March 18th, 2025

California Air Resources Board
1011 I Street
Sacramento, CA 95814

Re: EnviroVoters' Comments on February 28th SB 905 Workshop

Dear CARB Staff,

We would first like to extend our appreciation for putting together a thorough workshop that featured a range of speaker perspectives. It was immensely helpful to frame this topic in the context of voluntary markets, status of tech, and community benefits. We look forward to seeing this rulemaking move and want to share several brief principles for staff to consider in implementation:

1) **There must be a clear distinction between emissions removal and emission mitigation; goals set for each of these emissions management strategies must not overlap**. Carbon removal technologies have their own goals per what was established in the 2022 Scoping Plan: 7 million metric tons of CO2 by 2030 and 75 million metric tons of CO2 by 2045. These goals are reflective of the burgeoning market for these technologies, as well as the capacity of this removal to be undertaken via nature-based solutions. Folding CCUS and CDR into existing emissions mitigation programs has the potential to undermine the original intent of these goals. For example, the inclusion of DAC in the LCFS program does not directly contribute to the program's intent of decarbonizing transportation, even if it provides some benefit in removing legacy emissions. As these technologies become more robust, we should further reinforce this distinction.

2) **CCUS and DAC projects must prove that they are not exacerbating any existing environmental issues.** SB 905 already accounts for some components of his with the carbon pipeline moratorium provision, as well as preventing use of captured carbon for enhanced oil recovery. SB 905 also provides that the Board shall prioritize "Minimizing land use and potential environmental, noise, air quality, water quality, traffic, seismic, and other related impacts, and any potential health and safety risks, to all communities where CCUS and CDR technologies are deployed, and carbon dioxide capture, removal, or sequestration projects are located to the maximum extent feasible." As technologies under this umbrella have expanded their presence domestically and globally, safety and environmental risks to adjacent communities have become more apparent. Staff should be taking utmost caution in the development of the Carbon Capture, Removal, Utilization, and Storage Program to account for known issues and unanswered questions. As such;

3) **Equitable and robust processes must exist for community perspectives to be factored in**. Concerns of who stands to benefits, real impacts to communities, and risks associated with these technologies are legitimate. We encourage staff to create thorough and consistent opportunities for community groups to provide input on this rulemaking.

4) Due to the energy-intensive nature of some of these technologies**, energy used should be clean, excess, and without undue strain to the grid**. Given the extreme cost and energy demand of removing emissions in this manner, we should not prioritize use of energy for these technologies over emissions reduction strategies.

5) Per the point made about the incorporation of CCUS and DAC into existing climate programs, **staff should create processes within the Carbon Capture, Removal, Utilization, and Storage Program that prevent double-counting of emissions.** Integrity in emissions accounting is critical toward accurately gauging progress toward our state's targets.

6) **Lastly, we would like to urge staff's thorough consideration of the policy recommendations outlined in the Environmental Justice Advisory Committee's 2024 Resolution[1].** EJAC's resolution is reflective of many concerns shared above, as well as suggestions to safeguard California's frontline communities already burdened by air quality and environmental injustices. As is the case with all of the state's critical climate programs, we must adopt policies that do not exacerbate, but improve, the condition of communities hit the hardest by the climate crisis.

Another resource to consult in this process is the 2023 Carbon Capture, Use, and Storage (CCUS) Platform[2], which EnviroVoters had endorsed. This policy platform on CCUS provides overlapping and more detailed recommendations that entail how CCUS technology should be deployed responsibly. The concerns raised in this document, especially regarding transportation, siting, and process issues remain critical to how these projects should be considered.

Staff's work on this rulemaking is key as the market for CCUS and DAC technologies continues to grow. The February 28th workshop was reflective of varied groups of stakeholders, and we are appreciative of such thoroughness in the pre-rulemaking process. We look forward to further action from staff on this pending rulemaking, including robust opportunity for community groups to provide input. A timely initiation and adoption of these regulations will be beneficial for regulated entities, stakeholders, and community groups, who are all looking to the agency for certainty on next steps.

Best,

Gracyna Mohabir
Clean Air & Energy Regulatory Advocate
California Environmental Voters

[1] https://ww2.arb.ca.gov/sites/default/files/2024-09/EJAC%20CCUS%20and%20DAC%20Resolution%20Language.pdf
[2] https://www.calcleanair.org/wp-content/uploads/2023/04/2023-CCUS-Policy-Platform_updated-4.11.23.pdf