

CLIMATE CHANGE AND THE CALIFORNIA ENVIRONMENTAL QUALITY ACT FACT SHEET

By Dave Owen, Attorney

Primarily because of fossil-fuel combustion, atmospheric carbon dioxide (CO₂) levels have risen dramatically in recent decades and are continuing to rise. CO₂ creates a 'greenhouse effect' that lets light energy into the earth's atmosphere while reducing the amount of reflected heat released.

Increased CO₂ levels in the atmosphere have led to increased temperatures. These temperature increases will lead to undesirable environmental changes such as sea level rise, more frequent droughts and floods, and climate zone shifts to the north.

More specifically, scientists predict that unchecked climate change in California will cut water supplies, intensify heat waves, accelerate coastal erosion, degrade air quality, increase wildfires, and reduce wildlife habitat.

Impacts from anthropogenic-induced climate change threaten major ecological and economic systems for all Californians. California's green-house gas (GHG) emissions exceed – by a wide margin – those of any other state except Texas and are on par with emission amounts of France and India. CA emission sources vary but are primarily from transportation (41%), electricity generation, and industrial operations.

In 2006, California led the way by passing the Global Warming Solutions Act of 2006 (AB 32) designed to cap California's GHG emissions at 1990 levels by 2020.

The California Environmental Quality Act (CEQA) requires state and local agencies to identify their projects' potential contribution to climate change and identify and adopt feasible measures to mitigate or avoid such contributions.

Agencies must consider and identify a project's significant cumulative environmental impacts in an Environmental Impact Report (EIR) made available to the public. These cumulative environmental impacts include GHG emissions and climate change.

The aggregate environmental effects of greenhouse gas emissions are clearly significant. CEQA decisions addressing analogous environmental threats *support* treating contributions to GHG emissions as significant impacts.

On July 3, 2009 the Natural Resources Agency (Resources) released its CEQA Guideline amendments to address greenhouse gas emissions. The documents included in the release are a Notice of Proposed Action, Text of Proposed Guideline Amendments, and an Initial Statement of Reasons, all of which are available on the Resources CEQA website.