

**FABIAN NUÑEZ**

SPEAKER of the ASSEMBLY

January 23, 2008

The Honorable Barbara Boxer
United States Senate
112 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Boxer:

Thank you for the opportunity to address the United States Senate Environment and Public Works Committee regarding its January 24, 2008 hearing on "Oversight of the United States Environmental Protection Agency's (USEPA) Decision to Deny the California Waiver."

I applaud the Chairwoman's leadership to vigorously investigate the reasons behind the December 19, 2007 waiver denial by Stephen L. Johnson, Administrator of the USEPA. As you may be aware, this is the first denial for California since the Clean Air Act was established in 1967.

As the author of AB 32, California's landmark greenhouse gas reduction legislation, this "tailpipe" emissions waiver is essential for California to fully achieve the prescribed reduction of greenhouse gas emissions to 1990 levels.

California's plan recognizes the unique geographic and socioeconomic qualities of our state but we are not alone. Thirteen states have already adopted and seven other states are considering similar "tailpipe" greenhouse gas reduction laws. Collectively, we, as the states, must have the right to provide the leadership to go forth to help address this critical issue – to fill the void left by the current federal administration.

Administrator Johnson indicated that the Energy Independence and Security Act addresses greenhouse gas emissions by establishing a new corporate average fuel economy (CAFE) standard. While this may be a positive step, reducing "tailpipe" greenhouse gas emissions is more than just increasing fuel economy.

The USEPA should, and must, reconsider its decision in favor of approving the waiver. It's not just for Californians – it's not just for the other states which have joined California in this fight – it's not just for all of the citizens of the United States – it's for the future of our planet. This waiver is necessary for our state to move forward with our statutory obligations – we see no reason it should not be granted.

Thank you again for the opportunity to comment, and I respectfully request that my comments be read into the committee record.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly