



Energy Commission

ACTION AGENDA
January 28, 2015

To: Berkeley Energy Commission
From: Neal DeSnoo, Secretary to the Energy Commission
Subject: Recommendation to Support Pump Labeling Ordinance

RECOMMENDATION

Recommend that Council adopt first reading of an ordinance requiring labeling of fuel pumps regarding climate change and direct staff to evaluate the effectiveness of the ordinance.

FISCAL IMPACTS OF RECOMMENDATION

The costs of this program are expected to be less than \$10,000 annually and would be limited to design and manufacturing of the labels, program management and enforcement. The FY 2016 budget will need to be amended to fund implementation of this ordinance.

It is likely that the Western States Petroleum Association or another party will file a lawsuit challenging the proposed ordinance as compelling speech, in violation of the First Amendment. The cost of defending the lawsuit would either be borne by existing staff time or outside Counsel. In the event such a lawsuit was successful, the City could be liable for significant attorney's fees for the plaintiff.

CURRENT SITUATION AND ITS EFFECTS

Scientists, US government agencies and the US Supreme Court agree that the burning of fossil fuels, including petroleum motor fuels and fuels used for the generation of electricity, is a significant cause for the increase in greenhouse gas (GHG) emissions since the industrial revolution, and that these high increases in GHG emissions are causing the climate to change. It is important to inform and remind the public of this so that decisions can be made to curb GHG emissions and develop mitigation strategies. See Attachment 1 for references to these claims.

BACKGROUND

On November 18, 2014, based on recommendations from the Community Environmental Advisory Commission and the Berkeley Energy Commission, Council directed staff to prepare an ordinance for review by the Commissions and for Council consideration. Council did not specify the text to be used on the labels.

The proposed ordinance would require all service stations that sell gasoline or diesel fuel, including biofuel/petroleum blends, to include a notice on fuel pump hoses that would read as follows:

“The U.S. Environmental Protection Agency (EPA) has determined that consumption of energy products derived from fossil fuels contributes to climate change. To learn about how you can help reduce greenhouse gas emissions, go to: www.cityofberkeley.info/fuel.”

The ordinance would apply to retail gasoline, diesel, biofuel blend dispensers, compressed natural gas pumps and electric vehicle chargers. The requirement would not apply to pure biofuels. While it has been argued that biofuels produced from virgin plant materials, as opposed to post-consumer feedstocks, also cause GHG emissions, the nexus is less well-documented than for fossil fuels and such biofuels currently constitute a very small portion of the motor fuel market.

The City would provide the notices to service station owners who would be responsible for installing them.

ENVIRONMENTAL SUSTAINABILITY

Although the link between motorized vehicle use and GHG emissions is widely known, making this information available at the point of purchase of motor vehicle fuel is intended to contribute to behavioral changes to reduce motorized vehicle use, thus contributing helping to accomplish the Berkeley Climate Action Plan (CAP) goals and helping to mitigate impacts on climate. These labels are analogous to the health warnings placed on cigarettes.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

The ordinance is categorically exempt from CEQA.

RATIONALE FOR RECOMMENDATION

The ordinance has the potential for long-term behavior change, particularly if the ordinance can be implemented in coordination with existing City programs and efforts to reduce carbon dioxide (CO₂) emissions, such as those implemented through the CAP. The Commissions also recommends that measurement tools be implemented as part of the program, such as pre- and post- surveys, to determine the efficacy of the labeling program.

ALTERNATIVE ACTIONS CONSIDERED

The Commissions could consider not supporting the initiative and taking no position on the issue.

CONTACT PERSONS

Neal De Snoo, Secretary to the Energy Commission, 981.7439

Attachments:

- 1: References and Sources
- 2: Ordinance

References and Sources

This document includes citations from scientists, US government agencies and the US Supreme Court supporting the position that:

- A) The burning of fossil fuels, including petroleum motor fuels, is the primary cause for the increase in greenhouse gas (GHG) emissions since the industrial revolution, and that these high increases in GHG emissions are causing the climate to change; and
- B) It is important to inform and remind the public of this so that decisions can be made to curb GHG emissions and develop mitigation strategies.

A. Petroleum is linked to climate change.

1. United Nations International Panel on Climate Change (IPCC) Fifth Assessment Report¹:
 - a. “Human influence on the climate system is clear, and recent anthropogenic emissions of GHGs are the highest in history ... Their effects, together with those of other anthropogenic drivers, have been detected throughout the climate system and are extremely likely (>95% confidence) to have been the dominant cause of the observed warming since the mid-20th century.”
 - b. “Emissions of CO₂ from fossil fuel combustion and industrial processes contributed about 78% of the total greenhouse gas emissions increase from 1970 to 2010, with a similar percentage contribution for the increase during the period 2000 to 2010 (high confidence, or >90%).”
 - c. “Recent climate changes have had widespread impacts on human and natural systems.”
2. Massachusetts v. E.P.A., 549 U.S. 497² (2007)
 - a. “Judged by any standard, U. S. motor-vehicle emissions make a meaningful contribution to greenhouse gas concentrations and hence, according to petitioners, to global warming.”
 - b. “And reducing domestic automobile emissions is hardly a tentative step. Even leaving aside the other greenhouse gases, the United States transportation sector emits an enormous quantity of carbon dioxide into the atmosphere... That accounts for more than 6% of worldwide carbon dioxide emissions... To put this in perspective: Considering just emissions from the transportation sector, which represent less than one-third of this country’s total carbon dioxide emissions, the United States would still rank as the third-largest emitter of carbon dioxide in the world, outpaced only by the European Union and China.²² Judged by any standard, U. S. motor-vehicle emissions make a meaningful contribution to

¹ IPCC. *The Fifth Assessment Report of the Intergovernmental Panel on Climate Change, Summary for Policymakers*. Accessed on December 3, 2014 at: http://www.ipcc.ch/pdf/assessment-report/ar5/syr/SYR_AR5_SPMcorr1.pdf.

² <http://www.supremecourt.gov/opinions/06pdf/05-1120.pdf>

- greenhouse gas concentrations and hence, according to petitioners, to global warming.
3. Energy Information Administration (EIA)³:
 - a. “Energy-related carbon dioxide emissions, resulting from petroleum and natural gas, represent 82 percent of total U.S. human-made greenhouse gas emissions.”
 - b. “The U.S. produces about 25 percent of global carbon dioxide emissions from burning fossil fuels; primarily because our economy is the largest in the world and we meet 85 percent of our energy needs through burning fossil fuels.”
 - c. “During the past 20 years, about three-quarters of human-made carbon dioxide emissions were from burning fossil fuels.”
 4. World Wildlife Fund (WWF)⁴:
 - a. “Carbon dioxide (CO₂), which, while not the most potent greenhouse gas, is nevertheless the main driver of the greenhouse effect. When fossil fuels - coal, oil and natural gas - are burnt they release CO₂ into the atmosphere. Because of this the layer of greenhouse gas is getting thicker, which is in turn making the Earth warmer. Thus the ongoing unlimited burning of fossil fuels is the cause of climate change.”
 - b. “The biggest climate polluter is the global power sector which generates around 40% of all global electricity from coal.”
 - c. “According to the International Energy Agency the power sector is responsible for 37% of all man-made Carbon Dioxide (CO₂) emissions. It creates about 23 billion tonnes of CO₂ emissions per year – in excess of 700 tonnes a second. In turn, this CO₂ continues to heat up our planet which poses an unprecedented threat to us and the environment. Generating electricity through the burning of fossil fuels, in particular carbon-heavy coal, has a greater impact on the atmosphere than any other single human activity.”
 5. Environmental Defense Fund (EDF)⁵:
 - a. “Scientists have closed the case: Human activity is causing the Earth to get hotter. How? Primarily by two actions: Burning fossil fuels, with a smaller contribution from clear cutting forests, known as deforestation.”
 - b. “When we extract and burn fossil fuels such as coal or petroleum, we cause the release of carbon dioxide (CO₂) and other heat-trapping "greenhouse gases" into the atmosphere.”
 - c. “We also can tell that the additional CO₂ in the atmosphere comes mainly from coal and oil because the chemical composition of the CO₂ contains a unique fingerprint.”
 6. European Commission⁶:

³ “Greenhouse Gases, Climate Change, and Energy: What are Greenhouse Gases?”. *National Energy Information Center (NEIC), Energy Information Administration*, last updated April 2, 2004. www.eia.gov/oiaf/1605/ggccebro/chapter1.html.

⁴ “What causes climate change?”. *World Wildlife Fund (WWF)*, accessed December 5, 2014: http://www.panda.org/about_our_earth/aboutcc/cause/.

⁵ “How are humans responsible for global warming?”. *Environmental Defense Fund (EDF)*. Accessed December 5, 2014: <http://www.edf.org/climate/human-activity-is-causing-global-warming>.

⁶ “Causes of climate change.” *European Commission*, last updated November 11, 2014. Accessed December 5, 2014: http://ec.europa.eu/clima/policies/brief/causes/index_en.htm.

- a. "One of the main sources of CO₂ in the atmosphere is the combustion of fossil fuels - coal, oil and gas. Over the past two and a half centuries, our societies have burnt increasing amounts of fossil fuels to power machines, generate electricity, heat buildings and transport people and goods. Since the Industrial Revolution in 1750 the concentration of CO₂ in the atmosphere has increased by around 40%, and it continues to rise."
7. National Wildlife Foundation (NWF)⁷:
 - a. "Scientists have concluded that most of the observed warming is very likely due to the burning of coal, oil, and gas. This conclusion is based on a detailed understanding of the atmospheric greenhouse effect and how human activities have been tweaking it."
 - b. "Human activity--such as burning fossil fuels--causes more greenhouse gases to build up in the atmosphere. As the atmosphere "thickens" with more greenhouse gases, more heat is held in. Fossil fuels such as oil, coal and natural gas are high in carbon and, when burned, produce major amounts of carbon dioxide or CO₂. A single gallon of gasoline, when burned, puts 19 pounds of carbon dioxide into the atmosphere."
 - c. "Since the Industrial Revolution, the burning of coal, oil and natural gas has emitted roughly 500 billion tons of CO₂, about half of which remains in the atmosphere. This CO₂ is the biggest factor responsible for recent warming trends."
8. NASA⁸:
 - a. "On Earth, human activities are changing the natural greenhouse. Over the last century the burning of fossil fuels like coal and oil has increased the concentration of atmospheric carbon dioxide (CO₂). This happens because the coal or oil burning process combines carbon with oxygen in the air to make CO₂."
9. National Academy of Sciences⁹:
 - a. "The burning of fossil fuels—coal, oil, and natural gas—for energy is the single largest human driver of climate change."
10. City and County of San Francisco¹⁰:
 - a. Proposed language on fuel pump sticker label: "The U.S. Environmental Protection Agency (EPA) has determined that a typical passenger vehicle burning one gallon of fuel produces on average almost 20 pounds of tailpipe carbon dioxide (CO₂), which the EPA has determined is the primary greenhouse gas that is contributing to recent climate change. This is a message from the City and County of San Francisco. To learn about San Francisco's efforts to reduce greenhouse gas emissions, go to www.sfclimate.org."

⁷ "Global Warming is Human Caused". *National Wildlife Federation*. Accessed December 5, 2014:

<http://www.nwf.org/Wildlife/Threats-to-Wildlife/Global-Warming/Global-Warming-is-Human-Caused.aspx>.

⁸ "Global Climate Change - Causes". *NASA*. Accessed December 5, 2014: <http://climate.nasa.gov/causes/>.

⁹ Panel on Advancing the Science of Climate Change; Board on Atmospheric Sciences and Climate; Division on Earth and Life Studies; National Research Council of the National Academies. *Advancing the Science of Climate Change*: Washington, D.C., The National Academies Press, 2010, p. 28, <http://www.nap.edu/catalog/12782/advancing-the-science-of-climate-change>.

¹⁰ City of San Francisco. *Draft Ordinance No. 141094*. Accessed on December 5, 2014:

http://www.sfenvironment.org/sites/default/files/agenda/attach/ghg_gas_pump_info_labels_ordinance_141094_0.pdf.

B. It is critical to educate the public that petroleum causes climate change.

1. Union of Concerned Scientists:
 - a. “There is now an overwhelming scientific consensus that global warming is indeed happening and humans are contributing to it” ¹¹ [*Note: see link in footnote for list of other organizations’ statements*]
 - b. “So how do scientists know that today’s warming is primarily caused by humans putting too much carbon in the atmosphere when we burn coal, oil, and gas or cut down forests? ¹²
 1. There are human fingerprints on carbon overload. When humans burn coal, oil and gas (fossil fuels) to generate electricity or drive our cars, carbon dioxide is released into the atmosphere, where it traps heat. A carbon molecule that comes from fossil fuels and deforestation is “lighter” than the combined signal of those from other sources. As scientists measure the “weight” of carbon in the atmosphere over time they see a clear increase in the lighter molecules from fossil fuel and deforestation sources that correspond closely to the known trend in emissions.
 2. Natural changes alone can’t explain the temperature changes we’ve seen.
 3. Lower-level atmosphere—which contains the carbon load—is expanding.”
2. *Massachusetts v. E.P.A.*, 549 U.S. 497¹³ (2007)
 - a. “Congress emphasized that ‘ongoing pollution and deforestation may be contributing now to an irreversible process’ and that ‘[n]ecessary actions must be identified and implemented in time to protect the climate.’ §1102(4).”
 - b. “The agency furthermore characterized any EPA regulation of motor-vehicle emissions as a “piecemeal approach” to climate change, *id.*, at 52931, and stated that such regulation would conflict with the President’s “comprehensive approach” to the problem, *id.*, at 52932. That approach involves additional support for technological innovation, the creation of nonregulatory programs to encourage voluntary private-sector reductions in greenhouse gas emissions, and further research on climate change—not actual regulation... Judge Randolph concluded that the exercise of that judgment need not be based solely on scientific evidence, but may also be informed by the sort of policy judgments that motivate congressional action.”
 - c. “Agencies, like legislatures, do not generally resolve massive problems in one fell regulatory swoop. See *Williamson v. Lee Optical of Okla., Inc.*, 348 U. S. 483, 489 (1955) (‘[A] reform may take one step at a time, addressing itself to the phase of the problem which seems most acute to the legislative mind’). They instead whittle away at them over time, refining their preferred approach as circumstances change and as they develop a more-nuanced understanding of how best to proceed. Cf. *SEC v. Chenery Corp.*, 332 U. S. 194, 202 (1947)

¹¹“Scientific Consensus on Global Warming”. *Union of Concerned Scientists*, accessed December 5, 2014:

http://www.ucsusa.org/global_warming/science_and_impacts/science/scientific-consensus-on.html#.VICrsKhdUSg.

¹² “How Do We Know that Humans Are the Major Cause of Global Warming?”. *Union of Concerned Scientists*, accessed December 5, 2014: http://www.ucsusa.org/global_warming/science_and_impacts/science/human-contribution-to-gw-faq.html#.VICpNKhUSh.

¹³*Massachusetts v. E.P.A.*, 549 U.S. 497 (2007): <http://www.supremecourt.gov/opinions/06pdf/05-1120.pdf>.

- (‘Some principles must await their own development, while others must be adjusted to meet particular, unforeseeable situations’).
3. NASA – Summary of scientific consensus that human activity is causing climate change¹⁴:
 - a. “Ninety-seven percent of climate scientists agree that climate-warming trends over the past century are very likely due to human activities, and most of the leading scientific organizations worldwide have issued public statements endorsing this position.” [Note: see link in footnote for list of other organizations’ statements]
 4. United Nations International Panel on Climate Change (IPCC) Fifth Assessment Report¹⁵:
 - a. “The evidence for human influence on the climate system has grown since the Fourth Assessment Report (AR4).”
 - b. “Without additional mitigation efforts beyond those in place today, and even with adaptation, warming by the end of the 21st century will lead to high to very high risk of severe, widespread, and irreversible impacts globally (high confidence). Mitigation involves some level of co-benefits and of risks due to adverse side-effects, but these risks do not involve the same possibility of severe, widespread, and irreversible impacts as risks from climate change, increasing the benefits from near-term mitigation efforts.”
 5. American Geophysical Union¹⁶:
 - a. "Human-induced climate change requires urgent action. Humanity is the major influence on the global climate change observed over the past 50 years. Rapid societal responses can significantly lessen negative outcomes."
 6. American Physical Society¹⁷:
 - a. "The evidence is incontrovertible: Global warming is occurring. If no mitigating actions are taken, significant disruptions in the Earth’s physical and ecological systems, social systems, security and human health are likely to occur. We must reduce emissions of greenhouse gases beginning now."
 7. National Academy of Sciences¹⁸:
 - a. Earth is warming...Most of the warming over the last several decades can be attributed to human activities that release carbon dioxide (CO₂) and other heat-trapping greenhouse gases (GHGs) into the atmosphere.
 8. American Association for the Advancement of Science (AAAS)¹⁹:

¹⁴ “Consensus: 97% of climate scientists agree”. NASA. Accessed December 5, 2014: <http://climate.nasa.gov/scientific-consensus/>.

¹⁵ See footnote no. 1.

¹⁶ American Geophysical Union. *Human-Induced Climate Change Requires Urgent Action*. Adopted in 2003, revised and reaffirmed 2007, 2012, 2013. Accessed on December 5, 2014: http://sciencepolicy.agu.org/files/2013/07/AGU-Climate-Change-Position-Statement_August-2013.pdf.

¹⁷ American Physical Society. *2007 Statement on Climate Change*. Adopted November 18, 2007. Accessed on December 5, 2014: http://www.aps.org/policy/statements/07_1.cfm.

¹⁸ <http://www.nap.edu/catalog/12782/advancing-the-science-of-climate-change>.

¹⁹ American Association for the Advancement of Science (AAAS). *AAAS Board Statement on Climate Change*. Approved December 6, 2006 and reaffirmed in 2009. Accessed on December 5, 2014: http://www.aaas.org/sites/default/files/migrate/uploads/aaas_climate_statement2.pdf.

- a. "The scientific evidence is clear: global climate change caused by human activities is occurring now, and it is a growing threat to society."
- 9. U.S. Environmental Protection Agency (EPA):²⁰
 - a. Research indicates that natural causes are very unlikely to explain most observed warming, especially warming since the mid-20th century. Rather, human activities can very likely explain most of that warming.
- 10. European Commission²¹:
 - a. The consensus among the world's leading climate scientists is that there is no doubt the climate system is warming, and that it is extremely likely that emissions of greenhouse gases from human activities are the dominant cause... The greenhouse gas most commonly produced by human activities is carbon dioxide (CO₂). It is responsible for some 64% of man-made global warming.

²⁰ "Causes of Climate Change". *U.S. Environmental Protection Agency (EPA)*. Accessed December 5, 2014: <http://www.epa.gov/climatechange/science/causes.html>

²¹ See footnote no. 6.

ORDINANCE NO. #,###-N.S.

REQUIRING NOTICE ON FUEL PUMPS

BE IT ORDAINED by the Council of the City of Berkeley as follows:

Section 1. That Berkeley Municipal Code Chapter 9.100 is added to the Berkeley Municipal Code to read as follows:

**CHAPTER 9.96
CONCERNING CLIMATE CHANGE NOTICES AT FUEL STATIONS**

Section

- 9.100.010 Findings and Purpose**
- 9.100.020 Definitions**
- 9.100.030 Required notice**
- 9.100.040 Violation – remedies**

Section 9.100.010 Findings and Purpose

The City Council of the City of Berkeley finds:

A. Anthropogenic climate change is occurring, and emissions from vehicles powered by petroleum are a substantial contribution to climate change.

B. The United Nations International Panel on Climate Change (IPCC) Fifth Assessment Report states¹:

1. "Human influence on the climate system is clear, and recent anthropogenic emissions of GHGs [greenhouse gasses] are the highest in history ... Their effects, together with those of other anthropogenic drivers, have been detected throughout the climate system and are extremely likely (>95% confidence) to have been the dominant cause of the observed warming since the mid-20th century."
2. "Emissions of CO₂ from fossil fuel combustion and industrial processes contributed about 78% of the total greenhouse gas emissions increase from 1970 to 2010, with a similar percentage contribution for the increase during the period 2000 to 2010 (high confidence, or >90%)."
3. "Recent climate changes have had widespread impacts on human and natural systems."

¹ IPCC. *The Fifth Assessment Report of the Intergovernmental Panel on Climate Change, Summary for Policymakers*. Accessed on December 3, 2014 at: http://www.ipcc.ch/pdf/assessment-report/ar5/syr/SYR_AR5_SPMcorr1.pdf.

C. In *Massachusetts v. E.P.A.*, 549 U.S. 497 (2007), the United States Supreme Court stated:

1. “Judged by any standard, U. S. motor-vehicle emissions make a meaningful contribution to greenhouse gas concentrations and hence, according to petitioners, to global warming.”
2. “...reducing domestic automobile emissions is hardly a tentative step. Even leaving aside the other greenhouse gases, the United States transportation sector emits an enormous quantity of carbon dioxide into the atmosphere...That accounts for more than 6% of worldwide carbon dioxide emissions...To put this in perspective: Considering just emissions from the transportation sector, which represent less than one-third of this country’s total carbon dioxide emissions, the United States would still rank as the third-largest emitter of carbon dioxide in the world, outpaced only by the European Union and China. Judged by any standard, U. S. motor-vehicle emissions make a meaningful contribution to greenhouse gas concentrations and hence, according to petitioners, to global warming.”

D. The Energy Information Administration of the U.S. Department of Energy has stated²:

1. “Energy-related carbon dioxide emissions, resulting from petroleum and natural gas, represent 82 percent of total U.S. human-made greenhouse gas emissions.”
2. “The U.S. produces about 25 percent of global carbon dioxide emissions from burning fossil fuels; primarily because our economy is the largest in the world and we meet 85 percent of our energy needs through burning fossil fuels.”
3. “During the past 20 years, about three-quarters of human-made carbon dioxide emissions were from burning fossil fuels.”

E. According to the European Commission, “One of the main sources of CO₂ in the atmosphere is the combustion of fossil fuels - coal, oil and gas. Over the past two and a half centuries, our societies have burnt increasing amounts of fossil fuels to power machines, generate electricity, heat buildings and transport people and goods. Since the Industrial Revolution in 1750 the concentration of CO₂ in the atmosphere has increased by around 40%, and it continues to rise.”³

F. According to NASA, “On Earth, human activities are changing the natural greenhouse. Over the last century the burning of fossil fuels like coal and oil has increased the concentration of atmospheric carbon dioxide (CO₂). This happens because the coal or oil burning process combines carbon with oxygen in the air to make CO₂.”⁴

² “Greenhouse Gases, Climate Change, and Energy: What are Greenhouse Gases?”. *National Energy Information Center (NEIC), Energy Information Administration*, last updated April 2, 2004. www.eia.gov/oiaf/1605/ggcebro/chapter1.html.

³ “Causes of climate change.” *European Commission*, last updated November 11, 2014. Accessed December 5, 2014: http://ec.europa.eu/clima/policies/brief/causes/index_en.htm.

⁴ “Global Climate Change - Causes”. *NASA*. Accessed December 5, 2014: <http://climate.nasa.gov/causes/>.

G. Similarly, the National Academy of Sciences has found that, “The burning of fossil fuels—coal, oil, and natural gas—for energy is the single largest human driver of climate change.”⁵

H. Numerous other nongovernmental organizations, as well as state and local governments have come to the same conclusions.

I. In Berkeley in particular, vehicular emissions from gasoline and diesel fuels comprise 53 percent of the community’s contribution to climate change.⁶

J. The severity of the risks posed by climate change is so great that even incremental changes in consumer behavior – including particularly by consumers of vehicle fuel – can and must play a role in strategies to mitigate the severity of climate change. One such incremental change in behavior is more judicious and more efficient use of personal vehicles.

K. Accordingly, the purpose of this Chapter is to ensure that information about climate change is disclosed to consumers each time they purchase vehicle fuel, to encourage them to use the fuel as wisely as possible to reduce their contribution to climate change.

Section 9.100.020 Definitions

For the purposes of this Chapter, the following terms shall have the following meanings, unless the context requires otherwise.

A. "Fueling station" means any business in the City of Berkeley that sells or offers for sale any kind of fuel that is used to power Motor vehicles, including, but not limited to fuel that consists of or is derived from petroleum, natural gas or coal and electricity that has been generated by the burning of petroleum, natural gas or coal.

B. "Fuel dispenser" means any pump, charger or other device by which fuel in gas, liquid or electrical form is conveyed from a storage tank or electrical fixture into the fuel storage component of a Motor vehicle; and

C. "Fueling hose" means the component of a Fuel dispenser that allows the introduction of fuel in gas, liquid or electrical form into the fuel storage component of a Motor vehicle.

D. "Motor vehicle" means any motor vehicle as defined in Vehicle Code section 415 as it may be amended from time to time.

⁵ Panel on Advancing the Science of Climate Change; Board on Atmospheric Sciences and Climate; Division on Earth and Life Studies; National Research Council of the National Academies. *Advancing the Science of Climate Change*: Washington, D.C., The National Academies Press, 2010, p. 28, <http://www.nap.edu/catalog/12782/advancing-the-science-of-climate-change>.

⁶ Workshop presentation to Berkeley City Council, June 3, 2014, Accessed December 15, 2014: http://www.cityofberkeley.info/uploadedFiles/Planning_and_Development/Level_3_-_Energy_and_Sustainable_Development/CAP%20Work%20Session_2014_current.pdf.

Section 9.100.030 Required notice

A. The operator of a Fueling station shall install on each Fueling hose a notice in the form set forth below.

The U.S. Environmental Protection Agency (EPA) has determined that consumption of energy products derived from fossil fuels contributes to climate change. To learn about how you can help reduce greenhouse gas emissions, go to: www.cityofberkeley.info/fuel.

B. The notice required by this Section shall be double-sided and no less than four inches by six inches in size, and the text on the notice shall be printed in no smaller than 16-point font. If the Fueling hose cannot accommodate such a notice, the City Manager or her/his designee may specify an alternative label.

Section 9.100.040 Violation – remedies

A. Each individual Fueling hose that does not have the required notice on it shall constitute a separate violation.

B. Remedies for violation of this Chapter shall be limited to citations under Chapter 1.28.

Section 2. Copies of this Bill shall be posted for two days prior to adoption in the glass case located near the walkway in front of Old City Hall, 2134 Martin Luther King Jr. Way. Within fifteen days of adoption, copies of this Ordinance shall be filed at each branch of the Berkeley Public Library and the title shall be published in a newspaper of general circulation.