



**COUNTY OF NEVADA
COMMUNITY DEVELOPMENT AGENCY
PLANNING DEPARTMENT**

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Mr. Kurt Carperos, Chief
Air Quality and Transportation Planning Branch
Planning and Technical Support Division
California Air Resources Board
P.O. Box 2815
Sacramento, CA 95812

Mr. Douglas Ito, Manager
SIP and Local Government Strategies Section
Planning and Technical Support Division
California Air Resources Board
P.O. Box 2815
Sacramento, CA 95812

Re: Comments on the California Air Resources Board's *Preliminary Draft Staff Proposal: Recommended Approaches for Setting Interim Significance Thresholds for Greenhouse Gases under the California Environmental Quality Act (Oct 24, 2008)*

Dear Mr. Carperos and Mr. Ito:

The County of Nevada appreciates the opportunity to comment on the Air Resources Board's (ARB) draft proposal for greenhouse gas (GHG) significance thresholds. The County understands that developing the methodological tools for analysis of GHG emissions throughout California is a complex task, and appreciates ARB's efforts to provide ongoing guidance on these issues. Attachments A and B to the staff proposal have well defined organizational structures that will facilitate lead agencies' determinations of the appropriate CEQA documents relative to GHG impacts.

Given that local jurisdictions will be responsible for land use applications of the proposed GHG emissions thresholds, the County offers the following comments:

1. Clarify when quantitative GHG analysis is necessary.

The proposed interim thresholds document acknowledges that CEQA allows for qualitative and quantitative analysis as appropriate for individual projects; however, the proposed and placeholder emissions thresholds in Attachments A and B imply that all non-exempt projects will be subject to a quantitative GHG emissions analysis. For rural counties such as Nevada County that are not within the jurisdiction of a regional transportation planning agency that may have an adopted target, nor currently have a community-level GHG target or certified CEQA analysis of GHG emissions, please provide guidance on possible tiering of project types that may require a separate GHG analysis. For instance, could there be a bright line drawn between non-infill four-parcel Parcel Maps and five-parcel Final Maps, or should lead agencies rely on their respective air districts to make a recommendation for quantitative analysis? If the latter, there should be some consensus among the air districts, perhaps provided by the CAPCOA, as to what those distinctions will be in order to provide consistency in the process.

2. Consider progressive performance standards.

Rather than adopting flat performance standards for all projects, consider qualified, progressive performance standards that are relative to individual projects, perhaps with criteria related to type, size, and location of projects. Relative performance standards would have the dual effect of maximizing capture of cumulative GHG emissions, and ultimately resulting in the most equitable mitigation and EIR thresholds for smaller projects.

3. Provide additional guidance on other aspects of GHG CEQA analysis.

Although the purpose of the threshold guidance document is limited to CEQA thresholds for specific projects, local jurisdictions would benefit from additional guidance on other areas of CEQA analysis that developers, planners, and consultants face on a daily basis, such as the following:

- Guidance on acceptable GHG mitigation measures that effectively reduce GHG impacts.
- Guidance on the possibility of tiered mitigation for smaller to larger projects (with potential criteria such as project type, location, and overall GHG emissions). Alternatively, guidance on the possibility of tiered mitigation for MNDs versus EIRs, given that EIRs typically explore more innovative mitigation measures than are provided in MNDs.
- Guidance on the possibility of standard best management practices that might be used to reduce GHG impacts.
- Guidance on criteria for selecting consultants who would be best suited to perform GHG analysis.

4. Minor revisions suggested for clarity.

In Attachment A, “Preliminary Draft for Industrial Projects,” ARB may want to clarify the following. Recommended deletions are crossed out and additions are double underlined.

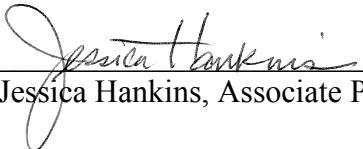
- Box 2 (lines 1-3): “The project meets both of the below minimum performance standards, or includes ~~equivalent~~ mitigation measures to meet these standards.”
- Box 2 (line 9): “Transportation for project operations.”
- Box 2 (line 15): “Operation of the project, with mitigation, will emit no more than [. . .]”

These latter two corrections would help to clarify the difference between construction and operational performance standards.

Thank you again for the opportunity to comment on ARB’s draft proposal for interim GHG thresholds. Please feel free to contact Jory Stewart at (530) 265-1770 or Jessica Hankins at (530) 265-1345 with any questions about the comments contained herein.

Sincerely,

JORY STEWART, AICP
Planning Director

By: 

Jessica Hankins, Associate Planner