



June 24, 2022

Chair Liane M. Randolph  
California Air Resources Board  
1001 I Street  
Sacramento, CA 95812

RE: Concerns regarding draft 2022 Climate Change Scoping Plan

Dear Chair Randolph:

We, the undersigned Members of the Legislature, appreciate the California Air Resources Board's (CARB) work on the draft 2022 Climate Change Scoping Plan. This 2022 Scoping Plan is critically important because it not only provides the statutorily required five-year update to the 2017 Scoping Plan, but it will establish the framework for California's climate action to achieve carbon neutrality in the next 20 to 25 years. Hence, this 2022 Scoping Plan will have the longest planning horizon of any Scoping Plan to date. As such, it is imperative that this 2022 Scoping Plan provide the necessary framework for California to achieve its climate goals.

We are deeply concerned with the current framework proposed in the draft 2022 Scoping Plan. The draft plan:

- Focuses on long-term climate goals at the expense of near-term action.
- Makes overly ambitious assumptions relating to the performance of Carbon Capture and Sequestration (CCS) and Carbon Dioxide Removal (CDR).
- Relies too heavily on CCS and CDR.
- Lacks ambition on direct emission reductions.

The most recent United Nations Intergovernmental Panel on Climate Change (IPCC) report states that "rapid emission cuts in this decade are necessary to minimize the risk of exceeding the 1.5°C temperature increase." Whether we can make those steep reductions in greenhouse gas emissions now will determine whether we will be able to avert the most catastrophic climate impacts in the near future.

We are running out of time. We respectfully request the Board to reject the proposed draft and direct CARB staff to revise the draft in order to address the concerns discussed below.

**1. The draft Scoping Plan focuses on long-term climate goals at the expense of near-term action.**

SB 32 (Pavley, 2016) requires a GHG emission reduction target of 40 percent below 1990 levels by 2030. Based on the latest data from CARB on 2021 GHG emissions, our state's emissions are approximately two percent below that of 2019 levels. This is well

short of the trajectory needed to meet the 2030 GHG target under SB 32, which would require a four percent reduction each year. Yet, the draft plan only briefly discusses why any concerns about reaching the 2030 GHG target should be addressed in a future cap-and-trade rulemaking.

Further, the lack of details and analysis on exactly how the cap-and-trade program would serve to close the gap in emissions reductions is concerning. The draft plan assumes cap and trade will “close the gap” but frames the program’s role as providing a steadily increasing price on emissions, not an actual limit on emissions. This leaves no basis to assess the current program design against its assumed role in the plan going forward.

**2. The draft Scoping Plan makes overly ambitious assumptions relating to the performance of Carbon Capture and Sequestration and Carbon Dioxide Removal.**

CARB is assuming CCS devices have a capture rate of 90 percent, which appears to be a very optimistic assumption. Based on information from other CCS projects, the actual capture rates reported falls well below the 90 percent target. The Petra Nova CCS project in Washington, one of the largest CCS plants in the world, reported a 33 percent capture rate, while the Shell Quest CCS project in Canada reportedly only captured 48 percent of carbon emissions.

The draft plan fails to provide a contingency plan should these technologies fail to deliver on the expected emission reductions. Moreover, it is questionable that the reductions will manifest immediately, given the need for required steps such as permitting and device installation. The draft plan anticipates reductions to take place within the refining sector beginning in 2023, which appears unrealistic.

**3. The draft Scoping Plan relies too heavily on Carbon Capture and Sequestration and Carbon Dioxide Removal.**

The proposed draft relies on CDR to deal with 18.5 percent of emissions of total emissions in 2045 and relies on CCS to reduce emissions at petroleum refineries. We are concerned with the extent to which the draft plan is relying on such technologies for emissions reductions. As mentioned above, it is unclear whether these technologies have the capacity to make that level of reductions. Additionally, the use of CCS and CDR is not without controversy. There are a number of concerns raised about the use of these technologies, ranging from questionable net emission reduction benefits to its impacts on local air and water quality.

Additionally, the planned use of CCS for petroleum refineries is incongruent with California’s overall climate goal, as it would serve to extend the life of refineries and continue our reliance on fossil fuels.

**4. The draft Scoping Plan lacks ambition on direct emission reductions.**

The proposed draft would reduce emissions by less than 80 percent by 2045, with only 63 percent coming from direct emission reductions. This target is less ambitious than targets adopted by New York, which requires 85 percent reductions, and Washington,

which requires 95 percent reductions. The Legislature is currently contemplating legislation that would require 90 percent of emissions be reduced.

SB 32, AB 398, and AB 197 all required CARB to prioritize both direct emissions reductions at large stationary sources of GHG emissions and direct emission reductions from mobile sources, as well as direct emissions reductions from other sources. The proposed draft fails to maximize strategies that would provide more aggressive direct emission reductions, such as increasing the sector reduction targets or accelerating electrification in various sectors like clean vehicles and buildings, or moving towards a coordinated fossil fuels phase out.

In sum, California can do better than this. We call for a climate roadmap that is ambitious and places direct emission reduction at the center of its strategy. We need an actual plan that clearly details how California will achieve its 2030 goal, especially since our annual rate of progress is clearly not on target to achieve that goal. We cannot provide goals in the plan without more details on how to get to the goals. We need more details in the plan to properly inform policy and regulatory work. We simply can do better. Let's keep California a climate leader.

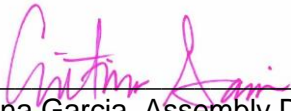
Sincerely,



Al Muratsuchi, Assembly District 66



Luz Rivas, Assembly District 39



Cristina Garcia, Assembly District 58



Richard Bloom, Assembly District 50



Mark Stone, Assembly District 29



Laura Friedman, Assembly District 43