

RESOLUTION NO. .

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

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**RESOLUTION SUPPORTING THE ENERGY INNOVATION AND CARBON DIVIDEND
ACT (H.R. 763) AND OPPOSING ANY AMENDMENT TO INCLUDE LEGAL
IMMUNITY FOR FOSSIL-FUEL COMPANIES**

RESOLVED, by the Board of Supervisors of the County of San Mateo, State of California, that

WHEREAS, the Energy Innovation and Carbon Dividend Act (EICDA) (H.R. 763) is a primarily Democrat-backed bill in the United States House of Representatives which intends to reduce carbon emissions in the United States and reduce the impact of climate change, while promoting innovation; and

WHEREAS, the EICDA places fees on companies that produce fossil fuels like coal, oil, and gas with the aim of encouraging energy companies, relevant industries, and consumers to develop and adopt cleaner and cheaper energy sources; and

WHEREAS, the EICDA mandates that the carbon dividends collected as fees are redistributed directly to the American people as a dividend to spend as they see fit; and

WHEREAS, through the implementation of the EICDA, it is estimated that carbon emissions will be reduced by 40% over the next twelve years, \$240 billion will be saved in environmental and health costs related to fossil fuels, and 2.1 million jobs will

be added over ten years as the United States moves toward more sustainable sources of energy;

WHEREAS, it is anticipated that under the EICDA, most Americans will receive more in carbon dividends than they pay in increased costs for fuel or other products leading to increased disposable income for American families;

WHEREAS, energy companies and other fossil fuel related industries will be incentivized by the EICDA to pollute less and to develop clean technology in order to reduce their payment of EICDA-related fees;

WHEREAS, since the 1960s, the fossil-fuel industry (including the industry's own scientists and experts) have known that its business model, production processes, and end products increase carbon emissions in the atmosphere, and that those emissions would raise ocean and air temperatures, increase sea levels, and intensify storms, with potentially catastrophic consequences; and

WHEREAS, despite knowing these effects, fossil-fuel companies embarked on a decades-long campaign of disinformation, denial, and deception to prevent, delay, and undermine national and international actions to reduce carbon emissions, even while some of these companies acted to protect their own assets and resources from rising sea levels; and

WHEREAS, a substantial and continuing increase in greenhouse gases into the atmosphere, especially carbon dioxide (CO₂), is causing the increase in global temperature, and that the primary cause of this CO₂ increase is the burning of carbon-based fuels, including coal, oil, and gas; and

WHEREAS, in December, 2018, the U.S. Global Change Research Program, a consortium of 13 federal agencies, issued its Fourth National Climate Assessment, which finds “that the evidence of human-caused climate change is overwhelming and continues to strengthen, that the impacts of climate change are intensifying across the country, and that climate-related threats to Americans’ physical, social, and economic well-being are rising,” and further finds that, “[b]y the middle of this century, annual losses in the United States due to climate change could reach hundreds of billions of dollars;” and

WHEREAS, the August 2018, California’s Fourth Climate Change Assessment finds that, in California, the “direct climate impact costs by the middle of this century are . . . estimated at tens of billions of dollars;” and

WHEREAS, San Mateo County, a peninsula bordered by water on two sides, is especially vulnerable to sea-level rise, which the County’s March 2018, Sea Level Rise Vulnerability Assessment concludes is already causing flooding and will, if left unmanaged, “pose considerable risks to life, safety, critical infrastructure, the County’s natural and recreational assets, and the economy;” and

WHEREAS, California’s Fourth Climate Change Assessment finds that “funding and financing challenges are among the top barriers to adaptation;” while adaptation planning is happening across the nation, activities to implement those plans in order to protect the built and natural environments have been stalled for lack of funding in the wake of political gridlock engendered in part by the fossil-fuel industry’s campaigns and lobbying; and

WHEREAS, on July 17, 2017, San Mateo County, on behalf of its residents, filed a lawsuit in state court to hold fossil-fuel companies responsible, under well-established tort principles, for the damages caused by the fossil-fuel products they knowingly extracted, manufactured, and marketed; and

WHEREAS, on October 31, 2017, this Board adopted Resolution No. 075519, calling for a revenue-neutral carbon-fee-and-dividend policy that closely mirrors the policy objectives outlined in the EICDA; and

NOW, THEREFORE, IT IS HEREBY DETERMINED AND ORDERED that the San Mateo County Board of Supervisors supports the Energy Innovation and Carbon Dividend Act (H.R. 763) and its goals of moving the country away from fossil-fuel use and towards more sustainable sources of energy through the use of a fee and dividend program, to incentivizing energy companies and other businesses to reduce reliance on fossil fuel-based products, and to dedicate resources to actively creating viable alternatives; and

BE IT FURTHER DETERMINED AND ORDERED that the San Mateo County Board of Supervisors is opposed to any amendment to the EICDA, or substantially similar legislation, that would grant fossil fuel companies immunity from any climate-change-related legal action; and

BE IT FURTHER DETERMINED AND ORDERED that this resolution be transmitted to U.S. Senators Dianne Feinstein and Kamala Harris; U.S. Representatives

Jackie Speier and Anna Eshoo; California Governor Gavin Newsom and California Attorney General Xavier Becerra; and others as may be necessary.

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