

Chris Cone supported the recommendation to have meetings before or after the Board of Director meetings, further supporting to meet before, so the committee could provide more support for the agenda item.

8. Announcements

Ken Wells announced that Sonoma Clean Power will reintroduce Drive Evergreen, an incentive program to help individuals purchase fuel efficient/hybrid or electric vehicles.

Jane Elias announced that the Energy Sustainably Division will be promoting ten workshops focused on home and water energy savings.

Brant Arthur reiterated the monthly RCPA newsletter, and announced if any committee member would want their events shared, please contact. Additionally, Mr. Arthur announced on September 9th, Drive Electric will be at the Santa Rosa Courthouse Square.

Laurie Gallian announced the Sierra Club will be show *An Inconvenient Sequel: Truth to Power* at the Summerfield theatre on July 29th.

Kerry Fugett announced on July 31st, the Peace and Justice Center will be holding a Sonoma County Climate Activist Summit.

9. Adjourn

The committee adjourned at 12:39 p.m.

Staff Report

To: Climate Action Advisory Committee
From: Lauren Casey, Director of Climate Programs
Item: 4 – Brown Act Overview
Date: October 9, 2017

Issue:

What are the requirements of the Ralph M. Brown Act, which governs the operations of the Climate Action Advisory Committee (CAAC)?

Background:

The CAAC is an advisory body created to provide information and advice to the RCPA regarding the implementation of RCPA programs. Members were appointed by the RCPA Board of Directors. Therefore, the CAAC constitutes an advisory local government body subject to the Brown Act.

The purpose of the Brown Act was to ensure that the actions and deliberations of government are open to the public. CAAC Members are encouraged to familiarize themselves with the requirements of the Brown Act here: <https://www.cacities.org/Resources-Documents/Resources-Section/Open-Government/Open-Public-2016.aspx>.

RCPA’s legal counsel, Cory O’Donnell, will be on hand for a short presentation and Q&A.

Policy Impacts:

Members of the CAAC must adhere to the Brown Act.

Fiscal Impacts:

None.

Staff Recommendation:

Information only.

Staff Report

To: Climate Action Advisory Committee

From: Lauren Casey, Director of Climate Programs

Item: 5 – Climate Action 2020 - resolution of litigation

Date: October 6, 2017

Issue:

What is the outcome of the lawsuit against CA 2020 EIR?

Background:

The RCPA developed the Climate Action 2020 and Beyond plan last year to comply with state legislation to try to reduce greenhouse gases to 1990 levels by the year 2020. All nine Sonoma County cities and the county worked to develop the plan's goals.

Implementation was put on hold while a lawsuit against the adequacy of the environmental impact report (EIR) was supported in court. The trial court issued an adverse ruling, which would require the RCPA to appeal or rescind certification of the EIR. The SCTA/RCPA authorized counsel and the Executive Director to enter into an agreement with California River Watch that will conclude the legal action in which RCPA pays \$226,912, comprised of \$225,000 in attorney fees and \$1,912 in costs, in two installment payments over two years. As further requirements of the settlement, RCPA would agree to not appeal, and California River Watch would reaffirm in signed correspondence on letterhead its commitment not to challenge the measures in the plan.

The Climate Action Plan will remain an advisory document, and RCPA's member agencies can continue to implement the measures in the plan if they either conduct California Environmental Quality Act (CEQA) review or find that the measures are exempt. The plan will not be able to be used for making significance determinations for CEQA analysis of other projects. The RCPA Board will consider two actions related to the Plan on October 9, 2017: one to decertify the EIR and rescind adoption of the Plan and the other to consider a replacement policy resolution.

Both staff reports to the RCPA Board (4.1.1 and 4.1.2) are included and can also be found in the RCPA agenda packet: <http://rcpa.ca.gov/meetings-and-events/>.

Policy Impacts:

CA 2020 will not have a certified EIR and cannot be used for making significance determinations for CEQA analysis of other projects. The RCPA will consider a policy replacement for the CAP to maintain countywide commitment to climate action.

Fiscal Impacts:

SCTA/RCPA will pay \$226,912 to California River Watch.

Staff Recommendation:

This is for information only.

Staff Report

To: RCPA Board of Directors
From: Lauren Casey, Director of Climate Programs
Item: 4.1.1 - CA2020 – action to decertify the Environmental Impact Report for the Climate Action 2020 and Beyond plan
Date: October 9, 2017

Issue:

Shall the Board adopt Resolution No. 2017-002 to decertify the Environmental Impact Report associated with the Climate Action 2020 and Beyond Plan?

Background:

The RCPA developed the Climate Action 2020 and Beyond Plan (CA2020) over the course of several years as a tool to identify local measures to reduce greenhouse gas emissions (GHGs). The Plan was assessed for potential adverse environmental impacts of implementing these measures via a programmatic Environmental Impact Report (EIR). The CA2020 Plan was adopted by the RCPA Board in July, and the associated EIR was certified via RCPA Resolution Number 2016-002.

California River Watch filed a complaint against the RCPA's adoption of the plan on the grounds of the adequacy of the EIR on several fronts: greenhouse gas (GHG) inventory methodology, measure certainty, range of alternatives, and adequacy of reply comments during the EIR process. Unfortunately, the Judgement issued by the trial court agreed with the petitioner on multiple counts, and requires that the RCPA Board rescind the resolution certifying the EIR for CA2020. The RCPA Board faced the option whether to appeal or agree to a stipulation of terms with California River Watch in response to the judgement. The financial risks and delays caused by an appeal were deemed to be too great relative to the benefit of preserving the EIR.

The Board authorized counsel and the Executive Director to enter into a settlement with California River Watch in which RCPA pays \$226,912, comprised of \$225,000 in attorney fees and \$1,912 in costs, in two installment payments over two years. As further requirements of the settlement, RCPA would agree not to appeal, and California River Watch would reaffirm in signed correspondence on letterhead its commitment not to challenge the measures in the plan.

Policy Impacts:

This action will prevent the use of the Programmatic EIR in subsequent CEQA analysis for the purposes of the implementation of the CA2020 measures or for the analysis of GHG emissions. It will render the CA2020 Plan useful as an advisory document only, and will not prevent the implementation of the measures.

Fiscal Impacts:

None.

Staff Recommendation:

That the Board adopt Resolution No 2017-002 to decertify the EIR associated with CA2020.

**A RESOLUTION OF THE REGIONAL CLIMATE PROTECTION AUTHORITY TO
DECERTIFY ITS CERTIFICATION OF THE CLIMATE ACTION 2020 AND BEYOND
PROGRAMMATIC ENVIRONMENTAL IMPACT REPORT.**

WHEREAS, the RCPA developed a community wide plan to reduce greenhouse gas emissions (GHGs) called Climate Action 2020 and Beyond; and

WHEREAS, the RCPA prepared a programmatic Environmental Impact Report (EIR) to evaluate the potential adverse environmental impacts of implementing measures to reduce GHGs; and

WHEREAS, the RCPA Board adopted Resolution Number 2016-002 certifying a Final EIR, making required findings under the California Environmental Quality Act (CEQA) for adoption, and adopting the Climate Action 2020 and Beyond: Regional Program for Sonoma County Communities; and

WHEREAS, California River Watch filed a CEQA complaint against the RCPA challenging the adequacy of the EIR; and

WHEREAS, RCPA's attempts to defend certification in the trial court were unsuccessful and the judgement against the RCPA requires that the RCPA rescind the resolution certifying the EIR for CA2020.

NOW, THEREFORE, BE IT RESOLVED, that the RCPA rescinds Resolution No 2016-002.

THE FOREGOING RESOLUTION was moved by Director _____, seconded by Director _____, and adopted by the following vote:

Director Agrimonti	_____	Director Mansell	_____
Director Coursey	_____	Director Miller	_____
Director Gurney	_____	Director Rabbitt	_____
Director Gorin	_____	Director Russell	_____
Director Landman	_____	Director Salmon	_____
Director Mackenzie	_____	Director Zane	_____

Ayes: _____ Noes: _____ Absent: _____ Abstain: _____

SO ORDERED

I, the undersigned, certify that the foregoing resolution was duly adopted at a regular meeting of the Board of Directors of the Sonoma County Regional Climate Protection Authority held on October 9, 2017.

Suzanne Smith, Executive Director
Clerk, Sonoma County Regional Climate Protection Authority

Staff Report

To: RCPA Board of Directors
From: Lauren Casey, Director of Climate Programs
Item: 4.1.2 – Next steps for RCPA climate action (ACTION)*
Date: October 9, 2017

Issue:

Shall the Board adopt a Resolution to adopt updated greenhouse gas (GHG) targets, and goals for reducing GHGs and preparing for climate impacts? Shall the Board promote a model resolution to RCPA members as an option to create consistent countywide policy impetus behind coordinated climate action?

Background:

The RCPA developed the Climate Action 2020 and Beyond Plan (CA2020) over the course of several years, with input from all local city councils, the Board of Supervisors, local government staff, expert consultants, community sustainability leaders, and hundreds of members of the public. It put forth a comprehensive framework for coordinated action on climate change including updated, long-term greenhouse gas reduction targets, broad policy goals to guide work to reduce GHGs and prepare for local climate impacts, and reduction measures customized to each RCPA Member Jurisdiction.

The Environmental Impact Report developed along with the Plan was intended as a tool to ensure that GHG reduction measure do not create adverse environmental impacts such as habitat loss or noise, and to make future implementation of those measures easier for local government and by private project developers. Unfortunately, the pursuit of this strategy for compliance with the California Environmental Quality Act (CEQA) opened the plan to a successful legal challenge related to CEQA procedures. The RCPA Board opted not to pursue an appeal for various reasons (see item 4.1.1).

The judgment against the RCPA was frustrating for many reasons. It stalled and ultimately stopped local jurisdictions' efforts to adopt the climate action plan, despite the work each jurisdiction put in to ensure the plan matched local priorities. The plaintiff has admitted in public forums that it supports the goals of the plan, and the implementation of measures within it, but stated that it brought the case because the project didn't go far enough. Staff track policy guidance and expert opinions on the best approaches to community scale climate action planning, and guidance from state agencies and industry professionals continue to validate the RCPA approach to climate action planning.

For these reasons, RCPA staff propose that the CAP, while no longer enforceable as a CEQA tool, can still serve as an advisory resource for the RCPA's work to coordinate countywide climate protection efforts. The ideas contained in the plan – to advance smart land use, resource efficiency, carbon free electricity, fuel switching, etc. – are still good and valid, and aligned with the climate action strategies articulated in the State Scoping Plan established to achieve the goals of AB 32 and SB 32.

To create more clear direction for RCPA staff on an ongoing basis, the Board may consider adoption of Resolution No 2017-003, officially updating our GHG reduction targets and policy goals to reduce GHGs and

prepare for local climate impacts. This resolution would achieve the same policy impetus behind climate action as would have the CA2020 Plan, but without the CEQA elements challenged by California River Watch.

The RCPA may also consider sharing the attached model resolution with each member jurisdiction, as a tool to codify updated commitments to the countywide collaboration on climate action, to update long term policy goals, and to consider pursuing the implementation of measures each jurisdiction had previously identified as good local opportunities. Taking this policy action at a city and county level would help create countywide consistency and clear guidance for RCPA and jurisdiction staff about coordinated implementation.

Even without a valid EIR, RCPA's member agencies can still implement the measures in the plan if they either conduct CEQA review on the individual measures or find that the measures are exempt. In most instances, that should not be difficult and could be done with language like "that the adoption and implementation of the climate protection measures developed for the [jurisdiction] in Climate Action 2020 are categorically exempt from environmental review pursuant to section 15308 of title 14 of the California Code of Regulations, because these measures constitute actions taken by a regulatory agency, as authorized by state or local ordinance, to assure the maintenance, restoration, enhancement, or protection of the environment." The City of Sonoma did so upon adoption of its local measures, via the attached Resolution No 40-2016. Also, California River Watch has agreed to provide a signed letter on letterhead stating that it will not challenge the implementation of the measures.

In addition to pursuing the proposed policy action, the RCPA and/or its members may consider the following next steps:

- **Evaluate updated approaches to GHG thresholds under CEQA.** While the Plan cannot be used as a tool for making significance determinations for CEQA reviews of projects, the measures can be implemented. The Bay Area Air Quality Management District is beginning a process to update guidance for addressing GHGs under CEQA. RCPA staff will participate in this process and support local jurisdictions in considering how local thresholds may evolve.
- **Pursue legislative solutions to avoid future CEQA challenges to beneficial projects.** The RCPA may consider working with other stakeholders to pursue CEQA reform that protects environmentally beneficial emissions reduction actions from costly challenges that are contrary to CEQA's basic purpose.
- **Maintain a focus on implementation.** With the enactment of SB 32, the State now has a 2030 target that can become the focus of GHG planning. The long term targets warrant increasingly deep reductions in GHG emissions, and for a scaling up in work to de-carbonize social systems. The RCPA will continue to explore funding and financing models that help implement the good ideas from the plan.
- **Re-evaluate the RCPA approach to planning for the 2030 target.** Unless CEQA reform happens, it is clear that future climate action plans must be developed with meticulous justification for methodology. State planning documents as well as other explanatory papers are already addressing this need, and RCPA will participate with other stakeholders.
- **Support integration of climate action priorities within General Plans.** All jurisdictions already have some climate policies in adopted general plans, and several have included goals and strategies from Climate Action 2020 in recent updates. As several other jurisdictions embark on General Plan updates, the RCPA Board and staff may serve as a resource to borrow analysis and ideas from prior

efforts as appropriate, to navigate General Plan and CEQA Guidelines, and to collaborate with other local jurisdictions.

In conclusion, RCPA staff are committed to minimizing the loss of momentum on climate action progress in Sonoma County however the Board sees fit.

Policy Impacts:

If adopted, these resolutions could provide some of the comprehensive policy framework that had been proposed in Climate Action 2020.

Fiscal Impacts:

None.

Staff Recommendation:

That the Board adopt Resolution No 2017-003 to update RCPA GHG targets and policy goals. That the Board promote the attached model resolution as a policy option for local jurisdictions to consider.

**A RESOLUTION OF THE REGIONAL CLIMATE PROTECTION AUTHORITY TO UPDATE
ITS GREENHOUSE GAS REDUCTION TARGETS AND ESTABLISH POLICY GOALS TO
REDUCE EMISSIONS AND PREPARE FOR THE LOCAL IMPACTS OF CLIMATE CHANGE.**

WHEREAS, climate change is a real and increasingly urgent threat that demands action at every level of government; and

WHEREAS, actions taken by local governments to reduce greenhouse gas emissions (GHGs) provide multiple benefits by providing energy and cost savings, air quality and public health improvements, local job creation, resource conservation, climate resilience, and enhanced equity; and

WHEREAS, the State of California has adopted policy targets to reduce GHGs by 40% from 1990 levels by 2030 and by 80% from 1990 levels by 2050; and

WHEREAS, the RCPA was created to coordinate countywide climate protection efforts in the County of Sonoma; and

WHEREAS, the success of the RCPA depends on the participation of and collaboration with all local jurisdictions, and a commitment to pool resources towards common goals; and

WHEREAS, the RCPA has previously adopted GHG reduction targets that are no longer aligned with the State of California; and

WHEREAS, the RCPA conducted a multi-year planning effort that was informed by each jurisdiction and hundreds of members of the community and that yielded recommendations for twenty goals to reduce greenhouse gas emissions and nine goals to prepare for local climate impacts; and

WHEREAS, adopting the GHG reduction targets and policy goals that were developed in this planning effort will provide clear direction to RCPA staff in delivering on its Mission.

NOW, THEREFORE, BE IT RESOLVED that the RCPA will work to reduce countywide greenhouse gas emissions by 40% below 1990 levels by 2030 and by 80% below 1990 levels by 2050; and

BE IT FURTHER RESOLVED, that the RCPA will reduce GHGs by pursuing implementation actions that support the following policy goals:

1. Increase building energy efficiency
2. Increase renewable energy use
3. Switch equipment from fossil fuel to electricity
4. Reduce travel demand through focused growth
5. Encourage a shift toward low-carbon transportation options
6. Increase vehicle and equipment fuel efficiency
7. Encourage a shift toward low-carbon fuels in vehicles and equipment
8. Reduce idling

Resolution Number 2017-003
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Santa Rosa, California
October 9, 2017

9. Increase solid waste diversion
10. Increase capture and use of methane from landfills
11. Reduce water consumption
12. Increase recycled water and greywater use
13. Increase water and waste-water infrastructure efficiency
14. Increase use of renewable energy in water and wastewater systems
15. Reduce emissions from livestock operations
16. Reduce emissions from fertilizer use
17. Protect and enhance the value of open and working lands
18. Promote sustainable agriculture
19. Increase carbon sequestration
20. Reduce emissions from the consumption of goods and services; and

BE IT FURTHER RESOLVED, that the RCPA will work to increase the health and resilience of social, natural, and built resources to withstand the impacts of climate change; and

BE IT FURTHER RESOLVED, the RCPA will increase resilience by pursuing implementation actions that support the following policy goals:

1. Promote healthy, safe communities
2. Protect water resources
3. Promote as sustainable, climate-resilient economy
4. Mainstream the use of climate projections
5. Manage natural buffer zones around community resources
6. Promote agricultural preparedness and food security
7. Protect infrastructure
8. Increase emergency preparedness and prevention
9. Monitor climate change and its effects.

BE IT FURTHER RESOLVED, that the RCPA seeks support from its member jurisdictions to collaborate towards the same GHG reduction targets and pursue common climate action goals; and

THE FOREGOING RESOLUTION was moved by Director _____, seconded by Director _____, and adopted by the following vote:

Director Agrimonti	_____	Director Mansell	_____
Director Coursey	_____	Director Miller	_____
Director Gurney	_____	Director Rabbitt	_____
Director Gorin	_____	Director Russell	_____
Director Landman	_____	Director Salmon	_____
Director Mackenzie	_____	Director Zane	_____

Ayes: _____ Noes: _____ Absent: _____ Abstain: _____

SO ORDERED

Resolution Number 2017-003
Sonoma County Regional Climate Protection Authority
Santa Rosa, California
October 9, 2017

I, the undersigned, certify that the foregoing resolution was duly adopted at a regular meeting of the Board of Directors of the Sonoma County Regional Climate Protection Authority held on October 9, 2017.

Suzanne Smith, Executive Director
Clerk, Sonoma County Regional Climate Protection Authority

[JURISDICTION]

Resolution # _____

A RESOLUTION OF THE [JURISDICTION] REAFFIRMING ITS INTENT TO REDUCE GREENHOUSE GAS EMISSIONS AS PART OF A COORDINATED EFFORT THROUGH THE SONOMA COUNTY REGIONAL CLIMATE PROTECTION AUTHORITY AND TO ADOPT LOCAL IMPLEMENTATION MEASURES AS IDENTIFIED IN CLIMATE ACTION 2020

WHEREAS, climate change is a real and increasingly urgent threat that demands action at every level of government; and

WHEREAS, actions taken by local governments to reduce greenhouse gas emissions (GHGs) provide multiple benefits by providing energy and cost savings, air quality and public health improvements, local job creation, resource conservation, climate resilience, and enhanced equity; and

WHEREAS, the State of California has adopted policy targets to reduce GHGs by 40% from 1990 levels by 2030 and by 80% from 1990 levels by 2050; and

WHEREAS, the [jurisdiction] has...[any specific actions related to Paris, US Mayor's Climate Action Network, Under 2 MOU, etc.];

WHEREAS, the [jurisdiction] participates in a coordinated, countywide collaboration to address climate change via the Sonoma County Regional Climate Protection Authority (RCPA); and

WHEREAS, the RCPA has adopted the same GHG reduction targets as the State of California; and

WHEREAS, the RCPA has established twenty goals to reduce GHG emissions and nine goals to prepare for local climate impacts; and

WHEREAS, the RCPA and the [jurisdiction] collaborated through the Climate Action 2020 project to develop Measures specific to [jurisdiction] that will result in the reduction of GHG and result in substantial environmental and community benefits.

NOW, THEREFORE, BE IT RESOLVED that the [jurisdiction] agrees to work towards the RCPA's countywide target to reduce GHG emissions by 40% below 1990 levels by 2030 and 80% below 1990 levels by 2050; and

BE IT FURTHER RESOLVED, that the [jurisdiction] adopts the following goals to reduce GHG emissions, and will pursue local actions that support these goals:

1. Increase building energy efficiency
2. Increase renewable energy use
3. Switch equipment from fossil fuel to electricity
4. Reduce travel demand through focused growth
5. Encourage a shift toward low-carbon transportation options
6. Increase vehicle and equipment fuel efficiency
7. Encourage a shift toward low-carbon fuels in vehicles and equipment
8. Reduce idling
9. Increase solid waste diversion
10. Increase capture and use of methane from landfills
11. Reduce water consumption
12. Increase recycled water and greywater use
13. Increase water and waste-water infrastructure efficiency
14. Increase use of renewable energy in water and wastewater systems
15. Reduce emissions from livestock operations
16. Reduce emissions from fertilizer use
17. Protect and enhance the value of open and working lands
18. Promote sustainable agriculture
19. Increase carbon sequestration
20. Reduce emissions from the consumption of goods and services; and

BE IT FURTHER RESOLVED, that the [jurisdiction] will continue to work to increase the health and resilience of social, natural, and built resources to withstand the impacts of climate change; and

BE IT FURTHER RESOLVED, that the [jurisdiction] has the goal of increasing resilience by pursuing local actions that support the following goals:

1. Promote healthy, safe communities
2. Protect water resources
3. Promote as sustainable, climate-resilient economy
4. Mainstream the use of climate projections
5. Manage natural buffer zones around community resources
6. Promote agricultural preparedness and food security
7. Protect infrastructure
8. Increase emergency preparedness and prevention
9. Monitor climate change and its effects.

BE IT FURTHER RESOLVED, that the [jurisdiction] will support these goals through its own actions and through collaboration with other local governments through the efforts of the Regional Climate Protection Authority; and

BE IT FURTHER RESOLVED, that the [jurisdiction] intends to implement its local measures from the Climate Action 2020 planning project.

THE FOREGOING RESOLUTION was duly adopted this ____ day of _____, 2017, by the following vote:

Staff Report

To: Climate Action Advisory Committee
From: Lauren Casey, Director of Climate Programs
Item: 6 – Shift Sonoma County Low Carbon Transportation Action Plan
Date: October 9, 2017

Issue:

Information only.

Background:

The SCTA and RCPA were awarded a planning grant from the Strategic Growth Council to develop the *Shift Sonoma County Plan*, a low carbon transportation action plan. The purpose of the project was to assess the feasibility of various transportation solutions in Sonoma County, and to identify high priority local actions to implement them. The Comprehensive Transportation Plan and Climate Action 2020 and Beyond laid the foundations of this project, by identifying the role that transportation demand management, bike share, car share, and electric vehicles can play in achieving local climate and transportation goals.

The Shift Plan is very implementation focused, and is therefore intended to be revised as new ideas emerge and lessons are learned. Various tools to support taking the actions recommended in the plan were developed and posted, along with the Plan, on the project site: <http://scta.ca.gov/planning/shift/>.

Implementation of many *Shift* recommendations will require additional funding, and the RCPA/SCTA have submitted several grant applications implement car share, bike share, and expanded use of EVs, some of which have been awarded.

Sample Shift implementation efforts:

- An **Employer Commute Guide** has been published and is being put to use within the Sonoma County Green Business Program: http://scta.ca.gov/wp-content/uploads/2017/01/Brochure_DRAFTv4.pdf.
- A ZipCar **car share pilot** launched in downtown Santa Rosa, and residents or employees in the city are encouraged to sign up for a free annual membership at: http://www.zipcar.com/northbayexpansion?utm_source=collateral&utm_medium=offline_local&utm_campaign=sfo_con_santarosa_081617.
- The RCPA was awarded a CEC grant to continue developing knowledge and resources about **EVs and charging** opportunities and needs, and to support local jurisdictions in developing local EV policies. This work will begin in October.
- The SCTA submitted an application to launch a **bike share program** along the SMART corridor, in collaboration with the Transportation Authority of Marin. This application is still outstanding.

The last element of the Shift planning project will be the development of a marketing and outreach strategy for the SCTA/RCPA to work with partners to promote these new transportation resources.

Policy Impacts:

Low carbon transportation options are essential to the mission of both agencies and are in alignment with the *2016 Comprehensive Transportation Plan* and the RCPA's Climate Action 2020 Plan. Adoption of the Final *Shift Sonoma County Plan* will provide direction to SCTA/RCPA staff on implementation priorities. Recommendations in the plan may also be considered for policy action in SCTA/RCPA Member jurisdictions.

Fiscal Impacts:

Work on the *Shift Sonoma County Plan* is funded by a Strategic Growth Council grant that must be completed by the end of calendar year 2017.

Staff Recommendation:

Information only.