

**AB 32 Environmental Justice Advisory Committee ("EJAC")
February 13, 2025, Meeting Minutes**

Committee Member Attendees:

1. Dr. Catherine Garoupa
2. Luis Olmedo

Virtual:

3. Martha Dina Argüello
4. Juan Flores
5. Kevin Hamilton
6. Thomas Helme
7. Matt Holmes
8. Jill Sherman-Warne
9. Rey Leon

Committee Members not in
Attendance:

10. John Harriel Jr.
11. John Kevin Jefferson III

CARB Staff Attendees:

- Chanell Fletcher
- Radhika Majhail
- Ashley Georgiou
- Karina Jhaj

Other Attendees:

- Jane Harrington, Leading Resources (Facilitator)

Meeting Minutes

Agenda Item #1: Housekeeping and Logistics

A quorum of EJAC members was reached at 1:05 pm and the public meeting began. The facilitator provided general housekeeping and logistics information, including Zoom instructions and Spanish interpretation.

Agenda Item#2: EJAC Member Roll Call

The facilitator conducted EJAC member roll call. 9 EJAC members were present; 2 were absent.

Agenda Item #3: Introduction and Opening Remarks

EJAC Co-Chairs to provide opening remarks including ground rules, meeting agreements, and an agenda overview.

EJAC Co-Chair Dr. Catherine Garoupa provided an overview of the agenda, followed by Co-Chair Martha Dina Arguello who provided an overview of the meeting agreements.

Welcome from CARB and acknowledgement of CARB participation.

Deputy Executive Officer for Communities, Equity, and Environmental Justice Chanell Fletcher provided opening remarks. She shared her hope that CARB's presentations during today's meeting will help EJAC consider the areas of engagement that they want to focus on this year. She referenced a request from the October 2024 EJAC meeting to receive CARB's bylaws, stating that the CARB Board is governed by the statutes which are available at the Health and Safety Code. Those sections are 39500 through 39600 and do not apply to EJAC as EJAC is an advisory board to the CARB board. The EJAC legislation can be found in the Health and Safety Code section 38591 with additional specific guidelines that are provided in the 2023 EJAC charter. CARB can follow up via email to share those specific Health and Safety Code sections.

Further EJAC Opening Remarks

Dr. Catherine Garoupa provided opening remarks. She shared that she convened the Cap-and-Trade workgroup earlier this week, and they do anticipate that being a topic of discussion for EJAC this year. She stated that the rulemaking has been delayed by CARB and the conversations in the legislature about legislative extension on Cap-and-Trade are ongoing. She stated that she was pleased EJAC was able to adopt a resolution [for the Cap-and-Trade Program] during the last EJAC Public Meeting in November 2024. Martha Dina Argüello stated that as they address climate change, they also need to focus on air pollution and look at all the practices that are driving climate change, including the building materials that are used which are driving climate change and also making fires more toxic.

Agenda Item #4: Quarter 3 and Quarter 4 2024 EJAC Public Meeting Minutes

CARB has posted the Quarter 3 and Quarter 4 2024 EJAC public meeting minutes on the EJAC webpage to allow for EJAC motion and approval.

The facilitator, Leading Resources, to provide an overview and opportunity for the public to comment specific to the minutes.

Martha Dina Argüello asked whether the minutes will replace the recordings of the meetings moving forward. CARB stated that both the minutes from the meeting as well as the meeting recording will be available on the EJAC public webpage. Dr. Catherine Garoupa stated that because this is the first time the minutes have been posted and this was done during a busy time of the year, she has not been able to read through all the minutes and is not comfortable taking action on them at this time. Juan Flores also requested more time to review the minutes before taking action. Jill Sherman-Warne also agreed that more time for review is needed.

Agenda Item #5: Public Comment

Public comment was held on agenda item 4. No members of the public provided comment.

Luis Olmedo expressed concern that there are no public comments, and stated that California needs to better engage the public. He stated that we're living in difficult times and no public comment is an indicator that people may be harder to reach. He stated today's agenda will be impactful to a lot of people. He stated that investment in environmental justice is dwindling specific to discussion about disadvantaged communities. He stated that things have changed from a few years ago and we must try harder for environmental justice, equity and inclusion.

Agenda Item #6: EJAC Motion to Approve the Quarter 3 and Quarter 4 2024 EJAC Public Meeting Minutes

The Facilitator suggested that the minutes be added to the agenda for a later meeting as the Committee is not prepared to make a motion on this matter at this time.

Agenda Item #7: CARB Update on the EJAC Charter

Deputy Executive Officer Chanell Fletcher advised that they started discussing potential revisions to the EJAC Charter in late 2024. CARB has met with the EJAC Charter subgroup on two separate occasions in October 2024 and in January 2025 to share their thoughts and to hear the subgroup's thoughts on how to best proceed with the Charter update. Resolution 23-10 states that CARB needs to report back to the Board about the charter review by April 2025. CARB will continue to meet with the EJAC Charter subgroup to develop a path forward, with a goal to bring those updates back to EJAC at the March and April 2025 EJAC public meetings.

Agenda Item #8: CARB Presentations on:

a. 5-Year Strategic Research Plan and Future Research Priorities

Elizabeth Scheehle, Chief of CARB's Research Division provided an overview of CARB's 5-year Strategic Research Plan and the planning process. The presentation was an update on efforts to incorporate environmental justice into the 5-Year Strategic Research Plan, which guides future research. This new approach for the Research Program will continue to evolve as CARB learns and adjusts.

Martha Dina Argüello stated that she hopes CARB will approach EJAC first for help with developing the RFP and identifying folks, as they have large networks in many different communities. She also stated that she distrusts the results due to the process that occurred for development of the Plan. Jill Sherman-Warne expressed concern that the Community-Based Organizations (CBOs) may not necessarily be environmental justice organizations or people who work in those spaces. She also expressed disappointment that CARB is using a university in their tribal engagement process rather than working to engage the tribes individually.

Kevin Hamilton shared that the Central California Asthma Collaborative (CCAC) is one of the CBOs on CARB's list and stated that he is willing to take some of the ownership for not bringing this to EJAC. However, there are quite a few EJAC member organizations on the list. They were asked to join the research committee to look at potential research projects for the upcoming 3-year period. He stated that CARB will certainly be reaching out to EJAC in the next round and advised that this is an open process that is published on CARB's website.

Deputy Executive Officer Chanell Fletcher stated that the purpose of these presentations is to foster collaboration between CARB and EJAC. She also stated that several emails were sent to EJAC about this process and acknowledged that CARB could have made an announcement at an earlier EJAC meeting to further ensure that EJAC was informed. CARB is shifting to provide more transparency to the public. She encouraged the committee to provide feedback, specifically regarding how CARB can best utilize the resources that EJAC is able to provide.

Luis Olmedo commented that CARB made an investment in which San Diego State University collaborated with Comité Civico to conduct mass outreach to help inform the research, but he did not see this included in the presentation. Elizabeth Scheehle responded that the investment Luis is mentioning is not called out specifically in the presentation. Elizabeth also stated that the priorities presented are broad priorities that CARB will be focusing on moving forward, but they will review the results of the research provided by the

collaboration between San Diego State University and Comite Civico and will see where that fits and what can be prioritized as they move forward.

Luis Olmedo also stated that climate research needs were not included in CARB's list of priorities. He stated that wildfires, whether naturally occurring or resulting from controlled burns, have a heavy impact on the population's health, on the communities, on the climate, and on California's ability to meet the federal and state regulations of the Clean Air Act.

Dr. Catherine Garoupa stated that there is a need to summarize and reflect on the outcomes from previous rounds of research, both broadly and specifically in terms of environmental justice research. She shared that a couple of years ago, CARB put a call out for people who have a background in working on environmental justice and working with communities for the Research Screening Committee. She has served on EJAC for four years, has a PhD in geography, has conducted community-based participatory action research and worked at the Central Valley Air Quality Coalition (CVAQ) for 20 years, so she did apply at that time. It is her understanding that she cannot be on the Research Screening Committee because she is currently in the EJAC. She stated that there is an ongoing gap in the research obtained by CARB, as many of their researchers are heavily focused on hard science rather than community-based participatory action research and social sciences, and she would like to see that gap addressed.

Dr. Catherine Garoupa asked for clarification regarding the 22 research needs and whether those are global needs or specific to environmental justice. She further asked how environmental justice is being operationalized within research at CARB. Elizabeth Scheehle responded that there will be more detail in the research plan itself, which will encompass more than the 22 research needs topics discussed today that will guide future areas of research that CARB will look at each year. They select projects within those which are guided by the five-year plan. Those will also go through a public process and are prioritized, and they look for public input during that process. When they are developing the concepts and the statements of work, they have started applying a racial equity lens that has been modified for research purposes to make sure that aspect comes into the research they are conducting.

Thomas Helme noticed that under the climate research needs, there was mention of equity impacts on climate mitigation and impacts of green hydrogen and biofuels on priority communities. He stated that tens of millions of dollars are being invested into making the northern San Joaquin Valley a bio-industrial hub to make biofuels, and he is wondering what the opportunities may be to utilize what is happening in the northern San Joaquin Valley. He shared that he and the Valley Improvement Projects would be happy to be

involved in that research with CARB where a lot of these solutions are being touted as climate solutions that are going to benefit the community. However, some of them are adding pollution not only from the stationary source but also from up to 100 diesel trucks being added to the roads and trains being added to bring these fuels in and out. He further stated that this related to air quality research due to the agricultural impacts on rural communities, including pesticides and dairies. They are adding a new revenue source for some of these operations which will promote and allow these unsustainable practices to continue.

Rey Leon expressed his support for greywater systems and explained how it could benefit Greenhouse Gas Reduction Measures (GHG Redux). He advised that the LEAP Institute received a grant from the Department of Conservation, which will allow them to train displaced farm workers on the installation of greywater systems. He stated that greywater systems could be a very real solution for economic, environmental and climate justice, and recommended that CARB conduct research to gain a better understanding of this.

Deputy Executive Officer Chanell Fletcher flagged that the draft plan is due March 2025, and the final plan and development of the annual projects is due in the summer of 2025. She heard the need for more announcements in the EJAC meetings. She advised that Elizabeth Scheehle will circle back to EJAC to gather more input. Elizabeth Scheehle clarified that the draft plan is actually due in May 2025.

b. Methane Satellite Data Community Engagement Efforts

Elizabeth Scheehle provided an overview of the California Satellite Methane Project and upcoming community engagement opportunities. She then opened the floor to the committee for discussion. The presentation provided background information on the Methane Project and the funding for the project. She stated that CARB is planning a virtual public meeting to gather input on upcoming community engagement grant solicitations to be tentatively set for late March and can be open to meeting with CBOs upon request following the meeting.

Dr. Catherine Garoupa shared that the Central Valley Air Quality Coalition was one of the groups that organized this proposal when it first came out in the budget. They recently received reports from partner organizations informing them of seven methane super leaks happening in the San Joaquin Valley. The Sierra Club released a report revealing that there are more than 50,000 wells in Kern County alone that are leaking methane. Years ago, when this was a budget proposal, they advocated for some of the money for the satellites to go to those community-based organizations. For the record, she named some of the priorities that they collectively developed for this funding:

1. The agency's enforcement activities should be integrated because they recognize that, due to complex rules, CARB, CalGEM, air districts and other relevant entities like local governments each at times have a different role in addressing leaks that can be critical to people living nearby.
2. Data and data practices must remain open source and in the public domain, not restricted by assertions of proprietary privilege by private partners.
3. To prioritize the identification of California methane emission sources from individual large emission plumes and/or sources with a history of violations that may have a disproportionate contribution to regional emissions and methane hotspots.
4. Require CARB's methane satellite program to solicit input and integrate recommendations from bodies such as the AB617 consultation group and the EJAC.

Dr. Catherina Garoupa also noted that there was a request to reform the Oil, Gas, and Geothermal Administrative Fund (OGGA) and the Hazardous and Idle and Deserted Well Abatement Fund (HIDWAF) to allow for increased collection and expenditure of operator assessment and idle well fees for oil capping remediation. She further stated that there is a need to prioritize protecting local communities and their health and streamline ways of ensuring that those leaks are addressed once they're found.

Matt Holmes commented that there is an urgent protective need for methane leak information, especially the satellite data, to get to communities immediately. It needs to be transferred immediately to community-based organizations. He stated that sending this information to a program officer at CARB is essentially rendering it a postmortem as opposed to an intervention opportunity.

Luis Olmedo expressed concern that the priorities CARB has identified are only regarding those communities that have been nominated. It's important to also ensure that these resources are being deployed where they're needed. He highly encourages this topic to be revisited at each meeting until this is put into practice or deployed.

Kevin Hamilton expressed excitement for the satellite methane project and stated that they need to see a correlation between what the satellite is showing and what is measured on the ground. He stated that the PG&E leaks have been remarkable, and it's important to not only focus on wells, but also to focus on the infrastructure that is moving this gas into neighborhoods. There are still homes in Kern County with leaks. The solution has been to install a ventilation system and a sensor that starts a pump and fan that pulls air out of the house through a pipe, as well as a sensor above the roof. He emphasized the need for

this data to be made publicly available and asked what CARB plans to do when leaks are discovered.

Elizabeth Scheehle advised that CARB will be sending out a listserv following this meeting regarding an upcoming workshop, which she hopes that all EJAC members will be able to attend to provide input on the grant solicitations. She stated they will also provide feedback or updates to EJAC following the workshop.

Agenda Item #9: EJAC Questions on the CARB Presentations

Questions were provided and responded to during agenda item #8.

Agenda Item #10: CARB 2025 Priorities

Deputy Executive Officer Chanell Fletcher provided an overview of the 2025 CARB priorities that Dr. Cliff had presented at the January 23rd CARB Board meeting. She encouraged the EJAC members to provide feedback on areas in which EJAC and CARB can collaborate. She advised that there have already been two specific areas that bring challenges to CARB 's progress towards fulfilling its mission:

1. The change in the federal administration
2. The impact of CARB's budget challenges

Luis Olmedo recommended that CARB update their environmental justice policy, which is over 20 years old. He also stated that there are environmental justice organizations through the state of California and recommended that CARB bring those organizations together as they are very well aware of what is happening within their communities. He further recommended that CARB identify and explain the photos in their presentation, as it was unclear what those photos were. He stated that he does not see communities participating in regulatory monitoring within the community air protection.

Luis Olmedo stated that there are barriers in many communities in terms of cost. Communities are highly dependent on the cost incentives, but they are targeted to disadvantaged environmental justice communities who can't afford them. He also cautioned that using food as a product to create biofuels will likely lead to rising costs of food. He asked what CARB's commitment is to racial equity, and what environmental justice means to CARB. He also emphasized the need for plans to be written and signed to allow them to be enforceable.

Jill Sherman-Warne advised that an Indian health clinic recently bought a mobile health unit to better serve the community, but they are having trouble registering the vehicle as they discovered that the engine cannot be used in California. There is also a clinic in San Diego experiencing the same issue. These vehicles are expensive, costing approximately \$50,000 with no way for them to know that they could not be sold in the state of California. She also stated that the E-Bike program had 2,000 bike

spaces available that were all gone within 20 minutes of the program opening. There was no equity in allowing people with disabilities to access the E-bikes, resulting in those individuals having to pay out-of-pocket.

Jill Sherman-Warne also advised that, under the Clean Air Act, there is the Tribal Authority Rule (TAR) which gives tribes entire jurisdiction for their airspace under federal law. The TAR could potentially be extremely helpful in furthering the air quality priorities.

Deputy Director Chanell Fletcher responded that she would like to meet individually with Luis Olmedo and Jill Sherman-Warne to further discuss the topics they raised. She further responded that the vehicle registration issues that Jill Sherman-Warne advised of are likely due to CARB's Emission Compliance and Certification Team flagging those vehicles. Some of the issues raised were also raised in the Tribal Advisory Council (TAC), so CARB is planning on discussing these with TAC.

Dr. Catherine Garoupa asked what the information presented means for environmental justice communities and for EJAC. She stated that California has two of the most polluted air basins in the entire United States and is economically one of the wealthiest places in the world, but it is not evenly distributed. She continues to struggle to see how those challenges are explicitly being addressed in CARB's programs and states that the challenges are sometimes skipped over. Regarding the state budget challenges, she stated that environment justice organizations are familiar with being under-resourced and asked to do a lot of work specific to the EJAC. She has heard budgetary challenges used multiples times in denying things that EJAC has requested regarding the charter, such as having additional meetings and additional members. She stated that, since EJAC became permanent, they have had less members, have traveled less, and have had shorter meetings.

Dr. Catherine Garoupa asked what actions CARB is taking to change the distribution of pollution and reduce emissions in environmental justice neighborhoods. While there are California climate investments and air monitoring through AB617, those are not reaching the low-income households in San Joaquin Valley. Oftentimes they are packaged in incentives for the industry that is subsidizing their expansion in the environmental justice communities. The legislature plays a role in extending the Cap-and-Trade Program, but a lot about the program is within CARB's authority. EJAC's resolution requested that, if something is not within CARB's authority, that CARB advise them why.

Luis Olmedo stated that they have recently adopted the challenge to build electric vehicle charging stations. The Imperial Lithium Valley community did not have access to reliable EV infrastructure. He expressed appreciation of CARB's program to make clean vehicles or clean transportation for low-income households. They have now built the largest infrastructure in the Imperial Valley with 16 chargers or 32 connections, which puts Imperial Valley ahead of the growing demand. It is an economic model that returns money back into the community because as a nonprofit,

they are required to dedicate 100 percent of revenues, grants, and contracts back into community beneficial programs. He encouraged CARB to provide a conversation around how CARB can provide guidance and to advise when it has opportunities to direct funds towards solar or biofuels. He stated that they have proven that nonprofit organizations are not only good for conducting outreach and engagement, but also in helping to build and deploy renewable energy technologies.

Martha Dina Arguello expressed appreciation that SB905 is part of the implementation. However, she is concerned that there are already projects moving through the approval process without guidelines in place, as that is putting a lot of communities in harm's way.

Deputy Director Chanell Fletcher stated that this is all very helpful feedback, and the critiques are valid. CARB wants to ensure that the EJAC voice is part of the upcoming workshop. She requested that the EJAC members provide recommendations to improve the communication and collaboration between CARB and EJAC. Regarding the facility caps, there were a fair number of conversations that took place between CARB and EJAC, as well as a memo that CARB shared and published on their website, which flagged that the facility caps were not compatible with the legislative direction.

Kevin Hamilton asked how EJAC can hold CARB accountable for failing to raise concerns when, as with 905, EJAC sees projects moving forward in communities when the language clearly states this is not to happen until appropriate research is conducted and a process is developed. EJAC has not seen CARB holding the entities that are doing this accountable based on that legislature. He stated that there is a list of instances where CARB states that they want to work on SB375 and reduce the number of vehicle miles traveled and will hold various municipalities accountable. Yet they do not hold all those municipalities accountable. Regular passes on those numbers have been moved forward in the plans continuously. For example, the San Joaquin Valley has three of the largest cities in California, yet they continue to receive a pass each year. Also, with SB375, they see new multi-family dwellings created on the housing side that are desperately needed, but they do not see that infrastructure installed along with it. Even within the agency, it often seems like the divisions are working on their own pathway. If an accountability piece was built in, then EJAC would support that.

Dr. Catherine Garoupa expressed appreciation for Deputy Director Chanell Fletcher's willingness to attend the meeting and participate in the dialogue. She acknowledged that it is not always constructive to get into a direct back-and-forth discussion during a public meeting, but there is a difference in the conversations that happen in the public meeting space versus one-on-one or offline meetings. Dr. Catherine Garoupa acknowledged that some of these conversations need to be broader and need to include other CARB staff. She is troubled by the continuing reference to the budget as a reason that more cannot be done to support EJAC. Considering the efforts that EJAC has made to reduce costs and run more efficiently, it would benefit CARB to allow EJAC to add a few more members.

Dr. Catherine Garoupa also stated that in 2017 there were conversations in the legislature about facility-level caps. She had asked at that time whether CARB has the authority to implement no trade zones. Publicly, there was no answer from CARB. However, in a private conversation, she was told that they did not know whether CARB had the legal authority to do that. She said that a refusal from CARB to participate in theoretical conversations about how that could work, what it might look like, and whether CARB could do that is a missed opportunity to try to address a longstanding issue raised by environmental justice communities about the disproportionate impact that climate programs, specifically carbon markets like cap-and-trade and low-carbon fuel standards, have on these communities. Part of what EJAC needs is a broader cultural change at CARB in terms of the way they engage with and take environmental justice recommendations seriously. She stated that CARB and EJAC are not engaging in a way to enable real progress.

Deputy Director Chanell Fletcher expressed a desire to further discuss SB905 with EJAC and gather more detail and welcomed that being added to the agenda. She also encouraged further discussion on SB375. Regarding ACF, they did pull back the waiver. They are looking at places where they can move forward around the state and local requirements. She welcomed EJAC to join that conversation and stated that CARB can bring in other CARB specialists to further discuss.

Agenda Item #11: EJAC 2025 Priorities

Dr. Catherine Garoupa stated that the Carbon Markets Workgroup does want to continue conversations on Cap-and-Trade as that rulemaking is impending. There have been some recent updates relevant to building decarbonization that she'd like to discuss in the coming months.

Martha Dina Arguello shared that SB905 and implementing safeguards to protect the communities are priorities for EJAC, as well as building decarb and some of the other issues that were surfaced in today's meeting. As they near the term limits, they would like to see how to deepen the bench of environmental justice leaders who want to serve. They were awarded one of the EPA grants to develop a training institute to prepare people to serve on all new EJACs, but that grant is currently in limbo.

Thomas Helme stated that they are adding pollution rather than decreasing it in his communities. A full analysis will be brought due to a state sanctioned and promoted program. They need to start reverse redlining these facilities and put them in wealthy communities that do not have other sources of pollution. From an environmental justice perspective, if all of this is meant to fight climate change but not reinforce the same cycle of dumping pollution on the most disadvantaged and overburdened communities, then a simple across-the-board rule should be implemented. Funding programs should not go to projects that will increase pollution in those communities.

Matt Holmes recommended a deep dive into the Natural and Working Lands strategy with the efforts from that expert advisory committee. They could also recruit the chair from that committee and a couple of the specialists to present to this committee.

There is a time

sensitivity to implementation of the Natural Working Land strategy that relates directly to the worst outcomes of climate change. He stated that not discussing that for another year would be disappointing.

Martha Dina Arguello asked what needs to be done to bring that Natural and Working Lands conversation to EJAC and asked whether Matt Holmes can suggest speakers. Matt Holmes responded that it is just a matter of coordination. There are formal resolutions in both bodies, and both agencies have connected about scheduling this. There are scenarios within that strategy and an expert that is prepared to speak on each of them. Martha Dina Arguello advised Matt Holmes to follow up with her to ensure they get this scheduled and on the agenda.

Agenda Item #12: Public Comment

Public Comment was held, but no members of the public provided comments.

Agenda Item #13: Next Steps and Closing Remarks

Dr. Catherine Garoupa expressed appreciation for everyone's presence at today's meeting and advised that they will have speakers from Carbon Markets and Building Decarb on the agenda for the April and May meetings. She also shared that she will be on sabbatical in March.

Martha Dina Arguello stated that she will collaborate with Matt Holmes on the Natural and Working Lands work.

Radhika Majhail, the Branch Chief for CARB's Environmental Justice and Equity Branch thanked everyone for the constructive conversation at the meeting and mentioned that she is looking forward to the start of this new year with new priorities and new trends where CARB and EJAC work collaboratively. She also announced the virtual public workshop that will take place on February 25th, which will focus on technical analysis to support the development of a report on hydrogen production and use in California as is required by Senate Bill 1075. The report will cover the deployment, development, and use of hydrogen across all sectors as a key part of achieving the State's climate, air quality and energy goals. She stated that Karina Jhaj will follow-up with an email to the entire EJAC with the workshop details.

The meeting was adjourned at 4:27.