



Climate Change II

Climate Change CEQA Guidelines & Thresholds

Overview

- Background
- Overarching Themes
- Determining Significance
- Mitigation
- Tiering
- Adapting to Climate Change

Background

- SB 97
 - Office of Planning and Research to develop and transmit guidelines on greenhouse gas emissions to the Resources Agency by July 1, 2009
 - Resources Agency to adopt guidelines by January 1, 2010

<http://ceres.ca.gov/ceqa/guidelines/>

Overarching Themes

- Traditional CEQA Rules Apply
- Lead Agency Retains Traditional Discretion
- GHG Emissions are a Cumulative Problem
- GHG Emissions Should be Addressed at a Programmatic Level

Determining Significance

- Describing Project Emissions
 - Quantitative or Qualitative?
- Considerations in Assessing Significance
 - Increase or Decrease Emissions?
 - Any Applicable Threshold?
 - Consistent with an Applicable Plan?

Proposed New § 15064.4

Mitigation

- Traditional Rules Still Apply (Case Law)
- Measures identified in a plan or program
- Project Design Features
- Off-site measures
- Sequestration
- Development of Measures to be Implemented on a Project-Specific Basis

Proposed New § 15126.4(c)

GHG Reduction Plan

- Quantify GHG emissions within a defined area
- Establish a level where GHG emissions are not cumulatively considerable
- Identify emissions from Plan activities
- Specify measures to achieve the specified emissions level
- Monitor progress and amend if necessary;
- Adopt in a public process following environmental review

Proposed New § 15183.5

Adaptation

- Nothing explicit in draft guidelines
- Statement of Reasons
 - “Where evidence indicates that a changing climate may ultimately result in adverse impacts on the project, CEQA requires a lead agency to analyze that potential effect.”
 - See Guideline § 15126.2

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