

Release of Recirculated Draft Environmental Analysis for the Draft 2022 Scoping Plan Update

The California Air Resources Board (CARB or Board), as the lead agency for the Draft 2022 Scoping Plan Update, has prepared a recirculated environmental analysis (EA) under its certified regulatory program (Public Resources Code section 21080.5 et seq.; California Code of Regulations, title 17, sections 60000 through 60008) to comply with the requirements of the California Environmental Quality Act (CEQA). In this notice, CARB staff announces the release of the Recirculated Draft Environmental Analysis for the Draft 2022 Scoping Plan Update (Recirculated Draft EA) for public comment.

Background on the Draft 2022 Scoping Plan Update

In 2006, the Legislature passed Assembly Bill 32 (AB 32), the California Global Warming Solutions Act of 2006 (Nunez, Chapter 488, Statutes of 2006). AB 32 created a comprehensive, multi-year program to reduce greenhouse gas (GHG) emissions in California. AB 32 required CARB to develop and approve a Scoping Plan that describes the approach the State will take to reduce GHG emissions to 1990 levels by 2020. In 2016, the Legislature passed Senate Bill 32 (SB 32) (Pavley, Chapter 249, Statutes of 2016), which codifies a 2030 GHG emissions reductions target of 40 percent below 1990 levels. With SB 32, the Legislature passed companion legislation Assembly Bill 197 (AB 197) (Garcia, Chapter 250, Statutes of 2016), which provides additional direction for developing the Scoping Plan.

The initial Scoping Plan was developed in 2008 and, per AB 32, must be updated at least once every five years. The 2013 First Update to the Climate Change Scoping Plan (2013 Update) defined CARB's climate change priorities for the subsequent five years and laid the groundwork to start the transition to the post-2020 goals set forth in Executive Orders S-3-05 and B-16- 2012. The 2017 Scoping Plan Update (2017 Update) built upon this progress by charting a technologically feasible and cost-effective path to achieving the 2030 GHG emissions target codified under SB 32. The mid-term target of 40 percent below 1990 levels, set by Executive Order B-30-15 and codified by SB 32, is critical to help frame the additional suite of policy measures, regulations, planning efforts, and investments in clean technologies and infrastructure needed to continue reducing GHG emissions in California.

CARB is now in the process of again updating the Scoping Plan. The Draft 2022 Scoping Plan Update assesses progress toward the statutory 2030 target, while laying out a path to achieving carbon neutrality by 2045 or earlier. The Draft 2022 Scoping Plan Update focuses on outcomes needed to achieve carbon neutrality by assessing paths for clean technology, energy deployment, nature-based solutions, and others, and is designed to meet the State's long-term climate objectives and support a range of economic, environmental, energy security, environmental justice, and public health priorities. The Draft 2022 Scoping Plan Update and its appendices are available on CARB's [website](#).

Background on the Recirculated Draft Environmental Analysis

In May 2022, CARB released for public review the Draft Environmental Analysis for the Draft 2022 Scoping Plan Update (Draft EA), which assesses the potential environmental impacts of implementing the Draft 2022 Scoping Plan. CARB circulated the Draft EA for public review and comment for a period of 45 days that began on May 10, 2022 and ended on June 24, 2022. CARB held a public hearing on June 23, 2022 to provide the opportunity for public comment. During the review period, written and oral comments were received on the Draft EA. CARB reviewed the comments to identify environmental topics and began preparation of responses to those comments.

After the end of the Draft EA public review period, CARB identified potential revisions to certain aspects of the Draft 2022 Scoping Plan Update that merit revisions to the project description. In accordance with Public Resources Code (PRC) Section 21092.1, which is contained in Chapter 2.6 (a part of CEQA outside of the chapters for which a certified regulatory program is exempt), and Title 14 California Code of Regulations (CCR) Section 15088.5, when “significant new information is added to an environmental impact report (EIR) after notice has been given pursuant to Section 21092” and the draft EIR has undergone public review, a lead agency must recirculate the environmental document for public review of the new information. “Significant new information” can include substantial changes to the project description. Recirculation is not required unless the EIR is changed in a way that would deprive the public of the opportunity to comment on significant new information, including a new significant impact for which no feasible mitigation is available to fully mitigate the impact (thus resulting in a significant and unavoidable impact), a substantial increase in the severity of a disclosed significant environmental impact, or development of a new feasible alternative or mitigation measures that would clearly lessen environmental impacts but that the project proponent declines to adopt (Title 14 CCR Section 15088.5[a]). Recirculation is not required when the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR (Title 14 CCR Section 15088.5[b]).

CARB has determined that the additional reasonably foreseeable compliance responses and associated significant environmental impacts resulting from potential changes to the Draft 2022 Scoping Plan Update have resulted in the addition of substantial new information compared to what was presented in the Draft EA. This new information results from, among other things, revisions to the project description regarding energy sector goals (including offshore wind), revised carbon removal targets, and additional strategies for natural and working lands. See Chapter 2 of the Recirculated Draft EA for further information regarding the changes. Therefore, CARB has determined that recirculation of the Draft EA is warranted.

The Recirculated Draft EA assesses the potential for significant adverse and beneficial environmental impacts associated with the proposed actions and provides a programmatic environmental analysis of the reasonably foreseeable compliance responses that could result from implementation of the Draft 2022 Scoping Plan Update. The Recirculated Draft EA concluded implementation of the Draft 2022 Scoping Plan Update could result in: beneficial impacts to air quality (long-term operational-related) and GHG emissions;

less than significant impacts to energy demand, mineral resources, population and housing, public services, and recreation (short-term construction-related); and potentially significant and unavoidable adverse impacts to aesthetics, agriculture and forest resources, air quality (short-term construction-related, long-term operational-related odors), biological resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, land use and planning, noise, recreation (long-term operational-related), transportation and traffic, tribal cultural resources, utilities and service systems, and wildfire. Please refer to the Recirculated Draft EA for further details, including Chapter 2 (Project Description) for further information regarding the changes to the project description and compliance responses.

Availability of Documents

Copies of the Recirculated Draft EA, the Draft 2022 Scoping Plan Update, and other related materials may be obtained from CARB's [website](#). Please contact Rebecca Fancher, Staff Air Pollution Specialist, Legal Office CEQA Unit at Rebecca.Fancher@arb.ca.gov if you need physical copies of the Recirculated Draft EA.

Written Comment Period

The Recirculated Draft EA is being released for a public comment period of 45-days that will start on September 9, 2022 and end on October 24, 2022. Comments submitted outside that comment period are considered untimely. Comments must focus on the Recirculated Draft EA; comments focused on issues beyond the Recirculated Draft EA are considered beyond the scope of this comment period. CARB may, but is not required to, respond to comments that are untimely or outside the scope of the comment period. Written comments regarding the Draft EA or any environmental impacts of the Draft 2022 Scoping Plan Update must be received no later than October 24, 2022, and submitted electronically to CARB's [website](#).

Please note that under the California Public Records Act (Government Code section 6250 et seq.), your written and oral comments, attachments, and associated contact information (e.g., your address, phone, email, etc.) become part of the public record and can be released to the public upon request.

Further inquiries regarding this notice should be directed to Rebecca Fancher, Staff Air Pollution Specialist, Legal Office CEQA Unit at Rebecca.Fancher@arb.ca.gov or Nick Rabinowitsh, Senior Attorney, Legal Office at Nicholas.Rabinowitsh@arb.ca.gov.