



Superior California Chapter Newsletter

October 2008

Association of Environmental Professionals - Superior California Chapter
www.superioraep.org

Program Updates

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The Superior California Chapter is hosting two informative programs in the next few weeks - a presentation about the role of alternatives in a CEQA document and our annual Fall CEQA Basics workshop.

On Thursday, October 30th (11:30 a.m. to 1:00 p.m.), local CEQA expert Brian Boxer (PBS&J) will present **CEQA Alternatives can be Your Friends** - a look at current events in the murky world of CEQA alternatives. This luncheon workshop is part of our Chapter's efforts to provide meaningful, substantive presentations and discussion topics to our members. A meaningful, substantive lunch will be provided by the 4th **Street Grille** (NOTE NEW LOCATION) at 400 L Street in Sacramento. In addition, AICP members will receive one credit toward their Certification Maintenance requirements.

RSVP: Please RSVP online by visiting the Superior California Chapter website at: www.superioraep.org/oct302008rsvp.php. Cost is \$20 for AEP members, \$25 for non-members (\$2 discount for pre-paying online). Payment will also be accepted at the door. Please make checks payable to AEP. Contact Jennifer Donovan at jdonovan@rbf.com or Kristie Ehrhardt at kehrhardt@wildlandsinc.com if you have any questions.

AEP supports environmental professionals by providing professional workshops in the spring and fall of each year. The **Fall Basic CEQA Workshop Series** is a statewide undertaking in which each chapter hosts a workshop that is specifically targeted toward new CEQA practitioners or those looking for a quick refresher on CEQA fundamentals. This is more than a local undertaking - it is part of a statewide effort by AEP to educate people involved in the environmental documentation and review process about the fundamentals of CEQA. The Superior California Chapter will host its Fall Basic CEQA Workshop on November 14, featuring CEQA experts Michael Johnson (Kleinfelder), Sydney Coatsworth (EDAW), and Tiffany Wright (Remy, Thomas, Moose & Manley).

Registration for the workshop requires completing and then mailing/faxing the registration form on the state website - <http://www.califaep.org/content.asp?pid=26>.

And please mark your calendars for our Holiday Mixer - **December 10th** - Location TBD.

Chapter Director's Report

By Kerri Mikkelsen Rose, Chapter Director



On October 11 the members of AEP's State Board converged upon San Francisco for our quarterly meeting. The main meeting objectives for the October Board Meeting were to discuss and adopt the 2009 General Fund Budget as well as financial policies for AEP.

The venue was the Hotel Nikko, which will be the setting for the 2009 State AEP Conference to be held March 15 - 18, 2009. You won't want to miss it! Speakers will include Richard Walker, UC Berkeley Geography Professor and author of *City in the Country - Greening of the SF Bay Area* and Gayle McLaughlin, Mayor of the City of Richmond and the first Green Party mayor in the United States. The conference will, for the first time, feature student poster sessions with incentive awards. All firms with intern positions, entry

level positions, and other opportunities of interest to students are encouraged to make such information available at the conference and to attend the poster sessions to meet the participants. The conference opening reception will take place Sunday night on the top floor of the Hotel Nikko. See you there!

Don't forget to mark your calendars for the 2010 AEP State Conference. It will be held March 14-17 at Hotel Zoso in Palm Springs.

The associated management company that has, for many years, managed AEP's finances and assisted us in managing our resources, Stephan George Associates, has regretfully declined to renew their contract for 2009. The State Executive Board is seeking proposals from firms that can provide the same suite of management services and has identified an interim provider, Lynne Binder of Meetings Exceptional, who already helps us manage our conferences and is therefore familiar with our organization and how its managed. Lynne will be assisting us over the six-month transition period.

Membership in our organization appears to have leveled off from last year's growth. However, one of our goals for 2009 is to increase our total membership by 10%. Please help us accomplish this goal by communicating with our local Chapter Board about what works, what doesn't work, and what benefits or services you would like to see us add to our roster of member services. Our local board will be forming a committee to focus on membership services and growth.

Here are some of the substantive changes that we made to our financial policies and to balance our 2009 budget:

- To better serve the "arms and legs" of our organization - the local chapters - the state board is increasing the percentage of subvention funds (that portion of individual chapter dues that are distributed back to the chapters) to 25%.
- A subcommittee of the State Board is researching our publications costs for publishing our annual CEQA Statutes and Guidelines as well as our quarterly Environmental Monitor. For a variety of reasons our members have expressed an interest in, at minimum, having the option of receiving these resources electronically rather than as hard copy documents. This subcommittee will be sending out a survey to request member feedback on your publications preferences - please respond! Your feedback is not just important - it is necessary for us to continue to provide you with high quality member services.

Have you noticed that our local programs are eligible for AICP Credits? One of the State Board Members, Kelly Koldus from the Orange County Chapter, has been instrumental in submitting AEP's state and local

Chapter Director's Report (cont.)

events to receive these important accreditations. If you have questions about the accreditation status of any of our future events, please don't hesitate to ask one of our Board Members. We're excited about our upcoming local programs and we love hearing from you.

Finally, it's that time of year again, when we elect or re-elect our local Chapter Board Members. Unfortunately due to family and work obligations my tenure as your fearless Chapter Director is nearing an end. I encourage each of you to nominate someone from your organization with the enthusiasm and desire to become more involved in their professional career development. Being involved at the local and, now, at the State level of AEP has been incredibly rewarding in many ways, not the least of which are the amazing environmental professionals I've met who work throughout the state of California and beyond.

Take care, and enjoy the upcoming holiday season,

AEP NEPA Workshop

By Leslie Garlinghouse (Bay Area)

Members of the San Francisco Bay Area Chapter and the Superior California Chapter congregated in Sacramento on Wednesday, August 27th for a NEPA Workshop.

Approximately 60 people, mostly AEP members, attended the workshop to hear three speakers cover three separate legs of the NEPA policy.



- **Alicia Guerra**, an attorney with Cox, Castle, and Nicholson and one of the presenters at the January 2008 AEP Bay Area Program - *CEQA Caselaw Update* - provided an update on NEPA policy during 2007 and 2008.
- **Al Herson**, an environmental planner and attorney with SWCA Environmental Consultants, discussed NEPA and Climate Change. Although the guidelines on how and when to address global climate change in environmental documents continue to evolve, Mr. Herson provided an update on the most recent caselaw guiding the global climate change policy as well as some distinguishing characteristics between NEPA and CEQA application of the analysis.
- **Ken Bogdan**, an environmental planner and attorney with ICF Jones & Stokes, concluded the workshop providing a discussion comparing NEPA and CEQA, guiding strategies in both policies, and recommendations on when, when not, and how to join these analyses.

The three panelists built off each other in their respective discussions to provide a uniquely dynamic range of experience. Lasting only a half day, workshop attendants took away a broad range of information and concepts in an easily digestible portion. An added benefit to our organization, several new AEP members were gained during the workshop who we hope will become active participants in future events.

A thank you goes out to Janet Dallas, President of the Superior California Chapter, who organized the event and invited the San Francisco Bay Area Chapter to co-sponsor the workshop. Our appreciation is also extended to the three fantastic presenters - Alicia Guerra, Al Herson, and Ken Bogdan. We appreciate your constant monitoring of the caselaw and policy regulations.

State Conference Reminder!

The San Francisco Bay Area Chapter will host the 2009 AEP State Conference. The theme “Imagining the Urban Mosaic” sets the foundation for an engaging experience. An enthusiastic committee is currently planning the sessions. The conference will feature receptions, keynote speakers, mobile workshops, an awards ceremony, and a student poster presentation. Exhibitor space is almost sold out, but sponsorship opportunities are still available. We hope you can join us in beautiful San Francisco!

2009 AEP Annual Conference
“Imagining the Urban Mosaic”
March 15-18, 2009
Hotel Nikko, San Francisco

<http://www.califaep.org/content.asp?pid=25>

Policy Editorial

Carbon Budgets: Accounting for the 21st Century

By Scott Sjulín, AMEC Earth and Environmental

As 2008 draws to a close, global climate change is a hot topic in the environmental profession. Human-related emissions of greenhouse gases are identified as the primary contributor to global climate change, with carbon dioxide (CO₂) comprising the vast majority. In the U.S., CO₂ alone was attributed to an estimated 85% of national greenhouse gas emissions in 2006.

The study of CO₂ emissions is a key focus of the U.S. Climate Change Science Program (USCCSP), a federally-sponsored think tank specializing in global climate change research. USCCSP published a watershed report in November 2007, entitled *The North American Carbon Budget and Implications for the Global Carbon Cycle*, which summarizes the current state of CO₂ emissions in North America and its implications for worldwide climate change.

The report outlines North American CO₂ emissions in the form of a carbon budget or balance sheet of emission sources and sinks. (Sources include human-related combustion and fuel consumption, while sinks consist of natural geological and biological processes, such as photosynthesis, which remove emissions from the atmosphere.) Presently, the growth of carbon sources is greatly outpacing any reduction from sinks; net CO₂ emissions are increasing at a rapid pace, thereby resulting in an imbalanced North American carbon budget. To address this imbalance, USCCSP suggests that coordinated research and policy efforts should be implemented to reduce CO₂ emissions sources (e.g., reducing fossil fuel emissions), while simultaneously maintaining and increasing sinks (e.g., encouraging reforestation).

The USCCSP report was presented as part of *How to Build a Low-Carbon Economy*, a joint workshop put on by Cornell University and NASA in late 2007. The report’s carbon budget concept was specifically featured in a panel discussion on carbon credit trading. The panel examined the current voluntary carbon trading market (in which \$91 million of credits were transacted in 2006) and evaluated possible means of expanding such trades. Ultimately, discussions pointed to a future integrated system of environment and economy, with carbon budgets and other emissions trading procedures emerging as the new accounting system of the 21st century.

For additional information on topics mentioned in the article, please visit the following links:

The First State of the Carbon Cycle Report (SOCCR): The North American Carbon Budget and Implications for the Global Carbon Cycle (U.S. Climate Change Science Program). Visit:
<http://www.climatechange.gov/Library/sap/sap2-2/final-report/default.htm>

Inventory of U.S. Greenhouse Gas Emissions and Sinks: 1990-2006 (U.S. EPA). Visit:
<http://www.epa.gov/climatechange/emissions/usinventoryreport.html>

State of the Voluntary Carbon Markets, 2007: Picking Up Steam (Ecosystems Marketplace). Visit:
http://ecosystemmarketplace.com/pages/article.news.php?component_id=5107&component_version_id=7497&language_id=12

Legislative Corner

by Bruce Webb, Superior California Legislative Liaison and AEP Director at Large

In this report on the activities of AEP's Legislative Review Committee (the LRC) I will review bills recently signed or vetoed by the Governor, and progress by the LRC on a new "legislative platform" for AEP. As the State Legislature fought its way through budget impasse, SB375 (Steinberg) was signed. Receiving national attention for its progressive approach toward curbing GHG emissions, this bill also streamlines CEQA review related to greenhouse gas emissions for projects consistent with a regional transportation agency sustainable community strategy. Although AEP initially filed a letter expressing concern ("support if amended"), the LRC did not oppose the final drafts of this bill. Please see the story by Trevor Macenski for a more in depth analysis of this landmark legislation.

On a related matter, Allan Lind's recent Capitol Snapshot identified two upcoming meetings of interest to environmental professionals.

- Oct. 27 -- CARB Guidance on Thresholds of Significance for Greenhouse Gas Emissions. The long-awaited state action on defining thresholds of significance for greenhouse gas emissions is about to go public. On October 27 the California Air Resources Board staff will conduct a workshop in Sacramento to discuss an approach for developing CEQA thresholds of significance for greenhouse gases. The workshop will be webcast at <http://www.calepa.ca.gov/Broadcast/?BDO=1>
- Oct. 28 -- CEC Workshop on Assessing GHG Emissions of Power Plants under CEQA. The California Energy Commission will hold a workshop in the Commission's Hearing Room A (1516 Ninth Street, Sacramento) on October 28, beginning at 9:00 a.m. to seek comments on how the Commission should satisfy its responsibilities under CEQA to assess GHG impacts of proposed new power plants. The workshop will be webcast at <http://www.energy.ca.gov/webcast/>.

The current issue and back issues of the Capitol Snapshot can be found on the AEP website at: <http://www.califaep.org/content.asp?pid=69>.

Meanwhile AB1017 would have added a provision for a 30-60 day appeal period for CEQA decisions made by unelected local decision bodies (see new Guidelines section 15074(f) which does not specify a time period). This bill was rejected by the Governor, who stated it is unnecessary because existing law already allows local elected officials to set their own deadlines for administrative appeals, and it would set an unnecessarily limit local discretion.

The LRC has also completed draft policy and goal statements which will be reviewed by the State Board for implementation to guide and focus the work of the LRC in 2009 and beyond. A Policy Matrix has been presented to the State Board to clarify AEP's legislative position in primary areas of interest including Core CEQA, Environmental Planning, Natural Resources Conservation, Biological Resource Conservation, and Global Warming and Climate Change. These proposals will be considered by the State Board at its January 2009 meeting. If you have any comments, or questions about AEP's proposed Legislative Platform or other State legislative matters feel free to contact me.

Policy Editorial

What SB 375 Means to the CEQA Practitioner

By Trevor Macenski, Michael Brandman Associates

It's official, the Governor has signed SB 375 which will impact land use, housing and environmental law as we know it. The law aims to reduce greenhouse gas (GHG) emissions by discouraging sprawl development and dependence on car travel. This is something that Planners across California have been trying to do for years. As the Governor's press release states, the law will promote, "more environmentally-friendly communities, more sustainable developments, less time people spend in their cars, [and] more alternative transportation options". SB 375 is "muscle" that will help implement AB 32's GHG reduction goals by integrating land use, regional transportation and housing planning.

What SB 375 Means to the CEQA Practitioner (continued)

SB 375 requires regional transportation plans to include a "Sustainable Community Strategy" (SCS) to meet GHG reduction targets for vehicle travel set by the California Air Resources Board (the state agency developing AB 32 regulations). Projects consistent with the SCS qualify for some relief from CEQA: the thought is this will help promote more strategic projects as well as reduce project costs, processing time and potential legal risks. One of the most important things is to debunk the idea that SB 375 will "tie state transportation funding to land use": it merely charges regional planning agencies to become consistent with the "new" regional plans. Importantly, SB 375 states that local land use authority is preserved however; general plans are not required to be consistent with the SCS. The bill does provide significant changes to Housing Element law, especially the timing and requirements for Regional Housing Needs Allocation (RHNA) planning. Below is a summary of the key provisions as it relates to CEQA.

What this means for CEQA...

Two types of projects are eligible for CEQA incentives if they are consistent with the SCS: Transit Priority Projects, and residential or mixed use residential projects. Transit Priority Projects are defined as having at least 50 percent residential use, a density of at least 20 units per net acre and located within a half mile of a regional transit corridor. Residential or mixed use residential projects must have at least 75 percent of the total square footage for residential use.

Transit Priority Projects qualify for a CEQA exemption if they: (1) are consistent with the SCS; (2) meet eight environmental criteria, including no wetlands/riparian areas, historic resources, hazards or endangered species located on the site; and (3) meet seven land use criteria, including affordable housing or open space requirements. Transit Priority Projects that do not meet the exemption requirements may still qualify for a streamlined environmental review under CEQA if certain criteria are met. The form of streamlined review includes a limited Initial Study or Environmental Impact Review (EIR.)

Residential or mixed use residential projects do not need to analyze the following impacts in their CEQA documents: growth-inducing impacts; project or cumulative impacts from vehicle trips on global warming or the regional transportation network; or a reduced residential density alternative.

Annual Student Scholarship Program: Application Deadline Approaching!

by Kristin Faoro

Applications for the Superior California Chapter Annual Scholarship Program are accepted from August 1 to November 1 each year. However, due to a low response this year **we are extending the deadline to December 31, 2008.**

The program is open to students with junior or senior standing that are currently enrolled in an environmental-related degree program, with an overall gpa of at least 3.0. In addition to these basic requirements, applicants are asked to submit an essay describing their motives for pursuing a degree and career in the environmental field as well as their academic, professional and community service related activities and achievements. Applicants also must submit a recommendation letter from a faculty member within their degree program. Applications and details of the scholarship program can be found on the Chapter's website at www.superioraep.org/students.

If you or someone you know is pursuing a degree in the environmental field and are in need of financial assistance please pass along this information and submit an application as soon as possible. Please contact Kristin Faoro at kfaoro@pmcworld.com or Trevor Macenski at TMacenski@brandman.com if you have any questions.

Call for Nominations!

Superior California Chapter Accepting Nominations for 2009 Board

The Superior California Chapter of AEP is accepting nominations for the 2009 Board of Directors. If you have questions about the positions, feel free to email or call any of the board members (see contact info at <http://superioraep.org/board.htm>). If you are interested in volunteering for a position, please e-mail information on the office you would like to hold along with a short biographical paragraph about your professional and volunteer experience to Janet Dallas, EDaw: janet.dallas@edaw.com. Closing date for nominations is November 19, 2008. Biographies for incumbents as well as non-incumbents along with the ballot will be published in the December 2009 newsletter.

CHAPTER DIRECTOR

Represents the area members' and chapter board's interests before the State AEP Board of Directors, attends quarterly State Board meetings, and communicates the substance of those meetings to the chapter members and Board.

PRESIDENT

Conducts the overall management of the Chapter. Presides over Board meetings and the Chapter membership meetings. Presides over chapter Board and membership meetings. Represents the Chapter and acts as executive liaison to other professional organizations, media, and public events. Coordinates program, financial, and other administrative programs.

VICE PRESIDENT OF MEMBERSHIP

Responsible for maintaining and building chapter membership, following up on non-renewing members, and serving as liaison to Administrative Manager who manages member database for AEP Statewide.

VICE PRESIDENT OF PROGRAMS

Responsible for coordinating Chapter programs and contacting speakers; prepares written descriptions and summaries of such programs; ensures that program topics reflect the various interests of the Chapter. Coordinates logistics of location, menu selection, and RSVPs.

NEWSLETTER EDITOR

Responsible for production of the Chapter newsletter including finding and editing articles and other material, and providing newsletter layout design and production.

SECRETARY

Responsible for keeping a full and complete written record of Chapter Board meetings, distributing minutes to the Chapter Board, and distributing Chapter Board meeting announcements.

STUDENT CHAPTER LIAISON/SCHOLARSHIP DIRECTOR

This officer encourages students to join AEP and attend AEP events. May work with local colleges and universities to establish a student chapter of AEP. After a student chapter is established, this officer would continue to work as a liaison between our two chapters. The Scholarship Director would develop and manage the scholarship process. This can be a shared position or two positions, depending on the level of interest.

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