



RURAL COUNTY REPRESENTATIVES
OF CALIFORNIA

June 22, 2022

Mr. Richard Corey
Executive Officer
California Air Resources Board
1001 I Street
Sacramento, CA 95814

RE: Draft 2022 Scoping Plan Update

Dear Mr. Corey:

The Rural County Representatives of California (RCRC) is an association of thirty-nine California counties and the RCRC Board of Directors is comprised of elected supervisors from each of those member counties. RCRC member counties are tasked with a variety of decision-making responsibilities related to solid waste and recycling, land use and development, and environmental stewardship in rural California communities; all the while, being challenged with maintaining economic vitality and social equity at the local level. We appreciate this opportunity to offer comment on the Draft 2022 Scoping Plan Update (draft plan).

Natural and Working Lands

Much of California's forested lands are located within RCRC member counties including more than 80 percent of the lands managed by the USDA Forest Service (USFS). RCRC is pleased that modeling for this sector is finally being included in the Scoping Plan, particularly in light of the high emission levels and carbon sequestration loss this sector has yielded in the past decade. We believe the inclusion of this sector is long overdue, and encourage CARB to continue working closely with the California Natural Resources Agency to broaden the strategies included in the draft plan.

For example, while reforestation is mentioned on page 204 as it relates to the state's Climate Smart Land Strategy, CARB's modeling does not include it and it is not explicitly outlined as a strategy in the draft plan. Increasing the pace and scale of reforestation of California's wildfire-damaged forestlands is vital to restoring the health of the state's watersheds, wildlife habitat and air quality, as well as increasing the carbon sequestration potential of our forests.

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Reducing Methane Emissions from Landfills

Within RCRC's membership, twenty-five member counties have also formed the Rural Counties' Environmental Services Joint Powers Authority (ESJPA) to provide assistance to solid waste managers in rural counties. These solid waste managers have been charged with ensuring that their respective counties meet state-imposed requirements to reduce waste being disposed in landfills and increase recycling/re-use efforts for certain products. Our counties' solid waste managers are dedicated to providing meaningful, environmentally conscious, and cost-effective solid waste services to their residents and businesses.

RCRC and ESJPA members have worked diligently with staff at the California Department of Resources Recycling and Recovery (CalRecycle) to secure implementation extensions of the SLCP Organics requirements pursuant to Senate Bill 1383 (Lara, 2016) to 2025 for counties with populations of less than 70,000, the same counties which received an extension in the Mandatory Commercial Organics Recycling (MORe) regulations. Many of our member counties are in areas of air quality attainment while also facing the biggest challenges with meeting the procurement, infrastructure and collection requirements contained in the final regulations. RCRC has also advocated for much needed funding recently passed by the Legislature as part of the 2022-23 State Budget Package to aid local jurisdictions in implementation.

While RCRC and ESJPA are committed to continuing our collaborative work with CalRecycle on SB 1383 implementation, there are still challenges to fully realizing the benefits from the measure. As rural jurisdictions work to ensure full compliance with SB 1383, a number of unforeseen barriers have arisen that could easily prevent the state from fully realizing the emissions reduction benefits from the regulations. These potential impediments include: wildly inconsistent messaging within CalRecycle to waste jurisdictions on implementation and enforcement of the regulations; conflicts on whether mandatory curbside collection is required versus allowing residents to self-haul their organics; and resistance in some areas of the state from edible food procurement partners. The California Air Resources Board has also proposed zero emission vehicle requirements that do not provide a clear path to the requirements in SB 1383 that the state adopt policies and incentives to increase the sustainable production of renewable biofuels from landfills, and other sources, in order to help mitigate black carbon emissions and meet the measure's emissions reduction goals.

RCRC appreciates the thoughtful analysis of this process in the draft plan and would encourage CARB to work with solid waste jurisdictions on the proposed strategies on pages 189-190. We strongly support the use of byproducts from landfills to produce biomethane and other beneficial products that can be extracted from landfill waste. However, the state must be willing to partner with local jurisdictions and invest in technologies and infrastructure in order to make the proposed strategies feasible,

particularly in rural communities. The most glaring omission from SB 1383 is the lack of upfront investment in infrastructure to enable jurisdictions to be successful. Rural communities, in particular, cannot sustain state-imposed strategies that do not come with significant state financial investment.

Transportation Sustainability

RCRC appreciates that the draft plan acknowledges the tremendous challenges of deploying a fully ZEV fleet statewide until California grows and stabilizes the energy grid to meet the exponential growth and demand necessary to sustain both statewide electric passenger and commercial vehicle fleets. We also appreciate the inclusion of rural communities as a target for energy reliability projects as well as the robust discussion regarding the need to diversify the state's renewable energy resources including solar, wind, energy storage, geothermal, biomass, and hydroelectric power. In addition, we would also recommend that the draft plan include strategies to mitigate public safety power shut-offs (PSPS) and enhanced powerline safety settings (EPSS), two methods used by investor-owned utilities (IOUs) to shut down power during high wildfire threat conditions in the wildland-urban interface (WUI).

EPSS and PSPS events often occur during potential times of emergency when residents in high wildfire risk areas need their vehicles to be operational in case they must evacuate to a safer location. These power shut-off events can last several days, and in the case of EPSS, are conducted without any notice to their customers or backup power through microgrids. A multi-day EPSS or PSPS event during an actual wildfire could prove catastrophic and, of even greater concern, more deadly, if residents in a community cannot charge their electric vehicles (EVs) in order to evacuate. Until IOUs completely safeguard their power infrastructure to avoid wildfire ignitions, these power shut down strategies will continue to be deployed as a method of avoiding fire ignitions to prevent catastrophic wildfire events. The consequences are days of lost power to residents, sometimes when a wildfire has already started from another source, with no certainty of when power will be restored.

RCRC would further recommend that CARB work with the California Energy Commission and other agencies to evaluate the feasibility of EVs in rural communities and the dire need to increase public charging infrastructure in rural corridors. In rural areas where EV users traverse longer distances or venture into more remote recreational destinations, public charging opportunities become critical to become a realistic and reliable alternative to gasoline or diesel fueled vehicles. Rural corridors are essential connectors between population centers. Currently manufactured electric vehicles do not have the range to traverse long distances between metro destinations without interspersed charging. Furthermore, rural corridors and communities often see a plethora of medium and heavy-duty trucks transporting goods, as well as large farm equipment and recreational vehicles. Rural communities need wide-ranging public EV charging options to meet the end users power needs, as well as time or workforce constraints

during recharging. Finally, the focus should include fast charging facilities to reflect the need for quick charging between the long, oftentimes mountainous, distances in rural areas of the State.

Williamson Act Subventions

Appendix B, Attachment A of the draft Plan states that the California Land Conservation Act of 1965, also known as the Williamson Act, includes nearly 40 percent of California's farmland enrolled in the program. While RCRC believes that the Williamson Act program can be an effective means of avoiding conversion of agricultural lands, the narrative in the draft is highly simplistic and factually inaccurate when discussing why counties have not been receiving subvention payments in recent years.

From the local government perspective, the Legislature has neglected the program in recent years not due to lack of resources, but simply because counties have been willing to shoulder the burden of the Williamson Act for the good of their farmlands. The state has repeatedly failed to prioritize the program and has been content to allow counties to bear 100 percent of the responsibility for Williamson Act contracts, even as RCRC and other stakeholders have continually requested that subventions be restored. As recently as the 2021-22 fiscal year, when California boasted of a huge budget surplus, the state still failed to allocate funds to Williamson Act subventions. While the Legislature is poised to allocate funding to the program in 2022-23, RCRC is not confident that the Administration will approve Williamson Act funding in the final state budget package. In fact, as recently as 2021, legislation further reducing the State's role in overseeing the Williamson Act was codified, with no commensurate nod to counties for taking on the obligation of protecting valuable farmlands.

RCRC strongly recommends that Appendix B be updated to reflect the state's unwillingness to prioritize the Williamson Act in recent years and the commitment of counties, many of them rural and socioeconomically disadvantaged, to continue the program despite lack of subvention funding.

RCRC appreciates your consideration of our comments. If you should have any questions or would like to discuss our comments further, please contact me at (916) 447-4806 or sheaton@rcrcnet.org.

Sincerely,



STACI HEATON
Senior Policy Advocate