

American Lung Association in California • Bold Nebraska
Breathe California • Climate Action Network Canada • Climate Protection Campaign
Climate Solutions • Coalition for Clean Air • Ecology Center of Michigan
Energy Independence Now • ENE (Environment Northeast) • Environmental Defence
Environmental Defense Fund • Environmental Entrepreneurs
Inter-Environnement Wallonie • KyotoUSA • Oregon Environmental Council
Oregon Interfaith Power and Light • Natural Resources Defense Council
Rainforest Action Network • Regional Asthma Management and Prevention
Safe Climate Campaign • Sierra Club California • Soter Vineyards
The Center for Energy Efficiency and Renewable Technologies
The Nature Conservancy • The Pembina Institute • Transport & Environment
UK Tar Sands Network • Union of Concerned Scientists

The Honorable Mary Nichols
Chairwoman, California Air Resources Board
1001 I Street
P.O. Box 2815
Sacramento, CA 95812

September 28, 2011

Re: Oppose Oil Industry Attempts to Weaken California LCFS Requirements

Dear Chairwoman Nichols,

On behalf of our millions of our members and activists, the undersigned organizations voice our strong support for California's clean fuels standard and specifically for the anti-dirty fuels provision that would ensure that high carbon intensity crude oils such as tar sands are not given a free pass to increase emissions.

The California Air Resources Board adopted dirty fuels regulatory language in April 2009 in recognition that it made little sense to provide a carbon score for low-carbon fuels if the dominant fuels today were given a free pass to increase emissions. We thank staff, ARB, and the Board for supporting this provision. We continue to support the California clean fuels standard including requirements to account for increased use of higher carbon fuels in California.

The undersigned groups are aware of the continued efforts by oil companies and the Canadian and Alberta governments to lobby for removal of the regulations that provide separate carbon scores for higher carbon fuels in a performance-based manner. These lobbying efforts are being repeated in other jurisdictions including the Northeast region of the United States and in the European Union. Weakening of the regulations and how they are implemented will undermine one of the key structures of California's climate legislation and clean fuels standard and result in unacceptable environmental back-sliding in the program.

The debate over dirty fuels has become especially heated over the last several months. In late August and early September, over 1,250 people were arrested in sit-ins in front of the White House protesting the Keystone XL tar sands pipeline. The protesters came from all walks of life: young and old, members of the labor community, landowners from along the pipeline right-of-

way, indigenous people, environmentalists, individuals from Vermont whose homes had just been terribly beaten by Hurricane Irene, a group of California citizens who drove all the way to and from Washington, D.C. as part of a “no tar sands caravan,” and many more. Their message was clear: we need to embrace clean energy and reject dirty fuels and the infrastructure that would support dirty fuels such as the Keystone XL pipeline. Especially with a decision looming about the Keystone XL pipeline, it is critical for California to hold strong in its regulatory efforts to combat and prevent increases in dirty fuels.

As ARB moves forward to consider potential new options intended to address the oil industry’s concerns, we emphasize that the goal should be to strengthen the provision and to increase the environmental benefits. ARB can and should send a strong signal to the oil industry, to Canada, and to the U.S. Administration that the development and refining of ever-dirtier fossil fuel sources is the wrong direction for the country, and will not be supported by California.

We look forward to working with ARB and stakeholders in a productive manner to successfully implement the dirty fuels provision and the clean fuels standard as a whole. We thank you for your time and consideration.

Sincerely,

American Lung Association in California

Environmental Entrepreneurs

Bold Nebraska

Inter-Environnement Wallonie

Breathe California

KyotoUSA

Climate Action Network Canada

Oregon Environmental Council

Climate Protection Campaign

Oregon Interfaith Power and Light: A Project of Ecumenical Ministries of Oregon

Climate Solutions

Natural Resources Defense Council

Coalition for Clean Air

Rainforest Action Network

Ecology Center of Michigan

Regional Asthma Management and Prevention

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Environmental Defense Fund

Soter Vineyards

The Center for Energy Efficiency and
Renewable Technologies

The Nature Conservancy

The Pembina Institute

Transport & Environment

UK Tar Sands Network

Union of Concerned Scientists

CC: Board Members, California Air Resources Board
Cliff Rechtschaffen, Senior Advisor to the Governor
Ken Alex, Senior Advisor to the Governor
Mr. James Goldstene, Executive Officer, California Air Resources Board
Robert Fletcher, Deputy Executive Office, California Air Resources Board
Virgil Welch, Special Assistant to the Chairwoman, California Air Resources Board
James Boyd, Vice Chair, California Energy Commission
Carla Peterman, Commissioner, California Energy Commission