
SECTION 6: OTHER CEQA CONSIDERATIONS

6.1 - Significant Unavoidable Impacts

CEQA Guidelines Section 15126.2(a)(b) requires an EIR to identify and focus on the significant environmental effects of the proposed project, including effects that cannot be avoided if the proposed project were implemented.

The proposed project would not result in any significant unavoidable impacts.

6.2 - Growth-Inducing Impacts

There are two types of growth-inducing impacts that a project may have: direct and indirect. To assess the potential for growth-inducing impacts, the project's characteristics that may encourage and facilitate activities that individually or cumulatively may affect the environment must be evaluated (CEQA Guidelines Section 15126.2(d)).

Direct growth-inducing impacts occur when the development of a project imposes new burdens on a community by directly inducing population growth, or by leading to the construction of additional developments in the same area. Also included in this category are projects that remove physical obstacles to population growth (such as a new road into an undeveloped area or a wastewater treatment plant with excess capacity that could allow additional development in the service area). Construction of these types of infrastructure projects cannot be considered isolated from the development they facilitate and serve. Projects that physically remove obstacles to growth, or projects that indirectly induce growth may provide a catalyst for future unrelated development in an area such as a new residential community that requires additional commercial uses to support residents.

At buildout, the Specific Plan boundaries would contain 6.72 million square feet of commercial and residential uses, with approximately 5.98 million square feet consisting of new development. The residential units envisioned by the Specific Plan would be expected to result in direct population growth. The proposed project consists of the implementation of the North Camino Ramon Specific Plan and related development and land uses. The Specific Plan is a tool for the systematic implementation of the San Ramon General Plan and establishes a link between the policies of the General Plan and the individual development proposals in the Specific Plan area. Thus, development and land use activities that occur within the Specific Plan boundaries that are consistent with the Specific Plan are inherently “planned growth.” As such, the development of housing within the North Camino Ramon Specific Plan area would not be considered growth-inducing.

Development and land use activities contemplated by the Specific Plan would include the expansion or redevelopment of roads, potable water, recycled water, wastewater, and stormwater facilities.

However, the plan area is already served by such services and, therefore, the expansion would not result in indirect growth. Furthermore, the implementation of increased commercial space would not cause indirect growth as significant commercial space already exists in the plan area, which is located in already highly urbanized region with a sufficient workforce.

In summary, development of land use and infrastructure that are contemplated by the Specific Plan have been planned for by the General Plan and therefore would not be considered as resulting in significant direct or indirect growth-inducing effects.

6.2.1 - Consistency with Regional Growth Projections

Evaluating consistency with regional growth projections is a second way for assessing growth inducement potential, particularly for long-range planning documents such as a Specific Plan. In the nine-county San Francisco Bay region, ABAG oversees regional growth forecasts and regularly issues updates to Projections, its official population and employment estimate document. ABAG's forecasts are used in various regional planning activities, including air quality management and affordable housing strategies. The most recent version of Projections was issued in 2009.

Table 6.2-1 compares population and employment projections for 2030 as forecast by the proposed General Plan 2030 and ABAG's 2009 Projections. As shown in the table, the proposed General Plan 2030 anticipates more population and employment growth than does ABAG.

Table 6.2-1: San Ramon Population and Employment Projections (2030)

| Category | 2030 Projections | |
|--|-------------------|--------|
| | General Plan 2030 | ABAG |
| Population | 92,031 | 85,200 |
| Employment | 58,769 | 49,490 |
| Source: City of San Ramon 2010. Association of Bay Area Governments, 2009. | | |

The discrepancy between the City of San Ramon General Plan's and ABAG's population and employment growth figures is not new and dates back at least a decade. The existing General Plan projected higher population and employment growth than several ABAG forecasts, including the most recent (Projections 2009). Furthermore, historic population growth during the past decade has matched the General Plan 2020's projections more closely than ABAG's various forecasts.

Regardless, as previously noted, ABAG's growth estimates are used for various regional planning activities. Because the Specific Plan's growth is included in the General Plan 2030 it would not further exacerbate the City of San Ramon's exceedance of ABAG growth estimates.

6.3 - Energy Conservation

Public Resources Code Section 21100(b)(3) and CEQA Guidelines Section 15126.4 require EIRs to describe, where relevant, the wasteful, inefficient, and unnecessary consumption of energy caused by a project. In 1975, largely in response to the oil crisis of the 1970s, the State Legislature adopted AB 1575, which created the California Energy Commission (CEC). The statutory mission of the CEC is to forecast future energy needs, license thermal power plants of 50 megawatts or larger, develop energy technologies and renewable energy resources, plan for and direct State responses to energy emergencies, and—perhaps most importantly—promote energy efficiency through the adoption and enforcement of appliance and building energy efficiency standards. AB 1575 also amended Public Resources Code Section 21100(b)(3) to require EIRs to consider the wasteful, inefficient, and unnecessary consumption of energy caused by a project. Thereafter, the State Resources Agency created Appendix F of the CEQA Guidelines. Appendix F is an advisory document that assists EIR preparers in determining whether a project will result in the inefficient, wasteful, and unnecessary consumption of energy. For the reasons set forth below, this EIR concludes that the proposed project will not result in the wasteful, inefficient, and unnecessary consumption of energy, will not cause the need for additional natural gas or electrical energy-producing facilities, and, therefore, will not create a significant impact on energy resources.

6.3.1 - Regulatory Setting

Federal and state agencies regulate energy use and consumption through various means and programs. At the federal level, the United States Department of Transportation, the United States Department of Energy, and the United States Environmental Protection Agency are three federal agencies with substantial influence over energy policies and programs. Generally, federal agencies influence and regulate transportation energy consumption through establishment and enforcement of fuel economy standards for automobiles and light trucks, through funding of energy-related research and development projects, and through funding for transportation infrastructure improvements. At the State level, the California Public Utilities Commission (CPUC) and the CEC are two agencies with authority over different aspects of energy. The CPUC regulates privately owned utilities in the energy, rail, telecommunications, and water fields. The CEC collects and analyzes energy-related data, prepares statewide energy policy recommendations and plans, promotes and funds energy efficiency programs, and adopts and enforces appliance and building energy efficiency standards. California is exempt under federal law from setting State fuel economy standards for new on-road motor vehicles. Some of the more relevant federal and State energy-related laws and plans are discussed below.

Federal Energy Policy and Conservation Act

The Federal Energy Policy and Conservation Act of 1975 sought to ensure that all vehicles sold in the U.S. would meet certain fuel economy goals. Through this Act, Congress established the first fuel economy standards for on-road motor vehicles in the U.S. Pursuant to the Act, the National Highway

Traffic and Safety Administration, which is part of the United States Department of Transportation, is responsible for establishing additional vehicle standards and for revising existing standards. Since 1990, the fuel economy standard for new passenger cars has been 27.5 miles per gallon. Since 1996, the fuel economy standard for new light trucks (gross vehicle weight of 8,500 pounds or less) has been 20.7 miles per gallon. Heavy-duty vehicles (i.e., vehicles and trucks over 8,500 pounds gross vehicle weight) are not currently subject to fuel economy standards. Compliance with federal fuel economy standards is not determined for each individual vehicle model; rather, compliance is determined on the basis of each manufacturer's average fuel economy for the portion of their vehicles produced for sale in the United States. The Corporate Average Fuel Economy (CAFE) program, which is administered by United States Environmental Protection Agency, was created to determine vehicle manufacturers' compliance with the fuel economy standards. The United States Environmental Protection Agency calculates a CAFE value for each manufacturer that is based on city and highway fuel economy test results and vehicle sales. On the basis of the information generated under the CAFE program, the United States Department of Transportation is authorized to assess penalties for noncompliance. In the course of its over 30-year history, this regulatory program has resulted in vastly improved fuel economy throughout the nation's vehicle fleet.

Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA)

The Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA) promoted the development of inter-modal transportation systems to maximize mobility as well as address national and local interests in air quality and energy. ISTEA contained factors that Metropolitan Planning Organizations (MPOs) such as ABAG were required to address in developing transportation plans and programs, including some energy-related factors. To meet the new ISTEA requirements, MPOs adopted explicit policies defining the social, economic, energy, and environmental values that were to guide transportation decisions in that metropolitan area. The planning process for specific projects would then address these policies. Another requirement was to consider the consistency of transportation planning with federal, State, and local energy goals. Through this requirement, energy consumption was expected to become a decision criterion, along with cost and other values that determine the best transportation solution.

The Transportation Equity Act for the 21st Century (TEA-21)

The Transportation Equity Act for the 21st Century (TEA-21) was signed into law in 1998 and builds upon the initiatives established in the ISTEA legislation discussed above. TEA-21 authorizes highway, highway safety, transit, and other efficient surface transportation programs. TEA-21 continues the program structure established for highways and transit under ISTEA, such as flexibility in the use of funds, emphasis on measures to improve the environment, and focus on a strong planning process as the foundation of good transportation decisions. TEA-21 also provides for investment in research and its application to maximize the performance of the transportation system through, for example, deployment of Intelligent Transportation Systems, to help improve operations and management of transportation systems and vehicle safety.

State of California Energy Plan

The CEC is responsible for preparing the State Energy Plan, which identifies emerging trends related to energy supply, demand, conservation, public health and safety, and the maintenance of a healthy economy. The plan calls for the State to assist in the transformation of the transportation system to improve air quality, reduce congestion, and increase the efficient use of fuel supplies with the least environmental and energy costs. To further this policy, the plan identifies a number of strategies, including providing assistance to public agencies and fleet operators, encouraging urban designs that reduce vehicle miles traveled, and accommodating pedestrian and bicycle access.

Title 24, Energy Efficiency Standards

Title 24, which was promulgated by the CEC in 1978 in response to a legislative mandate to create uniform building codes to reduce California's energy consumption, provides energy efficiency standards for residential and nonresidential buildings. According to the CEC, since the energy efficiency standards went into effect in 1978, it is estimated that California residential and nonresidential consumers have reduced their utility bills by at least \$15.8 billion. The CEC further estimates that by 2011, residential and nonresidential consumers will save an additional \$43 billion in energy costs.

In 2008, the CEC adopted new energy efficiency standards. Effective January 1, 2010, all projects that apply for a building permit must adhere to the new 2008 standards. The 2008 standards reflect the greenhouse gas reduction requirements of the California Global Warming Solutions Act of 2006 (Assembly Bill 32).

Because the adoption of Title 24 post-dates the adoption of AB 1575, it has generally been the presumption throughout the State that compliance with Title 24 (as well as compliance with the federal and state regulations discussed above) ensures that projects will not result in the inefficient, wasteful, and unnecessary consumption of energy. As is the case with other uniform building codes, Title 24 is designed to provide certainty and uniformity throughout the State while ensuring that the efficient and non-wasteful consumption of energy is carried out through design features. For the vast majority of residential and nonresidential projects, adherence to Title 24 is deemed necessary to ensure that no significant impacts occur from the inefficient, wasteful, and unnecessary consumption of energy. As a further example, the adoption of federal vehicle fuel standards, which have been continually improved since their original adoption in 1975, have also protected against the inefficient, wasteful, and unnecessary use of energy.

Pursuant to the California Building Standards Code and the Title 24 Energy Efficiency Standards, the City will review the design and construction components of the project's Title 24 compliance when specific building plans are submitted.

6.3.2 - Energy Requirements of the Proposed Specific Plan

The proposed Specific Plan itself would not result in changes to energy consumption patterns. However, development and land use activities that occur pursuant to the Specific Plan would consume energy. Below are discussions of short-term construction and long-term operational energy consumption and associated Specific Plan policies.

Short-Term Construction

Development and land use activities contemplated by the Specific Plan would include short-term construction activities that would consume energy, primarily in the form of diesel fuel (e.g., mobile construction equipment) and electricity (e.g., power tools). It is not possible to reasonably estimate the amount of energy consumed by construction activities, as a number of hard-to-predict variables influence energy consumption (e.g., length of activities, size of buildings, equipment fleet, management practices, etc.).

Construction taking place within the Specific Plan area would be required to abide by General Plan 2030 Implementing Policy 11.3-I-3 requiring that air quality emissions be evaluated using applicable regulatory guidance such as the BAAQMD CEQA Guidelines. The policy indirectly relates to construction energy consumption because construction air pollutant emissions are reduced through functions of energy consumption. As such, evaluation of air quality emissions on a project by project basis would likely energy-reducing activities such as anti-idling measures, limits on duration of activities, and the use of alternative fuels, thereby reducing energy consumption. Furthermore, Policy UTL-5.1 of the Specific Plan requires that new residential and commercial development within the plan boundaries comply with the San Ramon Climate Action Plan's Energy Conservation and Alternative Energy strategies, which include but are not limited to LEED certification, use of photovoltaic panels, and sustainable design. Policy UTL-5.2 of the Specific Plan requires new residential and commercial development within the plan boundaries to demonstrate a 15 percent increase in energy efficiency when compared to Title 24 standards.

Finally, there are no aspects of the Specific Plan that would foreseeably result in the inefficient, wasteful, or unnecessary consumption of energy during construction activities. For example, there are no policies that would directly or indirectly cause construction activities to be any less efficient than would otherwise occur elsewhere (e.g., restrictions on equipment, labor, types of activities, etc.).

In summary, the Specific Plan would not result in the inefficient, wasteful, or unnecessary consumption of energy during construction activities

Long-Term Operations

Development and land use activities contemplated by the Specific Plan would include long-term operational activities that would consume energy, both in the form of transportation fuel and building/equipment energy (e.g., electricity and natural gas). It is not possible to reasonably estimate

the amount of energy consumed by operational activities, as a number of hard-to-predict variables influence energy consumption.

A key aspect of the Specific Plan is to reduce vehicles miles traveled (which reduce transportation fuel consumption) through the development of a pedestrian- and transit-oriented mixed-use neighborhood. Furthermore, the Specific Plan includes energy efficiency measures, including Policy UTL-5.1 and UTL-5.2 as discussed above, which would ensure buildings developed within the plan boundaries require less energy. Furthermore, development within the plan boundaries would be required to be consistent with General Plan 2030 Policy 11.7-I-1 through Policy 11.7-I-8, which require additional energy efficiency measures.

Finally, there are no aspects to the General Plan 2030 that would foreseeably result in the inefficient, wasteful, or unnecessary consumption of energy during operational activities. For example, there are no policies that preclude the use of VMT reduction or energy efficiency measures.

In summary, the Specific Plan would not result in the inefficient, wasteful, or unnecessary consumption of energy during operational activities.

