

Letter 1

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Comment 1-1

The commenter supports the amendments made to Appendix G, Section II to include forestry resources in the Initial Study Checklist. Doing so will elicit information on oak woodlands necessary to inform the public and make informed decisions regarding biological carbon emissions and proportional mitigation measures.

Response 1-1

The Natural Resources Agency notes the commenter's support of Appendix G, Section II to add forest resources to the environmental checklist. To clarify, the amendments are not intended to limit an analysis of forest resources to "oak woodlands", which is defined in Public Resources Code Section 21083.4(a). Protocols and GHG emission inventories for forest resources encompass a variety of habitat classifications and vegetation types. Impacts to oak woodlands would be analyzed provided that the woodlands also fall within the definition of "forest land" in Public Resources Code Section 12220(g). Further, the amendments to Appendix G do not alter the obligation to counties under Public Resources Code Section 21083.4.

As explained in the Initial Statement of Reasons, "the purpose of the Proposed Amendments is to implement the Legislative directive to develop Guidelines on the analysis and mitigation of GHG emissions." (Initial Statement of Reasons at pg. 64.) These additions are reasonably necessary to ensure that lead agencies consider the full range of potential impacts in their initial studies. Changes in forest land or timberland zoning or conversions of such lands may ultimately result in GHG emissions or removal of existing carbon stock. Thus, a lead agency should analyze effects a project may have on forest resources.

Comment 1-2

As written, the amendments to include forestry resources mirror the Foundation's prior recommendations to CARB and OPR. The amendments would require that: (1) CO2 emission effects must be considered when converting forest lands to other land uses (2) identify California Air Resources Board Forest Protocols as the state-sanctioned standard for such analysis.

Response 1-2

The Natural Resources Agency notes the commenter's support of Appendix G, Section II and view that addition is consistent with prior recommendations submitted to CARB and OPR.

To clarify, the Legislature recognized that greenhouse gas emissions and the effects of greenhouse gases are appropriate subjects for CEQA analysis and the proposed amendments to Appendix G, Section II fulfill the directive under SB 97.

The Natural Resources Agency recognizes that protocols to calculate, report, and verify GHG emissions and/or reductions are rapidly developing. These amendments are intended to direct lead agencies to consider forest protocols developed by the Climate Action Reserve and approved/adopted by CARB as they are authoritative entities. Accordingly, as new information or criteria is established by CARB pursuant to AB 32, the Guidelines will be periodically updated.

Finally, these amendments are not intended to limit a lead agency's discretion to choose the most appropriate methodology in light of a project's conditions or circumstances. As explained in the Initial Statement of Reasons, CEQA leaves the precise methodology of analysis to the discretion of lead agencies. (Initial Statement of Reasons, at p. 18.) Furthermore, the added preamble to the Initial Study Checklist emphasizes the checklist is only a sample and may be modified as necessary to suit the lead agency. However, the existing CEQA standard still requires an analysis to be based "to the extent possible on scientific and factual data." (Section 15064(b).)