



**MWD**

METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

Executive Office

August 27, 2009

**Via Electronic and Regular Mail**

Mr. Christopher Chalfee, Special Counsel  
ATTN: CEQA Guidelines  
California Natural Resources Agency  
1017 L Street, #2223  
Sacramento, CA 95814

Dear Mr. Chalfee:

Comments on Proposed Amendment of Regulations  
Implementing the California Environmental Quality Act

The Metropolitan Water District of Southern California (Metropolitan) is pleased to provide comments in response to the Natural Resource Agency's (Resource Agency) Proposed Amendment of Regulations Implementing the California Environmental Quality Act (CEQA) (Proposed Amendments). The purpose of the Proposed Amendments to the State CEQA Guidelines is to explain and implement the requirements of CEQA with regard to analysis and mitigation of the effects of greenhouse gas (GHG) emissions.

Metropolitan is the largest wholesale water supplier in California. Metropolitan supplies supplemental wholesale water supplies for domestic and municipal uses to 26 cities and water agencies. Metropolitan's service area includes a population of over 19 million consumers in about 5,200 square miles in the Los Angeles, Orange, San Diego, Riverside, San Bernardino, and Ventura counties. Metropolitan's mission is to provide its member agencies with adequate and reliable supplies of high quality water to meet present and future needs in an environmentally and economically responsible way.

General Comments:

Metropolitan applauds the efforts of the Governor's Office of Planning and Research and the Resources Agency in developing the Proposed Amendments. We believe the Proposed Amendments strike the appropriate balance between the Legislative mandate provided in SB 97 to develop guidelines for the mitigation of GHG emissions, or their effects, while also retaining important existing features of CEQA. These include preserving Lead Agency discretion as to methodologies used for analysis of impacts, significance determinations, and the selection of mitigation measures for impacts identified as significant. We also support confirmation that GHG emissions should be considered primarily as a cumulative impact, as well as the encouragement to address GHG emissions programmatically with tiering of analyses where possible.

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Specific Comments:

**Section 15064 Determining the Significance of environmental effects caused by a project**

Metropolitan supports adding specification to Section (h)(3) of the types of plans that may be relied upon for a determination of cumulative effects, and appreciates the discussion in the Initial Statement of Reasons that clarifies that compliance with the California Air Resources Board AB 32 Scoping Plan or a Lead Agency's adopted GHG Emissions Reduction Plan may be relied upon to support a conclusion that a project's incremental contribution is not cumulatively considerable.

**Section 15064.4 Determining the Significance of impacts from GHG emissions**

Metropolitan supports continuation under these amendments of the existing practice under CEQA of leaving certain determinations to the discretion of the Lead Agency, including methodologies to be used, applicability of thresholds in the determination of significance of impacts, and in applying applicable mitigation measures, as required. Quantitative, qualitative, and performance standard-based analyses may all be appropriate to assist in making determinations of significance.

**Section 15064.7 Thresholds of Significance**

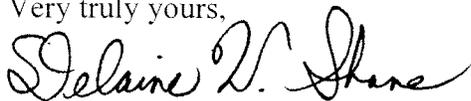
One of the more difficult challenges in the CEQA analysis of GHG emission impacts is the selection of thresholds of significance. Metropolitan welcomes the clarification that Lead Agencies may utilize thresholds developed by experts or other agencies in their analyses.

**Section 15364.5 Greenhouse Gas**

The definition of GHG should be consistent with AB 32 and the Scoping Plan. Metropolitan recommends that the phrase "but is not limited to" be deleted.

Metropolitan appreciates the opportunity to provide comments on the Proposed Amendments. If we can be of further assistance, please contact Marty Meisler at (213) 217-6364.

Very truly yours,



Delaine W. Shane

Manager, Environmental Planning Team

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