

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CUPERTINO CITY COUNCIL**

**ADOPTING AN INITIAL STUDY/NEGATIVE  
DECLARATION FOR THE CLIMATE  
ACTION PLAN 2.0 AND CEQA GHG  
EMISSIONS THRESHOLDS**

WHEREAS, the Environmental Resources and Sustainability Element of the City of Cupertino's General Plan Strategy ES-1.1.1 directs the City to "[a]dopt, implement, and maintain a Climate Action Plan to attain greenhouse gas emission targets consistent with state law and regional requirements"; and

WHEREAS, the Strategy also specifies that "this qualified greenhouse gas emissions reduction plan, by BAAQMD's definition, will allow for future project CEQA streamlining"; and

WHEREAS, in 2006, the State of California adopted the Global Warming Act of 2006 (Assembly Bill 32), which created a statewide greenhouse gas emissions requirement and goal to reduce emissions to 1990 levels by 2020; and in 2016, California Senate Bill 32 established a new greenhouse gas reduction target of 40 percent below 1990 levels by 2030; and

WHEREAS, in January 2014, the Cupertino City Council adopted a Climate Action Plan which put Cupertino on a path to reduce greenhouse gas emissions in response to climate change; and

WHEREAS, in September 2018, the Governor of the State of California issued Executive Order B-55-18, establishing a statewide goal to achieve carbon neutrality as soon as possible, and no later than 2045, and achieve and maintain net negative emissions thereafter; and

WHEREAS, in December 2020, the City Council was informed that the 2015 Climate Action Plan greenhouse gas targets had been achieved, and City Council directed staff to prepare an update to the greenhouse gas reduction plan, to be known as the Climate Action Plan 2.0 (CAP 2.0); and

WHEREAS, the City organized a series of noticed workshops and public engagement events to obtain direction with respect to the community's goals regarding the design of emissions reductions strategies within the City; and

WHEREAS, the CAP 2.0 includes a greenhouse gas emission inventory and forecast, analysis and quantification of greenhouse gas reduction measures and targets, and the CAP 2.0 also set forth a general process for implementation, monitoring and reporting of progress, and meaningful community engagement; and

WHEREAS, the CAP 2.0 meets the criteria of Section 15183.5 of the State CEQA Guidelines and therefore is a California Environmental Quality Act Qualified Climate Action Plan; and

WHEREAS, the City prepared an Initial Study/Negative Declaration (IS/ND), to evaluate the potential environmental impacts of the CAP 2.0 and CEQA GHG Emissions Thresholds in conformance with Section 15063 of Title 14 of the California Code of Regulations (the "CEQA Guidelines"); and

WHEREAS, on May 19, 2022 the Cupertino Environmental Review Committee has reviewed the draft IS/ND, and recommended that the City proceed with preparation of a final IS/ND; and

WHEREAS, on June 3, 2022, a Notice of Intent to adopt an IS/ND for the Cupertino CAP update and CEQA GHG Emissions Thresholds was sent to the State Clearinghouse, Santa Clara County Clerk, and other interested agencies and parties; and

WHEREAS, the draft IS/ND was circulated for a 30-day review period, with the public review period commencing on June 3, 2022 and ending on July 5, 2022; and

WHEREAS, on August 16, 2022, the City Council duly held a public hearing on the matter, and received and considered evidence, both oral and documentary, before adopting the IS/ND; and

NOW, THEREFORE, BE IT RESOLVED that the City Council does hereby

1. Based on the above facts, the City Council makes the following findings:
  - A. The City of Cupertino exercised overall control and direction over the CEQA review for the CAP 2.0, including preparation of the IS/ND, and independently reviewed the IS/ND; and
  - B. The City Council has considered the IS/ND, together with all evidence properly received during the public review period. The City Council finds on the basis of the whole record before it, that there is no substantial evidence that the CAP 2.0 will have a significant effect on the environment, and the IS/ND reflects the City Council's independent judgement and analysis; and
  - C. The CAP 2.0 satisfies the criteria in subdivision (b) of Section 15183.5 of the State CEQA Guidelines and therefore is a California Environmental Quality Act Qualified Climate Action Plan; and
  - D. The adoption of this CAP 2.0 is in the best interests of the public's convenience and general welfare.
2. The City Council hereby adopts the Initial Study/Negative Declaration for the Climate Action Plan 2.0 and CEQA GHG Emissions Thresholds.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Cupertino this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_, by the following vote:

Members of the City Council

AYES:

NOES:

ABSENT:

ABSTAIN:

SIGNED:  _____ Darcy Paul, Mayor City of Cupertino	_____ Date
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ATTEST:	
 _____ Kirsten Squarcia, City Clerk	 _____ Date