

JOINT MEETING
STATE OF CALIFORNIA
AIR RESOURCES BOARD
AND
ENVIRONMENTAL JUSTICE ADVISORY COMMITTEE

CALEPA HEADQUARTERS
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JAMES F. PETERS, CSR
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A P P E A R A N C E S

BOARD MEMBERS:

Ms. Mary Nichols, Chair
Ms. Sandra Berg, Vice Chair
Dr. John Balmes
Mr. Hector De La Torre
Mr. John Eisenhut
Supervisor John Gioia
Ms. Judy Mitchell
Mrs. Barbara Riordan
Supervisor Phil Serna
Ms. Diane Takvorian

ENVIRONMENTAL JUSTICE ADVISORY COMMITTEE MEMBERS:

Dr. Martha Dina Argüello
Mr. Colin Bailey
Ms. Gisele Fong
Mr. Tom Frantz
Ms. Katie Valenzuela Garcia
Mr. Kevin Hamilton
Mr. Luis Olmedo
Ms. Kemba Shakur
Ms. Mari Rose Taruc
Ms. Eleanor Torres

A P P E A R A N C E S C O N T I N U E D

STAFF:

Mr. Richard Corey, Executive Officer

Dr. Alberto Ayala, Deputy Executive Officer

Ms. Edie Chang, Deputy Executive Officer

Mr. Kurt Karperos, Deputy Executive Officer

Ms. Ellen Peter, Chief Counsel

Ms. Emily Wimberger, Chief Economist

ALSO PRESENT:

Mr. Michael Boccadoro, Dairy Cares

Mr. Brent Newell, Center on Race, Poverty & the
Environment

Mr. Sean Penrith, Climate Trust

Ms. Shelly Sullivan, Climate Change Policy Coalition

Mr. Tim Tutt

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1 P R O C E E D I N G S

2 MODERATOR LUCERO: We're going to be starting
3 shortly. If we could stop the side conversations. If you
4 do have a pressing conversation, please take it outside.
5 It makes it very difficult for those in the room to hear
6 each other.

7 So for our Air Resources Board Member and our
8 Environmental Justice Advisory Committee members, we do
9 have name tags for your seats. Most of you have found
10 your spots. We have a couple people filtering in, but
11 we've got a lot to discuss. We want to make sure we start
12 moving.

13 Before we commence any further, our emergency
14 announcement.

15 STAFF AIR POLLUTION SPECIALIST JOHNSON: In the
16 event of an emergency, we need to exit down the stairs and
17 out the building to the park across the street and then
18 we'll wait for the all-clear signal when we're -- when
19 that's given, we can come back to the room to resume the
20 meeting.

21 There are water fountains and restrooms that
22 way(indicating).

23 EJAC MEMBER BAILEY: What if the emergency is a
24 flood?

25 (Laughter.)

1 MODERATOR LUCERO: Boats will be provided by
2 Water Board.

3 All right. So thank you all for joining us
4 today. As you can see from our agenda, we have a lot of
5 discussions and we want to make sure we get through this
6 very quickly. My name is Stephanie Lucero, Center for
7 Collaborative Policy. I am here to guide our train and
8 make sure we have the ample time to talk and have the
9 discussions highlighted and keep on schedule.

10 So really quickly, welcome and introductions. We
11 will be doing welcome and introductions with Air Resources
12 Board members and our Environmental Justice Advisory
13 Committee members, EJAC for short.

14 And we are requesting that EJAC members provide
15 your name, the group that you're with and just some of the
16 main issues that you're seeing on the ground. And for our
17 Air Resources Board members, if you can provide your name
18 obviously, your region, and a little bit of history that
19 you have with cap and trade and/or the AB 32.

20 Give then, we're trying to have these
21 announcements about a minute or less. So succinct. We
22 want to make sure we have plenty of time for the discuss
23 EJAC Recommendations, which will have a little bit of
24 introduction for each of the sectors from our EJAC
25 members, but really that is intended to be a discussion

1 with the group.

2 I'll be giving you some time checks so that we
3 can make sure we get through all the sectors. And we'll
4 work from there together to get through all of them. We
5 will have a some time for public comment, which I will
6 explain in a little bit.

7 And then we'll be discussing options for
8 addressing the EJAC's recommendations with the Board, and
9 then we'll be doing closing remarks.

10 For the public that is joining us, thank you for
11 being here today. We do have public comment. If you are
12 interested in providing public comment, please fill out
13 one of the forms in the back. Rana is raising her hand.
14 She can help you with that. I will take those and
15 provide -- provide the time during public comment based on
16 how many we have. We're looking at a 1 to 2 minute max
17 inn terms of public comment to ensure everybody has an
18 opportunity to speak, and we can get through our agenda.

19 Please note that you will get one opportunity for
20 public comment, so make it count.

21 All right. With that, I'm going to pass it on to
22 our EJAC and ARB members.

23 Any quick questions from those in terms of
24 process?

25 Great. Mary

1 CHAIR NICHOLS: Hello, everybody and welcome.
2 I'm just going to introduce myself. I'm Mary Nichols,
3 Chair of the Air Resources Board, and I do want to thank
4 the members of both the EJAC and the Air Board, and our
5 staff for turing out. And I know there's a few others who
6 are not yet here, but who are planning on filtering in, so
7 we'll just have them pick up when they arrive.

8 I have been on the Air Resources Board since
9 2007. I was appointed first under Governor Schwarzenegger
10 and then reappointed under Jerry Brown. It was actually
11 my second time being appointed by Jerry Brown, because I
12 also served under him when he was Governor during his
13 first 2 terms of office. And so I consider myself a
14 lifetime member of the Air Resources Board

15 (Laughter.)

16 CHAIR NICHOLS: Not quite, but it definitely
17 feels like my home. I joined the Board after AB 32 had
18 been passed an signed, and before the scoping plan was
19 done. So I had the role in shaping the first scoping
20 plan, and in shaping the original Cap-and-Trade Program.
21 There's a history there, as many people know, to the views
22 of the Governor Schwarzenegger, who was very much in favor
23 of having a Cap-and-Trade Program, and the legislature
24 that passed it, which was willing to allow him to do it,
25 but under some fairly strict conditions.

1 And so in putting that first scoping plan
2 together, I think that we were very careful. I certainly
3 was very mindful of the fact that I was part of an
4 administration which was committed to having a
5 market-based program, but had left it completely to the
6 Board to design the program. And so I think, as most
7 people know, the first scoping plan that we developed
8 included a Cap-and-Trade Program, although the program
9 itself did not start for several years, because it had to
10 actually be designed and the details worked out.

11 But our vision of the Cap-and-Trade Program was
12 that it would be only one piece of the total California
13 Global Warming Solutions Act Plan. And as it turned out
14 in the scoping plan itself, we asked -- we said we would
15 have a program which would be responsible for
16 approximately 18 percent of the emissions reductions that
17 were called for under AB 32. Although, we hadn't, at that
18 point, worked out all the other regulations, but we
19 certainly already knew that we were going to be relying
20 primarily on our vehicle emission standards, and then also
21 on renewable electricity, and the Low Carbon Fuel Standard
22 to make up the total reductions.

23 So that's my history with cap and trade.

24 VICE CHAIR BERG: Good afternoon. Great to see
25 everybody. My name is Sandy Berg. I'm Vice Chair. And I

1 was appointed to the Board in 2004 by Governor
2 Schwarzenegger. I hold a 1 of the 2 public seats. And at
3 the time, Governor Schwarzenegger wanted a business person
4 or some -- a regulated party. And I am President and CEO
5 of Ellis Paint Company. And it's a small family company
6 in Los Angeles. And so understanding regulation and how
7 to bring that together was a criteria that allowed me to
8 be appointed.

9 Also, being in the Boyle Heights area, I have a
10 strong connection to -- to the -- my community there.
11 We've been there as a family since 1929. And so working
12 with the various community members and things with the
13 schools and various issues with them has allowed me to
14 have an appreciation between economic opportunity,
15 environmental issues and business.

16 I also was part of AB 32 when it passed, and was
17 on the Board for the first scoping plan. From my
18 perspective, it really was taking a blank sheet and
19 figuring out what California was going to do as a leader,
20 and putting knitting together, being part of a program
21 that could be duplicated, and as a leadership entity how
22 we could lead the way.

23 In my recollection of cap and trade being just
24 one element of that, and becoming educated as to a program
25 of that nature, and not only its ability to participate in

1 brining down the emissions, and -- as well as all the
2 other elements. And so that was, from my perspective has
3 been a big learning curve. Thank you.

4 EJAC MEMBER BAILEY: Good afternoon, everyone.

5 Excuse me. I'm Colin Bailey with -- executive
6 director and an attorney with Environmental Justice
7 Coalition for Water. I've been doing environmental
8 justice work for the better part of 2 decades. As an
9 organization, we're working on building resilience in
10 communities most vulnerable to the water-related impacts
11 of climate change, which do have some bearing here. Given
12 recent events, it's important to note that the cost --
13 absorbing the costs of evacuating flood is, in fact, an
14 environmental justice issue.

15 Our work at the State level in water has focused
16 a lot on the human rights to water, which California in
17 2012 became the first State in nation to memorialize into
18 code. We are hearing from our communities, and we invite
19 you to attend the meeting here in Sacramento on March 1st
20 with our Sierra colleagues looking at forest management
21 and upper watershed management as one in the same. The
22 opportunity for job creation is very present there, as
23 well as all the water quality and improvements that you
24 can make.

25 As a statewide organization, we are well attuned

1 to the trade-offs that many environmental justice and
2 tribal communities are being asked to make, including
3 pitting some groups against others. And we are trying
4 through this process to reconcile those, so that the
5 environmental justice is realized for all.

6 With that, I'll pass it on.

7 BOARD MEMBER BALMES: Hi. I'm John Balmes. I'm
8 a physician scientist at University of California, San
9 Francisco and UC Berkeley School of Public Health. And I
10 was nominated to the Board by Governor Schwarzenegger and
11 actually had my hearing the same time as Mary. And
12 despite the fact that I wrote in my materials to the
13 Senate Rules Committee that I was going to champion
14 environmental justice, I did manage to get confirmed.

15 (Laughter.)

16 BOARD MEMBER BALMES: And I tried to keep that
17 commitment that I put in writing at that time. And I
18 won't -- I think we need to move along, so I won't go into
19 a long history about my involvement with environmental
20 justice issues, but other -- to say that I've tried to
21 keep public health co-benefits as a key theme, with regard
22 to our climate change mitigation policies under AB 32.
23 And I'm particularly interested in doing more with regard
24 to what we are now calling adaptive management. When we
25 have cap facilities that produce a lot of greenhouse gas

1 emissions, we also have to try to reduce toxic emissions.

2 EJAC MEMBER VALENZUELA GARCIA: Good afternoon.
3 Katie Valenzuela Garcia, Sacramento area representative.
4 Born and raised in Oildale in Kern County. The
5 environmental justice movement here in Sacramento is
6 younger than it is in other regions, but our communities
7 have, as my friend Jonathan London likes to say, long
8 memories. And our neighborhoods here, as in many
9 neighborhoods across the State, were built to be racially
10 segregated. And we still see to this day, car-centric
11 land use, poorer health outcomes in our communities of
12 color in the north and south part of Sacramento.

13 So that's what largely informs my positions in
14 this committee, and my positions on the scoping plan.
15 Some of our priority areas since we are the
16 self-proclaimed farm-to-fork capital are urban agriculture
17 and urban forestry, as well as energy and water and
18 transportation improvements, since that's where the
19 largest share of our pollution burden comes from in this
20 region.

21 So thank you again for this meeting and the time.

22 BOARD MEMBER RIORDAN: Good afternoon. My name
23 is Barbara Riordan. And I represent the small and
24 mid-size air pollution control districts. I happen to
25 serve on the Mojave Air -- the Air Pollution Control

1 District, and reside in the Southern California area.

2 I was on the Board when AB 32 passed. And I have
3 been here since the passage, of course, of the first
4 scoping plan. So I have some history knowledge based on
5 that service of time.

6 EJAC MEMBER DINA ARGÜELLO: Thank you.

7 Good afternoon. My name is Martha Dina Argüello.
8 I'm the executive director of Physicians for Social
9 Responsibility. And my history with AB 32 goes back to, I
10 think, 2005 or '06, when it was still an idea of a bill.
11 And was around in Sacramento when it was passed and have
12 been on the Committee from -- from, I guess, the very
13 first Committee.

14 And my background is in public health. I've
15 spent about the last 40 years working in a lot of
16 different public health arenas from AIDS, tobacco control,
17 to breast cancer. And then sort of realize these seem to
18 have an environmental component. I'm going to go work on
19 environmental justice issues. So that's what I've been
20 doing for the last 18 years at PSR.

21 We work on our -- a principle of first do no
22 harm, and that we should move upstream to prevent
23 environmental degradation, as a way of protecting public
24 health.

25 Thank you.

1 BOARD MEMBER TAKVORIAN: Good afternoon. My name
2 is Diane Takvorian, and I am Board member. I was
3 appointed a year ago, actually February. So this is my
4 anniversary, I guess.

5 (Laughter.)

6 BOARD MEMBER TAKVORIAN: And I was appointed as
7 the then Speaker Atkins appointee as a result of
8 legislation that passed, which required that there be 2
9 environmental justice representatives appointed to the
10 Board.

11 And I come from -- I'm the Executive Director of
12 the Environmental Health Coalition, and one of the
13 founders. We're a 36-year old environmental justice
14 organization. We are a binational organization. We have
15 offices in Colonia Chilpancingo, in Tijuana, which is
16 next to the largest maquiladora park in the Tijuana
17 region, and then our offices are in National City. And we
18 work in the most disadvantaged, low-income communities of
19 color that are also very impacted by pollution, primarily
20 pollution from transportation, large industrial
21 facilities, and port facilities.

22 So I had the opportunity to serve with some folks
23 that are around this table on the first Environmental
24 Justice Advisory Committee in the early 2000s, which I
25 think really birthed a lot. And one of the things I think

1 we're proud of is that it really resulted in the
2 CalEnviroScreen coming forward, because we really
3 emphasized cumulative impacts and the importance of that.
4 And I think we all know where we live and what the impacts
5 are on our communities, but CalEnviroScreen allowed us to
6 really demonstrate that in an objective and scientific way
7 that has, I think, borne a lot of understanding and fruit
8 for our communities.

9 I also served on the first EJAC. So I had the
10 opportunity to participate in the scoping plan. And I
11 think that I want to just express my appreciation to the
12 Board members and to Mary and to the EJAC members for the
13 incredible amount of work that you've done for this last
14 year, and for coming to this table today. I think this is
15 kind of a historic moment that we're all together here at
16 this table, and that we're going to have the conversation
17 we're going to have.

18 So I just wanted to express my appreciation to
19 everyone. Thanks so much

20 EJAC MEMBER FRANTZ: Tom Frantz from Kern County.
21 I'm head of a group called the Association of Irrigated
22 Residents. We've been working on air quality. I've been
23 a student of air quality issues in Kern County in the San
24 Joaquin Valley the last 19 years.

25 The -- I'm a farmer, and I was also a math

1 teacher for many years. But I'm a farmer first, part of 6
2 generations on the same piece of land. And my concerns --
3 my biggest concerns in looking at AB 32, this scoping
4 plan, and so on is what are we doing with the carbon cycle
5 in regard to biomass, sewage sludge, biogas, biofuels,
6 carbon capture and sequestration, and trash incineration.
7 And all of this concerns us in Kern County. We see it --
8 we see all these things all around us, including the oil
9 and gas industry down there.

10 So we're concerned about air, but also land and
11 water, and, of course, greenhouse gases.

12 Thank you.

13 EJAC MEMBER TORRES: Good afternoon and thank you
14 for his meeting, board members and Mary. This EJAC
15 Committee actually marks my return to policy after 16
16 years. Incredible Edible Community Garden is a
17 volunteer-run organization, of which 95 percent of all our
18 grant funds and contributions go directly to our projects.

19 As a volunteer-driven organization, we are proud
20 of the difference we're making, and we believe that
21 communities need to be involved in all discussions
22 regarding neighborhood restoration and climate adaptation
23 from within the neighborhoods.

24 We believe that successfully mitigating and
25 adapting to the cumulative effects of environmental

1 degradation and poverty requires a clear understanding,
2 and -- I'm sorry, clear understanding and empowerment of
3 the community not for exploitation, but for shared
4 neighborhood building solutions and decision making. With
5 that in mind, Incredible Edible Community Garden
6 facilitates a dynamic vision for transforming our
7 communities, while creating cohesive standards and best
8 management practices in growing spaces for food
9 production, active living, ecosystems, training, and
10 services, while engaging our communities in creating and
11 learning urban solutions to grow, heal, and build
12 collectively and effectively.

13 With these principles IECG is very proud of the
14 fact that we also advocate for environmental justice
15 principles, but we also implement those policies. So it's
16 very important to us that these policies are -- we are
17 able to implement these policies.

18 Thank you.

19 BOARD MEMBER MITCHELL: Good afternoon. My name
20 is Judy Mitchell. I am City Councilperson in the City of
21 Rolling Hills Estates in Southern California. And I
22 represent the South Coast Air Quality Management District
23 Board on the Air Resources Board.

24 I'm elected to that board by the 50 -- a majority
25 of the 51 mayors in the western half of Los Angeles

1 County. I have a history of interest in environmental
2 quality issues. I was very active in the League of
3 California Cities, in my course of being an elected
4 official. I was president of that organization in
5 2009-2010. And that was the time when we were working
6 with Darrell Steinberg and Tom Adams on SB 375, which is
7 the sustainable communities plan. And that was very
8 controversial for all of the cities across the State of
9 California.

10 They've come to a point now where they adopted
11 and have embraced it, so I'm happy to say that we've come
12 that far.

13 I was appointed to the Air Resources Board in
14 2013. And so I'm relatively new to this process, and cap
15 and trade was pretty much a new process to me as well,
16 but, you know, we've had to sort of break in here and
17 learn all the ropes on it, and -- so I'm still learning.

18 But anyway, appreciate coming together with all
19 of you. Very anxious to listen to your concerns and work
20 with you to find solutions.

21 EJAC MEMBER OLMEDO: Good afternoon. And this
22 is, as Board Member Takvorian mentioned, it's quite
23 historic. I don't remember every doing this. This is the
24 second time I've been in the EJAC scoping plan, and wasn't
25 quite expecting this, but I'm, you know, quite honored to

1 be around the Board members. So thank you.

2 I'm the executive director of Comite Civico Del
3 Valle, a community based organization. And a lot of my
4 colleagues here have highlighted a lot of the issues that
5 concern us. What I bring here is Imperial is the
6 furthest, I think, along with San Ysidro, from Sacramento.
7 We're probably not as loud of a voice. And sometimes -- I
8 know Stephanie reminds, you don't have to use your outdoor
9 voice, but I think we do --

10 (Laughter.)

11 EJAC MEMBER OLMEDO: -- because we're so far.

12 But there's a lot of issues, you know, that
13 happen, you know, from dairies, you know, to feed lots. I
14 mean, I think a lot of the same issues that have -- that
15 are of concern in rural communities are just as the same,
16 even more, you know, with the heat, and, you know,
17 probably living in one of the hottest areas in California.
18 Add to that the border, you know, and the fact that, you
19 know, we're also consumers of products and energy from
20 Mexico that we feel the impacts in the border.

21 So I like -- you know, I bring that here to the
22 discussion. We have been working on projects of, you
23 know, both engaging the community, but also more recently
24 in the last 2, 3 years, we've been working on citizen
25 science, or community monitoring, and crowd sourcing, and

1 bringing more data. And I know that's something that I
2 continue to bring, because we need to measure
3 effectiveness at the community level. We need to know
4 what's happening in the neighborhood, not just, you know,
5 at the higher levels, the average, but is our area
6 improving, are these programs not affecting certain
7 communities or transferring pollution to other
8 communities.

9 And I really will continue to stress that we need
10 to engage the community to participate, because we know
11 that there's not enough money to go around when it comes
12 to environmental protection. We know that we need to
13 engage the community, and to be able to bring the
14 expertise, the technical knowledge to be able to level the
15 conversation for all communities in California. So thank
16 you for this opportunity.

17 And I knew that, at some point, there would be a
18 highlight for me as a member. And this is really, I
19 think, my highlight here. This is my peak of a moment
20 being a member.

21 So thank you.

22 CHAIR NICHOLS: We should take a group photo
23 before this is all over.

24 (Laughter.)

25 CHAIR NICHOLS: Really.

1 EJAC MEMBER FONG: Good afternoon. My name is
2 Gisele Fong, and I am from End Oil and Communities for
3 Clean Ports in Long Beach. This is the second time I've
4 been on the EJAC.

5 And just to kind of start with something really
6 personal that I left a career as an academic to move into
7 environmental health and justice work, because I was
8 raising my babies in Long Beach. And the more I learned
9 about what it meant to raise kids in degraded air quality,
10 the more I really figured out that I wanted to make an
11 extreme change for my professional energies.

12 So some of the -- really briefly, some of the
13 issues that our communities of Long Beach and San Pedro,
14 and Wilmington and Carson, the port-adjacent cities deal
15 with, of course, are the air quality issues and the
16 community impacts that come from freight transportation
17 and goods movement. We also are surrounded by a ring of
18 oil and gas operations.

19 So everything from oil and gas extraction and the
20 kind of off-drill -- offshore drilling to the pipelines
21 that run under our cities to really literally a ring of
22 refineries around -- around our communities that are
23 really within 500 feet of high schools and parks and so
24 forth. So -- and then, you know, also just kind of
25 thinking back of our community workshops last summer, I

1 think that people are really thinking about what it means
2 to be, what it means to live in very dis-invested cities,
3 very dis-invested communities.

4 And so when we think about the solutions towards
5 that, we're really looking at how is it that -- how is it
6 that people live these experiences and what can we do to
7 not only have the bigger targets about emissions
8 reductions, but really to improve quality of life and true
9 investments in our communities.

10 Thank you. And thank you again for this
11 opportunity.

12 EJAC MEMBER HAMILTON: Somehow I got stuck --
13 yeah thanks, Sean. I didn't have a workplan from you to
14 guide my research.

15 My name is Kevin Hamilton. I'm I registered
16 respiratory therapist. I'm a resident of Fresno,
17 California, and have been since 1986. I'm originally from
18 Youngstown, Ohio, where you get to experience
19 environmental justice firsthand. And at the time I
20 experienced it, it was before it had the name.

21 When the steel mills turned our skies black and
22 our rivers red every day, and we thought that was just the
23 way it should be, where people that regularly sacrificed
24 their lives to go work to every day and make sure their
25 families were fed and housed with the anticipation that

1 they would be taken care of long after they died, which
2 normally was very soon after they retired, if they made it
3 to retirement.

4 This is the kind of history that we want to avoid
5 repeating, and that our technology today allows us to
6 avoid. And it's one of the things that I fight for every
7 day that I have the opportunity to do that.

8 I'm also the Executive Director of the Central
9 California Asthma Collaborative, and a founding member
10 Central Valley Air Quality Coalition and Medical Advocates
11 for Healthy Air. You kind of get from the name that I've
12 been working on air pollution and health for a long time.

13 This actually comes out of personal experience
14 with both my family, where my mother suffers from COPD,
15 and my wife and 2 of my children out of the 4, and 4 out
16 of my 10 grandchildren all of asthma. So a number of them
17 have now moved out of the valley, where they have better
18 health now, are not experiencing all the symptoms from
19 asthma that they were when they lived in the valley.

20 It's unfortunate to me that my children had to
21 move away from me in order to experience clean air and
22 good health.

23 But CCAC works to see a -- San Joaquin Valley
24 where the health of every resident is our foremost
25 concern. And we envision environments and systems of

1 support for health that are reflected in the resources,
2 information, and activities and policies in every
3 community.

4 So when the Governor passed the bill that said
5 health in all policies, I was really thrilled, because our
6 health is our primary asset as a human being. Everything
7 else we have to earn. Our health we get coming in. And
8 it's ours to lose over time. We make bad choices that
9 cause us to lose our health, well, that's on us. But when
10 those choices are taken out of our hands and other people
11 are making those, or we're forced to sacrifice them in
12 order to make a living every day and feed our families, I
13 see that as completely unfair, and a poor decision to have
14 to make.

15 And so the communities that we live and work in
16 every day are making that decision. And I have people who
17 argue with me that in order for them to have a job, they
18 may need to sacrifice something, and that something
19 appears to be their health, simply so that they can go to
20 work every day in an industry that, as a by-product of its
21 economy and value to the society, is also causing
22 significant health consequences to not only the people who
23 work there, but what they often don't realize and the
24 folks who are doing that work don't realize, it's
25 affecting the health of the very people they're trying to

1 protect, their wives, their children, their husbands,
2 their grandchildren.

3 So I think we all do this work every day to
4 change that dynamic, and I think we have an opportunity
5 with this scoping plan, and the subsequent work that comes
6 from that, the policy work, the legislation, the
7 regulations that fall from that, and then, of course, most
8 importantly, how it's integrated and implemented at the
9 system level.

10 And I think it's great to be part of a group
11 where everybody shares those goals in that work. And so I
12 thank you for that opportunity today, Ms. Nichols and
13 Board. This is the way we should meet all the time, and
14 this is the way you should meet all the time. You should
15 just tear that thing down up there --

16 (Laughter.)

17 EJAC MEMBER HAMILTON: -- and, you know -- and
18 this is what we should do is just have some conversations.

19 Thank you.

20 EJAC MEMBER ROSE TARUC: Hello. I'm Mari Rose
21 Taruc. It's great to be here on this joint meeting. I,
22 as an immigrant, grew up in the small town of Delano in an
23 EJ community in the Central Valley. I have worked for
24 environmental justice for 25 years now, and I used to be a
25 young person who was starting out -- Diane remembers me --

1 starting out in the Southwest Network for Environmental
2 and Economic Justice that was focused on Dozens of EJ
3 communities in the southwestern United States and northern
4 Mexico.

5 And as a young person, I was entrusted with the
6 task of serving these dozens of EJ communities in the
7 southwestern, northern Mexico. And so I had the
8 experience and responsibility of visiting EJ leaders
9 in -- in Texas towns dealing with military toxics, with
10 border towns dealing with waste dumps coming from -- waste
11 coming from the U.S., tribal lands who were being mined
12 for uranium and other materials, farm workers, farm worker
13 towns dealing with pesticides and the -- and the injustice
14 to them as workers, and to the urban areas, including oil
15 refineries that explode constantly.

16 And so I found myself working at APEN, the Asian
17 Pacific Environmental Network, for 2 decades. And so an
18 example of the Chevron oil refinery and the daily threat
19 of that, as well as these large explosions that a few
20 years ago sent 15,000 people to the hospital. So not only
21 the daily assaults, but these huge, huge fires that would
22 then happen because these industries are about explosions,
23 and burning, and burning of fossil fuels.

24 And so APEN also -- and the Richmond community is
25 one of the hubs nationally in the climate justice alliance

1 focused on how we -- a just transition project for how we
2 can envision where -- how to transform these communities
3 to have clean energy, and to have local ownership of new
4 industries and technologies in our economy, and to take
5 that back for ourselves. And so I bring that perspective
6 into the scoping plan and this work.

7 BOARD MEMBER SERNA: Hello and welcome to
8 Sacramento County. My name is Phil Serna, and I have the
9 honor of serving on the Air Resources Board now for about
10 3 and a half years. I was appointed in 2013 by Governor
11 Brown. I am the result of legislation that added a member
12 back in 2012, I believe, when then Assembly Member Roger
13 Dickinson sponsored a bill that added a position to
14 represent the 5 regional air districts in and around the
15 Sacramento -- greater Sacramento area.

16 As is the case with Board Member Mitchell and a
17 few of our other Board members, I have, I think, a unique
18 perspective, in that I'm both a practitioner of local
19 governance as an elected member of the Sacramento County
20 Board of Supervisors, but also serve on the local air
21 district here, as well as on the local transit district
22 board of directors. I'm coming off 6 years of serving on
23 our local COG board as well. So almost daily, I see the
24 intersection of much of what we do here, in terms of
25 implement -- policy implementation, resource allocation

1 that's associated with that, as it actually hits the
2 ground. And I think to the delight probably of Ms.
3 Valenzuela Garcia, the lens I really look through,
4 especially in the context of today's meeting, is really
5 looking -- looking at how cap and trade can certainly
6 benefit the disadvantaged communities that I have the
7 honor of representing, communities like Del Paso Heights
8 and South Oak Park here in Sacramento County, some of the
9 poorest areas you're going to see anywhere in this greater
10 Sacramento region.

11 And so I, too, agree this is a historic day. And
12 I'm really pleased to see a great turn out. I did have
13 the pleasure of serving briefly as a liaison from our
14 Board with the EJAC when it was reconstituted a few year
15 back. I'm glad that we do have our dedicated members now
16 representing environmental justice on our Board. I think
17 it's a very fitting complement to work we do, and look
18 forward to getting on with today's work.

19 Thank you.

20 EJAC MEMBER SHAKUR: Hi. My name is Kemba
21 Shakur. And I'm the executive director and founder of
22 Urban Releaf, an urban forestry organization. Prior to my
23 work with Urban Releaf, I worked at Soledad Prison. And
24 at Soledad I saw -- being born and raised in San
25 Francisco, I saw a lot of the males that I grew up with

1 there. Once I left Soledad and moved to Oakland, I was
2 amazed at the lack of greenery. The prison grounds had
3 more greenery than many other streets of Oakland.

4 I wanted to create a program -- or I created a
5 program actually 18 years ago, where I wanted to merge
6 young people with green jobs and training. So within the
7 last 18 years, we've planted over 17,000 trees, engaged
8 local youth around environmental justice -- well, no,
9 excuse me, around environmental education, job training,
10 and environmental awareness.

11 Another really positive thing that we've done is
12 engaged in research. We've engaged in over four or five
13 research projects with Center for Urban Forestry Research,
14 and equated trees as they relate to water, air,
15 psychology, and tree mortality.

16 I first got involved with the environmental
17 justice movement I think round 2006. Margaret Gordon
18 said, you know, she was focused on the port and goods
19 movement, but she was like we need a tree person.

20 (Laughter.)

21 EJAC MEMBER SHAKUR: Because I kept telling her,
22 hey, trees are the solution, you know, so -- so with that,
23 I'm really glad to be a part of this Committee. I've
24 learned a lot and am learning every day about policy.

25 Thank you.

1 DEPUTY EXECUTIVE OFFICER CHANG: Hi. I'm Edie
2 Chang. I'm with the California Air Resources Board. I'm
3 a Deputy Executive Officer, and I oversee our climate
4 change programs. So I was one of the early staff to start
5 working on climate change programs. And I worked on the
6 first scoping plan. I worked on the second scoping plan,
7 and we're working on this round, the third scoping plan.

8 EXECUTIVE OFFICER COREY: I'm Richard Corey,
9 Executive Officer of the Air Resources Board. And when I
10 joined the Board, actually it was the result of some
11 legislation, toxics legislation, that had been passed in
12 1983. So I came to the Board in '85 and worked on a
13 number of toxics regs, and believe in our mission, but I
14 also believe in learning, and being as effective as we
15 can. I'm really looking forward to the discussion today.

16 So thank you.

17 MODERATOR LUCERO: Okay. And Board Member De La
18 Torre we skipped over you.

19 BOARD MEMBER DE LA TORRE: Thanks. Sorry, I had
20 to step out to get a call.

21 I think this is great. We had the session last
22 week in Berkeley, where we talked about some of these
23 issues. Obviously, last month at our regular Board
24 meeting, we had a conversation about this. And I think
25 it's very important for us, as -- at the Board, to really

1 go through all of those recommendations that you presented
2 to us, and identify the things that we can move forward
3 on, and frankly not wait for a scoping plan.

4 If it's stuff that can be done short term, we
5 should jump into it. If it's stuff that can be done
6 medium term, then we put that obviously in the scoping
7 plan, and then long term in the scoping plan.

8 In my time on the Board, we've had a few issues
9 related to goods movement, things that I -- that I
10 personally experience in my part of California, goods
11 movement is very, very important, railyards, the trucks,
12 the ports. And so in my time on the Board, I have felt
13 that we're always kind of waiting for something more. And
14 I think it's just time. It's time to move forward.
15 Obviously, we'll put it into the scoping plan as we see
16 fit, but we need to use all the tools at our disposal.

17 Cap and trade is part of it. Our regulatory
18 authority is part of it. Toxics control, we don't do
19 that, but we know the people who do. GGRF is part of it.
20 So all of the tools that we have here at CARB and with
21 sister agencies, we need to bring into this cause, because
22 the impacts aren't just ours, the stuff that we oversee.
23 The impacts are happening -- water as well -- our
24 happening in these communities, and my community, and we
25 need to come up with a bigger framework than just the

1 cap-and-trade framework, because it is -- it's -- the
2 impacts are all over the place.

3 And so that's what -- where I would like to see
4 this end up, and I think we can. I think this dialogue is
5 part of that.

6 Thank you.

7 MODERATOR LUCERO: Mary, did you want to give
8 just a quick overview of kind of the expectations of what
9 we take from the discussions today moving forward,
10 timeline, and so forth?

11 CHAIR NICHOLS: Sure. Several of us had an
12 opportunity to meet with Stephanie by telephone prior to
13 today, and that's where the agenda came from.

14 And again, the idea is that the Environmental
15 Justice Advisory Committee members will present the
16 recommendations in groups, basically, based on the work
17 that they did to get to those recommendations. These --
18 this is not the first time that they've been presented to
19 the ARB, but it will be the first time that we've had a
20 chance sitting around the table to talk about them.

21 And the hope is that board members will get a
22 chance to ask questions informally that we can -- you
23 know, this is not a hearing. Obviously, that was one of
24 the reasons for having the meeting arranged this way.

25 But the -- I think that respecting our roles

1 means that we get to hear from the Committee something
2 about how they arrived at their recommendations, not just
3 the bottom line, which we could read for ourselves, but
4 really the thinking behind the recommendations, and that
5 the Air Resources Board members will also get a chance
6 again, hopefully in a pretty informal way, to ask
7 questions or comment in a way that is designed to try to
8 further all of our understanding.

9 I know everybody those this, and it sounds maybe
10 a little bit too basic, but at the end of the day, the Air
11 Resources Board is charged with developing a scoping plan
12 and regulations. Under the climate legislation, we also
13 have the overarching responsibility for achieving air
14 quality standards in the State of California.

15 One of the reasons why -- I think, in many ways,
16 probably the main reason why the legislation that created
17 the California Climate Program, also called upon the Board
18 to create an Environmental Justice Advisory Committee, was
19 a concern on the part of the legislature that in beginning
20 to deal with this global issue of -- of climate change,
21 that the Board would lose its focus, lose its a -- lose
22 attention, or even perhaps do things that might avoid its
23 responsibility to deal with health problems of residents
24 of the State of California, in the interests of, you know,
25 moving ahead on this international agenda.

1 And so they wanted to make sure that we heard
2 from people who actually represented the communities that
3 are the most impacted by our current levels of pollution.
4 And the Environmental Justice Advisory Committee was one
5 of a couple of committees that were actually called for by
6 AB 32. But the other 2 pretty much disbanded, because
7 they gave their recommendations. They weren't necessarily
8 all followed, but they felt like they had done what they
9 could do as committees. And most of the members of those
10 committees -- well, all of them were either
11 representatives of a long-standing industry organizations,
12 or environmental organizations, or academics who had
13 ongoing relationships with the Air Resources Board in one
14 place or another.

15 And the environmental justice community, as an
16 organized presence in California, still seems to be
17 relatively, new compared to the other entities, and more
18 of a more of a situation where the Board really needed to
19 have an opportunity to get formal advice from people who
20 came from the constituency. So we -- we reconstituted the
21 EJAC after the original scoping plan, and have had now the
22 opportunity to, I think, do a better job, at least in
23 terms of engaging at the staff level, having opportunities
24 for the EJAC members to introduce ARB staff to many
25 members of their communities, through the events that

1 we've gone out and done around the state, and also to get
2 to know our folks, and some of the thinking that goes into
3 their work.

4 But, you though, we still have a situation where,
5 you know, we have another plan to do, and we need to hear
6 from the Environmental Justice Advisory Committee as a
7 group, as well as hopefully individuals as well. It
8 seemed like this was a good opportunity to do that.

9 I think in terms of expectations of where we
10 would end up, it would be wonderful if, at the end of the
11 day, we adopted a plan, and, you know, the Committee got
12 up and said that's just wonderful. It's just everything
13 we ever hoped for.

14 I think that's probably not likely to happen.
15 But what I really am hoping for is that we can acknowledge
16 the areas where we have really responded to advise that we
17 were given to the -- that we can note things that we've
18 done that were a success, as well as those that weren't,
19 things where we need to do further work, and that we can
20 come up with a process, whereby if we don't agree, we can
21 park -- we can park an issue and continue working on it,
22 so that, you know, if the scoping plan that does get
23 adopted isn't everything that you all hoped it would be,
24 that that isn't the end of the story, that some issues may
25 get addressed, either in later implementation of the plan,

1 in further planning efforts, or even possibly in other
2 places where -- whether at the ARB, in our regulatory
3 proceedings, or in working with other agencies around the
4 State as well, because a number of the issues that you all
5 have identified, and that we've identified, are things
6 where we need other agencies, and frankly, other resources
7 to be involved in actually accomplishing what our goals
8 are, like, you know, changes in the priorities for
9 transportation funding, just by way of a simple example.

10 So having said that, that's what I hope we can
11 get out of this next -- this next half of the program, and
12 looking forward to it.

13 MODERATOR LUCERO: So. Before we go to the next
14 step, which is really for the EJAC to give an overview,
15 and start a discussion on the sectors, just a quick
16 reminder, if you do have a question or comment, pull this
17 up this way. I'll keep track as best I can of order of
18 preference. Anybody want to add anything before we move
19 on to the sector and recommendations?

20 All right. Let's get down to business.

21 All right so for those -- Diane.

22 BOARD MEMBER TAKVORIAN: I don't if there's a
23 webcast -- no. So it's internal webcast.

24 MODERATOR LUCERO: No. It's internal to ensure
25 that ARB staff that need to hear these conversations can,

1 and we have enough room the public.

2 BOARD MEMBER TAKVORIAN: Thank you.

3 MODERATOR LUCERO: Mari Rose, mic.

4 EJAC MEMBER ROSE TARUC: Just for notes, so
5 somebody is officially taking notes, right, so that we can
6 report back.

7 MODERATOR LUCERO: We have court reporter.

8 EJAC MEMBER ROSE TARUC: Court reporter.

9 And then is it possible -- so some of us,
10 especially from this morning's EJAC meeting, are really
11 visual in terms of like next steps, can we -- is there --
12 can we get a flip chart to -- all right. Very good.

13 Thank you.

14 (Laughter.)

15 MODERATOR LUCERO: I'm here for you, Mari.

16 (Laughter.)

17 MODERATOR LUCERO: All right. Any other process
18 or quick questions?

19 While we're on process, you know who you are,
20 turn those phones to silent. We had a couple ring. Just
21 put them to silent or turn them off, if you can. I've
22 been there myself. I understand.

23 All right. So with that, let's move on to our
24 EJAC.

25 Who's going to be doing our overarching issues

1 discussion?

2 Mari Rose.

3 Okay, Martha.

4 EJAC MEMBER DINA ARGÜELLO: Well, I mean, I think
5 that our overarching issues have pretty much stayed the
6 same -- consistent, I think, for almost every single EJAC.

7 And before I go into them, I did want to sort of
8 give you a little bit of what lies behind our thinking.
9 And when Mari Rose and I were prepping I kept thinking of
10 a scale, right? And if you think of the scoping plan as a
11 scale that has to improve air quality, set the stage for
12 this new economy that we want to propel, that's not based
13 on the extraction and burning of fossil fuels. But also
14 part that's embedded in AB 32 is this idea that you're not
15 going to make things worse for communities that are
16 already here, right?

17 So how do you balance that scale with benefits
18 and burdens? And how do we understand this information
19 that we're getting that we -- that we've -- that we've
20 known on the ground that if you're not careful with a
21 Cap-and-Trade Program, there is this risk of increasing
22 air pollution. And that's actually what we're seeing now
23 in -- we've begun to see some of that information in these
24 early warning systems.

25 And so that really is shaping our thinking, that

1 we've got to figure something out. And, yes, I know we're
2 not going to get everything. But I think it's important
3 to go back to that mission that we feel all of us have of
4 improving air quality, creating a new economy, and a just
5 transition, and balancing those benefits and burdens, and
6 making sure that the communities that have been sacrifice
7 zones are now ones that we invest, and we build the
8 amazing resilience.

9 Because we have to remember that given all these
10 assaults, our communities are amazingly resilient already.
11 And so what -- and I'm going to borrow from Margaret
12 Gordon, since we've talked about her today. It's about
13 making sure that our communities are able to thrive, and
14 those are 2 very different things.

15 And so our overarching concerns have been related
16 to how we do that. And that's -- one is around
17 encouraging public engagement in a different conversation
18 right with the Air Board. And this idea that health comes
19 first, right, and that those health benefits have to be
20 measurable. So we want to be able to demonstrate those
21 community level solutions, and what are the -- what's the
22 information and the tools that we need with CARB to be
23 able to show the community level improvements.

24 And we also believe that there is a continuing
25 life for EJAC. And the one difference between EJAC and

1 the other committees that were in the bill is that we were
2 not -- there was no sunset date for us, right, because
3 achieving environmental justice and balancing those scales
4 is an ongoing work.

5 And so this idea of grounding our work in
6 equity -- I'm going to kind of deviate a little, because
7 of what's been said. So I want us -- and I said this at
8 the last Board meeting, our attempt here is to make this
9 program work as best as we can, and we are partners with
10 the Air Board in doing that. And that's going to require,
11 on both of our sides, some compromise, and some looking
12 beyond the dogma of what's -- what we have versus what is
13 possible.

14 And so while we are right now, you know, as an
15 original member of EJAC, and one who sued around the
16 scoping plan, we continue to feel that the scoping plan
17 lacks real specificity on what are those health benefits
18 that are going to come, and we recognize the data gaps in
19 getting there, and so we want to work with you to get
20 there.

21 We also realize that until there is an
22 acknowledgement that there is another way, that we can
23 reduce air emissions, that we can put a price on carbon,
24 and we can improve air quality and health. Until we
25 acknowledge that there is that other way, we're a bit at

1 loggerheads. And so need a commitment from the staff and
2 the Board to examine the possibilities of a carbon tax.
3 And I got quoted in NPR, and I'd had too much coffee, and
4 I was kind of pissed off --

5 (Laughter.)

6 EJAC MEMBER DINA ARGÜELLO: -- and I said, "I
7 don't care about political expediency", just in case any
8 of your heard it.

9 (Laughter.)

10 EJAC MEMBER DINA ARGÜELLO: And I do care about
11 political expediency, but I care more about people's right
12 to breath clean air. And so we actually need to not get
13 so stuck that this is the only way, and see that there
14 might be another way to achieve the benefits that
15 community people want, right -- because we get fixated.
16 This is the juice I like. If you give me another one, I'm
17 not going to like it, but I'm might -- I won't taste it,
18 right, if I'm my 7-year old niece, huh-uh.

19 So we need to be flexible and say that there is
20 another way, and actually credibly look at that other way
21 with a carbon fee. And I know you gave me a minute, but
22 I'm going to pretend I didn't see it.

23 (Laughter.)

24 EJAC MEMBER DINA ARGÜELLO: And the other part of
25 the overarching issues is that we really need to be

1 partners in collecting the data that will allow us to
2 evaluate and you see as our -- we are your troops for
3 ground-truthing, right? We are your boots and pumps on
4 the ground that will help you both protect the program and
5 make it better. And that's where we want to be with the
6 Board and staff.

7 Thanks.

8 CHAIR NICHOLS: So can I just ask one question,
9 is that all right?

10 My question is about the scoping plan versus
11 other places. I know we're here to talk about the scoping
12 plan, and that's what's before the Board at the moment,
13 but you also know, because you've worked in this area for
14 a long time, but there's a State Implementation Plan,
15 there are local district plans, there are things that both
16 our -- doing what we want them to do, and there are things
17 that maybe are not doing as much as we want them to do.
18 And I guess I'm asking if your conversation is intended
19 more broadly, if your comment is intended more broadly?

20 EJAC MEMBER DINA ARGÜELLO: Yes. And I have to
21 say, and I almost feel like this is with my PSRLA hat, I'm
22 working in the South Coast, and my staff is working at the
23 South Coast on the AQMP. And then I know that that
24 relates to the SIP. I'm not the lawyer. I'm not the
25 policy -- you know, but I know that they're related.

1 And sometimes I feel like we're not having --
2 like why is this conversation that we have here at EJAC
3 feel so separate from the worker that we're doing on the
4 ground, whether it's on zero -- you know, on the freight
5 stuff that's happening at both South Coast and in the
6 Central Valley?

7 And so maybe there is -- I think that's a really
8 good question, like, how do we see the full scope and --
9 yeah, the full scope of the things that are going to get
10 us to those goals?

11 CHAIR NICHOLS: Thanks.

12 MODERATOR LUCERO: And I'm just going to point
13 out, because I don't see any cards, the EJAC does have a
14 set of coordination recommendations in appendix that
15 relate to some of this I think that what you're talking
16 about, Martha.

17 John.

18 BOARD MEMBER BALMES: Thank you, Martha. Just a
19 quick response. This is an idea that I haven't vetted
20 with my Board colleagues, staff, or otherwise. But even
21 if our current analysis, which I've been briefed on,
22 suggests that cap and trade -- continuing cap and trade is
23 sort of the best way to go in terms of greenhouse gas
24 emissions right now, curbing them, I think it would be
25 nice for the scoping plan to say that we have an open mind

1 about the future.

2 We have a big, you know, lift to get to the
3 greenhouse gas emission reductions that we need to. And
4 it may be that cap and trade isn't the way to get all the
5 way there, so -- and I'm not considering political
6 expediency when I look at my colleague Hector.

7 (Laughter.)

8 BOARD MEMBER BALMES: But it just seems like
9 having that in the scoping plan, that we have an open mind
10 for the future would be a small way to respond to the
11 legitimate concerns of EJAC.

12 Just an idea.

13 EJAC MEMBER ROSE TARUC: I agree with John on
14 that open mind. I also wanted to raise -- so we were
15 presented with 5 scenarios basically in the scoping plan.
16 And even yesterday, we were getting briefed by the staff
17 on those scenarios, and we're -- and even some of the
18 discussion from the last Board meeting when EJAC
19 presented, there was such an interest in health metrics
20 and air quality metrics in looking at -- and evaluating
21 which scenario is the best for California.

22 And so yesterday, even in the staff briefing, we
23 did not see what those -- like any health or air quality
24 metrics in those scenarios. They would say, well, these
25 are -- these are advantages to this scenario, and these

1 are -- these are disadvantages, but -- or downsides, but
2 then none of them actually talked about health and air
3 quality.

4 And so we want to see in the scenarios those
5 health metrics, so that we could see, well, this might be
6 good on the economic side of things, but this is -- this
7 scenario is better in terms of health outcomes, especially
8 for EJ communities, et cetera. And so we haven't seen
9 that yet, and we want to see those in the scenarios.

10 And I wanted to see is there -- maybe, Edie,
11 like, is there some of that already going to happen before
12 the full -- before the final draft is put out.

13 MODERATOR LUCERO: Any responses?

14 VICE CHAIR BERG: I just wanted to understand and
15 get a clarifying question, is -- are these health metrics
16 and air quality metrics, is it a one-size-fits-all in
17 every community?

18 EJAC MEMBER ROSE TARUC: Well, Martha, do you
19 want to --

20 EJAC MEMBER DINA ARGÜELLO: Ask me that again?

21 VICE CHAIR BERG: So when you're asking for these
22 health metrics or the air quality, I just wanted to
23 understand is it the same metrics for every community? Is
24 it a one size fits all?

25 EJAC MEMBER DINA ARGÜELLO: And Dr. Balmes and I

1 both worked on the Environmental Health Tracking Program,
2 so we probably both -- so, yes. So there's part of it
3 where we actually -- it has very little to do with CARB,
4 but you could really help is in pushing the Environmental
5 Health Tracking Program, local health departments to do a
6 better job of geocoding and collecting data.

7 The other piece is around air monitoring, right?
8 What's happening with particulate matter? What's
9 happening with other toxic air contaminants?

10 And so that early warning system that's supported
11 by data is what we want. So, yes, we should be tracking
12 birth outcomes. We should be tracking actual asthma
13 cases, not just ER visits. There's a whole series of
14 things, and then there's the air monitoring, very
15 localized. And you could right now say, you know, if this
16 is a community that has 10 traded entities, we should be
17 very, very carefully tracking all emissions, right,
18 because that's how you get it. And I will stop, because
19 he's the Ph.D.

20 BOARD MEMBER BALMES: M.D. not Ph.D.

21 Well, I just was brief -- I was just briefed
22 by -- I was just briefed by staff this morning about the
23 scoping plan, and they -- I missed the January meeting,
24 where this apparently came up, but I was very pleased to
25 hear that there's an effort by staff to monetize health --

1 potential health benefits of cap and trade.

2 It's not exactly what you're asking for and I
3 totally support better track -- as you know, better
4 tracking of health outcomes across California, but
5 especially relating to disadvantaged communities.

6 And you know CalEPA -- CalEnviroScreen gives us,
7 you know, an opportunity to do this. And all I can say is
8 I totally agree that we should be trying to gather data on
9 the public health impacts, negative or positive, with
10 regard to our policies, including cap and trade, but
11 across the board actually.

12 EJAC MEMBER DINA ARGÜELLO: It's really important
13 that whatever instruction is given, it's about measure the
14 impacts, because if you -- if I'm -- you're my boss and
15 you give me an assignment to go find you benefits. You
16 know what I'm going to do? I'm going to go find you
17 benefits. But if I'm assignment is to find you impacts,
18 that's different. And I think that's a really important
19 distinction.

20 MODERATOR LUCERO: Martha, you're a little soft
21 spoken, so I'm going to make sure speak right into the
22 mic.

23 EJAC MEMBER DINA ARGÜELLO: Nobody has ever said
24 that to me.

25 (Laughter.)

1 MODERATOR LUCERO: You're trying to behave.

2 (Laughter.)

3 MODERATOR LUCERO: Okay. So I next have Diane.

4 EJAC MEMBER ROSE TARUC: Is there a staff
5 response wondering -- I asked if, from staff, there is
6 going to be health metrics for assessing the 5 scenarios
7 that are presented in the scoping plan.

8 DEPUTY EXECUTIVE OFFICER CHANG: So as Dr. Balmes
9 said, we're in the process of -- you know, we did get some
10 Board direction on this, so we're in the process of
11 looking at how we can provide health outcomes, and then
12 monetize those health outcomes for the different
13 scenarios.

14 There is also a table that's in the draft scoping
15 plan that provides estimates of the criteria pollutant
16 emission reductions from each of the proposed measures
17 that are in the scoping plan. We're going to restructure
18 that table, so it's easier to see what it looks like from
19 each different scenario. And then we're also continuing
20 to talk to folks to see if there's any other additional
21 health work that we can do.

22 MODERATOR LUCERO: Diane.

23 BOARD MEMBER TAKVORIAN: Yes. So I appreciated,
24 Mary, you question about how does all this fit together?
25 And I know you asked it more eloquently than that, but I

1 think that's the question that our communities have been
2 asking. And frankly, I've experienced some frustration on
3 the part of Board and staff in regards to that question
4 getting asked, because what I think we're all really about
5 is healthy communities.

6 And so what's the plan for that? And if the plan
7 for that is, you know, 500 parts, and we've got to be at
8 the air district, and we've got to be at the ARB, and
9 it's -- it's just very diverse and very spread out, and
10 we're really not sure what it all adds up to, then that's
11 really not good enough.

12 Really, our communities deserve to be healthy,
13 and we do -- while I absolutely support what Martha is
14 saying about tracking and monitoring, we know a lot. So
15 we know a lot right now about what communities are the
16 most impacted, what communities have folks in them that
17 are very sick, kids that are very sick. And it's our
18 obligation to do all we can about that. And I think it's
19 diverse. I don't think it's a one size fits all.

20 And frankly, I'm a little -- I think on many
21 sides, you know, this odd allegiance to cap and trade -- I
22 appreciate what you said about -- I remember, the Governor
23 was very enamored with -- let's -- with cap and trade.
24 There's this market mechanism. This is going to make it
25 right for everyone. And I think we're seeing that perhaps

1 it isn't. But if it -- if it is, then we need proof of
2 that, and I don't think that's on the table yet.

3 But I really appreciated Martha's comments of
4 let's see what else there is out there, and I don't really
5 care what we call it, whether it's cap and trade, or Pete,
6 or, you know, whatever it is. Let's -- let's do what we
7 think is the right thing to do that will reduce the
8 emissions and reduce the illness and environmental
9 degradation in our communities.

10 You know, what's the best path for that, and how
11 do all these things come together? And I know we're going
12 to talk about it more, but I feel like there's very
13 inadequate analysis of what the economic impacts are from
14 a non-cap and trade perspective alternative.

15 And we just -- as a Board member, I feel that I
16 couldn't support something that was vaguely stated to be
17 the best for the economy without real strong data. And I
18 think that's where we are. And if it's about the same,
19 then why not try something that is potential going to be
20 much better for our communities from a health perspective.
21 So that's what I would ask us to be open to as we move
22 forward.

23 MODERATOR LUCERO: All right. I have 5 people in
24 the queue and we've got about 3 minutes on this topic,
25 before we start interrupting the next one.

1 (Laughter.)

2 MODERATOR LUCERO: So if this meets into other
3 sectors, think about that.

4 So, Katie.

5 EJAC MEMBER VALENZUELA GARCIA: I will be quick.
6 I think -- I appreciate the comments, because one of the
7 things that we've been talking about an overarching themes
8 and that we mentioned at the Board meeting is that we have
9 no real clear vision of what 2050 looks like, what type of
10 economic activity is going on, what type of jobs are
11 people doing, what do these communities that have been
12 built around oil, and ag, and biomass, what are they going
13 to look like if we shift to something cleaner?

14 And that is beyond looking at just cap and trade.
15 That is beyond -- I mean, we've brought up questions about
16 what about the air monitors. You know, what if there's
17 miles between air monitors, and in the middle we have this
18 census tract with really high respiratory illness death
19 rates?

20 Like something has got to be wrong, if we're
21 seeing really high respiratory illness death rates
22 somewhere, and we're missing it. But what struck me, when
23 I joined this Committee -- obviously I wasn't on the first
24 2 -- was when I read the recommendations of previous
25 EJACs, a lot of the responses were just oh, well, that's

1 beyond the scope of the scoping plan, which I found kind
2 of like contradictory in terms, but -- like we're scoping,
3 so why can't it be beyond the scope of something that's
4 supposed to scope what's possible.

5 But I didn't see a lot of effort to really say,
6 well, this is where it ties in. This is where our
7 accountability as ARB, even though we're just looking at
8 the scoping plan, we're going to commit that in our air
9 quality monitoring system. We're going to be looking at
10 how to address this concern. Like it was just, oh, beyond
11 the scoping plan, done. And I'd like to see that
12 conversation stop as we move forward into this next
13 scoping plan process.

14 MODERATOR LUCERO: Thank you for being quick
15 Katie. Remember, we do have a court reporter. Not too
16 quick.

17 (Laughter.)

18 MODERATOR LUCERO: Eleanor.

19 EJAC MEMBER TORRES: Just really quickly, I did
20 leave -- and I don't want to delay the issue. I agree,
21 again, Martha, that -- and everyone else it's talking
22 about the data, and, I mean, the OEHHA report just --
23 yeah.

24 I have made some comments, but I sent to Trish
25 virtually a list of things that at least our team in San

1 Bernardino is looking at, in terms of the different plans
2 have been out there evaluating cap and trade and other
3 scenarios, as well, including a report from Driscoll on
4 U.S. Power Plant Carbon Standards and Clean Air and Health
5 Co-Benefits; EDF report on Public Health and Societal
6 Economic Benefits; the Greenlining Institute, California
7 Climate Investments Reducing Poverty and Pollution; from
8 MIT Joint Program, Market Versus Regulation: The
9 Efficiency and Distributional Impacts of U.S. Climate
10 Policy Proposals by special Sebastian Rausch and Valerie
11 Karplus; The Climate Trust: An Evaluation of Potential
12 Carbon Pricing Mechanism of the State of Oregon
13 Legislation;

14 An Analysis of Public Health Impacts of the
15 Regional Greenhouse Gas Initiative prepared by ABT
16 Associates; EDF Carbon Market California, a Comprehensive
17 Analysis of Golden State and Trade Program, Year 2014.

18 And some other reports that we've been slowly but
19 surely making our way. I say this only because, I mean, I
20 feel very conflicted. On one hand, I hear my colleagues
21 expressing a real concern with cap and trade, but at the
22 same time, I'm actually seeing extraordinary amounts of
23 benefit in my community that does address public health
24 and the work towards reducing air quality, as well as
25 economic opportunities.

1 So I just want to bring that out, and if
2 possible, perhaps that list could be included in terms of
3 passing that out through my colleagues, because I would
4 really love to get their input on some of these reports as
5 well.

6 MODERATOR LUCERO: So I have Luis, Kevin, and
7 John -- no, not John. I thought I saw John -- and Phil.

8 A minute or less, and then we need to move on to
9 the next one. Sandra, yours was before, right?

10 (Laughter.)

11 Luis.

12 EJAC MEMBER OLMEDO: I just want to add to the
13 conversation of metrics and monitoring, and going back
14 to -- I hope I don't misquote, but Board Member De La
15 Torre mentioned, what are the short-term goals. I really
16 think these metrics are short-term. And I just wanted to
17 cite here, it's like a budget adjustment that was done
18 last year. And it says that \$2.3 million were allocated
19 to add more monitoring, and it says here, such as
20 enhancing our community monitoring for toxics methane,
21 particularly near disadvantaged communities, and other
22 highly impacted communities, such as Porter Ranch near
23 Aliso Canyon.

24 So clearly, I mean, there's a way to expedite, to
25 fast track these types projects. I just think there's got

1 to be the interest and the will -- willingness of the
2 agency to do this. And so I just wonder, why isn't it
3 happening already. I mean, it seems like it's been years
4 that these low cost technologies, or just other types of
5 regulatory monitors that may be cost effective to deploy
6 in disadvantaged communities could happen right now.

7 So I'm just wondering why wait? Why does it have
8 to be a 10-year plan, and then 5 years later, then we're
9 now 15 years. I mean, these things just take too long
10 and -- and I hope that after today, you know, given that
11 all board members are here, EJAC members are here, it's
12 been an active discussion. There's plenty of evidence,
13 plenty of research out there that can at least get the
14 agency involved, and not try to find out where are we
15 going to get the money from.

16 And I'm taking more than a minute.

17 But I know that's part of the argument is where
18 is the money going to come from? Well, somebody found
19 \$2.3 million to take to Aliso Canyon or Porter Ranch. I
20 mean, the money is out there. I mean, there's, you know,
21 this, you know, funds. But anyhow. I hope that we can
22 walk away with some concrete directive, I guess.

23 Thank you.

24 MODERATOR LUCERO: Kevin.

25 EJAC MEMBER HAMILTON: So I think it -- yeah.

1 So there's a sense of urgency here that we feel
2 with regard to the health consequences. I don't think I
3 was -- I use the word "underwhelmed" with, I guess -- and
4 I won't do that lightly, because I don't like to cast
5 aspersions on my colleagues in the public health arena,
6 but I really was by the OEHHA health report.

7 I thought that it didn't well illustrate the
8 consequences of greenhouse gases, especially things like
9 black carbon, which were kind of glossed over and passed
10 off as this is well understood. Well, if it's well
11 understood, then you need to enumerate it in the report.

12 And what we find is a lot of, especially with
13 carbon, black carbon, and -- I'm talking about carbon in
14 terms of CO₂, and black carbon in terms of especially
15 elemental carbon, and methane, these are produced by
16 industries or by activities that also produce criteria
17 plants by their very nature.

18 So with elemental carbon, you're talking about
19 combustion, whether it's pressure combustion - a fancy
20 name for diesel - or other compressed gases that don't use
21 a spark or spark-ignited combustion, or in the case of
22 these other -- of CO₂, again massive amounts of CO₂ are
23 produced as part of oil and gas production, for instance,
24 and also as part of combustion. So there are markers for
25 the things that happen to your health.

1 And we use markers all the time in health. We
2 use these proxies, because we can't measure the direct
3 impacts of this particular insult. So we have to use
4 something else that is always riding along with that one,
5 so to speak.

6 And so we do have that information. We need to
7 talk about that. I'm seeing reports that are
8 being -- that are clearly illustrating long-term genetic
9 consequences to this pollution that we're breathing. We
10 see work out of -- out of Stanford and other places that's
11 telling us that especially in the region I live in in the
12 San Joaquin Valley, we may be affecting children's immune
13 systems at the fetal stage, and this effect may last for
14 life compromising their immune systems.

15 There is a sense of urgency here. We know it's
16 affecting the health of those of us who are breathing
17 today, but the consequences to these young ones, who are
18 not equipped to defend themselves in any way, shape, or
19 form, and yet are going to live with these consequence
20 potentially for life.

21 And as we've learned in the L.A. Children's
22 Study, where long-term association with things like ozone
23 are causing their lungs to be underdeveloped -- which, by
24 the way, when your lungs are done at 23, they're done for
25 life. So if they're not where they're supposed to be

1 then, you don't get to build more back later on.

2 So there's an urgency to this that I feel, and I
3 think everyone should, to get this done and get it over
4 with. And we need to think globally, and we need to
5 consider all the opportunities. One of the things with
6 the different scenarios I said is, well, let's combine
7 those.

8 I see the red flag. Trust me, I do Stephanie.

9 All right. Thank you.

10 BOARD MEMBER SERNA: So, so far, I really
11 appreciate all the comments that have been issued. And I
12 know we need to move on, but I think it's really important
13 that Katie's questions about, you know, the scope of the
14 plan and kind of this boilerplate, or what's perceived to
15 be as a boilerplate response, you know, something is
16 outside the scope of the plan, needs to be addressed. And
17 I'm looking to Richard or Edie before we go further,
18 because I think that's a real structural respectful
19 disagreement that really warrants an answer at this point.

20 Otherwise, I think it's going to -- at least for
21 me it's going to hang out there like a footnote to the
22 rest of the discussion.

23 EXECUTIVE OFFICER COREY: Supervisor, let me take
24 a stab at this, because I think it is an important
25 question. And I was actually -- and a few of the

1 commenters, both the EJAC members and Board members
2 touched on this, and that is that the nature of the -- of
3 the problem matters. And what we're really talking about
4 in many cases are community-focused problems. And that
5 could be elevated exposures to chromium. That could be
6 associated with the combustion of fuel. It could be a
7 refinery. It could be, in some cases, an auto body shop.

8 And what I'm getting at is -- and I think you're
9 right in terms of the recognition in the scoping plan, not
10 just a punt, that, hey, this is outside of even
11 necessarily climate policy. I think one strategy to me is
12 clear is that, one, there's a lot of arrows in the quiver
13 to deal with issues. And if the point is there are not
14 enough, we should be talking about that.

15 The next point is it's -- it is not one strategy
16 that gets at even everything I just talked about. And I
17 think the point is a clear characterization, these are the
18 problems. These are the issues, and I think I named a few
19 of them. And I think that leads you pretty quickly to why
20 haven't they been addressed, and what are the existing
21 levers?

22 Are the permit -- local permit limits not tight
23 enough? Do we not have a toxics rule? Is the toxics rule
24 that we have not getting it done? Because there are those
25 authorities, and there are those instruments that could be

1 more effectively called out, but to me ultimately it's
2 about action, and I think -- I think a clear
3 characterization of the issues, and the potential
4 responses. And I think where that leads, honestly is in
5 some cases do the climate actions, can they get at it?
6 Probably in part. In some cases maybe even effectively,
7 but not completely. I think it's -- but then it leads you
8 pretty quickly to what are the options?

9 So I think a more complete characterization of
10 the issues and what the responses, and even if the
11 response is not a GHG measure. Does that make sense?

12 BOARD MEMBER SERNA: Thank you.

13 MODERATOR LUCERO: Okay. So we have a couple of
14 commonalities that I'll start plotting on the Board, but I
15 want to make sure we get to the next group, and then we'll
16 confirm that everybody agrees with the commonalities that
17 are kind of coming out of the discussion.

18 So let's move on next to energy, green buildings,
19 and water.

20 Microphone.

21 EJAC MEMBER TORRES: All right. So our group
22 looked at energy. And some of the highlights that we're
23 looking at is a need to get away from fossil fuel and
24 start bringing renewable sourced energy to our specific
25 communities, as well as lead with community-based

1 innovation on all the issues that we're dealing with, in
2 terms of energy, green building, water.

3 Energy in terms of we think it's important to --
4 if we're going to be purchasing energy from other states,
5 we need to be purchasing clean energy -- from clean energy
6 sources. We need to runoff of more solar, and not be so
7 dependent on the utility systems.

8 We also need to look at energy pilots for whole
9 communities, so we can start articulating local generation
10 and taking -- coming away from the distributed system.
11 Also, looking at retrofits -- and all of these kind of
12 overlay with each other also. Retrofits that can allow --
13 or upgrades that allow for energy usage in terms of
14 charging stations, as well as being able to handle your
15 microwaves and everything else, so you don't blow all your
16 circuits.

17 In terms of water, we were discussing the need
18 for residential water capture systems, specifically
19 provided to DACs. We need to be able to plumb DAC
20 residents to use greywater, whether that's in irrigation
21 or other ways. We also need to take all these different
22 ideas and integrate them much more effectively.

23 Let me get back to green building. The group
24 also expressed a need to emphasize -- more emphasis on
25 retrofits, not just new builds. Looking at 50 percent

1 more efficiency with green builds.

2 All these strategies help bring us to a place of
3 dealing with the economic issues, in terms of jobs, and
4 even potential businesses when we start talking about
5 weatherization of homes, or even as my colleague Rey León
6 was saying, being able to switch out streetlights for
7 instance. These are different skills that we could
8 certainly be training others to do, so that they can be
9 more job ready.

10 But like I said, these are -- these strategies
11 really address the need -- address how we can better our
12 air quality, provide more economic opportunities, and
13 certainly better public health to our communities.

14 One other -- a couple of other things was that we
15 were -- I was asked to also say that we -- we need to
16 start looking in terms if we're going to be bringing these
17 investments to the communities. They cannot be
18 reimbursements. They have to be direct to install,
19 because our DACs cannot afford a reimbursement process.
20 We also need to integrate forest management and upper
21 watershed management for suppression of mega fires.

22 If we do this, we get water supply and quality --
23 we -- if we do this, we can start really shoring up our
24 water supply and the quality of our soil.

25 That's it in a nutshell. What do you think? Did

1 we get it.

2 EJAC MEMBER BAILEY: (Nods head.)

3 EJAC MEMBER TORRES: All right.

4 (Laughter.)

5 MODERATOR LUCERO: So we -- for those that are
6 interested, this isn't -- it starts on page 8, the
7 green -- energy, green buildings, and water discussions
8 from the EJAC.

9 Are there any questions in terms of -- and we'll
10 pull up for those that were at the meeting, these were
11 some of the key recommendations that you saw at the
12 presentation in January, but are there any specific
13 questions from Board members?

14 Judy.

15 BOARD MEMBER MITCHELL: Thank you, Eleanor, for
16 those comments.

17 I think some of the recommendations that are in
18 this part of the -- of your document, they're being done.
19 They're being done in other sectors in other ways. Let me
20 just mention that the County of Los Angeles is now forming
21 a community choice aggregation plan for energy. And
22 they're right now in the process of finalizing the joint
23 powers agreement. My city has signed on to that. And
24 there will be an opportunity in the near future for other
25 cities in Los Angeles County to sign on to that as well.

1 So that's the beginning of getting more renewable
2 energy into our communities, and giving communities at
3 street level the opportunity to decide what mix of energy
4 they want in their community. It's also an avenue to get
5 distributed generation into neighborhoods. And there
6 are -- there's a number of entities that are also within
7 L.A. county working on distributed generation.

8 So some of these things are happening. They may
9 not be happening right here on the -- in the scoping plan
10 you're not seeing them there, but they are being done.
11 And, you know, zero net energy by 2020 is now the rule,
12 and so we're going to see that enacted as well.

13 So I think that finding the place where some of
14 these things can be done, finding the agency, finding
15 the communities where they are already being implemented
16 is important, and will help us get to where we want to go.
17 There's a lot of things in your document that I think are
18 being done, but maybe not being done in the scoping plan
19 or by the Air Resources Board. Some of those belong to
20 other agencies and to other -- with other
21 responsibilities.

22 MODERATOR LUCERO: Did you want to provide of why
23 it might be something you want to just comment on.

24 EJAC MEMBER TORRES: Thank you very much for that
25 information. And I think that's very true that -- I mean,

1 our experience on the ground has been that there are
2 different agencies doing different programs. And what
3 we've tried to do is take a look at that very much like a
4 menu and develop a suite of strategies for our committee,
5 so it -- communities. So I suspect that's very much about
6 what you're talking about.

7 Thank you.

8 MODERATOR LUCERO: Mary.

9 CHAIR NICHOLS: Well, I agree with Judy's
10 comment, but I don't think it fully responds to the
11 recommendation, or at least to how I think the
12 recommendation is intended, in the sense that -- and this
13 is -- this is part of the dilemma I think that we've had
14 with the scoping plan all along. The scoping plan has
15 taken on kind of a life of its own, as a -- as more than
16 just ARB. It's certainly -- more than ARB or more than
17 even -- even the State of California, in the sense that we
18 acknowledge or take credit for or, in some ways, try to
19 push in incentivize or whatever actions that really need
20 to be taken by other people, and not just -- not just by
21 ourselves.

22 This is not something that we're exactly well
23 equipped to do. And I don't want to whine about
24 resources, but it is true that, you know, since AB 32
25 passed, we've hired people and developed expertise in a

1 whole lot of topics that we didn't do anything about when
2 I first got to ARB. I mean, forestry? You know, ARB has
3 somebody who actually understands something about
4 forestry? Yeah, it's great, but, I mean, it's not
5 exactly our mandate.

6 So I guess, by way of a comment, I would say I
7 would be hesitant to include in a scoping plan that, was
8 an official direction, if you will, for the State of
9 California things that are totally outside our legal
10 authority to do.

11 So let's just take for example the reduction in
12 use of petroleum. I mean, we know we have to get to the
13 reduction in the use of petroleum, and to get to big
14 numbers of alternative kinds of vehicles, but we don't
15 have the -- we tried and did not succeed in getting the
16 authority to just mandate a certain amount of reduction in
17 petroleum. So that -- that tends to have an impact on how
18 we put things into the scoping plan, I think.

19 At the same time, maybe what we could or should
20 be doing is a better job of assessing what else is going
21 on out there in the landscape, or could be going on with
22 some additional encouragement, and just putting it into
23 the scoping plan.

24 You know, I think we have been maybe a little bit
25 hesitant about -- especially when it comes to stepping on

1 the toes of local government, you know, adding in things
2 that are already going on. But the fact is there's a --
3 we know we -- we not only are expecting, but, you know,
4 counting on a lot of action that's happening there.

5 So I guess maybe that's just intended to get a
6 response.

7 MODERATOR LUCERO: Hector.

8 BOARD MEMBER DE LA TORRE: First of all, just an
9 announcement, John had to step out to go talk to the
10 Maritime Association and tell them about the perils of
11 pollution and diesel.

12 (Laughter.)

13 BOARD MEMBER DE LA TORRE: He'll be back.

14 And I think Mary's point is following on what I
15 tried to say at the outset, which is, not just in terms of
16 time, short, medium, long term, but also in terms of
17 category what issues are cap and trade related, what
18 issues are regulatory, what issues are toxics related,
19 what issues are GGRF related? Where do they belong?

20 And if it's not within our purview at CARB, then
21 who is responsible for it, and identify again the breadth
22 of tools that we have to address problems in EJ
23 communities, because as we talked about last week
24 Berkeley, there is no equity here. And so we need to
25 encompass all of it.

1 Maybe it's not -- some of this stuff isn't going
2 to be in the scoping plan, but we need to identify where
3 it belongs and who's supposed to be doing it, and work on
4 it from that perspective of making sure we're as inclusive
5 as possible wherever that is, wherever it fits, so that it
6 gets done, because it can't just be a situation where we
7 put stuff into the scoping plan, and then whatever doesn't
8 fit gets left out, and ignored, and then we'll be back
9 here 5 years from now on the next scoping plan having this
10 same conversation.

11 MODERATOR LUCERO: Just because I'm a
12 facilitator, and -- so there's been 2 kind of comments of,
13 okay, so what do we do with the stuff that doesn't fit,
14 what's the next steps?

15 I'd like the Board to kind of think about, and
16 maybe if you have like -- so who would take the lead in
17 doing that, and kind of identifying that and reporting it
18 out. And you don't have to answer now, but maybe by the
19 end of the day.

20 Kevin.

21 EJAC MEMBER HAMILTON: So briefly, I understand
22 what people are saying, you know, trying to respect other
23 agencies, local jurisdictions. The Governor came out a
24 few years ago, and said not only are we going to do this,
25 but we're going to use interagency cooperation as a way to

1 do it.

2 And I am going to mandate that these agencies,
3 these 13 agencies, cooperate with each other, share
4 information, and work together toward this shared goal
5 that we all have. Now, I've been engaged in a lot of
6 that. We're in meeting with these different agencies.

7 And by the way, I want to call out Trish Johnson
8 while I'm here, and her boss Floyd, but Trish in
9 particular, for arranging deep dives for the EJAC with
10 those actual agency experts from those agencies from these
11 various sectors, for 3 and 4 hour, if you will, just nuts
12 and bolts of transportation, forestry, energy from all the
13 different aspects of energy. And I think they were
14 surprised that we were just eating it up, and crying out
15 for more. So they actually arranged a second level of
16 deep dives, where we could go even deeper and learn even
17 more.

18 And I would recommend that to all of you, should
19 you have that opportunity. And then going to
20 transportation planning meetings. I had the opportunity
21 to participate in the California transportation plan
22 advisory that just came out for both the rural communities
23 and the rest of California, and seeing how that is not
24 really translating this idea of working together and
25 taking health into all of these agencies. They're really

1 struggling with that, by the way.

2 So the leadership from this agency, which is the
3 lead on this particular area that's -- that really
4 embraces the Governor's vision of the work it should do,
5 should lead them as well, should give them the queues that
6 they need, the information that they need, and call on
7 them for their expertise to inform that.

8 Now, does that -- this should have been happening
9 right along. I assumed since it was happening with us, it
10 was happening with you folks, too. But this is the way
11 the scoping plan does need to be built. It needs to be
12 built in an interagency fashion, all leading to this goal
13 of reducing these greenhouse gases, and improving the
14 health of our State and our world

15 So the opportunity is there, the expertise is
16 there. It's at your beck and call. One thing I found is
17 when we ask them, they're happy to share, and happy to
18 come over and talk about how this complicates their lives
19 and where we can make it all work.

20 MODERATOR LUCERO: Katie.

21 EJAC MEMBER VALENZUELA GARCIA: Thank you. So I
22 agree that -- I understand the hesitancy. Some of this is
23 too specific and it's too local level, but there is this
24 tension that we feel in recognizing to reach these
25 ambitious targets, we're going to have to do everything

1 we've done better, and more, and even more than what we've
2 ever done before if we're going to get anywhere close to
3 reaching these targets.

4 So funny story. You know, I help run this urban
5 ag coalition locally that just passed some ordinances, but
6 I kill succulents. It is totally outside of my area of
7 expertise to do urban agriculture. It's not what I do
8 well. I can't grow anything. But I recognize a need in
9 the community, and I made a commitment to help work with
10 the people who do know how to do that to make it done.

11 So I don't think it's outside of ARB's authority
12 to commit within the scoping plan to work with agencies
13 who have different expertise or authority. And I also
14 particularly don't think it's beyond the scope of the
15 scoping plan for ARB to name when you have to work with
16 the legislature to address authority gaps.

17 Say we've seen an issue. We don't have the
18 authority to address it. We don't think other agencies
19 have the authority to address it, and we are committing to
20 work with the legislature to figure out how to address
21 this issue. Those are types of commitments that I think
22 can be made within the scoping plan, even to say, look,
23 this isn't within AB 32, but we recognize that there's a
24 gap and we're going to commit as ARB to making sure that
25 that gets connected whether it's with the legislature or

1 with another agency.

2 And I want to name the agreement again. I've
3 seen notes pop up, which I like, that I think we're all in
4 agreement that there is a limit to what the scoping plan
5 under SB 32 can do, but that we don't want to let that
6 limitation stop us from naming within the scoping plan
7 when there's opportunities for this out -- this
8 collaboration of other programs, other agencies in the
9 legislature that's still needed to reach the 2050 goal.

10 MODERATOR LUCERO: Martha, I saw your card go
11 down, so I'm going to go to Diane.

12 BOARD MEMBER TAKVORIAN: Yeah. I just wanted to
13 build on what Hector said because -- and I guess what
14 Katie was saying as well, is I would like clarification,
15 because I -- I absolutely agree that if there are areas
16 that the scoping plan or the agency does not have
17 authority for, but we understand that those are things
18 that should be done, that we -- we include those. And
19 that's what I heard you saying to say that in order to get
20 to our goal, we're going to need to include -- these
21 agencies will have to take these actions.

22 But I also see that already in the scoping plan,
23 and I also think that some of those things like
24 implementation of SB 350, implementation of freight action
25 -- the Sustainable Freight Action Plan are here and are,

1 to some degree, relied on in order to reach our goals. So
2 I feel like there's inconsistency here, that we're -- that
3 we are citing them, which is a good thing, and including
4 them as part of our plan, but in other areas we're
5 hesitant to do that.

6 And if anyone has that -- some clarification
7 about that, that would be appreciated.

8 VICE CHAIR BERG: I really appreciate the level
9 of the conversation, and I'm just wondering as we look
10 back on when we first started the scoping plan, two
11 generations ago, and had all of these agencies, because we
12 knew at that time we were going to be collaborating. And
13 it was a totally new experience for all of us. And it
14 seems to me how do we measure what progress we have made,
15 because when I think back at when we started the first
16 scoping plan, there -- we really were miles apart, and it
17 was brand new to all of us, and it seems to me that many
18 of our State agencies have come around and are embracing
19 quite a few different lines of thinking. They're looking
20 at this in different ways as they're putting their
21 programs together.

22 So how do we measure in a way that we can see the
23 progress, recognize what we still need to do, and then
24 specifically be able to say what we're going to be able to
25 do over this next period of time, so we, in fact, see

1 progress rather than kind of talking about it in a way, as
2 if we hadn't moved at all in the lasts 8 or 10 years?

3 BOARD MEMBER DE LA TORRE: To Diane's question, I
4 think it's sustainable freight is relatively new. It's
5 less than 2 years old, and it's an official initiative
6 from the Governor's office.

7 CHAIR NICHOLS: It has an Executive order that
8 created it.

9 BOARD MEMBER DE LA TORRE: And that's -- so it's
10 not something we made up. It's something that we were all
11 told you should be doing this. And so I think that's
12 probably why it's in there, is because it's this official
13 thing that was given to us by the Governor's office. And
14 so these other things we're talking about, they would be
15 us telling these other agencies thou shalt do this, or you
16 should be doing that, and there's a sensitivity to
17 that -- that kind of approach that I've seen at CARB.

18 And it's a gentle dance that needs to happen with
19 those kind of things, where we're the ones who are taking
20 the initiative as opposed to the Governor.

21 MODERATOR LUCERO: Martha.

22 EJAC MEMBER DINA ARGÜELLO: Can I just --

23 BOARD MEMBER TAKVORIAN: I'm sorry. I appreciate
24 that. And I -- I -- you know, appreciate the dance, and,
25 you know, the Governor set the goal. And if CARB is

1 charged with achieving the goal -- setting out a plan to
2 achieve the goal, and CARB can't do that alone, and there
3 are these other agencies that need to step up, or there's
4 other parts of the plan that need to step up -- I mean,
5 maybe they're not the agencies, but I don't -- I don't
6 know. I mean, maybe that's a conversation the Board needs
7 to have about how politically sensitive is it to say these
8 are areas that we don't have authority over, but they need
9 to be addressed, because otherwise we don't get to the
10 goal.

11 BOARD MEMBER DE LA TORRE: I'm all for that.

12 I know I said that to Kevin's point as well. We
13 get it, but there's --

14 MODERATOR LUCERO: You need your mic, Hector.

15 BOARD MEMBER DE LA TORRE: To Kevin's point as
16 well, I -- I'm very much one of those people who wants to
17 just, you know, let's go, but there is a sensitivity that
18 I have experienced a few times.

19 (Laughter.)

20 BOARD MEMBER DE LA TORRE: And so that doesn't
21 mean we don't do it. It just means we have to be clever
22 about it.

23 MODERATOR LUCERO: So I'm actually -- I'm going
24 to put, as a parking lot, for us to discuss a little bit
25 later, because I suspect it's going to come up over and

1 over again, is this concept of how can the scoping plan be
2 creative for calling out those other agencies or
3 authorities that are not within the purview of ARB, but
4 are responsive to the recommendations and the things that
5 EJAC is saying needs to be done?

6 So we need to have that conversation more. It's
7 going to come up throughout the sectors. I can tell you
8 right now. So that's going to be a discussion item for
9 us. So if you have comments on that, let's hold those.

10 And then are there any other comments or thoughts
11 in terms of energy, green buildings, water?

12 Katie I your card up.

13 Martha.

14 EJAC MEMBER DINA ARGÜELLO: No, it was not about
15 that actually, so maybe I'll hold off.

16 MODERATOR LUCERO: Why don't you put it out here
17 and then we can plop it on the Board, and then we'll move
18 to the next one.

19 EJAC MEMBER DINA ARGÜELLO: So as a
20 self-appointed historian, I wanted to say that the first
21 EJAC said several things. One, adopt standards and
22 regulations, because we used to say thou shalt not
23 pollute, it works; providing incentives, and putting a
24 price on carbon via a carbon fee.

25 And the reason that we made these

1 recommendations, and I think there's been some consistency
2 is that the trading schemes we were concerned about how
3 they would function, but also that it crowds out other
4 things that might work. And I think we keep seeing this
5 concept of getting stuck on an idea that may crowd out
6 other things that work.

7 Because what's working is, yeah, you give me
8 money, I can solve a lot of things, right, but where did
9 that money come from, and what else -- what are the
10 trade-offs for that. So I think those are really
11 important, and that it also -- what we need is really
12 an -- we said 3 things, trading schemes don't work and
13 they crowd out things that work; trading shifts
14 innovation; and offsets make things worse. And so that --
15 for me, that's remained very consistent.

16 And the other thing that we used to talk about a
17 lot is this idea that we have this opportunity to merge
18 and do what we do in the field, right? We talk about
19 working intersectionally, and that means around race and
20 gender and community. But what the means, how do -- how
21 do institutions like this work intersectionally?

22 And I personally have heard from people from the
23 Department of Transportation, Housing, Health, like, do
24 more, push more. I mean, they personally come up and said
25 push more, because we need to be doing this collaborative

1 work. And so how do we tap into the folks within those
2 institutions that are ready to do that and are willing to
3 take on the heavy lift of managing up within their own
4 institutions.

5 MODERATOR LUCERO: So we are about 10 minutes
6 over. Eleanor, your card is up, did you have a --

7 EJAC MEMBER TORRES: (Shakes head.)

8 MODERATOR LUCERO: Okay. If you do not have a
9 comment, put your cards down.

10 We have as an action item, based on earlier, we
11 need to figure out how to get the coordination actualized.

12 (Phone ringing.)

13 MODERATOR LUCERO: And we've got a phone going
14 off. All right. Right next to the facilitator.

15 (Laughter.)

16 CHAIR NICHOLS: That's me. Sorry. Sorry.

17 (Laughter.)

18 MODERATOR LUCERO: Oh, and that's what I was
19 going to check.

20 So, Katie, go ahead.

21 EJAC MEMBER VALENZUELA GARCIA: I wanted to
22 respond, Sandra, to your comments about, you know, we have
23 made progress, we have made progress. And I understand
24 how it might be frustrating, given all of the progress
25 that I do believe has happened at the State level with

1 better coordination, when you have folks like us coming in
2 and being like it's not happening. You know, there's
3 still a lot of households in Supervisor Serna's District
4 that have knob-and-tube electrical.

5 That when you go out and talk about climate
6 programs, like at you and say, what climate programs? So
7 I think the gap that we're identifying here is due to lack
8 of community-based metrics, and that's what you're hearing
9 us call out throughout our recommendations, is that we
10 want community-based metrics, because all of the
11 coordination at the State level and the world doesn't help
12 if households in Supervisor Serna's district still don't
13 get benefit from the climate programs and policies and
14 visions that we're trying to set out.

15 So that's one of the big gaps that we see in the
16 energy section of the scoping plan, and all sections
17 really, for that matter. It's an ongoing theme is, you
18 know, how do we set measurable things, so that we have a
19 goal. Like, Martha said, staff will meet the goal that's
20 set out. And so if we say, well, our goal is we want X
21 number of disadvantaged communities households to have
22 seen these types of energy improvements and these types of
23 reductions in their energy bills, that's how the staff
24 will craft the program, if that's the goal.

25 And we haven't done a good enough job, I think,

1 of identifying those community-level impacts that we're
2 hoping to see as a part of this big statewide plan.

3 VICE CHAIR BERG: And then -- and as I look at
4 this and have been taking notes, access keeps coming to
5 mind, is that it's the lack of access, the lack of having
6 the opportunity. Then what also comes to mind, and I know
7 in my own community of Boyle Heights, where do we put
8 together the ability -- the champions who are going to
9 champion these things and go after them, are we expecting
10 others to come in to the community? And I know that's not
11 a popular thought.

12 And so it's that grassroots and how do we develop
13 those champions with the resources they need, the
14 knowledge they need to be able to really spur on this
15 community engagement, involvement, and economic
16 development? So putting these all together. If we could
17 come up with that, we would get a Pulitzer Prize of some
18 sort.

19 (Laughter.)

20 MODERATOR LUCERO: So I'm going to point out,
21 because I know based on EJAC discussions, some of the
22 recommendations were trying to get to that, that how do we
23 build the grassroots up, that question you just asked.

24 So maybe one kind of homework for us to think
25 about or hear is what is missing in that EJAC

1 recommendation that gets to that point of, well, this is
2 how we see it can be done that the AR -- maybe ARB or ARB
3 staff aren't -- aren't kind of seeing. So let's think
4 about that.

5 Let's do Eleanor's question, and then move to the
6 next sector.

7 Okay. It just means we have less time for the
8 other.

9 So Eleanor and then Mari Rose.

10 EJAC MEMBER ROSE TARUC: Really. So -- so there
11 is -- our recommendations are actually based on community
12 experiences, particularly, you know, in this -- in this
13 energy sector, there's so much groundwork that has been
14 done around communities taking clean energy projects, and
15 wanting more of that to happen in disadvantaged
16 communities, whether some of that was generated by the
17 green jobs movement nationally, and the funds that came
18 through the stimulus funds, there's resources that were
19 from the Greenhouse Gas Reduction Fund. There are --
20 there are -- there's -- there's both experience with
21 projects, job training.

22 So even in Oakland, community colleges that
23 have -- that have added green jobs training programs to
24 the classes that they offer. So what's lacking is the
25 siting of these projects and creation of these projects in

1 the communities, because if you want to hire locally
2 because the projects are local, and not necessarily out in
3 the desert, and big solar farms, but rather smaller
4 projects distributed generation, we want -- we want that
5 signal from the State, so that this access piece is -- the
6 signal isn't necessarily sent yet, or it's not sent
7 consistently.

8 So one of the things that we saw in the draft
9 scoping plan, or the full draft is that there's -- there's
10 an acknowledgement of SB 350, and the 50 percent RPS, but
11 it's not necessarily lifting up the equity part of that,
12 which is that there are barriers to low income folks being
13 able to access this. And so this clean energy and the
14 economic benefits that are part of it, and we need to
15 actually lift that up to say in the energy sector, in our
16 reducing our emissions from dirty fossil fuel energy is
17 that there is a part of it that is signaling that we
18 should create these projects and locate them in EJ
19 communities, because there are economic opportunities that
20 are part of it.

21 So there's groundwork there, and I was part of
22 the SB 535 Coalition, now called the California Climate
23 Equity Coalition. And there's an energy committee that
24 included local government and community-based
25 organizations, and worker training groups that over 2

1 dozen groups in there, that are trying to figure this out.
2 And so there's groundwork we need to send the signals,
3 both in energy and the other sectors.

4 MODERATOR LUCERO: We are way over to next one.

5 EJAC MEMBER TORRES: All right. Really quickly.
6 I just want to make it really clear. The issue in terms
7 of cap and trade -- again, this is my issue. I would love
8 to hear or see more and have a robust debate with my
9 colleagues, and maybe people who have experience in this
10 field. But the fact is I really don't want the successes
11 of, for instance, my community being diminished in which,
12 you know, I've got a training program we were able to do
13 as a result of that money.

14 And it's not about just the money. It's actually
15 about how we're using cap and trade as a tool to start
16 building greater capacity in a county where no one was
17 really working it.

18 And it's been a huge, huge benefit to our
19 community. And I'd have a hard time talking to our
20 volunteers and our community saying that it was not a
21 benefit to them. So how do I talk to them?

22 MODERATOR LUCERO: So it sounds like we've got --

23 EJAC MEMBER ROSE TARUC: I mean, it will lead to
24 the industry discussion also. I think there's -- there is
25 confusion around the funds for climate benefits and

1 greenhouse gas reduction that could come from cap and
2 trade, it could come from a carbon tax, it could come from
3 a carbon fee that there are those benefits, and that there
4 is -- there is benefits -- then there's the program itself
5 that is about reducing emissions and improving air
6 quality. And that is different than the additional
7 benefits that are supposed to come from the Greenhouse Gas
8 Reduction Fund.

9 EJAC MEMBER TORRES: But that's not true for my
10 community though. That is not true for my community.

11 EJAC MEMBER ROSE TARUC: Well, I think there are
12 environmental justice communities --

13 MODERATOR LUCERO: Eleanor, Mari Rose, so we need
14 to focus on the issues. What I'm hearing from Eleanor is
15 there are some benefits you are experiencing that address
16 some of the issues with cap and trade. What I'm hearing
17 from Mari Rose is there may be benefits. It may not need
18 to just come from cap and trade --

19 EJAC MEMBER TORRES: I'm not saying that -- it's
20 part of the tools --

21 MODERATOR LUCERO: Mic. So part -- cap and trade
22 is part of the tools that you're utilizing.

23 EJAC MEMBER TORRES: Yes.

24 MODERATOR LUCERO: Okay. So let's -- let's
25 emphasize on what you're seeing that works and then what

1 you're seeing that's not working, and so we can have the
2 dialogue and figure out what would be the best path
3 forward.

4 EJAC MEMBER TORRES: I don't want to diminish
5 what my colleagues are saying. What I also don't want to
6 do is diminish the real benefits I've seen on the ground
7 with the communities.

8 MODERATOR LUCERO: So let's just quickly, those
9 benefits are job training --

10 EJAC MEMBER TORRES: Josh training, capacity
11 building, volunteers, actual tree planting programs,
12 because that's what we're doing, actual engagement of
13 community, like a climate change task force that's being
14 organized at this point, the ability to start
15 understanding how you sequester carbon, and making active
16 decisions.

17 We're actually changing business as usual. We've
18 included now in our community, right now, ten cities as
19 well as 3 school districts right now who are seeking to
20 get trees planted in their area. We've seen an increase
21 in our volunteer roles from 300 to now 850 people.

22 I mean, people are really excited in my
23 community, and this gave us an ability to be able to
24 really express what was the full scope of things we needed
25 to look at.

1 Not only that, but we have a real community
2 trying to engage in this discussion in terms of what we
3 want to see in the scoping plan. And, I mean, we have an
4 unusual -- we have a remarkable perspective, given the
5 fact that we are working shoulder to shoulder with our
6 communities to get the scoping plan out to them and the
7 dialogue.

8 I don't want to go and make a decision for my
9 community without talking to them first about the benefits
10 or the liabilities of cap and trade, or any other
11 strategic tools that we're using at hand.

12 MODERATOR LUCERO: Okay. Now, Mari Rose, you
13 mentioned that some of your concerns are going to be
14 really well dictated in industry. So let's get to that.
15 Phil, a quick comment on this dialogue in terms of green
16 or -- okay.

17 BOARD MEMBER SERNA: It's going to take 15
18 seconds.

19 MODERATOR LUCERO: Go for it.

20 BOARD MEMBER SERNA: So I just -- for the scribe
21 in the room that wrote down there, "How can the scoping
22 plan respond to components outside of our purview?" I
23 just want to put a finer point on that. Could it include
24 fed, State, local utilities, nonprofits?

25 MODERATOR LUCERO: Perfect. Thank you.

1 Okay. We'll keep adding on those. Yeah, great.
2 All right. So Sandra yours is up, but can we
3 move to industry?

4 VICE CHAIR BERG: (Nods head.)

5 MODERATOR LUCERO: Great.

6 VICE CHAIR BERG: And Judy actually had her card
7 up.

8 MODERATOR LUCERO: Judy, go ahead really quickly.

9 BOARD MEMBER MITCHELL: It seems like one of the
10 issues that we're addressing is how do we take the broad
11 principles that are in the scoping plan, and the ideas
12 that are here on the table from your -- from the EJAC
13 community and actually get them working in the
14 communities? I mean, how do we get them filtered down.
15 And Eleanor has done it.

16 But let me suggest that local government is a way
17 to get there. Both Phil and I represent local government.
18 And there are city officials, county officials, there are
19 councils of government, which are part of the State
20 structure that consist of cities. And they get together
21 and do plans for their region.

22 In my region, there is the South Bay
23 Environmental Services Center, and that's what they do.
24 They go out and they help restaurants clean up and make
25 sure they're recycling, make sure that they're keeping the

1 parking lots clean for -- so we don't have water polluted
2 into our storm drains.

3 But they also make use of what is called a public
4 goods charge that's on every utility bill. And they've
5 worked with Edison to get those funds into their program,
6 then to reuse to do building efficiency. They did
7 retrofits on the college campus of Dominguez College.
8 They retrofitted all of the dormitories, and they did
9 water conservation in those buildings, a number of things
10 to make those buildings efficient.

11 So there are those entities out there that can be
12 utilized. And maybe we're not using them enough, but
13 that's just a suggestion from somebody who represents
14 local government.

15 MODERATOR LUCERO: And I'm going to tag this
16 again for the Board to think of what role the scoping plan
17 can play in utilizing those other resources, or at least
18 calling them out, because I think that was mentioned
19 earlier as well.

20 Luis, we are 20 minutes past time for industry --
21 into industry. Is it quick or can it be moved to another
22 one?

23 Quick.

24 EJAC MEMBER OLMEDO: I just wanted to also bring
25 to this discussion about cities, not specifically to all

1 the discussion, but I always try to plug it in where the
2 disadvantage isn't just individual that lives in these
3 conditions. I work and live in a community that the
4 disadvantaged in the city, disadvantaged in our utility,
5 disadvantaged is in the business. So I just wanted to
6 bring -- shed some light to that.

7 MODERATOR LUCERO: That's an important one on the
8 local of -- limitations of that authority and power.

9 Okay. So let's move on to industry. As I said,
10 we're 20 minutes over on that, but we don't want to cut
11 that time.

12 So, Mari Rose, are you doing the overview?

13 EJAC MEMBER ROSE TARUC: I will start off, and
14 then any members of the industry work group, anti-industry
15 work group can chime in.

16 (Laughter.)

17 MODERATOR LUCERO: Go for it.

18 EJAC MEMBER ROSE TARUC: So to us, the vision for
19 our recommendations around cleaning up industry and
20 emissions from there is really to imagine a transformative
21 change, a transformative change because what we see in EJ
22 communities right now is there's still oil drilling in
23 south L.A., in Kern County. We're seeing the
24 transportation of these -- the oil and gas through rail,
25 and pipelines that some call them bomb trains, and these

1 pipelines that leak to refine -- oil refineries in
2 Richmond, in Wilmington that explode, and are also trying
3 to expand their facilities, because there are tar sands in
4 Canada that are available.

5 I mean, the -- the fight by the Standing Rock
6 Tribe and the national attention that that has around
7 really keeping fossil fuels in the ground, because they --
8 drilling for them or putting pipelines in our communities,
9 and certainly refining them, and releasing them into the
10 atmosphere is catastrophic. And we need to stop doing
11 that.

12 And so we want to see transformative change in
13 the communities that exist in California right now that
14 are experiencing these impacts, and that we need a
15 mechanism to reel in these industrial emissions for the
16 improvement of these communities, and the workers that are
17 in them. And the way -- what we're seeing the scoping
18 plan, the way it's written is that it's -- it's -- we're
19 seeing the staff or people at ARB are having a hard time
20 imagining something different than this -- this dirty
21 industrial process, and that it's more about tinkering at
22 the edges.

23 So right now, the preferred scenario that staff
24 is offering is, you know, well, let's tinker at the edges
25 and maybe we can reduce emissions from refineries by 20

1 percent. We want transformation. These facilities have
2 health -- they harm kids and families that are living
3 fence line to them. And so we want to imagine something
4 different.

5 And I think the earlier comments about being open
6 to other possibilities around how we reduce the largest
7 industrial stationary and mobile emissions need -- need
8 that kind of vision. And so what we're seeing in the
9 initial studies that were presented by OEHHA a couple
10 weeks ago, and then a few months ago by the academics,
11 including -- the Cushing Report, we -- one is we need
12 better data. That data -- there's huge data gaps.

13 And then with what they can see, there's strong
14 correlations between GHGs and criteria toxics pollutants.
15 We also see that offsets are actually outsourcing our
16 emissions reductions from California, because over 75
17 percent of offsets are out of state, and that we are
18 seeing the perpetration of racism in California, because a
19 lot of the facilities that are actually increasing their
20 emissions are in environmental justice communities that
21 have higher proportion of black, brown, and Asian folks.

22 And so what we need to see is an emphasis on
23 prioritization of emissions in EJ communities, no matter
24 which mechanism we choose, moving forward towards 2030.
25 And we need to address where we're seeing this with

1 urgency.

2 Oh, and part of this whole -- when Martha was
3 talking about the scale -- so AB 32 to us has this promise
4 of reducing emissions. And so those are benefits that
5 we're seeing. And, you know, the -- the investments, you
6 know, whether in urban, forestry, and others we're seeing
7 benefits. But then there are design flaws that we're
8 seeing in the cap-and-trade system that are then
9 contributing to the harms.

10 So if offsets are primarily -- the emissions are
11 primarily outside of California that seemingly over 95
12 percent of the allowances are given freely to polluters,
13 that it's an economy-wide cap, instead of a facility cap,
14 and the lack of co-pollutant data that we're seeing that
15 researchers can't even find right now, that those are all
16 harms that -- and burdens that is tipping the scales away
17 from our mission for environmental justice.

18 MODERATOR LUCERO: Thank you.

19 I've got Katie, Judy, Eleanor.

20 Katie.

21 EJAC MEMBER VALENZUELA GARCIA: Yeah, to
22 cary-over on Mari Rose's point, when you go on to the
23 adaptive management tool and you circle communities like
24 Eleanor's, you circle communities like the ones my nephews
25 living in in Kern County, the emissions -- the covered

1 emissions are going up. And so I think our biggest
2 imperative right now is to get on the same page that the
3 system the way it's designed is not working the way we had
4 hoped, that we had hoped that we'd be proven wrong.

5 You know, we'd hoped that the cap-and-trade
6 system might result in the type of reductions and
7 innovation that we all hoped it would. And what we're
8 seeing is that it's not, and particularly not in some of
9 our most underserved areas. And that, to us, is a really
10 strong sense of urgency. It's an early indicator that
11 requires action.

12 Second, I want to emphasize the need for just
13 transition investments, because when we talk about
14 tinkering around the edges, we're missing the fact that in
15 the future, we want totally different industrial jobs.
16 Like, I want the people in the avenues in Oak -- what is
17 that -- where is noise coming from. Is that -- okay.
18 Thank you.

19 Someone is calling me. I know I'm doing really
20 well.

21 We want a just transition to a new industry. And
22 so like the Next 10 report that came out about the Central
23 Valley that talked about benefit to our communities,
24 right? And it talked about all these jobs that were
25 growing in the Central Valley, when you looked at the

1 methodology of that report, those were industry jobs.
2 Those were more people that went to high school with me in
3 Oildale that were going to work out in oil fields, than
4 they were before the program started.

5 So again, something else that's not working the
6 way we hoped it would. We'd hoped that we would see
7 increases in jobs in these communities for clean jobs, for
8 clean industry, for those types of investments.

9 And so I think -- I want to talk about it in
10 terms of like how do we start imagining what the new
11 industry looks like, and what mechanism will get us the
12 type of innovation and investments to get closer to that
13 new industry, rather than worrying so much about keeping
14 jobs that are putting people's lives and health and danger
15 across -- communities across the State.

16 MODERATOR LUCERO: Eleanor, you went down, so --
17 okay. Diane.

18 BOARD MEMBER TAKVORIAN: Yeah. Just quickly, I
19 want to be sure that we're not confusing -- I mean, this
20 was the danger, I think, when the Greenhouse Gas Reduction
21 Fund started. And I think that we need to really be
22 clear. And I think this is partly in the industry
23 section, partly in the investment section that whatever
24 market mechanism is selected, if there's revenue that's
25 generated, there has to be a decision about where those

1 revenues should go.

2 And I'll always support that those revenues
3 should go to the communities that are most impacted by
4 greenhouse gas emissions and by pollution. The city of
5 National City where our office is received \$9,000,000 from
6 the Greenhouse Gas Reduction Fund in order to complete a
7 affordable housing project that as abandoned by the
8 redevelopment program that the Governor ended.

9 So good use of dollars, but never on the backs of
10 communities that continue to suffer, and have increase in
11 emissions of greenhouse gases.

12 So let's be sure that we're separating those
13 issues. We cannot confuse benefits that our communities
14 absolutely should get, more money for affordable housing,
15 more money for clean energy, more money to improve the
16 quality of lifer, so that people can actually have homes
17 that solar panels would actually work on.

18 Most of the homes in the west side of National
19 City will not support solar panels, because they're so
20 poorly constructed. So we have a long way to go, but I we
21 have to separate those conversations. And our goal is to
22 reduce greenhouse gas emissions, and reduce them, first,
23 from the places -- from the sources that are the most
24 troublesome.

25 And I think we've heard a description of that.

1 And if there's revenue derived from whatever program we
2 develop, then we should determine - and I think we've gone
3 a long way in that way - to how those dollars should be
4 allocated, and what we hope jobs will be created as a
5 result of that.

6 Let's not intermix those 2 things. We have --
7 that's -- we have -- our goal is to reduce the greenhouse
8 gas emissions and air pollution. So I hope we can kind of
9 stay on that on the industry side.

10 MODERATOR LUCERO: Martha.

11 EJAC MEMBER DINA ARGÜELLO: One of the -- you
12 know, we often talk about, at our organization, being the
13 public health voice for the new economy. And our allies
14 are talking about a transformative economy, an unextracted
15 economy. And I know that's beyond our scope, right? But
16 it isn't something we all -- I would venture that all of
17 us know that at some point we're going to have to be
18 serious.

19 From a policy standpoint, are what are the
20 building blocks to get us there, right, and what is the
21 resources that have to be shifted?

22 And so, for those -- and so we're impatient,
23 right? And so we know that we bring you things that
24 you're like what are you talking about, right? This is
25 not what we do. This isn't how we do it, but we feel that

1 urgency of now, right?

2 And so the folks who are sick in all of our
3 communities, the folks who are suffering from
4 dis-investment, and -- or who never got any dis -- who
5 were never invested in in the first place, right? So you
6 feel that urgency in and what we're doing.

7 But I want to know at -- when? And if not you,
8 who have now sort of been charged with this in someway,
9 right, when do we start having that conversation? And my
10 fear is that -- or my anxiety -- well, both fear and
11 anxiety, right, that the funds that we currently have are
12 not going to be able to do that, right?

13 How do we tell refinery workers, you know what,
14 we're going to create a trust fund for you, because you're
15 45, and we may not be able to train you for another job,
16 and we know that that's true. But what are we going to
17 do, right? Because those social costs of those
18 refineries, we all have created and borne, right?

19 It's like I can hate capitalism, but I really
20 like shopping.

21 (Laughter.)

22 EJAC MEMBER DINA ARGÜELLO: So I know those
23 contradictions, right? I'm just saying that there are
24 contradictions, right?

25 So we want to be partners with you in this grand

1 vision. And, you know what, in this grand vision, yes,
2 there will be things that we're going to tell the
3 legislature, that they also need to do.

4 But unless -- unless we find an institutional
5 partner, we're going to be the crazy people throwing stuff
6 at you, right? But we're not crazy. I mean -- and now we
7 know -- we know that, because a lot of the things that we
8 said would happen have happened.

9 And so that's the -- in terms of industry, those
10 are the -- so when we go to talk to people in Wilmington,
11 they just want it to stop, right? And the rest of us are
12 like, well, how are we going to drive our cars, how are we
13 going to do this?

14 Well, that question has to be asked. And we have
15 all these other plans, right? Going full solar, all these
16 other things, but there still isn't how are we going to
17 tell a worker that we're going to protect you, and where
18 is the revenue for that, and who is going to pay -- you
19 know, I say that the richest industry in the world should
20 be able to pay for that, but, you know, that's just me.

21 Yeah I'm going to stop there, because I can
22 babble. But I just -- I guess I want you to know that
23 what we're asking is big and visionary, and we're saying
24 we can help you make that happen.

25 BOARD MEMBER DE LA TORRE: I don't know if this

1 gets to that point, but it's definitely about industry and
2 about green jobs, which has been talked about quite a bit.
3 UCLA is doing study, even as we speak, they started last
4 fall, on green jobs, because we don't have our arms around
5 the big picture of what are the green jobs, how many are
6 there, where are they, et cetera?

7 I expect that, at some point this year, we'll get
8 those results. And that will -- to me, is take-off point
9 for this conversation. We have pieces of it, little
10 statistics, or factoids, or whatever, but we don't have a
11 big picture of what is it? And I think that will be very,
12 very helpful.

13 They're talking to labor. They're talking to
14 government -- other government agencies, not just to us.
15 They're reaching out and trying to have as comprehensive a
16 picture of green jobs as possible. That gives us an idea
17 of what's their today and things that are promising, in
18 terms of things that there are today.

19 But going forward, those replacement things that
20 you're talking about we just don't know. You know,
21 there's a refinery in Paramount, one city over from where
22 I live, that is now doing jet fuel that is renewable jet
23 fuel. It's taking waste stuff and it's not oil based, and
24 biofuel -- thank you. And they've flown, you know, a
25 United Airlines flight from LAX to San Francisco. I'm

1 sure they've done many, many since -- since last spring
2 when they did the first one.

3 They're selling to the military for their jets.
4 And that is a refinery, except they're fining stuff in
5 good -- better stuff into the fuel. And so that could be
6 a promising thing for those refinery workers. We don't
7 know. And so as this thing kind of plays itself out, I
8 think what we're going to try to do is to identify those
9 things that are working in the markets and encourage
10 those.

11 And, you know, whatever we know today, we'll
12 encourage today. Whatever we know a year from now, we'll
13 encourage those, and we'll just keep going as we go along.
14 But I think -- that's the way I perceive it to play out,
15 because we just don't know sitting here today how we're
16 going to get there.

17 CHAIR NICHOLS: All right. We have about 5
18 minutes left for this conversation. I've got John,
19 Eleanor and then Mary.

20 John.

21 BOARD MEMBER GIOIA: Thanks. I just wanted to
22 follow up. I think the challenge for all of us, right, is
23 how develop -- it's really a couple of tiers here. One is
24 the larger program to reduce greenhouse gas emissions with
25 also revenue priority to impacted communities, but also

1 looking at the specific toxic and criteria regulations at
2 the local level.

3 And I say this as someone who lives in Richmond,
4 grew up in Richmond -- pardon?

5 BOARD MEMBER BALMES: Just say who you are.

6 BOARD MEMBER GIOIA: Oh, I'm John Gioia. I serve
7 on the Air Resources Board. I apologize for being late.
8 I drove up from the Bay Area from some other meetings.
9 And I also serve on the Bay Area Air Quality Management
10 District Board and represent the Richmond area on the
11 Contra Costa Board of Supervisors.

12 So I -- let me just say, I acknowledge and
13 understand the urgency for people who live in cities like
14 Richmond, like myself. I had to pick up my son in the
15 middle of shelter in place at the Chevron refinery. I
16 understand what it feels like to have to pick up your own
17 child, while there's a shelter in place going and an --
18 and a release at a refinery. So I know that there's great
19 urgency to this.

20 So I think -- and I agree with the comment that
21 we should prioritize the revenue from cap and trade for
22 those communities that are most impacted. I do think we
23 need to acknowledge that the Air Resources Board can have
24 a large role, but won't necessarily have the only or maybe
25 even the most important role on reducing toxics in local

1 communities. I think there's an important role for ARB to
2 play, because frankly a lot of the specific regulatory
3 authority are at the local air districts, like where I
4 serve, and we are enacting regulation after regulation to
5 decrease toxics, and criteria pollutants around
6 facilities. And sometimes, a very specifically crafted
7 toxics revolution -- it should be a revolution, actually.

8 (Laughter.)

9 BOARD MEMBER GIOIA: Yes, it's a revolution.

10 (Laughter.)

11 BOARD MEMBER GIOIA: Maybe that was the right
12 word.

13 (Laughter.)

14 BOARD MEMBER GIOIA: And by the way, you know,
15 someone said we shouldn't call our regulations
16 regulations, let's call them protections, because then
17 when people say do away with regulations. That sounds
18 like that's a good thing. That's doing away with
19 protections. And in this case, it's protections for the
20 community, protections of our public health, protections
21 of our clean air.

22 So we've passed a number of crafted sort of
23 protection measures, I'll call them, at the local level to
24 specifically reduce toxics and criteria pollutants around
25 industrial facilities. So I think it's about how the Air

1 Board also works with local air districts to craft, you
2 know, surgical measures that actually achieve these
3 reductions, because I think some of the most effective --
4 in my 4 years -- 10 years -- or 11 years on the air
5 district, and I realize there are different air districts
6 around the State, which -- with different levels of
7 political will to do that.

8 I think in the Bay Area we have been pretty
9 progressive about trying to do that. We're trying to do
10 more. So maybe CARB's role in having some more uniform
11 regulations around the State -- it's not fair to some
12 communities who live in one air district to maybe have
13 less protective measures for their community than folks
14 who live around a similar facility that happens to be in a
15 different air district, right?

16 So maybe that's the role CARB can play, so that
17 people around the State aren't at the mercy of whatever
18 the local air district is and have unequal health
19 standards. So I'm just saying it's sort of a -- it's
20 complicated, right? And having the -- but the Air Board
21 is not going to be the be-all end-all. It can do a lot,
22 and it -- but it can partner or set standards with local
23 air districts. So I just wanted to add that. And I -- so
24 the partnership of doing this I think is really important.

25 MODERATOR LUCERO: Eleanor and then Mary.

1 EJAC MEMBER TORRES: I just want to reiterate. I
2 think it would be really good, and I'm certainly open to
3 any thing that you and my colleagues or anybody else would
4 give me. In terms of the list and the literature review,
5 I recommend it again. I sent that to Trish, and maybe, at
6 some point, she can send it to everybody else, as well as
7 my comments having to do with OEHHA.

8 MODERATOR LUCERO: So let's put that just as an
9 action item that lit review will be passed away -- around
10 to the EJAC, as well as throughout Air Resources Board, so
11 that you know that that lit review has been reviewed, and
12 the analysis of OEHHA, and then we can discuss further.

13 EJAC MEMBER TORRES: Well, I think more
14 importantly too is I want to have informed discussions, so
15 I can bring that back to my community, and engage them in
16 those discussions.

17 MODERATOR LUCERO: Thank you, Eleanor.

18 And then Mary, and then Hector just walked out.

19 CHAIR NICHOLS: I want to build on John Gioia's
20 remarks, which I completely agree with. So in the context
21 of this discussion, I think we do want to put up on the
22 board that talks about where we go from here, how we can
23 make sure that districts across the State are implementing
24 the very best in the way of toxics controls for the
25 benefit of communities that live around the most -- the

1 most egregious facilities.

2 I did want to say something else about the oil
3 refinery situation though. And this is really to Martha's
4 kind of big picture comment, because I've actually given
5 quite a lot of thought to the question of the future and
6 how you get there in the least disruptive way possible.

7 And I've been on the receiving end as -- you
8 know, as a public official of a lot of the mobilizations
9 that the oil industry does every time we try to impact
10 their operations in any way. And I do think that the
11 thing that is having the greatest effect on their
12 planning, and their investments, and their decisions about
13 perhaps actually looking more seriously at alternative
14 energy is the work that we're doing to try to get people
15 into transportation that doesn't use any of their current
16 product.

17 I mean, the thing that's making -- even though
18 it's tiny, there -- the fear that they have of, you know,
19 massive increase in electrified transportation, not just
20 passenger cars, but buses and trucks and trains and all of
21 that, is really the thing that's impacting their planning
22 for the future. And so I do want to see us doing a better
23 job in the scoping plan, and elsewhere, of articulating
24 that connection and that policy direction.

25 VICE CHAIR BERG: So I really hesitated to jump

1 in here a little bit, because what I worry about, truly
2 worry about, is expectation. And when I hear expectation
3 of green jobs, I get the impression that there might be a
4 thought that there is an economic society somewhere that
5 has jobs that somehow doesn't involve any risk or has some
6 ability to be able to take place day after day that
7 everybody likes and everybody is comfortable with and so
8 forth.

9 And even in these green jobs, I'm listening to
10 Hector describe this biofuels, and I'm picturing how that
11 whole process is happening. And even though I think it
12 absolutely will be healthier, it's still going to be a
13 hard job. I think about all the electricity we're going
14 to be needing, and pulling these wires, and updating
15 things, and stuff. These are still hard jobs.

16 I'm just wondering if we can frame the importance
17 of economic development around lifting up jobs that are
18 good wage, fair, clean, good -- best practices, things
19 that people would be proud to participate. I think of my
20 own business and we're in the chemical field, but I'll
21 tell you, I have a workforce that really loves to be
22 there. And we do a lot of things to protect our workers,
23 but we still use hazardous chemicals.

24 And so I guess I would just offer in the
25 discussion, as we're framing these types of things up, to

1 think about specifically, so that when these jobs -- we
2 can create them, that we can say this is success.

3 And so thank you.

4 BOARD MEMBER GIOIA: Can I add on to the jobs
5 issue, at the right time, after -- at the right time.

6 MODERATOR LUCERO: Yeah. We are at time for
7 this, and I know I have 3, so each of you about minute or
8 less. And I've got Luis, Kevin, and then John.

9 Luis.

10 EJAC MEMBER OLMEDO: I think it's important to
11 clarify what jobs are, because I know earlier we were
12 talking about metrics and whether there's one metric for
13 all communities. And I think to some extent there is.
14 There are some unique metrics that need to be in place.

15 But just an example, I live in an agriculture
16 community. Over 100 years of policies that support that
17 industry, low income, disadvantaged communities, a target
18 for a different type of interest, more heavy industry,
19 more chemically intense industry.

20 By mitigating those pollutants, contaminants,
21 greenhouse gases, you do create green jobs. So I think
22 it's not just about setting up a solar field or wind or
23 other, I think there's a lot of green jobs that are
24 created by making sure that we are reducing those
25 contaminants, or putting operators in place to operate

1 those and building the capacity.

2 Sorry.

3 MODERATOR LUCERO: That's fine.

4 EJAC MEMBER HAMILTON: So when I think of -- I
5 appreciate your comments there, Ms. Berg, because I've
6 done a lot of jobs in my life, and -- starting with
7 working on the family dairy farm that's been there for 250
8 years. My family came over here in 1714 interestingly
9 enough.

10 But also then being in the Navy, and talking to
11 my friend Kevin in the hallway there finding out we're
12 both Machinist Mates in the Navy, so, you know, we work
13 pretty hard, as you can imagine.

14 And then my first job coming out was actually in
15 the steel mill I was talking about that went out of
16 business, because what happened is it couldn't keep up
17 with the future. And the Japanese were learning to build
18 steel with electricity, and we still using blast furnaces,
19 which, you know, create all the pollution that we're
20 talking about versus the electricity.

21 So your chemical industry as an example, I'm sure
22 you take great care of your workers, and it's a great
23 place to work, and they've got a good job. And I'm also
24 equally sure, because of your position here, that you make
25 sure that the waste you're talking about is appropriately

1 dealt with, and doesn't become a hazard to the community
2 around it. We will always need those things. This table
3 here, this folio, all this stuff here, we need all this
4 stuff. And it's not a pretty process to make most of it.

5 So when I think about jobs, I don't call them
6 green jobs. I call them good jobs that come from a green
7 energy industry. So it's creating another industry. It's
8 going to create a lot of reductions in the amount of
9 insults that we have to deal with from industry as a whole
10 that doesn't take the kind of care you do with your
11 industry.

12 So that's what I'm -- when I'm talking about
13 jobs, I really hesitate to use the word green jobs, but
14 that's really what I -- what I mean when I'm talking about
15 it. I think you mean the same thing, right?

16 VICE CHAIR BERG: I do with all of the comments.

17 BOARD MEMBER GIOIA: I think this discussion of
18 jobs is important. And again, ARB is not going to be the
19 total be all on this, I think -- but it is about how the
20 State can work together among its various agencies with
21 local governments to develop the transition. I think
22 people call it the just transition. I think we can get
23 caught up labeling it green jobs, or this job. It's
24 basically the jobs that are going to develop as this
25 energy system shifts away from a fossil fuel based system,

1 right, whatever they are.

2 Some of them will be industrial type jobs to
3 support a new renewable source of energy. But whatever it
4 is, it's trying to understand what training skills are
5 needed, so that we could help train individuals for the
6 new jobs that will become available. I hear from folks in
7 my own district, folks who are trained to install solar,
8 who are looking for more opportunities to install solar,
9 to individuals who work in a refinery who say, okay, what
10 skills can I have to transition if it's going to be a
11 non-refinery job well off in the future.

12 I just -- I think we need to respect that we want
13 to help those -- if there are going to be less jobs in the
14 existing sort of fossil fuel sector over time, how do we
15 help folks transition to other jobs, and then how do we
16 help new people coming into the job market for the newly
17 developing. And so I really think it's going -- it's a
18 larger discussion than just this climate -- the climate
19 change plan. It's how we sort of work together generally
20 as the -- this is a changing economy. It goes even beyond
21 our energy system. So we're a part of that discussion.

22 MODERATOR LUCERO: Diane, do you have less than a
23 minute on jobs?

24 BOARD MEMBER TAKVORIAN: Yes.

25 MODERATOR LUCERO: Okay. Because we are over --

1 or sorry, industry. Go ahead.

2 BOARD MEMBER TAKVORIAN: Okay. I just wanted to
3 lift up 2 things. One, I received the staff briefing for
4 the scoping plan presentation that will be made tomorrow,
5 yesterday, and was appreciative of a description of an
6 analysis of the cap-and-tax alternative. And I thought
7 that that would be helpful for the folks that are here
8 today to hear about, because I was heartened by some of
9 the research and analysis that was going on there. And I
10 thought that it -- because Emily, who was doing the
11 briefing, talked about a cap on all sectors and that there
12 would have to be development for that.

13 And I thought it corresponded well with the use
14 of the loading order for industry sectors that is in the
15 EJAC recommendations, that we're talking about a cap on
16 all industry sectors in priority order in terms of their
17 emissions.

18 So, one, I wanted to hear from staff if there's
19 something that you can provide to all of us on the
20 cap-and-tax analysis that you're doing, and perhaps then
21 from EJAC on the loading order recommendation.

22 MODERATOR LUCERO: Do we have any thoughts from
23 staff or -- go ahead, Richard.

24 INDUSTRIAL STRATEGIES ASSISTANT DIVISION CHIEF
25 SAHOTA: Hello, is this mic on?

1 I'm back here. It's Rajinder back here.

2 EXECUTIVE OFFICER COREY: This was a long-winded
3 way of --

4 INDUSTRIAL STRATEGIES ASSISTANT DIVISION CHIEF

5 SAHOTA: I found a mice that works back here.

6 EXECUTIVE OFFICER COREY: -- punting to Emily our
7 economist -- Rajinder.

8 INDUSTRIAL STRATEGIES ASSISTANT DIVISION CHIEF

9 SAHOTA: We're here. So based at the January 20 -- 27th
10 Board hearing, there was a request that we do more --
11 provide more information on the cap-and-tax scenario. And
12 we went back and we took what was already in the scoping
13 plan, the proposed plan, and we fleshed out the details.
14 And we did a preliminary analysis of the economics, the
15 macroeconomics of that analysis, which we presented at the
16 workshop on February 9th.

17 What we really did in that scenario is we looked
18 across all sectors of the economy. So this is energy
19 transportation industry, recycling and waste, agriculture,
20 and high global warming gases. And we said if we want to
21 get from to 2020 -- the estimated values in 2020 and get
22 to 2030, what does that look like? So let's make everyone
23 fair partners in this effort.

24 What we did was we realized that that indicates a
25 4.5 year-over-year decrease in each of these sectors.

1 What you'd have to do is take that 4.5 percent
2 year-over-year decline and translate that into individual
3 facilities, individual entities, fuel suppliers, natural
4 gas suppliers, and the State.

5 So there's additional work that would have to be
6 done to actually design that measure and actually
7 implement it, but we fleshed it out in a way that allows
8 us to do the economic analysis to the same level of detail
9 that we've done for the proposed plan, and for carbon tax,
10 and all direct regulations.

11 One of the challenges with the 4.5 year
12 percent -- 4.5 percent year-over-year decline is, there's
13 some sectors that really can't do that year over year. So
14 if through the process of actually having to try and
15 design this, we realizes that some of those sectors can't
16 do this, you're going to be asking other sectors to do
17 more.

18 And when you're looking at 4.5 percent, year
19 after year, and there's no flexibility in being able to
20 carry-over some extra credit from year 1 to year 2,
21 because you're really asking them to do it continuously,
22 so you have the continuous potential co-benefits, where
23 you end up is a lot of businesses not investing in and
24 keeping that industry or those jobs in California.

25 And as we think about modeling that, what we're

1 seeing is you're looking at a 25 percent reduction in fuel
2 use at some of the industry in the State. On top of that,
3 you're looking at 10 to 15 percent electrification, and
4 you're still not getting the 4.5 percent year over year
5 reductions.

6 So we did flesh this out. We have done the
7 preliminary analysis. We will go over it tomorrow,
8 because I know Board Member Takvorian is really interested
9 in this one. But we are seeing some challenges here, and
10 I think it's important that we remember that there's
11 multiple objectives that we're trying to balance here, but
12 we are seeing some challenges really in -- and is it even
13 doable to ask everyone to go -- to go and reduce 4.5
14 percent year over year?

15 MODERATOR LUCERO: So I'm not going to let you
16 guys put your cards up for this one, but we can come back
17 to it if we need to. We're going to do a public comment.
18 I've got 3 public comments. You are limited to 1 to 2
19 minutes with the caveat that after your public comment
20 we're going to a break.

21 Sean Penrith. Is Sean Penrith here? Raise your
22 hand.

23 Okay. Mic is coming to you. Sean, you've got 1
24 to 2 minutes.

25 MR. PENRITH: Thank you. Sean Penrith with the

1 Climate Trust in Portland, Oregon. So two really
2 important comments I heard. One was from Martha Argüello
3 and the other one was Luis Olmedo.

4 You made the point about there's not enough money
5 to go around for environmental protection, which is a good
6 one. And Martha said health comes first. And there's
7 really 2 lungs that we're talking about here, one being
8 the human lung and the other being the natural lung.

9 So the Climate Trust in Oregon is 20 years old.
10 We've run one of the oldest offset programs in the
11 country. Because of our investment into offsets, we've
12 been able to stimulate rural economies, many of the
13 projects that we invest in are in disadvantaged
14 communities. We're losing 26 million acres of forest
15 between now and 2030.

16 If we don't have the offset mechanism, we cannot
17 attract the finance that we need. Many jurisdictions are
18 short on their public balance sheets. We at the Climate
19 Trust have an impact fund where we are attracting outside
20 institutional capital. If we didn't have the offset
21 mechanism, none of that capital would be available.

22 Thank you.

23 MODERATOR LUCERO: Thank you.

24 Shelly Sullivan, raise your hand. Over here on
25 the this side of the room.

1 MS. SULLIVAN: Is this on?

2 Hi. Shelly Sullivan with the Climate Change
3 Policy Coalition. And I think this is a really important
4 discussion that we're having today. But my question
5 actually goes back to a process and timing question. I
6 think that -- and maybe this is going to be addressed in
7 the next agenda item of discussion of how addressing the
8 EJAC recommendations, and maybe -- so maybe I'm putting
9 the cart before the horse.

10 But -- so I think stakeholders want to know when
11 we are commenting on the January 20th, 2017 draft, are we
12 only commenting on that draft? And then what happens if
13 some of these Environmental Justice Advisory Committee
14 recommendations get put into this scoping plan? Is there
15 going to be another version and another time for us to
16 take a look at that new plan and make comments on that?
17 And does that push back the further Board approval of the
18 scoping plan?

19 Thanks.

20 MODERATOR LUCERO: Under 2 minutes, excellent.

21 So let's have that as a question we'll do after
22 public comments in terms of process. We'll get to that
23 one.

24 Kevin Jefferson.

25 Where is Kevin?

1 Tim Tutt.

2 Over here on this side of the room.

3 MR. TUTT: Good. Hello. Good afternoon. Is
4 this on?

5 Yes. Okay. I just wanted to say I think we all,
6 in this room, support the goals of the environmental
7 justice community. We want more health, better health for
8 the disadvantaged communities. We want the benefits to be
9 spread through all of our State, not just to areas where,
10 you know, are not disadvantaged.

11 What I would say is that I think that the
12 opposition to the Cap-and-Trade Program is misplaced. And
13 what I would give as an example, I spoke at a Board
14 meeting where I said this period what we just went through
15 is too unusual, and too short to make long-term
16 conclusions about the success of the Cap-and-Trade Program
17 on any of those aspects.

18 And I wanted to go back to in the January Board
19 meeting, there was a presentation about the ARB's 2017
20 goals. And in that presentation, there was a chart that
21 showed diesel PM -- diesel PM reductions from 1990 to
22 2015.

23 And in that chart, there were 3 separate periods
24 for 2 or 3 years where those diesel emissions trended up.
25 Whereas overall, there was an 85 percent reduction over

1 time. So imagine what would have happened if somebody
2 came in at the end of one of those 3-year periods and said
3 this program isn't working. We need to throw it out and
4 start over again. We wouldn't be getting to that 85
5 percent reduction, I can guarantee you.

6 So that's my comment.

7 MODERATOR LUCERO: All right. Thank you. Thank
8 you for our public, and also thank you for sticking to the
9 time. I know that can be a little daunting and stressful.

10 So we are at 4:10 on that clock -- okay, 4:12 on
11 that clock. We're going to come back at 4:28, just a
12 little before 4:30. If you dawdle longer, we have less
13 time to talk.

14 So we'll see you back here. Thank you, all.
15 There is refreshments in the back. Bathrooms are that
16 way.

17 (Off record: 4:13 p.m.)

18 (Thereupon a recess was taken.)

19 (On record: 4:28 p.m.)

20 MODERATOR LUCERO: All right. Let's come back to
21 the able and reconvene.

22 The time we take to get to the table is time that
23 we don't have to discuss.

24 Please make your way back to the table.

25 All right take your seats, and start back up.

1 We are officially 22 minutes behind schedule, so
2 let's start -- I know there's a couple people filtering
3 back in. And hopefully, it's not the people we need to
4 present the next section.

5 (Laughter.)

6 MODERATOR LUCERO: We are on transportation.

7 All right. Kevin, go ahead.

8 EJAC MEMBER HAMILTON: All right. Thank you very
9 much. I'm trying to strip this down a little, but -- so
10 with transportation, we had sort of these overarching
11 principles. I just wanted to briefly mention where we
12 really see a California where all communities can breathe
13 clean air and have access to safe, affordable, clean
14 transportation options.

15 And we want to make sure that that transportation
16 planning and the activities are inextricably linked to
17 public health. So, you know, that's enough said about
18 that.

19 We've talked about access. That includes, of
20 course, to transportation technologies and clean
21 transportation technologies, and making sure we have
22 meaningful investments in these disadvantaged communities.
23 By the way, I want to see meaningful investments in every
24 community in California, just to be clear.

25 (Laughter.)

1 EJAC MEMBER HAMILTON: But we do say that the
2 people who have suffered the most should probably come
3 first. But yet, we do want to see it for everyone. I'm
4 not somehow suggesting that I don't want to see health
5 across California, and no one in this room is.

6 So let's never forget that, that because we are
7 advocates for environmental justice communities doesn't
8 mean that we don't think of our whole state as the place
9 we live and our neighbors who we want to see realize these
10 same benefits. So let's just be clear about that.

11 But again, these communities have suffered the
12 most for the longest. And while I sympathize and
13 empathize with my friend Eleanor, I will say this, that
14 while I do honor everything that's happened there and I
15 don't suggest that we don't in any way, shape, or form.
16 However, not all of our communities in California have
17 felt that same -- that same relief or experienced those
18 same benefits.

19 So we want to see how that can be expanded, so
20 that we all get it. And that may be one option, cap and
21 trade. It may be cap and tax. It may be whatever, but we
22 honor it all, right? And that's what we're about. So I
23 don't think anybody is suggesting that.

24 We really want to see better coordination.
25 Transportation is the one place, besides energy, where

1 this coordination between the agencies really has to
2 happen. And it thrilled me to see a cooperative between
3 CEC, CTC, and ARB. So I was really thrilled to see that.
4 And that needs to continue.

5 And then we want to see these impacts happen and
6 be measured at the community level, and driven by robust
7 community presence -- participation. So additional --
8 more specific points. We support -- and I'm part of CCFC,
9 full disclosure, and a huge believer -- central
10 California -- or excuse me, central California.
11 California Clean Freight Coalition.

12 And we want to see not only the Sustainable
13 Freight Program happen in port communities and communities
14 adjacent to port. But keep in mind, here's the San
15 Joaquin Valley. We are the central freight corridor for
16 the region and for the western United States.

17 It pretty much passes through us, if it's not
18 coming to us. And so these last mile and drayage truck
19 projects, and electrification of trucks stops and all this
20 stuff. We really want to see these pilots happen in our
21 region as well.

22 And I'm just going to give a shout out for
23 Northern California, because I know those folks feel
24 pretty abandoned at times as well, so again, all of
25 California. It would be great to see a project in

1 Susanville, right? I'm sure they would appreciate that,
2 and Eureka and Crescent City. So we need to really keep
3 thinking about all these communities in all of California.

4 And then we support and strongly suggest you
5 increase the Local Carbon Fuel Standard. And we want to
6 strengthen, especially through transportation, through ARB
7 the SB 375 targets, and the accountability that goes with
8 that. We don't feel that some of these communities, and I
9 can speak for counties in my own valley, who have
10 unfortunately chosen not to set aggressive targets. And
11 there's no way to hold them accountable for that at this
12 point. So we need to build that into this process, so
13 there is some accountability there, so an extra freeway
14 lane doesn't count as your greenhouse gas contribution to
15 your SCS target that you've set.

16 So we need to clean that up. We support SB 350
17 and its study findings. We think that needs to keep
18 growing, and we need to see these barriers to accessing
19 this clean technology and mobility options overcome. And
20 we need to see the unique barriers in rural and other
21 small communities out in the desert, up in the mountains
22 addressed and managed.

23 And I'm going to leave it there, because, you
24 know, we've got a larger list, but I think that's enough
25 said for right now.

1 MODERATOR LUCERO: Okay. I noticed that Kevin
2 started looking away from where he could see the red sign.

3 (Laughter.)

4 EJAC MEMBER HAMILTON: You're right. I was
5 getting a complex there. You're right.

6 (Laughter.)

7 MODERATOR LUCERO: I will sand in front of you,
8 if I have to, guys. I want to make sure you get to all
9 your points.

10 Katie.

11 EJAC MEMBER VALENZUELA GARCIA: A couple of
12 additional points on Kevin's points. Thank you, Kevin.

13 First with the Low Carbon Fuels Standard, and I
14 know we'll talk about this more with natural and working
15 lands, making sure that an increase the Low Carbon Fuel
16 Standard is not from vie a biofuels. We'd like to see
17 that from renewable electric sources. And that's a point,
18 again, that Tom will cover more.

19 And then the second point, just because I'm
20 personal pretty passionate about it, and I mentioned it at
21 the Board hearing, but I just want to make sure it doesn't
22 get lost. Within local action, there's this program that
23 would create a system run by CAPCOA that would allow for
24 developers to purchase GHG offset credits for when their
25 projects will increase VMT beyond the level that's

1 mitigatable.

2 And I think that's one very clear example of
3 something within the scoping plan right now that is
4 directly contrary to the intent of what we're trying to do
5 with land use and SB 375 and our other targets. And I'd
6 like to see that expressly taken out. And it's a
7 recommendation we made back in December, but just pointing
8 that out.

9 EJAC MEMBER FONG: We're kind of cleaning up
10 Kevin's comments. Okay. We're adding to it.

11 EJAC MEMBER HAMILTON: The red sign. The red
12 sign.

13 (Laughter.)

14 EJAC MEMBER FONG: I know. So he ran out of
15 time. We're extending out time. So just to add a little
16 bit more specific detail to the comment about paying more
17 attention to investments in rural communities, we
18 specifically were -- we thought it was important to really
19 look at the infrastructure necessary for the
20 electrification of vehicles that go through the rural
21 communities, whether that is for freight transportation or
22 for personal or public transportation.

23 MODERATOR LUCERO: All for gaining time, but I
24 also want to make sure we have an opportunity to talk.
25 Since I don't see cards, I will point out that when the

1 EJAC did review the discussion draft of the scoping plan,
2 the transportation section was the section where they
3 found there was the most incorporation of their items.
4 However, there's still more, as you heard a couple of the
5 comments here.

6 So any thoughts in terms of those EJAC
7 recommendations that didn't make it into the discussion or
8 scoping -- the scoping plan -- proposed scoping plan? You
9 know, maybe they're fitting into some of these parking lot
10 items we have for later discussion.

11 Any thoughts?

12 Maybe the EJAC can mention some of the item they
13 didn't see?

14 Kemby[sic].

15 EJAC MEMBER SHAKUR: You called me Kemby. That's
16 cute.

17 (Laughter.)

18 EJAC MEMBER SHAKUR: I just want to emphasize the
19 green infrastructure as part of these transportation
20 projects. Because in the City of Oakland, it's like as
21 soon -- I think it has a lot to do with our bureaucracy,
22 but as soon as transportation hits Oakland, say like BART,
23 there's not a whole lot of green infrastructure. And then
24 once it leaves Oakland, still -- I mean, once it leaves
25 Oakland, it is.

1 So San Leandro, beautiful. Richmond, El Cerrito,
2 beautiful. But Oakland, absolutely terrible. So that's
3 really important.

4 Thank you.

5 MODERATOR LUCERO: Any other thoughts? Do we
6 want to go on to another sector?

7 Great. John.

8 BOARD MEMBER BALMES: Just really quickly to
9 respond to, I think, Katie's good point. I would agree
10 that, you know, there may be some really compelling reason
11 why we would allow offsets when VMT targets can't be met,
12 but I certainly don't like that. I'd like to hear the
13 compelling reason.

14 MODERATOR LUCERO: Sandra.

15 VICE CHAIR BERG: So help me think about some of
16 the actual action items that are listed in the scoping
17 plan that have specific amounts? So when you're looking
18 at that you would like to see a 40 percent reduction, for
19 example, in target truck fleets and things like that, when
20 we look at where we are today, and that we estimate that
21 it's about 30 percent of the existing trucks aren't even
22 in compliance with the existing Truck and Bus Rule, and
23 that that -- those -- most of those are single operators.
24 And those single operators most likely are coming from
25 middle income to EJ areas.

1 And yet, if we were to take a look at an
2 additional 40 percent, one of the things I'm very worried
3 about is as we target different industries that it's going
4 to push it into just big industry, and it's going to take
5 away the opportunity to for entrepreneurialship and
6 smaller companies.

7 So when you have a specific amount in here like
8 this, how are you thinking about that amount, and in a
9 10-year period success and stuff and like that?

10 EJAC MEMBER HAMILTON: Sure. So I have a long
11 history with this having been around for the original
12 crafting, as were you, of the different size of trucking
13 companies where we would -- where we defined a small
14 trucking company as being 3 or more trucks.

15 So we were very engaged in that. I think ARB
16 took a big hit over the original Truck and Bus Rule,
17 mainly because of the PM filters. And, you know,
18 that's -- you know, sometimes things don't work out. You
19 just shake it off and move forward. You know, you get
20 punched in the jaw, you need to step up and throw one,
21 right? So you need to quit taking those hits and ignoring
22 them, and just brushing it off or feeling bad about it.

23 What you did was with the best of intention with
24 the technology that you had available at the time to deal
25 with a problem that is a health threat to everybody around

1 it. So, you know, to -- so I congratulate you on it. And
2 by the way, when tech -- when new tech is rolled out,
3 sometimes stuff doesn't work. We know that. And that's
4 why you pilot it out there, and then you find out what
5 doesn't work and you go for what does.

6 So with the idea of reducing the emissions
7 related to the truck fleet, there's a lot of great
8 advances happening overall in both the diesel industry,
9 and certainly with -- some of us in the valley, for
10 instance, feel that in the natural gas conversion industry
11 you're going to need to use a bridge fuel here.

12 We're not going to electrify the 99 and the I-5
13 from L.A. to Sacramento. I wish we could. I'd love to
14 see a catenary system there or a rail -- a third rail
15 system. Yeah, I don't think you've got the money for
16 that. I don't know that anybody does, even over a 10- or
17 20-year period.

18 So we're really thinking of that longer horizon
19 time, the ability to reduce the engines that are out there
20 and help those folks make those investments. So we need
21 to step up with our incentive funding, and we need to make
22 sure that whatever regulation we put in place has a decent
23 amount of incentive funding on the front-end of it, but
24 yet that needs to cycle down over time. I'll use a
25 trucking term. And, you know, at a certain point in time,

1 you've got top drop a gear, and that's just the way it
2 goes, and that's the way it is here. That's evolving even
3 as we sit. You know, your big truck players are at the
4 table with you. You've got Cummins at the table and Ford
5 at the table.

6 So, you know, you've got all the people in the
7 room you need. You have the technology coming on board.
8 So we just need to help -- the guy that bought a new truck
9 in 2012, we've got to help him figure out so what do I do,
10 when do I change that out, and when does it make a good
11 business case for me to do that?

12 Well, it has to happen sometime in the next 10 to
13 20 years, okay? So if that happens in 2025, well, that's
14 the way that happens. So we recognize those realities,
15 and we're not trying to destroy an entire industry and
16 drag all these people down, so...

17 MODERATOR LUCERO: Any other questions or
18 comments?

19 I guess -- oh, there you go. Gisele.

20 EJAC MEMBER FONG: I just wanted to take the
21 opportunity, because I don't know if the Board had read
22 through the comments from our community workshops that we
23 had over the summer. And one of the things that we heard
24 so much in L.A. and Wilmington were folks, you know,
25 really supportive or actually relied on public

1 transportation. And we know obviously that we want to get
2 folks into public transportation.

3 But in terms of day-to-day barriers, there was
4 such -- because, for example, Wilmington is such a freight
5 heavy community that the basic issues of safety, right?
6 So a young woman was talking about how her mom could not
7 drive her to school, and so asked her to ride her bike,
8 you know, but just that basic safety hazard, I think, in
9 communities that are so impacted by freight and goods
10 movement. That was one issue.

11 Another issue was really that issue of kind of
12 gaps in where the service is. So, you know, really
13 supportive of folks wanting to take the train, but then
14 that last -- last mile -- and I know that you're aware of
15 this, but I just wanted to give that input. And I would
16 imagine that is very true in other communities that we've
17 heard from, that there definitely are gaps that folks feel
18 day to day in terms of getting into public transportation.

19 And again, I don't know where that sits for the
20 Board, in terms of what is your authority to manage or to,
21 you know, direct solutions for. But I wanted to put that
22 out there as we have this opportunity to tell you what we
23 heard from residents across the state.

24 MODERATOR LUCERO: Judy.

25 BOARD MEMBER MITCHELL: So I would just like to

1 ask you to help me understand what your position is on the
2 dairy digesters and conversion to -- of waste to fuels?
3 And so I'm not quite sure where you are on that.

4 MODERATOR LUCERO: Tom.

5 EJAC MEMBER HAMILTON: You've been really quite
6 here all day.

7 EJAC MEMBER FRANTZ: I would have spoke to this
8 in the next section too under natural and working lands.
9 But the -- you know, the dairies are the biggest Polluters
10 we have in terms of criteria air pollutants in the San
11 Joaquin Valley in terms of VOCs and the ammonia. Just
12 huge sources.

13 And by putting money into dairy digesters,
14 they're like a couple billion for each dairy. Sort of the
15 money proposed to go into this. It's a huge subsidy to
16 support a really unsustainable industry. You know,
17 they're importing over half their feed from the midwest,
18 probably three-fourths of it, and alfalfa from Arizona
19 using Colorado River water.

20 And it's a very unsustainable industry. And this
21 is a Band-Aid approach. There's other ways the dairy
22 industry can avoid most of those methane emissions by
23 using pasture. Feeding the cows so their mature goes back
24 to the ground immediately is one way. The problem is this
25 huge lagoon. And it's a waste disposal system, because

1 there's so many cows on so little land.

2 They need to change the whole paradigm of how
3 they operate to become sustainable for the future. Just
4 like we all have to change how we live our lives in order
5 to reach like these 2050 goals. The dairy industry. We
6 have over 1,100 dairies in the San Joaquin Valley
7 averaging -- they milk, average, 1,400 cows a day at each
8 one of these dairies.

9 Each one of these dairies average - the bigger
10 ones are worse - 50,000 -- the equivalent of 50,000 tons
11 of CO2 a year. They should -- they would easily qualify
12 for the mandatory reporting of 25,000 tons a year.

13 I think they should be regulated like an
14 industry -- like the industry they are, and not have this
15 agricultural exemption. For years, California exempted
16 agriculture from the Clean Air Act illegally. Now, you're
17 exempting agriculture from the Greenhouse Gas Act, AB 32,
18 basically, and trying to pay them to do -- to reduce their
19 emissions.

20 And so, again, dairy digesters, it's not
21 sustainable. There's never -- dairies hate it, because
22 their lagoons are for the disposal of ammonia. And the
23 methane is incidental to getting rid of that ammonia into
24 the air.

25 With the digester, no one can say what happens to

1 that ammonia. They have an issue. And who maintains
2 these digesters? You can spend a couple million dollars
3 on one of these, and then in 5 years something goes wrong,
4 they don't want to -- it's just a waste of their time to
5 even bother with these things. That's why no one has gone
6 for it yet. And now, you're solving a problem of them not
7 wanting to do it by trying to throw even more money at
8 them, but it's not going to work.

9 That's how we feel.

10 BOARD MEMBER MITCHELL: Very complete answer.
11 Thank you.

12 MODERATOR LUCERO: We knew who to talk to for
13 that response.

14 Okay. Do we want to move on to natural and
15 working lands?

16 All right. So Tom.

17 EJAC MEMBER FRANTZ: Kemba.

18 MODERATOR LUCERO: All right. Kemba.

19 EJAC MEMBER SHAKUR: Before I go on, Tom has a
20 really interested -- interesting philosophy about cheese
21 and pizza.

22 (Laughter.)

23 EJAC MEMBER SHAKUR: And, I mean -- but, I mean,
24 it's really real. I don't eat dairy products any more. I
25 don't eat meat, and Tom has a lot to do with that. But,

1 Tom, can you break down that pizza thing that you talked
2 about?

3 EJAC MEMBER FRANTZ: Twenty-five percent of the
4 dairy milk produced in California is made into mozzarella
5 cheese. Most of the mozzarella goes to, you know, pasta
6 dishes, but really the bulk of it's going to pizza.

7 Now, Californians only eat about half of all the
8 dairy produced in California. The rest is exported. But
9 if we cut back our consumption of pizza significantly, we
10 would be cutting back thousands of tons of greenhouse
11 gases at the same time, because if we don't buy their
12 product, they can't produce it.

13 That's -- and so we recommended that there be a
14 campaign coming out of CARB, which is really a health
15 campaign over obesity and diabetes from eating too much
16 dairy that this is one method of reducing greenhouse
17 gases, make a strong statement that if we consume less
18 dairy, we will get part way there.

19 MODERATOR LUCERO: And yes, that is one of the
20 recommendations in the appendix.

21 EJAC MEMBER SHAKUR: Thank you, Tom. I learned a
22 lot from him. But I'm -- we're -- this is the urban
23 forestry greening section.

24 Let me just get this closer.

25 Every rooftop, every sidewalk, every open space

1 is an opportunity for green space. Improved air quality,
2 green jobs, training, and environmental education are also
3 benefits of urban greening. Greening project require
4 long-term maintenance. And GHG funding only provides
5 funding for establishment and not long-term maintenance.

6 We're hopeful that people will look at the issue
7 of maintenance, because a lot of the funders only focus on
8 planting trees and not maintenance. And I think that's
9 the reason why a lot of -- a lot of trees fail, and the
10 reason why we've lost thousands of trees.

11 Yeah, that's it. That's all I had to add.

12 EJAC MEMBER FRANTZ: And since we talked about
13 biogas already, I'll skip that part, and go to biomass a
14 little bit.

15 We have a phenomena in the San Joaquin Valley
16 called biomass incinerators for energy. They're power
17 plants, but they're small in terms of the energy they
18 produce, but they're huge in terms of the pollution they
19 produce. A 25 megawatt biomass plant pollutes our air in
20 terms of particulates about 30 to up to 50 times more than
21 a 750 megawatt biomass plant.

22 Or let's put it, for the same amount of energy,
23 for the same amount electricity produced, the particulates
24 out of a biomass incinerator are up to 50 times greater
25 than out of a natural gas power plant. That's how bad

1 they pollute the air, and how little electricity they're
2 making. It's a very inefficient way. Yet, it's called by
3 CARB -- CARB recognizes some assumption that this is clean
4 renewable energy, when you burn biomass.

5 Now, over a million tons of biomass is trucked
6 into the San Joaquin Valley every year from landfills in
7 the major metropolitan areas to be incinerated. And up to
8 a million tons of like almond waste wood is incinerated
9 annually as almond trees are removed. For 7 years, we've
10 been working on returning this almond waste to the soil,
11 where it builds carbon in the soil. It actually
12 sequesters carbon that's been removed from the air,
13 instead of -- and it adds so many nutrients. It's just an
14 inconvenience and a bit of an expense.

15 I'm an almond farmer. I know what it would cost.
16 I know what it costs to take my trees out and have them
17 sent to the biomass incinerator, and that costing a lot of
18 money these days, and it should continue to cost even more
19 money. We should pay the true cost to that.

20 And then the alternative of returning this to the
21 soil, where it benefits our future crops greatly will then
22 look more economic. But here's what happened this last
23 year. We have some trees dying -- millions of trees dying
24 in the Sierras. Most of them are inaccessible. They're
25 going to stay there.

1 But somebody got the bright idea that we need to
2 bring those trees out of there, I guess away from homes
3 and roads, but need to bring them down to the valley floor
4 and incinerate them for clean renewable energy. So the
5 PUC agreed with this, and it fits with this scoping plan
6 that this type of energy is clean and renewable.

7 The words are all through here that this is a
8 good way to produce energy. Yet, there's a little
9 community in south Fresno, called Malaga, 200 homes, sits
10 next to this biomass facility that now got a new lease for
11 5 years. They have to take 9,000 trucks loads a year of
12 trees from the Sierras and burn them on the valley floor
13 in South Fresno next to 200 people in an environmental
14 justice community, who also sit right next to one of the
15 biggest glass factories in California.

16 And, you know, everybody -- everybody is
17 complicit in this -- in the State government of allowing
18 this to happen, telling these poor people here that
19 they've got to suck up that pollution, so that dead trees
20 in the forest can somehow be removed. It doesn't make any
21 sense. Those dead trees are carbon that should remain in
22 the forest soil. It's one of our number one places for
23 sequestering carbon.

24 And those dead trees don't have to be removed. You
25 really don't have to do anything with them. They're going

1 to slowly put that carbon back into the soil and new
2 growth will suck it up. And you have that cycle.

3 When you remove carbon from the soil like that,
4 you're upsetting the carbon cycle in the forest, and it
5 takes years and years for that to come back. So we've
6 been making these recommendations, but we don't seem to
7 have anybody listening to them.

8 Thank you.

9 MODERATOR LUCERO: Thank you, Tom.

10 Do you -- we have anything to add from the EJAC
11 or any clarifying questions from the ARB?

12 Barbara.

13 BOARD MEMBER RIORDAN: I have a couple questions
14 I'd like to ask the Committee, but not for a response
15 maybe today, but maybe tomorrow. We were talking about,
16 in this parking lot area, about how do we respond to
17 needing to move certain things or identify certain things
18 that aren't in our purview, but who we are working with.
19 And I just would like you to kind of look at page 112 and
20 113. If you look at that, from my opinion, you -- we have
21 identified -- the staff has identified pretty clearly, I
22 believe, the responsibility, for instance, of the Food and
23 Agricultural Department, for the Healthy Soils Initiative,
24 there are things that are clearly identified.

25 What I would like to know, is that adequate? Do

1 you feel -- or should we identify it in some appendix or
2 something else? And I just happen to look at that and
3 think that's a good example of identifying certain
4 programs that are part of the State structure that have to
5 do with this ongoing scoping plan, and what's somebody
6 else's responsibility.

7 So I'll look forward to maybe a response tomorrow
8 at the hearing.

9 MODERATOR LUCERO: Or if we have one today as
10 well.

11 John.

12 BOARD MEMBER RIORDAN: It's hard to read quickly
13 a couple of pages, but I just --

14 BOARD MEMBER BALMES: Well, thank you, Tom, for
15 talking about biomass. You know, that's one of my
16 research interests is mostly in the developing world, low
17 and middle income countries where biomass is used for
18 cooking and heating, lighting. And so it's not
19 particularly healthy stuff to breathe.

20 So my question to you, since you have a lot of
21 knowledge, more than me, about these biomass power
22 generator facilities in the valley, what's the level of
23 emissions controls that they're required, or that they
24 have, or -- because you know, I would agree, just burning
25 biomass is, you know, a terrible way to pollute.

1 I mean, people use the argument that part of the
2 reason we have to get rid of the dead trees is to prevent
3 catastrophic wildfires, which also pollute heavily. I'm
4 not saying that that's necessarily what I believe, but --
5 so I agree this is an important issue to bring up. And,
6 you know, we heard this several years ago with the first
7 scoping plan. And, you know, I do have problems with
8 considering, you know, burning biomass fuel to be a clean
9 fuel. It's potentially sustainable in that there's always
10 going to be dead trees and vegetation to burn, but it
11 doesn't mean that it's necessarily clean.

12 So I just wanted a little more clarification, if
13 you would.

14 EJAC MEMBER FRANTZ: Well, the figure I
15 mentioned, like fine particulates are at a rate of 30 to
16 50 times greater than a natural gas plant, the controls on
17 those particulate matter, per megawatt hour produced.

18 BOARD MEMBER BALMES: Those are the actual
19 emissions --

20 EJAC MEMBER FRANTZ: Per unit of electricity
21 produced.

22 BOARD MEMBER BALMES: Yeah, without any kind of
23 controls?

24 EJAC MEMBER FRANTZ: Well, they have controls.
25 They have some particulate --

1 BOARD MEMBER BALMES: This is with the controls.
2 Okay.

3 EJAC MEMBER FRANTZ: That's with the controls
4 that -- it's a huge loophole for these things. They can't
5 burn cleanly. They burn worse than coal cleansed.

6 BOARD MEMBER BALMES: I know that to be a fact.

7 EJAC MEMBER FRANTZ: Yea. So it's like a
8 loophole. Okay, because the excuse is open burning is
9 even worst. See that's always the excuse. So if the
10 farmer burns their orchard prunings in the field that's
11 really sooty and stuff. So at least at the biomass
12 incinerator it's cleaner, but neither has to happen.

13 The way forward is that is good, clean material
14 that should be in the soil as nutrients, even water, and
15 avoided meth -- avoided emissions. You know, the
16 Co-benefits of returning that to the soil are huge. It's
17 just -- but it's economics. That's all that -- why we're
18 still doing it, this caveman idea.

19 MODERATOR LUCERO: Any other questions or
20 additional comments?

21 Katie.

22 EJAC MEMBER VALENZUELA GARCIA: I also want to
23 add into the conversation to Barbara's point about the
24 Healthy Soils Initiative that -- I mean, I do see some of
25 the other recommendations around biomass burning as

1 contradictory to that goal. You know, if we're pulling
2 biomass out from forests, if we're doing all of this for
3 biomass facilities, for repurposing refineries to produce
4 biofuels, that's not contributing to the healthy soils. I
5 think that's a competition.

6 So I'd like -- I think that's why we're coming so
7 strongly about trying to take that out of the scoping
8 plan, so that we focus more on the healthy soils work and
9 less on using that as a, you know, quote unquote clean and
10 sustainable source of fuel.

11 And I also just want to pull out our last
12 recommendation in this section that's new around the
13 cultural and prescribed burning for tribes, is something
14 that we've heard a lot about for better forest management
15 and control. I know it's going to be addressed somewhat
16 in the forest management plan. And I've talked to Dave a
17 little bit about that, but -- and we're finally having a
18 call, you know, 3 months later next week with some of the
19 tribal folks. So I'm hopeful that we're moving closer on
20 that.

21 But I do just think that -- I mean, it's
22 important for us to recognize indigenous knowledge and
23 contributions in this field of forest management. And
24 that's not necessarily reflected in the natural and
25 working lands section as it's currently written. And to

1 echo comments that were made yesterday, that, you know,
2 again we haven't yet finished the quantification of the
3 benefits in the scoping plan.

4 So really, natural and working lands is not
5 accounting for any of our proposed emissions reductions to
6 meet the 2030 targets right now. And we think that's a
7 huge missed opportunity. And the degree to which we can
8 start trying to use existing knowledge and methods that
9 are already out there to start trying to quantify that
10 within this scoping plan, I think would be preferable,
11 because we'd like to see more investment go to this stuff.
12 We'd like to see it be more of a part of our climate
13 strategy, and part of the green industry and jobs that
14 we're trying to build.

15 MODERATOR LUCERO: Kevin.

16 EJAC MEMBER HAMILTON: So thank you for your
17 comment. And I did a quick read on the pages there. And
18 your'e right, they point to the interagency cooperation
19 and this area in where different agencies have different
20 programs like CDFA. What I would say about that is
21 unfortunately there's no teeth behind those programs that
22 require that individual farmer to participate in that
23 program. You can't make somebody do that.

24 So -- and that we've constructed it that way, so
25 that everybody is pretty much independent with regards to

1 how they choose to take advantage of these wonderful
2 assets that are made available to them. And they do that
3 for various reasons.

4 But I really want to get back to the biomass and
5 the plants on the floor of the valley. We're not just
6 horrified by the emissions coming out of the electricity
7 generation process, how many truck trips do you think it
8 takes to actually bring these trees down the hill, and
9 what kind of trucks do you think they're using to haul.
10 You think those are brand new diesel trucks that are
11 hauling?

12 I don't know if you've ever been behind a lumber
13 truck, but I have been many times. And I've been almost
14 sick a few times from the stack, you know, being stuck
15 behind it, especially going down a big hill or coming up a
16 big hill, which lots of those in the mountains.

17 So I think, you know, we -- this is where it's
18 global, right? The problem is much more than just the
19 incinerator. It's how it's fed. So we -- some of us
20 argue, have taken the position, that if those
21 communities - and I'll illustrate it with North Fork,
22 which is actually doing this - decide that the way they
23 want to deal with this problem of safety - which is really
24 a safety issue. Is that tree going to fall on my house?
25 Is that tree going to fall on a road, okay?

1 I've reviewed a lot of literature now on
2 forestry, more than I ever wanted to as far as dead trees,
3 and there is nothing I've been able to find that suggests
4 that these dead trees actually increase this wildfire
5 risk, okay?

6 Wild fires happen. Sometimes they're big
7 conflagrations, sometimes they're not. It turns out when
8 trees are dead more than a year or two and they lose all
9 their leaves, they actually don't burn as well, which I
10 thought was fascinating.

11 So 2 years out on these dead trees, they don't
12 have any leaves. They're just stocks of wood sticking up,
13 nothing to really burn, hard to catch on fire. It's the
14 leaves and the tar in the trees that actually move the
15 fire along. So think about that.

16 But the safety issue is huge. So if that
17 community decides it wants a one megawatt generator
18 incinerator in their community, and they've made that
19 decision as a community, and they're willing to deal with
20 some emissions that are going to happen with that, in
21 return they're going to get biochar, which they all -- the
22 industry will tell you it's the greatest thing since
23 sliced bread, and they're going to put that back in the
24 soil versus just letting the tree sit there, cutting it,
25 and letting it lay on the ground and rot and go back to

1 the soil, I wouldn't fight with them. It's their
2 community, so I'm not going to go there and tell them how
3 they should do their business.

4 But I don't want it in mine, so don't transport
5 your problem to me. And it's the same thing we say to
6 L.A., just today, Kern County, I was listening to the
7 news. I listen to NPR, right?

8 On the way up here, violation from green waste
9 being brought from Los Angeles illegally to Kern County
10 and dumped. Wow. What a surprise.

11 But the thing is it's not a surprise, is every
12 day there's thousands of tons of that same waste coming
13 legally to the San Joaquin Valley, and being dumped. So
14 again, one of the things we've talked about in here, is
15 the idea of communities taking care of their own trash,
16 okay?

17 If you live in Porter Ranch -- and I'm only
18 calling that out, because I know about it, and I watched
19 it actually being built. Most people don't know you know
20 it was called Porter's Ranch.

21 But anyway, that's a very wealthy community. So
22 they generate trash. I wonder if they have a landfill
23 there in Porter Ranch? I don't know, but I bet not.

24 So we're just saying in the valley at least,
25 we'll take care of our trash, you take care of yours, and,

1 you know, we'll all be a lot healthier for it.

2 MODERATOR LUCERO: Any other comments or
3 questions on this or do we want to move to like where we
4 have agreement, what we need to move on next?

5 We -- I do want to make sure -- and John, I'm
6 going to call you out. Can you introduce yourself, John?
7 And I think -- I know you had quite a harrowing experience
8 getting here, so I think that's important to share for
9 folks.

10 BOARD MEMBER EISENHUT: Well, I didn't -- there
11 was -- there was -- I don't expect anyone to be coming --
12 to be coming this direction on Highway 99, but there was a
13 fatal -- there was a police involved shooting that
14 diverted traffic. So I apologize.

15 I knew I would be here. I knew I would be here
16 late, and I will, to the extent anyone is interested in
17 visiting with me, I will stay until that last person has
18 had an opportunity to visit.

19 MODERATOR LUCERO: Thank you, John.

20 I just wanted to let you have an opportunity to
21 introduce yourself. And I knew there was a good reason
22 for you coming in when you did, so -- all right. If
23 there's no other comments or questions specifically on the
24 EJAC's recommendations on the natural and working lands,
25 let's move -- well, first, let's just do one last check.

1 We didn't use up our full public comment period. I know
2 there's a couple folks who wanted to do public comment.

3 As you guys look at our parking lot, and think
4 about where you saw agreement, we're also going to open up
5 for public comment. This is going to be the last
6 opportunity for public comment.

7 So if you have one, go fill out one of those.
8 And then my microphone runners.

9 I have Kevin Jefferson is first up.

10 Kevin.

11 Okay. Kevin is gone.

12 Michael -- and I might mispronounce this --
13 Boccadon[sic]?

14 MR. BOCCADORO: Boccadoro.

15 MODERATOR LUCERO: Boccadoro. Sorry.

16 There you go.

17 And you have 1 to 2 minutes. Go ahead. Do you
18 have a mic?

19 Okay. Go ahead.

20 MR. BOCCADORO: Michael Boccadoro on behalf of
21 Dairy Cares. I appreciate the opportunity. We've had
22 this conversation Ms. Mitchell and other members of the
23 Board. I'll let the we should rid the earth of pizza
24 comment stand for itself, and let the millions of
25 teenagers across America answer that question.

1 But it's really important that we have a -- start
2 to have a more comprehensive conversation about the dairy
3 industry and sustainable solutions to dealing with methane
4 production. It's the only way we're going to get to the
5 solutions that we need to find in this industry.

6 The reality is, and the facts are, that every way
7 there is to reduce methane emissions in California
8 involves some level of other environmental tradeoff.

9 Going to pasture dairies has a significant
10 environmental tradeoff. It's highly water insensitive in
11 the San Joaquin Valley. Huge, huge implications. It's
12 also not good from an enteric emissions standpoint,
13 because you have to have more cows to produce the same
14 amount of milk.

15 So we need to quit talking past each other. We
16 need to be invited in to the environmental justice
17 community. We'd love to come. Let's bring the Air
18 District, let's bring the Water Board, let's have a
19 conversation about what the options are, what the
20 solutions are, what the trade-offs are.

21 We think we can get to a very sustainable
22 position of not just reducing methane, but reducing
23 criteria pollutants through the production of
24 transportation fuel. That is a tremendous win-win
25 opportunity that gets to the criteria pollutants that I

1 heard all day yesterday as I sat through the EJAC meeting
2 that is truly of concerns to these communities. Let's
3 have that conversation. We're willing to do it

4 Thank you.

5 MODERATOR LUCERO: Thank you.

6 Brent Newell. Brent. Oh, over there.

7 MR. NEWELL: Good afternoon. I'll make this
8 short. Members of the Board, members of the EJAC, Brent
9 Newell. I'm with the Center on Race, Poverty, and the
10 Environment. And, you know, the point I'd like to make is
11 to build off of what Tom said. And, you know, as we move
12 towards a 2050 target, 80 percent reductions from 1990
13 levels, and even just to meet the 2030 target, we are
14 transforming what we drive. We are transforming how we
15 power our cars -- our homes, how we heat our homes.

16 We also have to transform what we eat and how
17 it's produced. Producing massive amounts of dairy
18 products in California for export, or to feed millions of
19 teenagers -- my teenager is kind of clueless about what he
20 eats. He just shoves it in his face.

21 You know, the point I want to make here is that
22 we don't need to eat that amount of dairy products. We
23 can eat less, and eating less is better for the climate.
24 Also, changing how it's produced is important. The
25 pasture-based dairies, the methane -- the manure is

1 dropped on the pasture. It's decomposed in the absence or
2 in the presence of oxygen and doesn't emit methane, unlike
3 those lagoons.

4 It also helps this Healthy Soil[sic] Initiative
5 that you're working on, where natural grass lands
6 sequester carbon. So we can have a win-win-win type
7 situation here with less air pollution, less methane, and
8 carbon sequestration through carbon farming.

9 MODERATOR LUCERO: Thank you. Just do a quick,
10 we have no more public comment requests?

11 BOARD CLERK McREYNOLDS: (Shakes head.)

12 MODERATOR LUCERO: All right. Thank you for our
13 public.

14 So let's move on to what we agree to, what we
15 need to work on. And we have some things that we may not
16 resolve today, but I think we moved in a good positive
17 direction.

18 And I'm just going to point out that the
19 agreements that I have listed up there are the things that
20 I heard as your facilitator where I was hearing similar
21 statements in terms of goals and objectives from both
22 multiple EJAC members and multiple ARB Board members.

23 So Katie, go ahead.

24 EJAC MEMBER VALENZUELA GARCIA: I just want to
25 express again how great this time has been, and also how

1 short this time is. And there's a natural tension here
2 between, I mean, just the time it would take for us to
3 have read through 140 recommendations and get clarifying
4 comments would have been most of the day, and then we
5 would have never had any chance to give you context.

6 So I hope that our intention and foundational
7 beliefs that went into our recommendations were made
8 clearer today, but I also want to recognize that I feel
9 like additional conversations are still necessary, and we
10 still need to start really hammering into where can we
11 find common ground? Is common ground possible? If not
12 possible, are there metrics we could be establishing that
13 make us feel more comfortable? Are there other things
14 that we could be doing?

15 And so I -- and I know I'm kind of like -- sound
16 like a broken record about this, but I just feel like
17 there isn't time. I feel like we just don't have enough
18 time to continue having this conversation with you all.
19 And so I'd like to hear as part of these next steps, if
20 after we do our next round of community workshops and we
21 continue to refine our recommendations for the end of
22 March, if another meeting with you all is possible in
23 April, early April, and if that would leave staff and you
24 all enough time to actually incorporate what we talk about
25 into the final plan.

1 MODERATOR LUCERO: So that's something for
2 consideration. And it was a question we also had earlier,
3 I believe, from the public in terms of process. Do we
4 have any thoughts now or do we want to have that as an
5 action.

6 VICE CHAIR BERG: Let's hear the whole thing,
7 don't you think?

8 MODERATOR LUCERO: Yep.

9 Any other thoughts?

10 Okay. Hector.

11 BOARD MEMBER DE LA TORRE: I'll double back to
12 where I started today, which was to break out the 140
13 recommendations. And I realize that there may be a
14 whittling down. But we can certainly categorize those
15 140, and put them into, you know, cap-and-trade questions,
16 regulatory issues, toxics issues, GGRF issues, where they
17 fit, or external to CARB -- well, toxics would be one of
18 those things, but maybe there's others -- and put them in
19 the right bucket for us to talk about how we would proceed
20 with each of those. And we can have a pro and con
21 conversation. Staff can do an analysis, because at 140,
22 it's a lot.

23 (Laughter.)

24 BOARD MEMBER DE LA TORRE: Thank you.

25 BOARD MEMBER GIOIA: Are you going to be -- are

1 you going to be meaning to prioritize them further, I just
2 wondered?

3 BOARD MEMBER DE LA TORRE: Given there's 700,
4 but -- in order to, you know, kind of break it down. And
5 I appreciate these categories, but we need to think about
6 where the right place is in terms of the government
7 agencies and the response to actually doing these, which
8 may be different.

9 So I think that would be very helpful for us to
10 understand how we go about doing these, if we were to take
11 steps in those directions.

12 MODERATOR LUCERO: And we had a little bit of
13 folks talking over each other. John, you had a question
14 and then Kemba your card is up.

15 BOARD MEMBER GIOIA: My only -- my question was
16 really just whether there was going to be additional
17 discussion by EJAC as to whether it wanted to prioritize
18 some of these recommendations even further.

19 EJAC MEMBER VALENZUELA GARCIA: Yeah. At our
20 meeting on March 29th and 30th we'll be making final
21 recommendations for you all for the final scoping plan
22 draft.

23 EJAC MEMBER ROSE TARUC: So in yesterday's EJAC
24 meeting, one -- part of our process in coming to our final
25 recommendations is both to have a table that the staff has

1 promised to us from the beginning that looks at our 140
2 recommendations, tells us whether it is in the scoping
3 plan or not, and if it's not there, why, so that we can
4 have that conversation. And the EJAC could decide to make
5 adjustments to their recommendations, so that they could
6 be incorporated in there.

7 But the staff has repeatedly failed to complete
8 such a table, and we still don't have a table right now.
9 So there's -- there's -- there's arguments with the staff
10 and the EJAC about that. So we need to get that table.
11 And what we had said was we need to get it next week,
12 because within 2 weeks is the first of our next set of
13 community workshops, because what we want to be able to
14 tell and report back to the community, again, as, you
15 know, the ambassadors to the scoping plan, the EJAC is
16 fanning out again into our communities, and saying this is
17 how your ideas from last summer made it into the scoping
18 plan, or didn't make it into the scoping plan. And then
19 so from there, what do you think is still priority for us
20 to make sure we advocate for inclusion in the scoping
21 plan?

22 So we are going through that process. We're
23 going to need that completed table from staff. We're
24 going to report it back to the community through the
25 workshops, and then we will come up with our final

1 recommendations at our end-of-March EJAC meeting.

2 And then we're hoping that then there is serious
3 time that staff who are writing the scoping plan are then
4 going to read those final recommendations and include it
5 into the scoping plan before the final draft comes out.

6 MODERATOR LUCERO: Richard, here's a microphone.

7 EXECUTIVE OFFICER COREY: I got it. I wanted
8 to -- I really need to respond to that, because I think
9 it's really important, and that is, is that there's been
10 an absolute effort on the part of staff to be responsive
11 to the recommendations in terms of how they map. And I
12 know a few different forms of responses have been shared,
13 and there was -- one that was discussed yesterday. And I
14 know that they -- there's not been satisfaction in terms
15 of the intent.

16 The intent has been there, which is the
17 description that Hector and others gave here, which is a
18 recognition that with each of the recommendations, some
19 map well the scoping plan, how can we be responsive, and a
20 description of how we can be responsive.

21 Some live somewhere else in terms of authority,
22 how -- what's the follow up? What is that, and what is
23 that -- what is actionable. In the point that was raised
24 here, in some cases it may be an authority issue.

25 And my understanding from the conversation that

1 took place yesterday and this morning was I heard that
2 there was agreement on the format. And if that's -- we
3 are finishing this. I mean, I'm personally committing to
4 get you what you just asked for, which was for each of
5 those recommendations a summary of how they are addressed,
6 because many are addressed in the scoping plan, because
7 many of these issues -- and I think this is the challenge.
8 Most of them it's not black and white, it's either in or
9 it's out, it's along a continuum.

10 How can you best respond to the issue, what are
11 the limitations, what are the constraints, and we need to
12 be clear on that.

13 Those that are clearly out, we need to call that,
14 and call out that why -- why that is, but also indicate is
15 there -- does it -- is there an opportunity with the new
16 toxics rule, is the issue with respect to a local permit
17 tightening?

18 So that is -- that is the objective, and you've
19 got a personal commitment from me to populate that, to --
20 you have it, and let's move forward from here.

21 MODERATOR LUCERO: Kevin and then Mary, and I do
22 want to get back to the agreements and the parking lot
23 items too.

24 Kevin.

25 EJAC MEMBER HAMILTON: So with regard to that, we

1 did have a discussion. I think I had to get off the phone
2 because I was livecasting it from my office yesterday.

3 So the suggestion that I had that I think
4 everyone agreed to, and I'm hoping that that's what was
5 agreed to is that you annotate the existing plan with the
6 EJAC recommendations that made it into the plan.

7 It should be a fairly simple process. I have to
8 write things all the time, reports, white papers that I
9 have to annotate. I mean, it's not like rocket science.

10 Now, doing it from behind like this is a little
11 more challenging where you have to reread and insert it,
12 but that's really what we need here. So if I see a
13 footnote, if I see a number, you know, a super script
14 behind a sentence and it already -- you already have it
15 footnoted already for other things, so add this document
16 as one of those things.

17 Now, we still want to illustrate the things that
18 aren't in there and understand those, of course. But for
19 the things that are or that are referred to, it would be
20 great if it said Appendix A, energy and -- you know,
21 energy and whatever, and, you know, page whatever, line
22 whatever. Very simple to do.

23 And I think that at least allows us to connect
24 very easily to it as we're reading the plan. So at the
25 bear minimum, that would be -- I think -- I appreciate

1 the -- I looked at all the things that staff has created,
2 and I still don't know why we didn't do that from the
3 beginning.

4 But man, they have put a lot of hours into this,
5 and I respect that. The amount of time it takes to go
6 through something like this and do that crosswalking they
7 created, that's a yeoman's effort there.

8 But unfortunately, it didn't get us where we
9 needed to be, which is to understand what's in the plan,
10 and what's not in the plan by looking at the plan. I
11 don't want to have to go to another document to look at
12 that, right?

13 EXECUTIVE OFFICER COREY: Thanks, Kevin. That is
14 a clear explanation in terms of what's needed.

15 So thank you.

16 MODERATOR LUCERO: And I just want to capture,
17 because I know, Kevin, you've mentioned this at a couple
18 EJAC meetings, is you also -- because you didn't mention
19 it here is for -- there were some items that the level of
20 detail that the EJAC provided, because they're talking to
21 the communities was on the ground. And I'm just
22 reiterating what I've heard from you guys. So correct me
23 if I'm summarizing wrong.

24 So it's a lot of implementation stuff, and so it
25 didn't quite seem relevant to the plan. So the other

1 thing that Kevin has requested that if it is -- if it's
2 situation where the EJAC recommendation is too detailed,
3 maybe do an annotation there of --

4 CHAIR NICHOLS: You're turing your head away, so
5 I can't hear what you're saying.

6 MODERATOR LUCERO: Oh, sorry.

7 If it's a general -- a general -- it's too
8 specific to be in the scoping plan. Maybe annotate the
9 EJAC recommendation of, well, here's an example of what
10 the EJAC has said might be a way to implement. So I
11 just -- I wanted to make sure I captured that, because you
12 had said it a couple times, and it's in the notes.

13 EJAC MEMBER HAMILTON: Yes.

14 MODERATOR LUCERO: Mary.

15 CHAIR NICHOLS: Maybe I should have put my card
16 down, because I think the last two exchanges helped. I
17 wanted to get to the point of saying specifically what do
18 we do next to get to a document that we can have a
19 conversation around what's in and what's out. And if you
20 don't -- if you're not getting that yet, then I don't see
21 much point actually in trying to go a whole lot further,
22 other than in a broad generic way, because there's -- you
23 know, I can't -- I can't rule on something, I can't make a
24 decision on something without seeing facts in front of me.

25 I disagree about some of the facts that people

1 have referred to here today. That is in statements that
2 were made about what is and what isn't, you know. But
3 I -- I don't think there's any point in having those
4 discussions until we see what's in the scoping plan, and
5 what isn't in the scoping plan, and then we can go from
6 there. That's -- that is -- that is the document.

7 But I -- I would like to say, and I think in
8 general, this -- you know, the conversation has been
9 everything I've hoped for and more. But when we get to
10 the point of sounding like there's been some deliberate
11 failure or refusal on the part of the staff to respond to
12 comments from members of the EJAC or the EJAC as a whole,
13 that does not resonate well with me, because I don't
14 believe it's true.

15 I mean, the product may not be where you want it
16 to be, but the effort that has gone into it has been
17 extraordinary. And the amount of literally blood, sweat,
18 and tears that has gone in to attempting to satisfy the
19 requests that have come from the group has been beyond
20 anything I've ever seen before.

21 So I don't -- I just don't want to have to get to
22 a position where we have to argue about that aspect of it,
23 if I can help it, because I would like to be able to wait
24 until we have one more round of documents, and then talk
25 off of documents.

1 MODERATOR LUCERO: And I do want to acknowledge,
2 we did get an agreement and commitment to get the
3 cross-link table per the instructions earlier today. So
4 we have that.

5 Mari Rose.

6 EJAC MEMBER ROSE TARUC: I also want to emphasize
7 the time that we need the information in order for us to
8 be able to get as much of the advice from the EJAC into --
9 into the scoping plan. And so, yes, we see your staff
10 working really hard. And then we're put under deadlines
11 to get -- to get our recommendations in in order for us to
12 see that they were included. And so even to now, middle
13 of February, when we've had a good set of our
14 recommendations since August to still not have a document
15 that tells us where our recommendations were included, and
16 to have this discussion with the Board about, you know,
17 well, you know, if we actually did have that document and
18 identified where staff disagreed with the EJAC, that would
19 have been a really -- like more maybe animated
20 conversation about which way to move forward, but we -- so
21 this timing issue has been a challenge for the EJAC, based
22 on response, or non-response, or delay that we've
23 experienced with the ARB staff.

24 And I also want to say, so right now what we're
25 also working under in terms of timeline is that there's a

1 comment deadline of March 6th for the comments to the
2 scoping plan, and so -- so right now our process is we're
3 going to have these community workshops, get feedback from
4 many people through the end of March, our final
5 recommendations then like -- is -- will our final
6 recommendations be addressed even in the analysis or as
7 official comments to the scoping plan or the environmental
8 analysis? Like I -- I'm unclear about that.

9 CHAIR NICHOLS: I wasn't going to answer that
10 question. I was going to say something else, but it is to
11 the earlier point, which is just that we started off
12 talking about 148 or 44 regulations -- recommendations.
13 Then coming into the meeting where the plan was presented,
14 it had been sort of reduced down to 38 or 34 -- 38. 38.

15 That's beginning to be a manageable number of
16 things to actually talk about. You know, talking about
17 144 items is like -- it's going through a checklist
18 exercise. We could probably find, you know, some of them
19 in various places that you wouldn't be satisfied with.
20 And I think part of what I'm experiencing here is that I
21 don't feel that people are addressing their true
22 priorities really, because every time we get back together
23 again it always comes down to if it doesn't include -- if
24 doesn't -- if the plan does include cap and trade as the
25 preferred option, or does not include something else as

1 the preferred option, the EJAC is not going to be
2 satisfied that the plan was done adequately no matter
3 what.

4 So let me just put that elephant in the middle of
5 the room, and say it's here. It's in the middle of the
6 room, okay? And we can respond to that and we can talk
7 about that, about whether the analysis is being done
8 correctly, whether the -- you know, whether the whole
9 program is being designed correctly, or we can talk about
10 all the other things and set some priorities to them, but
11 let's do it with some -- let's do it with some priorities,
12 because otherwise, I don't -- I don't think that you're
13 going to end up being satisfied.

14 We may be able to say, yeah, we did the right
15 thing, but, you know, it doesn't feel like the kind of
16 relationship that one would have with an advisory group
17 that, you know, was truly giving advice, as opposed to
18 setting up an adversarial process.

19 MODERATOR LUCERO: Diane.

20 BOARD MEMBER TAKVORIAN: So again, I want to
21 thank everyone for being here today. And for the time it
22 took for everyone to prepare for this meeting and
23 participate. I think that -- again, I do think it's
24 historic and I appreciate Mary calling out the elephant.
25 And I think that -- I hope that we can end this meeting in

1 a positive way, and in a way that really pushes us
2 forward.

3 So, you know, one of the things that I think is
4 in the way in terms of the elephant is an insistence that
5 we stick with the April timeline. So I'd like to put it
6 on table, wherever that table is - unclear to me how this
7 happens - that we abandon the need to complete this in
8 April. We agree at the last meeting that we would
9 consider moving it, and I think we have good evidence as
10 to why that should be moved.

11 One, we have -- we have workshops that are
12 extending through March. We won't have the EJAC
13 recommendations finalized, which we have said over and
14 over again that we want until the end of March. And if
15 the CEQA comment period ends on March 6th, let's be clear,
16 that is the legal end.

17 So whatever staff or the Board does with those
18 comments is not sufficient. It has to be within the CEQA
19 period from my perspective. So I'd like to put that out
20 to me, that's critically important. And without doing
21 that, I think we're disrespecting those comments.

22 The other thing is is that while I think there's
23 a lot of attention on cap and trade, and on alternatives
24 that need to be analyzed, we were missing the OEHHA report
25 until a week ago. That analysis has not been done. The

1 375 targets we keep talking about are -- are getting
2 processed. We're going to get a report in March. We're
3 not going to have that now. That's huge, 38 percent of
4 GHGs. So where is that? How do we agree to a scoping
5 plan that isn't clear on what the regions are going to do
6 to reduce pollution from transportation, the response to
7 the Cushing report, so -- and the list goes on.

8 So with all due respect, it's not just about cap
9 and trade, it's about holding two thoughts in our head at
10 the same time, which is there has been a lot of work that
11 has been done all across the Board. And I really
12 appreciate all of it from the staff, from the EJAC, from
13 the public, and we have an incomplete product.

14 So I think both those things are true. And I
15 think with a few more months, we can have a complete
16 product, and not one that I think we'll all agree on,
17 okay? So that's not -- I don't think that's a reasonable
18 goal. I don't think we'll all agree, but we will have a
19 complete product that we can move forward with. And I --
20 I just don't think we get there by April. And we
21 certainly don't get there with a March 6th CEQA comment
22 deadline.

23 So I'd like to see us extend that.

24 MODERATOR LUCERO: I want to see if we can get
25 the deadline -- the timeline discussion going. So raise

1 your hand if it's a timeline discussion. Keep your tags
2 up. Timeline?

3 (Hands raised.)

4 MODERATOR LUCERO: Okay. Kevin, then John.
5 Kevin.

6 EJAC MEMBER HAMILTON: So I just wanted to very
7 quickly address your comment. I agree with you that we
8 need to avoid an adversarial position in any of this as
9 much as we possibly can, while still remaining true to the
10 people who we're responsible to speak with and who've
11 given their trust to us to speak for them. So that puts
12 us all in very -- and you have the same bond, so we're all
13 in a challenging position trying to keep fidelity and
14 integrity to this. And I think everybody has done a
15 pretty -- pretty damn fine job of that, including your
16 staff and the Board, and I think the EJAC has as well.

17 Sometimes that creates what I learned in, as a
18 director in hospital, to term as healthy tension.

19 (Laughter.)

20 EJAC MEMBER HAMILTON: So sometimes a little
21 tension in the room is really not a bad thing. And good
22 things can come of that, as long as we're all working to
23 at least consensus, which is always my goal, rather than
24 full capitulation, which is what I want.

25 (Laughter.)

1 EJAC MEMBER HAMILTON: No sense in denying it,
2 right? It's what we all want. I'm not going to lie about
3 it, speaking of elephants in the room.

4 (Laughter.)

5 EJAC MEMBER HAMILTON: So we want to win. So --
6 and winning for us may look differently than it looks for
7 someone else. So -- so with regard to the timeline, we
8 are running as fast as we can. I mean, when you -- when
9 you face us -- And I think speak about the valley here
10 where I've got to set up now -- because of this deadline,
11 somehow I've got to set up, as Richard got to see
12 firsthand, meetings across this whole region
13 simultaneously, because I only have one agency in the
14 whole region that has the ability to do that, and that's
15 the air district, which is always fun -- and I am being a
16 little facetious there, yes -- to try to negotiate that,
17 and then work together, and take those comments back from
18 that community and somehow, under this timeline, get them
19 assembled.

20 And what they're going to be -- we're trying to
21 work to make sure, by the way, that what they're
22 commenting on is this new set of comments where we've also
23 showed them where their original comments were translated
24 into this work. So we're working hard at that you can
25 assume, and it's -- again, it's a yeoman's task, as we

1 used to say where I come from.

2 And it is -- it's hard work. You're doing hard
3 work as well as -- and so is staff here. Everybody is
4 working hard. To denigrate that or disrespect that in any
5 way, I can't tolerate, and I won't.

6 And I don't think anybody on this committee will.
7 We have to make statements sometimes that sound harsh,
8 but, you know, that's politics too, right?

9 So we -- I just want to support what Diane is
10 saying. And I think we all know that. I don't know why
11 it's a big discussion. I understand someone outside this
12 room has an agenda. We're all subject to different
13 people's agendas. Sometimes they're hidden, sometimes not
14 so much, but we don't have to allow that to happen.

15 And I think we originally asked for, when I
16 talked to Dean Florez about this originally, I said, Dean,
17 you know, September would be great, but I'd take June.
18 And he said I can -- you know, April.

19 And I said yeah, maybe not so much, but whatever.
20 I guess if that's what it's going to be, it's going to be.
21 But here we are facing that, and I think we're
22 recognizing, both from the Board's point of view and from
23 ours, it just can't be done, not and be done well. So I
24 like to do a job well whenever and always, so...

25 BOARD MEMBER GIOIA: I think it's an important

1 discussion to have. I mean, it's always better to do
2 things thoughtfully and inclusively. I'd want to
3 understand, you know, if there -- if we do discuss a time
4 frame change, you know, there's a difference between 1 or
5 2 months versus a longer period, and trying to understand
6 the other things that are going on that would affect our
7 decision making about that.

8 So I don't know whether, Richard, you want to
9 comment now or tomorrow at our meeting a little bit about
10 issues around the time -- about other parameters we're
11 working under. So if we allow a change in the time frame,
12 you know, what a reasonable amount is to achieve. It's
13 always a balance, right? We're trying to allow more time.
14 We're trying to get a plan going, given all the
15 uncertainty in this country about this issue, and even in
16 this State and how we move forward, but thoughtful is --
17 and contemplative is good, so --

18 CHAIR NICHOLS: John?

19 BOARD MEMBER GIOIA: Yeah.

20 CHAIR NICHOLS: I'm sorry, but I'm going to call
21 a --

22 BOARD MEMBER GIOIA: Okay. A question.

23 CHAIR NICHOLS: -- flag on this one for the
24 simple reason that tomorrow we have a Board meeting --

25 BOARD MEMBER GIOIA: Right.

1 CHAIR NICHOLS: -- which is a noticed Board
2 meeting.

3 BOARD MEMBER GIOIA: We can talk about it there.

4 CHAIR NICHOLS: We can talk about it then when --

5 BOARD MEMBER GIOIA: And I said to Richard either
6 now or tomorrow. In my comments, I said, Richard, either
7 now or tomorrow, to sort of we can comment about that.

8 MODERATOR LUCERO: I think we've exhausted the
9 discussion of the timeline. There will be discussion
10 on -- with -- by the Board tomorrow.

11 So let's gets back to the kind next steps we need
12 to talk about.

13 Katie, was it the timeline?

14 EJAC MEMBER HAMILTON: I think we should mention
15 to the Board that it's -- we're not being disrespectful.
16 Tomorrow, I think, Katie is the only one who can stay
17 through tomorrow.

18 So I just wanted to make sure --

19 EJAC MEMBER TORRES: No, I'm staying too.

20 EJAC MEMBER HAMILTON: What?

21 EJAC MEMBER TORRES: I'm staying also.

22 EJAC MEMBER HAMILTON: Oh, you're now staying
23 also, Eleanor. Okay.

24 EJAC MEMBER TORRES: I was all the time.

25 EJAC MEMBER HAMILTON: So before we only had one

1 person, so I was feeling like, wow.

2 MODERATOR LUCERO: No, it's always been Eleanor
3 and Katie.

4 EJAC MEMBER HAMILTON: She just got a whole load
5 on top of her, so I think -- yeah, so I just wanted --
6 that's not -- not that we don't want to.

7 CHAIR NICHOLS: You don't all have to show up at
8 every meeting. Really, you don't. As long as whoever is
9 there can more or less speak for the group.

10 MODERATOR LUCERO: So just to be clear, because
11 Eleanor wasn't on the mic. Eleanor and Katie will both be
12 there. Eleanor made the commitment to stay there. Luis,
13 are you going to be there too?

14 EJAC MEMBER OLMEDO: Yes.

15 MODERATOR LUCERO: And Luis will be there too, so
16 you'll have a full three.

17 John and then Sandra.

18 BOARD MEMBER BALMES: Thank you.

19 So I just wanted to have a few summary comments
20 on the record here.

21 And since Mary put the elephant in the middle of
22 the room, I want to reiterate what I said at the start,
23 that while I think basically, just to acknowledge, cap and
24 trade is going to be the preferred option. We'll have
25 more discussion about it, but I think that's what's going

1 to happen in the short term.

2 But I think we should have an open mind and
3 should be in the report that a carbon tax could be
4 considered a carbon fee could be considered in the future.
5 That's what I want.

6 I think it's actually appropriate. It's not just
7 pandering to the EJAC. I think it's -- we might actually
8 need it in the future. Whether it's politically expedient
9 or not is another story. I don't claim to be that
10 knowledgeable about political expediency.

11 And the other point that was made by multiple
12 people, which I really endorse, and I think this should
13 also be in the scoping plan, is that to think about
14 community benefits, health and economic. It don't just
15 mean cap and trade. It's the whole kit and caboodle
16 of our climate change mitigation policies under the
17 scoping plan. I mean that's a basic principle that I
18 believe in.

19 And then -- and the Board members and staff
20 will say there's John again about adaptive management.
21 But I think what we're doing with adaptive management is
22 pretty whimpy. I'm glad that there's something there.
23 There's nothing in actually the current scoping plan about
24 it, but we actually are doing a little bit, as you know.

25 I also think that should be in the scoping plan,

1 that we're -- we are going to address other pollutants
2 when we find a capped entity that's producing a lot of
3 greenhouse gases. I mean, it's basically, to me, what's
4 in AB 32. So those are the 3, you know, sort of basic
5 overarching principles that I think should be in the
6 scoping plan. It doesn't have to have paragraphs upon
7 paragraphs, but I think it should be in there.

8 VICE CHAIR BERG: Well, I don't know if we're
9 doing wrap-up comments, but I did want to -- no, no, no.
10 I didn't -- I don't know if we are or not, but I did want
11 to thank everybody. This has really been an extremely
12 thoughtful and really very engaging.

13 I think the biggest step is putting faces and
14 names and being able to interact for the last almost 6
15 hours. It really has been very impressive.

16 But one of the things I wanted to follow up on
17 is, as you go back to your communities, you know, one of
18 the things we talked about is what parts of these can go
19 into the scoping plan, what should we look for other
20 avenues, what belongs to somebody else? How do we get the
21 information to you as you go back out to your communities,
22 so you can educate. You know, one of the things that I
23 did as an owner, I -- I share my financials with all of my
24 people from my people janitors all the way up to vice
25 presidents in the same room. Everybody knows what the

1 sales are, what the expenses are, what operating profit
2 is.

3 But you can't do that if you don't help them
4 understand the zeros, because otherwise they don't have
5 any context to put that in, other than they see a lot of
6 money up there. And so how do we give you the tools you
7 need so that you can take that back and people can feel
8 listened to, and heard? And yet, we can't cover
9 everything in the scoping plan, because it doesn't
10 necessarily belong there?

11 MODERATOR LUCERO: Katie.

12 EJAC MEMBER VALENZUELA GARCIA: I think, you
13 know, we've come full circle to that initial idea, which
14 is, is the cross-linked table with all of the
15 recommendations, and with that level of data, and that
16 transparency that Richard talked about, like, look, we
17 need legislative authority, if we're going to do this.
18 Look, it's Caltrans's authority to expand freeways if they
19 decide to expand freeways, but to really explore like what
20 ARB -- to Diane's point, because you've been given this
21 model of making this plan that encompasses such a broad
22 array of things, what can CARB commit to do to actually
23 follow through with those agencies?

24 Say, you know what, we're going to sit down and
25 talk to Caltrans about induced demand, because it's crazy

1 that just 2 weeks ago I heard senior planners there call
2 induced demand a theory, like it was some alternative fact
3 out there, that if you expand freeways, you don't increase
4 congestion.

5 (Laughter.)

6 EJAC MEMBER VALENZUELA GARCIA: So, like, what
7 can -- like, really having those internal conversations,
8 because that's what we've been looking for since August,
9 is we've been looking for a document that tells us, not
10 only did our recommendations get included in an appendix,
11 but that staff talked about it, that they considered it,
12 that they looked at what the options are, they looked at
13 who was responsible, and they actually made a plan for you
14 know what, if this is coming up, because it's not
15 happening in the communities yet, and we know that it
16 should be happening and it needs to happen, what more can
17 we do?

18 Can we just call the table together and have the
19 conversation? And can we commit to that, so that people
20 in our communities feel like they didn't come to a meeting
21 and say oh, my gosh, why is the Cap City Freeway set to be
22 expanded in 2020, the year that our climate goal is
23 supposed to ratchet down. Moving forward, what can we do,
24 what are our options?

25 And we need ARB to be that champion, even if

1 there's that natural political dynamic of not wanting to
2 get in the air district's territory or other agencies. I
3 think that's a risk that we're willing to back you on, if
4 you're willing to make the commitment to help us figure
5 out how to get that done.

6 EJAC MEMBER DINA ARGÜELLO: I'm remembering ARB's
7 land-use tool, and the production of that. This big. But
8 it was a very collaborative process with a lot of
9 environmental justice folks. And it addressed that,
10 right? Because what you hear in the community -- in
11 that -- those communities are years of being unheard by
12 multiple agencies.

13 And so often you get -- you get a shotgun
14 approach. And so -- and our job has been to sort of look
15 through those and figure out, well, what fits. And even
16 we who've worked within -- with the agency in many ways
17 still struggle with that right, the responsibility, the
18 role, but we have partnered before in giving best
19 practices, right, and sort of strategic direction.

20 And maybe there's a way to take those things that
21 aren't in your purview, that we are hearing from
22 communities, and figure out some -- that, right? Because
23 at the end of the day you're responsible for the air and
24 climate stuff, right?

25 And these are drivers of more -- of more

1 pollution. So figuring that out could be really exciting.
2 And that's why we always think the life of this committee
3 should go beyond this, because, you know, embedded in AB
4 32 that idea of don't make things worse is that
5 recognition of the years of neglect and harm.

6 MODERATOR LUCERO: John.

7 BOARD MEMBER GIOIA: So for me the discussion
8 reminds me a little bit of my experience 19 years
9 representing communities on the county board of
10 supervisors. The communities express a vision, and that
11 vision may involve action by varying levels of government,
12 federal, State, county, city, and that it's important to
13 sort of say, okay, here's what we can -- we have authority
14 to do, here's what we may have authority to influence, and
15 here's what we don't have direction authority to
16 influence.

17 And to the extent that items in the
18 recommendations are a checklist, are really within the
19 legislature's authority, more than ours, to really be
20 honest and think about that, and maybe sort of separate
21 out, and say here are the recommendations that are more
22 specific where ARB has some either formal or informal
23 authority, and then what are those in which, frankly,
24 communities may be a better messenger to the legislature
25 than ARB, right?

1 To some in the legislature, ARB may not be the
2 best messenger, but the communities may. So maybe it's
3 about -- as I get back to this point of sort of
4 prioritizing the recommendations, and really trying to
5 separate out those that may involve action by other
6 agencies that we don't have -- where we may not be the
7 best messenger to influence those things.

8 So I think that's really deserving. And then we
9 will find after that process, I bet, that the
10 recommendations that are directly to us are going to be
11 less, somewhat less than the list. But it's important to
12 have that discussion, because we want to honor that these
13 are visions of communities, including my own, about things
14 we want to achieve. But again, what's the venue where we
15 achieve these things?

16 MODERATOR LUCERO: All right. So we have 10
17 minutes left, two more comments.

18 Luis.

19 EJAC MEMBER OLMEDO: I want to step out of the
20 circle here. What I hear here is we have recommendations
21 that are being presented. I hear that possibly some
22 decisions that are already going to be made, or there's an
23 inclination that there's some choices that are already
24 going to occur.

25 I don't think -- I think it goes beyond showing

1 the numbers, and the transparency in those numbers.
2 There's a reason why there's a disadvantaged, and the
3 disadvantaged is very clear. You have communities that
4 have a lot more access, a lot more influence, and then you
5 have disadvantaged communities.

6 That's why these policies are being put in place.
7 This is a representation of that disadvantage of these
8 marginalized communities.

9 Honestly, from where I sit looking at just -- not
10 as a member, but let's say I remove myself, I'm just
11 seeing a lot of sort of circulating, but no actions, no
12 commitments. And I think that's been the concern all
13 along. I haven't been in every EJAC. I've been in the
14 last couple scoping plans, but I keep hearing the same
15 thing. It's like we're bringing recommendations, but
16 they're not being taken seriously.

17 I've worked with BDOs for a while, and, I mean,
18 there's things I still want to get done in the last 15
19 years. And it's just like, you know, have a -- have a
20 good friend that says (spoke in Spanish). You know that's
21 in Spanish.

22 You guys understand what that means?

23 (Noes.)

24 EJAC MEMBER OLMEDO: It's like stirring the --
25 right, stirring the cup, but -- you know. And I don't

1 mean disrespect or anything, but, I mean, there's a
2 certain sense of reality that we have to face, you know.

3 I don't see this going a whole lot anywhere. I
4 hope -- I actually see progress here, because of this
5 meeting, right? That's progress. That's great. But is
6 that the only thing we're going to walk away with?

7 I guess that's progress. I don't know. I'm not
8 very hopeful. I mean I bring this whole issue of, like,
9 real achievable things that we can do right here, like
10 monitoring. And that's still, you know, (spoke in
11 Spanish). We're going nowhere. And that's real small
12 like.

13 Like I don't know how we're going to really take
14 the bigger recommendations, the more transformative. I
15 just don't -- I don't know. I'm still waiting. I'm
16 hopeful.

17 MODERATOR LUCERO: Mary.

18 CHAIR NICHOLS: I want to yield to everybody
19 else, because I want the last word.

20 (Laughter.)

21 BOARD MEMBER GIOIA: I guess the Chair gets that
22 prerogative, right?

23 (Laughter.)

24 MODERATOR LUCERO: John, do you still have more
25 comments?

1 BOARD MEMBER GIOIA: No.

2 MODERATOR LUCERO: Okay. Kemba.

3 EJAC MEMBER SHAKUR: I could not resist bringing
4 this issue up, because the Committee members are in here.
5 That's a picture of Urban Releaf planting trees at
6 Aviation High School with the Golden State Warriors.
7 That's the work that I do in my community -- or we do in
8 our community. I don't like to say the word "I".

9 But we receive GHG funds, and we're really happy
10 about it. It gave us the opportunity. After 18 years,
11 we've never seen funding like this. And it's allowed us
12 to do a lot more.

13 But when Judy Mitchell spoke about going back to
14 your city and looking at issues of your city, it made me
15 kind of think about -- I think it might have been you,
16 Hector De La Torre.

17 (Laughter.)

18 EJAC MEMBER SHAKUR: I think it might have been
19 you or that man that was sitting there. We were at a UCLA
20 conference like a couple years ago, and it was you or him
21 that said, I don't want to see this funding going for new
22 cars, and new desks, and office stuff. I want to see this
23 funding go to the community. Was that you?

24 BOARD MEMBER DE LA TORRE: It sounds like me.

25 (Laughter.)

1 EJAC MEMBER SHAKUR: Yeah, that sounds like you.
2 I think it was you.

3 But, you know, I -- it's really hard work. It's
4 not easy work. You know, Andy Lipkis talks about the
5 simple act of planting a tree. The tree part might be
6 easy, but the concrete ain't.

7 (Laughter.)

8 EJAC MEMBER SHAKUR: But, you know, we received
9 funds, but another city agency received the funds too.
10 But then that city agency gave their funds to 2 guys who
11 are members of Sierra Club in San Francisco. So now, my
12 organization, Urban Releaf, is competing with Sierra Club,
13 in the flat lands of Oakland.

14 And it just -- it's created a multitude of issues
15 and problems. You know, I -- it's -- it's not easy
16 getting people to plant trees -- I mean, to want trees.
17 You've got to go to the owners. The residents can't do
18 it, so you're already -- you know, it's a lot of work. I
19 don't want to go into it.

20 But I just want to say is that there needs to be
21 a strategy -- anti-displacement strategies, so that people
22 can't just come into your city and use big words like
23 "Sierra Club", and, you know, push you out of your own
24 city.

25 MODERATOR LUCERO: All right. We have 5 minutes

1 left. Any other comments?

2 Okay. Closing remarks.

3 CHAIR NICHOLS: Well, thanks. Actually,
4 Stephanie was going to do the closing remarks, but I
5 actually did want to be heard on the points that we've
6 just been talking about.

7 And particularly I think in response to Luis, but
8 also to Kemba. Thank you so much. I have been -- I've
9 been involved in a lot of tree planting issues over the
10 years.

11 EJAC MEMBER SHAKUR: Four earth days.

12 CHAIR NICHOLS: I know what you're talking about.
13 I totally know what you're talking about.

14 I think it would be sad if people left without
15 having a moment to acknowledge at least how much has been
16 accomplished under AB 32 in terms of what the greenhouse
17 gas funds have already begun to accomplish. Even though
18 we've only had them for a couple of careers, we have seen
19 a lot. We haven't -- one of the areas where we've not
20 done as good a job as we should have, and this was
21 internal difficulties within the State, is just getting
22 the information out, so people could see where the grants
23 were going, and what they were doing.

24 This was government tripping over itself. So,
25 you know, I'm not here to defend everything that

1 government does or that ARB does, but I do want us to also
2 recognize that there have been some very big things that
3 people have worked on under the greenhouse gas rubric.

4 And one of the things that I am the most excited
5 about, which didn't come up today, and, John Balmes, you
6 haven't been around for a little while, so I'm going to
7 take you on on adaptive management. I've think we've
8 moved beyond adaptive management.

9 We've got AB 197 now, which was part of -- part
10 of SB 32. And that's giving us very specific direction.
11 This is not just about, you know, fixing problems. It's
12 about moving towards a much more holistic approach to
13 toxics and health-based air pollutants at the same time
14 that we're working on climate change. This is -- involves
15 a huge shift in paradigm, and it's cross-cutting.

16 And, you know, my agency, I think, has been as
17 fast to adapt as any ever in any bureaucracy that you
18 could find, but still, you know, we're -- you know, it's a
19 hard thing to do to break down all those silos, and break
20 down all those barriers that have existed for so many
21 years.

22 We need you. This isn't just something that
23 we're, you know, putting up with. We have to have better
24 ways to relate to communities. And the work that you are
25 doing is essential work, and it's also, I understand, and

1 some of you have said it directly, it's hard work. It is
2 hard to be a translator, to be a middle person, to have
3 to, you know, move between one set of people and one set
4 of ways of dealing with these things and other, and try to
5 really be relevant and be useful.

6 So I am really overwhelmingly grateful to all of
7 you for having given us your time so far. And I just want
8 to say that I am going to be thinking about what I heard
9 here today, and that tomorrow at the Board meeting, I do
10 expect to address the issue of what happens next in terms
11 of the timeline.

12 So that's all I'm going to say right now, but I
13 thank you, and we'll see you tomorrow.

14 MODERATOR LUCERO: Do we want a real quick
15 summary from your neighborhood facilitator of what you
16 guys did accomplish today and not just on AB 32?

17 John, is that a yes or a no.?

18 (Laughter.)

19 BOARD MEMBER BALMES: No.

20 (Laughter.)

21 BOARD MEMBER BALMES: I just want to respond
22 to -- sorry. I just wanted to respond to the shout-out
23 from Mary. I'm really glad that you brought up AB 197,
24 because that actually should make us change our culture
25 and paradigm. And, yeah, that's more important than

1 making sure that adaptive management is in the report --
2 the scoping plan, but I still would like it to be in the
3 scoping plan.

4 (Laughter.)

5 MODERATOR LUCERO: I'm going to force you to
6 recognize what you accomplished today.

7 And I'm sorry, it's going to be fast.

8 So this was a historic moment, sitting down
9 talking with each other about where you come from, what
10 your issues are, what your concerns are, having the
11 opportunity to ask questions of why is that important, how
12 is that important? Let's acknowledge that, and thank you
13 for taking the time to be here and doing that and braving
14 the traffic.

15 (Applause.)

16 MODERATOR LUCERO: Agreements. From both sides,
17 EJAC and ARB, an acknowledgement that public health is an
18 important focus, making sure that AB 32, the scoping plan
19 addresses improved health for Californians, and addresses
20 the issues of EJAC communities.

21 The urgency of resolution, that something needs
22 to be done to address the concerns, and an acknowledgement
23 that that may not be in the scoping plan. It's a plan.
24 So maybe there's a need to look outside of the scoping
25 plan to figure out how to resolve some of these issues.

1 Everybody talked about better and greater data
2 metrics. Better data, more -- better understanding of
3 data, so we know what the problem is and how to resolve
4 it. That doesn't mean that we ignore existing data. We
5 may not have all the data and all the metrics we want.
6 There is some data out there. The issues are urgent.
7 Let's see what we can do with the data we have.

8 Look at the full scope of the issues, as well as
9 the resolution. There's a lot of discussion about
10 coordination, the role that CARB may or may not play.
11 They didn't commit, but they definitely said let's think
12 about what role can CARB play in coordinating amongst
13 those agencies?

14 Where can we push the bounds within the limits of
15 our capability in order to push these discussions. And
16 that was seen throughout in a lot of the parking lot
17 items. Food for thought. Not agreements, but food for
18 thought from CARB of how do we see what type of steps need
19 to be taken beyond what the scoping plan is, how can the
20 scoping plan respond to things that are outside ARB's
21 authority, how can local agencies' compliance regulations,
22 how can we get consistency there, how can we motivate
23 that?

24 You haven't resolved that, but that's a question
25 you're asking. And I think that's an important thing,

1 because it's definitely something that the EJAC has
2 expressed an interest in.

3 Other items that came up is just next steps. How
4 can we identify what other agencies would be responsible
5 for some of the EJAC recommendations? We got a commitment
6 for the cross-link table, and some of that might be
7 include. And then we also got a commitment to continue
8 that.

9 Now, the other -- this is consistent with both
10 agreements of something that needs to be considered, and
11 then also we still need to figure out how to do it, but
12 that's finding a commonality for the air districts related
13 to toxic controls and figuring out how to engage
14 communities.

15 And I think we all acknowledged and greed that
16 the EJAC and the organizations and communities you
17 represent here are a vital component to brining the ground
18 truth, the issues that you're seeing, the 700
19 recommendations that you got from your community workshop,
20 and help filter that up to the scoping plan.

21 It's at 140 now. It might stay at 140, but
22 hopefully it can be filtered more, so that there's a
23 better understanding of what's going on in the ground, and
24 how the scoping plan impacts that. And so continued
25 discussions are important, and continued discussions will

1 happen.

2 I want to thank you all for staying here till
3 6:00 p.m. Drive safely. Have a wonderful evening.

4 See some of you tomorrow.

5 (Applause.)

6 (Thereupon the Air Resources Board and EJAC
7 joint meeting adjourned at 6:03 p.m.)

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1 C E R T I F I C A T E O F R E P O R T E R

2 I, JAMES F. PETERS, a Certified Shorthand
3 Reporter of the State of California, do hereby certify:

4 That I am a disinterested person herein; that the
5 foregoing California Air Resources Board meeting was
6 reported in shorthand by me, James F. Peters, a Certified
7 Shorthand Reporter of the State of California, and was
8 thereafter transcribed, under my direction, by
9 computer-assisted transcription;

10 I further certify that I am not of counsel or
11 attorney for any of the parties to said meeting nor in any
12 way interested in the outcome of said meeting.

13 IN WITNESS WHEREOF, I have hereunto set my hand
14 this 28th day of February, 2017.

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22 JAMES F. PETERS, CSR
23 Certified Shorthand Reporter
24 License No. 10063
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