

REVISED

April 16, 2024

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**HEARING ON THE LOS ANGELES COUNTY 2045 CLIMATE ACTION PLAN
PROJECT NO. 2019-002015-(1-5)
ADVANCE PLANNING NO. RPPL2019003630
ENVIRONMENTAL ASSESSMENT NO. RPPL2019003635
(ALL SUPERVISORIAL DISTRICTS) (3-VOTES)**

SUBJECT

The recommended actions are to certify the Final Program Environmental Impact Report (PEIR) and approve the Los Angeles County 2045 Climate Action Plan (2045 CAP) and associated amendments to the goals, policies, and implementation programs of the General Plan Air Quality Element, collectively known as the Project.

The Project is the County of Los Angeles (County)'s plan for meeting greenhouse gas (GHG) emissions reduction targets for unincorporated Los Angeles County by the years 2030, 2035, and 2045. A project summary is included as Attachment 1. The proposed 2045 CAP and appendices are included as Attachments 3 and 4. The proposed General Plan amendments are included as Attachment 5, and the Final PEIR is included as Attachment 6.

IT IS RECOMMENDED THAT THE BOARD AFTER THE PUBLIC HEARING,

1. Certify that the Final Program Environmental Impact Report (Environmental Assessment No. RPPL2019003635) for the Project has been completed in compliance with the California Environmental Quality Act (CEQA) and reflects the independent judgement and

analysis of the County; find that the Board of Supervisors (Board) has reviewed and considered the information contained in the Final PEIR prior to approving the Project, adopt the Mitigation Monitoring and Reporting Program, finding that the Mitigation Monitoring and Reporting Program is adequately designed to ensure compliance with the mitigation measures during Project implementation; and determine that the significant adverse effects of the Project have either been reduced to an acceptable level or are outweighed by the specific overriding considerations of the Project, as outlined in the Environmental Findings of Fact and Statement of Overriding Considerations, which findings and statement are adopted and incorporated by reference;

2. Indicate its intent to approve the Project (Advance Planning Case No. RPPL2019003630), as recommended by the Regional Planning Commission (RPC) and additional Department recommendations; and
3. Instruct County Counsel to prepare the necessary final documents for the Project and bring them back to the Board for their adoption.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The County acknowledges the well-established consensus that human activity, especially the combustion of fossil fuels since the beginning of industrialization, is the primary cause of the climate crisis. Now more than ever, climate change has become a real, urgent, and significant threat, with impacts being felt today in Los Angeles County and around the globe. Climate change has already inflicted harm on Los Angeles County residents, especially its most vulnerable, and has the strong potential to negatively affect the safety, public health, economy, and quality of life of future generations.

The Project responds to the recent directives of the Board regarding climate action, including a directive for the County to complete a new inventory of the County's GHG emissions, establish future emissions targets, and develop an updated climate action plan. (Board Motions: *Support the Paris Climate Agreement and Add LA County to We Are Still In Coalition* (September 4, 2018); *Los Angeles County's Energy Resiliency Policy and the Impact on Disadvantaged Communities* (September 15, 2020); *Support the Medium- and Heavy-Duty Electric Vehicle Infrastructure Act of 2021* (October 19, 2021); *Addressing the Need to Create Climate Resilient Communities* (March 1, 2022); and *Ensuring the Equitable Decarbonization of Buildings* (March 15, 2022)).

Approval of the recommended actions will certify the Final PEIR, approve the Project to ensure the GHG emissions reduction policies of the Air Quality Element are updated and implemented, and the County contributes its share to statewide GHG emissions reductions. The Project is a policy document designed to reduce GHG emissions in unincorporated Los Angeles County. No changes to General Plan land use designations, zoning, land use, or specific projects are proposed as part of the Project.

On November 15, 2023, the RPC held a public hearing and voted unanimously to recommend approval of the Project, with the additional staff recommendation from the November 9, 2023, Supplemental Report. The RPC's resolution is included as Attachment 2 and a summary of the RPC Proceedings is included as Attachment 10.

The objectives of the Project are: (1) identify detailed programs, actions, and performance goals to achieve the climate action policies of the General Plan; (2) identify GHG emissions reduction targets tailored to unincorporated Los Angeles County that closely align with State and County climate goals; (3) provide a road map for reducing GHG emissions to achieve the County's GHG emissions reduction targets; (4) encourage sustainable housing production at all levels of affordability, including increasing housing densities near transit to the extent allowed in the General Plan; and (5) provide a CEQA streamlining process for development projects (serve as a "qualified CAP").

Key components of the Project include: GHG emissions inventory for 2018; emissions forecasts for 2030, 2035, and 2045; GHG emissions targets for 2030, 2035, and 2045; suite of GHG emissions reduction strategies, measures, and actions to reduce GHG emissions from major sectors; technical modeling appendix to explain the 2045 CAP's GHG emissions reduction estimates; consideration of environmental justice and equity concerns; implementation and monitoring measures to ensure successful climate action; and a voluntary CEQA streamlining checklist to allow future projects to streamline GHG emissions analyses pursuant to CEQA. New development projects that choose not to use the voluntary CEQA streamlining checklist must still comply with the Air Quality Element goals and policies for General Plan consistency.

Due to recent legal developments, including the Ninth Circuit's recent decision in *California Restaurant Association v. City of Berkeley* (9th Cir. 2024) ___ F.4th ___ (2024 WL 23986) 89 F.4th 1094, the Department of Regional Planning (Department) recommends revising proposed Policy AQ 3.5 of the General Plan Air Quality Element, as shown in Attachment 5. As revised, proposed Policy AQ 3.5 will continue to advance the County's goal of decarbonization while remaining in compliance with applicable law. The Department also recommends revising the Measure E5 performance objectives in the 2045 CAP, as shown in Attachment 3. The revision will provide further clarification of the performance objectives' goals, which is to increase the use of recycled water and graywater systems. Demand for water sources with higher energy and carbon intensities will reduce as residents and industries increase the use of alternative water sources.

Implementation of Strategic Plan Goals

The Project supports the County's Strategic Plan Goal II: Foster Vibrant and Resilient Communities; Strategy II.3: Make Environmental Sustainability Our Daily Reality; and Objectives II.3.1-5 by developing a comprehensive and integrated approach to reduce GHG emissions in unincorporated Los Angeles County communities.

FISCAL IMPACT/FINANCING

The Project includes actions identified in the OurCounty Sustainability Plan, as well as projects that are currently being implemented by County departments. Eighteen of the 2045 CAP measures are closely aligned with the OurCounty Sustainability Plan actions (Attachment 11). This alignment not only creates efficiencies, but also helps the County capitalize on funding opportunities. Appendix G of the Project (Attachment 4) provides a list of potential funding sources for implementation.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The Project aligns with statewide goals and related legislation. The Project's reduction targets align with Senate Bill 32 and AB 1279, which set statewide GHG emissions reduction targets for the years 2030 and 2045. The Project also aligns with the Advance Clean Cars II Program, which requires all new passenger cars, trucks, and SUVs sold in the state to be zero-emissions by 2035, and Advance Clean Fleets Regulation, which requires manufacturers to sell only zero-emission medium- and heavy-duty vehicles starting in 2036.

In addition to the public hearing conducted by the RPC on November 15, 2023, a public hearing before the Board is required pursuant to Section 22.232.040.B.1 of the County Code. Required notice (Attachment 12) has been given pursuant to the procedures and requirements set forth in Section 22.222.180 of the County Code.

ENVIRONMENTAL DOCUMENTATION

The Final PEIR for the Project has been prepared in compliance with CEQA and is attached/on file with the Clerk of the Board. A notice announcing the availability (Notice of Availability) of the Recirculated Draft PEIR was published pursuant to the California Public Resources Code section 21092 and posted pursuant to section 21092.3. Comments were received from various entities. Responses to those comments are included in the Final PEIR. Responses to all comments received from public agencies were sent pursuant to section 21092.5 of the California Public Resources Code. In addition, all tribal cultural resources consultation requirements of CEQA have been met and documented.

The Final PEIR includes the Recirculated Draft PEIR, responses to public comments, and related sections. The Recirculated Draft PEIR concludes that the Project would result in less than significant impacts after applicable mitigation measures to certain impacts within the following environmental resource areas: Aesthetics, Agriculture and Forestry Resources, Air Quality, Biological Resources, Cultural Resources, Geology and Soils, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use and Planning, Population and Housing, Transportation, Tribal Cultural Resources, Utilities and Service Systems, and Wildfire.

Certain impacts to Aesthetics, Agriculture and Forestry Resources, Air Quality, Biological Resources, Noise, and Utilities and Service Systems were determined to be significant and unavoidable, requiring a Statement of Overriding Considerations (Attachment 8). The Project has economic, legal, social, technological, environmental, and other benefits that outweigh the significant and unavoidable environmental effects as described.

The Mitigation Monitoring and Reporting Program (Attachment 9) is included in the Final PEIR and is adequately designed to ensure compliance with the mitigation measures during Project implementation.

The location of the documents and other materials constituting the record of the proceedings upon which your Board decision is based in this matter is the DRP website: <https://lactdrp.legistar.com/LegislationDetail.aspx?ID=6382293&GUID=80EE4FFC-D256-4A82-9A06-FD448EE2F252>.

Upon your Board's certification of the Final PEIR, the Department will file a Notice of Determination in accordance with section 21152 of the California Public Resources Code.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

Approval of the Project will not significantly impact County services.

CONCLUSION

For further information, please contact Thuy Hua of the Environmental Planning and Sustainability Section at (213) 974-6461 or thua@planning.lacounty.gov.

Respectfully submitted,



AMY J. BODEK, AICP
Director of Regional Planning

AJB:CC:TH:IC

Attachments:

1. Project Summary
2. Resolution of the Regional Planning Commission

3. 2045 Climate Action Plan (Final Draft-BOS April 2024)
4. Appendices of 2045 Climate Action Plan (Final Draft-BOS April 2024)
5. General Plan Amendment
6. Final PEIR and Appendices, Recirculated Draft PEIR and Appendices
7. CEQA Findings of Fact
8. Statement of Overriding Considerations
9. Mitigation Monitoring and Reporting Program
10. Regional Planning Commission Hearing Summary of Proceedings
11. 2045 CAP-Sustainability Plan Comparison Matrix
12. Notice of Public Hearing

c: Executive Office, Board of Supervisors
Chief Executive Office
County Counsel
Public Works