

**STAFF REPORT**  
City Council Agenda  
December 7, 2011

**Date:** November 30, 2011

**To:** Randal J. Mendosa, City Manager

**From:** Mark S. Andre, Director Environmental Services *MSA*

**Re:** Adopt Resolution No. 112-30 and send to the Environmental Protection Agency (EPA), and President Obama, urging stronger efforts to reduce CO2 by increasing enforcement of the Clean Air Act.

**RECOMMENDATION**

Adopt Resolution No. 112-30 and send to the Environmental Protection Agency (EPA), and President Obama, urging stronger efforts to reduce CO2 by increasing enforcement of the Clean Air Act.

**INTRODUCTION**

The Center for Biodiversity is launching a campaign to counter recent attempts to weaken the EPA's regulatory powers. The Center's campaign includes local government resolutions to the EPA to urge support of a strong effort on the part of the agency to reduce CO2 by stepping up its regulatory efforts through The Clean Air Act. Because the Act is under attack from the fossil fuel industry and its allies in Congress a counter effort from local governments is warranted and is a major part of the campaign. The Environmental Protection Agency's implementation of the Act has been too slow and tentative to address the urgency of the challenges we face. The Center for Biodiversity's Climate Law Institute is requesting that local city councils pass a resolution in support of the EPA's use of the Clean Air Act to reduce carbon in our atmosphere to no more than *350 parts per million* (see below).

**DISCUSSION**

Arcata has a history of strong leadership in the realm of clean air and climate change response as reflected in our Greenhouse Gas Reduction Plan and active membership with the International Council for Local Environmental Initiatives, Cities for Climate Protection. Arcata has an opportunity to show additional leadership as part of a, broad based response from communities across the country to strengthen the EPA's regulatory efforts. Together, our towns and cities can counter the assault on the EPA and press the agency to ambitiously and rapidly utilize the power of The Act to address the global warming imperative. For more information:

[http://www.biologicaldiversity.org/action/toolbox/clean\\_air\\_act/city\\_council\\_resolution.html](http://www.biologicaldiversity.org/action/toolbox/clean_air_act/city_council_resolution.html)

**BUDGET/FISCAL IMPACT**

None.

Attachments:

1: Resolution No.112-30

RESOLUTION NO 112-30  
RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARCATA TO  
ENVIRONMENTAL PROTECTION AGENCY ADMINISTRATOR LISA P. JACKSON  
IN SUPPORT OF REDUCING GREENHOUSE GAS POLLUTION UNDER THE  
CLEAN AIR ACT

WHEREAS, the decade from 2000 to 2010 was the warmest on record<sup>1</sup>, and 2005 and 2010 tied for the hottest years on record<sup>2</sup>; and

WHEREAS, the current level of CO<sup>2</sup> in the atmosphere is approximately 392 parts per million<sup>3</sup> (ppm); and

WHEREAS, one of the world's leading climate scientists, Dr. James Hansen, stated in 2008: "If humanity wishes to preserve a planet similar to that on which civilization developed and to which life on Earth is adapted, paleoclimate evidence and climate change suggest that CO<sup>2</sup> will need to be reduced from its current 385 ppm to at most 350 ppm"<sup>4</sup>; and

WHEREAS, as early as the 1850s, scientists began predicting that greenhouse gases from burning fossil fuels would eventually lead to the warming of the Earth's surface<sup>5</sup>; and

WHEREAS, the current international pledges to address the climate crisis are so weak that they could result in 770 ppm CO<sup>2</sup> by 2100<sup>6</sup>, a concentration of CO<sup>2</sup> incompatible with human life as we know it;<sup>7</sup> and

WHEREAS, 97 percent of scientific experts are convinced that human activity is responsible for climate change<sup>8</sup> and there is a growing consensus among researchers that reducing atmospheric concentrations of CO<sup>2</sup> to 350 ppm or below as soon as

<sup>1</sup> [http://www.nasa.gov/home/hqnews/2010/jan/HQ\\_10-017\\_Warmest\\_temps.html](http://www.nasa.gov/home/hqnews/2010/jan/HQ_10-017_Warmest_temps.html)

<sup>2</sup> [http://www.noaanews.noaa.gov/stories2011/20110112\\_globalstats.html](http://www.noaanews.noaa.gov/stories2011/20110112_globalstats.html)

<sup>3</sup> <http://co2now.org/>

<sup>4</sup> <http://arxiv.org/abs/0804.1126>

<sup>5</sup> <http://www.aip.org/history/climate/co2.htm>

<sup>6</sup> <http://e360.yale.edu/content/feature.msp?id=2222>

<sup>7</sup> See, Anderson, K., and A. Bows. 2010. Beyond 'dangerous' climate change: emission scenarios for a new world. Philosophical Transactions of the Royal Society A 369:20-44. New, M., D. Liverman, H. Schroder, and K. Anderson. 2010. Four degrees and beyond: the potential for a global temperature increase of four degrees and its implications. Philosophical Transactions of the Royal Society A 369:6-19 and Smith, J. B., S. H. Schneider, M. Oppenheimer, G. W. Yohe, W. Hare, M. D. Mastrandrea, A. Patwardhan, I. Burton, J. Corfee-Morlot, C. H. D. Magadza, H.-M. Fussel, A. B. Pittock, A. Rahman, A. Suarez, and J.-P. van Ypersele. 2009. Assessing dangerous climate change through an update of the Intergovernmental Panel on Climate Change (IPCC) "reasons for concern". Proceedings of the National Academy of Sciences of the United States of America 106:4133-4137.

<sup>8</sup> <http://content.usatoday.com/communities/sciencefair/post/2010/06/scientists-overwhelmingly-believe-in-man-made-climate-change/1>

possible is needed to avoid risking catastrophic and irreversible climate change;<sup>9</sup> and

WHEREAS, according to the Global Humanitarian Forum climate change is already responsible every year for some 300,000 deaths, 325 million people seriously affected, and economic losses worldwide of U.S. \$125 billion;<sup>10</sup> and

WHEREAS, extreme weather events are striking with increased frequency, with deadly consequences for people and wildlife<sup>11</sup>; in the United States alone:

- 2005 had the most hurricanes on record since 1851;
- blizzards plagued the Northeast during the winter of 2011;
- intense rainfall and snowmelt forced the Mississippi River to overflow its banks across the Midwest and South in summer 2011;
- the unprecedented 2011 Texas drought lead the U.S. Department of Agriculture to declare the entire state a natural disaster zone;
- heat waves scorched the Midwest and East in summer 2011, with many cities hitting record-high temperatures and for example, Oklahoma on pace to break its record for days over 100 degrees; and

WHEREAS, climate change is threatening food security as crop growth and yields diminish and droughts,<sup>12</sup> floods and changes in snowpack depth are disrupting water supplies; and

WHEREAS, scientists have concluded that by 2100 as many as one in 10 species may be on the verge of extinction due to climate change with many animals and plants already losing their habitats and food sources, struggling to move poleward and upward to keep pace with our changing climate, shifting their timing of breeding and migration patterns, and disappearing as populations die out;<sup>13</sup> and

WHEREAS, the oceans have become 30 percent more acidic since the industrial revolution due to their uptake of carbon dioxide, which is harming ocean life from shellfish to corals as they struggle to build the shells and skeletons they need to survive;<sup>14</sup> and

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<sup>9</sup> See, Rockstrom, J., W. Steffen, K. Noone, A. Persson, F. S. Chapin, E. F. Lambin, T. M. Lenton, M. Scheffer, C. Folke, H. J. Schellnhuber, B. Nykvist, C. A. deWit, T. Hughes, S. van der Leeuw, H. Rodhe, S. Sorlin, P. K. Snyder, R. Costanza, U. Svedin, M. Falkenmark, L. Karlberg, R. W. Corell, V. J. Fabry, J. Hansen, B. Walker, D. Liverman, K. Richardson, P. Crutzen, and J. A. Foley. 2009. A safe operating space for humanity. *Nature* 461:472-475 and Hansen, J., M. Sato, P. Kharecha, D. Beerling, V. Masson-Delmotte, M. Pagani, M. Raymo, D. L. Royer, and J. C. Zachos. 2008. Target atmospheric CO<sub>2</sub>: Where should humanity aim? *Open Atmospheric Science Journal* 2:217-231.

<sup>10</sup> [www.eird.org/publicaciones/humanimpactreport.pdf](http://www.eird.org/publicaciones/humanimpactreport.pdf)

<sup>11</sup> [http://www.huffingtonpost.com/2011/05/19/floods-droughts-extreme-weatherus\\_n\\_864046.html?view=print](http://www.huffingtonpost.com/2011/05/19/floods-droughts-extreme-weatherus_n_864046.html?view=print)

<sup>12</sup> <http://www.sciencedaily.com/releases/2011/02/110221101319.htm>

<sup>13</sup> <http://www.sciencedaily.com/releases/2011/07/110711151457.htm>

<sup>14</sup> <http://www.sciencedaily.com/releases/2008/05/080521105251.htm>

WHEREAS, the world's ice is rapidly melting threatening water supplies, raising sea levels, and jeopardizing ice-dependent animals like the polar bear and walrus so severely that Arctic summer sea ice is half the area and thickness it was several decades ago, alpine glaciers are in near-global retreat, and the giant Greenland and west Antarctic ice sheets are melting at an accelerating pace;<sup>15</sup> and

WHEREAS, according to *Scientific American*, sea level is rising faster along the U.S. East Coast than it has for at least 2,000 years, and is accelerating in pace, threatening coastal wildlife and the 40 percent of the world's population that lives within 60 miles of the coast;<sup>16</sup> and

WHEREAS, for four decades, the Clean Air Act has protected the air we breathe through a proven, comprehensive, successful system of pollution control that saves lives and creates economic benefits exceeding its costs by many times;<sup>17</sup> and

WHEREAS, with the Clean Air Act, air quality in this country has improved significantly since 1970, despite major growth both in our economy and industrial production; and

WHEREAS, between 1970 and 1990, the six main pollutants covered by the Clean Air Act — particulate matter and ground-level ozone (both of which contribute to smog and asthma), carbon monoxide, lead, sulfur and nitrogen oxides (the acid gases that cause acid rain) — were reduced by between 47 percent and 93 percent, and airborne lead was virtually eliminated; and

WHEREAS, the Clean Air Act has produced economic benefits valued at \$2 trillion or 30 times the cost of regulation; and

WHEREAS, the U.S. Supreme Court ruled in *Massachusetts vs. EPA* (2007) that greenhouse gases are "air pollutants" as defined by the Clean Air Act and the Environmental Protection Agency has the authority to regulate them;

WHEREAS, the Clean Air Act can work immediately to curb greenhouse gas pollution without new climate legislation or in conjunction with new climate legislation; and

<sup>15</sup>

<http://www.guardian.co.uk/environment/2011/jul/11/arctic-ice-free>;  
[http://www.biologicaldiversity.org/species/mammals/polar\\_bear/fact\\_sheet.html](http://www.biologicaldiversity.org/species/mammals/polar_bear/fact_sheet.html);  
[http://www.biologicaldiversity.org/species/mammals/Pacific\\_walrus/index.html](http://www.biologicaldiversity.org/species/mammals/Pacific_walrus/index.html);  
<http://www.aph.gov.au/library/pubs/climatechange/theClimate/glaciers.htm>

<sup>16</sup>

<http://www.scientificamerican.com/article.cfm?id=warming-accelerates-us-east-coast-sea-level>

<sup>17</sup>

For Clean Air Act facts, see:  
[http://www.biologicaldiversity.org/programs/climate\\_law\\_institute/global\\_warming\\_litigation/clean\\_air\\_act/pdf/s/CleanAirActWorks\\_032011.pdf](http://www.biologicaldiversity.org/programs/climate_law_institute/global_warming_litigation/clean_air_act/pdf/s/CleanAirActWorks_032011.pdf) and <http://www.epa.gov/air/sect812/>; "The Benefits and Costs of the Clean Air Act, 1970 to 1990," "The Benefits and Costs of the Clean Air Act, 1990 to 2010".

WHEREAS, The City of Arcata prides itself on being a leader in the fight against climate change and for clean air by developing a greenhouse gas reduction plan and joining the International Council for Local Environmental Initiatives Cities for Climate Protection.

NOW THEREFORE BE IT RESOLVED, that climate change is not an abstract problem for the future or one that will only affect far-distant places but rather climate change is happening now, we are causing it, and the longer we wait to act, the more we lose and the more difficult the problem will be to solve; and we, the City Council of the City of Arcata, on behalf of the residents of the City of Arcata, do hereby urge the administrator of the Environmental Protection Agency, Lisa P. Jackson, and President Barack Obama to move swiftly to fully employ and enforce the Clean Air Act to do our part to reduce carbon in our atmosphere to no more than 350 parts per million.

This resolution shall be effective upon its adoption.

Dated: December 7, 2011

APPROVED:

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Mayor, City of Arcata

ATTEST:

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City Clerk, City of Arcata

#### CLERK'S CERTIFICATE

I hereby certify that the foregoing is a true and correct copy of Resolution No. 112-30 passed and adopted at a regular meeting of the City Council of the City of Arcata, County of Humboldt, State of California, held on the 7th day of December, 2011, by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

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City Clerk, City of Arcata