



LATINO ISSUES FORUM A PUBLIC POLICY & ADVOCACY INSTITUTE
Advancing California's Social, Economic, and Environmental Future



November 14, 2008

To: Mary Nichols
Chairman
California Air Resources Board
1101 I Street
Sacramento, CA 95814

Dear Chairman Nichols and Members of the Air Resources Board:

We commend your leadership and your staff for the comprehensive nature of the "Climate Change: Proposed Scoping Plan" (SP) that recommends a broad array of GHG emission reduction measures to achieve the targets set by AB 32. The current version has more specifics than the earlier draft and as before, our comments here focus on two major aspects - protecting and providing benefits to the most impacted communities.

The SP acknowledges the requirement in the law that directs the agency to ensure its regulations and compliance mechanisms:

- do not disproportionately impact low-income communities;
- consider the potential for direct, indirect and cumulative emission impacts in communities that are already impacted by air pollution;
- prevent any increase in the emissions of toxics or criteria pollutants; and
- direct public and private investment toward the most disadvantaged communities.

This reflects the intent and the need to focus on real-life conditions and consider exposure from multiple pollutants and sources. In its current version, the SP does not explain how and when CARB intends to address these requirements. In this regard, we urge you and the Board to

consider a framework that includes: a) assessing cumulative impacts to identify the most impacted communities; b) placing limitations and incentives on sources located in these areas to participate in a trading scheme; and c) dedicating a fixed percentage of revenues generated from the implementation of AB 32 to create a Community Benefits Fund.

In addition, there is an urgent need to have uniformity and consistency among the state, air districts, local governments and other entities to evaluate the cumulative impacts similarly and to ensure that communities identified as impacted by one does not get categorized differently by another.

Community Health and Climate Change

We also commend the efforts made to quantify co-pollutant reduction and estimated health benefits associated with co-pollutants (NOx and PM) reduction linked with 2020 GHG emission reduction targets. This estimate by its nature tends to have a wide range of uncertainty and will vary significantly, but can also underestimate the tremendous public health benefits of reducing greenhouse gas emissions through measures in the scoping plan. While the current analysis is based on health benefits related to reducing respiratory and cardiac illnesses, there are additional health benefits to be considered. The current estimate should be updated to reflect where reductions will take place under the cap and trade system because the current estimate assumes that all reductions will occur within the state.

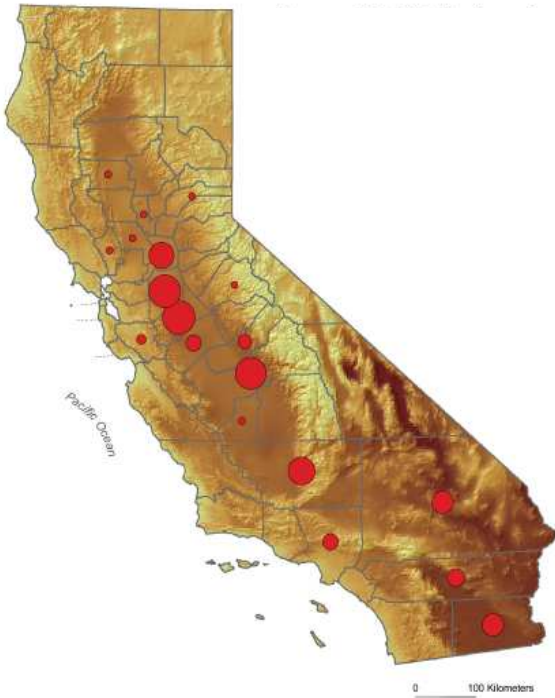
The direct impacts of climate change will also have more significant repercussions to public health in the near-term of the next one or two decades. On a global scale, the harmful effects of climate change include extreme heat, water shortages, flooding, more violent weather, and increased incidence and spread of disease. The higher incidence of mortality among elderly and lower income groups have been well documented during the heat episodes observed in Chicago and France in recent years. The magnitude of impacts seen in California during summer 2006 is shown in the following Table and their geographical distribution in the figure.

Impacts of Heat Wave During Summer of 2006

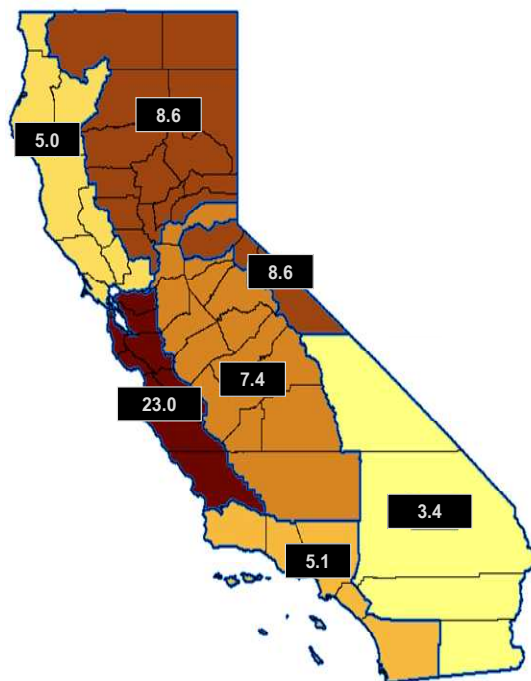
(July 15 – Aug 1)

Excess deaths from all causes	615
Heat-related deaths (typical 10-12 deaths)	145
Excess ER visits	16,166
Heat-related ER visits (typical 400 visits)	2,537
Excess hospital admissions	1,182

Geographic Distribution of Deaths Due to Heat



Rate Ratios for ER Visits



Source: Preliminary results – California Dept. of Public Health

Such episodes will recur and continue until global warming trend changes, which will be dependent on actions taken at the local, state, national and international levels in the near future. Thus, many low-income urban communities and rural areas in the Central Valley containing higher percentage of residents of color, are at risk from adverse effects of increased temperatures and heat waves, as they lack air-conditioning, capacity to travel from impacted areas for relief as well as access to community-level programs.

The low-income population is also handicapped in: a) allocating necessary resources to prepare their homes and themselves to avoid acute impacts of climate change; and b) recovering from the aftermath of acute episodes because of lack of resources necessary to recuperate themselves and repair or rebuild their homes. Thus, it is as important to invest in adaptation programs as in emission reduction programs to help the affected communities, local governments and small businesses cope with episodic impacts most likely to recur due to global warming. The type of programs that need to be undertaken will differ significantly depending on the geographical location and the local needs of a community.

In conclusion, to ensure that most impacted communities are protected and benefited we urge you and the Board to consider including the following language into the SP.

ARB will adopt a cumulative impacts assessment method within one year or prior to the adoption of a cap-and-trade regulation to identify communities “already impacted by air pollution” cumulatively and to ensure uniformity and consistency among the state, air districts and other local governments so that

communities identified as impacted by one agency do not get categorized differently by another;

ARB will evaluate the potential negative impacts (if any) of all subsequent AB 32 regulations in these communities prior to their adoption and incorporate safeguards;

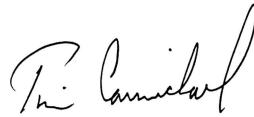
ARB will design the market mechanism compliance protocols to achieve maximum emission reduction and co-benefits in the most disadvantaged communities by including incentives and restrictions; and

ARB will initiate a public process within three months to determine and recommend the percentage of resources generated through AB 32 related auction and fee revenues that can be directed to assist in adaptation and emission reduction measures for those communities and small businesses most disadvantaged by climate change or air pollution impacts.

Sincerely,



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