



Conference Abstracts

AEP California State Virtual Conference, 2020



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Bringing CEQANet into the 21st Century

Sunday, November 8, 2020

Cultivating Knowledge

1:30 pm – 3:00 pm

Moderator:

Scott Morgan, Chief Deputy Director, Office of Planning and Research

Panelist:

Christine Asiata, State Clearinghouse Manager, Office of Planning and Research

Panelist:

Carter Medlin, Senior Programmer, California Department of Technology

ABSTRACT: After 20 years of trying and three failed attempts, the State Clearinghouse has finally succeeded in getting a new CEQANet Database developed that provides for online submission and viewing of CEQA notices and environmental documents. Soon, the State Clearinghouse will no longer accept paper copies of notices and environmental documents. Come learn how the database works, how to register as a user, how to submit documents, and other cool features of the new system.

Mitigation Measures - how they get implemented might change the way you write them

Sunday, November 8, 2020

Cultivating Knowledge

1:30 pm – 3:00 pm

Moderator:

Stephanie Standerfer, Vice President , Albert A. Webb Associates

Panelist:

Cheryl DeGano, Principal Planner, Albert A. Webb Associates

Panelist:

Brian Knoll, Vice President, Albert A. Webb Associates

Panelist:

Kristine Day, Assistant City Manager, City of Beaumont

Panelist:

Andrew Skanchy, Of Counsel, Best, Best & Krieger

ABSTRACT: Our panel will be comprised of an Engineer, a CEQA Attorney, an Assistant City Manager, and a seasoned CEQA Practitioner. The Moderator-led discussion will first start with a brief tutorial as to what CEQA says makes the most defensible mitigation measures. We will then explore some real-world scenarios experienced by the panelists where mitigation measures became problematic to implement in the real world, either through engineering logistical limitations, costs from the Lead Agency perspective, or legal risk. We will provide an interactive portion where the audience will get to participate in the dissection and/or creation of mitigation measures that will not run into trouble later when they are implemented. The panel will also then discuss what happens when mitigation measures need to be changed for various reasons after CEQA is complete, and offer strategies for doing so. The audience is encouraged to bring their own real-world examples of when mitigation measures went bad.

AEP Climate Change Committee: Air Quality and Climate Change Workshop (pt.1)

Sunday, November 8, 2020

Clearing the Air
1:30 pm – 3:00 pm

Moderator:

Michael Hendrix, Associate-Climate Change, LSA

Panelist:

Nicole Vermilion, Associate Principal, PlaceWorks

Panelist:

Brian Schuster, Senior Managing Associate, ESA

Panelist: Dave Mitchell, Managing Principal, Mitchell Consulting

Panelist: Rich Walter, Vice President, ICF

ABSTRACT: The AEP Climate Change Committee will provide an Air Quality and Climate Change Workshop with the latest models, requirements, and methods of analyzing air quality and GHG emissions within CEQA. In addition, this workshop will provide guidance in how to address air quality, GHG emissions, and climate change within General Plans. The following topics will be covered:

- CalEEMod Update: Learn about the latest changes in CalEEMod and how to use the updated model, including new emission factors and how they affect project analysis.
- An Update on Friant Ranch: Find out how regional ozone modeling done by air districts can be used to address projects analysis in CEQA.
- Net Zero Emissions Development: An overview of feasible ways to provide onsite and offsite mitigation and carbon offsets to achieve zero net emissions for development projects.
- Life Cycle Analysis of GHG Emissions: Learn what is appropriate in your analysis of GHG emissions within CEQA and CAPs.
- Climate Change Risk and General Plan Safety Elements: This is an introductory review of the new requirements for General Plan updates.

The AEP Climate Change Committee will be providing recommendations on climate change risk analysis and adaption to include in General Plans.

Public Speaking for CEQA Practitioners

Sunday, November 8, 2020

Cultivating Knowledge

3:15 pm – 4:45 pm

Moderator:

Kristi Black, JD, Senior Environmental Project Manager, Senior Environmental Project Manager, Ascent Environmental

Panelist:

Ben Gettleman

Panelist's Company/Employer: Vice President, Kearns & West

ABSTRACT: CEQA practitioners encounter public speaking at many stages of the CEQA process, with each stage presenting its own unique circumstances and challenges. Clearly communicating technical analyses, providing accurate information, and meeting CEQA requirements are critical to successful public engagement. Public speaking can become even more challenging if you are anxious about public speaking, you are presenting on a controversial project, or are speaking in a high-pressure situation like a City Council meeting. We will navigate strategies relevant to public speaking at various stages of the CEQA process, including scoping meetings, public comment meetings, and project approval hearings. Topics will include facilitation as well as general public speaking strategies. The speakers will also discuss CEQA-specific scenarios, with input and questions from the audience welcome and encouraged. Learn tips for how to manage your nerves in high-pressure situations, while also considering how to best facilitate discussions and engage with the public about complex topics.

Planting Seeds with Limited Knowledge: Writing Mitigation Measures for Significant Impacts and to Stand the Test of Time

Cultivating Knowledge

Sunday, November 8, 2020

3:15 pm – 4:45 pm

Moderator:

Mitchel Morrison, Project Manager, Envicom Corporation

Panelist:

Doug Hooper, Planning Director, City of Agoura Hills

Panelist:

Katherine Miller, Director of Campus Development Conrad N. Hilton Foundation

Panelist:

Travis Cullen, President, Envicom Corporation

Panelist: Carl Wishner, Principal, Carl Wishner Biologist

ABSTRACT: As a CEQA practitioner seeking to enhance, maintain, and protect the quality of the natural and human environment, how do you write mitigation measures sufficiently firm to mitigate impacts yet sufficiently flexible to adapt to changing field conditions? During CEQA document preparation and lead agency review, crafting defensible mitigation measures is paramount, yet the true test for the adequacy of a mitigation measure comes after certification of a CEQA document, when mitigation measures are implemented in the field. Well-written mitigation measures must answer the five W's—who, what, where, when, and why. This presentation examines a "sixth sense" of writing mitigation: what if? If not, then what? Participants will review the language of a "case study" mitigation measure to identify where the measure defensibly required offsetting impacts and where the measure afforded flexibility for adaptive management. Transferrable strategies emerge for CEQA practitioners faced with writing mitigation measures, especially when a bright line between "significant and unavoidable" and "less than significant with mitigation incorporated" is blurry. What makes the critical difference between "significant and unavoidable" and "less than significant with mitigation incorporated" impacts? The presentation explores the role of risk assessment in determining likelihood of success in implementation and how this informs distinctions between "significant and unavoidable" and "less than significant with mitigation incorporated" impacts. Practice pointers are especially relevant when "seeds of knowledge" for mitigating sensitive resources are as limited as the resources themselves. In this case study, a prior restoration history was non-existent. Participants will walk away with a sharper "sixth sense" for crafting well-written mitigation measures to anticipate the "what ifs" when implementation does not go as planned, thereby writing mitigation measures to stand the test of time.

AEP Climate Change Committee: Air Quality and Climate Change Workshop (pt.2)

Sunday, November 8, 2020

Clearing the Air
3:15 pm – 4:45 pm

Moderator:

Michael Hendrix, Associate-Climate Change, LSA

Panelist:

Nicole Vermilion, Associate Principal, PlaceWorks

Panelist:

Brian Schuster, Senior Managing Associate, ESA

Panelist:

Dave Mitchell, Managing Principal, Mitchell Consulting

Panelist:

Rich Walter, Vice President, ICF

ABSTRACT: The AEP Climate Change Committee will provide an Air Quality and Climate Change Workshop with the latest models, requirements, and methods of analyzing air quality and GHG emissions within CEQA. In addition, this workshop will provide guidance in how to address air quality, GHG emissions, and climate change within General Plans. The following topics will be covered:

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California's Changing Water Supply

Monday, November 9, 2020

A River Runs through it

9:00 am – 10:30 am

Moderator: Jill Weinberger, Ph.D., Principal, Dudek

Panelist: Joe Monaco, AICP, President, Dudek

Panelist: Dave Puglia, Western Growers Association

ABSTRACT: With frequent drought and increasing pressures on California water supplies, “diversifying” our water supply portfolio is becoming a necessity. An integrated approach to water supply management in California will require innovation on supply sources such as seawater desalination, recycling, and groundwater management. The session will do a deep dive into the regulatory complexities of developing seawater desalination in California, and will provide case studies on projects that are currently in production. The second part of the panel will be a close look at Groundwater Sustainability Plans (GSPs) under the Sustainable Groundwater Management Act (SGMA). This presentation will examine the role of GSPs in making groundwater pumping sustainable, as well as the role of salinity management. Lastly, the panel will discuss the challenges and evolution of water supply for agricultural uses in the Central Valley. The common theme is that California's water supply future requires an “all of the above” approach that must consider environmental consequences balanced against needs that will continually be driven by drought and climate change.

CEQA's Role in California's Wildfire Crisis: Notes from the Fireline

Monday, November 9, 2020

Cultivating Knowledge

9:00 am – 10:30 am

Moderator:

Curtis Alling, AICP, Principal, Ascent Environmental

Panelist:

Jessica Morse, MPA, Deputy Secretary of Forest Resources Management, California Natural Resources Agency

Panelist:

Heather Blair, MS, Senior Project Manager, Ascent Environmental

Panelist:

Sabrina Teller, Esq., Partner, Remy, Moose, Manley

Panelist:

Chris Browder, Deputy Chief, Environmental Protection, California Department of Forestry and Fire Protection

Panelist:

Lisa Andreano, Environmental Scientist, California Department of Parks and Recreation, San Luis Obis

Panelist:

Isabel Baer, Environmental Program Manager, California Department of Fish and Wildlife

ABSTRACT: California is experiencing a wildfire crisis. Managing wildfire risk is becoming more and more urgent as the climate changes. Streamlining regulatory review in a manner that maintains environmental protections to expedite delivery of fire fuel management projects is a clear priority of Governor Newsom's administration as evidenced by the passage of pertinent legislation and the provisions of recent emergency declarations. Accordingly, this priority must be achieved with close coordination among regulatory and resource agencies. Program EIRs are a highly effective tool in streamlining CEQA review while maintaining environmental protection. The Program EIR for the California Vegetation Treatment Program (CalVTP) is expected to be considered by the Board of Forestry and Fire Protection for certification in December 2019. The Program EIR is designed for use by any public agency funded by CAL FIRE grants or with land ownership and/or management responsibilities in the treatable landscape that is seeking to implement vegetation treatments consistent with the CalVTP; there are more than 150 such public agencies. It is also intended to address the CEQA review of responsible agencies. The CalVTP Program EIR is among several landscape-scale EIRs, including

the Tahoe Basin Program Timberland Environmental Impact Report (PTEIR) and others. This panel will provide an early account of CalVTP implementation and describe how to use the CalVTP in the context of general CEQA streamlining using Program EIRs. It will touch on other landscape scale Program EIRs and CEQA compliance efforts for wildfire risk reduction. It will also cover “nuts and bolts” CEQA streamlining strategies for practitioners, including the use of program EIRs and associated documentation of “within the scope” findings and focused NDs, MNDs, and EIRs. Finally, it will address additional regulatory streamlining strategies, such as those under the provisions of the Fish and Game Code and the Coastal Act, to expedite the delivery of wildfire risk reduction projects.

State and Federal changes to wetlands regulations will affect your CEQA documents

Monday, November 9, 2020

Building the Future

9:00 am – 10:30 am

Moderator:

Julie Beeman, President, VCS Environmental

Panelist:

Dan Bott, Director of CEQA/NEPA, VCS Environmental

Panelist: Aaron Allen, Chief, North Coast Branch, Regulatory Division, U.S. Army Corps of Engineers

Panelist:

AnaMaria Saenz, Environ. Scientist, Wetlands & Permitting Program, State Water Resources Control Board

ABSTRACT: The U.S. Army Corps of Engineers is modifying its jurisdictional delineation requirements, eliminating many types of drainages as jurisdictional. This will streamline some projects, but impact others by removing a federal nexus for endangered species permitting. The State Water Resources Control Board has modified its regulations as well to take more jurisdiction over waters and wetlands and added additional data requirements. Find out the latest information on how these significant changes will impact your CEQA discussions, analyses, and schedules.

Using Artificial Intelligence to Perform On-land Visual Trash Assessments in California

Monday, November 9, 2020

Changing Landscapes

9:00 am – 10:30 am

Moderator:

Stephanie Castle Zinn, Senior Water Resources Specialist, Fuscoe Engineering

ABSTRACT: Artificial intelligence (AI) technologies have been successfully implemented in several industries to improve overall efficiencies through problem solving, decision-making, reasoning, recognition, and many other services. Municipalities have started to employ AI and machine learning to improve city planning and asset management, including traffic/parking strategy, infrastructure improvements, cybersecurity, energy planning, and public safety. The California statewide Trash Amendments passed in 2017 require all municipalities in California to mitigate trash from entering waterways to reduce water pollution. As part of the Trash Amendments, on-land visual assessments (OVTAs) are used as a mechanism to establish baseline trash levels on streets and sidewalks to demonstrate trash-load reductions due to trash prevention and reduction controls. Traditional OVTAs are performed by having two municipal staff or consultants walk along sidewalks of roadways, count particles of trash, and qualitatively rank the streets into categories

based on four levels of trash accumulation. Here, we propose to implement optical capture and machine learning to expedite OVTAs to allow for the non-biased quantification of results, reduce OVTA time commitments, and decrease the costs cities will endure from complying with the new Trash Amendments regulation. As regional trash models are being developed to lower city compliance costs, the results from this effort can be automatically inputted into these models in real time, further cutting down staff time for entering and uploading data. The presentation will demonstrate the differences between manual versus machine learning assessments, including time and financial savings.

The New Friant Ranch: Latest Findings from the Field

Monday, November 9, 2020

Clearing the Air

9:00 am – 10:30 am

Moderator:

Brian Schuster, Managing Associate, Environmental Science Associates

Panelist:

Laura Yoon, Panelist's Company/Employer: Senior Manager, ICF

Panelist:

Nicole Vermilion, Associate Principal, PlaceWorks

Panelist:

Rich Walter, Director, ICF

Panelist:

Haseeb Qureshi, Associate Principal, Urban Crossroads, Inc.

Panelist:

Jennifer Reed, Air Quality Services Manager, Dudek

Panelist:

Dave Mitchell, Owner, Mitchell Air Quality Consulting

ABSTRACT: The Sierra Club v. County of Fresno (“Friant Ranch”) Supreme Court decision highlighted the challenge of connecting a project's emissions of criteria air pollutants to specific health effects. Since the ruling hit the streets in late 2018, CEQA practitioners have been scrambling to find the best approach. Do appropriate methods exist to connect project-generated criteria air pollutants emissions to specific adverse health effects? Or is it scientifically infeasible given the limitations of today's modeling tools? The AEP Climate Change Committee has prepared a new whitepaper to answer these questions by synthesizing the tumultuous landscape surrounding the court's decision and formulating a new framework for tackling the issue. The paper presents the latest modeling science, summarizes fresh guidance from California air districts and lead agencies, and offers thoughtful recommendations for today's savvy CEQA practitioner. In addition, the paper examines a few new project-level studies which have “done the modeling” and attempted to correlate project-specific emissions to regional health incidences, such as emergency room visits, hospital emissions, and mortality rates. What have these studies found? Do they provide, new, meaningful, and statistically significant results? And most importantly—what does it mean for the rest of us? Come hear from committee members to find out!

We're All in This Together: Laying the Groundwork for Successful Approval of Potable Reuse Using Creative Outreach

A River Runs through it

Monday, November 9, 2020

10:45 am – 12:15 pm

Moderator:

Haley Johnson, Water Resources Planner, Woodard & Curran

Panelist: Rosalyn Prickett, AICP, Water Resources Planner, Woodard & Curran

Panelist: Elizabeth Meyerhoff, Environmental Specialist, Coachella Valley Water District

Panelist: Natalia Hentschel, Land Use Planner, County of San Diego

Panelist: Sally Johnson, Water Resources Planner, Woodard & Curran

ABSTRACT: Who doesn't want the approval process for their projects to be as smooth as possible? Lead agencies dutifully implement CEQA noticing and hearings, but robust outreach is key to the success of high-profile water projects. We've all heard the adage to outreach "early and often," but we must also think creatively about how to successfully connect with stakeholders when working with emerging technologies, such as potable reuse. This presentation will demonstrate how to tailor your outreach approach for potable reuse to target three key audiences: 1) stakeholders/general public, 2) regulators, and 3) funding entities. Building stakeholder support can be challenging, especially when they aren't attuned to the current science or are against the project location. Creative outreach can improve project understanding, reducing potential for opposition or lawsuits. This presentation will give examples of how water projects have been advertised to skeptical communities. An open house format for public meetings allows stakeholders to learn about the project by visiting with subject area experts, notices prepared in multiple languages can improve engagement with non-English speaking residents, and online content can be interactive, such as 3D flyovers of project renderings. As agencies explore innovative technologies, a combination of techniques is key to ensuring regulators understand the project, potential impacts, and proposed mitigation. We will present opportunities for engaging regulators in a way that promotes a collaborative approval and permitting process. Site tours and integrated modeling can provide permitting entities confidence in project-related submittals. Finally, the panel will identify ways to coordinate with funding entities to position for funding success. Demonstrated support from regulators and robust public outreach can increase confidence in a project's ultimate success. This pre-work has proven valuable in securing funding for innovative projects. This panel will address the types of pre-work that have contributed to grant successes and lessons learned.

Adjusting to California's New Normal: Extreme Wildfire, CEQA, and Communities Vulnerable to Wildfire

Cultivating Knowledge

Monday, November 9, 2020

10:45 am – 12:15 pm

Moderator:

Cori Resha, J.D., Ascent Environmental

Panelist: Pete Calarco, Butte County Department of Development Services

Panelist: Andrea Leisy, Esq., Remy Moose Manley LLP

Panelist: Pete Parkinson, AICP

Panelist: Kristen Stoner, Ascent Environmental

ABSTRACT: Six of the top 10 most destructive wildfires in California's history have occurred during the last 2 years, making extreme wildfire behavior the new normal for the state. As some California communities struggle to rebuild following devastation, others in high wildfire hazard areas wonder what planning strategies may help avoid wildfire catastrophe and how to most effectively address new wildfire questions added to the State CEQA Guidelines Appendix G checklist, anticipated CEQA case law related to wildfire, and local policy considerations. These issues combine to make wildfire a complex and nuanced issue. This session will feature a panel of experts for a conversational Q&A-style discussion of the issues facing environmental professionals, planners, and communities. The panelists include an attorney well-versed in CEQA, land use, and environmental matters; a retired Community Development Director and Environmental Coordinator in Northern California who survived the loss of his own home during the 2017 North Bay fires; Butte County's Assistant Director of Development Services who has been dealing with a myriad of issues following the Camp Fire; and an experienced CEQA project manager. Led by an environmental planner/project manager, the session will ask the questions many environmental professionals are thinking about. Can CEQA help reduce wildfire risk to communities? What CEQA streamlining tools are available for rebuilding efforts? Are wildfire impacts mitigable? Do we need to be thinking differently about land use and how we plan in high wildfire risk areas? What are things that communities in fire hazard areas can do now to prepare for the environmental effects of a wildfire disaster? What immediate and long-term environmental challenges face devastated communities and their neighbors? Attendees will have the opportunity to ask their own questions of our assembled panel of experts. Please join us for what is sure to be a thought-provoking discussion of wildfire.

Corridors, Critters, and Connectivity

Considering wildlife crossings in transportation projects

Building the Future

Monday, November 9, 2020

10:45 am – 12:15 pm

Moderator:

Ryan Bensley, AICP, Associate/Environmental Planner, LSA

Panelist:

Doug Feremenga, PhD., AICP CIP, LEED AP, Environmental Planning Manager, Transportation Corridor Agencies

Panelist:

Christina Maxwell, Senior Environmental Planner, LSA

Panelist:

Barbara Marquez, Deputy District Director for Sustainability, Caltrans District 7

ABSTRACT: As infrastructure and development projects continue to encroach upon open space throughout California, issues related to wildlife habitat connectivity and fragmentation are becoming of increasing concern. Caltrans, Orange County's Transportation Corridor Agencies, and other transportation agencies across the State often struggle with reducing impacts to biological resources when implementing regional transportation projects. Potential direct, indirect, and cumulative impacts to wildlife species from habitat fragmentation should be considered throughout the planning and permitting process and there is no one-size fits all solution.

In this panel session, experts will discuss the unique issues that transportation corridor projects face when it comes to critter connectivity as well as the innovative strategies that have been implemented to ensure ecological sustainability and habitat connectivity are considered during the environmental analysis and project design.

Did George Washington Sleep Here? Dealing with Potential Historic Resources in CEQA Documents

Monday, November 9, 2020

Changing Landscapes

10:45 am – 12:15 pm

Moderator:

Sarah Owsowitz, Of Counsel, Best Best & Krieger LLP

Panelist:

Dana DePietro, Director of Cultural Resources, First Carbon Solutions

Panelist:

Pamela Daly, M.S.H.P., Architectural Historian, Daly & Associates

ABSTRACT: In addition to providing a status update on current CEQA-related historical resources case law, this presentation will discuss how properties can be designated as historic in the first place, and how those designations may impact CEQA analysis and the development of mitigation measures. This presentation will provide an overview, from both public and private legal perspectives, as well as from the environmental consultant perspective, of the various CEQA issues that are coming to the forefront. Attendees will learn about the unique potential impacts of these projects to be analyzed in CEQA documents, and receive practical tips for preparing thorough CEQA analyses. Audience participation will be strongly encouraged, as the experiences of everyone encountering this cutting-edge topic are extremely valuable.

Assessing the Nexus of Racial and Social Equity and CEQA

Monday, November 9, 2020

Clearing the Air

10:45 am – 12:15 pm

Moderator:

Sherie George, MCRP, Environmental Planner, San Francisco Planning Department

Panelist:

Andrea Ruiz-Esquide, Deputy City Attorney, San Francisco City Attorney's Office

Panelist:

Hye Sun Kim, Graduate Student, UC Berkeley, Goldman School of Public Policy

Panelist:

Javier Padilla Reyes, Environmental Justice and Land Use Analyst, San Francisco Public Utilities Commission

Panelist:

Claudia Flores, Development Manager, San Francisco Planning Department

ABSTRACT: Practitioners often face a paradox between lead agency discretion and the boundaries of the CEQA Guidelines. In San Francisco, environmental justice groups are shedding light on the existing CEQA criteria that may disproportionately affect communities of color based on historic burdens and present environmental injustices experienced in their communities. Can CEQA's cumulative analysis consider the racially disparate impacts of development on open space, air quality, and climate vulnerability? Just as CEQA criteria consider the location-specific aspects of hazardous materials or geology and soils, could CEQA be similarly equipped to consider the racial impacts of development on environmental justice communities? We wanted to find out. The San Francisco Planning Department's Environmental Planning Division (EP Division) has decided to conduct a racial and social equity audit of the department's current

environmental review process under CEQA. The timing is opportune for the audit, given legislative advancements at the broader state and national levels to incorporate equity and environmental justice in environmental policies. The panel will highlight the San Francisco Planning Department's recent commitment to a Racial and Social Equity Initiative. We'll focus on the EP Division's work with the initiative to develop a framework for the audit and share the strategies and challenges to incorporating racial and social equity analysis with CEQA. The panel will take a closer look at an extensive study conducting project-level environmental justice analysis for a wastewater plant and navigating the relationship of this analysis separate from requirements in CEQA. We'll also review the Appendix G thresholds and discuss some of the legal precedent and challenges for this sort of audit. Participants will gain insight into what potential implementation could entail and learn how to begin proactive work on racial and social equity in environmental review that has the potential to leverage significant positive change.

Out of the Frying Pan: Lessons Learned in Implementing SGMA

Monday, November 9, 2020

A River Runs through it

1:45 pm – 3:15 pm

Moderator:

Jill Weinberger, Ph.D., Principal, Dudek

Panelist:

Wendy Wang, Best Best & Krieger

Panelist:

Dylan Duverge, Dudek

ABSTRACT: Groundwater Sustainability Plans (GSPs) for 21 basins designated as being in a state of critical overdraft were submitted to the California Department of Water Resources (DWR) for review in January 2020. These GSPs represent the first state-mandated efforts by local Groundwater Sustainability Agencies (GSAs) to monitor and regulate both groundwater use and its associated impacts on land use, surface water flows, and biological systems under the Sustainable Groundwater Management Act (SGMA). In order to limit potential future impacts, the plans contain the local criteria—determined via a collaborative, stakeholder-driven process—that define sustainable groundwater use. While these criteria define the conditions DWR will use to evaluate sustainable groundwater management, the GSPs do not necessarily have specific implementation plans describing the triggers for undertaking projects and management actions in a basin. This session provides an insider's view of implementing GSPs from those who have been through the process and those preparing to go through it. Topics will include accounting for an uncertain future in implementing GSPs, understanding the project timelines given the SGMA/CEQA connection, coordinating GSP implementation across jurisdictions, and reaching consensus through stakeholder engagement. This panel will provide a series of lessons learned to help cities and counties prepare for the new world of groundwater regulation in California.

Moderator: Paul Herrmann, PE, Associate, Fehr & Peers

Panelist: Christopher Gray, Director of Transportation & Planning, WRCOG (Western Riverside Council of Governments)

Panelist: Charity Schiller, Partner, Best Best & Krieger LLP

Panelist: Tiffany Wright, JD, Managing Partner, Remy Moose Manley, LLP

Panelist: Mike Woodman, Executive Director, NCTC (Nevada County Transportation Commission)

ABSTRACT: SB 743 is imminent! With the July 1, 2020, deadline right around the corner, are you ready? Like Y2K, the impending countdown to VMT is causing reactions ranging from indifference to panic. Fortunately, the change to VMT will not cause an apocalypse, but the next generation of CEQA transportation assessment will be a definitive change in impact evaluation and thresholds, and we are here to help prepare you. Whether your agency has recently become compliant with SB 743 or not, this session is ideal for you. These experienced planners and attorneys will share cautionary tales and finally answer the question “now that we have been applying VMT procedures and thresholds, here's what we wish we had known at the outset.” These agencies learned the lessons, so you don't have to. This session highlights two regional planning efforts that focused on IMPLEMENTATION of the new requirements, specifically recommending thresholds and methodology for the jurisdictions within the region. Western Riverside Council of Governments (WRCOG) and Nevada County Transportation Commission (NCTC) both provide unique perspectives addressing options for implementation for suburban and rural jurisdictions. You will hear from attorneys who provided legal opinions on methodologies and alternative thresholds related to SB 743 and from planners who are implementing these projects.

So How's That Working for You?

Building the Future

Monday, November 9, 2020

1:45 pm – 3:15 pm

Moderator:

JoAnn Hadfield, Principal, Environmental Services, PlaceWorks

Panelist: Tim Paone, Attorney, Cox Castle & Nicholson LLP

Panelist: Tony Petros, Principal, LSA, Inc.

Panelist: Ursula Luna-Reynosa, Director of Community Development, City of Huntington Beach

ABSTRACT: Housing. The Environment. Climate Change. Environmental Justice. California is a proactive state with big ideas on how to shape the future and remedy the sins of the past. Over the past decade, our legislature has tackled core issues in ways that will define the future environment, culture, and lifestyle of Californians. SB 743 goes live in 2020. Environmental justice is finding its way into general plans and Coastal Zone development. An aging RHNA is getting a new set of teeth. Entitlement for housing is being streamlined. Are these changes as dramatic as they seem to be? As they pretend to be? Have the earliest pieces of legislation done what we were told they would? Will the dreams of an activist governor come true? Our panel—a community development director from a coastal city, an environmental consultant focusing on general plans for cities and counties, a transportation planner deeply immersed in the transition to VMT, and a land use attorney helping developers entitle their projects—looks at some of California's recent legislation and asks, “So how's that working for you?”

California's Adaptation Planning Guide: Navigating the Path to Community Resilience (Part 1)

Monday, November 9, 2020

Changing Landscapes

1:45 pm – 3:15 pm

Moderator:

Tammy Seale, Associate Planner, PlaceWorks

Panelist:

Megan Walton, Senior Emergency Services Officer, California Governors Office of Emergency Services

Panelist:

Michael Boswell, AICP, Professor, Department Head, California Polytechnic State University

Panelist: Angel Green, Senior Planner, Placer County Community Development Resources Agency

ABSTRACT: In response to a changing climate and new regulations, communities across California are being forced to address the complex topic of climate adaptation and resilience planning. The Office of Emergency Services is helping by preparing an update to the California Adaptation Planning Guide (APG). Our session will provide an overview of the new APG, scheduled for release in early 2020, and discussions with staff from communities who have recently completed their own adaptation planning efforts. A selection of staff who played central roles in developing the new APG will instill participants with an understanding of the state's new guidance for adaptation and resilience planning. The APG will include guidance on scoping an adaptation planning effort, conducting a vulnerability assessment, developing adaptation strategies, implementation and monitoring, and how to integrate adaptation planning into other efforts such as CEQA documents and general plans. Newcomers to climate adaptation planning work will gain the tools and information they need to conduct this work, while practitioners who are familiar with adaptation planning will understand how the state's recommendations have changed and how new information is integrated into the enhanced guidance. Our session will emphasize conducting adaptation planning in places where this work often faces challenges, including limited staff time and financial resources, political opposition, and a lack of awareness. Community staff will discuss obtaining funding and political support, applying adaptation planning principles to communities with complex and unique resilience needs, and conducting public outreach and engagement around adaptation, among other topics. We will include discussions of addressing climate equity and social justice as an integral component of the adaptation planning process, including supporting compliance with SB 1000. This is intended to be Part I of two sessions on the new APG, with Part 2 providing a more detailed discussion of the technical planning process.

Math to the Rescue? The Search for Evidence-Based Greenhouse Gas Thresholds under CEQA

Monday, November 9, 2020

Clearing the Air

1:45 pm – 3:15 pm

Moderator:

Rich Walter, Vice President, Environmental Planning, ICF

Panelist:

Brian Schuster, Senior Managing Associate, ESA

ABSTRACT: Since AB 32 passed in 2006, CEQA practitioners have tried a vast range of options for evaluating the significance of GHG emissions in CEQA documents. The legislature continues to ramp up the game by passing ever more stringent reduction goals, and each governor issues new executive orders as well. CEQA, being CEQA, however is not only defined by the legislature, practitioners, and lead agencies, but litigants and courts must have their say. The rulings in the Newhall Ranch and Golden Door cases, among others, tell us what the courts think is NOT good practice for GHG thresholds, but they don't tell us what IS good practice other than to say, "provide substantial evidence." While a zero GHG emissions CEQA threshold is appealing, many lead agencies will find the imposition of such a threshold a step too far, especially when California has no legislation mandating such a goal, and the state has no realistic plan to achieve such a goal (at present). The AEP Climate Change Committee has delved into the math of the California Air Resources Board 2017 Scoping Plan, all prior threshold concepts, and the court rulings (and way too many CEQA documents) to attempt to derive evidence-based thresholds for GHG emissions to try and respond to these challenges. Did we succeed? You'll have to come to the session to find out! Committee members will present their investigations, conclusions, and recommendations about this most difficult of CEQA challenges today.

Avoiding Critical Mistakes in Permitting: Direct Feedback from Regulators on What Consultants are Doing Right and Wrong

Monday, November 9, 2020

A River Runs through it
3:45 pm – 5:15 pm

Moderator:

Jeff Thomas, Principal, Horizon Water and Environment

Panelist:

Ken Schwarz, Ph.D., Principal, Horizon Water and Environment

ABSTRACT: Permitting delays are increasingly affecting overall project planning and implementation schedules. In this session, experienced permitting specialists will share key “do's” and “don'ts” to make the permitting process more successful. This session will focus on and highlight the permitting requirements of the USACE, RWQCB, and CDFW, including strategies for successful permit applications; draft permit development; and mitigation, monitoring, and reporting requirements. We'll provide an inside look at the expectations of regulators with direct feedback from regulators on what they think consultants and applicants are doing right and what we are doing wrong. Project examples will be enumerated. The presentation will be provided by Horizon principals Ken Schwarz, Ph.D. and Jeff Thomas.

If Construction Noise is Exempt, Can a Jackhammer be too Loud?

Monday, November 9, 2020

Cultivating Knowledge
3:45 pm – 5:15 pm

Moderator:

Julian Capata, Senior Associate, PlaceWorks

Panelist:

Izzy Garcia, Project Planner, Noise and Vibration, PlaceWorks

Panelist:

Matt Bassi, Director of Planning & Development Services, City of Wildomar Planning Department

Panelist:

Linda Klein, J.D., Attorney, Cox Castle Nicolson, LLP

Panelist:

Jennifer Villaseñor, Deputy Director of Community Development, City of Huntington Beach Planning Department

ABSTRACT: Noise thresholds are one of the most misunderstood concepts in environmental analysis. No single agency establishes statewide noise standards, yet community concerns about noise pollution are at an all-time high. To make matters more confusing, the two documents that set local noise thresholds—the general plan and the municipal code—typically address different noise issues. While a general plan policy works to minimize the likelihood that incompatible land uses will co-locate and reduce stationary and mobile source noise levels, municipal code standards typically limit temporary noise levels from equipment or activities. As a result, noise analyses can be fraught with deficiencies from both a technical and legal perspective. This panel will discuss the difficulties in adopting functional noise thresholds and explore how to reconcile community noise standards and noise and land use compatibility. We will focus on the gray area of construction noise, specifically its increasing impact on planning and community life in the current era of urbanization that comes with an ever-increasing population. Could smart planning and clear understanding of what constitutes an impact ever satisfy the public's desire for peace and quiet? The panel will rely on real world examples and practical demonstrations to communicate the benefits of establishing clear and consistent noise thresholds. They will examine how to overcome technical and legal challenges when determining significance and providing effective mitigation. The panel hopes to debunk common misconceptions and expand how the audience perceives noise analysis through an engaging and interactive session.

Addressing the Housing Crisis with Sustainability in Mind

Monday, November 9, 2020

Building the Future

3:45 pm – 5:15 pm

Moderator: Rebecca Malone, AICP, Senior Planner, City of San Diego Planning Department

Panelist:

Heidi Vonblum, Program Manager, City of San Diego Planning Department

Panelist:

Ashley Rosia-Tremonti, Program Manager, City of San Diego Sustainability Department

Panelist:

Jennifer Campos, Environmental Program Director, RECON Environmental

ABSTRACT: In recent years, the need for new and innovative incentives for housing development, and, specifically, affordable housing, has become increasingly pressing throughout the state as well as in San Diego. The City adopted a Climate Action Plan (CAP) in 2015 that included a comprehensive set of strategies, goals, and actions to achieve GHG emissions reduction targets in line with statewide reduction targets. The City's Planning and Sustainability Departments work hand-in-hand to ensure that these two important citywide initiatives are not in conflict. This panel will discuss how the City of San Diego is tackling the housing crisis while keeping sustainability at the forefront. The panel will discuss tools the City has looked at to streamline housing development while capturing VMT- and GHG-reduction measures, such as using Programmatic EIRs to allow for streamlined discretionary approvals, as well as preparing EIRs that would authorize ministerial approvals of housing developments yet still meet City goals related to VMT and GHG emission reductions. The panel will discuss the coordination that occurs between the City's Planning and Sustainability Depart-

ments to achieve shared CAP goals, specifically as they relate to land use and mobility. Becky Malone will moderate the panel, as well as discuss the City's Community Plan Update Program EIRs, and how the environmental process can influence what sustainability policies and regulations are included in the Community Plan Updates. Heidi Vonblum will discuss ideas the City has looked at to incentivize housing production while reducing VMT. She will also discuss ideas for the provision of alternative transportation improvements in a post-LOS world. Ashley Rosia-Tremonti will discuss the upcoming CAP Update and ways to incorporate increasingly dense land use patterns into the CAP. Jennifer Campos will discuss how to best perform environmental review of complex Citywide initiatives.

California's Adaptation Planning Guide: Navigating the Path to Community Resilience (Part 2)

Monday, November 9, 2020

Changing Landscapes

3:45 pm – 5:15 pm

Moderator:

Tammy Seale, Associate Principal, PlaceWor

Panelist:

Eli Krips, Associate, PlaceWorks

Panelist:

Adrienne Greve, PhD, Professor, California Polytechnic State University

Panelist:

Robert Kay, PhD, Principal, Climate Adaptation & Resilience, ICF Internation

ABSTRACT: Climate change is upending established norms throughout California and forcing communities to confront a host of new realities. State laws and regulations are evolving to reduce the impacts of climate change on Californian communities. General Plan safety elements now require climate vulnerability assessments and adaptation strategies that respond to these vulnerabilities, but these complex analyses and policy issues can be daunting for many practitioners. The Governor's Office of Emergency Services is preparing an update to the California Adaptation Planning Guide (APG), which provides specific guidance for conducting vulnerability analyses and developing adaptation strategies. This session, Part II of the Adaptation Planning Guide Update series, will provide a detailed discussion of these components of the adaptation planning process. Following on Part 1, the broader overview of the APG, the team will review the state's new recommended process for climate vulnerability assessments and adaptation strategies. We will empower participants to prepare these assessments and develop policies on their own, in compliance with laws such as SB 379 and SB 1035, with confidence. Participants will learn best practices for conducting vulnerability assessments and developing adaptation strategies, including recommended methods and best practices, the best data sources, how to engage and communicate with members of the public, and how to use these efforts as a foundation for meaningful short- and long-term adaptation efforts. This will include a discussion of the Adaptation Pathways model, which is a method of addressing short-term resilience priorities, while also ensuring that long-term resilience is integrated effectively into decision-making. Participants will also hear about examples of vulnerability assessments and adaptation strategies developed by cities and counties of all types, as well as learn about how to leverage these successes to build resiliency for their own communities.

Planning for Justice: Achieving Environmental Justice through Long Range Planning

Monday, November 9, 2020

Clearing the Air

3:45 pm – 5:15 pm

Moderator:

Carey Fernandes AICP, Principal, Dudek

Panelist:

Brenda Veenendaal, Fresno Council of Governments

ABSTRACT: The U.S. Environmental Protection Agency defines environmental justice as, “the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies—it will be achieved when everyone enjoys the same degree of protection from environmental and health hazards and equal access to the decision-making process to have a healthy environment in which to live, learn, and work.” With California having one of the strongest state environmental laws in the nation, why have we not embraced the inclusion of environmental justice as part of CEQA? California jurisdictions are legally mandated to integrate climate adaptation and environmental justice into their general plans and local hazard mitigation plans; however, can we do more? This session will provide a summary of the work taking place at the state, regional, and local levels to incorporate environmental justice through preparations of regional transportation plans, general plans, and other long-range plans. The discussion will examine the recently adopted Fresno Council of Governments' Environmental Justice Report: Ensuring Meaningful Involvement for All People. Carolina Illic from the City of Fresno will speak about her team's efforts to address the relationship between transit and environmental justice, and the City's work to ensure adequate representation of underprivileged communities. Finally, we will explore strategies for developing an environmental justice impact report using geographic information systems (GIS) and other technical analysis to enable jurisdictions to modify their CEQA guidelines to address the specific needs of disadvantaged communities. One strategy that will be discussed is the inclusion of environmental justice communities or other vulnerable populations as sensitive receptors. This session will focus on creating a stronger union between California's environmental review and environmental justice laws.

Biological Resources Soap Box

Tuesday, November 10, 2020

A River Runs through it

8:45 am – 10:15 am

Moderator:

David Wolff, Principal Ecologist, Sage Institute, Inc.

ABSTRACT: Moderator David Wolff and panelists will present examples of the many challenges to conducting and preparing adequate and defensible biological and wetland resources assessments for CEQA/NEPA environmental review and regulatory compliance permitting. Issues and approaches to address peer review opinions on adequacy, scrutiny and challenges from special interests skewing the facts during public review and comment, and managing the Clean Water Act 404/401 program, federal and state Endangered Species Acts, and Fish and Game Code regulations will be discussed. The panel will then open up the "Soap Box" for attendees to step up and tell their stories. We will use a sign-up sheet to determine how much time will be allotted to each soap box speaker and opportunity for the panel and other attendees to respond with solution-oriented dialogue. Panelists will be selected from industry experts who bring a broad perspective on land use planning, CEQA/NEPA, and regulatory compliance from the biological resources stand point.

Cultural and Paleontological Resources Mitigation - Lessons Learned and Tips on Preparing the Perfect Mitigation Meas

Cultivating Knowledge

Tuesday, November 10, 2020

8:45 am – 10:15 am

Moderator:

Courtney Richards, Paleo Solutions, Inc.

Panelist:

Matt Armstrong, PG&E

ABSTRACT: Using the Pacific Gas and Electric Company (PG&E) Sanger Substation Expansion Project as a case study, representatives from the California Public Utilities Commission (Agency), PG&E (Proponent), and Paleo Solutions (Consultant) have teamed up to identify common challenges encountered during implementation of paleontological and cultural resources mitigation measures, and simple steps that can be taken to ensure that mitigation measures are written in a way that provides robust and appropriate protection of these resources while minimizing unintentional impacts to a project's construction and schedule. Mitigation measures addressing paleontological and cultural resources vary widely from project to project depending on the applicable federal, state, and local regulations; the Lead Agency overseeing the project; the paleontological and cultural sensitivity of the area; the extent and type of ground disturbance associated with construction; and the knowledge of the preparer of the scientific process in which paleontological and cultural resources are studied. A review of paleontological and cultural mitigation measures for commercial development, transportation, energy, and utility projects indicates that inappropriate mitigation measures and measures that are challenging or onerous to implement are pervasive. Examples include complete halting of all construction in the event of paleontological or cultural discoveries; requiring monitoring in areas with low paleontological or cultural resources sensitivity with no option to reduce monitoring based on observations; and/or an absence of monitoring requirements in areas with high sensitivity. In the case of the Sanger Substation Expansion Project, the mitigation measures required halting all work in the vicinity of discoveries (regardless of significance) for up to 7 days while treatment recommendations made by the Principal Archaeologist/Principal Paleontologist were reviewed and approved, which resulted in construction delays and concerns about the soil stability of partially completed excavations. This presentation will address effective mitigation measures that protect significant resources while minimizing construction delays.

Get with the Program: How to Draft a Programmatic Analysis that Is Specific Enough to Stand the Test of Time

Building the Future

Tuesday, November 10, 2020

8:45 am – 10:15 am

Moderator: Kerri Tuttle, MS, Sr Director, Sales/Ops and Environmental Services, FirstCarbon Solutions

Panelist: Konstanza (Konnie) Dobrev, JD, Director of Environmental Planning, EPD Solutions

Panelist: Alyssa Muto, MPA, Deputy Director, Environment and Mobility Planning, City of San Diego

Panelist: Alisha Winterswyk, JD, Partner, Best Best & Krieger

ABSTRACT: How do you prepare a Program EIR that stands the test of time? How do you balance a programmatic level of analysis with the specificity necessary to provide future coverage? What does it mean to “tier” versus to “Tier” under CEQA? How do you successfully streamline under CEQA? This panel discussion will answer these questions—and more, including: (1) The issues practitioners commonly encounter in dealing with Section 15168; (2) Risk Analysis- we'll discuss how risk aversion impacts decision-making and provide a flow chart of decision-making under two scenarios (the conservative vs. the “come what may” approach); (3) Suggestions for adding value and life to a Program EIR (including how to structure your document, the creation and importance of local CEQA Guidelines, and the crafting of mitigation measures and performance standards that are flexible yet enforceable and meaningful); (4) How and when to tier from a programmatic document; (5) Pitfalls and how to avoid them in crafting CEQA documents- in order to allow you to use as many of the streamlining provisions as possible.

All About Housing: The Roots of the Crisis, Local Governments, State Legislation, and CEQA

Tuesday, November 10, 2020

Changing Landscapes

8:45 am – 10:15 am

Moderator: Greta Brownlow, PhD, Principal, ICF

Panelist: Kate Conner, Principal Planner, Special Projects and Policy, San Francisco Planning Department

Panelist: Jessica Hitchcock, MCP, Principal, Urban Math

Panelist: Alan Murphy, Esq., Partner, Perkins Coie LLP

Panelist: Erin Efner, Principal, ICF

ABSTRACT: Countless recent press reports have highlighted the crisis of housing affordability that grips California. Yet less well understood are the deep roots and complex causes, both on the statewide and local levels, of our housing shortage. Over time, the state has responded by considering (and sometimes passing) important legislation that often has had less of an effect than hoped. CEQA has been blamed by some for its role-and defended by others—but less has been said about how the statute actually operates, in practice, either to enable or stifle housing development. This panel will bring together several experts to speak on these issues. The session will begin with panelists addressing the policies and practices that helped make the crisis, the challenges local governments face in approving housing, and the opportunities they have to do so. A panelist will then give a high-level overview of the content and history of major State housing legislation, while another panelist will address CEQA review of housing projects, with special consideration given to streamlining options and their relative efficacy in both promoting environmental quality and enabling much-needed housing development. Next, the panel will consider what's likely to come next from Sacramento on housing and associated CEQA review. The session will conclude with an extended discussion that includes attendees. Our panelists will include the San Francisco Planning Department's recognized expert on housing issues , a leading policy consultant from Urban Math knowledgeable about the causes of the statewide housing shortage, a land use attorney from Perkins Cole with expertise in navigating state housing laws, and an environmental consultant from ICF skilled at CEQA review for housing projects

CEQA Strategies for Mitigating Greenhouse Gas Emissions: Here, There, and Everywhere

Tuesday, November 10, 2020

Clearing the Air

8:45 am – 10:15 am

Moderator: Linda Klein, J.D., Attorney, Cox, Castle & Nicholson, LLP

Panelist: Michael Keinath, Principal, Ramboll Group

Panelist: John McDougal, Vice President of Environmental Products, Element Markets

Panelist: Heather King, Air Pollution Specialist, California Air Resources Board

ABSTRACT: Everyone agrees that climate change is an alarming issue and, since 2010, one that must be addressed in CEQA documents. After almost 10 years, and numerous court opinions, CEQA's requirements about how to evaluate whether a project's contribution to climate change is cumulatively considerable and mitigate such contributions remain murky. The legal uncertainty about CEQA's requirements has driven many project sponsors (and their attorneys) to seek to mitigate their projects' emissions to net zero. Achieving the goal of no new carbon emissions from the project typically requires not only robust on-site mitigation but also off-site mitigation, which can include local off-site projects and verifiable carbon offsets. The focus of this panel is on the pros and cons of different types of GHG mitigation measures and on how to draft effective CEQA mitigation measures. Before delving into mitigation, the panel will provide an update on climate science and modeling, and summarize relevant case law, including *Our Children's Earth Foundation v. California Air Resources Board* and the trial court opinion in *Sierra Club v. County of San Diego*. The panel will also provide an overview of climate change policy and documents that provide climate change mitigation guidance, including the Office of Planning and Research's Draft CEQA and Climate Change Advisory and Appendix B to the 2017 Scoping Plan. Throughout the discussion, the panel will involve the audience by asking questions and providing interactive examples based on real-life projects and court cases.

The Mariposa Creek Parkway: Ecological and Cultural Resiliency in a Dynamic Physical Landscape

Tuesday, November 10, 2020

A River Runs through it

10:30 am – 12:00 noon

Moderator:

Mikey Goralnik, PLA, AICP, LEED Green Associate, Community Design and Development Planner, Mariposa County Planning Department

Panelist:

Andrew Dawson, PLA, Associate, WRT, Inc.

Panelist:

Bridget Fithian, Executive Director, Sierra Foothill Conservancy

ABSTRACT: In Mariposa, a new generation of community builders have reinvigorated the Mariposa Creek Parkway, a linear park and active transportation resource along Mariposa Creek in the heart of the county seat. Equal parts recreational amenity, transportation connector, economic development engine, and landscape restoration resource, the project offers an arena for the community—a gateway to Yosemite National Park—to explore and promote its own distinctive identity and local sense of place. These multi-disciplinary benefits accrue in the context of a changing climate and a dynamic physical landscape. As events like catastrophic wildfires, major floods, uncontrollable landslides,

and extreme heat—all of which have occurred in Mariposa County in recent years—become increasingly common, our infrastructure bears an ever-increasing role in adapting our landscape and our community to the "new normal" in a changing and changed climate. Our partnership views the Mariposa Creek Parkway as a tool for reducing the impacts of these and other climate-associated disasters, and for promoting a culture of resiliency, both for residents and the million annual visitors that pass through Mariposa en route to Yosemite. Through both presentations and interactive dialogue with the audience, this session will share how our partnership is using the trail planning process to integrate place-based aesthetic priorities, community-driven economic development and active transportation objectives, and a broad vision for ecological restoration in ways that reduce the impacts of natural disasters associated with climate change. Participants will learn about the intersections between these synergistic topics, gain a better understanding of their uniquely rural dimensions, and learn planning techniques and practices that can be applied to build community consensus around these critical but potentially complicated subject areas.

The Program/Project EIR: Creative and Cost-Effective Strategies for Near/Long-term CEQA Documentation

Cultivating Knowledge

Tuesday, November 10, 2020

10:30 am – 12:00 noon

Moderator:

Taylor Lane, Environmental Planner, Wood Environment & Infrastructure Solutions, Inc.

Panelist:

Erika Leachman, CEQA Project Manager and Principal Planner, Wood Environment & Infrastructure Solutions, Inc.

Panelist:

Jill Van Wie, Capital Division Manager, County of Santa Barbara

ABSTRACT: Whether it's a detailed master plan or a long-term conceptual vision plan, developing a long-range plan is an investment of time and resources and a critical tool for effective and sustainable planning and development in California. When it comes to CEQA compliance for long-range plans, a Program EIR is commonly the most appropriate document to prepare. However, what are environmental planners and CEQA practitioners to do when the long-range plan has critical near-term components? How can CEQA be employed to maximize the applicability of the impact analysis and mitigations and minimize the cost and time of subsequent environmental review? Our panel of experts will present strategies for Program EIRs to address near-term components on a project-level basis under the umbrella of the long-term CEQA document. We'll be talking about the art, the science, and the law of this strategic approach to CEQA. We'll present several different projects with different approaches, but a similar goal of maximizing CEQA dollars for long-range implementation with a benefit to the near-term projects, including as part of an economic development strategy for local agencies. The focus will be on training, strategy, and potential pitfalls for agency staff and CEQA practitioners, so bring your questions and "what ifs." Attendees will learn about the best available planning tools, analysis methodology, and approaches to navigate the Program EIR process.

Building Resilience to Wildfires: Preparation, Response, and Recovery

Tuesday, November 10, 2020

Building the Future

10:30 am – 12:00 noon

Moderator: Jacqueline Protsman, Project Planner, PlaceWorks

Panelist:

Shea Cunningham, MPP & LEED GA, Environmental Programs Coordinator, City of Malibu, Environmental Sustainability

Panelist:

Aaron Pfannenstiel, AICP, Principal, Atlas Planning Solutions

Panelist:

Edith Hannigan, Land Use Planning and Policy Manager, California Board of Forestry and Fire Protection

Panelist:

Molly Mowery, AICP, Founder and CEO, Wildfire Planning International

ABSTRACT: Although wildfires are a natural occurrence in the California landscape, warming temperatures and persistent droughts have intensified fire conditions in both rural and WUI areas. In recent years, California communities have experienced devastating wildfires that have destroyed homes, businesses, and local economies, forcing many to move out of the places they once called home. These disasters have sparked state, regional, and local efforts to adapt to an increase in wildfire conditions. Our session will provide insight from local communities and wildfire adaptation experts on their efforts to increase wildfire resiliency in urban and rural areas throughout California, identifying ways to prepare, respond, and recover from the increase in frequency and severity of these events due to climate change. We will discuss state regulations for integrating wildfire adaptation into local government frameworks and the process to meet those requirements. This panel will cover innovative best practices and important partnerships that can be created through the adaptation planning process. Participants will also hear about implementing emergency management measures to help in wildfire response, as well as comprehensive recovery strategies once the fires have been extinguished. This session will present an overview of best practices and lessons learned from wildfire preparation, response, and recovery efforts throughout California. The intent of this session is to empower participants to replicate and apply these adaptation strategies in their communities.

VMT in the San Joaquin Valley: We Can Do It, Together

Tuesday, November 10, 2020

Changing Landscapes

10:30 am – 12:00 noon

Moderator:

Eric VonBerg, MRP, Rincon Consultants, Inc.

Panelist:

Kristine Cai, Deputy Director, Fresno Council of Governments

Panelist:

Derek Winning, Senior Regional Planner, Tulare County Association of Governments

Panelist:

Kirsten Helton, Division Chief for Caltrans Central Region Environ, Caltrans Central Region

ABSTRACT: The SB 743-enacted and OPR-instigated deadline for developing a VMT baseline and CEQA impact threshold is looming. By June 30, 2020, all agencies must replace LOS with VMT. But is everyone ready? A few agencies have been early adopters, while others either have taken a wait-and-see approach, or are too busy or do not have the staff capacity or availability to develop a VMT program. How can agencies work together to develop their VMT program and thresholds? Your regional transportation planning agency can provide VMT modeling, and cities can collaborate on VMT policies. Why go it alone? Listen to case studies of cooperation and strategies for working together to define an implementable and useful VMT thresholds analysis for your community. Fresno Council of Governments (FCOG) is developing a county-wide VMT threshold program for its member cities to use. Kerman has chosen to adopt a VMT threshold for its 2040 General Plan Update utilizing modeling from FCOG to develop a VMT baseline and buildout numbers to conduct its CEQA analysis. Tulare County Association of Governments (TCAG) is working with its agencies to develop VMT strategies. Caltrans is working on developing standards to apply to the State Highway System, as well as working with local agencies that are developing their own standards. This panel will explore the implementation of VMT standards from a state/district-wide, regional, and local level, and provide case studies and strategies for utilizing state, regional, and local resources to develop your VMT program from Caltrans Central Region/District 6, FCOG, TCAG, and Rincon Consultants for the City of Kerman. This will be an issue all jurisdictions will need to address sooner than later as the June 30 deadline approaches. This panel will provide examples of how VMT can apply for a smaller rural community and how their regional agency and Caltrans can assist as we move into the uncharted territories of VMT.

Air Quality/Environmental Justice Intersection with CEQA

Tuesday, November 10, 2020

Clearing the Air

10:30 am – 12:00 noon

Moderator:

Elena Nuno, Stantec

Panelist:

Ashley Werner, JD, Senior Attorney, Leadership Counsel for Justice and Accountability

Panelist:

Caroline Farrell, Executive Director, Center on Race, Poverty, & the Environment

Panelist:

Scott Lichtig, Attorney General's Bureau of Environmental Justice

ABSTRACT: This panel presentation will be focused on the intersection of air quality under CEQA and environmental justice (EJ). The San Joaquin Valley has a history of approving projects that have resulted in additional pollution burden to EJ communities without including any meaningful mitigation because of where the project is located. This panel will discuss how to address past land use decisions that have resulted in pollution overburdening with respect to air quality on EJ communities and how to address review and approval of future projects. The discussion will include the changing political landscape in the San Joaquin Valley and the strengthening of citizen interest groups and how land use agencies are responding.

Grains of Sand in an Hourglass: Characterizing the Past, Present, and Future of Adaptation Planning at Goleta Beach

A River Runs through it

Tuesday, November 10, 2020

1:45 pm – 3:15 pm

Moderator:

Marie Laule, Environmental Analyst and Grant Writing Specialist, Wood Environment and Infrastructure Solutions, Inc.

Panelist: Erika Leachman

Panelist: Dan Gira

Panelist: Kaylan Lamb

ABSTRACT: Adaptive management of the Goleta Beach shoreline in response to coastal hazards is necessary to plan for the eventual relocation of the most heavily used park in the county in response to sea level rise. Developing a successful adaptation plan is crucial to the longevity of coastal recreation assets and to avoid catastrophically losing an important community resource. Recently completed coastal modeling indicates that nourishment plays a key role in protecting the shoreline. Utilizing nourishment to create a living shoreline in combination with other adaptation measures may provide multi-benefits to ultimate shoreline protection against worst-case sea level rise predictions. Tracking wildfire-mobilized sediment inputs in relation to beach nourishment and shoreline management planning is another potential component of adaptation. A panel of agency staff, coastal planning specialists, and technical experts will explore what has been done to-date and what may occur in the future to address these challenges, based on their different experiences in monitoring changes at Goleta Beach. Attendees will learn about complexities of using historic occurrences to forecast the future, approaches to navigate the adaptation planning process, and the interrelationship between disaster-related planning and climate change adaptation.

Growing Good Impact Assessments

Cultivating Knowledge

Tuesday, November 10, 2020

1:45 pm – 3:15 pm

Moderator: Emma Rawnsley, Senior Environmental Planner, AECOM

Panelist:

Sabrina Teller, J.D., Partner, Remy Moose Manley, LLP

Panelist:

Rod Jeung, Environmental Planning, AECOM

Panelist:

Reema Mahamood, Environmental Project Manager, City of San Jose

ABSTRACT: Preparing and writing a CEQA document is easy. Preparing and writing a great CEQA document can be a lot more difficult. With schedule and budget pressures always looming, how can project managers control the process to improve efficiency, accuracy, and client satisfaction? How can authors best use their limited time to complete a thorough analysis? How can lawyers and agency staff maximize the impact of their review? This panel will be useful for all CEQA practitioners, including resource specialists, environmental planners, project managers, senior reviewers, and agency staff. Guidance will be provided on how to set up projects for success; how to write clear, concise CEQA documents that are methodical, adequate, and understandable to the public; and how to focus document review to ensure compliance, improve quality and accuracy, and be legally defensible.

Moderator: Wendy Worthey, Dudek

Panelist: Nicole Hoeksma-Gordon, Partner, Sohagi Law Group

ABSTRACT: NEPA and CEQA, respectively, represent federal and state approaches for conducting the environmental and review processes for projects. While these two processes are separate based on federal and state law, they have similar requirements that have historically enabled federal and state agencies to work together to create joint NEPA-CEQA documents. However, policy changes at the federal level are influencing current and future environmental analysis, thus creating new challenges at the state and local levels, and possibly rendering joint documents unfeasible. Executive Orders issued by the current federal administration fundamentally change NEPA timeframes and page limits, creating uncertainties around the joint NEPA and CEQA document process. Executive Order 138073 and Secretarial Order 33554 dovetail together with a goal of “streamlining” the NEPA process. As a result, California state and local agencies working with federal agencies on joint NEPA-CEQA documents must also adhere to the new page and time limits, unless they opt to produce separate documents, prepared and filed separately. This session will explore NEPA and CEQA processes within the new policy framework, possible infeasibility of joint documents, other options for coordinated documents, critical early planning and outreach, and lessons learned to help federal, state, and local agencies improve the NEPA and CEQA environmental review processes.

An Outlet Channel, A 10,000 Year Old Pre-Historic Site, Nine Jurisdictions, and One Effective Approach to Permitting

Changing Landscapes

Tuesday, November 10, 2020

1:45 pm – 3:15 pm

Moderator: Kate Gray, Environmental Compliance Specialist, Stantec

Panelist: Esme Hammerle, PhD, Archaeologist, Stantec

Panelist: Bernadette Bezy, Senior Compliance Specialist, Stantec

ABSTRACT: Four years of drought were followed by an unprecedented deluge in California in 2017. For one of the higher elevation dam and outlet channels in California, Donner Lake, this meant stress. Although Donner Lake is famous for the Donner Party, here we want to share lessons from a story about an outlet channel, flood risks, and fast-track permitting across many federal, state, and local jurisdictions. The historic rainfall brought much damage to the water infrastructure in California, that part is well known. However, the rain-on-snow events brought something else, sediment infill and potential flooding at Donner Lake. All of this is complicated by the fact that the agency that manages the lake level is from Nevada, not California. The Nevada-based Truckee Meadows Water Authority (TMWA) operated the Donner Lake dam and outlet channel in California on State Parks land with the State Lands Commission, in the Town of Truckee, regulated by the U.S. Army Corps of Engineers, Lahontan Regional Water Quality Control Board, and State Historic Preservation Officer, in coordination with the Washoe Native American Tribe, U.S. Fish and Wildlife Service, and California Department of Fish and Wildlife. As such, activities to quickly repair this outlet channel, during the only time when recreation lake elevations are low enough, presented a challenge for TMWA, who can't even be the CEQA Lead Agency. The solution was fast-track permitting through much creativity, consideration, collaboration, and communication, as well as an adaptive mitigation strategy.

Air Quality Impact Analysis - Modeling Tools, Best Practices, and Guidance for Preparing CEQA Air Quality Studies

Tuesday, November 10, 2020

Clearing the Air

1:45 pm – 3:15 pm

Moderator:

Elena Nuno, Stantec

Panelist:

Amy Fischer, Principal, LSA

Panelist: Leland Villavazo

ABSTRACT: Long-time CEQA air practitioners Amy Fischer and Elena Nuno will share their collective experience working with modeling tools and providing their lessons learned on best practices for preparing air quality studies under CEQA. The emphasis will be on the use of the California Emissions Estimator Model (CalEEMod) and key points to address through the modeling and analysis write-up. Leland Villavazo, with the San Joaquin Valley Air Pollution Control District (SJVAPCD), will share his expertise in Health Risk Assessment preparation and tools that have been developed by the SJVAPCD to facilitate air quality studies under CEQA.

Stormwater Infiltration for Groundwater Recharge – Think Again!

Tuesday, November 10, 2020

A River Runs through it

3:45 pm – 5:15 pm

Panelist:

Sean Porter, MS, CPSWQ, QSD/P, QISP ToR, West Region Stormwater Program Manager, Apex Companies, LLC

Panelist:

S. Wayne Rosenbaum, Partner, Environmental Law Group LLP

ABSTRACT: In California, water of any quality is at a premium. There are unique challenges with stormwater capture, but it's clear that stormwater capture and reuse is a growing subset of both water resource augmentation and stormwater compliance. Municipalities, developers, and industrial dischargers are all required to meet water quality objectives in stormwater runoff. Reducing the runoff volume through LID and infiltration features can go a long way towards reducing surface water pollution and recharging groundwater resources. This session will present several examples of Southern California stormwater capture and reuse projects where the intended outcome includes groundwater recharge. This presentation explores possible contamination pathways; new and emerging contaminants; legal implications in the context of SGMA and water rights in California; as well as the lack of pre-treatment requirements for municipal stormwater capture programs. California is making clear strides towards improving the resilience and sustainability of water supply throughout the State, but at what potential cost?

Everything You Say Can and Will Be Held Against You: CEQA Administrative Records' Evolving Landscape

Tuesday, November 10, 2020

Cultivating Knowledge

3:45 pm – 5:15 pm

Moderator:

Amy Hoyt, Partner, Best Best & Krieger LLP

Panelist:

Charity Schiller, Best Best & Krieger LLP

Panelist:

Ricia Hager, Partner, Woodruff, Spradlin & Smart

Panelist:

Matthew Bassi, Director of Planning and Development, City of Wildomar

ABSTRACT: CEQA practitioners have observed a trend toward increased discovery and expanded administrative records in CEQA cases. This panel will discuss this trend. Topics will include document retention policies, electronic media usage in the wake of the 2017 San Jose v. Superior Court decision, pre-project approval communications, and the accessibility of consultant files. The panel will also discuss privileges and the differences between producing documents under the California Public Records Act and civil discovery versus preparing a CEQA record. This presentation will provide an overview—from both the legal and planning perspectives—of how these impact administrative record preparation in CEQA lawsuits. Attendees will receive practical tips on navigating the changing landscape of CEQA administrative records.

Are You AB434 and ADA Compliant? Emerging Guidance, Best Practices, and Lessons Learned for Complying with Accessibility

Tuesday, November 10, 2020

Building the Future

3:45 pm – 5:15 pm

Moderator:

Jennifer Ziv, Woodard & Curran

Panelist:

Robin Cort, Senior Environmental Planner, Woodard & Curran

Panelist:

Haley Johnson, Water Resources Planner, Woodard & Curran

Panelist:

Lisa Dougherty, Owner, Tarragon Tech Edits

ABSTRACT: Assembly Bill 434 required state entities' websites comply with the Web Content Accessibility Guidelines 2.0 (WCAG) by July 1, 2019, to improve accessibility of existing technology and increase successful employment of individuals with disabilities, particularly blind and visually impaired and deaf and hard-of-hearing persons. Rehabilitation Act Section 508 standards apply to IT tools and systems and electronic content (e.g., documents, web pages, presentations, social media content, blogs, certain emails). AB-434 applies to state, not local, agencies. However, it could apply to your planning or permitting document, if: 1) it will be posted on a state agency's website; 2) the Lead

Agency is a state agency; or 3) the proposed project receives state funding. So many questions about the new rules! Is simply not using justified text or text boxes, adding alternative text to your figures, and creating tables with no merged cells or shading enough? Key to our work: will the State Clearinghouse require all documents that would be posted to CEQAnet be AB 434 Compliant? Challenges include ensuring your document is accessible across old and new versions of the PDF software (Adobe Acrobat, Bluebeam) used by the agency publishing the document. We want to hear from you, the audience, on your ADA-Compliance strategies. This panel includes a permitting expert who is making NPDES permits accessible, a CEQA technical editor who is getting ahead of emerging regulations by creating training tools and templates, and a NEPA/CEQA project manager who is implementing ADA compliance in high-profile EIRs. Save yourself from the nightmare of reformatting your EIR/EIS right before it is scheduled for adoption! This panel presents practical tools to ensure your environmental documents meet new accessibility requirements. When it is time to go, you will have the knowledge to develop your own document/permit checklist.

Receiving Communities - How California Communities Can Prepare for Displaced People

Changing Landscapes

Tuesday, November 10, 2020

3:45 pm – 5:15 pm

Moderator: Diane Sandman, AICP, Senior Director, Harris & Associates

Panelist:

Bryn Lindblad, Deputy Director, Climate Resolve

Panelist:

Michael McCormick, AICP, Division President, Harris & Associates

Panelist:

Grieg Asher, AICP, GHG/Sustainability Program Manager, Southern California Association of Governments

ABSTRACT: "Receiving communities" refers to the cities/areas that receive refugees from disaster-struck areas, such as fires. For example, Chico was the receiving city for the Paradise fire. Receiving communities are often caught unaware and do not have resources to adequately treat displaced people, resulting in desperate situations where families are sleeping in parking lots or overtaxed campgrounds, and bathing in public restrooms. Concurrently, members of receiving communities report dealing with increased traffic, a lack of available housing and hotel rooms, overcrowded residences, makeshift encampments, and other difficulties. The Receiving Cities project received a grant in 2019 as part of the 100 Resilient Cities Initiative funded by the Rockefeller Foundation. The intent of the project is to bring global best practices and innovations around refugees and internally displaced persons to California. The project will develop strategies tailored to receiving communities of different sizes and levels of government—from the community to the city to the county to the regional level—and ensure the different agencies are each aware of the resources the others have and their policies for using them. In addition, the project will inform members of the public—both those who are displaced and those in receiving communities—about resources and conditions. The project would also be incorporated into a strategy to effectively examine the most likely climate impacts facing Southern California and the paths local "refugees" may take. The conference session will explore the progress on the Receiving Cities project, the effects/outcomes of catastrophic events, the appropriate role and level of preparedness that cities could/should have, and what assistance/funding is available. The project leader is Climate Resolve, in partnership with Southern California Association of Governments (SCAG), Los Angeles County Office of Sustainability, University of California, Los Angeles, and Harris & Associates.

CAP! Ready! Action!: **Effective Implementation of Climate Action Plans**

Tuesday, November 10, 2020

Clearing the Air

3:45 pm – 5:15 pm

Moderator:

Kai Lord-Farmer, Ascent Environmental

Panelists:

Mike Grim, Senior Programs Manager, City of Carlsbad

Selena Evilsizor, AICP, Senior Planner, County of Santa Barbara

Erik De Kok, AICP, Senior Planning Advisor, Governor's Office of Planning and Research

Poonam Boparai, Principal, Ascent Environmental

ABSTRACT: Developing a Climate Action Plan (CAP) is an increasingly common tool for local jurisdictions in California to reduce their GHG emissions and combat climate change. But like many plans, it's after the CAP has been developed that the real work begins! Join our discussion about winning strategies to effectively implement a CAP and the role of CEQA in the CAP implementation process. Speakers will present their success stories in CAP implementation, lessons learned along the way, and the CEQA streamlining benefits of State CEQA Guidelines Section 15183.5 that help integrate CAP measures into the development review process. The panel will address three main topics, critical to successful CAP implementation: 1) mechanisms for CAP implementation including CEQA streamlining; 2) City resources and funding for CAP implementation; and 3) implementation reporting and CAP updates. Hindsight is 20/20. So for those currently developing CAPs, the panel will highlight important components to be included in a CAP to ensure successful implementation down the line. Join us for a conversation on how to put the action into climate action planning!
