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December 1, 2008

Mary D. Nichols, Chair
California Air Resources Board
1001 I Street
Sacramento, CA 95814

RE: AB 32 Climate Change Proposed Scoping Plan October 2008

Dear Chair Nichols:

On behalf of its thirty-one member counties, the Regional Council of Rural Counties (RCRC) appreciates this opportunity to offer comments on the Air Resources Board (ARB) Climate Change Proposed Scoping Plan (Scoping Plan) dated October 2008. We also appreciate ARB staff's efforts to work with local government during the development of the Scoping Plan. However, we still have some concerns with several issues and offer the following comments.

RCRC specifically urges the ARB to consider the following:

- Keep the local government GHG emission reduction goal for municipal operations voluntary.
- Maintain the 5MMTCO₂E regional transportation-related GHG reduction target.
- Maintain flexibility for economically disadvantaged and rural areas in any state regulatory program.
- Evaluate and increase the carbon sequestration value for forests, acknowledging proper timber management can substantially increase the carbon sequestration and reduce catastrophic wildfire risks.
- Include a firm commitment by the state to join with local governments to advocate at the federal level for enhanced management of USFS lands.

RCRC previously commented on the AB 32 Scoping Plan June 2008 Discussion Draft and Appendices in a letter dated August 11, 2008, which is attached herewith. The following are additional comments on the specific issues.

The Role of Local Government

In general, the Scoping Plan appropriately recognizes the role of local government as essential partners in achieving California's GHG goals and as written, provides flexibility in the local government requirements. RCRC can support the ARB local government voluntary GHG emission reduction goal for municipal operations emissions of 15% from

current levels by 2020, provided the necessary funding and technical resources are provided. RCRC believes that a state financial assistance program is imperative to enable local agencies to meet the goals and comply with GHG regulations.

RCRC also believes that the development of state and federal assistance programs to provide data, methods, and financial support to help determine and quantify GHG emissions is vital for local governments to be able to address climate change in CEQA and general plan documents. During the development of the implementation regulations, we request that funding and technical assistance be included in any discussions and resulting regulations. RCRC also encourages flexibility for economically disadvantaged and rural areas in state regulatory programs, including exemptions and tiered compliance schedules based on appropriate, regulation-specific parameters.

RCRC supports the formation of stakeholder advisory committees to lend practical expertise to state agency working groups during the development of the future regulations and voluntary programs. We request that local government be included in stakeholder advisory committees since it is at the local level that much of the implementation measures will be carried out.

Regional Transportation-Related Greenhouse Gas Targets

As indicated in the Scoping Plan, local governments play a role in the regional planning process to reach the passenger vehicle GHG emissions reduction targets. The Scoping Plan also acknowledges that the local governments have land use authority and adopt general plans for the siting and design of new residential and commercial developments and can do so in a way to reduce the GHGs associated with vehicle travel. SB 375 provides the mechanism to assign regional reduction targets and the process for regions to work together in land use planning to produce sustainable communities and reduce vehicle miles traveled (VMT) to achieve the reduction goals.

The Scoping Plan has increased the reduction target from 2MMTCO₂E in the draft plan to 5MMTCO₂E in the proposed plan and there is immense pressure to increase this target even further. RCRC urges the ARB to maintain the 5MMTCO₂E target. SB 375 deals with land use planning for new development, which is only a fraction of the existing development in California. In addition, the process for adopting the new sustainable community strategies will take years, with the development permitting process taking additional years, so that actual development will not be realized in the short term. The Scoping Plan correctly identifies land use planning as a long term program.

As indicated in the Scoping Plan, the 5 MMTCO₂E was based on a 4% per capita VMT reduction over a 10-year time horizon based on a U.C. Berkeley study that supports this realistic statewide estimate of potential benefits. It is appropriate to have a realistic reduction target for the 2020 goal and then ratcheted up for the long term 2050 goal.

Recycling and Waste

RCRC can support the increase in a waste diversion goal, provided it is a statewide goal and not a local government mandate. Rural areas in particular have varying unique characteristics that impact the feasibility of many programs. Therefore, it is imperative that local government be provided the tools and appropriate financial incentives to increase recycling opportunities. RCRC supports reducing waste and materials at the source of generation and Extended Producer Responsibility (EPR).

Again, RCRC encourages flexibility for economically disadvantaged and rural areas in any waste regulatory program, including exemptions and tiered compliance schedules based on appropriate, regulation-specific parameters.

Sustainable Forests

The Scoping Plan focuses on California's forests as a carbon sequestration sink and proposes a target to maintain the current 5 MMTCO₂E of sequestration. RCRC believes this target can be significantly increased through proper timber management to maximize the health of our forests and to reduce the risk a catastrophic wildfires. Advanced timber practices can substantially increase the carbon sequestration resource that forests provide and reduce the fuel load contributing to wildfire risks.

Catastrophic wildfires not only eliminate the carbon sequestration capacity of a forest, but they contribute to the tons of carbon, GHGs, and particulate matter in the air and watersheds. There needs to be some discussion regarding recognition of the amount of carbon, GHGs, and particulate matter that wildfires contribute to the problem and a commitment to improving our forest condition to reduce their occurrences.

With 52% of California's forest land managed by the U.S. Forest Service (USFS), RCRC believes the development of a comprehensive and cooperative federal and state program to investigate, measure, and reduce GHG emissions from wildfires is a crucial component to include in the state's overall climate change strategy. Coordination between federal, state, and local agencies is critical to the mitigation of wildfires, meeting the goals of AB 32, and more importantly, improving the air quality and public health.

RCRC again strongly recommends that ARB include in the Final Scoping Plan a firm commitment by the state to join with local governments to advocate at the federal level for enhanced management of USFS lands.

We commend the ARB staff for the thoughtful and comprehensive manner in which they have addressed the complex issue of climate change. This Scoping Plan provides the framework for California to move forward in reducing our global warming impacts to our environment. RCRC understands that this is only the beginning of a fluid process that inevitably will be changing as we progress through the implementation processes of the Scoping Plan.

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December 1, 2008
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We thank you for consideration of our comments. We look forward to continuing to work with ARB staff on the future implementation processes of the Scoping Plan to ensure that local government interests are represented.

Sincerely,

A handwritten signature in black ink, appearing to read "Mary Pitto". The signature is fluid and cursive, with a large loop at the end of the last name.

Mary Pitto
Regulatory Program Director

CC: Governor Arnold Schwarzenegger
Members, California Air Resources Board
Linda Adams, Secretary, California Environmental Protection Agency
Mike Chrisman, Secretary, California Resources Agency
James Goldstein, Executive Officer, California Air Resources Board
RCRC Board of Directors