

21-2022-093

NOTICE OF EXEMPTION

TO: Marin County Clerk
3501 Civic Center Drive, Suite 234
San Rafael, CA 94903

FROM: Bay Area Air Quality Management District
375 Beale Street, Suite 600
San Francisco, CA 94105

FILED

Project Applicant: Bay Area Air Quality Management District
Lead Agency: Bay Area Air Quality Management District
Contact: Wendy Goodfriend Phone: (415) 749-4641

APR 25 2022

SHELLY SCOTT
MARIN COUNTY CLERK
BY: J. GILARDI, Deputy

SUBJECT: FILING OF NOTICE OF EXEMPTION PURSUANT TO SECTION 21152 OF THE PUBLIC RESOURCES CODE AND CEQA GUIDELINES SECTION 15061(b)(3)

Project Title: CEQA Thresholds for Evaluating the Significance of Climate Impacts From Land Use Projects and Plans

Project Location: The CEQA Thresholds of Significance are advisory to local agencies within the Bay Area Air Quality Management District (District), which includes all of Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, and Santa Clara counties, and the southern portions of Solano and Sonoma counties.

Project Description: The District has updated the CEQA Thresholds for Evaluating the Significance of Climate Impacts From Land Use Projects and Plans (Climate Impact Thresholds) and provided an associated Justification Report. The Climate Impact Thresholds are advisory in nature, and intended to assist cities, counties, and other lead agencies in analyzing and reducing climate impacts of local projects and plans subject to CEQA review. The Climate Impact Thresholds provide lead agencies with recommended benchmarks for determining whether a project or plan's GHG emissions rise to a level of significance. The *Justification Report: CEQA Thresholds for Evaluating the Significance of Climate Impacts from Land Use Projects and Plans (Justification Report)* provides the rationale and substantial evidence supporting the updated thresholds of significance.

The update was responsive to the substantive changes that have occurred with respect to the data and assumptions underlying the analytical methodologies, thresholds, and guidance since the District's last thresholds of significance update in June 2010. Accordingly, the updated thresholds of significance reflect current State legislation, policy guidance and GHG reduction targets, new and revised requirements in the State CEQA Guidelines, case law, improved analytical methodologies, and updated GHG reduction strategies and technologies.

The *Justification Report* explains and supports the recommended thresholds and provides the substantial evidence to support adoption of these thresholds by the Board of Directors, as well as the substantial evidence needed by lead agencies that choose to use these thresholds to make significance determinations. The District held numerous focus groups with local government planning staff, builders, affordable housing developers, environmental advocates and community organizations in the fall of 2021; convened two public workshops, one in December 2021 and one in March 2022; held a 30-day public comment period from February 16 to March 18, 2022; and presented the initial concepts and final proposed thresholds of significance to the Mobile Source and Climate Impacts Committee of the Board of Directors on September 23, 2021 and March 24, 2022.

On April 20, 2022, the Board of Directors of the Bay Area Air Quality Management District conducted a public hearing as required by CEQA Guidelines Section 15064.7; approved the Climate Impact Thresholds; and determined that the thresholds are not subject to CEQA.

Finding of Exemption: The Climate Impact Thresholds do not constitute a project under CEQA pursuant to Public Resources Code, Section 21065. Moreover, they will have no significant effect on the environment and thus are not subject to CEQA pursuant to CEQA Guidelines, Section 15061(b)(3).

Basis for Exemption: The District complied with Section 15064.7 in establishing the Climate Impact Thresholds. Section 15064.7 establishes the required procedure for enacting generally applicable

POSTED 4/25/22 TO 5/25/22