

To: Assembly Bill 32 Environmental Justice Advisory Committee (EJAC)  
From: Steven S. Cliff, Ph.D., Executive Officer  
Date: July 16, 2024  
Subject: General Response to EJAC Questions

Senate Bill 905 requires CARB to create the Carbon Capture, Removal, Utilization, and Storage Program to evaluate, demonstrate, and regulate carbon capture, utilization, and sequestration (CCUS) and carbon dioxide removal (CDR) projects and technology. The bill requires CARB, on or before January 1, 2025, to create a regulatory statewide framework for carbon capture, removal, utilization and storage. It also includes other direction on a public permit portal for voluntary use by project developers and ongoing coordination with other relevant agencies on the design of the framework. I understand that the implementation of SB 905 remains a priority for the EJAC.

In the June 14<sup>th</sup> EJAC Public Meeting, CARB received a question from an EJAC Member specific to the role California would play in the permitting process for Senate Bill (SB) 905. More specifically, if California will hold primacy over the entire permitting process including the class VI well injection permit that normally operates under the United States Environmental Protection Agency (US EPA). It's important to clarify that SB 905 did not give CARB any new permitting authority, nor did it give direction to any agency to seek primacy for permitting from the US EPA. No decision has been made on the state pursuing primacy.

An EJAC Member also had a question in the June 14<sup>th</sup> EJAC Public Meeting regarding the timeline for bringing on staff for SB 905. At this time, CARB does not have a timeline to share for when sufficient resources are expected to implement the direction to CARB in SB 905. As you may be aware, several agencies submitted a joint request for resources to implement SB 905 and CARB received far less than requested and only limited term positions.

Lastly, I know that the EJAC will be discussing Cap-and-Trade regulation at the July 18<sup>th</sup>, 2024, meeting. In previous EJAC conversations, I believe members' may have asked about the reauthorization the Cap-and-Trade Program and whether it is needed. We believe we have authority to continue the Program. But, given the expansive nature of the program we know the Legislature will want to weigh in. We welcome the opportunity to discuss and understand legislative priorities.

cc: Courtney Smith, Principal Deputy Executive Officer

Chanell Fletcher, Deputy Executive Officer for Equity,  
Communities and Environmental Justice

Rajinder Sahota, Deputy Executive Officer for Climate Change  
and Research

Radhika Majhail, Air Resources Supervisor II, Environmental  
Justice and Equity Branch

Ashley Georgiou, Manager, Office of Environmental  
Justice, Tribal Affairs, and Border Relations (OEJTB)