

Transportation Solutions Defense and Education Fund

P.O. Box 151439 San Rafael, CA 94915 415-331-1982

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

Re: Regional GHG Emissions Reduction Targets Updates

Dear Ms. Nichols:

The Transportation Solutions Defense and Education Fund (TRANSDEF) is an environmental non-profit dedicated to the regional planning of transportation, land use and air quality. Our specific focus is on reducing the climate impacts of transportation. Our previous comments on the Scoping Plan and Regional GHG Emissions Reduction Targets ("Regional Targets") are posted on our website and are incorporated herein by reference: http://transdef.org/Climate_Change/Climate_Change.html

Compliance with SB 375

TRANSDEF contends that ARB has not complied with the requirements of SB 375 in its prior approval of Regional Targets and its decision to not update them. By essentially accepting the recommendations of MPOs for their respective targets, ARB allowed each of the regions to have per capita targets that were lower than the expected rate of population growth. By simple arithmetic, as the population grows, that must inevitably result in higher regional GHG emissions than current levels, even if MPOs achieve their targets. That outcome is completely opposite to the Legislature's intent in adopting SB 375. The legislative findings for SB 375 identify that:

...greenhouse gas emissions from automobiles and light trucks can be substantially reduced by new vehicle technology and by the increased use of low carbon fuel. However, even taking these measures into account, it will be necessary to achieve **significant additional** greenhouse gas reductions from changed land use patterns and improved transportation. Without improved land use and transportation policy, California will not be able to achieve the goals of AB 32. (Chapter 728, Statutes of 2008, Section 1(c) and (i), emphasis added.)

TRANSDEF asserts that the following elements will be necessary to approve a legally defensible Regional Targets update:

- BAU emissions estimate for the light-duty vehicle sector covered by SB 375
- Scoping Plan emissions reduction targets for each emissions sector, including for this sector, that in total achieve the state's targets
- Emissions projections for this sector for each region, based on the proposed targets
- Certification by staff that, if the proposed targets were achieved by each region, the overall emissions for this sector would be significantly reduced.

These elements constitute an inherently top-down process. The 2016 Mobile Source Strategy states that "ARB and the MPOs will be working on a comprehensive bottom-up process to update SB 375 targets." (p. 51.) We assert that ARB has misinterpreted the law as a call for a bottom's-up process. All the law prescribes is that "Prior to setting the targets for a region, the state board shall exchange technical information with the metropolitan planning organization and the affected air district. The metropolitan planning organization may recommend a target for the region." G.C. 65080(b)(2)(A)(ii).

ARB needs to reconsider its 2010 decision to use a bottoms-up approach, as it is not working. No transportation agency we are aware of has yet acknowledged that climate change is its problem. They all act as if some other agency--most likely ARB--is going to take care of the problem, and leave them out of it. They continue to facilitate solo driving and see no need to change, as they are truly oblivious of the consequences in GHGs.

The 2014 SB 375 Implementation review avoided the question of the cumulative statewide emissions reductions resulting from the regional targets. Buried in an obscure ARB publication was the calculation that the SB 375 program will produce reductions of 3 MMTCO_{2e}, where the 2008 Scoping Plan had a placeholder target of 5 MMTCO_{2e}. This gap has never been dealt with.

The Proposed Final 2017 Scoping Plan Update states:

Stronger SB 375 GHG reduction targets will enable the State to make significant progress toward this goal, but alone will not provide all of the VMT growth reductions that will be needed. There is a gap between what SB 375 can provide and what is needed to meet the State's 2030 and 2050 goals. (p. 101.)

TRANSDEF asserts that the gap referred to in this quote is the gap between the Regional Targets that are proposed by MPOs and those that are derived from a top-down process intended to achieve statewide targets. We further assert that if there is a gap remaining after the adoption of updated Regional Targets, ARB will have shirked its duty to best implement the intent of AB 32 and SB 375.

Pricing

We note that the adopted Regional Targets acquiesced to the notion that because land use effects are long-term, it is logical that the 2020 targets be lower than the 2035 targets. This approach completely ignores the realm of pricing measures, which can be implemented very quickly. We associate the absence of a discussion of the feasibility of pricing with the contentious national attitude towards a pressing emergency.

Scientists inform us that there are only a few years left to correct our emissions overhang before irreversible and catastrophic changes take place. We call on ARB to use the best science to recognize the urgent need for early reductions. This will require strong leadership to educate the public about the need for increased pricing of driving. We fully recognize this will take political courage and offer to assist in any way we can.

Timing

We reject the idea that lower, more achievable, targets are a wise idea. We don't have 10 or 20 years to build confidence. Unfortunately, climate is not a problem that can be responded to at a pace that is comfortable for government. We previously commented that The *Preliminary Draft Staff Report on the SB 375 Greenhouse Gas Reduction Target Update Process* (2014) lacked any sense of urgency. It seems to us that the first step in updating Regional Targets is for the Board to decide "Are we facing a climate crisis?" The degree of crisis perceived will determine the outcome of the process.

Margin of Safety

As climate science advances, it becomes ever more clear that larger reductions are needed, and needed sooner than previously thought, as the models had been overly conservative. We recommend that target setting include the provision of a margin of safety, as is commonplace in the setting of health-based criteria pollutant standards.

Conclusion

Right now, science is telling us what needs to be done and government is not doing it. The target-setting process is not just a technical exercise. ARB's work needs to become a national and global model for the responsible planning of development. If human civilization is to survive climate change, it is crucial that targets be adopted that lead to sufficient change. Failure to do so is not an option.

The challenge for Board members now is the question "Are we facing a climate crisis?" When each member is able to answer it in a way that they can feel comfortable defending to future generations, ARB will be ready to make wise policy decisions.

It will take a top-down process tied to the Scoping Plan's goals to provide sufficient justification for making uncomfortable policy decisions at the State, regional and local levels. Local elected officials especially need this kind of evidentiary backup--they will be on the front lines, making scary decisions for a public that does not like change. Please give them the leadership and the guidance they need to play their part in the upcoming difficult transition to a low-carbon way of life.

We would be pleased to answer any questions you might have, at the phone number above.

Sincerely,

/s/ DAVID SCHONBRUNN

David Schonbrunn,
President
David@Schonbrunn.org