



Igor Tregub
Councilmember, District 4

CONSENT CALENDAR
JUNE 3, 2025

To: Honorable Mayor and Members of the City Council

From: Councilmembers Igor Tregub (Author) and Cecilia Lunaparra (Co-Sponsor)

Subject: Resolution in Support of the Polluters Pay Climate Superfund Act
Legislative Package – AB 1243 and SB 684

RECOMMENDATION

Adopt a resolution in strong support of the Polluters Pay Climate Superfund Act Legislative Package (Assembly Bill (AB) 1243 (Addis, *et al*) and Senate Bill (SB) 684 (Menjivar, *et al*), which would hold fossil fuel corporations accountable for their fair share of the damages caused by climate change in California, and transmit the Council's support to Governor Gavin Newsom, Attorney General Rob Bonta, Senate President Pro Tempore Mike McGuire, Senator Jesse Arreguín (SD7), Speaker Robert Rivas, and Assemblymember Buffy Wicks (AD14).

CURRENT SITUATION AND ITS EFFECTS

California communities are experiencing accelerating impacts from the climate crisis—wildfires, floods, droughts, sea level rise, and extreme heat are harming public health, displacing families, threatening local infrastructure, and burdening city budgets.

In just the past five years, the state has experienced unprecedented and deadly weather events:

- January 2025 Firestorms: Over 12,000 homes, businesses, and institutions burned in Los Angeles and Ventura Counties. Thirty lives were lost, tens of

thousands evacuated, and the destruction is estimated to cost Californians \$250 billion.

- Record Flooding (2022–2023): Over \$4.6 billion in damages.
- Wildfire Destruction (2020): More than \$19 billion in economic losses.
- Camp Fire (2018): One of the most destructive fires in state history, with some cost estimates reaching \$148.5 billion.

Meanwhile, residents are paying more for insurance, cooling bills, emergency response, and disaster recovery—costs disproportionately borne by disadvantaged communities. Studies project California will face at least \$113 billion per year in climate costs by 2050.

Despite overwhelming evidence, fossil fuel companies—who knew about the damage their products would cause as early as the 1950s—have evaded responsibility. The Polluters Pay Climate Superfund Act would change that.

BACKGROUND

Just 90 of the largest fossil fuel producers are responsible for two-thirds of global industrial carbon and methane emissions. The Polluters Pay Climate Superfund Act:

- Requires CalEPA to conduct a comprehensive cost study of climate damages in California;
- Establishes a Climate Superfund and directs compensatory fees from the largest fossil fuel polluters based on their historic emissions (1990–2024);
- Ensures that funds are used for mitigation, adaptation, and recovery efforts—with at least 40% going to disadvantaged communities;
- Supports projects such as wildfire prevention, stormwater upgrades, solar and storage installations, coastal resilience, and support for first responders; and
- Follows precedent from New York and Vermont, which have passed similar laws.

Polling shows that 70% of California voters support requiring fossil fuel companies to help pay for climate disaster costs.

RATIONALE FOR RECOMMENDATION

Fossil fuel companies knowingly caused this crisis and continue to profit while cities like Berkeley are left to manage the fallout. The Polluters Pay Climate Superfund Act ensures these corporations contribute to the enormous cost of climate recovery and resilience.

Berkeley has long stood at the forefront of climate leadership. Supporting this bill aligns with our values and helps shift the burden from local taxpayers to the industries responsible.

FINANCIAL IMPLICATIONS

Negligible (staff time associated with transmittal of resolution).

ENVIRONMENTAL SUSTAINABILITY

This action directly supports Berkeley's climate action and environmental justice goals by securing funding to adapt to the climate crisis and reduce long-term carbon emissions. It ensures Berkeley continues to lead on solutions while advocating for fairer cost-sharing in addressing climate-related disasters.

CONTACT PERSON

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ATTACHMENTS

- Resolution: Supporting the Polluters Pay Climate Superfund Act
- Fact Sheet: Polluters Pay Climate Superfund Act of 2025

ATTACHMENT #1

RESOLUTION # XX-XX

**A RESOLUTION OF THE CITY OF BERKELEY SUPPORTING THE POLLUTERS
PAY CLIMATE SUPERFUND ACT**

WHEREAS, climate change, resulting primarily from the combustion of fossil fuels, is an immediate, grave threat to the people, communities, biodiversity, environment, and economy of the state; and

WHEREAS, California communities are under siege by escalating fires, floods, droughts, and other disasters. From 1980–2024, 46 extreme weather and climate disaster events¹ impacted California, with losses exceeding \$1 billion each; and

WHEREAS, in January 2025, the nation watched in horror as fatal firestorms raged across Los Angeles and Ventura Counties, killing 30 beloved community members, destroying entire communities and forcing tens of thousands of residents to evacuate. Over 12,000 homes, businesses and institutions burned in apocalyptic fires. The devastation is estimated to cost Californians a staggering \$250 billion; and

WHEREAS, across the state, local governments and taxpayers are bearing the immense, mounting costs of rebuilding from climate damages, increased insurance premiums, property taxes, and utility bills. State and local budgets are stretched to the brink as climate risks rise, jeopardizing public services, and forcing communities to carry the burden to address climate-related emergencies; and

WHEREAS, the Polluters Pay Climate Superfund Act will make the multinational fossil fuel companies that are responsible for and profit from the climate emergency pay for their damages; and

WHEREAS, Superfund Act will direct CalEPA to complete a first-of-its-kind comprehensive study of the true cost of climate damage to ensure polluters pay their fair share. The Act will hold the largest polluters accountable for the costs to California from climate damage caused by their products with compensatory fee amounts proportional to companies' self-reported past emissions from 1990-2024; and

WHEREAS, the policy advances California's commitment to equity and environmental justice. At least 40% of the funds from the Polluters Pay Climate Fund will go to disadvantaged communities to remedy past climate damages and build a more

¹ [https://www.ncei.noaa.gov/access/billions/state-summary/CA#:~:text=From%201980%E2%80%932024%2C%20there%20were,events%20\(CPI%2Dadjusted\).](https://www.ncei.noaa.gov/access/billions/state-summary/CA#:~:text=From%201980%E2%80%932024%2C%20there%20were,events%20(CPI%2Dadjusted).)

resilient and equitable California. The funds will support urgently needed projects such as implementing wildfire prevention measures like home hardening, upgrading stormwater management systems to prevent flooding, and installing solar panels and energy storage systems to reduce energy costs and increase resilience during power outages. Additionally, these funds could help develop urban green spaces to mitigate heat islands and improve air quality. Importantly, it could fund programs to support first responders and additional workers who provide essential services during climate disasters; and

WHEREAS, the states of New York and Vermont have enacted their versions of a climate superfund like this one.

NOW THEREFORE BE IT RESOLVED, that the City of Berkeley strongly supports the Polluters Pay Climate Superfund Act legislative package (Legislative Package – AB 1243 (Addis, *et al*) and SB 684 (Menjivar, *et al*), and encourages State representatives to pass it and the Governor to sign it into law; and

BE IT FURTHER RESOLVED, that a copy of this resolution will be sent to Governor Gavin Newsom, Attorney General Rob Bonta, Senate President Pro Tempore Mike McGuire, Senator Jesse Arreguín (SD7), Speaker Robert Rivas, and Assemblymember Buffy Wicks (AD14).

ATTACHMENT #2

POLLUTERS PAY CLIMATE SUPERFUND ACT OF 2025

The Facts

- Burning coal, oil and gas accounts for **90%** of all carbon dioxide emissions and **75%** of all greenhouse gas emissions.
- Just **90 of the world's largest fossil fuel emitters** are responsible for two-thirds of human-caused carbon dioxide and methane emissions.
- Californians are **already experiencing the climate emergency**. Extreme heat, sea level rise, wildfires, drought, floods, and storms are costing lives and livelihoods across the state.
- The big oil companies knew their products would create this mess as early as the 1950s and yet **they covered it up and spread doubt about climate change** instead of taking responsibility for transitioning our energy systems.
- These costs are escalating. The California Natural Resources Agency's Fourth Climate Assessment conservatively estimates that California will face at least **\$113 billion in annual climate change costs** by 2050.
- This year's climate-driven wildfires in LA are estimated to have cost **\$250 billion**, destroyed **15,000 structures**, saw **tens of thousands of people evacuate**, and resulted in the **deaths of 29 people**.
- In 2022 and 2023 we saw record snowfall, intense rain, and severe flooding, resulting in more than **\$4.6 billion in damages** for California.
- In 2020, wildfires in California amounted to **economic losses of over \$19 billion**. And in 2018, a record-setting year for fire-related economic losses (including the Camp Fire which destroyed the entire town of Paradise, CA), some cost estimates run as high as **\$148.5 billion**.
- Californians will spend an extra **\$200 million per year for more frequent air conditioning**, **\$1 billion per year in road damage** caused by temperature extremes, and **\$18 billion (by 2050) to replace coastal buildings** threatened by rising sea levels.
- **Health costs associated with climate change are also rising**. Risks of heart disease, asthma, allergens, vector-borne disease, heat stroke, and

smoke exposure are all intensified by the climate emergency. These impacts are magnified in communities of color, children, pregnant persons, older adults, and those with chronic medical conditions.

- These examples represent **just a fraction** of the true costs that the fossil fuel driven climate crisis inflicts upon California.
- Polling from last year shows [70% of California voters](#) **support** requiring fossil fuel companies to help pay for climate disaster costs through a climate superfund bill.

The Solution

Big Oil caused this problem and they're profiting off it. They should pay for it.

- We are not prepared for the climate that the fossil fuel industry has created. The Climate Superfund is an **opportunity to invest in preparing for the future.**
- The Climate Superfund will help **generate the resources our state needs** to respond to climate catastrophes, build climate resilient neighborhoods, prepare for future climate harms, and usher in a thriving and fair transition away from fossil fuels.
- We know that climate damages hit everyone but they harm disadvantaged communities first and hardest. That's why at least **40% of the funds will be directed to disadvantaged communities**, offering opportunities to effectively respond to and prepare for climate disasters while transitioning away from polluting energy.
- Just a **few examples** of projects that revenue generated through the climate fund could help pay for include:
 - Making **schools more climate resilient** by upgrading air conditioning systems so kids can learn despite extreme heat.
 - **Distributing air filters** to homes in wildfire prone areas and providing relief from toxic air created by wildfires.
 - Helping local governments **manage the impacts of sea level rise** along the coast.
 - Directing **additional resources to California's firefighters and first responders** to prepare for future climate threats.

- Providing funding to help **small businesses recover** and **homeowners rebuild** after climate disasters.
- **Investing in clean jobs and green infrastructure projects** to accelerate the transition away from climate-harming fossil fuels.
- **New York and Vermont have already passed bold legislation** to make fossil fuel polluters pay their share of the costs of climate damages in those states. California can too.
- The Climate Superfund offers the **greatest opportunity our state has seen in a generation to invest in our communities and our future** while ensuring the burden falls on the big polluters, not working families and taxpayers.

How It Works

- The bill tells the **California Environmental Protection Agency** to carry out a cost study to identify how much damage from climate change is costing California.
- Using **climate attribution science**, the agency then assesses how much of that damage the big polluters are responsible for through their fossil fuel emissions between 1990 and 2024.
- The **bill creates a fund into which the fossil fuel polluters must pay** a fee proportional to the fossil fuel emissions they were responsible for between 1990 and 2024.
- Polluters will be made to pay their share of the costs of climate damages in California arising from those emissions, assessed through 2045.
- The **California EPA will establish funding criteria and guidelines** for how the funds may be used. Eligible programs and projects will include mitigating and adapting to climate change and its impacts, addressing climate-fueled disaster response, and investing in climate-resilient recovery efforts.
- **40%** of the revenue raised must be directed towards disadvantaged communities.