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Re: Comments on ARB Preliminary Draft Staff Proposal on Recommended Approaches for Setting Interim Significance Thresholds for Greenhouse Gases under CEQA

Thank you for the opportunity to comment on ARB's preliminary draft approaches for setting interim significance thresholds for greenhouse gas emissions under CEQA ("Proposed Thresholds"). The Planning and Conservation League (PCL) has been deeply engaged in the protection, promotion, and advancement of the California Environmental Quality Act (CEQA) since its passage over thirty-five years ago. In 2007 we published the third edition of our popular *Community Guide to CEQA*, including a legal memo on the proper treatment of global warming in CEQA and conduct day-long trainings throughout California based upon the *Guide*. We are working closely with the Governor's Office of Planning and Research to coordinate the public interest stakeholders group for the CEQA Guidelines update process pursuant to SB 97. We are also active at the state Legislature on numerous legislative matters regarding CEQA.

PCL regards ARB's work to support sound decisions regarding findings of significance for greenhouse gas emissions in the CEQA process as an important step forward in California's historic effort to fight global warming. In particular, we appreciate the emphasis placed on avoiding dangerous climate change as the motivation behind CARB's recommendations. We also commend ARB for providing a backstop of quantitative limits and performance standards above which a project's GHG contribution would be considered significant.

There are several components of the proposal that need modification before a final document is produced.

In order for ARB to support a non-zero threshold, it will have to explain why the collective emissions not considered significant under its proposal will not hinder efforts to avoid dangerous climate change. Because each unit of greenhouse gas emissions released into the



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atmosphere contributes to the warming of the global climate system¹, a zero emission threshold is the most scientifically supportable criteria for determining whether a given quantity of emissions is significant. Fortunately there are many feasible opportunities for projects to avoid or mitigate small quantities of emissions. We encourage ARB to emphasize that these opportunities exist and that they can be undertaken with little or no financial impact. In doing so, ARB will help OPR and other public agencies properly contextualize the establishment of thresholds in CEQA, not as the principal environmental question, but rather as a relatively small step in a comprehensive environmental review process meant to protect California's environment and public health.

The performance standards in the draft proposal need to include greater specificity to ensure that all projects are incorporating design elements that encourage progress towards stable atmospheric concentrations of greenhouse gas emissions. These should include robust standards for construction and demolition/removal, transportation, waste reduction and recycling, and water use, among others. For transportation, ARB should consider elements of the LEED Neighborhood Design (ND) program, as well as elements included in the Sacramento Area Council of Government's regional blueprint, the Marin County General Plan, and the recent settlement agreement between the California Attorney General and the city of Stockton. For the water standards, ARB should consult with the Water Energy Team of the Governor's Climate Action Team (WET-CAT), the California Department of Water Resources' 20x2020 team, the California Urban Water Conservation Council, and NGOs including PCL and the Natural Resources Defense Council. Lastly, the performance standards should reference the importance of a full lifecycle analysis, as noted in Appendix F of the CEQA Guidelines.

Thank you for your consideration of these comments. Please do not hesitate to contact me with any questions or concerns.

Sincerely,



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¹ "We show first that a single pulse of carbon released into the atmosphere increases globally averaged surface temperature by an amount that remains approximately constant for several centuries, even in the absence of additional emissions...Any future anthropogenic emissions will commit the climate system to warming that is essentially irreversible on centennial timescales." (*Stabilizing climate requires near-zero emissions* H. Damon Matthews and Ken Caldeira GEOPHYSICAL RESEARCH LETTERS, VOL. 35, L04705, doi:10.1029/2007GL032388, 2008)