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Air District CEQA Thresholds for Evaluating the Significance of Climate Impacts From Land Use Projects and Plans

**Bay Area Regional Collaborative
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Presentation Outline



- Background and context for the thresholds update
- Updated thresholds of significance
- Next Steps

Air District Roles in CEQA



- Prepare, review and comment on CEQA documents
 - **Lead agency** when we have the primary authority to implement or approve a project
 - **Responsible agency** when we have limited discretionary authority over a portion of a project
 - **Commenting agency** when we have concerns about air quality or greenhouse gas impacts of a proposed project
- Support lead agencies with CEQA
 - Establish recommended **thresholds** of significance for air quality and greenhouse gases
 - Providing **guidance** on methodology and best practices
 - Developing **data and tools** to assist practitioners with analyses

Air District Goals for Local Development



The Air District encourages local jurisdictions to:

- Build mixed-use, infill, transit-oriented development
- Avoid locating sensitive land uses near pollution sources
- Provide adequate levels of housing and minimize automobile use
- Support Air District goals for air quality and climate
- Support Plan Bay Area goals for housing and transportation
- Align with aggressive statewide goals for reducing GHG emissions

What is Driving This CEQA Thresholds Update?



- New State GHG Targets
 - AB 32's 2020 targets replaced by SB 32 target for 2030
 - Executive Order B-55-18: Carbon neutrality as soon as possible; no later than 2045
 - 2022 Scoping Plan update sets pathway to 2030 and 2045 targets
- Evolving case law
- Local governments are asking us to update our GHG thresholds to support their planning

Thresholds for Land Use Projects



Focus on Buildings & Transportation
Identify Design Elements/Best Practices



Thresholds for Land Use Projects (cont.)



Must include A or B:

A. Projects must include, at a minimum, the following project design elements:

1) Buildings

- a) The project will not include natural gas appliances or natural gas plumbing (in both residential and nonresidential development).
- b) The project will not result in any wasteful, inefficient, or unnecessary energy usage as determined by the analysis required under CEQA Section 21100(b)(3) and Section 15126.2(b) of the State CEQA Guidelines.

B. Projects must be consistent with a local GHG Reduction Strategy that meets the criteria under the CEQA Guidelines section 15183.5(b)

Thresholds for Land Use Projects (cont.)



Must include A or B:

A. Projects must include, at a minimum, the following project design elements

2) Transportation

- a) Achieve a reduction in project-generated vehicle miles traveled (VMT) below the regional average consistent with the current California Climate Change Scoping Plan (currently 15 percent) or meet a locally adopted SB 743 VMT target, *and*
- b) Achieve compliance with electric vehicle charging requirements in the most recently adopted version of CALGreen Tier 2

B. Be consistent with a local GHG Reduction Strategy that meets the criteria under the CEQA Guidelines section 15183.5(b)

Threshold for Local Plans



Must include A or B:

- A. Meets State's goals to reduce emissions to 40% below 1990 levels by 2030 and carbon neutrality by 2045.
- B. Is consistent with a local GHG reduction strategy that meets the criteria under State CEQA Guidelines Section 15183.5(b).



Justification Report



- Provides rationale and evidence to support the use of the CEQA thresholds by the Air District and other Lead Agencies
- In order to have a less than significant climate impact:
 - Land use projects must be built so they can be carbon neutral by 2045
 - Community-wide plans guide community to being carbon neutral by 2045
- Land use projects
 - How to determine a project's "Fair Share" in achieving State's climate goals
 - How the design elements connect to the State's 2030 and 2045 climate goals
- Community-wide plans
 - Reinforce need for local climate action plans aligned with State goals

Stakeholder Engagement and Outcome



- Nine Focus Groups w/ subject matter experts (August – November, 2021)
- Two Public Workshops (December 2021 and March 2022) and public comment period (February – March 2022)
- Presentations to Air District Board committees (Sept. 2021, March 2022)
- Overall broad support, with some questions and concerns regarding certain elements
- Air District Board of Directors adopted thresholds April 20, 2022

Next Steps



- Thresholds are in effect, recommended to apply to projects initiating an Initial Study
- Air District staff meeting with local staff, practitioners to support implementation
- Air District staff launching review of other CEQA thresholds
 - Air quality thresholds, especially for local exposure to fine particulate (PM_{2.5})
 - GHG thresholds for stationary sources