component	LD (R, M), SP, TP, AQP, RR, P/Mobile	0.4%-6%/Moderate: SMAQMD presents this % reduction (Nelson/Nygaard Consulting Associates 2005, EDAW 2006, SMAQMD 2007).	Yes	Yes	Adverse: No Beneficial: CAPs, TACs	Residential development projects of five or more dwelling units provide a deed-restricted low-income housing component on-site (or as defined in the code). Developers who pay into In-Lieu Fee Programs are not considered eligible to receive credit for this measure. The award of emission reduction credit shall be based only on the proportion of affordable housing developed on-site because in-lieu programs simply induce a net increase in development. Percentage reduction shall be calculated according to the following formula:

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Mitigation Measure	Applicable Project/Source Type <sup>1</sup>	Effective	Feasible (Yes/No)	Secondary Effects (Yes/No)	Agency/Organization/Other <sup>6</sup>	Description/Comments
		Emissions Reduction/Score <sup>2</sup>	Cost (Yes/No) <sup>3</sup>	Technical <sup>4</sup>	Logistical <sup>5</sup>	
<b>MM D-8:</b> Recharging Area	LD (R, M), SP, TP, AQP, RR, P/Mobile	NA/Low	Yes	Yes	Yes	<p>% reduction = % units deed-restricted below market rate housing * 0.04</p> <p>Provide residential buildings with a "utility" room or space for recharging batteries, whether for use in a car, electric lawnmower, other electric landscaping equipment, or even batteries for small items such as flashlights.</p>
<b>Mixed-Use Development Measures</b>						
<b>MM D-9:</b> Urban Mixed-Use	LD (M), SP, TP, AQP, RR, P/Mobile	3%-9%/Moderate: SMAQMD presents this % reduction (TIAX 2005, EDAAW 2006, SMAQMD 2007).	Yes	Yes (EPA 2006)	Yes (EPA 2006)	<p>Development of projects predominantly characterized by properties on which various uses, such as office, commercial, institutional, and residential, are combined in a single building or on a single site in an integrated development project with functional interrelationships and a coherent physical design.</p>
<b>MM D-10:</b> Suburban Mixed-Use	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile	3%/Moderate: SMAQMD presents this % reduction (TIAX 2005, EDAAW 2006, SMAQMD 2007).	Yes	Yes (EPA 2006)	Yes (EPA 2006)	<p>Have at least three of the following on site and/or offsite within one-quarter mile: Residential Development, Retail Development, Park, Open Space, or Office.</p>
<b>MM D-11:</b> Other Mixed-Use	LD (R, M), SP, TP, AQP, RR, P/Mobile	1%/Moderate: SMAQMD presents this % reduction (TIAX 2005, EDAAW 2007).	Yes	Yes (EPA 2006)	Yes (EPA 2006)	<p>All residential units are within one-quarter mile of parks, schools or other civic uses.</p>

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		<b>Emissions Reduction/Score<sup>2</sup></b>	<b>Cost (Yes/No)<sup>3</sup></b>	<b>Technical<sup>4</sup></b>	<b>Logistical<sup>5</sup></b>	
		2006, SMAQMD 2007).				
<b>MM D-12:</b> Infill Development	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile	3%-30%/High: Infill development reduces vehicle trips and VMT by 3% and 20%, respectively (Fehr & Peers 2007). CCAP identifies a site level VMT reduction range of 20%-30% (Dierkers et al. 2007).	Yes	Yes (Dierkers et al. 2007)	Adverse: No Beneficial: CAPs, TACs	Project site is on a vacant infill site, redevelopment area, or brownfield or greyfield lot that is highly accessible to regional destinations, where the destinations rating of the development site (measured as the weighted average travel time to all other regional destinations) is improved by 100% when compared to an alternate greenfield site.
<b>Miscellaneous Measures</b>						
<b>MM D-13:</b> Electric Lawnmower	LD (R, M), SP, AQP, RR, P/Area	1%/Low: SMAQMD presents this % reduction (EDAW 2006, SMAQMD 2007).	Yes	Yes	Adverse: No Beneficial: CAPs, TACs	Provide a complimentary electric lawnmower to each residential buyer.

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		Emissions Reduction/Score <sup>2</sup>						
<b>MM D-14:</b> Enhanced Recycling/Waste Reduction, Reuse, Composting	LD (R, C, M), NA/Low I, SP, AQP, RR, P/Stationary & Area	NA/Low	Yes	Yes	Yes: Association with social awareness.	Adverse: No Beneficial: CAPs, TACs	CIWMB	Provide infrastructure/education that promotes the avoidance of products with excessive packaging, recycle, buying of refills, separating of food and yard waste for composting, and using rechargeable batteries.
<b>MM D-15:</b> LEED Certification	LD (R, C, M), NA/Moderate I, SP, AQP, RR, P/Stationary & Area	Moderate	Yes: Receive tax rebates, incentives (e.g., EDAW San Diego office interior remodel cost \$1,700,000 for 32,500 square feet) (USGBC 2007)	Yes	Yes: More than 700 buildings of different certifications in CA (USGBC 2007).	Adverse: No Beneficial: CAPs, TACs	USGBC, CA air quality management and control districts and cities/counties (e.g., BAAQMD).	LEED promotes a whole-building approach to sustainability by recognizing performance in five key areas of human and environmental health: sustainable site development, water savings, energy efficiency, materials selection, and indoor environmental quality.
<b>MM D-16:</b> Retro-Commissioning	LD (C, M), I, SP, AQP, RR, P/Stationary & Area	8%-10% reduction in energy usage/Moderate: (Mills et al. 2004)	Yes: Average \$0.28/square feet, varies with building size (Haasl and Sharp 1999).	Yes	Yes: 27 projects underway in CA, 21 more to be completed in 2007, mostly state buildings owned by DGS (DGS 2007).	Adverse: No Beneficial: CAPs, TACs	DGS, CA air quality management and control districts and cities/counties (e.g., BAAQMD).	The process ensures that all building systems perform interactively according to the contract documents, the design intent and the owner's operational needs to optimize energy performance.
<b>MM D-17</b> Landscaping	LD (R, C, M), NA/Low I, SP, AQP, RR,	NA/Low	Yes	Yes	Yes	Adverse: No Beneficial: CAPs, TACs	Alliance for the Chesapeake Bay, EPA Green Landscaping	Project shall use drought resistant native trees, trees with low emissions and high carbon

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		Emissions Reduction/Score <sup>2</sup>	Technical <sup>4</sup>	Cost (Yes/No) <sup>3</sup>	Logistical <sup>5</sup>	
	P/Stationary & Area				Resources	sequestration potential. Evergreen trees on the north and west sides afford the best protection from the setting summer sun and cold winter winds. Additional considerations include the use of deciduous trees on the south side of the house that will admit summer sun; evergreen plantings on the north side will slow cold winter winds; constructing a natural planted channel to funnel summer cooling breezes into the house. Neighborhood CCR's not requiring that front and side yards of single family homes be planted with turf grass. Vegetable gardens, bunch grass, and low-water landscaping shall also be permitted, or even encouraged.
<b>MM D-18:</b>	Local LD (M), Farmers' Market SP/Mobile, Stationary, &	NA/Low	Yes	Yes	Adverse: No Beneficial: Associated with social CAPs, TACs	Project shall dedicate space in a centralized, accessible location for a weekly farmers' market.

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		Emissions Reduction/Score <sup>2</sup>	Cost (Yes/No) <sup>3</sup>	Technical <sup>4</sup>	Logistical <sup>5</sup>			
	Area				choice and public awareness.			
<b>MM D-19:</b> Community Gardens	LD (M), SP/Mobile, Stationary, & Area	NA/Low	Yes	Yes	Yes: Associated with social choice and public awareness.	Adverse: No Beneficial: CAPs, TACs	Cities/counties (e.g., Davis)	Project shall dedicate space for community gardens.
<b>Energy Efficiency/Building Component</b>								
<b>MM E-1:</b> High-Efficiency Pumps	LD (R, C, M), SP, AQP, RR, P/Stationary & Area	NA/Low	Yes	Yes	Yes	Adverse: No Beneficial: CAPs, TACs	CA air quality management and control districts and cities/counties (e.g., BAAQMD).	Project shall use high-efficiency pumps.
<b>MM E-2:</b> Wood Burning Fireplaces/Stoves	LD (R, M), SP, AQP, RR, P/Stationary & Area	NA/Low: EDAW 2006	Yes	Yes	Yes	Adverse: No Beneficial: CAPs, TACs	CA air quality management and control districts and cities/counties (e.g., SMAQMD).	Project does not feature fireplaces or wood burning stoves.
<b>MM E-3:</b> Natural Gas Stove	LD (R, M), SP, AQP, RR, P/Stationary & Area	NA/Low: EDAW 2006	Yes: Cost of stove—\$350 (gas) and \$360 (electric) same brand, total yearly cost of \$42.17 as opposed to \$56.65 for electric (Saving Electricity 2006).	Yes	Yes	Adverse: No Beneficial: CAPs, TACs	CA air quality management and control districts and cities/counties (e.g., SMAQMD).	Project features only natural gas or electric stoves in residences.



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		Emissions Reduction/Score <sup>2</sup>	Cost (Yes/No) <sup>3</sup>	Technical <sup>4</sup>	Logistical <sup>5</sup>	
<b>MM E-4:</b> Energy Star Roof	LD (R, C, M), I, SP, AQP, RR, P/Stationary & Area	0.5%-1%/Low: SMAQMD presents this % reduction (EDAW 2006, SMAQMD 2007).	Yes	Yes	Yes: 866 Energy Star labeled buildings in California (Energy Star 2007)	Adverse: No Beneficial: CAPs, TACs (e.g., SMAQMD). Project installs Energy Star labeled roof materials.
<b>MM E-5:</b> On- site Renewable Energy System	LD (R, C, M), I, SP, AQP, RR, P/Stationary & Area	1%-3%/Moderate: SMAQMD presents this % reduction (USGBC 2002 and 2005, EDAW 2006, SMAQMD 2007).	Yes	Yes (USGBC 2002 and 2005)	Yes (USGBC 2002 and 2005)	Adverse: No Beneficial: CAPs, TACs (e.g., SMAQMD). Project provides onsite renewable energy system(s). Nonpolluting and renewable energy potential includes solar, wind, geothermal, low-impact hydro, biomass and bio-gas strategies. When applying these advantages, projects may take the local utility.

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		Emissions Reduction/Score <sup>2</sup>	Cost (Yes/No) <sup>3</sup>	Technical <sup>4</sup>	Logistical <sup>5</sup>		
<b>MM E-6:</b> Exceed Title 24	LD (R, C, M), I, GSP, AQP, RR, P/Stationary & Area	1%/Moderate: SMAQMD presents this % reduction (EDAW 2006, SMAQMD 2007).	Yes	Yes (PG&E 2002, SMUD 2006)	Yes (PG&E 2002, SMUD 2006)	Adverse: No Beneficial: CAPs, TACs  PG&E, SMUD, CA air quality management and control districts and cities/counties (e.g., SMAQMD).	Project exceeds title 24 requirements by 20%.
<b>MM E-7:</b> Solar Orientation	LD (R, C, M), I, SP, AQP, RR, P/Stationary & Area	0.5%/Low: SMAQMD presents this % reduction (EDAW 2006, SMAQMD 2007).	Yes	Yes	Yes	Adverse: No Beneficial: CAPs, TACs  CA air quality management and control districts and cities/counties (e.g., SMAQMD).	Project orients 75% or more of homes and/or buildings to face either north or south (within 30° of N/S). Building design includes roof overhangs that are sufficient to block the high summer sun, but not the lower winter sun, from penetrating south facing windows. Trees, other landscaping features and other buildings are sited in such a way as to maximize shade in the summer and maximize solar access to walls and windows in the winter.
<b>MM E-8:</b> Nonroof Surfaces	LD (R, C, M), I, GSP, AQP, RR, P/Stationary & Area	1.0%/Low: SMAQMD presents this % reduction (EDAW 2006, SMAQMD 2007).	Yes	Yes (USGBC 2002 and 2005)	Yes (USGBC 2002 and 2005)	Adverse: No Beneficial: CAPs, TACs  CA air quality management and control districts and cities/counties (e.g., SMAQMD).	Provide shade (within 5 years) and/or use light-colored/high- albedo materials (reflectance of at least 0.3) and/or open grid pavement for at least 30% of the site's nonroof impervious surfaces, including parking lots, walkways, plazas, etc.; OR place a minimum of 50% of parking spaces underground or covered by structured parking; OR use an open-grid pavement system (less than 50% impervious) for a minimum of

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		Emissions Reduction/Score <sup>2</sup>	Technical <sup>4</sup>	Cost (Yes/No) <sup>3</sup>	Logistical <sup>5</sup>	
						50% of the parking lot area. The mitigation measure reduces heat islands (thermal gradient differences between developed and undeveloped areas to minimize impact on microclimate and human and wildlife habitats. This measure requires the use of patented or copyright protected methodologies created by the ASTM. The SRI is a measure of the constructed surface's ability to reflect solar heat, as shown by a small rise in temperature. It is defined so that a standard black (reflectance 0.05, emittance 0.90) is "0" and a standard white (reflectance 0.80, emittance 0.90) is 100. To calculate SRI for a given material, obtain the reflectance value and emittance value for the material. SRI is calculated according to ASTM E 1980-01. Reflectance is measured

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Mitigation Measure	Applicable Project/Source Type <sup>1</sup>	Effective	Cost (Yes/No) <sup>3</sup>	Technical <sup>4</sup>	Logistical <sup>5</sup>	Feasible (Yes/No)	Secondary Effects (Yes/No)	Agency/Organization/Other <sup>6</sup>	Description/Comments
		Emissions Reduction/Score <sup>2</sup>							
<b>MM E-9:</b> Low-Energy Cooling	LD (C, M), I, SP, AQP, RR, P/Stationary & Area	1%-10%/Low: EDAP presents this percent reduction range (EDAW 2006).	Yes	Yes (USGBC 2002 and 2005)	Yes (USGBC 2002 and 2005)	Yes (USGBC 2002 and 2005)	Adverse: No Beneficial: CAPs, TACs	CA air quality management and control districts and cities/counties (e.g., SMAQMD).	Project optimizes building's thermal distribution by separating ventilation and thermal conditioning systems.
<b>MM E-10:</b> Green Roof	LD (R, C, M), I, SP, AQP, RR, P/Stationary & Area	1.0%/Moderate: SMAQMD presents this % reduction (EDAW 2006, SMAQMD 2007).	Yes	Yes (USGBC 2002 and 2005)	Yes (USGBC 2002 and 2005)	Yes (USGBC 2002 and 2005)	Adverse: Increased Water Consumption Beneficial: CAPs, TACs	CA air quality management and control districts and cities/counties (e.g., SMAQMD).	Install a vegetated roof that covers at least 50% of roof area. The reduction assumes that a vegetated roof is installed on a least 50% of the roof area or that a combination high albedo and vegetated roof surface is installed that meets the following standard: (Area of vegetated roof/0.75)+(Area of Roof Area. Water consumption reduction measures shall be considered in the design of the green roof.
<b>MM E-11:</b> EV Charging Facilities	LD (C, M), SP, AQP, RR, P/Stationary & Area	NA/Low	Yes: \$500-\$5000/ vehicle site (PG&E 1999)	Yes	Yes: 381 facilities in CA (Clean Air Maps 2007).	Yes: 381 facilities in CA (Clean Air Maps 2007).	Adverse: No Beneficial: CAPs, TACs	DOE, EERE, CA air quality management and control districts and cities/counties (e.g., BAAQMD).	Project installs EV charging facilities.
<b>MM E-12:</b>	LD (R, C, M),	NA/Low: Increasing	Yes: Light	Yes	Yes: Apply	Yes: Apply	Adverse: No		Project provides light-colored

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Light-Colored Paving	I, SP, AQP, RR, P/Stationary & Area	Emissions Reduction/Score <sup>2</sup> the albedo of 1,250 km of pavement by 0.25 would save cooling energy worth \$15M per year.	colored aggregates and white cement are more expensive than gray cement. Certain blended cements are very light in color and may reflect similarly to white cement at an equivalent cost to normal gray cement.	natural sand or gravel colored single surface treatments to asphalt (EOE 2007).	Beneficial: CAPs, TACs			paving (e.g., increased albedo pavement).
MM E-13: Cool Roofs	LD (R, C, M), N/A/Low I, SP, AQP, RR, P/Stationary & Area	Yes: 0.75–1.5/square feet coating (EPA 2007a)	Yes	Yes: Over 90% of the roofs in the United States are dark colored	Adverse: No Beneficial: CAPs, TACs	CEC		Project provides cool roofs. Highly reflective, highly emissive roofing materials that stay 50–60°F cooler than a normal roof under a hot summer sun. CA's Cool Savings

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		Emissions Reduction/Score <sup>2</sup>	Cost (Yes/No) <sup>3</sup>	Technical <sup>4</sup>	Logistical <sup>5</sup>		
<b>MM E-14:</b> Solar Water Heaters	LD (R, M), SP, AQP, RR, P/Stationary & Area	20%–70% reduction in cooling energy needs/Moderate	Yes: \$1675/20 square feet, requires a 50 gallon tank, annual operating cost of \$176 (DOE 2007).	Yes	Yes: Based on solar orientation, building codes, zoning ordinances.	Adverse: No Beneficial: CAPs, TACs	Europe Project provides solar water heaters.
<b>MM E-15:</b> Electric Yard Equipment Compatibility	LD (R, M), SP, AQP, RR, P/Stationary & Area	NA/Low	Yes: \$75–\$250/outlet from existing circuit (Cost Helper 2007).	Yes	Yes	Adverse: No Beneficial: CAPs, TACs	Project provides electrical outlets at building exterior areas.
<b>MM E-16:</b> Energy Efficient Appliance Standards	LD (R, C, M), SP, AQP, RR, P/Stationary & Area	NA/Low	Yes: Varies for each appliance—higher capital costs, lower operating costs (Energy	Yes	Yes: Major retail stores.	Adverse: No Beneficial: CAPs, TACs	Project uses energy efficient appliances (e.g., Energy Star).

(EPA 2007a).

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		Emissions Reduction/Score <sup>2</sup>						
<b>MM E-17:</b> Green Building Materials	LD (R, C, M), SP, AQP, RR, P/Stationary & Area	NA/Low: 25-30% more efficient on average.	Yes	Yes: BEES software allows users to balance the environmental and economic performance of building products; developed by NIST (NIST 2007).	Yes	Adverse: No Beneficial: CAPs, TACs		Project uses materials which are resource efficient, recycled, with long life cycles and manufactured in an environmentally friendly way.
<b>MM E-18:</b> Shading Mechanisms	LD (R, C, M), I, SP, AQP, RR, P/Stationary, & Area	Up to \$450 annual energy savings (Energy Star 2007).	Yes: Higher capital costs, lower operating and maintenance costs (Energy Star 2007).	Yes	Yes: Major retail stores.	Adverse: No Beneficial: CAPs, TACs		Install energy-reducing shading mechanisms for windows, porch, patio and walkway overhangs.

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		Emissions Reduction/Score <sup>2</sup>						
<b>MM E-19:</b> Ceiling/Whole-House Fans	LD (R, C, M), I, SP, AQP, RR, P/Stationary, & Area	NA/Low: 50% more efficient than conventional fans (Energy Star 2007).	Yes: \$45-\$200/fan, installation extra (Lowe's 2007).	Yes	Yes: Major retail stores.	Adverse: No Beneficial: CAPs, TACs		Install energy-reducing ceiling/whole-house fans.
<b>MM E-20:</b> Programmable Thermostats	LD (R, C, M), I, SP, AQP, RR, P/Stationary, & Area	NA/Low: \$100 annual savings in energy costs (Energy Star 2007).	Yes: \$60/LCD display and 4 settings for typical residential use (Lowe's 2007).	Yes	Yes: Major retail stores.	Adverse: Yes, Mercury Beneficial: CAPs, TACs		Install energy-reducing programmable thermostats that automatically adjust temperature settings.
<b>MM E-21:</b> Passive Heating and Cooling Systems	LD (R, C, M), I, SP, AQP, RR, P/Stationary, & Area	NA/Low	Yes: \$800 (wall heaters) to \$4,000+ (central systems)	Yes	Yes	Adverse: No Beneficial: CAPs, TACs		Install energy-reducing passive heating and cooling systems (e.g., insulation and ventilation).
<b>MM E-22:</b> Day Lighting Systems	LD (R, C, M), I, SP, AQP, RR, P/Stationary, & Area	NA/Low	Yes: \$1,300 to \$1,500 depending upon the kind of roof (Barrier 1995), installation extra.	Yes	Yes: Work well only for space near the roof of the building, little benefit in multi-floor buildings.	Adverse: No Beneficial: CAPs, TACs		Install energy-reducing day lighting systems (e.g., sky lights, light shelves and interior transom windows).
<b>MM E-23:</b> Water Use Appliances	LD (R, C, M), I, SP, AQP, RR, P/Stationary, & Area	NA/Low: Avoided water agency cost for using water-efficient kitchen pre-rinse spray valves of \$65.18 per acre-foot.	Yes: Can return their cost through reduction in water consumption,	Yes	Yes	Adverse: No Beneficial: CAPs, TACs		Require the installation of low-water use appliances.

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		pumping, and treatment.				
<b>MM E-24:</b> Goods Transport by Rail	LD (C, M), I, SP, AQP, RR, P/Mobile	NA/Moderate	Yes	Yes	ARB Goods Movement Plan (ARB 2007)	Provide a spur at nonresidential projects to use nearby rail for goods movement.
<b>Social Awareness/Education</b>						
<b>MM S-1:</b> GHG Emissions Reductions Education	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile, Stationary, & Mobile	NA/Low	Yes	Yes: Similar programs currently exist in CA.	Adverse: No Beneficial: CAPs, TACs	Provide local governments, businesses, and residents with guidance/protocols/information on how to reduce GHG emissions (e.g., energy saving, food miles).
<b>MM S-2:</b> School Curriculum	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile, Stationary, & Mobile	NA/Low	Yes	Yes: Similar programs currently exist in CA.	Adverse: No Beneficial: CAPs, TACs	Include how to reduce GHG emissions (e.g., energy saving, food miles) in the school curriculum.
<b>Construction</b>						
<b>MM C-1:</b> ARB-Certified Diesel Construction Equipment	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile	NA/Low	Yes	Yes	Adverse: Yes, AG, EPA, ARB, and CA air quality management Beneficial: NO <sub>x</sub> and pollution control CAPs, TACs	Use ARB-certified diesel construction equipment. Increases CO <sub>2</sub> emissions when trapped CO and carbon particles

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		Emissions Reduction/Score <sup>2</sup>						
			\$2,000. DPF, \$5000- \$10,000; installation extra (EPA 2007b).	Yes	Yes	Yes	are oxidized (Catalyst Products 2007, ETC 2007).	
<b>MM C-2:</b> Alternative Fuel Construction Equipment	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile	NA/Low	Yes	Yes	Yes	Adverse: Yes, THC, NO <sub>x</sub> Beneficial: CO, PM, SO <sub>x</sub>	AG, EPA, ARB, and CA air quality management and pollution control districts.	Use alternative fuel types for construction equipment. At the tailpipe biodiesel emits 10% more CO <sub>2</sub> than petroleum diesel. Overall lifecycle emissions of CO <sub>2</sub> from 100% biodiesel are 78% lower than those of petroleum diesel (NREL 1998, EPA 2007b).
<b>MM C-3:</b> Local Building Materials	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile	NA/Low	Yes	Yes	Yes	Adverse: No Beneficial: CAPs, TACs		Use locally made building materials for construction of the project and associated infrastructure.
<b>MM C-4:</b> Recycle Demolished Construction Material	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile	NA/Low	Yes	Yes	Yes	Adverse: No Beneficial: CAPs, TACs		Recycle/Reuse demolished construction material. Use locally made building materials for construction of the project and associated infrastructure.

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		Emissions Reduction/Score <sup>2</sup>						
<b>Miscellaneous</b>								
<b>MM M-1: Off-Site Mitigation Fee Program</b>	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile & Area	NA/Moderate-High: Though there is currently no program in place, the potential for real and quantifiable reductions of GHG emissions could be high if a defensible fee program were designed.	Yes	Yes	No: Program does not exist in CA, but similar programs currently exist (e.g., Carl Moyer Program, SIVAPCD Rule 9510, SMAQMD Off-Site Construction Mitigation Fee Program).	No Adverse: Beneficial: CAPs, TACs		Provide/Pay into an off-site mitigation fee program, which focuses primarily on reducing emissions from existing development and buildings through retro-fit (e.g., increased insulation).
<b>MM M-2: Offset Purchase</b>	LD (R, C, M), I, SP, TP, AQP, RR, P/Mobile, Stationary, & Area	NA/Low	Yes	Yes	No: ARB has not adopted official program, but similar programs	No		Provide/purchase offsets for additional emissions by acquiring carbon credits or engaging in other market "cap and trade" systems.

AG=Attorney General; ARB=California Air Resources Board; ASTM=American Society for Testing and Material; BAAQMD=Bay Area Air Quality Management District; BEES= Building for Environmental and Economic Sustainability; CA=California; Caltrans=California Department of Transportation; CAPs=Criteria Air Pollutants; CCAP=Center for Clean Air Policy; CF=Connectivity Factor; CIWMB=California Integrated Waste Management Board; CO=Carbon Monoxide; CO<sub>2</sub>=Carbon Dioxide; DGS=Department of General Services; DOE=U.S. Department of Energy; DPF=Diesel particulate Filter; E85=85% Ethanol; EERE=Energy Efficiency and Renewable Energy; EOE=Encyclopedia of Earth; EPA=U.S. Environmental Protection Agency; ETC=Edmonton Trolley Coalition; EYS/CNG=Electric Vehicles/Compressed Natural Gas; FAR=Floor Area Ratio; GHG=Greenhouse Gas; ITE=Institute of Transportation Engineers; kg/m<sup>2</sup>=kilogram per square meter; km=Kilometer; lb=pound; LEED=Leadership in Energy and Environmental Design; M=Million; NA=Not Available; NEV=Neighborhood Electric Vehicle; NIST=National Institute of Standards and Technology; NO<sub>x</sub>=Oxides of Nitrogen; NREL=National Renewable Energy Laboratory; N/S=North/South; PG&E=Pacific Gas and Electric; PM=Particulate Matter; SIVAPCD=San Joaquin Valley Air Pollution Control District; SMAQMD=San Joaquin Valley Air Quality Management District; SMUD=San Joaquin Valley Air Quality Management District; SO<sub>x</sub>=Sulfur Oxides; SRI=Solar Reflectance Index; TACs=Toxic Air Contaminants; TDM=Transportation Demand Management; TMA=Transportation Management Association; THC=Total Hydrocarbon; ULEV=Ultra Low Emission Vehicle; USGBC=U.S. Green Building Council; and VTP=Victoria Transit Policy.

**Table 16  
Mitigation Measure Summary**

Mitigation Measure	Applicable Project/Source Type <sup>1</sup>	Effective	Feasible (Yes/No)	Secondary Effects (Yes/No)	Agency/Organization/Other <sup>6</sup>	Description/Comments
		Emissions Reduction/Score <sup>2</sup>	Cost (Yes/No) <sup>3</sup>	Technical <sup>4</sup>	Logistical <sup>5</sup>	
currently exist.						
<b>Regional Transportation Plan Measures</b>						
<b>MM RTP-1:</b> Dedicate High Occupancy Vehicle (HOV) lanes prior to adding capacity to existing highways.	RTP	Yes	Yes	Yes	Adverse: possible local CO Beneficial: regional CAPs, TACs	Caltrans, local government Evaluate the trip reduction (and GHG reduction) potential of adding HOV lanes prior to adding standard lanes.
<b>MM RTP-2:</b> Implement toll/user fee programs prior to adding capacity to existing highways.	RTP	Yes	Yes	Yes	Adverse: possible local CO. Beneficial: regional CAPs, TACs	Caltrans Evaluate price elasticity and associated trip reduction (and GHG reduction) potential with adding or increasing tolls prior to adding capacity to existing highways.

Note:  
<sup>1</sup> Where LD (R, C, M) =Land Development (Residential, Commercial, Mixed-Use), I=Industrial, GP=General Plan, SP=Specific Plan, TP=Transportation Plans, AQP=Air Quality Plans, RR=Rules/Regulations, and P=Policy. It is important to note that listed project types may not be directly specific to the mitigation measure (e.g., TP, AQP, RR, and P) as such could apply to a variety of source types, especially RR and P.  
<sup>2</sup> This score system entails ratings of high, moderate, and low that refer to the level of the measure to provide a substantive, reasonably certain (e.g., documented emission reductions with proven technologies), and long-term reduction of GHG emissions.  
<sup>3</sup> Refers to whether the measure would provide a cost-effective reduction of GHG emissions based on available documentation.  
<sup>4</sup> Refers to whether the measure is based on currently, readily available technology based on available documentation.  
<sup>5</sup> Refers to whether the measure could be implemented without extraordinary effort based on available documentation.  
<sup>6</sup> List is not meant to be all inclusive.  
 Source: Data compiled by EDAW in 2007

Table 17 General Planning Level Mitigation Strategies Summary			
Strategy	Source Type <sup>1</sup>	Agency/Organization <sup>2</sup>	Description/Comments
<b>MS G-1:</b> Adopt a GHG reduction plan	GP/ Mobile, Stationary, & Area	City of San Bernardino	<ul style="list-style-type: none"> <li>- Adopt GHG reduction targets for the planning area, based on the current legislation providing direction for state-wide targets, and update the plan as necessary.</li> <li>-The local government agency should serve as a model by inventorying its GHG emissions from agency operations, and implementing those reduction goals.</li> </ul>
<b>Circulation</b>			
<b>MS G-2:</b> Provide for convenient and safe local travel	GP/ Mobile	Cities/Countries (e.g., Aliso Viejo, Claremont)	<ul style="list-style-type: none"> <li>- Create a gridded street pattern with small block sizes. This promotes walkability through direct routing and ease of navigation.</li> <li>-Maintain a high level of connectivity of the roadway network. Minimize cul-de-sacs and incomplete roadway segments.</li> <li>-Plan and maintain an integrated, hierarchical and multi-modal system of roadways, pedestrian walks, and bicycle paths throughout the area.</li> <li>-Apply creative traffic management approaches to address congestion in areas with unique problems, particularly on roadways and intersections in the vicinity of schools in the morning and afternoon peak hours, and near churches, parks and community centers.</li> <li>-Work with adjacent jurisdictions to address the impacts of regional development patterns (e.g. residential development in surrounding communities, regional universities, employment centers, and commercial developments) on the circulation system.</li> <li>-Actively promote walking as a safe mode of local travel, particularly for children attending local schools. -Employ traffic calming methods such as median landscaping and provision of bike or transit lanes to slow traffic, improve roadway capacity, and address safety issues.</li> </ul>
<b>MS G-3:</b> Enhance the regional transportation network and maintain effectiveness	GP/ Mobile	Cities/Countries (e.g., Aliso Viejo, Claremont)	<ul style="list-style-type: none"> <li>-Encourage the transportation authority to reduce fees for short distance trips.</li> <li>-Ensure that improvements to the traffic corridors do not negatively impact the operation of local roadways and land uses.</li> </ul>

Table 17 General Planning Level Mitigation Strategies Summary		
Strategy	Source Type <sup>1</sup>	Agency/Organization <sup>2</sup>
		Description/Comments
		<ul style="list-style-type: none"> <li>-Cooperate with adjacent jurisdictions to maintain adequate service levels at shared intersections and to provide adequate capacity on regional routes for through traffic.</li> <li>-Support initiatives to provide better public transportation. Work actively to ensure that public transportation is part of every regional transportation corridor.</li> <li>- Coordinate the different modes of travel to enable users to transfer easily from one mode to another.</li> <li>-Work to provide a strong paratransit system that promotes the mobility of all residents and educate residents about local mobility choices.</li> <li>- Promote transit-oriented development to facilitate the use of the community's transit services.</li> <li>-Promote increased use of public transportation and support efforts to increase bus service range and frequency within the area as appropriate.</li> <li>-Enhance and encourage provision of attractive and appropriate transit amenities, including shaded bus stops, to encourage use of public transportation.</li> <li>-Encourage the school districts, private schools and other operators to coordinate local bussing and to expand ride-sharing programs. All bussing options should be fully considered before substantial roadway improvements are made in the vicinity of schools to ease congestion.</li> <li>-Improve area sidewalks and rights-of-way to make them efficient and appealing for walking and bicycling safely. Coordinate with adjacent jurisdictions and regional agencies to improve pedestrian and bicycle trails, facilities, signage, and amenities.</li> <li>-Provide safe and convenient pedestrian and bicycle connections to and from town centers, other commercial districts, office complexes, neighborhoods, schools, other major activity centers, and surrounding communities.</li> <li>-Work with neighboring jurisdictions to provide well-designed pedestrian and bicycle crossings of major roadways.</li> <li>-Promote walking throughout the community. Install sidewalks where missing and make improvements</li> </ul>
<b>MS G-4:</b> Promote and support an efficient public transportation network connecting activity centers in the area to each other and the region.	GP/ Mobile	Cities/Countries (e.g., Aliso Viejo, Claremont)
<b>MS G-5:</b> Establish and maintain a comprehensive system, which is safe and convenient, of pedestrian ways and bicycle routes that provide viable options to travel by automobile.	GP/ Mobile	Cities/Countries (e.g., Aliso Viejo, Claremont)



Table 17 General Planning Level Mitigation Strategies Summary		
Strategy	Source Type <sup>1</sup>	Agency/Organization? Description/Comments
		<p>to existing sidewalks for accessibility purposes. Particular attention should be given to needed sidewalk improvement near schools and activity centers.</p> <ul style="list-style-type: none"> <li>-Encourage businesses or residents to sponsor street furniture and landscaped areas.</li> <li>- Strive to provide pedestrian pathways that are well shaded and pleasantly landscaped to encourage use.</li> <li>- Attract bicyclists from neighboring communities to ride their bicycles or to bring their bicycles on the train to enjoy bicycling around the community and to support local businesses.</li> <li>- Meet guidelines to become nationally recognized as a Bicycle-Friendly community.</li> <li>- Provide for an education program and stepped up code enforcement to address and minimize vegetation that degrades access along public rights-of-way.</li> <li>-Engage in discussions with transit providers to increase the number of bicycles that can be accommodated on buses</li> <li>-Support regional rail and work with rail authority to expand services.</li> </ul>
<b>MS G-6:</b> Achieve optimum use of regional rail transit.	GP/ Mobile	<p>Cities/Countries (e.g., Aliso Viejo, Claremont)</p> <ul style="list-style-type: none"> <li>- Achieve better integration of all transit options.</li> <li>-Work with regional transportation planning agencies to finance and provide incentives for multimodal transportation systems.</li> <li>- Promote activity centers and transit-oriented development projects around the transit station.</li> <li>-Encourage convenient public transit service between area and airports.</li> <li>-Support the establishment of a local shuttle to serve commercial centers.</li> <li>-Promote convenient, clean, efficient, and accessible public transit that serves transit-dependent riders and attracts discretionary riders as an alternative to reliance on single-occupant automobiles.</li> </ul>
<b>MS G-7:</b> Expand and optimize use of local and regional bus and transit systems.	GP/ Mobile	<p>Cities/Countries (e.g., Aliso Viejo, Claremont)</p>

Table 17 General Planning Level Mitigation Strategies Summary		
Strategy	Source Type <sup>1</sup>	Agency/Organization <sup>2</sup>
Description/Comments		
<p>- Empower seniors and those with physical disabilities who desire maximum personal freedom and independence of lifestyle with unimpeded access to public transportation.</p> <p>- Integrate transit service and amenities with surrounding land uses and buildings.</p>		
<b>Conservation, Open Space</b>		
<b>MS G-8:</b> Emphasize the importance of water conservation and maximizing the use of native, low-water landscaping.	GP/Stationary & Area	Cities/Countries (e.g., Aliso Viejo, Claremont)
<p>-Reduce the amount of water used for landscaping and increase use of native and low water plants. Maximize use of native, low-water plants for landscaping of areas adjacent to sidewalks or other impermeable surfaces.</p> <p>-Encourage the production, distribution and use of recycled and reclaimed water for landscaping projects throughout the community, while maintaining urban runoff water quality objectives.</p> <p>-Promote water conservation measures, reduce urban runoff, and prevent groundwater pollution within development projects, property maintenance, area operations and all activities requiring approval.</p> <p>-Educate the public about the importance of water conservation and avoiding wasteful water habits.</p> <p>-Work with water provider in exploring water conservation programs, and encourage the water provider to offer incentives for water conservation.</p>		
<b>MS G-9:</b> Improve air quality within the region.	GP/ Mobile, Stationary, & Area	Cities/Countries (e.g., Aliso Viejo, Claremont)
<p>-Integrate air quality planning with area land use, economic development and transportation planning efforts.</p> <p>-Support programs that reduce air quality emissions related to vehicular travel.</p> <p>-Support alternative transportation modes and technologies, and develop bike- and pedestrian-friendly neighborhoods to reduce emissions associated with automobile use.</p> <p>-Encourage the use of clean fuel vehicles.</p> <p>-Promote the use of fuel-efficient heating and cooling equipment and other appliances, such as water</p>		

<p align="center"><b>Table 17</b> <b>General Planning Level Mitigation Strategies Summary</b></p>		
Strategy	Source Type <sup>1</sup>	Agency/Organization <sup>2</sup>
		<p>heaters, swimming pool heaters, cooking equipment, refrigerators, furnaces, and boiler units.</p> <ul style="list-style-type: none"> <li>- Promote the use of clean air technologies such as fuel cell technologies, renewable energy sources, UV coatings, and alternative, non-fossil fuels.</li> <li>-Require the planting of street trees along streets and inclusion of trees and landscaping for all development projects to help improve airshed and minimize urban heat island effects.</li> <li>- Encourage small businesses to utilize clean, innovative technologies to reduce air pollution.</li> <li>- Implement principles of green building.</li> <li>-Support jobs/housing balance within the community so more people can both live and work within the community. To reduce vehicle trips, encourage people to telecommute or work out of home or in local satellite offices.</li> <li>-Encourage green building designs for new construction and renovation projects within the area.</li> </ul>
<p><b>MS G-10:</b> Encourage and maximize energy conservation and identification of alternative energy sources.</p>	<p>GP/ Stationary &amp; Area</p>	<p>Cities/Countries (e.g., Aliso Viejo, Claremont)</p> <ul style="list-style-type: none"> <li>-Coordinate with regional and local energy suppliers to ensure adequate supplies of energy to meet community needs, implement energy conservation and public education programs, and identify alternative energy sources where appropriate.</li> <li>-Encourage building orientations and landscaping that enhance natural lighting and sun exposure.</li> <li>-Encourage expansion of neighborhood-level products and services and public transit opportunities throughout the area to reduce automobile use.</li> <li>- Incorporate the use of energy conservation strategies in area projects.</li> <li>- Promote energy-efficient design features, including appropriate site orientation, use of light color roofing and building materials, and use of evergreen trees and wind-break trees to reduce fuel consumption for heating and cooling.</li> </ul>

**Table 17  
General Planning Level Mitigation Strategies Summary**

Strategy	Source Type <sup>1</sup>	Agency/Organization <sup>2</sup>	Description/Comments
			<ul style="list-style-type: none"> <li>-Explore and consider the cost/benefits of alternative fuel vehicles including hybrid, natural gas, and hydrogen powered vehicles when purchasing new vehicles.</li> <li>-Continue to promote the use of solar power and other energy conservation measures.</li> <li>- Encourage residents to consider the cost/benefits of alternative fuel vehicles.</li> <li>- Promote the use of different technologies that reduce use of non-renewable energy resources.</li> <li>-Facilitate the use of green building standards and LEED in both private and public projects.</li> <li>-Promote sustainable building practices that go beyond the requirements of Title 24 of the California Administrative Code, and encourage energy-efficient design elements, as appropriate.</li> <li>-Support sustainable building practices that integrate building materials and methods that promote environmental quality, economic vitality, and social benefit through the design, construction, and operation of the built environment.</li> <li>- Investigate the feasibility of using solar (photovoltaic) street lights instead of conventional street lights that are powered by electricity in an effort to conserve energy.</li> <li>- Encourage cooperation between neighboring development to facilitate on-site renewable energy supplies or combined heat and power co-generation facilities that can serve the energy demand of contiguous development.</li> </ul>

Table 17 General Planning Level Mitigation Strategies Summary			
Strategy	Source Type <sup>1</sup>	Agency/Organization <sup>2</sup>	Description/Comments
<b>MS G-11:</b> Preserve unique community forests, and provide for sustainable increase and maintenance of this valuable resource.	GP/Stationary & Area	Cities/Countries (e.g., Aliso Viejo, Claremont)	<ul style="list-style-type: none"> <li>-Develop a tree planting policy that strives to accomplish specific % shading of constructed paved and concrete surfaces within five years of construction.</li> <li>-Provide adequate funding to manage and maintain the existing forest, including sufficient funds for tree planting, pest control, scheduled pruning, and removal and replacement of dead trees.</li> <li>-Coordinate with local and regional plant experts in selecting tree species that respect the natural region in which Claremont is located, to help create a healthier, more sustainable urban forest.</li> <li>-Continue to plant new trees (in particular native tree species where appropriate), and work to preserve mature native trees.</li> <li>-Increase the awareness of the benefits of street trees and the community forest through a area wide education effort.</li> <li>-Encourage residents to properly care for and preserve large and beautiful trees on their own private property.</li> </ul>
<b>Housing</b>			
<b>MS G-12:</b> Provide affordability levels to meet the needs of community residents.	GP/ Mobile	Cities/Countries (e.g., Aliso Viejo, Claremont)	<ul style="list-style-type: none"> <li>-Encourage development of affordable housing opportunities throughout the community, as well as development of housing for elderly and low and moderate income households near public transportation services.</li> <li>-Ensure a portion of future residential development is affordable to low and very low income households.</li> </ul>
<b>Land Use</b>			
<b>MS G-13:</b> Promote a visually-cohesive urban form and establish connections between the urban core and outlying portions of the	GP/ Mobile, Stationary, & Area	Cities/Countries (e.g., Aliso Viejo, Claremont)	<ul style="list-style-type: none"> <li>-Preserve the current pattern of development that encourages more intense and higher density development at the core of the community and less intense uses radiating from the central core.</li> <li>-Create and enhance landscaped greenway, trail and sidewalk connections between neighborhoods and to commercial areas, town centers, and parks.</li> </ul>

Table 17 General Planning Level Mitigation Strategies Summary			
Strategy	Source Type <sup>1</sup>	Agency/Organization <sup>2</sup>	Description/Comments
			<ul style="list-style-type: none"> <li>-Identify ways to visually identify and physically connect all portions of the community, focusing on enhanced gateways and unifying isolated and/or outlying areas with the rest of the area.</li> <li>-Study and create a diverse plant identity with emphasis on drought-resistant native species.</li> <li>-Attract a broad range of additional retail, medical, and office uses providing employment at all income levels.</li> </ul>
<b>MS G-14:</b> Provide a diverse mix of land uses to meet the future needs of all residents and the business community.	GP/ Mobile	Cities/Countries (e.g., Aliso Viejo, Claremont)	<ul style="list-style-type: none"> <li>-Support efforts to provide beneficial civic, religious, recreational, cultural and educational opportunities and public services to the entire community.</li> <li>-Coordinate with public and private organizations to maximize the availability and use of parks and recreational facilities in the community.</li> <li>-Support development of hotel and recreational commercial land uses to provide these amenities to local residents and businesses.</li> </ul>
<b>MS G-15:</b> Collaborate with providers of solid waste collection, disposal and recycling services to ensure a level of service that promotes a clean community and environment.	GP/ Stationary, & Area	Cities/Countries (e.g., Aliso Viejo, Claremont)	<ul style="list-style-type: none"> <li>-Require recycling, composting, source reduction and education efforts throughout the community, including residential, businesses, industries, and institutions, within the construction industry, and in all sponsored activities.</li> </ul>
<b>MS G-16:</b> Promote construction, maintenance and active use of publicly- and privately-operated parks, recreation programs, and a community center.	GP/ Mobile	Cities/Countries (e.g., Aliso Viejo, Claremont)	<ul style="list-style-type: none"> <li>-Work to expand and improve community recreation amenities including parks, pedestrian trails and connections to regional trail facilities.</li> <li>-As a condition upon new development, require payment of park fees and/or dedication and provision of parkland, recreation facilities and/or multi-use trails that improve the public and private recreation system.</li> <li>-Research options or opportunities to provide necessary or desired community facilities.</li> </ul>

**Table 17**  
**General Planning Level Mitigation Strategies Summary**

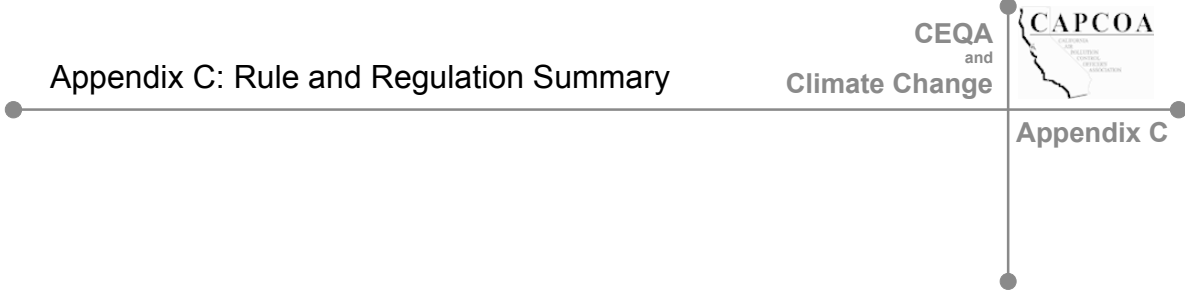
Strategy	Source Type <sup>1</sup>	Agency/Organization <sup>2</sup>	Description/Comments
			<ul style="list-style-type: none"> <li>-Encourage sustainable development that incorporates green building, best practices and involves the reuse of previously developed property and/or vacant sites within a built-up area.</li> <li>-Encourage the conservation, maintenance, and rehabilitation of the existing housing stock.</li> </ul>
<b>MS G-17:</b> Promote the application of sustainable development practices.	GP/ Mobile, Stationary, & Area	Cities/Countries (e.g., Aliso Viejo, Claremont)	<ul style="list-style-type: none"> <li>-Encourage development that incorporates green building practices to conserve natural resources as part of sustainable development practices.</li> <li>-Avoid development of isolated residential areas in the hillsides or other areas where such development would require significant infrastructure investment, adversely impact biotic resources.</li> <li>-Provide land area zoned for commercial and industrial uses to support a mix of retail, office, professional, service, and manufacturing businesses.</li> </ul>
<b>MS G-18:</b> Create activity nodes as important destination areas, with an emphasis on public life within the community.	GP/ Mobile	Cities/Countries (e.g., Aliso Viejo, Claremont)	<ul style="list-style-type: none"> <li>-Provide pedestrian amenities, traffic-calming features, plazas and public areas, attractive streetscapes, shade trees, lighting, and retail stores at activity nodes.</li> <li>-Provide for a mixture of complementary retail uses to be located together to create activity nodes to serve adjacent neighborhoods and to draw visitors from other neighborhoods and from outside the area.</li> <li>-Provide crosswalks and sidewalks along streets that are accessible for people with disabilities and people who are physically challenged.</li> </ul>
<b>MS G-19:</b> Make roads comfortable, safe, accessible, and attractive for use day and night.	GP/ Mobile	Cities/Countries (e.g., Aliso Viejo, Claremont)	<ul style="list-style-type: none"> <li>-Provide lighting for walking and nighttime activities, where appropriate.</li> <li>-Provide transit shelters that are comfortable, attractive, and accommodate transit riders.</li> </ul>
<b>MS G-20:</b> Maintain and expand where possible the system of neighborhood connections that attach neighborhoods to larger roadways.	GP/ Mobile	Cities/Countries (e.g., Aliso Viejo, Claremont)	<ul style="list-style-type: none"> <li>-Provide sidewalks where they are missing, and provide wide sidewalks where appropriate with buffers and shade so that people can walk comfortably.</li> <li>-Make walking comfortable at intersections through traffic-calming, landscaping, and designated crosswalks.</li> </ul>



Table 17 General Planning Level Mitigation Strategies Summary		
Strategy	Source Type <sup>1</sup>	Agency/Organization <sup>2</sup>
		Description/Comments
		<ul style="list-style-type: none"> <li>-Look for opportunities for connections along easements &amp; other areas where vehicles not permitted.</li> <li>-Provide benches, streetlights, public art, and other amenities in public areas to attract pedestrian activities.</li> <li>-Encourage new developments to incorporate drought tolerant and native landscaping that is pedestrian friendly, attractive, and consistent with the landscaped character of area.</li> <li>-Encourage all new development to preserve existing mature trees.</li> <li>-Encourage streetscape design programs for commercial frontages that create vibrant places which support walking, bicycling, transit, and sustainable economic development.</li> <li>-Encourage the design and placement of buildings on lots to provide opportunities for natural systems such as solar heating and passive cooling.</li> <li>- Ensure that all new industrial development projects are positive additions to the community setting, provide amenities for the comfort of the employees such as outdoor seating area for breaks or lunch, and have adequate landscape buffers.</li> </ul>
<b>MS G-21:</b> Create distinctive places throughout the area.	GP/ Mobile	Cities/Countries (e.g., Aliso Viejo, Claremont)
<b>MS G-22:</b> Reinvest in existing neighborhoods and promote infill development as a preference over new, greenfield development	GP/ Mobile, Stationary, & Area	Cities/Countries (e.g., Aliso Viejo, Claremont)
		<ul style="list-style-type: none"> <li>- Identify all underused properties in the plan area and focus development in these opportunity sites prior to designating new growth areas for development.</li> <li>- Implement programs to retro-fit existing structures to make them more energy-efficient.</li> <li>-Encourage compact development, by placing the desired activity areas in smaller spaces.</li> </ul>

**Table 17  
General Planning Level Mitigation Strategies Summary**

Strategy	Source Type <sup>1</sup>	Agency/Organization <sup>2</sup>	Description/Comments
<b>Public Safety</b>			
<b>MS G-23:</b> Promote a safe community in which residents can live, work, shop, and play.	GP/ Mobile	Cities/Countries (e.g., Aliso Viejo, Claremont)	<ul style="list-style-type: none"> <li>- Foster an environment of trust by ensuring non-biased policing, and by adopting policies and encouraging collaboration that creates transparency.</li> <li>- Facilitate traffic safety for motorists and pedestrians through proper street design and traffic monitoring.</li> </ul>
<p>Note:  <sup>1</sup> Where GP=General Plan.  <sup>2</sup> List is not meant to be all inclusive.            Source: Data compiled by EDAAW in 2007</p>			



# Appendix C

## Rule and Regulation Summary

Table 18 Rule and Regulation Summary					
Rule/Regulation	Reduction	Implementation Date	Agency	Description	Comments
Low Carbon Fuel Standard	10-20 MMT CO <sub>2</sub> e by 2020	January 1, 2010	ARB	This rule/regulation will require fuel providers (e.g., producers, importers, refiners and blenders) to ensure that the mix of fuels they sell in CA meets the statewide goal to reduce the carbon intensity of CA's transportation fuels by at least 10% by the 2020 target.	ARB Early Action Measure
Reduction of HFC-134a Emissions from Nonprofessional Servicing of Motor Vehicle Air Conditioning Systems	1-2 MMT CO <sub>2</sub> e by 2020	January 1, 2010	ARB	This rule/regulation will restrict the use of high GWP refrigerants for nonprofessional recharging of leaky automotive air conditioning systems.	ARB Early Action Measure
Landfill Gas Recovery	2-4 MMT CO <sub>2</sub> e by 2020	January 1, 2010	IWMB, ARB	This rule/regulation will require landfill gas recovery systems on small to medium landfills that do not have them and upgrade the requirements at landfills with existing systems to represent best capture and destruction efficiencies.	ARB Early Action Measure
Vehicle Climate Change Standards (AB 1493 Pavley, Chapter 200, Statutes of 2002)	30 MMT CO <sub>2</sub> e by 2020	2009	ARB	This rule/regulation will require ARB to achieve the maximum feasible and cost effective reduction of GHG emissions from passenger vehicles and light-duty trucks.	ARB Early Action Measure
Reduction of PFCs from the Semiconductor Industry	0.5 MMT CO <sub>2</sub> e by 2020	2007-2009	ARB	This rule/regulation will reduce GHG emissions by process improvements/source reduction, alternative chemicals capture and beneficial reuse, and destruction technologies	Underway or to be initiated by CAT members in 2007-2009 period

AB=Assembly Bill; ARB=California Air Resources Board; Calfire=California Fire; CA=California; Caltrans=California Department of Transportation; CAT=California Action Team; CEC=California Energy Commission; CDFA=California Department of Food and Agriculture; CH<sub>4</sub>=Methane; CO<sub>2</sub>=Carbon Dioxide; CPUC=California Public Utilities Commission; CUFRR=California Urban Forestry; DGS=Department of General Services; DWR=Department of Water Resources; GHG=Greenhouse Gas; GWP=Global Warming Potential; IGCC= Integrated Gasification Combined Cycle; IOU= Investor-Owned Utility; IT=Information Technology; IWCB= Integrated Waste Management Board; LNG= Liquefied Natural Gas; MMT CO<sub>2</sub>e=Million Metric Tons Carbon Dioxide Equivalent; MW=Megawatts; NA=Not Available; N<sub>2</sub>O=Nitrous Oxide; PFC= Perfluorocompound; POU= Publicly Owned Utility; RPS= Renewable Portfolio Standards; RTP=Regional Transportation Plan SB=Senate Bill; SWP=State Water Project; TBD=To Be Determined; UC/CSU=University of California/California State University; ULEV=Ultra Low Emission Vehicle.

**Table 18  
Rule and Regulation Summary**

Rule/Regulation	Reduction	Implementation Date	Agency	Description	Comments
Restrictions on High GWP Refrigerants	9 MMT CO <sub>2</sub> e by 2020	2010	ARB	This rule/regulation will expand and enforce the national ban on release of high GWP refrigerants during appliance lifetime.	ARB Early Action Measure
Cement Manufacture	<1 MMT CO <sub>2</sub> e per year (based on 2004 production levels)	2010	Caltrans	This rule/regulation will allow 2.5% interground limestone concrete mix in cement use.	CAT Early Action Measure
Hydrogen Fuel Standards (SB 76 of 2005)	TBD	By 2008	CDFA	This rule/regulation will develop hydrogen fuel standards for use in combustion systems and fuel cells.	CAT Early Action Measure
Regulation of GHG from Load Serving Entities (SB 1368)	15 MMT CO <sub>2</sub> e by 2020	May 23, 2007	CEC, CPUC	This rule/regulation will establish a GHG emission performance standard for baseload generation of local publicly owned electric utilities that is no higher than the rate of emissions of GHG for combined-cycle natural gas baseload generation.	CAT Early Action Measure
Energy Efficient Building Standards	TBD	In 2008	CEC	This rule/regulation will update of Title 24 standards.	CAT Early Action Measure
Energy Efficient Appliance Standards	TBD	January 1, 2010	CEC	This rule/regulation will regulate light bulb efficiency	CAT Early Action Measure
Tire Efficiency (Chapter 8.7 Division 15 of the Public Resources Code)	<1 MMT CO <sub>2</sub> e by 2020	January 1, 2010	CEC & IWMB	This rule/regulation will ensure that replacement tires sold in CA are at least as energy efficient, on average, as tires sold in the state as original equipment on these vehicles.	CAT Early Action Measure
New Solar Homes Partnership	TBD	January 2007	CEC	Under this rule/regulation, approved solar systems will receive incentive funds based on system performance above building standards.	CAT Early Action Measure

**Table 18  
Rule and Regulation Summary**

Rule/Regulation	Reduction	Implementation Date	Agency	Description	Comments
Water Use Efficiency	1 MMT CO <sub>2</sub> e by 2020	2010	DWR	This rule/regulation will adopt standards for projects and programs funded through water bonds that would require consideration of water use efficiency in construction and operation.	CAT Early Action Measure
State Water Project	TBD	2010	DWR	This rule/regulation will include feasible and cost effective renewable energy in the SWP's portfolio.	CAT Early Action Measure
Cleaner Energy for Water Supply	TBD	2010	DWR	Under this rule/regulation, energy supply contracts with conventional coal power plants will not be renewed.	CAT Early Action Measure
IOU Energy Efficiency Programs	4 MMT CO <sub>2</sub> e by 2020	2010	CPUC	This rule/regulation will provide a risk/reward incentive mechanism for utilities to encourage additional investment in energy efficiency; evaluate new technologies and new measures like encouraging compact fluorescent lighting in residential and commercial buildings	CAT Early Action Measure
Solar Generation	TBD	2007-2009	DGS	3 MW of clean solar power generation implemented in CA last year, with another 1 MW coming up. The second round is anticipated to total additional 10 MW and may include UC/CSU campuses and state fairgrounds.	Underway or to be initiated by CAT members in 2007-2009 period

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**Table 18  
Rule and Regulation Summary**

Rule/Regulation	Reduction	Implementation Date	Agency	Description	Comments
Transportation Efficiency	9 MMT CO <sub>2</sub> e by 2020	2007–2009	Caltrans	This rule/regulation will reduce congestion, improve travel time in congested corridors, and promote coordinated, integrated land use.	Underway or to be initiated by CAT members in 2007–2009 period
Smart Land Use and Intelligent Transportation	10 MMT CO <sub>2</sub> e by 2020	2007–2009	Caltrans	This rule/regulation will integrate consideration of GHG reduction measures and energy efficiency factors into RTPs, project development etc.	Underway or to be initiated by CAT members in 2007–2009 period
Cool Automobile Paints	1.2 to 2.0 MMT CO <sub>2</sub> e by 2020	2009	ARB	Cool paints would reduce the solar heat gain in a vehicle and reduce air conditioning needs.	ARB Early Action Measure
Tire Inflation Program	TBD	2009	ARB	This rule/regulation will require tires to be checked and inflated at regular intervals to improve fuel economy.	ARB Early Action Measure
Electrification of Stationary Agricultural Engines	0.1 MMT CO <sub>2</sub> e by 2020	2010	ARB	This rule/regulation will provide incentive funding opportunities for replacing diesel engines with electric motors.	ARB Early Action Measure
Desktop Power Management	Reduce energy use by 50%	2007–2009	DGS, ARB	This rule/regulation will provide software to reduce electricity use by desktop computers by up to 40%.	Currently deployed in DGS
Reducing CH <sub>4</sub> Venting/Leaking from Oil and Gas Systems (EJAC-3/ARB 2-12)	1 MMT CO <sub>2</sub> e by 2020	2010	ARB	This rule/regulation will reduce fugitive CH <sub>4</sub> emissions from production, processing, transmission, and distribution of natural gas and oil.	ARB Early Action Measure
Replacement of High GWP Gases Used in Fire Protection Systems with Alternate Chemical (ARB 2-10)	0.1 MMT CO <sub>2</sub> e by 2020	2011	ARB	This rule/regulation will require the use of lower GWP substances in fire protection systems.	ARB Early Action Measure
Contracting for Environmentally Preferable Products	NA	2007–2009	DGS	New state contracts have been or are being created for more energy and resource efficient IT goods, copiers, low mercury fluorescent lamps, the CA Gold Carpet Standard and office furniture.	Underway or to be initiated by CAT members in 2007–2009 period
Hydrogen Fuel Cells	NA	2007–2009	DGS	This rule/regulation will incorporate clean hydrogen fuel cells in stationary applications	Underway or to be initiated by CAT members in 2007–2009

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Table 18 Rule and Regulation Summary					
Rule/Regulation	Reduction	Implementation Date	Agency	Description	Comments
				at State facilities and as back-up generation for emergency radio services.	
High Performance Schools	NA	2007–2009	DGS	New guidelines adopted for energy and resource efficient schools; up to \$100 million in bond money for construction of sustainable, high performance schools.	Underway or to be initiated by CAT members in 2007–2009 period
Urban Forestry	1 MMT CO <sub>2</sub> e by 2020	2007–2009	Calfire, CUFR	This rule/regulation will provide five million additional trees in urban areas by 2020.	Underway or to be initiated by CAT members in 2007–2009 period
Fuels Management/Biomass	3 MMT CO <sub>2</sub> e by 2020	2007–2009	Calfire	This rule/regulation will provide biomass from forest fuel treatments to existing biomass utilization facilities.	Underway or to be initiated by CAT members in 2007–2009 period
Forest Conservation and Forest Management	10 MMT CO <sub>2</sub> e by 2020	2007–2009	Calfire, WCB	This rule/regulation will provide opportunities for carbon sequestration in Proposition 84 forest land conservation program to conserve an additional 75,000 acres of forest landscape by 2010.	Underway or to be initiated by CAT members in 2007–2009 period
Afforestation/Reforestation	2 MMT CO <sub>2</sub> e by 2020	2007–2009	Calfire	This rule/regulation will subsidize tree planting.	Underway or to be initiated by CAT members in 2007–2009 period
Dairy Digesters	TBD	January 1, 2010	C DFA	This rule/regulation will develop a dairy digester protocol to document GHG emission reductions from these facilities.	ARB Early Action Measure

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**Table 18  
Rule and Regulation Summary**

Rule/Regulation	Reduction	Implementation Date	Agency	Description	Comments
Conservation Tillage and Enteric Fermentation	1 MMT CO <sub>2</sub> e by 2020	2007–2009	CDFA	This rule/regulation will develop and implement actions to quantify and reduce enteric fermentation emissions from livestock and sequester soil carbon using cover crops and conservation tillage.	Underway or to be initiated by CAT members in 2007–2009 period
ULEV	TBD	2007–2009	DGS	A new long term commercial rental contract was released in March 2007 requiring a minimum ULEV standard for gasoline vehicles and requires alternative fuel and hybrid-electric vehicles.	Underway or to be initiated by CAT members in 2007–2009 period
Flex Fuel Vehicles	370 metric tons CO <sub>2</sub> , 0.85 metric tons of CH <sub>4</sub> , and 1.14 metric tons of N <sub>2</sub> O	2007–2009	DGS	Under this rule/regulation, DGS is replacing 800 vehicles with new, more efficient vehicles.	Underway or to be initiated by CAT members in 2007–2009 period
Climate Registry	TBD	2007–2009	DGS	Benchmarking and reduction of GHG emissions for state owned buildings, leased buildings and light duty vehicles.	Underway or to be initiated by CAT members in 2007–2009 period
Municipal Utilities Electricity Sector Carbon Policy	Included in SB 1368 reductions	2007–2009	CEC, CPUC, ARB	Under this rule/regulation, GHG emissions cap policy guidelines for CA's electricity sector (IOUs and POU's).	Underway or to be initiated by CAT members in 2007–2009 period
Alternative Fuels: Nonpetroleum Fuels	TBD	2007–2009	CEC	State plan to increase the use of alternative fuels for transportation; full fuel cycle assessment.	Underway or to be initiated by CAT members in 2007–2009 period
Zero Waste/High Recycling Strategy	5 MMT CO <sub>2</sub> e by 2020	2007–2009	IWMB	This rule/regulation will identify materials to focus on to achieve GHG reduction at the lowest possible cost; Builds on the success of 50% Statewide Recycling Goal.	Underway or to be initiated by CAT members in 2007–2009 period
Organic Materials Management	TBD	2007–2009	IWMB	This rule/regulation will develop a market incentive program to increase organics diversion to the agricultural industry.	Underway or to be initiated by CAT members in 2007–2009 period
Landfill Gas Energy	TBD	2007–2009	IWMB	Landfill Gas to Energy & LNG/biofuels	Underway or to be initiated by CAT members in 2007–2009 period

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Table 18 Rule and Regulation Summary					
Rule/Regulation	Reduction	Implementation Date	Agency	Description	Comments
Target Recycling	TBD	2007–2009	IWMB	This rule/regulation will focus on industry/public sectors with high GHG components to implement targeted commodity recycling programs.	Underway or to be initiated by CAT members in 2007–2009 period
Accelerated Renewable Portfolio Standard	Included in SB 1368 reductions	2007–2009	CPUC	This rule/regulation will examine RPS long term planning and address the use of tradable renewable energy credits for RPS compliance.	Underway or to be initiated by CAT members in 2007–2009 period
CA Solar Initiative	1 MMT CO <sub>2</sub> e by 2020	2007–2009	CPUC	Initiative to deliver 2000 MWs of clean, emissions free energy to the CA grid by 2016.	Underway or to be initiated by CAT members in 2007–2009 period
Carbon Capture and Sequestration	TBD	2007–2009	CPUC	Proposals for power plants with IGCC and/or carbon capture in the next 18 months.	Underway or to be initiated by CAT members in 2007–2009 period

Source: Data compiled by EDAW in 2007

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**The California Environmental Quality Act**  
**Addressing Global Warming Impacts at the Local Agency Level**

Under the California Environmental Quality Act (CEQA), local agencies have a very important role to play in California's fight against global warming – one of the most serious environmental effects facing the State today. Where local agencies undertake projects directly, they can and should design sustainable projects from the start, incorporating global warming related considerations into their projects at the earliest feasible time. Further, local agencies can encourage well-designed, sustainable private projects by analyzing and disclosing to the public the environmental benefits of such projects in any required environmental documents. And where projects as proposed will have significant global warming related effects, local agencies can require feasible changes or alternatives, and impose enforceable, verifiable, feasible mitigation measures to substantially lessen those effects. By the sum of their decisions, local agencies will help to move the State away from “business as usual” and toward a low-carbon future.

This document provides information that may be helpful to local agencies in carrying out their duties under CEQA as they relate to global warming. Included in this document are various measures that may reduce the global warming related impacts of a project. As appropriate, the measures can be included as design features of a project, required as changes to the project, or imposed as mitigation (whether undertaken directly by the project proponent or funded by mitigation fees). The measures set forth in this package are examples; the list is not intended to be exhaustive. Moreover, the measures cited may not be appropriate for every project. The decision of whether to approve a project – as proposed or with required changes or mitigation – is for the local agency, exercising its informed judgment in compliance with the law and balancing a variety of public objectives.

The first section of this document lists examples of measures that could be applied to a diverse range of projects where the lead agency determines that the project under consideration will have significant global warming related effects. In general, a given measure should not be considered in isolation, but as part of a larger set of measures that, working together, will reduce greenhouse gas emissions and the effects of global warming.

The second section of this document lists examples of potential greenhouse gas reduction measures in the general plan context. This section is included both to suggest how the measures set forth in the first section could be incorporated into a general plan, as well as to identify measures that are general plan specific. The measures in the second section may also be appropriate for inclusion in larger scale plans, including regional plans (*e.g.*, blueprint plans) and in specific plans. Including these types of measures at the larger planning level, as appropriate, will help to ensure more sustainable project-specific development.

The third section provides links to sources of information on global warming impacts and emission reduction measures. The list is not complete, but may be a helpful start for local agencies seeking more information to carry out their CEQA obligations as they relate to global warming.

The endnotes set forth just some of the many examples of exemplary emission reduction measures already being implemented by local governments and agencies, utilities, private industry, and others. As these examples evidence, California at every level of government is taking up the challenge, devising new and innovative solutions, and leading the charge in the fight against global warming.

## **(1) Generally Applicable Measures**

### **Energy Efficiency<sup>1</sup>**

- Design buildings to be energy efficient. Site buildings to take advantage of shade, prevailing winds, landscaping and sun screens to reduce energy use.<sup>2</sup>
- Install efficient lighting and lighting control systems. Use daylight as an integral part of lighting systems in buildings.
- Install light colored “cool” roofs, cool pavements, and strategically placed shade trees.<sup>3</sup>
- Provide information on energy management services for large energy users.<sup>4</sup>
- Install energy efficient heating and cooling systems, appliances and equipment, and control systems.<sup>5</sup>
- Install light emitting diodes (LEDs) for traffic, street and other outdoor lighting.<sup>6</sup>
- Limit the hours of operation of outdoor lighting.
- Use solar heating, automatic covers, and efficient pumps and motors for pools and spas.<sup>7</sup>
- Provide education on energy efficiency.<sup>8</sup>

### **Renewable Energy**

- Install solar and wind power systems, solar and tankless hot water heaters, and energy-efficient heating ventilation and air conditioning. Educate consumers about existing incentives.<sup>9</sup>
- Install solar panels on carports and over parking areas.<sup>10</sup>
- Use combined heat and power in appropriate applications.<sup>11</sup>

### **Water Conservation and Efficiency<sup>12</sup>**

- Create water-efficient landscapes.<sup>13</sup>
- Install water-efficient irrigation systems and devices, such as soil moisture-based irrigation controls.
- Use reclaimed water for landscape irrigation in new developments and on public property. Install the infrastructure to deliver and use reclaimed water.
- Design buildings to be water-efficient. Install water-efficient fixtures and appliances.
- Use graywater. (Graywater is untreated household waste water from bathtubs, showers, bathroom wash basins, and water from clothes washing machines.) For example, install dual plumbing in all new development allowing graywater to be used for landscape irrigation.<sup>14</sup>
- Restrict watering methods (*e.g.*, prohibit systems that apply water to non-vegetated surfaces) and control runoff.
- Restrict the use of water for cleaning outdoor surfaces and vehicles.
- Implement low-impact development practices that maintain the existing hydrologic character of the site to manage storm water and protect the environment. (Retaining storm water runoff on-

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site can drastically reduce the need for energy-intensive imported water at the site.)<sup>15</sup>

- Devise a comprehensive water conservation strategy appropriate for the project and location. The strategy may include many of the specific items listed above, plus other innovative measures that are appropriate to the specific project.
- Provide education about water conservation and available programs and incentives.<sup>16</sup>

#### **Solid Waste Measures**

- Reuse and recycle construction and demolition waste (including, but not limited to, soil, vegetation, concrete, lumber, metal, and cardboard).
- Provide interior and exterior storage areas for recyclables and green waste and adequate recycling containers located in public areas.
- Recover by-product methane to generate electricity.<sup>17</sup>
- Provide education and publicity about reducing waste and available recycling services.<sup>18</sup>

#### **Land Use Measures**

- Include mixed-use, infill, and higher density in development projects to support the reduction of vehicle trips, promote alternatives to individual vehicle travel, and promote efficient delivery of services and goods.<sup>19</sup>
- Educate the public about the benefits of well-designed, higher density development.<sup>20</sup>
- Incorporate public transit into project design.
- Preserve and create open space and parks. Preserve existing trees, and plant replacement trees at a set ratio.
- Develop “brownfields” and other underused or defunct properties near existing public transportation and jobs.
- Include pedestrian and bicycle-only streets and plazas within developments. Create travel routes that ensure that destinations may be reached conveniently by public transportation, bicycling or walking.<sup>21</sup>

#### **Transportation and Motor Vehicles**

- Limit idling time for commercial vehicles, including delivery and construction vehicles.
- Use low or zero-emission vehicles, including construction vehicles.
- Promote ride sharing programs *e.g.*, by designating a certain percentage of parking spaces for ride sharing vehicles, designating adequate passenger loading and unloading and waiting areas for ride sharing vehicles, and providing a web site or message board for coordinating rides.
- Create car sharing programs. Accommodations for such programs include providing parking spaces for the car share vehicles at convenient locations accessible by public transportation.<sup>22</sup>
- Create local “light vehicle” networks, such as neighborhood electric vehicle (NEV) systems.<sup>23</sup>
- Provide the necessary facilities and infrastructure to encourage the use of low or zero-emission vehicles (*e.g.*, electric vehicle charging facilities and conveniently located alternative fueling

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stations).

- Increase the cost of driving and parking private vehicles by, *e.g.*, imposing tolls and parking fees.
- Institute a low-carbon fuel vehicle incentive program.<sup>24</sup>
- Build or fund a transportation center where various public transportation modes intersect.
- Provide shuttle service to public transit.
- Provide public transit incentives such as free or low-cost monthly transit passes.
- Promote “least polluting” ways to connect people and goods to their destinations.<sup>25</sup>
- Incorporate bicycle lanes and routes into street systems, new subdivisions, and large developments.
- Incorporate bicycle-friendly intersections into street design.
- For commercial projects, provide adequate bicycle parking near building entrances to promote cyclist safety, security, and convenience. For large employers, provide facilities that encourage bicycle commuting, including, *e.g.*, locked bicycle storage or covered or indoor bicycle parking.
- Create bicycle lanes and walking paths directed to the location of schools, parks and other destination points.<sup>26</sup>
- Work with the school district to restore or expand school bus services.
- Institute a telecommute work program. Provide information, training, and incentives to encourage participation. Provide incentives for equipment purchases to allow high-quality teleconferences.
- Provide information on all options for individuals and businesses to reduce transportation-related emissions. Provide education and information about public transportation.

### **Off-Site Mitigation**

If, after analyzing and requiring all reasonable and feasible on-site mitigation measures for avoiding or reducing greenhouse gas-related impacts, the lead agency determines that additional mitigation is required, the agency may consider additional off-site mitigation. The project proponent could, for example, fund off-site mitigation projects (*e.g.*, alternative energy projects, or energy or water audits for existing projects) that will reduce carbon emissions, conduct an audit of its other existing operations and agree to retrofit, or purchase carbon “credits” from another entity that will undertake mitigation.

The topic of offsets can be complicated, and a full discussion is outside the scope of this summary document. Issues that the lead agency should consider include:

- The location of the off-site mitigation. (If the off-site mitigation is far from the project, any additional, non-climate related benefits of the mitigation will be lost to the local community.)
- Whether the emissions reductions from off-site mitigation can be quantified and verified.
- Whether the mitigation ratio should be greater than 1:1 to reflect any uncertainty about the effectiveness of the offset.



## (2) General Plan Measures<sup>27</sup>

Global warming measures may be reflected in a general plan as goals, policies, or programs; in land use designations; or as additional mitigation measures identified during the CEQA review process. Many of the measures listed above may be appropriate for inclusion in a general plan. In addition, a non-exhaustive list of measures specific to the general plan context follows. The examples are listed under required general plan elements. A given example may, however, be appropriate for inclusion in more than one element, or in a different element than listed. Global warming measures may, alternatively, be included in an optional Climate Change or Energy element.

### **Conservation Element**<sup>28</sup>

- Climate Action Plan or Policy: Include a comprehensive climate change action plan that includes: a baseline inventory of greenhouse gas emissions from all sources; greenhouse gas emissions reduction targets and deadlines; and enforceable greenhouse gas emissions reduction measures.<sup>29</sup> (Note: If the Climate Action Plan complies with the requirements of Section 15064(h)(3) of the CEQA Guidelines, it may allow for the streamlining of individual projects that comply with the plan's requirements.)
- Climate Action Plan Implementation Program: Include mechanisms to ensure regular review of progress toward the emission reduction targets established by the Climate Action Plan, report progress to the public and responsible officials, and revise the plan as appropriate, using principles of adaptive management. Allocate funding to implement the plan. Fund staff to oversee implementation of the plan.
- Strengthen local building codes for new construction and renovation to require a higher level of energy efficiency.<sup>30</sup>
- Require that all new government buildings, and all major renovations and additions, meet identified green building standards.<sup>31</sup>
- Ensure availability of funds to support enforcement of code and permitting requirements.
- Adopt a "Green Building Program" to require or encourage green building practices and materials.<sup>32</sup> The program could be implemented through, *e.g.*, a set of green building ordinances.
- Require orientation of buildings to maximize passive solar heating during cool seasons, avoid solar heat gain during hot periods, enhance natural ventilation, and promote effective use of daylight. Orientation should optimize opportunities for on-site solar generation.
- Provide permitting-related and other incentives for energy efficient building projects, *e.g.*, by giving green projects priority in plan review, processing and field inspection services.<sup>33</sup>
- Conduct energy efficiency audits of existing buildings by checking, repairing, and readjusting heating, ventilation, air conditioning, lighting, water heating equipment, insulation and weatherization.<sup>34</sup> Offer financial incentives for adoption of identified efficiency measures.<sup>35</sup>
- Partner with community services agencies to fund energy efficiency projects, including heating, ventilation, air conditioning, lighting, water heating equipment, insulation and weatherization, for low income residents.
- Target local funds, including redevelopment and Community Development Block Grant resources, to assist affordable housing developers in incorporating energy efficient designs and

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features.

- Provide innovative, low-interest financing for energy efficiency and alternative energy projects. For example, allow property owners to pay for energy efficiency improvements and solar system installation through long-term assessments on individual property tax bills.<sup>36</sup>
- Fund incentives to encourage the use of energy efficient vehicles, equipment and lighting.<sup>37</sup> Provide financial incentives for adoption of identified efficiency measures.
- Require environmentally responsible government purchasing.<sup>38</sup> Require or give preference to products that reduce or eliminate indirect greenhouse gas emissions, *e.g.*, by giving preference to recycled products over those made from virgin materials.<sup>39</sup>
- Require that government contractors take action to minimize greenhouse gas emissions, *e.g.*, by using low or zero-emission vehicles and equipment.
- Adopt a “heat island” mitigation plan that requires cool roofs, cool pavements, and strategically placed shade trees.<sup>40</sup> (Darker colored roofs, pavement, and lack of trees may cause temperatures in urban environments to increase by as much as 6-8 degrees Fahrenheit as compared to surrounding areas.<sup>41</sup>) Adopt a program of building permit enforcement for re-roofing to ensure compliance with existing state building requirements for cool roofs on non-residential buildings.
- Adopt a comprehensive water conservation strategy. The strategy may include, but not be limited to, imposing restrictions on the time of watering, requiring water-efficient irrigation equipment, and requiring new construction to offset demand so that there is no net increase in water use.<sup>42</sup> Include enforcement strategies, such as citations for wasting water.<sup>43</sup>
- Adopt water conservation pricing, *e.g.*, tiered rate structures, to encourage efficient water use.<sup>44</sup>
- Adopt fees structures that reflect higher costs of services for outlying areas.<sup>45</sup>
- Adopt water-efficient landscape ordinances.<sup>46</sup>
- Strengthen local building codes for new construction and implement a program to renovate existing buildings to require a higher level of water efficiency.
- Adopt ordinances requiring energy and water efficiency upgrades as a condition of issuing permits for renovations or additions, and on the sale of residences and buildings.<sup>47</sup>
- Provide individualized water audits to identify conservation opportunities.<sup>48</sup> Provide financial incentives for adopting identified efficiency measures.
- Provide water audits for large landscape accounts. Provide financial incentives for efficient irrigation controls and other efficiency measures.
- Require water efficiency training and certification for irrigation designers and installers, and property managers.<sup>49</sup>
- Implement or expand city or county-wide recycling and composting programs for residents and businesses. Require commercial and industrial recycling.
- Extend the types of recycling services offered (*e.g.*, to include food and green waste recycling).
- Establish methane recovery in local landfills and wastewater treatment plants to generate electricity.<sup>50</sup>

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- Implement Community Choice Aggregation (CCA) for renewable electricity generation. (CCA allows cities and counties, or groups of them, to aggregate the electric loads of customers within their jurisdictions for purposes of procuring electrical services. CCA allows the community to choose what resources will serve their loads and can significantly increase renewable energy.)<sup>51</sup>
- Preserve existing conservation areas (*e.g.*, forested areas, agricultural lands, wildlife habitat and corridors, wetlands, watersheds, and groundwater recharge areas) that provide carbon sequestration benefits.
- Establish a mitigation program for development of conservation areas. Impose mitigation fees on development of such lands and use funds generated to protect existing, or create replacement, conservation areas.
- Provide public education and information about options for reducing greenhouse gas emissions through responsible purchasing, conservation, and recycling.

#### **Land Use Element<sup>52</sup>**

- Adopt land use designations to carry out policies designed to reduce greenhouse gas emissions, *e.g.*, policies to minimize or reduce vehicle miles traveled, expand development near existing public transportation corridors, encourage alternative modes of transportation, and increase infill, mixed use, and higher density development.
- Identify and facilitate the development of land uses not already present in local districts – such as supermarkets, parks and recreation fields, and schools in neighborhoods; or residential uses in business districts – to reduce vehicle miles traveled and allow bicycling and walking to these destinations.
- Create neighborhood commercial districts.
- Require bike lanes and bicycle/pedestrian paths.
- Prohibit projects that impede bicycle and walking access, *e.g.*, large parking areas that cannot be crossed by non-motorized vehicles, and new residential communities that block through access on existing or potential bicycle and pedestrian routes.
- Site schools to increase the potential for students to walk and bike to school.<sup>53</sup>
- Enact policies to limit or discourage low density development that segregates employment, services, and residential areas.<sup>54</sup>
- Where there are growth boundaries, adopt policies providing certainty for infill development.<sup>55</sup>
- Require best management practices in agriculture and animal operations to reduce emissions, conserve energy and water, and utilize alternative energy sources, including biogas, wind and solar.

#### **Circulation Element<sup>56</sup>**

- In conjunction with measures that encourage public transit, ride sharing, bicycling and walking, implement circulation improvements that reduce vehicle idling. For example, coordinate controlled intersections so that traffic passes more efficiently through congested areas.<sup>57</sup>
- Create an interconnected transportation system that allows a shift in travel from private

passenger vehicles to alternative modes, including public transit, ride sharing, car sharing, bicycling and walking. Before funding transportation improvements that increase vehicle miles traveled, consider alternatives such as increasing public transit or improving bicycle or pedestrian travel routes.

- Give funding preference to investment in public transit over investment in infrastructure for private automobile traffic.<sup>58</sup>
- Include safe and convenient bicycle and pedestrian access in all transportation improvement projects.
- Ensure that non-motorized transportation systems are complete, connected and not interrupted by impassable barriers, such as freeways.<sup>59</sup>
- Require amenities for non-motorized transportation, such as secure and convenient bicycle parking.<sup>60</sup>
- Provide adequate and affordable public transportation choices including expanded bus routes and service and other transit choices such as shuttles, light rail, and rail where feasible.
- Assess transportation impact fees on new development in order to maintain and increase public transit service.<sup>61</sup>
- Provide public transit incentives, including free and reduced fare areas.<sup>62</sup>
- Adopt a comprehensive parking policy that discourages private vehicle use and encourages the use of alternative transportation.<sup>63</sup> For example, reduce parking for private vehicles while increasing options for alternative transportation; eliminate minimum parking requirements for new buildings; “unbundle” parking (require that parking is paid for separately and is not included in rent for residential or commercial space); and set appropriate pricing for parking.
- Develop school transit plans to substantially reduce automobile trips to, and congestion surrounding, schools. (According to some estimates, parents driving their children to school account for 20-25% of the morning commute.) Plans may address, *e.g.*, necessary infrastructure improvements and potential funding sources; replacing older diesel buses with low or zero-emission vehicles; mitigation fees to expand school bus service; and Safe Routes to School programs<sup>64</sup> and other formal efforts to increase walking and biking by students.
- Create financing programs for the purchase or lease of vehicles used in employer ride sharing programs.
- Enter into partnerships to create and expand polluting vehicle buy-back programs to include vehicles with high greenhouse gas emissions.
- Provide public education and information about options for reducing motor vehicle-related greenhouse gas emissions. Include information on trip reduction; trip linking; public transit; biking and walking; vehicle performance and efficiency (*e.g.*, keeping tires inflated); low or zero-emission vehicles; and car and ride sharing.

### **Housing Element<sup>65</sup>**

- Improve the jobs-housing balance and promote a range of affordable housing choices near jobs, services and transit.
- Concentrate mixed use, and medium to higher density residential development in areas near jobs, transit routes, schools, shopping areas and recreation.
- Increase density in single family residential areas located near transit routes or commercial areas. For example, promote duplexes in residential areas and increased height limits of multi-unit buildings on main arterial streets, under specified conditions.
- Encourage transit-oriented developments.<sup>66</sup>
- Impose minimum residential densities in areas designated for transit-oriented, mixed use development to ensure higher density in these areas.
- Designate mixed use areas where housing is one of the required uses.
- In areas designated for mixed use, adopt incentives for the concurrent development of different land uses (*e.g.*, retail with residential).
- Promote infill, mixed use, and higher density development by, for example, reducing developer fees;<sup>67</sup> providing fast-track permit processing; reducing processing fees; funding infrastructure loans; and giving preference for infrastructure improvements in these areas.

### **Open Space Element<sup>68</sup>**

- Preserve forested areas, agricultural lands, wildlife habitat and corridors, wetlands, watersheds, groundwater recharge areas and other open space that provide carbon sequestration benefits.
- Establish a mitigation program for development of those types of open space that provide carbon sequestration benefits. Require like-kind replacement for, or impose mitigation fees on development of such lands. Use funds generated to protect existing, or create replacement, open space.
- Allow alternative energy projects in areas zoned for open space where consistent with other uses and values.
- Protect existing trees and encourage the planting of new trees. Adopt a tree protection and replacement ordinance, *e.g.*, requiring that trees larger than a specified diameter that are removed to accommodate development must be replaced at a set ratio.
- Connect parks and publicly accessible open space through shared pedestrian/bike paths and trails to encourage walking and bicycling.

### **Safety Element<sup>69</sup>**

- Address expected effects of climate change that may impact public safety, including increased risk of wildfires, flooding and sea level rise, salt water intrusion; and health effects of increased heat and ozone, through appropriate policies and programs.
- Adopt programs for the purchase, transfer or extinguishment of development rights in high risk areas.

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- Monitor the impacts of climate change. Use adaptive management to develop new strategies, and modify existing strategies, to respond to the impacts of climate change.

### Energy Element

Many of the goals, policies, or programs set forth above may be contained in an optional energy element. The resources set forth below may be useful to local agencies in developing an energy element or an energy conservation plan.

- The California Public Utilities Commission issued a report entitled California Long Term Energy Efficiency Strategic Plan in September 2008. The report serves as a road map for achieving maximum energy savings across all major groups and sectors in California. Section 12 of the report focuses on the role of local governments as leaders in using energy efficiency to reduce energy use and greenhouse gas emissions. The section includes numerous specific suggestions for local government policies designed to reduce energy use. The report is available at <http://www.californiaenergyefficiency.com/index.shtml>.
- The Local Government Commission produced a detailed report in 2002 entitled General Plan Policy Options for Energy Efficiency in New and Existing Development. The document sets forth energy saving policies suitable for inclusion in general plans. Policies range from exceeding State minimum building efficiency standards, to retrofitting buildings to reduce energy consumption, to implementing energy conservation strategies for roofs, pavement and landscaping. The report also contains suggested general plan language. The report is available here: [http://www.redwoodenergy.org/uploads/Energy\\_Element\\_Report.pdf](http://www.redwoodenergy.org/uploads/Energy_Element_Report.pdf).
- The California Energy Commission summarizes the energy-related efforts of Humboldt County, City of Pleasanton, City of Pasadena, City and County of San Francisco, the Los Angeles area, City of Chula Vista, the San Diego region, City of San Diego, City and County of San Luis Obispo, and City of Santa Monica, in the 2006 Integrated Energy Policy Report at pp. 82-87, available here: <http://www.energy.ca.gov/2006publications/CEC-100-2006-001/CEC-100-2006-001-CMF.PDF>.
- In 2006, the Association of Monterey Bay Area Governments published a regional energy plan, available here: [http://www.ambag.org/programs/EnergyWatch/regional\\_plan.html](http://www.ambag.org/programs/EnergyWatch/regional_plan.html). Part 1 describes the plan's goals and course of action. Part 2 describes actions that local agencies already have taken and identifies the most cost-effective measures in each sector. The appendices list existing energy programs that may provide support and funding for energy efficiency projects, suggest language for energy-related provisions to be included in general plans, and list and give brief explanations of more than one hundred energy-saving measures.
- The California Local Energy Efficiency Program (CALeep) has available on its website, <http://www.caleep.com/default.htm>, various resources and documents, including an energy "Workbook." The Workbook lays out a process for instituting local energy efficiency programs based in part on information developed in six California pilot projects (Inland Empire Utilities Agency, City of Oakland, San Joaquin Valley, Sonoma County, South Bay Cities Council of Governments, and Ventura County Regional Energy Alliance). The Workbook is designed to be used by local officials to initiate, plan, organize, implement, and assess energy efficiency activities at the local and regional level.

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### (3) **Resources About Global Warming and Local Action**

The following web sites and organizations provide general information about mitigating global warming impacts at the local level. These sites represent only a small fraction of the available resources. Local agencies are encouraged to conduct their own research in order to obtain the most current and relevant materials.

- The U.S. Conference of Mayors' Climate Protection Agreement contains valuable information for the many local agencies that are joining the fight against global warming. The Agreement is available here: [http://www.coolcities.us/resources/bestPracticeGuides/USM\\_ClimateActionHB.pdf](http://www.coolcities.us/resources/bestPracticeGuides/USM_ClimateActionHB.pdf). Over one hundred and twenty California cities have joined the "Cool Cities" campaign, which means they have signed the U.S. Mayor's Climate Protection Agreement and are taking concrete steps toward addressing global warming. These steps include preparing a city-wide greenhouse gas emissions inventory and creating and implementing a local Climate Action Plan. Additional resources, including various cities' Climate Action Plans, are located at the Cool Cities website: <http://www.coolcities.us/resources.php>.
- In July 2007, Alameda County became one of twelve charter members of the "Cool Counties" initiative. Participating counties sign a Climate Stabilization Declaration, which is available at the website for King County (Washington State): <http://www.metrokc.gov/exec/news/2007/0716dec.aspx>. Participating counties agree to work with local, state, and federal governments and other leaders to reduce county geographical greenhouse gas emissions to 80% below current levels by 2050 by developing a greenhouse gas emissions inventory and regional reduction plan. Current member counties are recruiting new members and are committed to sharing information. Cool Counties contact information is available at: <http://www.kingcounty.gov/exec/coolcounties>.
- Local Governments for Sustainability, a program of International Cities for Local Environmental Initiatives (ICLEI), has initiated a campaign called Cities for Climate Protection (CCP). The membership program is designed to empower local governments worldwide to take action on climate change. Many California cities have joined ICLEI. More information is available at the organization's website: <http://www.iclei.org/>.
- The Institute for Local Government (ILG), an affiliate of the California State Association of Counties and the League of California Cities, has instituted a program called the California Climate Action Network (CaliforniaCAN!). The program provides information about the latest climate action resources and case studies. More information is available at the CaliforniaCAN! website: <http://www.cacities.org/index.jsp?displaytype=&section=climate&zone=ilsg>.  
ILG's detailed list of climate change "best practices" for local agencies is available at [http://www.cacities.org/index.jsp?displaytype=&section=climate&zone=ilsg&sub\\_sec=climate\\_local](http://www.cacities.org/index.jsp?displaytype=&section=climate&zone=ilsg&sub_sec=climate_local).  
ILG maintains a list of local agencies that have adopted Climate Action Plans. The list is available here: <http://www.cacities.org/index.jsp?zone=ilsg&previewStory=27035>. According to ILG, the list includes Marin County and the cities of Arcata, Berkeley, Los Angeles, Palo Alto, San Diego, and San Francisco. Many additional local governments are in the process of conducting greenhouse gas inventories.
- The non-profit group Natural Capitalism Solutions (NCS) has developed an on-line Climate

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Protection Manual for Cities. NCS states that its mission is “to educate senior decision-makers in business, government and civil society about the principles of sustainability.” The manual is available at <http://www.climatemanual.org/Cities/index.htm>.

- The Local Government Commission provides many planning-related resources for local agencies at its website: <http://www.lgc.org/>.

In cooperation with U.S. EPA, LGC has produced a booklet discussing the benefits of density and providing case studies of well-designed, higher density projects throughout the nation. *Creating Great Neighborhoods: Density in Your Community* (2003) is available here: [http://www.lgc.org/freepub/PDF/Land\\_Use/reports/density\\_manual.pdf](http://www.lgc.org/freepub/PDF/Land_Use/reports/density_manual.pdf).

- The Pew Center on Global Climate Change was established in 1998 as a non-profit, non-partisan and independent organization. The Center’s mission is to provide credible information, straight answers, and innovative solutions in the effort to address global climate change. See <http://www.pewclimate.org>. The Pew Center has published a series of reports called *Climate Change 101*. These reports provide a reliable and understandable introduction to climate change. They cover climate science and impacts, technological solutions, business solutions, international action, recent action in the U.S. states, and action taken by local governments. The *Climate Change 101* reports are available at [http://www.pewclimate.org/global-warming-basics/climate\\_change\\_101](http://www.pewclimate.org/global-warming-basics/climate_change_101).
- The Climate Group, [www.theclimategroup.org](http://www.theclimategroup.org), is a non-profit organization founded by a group of companies, governments and activists to “accelerate international action on global warming with a new, strong focus on practical solutions.” Its website contains a searchable database of about fifty case studies of actions that private companies, local and state governments, and the United Kingdom, have taken to reduce GHG emissions. Case studies include examples from California. The database, which can be searched by topic, is available at [http://theclimategroup.org/index.php/reducing\\_emissions/case\\_studies](http://theclimategroup.org/index.php/reducing_emissions/case_studies).
- The Bay Area Climate Solutions Database features over 130 climate-related projects, programs and policies in the San Francisco Bay Area that are being undertaken by businesses, public agencies, non-government organizations, and concerned individuals. The database is available at <http://www.bayareaclimate.org/services.html>.
- U.S. EPA maintains a list of examples of codes that support “smart growth” development, available here: <http://www.epa.gov/piedpage/codeexamples.htm>. Examples include transit-oriented development in Pleasant Hill and Palo Alto, rowhouse design guidelines from Mountain View, and street design standards from San Diego.
- In November 2007, U.S. EPA issued a report entitled “Measuring the Air Quality and Transportation Impacts of Infill Development.” This report summarizes three regional infill development scenarios in Denver, Colorado; Boston, Massachusetts; and Charlotte, North Carolina. The analysis shows how standard transportation forecasting models currently used by metropolitan planning organizations can be modified to capture at least some of the transportation and air quality benefits of brownfield and infill development. In all scenarios, more compact and transit oriented development was projected to substantially reduce vehicle miles traveled. As the agency found, “The results of this analysis suggest that strong support for infill development can be one of the most effective transportation and emission-reduction investments a region can pursue.” The report is available at

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[http://www.epa.gov/smartgrowth/impacts\\_infill.htm](http://www.epa.gov/smartgrowth/impacts_infill.htm).

- The Urban Land Institute (ULI) is a nonprofit research and education organization providing leadership in responsible land use and sustainability. In 2007, ULI produced a report entitled, “Growing Cooler: The Evidence on Urban Development and Climate Change,” which reviews existing research on the relationship between urban development, travel, and greenhouse gases emitted by motor vehicles. It further discusses the emissions reductions that can be expected from compact development and how to make compact development happen. “Growing Cooler” is available at <http://www.smartgrowthamerica.org/gcindex.html>.
- The California Department of Housing and Community Development, <http://www.hcd.ca.gov/>, has many useful resources on its website related to housing policy and housing elements and specific recommendations for creating higher density and affordable communities. See <http://www.hcd.ca.gov/hpd/hrc/plan/he/>.
- The California Transportation Commission (CTC) recently made recommendations for changes to regional transportation guidelines to address climate change issues. Among other things, the CTC recommends various policies, strategies and performance standards that a regional transportation agency should consider including in a greenhouse reduction plan. These or analogous measures could be included in other types of planning documents or local climate action plans. The recommendation document, and Attachment A, entitled Smart Growth/Land Use Regional Transportation Plan Guidelines Amendments, are located at [http://www.dot.ca.gov/hq/transprog/ctcbooks/2008/0108/12\\_4.4.pdf](http://www.dot.ca.gov/hq/transprog/ctcbooks/2008/0108/12_4.4.pdf).
- The California Energy Commission’s Research Development and Demonstration (RD&D) Division supports energy research, development and demonstration projects designed to bring environmentally safe, affordable and reliable energy services and products to the marketplace. On its website, [http://www.energy.ca.gov/research/reports\\_pubs.html](http://www.energy.ca.gov/research/reports_pubs.html), RD&D makes available a number of reports and papers related to energy efficiency, alternative energy, and climate change.
- The Governor’s Office of Planning and Research (OPR) provides valuable resources for lead agencies related to CEQA and global warming at <http://opr.ca.gov/index.php?a=ceqa/index.html>. Among the materials available are a list of environmental documents addressing climate change and greenhouse gas emissions and a list of local plans and policies addressing climate change. In addition, OPRs’ The California Planners’ Book of Lists 2008, which includes the results of surveys of local agencies on matters related to global warming, is available at <http://www.opr.ca.gov/index.php?a=planning/publications.html#pubs-C>.
- The California Air Pollution Control Officers Association has prepared a white paper entitled “CEQA and Climate Change” (January 2008). The document includes a list of mitigation measures and information about their relative efficacy and cost. The document is available at <http://www.capcoa.org/ceqa/?docID=ceqa>.
- The Attorney General’s global warming website includes a section on CEQA. See <http://ag.ca.gov/globalwarming/ceqa.php>. The site includes all of the Attorney General’s public comment letters that address CEQA and global warming.

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(4) **Endnotes**

1. Energy efficiency leads the mitigation list because it promises significant greenhouse gas reductions through measures that are cost-effective for the individual residential and commercial energy consumer.
2. Leadership in Energy and Environmental Design (LEED) administers a Green Building Ratings program that provides benchmarks for the design, construction, and operation of high-performance green buildings. More information about the LEED ratings system is available at <http://www.usgbc.org/DisplayPage.aspx?CategoryID=19>. Build it Green is a non-profit, membership organization that promotes green building practices in California. The organization offers a point-based, green building rating system for various types of projects. See <http://www.builditgreen.org/guidelines-rating-systems>. Lawrence Berkeley National Laboratories' Building Technologies Department is working to develop coherent and innovative building construction and design techniques. Information and publications on energy efficient buildings are available at the Department's website at <http://btech.lbl.gov>. The California Department of Housing and Community Development has created an extensive Green Building & Sustainability Resources handbook with links to green building resources, available at [http://www.hcd.ca.gov/hpd/green\\_build.pdf](http://www.hcd.ca.gov/hpd/green_build.pdf).
3. For more information, see Lawrence Berkeley National Laboratories, Heat Island Group at <http://eetd.lbl.gov/HeatIsland/>.
4. See California Energy Commission, "How to Hire an Energy Services Company" (2000) at [http://www.energy.ca.gov/reports/efficiency\\_handbooks/400-00-001D.PDF](http://www.energy.ca.gov/reports/efficiency_handbooks/400-00-001D.PDF).
5. Energy Star is a joint program of the U.S. Environmental Protection Agency and the U.S. Department of Energy that certifies energy efficient products and provides guidelines for energy efficient practices for homes and businesses. More information about Energy Star-certified products is available at <http://www.energystar.gov/>. The Electronic Product Environmental Assessment Tool (EPEAT) is a system that ranks computer products based on their conformance to a set of environmental criteria, including energy efficiency. More information about EPEAT is available at <http://www.epeat.net/AboutEPEAT.aspx>.
6. LED lighting is substantially more energy efficient than conventional lighting and can save money. See [http://www.energy.ca.gov/efficiency/partnership/case\\_studies/TechAsstCity.pdf](http://www.energy.ca.gov/efficiency/partnership/case_studies/TechAsstCity.pdf) (noting that installing LED traffic signals saved the City of Westlake about \$34,000 per year). As of 2005, only about a quarter of California's cities and counties were using 100% LEDs in traffic signals. See California Energy Commission (CEC), Light Emitting Diode Traffic Signal Survey (2005) at p. 15, available at <http://www.energy.ca.gov/2005publications/CEC-400-2005-003/CEC-400-2005-003.PDF>. The CEC's Energy Partnership Program can help local governments take advantage of energy saving technology, including, but not limited to, LED traffic signals. See <http://www.energy.ca.gov/efficiency/partnership/>.
7. See Palm Desert Energy Partnership at <http://www.sce.com/rebatesandsavings/palmdesert>. The City, in partnership with Southern California Edison, provides incentives and rebates for efficient equipment. See Southern California Edison, Pool Pump and Motor Replacement Rebate Program at <http://www.sce.com/RebatesandSavings/Residential/pool/pump-motor>.
8. Many cities and counties provide energy efficiency education. See, for example, the City of Stockton's Energy Efficiency website at <http://www.stocktongov.com/energysaving/index.cfm>. See also "Green

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County San Bernardino,” <http://www.greencountysb.com/> at pp. 4-6. Private projects may also provide education. For example, a homeowners’ association could provide information and energy audits to its members on a regular basis.

9. See <http://www.gosolarcalifornia.ca.gov/documents/CEC-300-2007-008-CMF.PDF>. At the direction of Governor Schwarzenegger, the California Public Utilities Commission (CPUC) approved the California Solar Initiative on January 12, 2006. The initiative creates a \$3.3 billion, ten-year program to install solar panels on one million roofs in the State. See <http://www.gosolarcalifornia.ca.gov/nshp/index.html>.
10. For example, Alameda County has installed two solar tracking carports, each generating 250 kilowatts. By 2005, the County had installed eight photovoltaic systems totaling over 2.3 megawatts. The County is able to meet 6 percent of its electricity needs through solar power. See <http://www.acgov.org/gsa/Alameda%20County%20-%20Solar%20Case%20Study.pdf>.
11. Many commercial, industrial, and campus-type facilities (such as hospitals, universities and prisons) use fuel to produce steam and heat for their own operations and processes. Unless captured, much of this heat is wasted. Combined heat and power (CHP) captures waste heat and re-uses it, *e.g.*, for residential or commercial space heating or to generate electricity. See U.S. EPA, Catalog of CHP Technologies at [http://www.epa.gov/chp/documents/catalog\\_of\\_%20chp\\_tech\\_entire.pdf](http://www.epa.gov/chp/documents/catalog_of_%20chp_tech_entire.pdf). The average efficiency of fossil-fueled power plants in the United States is 33 percent. By using waste heat recovery technology, CHP systems typically achieve total system efficiencies of 60 to 80 percent. CHP can also substantially reduce emissions of carbon dioxide. <http://www.epa.gov/chp/basic/efficiency.html>. Currently, CHP in California has a capacity of over 9 million kilowatts. See list of California CHP facilities at <http://www.eea-inc.com/chpdata/States/CA.html>.
12. The California Energy Commission has found that the State’s water-related energy use – which includes the conveyance, storage, treatment, distribution, wastewater collection, treatment, and discharge – consumes about 19 percent of the State’s electricity, 30 percent of its natural gas, and 88 billion gallons of diesel fuel every year. See <http://www.energy.ca.gov/2007publications/CEC-999-2007-008/CEC-999-2007-008.PDF>. Accordingly, reducing water use and improving water efficiency can help reduce energy use and associated greenhouse gas emissions.
13. The Water Conservation in Landscaping Act of 2006 (AB 1881) requires the Department of Water Resources (DWR), not later than January 1, 2009, to update the Model Water Efficient Landscape Ordinance. The draft of the entire updated Model Water Efficient Landscape Ordinance will be made available to the public. See <http://www.owue.water.ca.gov/landscape/ord/updatedOrd.cfm>.
14. See Graywater Guide, Department of Water Resources, Office of Water Use Efficiency and Transfers at [http://www.owue.water.ca.gov/docs/graywater\\_guide\\_book.pdf](http://www.owue.water.ca.gov/docs/graywater_guide_book.pdf). See also The Ahwahnee Water Principles, Principle 6, at [http://www.lgc.org/ahwahnee/h2o\\_principles.html](http://www.lgc.org/ahwahnee/h2o_principles.html). The Ahwahnee Water Principles have been adopted by City of Willits, Town of Windsor, Menlo Park, Morgan Hill, Palo Alto, Petaluma, Port Hueneme, Richmond, Rohnert Park, Rolling Hills Estates, San Luis Obispo, Santa Paula, Santa Rosa, City of Sunnyvale, City of Ukiah, Ventura, Marin County, Marin Municipal Water District, and Ventura County.

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15. See Office of Environmental Health Hazard Assessment and the California Water and Land Use Partnership, Low Impact Development, at <http://www.coastal.ca.gov/nps/lid-factsheet.pdf>.
16. See, for example, the City of Santa Cruz, Water Conservation Office at <http://www.ci.santa-cruz.ca.us/wt/conservation>; Santa Clara Valley Water District, Water Conservation at <http://www.valleywater.org/conservation/index.shtm>; and Metropolitan Water District and the Family of Southern California Water Agencies, Be Water Wise at <http://www.bewaterwise.com>. Private projects may provide or fund similar education.
17. See Public Interest Energy Research Program, Dairy Power Production Program, Dairy Methane Digester System, 90-Day Evaluation Report, Eden Vale Dairy (Dec. 2006) at <http://www.energy.ca.gov/2006publications/CEC-500-2006-083/CEC-500-2006-083.PDF>. See also discussion in the general plan section, below, relating to wastewater treatment plants and landfills.
18. Many cities and counties provide information on waste reduction and recycling. See, for example, the Butte County Guide to Recycling at <http://www.recyclebutte.net>. The California Integrated Waste Management Board's website contains numerous publications on recycling and waste reduction that may be helpful in devising an education project. See <http://www.ciwmb.ca.gov/Publications/default.asp?cat=13>. Private projects may also provide education directly, or fund education.
19. See U.S. EPA, Our Built and Natural Environments, A Technical Review of the Interactions between Land Use, Transportation, and Environmental Quality (Jan. 2001) at pp. 46-48 <http://www.epa.gov/dced/pdf/built.pdf>.
20. See California Department of Housing and Community Development, Myths and Facts About Affordable and High Density Housing (2002), available at <http://www.hcd.ca.gov/hpd/mythsnfacts.pdf>.
21. Palo Alto's Green Ribbon Task Force Report on Climate Protection recommends pedestrian and bicycle-only streets under its proposed actions. See <http://www.city.palo-alto.ca.us/civica/filebank/blobdload.asp?BlobID=7478>.
22. There are a number of car sharing programs operating in California, including City CarShare <http://www.citycarshare.org/> and Zip Car <http://www.zipcar.com/>.
23. The City of Lincoln has a NEV program. See <http://www.lincolnev.com/index.html>.
24. The County of Los Angeles has instituted an alternative fuel vehicle purchasing program open to County employees, retirees, family members, and contractors and subcontractors. See <http://www.lacounty.gov/VPSP.htm>.
25. Promoting "least polluting" methods of moving people and goods is part of a larger, integrated "sustainable streets" strategy now being explored at U.C. Davis's Sustainable Transportation Center. Resources and links are available at the Center's website. See <http://stc.ucdavis.edu/outreach/ssp.php>.
26. See, for example, Marin County's Safe Routes to Schools program at <http://www.saferoutestoschools.org>; see also California Center for Physical Activity's California Walk to School website at <http://www.cawalktoschool.com>.

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27. For information on the general plan process, see Governor's Office of Planning and Research, General Plan Guidelines (1998), available at <http://ceres.ca.gov/planning/genplan/gpg.pdf>.
28. The Conservation Element addresses the conservation, development, and use of natural resources including water, forests, soils, rivers, and mineral deposits. Measures proposed for the Conservation Element may alternatively be appropriate for other elements. In practice, there may be substantial overlap in the global warming mitigation measures appropriate for the Conservation and Open Space Elements.
29. See the Attorney General's settlement agreement with the County of San Bernardino, available at [http://ag.ca.gov/cms\\_pdfs/press/2007-08-21\\_San\\_Bernardino\\_settlement\\_agreement.pdf](http://ag.ca.gov/cms_pdfs/press/2007-08-21_San_Bernardino_settlement_agreement.pdf); Attorney General's settlement agreement with the City of Stockton, available at [http://ag.ca.gov/cms\\_attachments/press/pdfs/n1608\\_stocktonagreement.pdf](http://ag.ca.gov/cms_attachments/press/pdfs/n1608_stocktonagreement.pdf). See also Marin County Greenhouse Gas Reduction Plan (Oct. 2006) at [http://www.co.marin.ca.us/depts/CD/main/pdf/final\\_ghg\\_red\\_plan.pdf](http://www.co.marin.ca.us/depts/CD/main/pdf/final_ghg_red_plan.pdf); Marin Countywide Plan (Nov. 6, 2007) at [http://www.co.marin.ca.us/depts/CD/main/fm/cwpdocs/CWP\\_CD2.pdf](http://www.co.marin.ca.us/depts/CD/main/fm/cwpdocs/CWP_CD2.pdf); Draft Conservation Element, General Plan, City of San Diego at <http://www.sandiego.gov/planning/genplan/pdf/generalplan/ce070918.pdf>.
30. Public Resources Code Section 25402.1(h)2 and Section 10-106 of the Building Energy Efficiency Standards establish a process that allows local adoption of energy standards that are more stringent than the statewide Standards. More information is available at the California Energy Commission's website. See [http://www.energy.ca.gov/title24/2005standards/ordinances\\_exceeding\\_2005\\_building\\_standards.html](http://www.energy.ca.gov/title24/2005standards/ordinances_exceeding_2005_building_standards.html); see also California Public Utilities Commission, California Long Term Energy Efficiency Strategic Plan (Sept. 2008) at p. 92, available at <http://www.californiaenergyefficiency.com/docs/EEStrategicPlan.pdf>.
31. See, e.g., LEED at <http://www.usgbc.org/DisplayPage.aspx?CategoryID=19>; see also Build it Green at <http://www.builditgreen.org/guidelines-rating-systems>.
32. During 2007 and 2008, an unprecedented number of communities across the State adopted green building requirements in order to increase energy efficiency and decrease greenhouse gas emissions and other environmental impacts within their jurisdictions. The California Attorney General's office has prepared a document that identifies common features of recent green building ordinances and various approaches that cities and counties have taken. The document is available at <http://ag.ca.gov/globalwarming/greenbuilding.php>.
33. See, e.g., "Green County San Bernardino," <http://www.greencountysb.com/>. As part of its program, the County is waiving permit fees for alternative energy systems and efficient heating and air conditioning systems. See <http://www.greencountysb.com/> at p. 3. For a representative list of incentives for green building offered in California and throughout the nation, see U.S. Green Building Council, Summary of Government LEED Incentives (updated quarterly) at <https://www.usgbc.org/ShowFile.aspx?DocumentID=2021>.
34. For example, Riverside Public Utilities offers free comprehensive energy audits to its business customers. See <http://www.riversideca.gov/utilities/busi-technicalassistance.asp>.

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35. Under Southern California Gas Company's Energy Efficiency Program for Commercial/Industrial Large Business Customers, participants are eligible to receive an incentive based on 50% of the equipment cost, or \$0.50 per therm saved, whichever is lower, up to a maximum amount of \$1,000,000 per customer, per year. Eligible projects require an energy savings of at least 200,000 therms per year. See <http://www.socalgas.com/business/rebates>.
36. The City of Berkeley is in the process of instituting a "Sustainable Energy Financing District." According to the City, "The financing mechanism is loosely based on existing 'underground utility districts' where the City serves as the financing agent for a neighborhood when they move utility poles and wires underground. In this case, individual property owners would contract directly with qualified private solar installers and contractors for energy efficiency and solar projects on their building. The City provides the funding for the project from a bond or loan fund that it repays through assessments on participating property owners' tax bills for 20 years." See <http://www.cityofberkeley.info/Mayor/PR/pressrelease2007-1023.htm>.
- The California Energy Commission's Public Interest Energy Research Program estimates that the technical potential for rooftop applications of photovoltaic systems in the State is about 40 gigawatts in 2006, rising to 68 gigawatts in 2016. See Public Interest Energy Research Program, California Rooftop Photovoltaic (PV) Resource Assessment and Growth Potential by County (2007), available at <http://www.energy.ca.gov/publications/displayOneReport.php?pubNum=CEC-500-2007-048>.
37. As described in its Climate Action Plan, the City of San Francisco uses a combination of incentives and technical assistance to reduce lighting energy use in small businesses such as grocery stores, small retail outlets, and restaurants. The program offers free energy audits and coordinated lighting retrofit installation. In addition, the City offers residents the opportunity to turn in their incandescent lamps for coupons to buy fluorescent units. See San Francisco's Climate Action Plan, available at <http://www.sfenvironment.org/downloads/library/climateactionplan.pdf>.
38. Among other strategies for reducing its greenhouse gas emissions, Yolo County is considering a purchasing policy that mandates all purchases of electrical equipment meet or exceed the PG&E Energy Star rating. This would require departments to purchase improved efficiency refrigerators, microwaves and related appliances that have greater power efficiencies and less GHG impacts. See <http://www.yolocounty.org/Index.aspx?page=878>.
39. See, for example, Los Angeles County Green Purchasing Policy, June 2007 at <http://www.responsiblepurchasing.org/UserFiles/File/General/Los%20Angeles%20County,%20Green%20Purchasing%20Policy,%20June%202007.pdf>. The policy requires County agencies to purchase products that minimize environmental impacts, including greenhouse gas emissions. See also California Energy Commission, Existing Green Procurement Initiatives, available at [http://www.cec.org/files/pdf/ECONOMY/Green-Procurement\\_Initiatives\\_en.pdf](http://www.cec.org/files/pdf/ECONOMY/Green-Procurement_Initiatives_en.pdf).
40. Some local agencies have implemented a cool surfaces programs in conjunction with measures to address storm water runoff and water quality. See, for example, The City of Irvine's Sustainable Travelways/Green Streets program at [http://www.cityofirvine.org/depts/redevelopment/sustainable\\_travelways.asp](http://www.cityofirvine.org/depts/redevelopment/sustainable_travelways.asp); The City of Los Angeles's Green Streets LA program at [http://water.lgc.org/water-workshops/la-workshop/Green\\_Streets\\_Daniels.pdf/view](http://water.lgc.org/water-workshops/la-workshop/Green_Streets_Daniels.pdf/view); see also The

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Chicago Green Alley Handbook at [http://egov.cityofchicago.org/webportal/COCWebPortal/COC\\_EDITORIAL/GreenAlleyHandbook\\_Jan.pdf](http://egov.cityofchicago.org/webportal/COCWebPortal/COC_EDITORIAL/GreenAlleyHandbook_Jan.pdf).

41. See the website for Lawrence Berkeley National Laboratory's Urban Heat Island Group at <http://eetd.lbl.gov/HeatIsland/LEARN/> and U.S. EPA's Heat Island website at [www.epa.gov/heatisland/](http://www.epa.gov/heatisland/). To learn about the effectiveness of various heat island mitigation strategies, see the Mitigation Impact Screening Tool, available at <http://www.epa.gov/heatisld/resources/tools.html>.
42. For example, the City of Lompoc has a policy to "require new development to offset new water demand with savings from existing water users, as long as savings are available." See <http://www.ci.lompoc.ca.us/departments/comdev/pdf07/RESRCMGMT.pdf>.
43. The Eastern Municipal Water District imposes fines on all customers, including residential customers, for excessive runoff. See Water Use Efficiency Ordinance 72.23, available at <http://www.emwd.org/usewaterwisely>.
44. The Irvine Ranch Water District in Southern California, for example, uses a five-tiered rate structure that rewards conservation. The water district has a baseline charge for necessary water use. Water use that exceeds the baseline amount costs incrementally more money. While "low volume" water use costs \$.082 per hundred cubic feet (ccf), "wasteful" water use costs \$7.84 per ccf. See [http://www.irwd.com/AboutIRWD/rates\\_residential.php](http://www.irwd.com/AboutIRWD/rates_residential.php). Marin County has included tiered billing rates as part of its general plan program to conserve water. See Marin County Countywide Plan, page 3-204, PFS-2.q, available at [http://www.co.marin.ca.us/depts/CD/main/fm/cwpdocs/CWP\\_CD2.pdf](http://www.co.marin.ca.us/depts/CD/main/fm/cwpdocs/CWP_CD2.pdf).
45. The Sacramento Regional Sanitation District has adopted a tiered sewer impact fee ordinance that charges less for connections to identified "infill communities" as compared to identified "new communities." See <http://www.srcsd.com/pdf/ord-0106.pdf>.
46. See the City of Fresno's Watering Regulations and Ordinances at <http://www.fresno.gov/Government/DepartmentDirectory/PublicUtilities/Watermanagement/Conservation/WaterRegulation/WateringRegulationsandRestrictions.htm>.
47. See, e.g., the City of San Diego's plumbing retrofit ordinance at <http://www.sandiego.gov/water/conservation/selling.shtml>; City of San Francisco's residential energy conservation ordinance (fact sheet) at [http://www.sfgov.org/site/uploadedfiles/dbi/Key\\_Information/19\\_ResidEnergyConsBk1107v5.pdf](http://www.sfgov.org/site/uploadedfiles/dbi/Key_Information/19_ResidEnergyConsBk1107v5.pdf).
48. The City of Roseville offers free water conservation audits through house calls and on-line surveys. See [http://www.roseville.ca.us/eu/water\\_utility/water\\_conservation/for\\_home/programs\\_n\\_rebates.asp](http://www.roseville.ca.us/eu/water_utility/water_conservation/for_home/programs_n_rebates.asp).
49. See Landscape Performance Certification Program, Municipal Water District of Orange County at [http://waterprograms.com/wb/30\\_Landscapers/LC\\_01.htm](http://waterprograms.com/wb/30_Landscapers/LC_01.htm).
50. For example, San Diego's Metropolitan Wastewater Department (SDMWD) installed eight digesters at one of its wastewater treatment plants. Digesters use heat and bacteria to break down the organic solids removed from the wastewater to create methane, which can be captured and used for energy. The methane generated by SDMWD's digesters runs two engines that supply enough energy for all of the

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plant's needs, and the plant sells the extra energy to the local grid. See <http://www.sandiego.gov/mwwd/facilities/ptloma.shtml>. In addition, the California Air Resources Board approved the Landfill Methane Capture Strategy as an early action measure. <http://www.arb.ca.gov/cc/ceea/landfills/landfills.htm>. Numerous landfills in California, such as the Puente Hills Landfill in Los Angeles County ([http://www.lacsd.org/about/solid\\_waste\\_facilities/puente\\_hills/clean\\_fuels\\_program.asp](http://www.lacsd.org/about/solid_waste_facilities/puente_hills/clean_fuels_program.asp)), the Scholl Canyon Landfill in the City of Glendale ([http://www.glendalewaterandpower.com/the\\_environment/renewable\\_energy\\_development.aspx](http://www.glendalewaterandpower.com/the_environment/renewable_energy_development.aspx)), and the Yolo Landfill in Yolo County, are using captured methane to generate power and reduce the need for other more carbon-intensive energy sources.

51. On April 30, 2007, the Public Utilities Commission authorized a CCA application by the Kings River Conservation District on behalf of San Joaquin Valley Power Authority (SJVPA). SJVPA's Implementation Plan and general CCA program information are available at [www.communitychoice.info](http://www.communitychoice.info). See also <http://www.co.marin.ca.us/depts/CD/main/comdev/advance/Sustainability/Energy/cca/CCA.cfm>. (County of Marin); and [http://sfwater.org/mto\\_main.cfm/MC\\_ID/12/MSC\\_ID/138/MTO\\_ID/237](http://sfwater.org/mto_main.cfm/MC_ID/12/MSC_ID/138/MTO_ID/237) (San Francisco Public Utilities Commission). See also Public Interest Energy Research, Community Choice Aggregation (fact sheet) (2007), available at <http://www.energy.ca.gov/publications/displayOneReport.php?pubNum=CEC-500-2006-082>.
52. The Land Use Element designates the type, intensity, and general distribution of uses of land for housing, business, industry, open-space, education, public buildings and grounds, waste disposal facilities, and other categories of public and private uses.
53. The Center for Physical Activity within the California Department of Public Health supports school siting and joint use policies and practices that encourage kids to walk and bike to school; discourage car trips that cause air pollution and damage the environment; and position schools as neighborhood centers that offer residents recreational, civic, social, and health services easily accessible by walking or biking. The Center offers school siting resources on its website at [http://www.caphysicalactivity.org/school\\_siting.html#resources](http://www.caphysicalactivity.org/school_siting.html#resources).
54. Samples of local legislation to reduce sprawl are set forth in the U.S. Conference of Mayors' Climate Action Handbook. See [http://www.iclei.org/documents/USA/documents/CCP/Climate\\_Action\\_Handbook-0906.pdf](http://www.iclei.org/documents/USA/documents/CCP/Climate_Action_Handbook-0906.pdf).
55. For a list and maps related to urban growth boundaries in California, see Urban Growth Boundaries and Urban Line Limits, Association of Bay Area Governments (2006) at <http://www.abag.ca.gov/jointpolicy/Urban%20Growth%20Boundaries%20and%20Urban%20Limit%20Lines.pdf>.
56. The Circulation Element works with the Land Use element and identifies the general location and extent of existing and proposed major thoroughfares, transportation routes, terminals, and other local public utilities and facilities.
57. See Orange County Transportation Authority, Signal Synchronization at <http://www.octa.net/signals.aspx>. Measures such as signal synchronization that improve traffic flow

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must be paired with other measures that encourage public transit, bicycling and walking so that improved flow does not merely encourage additional use of private vehicles.

58. San Francisco's "Transit First" Policy is listed in its Climate Action Plan, available at <http://www.sfenvironment.org/downloads/library/climateactionplan.pdf>. The City's policy gives priority to public transit investments and provides public transit street capacity and discourages increases in automobile traffic. This policy has resulted in increased transit service to meet the needs generated by new development.
59. The City of La Mesa has a Sidewalk Master Plan and an associated map that the City uses to prioritize funding. As the City states, "The most important concept for sidewalks is connectivity. For people to want to use a sidewalk, it must conveniently connect them to their intended destination." See <http://www.ci.la-mesa.ca.us/index.asp?NID=699>. See also Toolkit for Improving Walkability in Alameda County, available at [http://www.acta2002.com/ped-toolkit/ped\\_toolkit\\_print.pdf](http://www.acta2002.com/ped-toolkit/ped_toolkit_print.pdf); Centers of Disease Control and Prevention website (list of walkability-related resources) at <http://www.cdc.gov/nccdphp/dnpa/hwi/toolkits/walkability/references.htm>.
60. See the City of Oakland's Bicycle Parking Requirements ordinance, available at [www.oaklandpw.com/assetfactory.aspx?did=3337](http://www.oaklandpw.com/assetfactory.aspx?did=3337).
61. San Francisco assesses a Downtown Transportation Impact Fee on new office construction and commercial office space renovation within a designated district. The fee is discussed in the City's Climate Action plan, available at <http://www.sfenvironment.org/downloads/library/climateactionplan.pdf>.
62. For example, Seattle, Washington maintains a public transportation "ride free" zone in its downtown from 6:00 a.m. to 7:00 p.m. daily. See [http://transit.metrokc.gov/tops/accessible/paccessible\\_map.html#fare](http://transit.metrokc.gov/tops/accessible/paccessible_map.html#fare).
63. See, for example, Reforming Parking Policies to Support Smart Growth, Metropolitan Transportation Commission (June 2007) at [http://www.mtc.ca.gov/planning/smart\\_growth/parking\\_seminar/Toolbox-Handbook.pdf](http://www.mtc.ca.gov/planning/smart_growth/parking_seminar/Toolbox-Handbook.pdf); see also the City of Ventura's Downtown Parking and Mobility Plan, available at [http://www.cityofventura.net/community\\_development/resources/mobility\\_parking\\_plan.pdf](http://www.cityofventura.net/community_development/resources/mobility_parking_plan.pdf), and its Downtown Parking Management Program, available at [http://www.ci.ventura.ca.us/depts/comm\\_dev/downtownplan/chapters.asp](http://www.ci.ventura.ca.us/depts/comm_dev/downtownplan/chapters.asp).
64. See Safe Routes to School Toolkit, National Highway Traffic Safety Administration (2002) at [www.nhtsa.dot.gov/people/injury/pedbimot/bike/Safe-Routes-2002](http://www.nhtsa.dot.gov/people/injury/pedbimot/bike/Safe-Routes-2002); see also [www.saferoutestoschools.org](http://www.saferoutestoschools.org) (Marin County).
65. The Housing Element assesses current and projected housing needs. In addition, it sets policies for providing adequate housing and includes action programs for that purpose.
66. The U.S. Conference of Mayors cites Sacramento's Transit Village Redevelopment as a model of transit-oriented development. More information about this project is available at <http://www.cityofsacramento.org/planning/projects/65th-street-village/>. The Metropolitan Transportation Commission (MTC) has developed policies and funding programs to foster transit-

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oriented development. More information is available at MTC's website:  
[http://www.mtc.ca.gov/planning/smart\\_growth/#tod](http://www.mtc.ca.gov/planning/smart_growth/#tod). The California Department of Transportation maintains a searchable database of 21 transit-oriented developments at <http://transitorienteddevelopment.dot.ca.gov/miscellaneous/NewHome.jsp>.

67. The City of Berkeley has endorsed the strategy of reducing developer fees or granting property tax credits for mixed-use developments in its Resource Conservation and Global Warming Abatement Plan. City of Berkeley's Resource Conservation and Global Warming Abatement Plan p. 25 at <http://www.baaqmd.gov/pln/GlobalWarming/BerkeleyClimateActionPlan.pdf>.
68. The Open Space Element details plans and measures for preserving open space for natural resources, the managed production of resources, outdoor recreation, public health and safety, and the identification of agricultural land. As discussed previously in these Endnotes, there may be substantial overlap in the measures appropriate for the Conservation and Open Space Elements.
69. The Safety Element establishes policies and programs to protect the community from risks associated with seismic, geologic, flood, and wildfire hazards.

**State of California  
California Regional Water Quality Control Board, Los Angeles Region**

**RESOLUTION NO. 2005-002  
January 27, 2005**

**Reiteration of Existing Authority to Regulate Hydromodifications within the Los Angeles Region, and Intent to Evaluate the Need for and Develop as Appropriate New Policy or Other Tools to Control Adverse Impacts from Hydromodification on the Water Quality and Beneficial Uses of Water Courses in the Los Angeles Region**

**WHEREAS, the California Regional Water Quality Control Board, Los Angeles Region, finds that:**

1. Protecting beneficial uses within the Los Angeles Region consistent with the Federal Clean Water Act and the Porter-Cologne Water Quality Control Act (Porter-Cologne Act) requires careful consideration of projects that result in hydrogeomorphic changes and related adverse impacts to the water quality and beneficial uses of waters of the State. The alteration *away from a natural state* of stream flows or the beds or banks of rivers, streams, or creeks, including ephemeral washes, which results in hydrogeomorphic changes, is generally referred to in this resolution as a hydromodification.
2. This resolution is intended to reiterate the existing authority the Regional Board relies upon to regulate hydromodifications within the Los Angeles Region. As such, it has no regulatory effect. This resolution represents a initial step in the process of first, heightening awareness about the potential impacts of hydromodification on water quality and beneficial uses and evaluating existing laws and regulations and the current methods employed by Regional Board staff when reviewing proposed hydromodification projects and, second, strengthening, if necessary, controls and policies governing hydromodifications that negatively affect water quality and beneficial uses. As a first step, it sets forth a process to achieve one of the Regional Board's highest priorities, which is to maintain and restore, wherever feasible, the physical and biological integrity of the Region's water courses. Secondly, maintaining the natural functions of water courses maximizes opportunities for stormwater conservation and groundwater recharge, which is very important in the semi-arid Los Angeles region where groundwater makes up half of the Region's water supply.
3. In addition to the process outlined in this resolution, the Regional Board has and will continue to strongly support restoration efforts in and along the Region's urbanized, highly modified water courses. The Regional Board also strongly supports preservation efforts geared toward ensuring long-term protection for the Region's remaining natural water courses.
4. Section 101(a) of the Clean Water Act, sets forth a national objective "to restore and maintain the chemical, physical, and biological integrity of the Nation's waters." (33 U.S.C. § 1251(a).) Chapter 1 of the Water Quality Control Plan for the Coastal Watersheds of Los Angeles and Ventura Counties (Basin Plan) recognizes this national goal and specifies that the Basin Plan is designed to implement the Clean Water Act and its goals. As a result, a regional priority of maintaining and restoring, wherever feasible, the physical and biological integrity of the Region's water courses is firmly grounded in federal and state law.

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5. To realize this objective, the Clean Water Act (33 U.S.C. § 1313(c)) and federal regulations (40 C.F.R. § 131.10(a)) direct States to specify appropriate designated uses to be achieved and protected. The classification of the waters of the State must take into consideration the use and value of water for public water supplies, protection and propagation of fish, shellfish and wildlife, recreation in and on the water, agricultural, industrial and other purposes including navigation. The standards must explicitly be designed to “protect the public health or welfare and enhance the quality of the water.” (33 U.S.C. § 1313(c).)
6. The Basin Plan designates the beneficial uses of the Region’s water bodies consistent with the California Water Code, federal Clean Water Act, federal regulations, and with the national “fishable/swimmable” goal of the CWA forming the broad basis for the beneficial use designations of surface waters throughout the Region. Some of the beneficial uses most benefited by preserving water courses in a natural state include aquatic life [WARM and COLD among others], wetland habitat, and groundwater recharge. In addition, the Basin Plan establishes water quality objectives for the protection of these beneficial uses. An important provision of the Basin Plan, which is required by federal law (40 C.F.R. § 131.12) and state law (SWRCB Resolution No. 68-16), is an anti-degradation policy designed to maintain existing, high quality waters. The beneficial uses of water bodies, water quality objectives and anti-degradation policies, together, constitute a State’s water quality standards.
7. The Regional Board primarily relies upon a three-pronged approach to regulating hydromodifications. The first two are (1) waste discharge requirements issued pursuant to Water Code section 13263 and waivers issued pursuant to Water Code section 13269 to protect waters of the State and (2) certifications issued in accordance with Clean Water Act section 401 to protect waters of the U.S. These two approaches are not mutually exclusive. (Cal. Code Regs., tit. 23, § 3857.) The third prong consists of municipal stormwater permits issued pursuant to section 402 (p) of the Clean Water Act to address stormwater related problems including stormwater quality and increased flows.
8. “Waters of the State” include all waters of the U.S. In addition, waters of the State include waters that are not “navigable waters” under the federal Clean Water Act, including certain intermittent and ephemeral streams, wetlands, lakes, reservoirs, and other isolated non-navigable waters.
9. Human civilization has attempted to alter the environment through hydromodifications for centuries. In the Los Angeles Region, beginning in the early part of the 20<sup>th</sup> century, hydromodifications were constructed by public agencies to protect residents from floods and to collect and conserve stormwater for drinking water purposes and recreation. In addition, extensive urban development, and the corresponding increase in impervious area within the watershed and decrease in the width of natural floodplains, has often resulted in significantly altered patterns of surface runoff and infiltration and, consequently, stream flow. This, in turn, has necessitated further in-stream hydromodification in order to stabilize banks and constrain the stream to the channel to prevent flooding. The sequence of events is discussed extensively in the Basin Plan and in the Regional Board’s municipal storm water permit for Los Angeles County. (Regional Board Order No. 01-182.)
10. Many hydromodifications were undertaken with laudable goals often for public safety and welfare, but have later been shown to de-stabilize and enlarge stream channels as well as degrade habitat and reduce species abundance and diversity. As a result, when reviewing

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hydromodification projects it is important to carefully consider whether the immediate improvements sought are designed in such a way as to avoid unintended adverse consequence on the character of the receiving water and its beneficial uses in the vicinity, and downstream of the hydromodification.

11. Activities that alter natural *stream flows* may include increasing the amount of impervious land area within the watershed, altering patterns of surface runoff and infiltration, and channelizing natural water courses. Activities that alter the natural *stream channel* include but are not limited to human-induced straightening, narrowing or widening, deepening, lining, piping/under-grounding, filling or relocating (i.e. channelization); bank stabilization; in-stream activities (e.g. construction, mining, dredging); dams, levees, spillways, drop structures, weirs, and impoundments.
12. Hydromodifications may impair beneficial uses such as warm and cold water habitat, spawning habitat, wetland habitat, and wildlife habitat in a variety of ways. Modifications to stream flow and the stream channel may alter aquatic and riparian habitat and affect the tendency of aquatic and riparian organisms to inhabit the stream channel and riparian zone. As a result of these hydromodifications, the biological community (aquatic life beneficial uses) may be significantly altered, compared to the type of community that would inhabit an unaltered, natural stream.
13. For example, channelization usually involves the straightening of channels and hardening of banks and/or channel bottom with concrete or riprap. These modifications may impair beneficial uses by disturbing vegetative cover, removing habitat; modifying or eliminating instream and riparian habitat; degrading or eliminating benthic communities; increasing scour and erosion as a result of increased velocities, and increasing water temperature when riparian vegetation is removed. The regular maintenance of modified channels may impair beneficial uses by disturbing instream and riparian habitats if not managed properly. These modifications may also, if not managed properly, impair beneficial uses by depriving wetlands and estuarine shorelines of enriching sediments or by excessive deposition in downstream environments; changing the ability of natural systems to both absorb hydraulic energy and filter pollutants from surface waters; and altering habitat for spawning and other critical life stages of aquatic organisms. Hardening of channels may also eliminate opportunities for groundwater recharge in some areas. Furthermore, some hydromodifications may reduce recreational opportunities and may reduce the aesthetic enjoyment of people engaged in recreation in and around the water body.
14. As a result of past hydromodifications, there are few natural stream systems remaining in the region. Water bodies that have not undergone extensive hydromodification such as portions of the Santa Clara River, upper San Gabriel and Los Angeles Rivers, Malibu Creek, Topanga Canyon, coastal streams in the Santa Monica Mountains, and tributaries to these larger rivers provide immeasurable benefits to the Region. These benefits include high quality warm and cold-water aquatic habitat, spawning habitat, migratory pathways, wildlife corridors, wildlife and riparian habitat, wetland habitat, recreational and aesthetic enjoyment, and groundwater recharge. Yet, many of these water bodies and their tributaries continue to be threatened by expanding urban development.
15. The Regional Board acknowledges that there is a wide array of hydromodification projects. Some result in positive environmental impacts such as stream restoration projects. Others result in negligible or temporary adverse environmental impacts if managed properly. These may include widening bridges and installing flow measuring devices, such as weirs, or energy

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dissipating devices where a constructed channel meets a natural channel. On the other end of the continuum are large hydromodification projects or multiple projects with cumulative impacts that permanently alter the hydrologic and ecological functions of a stream and, thus, adversely affect the beneficial uses described above. These include, but are not limited to, projects that bury natural stream channels, channelize natural water courses, or involve instream activities such as mining or construction. Regional Board staff evaluates the severity of adverse environmental impacts on a project-by-project basis.

16. The Regional Board recognizes that maintenance activities are required in modified channels in order to ensure continued flood protection and vector control. The Regional Board has authorized such activities through the issuance of Section 401 certifications in the past and would expect to continue to authorize such activities. The Regional Board also recognizes that maintenance activities may need to be carried out on an emergency basis due to various exigencies, including brush fires and flooding. The Board through the issuance of Section 401 certifications has also authorized these emergency maintenance activities. Nothing in this resolution is intended to alter the ability of these local agencies to continue ongoing maintenance activities.
17. The Regional Board also recognizes the value of the spreading grounds that have been constructed along many of the Region's larger water courses. These spreading grounds serve a valuable function by recharging storm water into the Region's groundwater to bolster local water supplies. Nothing in this resolution is intended to alter the ability of local and regional agencies to conserve stormwater within existing regulations with the goal of increasing local water supplies.
18. The Regional Board and local agencies have undertaken or sponsored hydromodification field assessments and studies to develop peak flow design criteria to minimize or eliminate adverse impacts from urbanization for water courses in the counties of Ventura and Los Angeles. These studies include the 'Urbanization and Channel Stability Assessment in the Arroyo Simi Watershed of Ventura County, CA' (2004), and the 'Peak Impact Discharge Study' sponsored by the County of Los Angeles, which is in progress. The results from these studies will be used to develop objective criteria to reduce or eliminate the adverse impacts of hydromodification in the Los Angeles Region from new development and redevelopment.
19. Though the Regional Board does not have authority to regulate land use, the Regional Board strongly encourages land use planning agencies and developers to carefully consider, early in the development planning process, the potential impacts on water quality and beneficial uses of hydromodification projects proposed as part of new development. The Regional Board strongly discourages direct hydromodification of water courses except in limited circumstances where avoidance or other natural alternatives are not feasible. In these limited circumstances, project proponents must clearly demonstrate that a range of alternatives, including avoidance of impacts, has been thoroughly considered, hydromodification has been minimized to the extent practicable, and adequate in situ and/or off site mitigation measures have been incorporated to offset related impacts. Project proponents must also document that there will be no adverse effects to water quality or beneficial uses. This approach is consistent with the California Environmental Quality Act (CEQA), federal regulations and State and federal antidegradation policies.
20. Chapter 4 of the Basin Plan, "Strategic Planning and Implementation", outlines the suite of regulatory tools available to the Regional Board to maintain and enhance water quality. One of these tools is the 401 Certification Program. This federally required program regulates

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most hydromodification projects to ensure that the projects will not violate State water quality standards of which beneficial uses are an essential component. Section 401 Certifications may include conditions to minimize impacts from hydromodification activities by implementing Best Management Practices such as working in the dry season or out of the water, among many others. Certifications may also include monitoring requirements in order to ensure that the project is completed as specified and any proposed mitigation is successful.

21. Under section 401 of the Clean Water Act, the State Water Resources Control Board and the Regional Boards have a time limit as prescribed by applicable laws and regulations, from the receipt of a complete application, to certify that a project will comply with applicable state water quality standards prior to issuance of a federal 404 dredge and fill permit for any activity that may result in a discharge to a surface water of the United States. In the event that a project will not comply with applicable water quality standards, even with all conditions proposed, then the certification may be denied. (Cal. Code Regs., tit. 23, § 3837, subd. (b).)
22. Under section 402 (p) of the federal Clean Water Act, the State Water Resources Control Board and the Regional Boards are required to issue storm water permits to owners and operators of municipal separate storm sewer systems (MS4s). On a permit-by-permit basis, MS4 permits may identify storm water-related problems and include provisions requiring municipalities to implement measures to reduce adverse impacts of hydromodification, primarily increased flows, on beneficial uses.
23. Under separate authority granted by State law (see Article 4 (commencing with section 13260) of Chapter 4 of the Porter-Cologne Act), a Regional Board may regulate discharges of dredge or fill materials as necessary to protect water quality and the beneficial uses of waters of the State by issuing or waiving waste discharge requirements, a type of State discharge permit. For projects that may result in a discharge to a surface water of the U.S., waste discharge requirements may be issued in addition to the 401 certification. (Cal. Code Regs., tit. 23, § 3857.) Issuance of waste discharge requirements may be the only option for the Regional Board in situations where the proposed discharge is to waters of the state (e.g. isolated waters, vernal pools, etc.) rather than waters of the U.S., or in situations where the federal agency does not claim jurisdiction. All discharges of waste, including dredged and fill material, to waters of the State are privileges and not rights.
24. With certain exceptions, the California Environmental Quality Act (CEQA) requires the preparation of environmental documents for all projects requiring certifications by the state or state-law-only waste discharge requirements from the Regional Board. Hydromodification activities discussed above that require certification under section 401 of the Clean Water Act or that require waste discharge requirements for dredging and filling of State waters may be subject to CEQA. For projects that may have a significant effect on the environment that cannot be mitigated, an environmental impact report must be prepared that requires consideration of feasible alternatives to the project. (Pub. Resources Code, § 21061.)

**THEREFORE, be it resolved that**

1. Maintaining and restoring, where feasible, the physical, chemical and biological integrity of the Region's watercourses is one of the Regional Board's highest priorities.

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This resolution reiterates existing law and regulatory requirements and current staff practices. As such, it has no regulatory effect. However, the Regional Board directs staff to undertake a two-step process to evaluate and consider further action to control adverse impacts from hydromodification. During this process, staff is directed to involve stakeholders and regulatory agencies with jurisdiction, consistent with the requirements of the Porter-Cologne Water Quality Control Act. The first step shall be an evaluation process and shall address, at a minimum, the following:

- Prioritization for control of those hydromodification activities that cause the greatest adverse effects on water quality and beneficial uses;
- Evaluation of existing regulation of hydromodification as defined herein;
- Consideration, in light of the existing regulatory scheme, of issues affecting the Board's ability to achieve its identified objectives;
- Consideration of existing legal authorities for Board actions;
- Consideration of staff resources; and
- Evaluation and identification of the best regulatory means available to the Board and the other agencies with jurisdiction to fulfill Board objectives.

The second step shall involve, as necessary based on the above evaluation, proposals for Board consideration of actions, including without limitation educational campaigns, memoranda of understanding with other regulatory agencies, adoption of new guidance, additional municipal stormwater permit requirements or further Basin Plan amendments as necessary to address gaps in existing hydromodification control in order to maximize the Regional Board's authority to ensure that a hydromodification project does not adversely affect water quality or degrade beneficial uses of those waters.

2. Given the priority set forth in paragraph 1, the Regional Board reaffirms that the Executive Officer will only issue a certification pursuant to Clean Water Act section 401 with adequate documentation (i) that the project will comply with applicable water quality standards, including antidegradation policies, and (ii) if necessary, that adequate analysis of a range of alternatives has been performed consistent with federal regulations, the California Environmental Quality Act, and antidegradation requirements.
3. Furthermore, given the significant potential adverse impact of large-scale or multiple hydromodification projects, the Regional Board reaffirms that the Executive Officer may at his discretion choose to bring a proposed project before the Board for direction prior to certification or recommend waste discharge requirements for the proposed project, which would be subject to Board approval.
4. Given the priority set forth in paragraph 1, the Regional Board reaffirms that it will only issue waste discharge requirements with adequate documentation (i) that the WDR will implement any relevant water quality control plan, including the water quality standards contained therein, and (ii) that adequate analysis of a range of alternatives, where an alternatives analysis is required, has been performed consistent with the Porter-Cologne Water Quality Control Act, CEQA and antidegradation requirements.
5. Following completion of the two-step evaluation process described in 2 above, the Regional Board directs staff to develop, if necessary based on the conclusions of the evaluation, new policy or additional regulatory or non-regulatory tools to control adverse impacts from hydromodification, which may include educational campaigns, memoranda of understanding,

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guidelines, additional municipal stormwater permit requirements and amendments to the Basin Plan.

Regulatory tools may incorporate specific criteria and evaluation requirements to be used by Regional Board staff when evaluating projects for water quality certification or waste discharge requirements, and setting conditions for certification or for Standard Urban Stormwater Mitigation Plan (SUSMP) or Stormwater Quality Urban Impact Mitigation Plan (SQUIMP) approval by the local agency. If a Basin Plan amendment is necessary, the Regional Board further directs staff to bring said amendment to the Board for its consideration in the near future. Any proposed criteria and evaluation requirements should ensure that developers avoid, minimize or, as a last course, compensate for both the on-site and downstream adverse impacts of development on the water quality and beneficial uses of watercourses.

6. When evaluating the issue of hydromodification and identifying specific actions to be taken if necessary, the Regional Board shall consider at a minimum the following:
  - Existing federal and state law and regulation; state and regional policies; and current methods employed by Regional Board staff related to hydromodification of water courses.
  - Consistency and coordination with other agencies' authorities over hydromodifications.
  - Existing staff resources available to implement current Regional Board programs and regulations related to hydromodification of water courses.
  - The local and regional value of maintaining water courses in their natural state.
  - Federal guidelines including, but not limited to, section 404(b)(1), which constitutes the substantive federal environmental criteria that are used in evaluating applications for certain discharges of dredge or fill material;
  - Statewide General Waste Discharge Requirement for certain dredge and fill activities not requiring a Section 404 Permit or a Section 401 Certification under the federal Clean Water Act (State Water Resources Control Board Water Quality Order No. 2004-0004-DWQ);
  - State Water Resources Control Board, "Regulatory Steps Needed to Protect and Conserve Wetlands not subject to the Clean Water Act," Report to the Legislature, Supplemental Report of the 2002 Budget Act, April 2003.
  - The State Water Resources Control Board Workplan: Filling the Gaps in Wetlands Protection (Sept. 24, 2004);
  - State Water Resources Control Board Guidance for Regulation of Discharges to "Isolated" Waters (June 25, 2004);
  - National Research Council, "Riparian Areas: Functions and Strategies for Management, Committee on Riparian Zone Functioning and Strategies for Management," National Academy Press, Washington, D.C., 2002.
  - State guidance including, but not limited to, "A Primer on Stream and River Protection for the Regulator and Program Manager" (by Ann L. Riley) and the "California Rapid Assessment Method for Wetlands" for evaluating mitigation sites;
  - "Stream Corridor Restoration: Principles, Processes, and Practices." Prepared by the Federal Interagency Stream Restoration Working Group (FISRWG) (10/1998);
  - General principles of low impact development (various sources);
  - The findings of the study commissioned by the Los Angeles County Department of Public Works through the Storm Water Monitoring Coalition in order to satisfy a requirement of the Los Angeles County Municipal Storm Water Permit (Regional Board Order No. 01-182), which calls for a study to evaluate peak flow control and determine numeric criteria to prevent or minimize erosion of natural stream channels and banks caused by urbanization, and to protect stream habitat;

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- The findings of the study “Urbanization and Channel Stability Assessment in the Arroyo Simi Watershed of Ventura County, CA – Final Report” (2004) completed by the Ventura County Watershed Protection District, in order to satisfy a requirement of the Ventura County Municipal Storm Water Permit (Regional Board Order No. 00-108), which calls for the development of criteria to prevent or minimize erosion of natural channels and banks caused by urbanization and protect stream habitat; and
  - Additional data collected or initiated by municipalities, dischargers and developers on stream stability for study sites in Los Angeles and Ventura Counties to reduce statistical uncertainty and/or improve model predictability when establishing stream stability protective criteria.
7. If a Basin Plan amendment is deemed necessary, staff is directed to consult with affected state and local agencies prior to formulating the draft amendment(s).
8. During the evaluation process, staff is directed to seek input from:
- the Department of Fish and Game and the U.S. Army Corps of Engineers, the United States Fish and Wildlife Service and other agencies with jurisdiction over hydromodification projects to ensure that any future policies and requirements to be proposed do not conflict with the jurisdiction and regulatory authority of these agencies; and
  - stakeholders, including flood control agencies, agricultural interests, the building and construction industry, and environmental groups.
9. Pursuant to section 13224 and 13225 of the California Water Code, the Regional Board, after considering the entire record, including oral testimony at the hearing, hereby adopts the Resolution.

I, Jonathan Bishop, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of a resolution adopted by the California Regional Water Quality Control Board, Los Angeles Region, on January 27, 2005.

*ORIGINAL SIGNED BY*

2/23/05

\_\_\_\_\_  
Jonathan S. Bishop, P.E.  
Executive Officer

\_\_\_\_\_  
Date

*Final Version*



## **EFFECTS OF GROUND-WATER DEVELOPMENT ON GROUND-WATER FLOW TO AND FROM SURFACE- WATER BODIES**

As development of land and water resources intensifies, it is increasingly apparent that development of either ground water or surface water affects the other (Winter and others, 1998). Some particular aspects of the interaction of ground water and surface water that affect the sustainable development of ground-water systems are discussed below for various types of surface-water features.

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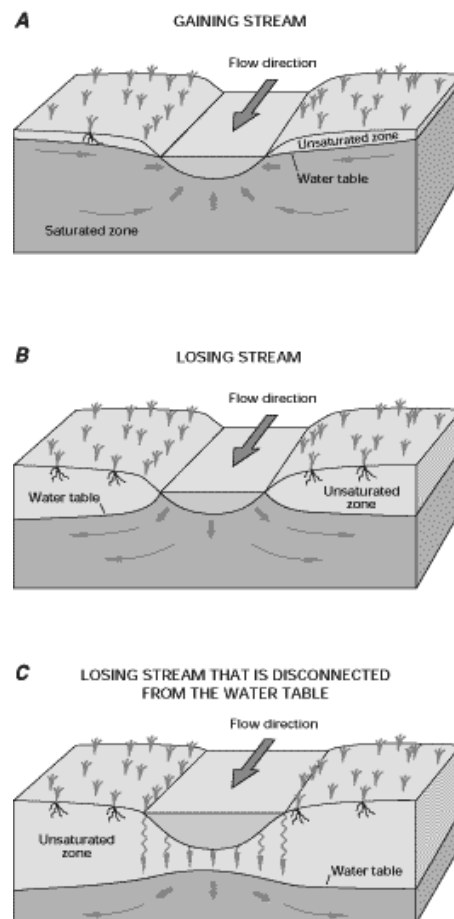
*As development of land and water resources intensifies, it is increasingly apparent that development of either ground water or surface water affects the other.*

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### **Streams**

Streams either gain water from inflow of ground water (gaining stream; Figure 12A) or lose water by outflow to ground water (losing stream; Figure 12B). Many streams do both, gaining in some reaches and losing in other reaches. Furthermore, the flow directions between ground water and surface water can change seasonally as the altitude of the ground-water table changes with respect to the stream-surface altitude or can change over shorter timeframes when rises in stream surfaces during storms cause recharge to the streambank. Under natural conditions, ground water makes some contribution to streamflow in most physiographic and climatic settings. Thus, even in settings where streams are primarily losing water to ground water, certain reaches may receive ground-water inflow during some seasons.

Losing streams can be connected to the ground-water system by a continuous saturated zone (Figure 12B) or can be disconnected from the ground-water system by an unsaturated zone (Figure 12C). An important feature of streams that are disconnected from ground water is that pumping of ground water near the stream does not affect the flow of the stream near the pumped well.



**Figure 12.** Interaction of streams and ground water. (Modified from Winter and others, 1998.)

Gaining streams (A) receive water from the ground-water system, whereas losing streams (B) lose water to the ground-water system. For ground water to discharge to a stream channel, the altitude of the water table in the vicinity of the stream must be higher than the altitude of the stream-water surface. Conversely, for surface water to seep to ground water, the altitude of the water table in the vicinity of the stream must be lower than the altitude of the stream surface. Some losing streams (C) are separated from the saturated ground-water system by an unsaturated zone.

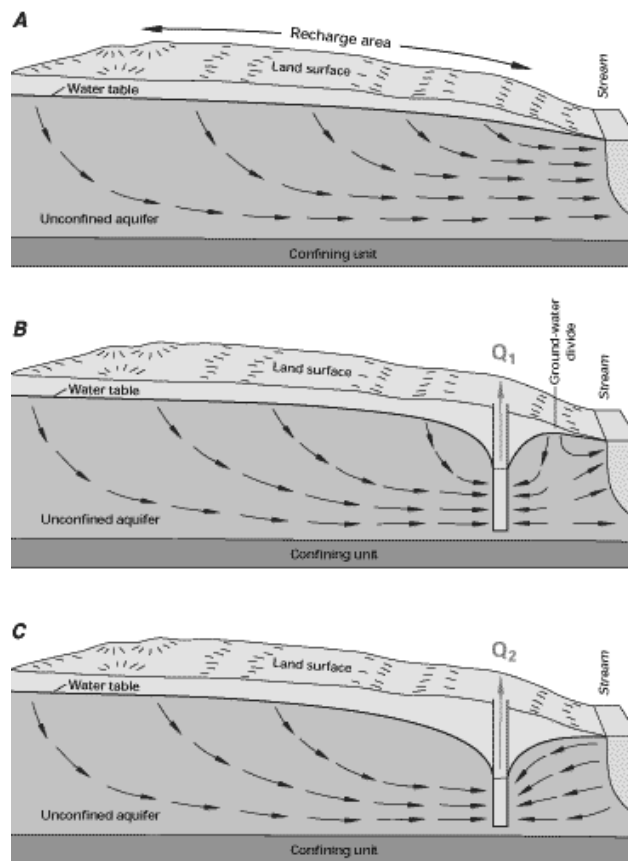
A pumping well can change the quantity and direction of flow between an aquifer and stream in response to different rates of pumping. Figure 13 illustrates a simple case in which equilibrium is attained for a hypothetical stream-aquifer system and a single pumping well. The adjustments to pumping of an actual hydrologic system may take place over many years, depending upon the physical characteristics of the aquifer, degree of hydraulic connection between the stream and aquifer, and locations and pumping history of wells. Reductions of streamflow as a result of ground-water pumping are likely to be of greatest concern during periods of low flow, particularly when the reliability of surface-water supplies is threatened during droughts.

At the start of pumping, 100 percent of the water supplied to a well comes from ground-water storage. Over time, the dominant source of water to a well, particularly wells that are completed in an unconfined aquifer, commonly changes from ground-water storage to surface water. The surface-water source for purposes of discussion here is a stream, but it may be another



surface-water body such as a lake or wetland. The source of water to a well from a stream can be either decreased discharge to the stream or increased recharge from the stream to the ground-water system. The streamflow reduction in either case is referred to as streamflow capture.

In the long term, the cumulative stream-flow capture for many ground-water systems can approach the quantity of water pumped from the ground-water system. This is illustrated in Figure 14, which shows the time-varying percentage of ground-water pumpage derived from ground-water storage and the percentage derived from streamflow capture for the hypothetical stream-aquifer system shown in Figure 13. The time for the change from the dominance of withdrawal from ground-water storage to the dominance of streamflow capture can range from weeks to years to decades or longer.



**Figure 13.** Effects of pumping from a hypothetical ground-water system that discharges to a stream. (Modified from Heath, 1983.)

Under natural conditions (A), recharge at the water table is equal to ground-water discharge to the stream. Assume a well is installed and is pumped continuously at a rate,  $Q_1$ , as in (B). After a new state of dynamic equilibrium is achieved, inflow to the ground-water system from recharge will equal outflow to the stream plus the withdrawal from the well. In this new equilibrium, some of the ground water that would have discharged to the stream is intercepted by the well, and a ground-water divide, which is a line separating directions of flow, is established locally between the well and the stream. If the well is pumped at a higher rate,  $Q_2$ , a different equilibrium is reached, as shown in (C). Under this condition, the ground-water divide between the well and the stream is no longer present, and withdrawals from the well induce movement of water from the stream into the aquifer. Thus, pumping reverses the hydrologic

condition of the stream in this reach from ground-water discharge to ground-water recharge. Note that in the hydrologic system depicted in (A) and (B), the quality of the stream water generally will have little effect on the quality of ground water. In the case of the well pumping at the higher rate in (C), however, the quality of the stream water can affect the quality of ground water between the well and the stream, as well as the quality of the water withdrawn from the well. Although a stream is used in this example, the general concepts apply to all surface-water bodies, including lakes, reservoirs, wetlands, and estuaries.

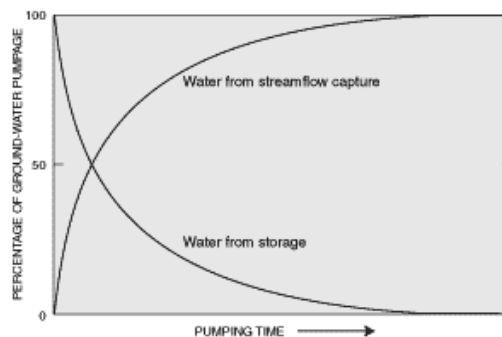
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*From a sustainability perspective, the key point is that pumping decisions today will affect surface-water availability; however, these effects may not be fully realized for many years.*

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Most ground-water development is much more complex than implied in Figure 13; for example, it may comprise many wells pumping from an aquifer at varying pumping rates and at different locations within the ground-water-flow system. Computer models commonly are needed to evaluate the time scale and time-varying response of surface-water bodies to such complex patterns of ground-water development. From a sustainability perspective, the key point is that pumping decisions today will affect surface-water availability; however, these effects may not be fully realized for many years.

The eventual reduction in surface-water supply as a result of ground-water development complicates the administration of water rights. Traditionally, water laws did not recognize the physical connection of ground water and surface water. Today, in parts of the Western United States, ground-water development and use are restricted because of their effects on surface-water rights. Accounting for the effects of ground-water development on surface-water rights can be difficult. For example, in the case of water withdrawn to irrigate a field, some of the water will be lost from the local hydrologic system due to evaporation and use by crops, while some may percolate to the ground-water system and ultimately be returned to the stream. Related questions that arise include: how much surface water will be captured, which surface-water bodies will be affected, and over what period will the effects occur? Some of these issues are illustrated further in Box C.



**Figure 14.** The principal source of water to a well can change with time from ground-water storage to capture of streamflow.

*The percentage of ground-water pumpage derived from ground-water storage and capture of streamflow (decrease in ground-water discharge to the stream or increase in ground-water recharge*

*from the stream) is shown as a function of time for the hypothetical stream-aquifer system shown in Figure 13. A constant pumping rate of the well is assumed. For this simple system, water derived from storage plus streamflow capture must equal 100 percent. The time scale of the curves shown depends on the hydraulic characteristics of the aquifer and the distance of the well from the stream.*

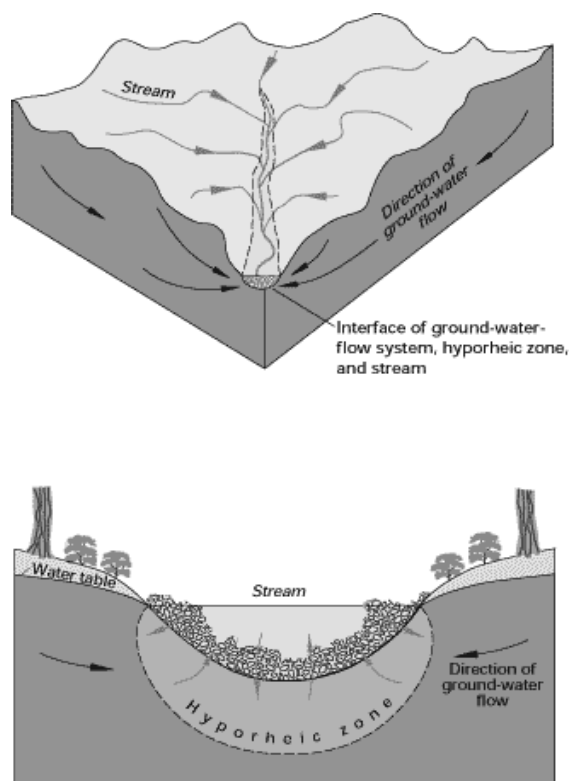
Ground-water pumping can affect not only water supply for human consumption but also the maintenance of instream-flow requirements for fish habitat and other environmental needs. Long-term reductions in streamflow can affect vegetation along streams (riparian zones) that serve critical roles in maintaining wildlife habitat and in enhancing the quality of surface water. Pumping-induced changes in the flow direction to and from streams may affect temperature, oxygen levels, and nutrient concentrations in the stream, which may in turn affect aquatic life in the stream.



**Perennial streams, springs, and wetlands in the Southwestern United States are highly valued as a source of water for humans and for the plant and animal species they support. Development of ground-water resources since the late 1800's has resulted in the elimination or alteration of many perennial stream reaches, wetlands, and associated riparian ecosystems. As an example, a 1942 photograph of a reach of the Santa Cruz River south of Tucson, Ariz., at Martinez Hill shows stands of mesquite and cottonwood trees along the river (1st photograph). A replicate photograph of the same site in 1989 shows that the riparian trees have largely disappeared (right photograph). Data from two nearby wells indicate that the water table has**

declined more than 100 feet due to pumping, and this pumping appears to be the principal reason for the decrease in vegetation. (Photographs provided by Robert H. Webb, U.S. Geological Survey.)

In gaining and in losing streams, water and dissolved chemicals can move repeatedly over short distances between the stream and the shallow subsurface below the streambed. The resulting subsurface environments, which contain variable proportions of water from ground water and surface water, are referred to as hyporheic zones (see Figure 15). Hyporheic zones can be active sites for aquatic life. For example, the spawning success of fish may be greater where flow from the stream brings oxygen into contact with eggs that were deposited within the coarse bottom sediment or where stream temperatures are modulated by ground-water inflow. The effects of ground-water pumping on hyporheic zones and the resulting effects on aquatic life are not well known.

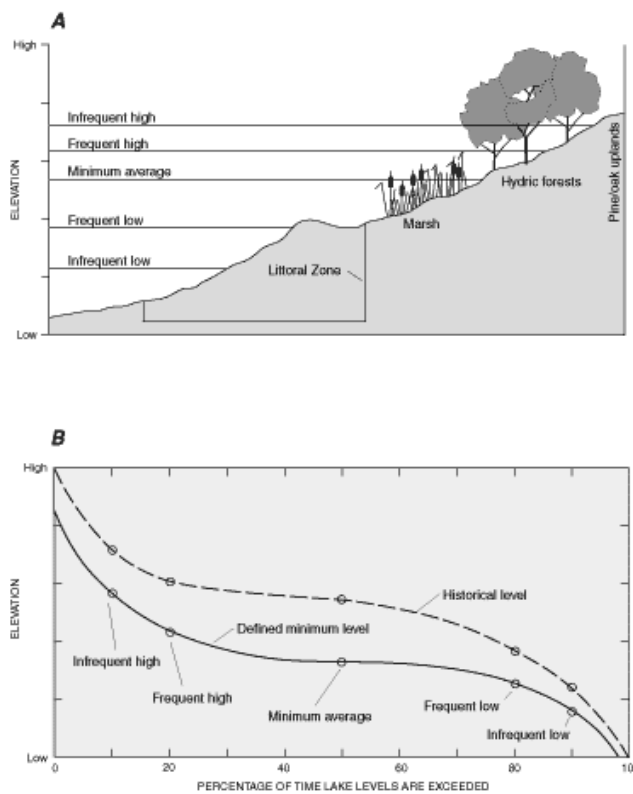


**Figure 15.** The dynamic interface between ground water and streams. (Modified from Winter and others, 1998.)

*Streambeds are unique environments where ground water that drains much of the subsurface of landscapes interacts with surface water that drains much of the surface of landscapes. Mixing of surface water and ground water takes place in the hyporheic zone where microbial activity and chemical transformations commonly are enhanced.*

**(BOX C)****Lakes**

Lakes, both natural and human made, are present in many different parts of the landscape and can have complex ground-water-flow systems associated with them. Lakes interact with ground water in one of three basic ways: some receive ground-water inflow throughout their entire bed; some have seepage loss to ground water throughout their entire bed; and others, perhaps most lakes, receive ground-water inflow through part of their bed and have seepage loss to ground water through other parts. Lowering of lake levels as a result of ground-water pumping can affect the ecosystems supported by the lake (Figure 16), diminish lakefront esthetics, and have negative effects on shoreline structures such as docks.



**Figure 16.** Setting minimum water levels in Florida lakes. (Modified from McGrail and others, 1998.)

As part of efforts to prevent significant undesirable environmental consequences from water-resources development, water-management agencies in Florida are defining minimum flows and water levels for priority surface waters and aquifers in the State. For lakes, the minimum flows and water levels describe a hydrologic regime that is less than the historical or optimal one but allows for prudent water use while protecting critical lake functions. As an example, five possible minimum water levels defined for a lake are shown in A. An elevation and a percentage of time the level is exceeded characterize each of these levels. The upper curve in B shows the percentage of the time that the lake is historically above each corresponding level. The goal is to ensure that water withdrawals and other water-resource management actions continue to allow the lake water levels to be at or above the minimum levels shown by the lower curve in B for the percentage of time shown.



**Dock on Crooked Lake in central Florida in the 1970's.**



**The same dock in 1990.**

**As a result of very low topographic relief, high rainfall, and a karst terrain, the Florida landscape is characterized by numerous lakes and wetland areas. The underlying Floridan aquifer is one of the most extensive and productive aquifers in the world. Over the past two decades, lake levels declined and wetlands dried out in highly developed west-central Florida as a result of both extensive pumping and low precipitation during these years. Differentiating between the effects of the drought and pumping has been difficult. (Photographs courtesy of Florida Water Resources Journal, August, 1990 issue.)**

The chemistry of ground water and the direction and magnitude of exchange with surface water significantly affect the input of dissolved chemicals to lakes. In fact, ground water can be the principal source of dissolved chemicals to a lake, even in cases where ground-water discharge is a small component of a lake's water budget. Changes in flow patterns to lakes as a result of pumping may alter the natural fluxes to lakes of key constituents such as nutrients and dissolved oxygen, in turn altering lake biota, their environment, and the interaction of both.

## Wetlands

Wetlands are present wherever topography and climate favor the accumulation or retention of water on the landscape. Wetlands occur in widely diverse settings from coastal margins to flood plains to mountain valleys. Similar to streams and lakes, wetlands can receive ground-water inflow, recharge ground water, or do both. Wetlands are in many respects ground-water features.

Public and scientific views of wetlands have changed greatly over time. Only a few decades ago, wetlands generally were considered to be of little or no value. It is now recognized that wetlands have beneficial functions such as wildlife habitat, floodwater retention, protection of the land from erosion, shoreline protection in coastal areas, and water-quality improvement by

filtering of contaminants.

The persistence, size, and function of wetlands are controlled by hydrologic processes (Carter, 1996). For example, the persistence of wetness for many wetlands is dependent on a relatively stable influx of ground water throughout changing seasonal and annual climatic cycles. Characterizing ground-water discharge to wetlands and its relation to environmental factors such as moisture content and chemistry in the root zone of wetland plants is a critical but difficult to characterize aspect of wetlands hydrology (Hunt and others, 1999).

Wetlands can be quite sensitive to the effects of ground-water pumping. Ground-water pumping can affect wetlands not only as a result of progressive lowering of the water table, but also by increased seasonal changes in the altitude of the water table. The amplitude and frequency of water-level fluctuations through changing seasons, commonly termed the hydroperiod, affect wetland characteristics such as the type of vegetation, nutrient cycling, and the type of invertebrates, fish, and bird species present. The effects on the wetland environment from changes to the hydroperiod may depend greatly on the time of year at which the effects occur. For example, lower than usual water levels during the nongrowing season might be expected to have less effect on the vegetation than similar water-level changes during the growing season. The effects of pumping on seasonal fluctuations in ground-water levels near wetlands add a new dimension to the usual concerns about sustainable development that typically focus on annual withdrawals (Bacchus, 1998).

## Springs

Springs typically are present where the water table intersects the land surface. Springs serve as important sources of water to streams and other surface-water features, as well as being important cultural and esthetic features in themselves. The constant source of water at springs leads to the abundant growth of plants and, many times, to unique habitats. Ground-water development can lead to reductions in springflow, changes of springs from perennial to ephemeral, or elimination of springs altogether. Springs typically represent points on the landscape where ground-water-flow paths from different sources converge. Ground-water development may affect the amount of flow from these different sources to varying extents, thus affecting the resultant chemical composition of the spring water.





### Comal Springs

The highly productive Edwards aquifer, the first aquifer to be designated as a sole source aquifer under the Safe Drinking Water Act, is the source of water for more than 1 million people in San Antonio, Texas, some military bases and small towns, and for south-central Texas farmers and ranchers. The aquifer also supplies water to sustain threatened and endangered species habitat associated with natural springs in the region and supplies surface water to users downstream from the major springs. These various uses are in direct competition with ground-water development and have created challenging issues of ground-water management in the region. (Photograph by Robert Morris, U.S. Geological Survey.)

## Coastal Environments

Coastal areas are a highly dynamic interface between the continents and the ocean. The physical and chemical processes in these areas are quite complex and commonly are poorly understood. Historically, concern about ground water in coastal regions has focused on seawater intrusion into coastal aquifers, as discussed in a later chapter of this report. More recently, ground water has been recognized as an important contributor of nutrients and contaminants to coastal waters. Likewise, plant and wildlife communities adapted to particular environmental conditions in coastal areas can be affected by changes in the flow and quality of ground-water discharges to the marine environment.

In summary, we have seen that changes to surface-water bodies in response to ground-water pumping commonly are subtle and may occur over long periods of time. The cumulative effects of pumping can cause significant and unanticipated consequences when not properly considered in water-management plans. The types of water bodies that can be affected are highly varied, as are the potential effects.

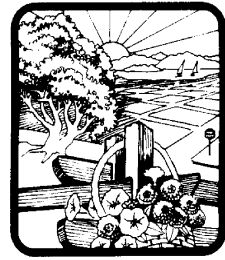
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**SCOPE**  
**Santa Clarita Organization for Planning and the Environment**  
TO PROMOTE, PROTECT AND PRESERVE THE ENVIRONMENT, ECOLOGY  
AND QUALITY OF LIFE IN THE SANTA CLARITA VALLEY  
POST OFFICE BOX 1182, SANTA CLARITA, CA 91386



10-12-10

Board of Directors  
Castaic Lake Water Agency  
And Santa Clarita Water Company Div.  
27243 Bouquet Canyon Rd.  
Saugus, CA 91350  
Fax 661 297-1611  
Sent via Email to the Board Secretary, April Jacob: [ajacobs@clwa.org](mailto:ajacobs@clwa.org)

Re: SB610 Water Supply Assessment (WSA) for Vista Canyon Specific Plan Project,  
Agenda Item 4.3

**Please Copy to all Board Members**

Dear Board Members

First, we note that the City of Santa Clarita has requested this water supply assessment. This project is currently in the jurisdiction of the County of Los Angeles and does not lie within the borders of the City of Santa Clarita. We therefore believe that you are not responding to the correct entity and are acting upon a request not properly made.

On page 5 you state that the projected water use for this project was included in the 2005 Urban Water Management Plan. This is inaccurate because the current designation for this project in the County of Los Angeles would allow far fewer units than that contemplated in the City of Santa Clarita's proposal. Further, the City proposes a general plan amendment for this project that was not proposed at the time of the 2005 Urban Water Management Plan (UWMP). Therefore this project could not have been considered in the 2005 Urban Water Management Plan.

In addition, it is not appropriate to depend on the 2005 Urban Water Management Plan as CLWA and the Santa Clarita Water Div. are well-aware that it is outdated and no longer accurate. Events rendering inaccurate the 2005 Plan include but are not limited to several biological opinions and court decisions acting upon those opinions that reduce water supplied from the Sacramento Delta through the state water project. CLWA is also well-aware that the "State Water Reliability Report 2009" recently released by the Dept. of Water Resources and hereby incorporated by reference, reduces that average deliverable percentage of state water entitlement to 60%.

While CLWA seems to have accurately included this percentage on the page 11 summary, the preceding reliance on the 2005 UWMP makes the document internally inconsistent.

Additionally, a settlement agreement reached as a result of litigation over inaccuracies in the 2005 Plan, i.e. quantifying the conservation figures, indicated lower water savings than anticipated.

### **Water Quality**

CLWA is well aware that 11,000 AF of water was not produced in 2010 from the Saugus Aquifer, nor could it have been due to the removal of several pumps from service due to ammonium perchlorate pollution. While, as of last month, the facilities for this clean up project appear to be complete, the water produced has still not been approved for potable use by the Dept. of Health Services. In addition to this fact, CLWA should also disclose that it will probably be required to blend the water produced from this clean up project with potable water before it is served to customers to ensure that any contamination is well below the health MCL for this contaminate. Due to these inaccuracies and disclosure failures, the summary on page 11 for production from the Saugus Aquifer is not correct.

Further, the Santa Clarita area is currently out of compliance for chlorides released to the Santa Clara River. The high level of chloride in the effluent releases to the Santa Clara River is due in large part to the level of chlorides in the imported water that must be used to serve this project. Currently Santa Clarita residents are being asked to bear the cost of the sewer improvements needed to correct this problem through an increase in their sewer fees. We assert that the Agency must increase its water connection fee to cover the cost of cleaning up the chlorides in its imported water, thus abiding by its own mandate to not place the cost of new development on existing residents.

### **Overdraft of the Santa Clara River Alluvium**

Although the WSA states that 35,000 AF of water is available from the alluvial aquifer, we note that amount is yet another increase from the prior finding of a safe yield only 32,000 AF. The rationalization for once again allowing additional water to be pumped from the River is that the western portion of the basin is receiving increased tertiary treated water from the Sanitation plant and increasing re-charge in that area. However it is NOT increasing re-charge in this eastern upper reach of the river.

In fact, well water pumps have periodically gone dry in the eastern reaches of the river. Increased pumping in this area may jeopardize existing well production currently serving thousands of residents as well as small well production by individual homeowners in the area. An analysis of available water supply specific to the eastern Santa Clara River should be made prior to any approval of this WSA.

### **Recommendations**

We concur with the Retail Water Committee's recommendation that conservation measures should be included in any approval for a WSA. These measures should be spelled out and include a requirement for the use of drought tolerant landscaping throughout the project.

But we urge the Board to go further. Other areas are now requiring water-neutral development. We believe that such a requirement can and should be placed on this project.

Last, this project is in a prime re-charge area for the Santa Clara River and in a portion of the river particularly vulnerable to over-pumping. The Agency should require an analysis of the areas where the most beneficial recharge can occur. Then it should require permeable pavement,

bioswals and/or cisterns throughout those project areas to ensure that storm water is captured and used to re-charge the alluvium.

**Conclusion**

We oppose approval of this document until the corrections and other recommendations are incorporated into this Water Supply Assessment.

Sincerely,



Lynne Plambeck  
President

Cc: City of Santa Clarita  
Los Angeles LAFCO

**Late Letter No. 5.2 Letter from Santa Clarita Organization for Planning and the Environment,  
November 6, 2010 (Received January 24, 2011)**

**General Response**

This comment letter is dated November 6, 2010; however, the City did not receive it from Santa Clarita Organization for Planning the Environment (SCOPE) until January 24, 2011, which is over 50 days after expiration of the City's public comment period. All comment letters on the Draft EIR, which were received after expiration of the public comment period ending on December 3, 2010, are considered "late" comments. Because CEQA does not require a lead agency to respond to late comments, the City of Santa Clarita (City) is not required to provide a written response to such comment letters (see, Cal. Code Regs., tit. 14, Section 15088 subd. (a)). However, the City has responded to the comments below without waiving its position that written responses to late comment letters are not required by CEQA.

**Response 1**

The comment provides factual background information regarding Santa Clarita Organization for Planning the Environment's (SCOPE's) attendance at public hearings, and requests that responses to oral comments made at the public hearings be provided. In response, please note that Final EIR **Section 3.0** responds in writing to the environmental issues raised in public testimony provided at the Planning Commission's October 19, November 2, and December 21, 2010 hearings, and the March 22<sup>nd</sup> 2011 City Council hearing. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project. However, because the comment does not raise an environmental issue, no further response is required.

**Response 2**

The comment states that, due to the number of EIRs under concurrent circulation, SCOPE was unable to provide comments within the designated comment period. The lateness of the comment letter is noted; and, although CEQA does not require the preparation of responses to late comments (see Cal. Code Regs., tit. 14, Section 15088, subd. (a)), the City has elected to prepare responses; at the same time, however, the City reserves its position that written responses to late comment letters are not required by CEQA. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project. However, because the comment does not raise an environmental issue regarding the content or adequacy of the analysis in the Draft EIR, no further response is required.

**Response 3**

The comment states that, even though the subject comment letter is late, CEQA requires that the letter be considered. SCOPE also notes that a copy of the letter will be circulated to "each of the commenting

agencies” and the Planning Commission. Please see **Response 2**, above. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project.

**Response 4**

The comment states that the public comment period for the Draft EIR should have been extended. The bases for the SCOPE’s belated extension request are three-fold: (1) the public review period began before the Draft EIR was provided to the Planning Commission; (2) the size of the Draft EIR warrants additional time for review; and, (3) an extension would provide agencies and other interested parties with “full access to all comments and responses in the final document” and would benefit the project by providing decision-makers with a thorough review of the proposal.

In response, please note that CEQA does not require the public comment period to begin on the day on which the local agency’s advisory body (here, the Planning Commission) receives the Draft EIR. In any event, the comment period began on October 19, 2010, the same day as the first Planning Commission hearing on the project and the same day on which the Draft EIR was made available to the Planning Commission.

Also, the 45-day public review period provided for the Draft EIR is consistent with applicable CEQA requirements. (See, e.g., Pub. Resources Code, Section 21091, subd. (a); Cal. Code Regs., tit. 14, Section 15087, subd. (e).) The size of the Draft EIR for the proposed project was not atypical of projects of a similar magnitude, and the 45-day review period coupled with City staff’s presentations provided the public with adequate time to familiarize themselves with the proposed project and related environmental analysis.

Finally, all comments will be available to the decision makers, the general public, and all interested agencies as any such comments received on the proposed project is a matter of public record and part of the Vista Canyon Final EIR. The comments also will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project.

**Response 5**

The comment states that the comment period also should be extended because two documents mentioned in the Draft EIR’s Table of Contents are missing from the appendices. The comment is correct, and both documents are included in this Final EIR as **Appendix F6** and **Appendix F7**. Nonetheless, it bears mentioning that the Vista Canyon Specific Plan includes a copy of the Drainage and Water Quality Plan as Figure 3.0-2. Additionally, the relevant aspects of the Pacific Advanced Civil Engineering, Inc. (PACE) Drainage/Fluvial Study were included in PACE’s 2009 Flood Technical Report, a copy of which was

included in Volume II of the Vista Canyon Draft EIR. As the essential information was contained in the documents circulated for public review, it is not necessary to extend the comment period. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project.

**Response 6**

The comment states that SCOPE is concerned that other listed information also may not be available for review; however, SCOPE does not identify this “other listed information.” The City has reviewed the Draft EIR and believes it is complete as a draft document. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project; however, no further response is required.

**Response 7**

The comment states that information needed to verify statements made at the public hearing is not available in the Draft EIR or appendices. The comment includes no specific reference as to what statements SCOPE is referring to; without such specific reference, no further response can be provided. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project.

**Response 8**

The comment requests that the proposed annexation not proceed until completion of the County’s General Plan update. In response, there is no requirement that the City’s evaluation and consideration of a proposed project be delayed until after completion of the General Plan update, particularly as the project does not propose to remain within the County’s jurisdiction but be annexed into the City. Also, CEQA does not require that the consistency of a proposed project be studied against a draft plan. (See, e.g., *Chaparral Greens v. City of Chula Vista* (1996) 50 Cal.App.4th 1134, 1145, fn. 2; see also Cal. Code Regs., tit. 14, Section 15125, subd. (d).)

Additionally, in response to the comment’s suggestion that the project not proceed unless the current County land use designations are applied, applicable CEQA case law has confirmed that, when a project proposes annexation, the standards in the proposed annexing jurisdiction apply. (See, e.g., *Sierra Club v. City of Orange* (2008) 163 Cal.App.4th 523, 534-544.) In other words, in this instance, the environmental analysis should consider City, not County, standards. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project.



**Response 9**

The comment states that the project applicant should apply for a Clean Water Act section 404 permit (from the U.S. Army Corps of Engineers) and a streambed alteration agreement (from the California Department of Fish and Game [CDFG]) prior to project plan approval. As disclosed on page 1.0-2 of the Draft EIR, both the Corps and CDFG are responsible agencies for the proposed project. As such, these agencies will rely, at least in part, on the environmental documentation certified, if any, by the City. Therefore, at this point in time, the City considers it premature to secure a section 404 permit or streambed alteration agreement. In any event, however, the applicant has begun coordinating with both agencies.

The comment further states that the FEMA line is not an acceptable substitution for the resource line as would be delineated by CDFG or the US Army Corps of Engineers (USACE). The Draft EIR, Section 4.20, Santa Clara River Corridor Analysis, specifically addressed the issue of the resource and FEMA lines on page 4.20-1:

*This existing SEA overlay generally corresponds to the limits of the Federal Emergency Management Agency (FEMA) 100-year floodplain elevation. Based on detailed biota surveys completed for the proposed project, the existing SEA/FEMA overlay boundary does not correspond to the sensitive riparian and jurisdictional resources within the project site. Therefore, the project proposes a General Plan Amendment, which would revise both the land use designation for the Vista Canyon property to SP (Specific Plan), and adjust the existing SEA/FEMA overlay boundary to correspond to the area to be designated SP-OS (open space within the Santa Clara River Corridor). Proposed project impacts to biological resources within the existing SEA/FEMA overlay area would not be considered significant because the project design proposes to minimize impacts to jurisdictional and sensitive riparian-associated resources on site, and assure project compatibility with ongoing ecological functions of the post-project SEA/FEMA overlay area. In addition, the project's proposed development footprint corresponds to and preserves and enhances the sensitive biological and jurisdictional resources present within the River Corridor on the project site, and is designed to: (a) be compatible with the sensitive biological resources present, including the set aside of undisturbed areas; (b) maintain the Santa Clara River watercourse in a natural state; (c) maintain the existing east-west wildlife movement area within the Santa Clara River Corridor; (d) preserve adequate buffer areas between proposed development and sensitive natural resources; and (e) ensure that roads and utilities are designed to reduce or avoid impacts to sensitive biological and jurisdictional resources.*

Relatedly, please see **Comment Letter A5**. That letter, authored by CDFG, disclosed that CDFG currently is working with the project applicant to develop a conceptual mitigation and monitoring plan in connection with the applicant's request for a streambed alteration agreement pursuant to California Fish and Game Code section 1602. In that letter, CDFG did not object to the resource evaluation presented in the Draft EIR, **Section 4.2.0**. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project.

**Response 10**

The comment states that the project proposes to fill the floodplain in order to use this new delineation as the resource boundary. The comment further states that FEMA does not have authority to make such decisions, and that such actions create increased flow velocity and are not protective of the Santa Clara River's resources and groundwater hydrology. The comment also states that the proposed project does not comply with the Regional Water Quality Control Board's (RWQCB's) hydromodification resolution.

With regard to the use of the FEMA line as the resource line, please see **Response 9**, above.

As to hydromodification, Resolution 2005-002, "Reiteration of Existing Authority to Regulate Hydromodifications within the Los Angeles Region, and Intent to Evaluate the Need for and Develop as Appropriate New Policy or Other Tools to Control Adverse Impacts from Hydromodification on the Water Quality and Beneficial Uses of Water Courses in the Los Angeles Region," was adopted by the RWQCB on January 27, 2005. Hydromodification, in the context of this resolution, is defined as alteration away from a natural state of stream flows or the beds or banks of rivers, streams, or creeks, including ephemeral washes, which results in hydrogeomorphic changes.

This resolution reiterated existing law and regulatory requirements and current staff practices; as such, it had no regulatory effect. Nonetheless, the resolution directed staff to undertake a two-step process to evaluate and consider further action to control adverse impacts from hydromodification. The resolution also stated that the RWQCB strongly encourages land use planning agencies and developers to carefully consider, early in the development planning process, the potential impacts on water quality and beneficial uses of hydromodification projects proposed as part of new development. The resolution relatedly stated that the RWQCB strongly discourages direct hydromodification of water courses except in limited circumstances where avoidance or other natural alternatives are not feasible.

Please see the Draft EIR, Section 4.8.1, Water Quality, pp. 4.8.1-47 through 4.8.1-48; 4.8.1-82 through 4.8.1-84; 4.8.1-127 through 4.8.1-128; and, 4.8.1-134 through 4.8.1-137 for additional discussion of hydromodification. As noted on page 4.8.1-48, for example: "The Vista Canyon project would be conditioned to require, as a project design feature, sizing and design of hydraulic features as necessary to control hydromodification impacts." The specific design features contemplated to prevent and control hydromodification impacts to the Santa Clara River are set forth on pages 4.8.1-82 through 4.8.1-85. As noted on the referenced pages of the Draft EIR, these design features would ensure that impacts attributable to hydromodification are not significant.

Of note, **Comment Letter A4** states that the RWQCB concurs with the findings of the Draft EIR; the RWQCB's comment letter did not state that the project was in violation of RWQCB's referenced resolution (i.e., Resolution No. 2005-002).

With regard to the project creating increased flow velocity, Section 4.20, Santa Clara River Corridor Analysis, summarized findings from a technical report relative to the fluvial characteristics and long-term stability of the reach of the Santa Clara River through the project site. Based on that analysis, the EIR concluded that there was no apparent change in trend between the pre- and post-project condition with respect to the fluvial mechanics of the River reach within the project site; and, thus, there would be no significant pattern or trend related to the aggradation or degradation in the River Corridor. Specifically, the Draft EIR, page 4.20-53-54, stated:

*In addition to the above, this EIR evaluated potential impacts due to bank hardening resulting from the buried bank stabilization component of the proposed project (see this EIR, **Section 4.2, Flood and Appendix 4.2** [PACE Flood Technical Report, 2009]). Specifically, the fluvial analysis conducted as part of the PACE Flood Technical Report, 2009, has provided an evaluation of the existing and proposed fluvial characteristics and long-term stability of the reach of the Santa Clara River Corridor between the Sand Canyon Road Bridge over the Santa Clara River and the SR-14 Bridge over the Santa Clara River. This reach includes the project site. The analysis evaluated whether the proposed project features (buried bank stabilization, storm drain outlets, Vista Canyon Road Bridge, etc.) along and within the River Corridor would potentially modify the fluvial mechanics of the River and subsequently impact the biota habitat within the River Corridor through modifications to the riverbed. This analysis concluded that there is no apparent change in trend between the pre- and post-project condition to the fluvial mechanics of this reach of the River Corridor and, consequently, there would be no significant impacts. In summary, the project would not result in a new significant pattern or trend related to aggradation or degradation in the River Corridor that could substantially change or alter the habitat characteristics of the River Corridor.*

In addition, the Draft EIR, Section 4.20, page 4.20-54, summarized other findings regarding the River Corridor's post-project condition relative to the hydrology:

*Additionally, as indicated in this EIR, **Section 4.2 (Flood)**, no significant increases in velocity, erosion, or water surface elevation would occur in the River Corridor post-project; and, therefore, within the SEA boundary, the riparian/riverine vegetation communities and any aquatic or semi-aquatic species that may be present during infrequent winter storms would not be significantly impacted.*

*In summary, the project's proposed development design is considered highly compatible with the sensitive biotic resources present within the existing boundary of the Santa Clara River SEA for the following reasons: (a) the project proposes to set aside appropriate and sufficient undisturbed jurisdictional habitat areas within the existing boundary of the SEA; (b) the project proposes to retain the active river channel portion of the SEA in a largely natural state; (c) a relatively small amount of jurisdictional habitat would be impacted by the project within the SEA, and the impacted acreage areas would be mitigated; (d) the River Corridor would still be sufficiently wide*

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*to accommodate the County's Capital Flood and still retain jurisdictional habitat (approximately 775 feet in width); and (e) winter storm runoff would still continue to open its own channels through the riverine vegetation, flowing in a natural manner and preserving the meandering characteristics of the streambed.*

The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project.

### **Response 11**

The comment incorrectly suggests that the Draft EIR supports the finding that the proposed bank stabilization “substantially narrows” the Santa Clara River. However, the average River width within the project site would be over 800 feet, which is noticeably wider than many upstream and downstream locations. In addition, the project, as revised, would eliminate all proposed commercial development within PA-4 (Mitchell Hill), which is located north of the Santa Clara River Corridor. Elimination of this development in the river corridor eliminates the potential edge effects associated with development in this area of the corridor/floodplain.

Additionally, potential environmental impacts to flooding were evaluated in Section 4.2 of the Draft EIR. As discussed in that section, all potentially significant impacts would be reduced to a level below significant with adoption of the recommended mitigation measures. Therefore, the proposed project would not result in the risk of loss, injury, or death due to flooding. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project.

### **Response 12**

The comment states that the applicant has represented that FEMA has “approved the project” even though FEMA’s correspondence indicates that downstream flows will increase and raise water levels. It should be noted that the affected property owners referenced in the FEMA letter are the applicant and the City, both of whom own property within the project site, where minor changes in water surface elevation and velocities occur. These minor changes are mitigated by the project improvements. Furthermore, Section 4.2 of the Draft EIR concluded that there would be no increases or decreases in water surface elevation or velocities to downstream or upstream property owners off of the project site. On November 13, 2009, FEMA approved the A Conditional Letter of Map Revision (CLOMR) for the proposed project. Please see Section 4.2, Flood, of the Draft EIR and Appendix 4.2 for additional information, including copies of the letter granting the CLOMR request. The CLOMR letter states that “the width of the SFHA [Special Flood Zone Hazard Area] will increase and decrease in the community.” In securing final FEMA approval, the City and applicant necessarily would be required to comply with all FEMA requirements. The comment will be included as part of the record and made available to the decision makers prior to a

final decision on the proposed project. For further responsive information, please see **Response 11**, above, and **Response 13**, below.

### **Response 13**

The comment suggests that the City notify downstream property owners now so that they can participate in the CEQA process. See **Response 12**, above. Furthermore, the City has complied with all applicable CEQA noticing requirements. Additionally, in response to the comment's request for information on potential impacts to downstream properties, as discussed in Section 4.2 of the Draft EIR, "[n]o impacts to water surface elevation would occur upstream or *downstream* of the project site." (Draft EIR, p. 4.2-50; italics added.) Similarly, the project would "not result in a significant increase in on-site or *downstream* flooding impacts." (Draft EIR, p. 4.2-56; italics added.) The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project. Please also see **Responses 12** and **13**, above.

### **Response 14**

The comment states that the fill used for the proposed project will reduce groundwater recharge and requests an analysis of the loss of groundwater recharge. This issue was assessed in the Draft EIR, **Section 4.8**, Water Service, on pages 4.8-109 through -110. That analysis provided:

*The supplying of water to the project also would not interfere substantially with groundwater recharge, because the best available evidence shows that no adverse impacts to the recharge of the basin have occurred due to the existing or projected use of local groundwater supplies, consistent with the CLWA/purveyor groundwater operating plan for the basin (see Draft EIR Appendix 4.8 [2005 Basin Yield Report and 2009 Basin Yield Update]). In addition, based on the memorandum prepared by CH2MHill (Effect of Urbanization on Aquifer Recharge in the Santa Clarita Valley, February 22, 2004; Draft EIR Appendix 4.8), no significant project-specific or cumulative impacts would occur to the groundwater basin with respect to aquifer recharge. This is because urbanization in the Santa Clarita Valley has been accompanied by long-term stability in pumping and groundwater levels, and the addition of imported SWP water to the valley, which together have not reduced recharge to groundwater, nor depleted the amount of groundwater in storage within the local groundwater basin. This finding is supported by the 2009 Basin Yield Update, which modeled infiltration from irrigation (from urban and agricultural lands), precipitation, and streamflows (stormwater and WRP discharges).*

(Draft EIR, p. 4.8-109.) The Draft EIR also determined that the following three factors would serve to counter the typical impact of urbanization on groundwater recharge: (1) the post-project increase in clear-flow stormwater runoff volume to the Santa Clara River, whose porous nature allows for significant infiltration; (2) the post-project increase in the area of irrigated landscaping; and, (3) the inclusion of percolation ponds associated with the Vista Canyon Water Reclamation Plant (WRP). (Ibid.) In addition, the post-project width of the floodplain is substantial; and this area would remain as protected open

space. The alluvial deposits in this area provide substantial opportunities for groundwater recharge, both pre- and post- project, particularly in wet weather months after infrequent storm events. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project.

**Response 15**

The comment states that each of the two borrow sites identified in the Draft EIR are built out, and requests that any soil imported from the NTS or Whitaker Bermite properties be tested for contamination. In response, import materials are to be from one or both of the following borrow sites: (a) the George Carvalho Santa Clarita Sports Complex Expansion, and/or, (b) the Center Pointe Business Park. Development on both of these borrow sites previously was approved by the City, and both sites have subsequent phases that have yet to be developed. No soil would be imported from either the NTS or Whitaker Bermite property; therefore, the request for soil testing is not applicable. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project.

**Response 16**

The comment states that Sanitation Districts 26 and 32, now consolidated into the Santa Clarita Valley Sanitation District (SCVSD), do not comply with the Clean Water Act Total Maximum Daily Load (TMDL) surface water effluent standard of 100 mg/L for chloride. In response, first, it should be noted that it is beyond the scope of a project-level EIR to assess whether or not the local sanitation district is complying with established water quality standards. Second, the comment's reference to the Clean Water Act TMDL effluent standard for chloride, 100 mg/L, represents the surface water chloride standard. Under the proposed project, the Vista Canyon proposed Water Reclamation Plant (WRP), if approved, would not discharge effluent into the Santa Clara River; therefore, the surface water chloride standard is not applicable. As stated in the Draft EIR, Appendix 4.21 (Engineering Report for the Vista Canyon Water Factory, April 2010, pp. 1-3, 3-5 through 3-6, 5-1 through 5-2, and 6-2 through 6-6), the proposed WRP would discharge solids to the conveyance system for treatment at SCVSD's existing Valencia WRP, located downstream of the proposed project. The proposed WRP's recycled water component would produce recycled water to be utilized by Castaic Lake Water Agency (CLWA) and incorporated into its recycled water program for the Santa Clarita Valley. The excess effluent would be discharged on-site to percolation ponds. Therefore, there would be no WRP effluent discharged to the Santa Clara River. A permit would be required from the RWQCB for the proposed WRP's recycled water production and use, and all of the effluent generated would be treated and reused on- and off-site or discharged to adjacent on-site percolation ponds. As stated, the proposed WRP would not discharge treated water to the Santa Clara River. (For illustration purposes, please see the Vista Canyon Final EIR. It contains a figure entitled,

“WRP Facilities Adjacent to the Santa Clara River Regions 5, 6, 7,” which compares the discharges of the proposed Vista Canyon WRP to the two other existing Valencia and Saugus WRPs. This illustration shows that the Vista Canyon WRP does not propose to discharge any effluent into the Santa Clara River, which is in contrast to the other two existing WRPs.)

As a result, the comment’s reference to surface water chloride standards is inapplicable. Instead, the Draft EIR, Section 4.8.1, Water Quality, pp. 4.8.1-116-121, identifies the appropriate groundwater standards applicable to the excess recycled water that would percolate from the on-site percolation ponds into the underlying groundwater basin. Based on that analysis, the Draft EIR, Section 4.8.1, p. 4.8.1-124, concluded that such percolation from the proposed WRP would not result in a violation of the Basin Plan groundwater quality objective for chloride (150 mg/L).

The balance of the comments do not raise any specific issue regarding the adequacy of the analysis presented in the Draft EIR; therefore, no further response can be provided or is required. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project.

**Response 17**

The comment states the SCVSD’s failure to meet the TMDL standard for chloride is a result of the use of State Water Project (SWP) water. However, the comment does not present any specific issue regarding the adequacy of the analysis presented in the Draft EIR. As such, no further response is required. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project.

Nonetheless, this comment, like **Comment 16**, above, refers to the surface water TMDL standard for chloride for discharges to the Santa Clara River. As stated in **Response 16** above, the proposed Vista Canyon WRP, if approved, would not discharge effluent into the Santa Clara River; therefore, this chloride standard would not apply. Instead, as disclosed in the Draft EIR, Section 4.8.1, Water Quality, Tables 4.8.1-23 and 4.8.1-27, the proposed Vista Canyon WRP would not violate the Basin Plan groundwater quality objective for chloride (150 mg/L).

**Response 18**

The comment first states that the water wells proposed for use by the project may exacerbate the chloride exceedance conditions, and further concludes that the effluent from the proposed WRP will increase chloride levels. As to the first issue, as stated in the Draft EIR, Section 4.8, Water Service, the proposed project does not rely on specified groundwater wells to serve the proposed project. Instead, the project’s retail water purveyor, Santa Clarita Water Division of CLWA, has been identified as the agency that



would provide water to the project site. The retail water purveyor is expected to use a blend of water to serve the project site, as is customary throughout the Santa Clarita Valley. Nonetheless, the Draft EIR, Section 4.8.1, Water Quality, provided average groundwater quality data from a groundwater well in the project vicinity for comparison purposes. The data from that well (Sierra Well) showed that the groundwater quality for chloride, under existing conditions, averaged 80 mg/L, which is below the Basin Plan groundwater quality objective for chloride (150 mg/L). Therefore, groundwater quality well data was provided in the Draft EIR.

As to the second issue, the Draft EIR, Section 4.8.1, Water Quality, addressed the impacts of WRP effluent on groundwater quality. Table 4.8.1-23, Estimated WRP Effluent Concentration, indicates that the proposed WRP would emit effluent with chloride levels estimated at 116 mg/L. The post-project chloride levels, as indicated in Table 4.8.1-27, would remain below the Basin Plan groundwater quality objective for chloride (150 mg/L). (See Draft EIR, pp. 4.8.1-122 to -124 [see specifically Table 4.8.1-27].) The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project.

**Response 19**

This comment states that the project applicant has publicly stated that groundwater would be used to supply water to the proposed project and that groundwater is low in chlorides and would not need treatment. As this is SCOPE's opinion, and as the comment does not indicate where, if at all, in the Draft EIR this statement is provided, no specific response can be provided or is required. Nonetheless, a response to this statement is provided.

The comment's statement appears to suggest that groundwater would be the source of water for the proposed project. This is not correct. As presented in the Draft EIR, Section 4.8, Water Service, the Santa Clarita Valley Division of CLWA has committed to serve the proposed project, using a blend of water:

*Potable water demand (303 afy) would be met by the Santa Clarita Water Division of the Castaic Lake Water Agency (SCWD), through the use of its groundwater wells in the Alluvial aquifer, Saugus Formation, and State Water Project (SWP) water delivered by the Castaic Lake Water Agency (CLWA). The non-potable water demand of the project (194 afy) would be met through the use of recycled water from the project's water reclamation plant, or water factory.*

(Draft EIR, p. 4.8-1.) Regarding the quality of water supplied by the retail purveyor, the Santa Clarita Water Division of CLWA, the Draft EIR indicates that all municipal supplies must meet drinking water standards set by the U.S. Environmental Protection Agency (U.S. EPA) and Department of Public Health (DPH). This includes chloride levels in potable water supplies. As provided in Section 4.8:

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The groundwater quality of the Alluvial aquifer and the Saugus Formation consistently meets drinking water standards set by the U.S. Environmental Protection Agency (U.S. EPA) and Department of Public Health (DPH). The water is delivered by the local retail purveyors in the CLWA service area for domestic use without treatment, although the water is disinfected by the retail purveyors prior to delivery. Existing water quality conditions for urban water uses in the CLWA service area are documented in the Santa Clarita Valley Water Quality Reports. The latest report is the 2010 Santa Clarita Valley Water Report. This report provides the cumulative results of thousands of water quality tests performed each year in the Santa Clarita Valley on CLWA's and the local purveyors' water supplies.

A Consumer Confidence Report (CCR) also is provided to all Santa Clarita Valley residents who receive water from the local retail water purveyors in the CLWA service area. The latest CCR is the 2007 Santa Clarita Valley Consumer Confidence Report. In that report, there is detailed information about the results of the testing of groundwater quality and treated SWP water supplied to the residents of the Santa Clarita Valley. Water quality regulations are constantly changing to reflect the discovery of new potential contaminants and associated new standards. In addition, existing water quality standards are becoming more stringent in terms of allowable levels in drinking water. However, all groundwater produced by the retail water purveyors in the Santa Clarita Valley meets or exceeds stringent drinking water quality regulations set by U.S. EPA, DPH, and the continuing oversight of the California Public Utilities Commission (CPUC).

(Draft EIR, pp. 4.8-43 to -44.) Based on the information presented in the Draft EIR, water sources for the proposed project are within all drinking water standards and no unique water treatment, therefore, would be required prior to use on the project site.

Regarding the AB 134 requirement, which states that, during any rolling five-year period, the Santa Clarita Water District (SCWD) shall use imported water for not less than 50% of the water supply demand within the its service area, SCWD meets this requirement. As shown in the table below, SCWD has met between 57 and 66 percent of its total water demand with imported water for the past five-year period (2005–2009).

**SCWD Percent SWP Water Use**

<b>Year</b>	<b>Imported Water</b>	<b>Groundwater</b>	<b>Total Demand</b>	<b>%SWP</b>
2005	16,513	12,408	28,921	57%
2006	17,146	13,156	30,302	57%
2007	20,669	10,686	31,355	66%
2008	18,598	11,878	30,476	61%
2009	17,739	10,077	27,816	64%

Source: 2009 Santa Clarita Valley Water Report (May 2010), Table 2-1.

**Response 20**

This comment states that no analysis of existing demand within SCWD's service area was provided in the Draft EIR. The comment also states that the Draft EIR does not include the cumulative water needs for the service area, including that attributable to Riverpark, Keystone, and other previously approved projects. These comments are incorrect. The Water Supply Assessment (WSA) prepared by SCWD for the proposed project disclosed that SCWD's current (2009) service area-wide demand is approximately 27,816 acre-feet per year (afy). (Draft EIR, p. 4.8-116.)

Regarding cumulative water demands, SCWD's WSA also identified and considered cumulative projects proposed in the City of Santa Clarita and unincorporated portion of the purveyor's service areas. The WSA is provided in Appendix 4.8 of the Draft EIR. The Draft EIR also presents an analysis of cumulative water supply and demand based on the findings of the WSA:

*[T]he SCWD prepared a Vista Canyon WSA (2010) for the proposed project. The WSA is found in Appendix 4.8. Based on the information in this WSA, SCWD concludes there will be a sufficient water supply available at the time the project is ready for occupancy to meet the needs of the project, in addition to existing and other planned future uses in the Santa Clarita Valley.*

*SCWD's current (2009) service area-wide demand is approximately 27,816 afy.<sup>1</sup> Total municipal demand (supplied by all purveyors) in the CLWA service area was approximately 69,974 AFY with and additional 16,564 AFY for agricultural and other uses, for a total of 86,538 AFY (CLWA 2010). The 86,538 AFY demand is the total demand, without conservation, and is over 13,000 AFY less than the 100,050 AFY 2010 demand projected in the 2005 UWMP. The projected 2010 demand without conservation is between 82,000 to 84,000 AFY and is over 14,000 AFY less than the 100,050 AFY 2010 demand projected in the 2005 UWMP (CLWA et al, 2010). As mentioned above, the project will require approximately 497 afy at buildout, or about 529 with implementation of the residential overlay option. The average year, dry year, and multiple dry-year water assessments are presented below. These assessments are based on current information provided by CLWA, the local retail purveyors, the 2009 Santa Clarita Valley Water Report, and the 2005 UWMP. (Draft EIR, pp. 4.8-116 to -117.)*

...

*Based on the analysis set forth in this section, the documents used or relied on in preparing this section, the Vista Canyon WSA (2010), information provided by CLWA and the purveyors, and the 2005 UWMP, there are sufficient water supplies to serve the project (with or without implementation of the residential overlay option) and other existing and planned uses within the CLWA service area in an average/normal year, single-dry year, and in multiple-dry years for the present through 2030. (Draft EIR, pp. 4.8-120 to -121.)*

(See also the Draft EIR, Tables 4.8-18, 4.8-19, and 4.8-20, which provide an analysis of water demand and supply for average/normal years, single dry years, and multiple dry years.)

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1 2009 Santa Clarita Valley Water Report (May 2010), Table 2-1.

Also, the comment states that the Draft EIR does not identify the specific wells that would supply water to the proposed project and does not include water quality data for those wells that would support the conclusion that a reverse osmosis WRP is not needed. In response, SCWD water consists of a blended combination of groundwater, imported SWP water, and imported non-SWP water. In doing so, SCWD would use its entire series of interconnected wells attached to its water delivery system, not just one or two wells near the project site as suggested in this comment. The quality of water supplied by SCWD to its customers is described in the numerous Santa Clarita Valley Water Quality Reports (2007–2010), which are incorporated by reference in the Draft EIR, Section 4.8, Water Service, p. 4.8-2 through 4.8-3. All municipal water supplies of all the municipal water purveyors in the Santa Clarita Valley, including the SCWD, meet all drinking water standards. Please also see the Draft EIR, Section 4.8.1, Water Quality, for further responsive surface and groundwater quality data. See also **Response 19**, above, for additional responsive information. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project.

**Response 21**

The comment asserts that the proposed project “must” depend on a high percentage of SWP water because alluvial wells “go dry” in summer months. This comment is incorrect. As discussed in **Response 20**, above, SCWD water consists of a blended combination of groundwater, imported SWP water, and imported non-SWP water. In doing so, SCWD would use its entire series of interconnected wells attached to its water delivery system. Consequently, the project does not depend on “wells in this area of thin alluvial sediment,” as suggested in this comment. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project.

**Response 22**

The comment states that the City should defer further consideration of the proposed project until the update to the 2005 UWMP is adopted. The City is aware that CLWA and retail purveyors in the Santa Clarita Valley are currently updating the UWMP. However, until such time that CLWA and the retail purveyors complete the updated UWMP, the 2005 UWMP is valid and one of the documents that should be relied upon. Based on the extensive amount of current information presented in the Draft EIR, the City considers the water supply analysis presented in the Draft EIR to be accurate as written. Please also see the Draft EIR, Section 4.8, Water Service, which addresses the effect of various biological opinions and court decisions on water supply. (See Draft EIR, pp. 4.8-63 to -69.)

The comment also states that new disclosure requirements and water conservation goals were imposed as part of Senate Bill (SB) 7X7. This comment is generally correct. However, it is important to note that these

requirements and goals are not required as part of an EIR. They are the responsibility of water suppliers in the State. The Draft EIR, Section 4.8 provides a summary of Senate Bill (SB) 7X7:

**SB 7X7 – Statewide Water Conservation:** *SB 7X7 creates a framework for future planning and actions by urban and agricultural water suppliers to reduce California’s water use. For the first time in California’s history, this bill requires the development of agricultural water management plans and requires urban water agencies to reduce statewide per capita water consumption 20 percent by 2020. Specifically, this bill:*

1. *Establishes multiple pathways for urban water suppliers to achieve the statewide goal of a 20 percent reduction in urban water use. Specifically, urban water suppliers may:
  - (a) *Set a conservation target of 80 percent of their baseline daily per capita water use;*
  - (b) *Utilize performance standards for water use that are specific to indoor, landscape, and commercial, industrial and institutional uses;*
  - (c) *Meet the per capita water use goal for their specific hydrologic region as identified by DWR and other state agencies in the 20 percent by 2020 Water Conservation Plan; or*
  - (d) *Use an alternate method that is to be developed by DWR before December 31, 2010.**
2. *Requires urban water suppliers to set an interim urban water use target and meet that target by December 31, 2015 and meet the overall target by December 31, 2020.*
3. *Requires DWR to cooperatively work with the California Urban Water Conservation Council to establish a task force that shall identify best management practices to assist the commercial, industrial, and institutional sectors in meeting the water conservation goal.*
4. *Requires agricultural water suppliers to measure water deliveries and adopt a pricing structure for water customers based at least in part on quantity delivered, and, where technically and economically feasible, implement additional measures to improve efficiency.*
5. *Requires agricultural water suppliers to submit Agricultural Water Management Plans beginning December 31, 2012 and include in those plans information relating to the water efficiency measures they have undertaken and are planning to undertake.*
6. *Makes ineligible for state grant funding any urban or agricultural water supplier who is not in compliance with the requirements of this bill relating to water conservation and efficient water management.*

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7. *Requires DWR to, in 2013, 2016, and 2021, report to the Legislature on agricultural efficient water management practices being undertaken and reported in agricultural water management plans.*
8. *Requires DWR, the State Water Resources Control Board, and other state agencies to develop a standardized water information reporting system to streamline water reporting required under the law.*

(Draft EIR, pp. 4.8-71 to-72.) The Draft EIR includes additional information regarding water conservation practices as they relate to the Santa Clarita Valley and the proposed project. As stated in the Draft EIR, Section 4.8:

*In 2001, CLWA signed the Memorandum of Understanding Regarding Urban Water Conservation in California (MOU) on behalf of the CLWA service area. By signing the MOU, CLWA became a member of the California Urban Water Conservation Council (CUWCC) and pledged to implement all cost-effective Best Management Practices (BMPs) for water conservation. CLWA has estimated that conservation measures within the service area can reduce the urban demand water demand by 10 percent. The BMPs include:*

- *System Water Audits, Leak Detection and Repair; Public Information Programs; School Education Programs;*
- *Wholesale Agency Programs;*
- *Conservation Pricing;*
- *Water Conservation Coordinator;*
- *Water survey programs for single-family residential and multi-family residential customers;*
- *System water audits, leak detection and repair;*
- *Metering with commodity rates for all new connections and retrofit of existing connections;*
- *Large landscape conservation programs and incentives;*
- *High-efficiency clothes washing machine financial incentive programs;*
- *Conservation programs for commercial, industrial, and institutional (CII) accounts; and*
- *Water waste prohibition.*

*An additional 10 percent urban demand reduction would result from the recently approved SB 7X7, which requires a 20 percent reduction in per capita urban demand by 2020. (See Draft EIR, pp. 4.8-94 to -95.)*

While project and cumulative impacts regarding water supply are considered less than significant, the Draft EIR also includes several mitigation measures that focus on the conservation and reuse of water. As recommended in the Draft EIR, pages 4.8-124 and 4.8-125:

- 4.8-1 The proposed project shall implement a water recycling system in order to reduce the project's demand for imported potable water. The project shall install a distribution system to deliver recycled water to irrigate land uses suitable to accept reclaimed water, pursuant to Los Angeles County Department of Health Standards. Uses include retail, office, and commercial spaces. Such uses shall be dual-plumbed to receive recycled water for toilet facilities.
- 4.8-2 Landscape concept plans shall include a palette rich in drought-tolerant and native plants.
- 4.8-3 Water conservation measures as required by the State of California shall be incorporated into all irrigation systems."

The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project.

**Response 23**

The comment states that SCOPE's letter regarding SCWD's WSA for the proposed project is attached. The comment does not raise any specific issue regarding the adequacy of the analysis presented in the Draft EIR; and, therefore, no further response is required. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project.

**Response 24**

The comment suggests that the Alluvial Aquifer is in a state of overdraft. This is not correct, as the extensive amount of information presented in the Draft EIR supports the conclusion that no state of overdraft exists in the Alluvial groundwater basin in the Upper Santa Clarita Valley. The comment also states that the downstream water users, including United Water Conservation District and Ventura County, remain skeptical and concerned.

This response is based on the information presented in the Draft EIR, Section 4.8, Water Service, relevant portions of which are summarized below. It also is based on numerous reports and studies referenced in the Draft EIR, pages 4.8-2 through 4.8-6, and shown in date order below:

- (a) "Memorandum of Understanding" between the Santa Clara River Valley Upper Basin Water Purveyors and United Water Conservation District, August 2001;
- (b) "2001 Update Report: Hydrogeologic Conditions in the Alluvial and Saugus Formation Aquifer Systems," July 2002 (Slade Report);
- (c) "Groundwater Management Plan -- Santa Clara River Valley Groundwater Basin, East Subbasin," prepared for CLWA by Luhdorff & Scalmanini Consulting Engineers, December 2003 (GWMP);



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- (d) "Effect of Urbanization on Aquifer Recharge in the Santa Clarita Valley," prepared by CH2MHill, February 2004 (CH2MHill Memorandum);
- (e) "Regional Groundwater Flow Model for the Santa Clarita Valley: Model Development and Calibration," prepared for Upper Basin Water Purveyors (CLWA, CLWA Santa Clarita Water Division, Newhall County Water District and Valencia Water Company) by CH2MHILL April 2004 (2004 Flow Model);
- (f) 2005 Urban Water Management Plan, prepared for Castaic Lake Water Agency, CLWA Santa Clarita Water Division, Newhall County Water District, Valencia Water Company, Los Angeles County Waterworks District No. 36, prepared by Black & Veatch, Nancy Clemm, Kennedy Jenks Consultants, Jeff Lambert, Luhdorff & Scalmanini, Richard Slade and Associates, November 2005 (UWMP);
- (g) "Analysis of Groundwater Basin Yield, Upper Santa Clara River Groundwater Basin, East Subbasin," August 2005 (2005 Basin Yield Report);
- (h) Santa Clarita Valley Water Reports (2006, 2007, 2008 and 2009 Water Reports); and
- (i) 2009 Basin Yield Update.

The Draft EIR thoroughly described and assessed the existing groundwater conditions in the Santa Clarita Valley based on the above-referenced reports. Specifically, the Valley's Groundwater Management Plan is discussed on pages 4.8-18 through 4.8-20; the 2009 Basin Yield Update is discussed on pages 4.8-20 through 4.8-22; and, the available groundwater supplies are addressed at pages 4.8-22 through 4.8-43. The Draft EIR also analyzed impacts on groundwater supplies, levels, and recharge for the proposed project. (See Draft EIR, pp. 4.8-105 to -110.)

In fact, a substantial amount of information was presented in the Draft EIR concerning the Valley's groundwater basin, groundwater levels (based on well data), groundwater pumping volumes, and the sustainability of the Santa Clarita Valley's groundwater resources based on the CLWA/Purveyor groundwater operating plan. The 2009 Santa Clarita Valley Water Report, which was presented in the Draft EIR, Appendix 4.8 was just one of the important source documents. (Draft EIR, pp. 4.8-18 to -20.) Based on that information, the Draft EIR confirmed the findings in several reports that the Santa Clara River East Subbasin (Basin), comprised of both the Alluvium (also referred to as the Alluvial aquifer) and the Saugus Formation, is not in an overdraft condition, or projected to become overdrafted:

*[G]roundwater supplies were evaluated in the 2005 UWMP, the 2005 Basin Yield Report, the 2009 Basin Yield Update, and the Vista Canyon WSA (2010). These evaluations resulted in the following findings: (a) both the Alluvial aquifer and the Saugus Formation are reasonable and sustainable sources of local water supplies at the yields stated in the 2005 UWMP over the next 25 years; (b) the yields are not overstated and will not deplete or "dry-up" the groundwater basin; and (c) there is no need to reduce the yields for purposes of planning, as shown in the 2005 UWMP, the 2005 Basin Yield Report and the 2009 Basin Yield Update (see Draft EIR Appendix 4.8, for the 2005 UWMP, the 2005 Basin Yield Report, the 2009 Basin Yield*

*Update, and the Vista Canyon WSA (2010)). In addition, the 2005 UWMP, 2005 Basin Yield Report, the 2009 Basin Yield Update, and the Vista Canyon WSA (2010) determined that neither the Alluvial aquifer nor the Saugus Formation is in an overdraft condition, or projected to become overdrafted.*

(Draft EIR, p. 4.8-107.) Based on the information included in the Draft EIR, it has been determined that the Santa Clarita Valley's groundwater supplies are both available and reliable and that the history of groundwater levels in the Alluvium and the Saugus Formation shows no signs of water-level related overdraft (i.e., no long-term trend toward decreasing water levels and storage). Consequently, pumping from the Alluvium and the Saugus Formation has been, and continues to be, sustainable, and well within the operational yield of the aquifers on a long-term average basis.

The comment's statement that downstream water users, including United Water Conservation District and Ventura County, remain "skeptical and concerned" is a mischaracterization of the facts and represents SCOPE's opinion. No communication from either agency has been provided in response to the Draft EIR, nor has SCOPE provided any specific information or documentation in support of its opinion. Furthermore, the agencies referenced in this comment have been cooperating with the Santa Clarita Valley water purveyors for a number of years to monitor the condition of the Upper Santa Clarita Valley groundwater basin. In addition, the MOU (referenced below) requires monitoring of the groundwater basin to identify overdraft conditions should they occur. As indicated in the Draft EIR on pages 4.8-18 and 4.8-19:

*[A] local Memorandum of Understanding (MOU) process among CLWA, the purveyors, and United Water Conservation District (UWCD) in neighboring Ventura County had produced the beginning of local groundwater management, now embodied in the GWMP. In 2001, those agencies prepared and executed the MOU (see Draft EIR **Appendix 4.8** [MOU]). The MOU is a collaborative and integrated approach to several of the aspects of water resource management included in the GWMP. UWCD manages surface water and groundwater resources in seven groundwater basins, all located in Ventura County, downstream of the Basin. As a result of the MOU, the cooperating agencies have undertaken the following measures: (1) Integrated their database management efforts; (2) Developed and utilized a numerical groundwater flow model for analysis of groundwater basin yield and containment of groundwater contamination; and (3) Continued to monitor and report on the status of Basin conditions, as well as on geologic and hydrologic aspects of the overall stream-aquifer system.*

This comment also states that the Draft EIR does not give an accurate view of the full extent of groundwater pumping in the Basin. As an example, the comment refers to the Draft EIR, **Table 4.8-3**, Historical Groundwater Production by the Retail Water Purveyors, found on page 4.8-25, and states that this table omits the pumping by Newhall Land and Farming and other private users. The City disagrees with this comment and believes that the Draft EIR provides an accurate accounting of groundwater pumping in the Basin, including groundwater use by all groundwater users in the Basin. Contrary to the

comment, the referenced table is not intended to provide a listing of all pumping in the Basin. As its title indicates, this table is intended to provide historical groundwater production (pumping) by the retail water purveyors, and not other groundwater users. Groundwater pumping characteristics of the Basin, including private groundwater users, are described elsewhere in the Draft EIR:

*Based on a combination of historical operating experience and recent groundwater modeling analysis, the Alluvial aquifer can supply groundwater on a long-term sustainable basis in the overall range of 30,000 to 40,000 afy, with a probable reduction in dry years to a range of 30,000 to 35,000 afy. **Both of those ranges include about 15,000 afy of Alluvial pumping for current agricultural water uses and an estimated pumping of up to about 500 afy by small private pumpers.** The dry year reduction is a result of practical constraints in the eastern part of the Basin, where lowered groundwater levels in dry periods have the effect of reducing pumping capacities in that shallower portion of the aquifer. (Draft EIR, p. 4.8-25; **emphasis added.**)*

***Background.** Total pumping from the Alluvium in 2009 was about 39,986 acre-feet, a decrease of 1,730 acre-feet from the preceding year. Total Alluvium pumping was at the upper end of the groundwater operating plan range. Of the total Alluvial pumping in 2009, about 24,396 acre-feet (61 percent) was for municipal water supply, and **the balance, about 15,590 acre-feet (39 percent), was for agriculture and other smaller uses, including individual domestic uses.** In a longer-term context, there has been a change in municipal/agricultural pumping distribution since SWP deliveries began in 1980, toward a higher fraction for municipal water supply (from about 50 percent to more than 65 percent of Alluvial pumpage), which reflects the general land use changes in the area. Ultimately, on a long-term average basis since the beginning of imported water deliveries from the SWP, total Alluvial pumping has been about 32,000 afy, which is at the lower end of the range of operational yield of the Alluvium. That average has been higher over the last decade, about 38,500 afy, which remains within the range of operational yield of the Alluvium. The overall historic record of Alluvial pumping is illustrated in Figure 3-2 of the 2009 Water Report (May 2010). (Draft EIR, pp. 4.8-26 to -27; **emphasis added.**)*

As indicated above, the Draft EIR states that the total pumping in the Basin in 2009 was 39,986 acre-feet, including 15,590 acre-feet for agriculture and other smaller uses, including individual domestic uses. (See also the 2009 Santa Clarita Valley Water Report presented in the Draft EIR, Appendix 4.8, for additional responsive information.) Based on this information from the main body of the Draft EIR and the many technical reports referenced in the Draft EIR and included in the Draft EIR, Appendix 4.8, an accurate representation is provided of groundwater pumping in the Basin. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project.

#### **Response 25**

The comment refers to complaints from the local well owners' association regarding groundwater pumping estimates. However, the information presented in the Draft EIR, Section 4.8, Water Service, regarding private (local) wells is accurate. For additional responsive information, please refer to

**Response 24**, above, and the latest annual Santa Clarita Valley water report (April 2009), which is found in Appendix 4.8 of the Draft EIR. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project.

**Response 26**

This comment states that “considerable biological evidence of overdraft in the Santa Clara River exists.” The comment further states that vegetation die back indicates that overdraft exists in the groundwater basin, and that no studies exist to evaluate these alleged indicators. The comment does not provide any data or information in support of these claims, and the City is not aware of any such conditions. However, as analyzed in the Draft EIR (and summarized above in **Response 24**), no overdraft of the groundwater basin has occurred or would occur in the future under the Santa Clarita Valley’s water purveyor’s groundwater operating plan. There is no reason to believe that further study of vegetation “die back” is needed or would alter this conclusion. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project.

**Response 27**

The comment states that no study of subsidence has been completed in the Basin. As with the vegetation “die back” claim addressed in **Response 26**, above, the comment does not provide any data or information in support of this claim. However, as analyzed in the Draft EIR (and summarized above in **Response 24**), no overdraft of the groundwater basin has occurred or would occur in the future under the Santa Clarita Valley’s water purveyor’s groundwater operating plan. There is no reason to believe that further study of subsidence is needed or would alter this conclusion. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project.

**Response 28**

The statement that electrical conductivity (EC) is not addressed in the Draft EIR is not accurate. Contrary to the comment, the Draft EIR specifically addressed the issue of EC as it relates to overdraft. As provided in the Draft EIR Section 4.8, Water Service (pages 4.8-107 and 4.8-108):

*[O]n the topic of groundwater overdraft, some have suggested that information presented in the 2009 Water Report indicates that both the Saugus Aquifer and the Alluvial Aquifer are exhibiting some increase in EC indicative of groundwater overdraft. It is important to understand that in the 2009 Water Report, EC data are used to determine if local groundwater is suitable as a source of drinking water and not to determine if the basin is in a state of overdraft; EC data are used to indicate general trends in the dissolved concentrations of naturally occurring anions and cations. As discussed in a widely used and cited textbook (Freeze, R.A. and J.A. Cherry, Groundwater, Prentice-Hall, Inc., 1979), EC is commonly used as a surrogate measure of the concentration of these total dissolved solids (TDS) and is nothing more than a measure of the ability of a substance*

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(such as water) to conduct an electrical current (Freeze and Cherry, p. 139). Freeze and Cherry (on p. 84) discuss EC and the nature of dissolved anions and cations in groundwater as follows:

As a result of chemical and biochemical interactions between groundwater and the geological materials through which it flows, and to a lesser extent because of contributions from the atmosphere and surface-water bodies, groundwater contains a wide variety of dissolved inorganic chemical constituents in various concentrations. ... Groundwater can be viewed as an electrolyte solution because nearly all its major and minor dissolved constituents are present in ionic form.

*Freeze and Cherry present their discussion of the use of EC in groundwater studies in a broader discussion of how EC is one parameter that can be measured in the field and provides a good indicator of water quality. EC is commonly used in the hydrogeologic profession to evaluate water quality and therefore is discussed in many references and studies that discuss groundwater quality. Another reference on this subject is a publication entitled, Groundwater Quality and Groundwater Pollution (2003), prepared by the University of California, Division of Agriculture and Natural Resources, which was prepared in partnership with the Natural Resources Conservation Service and discusses EC as follows:<sup>2</sup>*

With more ions in the water, the water's electrical conductivity (EC) increases. By measuring the water's electrical conductivity, we can indirectly determine its TDS concentration. At a high TDS concentration, water becomes saline. Water with a TDS above 500 mg/l is not recommended for use as drinking water (EPA secondary drinking water guidelines). Water with a TDS above 1,500 to 2,600 mg/l (EC greater than 2.25 to 4 mmho/cm) is generally considered problematic for irrigation use on crops with low or medium salt tolerance.

*Notwithstanding that EC is used to address water quality and not the sustainability of the groundwater basin, some have suggested that EC in the Alluvium is rising, and that such a rise is indicative of basin overdraft. The evidence does not support this suggestion. The 2009 Water Report presented in **Appendix 4.8** provides data indicating stable EC levels in the basin, not rising levels. (See 2009 Water Report, Section 3.5 Water Quality, and Figures III-11, 12, and 13.) Trends in groundwater levels are the primary data used to conduct evaluations of groundwater basin sustainability, and such trends were used in the creation of the extensive groundwater modeling conducted to determine if the groundwater pumping plan for the basin will negatively impact groundwater levels in the Santa Clarita Valley and downstream of the Valley. As discussed above, neither groundwater level data, groundwater modeling conducted in the Santa Clarita Valley, nor the multiple detailed studies and annual reports prepared and referenced in this EIR support the position that the local groundwater basin is in a state of overdraft.*

Based on the information presented in the Draft EIR and **Appendix 4.8**, neither groundwater level data, groundwater modeling conducted in the Santa Clarita Valley, nor the multiple detailed studies and

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<sup>2</sup> See Regents of the University of California, Division of Agriculture and Natural Resources, 2003. *Groundwater Quality and Groundwater Pollution*, Publication 8084. 2003.

annual reports prepared and referenced in this EIR support the claim that the local groundwater basin is in a state of overdraft. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project.

**Response 29**

This comment again claims that information regarding EC and overdraft was omitted from the Draft EIR. As shown in **Response 28**, above, this claim is incorrect as specific information regarding overdraft and EC was presented in the Draft EIR. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project.

**Response 30**

In support of its claim that that EC data indicates that the Basin is in overdraft, this comment presents information from the Newhall Ranch RMDP/SCP EIS/EIR, and not the Vista Canyon Draft EIR. Nonetheless, a response to the EC issue is provided in **Response 28**, above. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project.

**Response 31**

Regarding the claim that EC data indicates that overdraft of the groundwater basin is occurring; please see **Response 28**, above. Regarding the claim that the Draft EIR presents no information regarding the relationship between the Alluvial Aquifer and the Saugus Formation, please see **Response 24**, above, and the Draft EIR, Section 4.8, Water Service. This comment also opines that recharge of the Saugus Formation would be reduced by the alleged overdraft of the Alluvial aquifer. No evidence supporting this opinion was provided, and the City is not aware of any such evidence. As stated in **Section 4.8** and **Response 24** above, no evidence is known to exist indicating that overdraft has ever occurred or is presently occurring in the Basin. Nonetheless, a response to this opinion is provided below.

The Draft EIR specifically addressed the proposed project's potential impact on groundwater recharge. As provided in the Draft EIR, pages 4.8-109 and 4.8-110:

***Groundwater Recharge Impacts.** The supplying of water to the project also would not interfere substantially with groundwater recharge, because the best available evidence shows that no adverse impacts to the recharge of the basin have occurred due to the existing or projected use of local groundwater supplies, consistent with the CLWA/purveyor groundwater operating plan for the basin (see Draft EIR **Appendix 4.8** [2005 Basin Yield Report and 2009 Basin Yield Update]). In addition, based on the memorandum prepared by CH2MHill (Effect of Urbanization on Aquifer Recharge in the Santa Clarita Valley, February 22, 2004; Draft EIR **Appendix 4.8**), no significant project-specific or cumulative impacts would occur to the groundwater basin with respect to aquifer recharge. This is because urbanization in the Santa*

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Clarita Valley has been accompanied by long-term stability in pumping and groundwater levels, and the addition of imported SWP water to the valley, which together have not reduced recharge to groundwater, nor depleted the amount of groundwater in storage within the local groundwater basin. This finding is supported by the 2009 Basin Yield Update, which modeled infiltration from irrigation (from urban and agricultural lands), precipitation, and streamflows (stormwater and WRP discharges).

With the exception of a single family home and ancillary storage yard within the southwest portion of the project site, the project site is vacant. Development of the project site would include the implementation of impervious surfaces over mostly undeveloped land. The increase in paved area would reduce overall recharge on the site; however, two factors would serve to counter the impact of urbanization on groundwater recharge:

- Development on the project site would increase stormwater runoff volume discharged after treatment (e.g., in water quality control facilities) to the Santa Clara River, whose channel is predominantly natural and consists of vegetation and coarse-grained sediments. The porous nature of the sands and gravels forming the streambed allows for significant infiltration to occur to the Alluvial aquifer underlying the Santa Clara River;
- Development of the project site would increase the area of irrigated landscaping on currently undeveloped land, which would serve to increase the amount of recharge to the project area; and,
- The percolation ponds associated with the water factory would result in increase recharge in the project area.

As a result, project impacts on groundwater recharge and levels would be less than significant. This finding is based, in part, on the referenced technical report (CH2MHill Memorandum). In the CH2MHill Memorandum, CH2MHill summarized its recharge findings, explaining that natural recharge occurs in the Santa Clarita Valley largely because: (a) a significant volume of natural recharge occurs in the Santa Clara River mainstem and associated tributaries, which contain soft-bottom alluvial deposits in contrast to paved, urban land areas; and (b) importation of SWP water since 1980 has contributed to recharge in the Valley:

In the Santa Clarita Valley, stormwater runoff finds its way to the Santa Clara River and its tributaries, whose channels are predominantly natural and consist of vegetation and coarse-grained sediments (rather than concrete). The stormwater that flows across paved lands in the Santa Clarita Valley is routed to stormwater detention basins and to the river channels, where the porous nature of the sands and gravels forming the streambeds allow for significant infiltration to occur to the underlying groundwater.

Increased urbanization in the Valley has resulted in the irrigation of previously undeveloped lands. The effect of irrigation is to maintain higher soil moisture levels during the summer than would exist if no irrigation were occurring. Consequently, a greater percentage of the fall/winter precipitation recharges groundwater beneath irrigated land parcels than beneath undeveloped land parcels. In addition, urbanization in the Santa Clarita Valley has occurred in part because of the importation of State Water Project (SWP) water, which began in 1980. SWP water use has increased steadily, reaching nearly 44,500 acre-feet in 2003. Two-thirds of this water is used

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*outdoors, and a portion of this water eventually infiltrates to groundwater. The other one-third is used indoors and is subsequently routed to local water reclamation plants (WRPs) and then to the Santa Clara River (after treatment). A portion of this water flows downstream out of the basin, and a portion infiltrates to groundwater.*

*Records show that groundwater levels and the amount of groundwater in storage were similar in both the late 1990s and the early 1980s, despite a significant increase in the urbanized area during these two decades. This long-term stability of groundwater levels is attributed in part to the significant volume of natural recharge that occurs in the streambeds, which do not contain paved, urban land areas. On a long-term historical basis, groundwater pumping volumes have not increased due to urbanization, compared with pumping volumes during the 1950s and 1960s when water was used primarily for agriculture. Also, the importation of SWP water is another process that contributes to recharge in the Valley. In summary, urbanization has been accompanied by long-term stability in pumping and groundwater levels, plus the addition of imported SWP water to the Valley, which together have not reduced recharge to groundwater, nor depleted the amount of groundwater that is in storage within the Valley. (Appendix 4.8, CH2MHill Memorandum, pp. 1-2.)*

Based on the information presented in the Draft EIR, Section 4.8, Water Service, and Appendix 4.8, evidence indicates that no overdraft is occurring in the Basin; therefore, no impacts to recharge are occurring as a result of groundwater use in the Santa Clarita Valley. Based on this information and as concluded in the Draft EIR, the project's impact on groundwater recharge would not be significant. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project.

### **Response 32**

This comment cites a technical report prepared for CLWA. The technical report was prepared by Black & Veatch to perform the investigations and analyses required for compliance with California Department of Public Health (DPH) Policy Memo 97-005 for the domestic use of impaired water supplies. The report notes that State policy recognizes impaired supplies represent important long-term resources, and DPH Policy Memo 97-005 sets the framework within which impaired supplies can be evaluated for potential treatment and beneficial reuse. The report evaluated Santa Clarita Water Division Saugus Wells 1 and 2, with a capacity of about 2,400 gallons per minute (gpm).

Returning perchlorate-impacted production wells, Saugus Wells 1 and 2, to service with treatment first requires the issuance of a DPH permit before the water can serve as a potable water supply. Before issuing that permit, DPH requires that studies and engineering work be performed demonstrating that pumping these wells and treating the water will be protective of human health for the users of the water.

Based on the analysis presented in the technical report, Black & Veatch concluded that the quality of drinking water to be provided by the two Saugus Wells, with treatment, met DPH criteria, allowing those



wells to be used to restore local water supplies that are necessary and planned to meet long-term water demand projections contained in the 2005 Urban Water Management Plan (UWMP).

In response to the comment, and based on the Black & Veatch technical report, the water from the two Saugus wells, once treated, would not be “polluted.” In addition, any alleged inaccuracies in the Black & Veatch technical report are more properly addressed to CLWA, not as a comment on a project-level EIR. In conclusion, the Draft EIR, **Section 4.8, Water Service**, and SCWD’s WSA (**Appendix 4.8**) for the proposed project present information supporting the conclusion that adequate supplies, including groundwater, imported SWP, non-SWP water, and recycled water, are available to meet the needs of the proposed project and cumulative projects in the Santa Clarita Valley. The Draft EIR presented an analysis of cumulative water supply vs. water demand in the Santa Clarita Valley under two cumulative development scenarios for projected average/normal years, single-dry years and multiple dry years. (See Draft EIR, pp. 4.8-117 to -124.) The Draft EIR also presented a substantial amount of information regarding the topic of perchlorate in the local groundwater. (See Draft EIR, pp. 4.8-33 to -53; 4.8-111 to -113.) The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project.

**Response 33**

The comment states that the Draft EIR does not analyze the loss of groundwater recharge attributable to fill and compaction of the floodplain, and claims that the applicant promotes the “absurd hypothesis” that urban development and hardscaping increases groundwater recharge. This comment is incorrect. Please see **Response 31**, above, for responsive information including the factual basis for the conclusion reached in the Draft EIR regarding the proposed project’s impact on groundwater recharge. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project.

**Response 34**

The comment restates information contained in the Draft EIR and does not raise an environmental issue within the meaning of CEQA. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project. However, because the comment does not raise an environmental issue, no further response is required.

**Response 35**

The comment correctly notes that, in order for the City to operate the proposed WRP, a permit must be issued from the RWQCB. The comment requests information on the permit status. As provided on page 4.21-5 of the Draft EIR, a permit from the RWQCB would be required for the proposed WRP. If the project is approved by the City, the project applicant and City would submit the necessary application materials

and coordinate with RWQCB accordingly. It would be premature to submit the application materials prior to the local agency's approval of the proposed project, because the subsequent approval and operation of the WRP is dependent on local project approval.

The comment also states that there is no indication that the City supports this proposal. To date, neither the Planning Commission nor City Council has objected to the City's ultimate operation of the proposed WRP, as proposed by the project applicant. If final approval of the project is granted by the City Council, the City will be approving its ultimate operation of the proposed WRP, consistent with the draft conditions of approval. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project.

**Response 36**

The comment states that a City-owned WRP would require the formation of a sanitation district and require approval by the Local Agency Formation Commission (LAFCO). The comment requests information on the status of the district formation effort. First, the comment is incorrect to the extent it suggests that the proposed WRP itself requires formation of a sanitation district; the City can own and operate the proposed WRP without establishing a district. See Draft EIR, Appendix 4.21 (Engineering Report for the Vista Canyon Water Factory, April 2010, p. 1-2, and Chapter 5, pp. 5-1-5-2). Second, as discussed in **Response 2 to Letter No. B1**, if the proposed project is approved by the City, the site would need to be annexed into the Los Angeles County Sanitation District prior to receipt of sewerage service so that project-generated solids could be treated at the Valencia WRP. It would be premature to annex the site prior to local approval of the proposed project (see **Response 35**, above). The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project.

**Response 37**

The comment states that, because solids would be treated by the Valencia WRP, the project site needs to be annexed into a sanitation district, which also requires LAFCO approval. Please see **Response 36**, above. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project.

**Response 38**

The comment states that there is no discussion of reverse osmosis in the Draft EIR's assessment of wastewater impacts (see Section 4.21, Wastewater Disposal). The proposed WRP's impacts on water quality, including chloride levels, were assessed in the Draft EIR, Section 4.8.1, Water Quality. (See, e.g., Draft EIR, p. 4.8.1-115 to -127 [finding groundwater quality impacts attributable to percolation of excess recycled water at the WRP to be less than significant].) Specific to the WRP's effluent, the Draft EIR

determined that the predicted chloride concentration would remain below the Basin Plan groundwater objective of 150 mg/L. (Ibid. at p. 4.8.1-120; see also Table 4.8.1-27, Estimated Average Annual Volume and Concentration of Percolated Water [predicted average annual concentration of chloride attributable to the project's recycled water and stormwater is less than the Basin Plan's groundwater quality objective].) The Draft EIR also discussed the use of the Alternative Water Resources Management (AWRM) program as a basis for a future salt/nutrient management plan for the Santa Clara River watershed, and the project's participation in, and fair share implementation cost payment to, the AWRM. (Ibid. at pp. 4.8.1-122 to -124.) The Draft EIR concluded that with the project's participation in the AWRM, through annexation of the site into the Santa Clarita Valley Sanitation District and payment of fees, percolation of recycled water and stormwater from the proposed project would not result in a violation of the groundwater quality standards for chloride. (Ibid. at p. 4.8.1-124.) Finally, the proposed Vista Canyon WRP will be required to comply with RWQCB permit requirements, which will, in turn, contain effluent limitations for the WRP, including chloride limitations. The WRP will be constructed with the technology capable of reducing pollutant loads/concentrations to the limits set forth in the permit(s) issued for the WRP by the RWQCB.

In summary, there is no evidence that the proposed WRP would result in significant groundwater or surface water quality impacts; therefore, it is not necessary to employ a reverse osmosis process, as requested by the comment. Nonetheless, the comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project.

**Response 39**

The comment raises economic issues regarding the ongoing operation and maintenance of the WRP that do not appear to relate to any physical effect on the environment. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project. However, because the comment does not raise an environmental issue under CEQA, no further response is required.

**Response 40**

The comment summarizes previous comments responded to in **Responses 35** through **39**, above. The comment also requests that "bonding" be required for the proposed WRP to ensure that the project applicant pays for the "full cost" of the proposed WRP. This raises an economic issue that does not appear to relate to any physical effect on the environment; therefore, no further response is required under CEQA. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project. However, it should be noted that as a public

improvement proposed by the project, the applicant would be required to bond for the costs of the improvement prior to recordation of a final map.

**Response 41**

The comment recommends that the City exercise caution in reviewing the findings of Compliance Biology relative to the spadefoot and arroyo toad surveys as this environmental consultant allegedly has issued questionable survey findings for the Riverpark project. Therefore, the comment requests that the City provide independent surveys and independently review the adequacy of the spadefoot toad mitigation plan. The City acknowledges such concerns and has closely reviewed and independently considered all of the project's biological surveys and mitigation plans. At this juncture, however, it is worth noting that CDFG has reviewed the Draft EIR and expressed appreciation for the "thorough biological assessments" prepared for the proposed project, and "in general concurs with [the] biological mitigation measures," including the measure requiring implementation of the *Western Spadefoot Toad Habitat Enhancement and Monitoring Plan* (June 2009), as prepared by Compliance Biology, subject to several recommendations addressed in **Response 11 to Comment Letter No. A5**. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project.

**Response 42**

The comment requests information regarding the mitigation of impacts to approximately 17 acres of CDFG's jurisdictional waters. As provided in **Response 14 to Comment Letter No. A5**, Mitigation Measure 4.20-1 has been revised to provide for compensatory, off-site mitigation at a ratio of 1:1. Also of note, on March 22, 2011, the City Council conceptually approved a modification to the proposed project that would reduce impacts to the CDFG's jurisdictional lands. Specifically, if the project is approved as revised, permanent impacts to CDFG's jurisdictional lands would be reduced to approximately 14 acres. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project.

**Response 43**

The comment states that the "best mitigation" is avoidance and, therefore, recommends that the project be removed from the floodplain. However, with implementation of Mitigation Measure 4.20-1, impacts to CDFG's jurisdictional lands would be reduced to a level below significant; therefore, SCOPE's mitigation preferences are noted, but other acceptable mitigation is available. That said, please also note that the development contemplated by the proposed project would not occur in the floodplain; instead, relevant portions of the project site would be elevated out of the floodplain. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project.

**Response 44**

The comment states that resource agencies “decry” the impacts to riparian habitat and the loss of the wildlife corridor. The project’s potential impacts to riparian resources were studied at length in the Draft EIR, Section 4.20, Santa Clara River Corridor Analysis. As presented in that section, with implementation of the recommended mitigation measures, impacts to riparian resources would not be significant. In fact, based on the CRAM analysis contained in the Draft EIR, “habitat restoration, creation, and enhancement activities within and adjacent to the Santa Clara River within the project reach would result in a regional increase of jurisdiction resource functions and provide for an ecologically meaningful resource to existing riparian resources associated with the river reach within the project site.” (Draft EIR, p. 4.20-59.) Please also see **Response 42**, above, for information regarding the reduced acreage impacts attributable to project modifications conceptually approved by the City Council on March 22, 2011. Because the comment does not include a specific objection to that analysis, no more specific of a response can be provided.

As to the lost wildlife corridor, as explained in Final EIR **Section 2.0**, elimination of the 26 single-family lots located along the eastern boundary of PA-3 has allowed for the preservation and enhancement of a north/south animal movement corridor. (See also, e.g., Final EIR, **Section 3.0**, responses to **Letter No. B5**.) Therefore, contrary to the comment’s suggestion, the proposed project would not result in the loss of an animal movement corridor. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project.

**Response 45**

The comment states that there has been no commitment by the Metropolitan Transit Authority for Metrolink to build the proposed Vista Canyon Metrolink Station. The comment also states that SCOPE submitted a request for all documents submitted by public agencies on the proposed Metrolink Station, and received no responsive correspondence. Finally, the comment states that no grading permit should be issued until there is a “guarantee” that the proposed Metrolink Station will be constructed and operated.

In response, please note that the City has received the following correspondence, copies of which are included in this Final EIR **Section 5.0**: a January 19, 2011 letter from Metrolink (Southern California Regional Rail Authority) (**Late Letter No. 5.1**), and a February 15, 2011 letter from the Los Angeles County Metropolitan Transportation Authority (**Late Letter No. 5.8**). Both letters evidence that the project applicant is continuing to coordinate with the applicable transit agencies in connection with the proposed relocation of the Via Princessa Metrolink Station to the Vista Canyon site. The City had not received the

two referenced letters at the time the commenter submitted its public records request; therefore, the referenced letters were not part of the public record reviewed by the commenter.

Finally, the proposed Metrolink Station is a contemplated component of the proposed project. Therefore, consistent with the proposed conditions of approval full project buildout would not be permitted until an initial phase of the station is constructed. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project.

**Response 46**

The comment states that, without a verifiable commitment for the proposed Metrolink Station, the project should be denied. The comment expresses SCOPE's opinions. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project. However, because the comment does not raise an environmental issue under CEQA, no further response is required.

**Response 47**

The comment states that the project applicant's payment of mitigation fees to Caltrans "seems impractical," and suggests that new on- and off-ramps to SR-14 be provided instead. Please see **Response 10 to Comment Letter No. C18**, and **Appendix A** for information regarding the infeasibility of constructing new freeway ramps. Also, please note that the payment of mitigation fees is not atypical in the context of impacts to transportation/traffic. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project.

**Response 48**

The comment restates information contained in City staff's November 2010 report and does not raise an environmental issue within the meaning of CEQA. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project. However, because the comment does not raise an environmental issue under CEQA, no further response is required.

**Response 49**

The comment states that there is an inconsistency in City staff's November 2010 report, a copy of which is included in **Appendix A** of the Final EIR. However, the referenced staff report is internally consistent. Pages 3 and 4 of that report disclose that the two potential locations for a new interchange were found to be infeasible due to operational and geometric constraints. The discussion on page 15 separately confirms that the applicant's payment of mitigation fees may not mitigate the identified impacts because Caltrans has not planned and programmed SR-14 improvements in the impacted area.

The comment also states that there is no written verification from Caltrans regarding its concurrence with the mitigation agreement. By way of background, Caltrans' policy is to not execute agreements until after the project has received approval by the local decision-making body. That said, Mitigation Measure 4.3-9 requires that the project applicant enter into an agreement with Caltrans: "The applicant shall execute and adhere to the terms of the mitigation agreement with Caltrans to minimize the project's impacts to SR-14." And, the draft agreement contained within Appendix 4.3, Traffic and Access, of the Draft EIR has been reviewed and approved by Caltrans and would be signed upon project approval. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project.

**Response 50**

The comment states that, before the project is approved, the inconsistencies in City staff's November 2010 report must be revised and there must be verification from Caltrans that the agreement will be accepted. Please see **Response 49**, above, for responsive information. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project.

**Response 51**

The comment states that if the Metrolink Station is not constructed, the air quality impacts would substantially change, such that the environmental documentation for the project would need to be revised and recirculated. The comment makes the same comment relative to the proposed project's mix of residential and non-residential uses. If there are substantial changes to the project, the environmental analysis would be revised and circulated in accordance with all applicable CEQA parameters. Additionally, the traffic, air quality, and climate change analyses presented in the Draft EIR already have considered whether implementation of the residential overlay option would change the significance findings. Of final note, on March 22, 2011, the City Council conceptually approved a modification to the proposed project whereby the residential overlay option would be eliminated; therefore, contrary to the comment, the mix of residential and non-residential uses would not change to account for vacancy rates. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project.

**Response 52**

The comment restates information presented in the Draft EIR concerning federal non-attainment zones for ozone, particulate matter less than 10 microns in diameter (PM<sub>10</sub>), and particulate matter less than 2.5 microns in diameter (PM<sub>2.5</sub>). The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project. However, because the comment does not raise an environmental issue, no further response is required.

**Response 53**

The comment restates information in the Draft EIR regarding the health effects of ozone, PM<sub>10</sub> and PM<sub>2.5</sub>. The comment also states that: (1) there has been a 50 percent increase in the number of students using inhalers; (2) parents have complained about increased traffic along Lost Canyon Road affecting the local elementary school; and (3) strong action must be taken to remedy this problem. The comment also states that the problem cannot be brushed off by indicating that the problems are due to air pollution from other areas.

In fact, many of the air pollution issues affecting the Santa Clarita Valley do come from other areas. In 2004, South Coast Air Quality Monitoring District (SCAQMD) provided an expanded air quality analysis of the Santa Clarita Valley subregion. The Santa Clarita Valley Subregional Analysis indicated that the Santa Clarita Valley “is a relatively small contributor to the total emissions of the key pollutants” in both Los Angeles County and the South Coast Air Basin. Emissions occurring in the Santa Clarita Valley typically comprise less than 3 percent of the County and 2 percent of the South Coast Air Basin, based on 2002 emission inventory data. While the Santa Clarita Valley contributes a small amount of pollutants to the region, it experiences disproportionately high concentrations of ozone and particulate matter. The subregional analysis stated that “overwhelming contribution of pollution transport to the Santa Clarita Valley comes from the San Fernando Valley and metropolitan Los Angeles.”

CEQA requires that mitigation be roughly proportional to the project’s actual impact. As the air quality issues in the Santa Clarita Valley are predominately attributable to non-Santa Clarita Valley sources, the proposed project cannot be unfairly or disproportionately burdened. In any event, it bears noting that in response to **Comment Letter No. B4**, a number revisions were made to the air quality mitigation measures in light of feedback and recommendations from SCAQMD. (See Final EIR **Section 4.0, Revised Draft EIR Pages**, for Draft EIR Section 4.4) The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project.

**Response 54**

The comment states that parks will be immediately adjacent to a railroad where high noise levels and air pollution will affect children; therefore, the comment states that a Health Risk Assessment is required.

The air quality analysis indicated that the trains would emit a maximum of one pound of diesel particulate matter while idling at the proposed station near Lot 49 (see Draft EIR Table 4.4-13). According to CARB and the Office of Environmental Health Hazard Assessment (OEHHA), diesel particulate matter is associated with long-term and chronic exposures and should generally be assessed at locations where a person could be located over a 70-year exposure duration, such as a residence. It is not anticipated that a person would be continuously located at a public park for a 70-year exposure duration. Therefore, given



that the emissions from the idling trains are minimal (a maximum of one pound per day) and that a person would not reasonably be assumed to be located at the park over a 70-year exposure duration, a health risk assessment is not required to be prepared. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project.

**Response 55**

The comment notes that SCAQMD's December 3, 2010 comment letter states that the mitigation measures for the proposed project do not include all feasible measures to reduce air pollutants. Please refer to the responses to **Comment Letter No. B4**, which demonstrate that the referenced mitigation measures have been revised in accordance with SCAQMD's recommendations.

The comment also requests that the California Attorney General's and the California Air Pollution Controls Officers Association's (CAPCOA's) recommended greenhouse gas (GHG) reduction strategies be implemented. To preface, as presented in Section 4.22 of the Draft EIR, impacts to global climate change would not be significant; therefore, additional reduction strategies are not necessary. That being said, please see Table 4.22-6 of the Draft EIR, which illustrates that the proposed project is compatible with many of the California Attorney General's reduction strategies. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project.

**Response 56**

The comment states that the consistency analysis of the project presented in **Appendix 4.7** is inadequate. Specifically, SCOPE challenges the following response:

*Policy 5.3: Maintain adequate levels of service on roadways and at intersection to reduce emissions from delays.*

*Not Applicable: This policy is the responsibility of and directed to the City of Santa Clarita. This policy is not applicable to the proposed project.*

The comment states that this response is incorrect and concludes that this project creates significant impacts to local intersections and is inconsistent with the current general plan policy for levels of service. However, the City of Santa Clarita is responsible for maintaining level of service on roadways and intersections—not project proponents. Therefore, the response to the policy is accurate. In addition after analyzing the potential impacts to numerous local roadway segments and intersections, the Draft EIR, Section 4.3, Traffic and Access, determined that only two local roadways would be significantly and unavoidably impacted. First, Phase 1 (2012) of the project would result in a temporary significant and unavoidable impact at the Sand Canyon Road/Lost Canyon Road intersection because the recommended

improvement would not be completed until after completion of Phase 1. Second, under long-range cumulative conditions (2030), the project would cause significant impacts along Soledad Canyon Road between Sierra Highway and Golden Valley Road. No feasible improvements, however, are available as this arterial already is constructed to its ultimate width. The Circulation Element in the City's General Plan recognizes that, in some cases, street improvements to accommodate additional traffic are not capable of being implemented due to right-of-way limitations and existing development. Therefore, on balance, City staff finds that the proposed project is consistent with the referenced policy because it would successfully mitigate impacts to all local roadways/segments but two.

As for Policy 3.3, which seeks to protect significant ecological areas (SEAs) and wildlife corridors, the modifications required by the Planning Commission require the project to preserve and enhance the north/south animal movement corridor. In addition, as presented in Section 4.20 of the Draft EIR, the proposed project is consistent with the City's six compatibility criteria used to evaluate proposed development within SEAs. Therefore, the proposed project would be consistent with Policy 3.3. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project.

**Response 57**

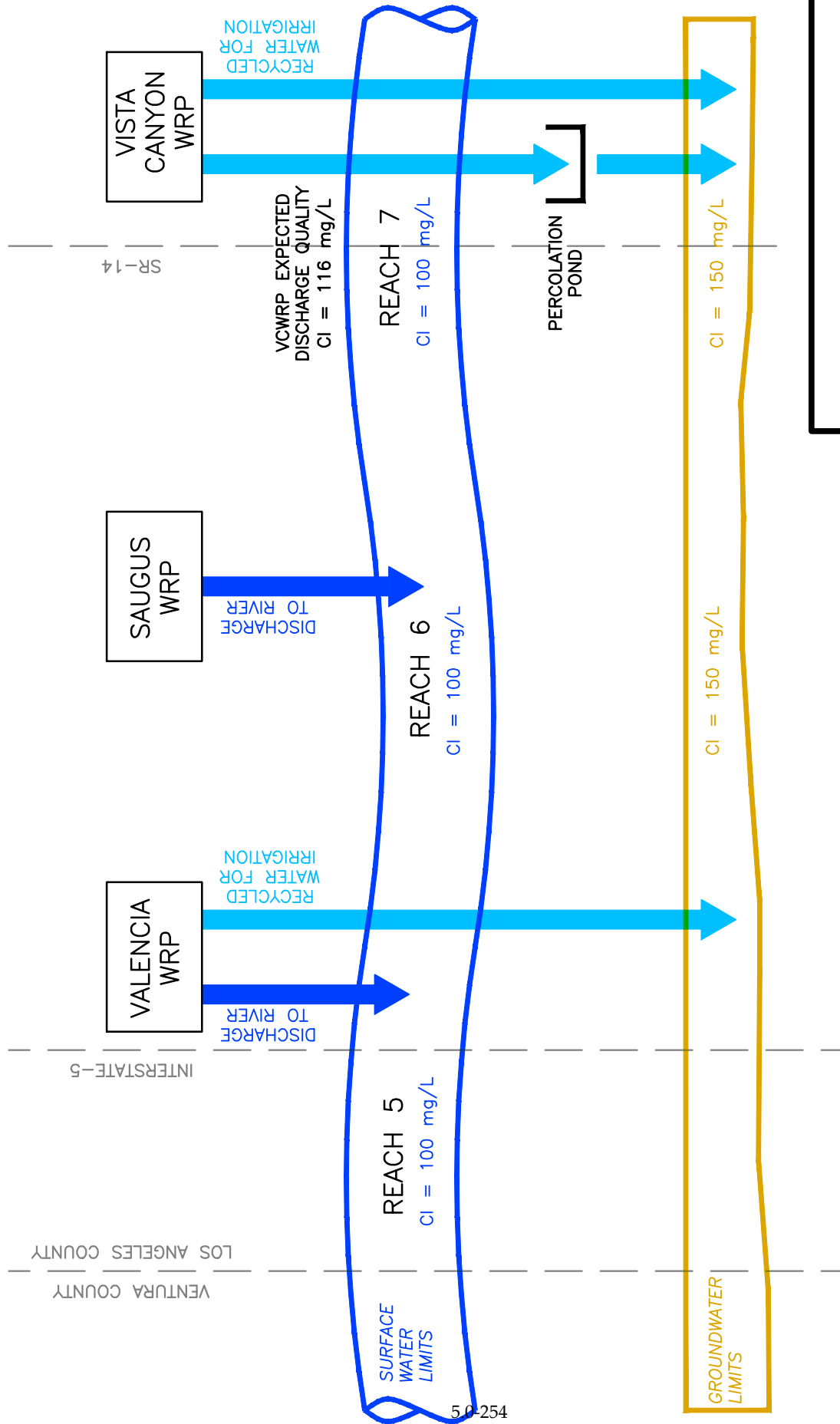
The comment states that the EIR concludes that the proposed project would result in significant and unavoidable impacts to traffic, air quality, noise, and solid waste, and claims there are other significant unavoidable impacts. The comment restates information contained in the Draft EIR and provides SCOPE's opinion regarding other impacts (see **Response 58**, below). The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project. However, because the comment does not raise an environmental issue, no further response is required.

**Response 58**

The comment states the belief that there are also significant and unavoidable impacts to biological resources and water quality. The comment expresses SCOPE's unsubstantiated opinions. That being said, please see the above responses for information responsive to the commenter's SCOPE's concerns regarding biological resources and water quality. Based on the analysis provided, substantial evidence supports the EIR's conclusion that impacts would not be significant for these two environmental categories. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project.

**Response 59**

The comment urges the Planning Commission to deny the proposed project because there is “no guarantee” of the promised public benefits, and because the project is “extremely destructive to the environment.” The City acknowledges the comment, which expresses SCOPE’s opinions. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project. However, because the comment does not raise an environmental issue, no further response is required.



**WRP FACILITIES ADJACENT TO THE SANTA CLARA RIVER REACHES 5,6,7**



Homeowners Association  
P.O. BOX 1596  
CANYON COUNTRY, CALIFORNIA 91386

February 9, 2011

Jeff Hogan, Senior Planner  
City of Santa Clarita  
Dept. of Community Development  
23920 Valencia Blvd.  
Santa Clarita, CA 91355

**PLEASE COPY TO ALL PLANNING COMMISSIONERS**

Re: Vista Canyon Project - MASTER CASE NO. 07-127, ANNEXATION 07-002 A & B (INCLUDES AMENDMENTS TO THE CITY'S SPHERE OF INFLUENCE), PRE-ZONE 07-001A & B, GENERAL PLAN AMENDMENT 07-001A & B, SPECIFIC PLAN 07-001, TENTATIVE TRACT MAP 69164, CONDITIONAL USE PERMIT 07-009, OAK TREE PERMIT 07-019, ENVIRONMENTAL IMPACT REPORT SCH NO. 2007071039

Dear Mr. Hogan:

The Crystal Springs Ranch Homeowners Association (CSRHOA) represents the 120 homeowner families in the Crystal Springs Ranch development in Sand Canyon. The objectives of the Board of Directors of the CSRHOA are to maintain the quality of life in our area and to sustain property values for our members.

1

To this end, we polled our members regarding the Vista Canyon project and have been directed by them to actively oppose the proposed approval of and development of the property in question in its current configuration.

2

The most immediate concern regarding this project is that the huge amount of traffic that will be generated by the Vista Canyon project, given its size, density, and mixed uses, will create significant traffic problems along the Sand Canyon Road corridor between Soledad Canyon Road and Lost Canyon Road, and along Soledad Canyon Road. According to the DEIR, there is no way to mitigate those negative impacts if the project is built as proposed.

3

Adding even a portion of the project's 23,000 daily vehicle trips to (a) the intersection of Sand Canyon Road and Lost Canyon Road, (b) the Sand Canyon Road corridor from Lost Canyon Road to Soledad Canyon Road, and (c) along Soledad Canyon Road from Sand

4



Canyon Road to the west, will gridlock those areas at rush hours, and create a very busy, hazardous traffic situation at other times.

4

There is also concern that the type of traffic generated by the project, which will be primarily commuters to the offices and metro/bus stations, and visitors to the hotel, retail and theatre, will change the character of the Sand Canyon Road corridor from Soledad Canyon Road to Lost Canyon Road from its current 'small neighborhood shopping center' to a congested, commuter/visitor access route during most of the day, making it difficult and hazardous for local residents to access the 14 freeway, use the Vons shopping center and nearby businesses, and access Soledad Canyon Road to use it as a cross-city route. The additional traffic will also make it very hazardous for drivers to turn left to go in or out of the gas stations and mobile home park on Sand Canyon Road.

5

Sand Canyon residents are also very concerned about the risk of injury to school children and others who will be accessing Pinecrest School and Sulphur Springs School on Lost Canyon Road. The current project plan will funnel as substantial portion of Vista Canyon traffic past these two schools, and most of that traffic will be during hours when children and others will be arriving and leaving the school parking lots. This will create a very dangerous situation, especially on weekday mornings when commuters will be intent on getting to their offices and to the metro/bus stations on time, and therefore will be focused on getting through the Lost Canyon/Sand Canyon intersection and past the 2 schools as quickly as possible, with little attention or patience for pedestrians, slow moving car pools, school busses, equestrians and local traffic. Regardless of how that intersection is designed, there will just be too much additional traffic through that access point because drivers to the project will seek the fastest way to and from the freeway and other areas to the east, and that will be via Lost Canyon Road to Sand Canyon Road.

6

The Vista Canyon project as currently proposed creates too many traffic and safety issues to be acceptable as currently proposed. The expected traffic impact of 23,000 vehicle trips per day (which is likely conservative) unfairly burdens local residents with an economic cost (time spent in traffic, increased travel time, disruption of our neighborhood shopping area, etc.) that should be borne by the developer. This can be accomplished by the City requiring that the project be reduced in size and types of uses to reduce the amount of traffic generated, and/or requiring that the developer pay for a new on/off ramp to the 14 freeway with access road/bridge directly to the project site. That is the only way that Vista Canyon Ranch project traffic will not so seriously impact the adjacent Sand Canyon and Fair Oaks all-residential areas.

7

8

9



**Homeowners Association**  
 P.O. BOX 1596  
 CANYON COUNTRY, CALIFORNIA 91386

Requiring the developer to pay for their own costs and burdens to nearby residents is critical to sustaining the quality of life and property values attendant to our homes when we bought them.

9

Other negative aspects of the Project, in addition to creating excessive traffic problems, are air pollution, water use, school overcrowding and wildlife disruption, as well as massive destruction of the viewscape along the Highway 14 corridor, so as to change the entire character of this portion of the Valley. The East end of Santa Clarita should not look like Stevenson Ranch!!! Why spend city funds to buy "greenbelt" land but actively destroy existing natural un-developed rare riparian property adjacent to it?

10

11

Our Association members bought their homes in Sand Canyon precisely for the rural character of the area, with the understanding, expectation and belief that the zoning and land use of surrounding areas would remain compatible with, and in keeping with the rural character of the eastern Santa Clarita Valley. The proposed project will destroy that character. The current open scenery, expansive river bed and native vegetation along Highway 14 will be graded away to accommodate densely-packed housing, commercial, and transit center operations, the magnitude of which have been chosen solely to maximize the developer's profits, with no consideration for the impact on nearby residents or City services.

12

The quality-of-life interests of nearby residents, and additional burden on City services, have to weigh heavily against developer's interest in maximizing its profits.

In conclusion, CSRHOA urges the Planning Commission and City Council to reject the proposed development plan until agreement is reached to add a new a separate on/off ramp on the "14" Freeway. We also urge the Council to consider elimination or reduction of the entire project to maintain the current viewscape as much as possible, and eliminate or substantially reduce the need for excessive grading and destruction of the riparian ecosystem found in the Santa Clara riverbed.

13

14

Respectfully submitted by the representatives of people whose quality of life and financial well-being will be directly affected by the Planning Commission's and City Council's actions.

15

Respectfully submitted,

The Board of Directors,  
 Crystal Springs Ranch Homeowners Association

**Late Letter No. 5.3. Letter from Crystal Springs Ranch, February 9, 2011**

**Response 1**

This comment is an introduction to comments that follow. No further response is required.

**Response 2**

The comment, on behalf of the Crystal Springs Ranch Homeowners Association, expresses opposition to the proposed project. The comment only expresses the opinions of the commenter. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project. However, because the comment does not raise an environmental issue, no further response is required.

**Response 3**

The comment expresses concern about project-related traffic, and states that there is no way to mitigate the impacts along the Sand Canyon Road corridor. This same comment was made in the commenter's December 31, 2010 letter. Please see **Response 2 to Letter No. C18**.

**Response 4**

The comment states that adding more traffic to specified intersections and corridors would result in gridlock and hazardous conditions. This same comment was made in the commenter's December 31, 2010 letter. Please see **Response 3 to Letter No. C18**.

**Response 5**

The comment expresses concerns regarding the changing character of Sand Canyon Road due to the "type" of traffic that would be generated by the project. This same comment was made in the commenter's December 31, 2010 letter. Please see **Responses 4 and 5 to Letter No. C18**.

**Response 6**

The comment addresses safety and access issues to Pinecrest School and Sulphur Springs School. This same comment was made in the commenter's December 31, 2010 letter. Please see **Response 6 to Letter No. C18**.

**Response 7**

The comment states that there will be too much traffic from the project via Lost Canyon Road to Sand Canyon Road. This same comment was made in the commenter's December 31, 2010 letter. Please see **Response 7 to Letter No. C18**.



**Response 8**

The comment states that the proposed project creates too many traffic and safety issues. This same comment was made in the commenter's December 31, 2010 letter. Please see **Responses 8 and 9 to Letter No. C18**.

**Response 9**

The comment suggests that new freeway on/off ramps with direct access to the project site be required at Vista Canyon Road to lessen the project impacts in the Sand Canyon and Fair Oaks areas. This same comment was made in the commenter's December 31, 2010 letter. Please see **Responses 9 and 10 to Letter No. C18**.

The comment also suggests that the project be reduced in size and new uses proposed to reduce traffic. Section 6.0, Project Alternatives of the Draft EIR, analyzed several alternatives that project either reduced land uses on the project site or alternative land uses to the proposed project. Please see Section 6.0, for discussion and analysis of these alternatives.

**Response 10**

The comment states that other negative aspects of the proposed project include air pollution, water use, overcrowding of schools, wildlife disruption, and viewshed disruption. The comment addresses general subject areas, which received extensive analysis in Section 4.4, Air Quality, Section 4.8, Water Services, Section 4.6, Biological Resources, and Section 4.16, Visual Resources. The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required. However, the comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project.

**Response 11**

The comment states that the City's east end should not look like Stevenson Ranch and questions why the City buys "greenbelt" land if it plans to allow undeveloped riparian property adjacent to the "greenbelt" to be destroyed. Relative to the "look" of the City's east end, the comment only expresses the opinions of the commenter. In addition, as discussed in Section 4.20, Santa Clara River Corridor Analysis, the proposed project would not destroy on-site riparian resources, which are compromised. In addition, the project's proposed development footprint corresponds to and preserves and enhances the sensitive biological and jurisdictional resources present within the River Corridor on the project site, and is designed to: (a) be compatible with the sensitive biological resources present, including the set aside of undisturbed areas; (b) maintain the Santa Clara River watercourse in a natural state; (c) maintain and enhance the existing east-west and north-south wildlife movement areas within the Santa Clara River Corridor; (d) preserve adequate buffer areas between proposed development and sensitive natural

resources; and (e) ensure that roads and utilities are designed to reduce or avoid impacts to sensitive biological and jurisdictional resources. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project.

**Response 12**

The comment states that the overall quality of life presently experienced by members of the Crystal Springs Ranch Homeowners Association would be negatively impacted as a result of development of the proposed project. The comment only expresses the opinions of the commenter. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project. However, because the comment does not raise an environmental issue, no further response is required.

**Response 13**

The comment requests that the Planning Commission and City Council reject the proposed project until an agreement is reached to add new on-off ramps from the project to SR-14. Please see **Response 9**, above, for information regarding the addition of SR-14 ramps. In addition, the comment only expresses the opinions of the commenter. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project. However, because the comment does not raise an environmental issue, no further response is required.

**Response 14**

The comment requests that the City Council consider elimination or reduction of the entire project in order to maintain the current viewscape as much as possible, and reduce the need for excessive grading and destruction of the riparian ecosystem found in the Santa Clara River. While the comment only expresses the opinions of the commenter, it is worth noting that impacts to visual resources and the Santa Clara River corridor were discussed at length in Section 4.16, Visual Resources, and Section 4.20, Santa Clara River Corridor Analysis, of the Draft EIR. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project. However, because the comment does not raise any specific environmental issue regarding the analysis provided, no further response is required.

**Response 15**

The comment is noted. No further response is required given that the comment does not address or question the content of the EIR.

**From:** Tony [mailto:info@motordyneengineering.com]  
**Sent:** Saturday, February 12, 2011 12:14 PM  
**To:** Jeff Hogan  
**Subject:** No train through Sand Canyon!

Jeff Hogan of the City Planning Dept.

I am a Sand Canyon resident and I absolutely oppose the project to put a train through my neighborhood. Need I say more?

Please forward my concern to the Planning Commission.

	1
	2

Thank you,  
Tony Colette

**Motordyne Engineering**  
**Sales** (661) 298-7555  
**Tech** (661) 993-5111  
**Fax** (661) 998-5713  
[www.motordyneengineering.com](http://www.motordyneengineering.com)

**Late Letter No. 5.4 Letter from Tony Colette, February 12, 2011**

**Response 1**

The comment objects to the proposed project on the basis that it will “put a train through [his] neighborhood.” While the comment only expresses the opinions of the commenter, it bears noting that the project is not proposing to construct new train tracks in an area where tracks did not exist before; Metrolink and freight trains currently utilize the existing rail line adjacent to the project site and Fair Oaks Ranch. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project. However, because the comment does not raise an environmental issue, no further response is required.

**Response 2**

The comment is noted. As requested, and as with all comments received on the proposed project, the comment letter will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project. No further response is required given that the comment does not address or question the content of the EIR.

3435 Wilshire Boulevard  
Suite 320  
Los Angeles, CA 90010-1904



(213) 387-6528 phone  
(213) 387-5383 fax  
www.sierraclub.org

February 14, 2011

Jeff Hogan  
AICP Senior Planner  
City of Santa Clarita  
Community Development Department  
23920 Valencia Blvd.  
Santa Clarita, California

**Vista Canyon Ranch FEIR Comments**

The Sierra Club is concerned that the proposed Vista Ranch Development Plan is not compatible with the type of environmental planning this community deserves and demands. We are concerned about the land use, including density and traffic circulation, encroachment on the Santa Clara River and SEAs, water, and a lack of green building standards.

1

Land Use: This project has a density for residential, commercial and retail that far exceeds the county standards for this area. The amount of building and a metrolink station will severely impact residential neighborhood traffic, as stated in the project's own traffic study. Years of complaining that the county is responsible for uncontrolled growth that negatively affects neighborhoods becomes moot upon approval of this project at this density. We believe the county level of density, of 700 units, is about all this suburban, bordering on rural, community, can handle.

2

Protection of the Santa Clara River: This project does not comply with One Valley One Vision in that 14 acres of the river would succumb to development. This conflicts with our city's mission/vision for development projects. In addition, the city's policy on SEAs does not protect the surrounding area as well as the county policy on SEAs does. We would like to see the option of increasing the bridge length to 800 feet be implemented, to protect the SEAs and keep development out of the Santa Clara River floodway. Once the river is channelized, then 20, 30 or more years down the road large sums of money will be needed to unchannelize it, such as is being discussed for other rivers in Southern California.

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Water: The Sierra Club is concerned that our water availability has been overstated, and that this project will contribute to overextending our limited resources

7

Green building: We ask for more comprehensive/enforced Green Building standards with solar paneling, green landscaping, etc.

8

In addition, we were shocked to discover that Mr. Hogan sent out a letter saying that the proposed project is scheduled for approval by the planning commission tonight. How could he say this before the planning commissioners have even had their meeting? It is like saying that this project is a done deal! We also ask for more time to review the FEIR

9  
10

Sincerely,

Katherine Squires  
Conservation Chair, Santa Clarita Group

**Late Letter No. 5.5 Letter from Sierra Club, February 14, 2011**

**Response 1**

This comment is an introduction to comments that follow. No further response is required.

**Response 2**

The comment states that the proposed density exceeds County standards and will result in impacts to neighborhood traffic. The comment also states that the County's existing planned density level for the site (i.e., 700 units) is all the community "can handle." For information regarding the proposed project's traffic impacts, please see Section 4.3, Traffic and Access, of the Draft EIR. As the comment does not provide any specific objection to that analysis, no further response can be provided. As for the project's proposed density, the applicant is proposing a General Plan amendment to change the land use designation on the project site. The environmental implications of the proposed density are evaluated throughout the Draft EIR; as no specific objection is made, no further response can be provided. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project.

**Response 3**

The comment states that the project does not comply with One Valley One Vision (OVOV) in that 14 acres of the Santa Clara River would be developed. The comment does not state what policy or goal the Vista Canyon project site does not comply with in this respect and, therefore, no further response can be provided. That being said, as studied in Appendix 4.7 of the Draft EIR, the proposed project is consistent with the goals and policies of OVOV. Also, please note that the project does not propose to develop the active River channel; further, the boundaries of the SEA are proposed for revision in order to conform to on-site sensitive ecological resources, as determined by thorough biological surveys. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project.

**Response 4**

The comment states that the City's SEA policy does not protect surrounding areas as well as the County's SEA policy. The comment only expresses the opinions of the commenter. That being said, the City's six compatibility criteria for development within Significant Ecological Area (SEAs) are analyzed at length in Section 4.20, Santa Clara River Corridor Analysis, of the Draft EIR. As discussed in that section, the proposed project is consistent with the compatibility criteria. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project. However, because the comment does not raise an environmental issue, no further response is required.

**Response 5**

The comment expresses support for increasing the length of the Vista Canyon Road Bridge to 800 feet in order to protect the SEA and keep development out of the floodway. Of note, on March 22, 2011, the City Council conceptually approved modifications to the proposed project that: (1) increase the length of the Bridge from 650 feet to 750 feet; and, (2) pull back the bank stabilization in Planning Areas 1 and 2 by an average of 100 feet (excepting the area where the proposed water reclamation plant is located). The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project.

**Response 6**

The comment states that once the Santa Clara River is channelized, years down the road, large sums of money will be needed to un-channelize it. The City disagrees with this comment and does not consider the project's flood control improvements as channelization of the River.

As background, the proposed project includes the use of buried bank stabilization for flood control purposes. One of the primary advantages of buried bank stabilization is that it allows for natural revegetation of areas above the soil cement. When surface flows are present (after storm events), the River's active channel width within the project site ranges from approximately 28 to 64 feet. The project would maintain a River Corridor width of over 800 feet, maintaining and enhancing the River Corridor in a manner that allows for the passage of the Los Angeles County Capital Flood Flow (estimated at the project site to be a 1,400-year storm event) without the permanent removal of natural river vegetation. In conclusion, the project would not impact the fluvial mechanics of the River. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project.

**Response 7**

The comment believes that the water availability has been overstated and opines that the proposed project will contribute to the overextension of water resources. As discussed in Section 4.8, Water Service: "Based on information presented in this EIR, an adequate supply of water is available to serve the Vista Canyon project, and the project would not create, or contribute to, any significant project-specific or cumulative water supply impacts in the Santa Clarita Valley." (Draft EIR, p. 4.8-1.) It also should be noted that the proposed project would include the use of drought-tolerant and native landscaping to reduce water use. Additionally, the project includes a WRP, which would provide recycled water for on-site use, and result in an excess recycled water supply, which ultimately would be made available to other areas in the eastern Santa Clarita Valley as part of Castaic Lake Water Agency's (CLWA's) recycled water system.

The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project.

**Response 8**

The comment asks for more comprehensive green building standards with solar paneling, green landscaping, etc. As illustrated in Appendix 2.0-2 of the Draft Vista Canyon Specific Plan (October 2010), the project would include an 80,000-square-foot on-site photovoltaic system (or equivalent). The project also would utilize solar heating for all on-site community pools. As for green landscaping, the project would install evapotranspiration (i.e., weather sensitive) irrigation controllers in all landscaped areas, and the site would be vegetated primarily with a native and/or drought-tolerant plant palette. As the comment does not provide any specific objections to these design features, no further response can be provided. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project.

**Response 9**

The comment expresses concern about a letter that had been distributed indicating that the project was going to be approved by the City's Planning Commission on February 15, 2011. The comment specifically objects to the letter on the grounds that it suggests the project is a "done deal." The comment does not raise an issue that relates to any physical effect on the environment. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project. However, because the comment does not raise an environmental issue, no further response is required.

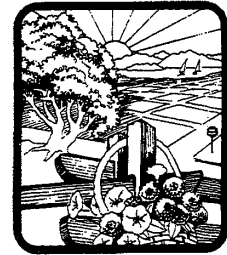
**Response 10**

The comment requests more time to review the Final EIR. The comment raises an issue that does not appear to relate to any physical effect on the environment. Additionally, CEQA does not require a public review and comment period on Final EIRs. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project. However, because the comment does not raise an environmental issue, no further response is required.



**SCOPE**

**Santa Clarita Organization for Planning and the Environment**  
TO PROMOTE, PROTECT AND PRESERVE THE ENVIRONMENT, ECOLOGY  
AND QUALITY OF LIFE IN THE SANTA CLARITA VALLEY  
POST OFFICE BOX 1182, SANTA CLARITA, CA 91386



2-15-11

Jeff Hogan  
City of Santa Clarita  
23920 Valencia Blvd.  
Santa Clarita, CA 91355

**PLEASE COPY TO ALL PLANNING COMMISSIONERS**

Re: Vista Canyon - MASTER CASE NO. 07-127, ANNEXATION 07-002 A & B (INCLUDES AMENDMENTS TO THE CITY'S SPHERE OF INFLUENCE), PRE-ZONE 07-001A & B, GENERAL PLAN AMENDMENT 07-001A & B, SPECIFIC PLAN 07-001, TENTATIVE TRACT MAP 69164, CONDITIONAL USE PERMIT 07-009, OAK TREE PERMIT 07-019, ENVIRONMENTAL IMPACT REPORT SCH NO. 2007071039

Dear Mr. Hogan:

On February 8<sup>th</sup> we received a cover letter with the FEIR that stated in part:

“On February 15<sup>th</sup>, 2011 the Planning Commission is scheduled to recommend approval of the Vista Canyon Project.”

This regrettable wording gives the impression that the Planning Commission has already made its decision to recommend approval. If that has indeed occurred, then we believe that a Brown Act violation has occurred.

If that is not the case, then this wording has instead served to discourage the public from providing further input to a project which the see as a “done deal”. We therefore believe that a new letter should be circulated indicating that the public still has the opportunity to comment and that the project not only has not been approved, but the planning commission has not yet made its decision to approve the project.

We note that several of the contracts and approvals that are integral to the development of this project are only drafts that may not be approved by the relevant agencies or have not yet been applied for at all

These include but are not limited to:

1. The COLM letter from FEMA
2. The Metro Link Station Agreement
3. The CalTrans Agreement
4. Annexation to or Formation of a Sanitation District.
5. A permit from the Regional Water Quality Control Board for the new sanitation plant

1

2

3

- 6. The Fish and Game River Alteration Permit
- 7. The Army Corps River Alteration Permit (404)
- 8. Property needed for off site improvements

3

No proof that these permits will be forthcoming in the DEIR. In the case of the offsite improvements, how can the impacts of this off site facilities be addressed if we don't know where they are?

4

The mitigation to reduce particulate matter from moving the 800,000 cubic feet of fill dirt is not sufficient to meet requirements in the 2007 Air Plan. Nor is the mitigation for impacts to loss of wetlands sufficient to mitigate the loss of 17 acres of delineated wetlands.

5

The Planning Commission is under no obligation to approve a project requesting a Plan Amendment change and one that includes so many significant unavoidable impacts. We request that any approval be delayed until these issues are addressed.

6

Sincerely,



Lynne Plambeck  
President



City of  
**SANTA CLARITA**

23920 Valencia Boulevard • Suite 300 • Santa Clarita, California 91355-2196  
Phone: (661) 259-2489 • FAX: (661) 259-8125  
[www.santa-clarita.com](http://www.santa-clarita.com)

February 4, 2011

Subject: Vista Canyon Final Environmental Impact Report (FEIR)

To Whom It May Concern:

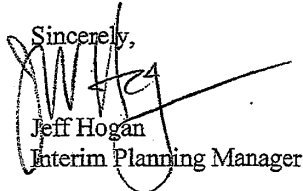
The City of Santa Clarita would like to thank you for your comments and involvement in the public hearing and environmental process related to Vista Canyon project.

The California Environmental Quality Act (CEQA) requires that all public agencies that have commented in writing to the Vista Canyon Draft EIR be sent written responses to their comments 10 days prior to final certification of the EIR. Attached to this letter is the Final EIR (in CD format) that includes those written responses. This Final EIR transmittal contains a CD of the Vista Canyon Draft EIR and Appendices, the Vista Canyon Specific Plan and Addendum, and the Final EIR (Responses to Written Comments and Public Hearing Comments). A hardcopy version of the Final EIR can be reviewed at the City of Santa Clarita, Department of Community Development, 23920 Valencia Boulevard, Suite 302, Santa Clarita, California 91355, and at the Los Angeles County Library -Valencia Branch. Additionally, the Final EIR can be found on the City of Santa Clarita's website.

On February 15, 2011, the Planning Commission is scheduled to recommend approval of the Vista Canyon project to the City Council. Although this is not the final action on the project and is a recommendation to the City Council for approval, the City has a policy of sending the written comments out 10 days prior the Planning Commission's recommendation, and then, as required by CEQA, 10 days prior to the City Council's final action of the project.

Please feel free to contact me at (661) 255-4330 with any questions. Again, thank you for comments and involvement in the Vista Canyon Specific Plan project.

Sincerely,



Jeff Hogan  
Interim Planning Manager



**Late Letter No. 5.6 Letter from Santa Clarita Organization for Planning and the Environment,  
February 15, 2011**

**Response 1**

The comment objects to the pre-decisional phrasing of a letter indicating that the project was going to be approved by the Planning Commission on February 15, 2011. The comment does not raise an issue that relates to any physical effect on the environment. That being said, please note that the Planning Commission did not vote to recommend that the City Council approve the proposed project until the close of the February 15, 2011 hearing item. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project. However, because the comment does not raise an environmental issue, no further response is required.

**Response 2**

The comment requests that a new letter be circulated indicating that the proposed project has not been approved and that there is still time to comment on the letter. The comment does not raise an issue that relates to any physical effect on the environment. Also please note that, while the Planning Commission voted to recommend that the City Council approve the proposed project on February 15, 2011, the project is now pending before the City Council. In that regard, a public hearing before the City Council was held on March 22, 2011 and additional public testimony and comment on the project was received. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project. However, because the comment does not raise an environmental issue, no further response is required.

**Response 3**

The comment identifies a list of contracts and approvals necessary for project development. The status of each identified item is briefly provided below:

- FEMA: Conditional letters of map revision were issued by FEMA in November 2009; please see Appendix 4.2 of the Draft EIR.
- Metrolink Station: As evidenced by the January 19, 2011 letter from Metrolink (Southern California Regional Rail Authority) and the February 15, 2011 letter from the Los Angeles County Metropolitan Transportation Authority, the project applicant is continuing to coordinate with the applicable transit agencies in connection with the proposed relocation of the Via Princessa Metrolink Station to the Vista Canyon site.
- Caltrans: As previously discussed at various Planning Commission hearings, Caltrans policy is to *not* execute agreements until after a project has received approval by a local decision-making body. Nonetheless, the draft mitigation agreement contained within Appendix 4.3 of the Draft EIR has been revised and approved by Caltrans, and would be signed upon project approval.

## 5.0 Late Letters Received after the Close of the Public Comment Period

- Sanitation District: As discussed in **Response 2 to Letter No. B1**, if the proposed project is approved by the City, the site would need to be annexed into the Los Angeles County Sanitation District prior to receipt of sewerage service.
- LARWQCB: As provided on page 4.21-5 of the Draft EIR, a permit from the Los Angeles Regional Water Quality Control Board (LARWQCB) would be required for the proposed water reclamation plant (WRP). If the project is approved by the City, the project applicant will submit the necessary application materials and coordinate with LARWQCB accordingly.
- Streambed Alteration Agreement: As noted in Table 1.0-1, Future Agency Actions, of the Draft EIR, a streambed alteration agreement from California Department of Fish and Game (CDFG) would be required for the proposed project. The project applicant will coordinate with CDFG on this issue if the proposed project is approved by the City.
- Section 404 Permit: As noted in Table 1.0-1, Future Agency Actions, of the Draft EIR, a Section 404 permit would be required from the U.S. Army Corps of Engineers. The project applicant will submit a permit application if the proposed project is approved by the City.
- Off-Site Improvements: Consistent with the draft conditions of approval, the project applicant will have to acquire off-site easements and or property to implement certain required off-site improvements.

As indicated above, in many instances, the “contracts and approvals” identified in the comment are not issued or secured *unless and until* the local land use jurisdiction (here, the City) approves the project. These other agencies do not independently act on project-related entitlements because to do so would be premature and potentially inefficient. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project. However, because the comment does not raise an environmental issue, no further response is required.

### Response 4

The comment states that there is no proof in the Draft EIR that the permits referenced in **Response 3** will be forthcoming. The comment also states that the location of off-site facilities/improvements is unknown, making it difficult to accurately assess environmental impacts. First, the project cannot be built if the project applicant does not secure all necessary permits. Said permits are outlined in the Draft EIR. Second, the comment does not clarify what off-site facilities/improvements are being referred to. Consequently, it is impossible to respond further. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project.

**Response 5**

The comment states that the mitigation proposed to reduce particulate matter is not sufficient to meet requirements in the 2007 Air Plan. The comment also states that mitigation to impacts for wetlands is not adequate. Additional mitigation to reduce particular matter was suggested by the South Coast Air Quality Monitoring District (SCAQMD) in their December 3, 2010 comment letter. Said mitigation measures have been included in the Final EIR (see **Section 4.0**, Revised Draft EIR Pages) and ensure compliance with the referenced air quality planning document. The comment does not explain why the project does not adequately mitigate impacts to wetlands; therefore, no further response is possible. That said, please note that, on March 22, 2011, the City Council conceptually approved a modification to the proposed project that reduces impacts to the CDFG's jurisdictional lands. Specifically, permanent and temporary impacts to CDFG's jurisdictional lands have been reduced as follows: permanent impacts have been reduced from 17.27 acres to 14.12 acres. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project.

**Response 6**

The comment requests that the Planning Commission delay any approval until the issues outlined above have been addressed. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project. However, because the comment does not raise an environmental issue, no further response is required.

-----Original Message-----

From: Nancy Eckels [mailto:Nancy@NancyEckels.com]

Sent: Sunday, February 13, 2011 8:06 PM

To: Jeff Hogan

Subject: Vista Canyon

TO: Planning Commission

We, as residents and homeowners of the Sand Canyon and Crystal Springs area, are writing to let you know that we are opposed to the Vista Canyon Project as currently planned. The impact to schools and traffic has not been considered in this plan. Please pass this email on to the commission for the meeting on February 15.

1

Thank you  
Nancy Eckels  
Don Thorne  
27141 Crystal Springs Rd.  
--

**Late Letter No. 5.7      Letter from Nancy Eckels/Son Thorne, February 14, 2011**

**Response 1**

The comment expresses general opposition to the project as currently planned and states that impacts to schools and traffic have not been considered. The comment expresses an opinion and addresses general subject areas, which received extensive analysis in Section 4.3, Traffic, and Section 4.10, Education, of the Draft EIR. The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required. However, the comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project.





Los Angeles County  
Metropolitan Transportation Authority

One Gateway Plaza  
Los Angeles, CA 90012-2952

213.922.2000 Tel  
metro.net

# Metro

February 15, 2011

Mr. Jeff W. Hogan, AICP  
Interim Planning Manager  
City of Santa Clarita  
23920 Valencia Blvd., Suite 300  
Santa Clarita, California 91355

RECEIVED  
PLANNING DIVISION  
FEB 23 2011  
CITY OF SANTA CLARITA

Re: Vista Canyon Project

Dear Mr. Hogan:

Representatives of the Vista Canyon Project (the "Project") development team have contacted the Los Angeles County Metropolitan Transportation Authority ("LACMTA") for consultations regarding the efforts of the development team to implement a transit-oriented development project in the City of Santa Clarita.

1

Transit-oriented development ("TOD") is a vitally important solution to the development challenges facing Southern California and growing cities across America. With careful planning, TOD is not just a label: TOD gives people good reason to leave their car behind and opt for transit. These are among the primary goals of the LACMTA Joint Development Program; staff members have provided assistance to the Project development team regarding the various arrangements that may be necessary to construct a new Metrolink station that would provide a replacement to the current temporary station at Via Princessa.

2

With respect to LACMTA, the Project and the proposed new station may be subject to various statutory requirements and discretionary considerations that have not yet been addressed. The need for various proprietary agreements and related considerations have also not yet been considered nor approved by the LACMTA Board of Directors.

We look forward to future evaluation of the Project as it would fulfill or enhance a number of important objectives, including economic development in the area. In particular, the Project would also provide important services for transit patrons; these services help make the individual transit experience more attractive and also contribute to increased ridership.

Please contact Dr. Alexander Kalamaros, AICP in our offices at (213)922-3051 with any questions you may have.

3

Sincerely yours,

Roger Moliere  
Chief, Real Property Management and Development

**Late Letter No. 5.8 Letter from Metro, February 15, 2011**

**Response 1**

The comment provides factual background information concerning coordination between the project applicant and METRO only and does not raise an environmental issue within the meaning of CEQA. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project. However, because the comment does not raise an environmental issue, no further response is required.

**Response 2**

The comment states that the project would fulfill a need for transit-oriented and economic development within the community. The comment also notes that the new station may be subject to various statutory requirements and discretionary considerations (including agreements), which have yet to be approved. This observation is consistent with information presented in the Draft EIR. (Draft EIR, p. 1.0-2 [noting that implementation of certain project components could require that discretionary action be taken by Metrolink/MTA].) The comment also restates information contained in the Draft EIR, but does not raise an environmental issue within the meaning of CEQA. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project. However, because the comment does not raise an environmental issue, no further response is required.

**Response 3**

The comment, which provides contact information should the City have any questions regarding the letter, is noted. No further response is required given that the comment does not address or question the content of the Draft EIR.



Homeowners Association
P.O. BOX 1596
CANYON COUNTRY, CALIFORNIA 91386

Jeff Hogan, Senior Planner
City of Santa Clarita
Dept. of Community Development
23920 Valencia Blvd.
Santa Clarita, CA 91355

PLEASE COPY TO CITY COUNCIL MEMBERS

Re: Vista Canyon Project - MASTER CASE NO. 07-127, ANNEXATION 07-002 A & B (INCLUDES AMENDMENTS TO THE CITY'S SPHERE OF INFLUENCE), PRE-ZONE 07-001A & B, GENERAL PLAN AMENDMENT 07-001A & B, SPECIFIC PLAN 07-001, TENTATIVE TRACT MAP 69164, CONDITIONAL USE PERMIT 07-009, OAK TREE PERMIT 07-019, ENVIRONMENTAL IMPACT REPORT SCH NO. 2007071039

Dear City Council Members Mayor McLean, Ms Ender, Ms. Weste, Mr. Ferry and Mr. Kellar:

The Crystal Springs Ranch Homeowners Association (CSRHOA) represents 120 homeowner families in the Crystal Springs Ranch development in Sand Canyon. Our Homeowners represent over 10% of the population of the entire Sand Canyon area. The objectives of the Board of Directors of the CSRHOA are to maintain the quality of life in our area and to sustain property values for our members.

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To this end, we polled our members regarding the Vista Canyon project and have been directed by them to actively oppose the proposed approval of and development of the Vista Canyon property in question in its current configuration.

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The most immediate concern regarding this project is that the huge amount of traffic that will be generated by the Vista Canyon project, given its size, density, Transit Center/train station and mixed uses, including large office buildings. The Vista Canyon project will create additional significant traffic problems along the Soledad Canyon Road corridor between Sand Canyon Road and (currently named)Lost Canyon Road and Sierra Highway resulting in gridlock during commuting hours.

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Every time a commuter train unloads its passengers, there will be an additional lengthy traffic light stop at Vista Canyon while all those cars make left or right turns onto Soledad. The Metro Link Station should be left on Via Princessa in a light industrial neighborhood which empties onto a road with far less congestion than Soledad Canyon!

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proposed “Round-a-bout” near the two elementary schools will extremely dangerous to the children trying to figure out when to cross Sand Canyon or Lost Canyon. If this aspect of the plan is approved, the developer should be required to build covered bridges/paseos over the intersection.

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There is also concern that the type of traffic generated by the project, which will be primarily commuters to the offices and metro/bus stations, and visitors to the hotel, retail and theatre, will change the character of the Soledad Road corridor from Sand Canyon to Sierra Highway current ‘small neighborhood shopping center’ to a congested, commuter/visitor access route during most of the day, making it difficult and hazardous for local residents to access the 14 freeway, use the Vons shopping center and nearby businesses, and access Soledad Canyon Road to use it as a cross-city route.

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The Vista Canyon project as currently proposed creates too many traffic and safety issues to be acceptable! The expected traffic impact of 23,000 vehicle trips per day (which is likely conservative) unfairly burdens local residents with an economic cost (time spent in traffic, increased travel time, disruption of our neighborhood shopping area, etc.) that should be borne by the developer. This can be accomplished by the City requiring that the project be further reduced in size, i.e. NO HIGH DENSITY HOUSING, and types of uses to reduce the amount of traffic generated, and/or requiring that the developer pay for a new on/off ramp to the 14 freeway with access road/bridge directly to the project site. That is the only way that Vista Canyon Ranch project traffic will not so seriously impact the adjacent Sand Canyon and Fair Oaks all-residential areas.

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Requiring the developer to pay for their own costs and burdens to nearby residents is critical to sustaining the quality of life and property values attendant to our homes when we bought them.

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Other negative aspects of the Project, in addition to creating excessive traffic problems, are air pollution, riparian habitat destruction, river re-channeling, water use, school overcrowding and wildlife disruption, as well as massive destruction of the viewscape along the Highway 14 corridor, so as to change the entire character of this portion of the Valley. The East end of Santa Clarita should not look like Stevenson Ranch!!! [Why spend city funds to buy “greenbelt” land but then consider allowing a developer to actively destroy existing natural un-developed rare riparian **green belt** property adjacent to it? The City should just buy the Vista Canyon property to complete the **green belt** on Eastern edge of Santa Clarita

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Our Association members bought their homes in Sand Canyon precisely for the rural character of the area, with the understanding, expectation and belief that the zoning and land use of surrounding areas would remain compatible with, and in keeping with the rural character of the eastern Santa Clarita Valley. The proposed project will destroy that character. The current open scenery, expansive river bed and native vegetation along Highway 14 will be graded away to accommodate densely-packed housing, commercial, and transit center operations, the magnitude of which have been chosen solely to maximize the developer’s profits, with no consideration for the impact on nearby residents or City services.

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The quality-of-life interests of nearby residents, and additional burden on City services, have to weigh heavily against developer's interest in maximizing its profits.

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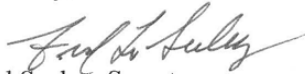
In conclusion, CSRHOA urges City Council to reject the proposed development plan until agreement is reached to add a new a separate on/off ramp between Via Princessa and Sand Canyon on the "14" Freeway. We also urge the Council to consider elimination or reduction of the entire project to maintain the current viewscape as much as possible, and eliminate or substantially reduce the need for excessive grading and destruction of the riparian ecosystem found in the Santa Clara river bed.

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Respectfully submitted by the elected representatives of people whose quality of life and financial well-being will be directly affected by the City Council's actions, and

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Sincerely,



Fred Seeley, Secretary  
The Board of Directors,  
Crystal Springs Ranch Homeowners Association

**Late Letter No. 5.9. Letter from Crystal Springs Ranch, March 21, 2011**

**Response 1**

This comment is an introduction to comments that follow. No further response is required.

**Response 2**

The comment, on behalf of the Crystal Springs Ranch Homeowners Association, expresses opposition to the proposed project. The comment only expresses the opinions of the commenter. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project. However, because the comment does not raise an environmental issue, no further response is required.

**Response 3**

The comment expresses concern about project-related traffic, and states that there is no way to mitigate the impacts along the Sand Canyon Road corridor. This same comment was made in the commenter's December 31, 2010 letter. Please see **Response 2 to Letter No. C18**.

**Response 4**

The comment states that, as commuter trains unload passengers, there would be a lengthy traffic light stop at Vista Canyon Road and Soledad Canyon Road. The concern for signal phasing is addressed in Draft EIR Mitigation Measure 4.3-4:

**4.3-4** Prior to project completion and full occupancy (beyond Phase 1), the project applicant shall construct the following improvements at the Sand Canyon Road/Soledad Canyon Road and SR-14 SB Ramps/Soledad Canyon Road intersections:

- Restripe Soledad Canyon Road to include a third through lane in each direction from just east of the SR-14 ramp intersection to west of the Sand Canyon Road intersection.
- Install a right-turn overlap arrow on the northbound Sand Canyon Road approach to Soledad Canyon Road.
- *Retime and optimize operations of both traffic signals based on the revised lane geometrics and signal phasings."*

(Draft EIR, p. 4.3-74; *italics added*.) This same comment was made in the commenter's December 31, 2010 letter. Please see **Response 3 to Letter No. C18**.



**Response 5**

The comment stated that the Metrolink Station should be left on Via Princessa, which has less congestion than Soledad Canyon Road. The comment only expresses the opinions of the commenter. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project. However, because the comment does not raise an environmental issue, no further response is required.

**Response 6**

The comment states that the roundabout would cause safety concerns near the two elementary schools, and requests that, if approved, the project applicant be required to build pedestrian bridges/paseos over the intersection. Please note that the applicant will fund, for a temporary period, the retention of a crossing guard, after the completion of the intersection improvements at Lost Canyon Road/Sand Canyon Road. Additionally, the roundabout would be constructed with crosswalks, ADA ramps, appropriate signing/stripping, and pedestrian refuge areas within the splitter islands. The roundabout is a means to “calm” traffic on Lost Canyon Road between the project site and Sand Canyon Road by reducing vehicle speeds and discouraging through traffic travel. As explained at page 103 of *Roundabouts: An informational Guide* (Federal Highway Administration, 2000), roundabouts are a means of enhancing pedestrian safety: “Roundabouts have fewer conflict points in comparison to conventional intersections. Pedestrians need only cross one direction of traffic at a time at each approach as they traverse roundabouts. The speeds of motorists entering and exiting a roundabout are reduced with good design. Single-lane roundabouts have been found to perform better (in overall safety) than two-way stop-controlled intersections in the U.S.” In summary, because there is no evidence that roundabouts are inherently unsafe or would significantly impact pedestrian safety, there is no need to require the applicant to construct pedestrian bridges/paseos.

**Response 7**

The comment states that the project will “change the character” of the existing roadway corridors, resulting in too much traffic from the project via Lost Canyon Road to Sand Canyon Road. This same comment was made in the commenter’s December 31, 2010 letter. Please see **Responses 4 and 5 to Letter No. C18**.

**Response 8**

The comment states that the proposed project creates too many traffic and safety issues. This same comment was made in the commenter’s December 31, 2010 letter. Please see **Responses 8 to Letter No. C18**.

**Response 9**

The comment states that the additional traffic of the project will unfairly burden local residents. This same comment was made in the commenter's December 31, 2010 letter. Please see **Response 9 to Letter No. C18**.

**Response 10**

The comment suggests that the project be reduced in size and new uses proposed to reduce traffic. Section 6.0, Project Alternatives of the Draft EIR, analyzed several alternatives that project either reduced land uses on the project site or alternative land uses to the proposed project. Please see Section 6.0, for discussion and analysis of these alternatives. Also, as to the comment's suggestion that the applicant be required to pay for the construction of new SR-14 ramps, this same comment was made in the commenter's December 31, 2010 letter. Please see **Response 10 to Letter No. C18**.

**Response 11**

The comment states that requiring developers to pay for their own costs is critical to sustaining their quality of life and property values. The comment raises economic issues that do not appear to relate to any physical effect on the environment. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project. However, because the comment does not raise an environmental issue, no further response is required.

**Response 12**

The comment states that other negative aspects of the proposed project include air pollution, water use, overcrowding of schools, wildlife disruption, and viewshed disruption. The comment addresses general subject areas, which received extensive analysis in Section 4.4, Air Quality, Section 4.8, Water Services, Section 4.6, Biological Resources, and Section 4.16, Visual Resources. The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required. However, the comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project.

**Response 13**

The comment states that the City's east end should not look like Stevenson Ranch. This same comment was made in the commenter's February 9, 2011 letter. Please see **Response 11 to Late Letter No. 5.3**.

**Response 14**

The comment questions why the City buys "greenbelt" land if it plans to allow undeveloped riparian property adjacent to the "greenbelt" to be destroyed. This same comment was made in the commenter's February 9, 2011 letter. Please see **Response 11 to Late Letter No. 5.3**.



**Response 15**

The comment states that the overall quality of life presently experienced by members of the Crystal Springs Ranch Homeowners Association would be negatively impacted as a result of development of the proposed project. This same comment was made in the commenter's February 9, 2011 letter. Please see **Response 12 to Late Letter No. 5.3.**

**Response 16**

The comment states that the quality of life must weigh heavily against the developers interest in maximizing profits. This same comment was made in the commenter's February 9, 2011 letter. Please see **Response 12 to Late Letter No. 5.3.**

**Response 17**

The comment requests that the City Council reject the proposal until an agreement for a new separate on/off ramp between Via Princessa and Sand Canyon on the SR-14 and consider elimination or reduction of the entire project in order to maintain the current viewscape as much as possible, and reduce the need for excessive grading and destruction of the riparian ecosystem found in the Santa Clara River. This same comment was made in the commenter's February 9, 2011 letter. Please see **Responses 13 and 14 to Late Letter No. 5.3.**

**Response 18**

The comment is noted. No further response is required given that the comment does not address or question the content of the EIR.