

RESOLUTION NO. 2023-49

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FREMONT ADOPTING THE *CLIMATE READY FREMONT* CLIMATE ACTION PLAN UPDATE AND THE ADDENDUM TO THE GENERAL PLAN ENVIRONMENTAL IMPACT REPORT.

WHEREAS, on September 27, 2006, California Governor Arnold Schwarzenegger signed into law Assembly Bill 32 (AB 32): the “Global Warming Solutions Act of 2006”, committing California to reducing statewide greenhouse gas (GHG) emissions to 2000 levels by 2010, to 1990 levels by 2020, and to a level 80 percent below 1990 levels by 2050; and

WHEREAS, on November 18, 2008 the Fremont City Council adopted a goal of reducing community GHG emissions by 25 percent below 2005 levels by 2020, in alignment with the goals of AB 32; and

WHEREAS, on November 13, 2012 the Fremont City Council adopted its first Climate Action Plan (CAP) for reducing GHG emissions 25 percent by 2020 in alignment with its adopted target, directed staff to begin implementation of the CAP, and established an Environmental Sustainability Commission (ESC) to advise the Fremont City Council on CAP updates; and

WHEREAS, on April 29, 2015, California Governor Jerry Brown signed Executive Order (EO) B-30-15, setting an interim greenhouse gas emissions reduction target of 40 percent below 1990 levels by 2030; and

WHEREAS, on December 12, 2015, the Paris Agreement was adopted by the United Nations Framework Convention on Climate Change (UNFCCC) 21st Conference of Parties (COP21), setting a goal of keeping global temperature rise well below 2 degrees Celsius (3.6 degrees Fahrenheit) above pre-industrial levels and to pursue efforts to limit the temperature increase even further to 1.5 degrees Celsius (2.7 degrees Fahrenheit); and

WHEREAS, on September 8, 2016, California Governor Jerry Brown signed Senate Bill 32 (SB 32): the “Global Warming Solutions Act of 2016”, setting into law the emissions reductions targets of EO B-30-15; and

WHEREAS, on September 10, 2018, California Governor Jerry Brown signed EO B-55-18, committing California to achieving carbon neutrality no later than 2045, and achieving and maintaining net negative emissions thereafter; and

WHEREAS, on October 7, 2018, the Intergovernmental Panel on Climate Change (IPCC) released the Special Report on Global Warming of 1.5 degrees Celsius to the UNFCCC stating that the current rate of global warming is expected to increase global temperatures to 1.5 degrees Celsius above pre-industrial levels between the years of 2030 and 2052 and recommending "deep emissions reductions" in order avoid the worst impacts of climate change; and

WHEREAS, by the end of 2018, City of Fremont had achieved a 24 percent reduction from its 2005 baseline emissions levels through implementation of its first CAP; and

WHEREAS, on January 10, 2019, the ESC recommended that the Fremont City Council update its GHG emission reduction targets in alignment with scientifically established recommendations of the UNFCCC and goals of EO B-55-18; and

WHEREAS, on February 19, 2019, the Fremont City Council adopted a Carbon Neutrality Resolution (Resolution No. 2019-03) to achieve community-scale carbon neutrality no later than 2045, set an interim GHG emission reduction target of 55 percent by the year 2030 from a 2005 baseline, and establish a "Framework for a Post-Carbon Community"; and

WHEREAS, in 2020, the City of Fremont hired a technical consultant to support staff in preparing an update to the CAP and began engaging the City of Fremont community regarding concerns about the impacts of climate change and gather input on efforts the City of Fremont could undertake to further reduce local GHG emissions and increase community resiliency; and

WHEREAS, on September 16, 2022, California Governor Gavin Newsom signed Assembly Bill 1279 (AB 1279): the "California Climate Crisis Act", setting into law the emissions reductions targets of EO B-55-18; and

WHEREAS, on June 1, 2023, the ESC recommended a draft of the CAP Update to the Fremont City Council that included a series of measures the City of Fremont could undertake to reduce GHG emissions by an additional 30 percent from 2018 levels (equivalent to a 55 percent reduction from 2005 levels) in alignment with its adopted 2030 GHG reduction target; and

WHEREAS, on June 20, 2023, the Fremont City Council provided comments on the draft CAP Update and approved its release for a period of public comment utilizing the City of Fremont's MyFremont engagement platform; and

WHEREAS, the CAP Update was made available for public comments for a period of 40 days and notice of its availability was posted on the City of Fremont website, social media accounts, and newsletter publications; and

WHEREAS, the City of Fremont prepared a final draft of the CAP Update incorporating relevant feedback as received from the ESC, Fremont City Council, and the public; and

WHEREAS, the City of Fremont prepared an addendum to the Fremont General Plan Update Environmental Impact Report (EIR) (State Clearinghouse No. 2010082060) which demonstrates that the proposed CAP Update would not change any of the conclusions of the General Plan EIR and that none of the circumstances necessitating preparation of a subsequent EIR, as specified in CEQA Guidelines Section 15162 are met, therefore making an addendum the appropriate CEQA documentation to support the City of Fremont's approval of the CAP; and

WHEREAS, the CAP Update meets the requirements under Section 15183.5(b)(1) of the California Environmental Quality Act (CEQA) Guidelines as a qualified plan for the reduction of GHG emissions for use in cumulative impact analysis pertaining to new development projects; and

WHEREAS, on September 7, 2023, the ESC recommended the final draft of the CAP Update, titled *Climate Ready Fremont*, to the Fremont City Council for adoption.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF FREMONT
RESOLVES AS FOLLOWS

SECTION 1. The Fremont City Council adopts the *Climate Ready Fremont* Climate Action Plan Update.

SECTION 2. In accordance with CEQA Guidelines Sec 15162-15164, the Fremont City Council adopts the Addendum to the General Plan Update EIR, attached as Exhibit B, which demonstrates that the proposed CAP Update would not result in new significant environmental effects or a substantial increase in the severity of previously identified significant environmental effects, and that no new information of substantial importance has been identified that suggests the potential for the CAP Update to result in significant or substantially more severe effects not discussed in the General Plan Update EIR. The Fremont City Council finds that the CAP Update would not change any of the conclusions of Fremont General Plan 2035 Final Environmental Impact Report (General Plan Update EIR) (State Clearinghouse No. 20100820060), and none of circumstances requiring preparation of a subsequent or supplemental EIR under CEQA Guidelines Sec 15162-15163 are present.

SECTION 3. The Fremont City Council finds that the *Climate Ready Fremont* CAP Update meets the requirements under Section 15183.5(b)(1) of the State CEQA Guidelines as a qualified plan for the reduction of GHG emissions for use in cumulative impact analysis pertaining to new development projects. As a qualified CAP, project-specific environmental documents, when eligible, will be able to tier from and/or incorporate by reference *Climate Ready Fremont's* programmatic review of GHG impacts in their cumulative impact analyses.

SECTION 4. The Fremont Council authorizes and directs the City Manager or designee to take all reasonable steps necessary to implement the *Climate Ready Fremont* Climate Action Plan Update.

ADOPTED October 10, 2023 by the City Council of the City of Fremont by the following vote:

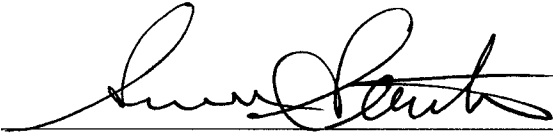
AYES: Mayor Mei, Vice Mayor Cox, Councilmembers Keng, Campbell, Kassan, and Salwan
NOES: None
ABSENT: Councilmember Shao
ABSTAIN: None



Mayor

ATTEST:

APPROVED AS TO FORM:



City Clerk



City Attorney