

Mr. Louis D. Van Mullen, Jr.  
 Santa Barbara County Air Pollution Control District  
 260 North San Antonio Road, Suite A  
 Santa Barbara, CA 93110

April 1, 2015

**Re: Greenhouse Gas Emissions Thresholds of Significance under the California Environmental Quality Act**

Dear Mr. Van Mullen:

*At the March 25<sup>th</sup> meeting of the APCD's Community Advisory Council I was asked to articulate a minority recommendation to the board which is outlined here for the board's consideration:*

Given the dire threat posed by climate change and the fact that global atmospheric carbon dioxide is already at unsustainable levels, all GHG emissions are significant and thus should be mitigated. As the staff report notes, the public who commented on the proposed threshold determination overwhelmingly advocated that the APCD adopt a zero emission or the lowest bright line threshold of significance that is possible. As CAPCOA has noted, climate change impacts are cumulative and caused by both large and small emitters; a zero emission threshold appropriately addresses the serious threats posed by climate change.

The APCD staff report also notes that a zero threshold is supported by science and has precedent. For instance, this is the threshold recommended and used by State Lands Commission staff in several local EIRs. However the APCD staff report on GHG thresholds references a potential "administrative burden" posed by setting a threshold which would apply to too many sources. According to the APCD staff report Figure 5-1 (see below), by setting a 1,000 Metric ton threshold 347 of the 418 stationary sources in the county would fall below the threshold and not be subject to further environmental review.

Threshold Level (MT CO <sub>2</sub> e)	Percentage of Emissions Captured	Number of Sources Within Santa Barbara County	Total County-Wide Emissions Within Category
Zero	100.0%	418	1,001,607
1,000	98.6%	347	987,481
5,000	89.1%	23	891,978
10,000	82.4%	12	818,506
25,000	74.1%	7	790,578
Percent Capture Rate	Mass Emissions Level (MT CO <sub>2</sub> e)	Number of Sources Within Santa Barbara County	Total Emissions Within Category
80% Capture	16,315	8	750,985
85% Capture	7,422	17	858,126
90% Capture	3,974	25	900,130
95% Capture	1,754	44	950,701
98% Capture	1,149	65	981,139
100% Capture	Zero	418	1,001,607
<b>Note:</b> All values are approximate.			

Of the remaining stationary sources, the vast majority (those between 1k and 10k MTCO<sub>2</sub>E/yr) could be assisted through the development of a GHG Reduction Plan (possibly based upon the "White Paper" analysis the staff is currently preparing) and a programmatic EIR. The projects falling within this middle range could then be subject to standard mitigations which would avoid the need for project-specific environmental review to address impacts from GHG emissions, and could result in negative declarations or mitigated negative declarations.<sup>1</sup> This would leave

<sup>1</sup> To the extent any of these projects are otherwise exempt from CEQA, they would still be exempt from CEQA.

only the largest emitters, according to the APCD report just twelve, which would undergo full environmental review for impacts from GHGs.

Given the overriding goals of adopting the lowest GHG threshold and minimizing the potential for administrative burdens on applicant and the APCD staff, the Minority Group respectfully recommends that the Board:

1. Adopt a bright-line threshold of 1,000 MTCO<sub>2</sub>e/yr. A bright-line threshold allows for simplicity of implementation and creates uniform regulation across projects. According to APCD's Staff Report, a 1,000 Metric ton threshold will capture 98.6% of the emissions from stationary sources within the County; and
2. Direct staff to prepare a GHG Reduction Plan and programmatic EIR for "smaller" emitters between 1,000 and 10,000 MTCO<sub>2</sub>e/yr. The programmatic EIR thus relieves the administrative burden upon APCD staff while providing project developers with a suite of mitigation options that could be incorporated into proposed projects.

Lastly, we understand why industry representatives voted for the least regulation possible, but we ask the board to keep in mind that the percentage reduction option is the most frequently challenged and litigated and likely to lead to a significant increase in emissions in the county at a time when our goal should be to reduce emissions. A bright-line is more common, better supported by science and demanded by the public.

Thank you for your consideration of this minority report.

Respectfully,



Dave Davis, member  
APCD Community Advisory Council