



Committee for a Better Shafter | Comité ROSAS | Delano Guardians | Lamont Parent Partners

September 13, 2016

The Honorable Edmund G. Brown, Jr.
Governor, State of California
State Capitol, Suite 1173
Sacramento, CA 95814

RE: Veto Request – Senate Bill 1383 (Lara) – Dairy Industry Exemptions from short-lived climate pollutants: methane emissions

Dear Governor Brown,

We are grateful to you for your extraordinary leadership to combat climate change, the single most pressing issue affecting all of the planet's inhabitants, but affecting low-income communities and communities of color first and worst. Your signing of SB 32 and AB 197 is among the top achievements of this legislative session. Thank you, Governor.

However, another climate bill sits on your desk which, if signed, will counteract many of the significant advancements promised by SB 32 and AB 197 – bills which mandate sweeping greenhouse gas reductions for all sectors of the economy and an important oversight role for the Legislature. We owe it to ourselves, our constituents, and the millions of Californians breathing the air in the San Joaquin Valley to raise our serious concerns with the dairy provisions included in SB 1383.

According to Air Resources Board, the California dairy industry (liquified manure management and enteric fermentation) emits 45 percent of California's total methane,¹ which is 84 times more potent than carbon dioxide according to the Intergovernmental Panel on Climate Change (IPCC). In contrast, the waste sector emits 20 percent of the state's methane.²

¹ Air Resources Board, Proposed Short-Lived Climate Pollutant Strategy at 58, April 2016, available at <https://www.arb.ca.gov/cc/shortlived/meetings/04112016/proposedstrategy.pdf>. This equates to 52.1 million metric tons of CO₂ equivalent emissions.

² *Id.*

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As approved by the Legislature in its final form (a version which was never in print until after adjournment), SB 1383's treatment of the dairy industry runs counter to the scheme established in SB 32 and AB 197. Senate Bill 1383 creates special rules for dairies – rules not available for any other industry – that will undermine the state's effort to reduce methane, while creating unequal and unfair burdens on other industries. For example, ARB may reduce the dairy emissions reduction target at its discretion, backsliding from a 40 percent reduction by 2030 to whatever the ARB decides. Furthermore, fiscal considerations like the price of milk authorize ARB to delay implementing any regulations after January 1, 2024. Finally, the delays and other provisions signal years of improper public subsidies for private polluters and an unprecedented shift in climate policy, especially after the Legislature appropriated \$50,000,000 for the dairy industry in the state budget. This unwise scheme undermines the urgency to reduce methane but also encourages other industries – like Big Oil – to use political leverage to obtain public subsidies for compliance and secure regulatory relief. No social imperative exists that warrants such protections for milk, cheese, ice cream, and other dairy products.

SB 1383 also seems inconsistent with your urgent response to the Aliso Canyon methane disaster. Your January 2016 Executive Order called that leak “an emergency” and announced actions to “protect public health and safety.” **The California dairy industry emits far more methane than Aliso Canyon – 2.3 times more methane per day on average and 1.45 times more per day at the peak of the disaster.** Given the magnitude of emissions from dairy, the urgency of reducing methane in the near term, and your response to Aliso Canyon, SB 1383 runs counter to this state's and your administration's climate goals.

Furthermore, SB 1383 unnecessarily undermines important environmental justice and environmental goals. Under existing law in SB 32, the ARB may regulate methane at dairies without special treatment for the industry. Nor would a veto impair important public health benefits from black carbon reductions because ARB (diesel vehicles) and air districts (wood smoke) have existing authority to adopt additional, more stringent black carbon reductions to meet more stringent federal air quality standards for PM2.5 and ozone. Finally, a veto will not foreclose the opportunity to enact important waste diversion policies in 2017.

Diverting waste from landfills in this bill does not justify placing unfair and disproportionate burdens on San Joaquin Valley communities for years to come who already suffer unacceptable air and water pollution conditions caused by dairies. The dairy industry in the Valley emits the most volatile organic compounds and ammonia compared to all other sources, pollution which substantially contributes to a public health crisis. Signing this bill will unequivocally tell San Joaquin Valley communities that they must sit at the back of the climate bus, will be at odds with your response to Aliso Canyon, and interferes with your commitment to environmental justice.

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We respectfully ask for your veto of Senate Bill 1383.

Sincerely,

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