

Chapter 1 – Introduction and Executive Summary

Introduction

- ✓ Massachusetts v. U.S. EPA – the Clean Air Act gives U.S. EPA authority to regulate carbon dioxide and other greenhouse gases (GHGs)
- ✓ California Attorney Generals Office – in comment letters on CEQA projects has stated global warming is an effect on the environment and must be analyzed under CEQA, a significance determination must be made for GHGs, and, if significant, feasible mitigation measures identified
- ✓ Governors Office of Planning and Research Technical Advisory – lead agencies must quantify GHGs, determine whether these emissions are individually or cumulatively significant, and, if significant, investigate and implement ways to reduce emissions

Purpose of this Staff Report

- ✓ Describe SCAQMD's process for developing a GHG threshold
- ✓ Describe recommended GHG significance threshold
- ✓ Describe how the threshold will be implemented

What this Staff Report does not discuss

- ✓ Effects of climate change

Chapter 2 – Legislative Background

Legislative History – International

- ✓ Kyoto Protocol (1997)
 - The Kyoto Protocol to the United Nations Framework Convention on Climate Change is an international treaty on climate change reduce signatories' collective emissions of GHGs
 - The goal is to lower overall emissions from six major GHGs: hydrofluorocarbons, perfluorocarbons, carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O) and sulfur hexafluoride - calculated as an average over the five-year period of 2008-12
 - Established emission caps for industrialized nations
 - Defined timetable for implementation
 - Established framework for market-based 'flexibility' mechanisms
- ✓ Intergovernmental Panel on Climate Change
 - Concluded for the first time that global warming is "unequivocal" and that human activity is the main driver, "very likely" causing most of the rise in temperatures since 1950
- ✓ The European Union
 - On January 1, 2008 the EU committed to reducing GHG emissions to 20 percent below 1990 levels
 - Has also set target to increase the share of renewables in energy to 20 percent by 2020
 - Strengthen and expand emissions trading system

Legislative History – National

- ✓ U.S. EPA Advance Notice of Proposed Rulemaking in the Clean Air Act (July 30, 2008)
 - Reviews the various CAA provisions that may be applicable to regulate GHGs
 - Examines the issues that regulating GHGs under those provisions may raise

- Provides information regarding potential regulatory approaches and technologies for reducing GHG emissions
- Raises issues relevant to possible legislation and the potential for overlap between legislation and CAA regulation

Legislative History – California

- ✓ California Attorney Generals Office – in comment letters on CEQA projects has stated global warming is an effect on the environment and must be analyzed under CEQA, a significance determination must be made for GHGs, and, if significant, feasible mitigation measures identified
- ✓ Governors Office of Planning and Research Technical Advisory – lead agencies must quantify GHGs, determine whether these emissions are individually or cumulatively significant, and, if significant, investigate and implement ways to reduce emissions
- ✓ Senate Bill 97 (Dutton)
 - OPR must develop guidelines for feasible measures to mitigate GHGs by 1/1/2010
 - GHG analysis in CEQA documents only required for specified projects
 - Legislation expires 1/1/2010
- ✓ Ongoing efforts by CARB, e.g., Scoping Plan

Other Efforts

- ✓ Association of Environmental Professionals “Alternative Approaches to Analyzing Greenhouse Gas Emissions and Global Climate Change in CEQA Documents” (June 29, 2007)
 - Eight approaches for handling GHG analyses
- ✓ CAPCOA White Paper on Climate Change (January 2008)
 - Potential Threshold Options (pros/cons)

Chapter 3 – SCAQMD GHG Significance Threshold Proposal Development

- ✓ SCAQMD GHG CEQA Threshold Working Group (established April 2008)
 - Goals
 - Establish GHG significance threshold consistent with CEQA Guidelines §§15064 and 15064.7.
 - Identify policy considerations – purpose of GHG significance threshold
 - Objectives
 - CEQA intent is to prevent or minimize environmental degradation, i.e., do not make impacts worse
 - AB 32 may be used as a guideline in developing significance thresholds
 - Reductions from sources not regulated under CARB’s Scoping Plan resulting from GHG thresholds may contribute to achieving AB 32 targets
 - Design Criteria
 - Resource impacts and administrative burden
 - A single threshold vs. multiple thresholds
 - Short-term (2008 through 2020) vs. long-term (2021 through 2050) considerations
 - GHG pollutants to be analyzed
 - Mitigation considerations – preferred onsite and offsite emission reduction strategies

- Mitigation considerations – purchased offsite offsets
- Can use design features as part of project description to reduce GHG emissions
- Time frame of analysis, impacts vs. mitigation
- GHG significance threshold proposal – Tiered Decision Tree Approach
 - Relies on concept of business-as-usual (BAU)
 - SCAQMD concept of BAU is consistent with CAPCOA
 - GHG significance threshold implementation
 - SCAQMD lead agency projects and rule development
 - Intergovernmental review
 - Comments on future projects' NOPs after adoption by Board

Chapter 4 – Conclusion

- ✓ Future Action Items
 - GHG significance threshold outreach program
 - Compile lists of GHG mitigation measures, energy efficiency, vehicle miles traveled reductions, etc.
 - Periodically review and revise threshold as necessary

Appendix A – Working Group Members and Contributors