



COUNTY OF SANTA BARBARA CALIFORNIA

PLANNING COMMISSION

COUNTY ENGINEERING BUILDING
123 E. ANAPAMU ST.
SANTA BARBARA, CALIF. 93101-2058
PHONE: (805) 568-2000
FAX: (805) 568-2030

TO THE HONORABLE BOARD OF SUPERVISORS
COUNTY OF SANTA BARBARA, CALIFORNIA

PLANNING COMMISSION
HEARING OF APRIL 9, 2015

RE: Greenhouse Gas Emissions Threshold of Significance; 15ORD-00000-00006

Hearing on the request of the Santa Barbara County Planning and Development Department (P&D) to consider Case No. 15ORD-00000-00006, and recommended that the Board of Supervisors amend the County of Santa Barbara's *Environmental Thresholds and Guidelines Manual*, by adding a threshold of significance to guide the County's environmental analysis of greenhouse gas emissions from industrial/stationary sources for projects subject to CEQA; and recommend that the Board of Supervisors find the adoption of a new threshold is exempt pursuant to CEQA Guidelines Sections 15064.7 and 15378.

Dear Honorable Members of the Board of Supervisors:

At the Planning Commission hearing of April 9, 2015, Commissioner Cooney moved, seconded by Commissioner Hartmann and carried by a vote of 3 to 2 (Ferini and Blough no) to adopt a Resolution recommending that the Board of Supervisors adopt Case No. 15ORD-00000-00006, amending the County of Santa Barbara's *Environmental Thresholds and Guidelines Manual*, by adding a threshold of significance to guide the County's environmental analysis of greenhouse gas emissions from industrial/stationary sources of a project subject to the CEQA (Attachment B of the staff report, dated March 18, 2015), as revised at the hearing of April 9, 2015.

Sincerely,

A handwritten signature in blue ink that reads "Dianne M. Black". The signature is written in a cursive style and is positioned above a horizontal line.

Dianne M. Black
Secretary to the Planning Commission

cc: Case File
Planning Commission File
Dianne M. Black, Assistant Director
Bill Dillon, Senior Deputy County Counsel

Greenhouse Gas Emissions Threshold of Significance; 15ORD-00000-00006
Attachment A - Findings
Page A-2

Kevin Drude, Deputy Director
Doug Anthony, Planner

Attachment B – Resolution to the Board of Supervisors

DMB/dmv

G:\GROUP\ENERGY\GHGs\Planning Commission\04-09-15actltr.doc

RESOLUTION OF THE SANTA BARBARA COUNTY PLANNING COMMISSION
COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA

IN THE MATTER OF RECOMMENDING
THAT THE BOARD OF SUPERVISORS
AMEND THE COUNTY'S ENVIRONMENTAL
THRESHOLDS AND GUIDELINES MANUAL
TO ADD A THRESHOLD TO DETERMINE
THE CUMULATIVE SIGNIFICANCE OF
GREENHOUSE EMISSIONS FROM
INDUSTRIAL/STATIONARY-SOURCE
PROJECTS SUBJECT TO ENVIRONMENTAL
REVIEW

RESOLUTION NO.: 15 05

WITH REFERENCE TO THE FOLLOWING:

- A. The California Natural Resources Agency amended the *Guidelines for the Implementation of the California Environmental Quality Act* in 2009, requiring lead agencies to estimate a project's greenhouse emissions, determine if the project's emissions exceed a threshold, and determine if the project is consistent with a state, regional, or local greenhouse gas reduction plan.
- B. In June of 2014, the County Board of Supervisors directed the Planning and Development Department to draft an interim threshold of significance for greenhouse gas emissions from industrial/stationary sources for the Board's consideration.
- C. The County's *Guidelines for County Guidelines for the Implementation of CEQA* define a process by which the County's *Environmental Thresholds and Guidelines Manual* is amended, which includes two hearings before the County Planning Commission and transmittal of the Commission's recommendation to the Board of Supervisors.
- D. The County Planning Commission now finds that it is in the interest of the residents of the County of Santa Barbara to recommend that the Board of Supervisors amend the County's *Environmental Thresholds and Guidelines Manual*, by adding a new Chapter 11, Greenhouse Gas Threshold, and renumbering the current Chapter 11 and all subsequent chapters, beginning with the number 12, as written in Exhibit A to this Resolution.
- E. The proposed amendment is consistent with and implements the policies of the Santa Barbara County Comprehensive Plan (including the Coastal Land Use Plan) and Chapter 35, Zoning, of the Santa Barbara County Code (including the Coastal Zoning Ordinance for coastal areas and the Land Use and Development Code for most inland areas).

F. This Commission held two duly noticed public hearing at which time the proposed amendment to the aforementioned *Environmental Threshold and Guidelines Manual* was explained and comments were invited from the attendees of these two hearings.

NOW, THEREFORE, IT IS HEREBY RESOLVED as follows:

1. The above recitations are true and correct.
2. In compliance with the *Guidelines for the Implementation of the California Environmental Quality Act of 1970*, §F.3.b (Process for thresholds amendment and adoption), the Planning Commission recommends that the Board of Supervisors of the County of Santa Barbara, State of California, following the required noticed public hearing, approve and adopt the aforementioned recommendation of this Commission.
3. A certified copy of this Resolution shall be transmitted to the Board of Supervisors.
4. The Chair of this Commission is hereby authorized and directed to sign and certify all documents and other materials in accordance with this Resolution to show the aforementioned action by the Planning Commission.

PASSED, APPROVED AND ADOPTED this 9th day of April, 2015, by the following vote:

AYES: 3

NOES: 2

ABSTAIN: None

ABSENT: None



Cecilia Brown, Chair
Santa Barbara County Planning Commission

ATTEST:



Dianne M. Black

Secretary to the Commission

APPROVED AS TO FORM:

Michael C. Ghizzoni

County Counsel

William M. Dillon

Senior Deputy County Counsel

Exhibit A

11. GREENHOUSE GAS EMISSIONS

Introduction

This chapter provides CEQA lead agencies with a quantitative criterion by which to determine if greenhouse gas (GHG) emissions from applicable industrial/stationary sources that are subject to discretionary approval will have a significant cumulative effect on climate change. Among statewide actions to reduce greenhouse gas emissions, the California Natural Resources Agency amended the Guidelines for Implementation of the California Environmental Quality Act (CEQA Guidelines) in 2009. The amendment requires CEQA lead agencies to “...*make a good-faith effort, based to the extent possible on scientific and factual data, to describe, calculate, or estimate the amount of greenhouse gas emissions resulting from a project*” unless the lead agency determines that the project is exempt from CEQA (CEQA Guidelines §15064.4). The amendment further obligates lead agencies to consider if the estimated amount of greenhouse gas emissions from a proposed project exceeds a threshold of significance, and to consider the extent to which the project complies with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of GHG emissions.

Climate change under CEQA differs from most other types of impacts in that, by definition, it is only examined as a cumulative impact that results not from any one project’s GHG emissions, but rather from GHG emissions “... *generated globally over many decades by a vast number of different sources.*”¹ Therefore, analysis of a project’s GHG emissions under CEQA focuses solely on the incremental contribution of estimated project emissions to climate change. A CEQA lead agency may determine that a project’s incremental contribution to an existing cumulatively significant issue, such as climate change, is not significant based on supporting facts and analysis (§15130(a)(2)). CEQA Guidelines direct that a project’s contribution to a significant cumulative impact will be rendered less than significant if the project is required to implement or fund its fair share of a mitigation measure designed to alleviate the cumulative impact (§15130(a)(3)). Such determinations must be based on analysis in the environmental document with substantial evidence to demonstrate that mitigation required of a project represents the project’s “fair-share” contribution towards alleviating the cumulative impact.

¹ Kostka, Stephen I. and Michael H. Ziechke, *Practice Under California Environmental Quality Act*, Second Edition, Volume 2, (Oakland, CA: 2013, Continuing Education of the BAR, §20.83; California Natural Resources Agency, *Notice of Public Hearings and Notice of Proposed Amendment of Regulation Implementing the California Environmental Quality Act*, 2009; Hegerl, G.C. et. al, “Chapter 9: Understanding and Attributing Climate Change,” *Climate Change 2007: The Physical Basis*, Contribution of Working Group I to the Fourth Assessment Report of the Intergovernmental Panel of Climate Change (Cambridge: Cambridge University Press, 2007).

Threshold for Industrial/Stationary Sources

Applicability

- The threshold applies to the following greenhouse gases, per the California Health and Safety Code §38505(g), and any other gas that the California Air Resources Board recognizes as a greenhouse gas in the future: carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), hydrofluorocarbons (HFC), perfluorocarbons (PFC), sulfur hexafluoride (SF₆), nitrogen trifluoride (NF₃). The County recognizes that environmental documents will primarily focus on the first three chemicals, because the latter four are unlikely candidates to be associated with projects subject to this threshold.
- The threshold applies to industrial/stationary sources subject to discretionary approvals by the County, where the County is the CEQA lead agency. The County encourages other CEQA lead agencies and NEPA lead agencies to use this threshold, where the County is a CEQA responsible agency for a project.
- The threshold applies to both direct and indirect emissions of greenhouse gases, where protocols to support calculation of such emissions are available.
 - Direct emissions encompass the project's complete operations, including greenhouse gases emitted from a location within California from all stationary and mobile sources, involved in the operation, including off-road equipment, as well as removal of trees and other vegetation.
 - Indirect emissions encompass greenhouse gases that are emitted:
 - To provide the project with electricity, including generation and transmission;
 - To supply the project with water, including water treatment;
 - To transport and treat solid and liquid waste produced from the project's operations and water to the project's operations and the emissions to transport and process solid.
- Construction-related emissions are to be accounted for in the year that they occur.
- The threshold does not apply to greenhouse gases that are emitted throughout the life cycle of products that a project may produce or consume, except as identified above as a project's indirect emissions.
- The threshold does not apply to residential or commercial development.

Quantification of Greenhouse Gas Emissions

- The environmental document shall first quantify and disclose a project's greenhouse gas emissions by individual greenhouse gas and then convert the project's emissions to metric tonnes of carbon dioxide equivalent per year (MTCO₂e/year), based on the global warming potential of each gas.
- Renewable energy projects, such as solar and wind projects, shall be credited for greenhouse gas emissions that would otherwise be emitted by natural gas-fueled electrical generation,

based on consistency with California greenhouse gas reduction strategies to increase statewide reliance on renewable energy.

Numeric Bright-Line Threshold

All industrial/stationary-source projects would be subject to a numeric, bright-line threshold of 1,000 MTCO₂e/year to determine if greenhouse gas emissions constitute a significant cumulative impact. Annual GHG emissions that are equivalent to or exceed the threshold are determined to have a significant cumulative impact on global climate change. For the purpose of addressing the potential for unmitigated incremental growth, the combined GHG emissions from one or more previous discretionary permit approvals after adoption of this threshold will be considered in the environmental review of all subsequent discretionary permit applications that, as determined by the County, constitute separate parts or phases of the previously approved projects, including but not limited to:

- Any series of oil and gas production projects under common ownership or control, including related processing and transport operations, that are located within the same State-designated oil field, or represent an expansion of any State-designated oil field.
- Any series of surface mining projects under common ownership or control, including related processing and transport operations, that are located within the same individually designated Surface Mining and Reclamation Act (SMARA) operation, or represent an expansion of any individually designated SMARA operation.

Mitigation

Projects found to result in a significant cumulative impact would be required to reduce their greenhouse gas emissions to the applicable threshold, where feasible, through onsite reductions and offsite reduction programs approved by the County.

Periodic Revisions

This threshold shall be re-examined at least every five years to ensure its consistency with evolving GHG reduction progress, plans, targets and regulations.

Relation to County Energy and Climate Action Plan

This threshold represents one of several cohesive efforts undertaken by Santa Barbara County to reduce GHG emissions. Those efforts include the Energy and Climate Action Plan (ECAP), which seeks to reduce countywide emissions by 15 percent below the 2007 baseline emissions inventory by the year 2020. The ECAP constitutes a local GHG reduction plan that, pursuant to CEQA Guidelines §15183.5(b), allows a CEQA lead agency to determine whether a future

project's incremental contribution to the cumulative effect of climate is significant or not, based upon compliance with requirements of the reduction plan.

This threshold and the ECAP are intended to complement one another during implementation. Permit approval of future industrial/stationary-source projects would need to demonstrate compliance with the reduction measures of the ECAP that may be applicable to the project, as well as mitigation measures to achieve reductions of emissions to a level below the recommended threshold of significance where feasible. Quantifiable measures to reduce a project's GHG emissions in compliance with the ECAP may also count towards GHG reductions under this threshold.