

State of California
AIR RESOURCES BOARD

Resolution 07-25

June 21, 2007

Agenda Item No.: 07-7-4

WHEREAS, in 2006 the Legislature enacted the Global Warming Solutions Act of 2006 (AB 32);

WHEREAS, AB 32 declares that global warming poses a serious threat to the environment of California and creates a comprehensive, multi-year program to reduce greenhouse gas emissions that cause global warming;

WHEREAS, AB 32 designates the Air Resources Board (ARB or Board) as the state agency charged with monitoring and regulating sources of greenhouse gas (GHG) emissions in California in order to reduce these emissions;

WHEREAS, AB 32 added section 38560.5 to the Health and Safety Code, which requires the Board to identify a list of discrete early action GHG emission reduction measures (early action measures) by June 30, 2007;

WHEREAS, section 38560.5 of the Health and Safety Code also requires the Board to adopt regulations to implement the early action measures identified on the list, and specifies that these regulations shall be enforceable no later than January 1, 2010;

WHEREAS, on April 20, 2007, ARB staff released for public review a draft report entitled "Proposed Early Actions to Mitigate Climate Change in California" (draft report), which sets forth staff's proposed list of discrete early action measures;

WHEREAS, in developing the draft report ARB staff examined numerous potential near-term greenhouse gas reduction measures and considered many sources of information including: the Climate Action Team (CAT) Report, input from stakeholders, comments provided during two public workshops, strategies identified at ARB's International Symposium on Near-Term Solutions for Climate Change Mitigation held in March 2007 in Sacramento, ideas developed by ARB staff, and various other sources of information such as the Carbon Disclosure Project, the California Climate Action Registry, projects certified by the United Nations Clean Development Mechanism, and compilations of cost-effective mitigation strategies identified by international sources;

WHEREAS, the draft report recommends that three measures (Group 1 measures) be identified as early action measures pursuant to section 38560.5 of the Health and Safety Code; these measures are:

1. Low Carbon Fuel Standard: Requires fuel providers (including producers, importers, refiners, and blenders) to ensure that the mix of fuels they sell in California meets, on average, a declining standard for greenhouse gas emissions that result from the use of transportation fuel;
2. Restrictions on High Global Warming Potential (GWP) Refrigerants: Restricts the use of high GWP refrigerants for non-professional recharging of leaky automotive air conditioning systems; and
3. Landfill Methane Capture: Sets statewide standards for the installation and performance of active gas collection/control systems at municipal solid waste landfills;

WHEREAS, staff estimates that these three early action measures would reduce GHG emissions between 13 and 26 million metric tons of carbon dioxide equivalents (MMT_{CO₂E}) annually by 2020 relative to projected levels;

WHEREAS, if approved by the Board, each of the early action measures would be developed into regulations after the opportunity for stakeholder participation and public comment during the development process;

WHEREAS, AB 32 requires that all GHG emission reduction measures must be technologically feasible and cost-effective; staff expects that the proposed early action measures can be developed into regulations that meet these criteria;

WHEREAS, in addition to the proposed list of discrete early action measures, the draft report also contains staff's recommendations to expeditiously develop an additional 22 GHG emission reduction strategies (Group 2 measures) that do not meet the legal criteria for "early action measures" because they cannot feasibly be adopted as regulations and made enforceable by January 1, 2010; and

WHEREAS, staff has identified an additional 10 traditional air pollution control measures (Group 3 measures) being developed for Board consideration in 2007-2009 that target particulates, ozone precursors, or toxics, and are also expected to yield climate change co-benefits.

NOW, THEREFORE, BE IT RESOLVED, that the Board hereby approves the list of early action measures set forth in Attachment A hereto.

BE IT FURTHER RESOLVED that the Board directs ARB staff to work with stakeholders to develop regulatory proposals implementing the early action measures identified in Attachment A.

BE IT FURTHER RESOLVED that the descriptions of the measures listed in the draft report and Attachment A represent ARB's current understanding of how the measures would be designed; the design and features of the measures may change based on

additional information gathered during the regulatory development process through stakeholder input, workshops, and public comment.

BE IT FURTHER RESOLVED that if staff learns during the regulatory development process that one or more of the early action measures cannot be developed into regulations that would be cost-effective or technologically feasible, or cannot meet other legal requirements, the Board directs staff to return to the Board for consideration of whether the measure should be removed from the list of early action measures.

BE IT FURTHER RESOLVED, that the Board directs ARB staff to conduct further analysis of the additional GHG emission reduction measures identified in the draft report as Group 2 and Group 3 measures, to develop as soon as possible all measures that meet the requirements of AB 32, and to bring the developed measures to the Board for consideration as appropriate.

BE IT FURTHER RESOLVED that the Board directs ARB staff to conduct an evaluation of the recommendations on early action measures provided by the Environmental Justice Advisory Committee, the South Coast Air Quality Management District, and the California Air Pollution Control Officer's Association; staff is directed to report to the Board within six months on the results of this evaluation.

BE IT FURTHER RESOLVED, that the Board directs ARB staff to provide status updates to the Board approximately every six months on staff's progress in developing GHG emission reduction measures and strategies.

I hereby certify that the above
is a true and correct copy of
Resolution 07-25, as adopted
by the Air Resources Board.

/s/

Lori Andreoni, Clerk of the Board

Resolution 07-25

June 21, 2007

Identification of Attachments to the Resolution

Attachment A: List of Discrete Early Action Greenhouse Gas Emission Reduction Measures Identified under Health and Safety Code section 38560.5

ATTACHMENT A

LIST OF DISCRETE EARLY ACTION GREENHOUSE GAS EMISSION REDUCTION MEASURES IDENTIFIED UNDER HEALTH AND SAFETY CODE SECTION 38560.5

1. Low Carbon Fuel Standard: Requires fuel providers (including producers, importers, refiners, and blenders) to ensure that the mix of fuels they sell in California meets, on average, a declining standard for greenhouse gas emissions that result from the use of transportation fuel.
2. Restrictions on High Global Warming Potential (GWP) Refrigerants: Restricts the use of high GWP refrigerants for non-professional recharging of leaky automotive air conditioning systems.
3. Landfill Methane Capture: Sets statewide standards for the installation and performance of active gas collection/control systems at municipal solid waste landfills.