

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

Meeting Attendance (* notes virtual attendance)

Committee Member Attendees:

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

Committee Members not in Attendance:

8. John Harriel Jr.
9. John Kevin Jefferson III
10. Dr. Catherine Garoupa
11. Luis Olmedo

CARB Staff Attendees:

- Chanell Fletcher*
- Radhika Majhail
- Rajinder Sahota
- 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 1:02 pm and the public meeting began. The facilitator provided general housekeeping and logistics information, including Zoom instructions and Spanish interpretation.

The facilitator conducted EJAC member roll call. 6 EJAC members were present; 4 were absent; one EJAC member joined the meeting virtually after roll call and announced themselves.

Agenda Item #2: Introduction and Opening Remarks

Opening remarks from EJAC Co-Chairs, including ground rules, meeting agreements, agenda overview.

EJAC Co-Chair Martha Dina Argüello provided an overview of the agenda and the meeting agreements.

Welcome from CARB and acknowledgement of CARB participation.

Branch Chief of the Environmental Justice and Equity Branch Radhika Majhail advised that the review and approval of the February 13, 2025, EJAC Public Meeting minutes will be moved to the agenda for the April 2025 meeting to allow the EJAC members more time to review. Given this, the motion today would only be for the 2024 Quarter 3 and 4 EJAC Meeting Minutes. Martha Dina Argüello requested that the meeting minutes be sent to EJAC as early as possible moving forward to allow EJAC members more time to review prior to the next meeting. Radhika replied that they will do so.

Deputy Executive Officer for Communities, Equity, and Environmental Justice Chanell Fletcher provided opening remarks. She addressed a few action items from the February 13 EJAC meeting:

E-bikes – Jill Sherman-Warne had raised concerns about the California E-Bike Incentive Program which had all of 2,000 available bike spaces claimed within 20 minutes of the program's opening. Jill's concern was that there was no equity in prioritizing people with disabilities to access the program, resulting in individuals having to pay out of pocket. Ashley Georgiou, CARB's Program Manager, followed up directly with Jill and will continue to work with her on the E-Bike program. Chanell invited any other EJAC members who are interested in working on this to reach out to Ashley.

Research Screening Committee – Dr. Catherine Garoupa had previously expressed concerns [in the February 13, 2025, EJAC Public Meeting] that EJAC members are ineligible to serve on the Research Screening Committee. CARB has determined that there is no legal prohibition to being an EJAC member and serving on the Research Screening Committee. CARB's Program Manager will follow up with Dr. Catherine Garoupa when she returns from her sabbatical to advise her of this.

Adding Announcements to the Agenda – In response to a request by EJAC members, a meeting agenda item has been added to the meetings, allowing time to walk through the CARB announcements and events that may be of interest to EJAC members.

Chanell also advised that EJAC’s facilitation team, Leading Resources, Inc., is preparing a survey that will determine the needs of the EJAC members and will help in preparing for the rest of the year, with an emphasis on preparing for changes at the Federal level. Once the survey has been reviewed and approved by the EJAC Charter Subgroup, it will be distributed to the entire EJAC.

EJAC Co-Chair Martha Dina Argüello continued with opening remarks:

EJAC Co-Chair Martha Dina Argüello expressed a hope that there would be time at the end of the meeting for EJAC to discuss future meeting topics and to develop a calendar to cover those topics for the next few months. She mentioned that EJAC will be discussing Cap-and-Trade followed by building decarbonization for the May 2025 EJAC meeting. The purpose of many of the topics is to help EJAC prepare for the joint meeting with the CARB Board in September 2025.

Agenda Item #3: Quarter 3 and Quarter 4 2024 and February 13, 2025, EJAC Public Meeting Minutes

CARB included the Quarter 3 and Quarter 4 2024 EJAC public meeting minutes on the February 13, 2025, EJAC Public meeting agenda and posted to the EJAC webpage to allow for EJAC discussion.

EJAC requested that CARB provide more time to review the meeting minutes at the February 13, 2025, EJAC Public Meeting since this is a new process and there were a few to review.

The facilitator, Leading Resources, introduced the topic with the goal of EJAC motion and approval of the meeting minutes after public comment.

The facilitator reiterated Radhika’s earlier comment that today’s motion is to approve the Quarter 3 and Quarter 4, 2024 EJAC Public Meeting minutes. EJAC members had no comment on the meeting minutes.

Agenda Item #4: Public Comment

Public comment was held on agenda item 3. One member of the public provided comment due to having to leave the EJAC meeting early. This comment was not specific to the meeting minutes.

Agenda Item #5: EJAC Motion to Approve the Quarter 3 and Quarter 4 2024 and February 13, 2025, EJAC Public Meeting Minutes

The Facilitator clarified that the motion to approve the meeting minutes from February 13, 2025, meeting will be added to the agenda for the April meeting, along with the minutes from today's meeting.

Matt Holmes motioned to approve the minutes from Quarters 3 and 4 of 2024. Kevin Hamilton seconded that motion. Voting EJAC members who were present voted on Agenda Item #5. There were six yes's and one member abstained due to joining late. Four members were absent. The motion passed.

Agenda Item #6: Debrief from the February 27, 2025, CARB Public Workshop on Carbon Capture, Removal, Utilization and Storage Program (SB 905)

CARB shared the purpose of the February 27, 2025, public workshop and next steps.

Deputy Executive Officer Chanell Fletcher stated that the purpose of this law is to establish Carbon Capture, Removal Utilization and Storage (CCUS), including adopting protocols to support additional CCUS and carbon dioxide removal approaches. The workshop consisted of a legislative and regulatory overview of SB 905 by CARB as well as panel sessions with expert speakers on the topics of Carbon Capture, Utilization and Storage, carbon dioxide removal, market trends, technological readiness and potential, and the broader deployment benefits and considerations. Public panels followed each session. EJAC members Dr. Catherine Garoupa and Martha Dina Argüello presented at a panel in the afternoon session. Chanell shared that staffing continues to be an agency-wide issue, as budget cuts required cuts to CARB's workforce and contracts. This has been a challenge in terms of implementing SB 905. CARB will continue to pursue staff resources to enable implementation. They will also evaluate the feedback and questions they receive regarding the workshop. She invited anyone who missed the workshop to watch the video recording available on the CARB website. Public comments can be submitted until March 28, 2025, at 11:59 PM.

EJAC shared takeaways from the public workshop and afternoon EJAC panel discussion.

EJAC Co-Chair Martha Dina Argüello invited the EJAC members to provide feedback about the workshop, and to offer specific recommendations to CARB for guiding the SB 905 process. She expressed concern regarding the SB 905 process and a need for creating adequate guardrails.

Kevin Hamilton praised Dr. Catherine and Martha Dina for doing such a fantastic job on short notice with presenting at the workshop.

Matt Holmes also thanked Dr. Catherine and Martha Dina for leading the panel and appreciated the workshop for being frank and transparent. He expressed a desire to counterbalance the investment alternatives in natural and working lands and to do so in a timely manner. He stated that the expert advisory committee's [California Natural Resources Agency 1757 Expert Advisory Committee] carbon target recommendations

from AB 1757 have shown how short the horizon is on engineered removal and furthermore, we need to start talking about investing in people and places.

Juan Flores also thanked Dr. Catherine and Martha Dina for their participation and stated that the focus should be on carbon emissions reduction rather than on carbon sequestration to make communities safer. The fossil fuel industry cannot be trusted to use carbon sequestration responsibly after its decades-long history of having created pollution and having caused deaths in these communities.

Martha Dina Argüello expressed a concern that CARB has not fully considered the environmental risks to communities that would result from the implementation of some of the proposed new systems. She implored EJAC to think about how they can get CARB to understand the risk they are taking and the risks to communities who live within that existing infrastructure for oil and gas where CARB plans to build the carbon capture and storage and infrastructure are undertaking. She questioned the sustainability, the possible adverse effects to air quality, and a lack of planning for worst case scenarios. She questioned what is to occur when this method does not offer the emissions reductions that CARB is aiming for and may instead spike toxic air contaminants. She invited Matt Holmes to offer his thoughts on this as he is working on natural and working lands.

Matt Holmes stated that the expert advisory group he joined in the California Natural Resources Agency supports EJAC's speculations. He stated that there are several groups working on the idea that there are increased carbon benefits of investing in land conservation projects. There are transition opportunities involved in conservation efforts in our state, such as needing 8 million metric tons of compost to stabilize soil and water systems in California within the next five to eight years. He stated that if we wait too long, we are dealing with temperatures and aridity on a scale of being unable to build soil again. He understands the need to fend off engineering solutions but now it is time to focus on the most vulnerable communities that have the lowest life expectancies and the highest poverty rates. He encouraged making rapid investments into the neediest communities.

Deputy Executive Officer Rajinder Sahota responded that CARB agrees that nature-based solutions are a critical part of climate mitigation efforts, especially as seen today at the federal level the support for the agricultural options and nature-based solutions is fading away. She called out that this is an area of alignment for CARB and EJAC and will continue to push for nature-based solutions. She further stated while CARB has work to do on how to roll out SB 905, conversations will be had with EJAC and communities. She stated that the work done on the Scoping Plan and with AB 1279 targets suggest that all options are needed to meet our goals. She has noticed nature-based solutions being thrown aside in lieu of only SB 905 options and is not okay with that approach. CARB sees value in both nature-based solutions and mechanical options and recognizes the area of alignment.

Martha Dina Argüello stated that we should build on our alignment as we rarely hear that. She asked if the SB 905 regulation could be set to prioritize nature-based solutions so that communities that are already facing projects could be spared of possible irreversible negative effects of these projects. She asked CARB if it is possible to set up regulations or the SB 905 process to go through things with multiple benefits first and not shift further burden on low-income communities, so that the regulations can help communities facing projects already.

Deputy Executive Officer Rajinder Sahota's response was that while CARB has to provide an overall framework it cannot prioritize or set the timeline for what happens first. She agrees that we need to put parameters on how to make sure there is financing available, have appropriate guardrails for community protection, and have appropriate safeguards for locations where collection and injection of carbon dioxide is done. Through the rule making process CARB itself does not implement these sequestration activities and only sets the framework for others to do these projects. She encouraged EJAC to have conversations with CARB on leveraging the power of other statutes, like SB 27 - a registry for nature-based solutions, SB 253 - corporate greenhouse gas reporting, and SB 261- corporate disclosure where there is space for voluntary reporting on climate mitigation and reporting from nature-based solutions can be prioritized there. She emphasized that there is more than one place where nature-based solution discussion is happening and so it is important to discuss how sequestration fits into the portfolio of policies and statutes that exist in California.

Thomas Helme was encouraged to hear that natural working land solutions are being taken as seriously as carbon capture solutions because his impression has been that mechanical solutions being offered by private companies are being promoted more aggressively than nature-based solutions. He pointed out that the private industry profits from government subsidies and that until the same kind of power and influence goes behind the nature-based solutions the private industry will dominate the conversation.

Matt Holmes agreed that there are challenges in putting forward the nature-based solutions agenda, citing a large government project that leaned heavily on technological solutions that could have been handled better. There is a need to regain credibility in the value of nature-based solutions using the strong and sustainable systems that already exist in California.

Martha Dina Argüello understands the need to do everything and further expressed a concern that the companies who may receive government funding for these projects have interests that are not aligned with the needs of low-income communities of color. She asked if there would be a way to commit to minimize the risk to these communities while also maximizing benefits and creating new opportunities for them.

Deputy Executive Officer Rajinder Sahota explained that there is already a loading order. The first step is stopping emissions by reducing fossil fuel combustion and this remains our main priority for not only greenhouse gases but for the air quality

benefits. Next is reducing carbon emissions from agriculture and increasing sequestration in natural and working lands. This will require sustainable forest management and working with private landowners. The challenge is in having the same revenue streams and the same regulatory structures that the fossil fuel side has so that the nature-based side can participate in the reduction of emissions and become net sequestration over time. There is a need to come up with ideas for ways to meet the sequestration targets and to include some of the nature-based solution targets in the CNRA [California Natural Resources Agency] CARB process.

Martha Dina Argüello asked about the possibility of having co-learning between EJAC members and CARB staff, bringing in experts on carbon removal solutions. She also asked what specific guardrails are needed for communities and what commitments CARB would make to protect these communities.

Matt Holmes stated that there has been a consistent request to create modeling alternatives in the natural and working lands scenario. There is a big difference in where the carbon comes from and how it is held back or never created in the first place, creating carbon sequestration in a way that has been demonstrated for thousands of years versus the gestational methods being used here. He also expressed a need to consider how these methods will impact the water supply in the delta, as that has not been included in the Department of Energy's impact studies.

Martha Dina Argüello mentioned that there are many letters from CVAC [Central Valley Air Quality Coalition] regarding recommendations for guardrails to be put in place. These letters can be resubmitted, but an actual exchange would be useful, possibly at the next meeting.

Deputy Executive Officer Rajinder Sahota agreed that this exchange would be useful, but it would have to wait until there was staff in place who could provide the necessary preparation for a meaningful discussion.

Martha Dina Argüello suggested that EJAC could work with some of its academic partners to pull together as much data as they can. She also recommended that a subgroup be formed to investigate modeling and its possible undesired effects on outcomes.

Matt Holmes offered to assist with providing some alternative modeling on analytics and some projections while the State seeks to restore staff.

Martha Dina Argüello expressed a concern about the use of community benefits as an incentive for companies to have their projects approved. She asked if EJAC would like to make general comments about the good, bad, and ugly about the community benefits agreements at some point?

Kevin Hamilton commented that he has had the experience of working with a group of experts in the past and that unfortunately, the time and effort put forth by the group did not yield the desired results for LCFS [the Low Carbon Fuel Standard]. His fear would be that doing the same thing would create the same outcome. He stated

that it may be beneficial to have a subcommittee that brings together experts with differing viewpoints who have the same level of background, education, and engagement for a frank discussion about what makes sense and what is achievable. He agrees that EJAC should consider community benefits because they can be empowering for communities, but there is often a disparity between the company's sizeable profits and the minor benefits received by the community.

Deputy Executive Officer Chanell Fletcher commented that she liked the idea of EJAC working with experts and pulling together the data. She also stated that she has seen significant changes to the LCFS proposal from its initial submission to its eventual implementation and that this happened over the course of the review process. She would like to have a way to document these changes going forward to provide transparency.

Deputy Executive Officer Rajinder Sahota stated that there are statutes which require CARB to balance the recommendations from the industry and those from EJAC. EJAC's position on LCFS had the effect on phasing out and phasing down methane crediting, limiting the credits for virgin feedstocks for biofuels, and adding more opportunity to create credits for transit. She stated there are also more credits for charging infrastructure for medium and heavy-duty trucks. Hundreds of millions of dollars have been allocated to a CFR [Clean Fuel Reward] fund for medium and heavy-duty technology on roadways at distribution centers where many frontline communities are located. She stated that CARB is being sued by industry for going too far and by advocates for not going far enough. CARB did consider EJAC's recommendations and worked to have those recommendations reflected as much as possible in the final proposal that the Board ultimately adopted.

Jill Sherman-Warne expressed skepticism about being able to capture carbon and store it, citing that most of the research has been conducted by the industry itself. She mentioned that the Hoopa people have stories about the Trinity River flowing in the opposite direction which is backed by geology. She cautioned that thinking that man can control nature is a false idea and that this is not an actual solution, and it isn't changing the impact to the people who are being impacted the most. She stated that we are at the beginning of this process. While there is a lot of work being done, we cannot think that we can control the outcome.

Matt Holmes stated that he would like to ask the State agencies to talk about actual places and actual people, with the hope of getting experts to review statutes legally and accurately, to emerge from the narrow interpretations of the current statutes. He does not have interest in discussing community benefits and stated that citizens should be provided with equal protection under the law.

Martha Dina Argüello stated that community benefits can be very divisive. She cautioned against going down that road until the committee has explored alternatives and has done assessments to possibly create multiple benefits that communities can

agree on. She asked the committee what next steps could be while waiting for CARB to hire more staff.

Matt Holmes expressed a desire to sequence the carbon target recommendations that have been issued by the [California] Natural Resources Agency. He stated that he would be happy to participate in an accelerated or enhanced median and planning schedule. He urged the EJAC members to create a synopsis survey of the carbon targets from the [AB] 1757 Committee in order to help push policy as soon as possible. Funding will then need to be found.

Martha Dina Argüello committed to working with Matt Holmes offline on this to figure out when this can be put on the agenda and what data needs to be pulled before briefing the EJAC members. She also asked if a moratorium on permits would help prevent anxiety and adverse effects to communities undergoing projects.

Deputy Executive Officer Rajinder Sahota replied that permitting takes a lead time of years. Developing policy, acquiring Board approval, and assigning resources must all be in place well before permits would be a factor. Rules and requirements around appropriate guardrails on projects are the main issue and not permitting. She also noted that SB 905 did not change any authority for CARB on permitting.

Agenda Item #7: Public Comment

Public comment was held on agenda item 6. One member of the public provided comment.

Agenda Item #8: CARB Announcements

CARB provided reminders of upcoming meetings and events as they relate to AB 32 program implementation.

Branch Chief of the Environmental Justice and Equity Branch Radhika Majhail presented a slide depicting a table of upcoming CARB events for March and April. She further stated that this table will also be emailed out to all EJAC Members following the meeting.

Radhika advised that an email was sent to all EJAC members on March 11, 2025, regarding travel changes. She urged the EJAC members to review the CalHR changes as these are important changes EJAC members must adhere to.

There will be a workshop on the Methane Satellite pre-solicitation at the end of April. An email with the date will be sent to all EJAC members once the date has been set.

Agenda Item #9: Next Steps and Closing Remarks

Martha Dina Argüello stated that the May 2025 meeting will be covering building decarbonization. Prior to that, Cap-and-Trade will be covered. She instructed any EJAC members who would like to discuss specific issues related to those topics to reach out to the EJAC Co-Chairs.

Martha Dina will follow up with CARB staff for internal coordination involving the pitfalls and challenges of carbon capture as part of the development of carbon capture regulations. She will work with Matt, who will take the lead in gathering information and finding a potential resolution in support of the natural working lands.

Thomas Helme stated that CVAC and its Board members, along with other environmental justice groups sent a letter to CARB requesting a review of San Joaquin Valley stationary sources following the February 13, 2025, EJAC Public Meeting. This request was originally submitted in January 2019. The group would like CARB to officially respond to the letter with a clear timeline and work plan, assurance that outreach is provided to environmental justice groups and communities, and assurance that the process will be started.

Matt Holmes suggested bringing the EJAC and the expert advisory committee from 1757 together to gain traction in this matter and will follow-up with Martha Dina Argüello.

Radhika Majhail mentioned that CARB will be sending out a planning calendar with future agenda items in an email to EJAC members to help create meeting agendas that work for both parties.

Closing Remarks

Martha Dina Argüello thanked everyone for the discussion and expressed her appreciation for having found common ground with CARB, with the hope of continuing to build on that common ground moving forward.

Radhika stated that it was refreshing to work with an aligned group of people who are looking for solutions together.

Kevin Hamilton also expressed his appreciation for the collaborative work that was being done in this group.

The meeting was adjourned at 2:40 PM.