

## RESOLUTION NO. 94-11

### RESOLUTION OF THE COUNCIL OF THE CITY OF RICHMOND, CALIFORNIA, TO ENVIRONMENTAL PROTECTION AGENCY ADMINISTRATOR LISA P. JACKSON IN SUPPORT OF REDUCING GREENHOUSE GAS POLLUTION UNDER THE CLEAN AIR ACT

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**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<sub>2</sub> 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<sub>2</sub> will need to be reduced from its current 385 ppm to at most 350ppm”<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<sub>2</sub> by 2100<sup>6</sup>, a concentration of CO<sub>2</sub> 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<sub>2</sub> to 350 ppm or below as soon as 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, floods and changes in snowpack depth are disrupting water supplies;<sup>12</sup> 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 pole ward 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

**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; and

**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

**WHEREAS**, the Richmond Chevron Refinery, is the largest point source greenhouse gas emitter in the State of California; and

**WHEREAS**, The City of Richmond prides itself on being a leader in the fight against climate change and for clean air as demonstrated by our many accomplishments including:

- signing the Mayors' Climate Protection Agreement;
- developing a Clean Air Action Plan for our Port;
- engaging in a process to create our Climate Action Plan;
- updating our General Plan with a sustainable groundbreaking Energy and Climate Change Element, a Health and Wellness Element and a Citywide Bicycle and Pedestrian Master Plan, as well as smart growth development around public transit;
- pursuing Community Choice Aggregation with the Marin Energy Authority with the hopes to supply its residents and businesses with a choice to buy greener, more local power at competitive rates;
- organizing a 10-10-10 community event to educate the public and support local greenhouse gas reduction efforts;
- receiving a Northern California solar award winner for being the #1 city in the Bay Area for solar installed per capita;
- working with Solar Richmond, a local non-profit that is helping the City's Environmental Initiatives Division implement residential green energy programs like the Richmond Recovery Solar Rebate (R<sup>3</sup>) and Energy Upgrade California;
- co-convening a Federal interagency Working Group hosted with the Environmental Protection Agency (EPA) in Richmond on November 3<sup>rd</sup> to showcase models for

addressing environmental justice topics and identify partnership opportunities to *Plan for a Sustainable and Livable Richmond for All*;

- being a founding member of the East Bay Green Corridor, in which we have been actively working in partnership with the region's businesses to create an environment that helps foster green technology innovation, commercialization and economic development;
- participating in the moving planet event that took place in San Francisco on 9/24/2011;
- operating our award-winning RichmondBUILD green jobs training program.

**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

**BE IT FURTHER RESOLVED** that I Gayle McLaughlin on behalf of the Richmond City Council, and the residents of Richmond, California, 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, and

**BE IT FINALLY RESOLVED**, that the City Manager shall send copies of this resolution to EPA Administrator Lisa P. Jackson, President Barack Obama, and our federal representatives, Congressman George Miller and Senators Barbara Boxer and Dianne Feinstein.

1 [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)

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

3 <http://co2now.org/>

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

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

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

7 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.

8 [http://content.usatoday.com/communities/sciencefair/post/2010/06/scientists-overwhelmingly-believe-inman-](http://content.usatoday.com/communities/sciencefair/post/2010/06/scientists-overwhelmingly-believe-inman-made-climate-change/1)

[made-climate-change/1](http://content.usatoday.com/communities/sciencefair/post/2010/06/scientists-overwhelmingly-believe-inman-made-climate-change/1)

9 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.  
 10 [www.eird.org/publicaciones/humanimpactreport.pdf](http://www.eird.org/publicaciones/humanimpactreport.pdf)  
 11 [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)  
 12 <http://www.sciencedaily.com/releases/2011/02/110221101319.htm>  
 13 <http://www.sciencedaily.com/releases/2011/07/110711151457.htm>  
 14 <http://www.sciencedaily.com/releases/2008/05/080521105251.htm>  
 15 <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>  
 16 <http://www.scientificamerican.com/article.cfm?id=warming-accelerates-us-east-coast-sea-level>  
 17 For Clean Air Act facts, see:  
[http://www.biologicaldiversity.org/programs/climate\\_law\\_institute/global\\_warming\\_litigation/clean\\_air\\_act/pdf](http://www.biologicaldiversity.org/programs/climate_law_institute/global_warming_litigation/clean_air_act/pdf/CleanAirActWorks_032011.pdf)  
<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".

I certify that the foregoing resolution was adopted by the City Council of the City of Richmond at a joint meeting held on October 18, 2011, by the following vote:

Ayes: Councilmembers Beckles, Booze, Ritterman, Rogers, Vice Mayor Butt and Mayor McLaughlin.  
 Noes: None.  
 Abstentions: None.  
 Absent: Councilmember Bates.

DIANE HOLMES  
 Clerk of the City of Richmond

Approved:

GAYLE MCLAUGHLIN  
 Mayor

Approved as to form:

RANDY RIDDLE  
 City Attorney

State of California                    }  
 County of Contra Costa                } : ss.  
 City of Richmond                        }

I certify that the foregoing is a true copy of **Resolution No. 94-11**, finally passed and adopted by the City Council of the City of Richmond at a joint meeting held on October 18, 2011.