

Comments and Responses from Local Government CEQA Workshops
May 2010

The Bay Area Air Quality Management District hosted local government workshops in each of the Bay Area's nine counties, along with two general public workshops, on the CEQA Guidelines through the month of April 2010. Comments received from the workshops are summarized below as well as staff responses.

1. Need guidance on threshold and mitigation measures for new traffic generated by residential projects. A new project may elevate risk through vehicle trips for existing receptors in areas that already experience high risk levels.

Response: Significant vehicle trips generated by a project should be considered as a possible risk source. The CEQA Guidelines defines a roadway with traffic volume of 10,000 vehicles per day or more to have a potentially considerable contribution to a significant impact.

2. Need guidance for quantifying GHG reductions from implementing green building practices such as LEED and Build It Green.

Response: Staff intends on providing more guidance on quantifying green building practices. Staff is exploring this issue through the District's GHG model and through its work with CAPCOA and Environ on quantifying GHG mitigation measures.

3. Need training on using URBEMIS, the GHG model, and doing a risk analysis. Can URBEMIS be used for plans? Is URBEMIS widely used?

Response: URBEMIS is an air quality emissions model used for quantifying emissions from land use projects. URBEMIS contains California specific inputs and estimates emissions from a project's construction and operation activities. URBEMIS is widely used across the state. Staff is coordinating free training sessions in May 2010 on using URBEMIS and the GHG model. The trainings will discuss how users may take credit for mixed use and infill projects in URBEMIS. Staff posted a link to the beta version of the GHG model on the District's website on May 3rd for users to download and try out; URBEMIS is already available for free download by users. Staff also posted a risk and hazard modeling approach document and Google Earth files of the District's permitted sources by county on the District's website. Staff will schedule future trainings for conducting a risk analysis.

URBEMIS can be used for estimating emissions from plans and general plans provided the user is very cautious to avoid double-counting vehicle trips. When URBEMIS is used to estimate emissions from a variety of land uses, trips between one use and another can be counted twice, over estimating emissions, unless an adjustment is made within the model. Staff recommends using other models (PLACES, for example) whenever possible for environmental analyses of large plans requires development of emission estimates.

4. Need clarification on how lead agencies can give credit for shorter and less trips associated with mixed use and infill projects.

Response: URBEMIS allows users to refine trips and adjust toggles for mixed use projects. Giving credit for mixed use and infill projects will be covered in the URBEMIS trainings. Staff also recommends for local jurisdictions to adjust URBEMIS inputs with local information on trip lengths and trip rates from project specific transportation studies.

5. What if a jurisdiction's climate action framework falls short of being considered a GHG Reduction Strategy?

Response: If a jurisdiction's climate action framework does not meet the requirements of a GHG Reduction Strategy then it may not be used to meet the District's proposed CEQA thresholds. Staff recommends that a jurisdiction follow the State's CEQA Guidelines standard elements for their climate action framework. This approach will ensure that a jurisdiction's framework is consistent with AB 32, has an achievable target that can be enforced through identified measures, and is supported through a CEQA review process.

6. What happens if a county, like Solano and Sonoma counties, has two air districts? What guidance should a jurisdiction follow if it falls in two air districts?

Response: Staff recommends that jurisdictions apply the most stringent guidelines in their CEQA review and analysis.

7. How should lead agencies analyze projects that are not included in URBEMIS, such as a fire station? Or what if a lead agency has local studies with different trip lengths than URBEMIS.

Response: Staff recommends for lead agencies to use local studies and information wherever possible. For example, a lead agency may conduct specific traffic studies for a fire station and input the data into URBEMIS. URBEMIS allows users to override its default assumptions.

8. Is there a threshold or guidance for addressing GHG emissions from construction?

Response: Staff explored threshold options for GHG construction emissions but did not find strong justification to support a threshold. Staff recommends for lead agencies to quantify GHG construction emissions and make a significance determination on their own. Lead agencies can use URBEMIS to quantify GHG emissions from construction projects. The CEQA Guidelines recommends incorporating best management practices to reduce GHG emissions during construction.

9. What type of funding is available for local governments to prepare Community Risk Reduction Plans (CRRP)? Has the District outreached to specific communities? When will the pilot projects for the CRRPs be completed for other jurisdictions to use as an example.

Response: The cities of San Jose and San Francisco have expressed interest in developing a CRRP pilot project. Staff is working with these cities and is available to discuss developing CRRPs with other interested cities as well. The District will work with jurisdictions one-on-one to identify funding and assistance needs. CARE communities will receive priority funding for developing a CRRP, however, any jurisdiction may ask for funds and assistance in developing a CRRP. Staff expects that it will take several months for a city to complete a CRRP, however, staff will share the scope of work and other related materials from the pilot CRRP process with interested jurisdictions. On May 3rd, Staff posted draft guidelines for developing a CRRP on the District's website.

10. Are there best practices or mitigation measures for projects near risk sources, such as freeways and rail lines?

Response: The CEQA Guidelines update contains a number of mitigation measures for projects near risk sources, such as: locate air intakes away from risk source; install indoor air quality monitoring; and install and maintain air filtration systems. Staff is continuing to explore and develop additional mitigation measures to reduce risk impacts.

11. What sources does the risk and hazard analysis include? Does it include back-up generators?

Response: The risk and hazard analysis staff conducted for the case studies at the workshops considers certain permitted sources, including back-up generators and portable generators.

12. Do the roadway screening tables take into account emissions from congestion?

Response: The roadway screening tables use information from Caltrans which is updated regularly. The Caltrans' data includes an estimate of the "peak hour" traffic at all points on the state highway system. This value considers the amount of congestion experienced, and shows how near to capacity the highway is operating.

13. Why is there a separate risk threshold for project and cumulative impacts?

Response: The purpose of two thresholds is to ensure that no source creates, or receptor endures, a significant adverse impact from any individual project, and that the total of all nearby directly emitted risk and hazards emissions is also not significantly adverse. The individual source threshold is intended to ensure that a source does not contribute to a cumulatively significant impact; while the cumulative threshold for sources recognizes that some areas are already near or at levels of significant impact.

14. Clarify how lead agencies should address waste in their GHG analysis.

Response: Lead agencies should quantify all GHG project emissions where feasible, including waste emissions if reliable data is available. If waste emissions are part of the project's emissions inventory, then a project may take credit for mitigation measures that reduce GHG emissions from waste, such as recycling and waste reduction measures. Mitigation measures may only be credited for sources that were accounted for in a GHG analysis.

15. What can lead agencies do if after their emissions analysis their project emissions are still significant?

Response: Lead agencies should consider all feasible mitigation measures for their projects to reduce emissions. If a project's emissions are still significant after mitigation measures have been applied, staff recommends reducing a project's emissions through an offsite mitigation program.

16. Support expressed for an offsite mitigation program. Need guidance on scope and range of acceptable offset projects.

Response: Staff posted guidance for lead agencies to implement offsite mitigation measures on the District's website (posted May 3rd).