

October 13, 2021

RE: Request to Extend Deadline for the 2022 Climate Change Scoping Plan Update

Governor Newsom,

The California Global Warming Solutions Act of 2006 (AB 32) established the Environmental Justice Advisory Committee (Committee), to advise the California Air Resources Board (CARB) in developing the Climate Change Scoping Plan and its updates every five years. The Committee is comprised of the undersigned representatives from low-income communities and communities of color in the State with the most significant exposure to air pollution. The most recently approved Scoping Plan was adopted in November of 2017 and must be updated “at least once every five years. We respectfully request an extension of the deadline for the 2022 Scoping Plan update by six months.

AB 32 authorizes the Governor to, “[i]n the event of extraordinary circumstances . . . adjust the applicable deadlines for individual regulations, or for the state in the aggregate, to the earliest feasible date after that deadline.” Extraordinary circumstances are met in two related respects: first, the need to allow time for sufficient and meaningful community engagement that was absent from prior Scoping Plan processes; and second, the impacts of COVID-19 and extreme weather events like the catastrophic, climate fueled wildfires that inhibit our ability to conduct sufficient and integral outreach and engagement to the communities we represent.

CARB appointed some Committee members on May 20, 2021. CARB added additional committee members on August 3rd, 2021. Since then, CARB has acknowledged that prior Scoping Plan processes did not provide sufficient and meaningful engagement of environmental justice concerns. We thank CARB for making this acknowledgement and moving forward to better incorporate environmental justice voices into the development of the 2022 Scoping Plan. In particular, CARB has allowed the Committee to provide input on the contents of the Scoping Plan, or its scenarios. To provide this input, however, requires our Committee and the communities that we represent to digest significant amounts of technical information. Moreover, at the September 30, 2021 Workshop, CARB presented four alternative scenarios. Each of these scenarios includes more detailed information than was previously provided to our Committee for input.

The Principles of Environmental Justice require us to disseminate this information and consult with our community members before making any key determinations or recommendations. We understand the timing constraints imposed by the need to conduct technical modeling based on our recommendations, meaning that we will not be able to consult our communities in time for CARB to meet the December 31, 2022 statutory deadline. We

therefore request this extension of time in order to meaningfully engage the communities that we represent that are on the frontlines of climate impacts while overall contributing the least to pollution. Following social distancing and other public health protocols imposed by the pandemic further complicate and delay our current, and anticipated future community engagement efforts.

The Committee believes the extraordinary circumstances criteria of AB 32 have been met, warranting an extension of the statutory deadline for CARB to complete the next Scoping Plan. This next Scoping Plan update is the most ambitious ever, looking ahead to 2045 and implementing several of your Office's directives, including accelerating carbon neutrality, phasing out oil extraction, and meeting aggressive electrification targets. Our communities' health is central to these and other critical questions that the next Scoping Plan update will address. With so much at stake, it is imperative to adequately and meaningfully address environmental justice in the development of this update. A six month extension of the statutory deadline to June 2023 would be a significant step to furthering this goal.

Sincerely,

The Environmental Justice Advisory Committee

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