

MOTION

PLANNING & LAND USE MANAGEMENT

JAN 30 2008

Global warming related to greenhouse gas emissions is a worldwide concern. A city the size and importance of Los Angeles is significantly impacted by global warming and it is critical that the City of Los Angeles take steps now to combat this real threat to our environment and the future of our children.

California is leading all other states in aggressively tackling the sources of global warming. Last year, the Governor signed into law Assembly Bill 32, the California Global Warming Solutions Act. Additionally, the California Attorney General has taken the position that Environmental Impact Reports (EIR) must consider impacts on climate change resulting from significant development projects. The State is at the forefront in the fight with the federal government to allow California to address vehicle mileage standards. Most construction materials are produced, assembled, finished and/or shipped using some type of gasoline or diesel fuel, which is a key contributor to greenhouse gas emissions. The State of California is also taking the lead in addressing this serious threat to the health and well-being of its people.


The City of Los Angeles has also begun to focus on aspects of the green house gas emission problem. Studies have shown that buildings contribute more than 35 percent of the nation's carbon dioxide emissions – the chief pollutant associated with greenhouse gases. The City's Planning Commission recently took action to develop a Green Building Program for private sector buildings and projects. The program under consideration would establish mandatory standards of sustainability for projects that exceed 50 units or 50,000 square feet. One of the goals is to reduce the use of electricity, gas and water and decrease the amount of solid waste produced in building projects. The City of Los Angeles is also taking into consideration the impacts of very large development projects on global warming. Many development projects being approved and constructed today include a substantial number of mitigation measures, including compliance with LEED standards, air quality measures, transportation demand management features, and other water and energy saving measures. The measures, however, are not mandatory and are not based on requirements linked to significance thresholds.

The City Attorney advises that the City has the legal authority to require project applicants to identify and mitigate impacts on global warming from development projects significant enough to require discretionary approval. The City Attorney has concluded that this authority comes from the California Environmental Quality Act (CEQA), a state law that requires project applicants seeking discretionary approval of development projects to prepare environmental documentation. Depending on the proposed project, CEQA compliance might be achieved with environmental documentation ranging from a finding of categorical exemption to the need for a full Environmental Impact Report (EIR). To properly harness the concerns of global warming to the CEQA process, the City Attorney advises that the City should develop significance thresholds that will trigger the obligation to mitigate project impacts on global warming and limit greenhouse gas emissions.


The City should act now on the advice of the City Attorney and as a first step quickly determine whether any other municipalities in the state of California and throughout the nation are developing significance thresholds under CEQA or equivalent laws in other states and, as a second step, determine the ramifications of such a policy, if developed by the City, on development and the environment. The City of Los Angeles can lead the charge on this issue, at least until such time as significance thresholds are developed and implemented statewide or nationwide.

I THEREFORE MOVE that the City Council direct the Planning Department, in cooperation with the City Attorney and Chief Legislative Analyst, to report back within 60 days with an evaluation of policies, if any, being implemented in other municipalities in the State of California and the United States, related to significance thresholds associated with global warming, specifically related to greenhouse gas emissions; and a report on the costs, project impacts and policy implications of developing a policy to require such mitigation in development projects based on significance thresholds, as well as alternative options the Council may consider to address this issue.

PRESENTED BY


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SECONDED BY



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