

State of California
AIR RESOURCES BOARD

EXECUTIVE ORDER G-18-101

**Relating to Determination of No Net Additional Greenhouse Gas Emissions
Under Public Resources Code section 21183, subdivision (c)
for
3333 California Street Mixed-Use Project**

WHEREAS, in September 2011, Governor Edmund G. Brown Jr. signed the “Jobs and Economic Improvement through Environmental Leadership Act,” Assembly Bill 900 (AB 900);

WHEREAS, under AB 900, the Governor of California may certify certain projects for judicial streamlining under the California Environmental Quality Act (CEQA) if certain conditions are met;

WHEREAS, under California Public Resources Code section 21183, subdivision (c), one condition for the Governor’s certification is that the project does not result in any net additional emission of greenhouse gases (GHG), as determined by the California Air Resources Board (CARB);

WHEREAS, the Governor’s Guidelines for Streamlining Judicial Review under the California Environmental Quality Act (CEQA) require for purposes of CARB’s determination on GHG emissions that an applicant submit electronically to CARB a proposed methodology for quantifying the project’s net additional GHG emissions, and documentation that the project does not result in any net additional GHG emissions;

WHEREAS, pursuant to the Governor’s Guidelines, Laurel Heights Partners, LLC (the Applicant) submitted its initial proposed GHG quantification methodologies and documentation to CARB on the proposed 3333 California Street Project (proposed project) on August 23, 2018, and clarifying documentation was submitted on October 22, 2018 and December 5, 2018;

WHEREAS, the application submitted for the proposed project estimates the project’s net additional GHG emissions as follows:

1. Construction GHG Emissions: Additional 4,273 metric tons carbon dioxide equivalent (CO₂e) emissions from project construction and demolition activities. Construction-generated GHG emissions were estimated from equipment used for construction activities and from both on-site and off-site vehicles and equipment;

2. Operation-Related GHG Emissions: Net additional 1,439 metric tons CO_{2e} emissions during the first full year of project operation (2026), or net additional 1,627 CO_{2e} from the project variant, and declining operational emissions in future years over the lifetime of the project through 2057.

WHEREAS, the applicant has committed to secure carbon offsets issued by an accredited carbon registry in an amount sufficient to offset emissions generated during construction prior to issuance of grading permits for construction of each phase of the project;

WHEREAS, the applicant has committed to explore feasible GHG emissions reduction measures according to the following prioritization: (1) project design feature/on-site reduction measures; (2) off-site local reductions; (3) off-site regional reductions, and (4) purchase voluntary carbon offsets issued by an accredited carbon registry in an amount sufficient to offset the net increase in operation-related GHG emissions. The Applicant has committed to execute contracts to offset the net increase in GHG emissions generated during project operation for any phase of the project prior to issuance of the final Certificate of Occupancy for the first building constructed during that project phase;

WHEREAS, enforcement of compliance for GHG emissions reduction measures and procurement of offsets will be outlined in the terms of the Development Agreement between the lead agency and the Applicant, and those conditions will be fully monitored and enforced by the lead agency for the life of the obligation, pursuant to Public Resources Code section 21183, subdivision (e);

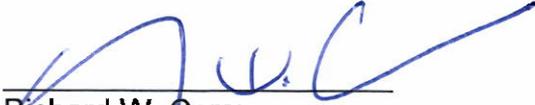
WHEREAS, CARB staff reviewed and evaluated the application in consultation with the lead agency, the City and County of San Francisco;

WHEREAS, CARB staff conducted an evaluation of the GHG emission estimates and voluntary mitigation included in the application submitted by the applicant and confirmed that the documentation provides an adequate technical basis for estimating total GHG emissions and voluntary mitigation for the proposed project;

WHEREAS, CARB's review and determination on the proposed project's GHG emissions is for the limited purpose of the Governor's findings and certification under AB 900 and should not be construed as meeting any other requirement under State or federal law, including CEQA; the lead agency remains responsible for full CEQA compliance for this project;

NOW, THEREFORE, based on CARB Staff's Evaluation (Attachment 1) of the documentation submitted by the Applicant (Attachment 2), I determine that the 3333 California Street Project will not result in any net additional GHG emissions pursuant to Public Resources Code section 21183, subdivision (c) for purposes of certification under AB 900.

Executed this 30th day of January 2019, at Sacramento, California.



Richard W. Corey
Executive Officer

Attachments:

1. CARB Staff Evaluation of AB 900 Application for 3333 California Street Mixed-Use Project
2. 3333 California Street Mixed-Use Project Greenhouse Gas Emissions Analysis for AB 900 Application