

5. Environmental Analysis

5.7 GREENHOUSE GAS EMISSIONS

This section of the Draft Environmental Impact Report (DEIR) evaluates the potential for implementation of the Laguna Niguel City Center Mixed Use Project (proposed project) to cumulatively contribute to greenhouse gas (GHG) emissions impacts. Because no single project is large enough to result in a measurable increase in global concentrations of GHG, climate change impacts of a project are considered on a cumulative basis.

This evaluation is based on the methodology recommended by the South Coast Air Quality Management District (South Coast AQMD). GHG emissions modeling was conducted using the California Emissions Estimator Model (CalEEMod), Version 2020.4, and model outputs are in Appendix C of this DEIR.

Terminology

The following are definitions for terms used throughout this section.

- **Greenhouse gases (GHG).** Gases in the atmosphere that absorb infrared light, thereby retaining heat in the atmosphere and contributing to a greenhouse effect.
- **Global warming potential (GWP).** Metric used to describe how much heat a molecule of a greenhouse gas absorbs relative to a molecule of carbon dioxide (CO₂) over a given period of time (20, 100, and 500 years). CO₂ has a GWP of 1.
- **Carbon dioxide-equivalent (CO₂e).** The standard unit to measure the amount of greenhouse gases in terms of the amount of CO₂ that would cause the same amount of warming. CO₂e is based on the GWP ratios between the various GHGs relative to CO₂.
- **MTCO₂e.** Metric ton of CO₂e.
- **MMTCO₂e.** Million metric tons of CO₂e.

5.7.1 Environmental Setting

5.7.1.1 GREENHOUSE GASES AND CLIMATE CHANGE

Scientists have concluded that human activities are contributing to global climate change by adding large amounts of heat-trapping gases, known as GHGs, to the atmosphere. The primary source of these GHGs is fossil fuel use. The Intergovernmental Panel on Climate Change (IPCC) has identified four major GHGs—water vapor, carbon dioxide (CO₂), methane (CH₄), and ozone (O₃)—that are the likely cause of an increase in global average temperatures observed in the 20th and 21st centuries. Other GHGs identified by the IPCC that contribute to global warming to a lesser extent are nitrous oxide (N₂O), sulfur hexafluoride (SF₆),

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hydrofluorocarbons, perfluorocarbons, and chlorofluorocarbons (IPCC 2001).^{1,2} The major GHGs applicable to the proposed project are briefly described.

- **Carbon dioxide (CO₂)** enters the atmosphere through the burning of fossil fuels (oil, natural gas, and coal), solid waste, trees and wood products, and respiration, and also as a result of other chemical reactions (e.g., manufacture of cement). Carbon dioxide is removed from the atmosphere (sequestered) when it is absorbed by plants as part of the biological carbon cycle.
- **Methane (CH₄)** is emitted during the production and transport of coal, natural gas, and oil. Methane emissions also result from livestock and other agricultural practices and from the decay of organic waste in landfills and water treatment facilities.
- **Nitrous oxide (N₂O)** is emitted during agricultural and industrial activities as well as during the combustion of fossil fuels and solid waste.

GHGs are dependent on the lifetime, or persistence, of the gas molecule in the atmosphere. Some GHGs have a stronger greenhouse effect than others. These are referred to as high GWP gases. The GWP of GHG emissions are shown in Table 5.7-1, *GHG Emissions and Their Relative Global Warming Potential Compared to CO₂*. The GWP is used to convert GHGs to CO₂-equivalence (CO₂e) to show the relative potential that different GHGs have to retain infrared radiation in the atmosphere and contribute to the greenhouse effect. For example, under IPCC's Fourth Assessment Report (AR4) GWP values for CH₄, 10 MT of CH₄ would be equivalent to 250 MT of CO₂.

Table 5.7-1 GHG Emissions and Their Relative Global Warming Potential Compared to CO₂

GHGs	Second Assessment Report Global Warming Potential Relative to CO ₂ ¹	Fourth Assessment Report Global Warming Potential Relative to CO ₂ ¹	Fifth Assessment Report Global Warming Potential Relative to CO ₂ ¹
Carbon Dioxide (CO ₂)	1	1	1
Methane ² (CH ₄)	21	25	28
Nitrous Oxide (N ₂ O)	310	298	265

Source: IPCC 1995, 2007, 2013.

Notes: The IPCC published updated GWP values in its Fifth Assessment Report (AR5) that reflect new information on atmospheric lifetimes of GHGs and an improved calculation of the radiative forcing of CO₂. However, GWP values identified in AR4 are used by South Coast AQMD to maintain consistency in statewide GHG emissions modeling. In addition, the 2017 Scoping Plan Update was based on the GWP values in AR4.

¹ Based on 100-year time horizon of the GWP of the air pollutant compared to CO₂.

² The methane GWP includes direct effects and indirect effects due to the production of tropospheric ozone and stratospheric water vapor. The indirect effect due to the production of CO₂ is not included.

¹ Water vapor (H₂O) is the strongest GHG and the most variable in its phases (vapor, cloud droplets, ice crystals). However, water vapor is not considered a pollutant because it is considered part of the feedback loop rather than a primary cause of change.

² Black carbon contributes to climate change both directly, by absorbing sunlight, and indirectly, by depositing on snow (making it melt faster) and by interacting with clouds and affecting cloud formation. Black carbon is the most strongly light-absorbing component of particulate matter (PM) emitted from burning fuels such as coal, diesel, and biomass. Reducing black carbon emissions globally can have immediate economic, climate, and public health benefits. California has been an international leader in reducing emissions of black carbon, with close to 95 percent control expected by 2020 due to existing programs that target reducing PM from diesel engines and burning activities (CARB 2017a). However, state and national GHG inventories do not include black carbon due to ongoing work resolving the precise global warming potential of black carbon. Guidance for CEQA documents does not yet include black carbon.

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Human Influence on Climate Change

For approximately 1,000 years before the Industrial Revolution, the amount of GHGs in the atmosphere remained relatively constant. During the 20th century, however, scientists observed a rapid change in the climate and the quantity of climate change pollutants in the Earth's atmosphere that is attributable to human activities. The amount of CO₂ in the atmosphere has increased by more than 35 percent since preindustrial times and has increased at an average rate of 1.4 parts per million per year since 1960, mainly due to combustion of fossil fuels and deforestation (IPCC 2007). These recent changes in the quantity and concentration of climate change pollutants far exceed the extremes of the ice ages, and the global mean temperature is warming at a rate that cannot be explained by natural causes alone. Human activities are directly altering the chemical composition of the atmosphere through the buildup of climate change pollutants (CAT 2006). In the past, gradual changes in the earth's temperature changed the distribution of species, availability of water, etc. However, human activities are accelerating this process so that environmental impacts associated with climate change no longer occur in a geologic time frame but within a human lifetime (IPCC 2007).

Like the variability in the projections of the expected increase in global surface temperatures, the environmental consequences of gradual changes in the Earth's temperature are hard to predict. Projections of climate change depend heavily upon future human activity. Therefore, climate models are based on different emission scenarios that account for historical trends in emissions and on observations of the climate record that assess the human influence of the trend and projections for extreme weather events. Climate-change scenarios are affected by varying degrees of uncertainty. For example, there are varying degrees of certainty on the magnitude of the trends for:

- Warmer and fewer cold days and nights over most land areas.
- Warmer and more frequent hot days and nights over most land areas.
- An increase in frequency of warm spells/heat waves over most land areas.
- An increase in frequency of heavy precipitation events (or proportion of total rainfall from heavy falls) over most areas.
- Larger areas affected by drought.
- Intense tropical cyclone activity increases.
- Increased incidence of extreme high sea level (excluding tsunamis).

Potential Climate Change Impacts for California

Observed changes over the last several decades across the western United States reveal clear signs of climate change. Statewide, average temperatures increased by about 1.7°F from 1895 to 2011, and warming has been greatest in the Sierra Nevada (CCCC 2012). The years from 2014 through 2016 have shown unprecedented temperatures with 2014 being the warmest (OEHHA 2018). By 2050, California is projected to warm by approximately 2.7°F above 2000

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averages, a threefold increase in the rate of warming over the last century. By 2100, average temperatures could increase by 4.1 to 8.6°F, depending on emissions levels (CCCC 2012).

In California and western North America, observations of the climate have shown: 1) a trend toward warmer winter and spring temperatures; 2) a smaller fraction of precipitation falling as snow; 3) a decrease in the amount of spring snow accumulation in the lower and middle elevation mountain zones; 4) advanced shift in the timing of snowmelt of 5 to 30 days earlier in the spring; and 5) a similar shift (5 to 30 days earlier) in the timing of spring flower blooms (CAT 2006). Overall, California has become drier over time, with five of the eight years of severe to extreme drought occurring between 2007 and 2016, with unprecedented dry years occurring in 2014 and 2015 (OEHHA 2018). Statewide precipitation has become increasingly variable from year to year, with the driest consecutive four years occurring from 2012 to 2015 (OEHHA 2018). According to the California Climate Action Team—a committee of state agency secretaries and the heads of agencies, boards, and departments, led by the Secretary of the California Environmental Protection Agency—even if actions could be taken to immediately curtail climate change emissions, the potency of emissions that have already built up, their long atmospheric lifetimes (see Table 5.7-1), and the inertia of the Earth's climate system could produce as much as 0.6°C (1.1°F) of additional warming. Consequently, some impacts from climate change are now considered unavoidable. Global climate change risks to California are shown in Table 5.7-2, *Summary of GHG Emissions Risks to California*, and include impacts to public health, water resources, agriculture, coastal sea level, forest and biological resources, and energy.

Table 5.7-2 Summary of GHG Emissions Risks to California

Impact Category	Potential Risk
Public Health Impacts	Heat waves will be more frequent, hotter, and longer Fewer extremely cold nights Poor air quality made worse Higher temperatures increase ground-level ozone levels
Water Resources Impacts	Decreasing Sierra Nevada snow pack Challenges in securing adequate water supply Potential reduction in hydropower Loss of winter recreation
Agricultural Impacts	Increasing temperature Increasing threats from pests and pathogens Expanded ranges of agricultural weeds Declining productivity Irregular blooms and harvests
Coastal Sea Level Impacts	Accelerated sea level rise Increasing coastal floods Shrinking beaches Worsened impacts on infrastructure
Forest and Biological Resource Impacts	Increased risk and severity of wildfires Lengthening of the wildfire season Movement of forest areas Conversion of forest to grassland Declining forest productivity Increasing threats from pest and pathogens Shifting vegetation and species distribution

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Table 5.7-2 Summary of GHG Emissions Risks to California

Impact Category	Potential Risk
	Altered timing of migration and mating habits Loss of sensitive or slow-moving species
Energy Demand Impacts	Potential reduction in hydropower Increased energy demand

Sources: CEC 2006; CEC 2009; CCCC 2012; CNRA 2014.

5.7.1.2 REGULATORY BACKGROUND

This section describes the federal, state, and local regulations applicable to GHG emissions.

Federal

United State Environmental Protection Agency

The US Environmental Protection Agency (EPA) announced on December 7, 2009, that GHG emissions threaten the public health and welfare of the American people and that GHG emissions from on-road vehicles contribute to that threat. The EPA's final findings responded to the 2007 US Supreme Court decision that GHG emissions fit within the Clean Air Act definition of air pollutants. The findings did not in and of themselves impose any emission reduction requirements, but allowed the EPA to finalize the GHG standards proposed in 2009 for new light-duty vehicles as part of the joint rulemaking with the Department of Transportation (USEPA 2009).

To regulate GHGs from passenger vehicles, the EPA was required to issue an endangerment finding. The finding identified emissions of six key GHGs—carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride (SF₆)—that have been the subject of scrutiny and intense analysis for decades by scientists in the United States and around the world. The first three are applicable to the project's GHG emissions inventory because they constitute the majority of GHG emissions and, per South Coast AQMD guidance, are the GHG emissions that should be evaluated as part of a project's GHG emissions inventory.

US Mandatory Reporting Rule for GHGs (2009)

In response to the endangerment finding, the EPA issued the Mandatory Reporting of GHG Rule that requires substantial emitters of GHG emissions (large stationary sources, etc.) to report GHG emissions data. Facilities that emit 25,000 MTCO₂e or more per year are required to submit an annual report.

Update to Corporate Average Fuel Economy Standards (CAFE)(2021 to 2026)

The federal government issued new corporate average fuel economy standards in 2012 for model years 2017 to 2025 that required a fleet average of 54.5 miles per gallon in 2025. However, on March 30, 2020, the EPA finalized updated corporate average fuel economy and GHG emissions standards for passenger cars and light trucks and established new standards covering model years 2021 through 2026, known as the Safer Affordable

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Fuel Efficient Vehicles Final Rule for Model Years 2021 to 2026. However, a consortium of automakers and California have agreed on a voluntary framework to reduce emissions that can serve as an alternate path forward for clean vehicle standards nationwide. Automakers who agreed to the framework are Ford, Honda, BMW of North America, and Volkswagen Group of America. The framework supports continued annual reductions of vehicle GHG emissions through the 2026 model year, encourages innovation to accelerate the transition to electric vehicles, and gives industry the certainty needed to make investments and create jobs. The auto companies that are parties to the voluntary agreement will only sell cars in the United States that meet these standards (CARB 2019). In addition, per Executive Order 13990 issued by President Biden on January 20, 2021, the EPA reconsidered the Safer Affordable Fuel Efficient Vehicles rule. On August 5, 2021, the Biden Administration proposed new standards that would replace the SAFE Rule, effectively reversing the previous Trump Administration's roll-back of the CAFE standards. On March 9, 2022, EPA reinstated California's authority under the Clean Air Act to implement its own GHG emission standards and zero emission vehicle (ZEV) sales mandate. This action concludes the agency's reconsideration of 2019's SAFE Rule Part One by finding that the actions taken under the previous administration as a part of SAFE-1 were decided in error and are now entirely rescinded.

EPA Regulation of Stationary Sources under the Clean Air Act (Ongoing)

Pursuant to its authority under the Clean Air Act, the EPA has been developing regulations for new, large, stationary sources of emissions such as power plants and refineries. Under former President Obama's 2013 Climate Action Plan, the EPA was directed to develop regulations for existing stationary sources as well. On June 19, 2019, the EPA issued the final Affordable Clean Energy rule, which became effective on August 19, 2019. This rule was crafted under the direction of President Trump's Energy Independence Executive Order. It officially rescinds the Clean Power Plan rule issued during the Obama Administration and sets emissions guidelines for states in developing plans to limit CO₂ emissions from coal-fired power plants.

State

Current State of California guidance and goals for reductions in GHG emissions are generally embodied in Executive Order S-03-05, Executive Order B-30-15, Executive Order B-55-18, Assembly Bill (AB) 32, Senate Bill (SB) 32, and SB 375.

Executive Order S-03-05

Executive Order S-03-05, signed June 1, 2005, set the following GHG reduction targets for the state:

- 2000 levels by 2010
- 1990 levels by 2020
- 80 percent below 1990 levels by 2050

Assembly Bill 32, the Global Warming Solutions Act (2006)

AB 32 was passed by the California state legislature on August 31, 2006, to place the state on a course toward reducing its contribution of GHG emissions. AB 32 follows the 2020 tier of emissions reduction goals

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established in Executive Order S-03-05. CARB prepared the 2008 Scoping Plan to outline a plan to achieve the GHG emissions reduction targets of AB 32.

Executive Order B-30-15

Executive Order B-30-15, signed April 29, 2015, sets a goal of reducing GHG emissions in the state to 40 percent below 1990 levels by year 2030. Executive Order B-30-15 also directs CARB to update the Scoping Plan to quantify the 2030 GHG reduction goal for the state and requires state agencies to implement measures to meet the interim 2030 goal as well as the long-term goal for 2050 in Executive Order S-03-05. It also requires the Natural Resources Agency to conduct triennial updates of the California adaptation strategy, “Safeguarding California,” in order to ensure climate change is accounted for in state planning and investment decisions.

Senate Bill 32 and Assembly Bill 197

In September 2016, Governor Brown signed SB 32 and AB 197, making the Executive Order goal for year 2030 into a statewide, mandated legislative target. AB 197 established a joint legislative committee on climate change policies and requires the CARB to prioritize direct emissions reductions rather than the market-based cap-and-trade program for large stationary, mobile, and other sources.

2017 Climate Change Scoping Plan

Executive Order B-30-15 and SB 32 required CARB to prepare another update to the Scoping Plan to address the 2030 target for the state. On December 24, 2017, CARB approved the 2017 Climate Change Scoping Plan Update, which outlines potential regulations and programs, including strategies consistent with AB 197 requirements, to achieve the 2030 target. The 2017 Scoping Plan establishes a new emissions limit of 260 MMTCO₂e for the year 2030, which corresponds to a 40 percent decrease in 1990 levels by 2030 (CARB 2017b).

California’s climate strategy will require contributions from all sectors of the economy, including enhanced focus on zero- and near-zero-emission (ZE/NZE) vehicle technologies; continued investment in renewables such as solar roofs, wind, and other types of distributed generation; greater use of low carbon fuels; integrated land conservation and development strategies; coordinated efforts to reduce emissions of short-lived climate pollutants (methane, black carbon, and fluorinated gases); and an increased focus on integrated land use planning to support livable, transit-connected communities and conserve agricultural and other lands. Requirements for GHG reductions at stationary sources complement local air pollution control efforts by the local air districts to tighten emissions limits on criteria air pollutants and toxic air contaminants from a broad spectrum of industrial sources. Major elements of the 2017 Scoping Plan framework include:

- Implementing and/or increasing the standards of the Mobile Source Strategy, which include increasing ZE buses and trucks.
- Low Carbon Fuel Standard (LCFS) with an increased stringency (18 percent by 2030).
- Implementation of SB 350, which expands the Renewables Portfolio Standard (RPS) to 50 percent RPS and doubles energy efficiency savings by 2030.

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- California Sustainable Freight Action Plan, which improves freight system efficiency and utilizes near-zero emissions technology and deployment of ZE trucks.
- Implementing the proposed Short-Lived Climate Pollutant Strategy, which focuses on reducing methane and hydrofluorocarbon emissions by 40 percent and anthropogenic black carbon emissions by 50 percent by year 2030.
- Post-2020 Cap-and-Trade Program that includes declining caps.
- Continued implementation of SB 375.
- Development of a Natural and Working Lands Action Plan to secure California's land base as a net carbon sink.

In addition to these statewide strategies, the 2017 Climate Change Scoping Plan identified local governments as essential partners in achieving the state's long-term GHG reduction goals and recommended local actions to reduce GHG emissions—for example, statewide targets of no more than 6 MT CO₂e or less per capita by 2030 and 2 MT CO₂e or less per capita by 2050. CARB recommends that local governments evaluate and adopt locally appropriate, robust, and quantitative goals that align with the statewide per capita targets and sustainable development objectives and develop plans to achieve the local goals. The statewide per capita goals were developed by applying the percentage reductions necessary to reach the 2030 and 2050 climate goals (40 percent and 80 percent, respectively) to the state's 1990 emissions limit established under AB 32. For CEQA projects, CARB states that lead agencies have discretion to develop evidenced-based numeric thresholds (mass emissions, per capita, or per service population) consistent with the Scoping Plan and the state's long-term GHG goals. To the degree a project relies on GHG mitigation measures, CARB recommends that lead agencies prioritize on-site design features that reduce emissions—especially from vehicle miles traveled (VMT)—and direct investments in GHG reductions in the project's region that contribute potential air quality, health, and economic co-benefits. Where further project design or regional investments are infeasible or not proven to be effective, CARB recommends mitigating potential GHG impacts through purchasing and retiring carbon credits.

The Scoping Plan scenario is set against what is called the “business-as-usual” yardstick—that is, what would the GHG emissions look like if the State did nothing at all beyond the existing policies that are required and already in place to achieve the 2020 limit, as shown in Table 5.7-3, *2017 Climate Change Scoping Plan Emissions Reductions Gap*. It includes the existing renewables requirements, advanced clean cars, the “10 percent” LCFS, and the SB 375 program for more vibrant communities, among others. However, it does not include a range of new policies or measures that have been developed or put into statute over the past two years. Also shown in the table, the known commitments are expected to result in emissions that are 60 MMTCO₂e above the target in 2030. If the estimated GHG reductions from the known commitments are not realized due to delays in implementation or technology, the post-2020 Cap-and-Trade Program would deliver the additional GHG reductions in the sectors it covers to ensure the 2030 target is achieved.

CARB is currently working on the 2022 Scoping Plan, which it plans to adopt this year. The 2022 Scoping Plan Update will assess progress towards achieving the Senate Bill 32 2030 target and lay out a path to achieve carbon

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neutrality no later than 2045. CARB will initiate development of modeled scenarios to illustrate outcomes that lead to carbon neutrality. This workshop provides an opportunity for stakeholders to provide input on key questions related to future energy and technology options to help define paths to achieve carbon neutrality.

Table 5.7-3 2017 Climate Change Scoping Plan Emissions Reductions Gap

Modeling Scenario	2030 GHG Emissions MMTCO ₂ e
Reference Scenario (Business-as-Usual)	389
With Known Commitments	320
2030 GHG Target	260
Gap to 2030 Target	60

Source: CARB 2017b.

Table 5.7-4, *2017 Climate Change Scoping Plan Emissions Change by Sector*, provides estimated GHG emissions compared to 1990 levels and the range of GHG emissions for each sector estimated for 2030.

Table 5.7-4 2017 Climate Change Scoping Plan Emissions Change by Sector

Scoping Plan Sector	1990 MMTCO ₂ e	2030 Proposed Plan Ranges MMTCO ₂ e	% Change from 1990
Agricultural	26	24-25	-8% to -4%
Residential and Commercial	44	38-40	-14% to -9%
Electric Power	108	30-53	-72% to -51%
High GWP	3	8-11	267% to 367%
Industrial	98	83-90	-15% to -8%
Recycling and Waste	7	8-9	14% to 29%
Transportation (including TCU)	152	103-111	-32% to -27%
Net Sink ¹	-7	TBD	TBD
Sub Total	431	294-339	-32% to -21%
Cap-and-Trade Program	NA	24-79	NA
Total	431	260	-40%

Source: CARB 2017b.

Notes: TCU = Transportation, Communications, and Utilities; TBD = to be determined.

¹ Work was underway through 2017 to estimate the range of potential sequestration benefits from the natural and working lands sector.

Executive Order B-55-18

Executive Order B-55-18, signed September 10, 2018, sets a goal “to achieve carbon neutrality as soon as possible, and no later than 2045, and achieve and maintain net negative emissions thereafter.” Executive Order B-55-18 directs CARB to work with relevant state agencies to ensure future Scoping Plans identify and recommend measures to achieve the carbon neutrality goal. The goal of carbon neutrality by 2045 is in addition to other statewide goals, meaning that not only should emissions be reduced to 80 percent below 1990 levels by 2050, but that, by no later than 2045, the remaining emissions should be offset by equivalent net removals of CO₂e from the atmosphere, including through sequestration in forests, soils, and other natural landscapes. As noted above, the Scoping Plan is

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currently being updated by CARB to address the GHG reduction goals of Executive Order B-55-18 (i.e., 2022 Scoping Plan Update).

Senate Bill 375

In 2008, the Sustainable Communities and Climate Protection Act, SB 375, was adopted to connect the GHG emissions reductions targets established in the 2008 Scoping Plan for the transportation sector to local land use decisions that affect travel behavior. Its intent is to reduce GHG emissions from light-duty trucks and automobiles (excludes emissions associated with goods movement) by aligning regional long-range transportation plans, investments, and housing allocations to local land use planning to reduce VMT and vehicle trips. Specifically, SB 375 required CARB to establish GHG emissions reduction targets for each of the 18 metropolitan planning organizations (MPO). The Southern California Association of Governments (SCAG) is the MPO for the Southern California region, which includes the counties of Los Angeles, Orange, San Bernardino, Riverside, Ventura, and Imperial.

Pursuant to the recommendations of the Regional Transportation Advisory Committee, CARB adopted per capita reduction targets for each of the MPOs rather than a total magnitude reduction target. SCAG's targets are an 8 percent per capita reduction from 2005 GHG emission levels by 2020 and a 13 percent per capita reduction from 2005 GHG emission levels by 2035 (CARB 2010). The 2020 targets are smaller than the 2035 targets because a significant portion of the built environment in 2020 has been defined by decisions that have already been made. In general, the 2020 scenarios reflect that more time is needed for large land use and transportation infrastructure changes. Most of the reductions in the interim are anticipated to come from improving the efficiency of the region's transportation network. The targets would result in 3 MMTCO₂e of reductions by 2020 and 15 MMTCO₂e of reductions by 2035. Based on these reductions, the passenger vehicle target in CARB's Scoping Plan (for AB 32) would be met (CARB 2010).

2017 Update to the SB 375 Targets

CARB is required to update the targets for the MPOs every eight years. In June 2017, CARB released updated targets and technical methodology and released another update in February 2018. The updated targets consider the need to further reduce VMT, as identified in the 2017 Scoping Plan Update, while balancing the need for additional and more flexible revenue sources to incentivize positive planning and action toward sustainable communities. Like the 2010 targets, the updated SB 375 targets are in units of percent per capita reduction in GHG emissions from automobiles and light trucks compared to 2005. This excludes reductions anticipated from implementation of state technology and fuels strategies and any potential future state strategies such as statewide road user pricing. The proposed targets call for greater per capita GHG emission reductions from SB 375 than are currently in place, which for 2035, translates into proposed targets that either match or exceed the emission reduction levels in the MPOs' currently adopted sustainable communities strategies (SCS). As proposed, CARB staff's proposed targets would result in an additional reduction of over 8 MMTCO₂e in 2035 compared to the current targets. For the next round of SCS updates, CARB's updated targets for the SCAG region are an 8 percent per capita GHG reduction in 2020 from 2005 levels (unchanged from the 2010 target) and a 19 percent per capita GHG reduction in 2035 from 2005 levels (compared to the 2010 target of 13 percent) (CARB 2018). CARB adopted the updated targets and methodology on March 22, 2018. All SCSs adopted after October 1, 2018, are subject to these new targets.

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Regional

SCAG's Regional Transportation Plan / Sustainable Communities Strategy

SB 375 requires each MPO to prepare a sustainable communities strategy in its regional transportation plan. For the SCAG region, the draft 2020-2045 RTP/SCS (Connect SoCal) was adopted on May 7, 2020 for the limited purpose of transportation conformity (SCAG 2020). The Connect SoCal Plan was fully adopted in September 2020. In general, the SCS outlines a development pattern for the region that, when integrated with the transportation network and other transportation measures and policies, would reduce vehicle miles traveled from automobiles and light duty trucks and thereby reduce GHG emissions from these sources.

Connect SoCal focuses on the continued efforts of the previous RTP/SCSs to integrate transportation and land use strategies in development of the SCAG region through horizon year 2045 (SCAG 2020). Connect SoCal forecasts that the SCAG region will meet its GHG per capita reduction targets of 8 percent by 2020 and 19 percent by 2035. Additionally, Connect SoCal also forecasts that implementation of the plan will reduce VMT per capita in year 2045 by 4.1 percent compared to baseline conditions for that year. Connect SoCal includes a “core vision” that centers on maintaining and better managing the transportation network for moving people and goods while expanding mobility choices by locating housing, jobs, and transit closer together and increasing investments in transit and complete streets.

Specific Regulations for the Transportation Sector

Assembly Bill 1493

California vehicle GHG emission standards were enacted under AB 1493 (Pavley I). Pavley I is a clean-car standard that reduced GHG emissions from new passenger vehicles (light-duty auto to medium-duty vehicles) from 2009 through 2016 and was anticipated to reduce GHG emissions from new passenger vehicles by 30 percent in 2016. California implemented the Pavley I standards through a waiver granted to California by the EPA. In 2012, the EPA issued a Final Rulemaking that set even more stringent fuel economy and GHG emissions standards for model years 2017 through 2025 light-duty vehicles (see also the discussion on the update to the corporate average fuel economy standards under “Federal,” above). In January 2012, CARB approved the Advanced Clean Cars program (formerly known as Pavley II) for model years 2017 through 2025. The program combines the control of smog, soot, and GHGs with requirements for greater numbers of ZE vehicles into a single package of standards. Under California’s Advanced Clean Car program, by 2025 new automobiles will emit 34 percent less GHG and 75 percent less smog-forming emissions.

Executive Order S-01-07

On January 18, 2007, the state set a new LCFS for transportation fuels sold in the state. Executive Order S-01-07 set a declining standard for GHG emissions measured in CO₂e gram per unit of fuel energy sold in California. The LCFS required a reduction of 2.5 percent in the carbon intensity of California’s transportation fuels by 2015 and a reduction of at least 10 percent by 2020. The standard applied to refiners, blenders, producers, and importers of transportation fuels, and would use market-based mechanisms to allow these providers to choose how they reduce emissions during the “fuel cycle” using the most economically feasible methods.

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Executive Order B-16-2012

On March 23, 2012, the State announced that CARB, the California Energy Commission (CEC), the Public Utilities Commission, and other relevant agencies worked with the Plug-in Electric Vehicle Collaborative and the California Fuel Cell Partnership to establish benchmarks to accommodate ZE vehicles in major metropolitan areas, including infrastructure to support them (e.g., electric vehicle charging stations). The executive order also directed the number of ZE vehicles in California's state vehicle fleet to increase through the normal course of fleet replacement so that at least 10 percent of fleet purchases of light-duty vehicles were ZE by 2015 and at least 25 percent by 2020. The executive order also established a target for the transportation sector of reducing GHG emissions 80 percent below 1990 levels.

Executive Order N-79-20

On September 23, 2020, Governor Newsom signed Executive Order N-79-20 with the goal that 100 percent of in-state sales of new passenger cars and trucks will be ZE by 2035. Additionally, this Executive Order identified fleet goals of 100 percent ZE drayage trucks by 2035 and 100 percent ZE medium- and heavy-duty vehicles in the state by 2045, for all operations where feasible. Additionally, the Executive Order identifies a goal for the state to transition to 100 percent ZE off-road vehicles and equipment by 2035, where feasible.

Renewables Portfolio: Carbon Neutrality Regulations

Senate Bills 1078, 107, and X1-2 and Executive Order S-14-08

A major component of California's Renewable Energy Program is the renewables portfolio standard established under SBs 1078 (Sher) and 107 (Simitian). Under the RPS, certain retail sellers of electricity were required to increase the amount of renewable energy each year by at least 1 percent in order to reach at least 20 percent by December 30, 2010. Executive Order S-14-08, signed in November 2008, expanded the State's renewable energy standard to 33 percent renewable power by 2020. This standard was adopted by the legislature in 2011 (SB X1-2). Renewable sources of electricity include wind, small hydropower, solar, geothermal, biomass, and biogas. The increase in renewable sources for electricity production will decrease indirect GHG emissions from development projects because electricity production from renewable sources is generally considered carbon neutral.

Senate Bill 350

Senate Bill 350 (de Leon) was signed into law September 2015 and established tiered increases to the RPS—40 percent by 2024, 45 percent by 2027, and 50 percent by 2030. SB 350 also set a new goal to double the energy-efficiency savings in electricity and natural gas through energy efficiency and conservation measures.

Senate Bill 100

On September 10, 2018, Governor Brown signed SB 100, which replaced the SB 350 requirement of 45 percent renewable energy by 2027 with the requirement of 50 percent by 2026 and raised California's RPS requirements for 2050 from 50 percent to 60 percent. SB 100 established RPS requirements for publicly owned utilities that consist of 44 percent renewable energy by 2024, 52 percent by 2027, and 60 percent by 2030. The bill also established an overall state policy that eligible renewable energy resources and zero-carbon resources supply 100 percent of all retail sales of electricity to California end-use customers and 100 percent of electricity

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procured to serve all state agencies by December 31, 2045. Under the bill, the state cannot increase carbon emissions elsewhere in the western grid or allow resource shuffling to achieve the 100 percent carbon-free electricity target.

Executive Order N-79-20

On September 23, 2020, Governor Newsom signed Executive Order N-79-20, whose goal is that 100 percent of in-state sales of new passenger cars and trucks will be ZE by 2035. Additionally, the fleet goals for trucks are that 100 percent of drayage trucks are ZE by 2035, and 100 percent of medium- and heavy-duty vehicles in the state are ZE by 2045, where feasible. The Executive Order's goal for the state is to transition to 100 percent ZE off-road vehicles and equipment by 2035, where feasible.

Energy Efficiency Regulations

California Building Code: Building Energy Efficiency Standards

Energy conservation standards for new residential and nonresidential buildings were adopted by the California Energy Resources Conservation and Development Commission (now the CEC) in June 1977 (Title 24, Part 6, of the California Code of Regulations [CCR]). Title 24 requires the design of building shells and building components to conserve energy. The standards are updated periodically to allow for consideration and possible incorporation of new energy efficiency technologies and methods. The 2019 Building Energy Efficiency Standards were adopted on May 9, 2018 and went into effect on January 1, 2020.

The 2019 standards move toward cutting energy use in new homes by more than 50 percent and require installation of solar photovoltaic systems for single-family homes and multifamily buildings of three stories and less. The 2019 standards focus on four key areas: 1) smart residential photovoltaic systems; 2) updated thermal envelope standards (preventing heat transfer from the interior to exterior and vice versa); 3) residential and nonresidential ventilation requirements; 4) and nonresidential lighting requirements (CEC 2018a). Under the 2019 standards, nonresidential buildings are 30 percent more energy efficient than under the 2016 standards, and single-family homes are 7 percent more energy efficient (CEC 2018b). When accounting for the electricity generated by the solar photovoltaic system, single-family homes would use 53 percent less energy compared to homes built to the 2016 standards (CEC 2018b).

The CEC is currently amending the Building and Energy Efficiency Standards. The 2022 Building and Energy Efficiency Standards are anticipated to be adopted in December 2021 and will go into effect on January 1, 2023.

California Building Code: CALGreen

On July 17, 2008, the California Building Standards Commission adopted the nation's first green building standards. The California Green Building Standards Code (24 CCR, Part 11, known as "CALGreen") was adopted as part of the California Building Standards Code. CALGreen established planning and design standards for sustainable site development, energy efficiency (in excess of the California Energy Code requirements), water conservation, material conservation, and internal air contaminants.³ The mandatory

³ The green building standards became mandatory in the 2010 edition of the code.

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provisions of the California Green Building Code Standards became effective January 1, 2011, and were last updated in 2019. The 2019 CALGreen standards became effective January 1, 2020.

Section 5.408 of CALGreen also requires that at least 65 percent of the nonhazardous construction and demolition waste from nonresidential construction operations be recycled and/or salvaged for reuse.

2006 Appliance Efficiency Regulations

The 2006 Appliance Efficiency Regulations (20 CCR Sections 1601–1608) were adopted by the CEC on October 11, 2006, and approved by the California Office of Administrative Law on December 14, 2006. The regulations include standards for both federally regulated appliances and non–federally regulated appliances. Though these regulations are now often viewed as “business as usual,” they exceed the standards imposed by all other states, and they reduce GHG emissions by reducing energy demand.

Solid Waste Diversion Regulations

AB 939: Integrated Waste Management Act of 1989

California’s Integrated Waste Management Act of 1989 (AB 939) set a requirement for cities and counties throughout the state to divert 50 percent of all solid waste from landfills by January 1, 2000, through source reduction, recycling, and composting (Public Resources Code Sections 40050 et seq.). In 2008, the requirements were modified to reflect a per capita requirement rather than tonnage. To help achieve this, the act requires that each city and county prepare and submit a source reduction and recycling element. AB 939 also established the goal for all California counties to provide at least 15 years of ongoing landfill capacity.

Assembly Bill 341

AB 341 (Chapter 476, Statutes of 2011) increased the statewide goal for waste diversion to 75 percent by 2020 and requires recycling of waste from commercial and multifamily residential land uses. Section 5.408 of CALGreen also requires that at least 65 percent of the nonhazardous construction and demolition waste from nonresidential construction operations be recycled and/or salvaged for reuse.

Assembly Bill 1327

The California Solid Waste Reuse and Recycling Access Act (AB 1327) requires areas to be set aside for collecting and loading recyclable materials in development projects (Public Resources Code Sections 42900 et seq.). The act required the California Integrated Waste Management Board to develop a model ordinance for adoption by any local agency requiring adequate areas for collection and loading of recyclable materials as part of development projects. Local agencies are required to adopt the model or an ordinance of their own.

Assembly Bill 1826

In October 2014, Governor Brown signed AB 1826, requiring businesses to recycle their organic waste on and after April 1, 2016, depending on the amount of waste they generate per week. This law also requires that on and after January 1, 2016, local jurisdictions across the state implement an organic waste recycling program to divert organic waste generated by businesses and multifamily residential dwellings that consist of five or more

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units. Organic waste means food waste, green waste, landscape and pruning waste, nonhazardous wood waste, and food-soiled paper waste that is mixed in with food waste.

Water Efficiency Regulations

SBX7-7

The 20x2020 Water Conservation Plan was issued by the Department of Water Resources (DWR) in 2010 pursuant to Senate Bill 7, which was adopted during the 7th Extraordinary Session of 2009–2010 and therefore dubbed “SBX7-7.” SBX7-7 mandated urban water conservation and authorized the DWR to prepare a plan implementing urban water conservation requirements (20x2020 Water Conservation Plan). In addition, it required agricultural water providers to prepare agricultural water management plans, measure water deliveries to customers, and implement other efficiency measures. SBX7-7 requires urban water providers to adopt a water conservation target of 20 percent reduction in urban per capita water use by 2020 compared to 2005 baseline use.

Assembly Bill 1881: Water Conservation in Landscaping Act

The Water Conservation in Landscaping Act of 2006 (AB 1881) requires local agencies to adopt the updated DWR model ordinance or an equivalent. AB 1881 also requires the CEC to consult with the DWR to adopt, by regulation, performance standards and labeling requirements for landscape irrigation equipment, including irrigation controllers, moisture sensors, emission devices, and valves to reduce the wasteful, uneconomic, inefficient, or unnecessary consumption of energy or water.

Short-Lived Climate Pollutant Reduction Strategy

Senate Bill 1383

On September 19, 2016, the governor signed SB 1383 to supplement the GHG reduction strategies in the Scoping Plan to consider short-lived climate pollutants, including black carbon and methane. Black carbon is the light-absorbing component of fine particulate matter produced during incomplete combustion of fuels. SB 1383 required the state board, no later than January 1, 2018, to approve and begin implementing that comprehensive strategy to reduce emissions of short-lived climate pollutants—to reduce methane by 40 percent, hydrofluorocarbon gases by 40 percent, and anthropogenic black carbon by 50 percent below 2013 levels by 2030. The bill also established targets for reducing organic waste in landfill. On March 14, 2017, CARB adopted the “Final Proposed Short-Lived Climate Pollutant Reduction Strategy,” which identifies the state’s approach to reducing anthropogenic and biogenic sources of short-lived climate pollutants. Anthropogenic sources of black carbon include on- and off-road transportation, residential wood burning, fuel combustion (charbroiling), and industrial processes. According to CARB, ambient levels of black carbon in California are 90 percent lower than in the early 1960s despite the tripling of diesel fuel use (CARB 2017b). In-use on-road rules were expected to reduce black carbon emissions from on-road sources by 80 percent between 2000 and 2020. South Coast AQMD is one of the air districts that requires air pollution control technologies for chain-driven broilers, which reduces particulate emissions from these char broilers by over 80 percent (CARB 2017b). Additionally, South Coast AQMD Rule 445 limits installation of new fireplaces in the SoCAB.

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Local

Laguna Niguel Municipal Code

The Laguna Niguel Municipal Code identifies land use categories, development standards, and other general provisions that ensure consistency between the Laguna Niguel General Plan and proposed development projects. The following provisions focus on reduction of trips and Transportation Demand Management strategies:

- **Section 9-1-101 (Transportation Demand Management Policy).** New commercial, industrial, mixed-use development must promote use of alternate transportation modes, provide facilities necessary to encourage alternate methods of transportation, utilize existing local mechanisms and procedures for project review and permit processing to achieve reductions in vehicle trips, and promote coordinated implementation of strategies on a countywide basis to reduce transportation demand.

5.7.1.3 EXISTING CONDITIONS

California's GHG Sources and Relative Contribution

In 2021, the statewide GHG emissions inventory was updated for 2000 to 2019 emissions using the GWP_s in IPCC's AR4 (IPCC 2013). Based on these GWP_s, California produced 418.2 MMTCO₂e GHG emissions in 2019. California's transportation sector was the single largest generator of GHG emissions, producing 39.7 percent of the state's total emissions. Industrial sector emissions made up 21.1 percent, and electric power generation made up 14.1 percent of the state's emissions inventory. Other major sectors of GHG emissions include commercial and residential (10.5 percent), agriculture and forestry (7.6 percent), high GWP (4.9 percent), and recycling and waste (2.1 percent) (CARB 2021).

Since the peak level in 2004, California's GHG emissions have generally followed a decreasing trend. In 2016, California statewide GHG emissions dropped below the AB 32 target for year 2020 of 431 MMTCO₂e and have remained below this target since then. In 2019, emissions from routine GHG-emitting activities statewide were almost 13 MMTCO₂e lower than the AB 32 target for year 2020. Per capita GHG emissions in California have dropped from a 2001 peak of 14.0 MTCO₂e per person to 10.5 MTCO₂e per person in 2019, a 25 percent decrease.

Transportation emissions continued to decline in 2019 statewide as they had done in 2018, with even more substantial reductions due to a significant increase in renewable diesel. Since 2008, California's electricity sector has followed an overall downward trend in emissions. In 2019, solar power generation continued its rapid growth since 2013. Emissions from high-GWP gases comprised 4.9 percent of California's emissions in 2019. This continues the increasing trend as the gases replace ozone-depleting substances being phased out under the 1987 Montreal Protocol. Overall trends in the inventory also demonstrate that the carbon intensity of California's economy (the amount of carbon pollution per million dollars of gross domestic product) has declined 45 percent since the 2001 peak, though the state's gross domestic product grew 63 percent during this period (CARB 2021).

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Project Site

The project site includes the former South County Justice Center (closed in 2008), the Orange County Library (Laguna Niguel Branch), and a county maintenance yard. These existing land uses generate GHG emissions from building transportation, area sources, energy use, water use/wastewater generation, and solid waste disposal. As the emissions from the existing library would be cancelled out by new library and the justice center is not currently in operation, existing emissions at the project site were not modelled.

5.7.2 Thresholds of Significance

The City's CEQA Manual provides local guidelines, procedures, requirements, and thresholds of significance for the environmental review process within the City consistent with the CEQA Statutes (Public Resources Code Section 21000 et seq.) and State CEQA Guidelines (14 CCR, Division 6, Chapter 3, Section 15000 et seq.) (Laguna Niguel 2021).

The City relies on the parameters specified in the CEQA Guidelines Appendix G Checklist for assessing impacts to GHG emissions. The State CEQA Guidelines do not provide numeric or qualitative thresholds of significance for evaluating GHG emissions. The South Coast AQMD has been evaluating GHG significance thresholds since April 2008. In December 2008, the South Coast AQMD adopted an interim 10,000 metric tons CO₂e (MTCO₂e) per year screening level threshold for stationary source/industrial projects for which the South Coast AQMD is the lead agency and 3,000 MTCO₂e per year for smaller and simpler non-industrial projects. For larger and/or more complicated projects, the five-tier outline specified below shall be used to evaluate level of significance for State CEQA Guidelines Appendix G, GHG question (a). Furthermore, in absence of a local Climate Action Plan, evaluating level of significance for State CEQA Guidelines Appendix G, GHG question (b), should rely on an analysis of consistency with the RTP/SCS and whether the project meets the numeric thresholds specified in GHG question (a). The Manual relies on the goals in the 2016 RTP/SCS, which identifies transportation strategies to address mobility needs for the future and ensures the SCAG region can meet its regional GHG reduction targets set by CARB, to provide guidance for considering projects within the context of regional goals and policies. A project is generally less than significant if it does not conflict with any policies from the current RTP/SCS, as applicable, and the project's GHG emissions are less than the thresholds established in the five-tier outline.

According to Appendix G of the CEQA Guidelines and the City's CEQA Manual , a project would normally have a significant effect on the environment if the project would:

- GHG-1 Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.
- GHG-2 Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

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South Coast Air Quality Management District

South Coast AQMD has adopted a significance threshold of 10,000 MTCO₂e per year for permitted (stationary) sources of GHG emissions for which South Coast AQMD is the designated lead agency. To provide guidance to local lead agencies on determining significance for GHG emissions in their CEQA documents, South Coast AQMD convened a GHG CEQA Significance Threshold Working Group (Working Group). Based on the last Working Group meeting (Meeting No. 15) in September 2010, South Coast AQMD identified a tiered approach for evaluating GHG emissions for development projects where South Coast AQMD is not the lead agency (South Coast AQMD 2010a). This following tiered approach has not been formally adopted by South Coast AQMD but has been adopted as part of the Laguna Niguel CEQA Manual.

- **Tier 1.** If a project is exempt from CEQA, project-level and contribution to significant cumulative GHG emissions are less than significant.
- **Tier 2.** If the project complies with a GHG emissions reduction plan or mitigation program that avoids or substantially reduces GHG emissions in the project's geographic area (e.g., city or county), project-level and contribution to significant cumulative GHG emissions are less than significant.
- **Tier 3.** If GHG emissions are less than the screening-level criterion, project-level and contribution to significant cumulative GHG emissions are less than significant.

For projects that are not exempt or where no qualifying GHG reduction plans are directly applicable, South Coast AQMD requires an assessment of GHG emissions. Project-related GHG emissions include on-road transportation, energy use, water use, wastewater generation, solid waste disposal, area sources, off-road emissions, and construction activities. The South Coast AQMD Working Group identified that because construction activities would result in a “one-time” net increase in GHG emissions, construction activities should be amortized into the operational phase GHG emissions inventory based on the service life of a building. For buildings in general, it is reasonable to look at a 30-year time frame, since this is a typical interval before a new building requires the first major renovation. South Coast AQMD identified a screening-level threshold of 3,000 MTCO₂e annually for all land use types. The bright-line screening-level criteria are based on a review of the Governor's Office of Planning and Research database of CEQA projects. Based on their review of 711 CEQA projects, 90 percent of CEQA projects would exceed the bright-line thresholds. Therefore, projects that do not exceed the bright-line threshold would have a nominal, and therefore, less than cumulatively considerable impact on GHG emissions. South Coast AQMD recommends use of the 3,000 MTCO₂e interim bright-line screening-level criterion for all project types (South Coast AQMD 2010b).

- **Tier 4.** If emissions exceed the screening threshold, a more detailed review of the project's GHG emissions is warranted.⁴

⁴ South Coast AQMD had identified an efficiency target for projects that exceed the bright-line threshold: a 2020 efficiency target of 4.8 MTCO₂e per year per service population (MTCO₂e/year/SP) for project-level analyses and 6.6 MTCO₂e/year/SP for plan-level projects (e.g., general plans). Service population is generally defined as the sum of residential and employment population of a

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The South Coast AQMD Working Group has identified an efficiency target for projects that exceed the screening threshold of 4.8 MTCO₂e per year per service population (MTCO₂e/year/SP) for project-level analyses and 6.6 MTCO₂e/year/SP for plan level projects (e.g., program-level projects such as general plans) for the year 2020.⁵ The per capita efficiency targets are based on the AB 32 GHG reduction target and 2020 GHG emissions inventory prepared for CARB's 2008 Scoping Plan.⁶

Both the City and the South Coast AQMD use the bright-line screening-level criterion of 3,000 MTCO₂e per year as the significance threshold for this project. If the project operation-phase emissions exceed this criterion, GHG emissions would be considered potentially significant in the absence of mitigation measures.

5.7.3 Plans, Programs, and Policies

Plans, programs, and policies (PPP) include applicable regulatory requirements and conditions of approval for impacts of GHG emissions.

PPP GHG-1 New buildings are required to achieve the current California Building Energy and Efficiency Standards (California Code of Regulations Title 24, Part 6) and California Green Building Standards Code (CALGreen) (Title 24, Part 11). The 2019 Building and Energy Efficiency Standards became effective on January 1, 2020. The Building Energy and Efficiency Standards and CALGreen are updated tri-annually with a goal to achieve zero net energy for residential buildings by 2020 and non-residential buildings by 2030.

PPP GHG-2 New buildings are required to adhere to the California Green Building Standards Code (CALGreen) requirement to provide bicycle parking for new non-residential buildings, or meet local bicycle parking ordinances, whichever is stricter (CALGreen Sections 5.106.4.1, 14.106.4.1, and 5.106.4.1.2). The proposed project would be required to provide anchored bicycle racks and long-term secured bicycle parking.

PPP GHG-3 California's Green Building Standards Code (CALGreen) requires the recycling and/or salvaging for reuse at minimum of 65 percent of the nonhazardous construction and demolition waste generated during most "new construction" projects (CALGreen Sections 4.408 and 5.408). Construction contractors are required to submit a construction waste management plan that identifies the construction and demolition waste materials to be diverted from disposal by recycling, reuse on the project, or salvaged for future use or sale and the amount (by weight or volume).

project. The per capita efficiency targets are based on the AB 32 GHG reduction target and 2020 GHG emissions inventory prepared for CARB's 2008 Scoping Plan.⁴

⁵ It should be noted that the Working Group also considered efficiency targets for 2035 for the first time in this Working Group meeting.

⁶ South Coast AQMD took the 2020 statewide GHG reduction target for land use only GHG emissions sectors and divided it by the 2020 statewide employment for the land use sectors to derive a per capita GHG efficiency metric that coincides with the GHG reduction targets of AB 32 for year 2020.

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PPP GHG-4 Construction activities are required to adhere to Title 13 California Code of Regulations Section 2499, which requires that nonessential idling of construction equipment is restricted to five minutes or less.

PPP GHG-5 New buildings are required to adhere to the California Green Building Standards Code and Water Efficient Landscape Ordinance requirements to increase water efficiency and reduce urban per capita water demand.

PPP GHG-6 CARB's Renewable Portfolio Standard (RPS) is a foundational element of the State's emissions reduction plan. These mandates apply directly to investor-owned utilities, which in the case of the proposed project is Southern California Edison. On September 10, 2018, Senate Bill 100 was signed into law and established the following RPS targets: 50 percent renewable resources target by December 31, 2026, and 60 percent target by December 31, 2030. SB 100 also requires that retail sellers and local publicly owned electric utilities procure a minimum quantity of electricity products from eligible renewable energy resources so that the total kilowatt hours of those products sold to their retail end-use customers achieve 44 percent of retail sales by December 31, 2024; 52 percent by December 31, 2027; and 60 percent by December 31, 2030.

PPP GHG-7 On January 18, 2007, Governor Arnold Schwarzenegger issued Executive Order S-1-07 requiring the establishment of a Low Carbon Fuel Standard (LCFS) for transportation fuels. The LCFS was amended in 2011 and readopted in 2015. This statewide goal requires that California's transportation fuels reduce their carbon intensity by at least 10 percent by 2020.

PPP GHG-8 The 2007 Energy Bill creates new federal requirements for increases in fleetwide fuel economy for passenger vehicles and light trucks under the Federal Corporate Average Fuel Economy Standards. The federal legislation requires a fleetwide average of 35 miles per gallon (mpg) to be achieved by 2020. The National Highway Traffic Safety Administration is directed to phase in requirements to achieve this goal. Analysis by CARB suggests that this will require an annual improvement of approximately 3.4 percent between 2008 and 2020.

PPP GHG-9 On July 22, 2002, Governor Gray Davis signed Assembly Bill 1493 (Pavley) requiring CARB to develop and adopt regulations designed to reduce greenhouse gases emitted by passenger vehicles and light-duty trucks beginning with the 2009 model year. The standards set within the Pavley regulations are expected to reduce GHG emissions from California passenger vehicles by about 22 percent in 2012 and about 30 percent in 2016. California had petitioned the EPA in December 2005 to allow these more stringent standards and California executive agencies have repeated their commitment to higher mileage standards. On July 1, 2009, the EPA granted California a waiver that will enable the state to enforce stricter tailpipe emissions on new motor vehicles.

PPP GHG-10 SB 375 requires the reduction of GHG emissions from light trucks and automobiles through land use and transportation efforts that will reduce vehicle miles traveled. SB 375's goal is to prioritize transportation funding in a manner that reduces GHG emissions, accounting for local jurisdiction's general plans. SB 375 is one of the vehicle emission reduction measures of

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the GHG reduction requirements of AB 32, California's global warming bill enacted in 2006, and SB 32.

5.7.4 Environmental Impacts

5.7.4.1 METHODOLOGY

This GHG emissions evaluation was prepared in accordance with the requirements of CEQA to determine if significant GHG emissions impacts are likely in conjunction with the type and scale of development associated with the proposed project. Air pollutant emissions are calculated using the California Emissions Estimator Model (CalEEMod), Version 2020.4. CalEEMod compiles an emissions inventory of construction (fugitive dust, off-gas emissions, on-road emissions, and off-road emissions), area sources, indirect emissions from energy use, mobile sources, indirect emissions from waste disposal (annual only), and indirect emissions from water/wastewater (annual only) use. The following provides a summary of the assumptions utilized for the proposed project analysis. GHG emissions modeling datasheets are in Appendix C.

Construction Phase

Construction would entail demolition of existing asphalt, site preparation, grading, off-site hauling of demolition debris and earthwork material, construction of the proposed structures and buildings, architectural coating, and asphalt paving on 23.26 acres of the approximately 25-acre project site. The proposed project is anticipated to be constructed over a period of up to 36-months, from September 2023 to September 2026. Construction air pollutant emissions are based on the preliminary information provided by the developer identified in Table 3-2, *Construction Equipment*.

Operational Phase

- **Transportation.** The primary source of mobile greenhouse gas emissions is tailpipe exhaust emissions from the combustion of fuel (i.e., gasoline and diesel). Additionally, for criteria air pollutants, brake and tire wear along with fugitive dust created from vehicles traveling roadways also generate particulate matter. The average daily trip (ADT) generation of 9,461 weekday trips and 8,817 Saturday trips was provided by LLG (see Appendix L). Saturday trip generation was used as a proxy for Sunday trips in order to provide a conservative estimate of project emissions. Employee commute VMT was provided by LLG and, where information was not provided, CalEEMod default trip lengths were used. Project-related on-road greenhouse gas emissions are based on year 2026 emission rates for the project buildout year.
- **Area Sources.** GHG emissions generated from use of consumer products and cleaning supplies are based on CalEEMod default emission rates and on the assume building square footages.
- **Energy.** GHG emissions from energy use (natural gas used for cooking, heating, etc.) consider the energy demand caused by the proposed project (CNRA 2018) and are based on CalEEMod defaults for natural gas usage for nonresidential and residential land uses. GHG emissions from energy use are associated with natural gas used for heating. New buildings are modeled to comply with the 2019 Building Energy Efficiency Standards.

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- **Solid Waste Disposal.** Indirect emissions from waste generation are based on CalRecycle solid waste generation rates (see Section 5.17, *Utilities and Service Systems*).
- **Water/Wastewater.** GHG emissions are associated with the embodied energy used to supply, treat, and distribute water. Indoor and outdoor water use is based on data provided by Dudek (see Appendix N).

Life cycle emissions are not included in the GHG analysis consistent with California Resources Agency directives.⁷ Black carbon emissions are not included in the GHG analysis because CARB does not include this short-lived climate pollutant in the state's AB 32/SB 32 inventory; CARB treats it separately.⁸

5.7.4.2 IMPACT ANALYSIS

The following impact analysis addresses thresholds of significance. The applicable thresholds are identified in brackets after the impact statement.

Impact 5.7-1: Implementation of the proposed project would generate a net increase in GHG emissions, either directly or indirectly, that would have a significant impact on the environment. [Threshold GHG-1]

Global climate change is not confined to a particular project area and is generally accepted as the consequence of global industrialization over the last 200 years. A typical project, even a very large one, does not generate enough greenhouse gas emissions on its own to influence global climate change significantly; hence, the issue of global climate change is by definition a cumulative environmental impact.

Implementation of the proposed project would result in additional office buildings, shops, restaurants, and residential housing. From these additional land uses, the proposed project would generate a net increase of 9,461 weekday vehicle trips and 8,817 Saturday vehicle trips.⁹ Furthermore, operation of the proposed project would result in an increase in water demand, wastewater and solid waste generation, area sources (e.g., consumer cleaning products), and energy usage (i.e., natural gas and electricity). As described in Chapter 3, *Project Description*, the proposed project would include integration of a 1.5 kW/unit residential photovoltaic (PV) system on carports in the surface parking lot (as shown on Figure 5.1-7), which would reduce energy requirements of the project by 45 MTCO₂e/year as shown in Table 5.7-5, *Project GHG Emissions Inventory*. The project emissions and construction-related emissions are quantified and shown in Table 5.7-5, *Project GHG*

⁷ Life cycle emissions include indirect emissions associated with materials manufacture. However, these indirect emissions involve numerous parties, each of which is responsible for GHG emissions of their particular activity. The California Resources Agency, in adopting the CEQA Guidelines Amendments on GHG emissions found that lifecycle analysis was not warranted for project-specific CEQA analysis in most situations, for a variety of reasons, including lack of control over some sources, and the possibility of double-counting emissions (see Final Statement of Reasons for Regulatory Action, December 2009). Because the amount of materials consumed during the operation or construction of the proposed project is not known, the origin of the raw materials purchased is not known, and manufacturing information for those raw materials is also not known, calculation of life cycle emissions would be speculative. A life-cycle analysis is not warranted (OPR 2008).

⁸ Particulate matter emissions, which include black carbon, are analyzed under *Air Quality*. Black carbon emissions have sharply declined due to efforts to reduce on-road and off-road vehicle emissions, especially diesel particulate matter. The State's existing air quality policies will virtually eliminate black carbon emissions from on-road diesel engines within 10 years (CARB 2017a).

⁹ The project involves reconstruction of the Orange County Library (Laguna Niguel Branch) on the project site. As such, trips generated from the existing library are excluded from the project trip generation as they are part of the baseline conditions onsite (see Appendix K).

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Emissions Inventory. As shown in the table, GHG emissions from the proposed project would exceed South Coast AQMD Working Group's bright-line significance threshold as well as the City's 3,000 MTCO₂e significance threshold. As a result, GHG emissions associated with the project are considered potentially significant.

Table 5.7-5 Project GHG Emissions Inventory

Source	GHG Emissions ¹	
	MTCO ₂ e Per Year	Percent Proportion
Area	5	<1%
Energy ²	2,191	19%
Residential Photovoltaic System ³	-45	<1%
Mobile ⁴	8,013	69%
Solid Waste	1,036	9%
Water	261	2%
Amortized Construction Emissions ⁵	191	2%
Total All Sectors	11,651	100%
South Coast AQMD Working Group Bright-Line Threshold	3,000 MTCO ₂ e	NA
Exceeds Threshold?	Yes	NA

Source: CalEEMod, Version 2020.4.

Notes: Totals may not equal 100 percent due to rounding.

¹ Based on the preliminary information provided by the Applicant.

² Model accounts for total energy use associated with implementation of the proposed project.

³ Based on PV system generating 184,315 kWh per year as provided by the Applicant.

⁴ Construction emissions are amortized over a 30-year project lifetime per recommended South Coast AQMD methodology.

⁵ Construction emissions are amortized over a 30-year project lifetime per recommended South Coast AQMD methodology.

Level of Significance Before Mitigation: Potentially significant.

Impact 5.7-2: Implementation of the proposed project could potentially conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs. [Threshold GHG-2]

Applicable plans adopted for the purpose of reducing GHG emissions include CARB's Scoping Plan and SCAG's RTP/SCS. A consistency analysis with these plans is presented below.

CARB Scoping Plan

CARB's Scoping Plan is California's GHG reduction strategy to achieve the state's GHG emissions reduction target established by AB 32. The CARB Scoping Plan is applicable to state agencies and is not directly applicable to cities/counties and individual projects. Nonetheless, the Scoping Plan has been the primary tool that is used to develop performance-based and efficiency-based CEQA criteria and GHG reduction targets for climate action planning efforts.

Since adoption of the 2008 Scoping Plan, state agencies have adopted programs identified in the plan, and the legislature has passed additional legislation to achieve the GHG reduction targets. Statewide strategies to reduce GHG emissions include the Low Carbon Fuel Standard, California Appliance Energy Efficiency regulations, California Renewable Energy Portfolio standard, changes in the Corporate Average Fuel Economy standards,

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and other early action measures as necessary to ensure the state is on target to achieve the GHG emissions reduction goals of AB 32. New buildings are required to comply with the latest applicable Building Energy Efficiency Standards and CALGreen. On December 24, 2017, CARB adopted the Final 2017 Climate Change Scoping Plan Update to address the new 2030 interim target established by SB 32 to achieve a 40 percent reduction below 1990 levels by 2030 (CARB 2017b). While measures in the Scoping Plan apply to state agencies and not the proposed project, the proposed project's GHG emissions would be reduced by statewide compliance with measures that have been adopted since AB 32 and SB 32 were adopted.

However, as described in Impact 5.7-1, the proposed project would result in a significant increase in GHG emissions. Because GHG emissions are considered to be substantial; and therefore, significant under Impact 5.7-1, it is conservatively considered to result in a significant impact with respect to consistency with the Scoping Plan. Therefore, the proposed project could obstruct implementation of the CARB Scoping Plan, and impacts would be potentially significant.

SCAG's Regional Transportation Plan/Sustainable Communities Strategy

SCAG adopted the 2020-2045 RTP/SCS (Connect SoCal) in September 2020 for the purpose of transportation conformity. Connect SoCal finds that land use strategies that focus on new housing and job growth in areas rich with destinations and mobility options would be consistent with a land use development pattern that supports and complements the proposed transportation network. The overarching strategy in Connect SoCal is to plan for the southern California region to grow in more compact communities in transit priority areas and priority growth areas; provide neighborhoods with efficient and plentiful public transit; establish abundant and safe opportunities to walk, bike, and pursue other forms of active transportation; and preserve more of the region's remaining natural lands and farmlands (SCAG 2020). Connect SoCal's transportation projects help more efficiently distribute population, housing, and employment growth, and forecast development is generally consistent with regional-level general plan data to promote active transportation and reduce GHG emissions. The projected regional development, when integrated with the proposed regional transportation network in Connect SoCal, would reduce per-capita GHG emissions related to vehicular travel and achieve the GHG reduction per capita targets for the SCAG region.

The Connect SoCal Plan does not require that local general plans, specific plans, or zoning be consistent with the SCS, but provides incentives for consistency for governments and developers. The proposed project is a mixed-use project that would result in multi-family (medium - high-density) residential development on the project site proximate to commercial uses, which would contribute to reducing the vehicle miles traveled between residential and service needs. Furthermore, as seen in Section 5.15, *Transportation*, the proposed project is expected to generate lower VMT than the established VMT significance thresholds under Baseline Year 2016 conditions and Cumulative Year 2045 conditions for both the residential and nonresidential components. The proposed project is also locally serving in that it provides more options for residents to live and work locally and encourages diverse housing and transportation options that reduce VMT. Additionally, the proposed project has multimodal amenities that enhance mobility and regional connectivity with multimodal connections that extend local access to regional networks for alternative modes of travel. Consequently, the project is consistent with the overall objectives of the Connect SoCal Plan and would not interfere with SCAG's ability to implement the regional strategies outlined in the Connect SoCal. Impacts would be less than significant.

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Level of Significance Before Mitigation: Potentially significant.

5.7.5 Cumulative Impacts

Project-related GHG emissions are not confined to a particular air basin but are dispersed worldwide. Therefore, impacts under Impact 5.7-1 are not project-specific impacts to global warming, but the proposed project's contribution to this cumulative impact. As discussed under Impact 5.7-1 and Section 5.7.8, implementation of the proposed project would result in annual emissions that would exceed South Coast AQMD Working Group's bright-line threshold. Therefore, project related GHG emissions and their contribution to global climate change would be cumulatively considerable, and GHG emissions impacts would be significant.

5.7.6 Level of Significance Before Mitigation

Without mitigation, these impacts would be **potentially significant**:

- **Impact 5.7-1** Operation of the proposed project would generate a cumulatively considerable net increase in GHG emissions that would exceed the South Coast AQMD Working Group bright-line threshold.
- **Impact 5.7-2** Operation of the proposed project could potentially conflict with the Scoping Plan.

5.7.7 Mitigation Measures

Impact 5.7-1

GHG-1 All installed/provided major appliances shall be "Energy Star" appliances. Prior to issuance of building permits for residential and nonresidential buildings, the property owner/applicant shall identify on the building plans that all major appliances (dishwashers, refrigerators, clothes washers, and dryers) to be provided/installed are "Energy Star" appliances. Proper installation of these features shall be verified by the City of Laguna Niguel prior to issuance of a Certificate of Occupancy.

GHG-2 Prior to issuance of building permits for residential and nonresidential development buildings, the project applicant shall indicate on the building plans that the following features shall be incorporated into the design of the building(s). Proper installation of these features shall be verified by the City prior to issuance of a Certificate of Occupancy.

- For residential and nonresidential buildings, electric vehicle charging shall be provided as specified in Section A4.106.8.2 (Residential Voluntary Measures) and A5.106.5.3 (Nonresidential Voluntary Measures) of the 2019 CALGreen Code as applicable.
- Bicycle parking shall be provided as specified in Section A4.106.9 (Residential Voluntary Measures) and A5.106.5.4 (Nonresidential Voluntary Measures) of the 2019 CALGreen Code and reproduced below.

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- *Short-term bicycle parking.* Permanently anchored bicycle racks shall be provided within 100 feet of the visitor's entrance to the residential building, readily visible to passers-by, for 5 percent of visitor motorized vehicle parking capacity for the multifamily units, with a minimum of one 2-bike capacity rack.
- *Long-term bicycle parking for multifamily buildings.* Provide on-site bicycle parking for at least one bicycle for every two dwelling units. Acceptable bike parking facilities shall be conveniently reached from the street.

GHG-3 Prior to issuance of building permits for nonresidential development buildings, the project applicant shall indicate on the building plans that the following features have been incorporated into the design of the building(s). Proper installation of these features shall be verified by the City prior to issuance of a Certificate of Occupancy.

- Preferential parking for low-emitting, fuel-efficient, and carpool/van vehicles shall be provided as specified in Section A5.106.5.1 (Nonresidential Voluntary Measures) of the 2019 CALGreen Code. Facilities shall be installed to support future electric vehicle charging at each nonresidential building with 30 or more parking spaces. Installation shall be consistent with Section A5.106.5.3 (Nonresidential Voluntary Measures) of the 2019 CALGreen Code.

5.7.8 Level of Significance After Mitigation

Impact 5.7-1

Implementation of Mitigation Measure GHG-1 through GHG-3 would reduce GHG emissions to the extent feasible. However, mobile emissions are the primary contributor to GHG emissions. The proposed project incorporates the design features to facilitate multi-modal transportation such as improvements to internal circulation by creating pedestrian and multiuse walkways as well as alternative transportation features to encourage public transit and bicycling. In addition, the project will comply with Municipal Code section 9-1-102 et seq., which is designed to reduce vehicle travel and associated GHG emissions. However, the project has no control over state and regional solutions to reduce mobile emissions and the use of mass transit, alternative modes of transportation, and electric vehicles cannot be estimated with certainty. The project would result in a substantial increase in GHG emissions, and Impact 5.7-1 would remain significant and unavoidable.

Impact 5.7-2

The proposed project would potentially conflict with the Scoping Plan. Implementation of Mitigation Measure GHG-1 through GHG-3 would reduce GHG emissions to the extent feasible. However, the project would result in a significant increase in GHG emissions; and therefore, it is conservatively considered to potentially conflict with the Scoping Plan. Impact 5.7-2 would remain significant and unavoidable.

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