



Monterey County

Item No.

Board Report

Board of Supervisors
Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901

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October 27, 2020

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Public hearing to consider an amendment to Policy OS-10.11 of the Monterey County 2010 General Plan to update the language concerning the Greenhouse Gas Reduction Plan in line with statewide targets.

RECOMMENDATION:

It is recommended that the Board of Supervisors adopt a resolution to:

- a. Consider Addendum Number 4 together with the Final Environmental Impact Report prepared for the 2010 Monterey County General Plan; and
- b. Approve an amendment to Policy OS-10.11 of the Monterey County 2010 General Plan to update the language concerning the Greenhouse Gas Reduction Plan in line with statewide targets.

SUMMARY:

General Plan Policy OS-10.11 of the 2010 General Plan requires the County to prepare a County-wide Climate Action Plan to achieve reductions in greenhouse gas emissions by the year 2020. New statewide greenhouse gas reductions targets have been issued through Senate Bill 32 for the year 2030. The Chief Administrative Offices, together with the Resource Management Agency, have begun to move the climate action planning efforts forward. As the first step in doing so, and to support potential grant funding opportunities, staff proposes to amend General Plan Policy OS-10.11 to update greenhouse gas reduction targets to the 2030 horizon in line with state goals. In updating the General Plan policy language, staff has also included reference to current best practices in climate action planning efforts including incorporation of social equity considerations and climate change adaptation.

On September 30, 2020, the Planning Commission considered proposed General Plan amendment language. Staff proposed language that was more flexible to accommodate future legislative changes; however, the Commission unanimously recommended approval of the amendment to keep timelines to maintain urgency for completion of the plan. Staff recommends adding a timeline for completion, but not for adoption.

DISCUSSION:

In 2006, California passed landmark climate action legislation, AB 32, the Global Warming Solutions Act, which set a goal to reduce greenhouse gas emissions to 1990 levels by 2020 and cited local

governments as key collaborators in reaching the target through Climate action planning. Climate Action Plans lay out strategies that local governments can implement to achieve greenhouse gas emissions reductions. They are created through collaborative process with external stakeholders and the local community. Strategies are typically analyzed for cost-benefit, feasibility, and greenhouse gas reduction prior to being selected for implementation.

Since 2006, climate action planning has evolved substantially. For instance, the plan can include a section on adaptation, offering actions and strategies for reducing the negative impacts of climate change. The Plan can also be CEQA certified, which would allow for streamlining of proposed development within the County under the provisions of Public Resources Code section 21083.3 and CEQA Guidelines section 15183.5. Moreover, best practices include equitable solutions, which consider the effects of climate change reductions strategies on low income and minority communities.

In the 2010 General Plan Final EIR, preparation of a Greenhouse Gas Reduction Plan was identified as a mitigation measure that would reduce climate change impacts associated with development contemplated in the General Plan. Policy OS-10.11 was added to provide the desired mitigation. Policy OS-10.11 adapted language similar to that accepted by the State Attorney General in litigation against San Bernardino County. The current policy reads as follows:

“Within 24 months of the adoption of the General Plan, Monterey County shall develop and adopt a Greenhouse Gas (GHG) Reduction Plan with a target to reduce emissions by 2020 to a level that is 15% less than 2005 emission levels. At a minimum, the Plan shall:

- a. Establish an inventory of 2005 GHG emissions in the County of Monterey including but not limited to residential, commercial, industrial, and agricultural emissions; and*
- b. Forecast GHG emissions for 2020 for County operations;*
- c. Forecast GHG emissions for areas within the jurisdictional control of the County for “business as usual” conditions;*
- d. Identify methods to reduce GHG emissions;*
- e. Quantify the reductions in GHG emissions from the identified methods;*
- f. Establish requirements for monitoring and reporting of GHG emissions;*
- g. Establish a schedule of actions for implementation;*
- h. Identify funding sources for implementation; and*
- i. Identify a reduction goal for the 2030 Planning Horizon.*
- j. Quantify carbon sequestration in agricultural soils and crops.*

During preparation of the Greenhouse Gas Reduction Plan, the County shall also evaluate potential options for changes in County policies regarding land use and circulation, as necessary, to further achieve the 2020 and 2030 reduction goals and measures to promote urban forestry and public awareness concerning climate change.”

The County did not adopt a Greenhouse Gas Reduction Plan within the 2020 timeline. Efforts to move the plan forward are now underway. As an initial step, staff seeks to amend the General Plan to achieve consistency with state law. The General Plan language needs to be updated to reflect the latest

state goals, set out in SB32, which seek to reduce emissions by 40% from 1990 levels by 2030. Given that the 2020 plan was never adopted, staff has added a requirement for the County to look retrospectively at 2020 emission levels. Additionally, following best practices state-wide, and in consultation with the Health Department and the Office of Emergency Services, staff suggests adding policy language that addresses social equity and climate change resiliency. Initially, staff removed language suggesting the plan should be adopted within 24 months of adoption of the General Plan and left all timelines out in order to allow for flexibility in plan adoption (a copy of that staff report is attached for reference). With direction from the Planning Commission to keep timelines to maintain urgency to complete the plan, staff added a completion, but not an adoption. Staff drafted the following language for the Board's consideration:

~~“Within 24 months of the adoption of the General Plan, By the end of 2022, the County of Monterey County shall develop and adopt a Greenhouse Gas (GHG) Reduction community climate action Pplan and the Board of Supervisors shall consider adoption of the plan or provide direction as appropriate. with This plan shall have a target to reduce emissions by 20320 to a level that is 4540% less than 2005 1990 emissions levels. This plan should include environmental justice considerations including the impact of climate change and adaptation strategies on Disadvantaged Communities, as that term is defined in Government Code Section 65302 (h)(4)(A), low-income and/or under-resourced communities, communities of color, and/or indigenous peoples as necessary.~~

At a minimum, the Plan shall:

- a. Establish ~~an~~ current inventory of 2005 GHG emissions in the County of Monterey including but not limited to residential, commercial, industrial, and agricultural emissions;*
- b. Review progress made between 2010 and 2020 to reduce GHG emissions;*
- c. Forecast GHG emissions for 20230 for County operations;*
- d. Forecast GHG emissions for areas within the jurisdictional control of the County for “business as usual” conditions;*
- e. Identify ~~methods~~ strategies to reduce and sequester GHG emissions and set performance indicators for each strategy;*
- f. Quantify the reductions in GHG emissions from the identified ~~methods~~ strategies and evaluate the social and health impacts that may result from their implementation;*
- g. Quantify carbon sequestration in agricultural soils and crops*
- h. Establish requirements for monitoring and reporting of ~~GHG emissions~~ indicators;*
- i. Establish a schedule of actions for implementation;*
- j. Identify funding sources for implementation; and*
- k. Identify a reduction goal for the 204530 Planning Horizon.*
- l. Quantify carbon sequestration in agricultural soils and crops*

During preparation of the ~~Greenhouse Gas Reduction community climate action Pplan~~, the County shall also evaluate potential options for incorporating changes in County policies within the General Plan including, but not limited to, those regarding health and safety, land use, and circulation, as necessary, , as well as the Hazard Mitigation Plan to further achieve the 20230 and 204530 reduction goals. The County shall also consider ~~and~~ measures to promote

urban forestry and public awareness concerning of climate change and strategies to mitigate the effects of climate change. The County shall continue planning for adaptation due to climate change.”

Although this is a County-initiated amendment, staff followed the General Plan amendment process established in State law and in Chapter 21.91 of the Monterey County Code. The amendment to the General Plan was brought to the Planning Commission for an “early assessment” on July 29, 2020. Through the early assessment process, the Planning Commission reviews of the suitability of General Plan amendments and considers the context of all other amendments both comprehensively and cumulatively. This is the only General Plan amendment currently being considered for this calendar year. This amendment would better carry out the General Plan’s overall goals and objectives and better adhere to state greenhouse gas reduction guidance.

Section 21.91.050 sets forth evaluation criteria for General Plan amendments that “must at a minimum” be satisfied “in addition to any other relevant considerations”:

1. The amendment is not in conflict with the goals, objectives, and policies of the general plan that are not proposed for amendment; and
2. The applicant demonstrates, based on substantial evidence, one or more of the following:
 - a. There is a demonstrable error or oversight in the adopted general plan; or
 - b. There is a clear change of facts or circumstances; or
 - c. The amendment better carries out the overall goals and policies of the general plan.

Staff believes that this amendment is consistent with the above stated goals as there has been a clear change of circumstances with respect to state climate change target laws and the intention of Policy OS-10.11 was to maintain consistency with state laws and targets for greenhouse gas reductions. Further, the amendment is not in conflict with the goals, objectives, and policies of the General Plan since this update will not change the intent or mission of the current Policy, other than to conform that Policy with current state law. In addition, this amendment may fall under subsection B of 21.91.020, as it could be considered a periodic comprehensive update to the General Plan and addresses a threat to public health and safety. Chapter 21.91.020 subsection B states that general plan amendments that meet any of the following requirements are exempt from following the General Plan amendments process:

1. Periodic comprehensive updates of the 2010 Monterey County General Plan;
2. General plan amendments initiated by either the Planning Commission or the Board of Supervisors of the County of Monterey when such an amendment is necessary to address a threat to the public health or safety; or
3. General plan amendments instituted by citizen initiative.

Despite this potential exemption, staff is following the Chapter 21.91 guidelines for General Plan amendments as closely as possible and holding a public hearing before the Board of Supervisors regarding the amendment to ensure public participation and accountability.

California Environmental Quality Act (CEQA):

Staff has prepared an addendum to the 2010 Monterey County General Plan EIR pursuant to section 15164 of the CEQA guidelines for the proposed General Plan Amendment. None of the circumstances described in section 15162 calling for preparation of a subsequent EIR have occurred. The 2010 General Plan EIR identified the need to prepare a Greenhouse Gas reduction plan to reduce impacts to climate change. The goal was to reduce greenhouse gas emissions by 15 percent below 2005 levels as set out in Assembly Bill 32, the Global Warming Solutions Act. Following guidance from Senate Bill 32, the revision targets a 40 percent reduction in Greenhouse Gas Emissions, which would be more effective at addressing the effects on climate change for anticipated development. This makes the proposed amendment equal or more effective at mitigating climate change impacts, updates the policy to reflect current State Law and guidance, but does not increase the severity of previously identified impacts. Effects of Greenhouse Gas Emissions on climate change were known and were addressed in the 2010 General Plan EIR. The proposed addendum reflects minor and technical changes to the policy and mitigation language contained in the 2010 General Plan EIR.

OTHER AGENCY INVOLVEMENT:

The following Departments or Agencies have been involved in drafting this resolution:

- Resource Management Agency
- County Counsel's Office
- CAO's Office

FINANCING:

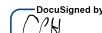
Funding for staff time associated with the amendment to the General Plan policy is included in the FY20-21 Adopted Budget for each of the involved Departments/Agencies. As proposed, the amendment maintains a commitment to preparation of a Community Climate Action Plan within the next two years. This commitment is not different than the existing policy (pre amendment) except that the dates have changed. Efforts to prepare a Climate Action Plan will remain an obligation for General Plan implementation. Preparation of the Community Climate Action Plan will require funding for staff time and/or consultant services at some point in the future. The exact cost of preparation of the Climate Action Plan is currently unknown time. If the proposed amendment is adopted, staff will address funding needs as part of the General Plan implementation efforts. Staff intends to seek funding either from grants or during the next budget cycle for implementation efforts.

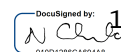
Prepared by: Ashley Paulsworth, CAO Sustainability Program Manager

Reviewed by: Craig Spencer, RMA Planning Services Manager

Approved by: Carl Holm, AICP, RMA Director and

Nick Chiulos, Assistant County Administrative Officer

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Attachments:

Attachment A: General Plan Policy OS-10.11

Attachment B: Policy Revisions to General Plan Policy OS-10.11

Attachment C: Resolution to Amend General Plan Policy OS-10.11

Attachment D: Addendum Number 4 to the 2010 General Plan EIR

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Attachment E: 2010 General Plan EIR (on file with Clerk of the Board, or [online](https://www.co.monterey.ca.us/government/departments-i-z/resource-management-agency-rma-/planning/resources-documents/2010-general-plan/general-plan-final-environmental-impact-repo)
<<https://www.co.monterey.ca.us/government/departments-i-z/resource-management-agency-rma-/planning/resources-documents/2010-general-plan/general-plan-final-environmental-impact-repo>>)