

Please note: This is the script, not a transcript of the actual speech. The speaker may have departed from the text.

Mary D. Nichols
California Air Resources Board Chairman
**Sustainable Communities for a Sustainable State:
California's efforts to curb sprawl and cut emissions**
Norman Williams Distinguished Lecture
On Land Use Planning and the Law
Chase Community Center
South Royalton, Vt.
Feb. 4, 2010

First, I must applaud you for taking what must have been quite a leap in imagination inviting a Californian – a Los Angeles resident, no less – to “lecture” New Englanders on ways to kick the automobile habit and curb urban sprawl.

Don't laugh too hard because I was raised in New York. I mention this in hopes that you'll give me some “street cred” when I tout the virtues of compact urban development.

The other oddity here is that you have an air pollution regulator here talking land use. Don't get me wrong. I jumped at the invitation. And I love being in Vermont. But the California Air Resources Board that I chair has absolutely no background or authority in land use. If you want to talk catalytic converters, soot traps or vapor recovery nozzles, call the ARB. For land use, try City Hall.

But, seriously, the California Air Resources Board is indeed venturing into land use for the first time in its 40-year history. I think this is a milestone worthy of your attention.

It reflects a broader shift toward more integrated environmental problem solving, not just at the ARB or in California, but across continents. It's a more holistic approach driven by the urgency of global warming and the lure of profit in the transition to clean and efficient energy.

The brain trusts assembled for climate change solutions here and abroad are a kaleidoscope of experts in energy, public health, economics, venture capital, automotive and building design, forestry, dairy management – you name it. The growing diversity and collaboration reflects the interconnectivity of climate change itself.

Scientists' No. 1 lesson in climate change is "everything is connected to everything else."

The Air Board's debut with land-use planners came a little more than a year ago with the passage of California's Sustainable Communities Strategy and Climate Act.

The Sustainable Communities law is the nation's first legislation to link local and regional development decisions with global warming. I believe this School in particular will find the legislation and its implementation worthy of study and commentary as a potential model for other states to follow.

The purpose of this law is to achieve greenhouse gas reductions from passenger vehicles through improved transportation and land-use planning. But, as I'll explain later, we're not counting on concerns over planetary warming to curb sprawl and cut vehicle miles traveled – though I think it increasingly will be a motivation in the future. For now, we're banking on basic, universal human desires.

Californians love their cars and spacious yards as much as anyone. But they also are in passionate pursuit of healthy, thriving lifestyles.

Less time in the car means more time with family and friends.

Less fuel means more money to go to the beach or a Lakers game.

Less pavement mean all the more land for natural water purification and locally grown food.

The term we use at the Air Board is co-benefits. It just means you don't do things for only one purpose. Everything we do has to achieve multiple benefits.

The significance of the Sustainable Communities law is best viewed against the backdrop of California's overall climate action plan – and the geographic challenges that compel us to adopt the toughest air pollution measures in the world.

California's challenge, of course, is the sheer enormity and constant growth of its mobile sources. They number more than 30 million today, counting cars, trucks, ships and planes, and the off-road farm and construction vehicles.

We also have no shortage of sunshine and high temperatures to efficiently convert the exhausts from those millions of internal combustion engines into ozone – the corrosive gas in smog that inflames our airways, triggers asthma attacks and damages crops.

You might think our ocean breezes would sweep the air clean. On many days they do. But in the heat of the summer and early fall – when ozone levels peak – high-pressure zones move in and clamp down hard on our inland communities.

The hovering mass of hot air cuts off the fresh marine breezes like a Maginot Line and forms an invisible ceiling over the valleys. This traps pollutants close to the ground. Millions of inland residents – from Riverside to Bakersfield, Fresno and Sacramento – are stuck breathing unhealthy air for days on end.

Many of you have experienced or recall from film clips the siege of smog that shrouded Southern California cities – the days when health alarms were routine and towering mountains vanished for months at a time. Those were the 'Bad Ol' Days of the 1960's and '70s.

Today, California still tops the nation in number of smoggy days, but our residents breathe the cleanest air since the first pollution monitors were installed more than 40 years ago. The number of first-stage alerts in the Los Angeles area has dropped to fewer than 10 a year, from more than 200 a year in the 1970s. Cars sold in California today run about 100 percent cleaner than the late '60s models.

Thanks to the Air Board's regulations, we dramatically reduced the levels of ozone and diesel soot, even with the steady growth of industry, vehicles and driving mileage.

Speaking of soot, I'd like to take a moment to congratulate Vermont state Representative David Sharpe for authoring a bill that would prohibit drivers of heavy-duty diesel trucks from idling their engines for more than five minutes. I'm happy to hear that the House Natural Resources Committee approved the measure last week (Jan. 28)

These exhaust particles are the most common toxic pollutants that Californians breathe. Our idling rules along with new requirements for low-sulfur diesel fuel and soot traps on older trucks will take another big bite out of air pollution.

If only climate change could be tamed as quickly.

As in so many areas of environmental leadership, the states set the course for our country to meaningfully address global warming more than 20 years ago.

The California Legislature cleared the path in 1988, directing our Energy Commission to take stock of the state's greenhouse gas emissions and deliver a global warming forecast for California.

We learned that the costs of doing too little, too late to mitigate and adapt would be devastating. The costs include smoggier skies, wilder wildfires, drier droughts, fiercer floods and a shrinking Sierra Nevada snowpack – the single largest source of drinking water for our 37 million residents. Scientists tell us that the pattern of earlier melting, greater spring flooding and smaller summertime stream flows already has begun.

The Legislature set another milestone eight years ago with the passage of the Clean Car Law. This authorized the world's first greenhouse gas limits on vehicle exhausts. It also paved the way for the EPA to put similar limits on vehicles nationwide, as Administrator Lisa Jackson announced in December.

And, by the way, Vermont was among the first states to adopt the California greenhouse standards, in 2005. Automakers promptly sued in federal district court to block Vermont and other states from implementing the law. In 2007, a federal judge in Burlington ruled against the automakers and for the states – Thank you, Vermont. Yet the EPA under President Bush continued to block states from enforcing the California standards. Finally, last June, President Obama’s EPA granted California the authority it needed to shift its landmark regulation out of neutral.

My primary focus today is implementation of the California Global Warming Solutions Act. Gov. Schwarzenegger made it a top priority when he appointed me chairman of the Air Resources Board, which has altogether has 11 gubernatorial appointees, including physicians, locally elected officials and members with automotive backgrounds.

The law, also known as Assembly Bill 32, is nothing short of revolutionary. It sets out a series of goals and deadlines that will fundamentally change the way we produce and consume energy, the way we move ourselves and our goods around and the way we design and build our roads, buildings and communities.

The law requires California to scale back its emissions of carbon dioxide and other heat-trapping greenhouse gases to 1990 levels by 2020 – a nearly 30 percent reduction from business as usual. Motor vehicles are responsible for about 40 percent of the state’s greenhouse gas emissions, which top those of every other state but Texas.

With so many vehicles, so many miles traveled and so little time by the global-warming clock, the Air Board chose to divide and conquer – with three separate, but integrated approaches to cut climate-warming emissions.

One leg of this proverbial “three-legged stool” relies on our Clean Car Law. We expect those limits to reduce global warming emissions from new passenger vehicles sold in California by as much as 22 percent in 2012 and about 30 percent in 2016.

Another leg of the stool attacks vehicle fuels. The air board adopted a low-carbon fuel standard last year requiring suppliers of fuel sold in California to reduce by 10 percent the average life-cycle carbon intensity of fuels by 2020. It may not sound like much, but a 10 percent reduction would result in a 20 percent drop in California’s oil consumption.

Now the third leg of attack turns our greenhouse gas reduction turrets on urban sprawl. Not directly, of course. Remember the state Air Board has no authority over land-use decisions. That’s in the hands of local officials. But we do have a clear mandate to reduce climate-altering emissions from vehicles. So here’s where the new Sustainable Communities law comes into play. It, too, essentially divides and conquers.

The Air Board sets the emission reduction targets but – significantly – we are not the implementers. The law clearly leaves it to local government to decide how best to achieve their targets. The ARB has a successful record of hands-off regulation. We've done it for years in the auto and oil industries, leaving it to their engineers and cost-cutters to figure how best meet our engine performance and fuel standards.

Here's the one-minute version on how the Sustainable Communities law works:

First, the Air Board calculates and sets the targets for each of the state's 18 metropolitan planning organizations, or MPOs. These are federally designated associations of local governments that prepare long-range transportation plans and coordinate federal highway and transit in urban regions. You have one covering cities in the Burlington area called the Chittenden County MPO.

Under the new California law, these regional groups will work with their local governments to develop a Sustainable Community Strategy as part of the area's transportation plan. The strategy is simply a combination of local planning measures designed to achieve the emission reduction targets.

And while they're figuring out ways to mitigate climate change, they might as well also plan to adapt to global warming. Mitigation and adaptation go hand-in-hand.

The law doesn't mandate local government to change their land-use policies. No sanctions are imposed for not conforming to the regional strategy. Instead, the law provides incentives to drive the process. For example, certain projects that contribute to a region's greenhouse gas goals get expedited environmental review.

I should point out, though, that the vehicles being targeted here are passenger cars and trucks. As the Natural Resources Defense Council found in a recent study, household transportation is the single-largest and the fastest-growing source of global warming pollution in California.

Currently, the Air Board is in the target-setting phase. A committee of local and regional officials has given us recommendations for the target-setting process.

We're especially keen on their recommendation to express the target as a percent per person reductions in emissions from 2005 levels.

This addresses disparities in population growth between the urban regions. In this context, how fast a region's population grows is less important than the actions a region takes to reduce an individual's greenhouse gas emissions. In addition, by choosing 2005 as the baseline, the target recognizes the efforts of regions that have already taken steps to shrink their carbon footprint.

The Air Board is on schedule to adopt the goals by September, the legal deadline. We'll be updating these targets every four or eight years as the metropolitan planning organizations revise their transportation plans.

So what's really new and significant about our Sustainable Communities law, and will the reductions in climate-altering emissions really pan out?

First, the Sustainable Communities Strategy will require a greater level of coordination among local, regional and state officials on transportation, land use, housing and climate-change planning. The law requires the regional planning officials to hold informational hearings in the chambers of local government to engage cities and counties in the strategy.

As for the Air Board, we'll be providing technical assistance as needed. We have sophisticated computer-modeling tools to assess economic and air pollution impacts of land-use and transportation scenarios. Also, our staff is compiling a list of the best land-use and transportation policies for minimizing greenhouse gases – keeping in mind that one size does not fit all communities. Flexibility is key.

The Sustainable Communities law gives California a competitive advantage over other states for receiving federal stimulus funds and transportation dollars. Also, the state is providing \$12 million to help the Metropolitan Planning Organizations upgrade their transportation models to better project greenhouse gas reductions.

We know it's hard to enlist local communities in the war on global warming when so many of their residents fighting for economic survival.

Our response is that global warming is one more reason to do what a lot of people want to do anyway. I don't think anyone is advocating that we burn more gasoline or promote leapfrog development.

The Sustainable Communities law isn't just about keeping the ocean from lapping at our doorsteps or the floodwaters from cresting our levees.

It's also about reducing our dependence on foreign oil, and saving California taxpayers billions of dollars in avoided infrastructure and personal transportation costs.

It's about promoting development and growth in the places we need it.

It's about creating more livable, walkable and efficient communities.

And it's about expanding consumer choice -- more choices of cars that use less fuel, houses that use less energy and options for driving less.

We have lots of structural obstacles to achieve our goals to plan better in transportation, land use and housing.

We need to experiment and showcase good examples. And where we don't succeed, we need to forgive ourselves and move on.

We know California's efforts alone won't be sufficient to fully mitigate climate change. We're just trying to move faster and stronger and develop solutions that will strengthen our economy and be useful to the rest of the world.

If we are serious about climate change – and I hope we are – we must retain the states' abilities to push farther and faster into the future – as a model for federal climate policy.

The most expensive thing we can do is nothing.