



RURAL COUNTY REPRESENTATIVES
OF CALIFORNIA

October 27, 2015

Mr. Ryan McCarthy
Science & Technology Policy Advisor
Office of the Chair
California Air Resources Board
1001 I St.
Sacramento, CA 95812

RE: Draft Short-Lived Climate Pollutant Reduction Strategy

Dear Mr. McCarthy:

The Rural County Representatives of California (RCRC) is an association of thirty-four California counties and the RCRC Board of Directors is comprised of elected supervisors from each of those member counties. RCRC member counties are tasked with a variety of decision-making responsibilities related to land use and development in rural California communities and are challenged with environmental stewardship, economic vitality, and social equity at the local level. We appreciate this opportunity to comment on the draft Short-Lived Climate Pollutant (SLCP) Reduction Strategy, particularly as it pertains to black carbon and methane emissions reductions.

Disadvantaged Communities

RCRC appreciates the draft's inclusion of forested and rural communities in the discussion of environmental justice and disadvantaged communities (DAC). RCRC has long opposed the sole use of the CalEnviroScreen tool to identify disadvantaged communities under the mandate of Senate Bill 535 (De León), as the California Environmental Protection Agency's (CalEPA) methodology fully excludes twenty-nine of RCRC's thirty-four member counties, some of which contain communities with high rates of poverty and unemployment, from any consideration for earmarked cap and trade funds and other advantages granted by the DAC designation. We hope this acknowledgement signals willingness by the Air Resources Board (ARB) and other CalEPA agencies to look at alternate programs to aid rural and forested communities that may not qualify as disadvantaged under CalEPA's current methodology.

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Forest-Related Sources of Black Carbon Emissions

Much of California's forested lands are located within RCRC member counties including more than seventy percent of the lands managed by the USDA Forest Service. RCRC has long urged the State to address the escalating wildfire problem, particularly as temperatures rise and amplify the need for better forest management practices on both state and federal lands. RCRC acknowledges the good work the State is doing on the Forest Carbon Plan to address the long term carbon storage and emission goals from California's forest lands. However, California's wildfire problem is getting worse each year, with the draft Strategy estimating a full 66 percent of all black carbon emissions in California coming from wildfires in 2013, the year of the Rim Fire.

In recent months, California has seen three major wildfire events - the Rough Fire, the Butte Fire, and the Valley Fire. Combined, those three fires burned more total acreage than the 2013 Rim Fire, a fire with estimated greenhouse gas emissions equivalent to 2.3 million cars, underscoring the dire need for California to stop merely talking about wildfires and implement concrete actions to reduce wildfire risk and eliminate the resulting emissions. In the wake of those recent severe fire events and the Administration's inclusion of SLCPs in the Governor's Climate Change Pillars, RCRC is dismayed by the omission of recommended actions, goals, and targets to address black carbon emissions from wildfires in the draft Strategy.

ARB has been given a clear mandate in Senate Bill 605 (Lara) to complete a number of actions specific to SLCPs including, but not limited to, an inventory of sources and emissions of SLCPs in the State, identifying existing and potential new control measures to reduce SLCP emissions, and providing recommendations to further reduce SLCP emissions. The draft Strategy addresses this mandate for every other category included in the draft except wildfire emissions, despite the fact that wildfires make up 66 percent of the State's total black carbon emissions. While we understand the challenges with quantifying and estimating emissions reductions, ARB was given a clear mandate to go above and beyond what is already being done in existing programs to specifically address SLCPs.

The Strategy not only excludes recommendations to reduce black carbon emissions from wildfires, but delays the discussion to the Forest Carbon Plan and Bioenergy Action Plan, neither of which will be completed before the January 1, 2016 deadline mandated in SB 605. The Strategy must do more to directly address wildfire emissions if ARB hopes to not only meet the requirements set forth in SB 605, but to make meaningful reductions in the State's total black carbon emissions in the short term. RCRC recommends ARB work with the California Department of Forestry and Fire Protection (CAL FIRE) and other state and federal partners to identify short term strategies, such as forest management and biomass utilization projects, to reduce wildfire risk and the resulting black carbon emissions from California's forest lands.

Reducing Methane Emissions

Reducing methane emissions from landfills has been the subject of greenhouse gas emissions reductions since ARB's Landfill Methane Control Measure, which was an early action measure from Assembly Bill 32. More recently, with the adoption of Assembly Bill 1826 (Chesbro, 2014), a commitment has been made to divert commercial organics from landfills beginning in 2016, phasing implementation through 2019, with the goal of reaching 50 percent organic diversion from landfills in 2020. RCRC worked with the author's office, CalRecycle, and stakeholders to craft legislation that was feasible and realistic and supported the legislation.

We understand the importance of diverting organics from landfills in reducing methane emissions; however, we oppose the new goals of 75 percent organics diversion by 2020 and 90 percent by 2025, as well as any additional regulations in the near term to accomplish these goals. The goals are unrealistic and any new regulatory action should not be considered until after the other identified actions in the SLCP Strategies have been carried out. RCRC whole-heartedly supports the other recommended actions. It is fundamental to monitor progress through annual reporting and improving understanding of landfill emissions prior to development of additional regulations. Any additional regulations should not be considered until after 2020, after evaluation of the progress of implementation of AB 1826 and a more thorough and accurate understanding of landfill emissions.

The principal focus of ARB, CalRecycle, and the stakeholders in the near term should be implementation of AB 1826 and the remaining recommended actions for organics diversion: align financial incentives with organics diversion, collaborate to overcome barriers, and to foster markets. The mechanics to divert organics from landfills is not the problem; it is the infrastructure needed to process the organics once diverted. It will be challenging enough to build the necessary facilities not only financially, but due to the constraints of the permitting process. CalRecycle estimates it will require an additional 100 facilities to process the diverted organics from AB 1826. Quite frankly, it is unrealistic to believe that 100 new facilities can be built within five years given the challenges of the permitting process. Yet this plan proposes to accelerate the existing organic diversion goal before implementation of AB 1826 has even begun.

With the additional costs associated with the State Water Resources Control Board General Waste Discharge Requirements for Composting Operations, building new facilities and retrofitting old ones makes it even more costly to build and operate new compost facilities. This is likely to have a negative effect on the pace of new facilities being constructed in the near term. Even if state agencies are able to resolve standards and compliance pathways for the public health and environmental goals, there still remains the public's perception of undesirable land uses and their ability to delay or halt progress through the required environmental review process.

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With respect to methane emissions from landfills, RCRC requests that the SLCP Reduction Strategy reinforce the goal in AB 1826 and focus on the five strategies that will aid industry and local governments in achieving that goal rather than impose additional regulations.

If you should have any questions or would like to discuss our comments further, please contact me at (916) 447-4806 or sheaton@rcrcnet.org.

Sincerely,

A handwritten signature in black ink, appearing to read "Staci Heaton", written in a cursive style.

STACI HEATON
Regulatory Affairs Advocate

cc: The Honorable Ricardo Lara, Member of the State Senate
Mary Nichols, Chair, California Air Resources Board
RCRC Board of Directors