

**Comment 1 for Comments on Performance Standards for CEQA GHG Thresholds (ceqa-ps-ws) - 2nd Workshop.**

First Name: Gretchen

Last Name: Hardison

Email Address: gretchen.hardison@lacity.org

Affiliation: City of Los Angeles

Subject: Comments on proposed performance standards

Comment:

Please see this second set of attached comments from City of Los Angeles staff on the approach to statewide CEQA thresholds for GHG emissions. For further information, please contact me at the e-mail or phone listed above.

Attachment: [www.arb.ca.gov/lists/ceqa-ps-ws/1-arb\\_ceqa\\_ghg\\_thresholds\\_1-09-09\\_cmt\\_ltr.pdf](http://www.arb.ca.gov/lists/ceqa-ps-ws/1-arb_ceqa_ghg_thresholds_1-09-09_cmt_ltr.pdf)

Original File Name: ARB CEQA GHG thresholds 1-09-09 cmt ltr.pdf

Date and Time Comment Was Submitted: 2009-01-09 15:39:45

No Duplicates.

**Comment 2 for Comments on Performance Standards for CEQA GHG Thresholds (ceqa-ps-ws) - 2nd Workshop.**

First Name: Barbara

Last Name: Baird

Email Address: bbaird@aqmd.gov

Affiliation: South Coast AQMD

Subject: Comments re GHG Significance Thresholds under CEQA

Comment:

Attached are the comments of South Coast AQMD re CEQA and Greenhouse Gases.

Attachment: [www.arb.ca.gov/lists/ceqa-ps-ws/2-comments\\_ghg\\_ceqa\\_1-9-09.pdf](http://www.arb.ca.gov/lists/ceqa-ps-ws/2-comments_ghg_ceqa_1-9-09.pdf)

Original File Name: Comments GHG CEQA 1-9-09.pdf

Date and Time Comment Was Submitted: 2009-01-09 16:49:06

No Duplicates.

**Comment 3 for Comments on Performance Standards for CEQA GHG Thresholds (ceqa-ps-ws) - 2nd Workshop.**

First Name: Anne

Last Name: Nicklin

Email Address: [anicklin@davislangdon.us](mailto:anicklin@davislangdon.us)

Affiliation: Davis Langdon

Subject: Construction Phase Emissions

Comment:

Please see attached

Attachment: [www.arb.ca.gov/lists/ceqa-ps-ws/3-arbmemo2009jan08.pdf](http://www.arb.ca.gov/lists/ceqa-ps-ws/3-arbmemo2009jan08.pdf)

Original File Name: ARBmemo2009Jan08.pdf

Date and Time Comment Was Submitted: 2009-01-13 09:14:00

No Duplicates.

## **Comment 4 for Comments on Performance Standards for CEQA GHG Thresholds (ceqa-ps-ws) - 2nd Workshop.**

First Name: Rhys

Last Name: Rowland

Email Address: rrowland@cityofdavis.org

Affiliation: City of Davis

Subject: Residential and Commercial Standards

Comment:

General comments on the proposed residential and commercial standards are as follows:

- If categorically exempt project, then exempt from further analysis.

Comment: The CEQA guidelines Section 15322(d) currently exempt infill projects of 5 acres or less. If this were to be applied to residential or commercial projects, we believe a project may have substantial emissions. We need greater understanding of how "Infill" would be interpreted for the purposes of this exemption.

- If not categorically exempt, then the analysis must show that a project:

- o Complies with an approved plan for GHG emissions, like the CAT is doing and we have an certified EIR; or

- o Meets the CARB standard for construction; and

- o For operations:

- o Meets an CEC Tier II energy use performance standard; and

Comment: Why are these standards not also applied to industrial projects?

- o Meets CARB performance standard for water, waste and transportation; and

Comment: Why are these standards not also applied to industrial projects?

Attachment:

Original File Name:

Date and Time Comment Was Submitted: 2009-01-14 16:38:02

No Duplicates.



## **Comment 5 for Comments on Performance Standards for CEQA GHG Thresholds (ceqa-ps-ws) - 2nd Workshop.**

First Name: Rhys

Last Name: Rowland

Email Address: rrowland@cityofdavis.org

Affiliation: City of Davis

Subject: Revised General Comments

Comment:

With respect to categorical exemptions in general.

- Comment: We believe there are circumstances where categorically exempt projects may emit a considerable amount of green house gas emissions relative to the overall emissions for a small community. We suggest reviewing this proposed standard and setting a number that could be universally accepted as less than significant. In addition, no background or explanations are given as to how the thresholds were established. Even a small amount of information would be helpful to the reader (e.g. the industrial threshold of 7,000MT for ?? number of small industrial projects anticipated between 2010 and 2020 represents ??% of the overall state wide GHG emission total predicted for 2020 and is therefore considered less than significant).

With respect to the proposed 7,000 MT CO2 or equivalent threshold for industrial projects.

- Comment: Based on research the City has conducted with a UC Davis professor, 7,000 MT is equivalent to approximately a 425 unit subdivision (including GHG emissions from both energy and transportation associated with the residential use). Based on this research that used the State GHG inventory to establish local baseline emissions, we calculate that each housing unit constructed in Davis produces an average of 16.5 MT per unit per year (2010 baseline). Based on these calculations, we suggest that when the threshold for industrial projects is applied to a smaller community, it may represent a substantial percentage of the overall emissions. We believe this number to be high. We would encourage the CARB to consider an alternative thresholds methodology, perhaps using a system that has these relatively small projects contribute to a GHG emissions mitigation fund that can be tapped by local jurisdictions to off-set local GHG emissions in an amount roughly equal to the impact (e.g. energy efficiency upgrades/retrofit of existing housing stock). We assume that as permitted under the current CEQA, local jurisdictions are permitted to set a more stringent local standard. We believe this is consistent with State Law as long as the standard is not less than the State's adopted guideline.

For residential and commercial projects.

- Comment: CEQA guidelines Section 15322(d) currently exempt infill projects of 5 acres or less. If this were to be applied to residential or commercial projects, we believe a project may

potentially have substantial emissions. The City strongly supports infill projects but needs greater understanding of how "Infill" would be interpreted for the purposes of this exemption.

For the proposed operations:

- o Meets an CEC Tier II energy use performance standard; and
- o Meets CARB performance standard for water, waste and transportation; and
- Comment: Why are these standards not also applied to industrial projects?

Other questions:

- How do we evaluate projects that do not fall into these three use categories?
- Does a "commercial" project include projects which are public/semi-public, office, churches, schools, or other?
- Comment: We think more guidance will be necessary since substantial categories of projects would not be evaluated under the proposed thresholds.
- Is a "de minimus" approach per project sensible?
- What does a threshold number mean to a project in terms of financial cost?
- How does x MT of CO2 or equivalent translate to VMT's?

Attachment:

Original File Name:

Date and Time Comment Was Submitted: 2009-01-15 12:17:00

No Duplicates.

## **Comment 6 for Comments on Performance Standards for CEQA GHG Thresholds (ceqa-ps-ws) - 2nd Workshop.**

First Name: Nicole

Last Name: Vermilion

Email Address: nvermilion@planningcenter.com

Affiliation:

Subject: Comments on Performance Standards

Comment:

Comments on the California Air Resources Board's Potential Performance Standards and Measures, December 9, 2008:

Addressing global climate change impacts through CEQA should require lead agencies to evaluate how a project and land uses fit in with overall GHG reduction goals rather than an approach that requires quantification and comparison of emissions to a stringent threshold. Residential and commercial developments and associated emissions are directly correlated with population growth; therefore significance thresholds developed need to have some built-in flexibility to evaluate how a project affects the state's efforts to reduce GHG emissions.

The performance standards suggested are more equivalent to thresholds than performance standards pursuant to the California Environmental Quality Act (CEQA). The following are specific comments on the draft performance standards:

Energy Efficiency: Requiring all new projects to achieve the California Energy Commission's (CEC) Tier II Energy Efficiency standard may result in pseudo-regulation if all projects have to exceed existing regulations by a certain percentage or meet a certain quantified performance criteria. To meet the Tier II Energy Efficiency standards would require developers to achieve a 30 percent reduction in the residential building's combined space heating, cooling, and water heating energy compared to the 2008 Title 24 Standards. The 2008 Building and Energy Efficiency Standards (adopted 2008 and required for all buildings constructed after August 1, 2009) are approximately 15 percent more energy efficient than the 2005 Building and Energy Efficiency Standards. Increases in energy efficiency of new building construction were anticipated in the Scoping Plan. Consequently, continually requiring that projects be more energy efficient than the current standards may, at some point in the future, not be feasible as the Building and Energy Standards may require all new buildings to be as energy efficient as technically possible. In addition, no data was made available concerning why CEC's Tier II Energy Efficiency standard was chosen.

Water: Performance standards for water efficiency should be consistent with the Model Water Efficient Landscape Ordinance adopted by the California Department of Water Resources.

Residential Vehicle Miles Traveled (VMT): Currently no methodologies or standards are available that estimate VMT by



density and/or proximity to services. A conscious effort will need to be undertaken to develop protocols and methodologies so that meaningful thresholds and/or performance standards are developed. CARB's currently proposed performance standard of 14,000 VMT per household per year is based on studies conducted in the 1990s on vehicle miles traveled in the state by type of development (second workshop comments). The information used to develop this standard should be made available to the general public. Furthermore, methodology to estimate VMT for different project types should be made available. The URBEMIS model does not currently provide annual VMT but daily VMT, which is based on a worst-case day. Using default URBEMIS2007 computer model for the South Coast Air Basin, a residential development with a density of 3 units per acre would travel 30,864 miles per year (based on one single-family residential unit on 0.33 acre for year 2010 with pass-by trips turned on and assuming VMT per day is the same every day of the year), and would have to be 50 units to the acre or higher in order to be consistent with this performance standard. SB375 identifies a minimum housing density of 10 units to the acre within an identified Sustainable Community Strategy area to qualify for exemptions under CEQA. However, density in-of-itself does not determine VMT, because a high-density housing project in a greenfield development is likely to have higher annual household VMT rates than a similar high density housing project within an infill development. In general, SB375 requires the regional Metropolitan Planning Organizations to identify land use strategies to reduce VMT. Performance standards should instead be based proximity to transit stops, walk-ability, bike-ability, and other design measures so that alternative modes of transportations are available in new developments. Alternative performance standards could also include an evaluation of a project's impact on job-housing balance within the sub-region.

In the second workshop on the preliminary performance standards for GHG emissions, CARB staff indicated the possibility of allowing projects that could not achieve the performance standards to identify mitigation measures that achieve emissions reductions equivalent to the performance standards. CARB indicated in the slideshow presented at the second workshop that the performance standards would reduce emissions associated with residential project by 20 to 50 percent and commercial projects by 7 to 15 percent. However, it is not clear what this reduction was compared to (business as usual?).

In the revisions to the draft preliminary performance standards, CARB will need to make clear what "equivalent mitigation" is, and if projects have to achieve the upper, mid, or lower range of the assumed emissions reductions cited above. For example, would projects have to show equivalent GHG emissions reductions for each performance standard not met, is it more pertinent to meet the total reductions of all the performance standards combined? Furthermore, for mixed-use projects that contain both a residential and commercial component, which standard applies? Lastly, it is likely that equivalent emissions reductions can only be measured by quantifying emissions reductions from the individual performance standards. Consequently, methodology and assumptions would need to be developed for emissions reductions from individual performance standards in order to estimate what equivalent emissions reductions are necessary for mitigation. As an alternative, a number of air pollution control districts are implementing offset fees for GHG emissions for developments that are unable to achieve the emissions

reductions of the performance standards.

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Attachment:

Original File Name:

Date and Time Comment Was Submitted: 2009-01-16 17:16:51

No Duplicates.

**There are no comments posted to Comments on Performance Standards for CEQA GHG Thresholds (ceqa-ps-ws) that were presented during the Workshop at this time.**