

Planning for a Low Carbon Future

***New Foundations for Community-based Energy
Efficiency / June 17, 2009 / Chapman University***

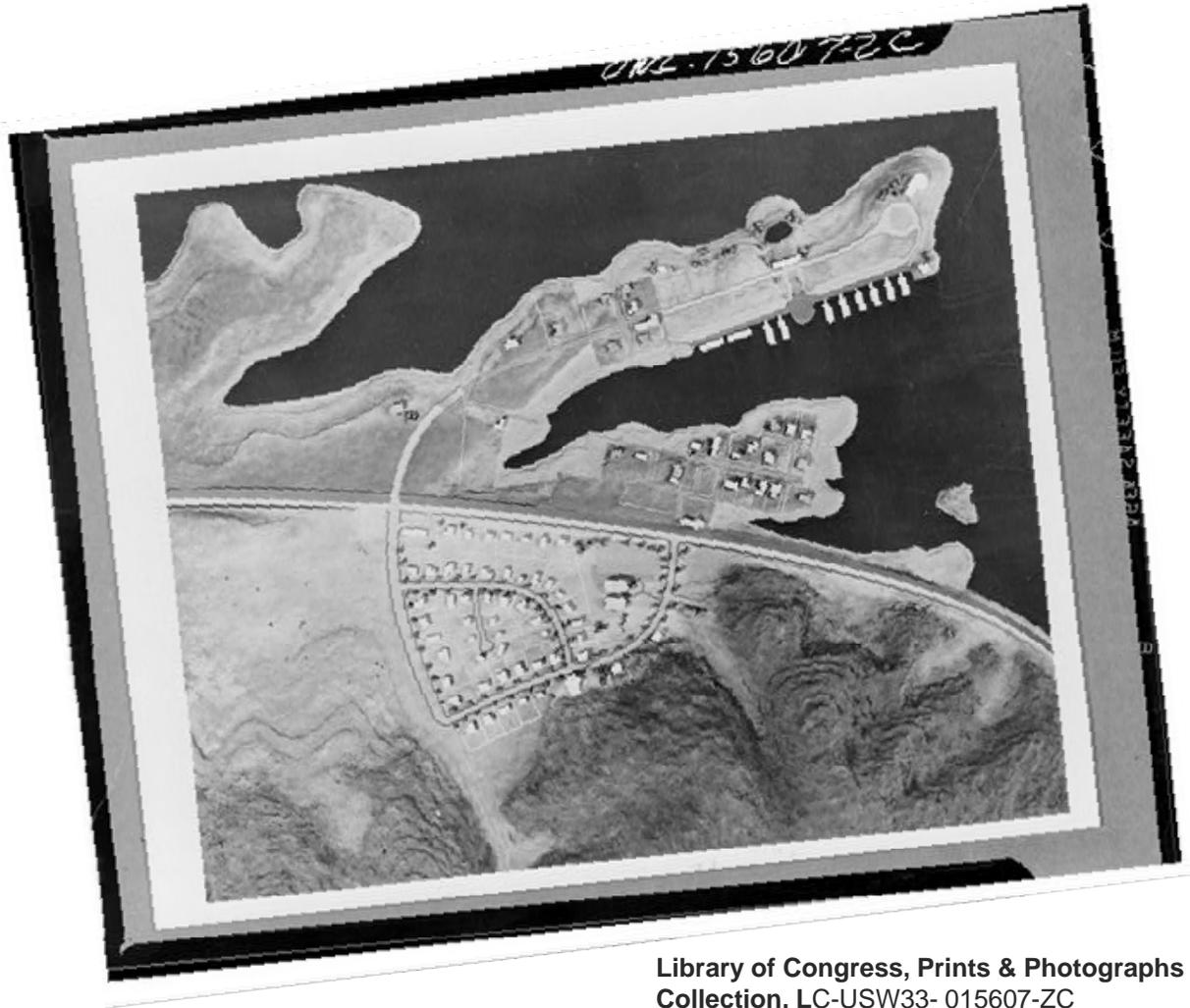
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What is planning?



Library of Congress, Prints & Photographs Division, FSA-OWI
Collection, LC-USF345- 007842-ZA

What is planning?



Library of Congress, Prints & Photographs Division, FSA-OWI
Collection, LC-USW33- 015607-ZC

The obligation to plan

- Each city and county must adopt general plan “for the physical development of the county or city” (Gov. Code, §65300)
- Courts have called the general plan the “constitution for future development”
- Expresses the community’s land use, circulation, environmental, economic, and social policies and objectives

[*Parts of a general plan*]

Mandatory elements

- Land use
- Circulation
- Housing
- Conservation
- Open space
- Noise
- Safety

Optional elements?

Maps and diagrams

Parts of a general plan

Four main parts:

- Goals
- Objectives
- Policies
- Implementation programs



Library of Congress, Prints and Photographs Division, Historic American Buildings Survey or Historic American Engineering Record, HABS CAL,30-ANHI,2-2

General plans and CEQA



CEQA applies to “projects” – which expressly includes amendments to general plans (CEQA Guidelines, § 15378(a)(1))

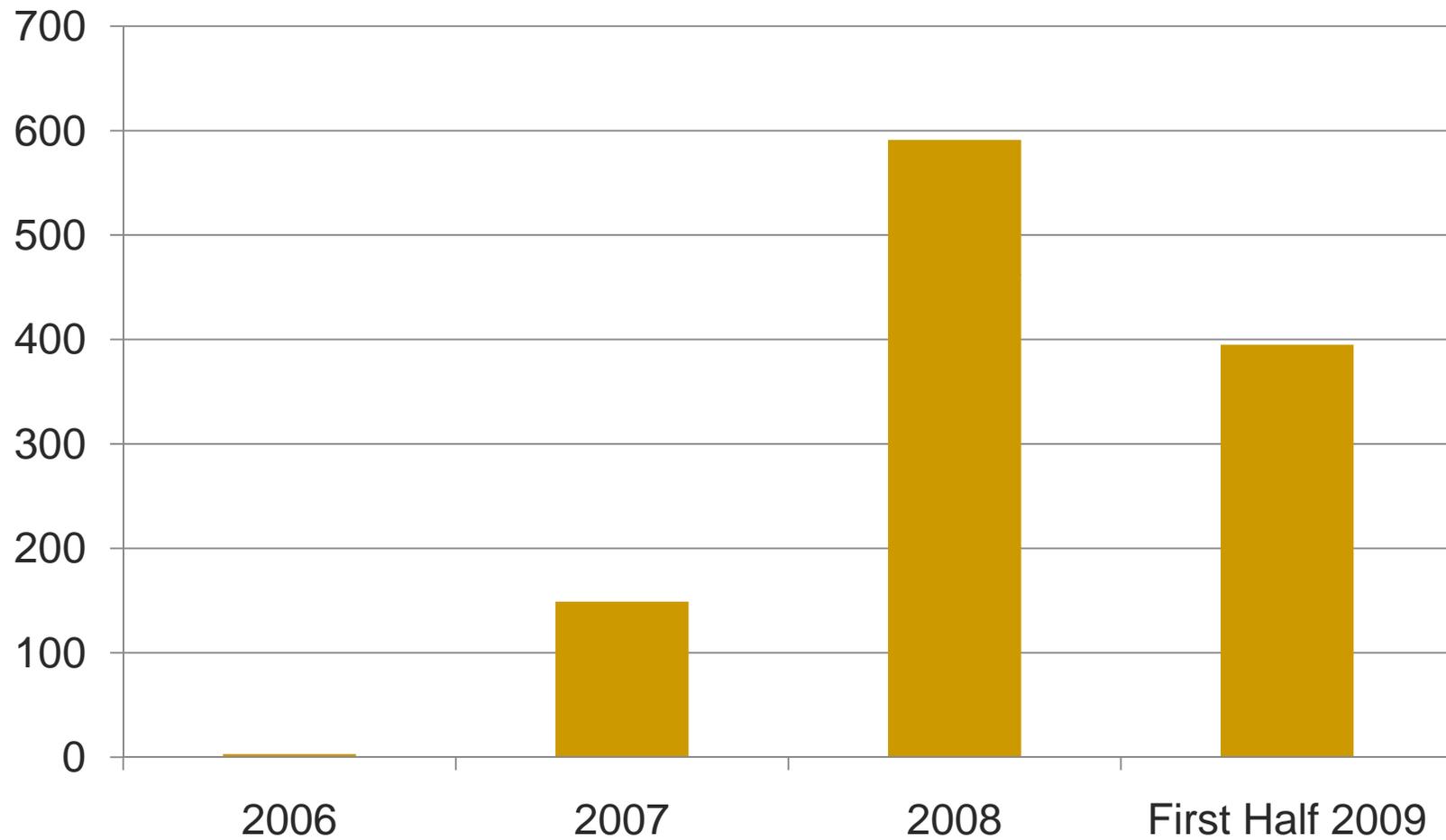
Basic requirements of CEQA

- Requires environmental impact report (EIR) where project may significantly affect the environment
- Establishes a duty to avoid or minimize environmental damage where feasible (CEQA Guidelines, § 15021(a))

Climate change and CEQA

No more dispute – as a matter of law climate change is an environmental impact that must be addressed under CEQA

CEQA Documents Addressing GHG



Climate change and GPs

California Environmental Quality Act - Global Warming - California Dept. of Justice - Office of the Attorney General

Office of the Attorney General
 State of California Department of Justice Edward G. Brown, Jr. Attorney General

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Global Warming

California Environmental Quality Act

The California Environmental Quality Act (CEQA), signed into law by Governor Reagan in 1970, requires that state and local agencies disclose and evaluate the significant environmental impacts of proposed projects, and adopt all feasible measures to mitigate those impacts. This includes cumulatively significant impacts such as increased greenhouse gas emissions. A copy of every complaint filed under CEQA must be provided to the Attorney General.

The California Attorney General has filed numerous [comment letters](#) with agencies whose analysis under CEQA failed to properly analyze or mitigate a project's potential significant environmental impacts. In one instance, after sending a comment letter, the Attorney General sued San Bernardino County based on its failure to analyze increased greenhouse gas emissions that would result from the county's proposed general plan amendment. [See a copy of the complaint](#). PDF 2.5 mb / 15 pg That case resulted in a [settlement agreement](#). PDF 354 kb / 86 pg in which the county agreed to adopt a Greenhouse Gas Emissions Reduction Plan. In other instances, the Attorney General has reached agreements with local agencies and private entities without having to file litigation.

That's Cool!

On March 20th, 2009, the Novato Charter School in Novato, CA became the state's first school to get approval from the Division of the State Architect (DSA) for its "cool-and-stick" solar panels. With the thickness of a piece of cardboard, the solar photovoltaic flat panel laminated collectors were easily installed on portable classroom building roofs. By offsetting the school's annual electrical use by 78%, the panels will be paid off in 11 years and will provide 1.28 million pounds of carbon offsets during its 30-year life cycle. The project approval for the Novato Charter School will pave the way for the streamlining of similar projects throughout the state, reducing what was a 6 month process down to 6 weeks, bringing California one step closer to a sustainable future.

There are many more innovative strategies that local jurisdictions, companies and organizations have adopted to help combat global warming, so stay tuned for periodic updates!

- In September 2007, ConocoPhillips agreed to mitigate the increased greenhouse gas emissions from the company's planned refinery expansion in Rodeo (Contra Costa County). See the [settlement agreement](#). PDF 364 kb / 6 pg In the settlement, Conoco agreed to fund a greenhouse gas reduction grant program to be administered by the Bay Area Air Quality Management District, pursuant to a Memorandum of Understanding between the Attorney General's Office and the Bay Area Quality Control District. Read the [Memorandum of Understanding](#). PDF 2.8 mb / 13 pg
- In December 2007, the Attorney General reached an agreement with the Port of Los Angeles under which the port will conduct a comprehensive inventory of port-related greenhouse gases—tracking these emissions from their foreign sources to domestic distribution points throughout the United States. See the [agreement and attachments](#). PDF 51 kb / 10 pg
- In March 2008, the Attorney General and Great Valley Ethanol entered into an agreement that requires the company to mitigate greenhouse gas emissions resulting from a corn-based ethanol plant that it plans to build in Hanford. Read the [agreement](#). PDF 5.7 mb / 10 pg
- In May 2008, the San Diego Airport Authority agreed to undertake a variety of innovative measures to reduce emissions of greenhouse gases and other pollutants at Lindbergh Field as part of its near-term and long-term development plans. Read the [agreement](#). PDF 633 kb / 16 pg
- In August 2008, Cilion agreed to mitigate a portion of the approximately 160,000 tons of greenhouse gas emissions emitted annually from its proposed 55 million gallon per year corn ethanol production plant in Kern County. Read the [agreement](#). PDF 2.49 mb / 15 pg
- In September, 2008, the Attorney General reached a settlement agreement with the City of Stockton and the Sierra Club under which

[http://ag.ca.gov/globalwarming/ceqa.php \(1 of 2\) \[4/29/2009 3:29:46 PM\]](#)

<http://ag.ca.gov/globalwarming/ceqa.php>

Comment Letters - Global Warming - California Dept. of Justice - Office of the Attorney General

Office of the Attorney General
 State of California Department of Justice Edward G. Brown, Jr. Attorney General

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Comment Letters

Filed under the California Environmental Quality Act

- February 17, 2009 - [San Joaquin Valley Air Pollution Control District](#) PDF 143 kb / 4 pg
- January 13, 2009 - [Pleasanton General Plan](#) PDF 179 kb / 9 pg
- November 5, 2008 - [City of Sacramento General Plan - Update](#) PDF 42 kb / 6 pg
- November 3, 2008 - [Sierra Pacific Industries Zone Change, Siskiyou County](#) PDF 36 kb / 4 pg
- October 24, 2008 - [Madera County Dairy Standards Project - FEIR](#) PDF 216 kb / 20 pg
- October 1, 2008 - [Metropolitan Transportation Commission RT Plan, Bay Area](#) PDF 88 kb / 11 pg
- August 26, 2008 - [City of Sacramento General Plan](#) PDF 77 kb / 6 pg
- August 21, 2008 - [Clean Fuels Project by Big West of California, Kern County](#) PDF 76 kb / 10 pg
- August 14, 2008 - [Port of Long Beach Middle Harbor Redevelopment Project](#) PDF 70 kb / 9 pg
- August 8, 2008 - [Concord Community Reuse Plan](#) PDF 73 kb / 9 pg
- July 31, 2008 - [Miramar Energy Facility Unit II](#) PDF 53 kb / 6 pg
- July 28, 2008 - [McCloud Water Bottling Plant Project](#) PDF 83 kb / 10 pg
- June 16, 2008 - [Solano County General Plan](#) PDF 75 kb / 11 pg
- May 5, 2008 - [Buena Vista Dairy Project, Tuolumne County - DEIR](#) PDF 78 kb / 9 pg
- April 21, 2008 - [Tidewater Crossing, City of Stockton](#) PDF 51 kb / 5 pg
- April 14, 2008 - [Aera Master Planned Community, City of Diamond Bar](#) PDF 36 kb / 3 pg
- April 14, 2008 - [Tuolumne County General Plan](#) PDF 101 kb / 13 pg
- March 19, 2008 - [Chevron Energy and Hydrogen Renewal Project - Application](#) PDF 80 kb / 10 pg
- March 6, 2008 - [Chevron Energy and Hydrogen Renewal Project - FEIR](#) PDF 67 kb / 10 pg
- February 29, 2008 - [Dom Ethanol Plant by Cilion, Inc., Kern County](#) PDF 57 kb / 6 pg
- February 19, 2008 - [Great Valley Ethanol, City of Hanford](#) PDF 45 kb / 4 pg
- February 8, 2008 - [Madera County Dairy Standards Project - DEIR](#) PDF 59 kb / 7 pg
- January 25, 2008 - [American Ethanol, Inc., Santa Barbara](#) PDF 52 kb / 5 pg
- January 23, 2008 - [Bar 20 Dairy, San Joaquin Valley](#) PDF 59 kb / 7 pg
- January 3, 2008 - [Petaluma City General Plan](#) PDF 44 kb / 7 pg
- January 2, 2008 - [Mission Viejo General Plan](#) PDF 37 kb / 4 pg
- December 26, 2007 - [Buena Vista Dairy Project, Tuolumne County - NCP](#) PDF 43 kb / 4 pg

[http://ag.ca.gov/globalwarming/ceqa/comments.php \(1 of 2\) \[4/29/2009 3:33:36 PM\]](#)

[*AG's suggested CAP elements*]

Adaption measures

Mitigation measures

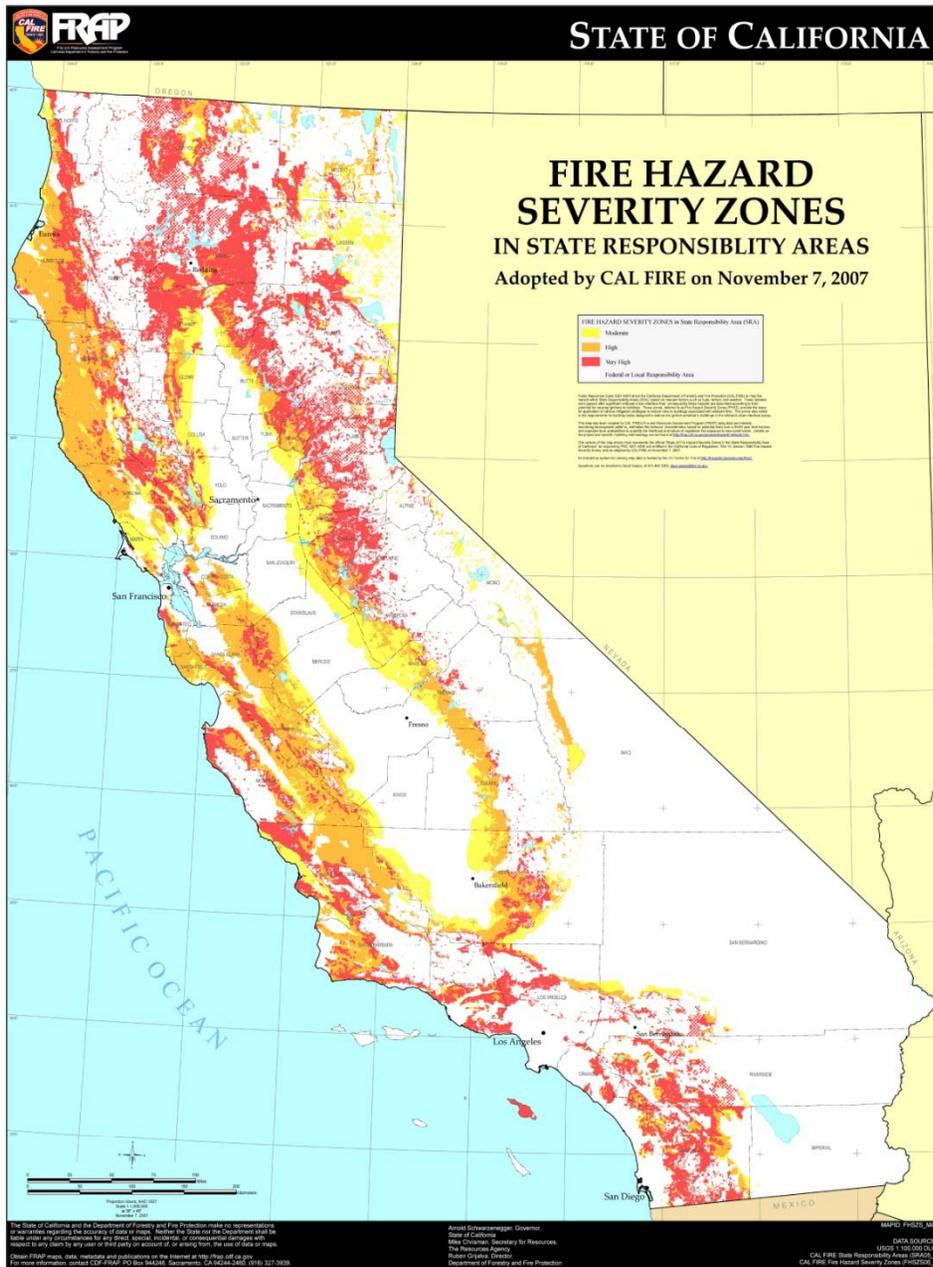
- Emissions inventory
- Emission targets
- Enforceable GHG control measures
- Monitoring and reporting
- Mechanisms to allow for plan revisions

Climate adaptation

EIR must analyze significant environmental effects by bringing people + development into hazards

With climate change, consider, e.g.:

- Wildfire increases
- Water shortages
- Sea level rise + coastal erosion



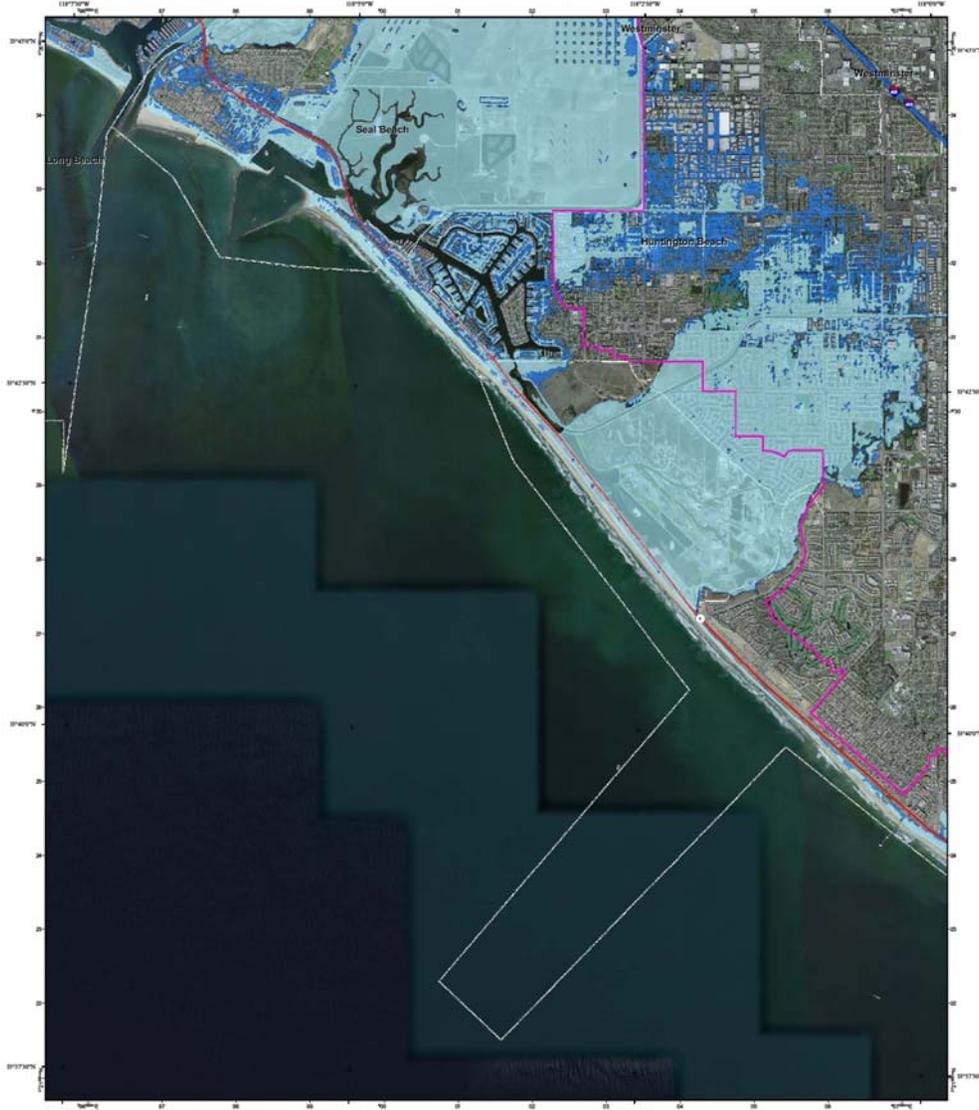
http://www.fire.ca.gov/fire_prevention/fire_prevention_wildland_zones_maps.php



http://frap.cdf.ca.gov/webdata/maps/orange/fhszs_map.30.jpg



California Flood Risk: Sea Level Rise Seal Beach Quadrangle



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State Routes: 99 (State Route), 99A (State Route), 99B (State Route), 99C (State Route), 99D (State Route), 99E (State Route), 99F (State Route), 99G (State Route), 99H (State Route), 99I (State Route), 99J (State Route), 99K (State Route), 99L (State Route), 99M (State Route), 99N (State Route), 99O (State Route), 99P (State Route), 99Q (State Route), 99R (State Route), 99S (State Route), 99T (State Route), 99U (State Route), 99V (State Route), 99W (State Route), 99X (State Route), 99Y (State Route), 99Z (State Route)



Created by the Pacific Institute, Oakland, California, 2016.
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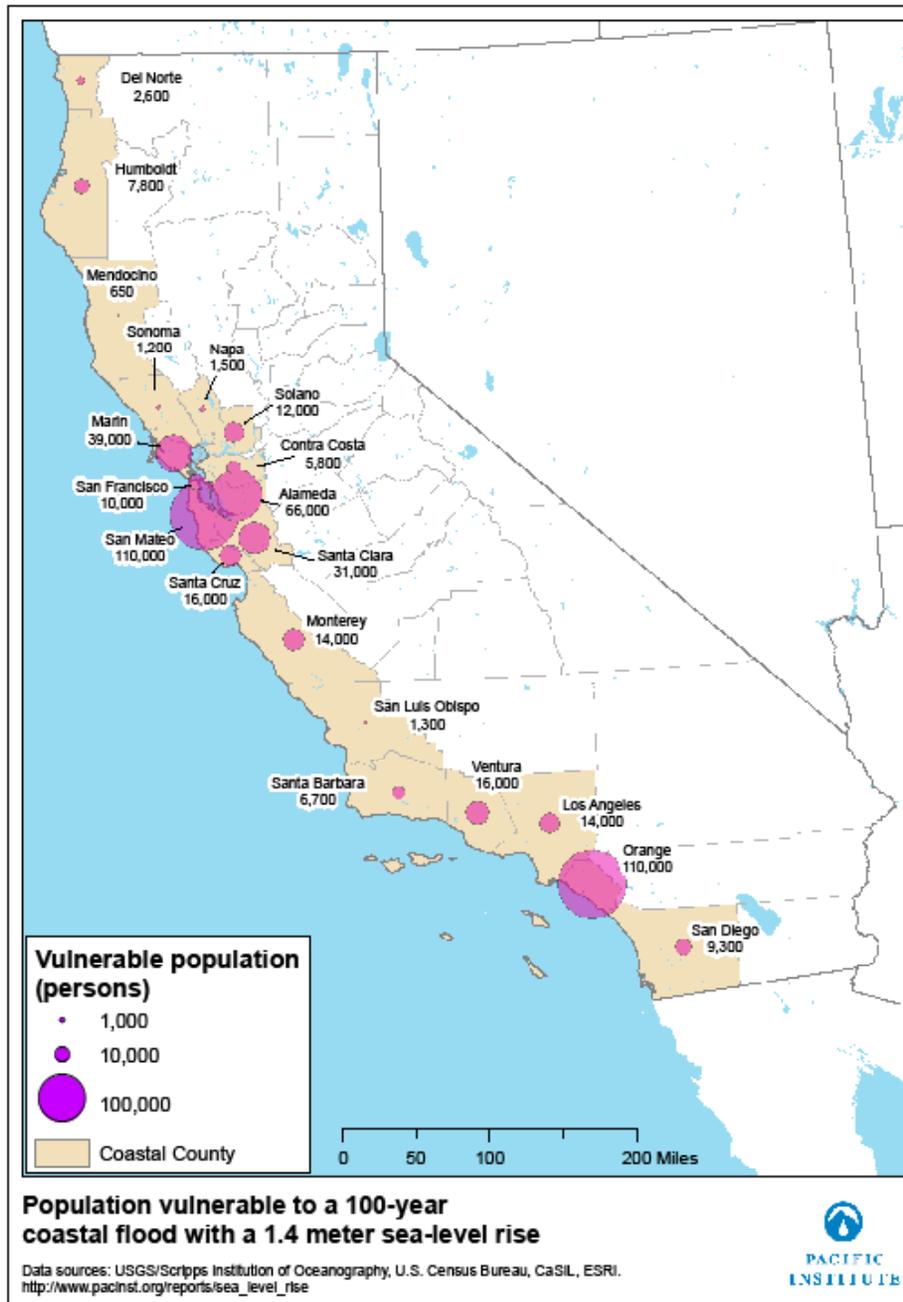


Adjacent Quadrangles		
1	2	3
4	5	6
7	8	9

Map labels match USGS 7.5 minute topographic maps.

- 1. Long Beach
- 2. Los Alamitos
- 3. Newport Beach
- 4. Long Beach CE S
- 5. Newport Beach
- 6. Newport Beach CE S
- 7. Newport Beach CE S
- 8. Newport Beach CE S
- 9. Newport Beach CE S

http://www.pacinst.org/reports/sea_level_rise/hazmaps.html



http://www.pacinst.org/reports/sea_level_rise/PDF/Fig16_Population_Inundation_CA.pdf

Climate mitigation

Early examples of CAPs that address climate change community-wide include:

- Berkeley Climate Action Plan
- City and County of San Francisco Climate
- Sonoma County Community CAP

More general trend of CAPs that are community-wide and integrated into general plans (e.g., Irvine, Stockton, San Bernardino County)

Benefits of CAP in general plan

- Substantial streamlining under CEQA
- Opportunity to look at “big picture”
- Additional, flexible mitigation opportunities, *e.g.*, mitigation funds
- Ability to include reductions related to existing development
- Enforcement

Examples of CAP components

- Innovative financing for energy efficiency and renewable energy (AB 811)
- Retrofitting requirements and ordinances
- Green building requirements and ordinances
- Land use designations to support non-motorized transportation
- Requirements for land uses at densities that support transit
- Strategies for “complete neighborhoods”

Emerging resources

- CoolCalifornia.org:
Local Government Toolkit (including financial resources)
- California Air Pollution Control Officers Association (CAPCOA):
Model Policies for Greenhouse Gases in General Plans (June 2009)

[*Benefits of cooperation*]



Chicago Daily News negatives collection, DN-0077580. Courtesy of the Chicago Historical Society.

Planning is power!



Chicago Daily News negatives collection, DN-0076462. Courtesy of the Chicago Historical Society.

[Resources]

Governor's Office of Planning and Research, "California Planning Guide: An Introduction to Planning in California (2005)

http://opr.ca.gov/planning/publications/California_Planning_Guide_2005.pdf

Governor's Office of Planning and Research, "Planning Resources" (webpage)

<http://opr.ca.gov/index.php?a=planning/planningpubs.html#genplan>

[contains links to many useful publications, including OPR's General Plan Guidelines (2003)]

Pacific Institute (for the Cal. Climate Change Center), The Impacts of Sea-Level Rise on the California Coast (2009)

http://www.pacinst.org/reports/sea_level_rise/

Headwaters Economics, Homes in the Wildland Interface (interactive map) <http://www.headwaterseconomics.org/wildfire/ca.php>

[Resources]

California Department of Forestry and Fire Protection, California Fire Hazard Severity Zone Map Update Project

http://www.fire.ca.gov/fire_prevention/fire_prevention_wildland_zones_maps.php

Governor's Office of Planning and Research, CEQA Guidelines and Greenhouse Gases (webpage with links)

<http://opr.ca.gov/index.php?a=ceqa/index.html>

California Attorney General's Office, California Environmental Quality Act (webpage with links to comment letters, settlements, and other CEQA/climate change resources)

<http://ag.ca.gov/globalwarming/ceqa.php>

California Attorney General's Office, Local Government Green Building Ordinances in California

<http://ag.ca.gov/globalwarming/greenbuilding.php>

[Resources]

California Attorney General's Office, CEQA, Global Warming and General Plans (webpage, including link to FAQs)

<http://ag.ca.gov/globalwarming/ceqa/generalplans.php>

California Attorney General's Office, mitigation fact sheet

http://ag.ca.gov/globalwarming/pdf/GW_mitigation_measures.pdf

CoolCalifornia.org (interactive web resource sponsored by state government agencies, universities, and Next10, a nonprofit organization) <http://www.coolcalifornia.org>

CoolCalifornia's Local Government Toolkit

<http://www.coolcalifornia.org/local-government>

CoolCalifornia's Financial Resources webpage:

<http://www.coolcalifornia.org/article/financial-resources>

[Resources]

Governor's Office of Planning and Research, Cities and Counties Addressing Climate Change

http://opr.ca.gov/ceqa/pdfs/City_and_County_Plans_Addressing_Climate_Change.pdf

Local Government Commission, Cities and Counties Addressing Climate Change http://lgc.org/freepub/climatechange/case_studies.html

Sonoma County Community Climate Action Plan (website)

<http://www.climateprotectioncampaign.org/>

Yolo County, General Plan Update (website)

<http://www.yolocounty.org/Index.aspx?page=1514>

California Air Pollution Control Officers Association, Model Policies for Greenhouse Gases in General Plans, A Resource for Local Government to Incorporate General Plan Policies to Reduce Greenhouse Gas Emissions (June 2009): <http://www.capcoa.org/>