

Gov. Brown poised to sign 2030 climate targets

Debra Kahn, Environment & Energy Publishing, 8-25-16

California will set a sweeping economywide carbon emissions target of a 40 percent reduction below 1990 levels by 2030, after lawmakers voted yesterday to approve a bill giving them more say in the state's climate policies.

The state Senate passed a bill to give lawmakers more oversight of the California Air Resources Board, the agency charged with writing regulations to achieve the targets. It was part of a package that also included S.B. 32, the actual target-setting bill, which passed the Assembly on Tuesday. Both measures now head to Gov. Jerry Brown (D), who has said he will sign them.

A.B. 197 would add two members of the Legislature to the California Air Resources Board (ARB) as nonvoting, ex-officio members, and would create a joint legislative committee to make recommendations to the agency. It would also require the agency to account for the "social costs" of greenhouse gases when assessing the cost effectiveness of various emission-reduction proposals and call on it to prioritize regulations that reduce direct emissions from stationary and mobile emissions sources.

The bill, by Assemblymember Eduardo Garcia (D), was the result of pressure from industry groups on one side and poor communities on the other. He said it sought to bring "oversight, accountability and equity" to the state's climate policies.

"I care about the melting ice caps, I care about the polar bears, but I think we need to care about people and put them first when it comes to our climate change policies," he said.

Brown acknowledged the tensions on both sides.

"I understand they're selling a fuel that ultimately has to be reduced substantially as we go forward to have a climate we can all live in," Brown said of the oil companies. "There's a lot of talk about disadvantaged communities; no one is more disadvantaged when you're in the Central Valley or East Los Angeles or Riverside or Imperial County or San Bernardino and the air is so poisonous."

While greenhouse gases are in most cases not the same substances as conventional air pollutants that cause localized health effects, environmental justice groups have argued that the state's use of cap and trade to reach its existing 2020 emissions target has the potential to increase conventional pollution at individual facilities. As a result, A.B. 197 specifies that ARB has to focus on reducing direct emissions as it aims at the 2030 target.

A.B. 197 passed by a vote of 45-30, largely along party lines, while S.B. 32 received a slightly wider 48-31 margin of approval. Assembly Republicans argued that costs for businesses would increase under S.B. 32, but Democrats also aired their grievances, mostly about having little oversight over ARB.

"I'm frustrated," said Assembly Transportation Committee Chairman Jim Frazier (D), who said he had held an oversight hearing of the agency's transportation programs and received a fraction of the information that he requested. He said his constituents' most frequent complaint was ARB regulations.

Brown sought to reassure wary lawmakers. "The reason we're here in many ways is the smog in Los Angeles, Southern California, is so bad that the legislature in the '60s decided to create a powerful agency," he said. "We need that agency to be powerful, and we need it to have loving relationships with the Legislature, and that it will."

An opening for cap and trade?

It will likely take until at least next year to cement the legal authority for the policy that serves as the backstop for ensuring emissions reductions, as well as the backstop for compliance with U.S. EPA's Clean Power Plan for existing power plants' carbon emissions.

S.B. 32 does not explicitly authorize the continuance of the state's economywide cap-and-trade program, thanks to a state law that requires a two-thirds vote to raise taxes or fees. That proved insurmountable for lawmakers, who balked at amending the bill to specifically authorize the use of market-based programs (*ClimateWire*, Aug. 24).

Brown said he hadn't decided yet whether to try to get a separate vote for the cap-and-trade program through the Legislature or to take it directly to the voters via a ballot initiative in 2018. "We still have that ballot initiative out there; all options are available," he said.

Having a 2030 target enshrined in state law, coupled with a directive to ARB to prioritize direct reductions, could entice opponents to embrace cap and trade more readily, one environmentalist said.

"I think with this pathway, the business community will want to reauthorize cap and trade," said Adrienne Alvord, Western states director for the Union of Concerned Scientists. "They have a reason now to support cap and trade that they didn't before."