



BOARD OF SUPERVISORS

PRESIDENT
Kathrin Sears
3RD DISTRICT

June 18, 2019

VICE PRESIDENT
Katie Rice
2ND DISTRICT

Re: Request from Board President Kathrin Sears for Consideration of a Resolution Opposing Legal Immunity for Fossil Fuel Companies and Affirming the Continued Regulatory Authority of the U.S. Environmental Protection Agency and Its Implementation of the Clean Power Act

2ND VICE PRESIDENT
Dennis Rodoni
4TH DISTRICT

Dear Colleagues:

Damon Connolly
1ST DISTRICT

This letter seeks your support for a resolution opposing a proposal to give fossil fuel companies blanket immunity from any liability for the climate-change related damage they've knowingly caused over the past 50 years. In addition, it seeks to affirm Marin County's ongoing support for the continued regulatory authority of the U.S. Environmental Protection Agency (EPA) and its implementation of the Clean Power Act.

Judy Arnold
5TH DISTRICT

Matthew H. Hymel
COUNTY ADMINISTRATOR
CLERK OF THE BOARD

This action is urgently needed now because a fossil-fuel funded organization inaptly named the Climate Leadership Council (CLC) is lobbying members of Congress and waging an all-out marketing campaign to gain support for a measure that purports to be a simple carbon tax. Instead, hidden within their proposal are terms that would insulate fossil fuel companies from legal liability and eviscerate the authority of the EPA to regulate greenhouse gases through its rule making powers.

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Addressing climate change and mitigating the impacts of global warming are the defining challenges of the 21st century and beyond. The County of Marin has taken bold steps to address these climate challenges. This resolution is a further step to protect the public from harm in a proposal that is being presented by the fossil-fuel industry as a benefit.

Marin's BayWAVE and C-SMART vulnerability assessments have given us a window on a changed future, showing built and natural systems at risk of more frequent flooding and eventual inundation. These impacts are expected to result in billions of dollars in losses and create enormous costs for adaptation and rebuilding efforts. At the same time, and on a parallel track, we are racing to reduce our greenhouse gas emissions through Marin's Climate Action Plan and our Drawdown: Marin initiative.

National and international climate assessments including the latest scientific data and predictions, paint a stark picture of wetter weather and hotter, dryer temperatures with the threat of catastrophic wildfires costing billions of dollars in property damage and devastation. Weekly, we are witnessing these grave situations play out locally in California and across the nation.

On July 17, 2017, the County of Marin joined two other jurisdictions – the County of San Mateo and the City of Imperial Beach - in filing lawsuits in California Superior Court against 37 oil, gas and coal companies. These lawsuits are pending and seek damages for the redress of harms caused by the products these companies manufactured and distributed, while knowing of the damages they would cause. Giving these companies immunity from legal liability would block our access to the courts.

This resolution is an opportunity to raise awareness of the dangers lurking within apparently forward-thinking proposals for a price on carbon and dividend to taxpayers. It is also a chance to ask our federal and state legislative and executive leaders to strongly oppose any efforts to deprive local governments and the public of access to the courts, and any attempts to weaken the EPA's ability to protect the environment and the public's health.

Thank you for your consideration and support of this resolution.

Best regards,

A handwritten signature in cursive script that reads "Kathrin Sears".

Kathrin Sears
President
Supervisor, District 3