



Jesús Armas, Director, Community Services
Andrew Myung, Deputy Director, Administration & Chief Financial Officer
Joe Dzvonik, Deputy Director, Housing & Community Development
Jeff Lindgren, Deputy Director, Parks Division
April Price, Interim Division Chief, Sustainability Division
Sarah York Rubin, Executive Director, Office of Arts & Culture



Memorandum

Date: August 23, 2024
To: Board of Supervisors
From: Jesús Armas, Director
Subject: Replacement Board Letter

The Sustainability Division is submitting a replacement Board letter, noting the following changes.

- Removing “prepare the necessary environmental reviews and (3)” from Recommended Action b.”
- Updating page 5 to reflect more specific feedback from the Agricultural Advisory Committee, and again updating the recommended actions to remove “prepare the necessary environmental reviews”
- Updating the Fiscal Impacts section.

DocuSigned by:

Jesús Armas
Jesus Armas

Director, Community Services Department



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: Community Services
Department No.: 057
For Agenda Of: August 27, 2024
Placement: Departmental
Estimated Time: 1.5 hours
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors

FROM: Department Director
Department of Community Services
Jesús Armas, Director
805-568-2467

Contact Info: Garrett Wong, Climate Program Manager
805-390-2983

SUBJECT: 2030 Climate Action Plan Adoption and Amendments to the Comprehensive Plan Energy Element and Chapter 11, Greenhouse Gas Emissions, of the Environmental Thresholds and Guidelines Manual

County Counsel Concurrence

As to form: Yes

Other Concurrence: Planning & Development

As to form: Yes

Other Concurrence: Public Works

As to form: Yes

Other Concurrence: General Services

As to form: Yes

Other Concurrence: Office of Emergency Management

As to form: Yes

Auditor-Controller Concurrence

As to form: Yes

Recommended Actions:

That the Board of Supervisors adopt the 2030 Climate Action Plan and take the following actions:

- a) Adopt the 2030 Climate Action Plan (Attachment A) by adopting the resolution (Attachment B).
- b) Adopt a resolution (Attachment C) directing staff to identify viable measures and a goal to reduce emissions from oil and gas extraction and processing, and return to the Board within six months for consideration of such measures and goals.
- c) Receive and file the Implementation Cost Analysis Report (Attachment E).
- d) Make the required findings for certification and certify (Attachment G) the 2030 Climate Action

Plan Final Environmental Impact Report (Case No. 23EIR-00002, Attachment F), pursuant to the State Guidelines for Implementation of the California Environmental Quality Act (CEQA).

- e) Make the required findings for approval of the Santa Barbara County Comprehensive Plan Energy Element amendment, Case 23GPA-00004, including CEQA findings (Attachment H).
- f) Find the proposed Comprehensive Plan Amendment, Case No. 23GPA-00004, is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) (Attachment I).
- g) Adopt a resolution approving Case No. 23GPA-00004, amending Policy 8.3 and Research Action 8.3.1 of the Santa Barbara County Comprehensive Plan Energy Element (Attachment J).
- h) Adopt a resolution approving proposed amendments to Chapter 11, Greenhouse Gas Emissions, of the *Environmental Thresholds and Guidelines Manual*, to include new non-stationary source greenhouse gas emissions thresholds of significance, and the 2030 Climate Action Plan Consistency Checklist, in compliance with CEQA Guidelines Section 15064.4 (Attachment K).
- i) Determine that the amendment to the *Environmental Thresholds and Guidelines Manual* is not a project pursuant to CEQA Guidelines Sections 15060(c)(3), 15378 (b)(5), and 15064.7.

Summary Text:

Staff are presenting the final 2030 Climate Action Plan (Attachment A) and a resolution (Attachment B) adopting the Plan.

The final Climate Action Plan (CAP) largely mirrors the draft Plan the Board considered on June 27, 2023. Further, pursuant to direction the Board provided at the June 27 meeting, an Implementation Cost Analysis (ICA) was prepared and is presented (Attachment E) for the Board’s consideration.

The ICA estimates the total cost to implement CAP measures over the first six-year period (FY 2024-25 to FY 2029-30) is \$338 million. Of this amount, \$202 million, or 60% of these costs, are associated with existing programs that would have happened regardless of the CAP adoption. The remaining \$135 million (40%) would be the cost of new and expanded programs due to CAP implementation. Nearly all of the new and expanded program costs are currently unfunded.

Staff are also presenting the Final Environmental Impact Report (Attachment F) and the Findings for Certification (Attachment G) for Board action.

Staff are also presenting Amendments to the Comprehensive Plan Energy Element’s Policy 8.3 and Research Action 8.3.1 (Attachment H-J) to reference the CAP for Board approval.

Staff are also presenting updates to the non-industry greenhouse gas emissions thresholds of significance within the Environmental Thresholds and Guidelines Manual and 2030 Climate Action Plan Consistency Checklist for Board Approval (Attachment K).

Background:

In May 2015, the Board adopted the Energy and Climate Action Plan (ECAP), with the goal of reducing Greenhouse Gas (GHG) emissions in the unincorporated county by 15 percent below 2007 levels by 2020.

On December 11, 2018, Sustainability Division staff presented an ECAP Progress Report to the Board and reported an increase of GHG emissions to 14 percent above 2007 levels as of 2016. In response, the Board directed staff to develop a 2030 CAP and set a new GHG emission reduction target of 50% below 1990 levels by 2030 (50x30). The Board also directed staff to employ a regional approach inclusive of

interested neighboring jurisdictions and community representatives and to incorporate resilience measures into the updated CAP.

On July 7, 2020, the Board approved an agreement with Rincon Consultants, Inc. for climate action planning services for a total amount not to exceed \$516,235. Several amendments were made to increase the contract amount to \$532,631 and to extend the contract term to June 30, 2024.

On April 5, 2022, the Board received a presentation on the Final Report of the 2015 ECAP and 2018 Greenhouse Gas Inventory. The Board adopted the goal of carbon neutrality by 2045 or sooner, as feasible, and updated the interim 2030 goal from 50% reduction below 2007 levels to 50% net reduction from 2018 levels. The Board also directed staff to initiate early climate actions, including developing an ordinance to encourage all-electric buildings, updating the Zero Net Energy Resolution for County buildings to Zero Carbon, and developing a Zero Emission Vehicle Plan.

2030 Climate Action Plan

On June 27, 2023, the Board received a presentation on the draft 2030 Climate Action Plan (CAP) and provided feedback on the draft. The draft CAP presented a feasible approach to achieving the Statewide minimum target of 40% GHG emissions reduction, in order to have a document that could provide streamlined (or tiered) permitting (discussion below). At the meeting, the Board reaffirmed its commitment to the reduction target of 50% below 2018 levels by 2030.

The Final Draft 2030 CAP (Attachment A) incorporates feedback from internal and external stakeholders and the Board from the June 2023 hearing. A range of targets for specific focus areas have been included for achieving the County's 50% emissions reduction goal along with the minimum 40% statewide emissions reduction goal, as shown below in Table 1.

Table 1. 2030 CAP Focus Areas, Measures and Goals

Measure #	Measures	Goals
Housing & Transportation		
Goals		
TR-1	Increase the use of zero-emission vehicles	<ul style="list-style-type: none"> • Increase passenger EV car ownership to 25%-45% by 2030 and 90%-100% by 2045 • Increase commercial EV car use to 15%-40% by 2030 and 75% by 2045 • Install at least 375 publicly available EV chargers by 2030 • Install at least 170 privately-owned and publicly available EV chargers by 2030
TR-2	Increase affordable housing and mobility options	<ul style="list-style-type: none"> • Decrease vehicles miles travelled by 14% by 2030 and 28% by 2045 by increasing public transit mode share, increasing bike mode share, and implementing land use/development strategies consistent with the Connected 2050 RTP/SCS • Accommodate 5,664 new housing units that are affordable to very low, low, moderate, and above moderate income levels by 2031 as required by RHNA and the Housing Element.
TR-3	Decarbonize off-road emissions	<ul style="list-style-type: none"> • Decarbonize 21%-35% of off-road equipment by 2030 and 38%-50% by 2045
Clean Energy		
Goals		
CE-1	Increase clean energy use and energy resilience in new and existing buildings	<ul style="list-style-type: none"> • Implement energy efficiency programs to reduce energy usage in residential and commercial buildings by 4% by 2030 and 7% by 2045 • Electrify 100% of new residential and new commercial construction by 2024 • Implement electrification programs to reduce natural gas in existing residential buildings by 14%-20% by 2030 and 90% by 2045 • Implement electrification programs to reduce natural gas in existing commercial buildings by 14%-23% of existing commercial buildings by 2030 and 75% by 2045 • Achieve 100% renewable electricity for all residential and commercial customers into by 2030
Waste, Water, & Wastewater		
Goals		
W-1	Reduce food waste and increase use of organic recycled materials	<ul style="list-style-type: none"> • Reduce landfilled organics 80% by 2030 and 100% by 2045 • Ensure organics are removed from alternative daily cover at County landfills consistent with SB 1383.
W-2	Reduce use of non-recyclable and non-compostable single use items	<ul style="list-style-type: none"> • Reduce landfilled inorganic waste 35% by 2030 and 90% by 2045 • Meet SB 1383 compost procurement requirements for the unincorporated County of 0.08 tons per capita
W-3	Increase energy- and carbon-efficiency of water production, treatment, pumping, conveyance, and use	<ul style="list-style-type: none"> • Partner with local public water providers to track energy intensity of water treatment, pumping, and conveyance systems for long-term carbon reduction goals
Nature-Based Solutions		
Goals		
NBS-1	Promote and support land management practices that sequester carbon	<ul style="list-style-type: none"> • Plant 3,000 drought tolerant, native, fire resistance trees by 2030 • Implement the following land management practices on an annual basis⁹ <ul style="list-style-type: none"> • 6,000 acres of compost application • 300 acres of silvopasture establishment • 900 acres of hedgerow planting • 60 acres of riparian restoration • 900 acres of nutrient management
Low-Carbon Economy		
Goals		
LCE-1	Limit the increase of fossil fuel extraction emissions and develop a sunset strategy	<ul style="list-style-type: none"> • Goals are not included for this measure as there are no quantifiable actions with substantial evidence
LCE-2	Support local business in becoming more sustainable	<ul style="list-style-type: none"> • Certify 150 new Green Businesses by 2030
LCE-3	Facilitate mechanisms to value and fund carbon sequestration projects	<ul style="list-style-type: none"> • Goals are not included for this measure as there are no quantifiable actions with substantial evidence
Municipal Operations		
Goals		
MO-1	Increase sustainability and resilience of County-operated facilities	<ul style="list-style-type: none"> • Metrics are not included for this measure as all GHG reductions associated with the measure are captured within other focus areas and measures

This Final Draft largely mirrors the preliminary draft reviewed by the Board at the June 27, 2023 meeting. The revisions can be characterized as offering clarifying language or, in some instances, modifying a percent range rather than a fixed percent target to be achieved. See Attachment A Exhibit 1 for annotated revisions and updates to the plan presented in 2023.

Agriculture Advisory Committee Feedback

Staff presented the CAP actions with the Agriculture Advisory Committee (AAC), focusing on actions that could impact Agriculture. The Committee expressed the following concerns:

- TR 3.1, 3.2: Zero emission farm equipment is not widely available, more expensive and unproven and charging infrastructure is inadequate to meet their needs;
- CE 1.3: Policies restricting natural gas electrification in new construction or remodels should allow for exemptions for agricultural buildings and facilities due to prohibitive cost, reliability, and/or feasibility;
- NBS 1.8: Efforts to reduce pesticide use need to consider the viability of food quality and marketability to avoid food waste; and
- County representation in SBCAG, LAFCO and other agencies, and policies should prioritize on infill development alternatives to reduce conversion of agricultural lands and ensure consistency with climate, housing and annexation policies.

Agricultural equipment and irrigation pumps account for 41% of off-road emissions, and off-road emissions account for 5% of all emissions countywide. Staff will continue to work with the AAC and agriculture stakeholders to study and develop the agriculture-specific policies.

Environmental Organizations Feedback

As previously stated, the 2030 Climate Action Plan is designed to be a CEQA-qualified CAP. A qualified CAP meets CEQA requirements so that future development projects requiring environmental review can streamline that project's cumulative GHG impact analyses by demonstrating consistency with the goals and measures of the CAP.

The 2030 CAP has been developed as a qualified CAP and provides a voluntary streamlining option for the CEQA GHG emissions analysis via the 2030 Climate Action Plan CEQA Streamlining Checklist (Attachment K, Exhibit 2). CEQA GHG streamlining is optional and not required of future development projects. Projects deemed inconsistent with CAP goals and measures would not be able to streamline CEQA review using the CAP EIR.

The 2030 CAP, and the County's emissions reduction targets, currently does not include existing or new oil and gas operations (categorized under stationary sources). The County does have discretion with permitting new oil and gas production. In 2015, the Board adopted a GHG threshold of significance of 1,000 metric tons of carbon dioxide equivalent (CO₂e) for stationary sources to be applied to new projects under development review. New oil and gas projects would be well over the threshold and would have to include measures to mitigate or offset their projected emissions to a less than significant level, or remain a significant impact and require the decision-maker to adopt a statement of overriding consideration in order to approve the project. Since the adoption of this GHG threshold in 2015 the County has not received any application for new oil or gas production.

The Sierra Club and other environmental groups contend that the County's GHG inventory and CAP would be insufficient if oil and gas operations are omitted. They cite other jurisdictions' inventories and

CAPs that omitted other significant sectors or growth assumptions and the legal challenges they encountered.

For the CAP to include oil and gas operations and be CEQA-qualified, it would need to include realistic means to adequately affect emission reductions. At this time, Staff do not recommend incorporating stationary sources into the CAP and its emission reduction goals due to the County's limited ability to regulate existing oil and gas operations and achieve a certain emission reduction over time. Additionally, the 2018 Greenhouse Gas Inventory that serves as a benchmark to measure effectiveness of the CAP did not include oil and gas operations. For new oil and gas operations, because they are not included in the CAP or associated EIR, new stationary sources or oil and gas operations would be required to conduct their own CEQA greenhouse gas analysis, not be able to rely on the CAP or the CAP EIR to streamline analysis. This separate analysis provides the County more discretion over the application, CEQA analysis, and ultimate mitigation measures. Including a particular industry in the CAP does not change the existing regulatory control that the County has over that industry.

Staff recommends adoption of the CAP now. In light of continued interest in oil and gas emission reductions, it is further recommended that the Board adopt a resolution (Attachment C) directing staff to (1) identify viable measures and a goal to reduce emissions from oil and gas extraction and processing, (2) prepare the necessary environmental reviews and (3) return to the Board within six months for consideration of such measures and goals. Regulations affecting existing oil and gas operations are emergent and evolving. For the Board's consideration, Attachment D provides information showing local stationary source emissions since 2008, top 10 oil-producing counties and whether or not oil and gas has been included into their CAPs and additional information about other local jurisdiction actions on oil and gas.

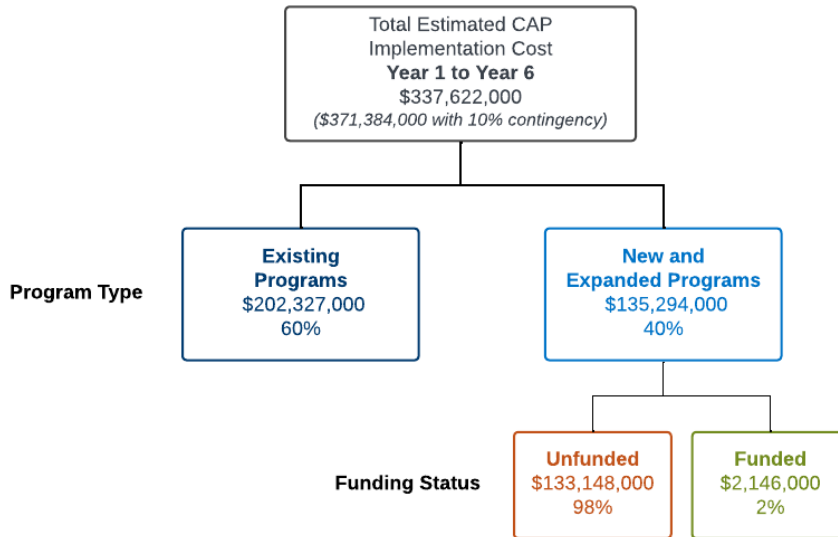
Implementation Cost Analysis Report

As directed by the Board, costs associated with CAP implementation have been identified and are presented in an Implementation Cost Analysis Report (ICA, Attachment E) prepared by the University of San Diego.

Cost and level of effort are based on estimates for Capital, Salaries and Benefits, and Services and Supplies (including consultants) to develop and execute projects and programs, develop and adopt ordinances, and conduct education and outreach activities during the first six years of the CAP implementation. The report does not consider or include external sources of funding or financing, like rebates and incentives, tax credits, grants, third-party ownership, savings through efficiency gains, or costs and benefits borne by County residents and businesses.

Implementation costs are categorized by Program Status (Existing or New and Expanded), Funding Status (Funded or Unfunded), and time period when the costs may be incurred.

Figure 1. Total CAP Implementation Costs Summary Diagram (Year 1-6)



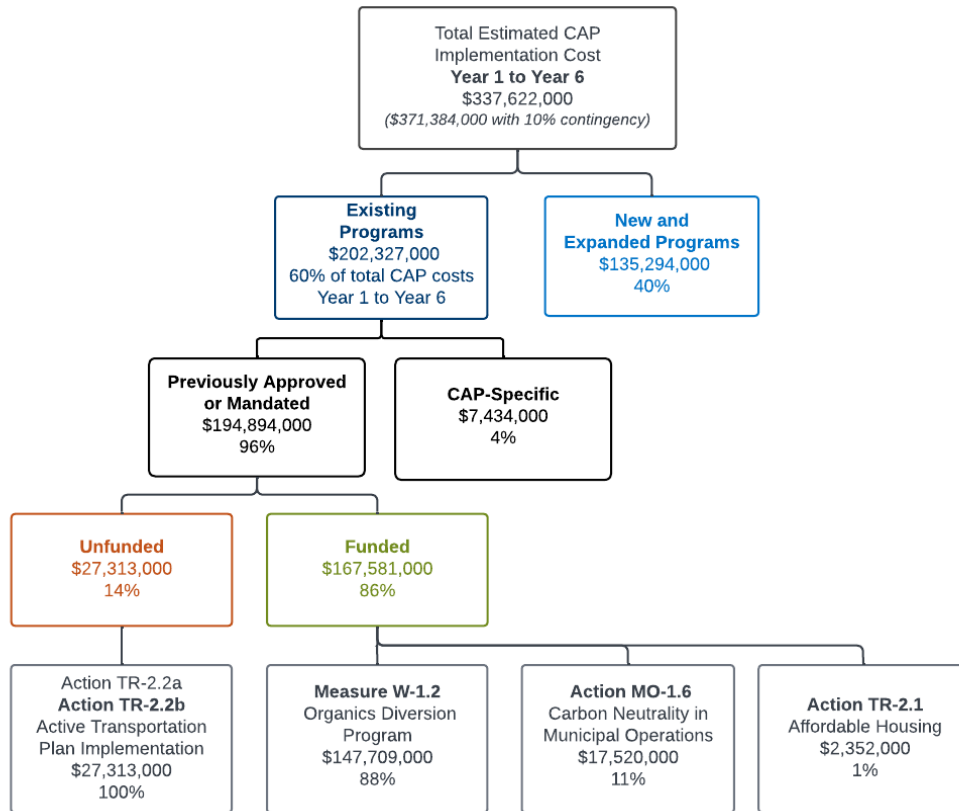
Based on data presented in the Implementation Cost Analysis Report, the total estimated cost to implement all CAP measures over the six-year period is \$338 million (Figure 1). Of this amount, \$202 million, or 60% of these costs, are associated with existing programs and thus reflect expenses expected to be incurred regardless of the CAP adoption. The remaining \$135 million (40%) reflect the cost of proposed new and expanded programs due to CAP implementation. Nearly all of the new and expanded program costs are currently unfunded. Currently available staff resources primarily constitute the funded portion of new and expanded programs.

**Table 2. Annual New and Expanded
 CAP Implementation Costs by Measure
 (Funded and Unfunded)**

Measure	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Total	% of Total
Measure MO-1: Increase sustainability and resilience of County-operated facilities	\$ 12,627,000	\$ 13,265,000	\$ 13,926,000	\$ 14,914,000	\$ 15,657,000	\$ 16,437,000	\$ 86,826,000	64.18%
Measure TR-2: Increase affordable housing and mobility options	\$ 3,228,000	\$ 3,564,000	\$ 3,692,000	\$ 3,801,000	\$ 3,981,000	\$ 333,000	\$ 18,599,000	13.75%
Measure TR-1: Increase the use of zero emission vehicles	\$ 2,459,000	\$ 2,484,000	\$ 2,454,000	\$ 3,119,000	\$ 2,965,000	\$ 4,369,000	\$ 17,850,000	13.19%
Subtotal	\$ 18,314,000	\$ 19,313,000	\$ 20,072,000	\$ 21,834,000	\$ 22,603,000	\$ 21,139,000	\$ 123,275,000	91%
Measure CE-1: Increase energy resilience in new and existing buildings	\$ 1,425,000	\$ 1,506,000	\$ 1,592,000	\$ 1,658,000	\$ 1,626,000	\$ 1,701,000	\$ 9,508,000	7.03%
Measure NBS-1: Promote and support land management practices that sequester carbon	\$ 87,000	\$ 587,000	\$ 187,000	\$ 62,000	\$ 66,000	\$ 62,000	\$ 1,051,000	0.78%
CAP Coordination and Reporting	\$ 1,000	\$ 1,000	\$ 1,000	\$ 580,000	\$ 87,000	\$ 89,000	\$ 758,000	0.56%
Measure TR-3: Decarbonize off-road equipment	\$ 15,000	\$ 162,000	\$ 24,000	\$ 13,000	\$ 29,000	\$ 36,000	\$ 280,000	0.21%
Measure LCE-1: Limit the increase of fossil-fuel extraction emissions and develop a sunset strategy	\$ 5,000	\$ 18,000	\$ 82,000	\$ 88,000	\$ 32,000	\$ 34,000	\$ 259,000	0.19%
Measure LCE-2: Support local business in becoming more sustainable	\$ 16,000	\$ 18,000	\$ 21,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 69,000	0.05%
Measure LCE-3: Facilitate mechanisms to value and fund carbon sequestration projects	\$ -	\$ 15,000	\$ 20,000	\$ 8,000	\$ 8,000	\$ 8,000	\$ 59,000	0.04%
Measure W-1: Reduce food waste and increase use of organic recycled materials	\$ 3,000	\$ 3,000	\$ 3,000	\$ 3,000	\$ 3,000	\$ 4,000	\$ 20,000	0.01%
Measure W-3: Increase energy- and carbon-efficiency of water production treatment conveyance and use	\$ 4,000	\$ 3,000	\$ 3,000	\$ 2,000	\$ 2,000	\$ 2,000	\$ 15,000	0.01%
Total	\$ 19,871,000	\$ 21,626,000	\$ 22,004,000	\$ 24,253,000	\$ 24,461,000	\$ 23,079,000	\$ 135,294,000	100%

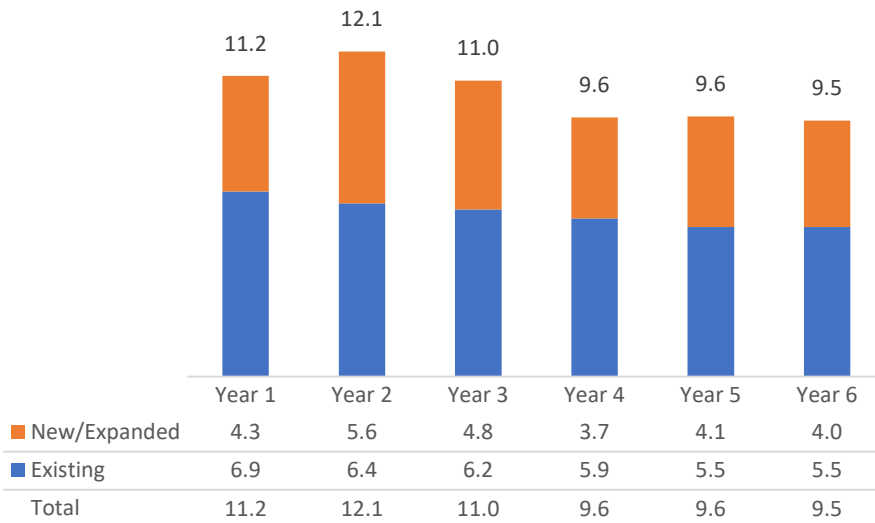
Three measures account for more than 90% of the estimated new and expanded CAP implementation costs. Measure MO-1 (Increase Sustainability and Resilience of County-Operated Facilities) would cost \$87 million over six years (64% of the total new and expanded cost). Measure TR-2 (Increase Affordable Housing and Mobility Options) would cost \$19 million (14%). Measure TR-1 (Increase the Use of Zero-Emission Vehicles) would cost \$18 million (13%).

Figure 2. Existing Program Cost Breakdown



As shown in Figure 2 above, about 60% (\$195 million) of the CAP’s total estimated cost is associated with State mandates, like the Housing Element Update (TR-2.1), SB 1383 Organics Diversion and Recycling (W-1.2), and Advanced Clean Fleets regulation (MO-1.6), or previously Board-adopted plans, like the Active Transportation Plan (TR-2.2). All of these costs are associated with existing programs, of which \$168 million (86% of existing costs) are funded. The remaining \$27 million (14%) of State mandated costs is the unfunded cost of implementing the Active Transportation Plan (TR-2.2).

Figure 3. Annual Level of Effort



The total estimated level of effort across all departments and staff positions to implement all CAP measures and actions would be between 9.5 and 12.1 full-time equivalent (FTE) annually during the first six years (Figure 3). About half of the required level of effort would be associated with existing programs. The portion of effort associated with new and expanded programs (orange bars) would be between 4.0 FTE and 5.9 FTE hours annually.

To be clear, this does not explicitly mean there is a need to hire new positions; it only accounts for the level of effort needed to implement a new or expanded program. The level of effort required for new and expanded activities could be distributed across 24 positions in 6 departments implementing CAP actions. On average, 63% of staff would have a level of effort less than about 0.2 FTE per year, 33% of positions would have a level of effort between 0.2 FTE and 0.6 FTE per year, and only one position has a level of effort more than 0.6 FTE per year. Alternatively, consultants and contractors can be retained to perform work with discreet funding and term limits.

A word of caution about the Implementation Cost Analysis Report. It is not an expenditure plan nor a request for authorization to expend funds. Rather, it is a high-level presentation of potential costs related to the numerous measures and action steps contained in the CAP. While adopting the CAP does not obligate or authorize any specific amount of funding, the County will need to demonstrate progress toward reducing emissions in order for projects to be able to use the CAP EIR for CEQA streamlining (discussion below).

Staff recognize that additional revenues to fund the approximately \$135 million of new programs over the next six-years is not realistic. If the Board adopts the CAP, staff will seek external funding sources, such as utility ratepayer dollars, State and federal grants and explore other appropriate financing mechanisms. External revenue is likely to be insufficient to fully implement the CAP. Therefore, consideration will need to be given to earmarking funds to implement the CAP when identifying priorities in difficult budget years.

Environmental Impact Report

The project team prepared a Final Programmatic Environmental Impact Report (EIR, Case No. 23EIR-00002, Attachment F) in compliance with the requirements of CEQA Guidelines Section 15183.5(b) for a Qualified GHG Reduction Plan. The EIR analyzed the following resource areas for potential change or new impacts: Air Quality, Energy, Greenhouse Gas Emissions and Transportation.

A scoping meeting was held on November 30, 2022. The Draft EIR was released for a 45-day comment period on June 12 until July 27, 2023. The County received three comment letters from the Santa Barbara County Air Pollution Control District (APCD), League of United Latin American Citizens (LULAC) and one individual.

- APCD recommended that the County develop a checklist with project-specific measures and design/performance standards for different types of land use development projects;
- LULAC expressed concerns over the impacts to housing and transportation costs and pointed to the fact that natural gas bans (which are considered in alternative scenarios in the EIR) are considered illegal;¹
- The individual's comments covered a wide range of topics, including:
 - Preferring No Project Alternative, assuming the CAP is responsible for inducing the projected housing growth required by the State;
 - Preferring the Carbon Offset Alternative as a means to increase local revenue;
 - Calling the CAP's reliance on electrification as flawed, due to risk of terrorism;
 - Emphasizing the importance of food waste management and the minimal transit ridership in Santa Ynez; and
 - Questioning the balance of emissions from urban areas and the Los Padres National Forest.

The EIR found impacts from the CAP would be less than significant and would not require additional mitigation measures. The Final EIR has been prepared for the 2030 Climate Action Plan pursuant to State and County CEQA Guidelines. The Final EIR analysis substantiates findings (Attachment G) that the CAP would result in less than significant impacts to the environment in all subject areas.

Energy Element Amendment

The Planning and Development Department (P&D) proposes to amend the Energy Element of the County Comprehensive Plan and Chapter 11, Greenhouse Gas Emissions, of the *Environmental Thresholds and Guidelines Manual* (described below) to ensure consistency with the 2030 CAP and other County documents.

On May 19, 2015, the Board adopted an amendment to the Energy Element, Case No. 14GPA-00003, in concert with adoption of the Energy and Climate Action Plan (ECAP). This amendment created Policy 8.3 and Research Action 8.3.1 of the Energy Element. The current proposed Energy Element amendment (Case No. 23GPA-00004) will update Policy 8.3 and Research Action 8.3.1 to reference and be consistent with the 2030 CAP goals and GHG emissions reduction targets, rather than the ECAP. Please see Attachment I, Exhibit 1 for the updated Energy Element text.

¹ In April 2023, the Ninth Circuit Court of Appeals struck down the City of Berkeley's local ordinance to restrict fuel gas infrastructure, determining it was preempted by federal law.

Native American Consultation (SB 18)

Government Code Sections 65352.3 and 65352.4 require cities and counties to contact and, if requested, consult with Native American tribes before adopting or amending a general plan (comprehensive plan). The Native American Heritage Commission (NAHC) maintains a consultation contact list of tribes that have expressed interest in preserving cultural places located within specific cities and counties. P&D staff contacted the NAHC and received lists with 12 tribal contacts and sent letters to all tribal contacts describing the proposed Energy Element amendment and offering to consult with the tribes. P&D and CSD did not receive a request to consult with any of the tribes.

Greenhouse Gas Emission Thresholds Update

The 2030 CAP is a qualified greenhouse gas emissions reduction plan, pursuant to CEQA Guidelines Section 15183.5(b). This designation facilitates and streamlines analysis of future individual projects that are consistent with the CAP and local zoning.

GHG thresholds are a tool to avoid unmitigated increases in GHG emissions as a result of new development. On January 26, 2021, the Board amended Chapter 11, Greenhouse Gas Emissions, of the *Environmental Thresholds and Guidelines Manual* and adopted interim GHG emissions thresholds for all non-industrial projects. Final GHG emissions thresholds (Attachment K, Exhibit 1) have been prepared as part of the 2030 CAP. These thresholds are set at levels necessary to help the County achieve its emission reduction targets and, as a result, are lower than the current interim threshold. The *Environmental Thresholds and Guidelines Manual* also includes thresholds for industrial projects (including oil and gas production), which were set in 2015 and are not proposed to be modified. Changes to the industrial thresholds section of Chapter 11, Greenhouse Gas Emissions, are limited to updating references.

Projects can demonstrate consistency with the 2030 CAP by completing a simple Consistency Checklist (Attachment K, Exhibit 2). If a project or plan is consistent, no further CEQA review of GHG emissions is required.

If a project is not consistent with the 2030 CAP, it must estimate its GHG emissions and compare them to the quantitative thresholds as described in Chapter 11, and in Table 3, below. If a project’s emissions are less than the applicable threshold, it will not have a significant cumulative impact of climate change, and no further analysis is required. If a project’s emissions are equal to or greater than the threshold, it must incorporate mitigation measures that reduce the emissions to below the threshold. For full details on the development, applicability, and utility of the GHG emissions thresholds and checklist, please see Attachment K, Exhibits 1 and 2.

Table 3: GHG Emissions Thresholds (Non-stationary source)

Existing (Interim) Threshold	Proposed Thresholds
3.8 MT CO ₂ e per service person ¹	Residential: 2.68 MT CO ₂ e per resident
	Non-Residential: 2.63 MT CO ₂ e per employee
	Mixed-Use: 2.67 MT CO ₂ e per service person ¹

Note: MT CO₂e = metric tons of carbon dioxide equivalents

¹ Service person means resident of a residential land use or employee of a non-residential land use

Planning Commission Recommendations

The GHG Emissions Thresholds of Significance, 2030 CAP Consistency Checklist, and Energy Element Amendments were presented to the County Planning Commission on March 6 and May 1, 2024. The County Planning Commission recommended that the BOS make the findings for approval of the proposed Comprehensive Plan amendment, Case No. 23GPA-00004, and amend the Chapter 11, Greenhouse Gas Emissions, of the *Environmental Thresholds and Guidelines Manual* to include new greenhouse gas emissions thresholds and a checklist to determine if a project or plan is consistent with the CAP (Attachment L).

Performance Measure:

Annual Greenhouse Gas Emissions in Unincorporated County Area: 50% reduction below 2018 levels by 2030

Fiscal and Facilities Impacts:

No fiscal impacts.

Fiscal Analysis:

The Implementation Cost Analysis is a stand alone report meant to inform the Board and the public of the potential cost and level of effort to fully implement the CAP and achieve the goals and objectives. Adoption does not obligate or authorize any funding for implementation.

If the Board adopts the CAP, staff will seek external funding sources, such as utility ratepayer dollars, grants and explore other appropriate financing mechanisms, as well as present funding requests and budget expansions through the Capital Improvement Program and budget hearings as individual CAP actions are developed further for implementation. During the review process, priority should be directed toward projects or programs which yield the highest level of emission reductions in relation to dollars expended.

Key Contract Risks:

Staffing Impacts:

The total estimated level of effort across all departments and staff positions to implement all CAP measures and actions would be between 9.5 and 12.1 full-time equivalent (FTE) annually during the first six years (Figure 3). About half of the required level of effort would be associated with existing programs. The portion of effort associated with new and expanded programs would be between 4.0 FTE and 5.9 FTE hours annually. This does not explicitly mean there is a need to hire new positions; the level of effort required for new and expanded activities could be distributed across 24 positions in 6 departments implementing CAP actions. On average, 63% of staff would have a level of effort less than about 0.2 FTE per year, 33% of positions would have a level of effort between 0.2 FTE and 0.6 FTE per year, and only one position has a level of effort more than 0.6 FTE per year. Alternatively, consultants and contractors can be retained to perform work with discreet funding and term limits.

Special Instructions:

P&D will satisfy all noticing requirements.

The Clerk of the Board shall forward a copy of the minute order and executed copies of all resolutions to CSD, attention Garrett Wong, and to P&D, attention Ben Singer.

Attachments:

- A. Final Draft 2030 Climate Action Plan
 - 1. Exhibit 1. Changes to the 2030 CAP
- B. Resolution – 2030 Climate Action Plan Adoption
- C. Resolution – Oil and Gas Actions
- D. Local Jurisdiction Oil & Gas Actions
- E. Implementation Cost Analysis Report
- F. Final Environmental Impact Report (23EIR-00002)
- G. Findings for Certification of the Environmental Impact Report
- H. Findings for Approval of Energy Element Amendment
- I. Notice of Exemption for Approval of Comprehensive Plan Amendment
- J. Resolution – Energy Element Amendments
 - 1. Exhibit 1. Energy Element Text Amendment (Case No. 23GPA-00004)
- K. Resolution – Greenhouse Gas Emissions Thresholds
 - 1. Exhibit 1. Amended Chapter 11, Greenhouse Gas Emissions, of the Environmental Thresholds and Guidelines Manual
 - 2. Exhibit 2. 2030 CAP Consistency Checklist
- L. County Planning Commission Action Letter and Resolutions, dated May 1, 2024
 - 1. Exhibit 1. County Planning Commission Staff Report, dated February 27, 2024

Authored by:

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