

STATEMENT OF PLANNING COMMISSION TO BOARD OF SUPERVISORS REGARDING DRAFT GREENHOUSE GAS REDUCTION PLAN (“GHGRP”) MEASURES

The County’s present goal, required by COS-5C of the 2019 General Plan, is to develop a plan that, if it were fully implemented, would reduce greenhouse gas (GHG) emissions within the unincorporated areas of Calaveras County to a level that is 40 percent below 1990 emission levels as of 2030. The State of California has the same goal (SB 32).

In developing such a GHG Reduction Plan (“GHGRP”), the County only needs to deal with GHG emitted within the unincorporated areas of the County; GHG that enters the County from elsewhere is not our responsibility.

For more than a year, local agencies and the Planning Commission have been working with consultants¹ to develop the draft of the GHGRP that is now being presented to you.

The starting basis for the document before you is the 7/17/23 letter from one of the consultant firms to Planning Director Gabriel Elliott. The wording of first five pages and the last 2 ½ pages is as stated in the consultants’ 7/17/23 letter, but it reflects earlier concerns and suggestions by the Planning Commission. No revisions to these portions of the 7/17/23 document have been made by the Planning Commission. The rest of the draft plan contains the GHGRP reduction measures; the texts of consultants’ proposed measures have been reviewed and, often, amended by the Planning Commission.

The Planning Commission has worked hard to ensure that implementation of the plan would not bankrupt the County; therefore, a great many of the implementation measures are conditioned upon the obtaining of funding from outside sources. The County is obligated to pursue such funding, but if such funding cannot be obtained, the County is not obligated to undertake further action under those measures. Under those circumstances, COS-5C of the General Plan, which only requires an appropriate GHG Reduction Plan, would still be satisfied.²

The Planning Commission believes that a key to the County’s pursuit of funding will be establishment and staffing of a County grant team to pursue significant funding from public and

¹ Led by the Sierra Business Council and supported by Harris and Associates and Rincon Consultants, Inc. The primary contract is between Sierra Business Council and CCOG. The County has separately contracted with Rincon for some clarification and meeting work.

² A prime example of the need for outside funding is the draft plan’s Measure TR-3, which, with funding, would amount to a reduction of 11,376 metric tons equivalent of CO₂ by instituting a “robust public transportation network consistent with Pitkin County’s (CO) . . . Authority.” Pitkin County, which contains the city of Aspen, has one of the highest per capita income levels of the country. The network described in TR-3 is a remarkable example of a public transportation system that would lure riders away from their personal vehicles, but there is no way Calaveras County could afford such a system without massive outside funding. Our County’s pursuit of such funding would preserve the reduction credit of 11,376 metric tons under the draft GHGRP.

private sources. Such a team is provided specifically for in Measure TR-1 for transportation issues; the Planning Commission believes it is essential for many other non-transportation issues covered by the draft GHGRP.

The draft that is being presented to you has the following aspects:

- (1) With many measures, the consultants quantified the GHG emissions reductions attributable to those measures.³ Lacking the expertise to conduct such quantification, the Planning Commission has not attempted to determine what effects, if any, the Planning Commission's proposed amendments would have upon the stated quantifications. The Planning Commission has asked consultants for additional quantifications with regard to some measures.
- (2) While the consultants have determined that the measures they recommended "would allow the County to reach the 2030 emission reduction target," the cushion for reaching this target is very small: after a total MT CO₂e reduction of 213,485 MT CO₂e by 2030, the 2030 emissions would be only 212 MT CO₂e below the required reductions amount, a cushion of less than one percent. Thus, it becomes essential that the County preserve to the greatest possible extent the reductions projected for such major measures as TR-1 (EV/ZEV Adoption—39,500 MT CO₂e) and TR-5 (Off-Road Equipment and Vehicles—7,787 MT CO₂e). This small cushion for target success also highlights the need to quantify the reductions that would result from sequestration measure CS-1 (Conserve and Preserve Natural and Working Lands), as the Planning Commission has requested consultants to do. Measures TR-1, TR-5 and CS-1 are each separately discussed below.
- (3) The draft has consultants' reduction quantifications for the year 2045 as well as for 2030. The 2045 figures are not relevant to satisfying the 40 percent reduction goal of the General Plan's COS-5C. However, under State CEQA requirements, the County's GHGRP can qualify for future CEQA assessment streamlining if the GHGRP explicitly details how to reach the 2030 State reduction goal as well as shows progress toward meeting the State's 2045 goal of zero MT CO₂e.
- (4) Some puzzling numbers have occurred because of sampling methods. For example, in the 2018 GHG inventory, the consultants counted 136 dairy cows and 6,146 feedlot heifers and steer as being present and responsible for production of methane gas within the unincorporated areas of the County. The consultants do not contest that, in fact, there were and are no dairy farms or feed lots in Calaveras County; consultants do insist that the allocation of the Statewide averages they have used are the best available data that is available.
- (5) Even if approved, this GHGRP draft is not the GHGRP in its final form. When all the proposed reduction measures are finally established, the Planning Commission

³ The emissions amounts are given in "MT CO₂e," which is an abbreviation for "metric tons of carbon dioxide equivalent." Not all GHG is carbon dioxide. When a GHG such as methane is involved, its effect can be indicated by stating how many metric tons of carbon dioxide would produce the same effect as one metric ton of methane; thus the use of the word "equivalent."

understands that the consultants will provide the GHGRP in suggested final form, with an executive summary and other features that are suitable for a public document.

- (6) Two measures, TR-1 and TR-5, require special attention because of the controversy they may elicit. When considering these measures, it is important to consider what funding must be pursued and obtained and, as a partial use of that funding, the level of incentives that must be offered before the action provisions set forth in those measures can become operative. Those two measures shall now be separately discussed.

Measure TR-1: Increase EV/ZEV Adoption

In order to encourage Zero Emission Vehicle (ZEV) adoption within the unincorporated areas of the County, Measure TR-1 would, subject to funding, establish a network of passenger vehicle charging stations within the County. As originally presented by consultants in their 7/17/23 letter, the County would have been required by 2030 to establish 751 new publicly available plug-in electric vehicle (EV) charging ports in the unincorporated areas. When questioned by a planning commissioner, consultants indicated that 751 charging ports were considered as necessary to serve 15,000 plug-in electric vehicles that are needed by 2030 to reach a GHG reductions goal.

Accepting the 15,000 vehicle figure that apparently is essential to satisfying the General Plan's required GHGRP goal, the Planning Commission has redrafted TR-1 to provide for a Zero Emissions Vehicle Infrastructure Implementation Plan that would provide for the combined number of publicly available 240-volt chargers and DC fast chargers, along with private EV chargers, that would be necessary to serve the 15,000 vehicles of residents, second-home owners and tourists. In this way, the Planning Commission would shift TR-1 from being based on a pre-specified number of 751 charging ports to a determination of what combination of how many chargers of various types would be needed to serve the 15,000 ZEVs contemplated by the consultants. Again, this plan would be conditioned on funding to assist in planning and in installation of chargers and acquisition of ZEVs.

Because the Planning Commission's draft, if implemented, would serve the same number of ZEVs as the consultants' draft, the quantified reduction in MTCO₂e should be the same.

Also in TR-1, the consultants' draft would have had the County require 30 percent of total parking spaces in new or remodeled commercial development to have 240V EV chargers; the Planning Commission has proposed amending this provision so it would apply to commercial development with a total of 10 or more parking spaces, and then, given the relative speed provided by DC fast chargers, providing the option of chargers at only 5 percent of the parking spaces if the chargers are DC fast chargers.

A 2022 Air Resources Board rule requires that by 2035, 100 percent of new cars and light trucks sold in California will be zero-emission vehicles. With funding, Measure TR-1 would provide encouragement to vehicle users that ZEVs would have a readily accessible charging infrastructure.

Measure TR-5: Decarbonize Off-Road Equipment and Vehicles

Measure TR-5 would achieve a GHG reduction of 7,787 MT CO₂e by 2030 by reducing by 30 percent the carbon fuel use of off-road equipment and vehicles by 2030.

In their 7/17/23 version of TR-5, the consultants provided for a ban by 2029 of the use of what they termed small off-road equipment (SORE) powered by gas or diesel fuels. The Planning Commission has clarified this requirement by providing, again subject to funding for administrative costs and effective incentives, for the phasing out by 2030 the use of SORE (correctly defined as “small off-road engines”) that are of the types regulated by the Air Resources Board.⁴ As a sign of where things are going, beginning in 2024, California sales of most newly manufactured small off-road equipment will be barred unless they are zero emission. See ARB’s “CARB approves updated regulations requiring most new small off-road engines be zero emission by 2024.”⁵

As to off-road vehicles and equipment with gasoline and diesel engines larger than SORE, the consultants have made clear that the phasing down of their use to zero would not be subject to the deadline consultants proposed for SORE engines. The consultants have also made clear in the draft GHGRP that, for the off-road diesel-fueled vehicles and equipment that cannot be decarbonized in the short term, a requirement for the use of renewable diesel fuel will suffice.

We are assured by consultants that measure TR-5 is necessary to achieve the GHG reduction goals required by the General Plan. However, the Planning Commission’s draft TR-5 would ensure that such phasing out of the use of regulated SORE and larger gasoline or diesel off-road vehicles and equipment would be accomplished with full consideration of the costs and possible inconveniences involved in the transition to zero-emission equipment. With funding, operators of all affected off-road equipment would be offered consultations and direct support to obtain rebates and incentives. The phasing out of State-regulated SORE would be specifically conditioned on obtaining sufficient funding to fund “effective incentives (such as payments for equipment turned into the County upon proof of purchase of non-fossil fueled replacement equipment.)”

⁴ As noted in footnote 13 of the draft before you, small off-road engines (“SORE”) are spark-ignition engines with rated power at or below 19 kilowatts (25 horsepower). Attached to this statement is a copy of the Air Resources Board’s “SORE Applicability Fact Sheet,” which sets forth which types of SORE equipment (e.g., chainsaws less than 45 cc, edgers, hedge trimmers, gasoline riding mowers, string trimmers, etc.) are subject to ARB regulation and which types (e.g., air compressors, chippers, chain saws equal to or greater than 45 cc, etc.) are not subject to ARB regulation, along with other non-regulated equipment (e.g. diesel generators, diesel riding mowers, stationary equipment, etc.). To be consistent with the State’s approach, the Planning Commission has specified in the GHGRP draft before you that it is the use of State-regulated SORE that would be phased out by 2030.

⁵ That last document gives an example of how polluting small gas-powered engines are: “Today a commercial operator using one backpack leaf blower for one hour generates the same smog-forming emissions as a car driving 1100 miles.”

The writing is on the wall for state-regulated SORE; the County would be one timing step ahead of what appears to be inevitable.

Measure CS-1: Conserve and Preserve Natural and Working Lands

This measure appears under the heading, “Carbon Sequestration GHG Emission Reduction Measures.”

As presented in the consultants’ GHGRP draft, this provision was considerably shorter and less detailed than the version now before you, which has many amendments proposed by the Planning Commission. While clearly important to reducing the amount of carbon in the air, it is also clear, in the Planning Commission’s view, that the beneficial GHG effects of these detailed carbon sequestration provisions merit quantification in pursuit of the General Plan’s reduction goal. When asked about the consultants’ more limited version, consultants indicated that they could not quantify such effects without a lengthy detailed study of Calaveras County conditions. Since then, the Planning Commission has adapted and included in its draft Measure CS-1 many land use sequestration measures from the Butte County Climate Action Plan, which has quantifications calculated by Butte County’s consultants. With these additional provisions, which have been quantified by Butte’s experts, the Planning Commission has renewed its request that our consultants quantify the GHG benefits of the Planning Commission’s amended draft Measure CS-1.

The Planning Commission has proposed sequestration measures to be formulated and implemented locally, conditioned on funding. The Planning Commission has also included sequestration provisions adapted from Butte County’s plan that refer to actions to be taken pursuant to State programs regarding sequestration on natural and working lands. Quantification of the GHG reductions should proceed from the application of those State and local standards to Calaveras crop, acreage and other data available through the County Agricultural Commissioner. With this data, it should be possible to quantify the sequestration potential of Calaveras County land uses based on the methodology used in Butte County.⁶

⁶ Such quantification should not require a lengthy study period. Here we have local data. In contrast, as described in subparagraph (4) of the paragraph near the start of this statement, the 2018 GHG livestock inventory apparently was prepared and its emissions quantified with no local data regarding the actual livestock census in Calaveras County; instead, allocations were used from statewide livestock averages, resulting in attribution of dairy farms and feed lots to Calaveras, where they do not in fact exist. The Planning Commission sees no need for this sort of statistical stretching when quantifying GHG reductions from sequestration of Calaveras natural and working lands.

Conclusion

The Planning Commission is presenting this draft GHGRP to the Board of Supervisors with the hope that the Board will recognize the balance that the Commission has reached between the need to meet the GHG reductions goal of the General Plan and the fiscal, financial and other needs of the County and its citizens.

Respectfully submitted,

The Calaveras County Planning Commission

Attachment: SORE Applicability Fact Sheet