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August 11, 2008

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

RE: AB 32 Scoping Plan, June 2008 Discussion Draft and Appendices

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 AB 32 Scoping Plan, June 2008 Discussion Draft and Appendices, and appreciates the efforts of ARB staff to reach out to local governments during this process. While we support much of what is included in the Draft, we do have some concerns and offer the following comments.

### Forest Sector

In May 2008, Governor Schwarzenegger issued Executive Order S-03-08, which specifically directed CalEPA and the California Resources Agency to oversee the Climate Action Team's development of measures for wildfire fuels reduction and biomass utilization. While we appreciate that the Draft outlines plans for measures on state, local, and private lands, we are troubled that there is no discussion of proactive measures to deal with wildfires on lands owned and managed by the U.S. Forest Service (USFS), especially in light of the current rampant wildfires around the state and the Governor's recent emergency declarations.

The Appendices assert that 52% of California's forest land is managed by the federal government, while 48% is managed by the state and private landowners. According to the USFS, more than 675,000 acres burned on federal lands from June 20 to July 21, 2008, compared to a little more than 268,000 acres on state responsibility area (SRA) lands, which include privately managed lands. That equates to roughly 72% of this summer's catastrophic wildfires occurring on federal lands.

ARB has invested significant time, effort, and public funds into its attempt to implement the AB 1493 (Pavley) vehicle standards, which have an estimated GHG emissions reduction potential GHG of 31.7 MMTCO<sub>2</sub>E by 2020. Even though staff admits that current estimates are conservative, RCRC believes that reducing GHG and criteria pollutant emissions from wildfires has the potential to contribute a comparable reduction. As the wildfire season progresses, thousands of additional acres of forest lands will needlessly burn, releasing even more carbon and further contributing to our poor air quality. We maintain that many of those fires, along with the corresponding emissions, could be prevented if USFS lands were more efficiently managed. We are concerned that the Draft Scoping Plan takes no steps toward addressing emissions through enhancing management on USFS lands.

While we appreciate ARB staff's stated intent at recent workshops to work with the USFS on the wildfire situation, we feel the only real solution is to address the problem at the federal level. RCRC has attempted for many years to work directly with regional USFS staff, urging them to implement a comprehensive plan to reduce the risk of catastrophic wildfire. Although USFS staff has been accommodating, it is clear that regional staff has neither the authorization nor the funding to adequately tackle the fuels management problem. RCRC strongly recommends that ARB include in the Final Draft Scoping Plan a firm commitment by the state to join with local governments to advocate at the federal level for enhanced management on USFS lands. This is vital not only in meeting the goals of AB 32, but more importantly in improving the quality of the air and public health.

In addition, RCRC strongly recommends outlining in the Plan an enhanced data collection and modeling program to quantify both real and possible avoided GHG emissions from wildfires. ARB has acknowledged on several occasions that current California Energy Commission (CEC) data are conservative, and that much work needs to be done in this area. While we realize that this is more of a research-oriented measure, we feel that the forestry measures currently outlined in the Plan will not yield the expected emissions reductions once wildfires are more accurately quantified. It is appropriate to include a more detailed modeling program the Plan to ensure that ARB is correctly quantifying the expected emissions reductions from the forest sector.

### Recycling and Waste

RCRC is also concerned with the emphasis on increased methane emissions reductions from landfills and the methodology used to estimate methane capture in gas collection systems. The roughly 350 landfills in the state currently contribute just over 1% of the total statewide GHG emissions. There has been little recognition that the solid waste industry has decreased its GHG emissions over the past 30 years and is currently below its 1990 GHG emission levels.

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The Draft Scoping Plan uses the EPA estimate of the average collection efficiency for landfill gas systems nationwide, which assumes landfills are only capable of capturing 75% of the methane generated in gas collection systems. However, this is a nationwide average and does not reflect the more aggressive regulatory system that exists in California, nor does it reflect California's drier climatic conditions, both of which affect landfill gas generation and collection efficiencies. Industry in California has submitted that most gas collection systems are capable of achieving over 90% landfill gas collection efficiencies. With the underestimate of methane capture efficiency, the projected benefits of increased landfill regulations are likely to be overstated.

#### Local Government Actions and Regional Targets

RCRC supports ARB's recognition of the role of local government as essential partners in achieving California's greenhouse gas goals and the recommendations as outlined in the Draft Scoping Plan. The recommendations are realistic and recognize that each local agency and region will need the flexibility to establish targets and priorities that are applicable and appropriate to their jurisdiction and region. While land use planning can have positive impacts on transportation reductions in GHG emissions, the Draft Scoping Plan correctly identifies this as a long term program.

We thank you for your consideration of our comments, and look forward to continuing to work closely with ARB staff as they refine the Draft Scoping Plan to ensure that local government interests are properly represented. Please feel free to contact me if you have any questions or would like to further discuss our comments.

Sincerely,



Staci Heaton  
Director of Regulatory Affairs

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