

VIDEOCONFERENCE MEETING
STATE OF CALIFORNIA
AIR RESOURCES BOARD

CALEPA HEADQUARTERS
1001 I STREET
SACRAMENTO, CALIFORNIA

THURSDAY, OCTOBER 22, 2020
9:02 A.M.

JAMES F. PETERS, CSR
CERTIFIED SHORTHAND REPORTER
LICENSE NUMBER 10063

A P P E A R A N C E S

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Dr. John Balmes

Mr. Hector De La Torre

Mr. John Eisenhut

Supervisor Nathan Fletcher

Senator Dean Florez

Supervisor John Gioia

Ms. Judy Mitchell

Mrs. Barbara Riordan

Supervisor Phil Serna

Dr. Alexander Sherriffs

Professor Dan Sperling

Ms. Diane Takvorian

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Mr. Richard Corey, Executive Officer

Ms. Edie Chang, Deputy Executive Officer

Mr. Steve Cliff, Deputy Executive Officer

Mr. Kurt Karperos, Deputy Executive Officer

Ms. Ellen Peter, Chief Counsel

Ms. Annette Hebert, Assistant Executive Officer

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

STAFF:

Tiffanie Be, Air Pollution Specialist, Criteria Pollutant Inventory Section, Air Quality Planning and Science Division (AQPSD)

Mr. Michael Benjamin, Division Chief, AQPSD

Ms. Laura Carr, Air Pollution Specialist, Central Valley Air Quality Planning Section, AQPSD

Mr. Mike Carter, Assistant Division Chief, Mobile Source Control Division (MSCD)

Mr. Dave Edwards, Assistant Division Chief, AQPSD

Mr. Rhead Enion, Senior Attorney, Legal Office

Mr. Jorn Herner, Branch Chief, Research Planning and Emission Mitigation, Research Division (RD)

Ms. Kim Heroy-Rogalski, Branch Chief, Mobile Source Regulatory Development Branch, MSCD

Mr. Jason Hill-Falkenthal, Manager, Strategic Planning and Development Section, MSCD

Ms. Bonnie Holmes-Gen, Branch Chief, Health Exposure Assessment Branch, RD

Mr. Cody Howard, Manager, Specialized Fleet Enforcement Section, Enforcement Division (ED)

Ms. Stephanie Huber, Manager, Criteria Pollutant Inventory Section, AQPSD

Nesamani Kalandiyur, Manager, Transportation Analysis Section, Sustainable Transportation and Communities Division

Mr. Hang Liu, Staff Air Pollution Specialist, Freight Hub Enforcement Section, ED

Ms. Edna Murphy, Division Chief, Administrative Services Division

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

STAFF:

Ms. Claudia Nagy, Senior Attorney, Legal Office

Ms. Sarah Pittiglio, Manager, Research Planning and
Climate Analysis Section, RD

Ms. Heather Quiros, Branch Chief, Diesel Programs
Enforcement Branch, ED

Ms. Rajinder Sahota, Division Chief, Industrial Strategies
Division

Mr. Todd Sax, Division Chief, ED

Ms. Elizabeth Scheehle, Division Chief, RD

Mr. Craig Segall, Assistant Chief Counsel

Mr. Webster Tasat, Manager, Central Valley Air Quality
Planning Section, AQPSD

Ms. Sylvia Vanderspek, Branch Chief, Air Quality Planning
Branch, AQPSD

Ms. Sydney Vergis, Assistant Division Chief, MSCD

Mr. Collin Weigel, Air Pollution Specialist, Research
Planning and Climate Analysis Section, RD

Mr. Daniel Whitney, Senior Attorney, Legal Office

Mr. Jeffery Williams, Air Pollution Specialist, Indoor
Exposure Assessment Section, RD

Mr. Patrick Wong, Manager, Indoor Exposure Assessment
Section, RD

ALSO PRESENT:

Ms. Sylvia Aguilar, The Two Hundred

Mr. Gustavo Aguirre Jr., Central California Environmental
Justice Network

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

ALSO PRESENT:

Mr. Michael Apodaca, The Two Hundred

Ms. Martha Arguello, Physicians for Social Responsibility
LA

Ms. Martha Armas-Kelly, Catholic Charities Diocese of
Stockton

Ms. Shayda Azamian, Leadership Counsel for Justice and
Accountability

Ms. AZ Banguis, Little Manila Rising

Senator Steven Bradford

Mr. Julian Canete, California Hispanic Chambers of
Commerce

Ms. Sylvia Chi, Asian Pacific Environmental Network

Assembly Member Jim Cooper

Mr. David Cruz, League of United Latin American Citizens,
Latin Business Association

Ms. Janet Dietzkamei

Ms. Grecia Elenes, Leadership Counsel for Justice and
Accountability

Ms. Chanell Fletcher, ClimatePlan

Mr. David Flores, Environmental Health Coalition

Mr. Tom Frantz, Association of Irrigated Residents

Mr. Ruben Guerra, Latin Business Association

Mr. Thomas Helme, Valley Improvement Projects, California
Environmental Justice Coalition

Ms. Pat Holland

Mr. Mark Jacobs

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

ALSO PRESENT:

Mr. Timothy Jefferies, Boilermakers Local Lodge 549

Reverend Jones, California Association of Black Pastors

Mr. Jonathan Klassen, San Joaquin Valley Air Pollution
Control District

Mr. Ryan Kenny, Clean Energy

Mr. Doug Kessler, Si Se Puede Fresno, Tulare, Kings, Kern

Ms. Elaine Labson, Little Manila Rising

Mr. Edwin Lombard, California African American Chamber of
Commerce

Ms. Gladys Limon, California Environmental Justice
Alliance

Mr. Bill Magavern, Coalition for Clean Air

Mr. Thomas Menz

Ms. Denise McCoy

Mr. Luis Miramontes, Boilermakers Local 92

Ms. Neena Mohan, California Environmental Justice Alliance

Mr. Roman Partida-Lopez, Greenlining Institute

Ms. Cynthia Pinto-Cabrera, Central Valley Air Quality
Coalition

Mr. Eddie Price, San Diego Urban Sustainability Coalition

Ms. Erin Rodrigues, Union of Concerned Scientists

Mr. Martin Rodriguez, Tri-County Building Trades

Mr. Mark Rose, National Parks Conservation Association

Mayor Michael Saragosa, City of Placerville

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

ALSO PRESENT:

Mr. John Spaulding

Ms. Clare Statham

Mr. Ron Sundergill, National Parks Conservation
Association

Ms. Tia Sutton, Truck and Engine Manufacturers Association

Mr. Daniel Tabor

Ms. Glenabel Toreno, Little Manila Rising

Ms. LaDonna Williams

Ms. Christine Zimmerman, Western States Petroleum
Association

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P R O C E E D I N G S

CHAIR NICHOLS: Good morning. Can everybody hear me?

BOARD CLERK SAKAZAKI: Good morning, Chair Nichols, we can hear you.

BOARD MEMBER MITCHELL: Yes, we can hear you.

CHAIR NICHOLS: Okay. Great. Thank you.

I am going to call the October 22nd, 2020 public meeting of the California Air Resources Board to order. The clerk will please call the roll.

BOARD CLERK SAKAZAKI: Thank you, Madam Chair.

Dr. Balmes?

Mr. De La Torre?

Mr. Eisenhut?

BOARD MEMBER EISENHUT: Here.

BOARD CLERK SAKAZAKI: Supervisor Fletcher?

BOARD MEMBER FLETCHER: Here.

BOARD CLERK SAKAZAKI: Senator Florez?

BOARD MEMBER FLOREZ: Here.

BOARD CLERK SAKAZAKI: Assemblymember Garcia?

Supervisor Gioia?

BOARD MEMBER GIOIA: Here.

BOARD CLERK SAKAZAKI: Ms. Mitchell?

BOARD MEMBER MITCHELL: Here.

BOARD CLERK SAKAZAKI: Senator Monning?

1 Mrs. Riordan?

2 BOARD MEMBER RIORDAN: Here.

3 BOARD CLERK SAKAZAKI: Supervisor Serna?

4 BOARD MEMBER SERNA: Here.

5 BOARD CLERK SAKAZAKI: Dr. Sherriffs?

6 BOARD MEMBER SHERRIFFS: Here.

7 BOARD CLERK SAKAZAKI: Professor Sperling?

8 BOARD MEMBER SPERLING: Here.

9 BOARD CLERK SAKAZAKI: Ms. Takvorian?

10 BOARD MEMBER TAKVORIAN: Here

11 BOARD CLERK SAKAZAKI: Vice Chair Berg?

12 VICE CHAIR BERG: Here.

13 BOARD CLERK SAKAZAKI: Chair Nichols?

14 CHAIR NICHOLS: Here.

15 BOARD CLERK SAKAZAKI: Madam Chair, we have a
16 quorum.

17 CHAIR NICHOLS: Thank you very much. I have the
18 usual opening remarks about how we are attempting to use
19 the Zoom technology to mirror our normal meetings and
20 congratulating ourselves on how well we've been doing for
21 the last couple of months. But I'm going to have to take
22 myself offline here for a few minutes, because I am not in
23 my usual location and I managed to completely lose any
24 picture function, which is kind of disturbing.

25 So I'm going to ask Vice Chair Berg to open the

1 meeting with the first research item, unless I get back in
2 time. I'll just let you know, for the record again, that
3 there are interpretation services being provided today n
4 Spanish and that anyone who wishes to use them can click
5 the interpretation button that will appear on the Zoom
6 screen and select Spanish if they want to do that. If the
7 interpreter will make these remarks for me in Spanish, I'd
8 appreciate it.

9 (Interpreter translated in Spanish.)

10 CHAIR NICHOLS: Thank you. I also would like to
11 ask the clerk. I managed to fix it all by myself.
12 Whatever it was I did (inaudible) myself.

13 VICE CHAIR BERG: Okay.

14 CHAIR NICHOLS: So far so good.

15 Okay. I'm going to ask the Board Clerk to
16 provide more details about the procedures that we're going
17 to be using today.

18 Ryan.

19 BOARD CLERK SAKAZAKI: Thank you, Madam Chair.
20 And I'm so glad you got your -- got your video fixed
21 there.

22 CHAIR NICHOLS: Me too.

23 BOARD CLERK SAKAZAKI: Good morning, everyone.
24 My name is Ryan Sakazaki and I will -- I am one of the
25 Board Clerks. I will provide some information on how

1 public participation will be organized for today's
2 meeting.

3 If you wish to make a verbal comment on one of
4 the Board items or if you want to make a comment during
5 the open comment period at the end of today's meeting, you
6 must be using the Zoom webinar or calling in by telephone.
7 If you are currently watching the webcast on CAL-SPAN, but
8 wish to comment, please register for the Zoom webinar or
9 call in. Information for both can be found on the public
10 agenda.

11 To make a verbal comment, we will use -- we will
12 be using the raise-hand feature on Zoom. If you wish to
13 speak on a Board item, please virtually raise your hand,
14 as soon as the item begins so you -- to let us know you
15 wish to speak. To do this, if you are on a computer or
16 tablet, there's a raise-hand button. If you are calling
17 in on the telephone, please dial star nine to raise your
18 hand.

19 Even if you have previously registered and
20 indicated which item you wish to speak on, please raise
21 your hand at the beginning of the item, if you wish to
22 speak on it. If you do not raise your hand, your chance
23 to speak will be skipped. If you are giving your verbal
24 comment in Spanish, please indicate so at the beginning of
25 your testimony and our translator will assist you. During

1 your comment, please pause after each sentence to allow
2 for the interpreter to translate your comment into
3 English.

4 When the comment period starts, the order of
5 commenters will be determined by who raises their hand
6 first. I will call -- I will call on each commenter by
7 name and then activate each commenter when it is their
8 turn to speak. For those calling in, I will identify you
9 by the last three digits of your phone number.

10 We will not show a list of commenters, however I
11 will be announcing the next three or so commenters in the
12 queue, so you are ready to testify and know who is coming
13 next. Please note that you will not appear by video
14 during your testimony. I would like to remind everyone,
15 commenters, Board members and CARB staff to please state
16 your name for the record before you speak. This is
17 important in this remote meeting setting, and especially
18 important for those calling in to testify on an item.

19 We will have a time limit -- time limit for each
20 comments -- commenter, excuse me. The normal time limit
21 is three minutes. However, this could change based on the
22 Chair's discretion. During public testimony, you will see
23 a timer on the screen. For those calling in by phone, we
24 will run the timer and let you know when you have 30
25 seconds left and when your time is up.

1 If you wish to submit written comments today,
2 please visit CARB's send-us-your-comments page or look at
3 the public agenda on our webpage for links to send these
4 documents electronically. Comments will be accepted on
5 each item until the Chair closes the record for that Board
6 item. I would like to give a friendly reminder to your
7 Board members and our CARB staff to please mute yourself
8 when you're not speaking to avoid background noise.

9 Also, when you do speak, please speak from a
10 quiet location. If you experience any technical
11 difficulties, please call (805)772-2715, so an IT person
12 can assist. Again, that's (805)772-2715.

13 Thank you. I'd like to turn it back to Chair
14 Nichols now.

15 CHAIR NICHOLS: Thank you very much.

16 Our first item on the agenda is Item number
17 20-11-01. And it's to consider a research contract with
18 UC Berkeley titled "Total Exposure to Air Pollutants and
19 Noise in Disadvantaged Communities". And again, if you
20 wish to comment, please click the raise-hand button or
21 dial star nine now and you'll be called on when we get to
22 the public comment portion of this item.

23 The reason this item is on the agenda today is
24 due to the size of the contract and also in order to
25 comply with our requirements for Board approval in

1 Government Code section 1091, because one of our Board
2 members is affiliated with UC Berkeley. Therefore, Board
3 Member Balmes will not be voting on this item. He'll
4 abstain from the discussion and the vote.

5 This research proposal was developed in response
6 to the Board-approved research projects for fiscal year
7 2021 -- 2020 to 2021.

8 Mr. Corey, please summarize the item.

9 EXECUTIVE OFFICER COREY: Yes. Thank you, Chair.

10 Since the passage of the United States Clean Air
11 Act in 1970, air quality has continued to improve.
12 However, these improvements have not benefited everyone
13 equally. Disparities persist for both exposure to harmful
14 air pollutants and incidence of adverse health effects in
15 the United States. Decades of public health research
16 clearly show that people living in disadvantaged
17 communities experience higher than average exposures to
18 airborne pollutants with increased rates of asthma, heart
19 disease and premature mortality as compared to people not
20 living in disadvantaged communities.

21 The research proposal before the Board will
22 employ indoor and outdoor field studies along with
23 personal monitoring conducted in disadvantaged communities
24 in Northern California and the San Joaquin Valley to
25 assess exposures to air pollutants and noise. The

1 expected results will address knowledge gaps about
2 exposures in disadvantaged communities by providing
3 information on how personal behaviors and external
4 factors, such as building characteristics, modes of
5 transportation, or participant location contribute to
6 pollutant and noise exposure and indoor air quality.

7 The results from this study will be used to
8 improve our assessment of health risks for residents of
9 disadvantaged communities and further the goals of
10 California Assembly Bill 617 by identifying localized
11 sources and personal activities most responsible for air
12 pollutant and noise exposures. This study will also
13 provide CARB with data to inform policies for
14 decarbonization.

15 That concludes my remarks.

16 CHAIR NICHOLS: Thank you very much.

17 Are there any members of the public who've signed
18 up to comment on this item?

19 BOARD CLERK SAKAZAKI: Yes, Madam Chair. We have
20 two members of the public with their hands raised. The
21 first is a phone number ending in 806. The next is Daniel
22 Tabor. So phone number ending in 806, I will activate
23 your speaker. You can go ahead and begin.

24 Phone number ending in 806, are you there?

25 Okay. Your speaker is unmuted.

1 MR. GUERRA: Yeah, good morning.

2 CHAIR NICHOLS: Good morning.

3 MR. GUERRA: Good morning, Chair Nichols and
4 Board members. This is -- my name is Ruben Guerra and I'm
5 the Chairman of the Latin Business Association and
6 Director of the Region 20 of Latin America.

7 While applaud you for taking up such an important
8 issue as race and equity, I am deeply concerned of
9 transparency. Stakeholders and the public deserve time to
10 be able to read and digest this report. Making this
11 report public as this meeting starts and then taking
12 action on it is unacceptable.

13 In your words, Supervisor Serna, from an up in
14 2018 note that I will continue to be outspoken on the
15 subject of transparency as it relates to independent,
16 unbiased and timely reviews of subject matters.

17 Also, my friend Hector De La Torre, you know, we
18 need to be a lot more transparent on these issues.

19 Thank you for your time.

20 CHAIR NICHOLS: Thank you, Mr. Guerra. I believe
21 your comments relate to a different item on the agenda,
22 but we will move them over to that item and take them as
23 part of the record for that discussion, when we get to the
24 report.

25 Thank you.

1 MR. GUERRA: Sorry about that. Thank you.
2 That's for Item 4, I believe.

3 CHAIR NICHOLS: Yes. No problem.

4 BOARD CLERK SAKAZAKI: Thank you. Yeah. Just a
5 reminder. This is for the research contract with UC
6 Berkeley.

7 So our next commenter is Daniel. I have
8 activated your microphone. You can unmute yourself and
9 begin.

10 MR. TABOR: Good morning, all, Madam Chairman --
11 Madam Chairwoman. I raised this point and it would be
12 relevant to the next three items, including Item 4. And
13 that is that the study, as proposed by the University of
14 California, is important to all communities, and
15 especially to communities of color. But the important
16 aspect of it that is often overlooked, and the reason I
17 speak now, is because those conducting the study need to
18 include people who have similar culture, similar ethnic
19 experiences, and similar relationships to the communities
20 being studied. And typically, in research performed by
21 the University of California, the researchers have tended
22 to be white graduate student, white professional
23 researchers not reflective of the communities of color
24 that are impacted as identified in this study.

25 And I just rise to suggest that that be a

1 consideration, and that a plan be developed to include
2 researchers of color amongst those conducting the
3 research.

4 Thank you for your time.

5 CHAIR NICHOLS: Thank you.

6 BOARD CLERK SAKAZAKI: Thank you.

7 Our last speaker for this item is LaDonna
8 Williams. I have activated your microphone. You can
9 unmute yourself and begin.

10 MS. WILLIAMS: Good morning. Can you hear me?

11 BOARD CLERK SAKAZAKI: Good morning. We can hear
12 you.

13 MS. WILLIAMS: Okay. Yes. Good morning.

14 So what I wanted to make reference to, in
15 particular, is the study. And I wanted to remind those
16 involved in this study, as the previous commenter made
17 reference to, not only just people of color, but
18 particularly African Americans, who we know are -- have
19 some of the worst health outcomes and health disparities.
20 So I wanted to know how many folks were contacted about
21 the study in the areas that they're going to be studying?
22 In other words, is it just only researchers? Have you
23 reached out to community members that you will be
24 studying, because we have not heard about this study that
25 was coming down the pike.

1 There is Rodeo, California. There is Vallejo
2 California, San Francisco, Hunters Point, West and East
3 Oakland, Richmond, California, Pittsburg. We have all of
4 these vulnerable areas. Yet, I think I heard you mention
5 San Joaquin and other communities. I wanted to know how
6 much effort is being put into specifically these
7 low-income areas. Many of them are public housing units
8 with some of the worst water quality and air quality.

9 So as you move this forward, if they haven't
10 included residents and community members that are working
11 on these issues, I would suggest that they include them in
12 this study. Thank you.

13 BOARD CLERK SAKAZAKI: Thank you. Madam Chair,
14 that concludes the list of commenters for this item.

15 CHAIR NICHOLS: Thank you.

16 Well, I think those are valid questions for sure.
17 And we don't have the researchers who are doing the study
18 here to actually describe the process that they're going
19 to be using to select the communities or reach out to
20 include people in those discussions. I don't know if the
21 staff has any additional information to add at this time.
22 I mean, I know it is part of the research protocol
23 normally to describe all of that, but I don't know that we
24 have that information to add at the moment.

25 EXECUTIVE OFFICER COREY: Chair Nichols, this is

1 Richard. I'm going to call on Bonnie Holmes-Gen with our
2 Research Division who oversaw the solicitation and the
3 project. And certainly, we agree with the point about the
4 community selection and outreach. But, Bonnie, can you
5 please add to that point, if you would?

6 RD HEALTH AND EXPOSURE ASSESSMENT BRANCH CHIEF
7 HOLMES-GEN Hello. I'm hoping you can hear me okay. I'm
8 having my own issues and I'm on my phone.

9 CHAIR NICHOLS: You sound good.

10 (Laughter.)

11 RD HEALTH AND EXPOSURE ASSESSMENT BRANCH CHIEF
12 HOLMES-GEN: We're all having technical issues today.
13 Yeah. The research will be conducted as with -- it's
14 slated to be conducted in the Bay Area and San Joaquin
15 Valley. The researchers have not selected, as you've
16 said, the specific communities. I do agree this is very
17 helpful input. And I think that there certainly can be
18 outreach in those communities where we are planning to
19 conduct the study. So I think that is very helpful
20 outreach -- I mean very helpful input.

21 And again, this study will help us to better
22 prioritize the sources that are affecting disadvantaged
23 communities, both indoor and outdoor air quality sources,
24 and be able to prioritize them. So we feel like this
25 information will be incredibly helpful to our future

1 equity and our regulatory efforts.

2 CHAIR NICHOLS: Thanks, Bonnie. I think I'm
3 going to close the record on this agenda item then and ask
4 the Board members if they've had an opportunity to review
5 it. And could I have a motion and a second, please.

6 BOARD MEMBER DE LA TORRE: Motion to approve the
7 recommendation.

8 VICE CHAIR BERG: Sandy Berg second.

9 BOARD MEMBER SHERRIFFS: Second.

10 CHAIR NICHOLS: Would you call the roll, please,
11 then, Ryan.

12 BOARD CLERK SAKAZAKI: Yes. Thank you, Madam
13 Chair.

14 Mr. De La Torre?

15 BOARD MEMBER DE LA TORRE: Aye.

16 BOARD CLERK SAKAZAKI: Mr. Eisenhut?

17 BOARD MEMBER EISENHUT: Eisenhut, aye.

18 BOARD CLERK SAKAZAKI: Supervisor Fletcher?

19 BOARD MEMBER FLETCHER: Fletcher, aye.

20 BOARD CLERK SAKAZAKI: Senator Florez?

21 Senator Florez?

22 BOARD MEMBER FLOREZ: Sorry. On mute.

23 Florez, aye.

24 BOARD CLERK SAKAZAKI: Thank you.

25 Supervisor Gioia?

1 Supervisor Gioia?

2 Ms. Mitchell?

3 BOARD MEMBER MITCHELL: Aye.

4 BOARD CLERK SAKAZAKI: Mrs. Riordan?

5 BOARD MEMBER RIORDAN: Aye.

6 BOARD CLERK SAKAZAKI: Supervisor Serna?

7 BOARD MEMBER SERNA: Aye.

8 BOARD CLERK SAKAZAKI: Dr. Sherriffs?

9 BOARD MEMBER SHERRIFFS: Sherriffs, aye.

10 BOARD CLERK SAKAZAKI: Professor Sperling?

11 BOARD MEMBER SPERLING: Aye.

12 BOARD CLERK SAKAZAKI: Ms. Takvorian?

13 BOARD MEMBER TAKVORIAN: Aye.

14 BOARD CLERK SAKAZAKI: Vice Chair Berg?

15 VICE CHAIR BERG: Aye.

16 BOARD CLERK SAKAZAKI: Chair Nichols?

17 CHAIR NICHOLS: Aye.

18 BOARD CLERK SAKAZAKI: Madam Chair, the motion
19 passes.

20 BOARD MEMBER GIOIA: Aye. Aye. I'm sorry. Aye.

21 CHAIR NICHOLS: Thank you, Supervisor.

22 Madam Chair, the motion passes.

23 CHAIR NICHOLS: Thank you very much.

24 Okay. That's one item down.

25 Let's move on then to Item number 20-11-2, a

1 proposed research contract with UC Davis entitled,
2 "Developing a Comprehensive Framework for Estimating the
3 Social Cost of Emissions of Criteria Pollutants and Air
4 Toxics in California and Identifying Other Direct and
5 Indirect Benefits of California's Climate and Air Quality
6 Programs".

7 This item is on the agenda again today, because
8 of the size of the contract and also because of the need
9 to comply with the requirements of Government Code section
10 1091, because two of our Board Members are affiliated with
11 UC Davis. Therefore, Board Members Berg and Sperling will
12 abstain from the discussion and the vote.

13 This research proposal was developed in response
14 to a Board-approved research request for proposal for
15 fiscal year 2020-2021.

16 Mr. Corey, would you please summarize the item?

17 EXECUTIVE OFFICER COREY: Yes. Thanks, Chair.

18 Achieving California's challenging air quality
19 and climate objectives will require accurate information
20 about the health benefits and avoided damages of relevant
21 policies. Metrics beyond the social cost of carbon are
22 needed to better quantify climate, air quality, health and
23 other co-benefits of California's climate programs.

24 This information on the impact of policies on
25 health and well-being will make it easier for communities

1 and decision makers to understand and track the effect of
2 climate and air quality policies and measures.

3 This project will review and assess the
4 environmental, energy, economic and social benefits
5 related to California's climate and air quality programs,
6 including methods for additional health endpoints. The
7 final product will be a publicly accessible spreadsheet
8 modeling that can be used by CARB, local governments,
9 communities and other interested stakeholders.

10 It will account for the major factors that
11 determine air pollution damages. CARB will be able to use
12 the model to evaluate the public health effects of air
13 quality and climate change programs. CARB staff recommend
14 that the Board approve funding of the proposed research
15 project with the University of California, Davis, as you
16 noted.

17 That concludes my remarks.

18 CHAIR NICHOLS: Thank you very much.

19 We can call for any testimony now.

20 BOARD CLERK SAKAZAKI: Thank you, Madam Chair.
21 We have two people with their hands currently raised. If
22 you wish to comment on this item, please raise your hand
23 or dial star nine, if you're on the phone.

24 Our first commenter is Janet Dietzkamei and our
25 second is Daniel Tabor.

1 So Janet, I have activated your microphone. You
2 can unmute yourself and begin.

3 MS. DIETZKAMEI: Good morning, Chairman Nichols
4 and Board members. I am -- this is very important to
5 run -- to recognize the costs involved in having asthma
6 and other respiratory diseases in the San Joaquin Valley,
7 where our air is, on the average, unhealthy for everyone,
8 but mostly especially those of us with underlying
9 conditions.

10 I am -- it gives me happiness to know that
11 although I have been asking for this sort of
12 consideration, the costs involved in having a respiratory
13 disease or other diseases that are negatively affected by
14 our air pollution, the cost is great for those of us with
15 these illnesses, especially when there is hospitalization,
16 emergency room, and the medications to pull us out of
17 having, in my case, a asthma attack.

18 So thank you for including the costs of our
19 health problems. We all have our own separate reactions
20 to this air.

21 Thank you.

22 BOARD CLERK SAKAZAKI: Thank you.

23 Our next commenter is Daniel. I have activated
24 your microphone. You can unmute yourself and begin.

25 MR. TABOR: Thank you very much. Again, Madam

1 Chairwoman, I rise to extend the same concern that while
2 this study is extremely important, not just for those who
3 are impacted by air quality, but also those impacted by
4 noise and water quality as well.

5 I think that the question that I raise before is
6 relevant here, that the research conducted in a culturally
7 competent way. And that includes a commitment to have
8 individuals perform a broad educational program in those
9 communities of color and those underrepresented
10 communities, so that the conversation about potential
11 impacts is preceded by a conversation educating the
12 community on what air quality issues are, what responses
13 to air quality can be, and more importantly how they can
14 benefit from an effort that assesses their impacts and
15 then develops a program to mediate and support their needs
16 based on those impacts.

17 I think this is essentially important that those
18 individuals who conduct the study and who provide the
19 education are representative of those communities, so that
20 we move away from a -- and in -- sort of sense of invasion
21 as opposed to a sense of participation. That can best be
22 reflected in people of color, particularly
23 African-Americans and African-American communities,
24 Spanish speaking folks and Spanish language communities,
25 working with Pacific Asian community folks of similar

1 culture.

2 I make this point again, because it's so often
3 discussed, but then not implemented. And I think as you
4 negotiate the terms of the contract and refinement of the
5 research protocols, that these issues be included and
6 addressed prior to the initiation of any effort.

7 Again, thank you for your time.

8 CHAIR NICHOLS: Thank you. And I note that we do
9 have representation from the Research Division on this
10 Zoom call, so they've heard your remarks as well and
11 understand the importance of them.

12 I'm now going to close the record on this --

13 BOARD CLERK SAKAZAKI: Sorry, Madam Chair.

14 CHAIR NICHOLS: Yes.

15 BOARD CLERK SAKAZAKI: Apologies. We have one
16 more person with their hand up.

17 CHAIR NICHOLS: Oh, Sorry. Yes, go right ahead.

18 BOARD CLERK SAKAZAKI: Sorry about that.

19 Roman Partida-Lopez. I have activated your
20 microphone. You can unmute yourself and begin.

21 MR. PARTIDA-LOPEZ: Thank you, Ryan. Good
22 morning, Madam Chair, Board members. My name is Roman
23 Partida-Lopez. I'm with the Greenlining Institute. We're
24 a racial and economic equity advocacy organization. And I
25 just wanted to build upon the comments made by the

1 previous speaker, Daniel, in reference to ensuring that
2 whatever any of these research contracts or research
3 projects are undertaken that we -- that the research
4 institution and the researchers themselves reflect the
5 communities that they are working in, so that they have a
6 better understanding of the issues that are on the ground,
7 and not only that they're engaging -- not only that the
8 research and research institution reflects, but that
9 they're engaging the proper communities, and in a way that
10 is really rooted in equity and ensuring that we are
11 prioritizing those most in need.

12 I also just wanted to kind of go back real
13 quickly to item number 1, even though this is not to
14 change the decision made, but just wanted to offer a --
15 offer a -- a comment on that. But Greenlining recently
16 put together a research document called making racial
17 equity real in research that we're happy to share both
18 with two institutions, UC Berkeley and UC Davis, as well
19 as with the Air Resources Board, that really gets at the
20 heart of this, right? How do we operationalize equity
21 within research and how do we ensure that we are
22 confronting the inequities and power dynamics that are
23 rooted in this field's culture and practices.

24 And so, you know, I could follow up afterwards
25 and share that -- this research document, but it could

1 really help and ensure that any type of research in the
2 future is really centering and uplifting equity and
3 ensuring that we are focusing in on those most in need.
4 Thank you.

5 BOARD CLERK SAKAZAKI: Thank you.

6 CHAIR NICHOLS: Thanks for that comment. We can
7 receive the document and make it available to all the
8 Board members as well. Regardless of which item it's --
9 it relates to, it sounds like it's a general document that
10 we should all have reference to. So thank you for that.

11 Okay. Any more commenters, Ryan?

12 BOARD CLERK SAKAZAKI: Madam Chair, that
13 concludes the list. You're good.

14 CHAIR NICHOLS: Okay. All right. Thank you.
15 Then I'm going to close the record on this agenda item and
16 ask the Board members for a motion and a second.

17 BOARD MEMBER FLOREZ: Dean Florez moves.

18 BOARD MEMBER DE LA TORRE: Second. Hector.

19 CHAIR NICHOLS: Hector seconds.

20 All right. The clerk will please call the roll.

21 BOARD CLERK SAKAZAKI: Thank you, Madam Chair.

22 Dr. Balmes?

23 BOARD MEMBER BALMES: I'm actually recused on
24 this one?

25 BOARD CLERK SAKAZAKI: Okay. This is the UC

1 Davis one.

2 BOARD MEMBER BALMES: The UC Davis one, aye.

3 BOARD CLERK SAKAZAKI: Okay. Mr. De La Torre?

4 BOARD MEMBER DE LA TORRE: Aye.

5 BOARD CLERK SAKAZAKI: Mr. Eisenhut?

6 BOARD MEMBER EISENHUT: Eisenhut, aye.

7 BOARD CLERK SAKAZAKI: Supervisor Fletcher?

8 BOARD MEMBER FLETCHER: Fletcher, aye.

9 BOARD CLERK SAKAZAKI: Senator Florez?

10 BOARD MEMBER FLOREZ: Aye.

11 BOARD CLERK SAKAZAKI: Supervisor Gioia?

12 BOARD MEMBER GIOIA: Aye.

13 BOARD CLERK SAKAZAKI: Ms. Mitchell?

14 BOARD MEMBER MITCHELL: Aye.

15 BOARD CLERK SAKAZAKI: Mrs. Riordan?

16 BOARD MEMBER RIORDAN: Aye.

17 BOARD CLERK SAKAZAKI: Supervisor Serna?

18 BOARD MEMBER SERNA: Aye.

19 BOARD CLERK SAKAZAKI: Dr. Sherriffs?

20 BOARD MEMBER SHERRIFFS: Sherriffs, aye.

21 BOARD CLERK SAKAZAKI: Ms. Takvorian?

22 BOARD MEMBER TAKVORIAN: Aye.

23 BOARD CLERK SAKAZAKI: Chair Nichols?

24 CHAIR NICHOLS: Aye.

25 BOARD CLERK SAKAZAKI: Madam Chair, the motion

1 passes.

2 CHAIR NICHOLS: Thank you.

3 Then we'll move on to the third item, which is
4 the proposed West Mojave Desert Vehicle Miles Traveled
5 Offset Demonstration.

6 And again a reminder that anyone who wishes to
7 comment on this item should click the raise-hand button,
8 if you're able to do that or dial star nine, if you're
9 calling in on a phone, so that you can be recognized when
10 we get to the public comment portion of the item.

11 Mr. Corey, would you please summarize this one?

12 EXECUTIVE OFFICER COREY: Yes. Thanks, Chair.

13 The federal Clean Air Act establishes planning
14 requirements for areas that exceed the health-based
15 National Ambient Air Quality Standards. Areas are
16 designated as nonattainment based on monitored exceedances
17 of the standards.

18 In 2015, U.S. EPA strengthened the ambient air
19 quality standards for the 8-hour ozone standard from 75
20 ppb to 70 ppb and in 2018 designated 19 areas in
21 California's nonattainment with classifications of
22 marginal, moderate, serious, severe or extreme. Within
23 two years of designation, the Act requires states to
24 submit enforceable, transportation control strategies and
25 transportation control measures to offset any growth in

1 emissions from growth in vehicle miles traveled, or VMT,
2 or numbers of vehicle trips (VMT emissions offset
3 demonstration). For severe and extreme ozone
4 nonattainment areas it's particularly applicable.

5 CARB has previously prepared VMT emissions offset
6 demonstrations for three of the four areas originally
7 classified as severe or extreme nonattainment for the 70
8 ppb ozone standard: South Coast Air Basin, San Joaquin
9 Valley, and Coachella Valley.

10 The Board item details the VMT emissions offset
11 demonstration for the final nonattainment area: West
12 Mojave Desert, which includes the western portions of Los
13 Angeles and San Bernardino counties.

14 The West Mojave Desert VMT offset demonstration
15 SIP submittal documents indicate that West Mojave Desert
16 meets the VMT offset requirements for the 70 ppb ozone
17 standard specified in the federal Clean Air Act.

18 That concludes my remarks.

19 CHAIR NICHOLS: Thank you, Mr. Corey.

20 Then we can hear from the public at this time.

21 BOARD CLERK SAKAZAKI: Okay. Just a final
22 reminder, if you want -- wish -- if you wish to comment on
23 this item, please raise your hand.

24 We'll give it just a couple seconds.

25 Madam Chair, there's no one who has their hands

1 raised.

2 CHAIR NICHOLS: Okay. I know we have one board
3 member who is familiar with this area and this item, so
4 I'm going to ask Board Member Riordan to say a word here.

5 BOARD MEMBER RIORDAN: Thank you, Madam Chair.

6 To my fellow Board members, this has been
7 reviewed by our staff. It includes the more populated
8 areas of the Mojave Desert. It does not include some of
9 the eastern portions of the Mojave district, but obviously
10 we need to do this. We need to complete our submittal to
11 U.S. EPA and to, you know, accomplish this soon.

12 I would like to move approval then, Madam Chair,
13 if I might, to approve staff recommendation.

14 CHAIR NICHOLS: Sure. Is there a second?

15 VICE CHAIR BERG: Berg, second.

16 CHAIR NICHOLS: Okay. Then we'll call the roll,
17 please.

18 BOARD CLERK SAKAZAKI: Thank you, Chair Nichols.
19 Dr. Balmes?

20 BOARD MEMBER BALMES: Aye.

21 BOARD CLERK SAKAZAKI: Mr. De La Torre?

22 BOARD MEMBER DE LA TORRE: Aye.

23 BOARD CLERK SAKAZAKI: Mr. Eisenhut?

24 BOARD MEMBER EISENHUT: Aye.

25 BOARD CLERK SAKAZAKI: Supervisor Fletcher?

1 BOARD MEMBER FLETCHER: Fletcher, aye.

2 BOARD CLERK SAKAZAKI: Senator Florez.

3 BOARD MEMBER FLOREZ: Aye.

4 BOARD CLERK SAKAZAKI: Supervisor Gioia.

5 BOARD MEMBER GIOIA: Aye.

6 BOARD CLERK SAKAZAKI: Ms. Mitchell?

7 BOARD MEMBER MITCHELL: Aye.

8 BOARD CLERK SAKAZAKI: Mrs. Riordan?

9 BOARD MEMBER RIORDAN: Aye.

10 BOARD CLERK SAKAZAKI: Supervisor Serna?

11 BOARD MEMBER SERNA: Aye.

12 BOARD CLERK SAKAZAKI: Dr. Sherriffs?

13 Dr. Sherriffs?

14 BOARD MEMBER SHERRIFFS: Sherriffs, aye.

15 BOARD CLERK SAKAZAKI: Thank you.

16 Professor Sperling?

17 BOARD MEMBER SPERLING: Aye.

18 BOARD CLERK SAKAZAKI: Ms. Takvorian?

19 BOARD MEMBER TAKVORIAN: Aye.

20 BOARD MEMBER SHERRIFFS: Sherriffs, aye.

21 BOARD CLERK SAKAZAKI: Vice Chair Berg?

22 VICE CHAIR BERG: Aye.

23 BOARD CLERK SAKAZAKI: Chair Nichols?

24 CHAIR NICHOLS: Aye.

25 BOARD CLERK SAKAZAKI: Madam Chair, the motion

1 passes.

2 CHAIR NICHOLS: Great. We're now ready then to
3 move on to Agenda Item number 20-11-6, which is the
4 discussion of an update or -- and an update on the Board's
5 plans for increasing our diversity and addressing racism.
6 And again, if you wish to comment, you would do that by
7 either clicking the raise-hand button or dialing star
8 nine. We appreciate it if you would do it now, just so we
9 have a better sense of how long the list is when we get to
10 that part of the discussion.

11 I want to start off by saying a few words about
12 what we're doing here with this item. It's, as far as I
13 know, the first time this subject has been officially
14 addressed by the Board and it's based on the fact that we
15 recognize that our mission is to ensure that all
16 Californians breathe healthy air and enjoy a safe climate.
17 But the sad fact is that racism, both past and current,
18 frustrates that mission, whether it's the legacy of
19 redlining that made sure that Californians of color were
20 disproportionately clustered in high pollution zones or
21 seemingly neutral processes that excluded voices of many
22 communities.

23 The fact is that air pollution today
24 disproportionately affects people of color. That is
25 contrary to our legal duties and it's also a failure I

1 believe for our moral duties as well.

2 So while CARB itself also doesn't look entirely
3 like California, when we look at our entire staff, we
4 don't reflect all the diversity that our state enjoys.
5 And that, in turn, is a problem that also leaves us less
6 connected to communities than we should be. We are
7 improving in that direction, and we want to do better.

8 So I asked one of our colleagues, Supervisor
9 Serna to lead this effort initially to understand the
10 issues more fully and to propose some remedies, as well as
11 to ensure that we are aware of the fact that race is not
12 simply a side issue or something we address, you know,
13 when we're required to do so, but that we approach it as
14 part of our everyday understanding of our responsibilities
15 to serve all Californians and that we take this with
16 urgency, because the harms, although they are
17 longstanding, are not acceptable.

18 And so with that, I believe it is time to ask Mr.
19 Corey to introduce the item.

20 EXECUTIVE OFFICER COREY: Yes. Thanks, Chair.

21 Over the past several months, CARB management and
22 staff have been focusing on how we can be more responsive
23 to racism and -- as well as increase our diversity as we
24 conduct our internal operations and also our external
25 programs.

1 I'm pleased to report that the -- we have
2 established the Diversity and Racial Equity Task Force in
3 July. It has 23 members that represent diversity across
4 ethnicity, gender, geographic location, age, and other
5 factors. One of the first tasks will be to prepare a
6 racial equity strategic plan for CARB's workforce to
7 strengthen our recruitment, hiring, and promotional
8 efforts.

9 We believe this effort will strongly complement
10 additional direction the Board provides today. With that,
11 I'll now turn to Supervisor Phil Serna who will lead the
12 Board discussion.

13 BOARD MEMBER SERNA: Great. Thank you, Mr.
14 Corey. And likewise I want to thank Chair Nichols for her
15 leadership on this critically important subject. First, I
16 want to make clear that leading this effort to compose a
17 thoughtful, impactful and substantive resolution that
18 articulates the Air Resources Board's commitment to racial
19 equity and social justice was not easy nor should we
20 have -- should we have expected it to be.

21 Such a profound imperative involving the setting
22 of expectations and explaining the architecture of culture
23 shift for an agency like CARB requires careful attention
24 to detail. And I feel that's precisely what we've
25 achieved with what's before us this morning.

1 I do want to stress that from the outset, this
2 resolution was never meant to be a one-and-done exercise
3 or to simply check a box. It was and is reflective of a
4 genuine interest by this Board and our executive
5 leadership to effect change in appropriate directions when
6 it comes to our own internal value sets and how we
7 interact with the public and stakeholders. And because
8 the resolution was always intended to do exactly that, the
9 authorship necessarily had to come from this Board, so
10 that we're unambiguous about our values and what the
11 expectations should be for this agency.

12 So with that, Chair Nichols, I think what I'd
13 like to do now, in the interest of making sure that
14 everyone involved in this meeting, Board members, staff,
15 and most importantly the public, hears what the -- the
16 substance of the resolution is, I'm going to go ahead and
17 do something that's a little unique. And I'm going to go
18 ahead and read the entirety of the resolution into the
19 record.

20 So this is a proposed resolution by the
21 California Air Resources Board, "A Commitment to Racial
22 Equity and Social Justice".

23 "Whereas, the California Air Resources
24 Board(CARB), was established by statute in 1967 to protect
25 public health and welfare, as well as to safeguard

1 ecological resources through effective reduction of air
2 pollutants, all while considering the economic effects of
3 its activities;

4 "Whereas, climate change due to greenhouse gas
5 emissions is a global crisis and CARB's mission includes
6 leading statewide efforts to implement legislation,
7 regulate, shape public policy and direct appropriate
8 resources to reduce greenhouse gas emissions;

9 "Whereas, impacts from air pollutants and
10 greenhouse gas..." -- "...gases disproportionately affect
11 community of..." -- "...communities of color and CARB's
12 mission includes reducing the harmful effects of these
13 emissions where socioeconomic and racial disparities are
14 most pronounced;

15 "Whereas, in addition to CARB's mission to reduce
16 pollutant emissions and greenhouse gases to ensure all
17 Californians have healthy air to breathe, it is incumbent
18 on CARB to also function as an agent of responsible social
19 change, especially when it is clear that injustices
20 persist and perpetuate institutional and structural
21 racism;

22 "Whereas, institutional and structural racism
23 continues to threaten CARB's ability to equitably fulfill
24 its charge, so that all people of color, both inside the
25 organization and those outside the organization for whom

1 CARB serves and works with as constituents and
2 stakeholders, are treated without prejudice, bias and
3 derision;

4 "Whereas, CARB has created a Diversity and Racial
5 Equity Task Force as one means of addressing concerns
6 within its own workforce;

7 "Whereas, CARB continues its mandate to analyze
8 and reduce air pollution and greenhouse gas emissions in
9 disadvantaged communities and communities of color in
10 partnership with those communities, with local air
11 districts, as well as with racial equity and environmental
12 justice advocates, and;

13 "Whereas, CARB welcomes and supports global,
14 national, statewide and local demands for racial justice
15 and an end to institutional and structural racism in all
16 its various forms, and acknowledges it must actively
17 participate in changing processes, protocols and policies
18 within its control to ensure racial equity and social
19 justice remains a key objective in the reduction of air
20 pollutants and greenhouse gas emissions.

21 "Now, therefore be it resolved, that CARB
22 condemns racism and racial bias in all forms and in all
23 spaces and welcomes the opportunity to establish and
24 enhance proactive measures to ensure racial equity
25 permeates all of CARB's activities, both internal and

1 external.

2 "Be it further resolved, the Board supports and
3 encourages the Executive Officer and the Diversity and
4 Racial Equity Task Force to identify and dismantle systems
5 that produce inequities or racial bias in recruitment,
6 hiring, promotions and all other privileges and
7 opportunities afforded to CARB's employees.

8 "Be it further resolved, the Board directs the
9 Executive Officer and the Diversity and Racial Equity Task
10 Force to create opportunities to increase the diversity of
11 CARB's multi-racial, multi-cultural human resources,
12 including, but not limited to, direct outreach to students
13 and prospective applicants, creating internships, creating
14 more diverse and inclusive interview panels and ensuring
15 the use of clear merit-based and unbiased application
16 review processes.

17 "Be it further resolved, the Board directs the
18 Executive Officer to continue to pursue and take action on
19 the goals of the Government Alliance on Race and Equity,
20 an agency-wide racial justice training, while coordinating
21 these efforts with the Diversity and Racial Equity Task
22 Force.

23 "Be it further resolved, that the public, CARB's
24 employees and stakeholders should expect action consistent
25 with this resolution to begin immediately in efforts to

1 address all implicit and explicit racial prejudice, bias
2 and derision affecting activities under the Agency's
3 immediate control will be initiated or modified in an
4 open, transparent and inclusive manner.

5 "Be it further resolved, that CARB is committed
6 to a public and professional environment in which all
7 people feel safe, valued, acknowledged and respected; and
8 as such, CARB will establish a zero tolerance racism
9 policy applicable to all public and internal activities in
10 which the agency is engaged, including those involving
11 CARB's employees and associate stakeholders.

12 "Be it further resolved, the Board supports the
13 Chair's appointment of a Board member to serve as liaison
14 to the Diversity and Racial Equity Task Force and lead
15 representative to oversee staff implementation of this
16 resolution and the agency's intents therefrom.

17 "Be it further resolved, the Board and individual
18 Board members will continue to act in the public interest
19 by speaking up and out whenever they become aware of
20 racism or bias that may adversely affect the work of CARB,
21 its employees and the people it serves".

22 Finally -- that concludes the resolution.

23 Finally, I want to acknowledge that the
24 resolution that I just read is the product of a
25 contribution from a number of Board members, a number, Ms.

1 Peter, that I can assure you did not and does not violate
2 Bagley-Keene.

3 And that it, the resolution, represents a
4 thoughtful synthesis of ideas and shared values. So I
5 want to offer a special thanks to Board members Takvorian,
6 De La Torre, and Berg for your willingness to help make
7 the resolution stronger as we progressed through several
8 drafts.

9 I also want to thank Mr. Corey for his
10 assistance, especially with some of the more technical
11 references made in the resolution. Chair Nichols, that
12 concludes my report. I'd be happy to try and answer any
13 questions or respond to comments by our colleagues at this
14 point. And I thank you.

15 CHAIR NICHOLS: Thank you very much, Supervisor
16 Serna.

17 I would respectfully request that we postpone our
18 Board member discussion until we've heard from the people
19 who've have signed up, since there's quite a number of
20 them, unless anybody has anything that they feel like they
21 need to say at this moment. I think it's probably a good
22 idea to go to the -- go to the public comment.

23 So let's -- let's go ahead and do that then, Mr.
24 Sakazaki.

25 BOARD CLERK SAKAZAKI: Thank you, Chair Nichols.

1 Our first commenter will be Assemblymember Jim
2 Cooper. Assemblymember, I have activated your microphone.
3 You can unmute yourself and begin.

4 ASSEMBLY MEMBER COOPER: Can you hear me?

5 BOARD CLERK SAKAZAKI: We can.

6 ASSEMBLY MEMBER COOPER: Good morning, Chair and
7 Board members. I'm Assemblyman Jim Cooper representing
8 the 9th Assembly District, which includes the cities of
9 Sacramento, Elk Grove, Galt and Lodi.

10 While I realize there's a time limit, I would
11 hope that I'll be allowed to complete my testimony, even
12 if exceeds the time.

13 I was very excited to learn about this agenda
14 item, an update on race, equity in CARB described as
15 CARB's effort to better understand and address the ways
16 the race has affected climate and air quality risk in
17 California and CARB's own internal operations.

18 Imagine my disappointment when I went to review
19 the materials for this item and found they were not
20 available. In fact, as late as last night, the Board
21 materials were not available online for the public to
22 review. How does the Board expect those impacted by this
23 hearing, namely people of color, to participate in the
24 process if they can't access the pertinent information and
25 materials.

1 It is almost as though this is an exercise in
2 futility, one in which the Board is just giving lip
3 service to this issue, while not really wanting to
4 understand or address these equalities. Therefore, I'm
5 here to speak for them.

6 In 2018, I authored legislation requiring all
7 State agencies and departments to implement wage parity
8 for people of color. I was shocked and disappointed when
9 I received a letter of action planned for racial change
10 with the California Air Resources Board, which exposes
11 CARB's practice of race discrimination, including pay
12 inequities and prejudicial hiring practices, as well as a
13 toxic work environment with a persistent microaggression,
14 blatant racism and an absence of upward career mobility.

15 This is not surprising, where there is a
16 microcosm of CARB's racist environmental policies,
17 policies that harm poor communities, communities of color
18 and the struggling middle class the most. As our country
19 is finally having much needed conversations of race and
20 equity, now more than ever, CARB should be listening to
21 the perspectives of those who are impacted by their
22 policies the most. You cannot develop great policies
23 without the input of a diverse group of opinions.

24 California agencies often make policies based on
25 their San Francisco and wealthy coastal viewpoints, where

1 residents pay far less for their utilities and commute
2 less than those in the Central Valley. California already
3 has the nation's highest rate of functional poverty, with
4 nearly 20 percent of the State's 40 million people
5 classified as being poor. Yet California regulators and
6 leaders march on with costly mandates to electrify. The
7 corresponding policies are creating a double whammy for
8 working class families.

9 Low income, minority families often pay a
10 disproportionate share of their income to energy costs
11 living in the hottest places, where air conditioning is
12 essential with the highest electric rates in the country.

13 They also live the furthest from their jobs,
14 driving up their commuting costs relative to their wealthy
15 counterparts. These communities have longer commutes.
16 They subsidize solar energy without having access to it
17 themselves. Their electric rates are 50 percent higher
18 than the rest of the country, resulting in higher electric
19 bills due to living in more affordable, hotter inland
20 areas than costly -- costlier coastal communities.

21 Moreover, we subsidize electric vehicles through
22 rebates that go disproportionately to high income areas.

23 California is projected to be in a deep recession
24 for the near future, passing new policies that may include
25 a cost to increase that may be easy for one household to

1 accept that will be harmful to 100 others, especially if
2 our disadvantaged communities that are struggling to even
3 put food in their table.

4 A once-size-fits-all, single-use technology
5 solution is unfair, and disproportionately discriminates
6 against the very communities you claim to protect. I
7 implore you to bring more diversity to this Board, to your
8 employees and include input and consideration of those
9 communities in their policies that have for far too long
10 lacked consideration of people of color.

11 Since 1968, governors have made many appointments
12 as the chair of CARB, not one has been a person of color.
13 Right now it's survival for most people. It's about
14 paying your rent, your utilities, your mortgage, putting
15 good on the table and surviving. That's essentially what
16 it comes down to and not these costly mandates. As a
17 black man. I look at your Board, I look at your past
18 Board chairs, I look at the board makeup, I do not see
19 folks that look like me and that is truly disturbing in
20 this time and age.

21 It's time for a change. And I want to thank
22 Supervisor Serna for having the courage to come forward,
23 and I have a great deal of respecting him, and hopefully
24 he will address some of these problems.

25 Thank you for your time.

1 BOARD CLERK SAKAZAKI: Thank you, Assembly
2 Member. Our next three speakers are LaDonna Williams,
3 David Cruz and a phone number ending in 221.

4 LaDonna, I have activated your microphone. You
5 can unmute yourself and begin.

6 MS. WILLIAMS: Yes. Good morning again. And I'm
7 hoping as a community member I get more than three
8 minutes, because we should have -- since I was one of the
9 ones that raised this issue, I would have hoped that the
10 Board would have reached out to us and allowed us some
11 more speaking time on such a very, very important issue.

12 So what I wanted to do first is commend you on
13 this resolution. That was one of the asks that I put
14 forward. And I understand one of your previous EJ
15 administrators did as well. So I commend you for taking
16 action on that.

17 But we raised this issue back in -- or I did in
18 July. I understand that that issue came before you even
19 previous to that and here we are in October finally having
20 some comments on this. While I do appreciate Serna saying
21 that you guys wanted to pay careful attention to detail,
22 of course, we all appreciate that. But it makes me wonder
23 for it to take this long to get to this point how
24 committed you actually are to address this issue and how
25 sincere you are, when we raised this issue of looking into

1 your agency's practices, particularly against
2 African-Americans.

3 On the outside of your agencies with communities,
4 as we know, one of the members -- your community members
5 came forward in sharing their experience in Sacramento.
6 That should have been taken seriously. You might have
7 addressed that on an individual level. But I came forward
8 and asked you to look broader and not one time did either
9 of you reach out or no one from the Board reached out to
10 me to include me in those discussions or others that work
11 with me on this issue.

12 Thank goodness you have folks like Jose Saldana
13 and Trish Johnson. We did speak with them. But even --
14 to be truthful, even with them, they were limited in the
15 information that they had to work with us.

16 And then there's a Board member that came forward
17 who holds these community meetings throughout California,
18 which we appreciate, but when we raised these issues of
19 racism, particularly with African-Americans, with him, he
20 was clueless. And it was not acceptable for him to come
21 to a meeting and just give us some party-line comments and
22 responses, when clearly he didn't have information to
23 adequately address it either.

24 And it is appalling that CARB was established in
25 1967, yet this is -- according to Chair Nichols, this is

1 the first time that this Board is addressing this issue.
2 That is unacceptable when you're over California. You are
3 over the issues related to our air in California. And
4 this is the first time that you are directly addressing
5 issues that are affecting the most vulnerable.
6 African-Americans at the top of the list, as I previously
7 said. But it's fact, we have the worst health disparities
8 and the least support when it comes to environmental
9 justice or environmental injustice.

10 And so what I want to say to you all is that in
11 the spirit of transparency with these issues -- and we
12 know how serious they are, because when I raised that
13 issue for the community and your employees, you received
14 an anonymous letter from your African-American employees
15 that tells you just how deep this racism is within CARB.
16 And in all due respect, we know and you know that it's
17 been an ongoing issue that you've just chosen to ignore up
18 until now.

19 But it's the same thing going on with our local
20 air districts, who are not called to account for their
21 racism. And so at least here in the Bay Area, we also got
22 a resolution. We appreciate that. But what we want to
23 see is the Board's commitment to those words, because as
24 our air district did a resolution, they had an opportunity
25 to show their commitment? Yet, what happened? Some Board

1 members -- some racist Board members raised their -- their
2 racism for all of us to see that they were just only about
3 words and not actions, because they had an opportunity to
4 take a stance against racist issues for all, but
5 particularly African-Americans. And they deflected and
6 found every reason not to be committed and they wanted to
7 blame everything but this racist environment.

8 BOARD CLERK SAKAZAKI: Excuse me. Excuse me,
9 Ms. --

10 MS. WILLIAMS: So what we're asking is a
11 commitment --

12 BOARD CLERK SAKAZAKI: Ms. Williams.

13 MS. WILLIAMS: -- for you to include us -- I get
14 it I -- for you to include us, meaning the most affected
15 communities, African-Americans in these future discussions
16 and policies that you guys are going to enact, that you're
17 saying your committed. Then please show us and please
18 include us in these discussions and the decisions.

19 Thank you.

20 BOARD CLERK SAKAZAKI: Thank you.

21 Our next speaker is David Cruz. David, I have
22 activated your microphone. You can unmute yourself and
23 begin.

24 David, are you there?

25 Okay. Your microphone is unmuted now. You can

1 go ahead and begin. Okay. David, we can't hear you.

2 MR. CRUZ: Okay. What about now?

3 BOARD CLERK SAKAZAKI: Oh, yeah. We can hear you
4 now?

5 MR. CRUZ: I apologize.

6 BOARD CLERK SAKAZAKI: No worries. Go ahead and
7 begin.

8 MR. CRUZ: Good morning, madam Chair, members of
9 the Board. My name is David Cruz. I am the President of
10 the League of United Latin American Citizens, LULAC,
11 Counsel 3288 in Los Angeles and ranking board member of
12 the Latin Business Association, or LBA. As some of you
13 may know, LULAC is the oldest and largest Latino civil
14 rights organization in the United States. And our mission
15 for 92 years has been and is today to advance the
16 educational, economic, health and other vital interests on
17 behalf of America's 60 million Latinos.

18 Similarly, LBA has, for more than 40 years,
19 represented thousands of mostly Latino-owned small
20 business owners with tens of thousands of employees, who
21 have an important stake in the economy of California.

22 The eloquent resolution just read not
23 withstanding, today I am participating to express, though
24 I cannot do so fully, our deep concerns over the glaring
25 lack of transparency by CARB's regarding the report on

1 race, equity and CARB's activities.

2 We received no notice on the public process
3 regarding this report, despite our role as two of the
4 largest Latino organizations in California and indeed the
5 entire nation, as well as working closely with all
6 communities of color. And I echo the words of Ms.
7 Williams who spoke right before me.

8 Were Latino stakeholders equitably included in
9 the process, and if so, which ones? How were they
10 selected? Board Member Serna, respectfully you wrote an
11 op-ed focused on transparency last year. We will stand
12 with you. However, this body must apply that same call
13 for transparency within this agency, its operations and
14 its work.

15 Further, that no action be taken on this report
16 until the public has had a chance to read it, digest it,
17 and respond to it. Also, that LULAC national and the
18 Latin Business Association be brought into this process
19 immediately going forward, and I certainly want to thank
20 you for your time.

21 BOARD CLERK SAKAZAKI: Thank you.

22 Our next speaker is a phone number ending in 221.
23 After that, we have Rev Jones, Eddie Price and Denise
24 McCoy. So phone number ending in 221, I have activated
25 your speaker. Please state your name for the record and

1 then you can begin.

2 MR. CANETE: Yeah. Can you hear me?

3 BOARD CLERK SAKAZAKI: We can.

4 MR. CANETE: Okay. Thank you. Good morning,
5 Chairwoman Nichols and Board members. Julian Canete with
6 the California Hispanic Chambers of Commerce.

7 I would like to commend you for trying to tackle
8 this difficult issue of race and equity. And I'm glad the
9 Board is looking internally as well. If the Board, and
10 staff, and leadership do not look like California, there's
11 a good chance policies put forth will not re -- be
12 reflective of our diverse state.

13 But externally, we have concerns as the State
14 organization representing Latino businesses and their
15 workers, any equity roadmap affecting our communities of
16 color should have a more open and transparent process,
17 having less than an hour to review a report and then give
18 comments is the opposite of transparency and the very
19 communities you wish to provide a more equitable future
20 are not able to give their perspective in a thoughtful
21 manner.

22 If input was sought, we were not contacted. And
23 we represent the interests of over 800,000 Latino
24 businesses in California. I urge the Board to take a step
25 back, give the public time to digest this report, set up

1 public workshops and then bring this item back after
2 having an open process for pub -- for the public to
3 provide their comments to you.

4 I thank you for your time this morning.

5 BOARD CLERK SAKAZAKI: Thank you.

6 Before you go, can I please have you say your
7 last name again just so we have it right for the record?

8 Julian, are you there?

9 MR. CANETE: I'm sorry what was that?

10 BOARD CLERK SAKAZAKI: Can you say your last name
11 again, so we can have it for the record.

12 MR. CANETE: Canete, C-a-n-e-t-e.

13 BOARD CLERK SAKAZAKI: Thank you so much.

14 MR. CANETE: Um-hmm. Thank you.

15 BOARD CLERK SAKAZAKI: Our next speaker is
16 Reverend Jones. I have activated your microphone. You
17 can unmute yourself and begin.

18 Mr. Jones, are you there?

19 Okay. You have unmuted yourself, but we can't
20 hear you.

21 So if you're having technical difficulties we --

22 REVEREND JONES: Hello.

23 BOARD CLERK SAKAZAKI: Yep, we can hear you.

24 REVEREND JONES: Hello. Okay. Thank you.

25 Good morning. Madam Chair and Board members,

1 Reverend Jones with the California Association of Black
2 Pastors. I appreciate all of the comments -- previous
3 comments. I want to thank my good friend Supervisor Serna
4 for again addressing this issue. What really concerns me
5 as an organization that advocates on behalf of African
6 Americans throughout our great state, the wealthiest state
7 in the nation, that we continue to deal with the same
8 issues.

9 My concern is that this resolution drafted and
10 put forth in the 60s, '67, we're still dealing with the
11 same issues. And I think that's -- that's an
12 embarrassment for our state, and it's a failure for our
13 constituents, for the citizens and African Americans in
14 particular.

15 One of the things that I found that there was no
16 notice. I don't want to be too redundant, but I think
17 it's important that you hear these comments and that you
18 take them seriously. We've been addressing issues of air
19 and water quality in our state, particularly in African
20 American and Latino communities, the same issues. I think
21 it's important that we receive notice in advance that the
22 Board reflects the diversity of our great state.

23 And in doing my research in preparation for this
24 gathering, this meeting today, I came across a Politico
25 article detailing the abuses of African American employees

1 at CARB and how can we have -- really trust what goes on
2 with CARB as regards to the policies impacting the lives
3 of black folks in this state if you don't honor those
4 principles within the organization.

5 And so those are the kinds of things that -- that
6 really are disturbing that we take back to our community.
7 And so we're asking for immediate response from the Board
8 to ensure that the Board has Board members that reflect
9 the community of African Americans in our state, as well
10 as engaging professionals on these studies. And all of
11 the things that take place before CARB proposes to take
12 any action, I think it's important to have people that it
13 will impact the greatest at the table.

14 And without having do -- done that or taken those
15 kinds of reasonable actions, we cannot -- cannot say that
16 we're doing an adequate job. We're certainly not living
17 up to the foundation of why CARB was even established.

18 And so until we do that -- until we do that,
19 we're continuing to perpetuate what we're seeing today,
20 here some 50 years later the same issues we were dealing
21 with in the sixties. And so I want to thank you for your
22 time. I look forward to, as the other speakers have said,
23 receiving more information about the policies proposed and
24 the actions that you propose to take, that way we can have
25 an input. When we're not at the table, we're always on

1 the menu. Thank you for your time.

2 BOARD CLERK SAKAZAKI: Thank you Reverend.

3 Our next speaker is Eddie Price. Eddie, I have
4 activated your microphone. You can unmute yourself and
5 begin.

6 MR. PRICE: Greetings, everybody and good
7 morning. You know, my name is Eddie Price. I'm the
8 President -- President of the San Diego Urban
9 Sustainability Coalition and I do quite a few other things
10 in this space.

11 And, you know, I've been a black man a long time,
12 a little over 60 years. I was black in Northern
13 California in East Oakland and I'm black down here in San
14 Diego. And, you know, I've been sitting here listening to
15 all this, and I go through a myriad of emotions, right?
16 Because it always amazes me that entities, such as yours,
17 act like you just found out that there was racism and
18 systematic oppression.

19 Now, understanding systematic oppression, you're
20 working in a system that is oppressive. You may be a nice
21 person. You may love, honor, and cherish everybody, but
22 the system that you're working in and help create is
23 extremely oppressive.

24 You know, as we talk about equity, and reaching
25 out to communities and things of that nature, we've got --

1 we have to educate the community first before we start
2 asking them questions about particulates in the air,
3 right? So as we address what's going on right now, we
4 also have to look towards the future, so that we can
5 educate the people that -- that need it the most that we
6 want to communicate with.

7 I -- I abhor the terms "disadvantaged", "low
8 income", "minority", and all those negative connotations
9 of my community. I prefer "community of concern". I need
10 to know that you're concerned about my community. When
11 you call it disadvantaged, well, that brings up something
12 else. Who's advantaged and how did they get advantaged?
13 Oh, they stole my advantage in the beginning.

14 And I apologize if I offend anybody, but I've
15 been listening to this for about an hour now and I got
16 wound up. You know, I read that political article that
17 the gentleman before me was talking about. And that is --
18 you know, you need to read it and become disgusted. You
19 know, that's internal. You don't need to create a board
20 or whatever to deal with something internal before you
21 deal externally, right?

22 You could just go to accounting and say -- and
23 look at the names and what people are getting paid. You
24 know, solutions are simple. And we try to complicate them
25 with studies, and boards, and commissions. And, no, just

1 do the right thing. Do the thing that you feel is right
2 to do.

3 You know, I told myself I wasn't going to act
4 like this, but after listening to this and how it's
5 depressing and it's pressing down people that look like
6 me, it just gets -- you know, I'm a real person, right,
7 and I've been real, and I'm going to stay real, and I'm
8 going to continue this fight. And I just wish that those
9 that -- that choose to fight alongside of me, or fight for
10 me, or fight for my community, talk to my community. We
11 have a -- you know, you're missing out on intellectual
12 capital in our community. We've been dealing with bad
13 water for a hundred years. We may have a solution. We've
14 been dealing with bad air for a hundred years. We may
15 have a solution.

16 So don't look at us as disadvantaged or low
17 income, or dumb, or ignorant. Why don't you look at us
18 like human beings, that we may be able to help you solve
19 our problem.

20 It says time up, so thank you very much for
21 allowing me to share.

22 BOARD CLERK SAKAZAKI: Thank you.

23 Our next speaker is Denise McCoy. I will pause
24 right here and apologize to everyone if I mispronounce
25 your name. After Dense, we have Martha Arguello, Timothy

1 Jefferies and a phone number ending in 072.

2 So Denise, I have activated your microphone. You
3 can unmute yourself and begin.

4 MS. MCCOY: Okay. Thank you. Again, this is
5 Denise McCoy. And the comment that I want to make here is
6 to Supervisor Serna, I would like to know who you
7 consulted when drafting this, this racial equity document,
8 because I personally have been before this Board on more
9 than one occasion. There are other African American women
10 and others, who have come before and have voiced their
11 feelings that they are being discriminated against.

12 Did you contact any of those people that have
13 actually made public comments to CARB about being
14 discriminated against?

15 I filed a complaint asking for an investigation
16 into racism and -- and discrimination silencing, being
17 given false and misleading information, and the harassment
18 and removal of African Americans, particularly women of
19 color, from your AB 617 steering committee. I asked for
20 that investigation in July of this year. In the three
21 months that followed, no one has -- no one associated with
22 my complaint was contacted.

23 Yesterday, after making several inquiries, I was
24 finally contacted by your office. I talked about my
25 personal experience, how I was removed from a seat that I

1 met the qualifications for in more than one area, and I
2 was actually referred to the actual air district person
3 who had discriminated against me, and he told me that it
4 didn't matter that I was qualified in more than one area
5 at the time that I was removed.

6 I was very disappointed and actually shocked to
7 find out from that discussion yesterday that no one had
8 been comment -- had been contacted. There was no effort
9 to substantiate my claims that I and other African
10 Americans have been discriminated against. So I would
11 like to know what process you went through to actually --
12 who you actually contacted about this issue, because
13 yesterday, my talk with you, frankly, and with the Air
14 District just -- just amounted to more tone policing and
15 gaslighting.

16 They sit -- they simply would not discuss the
17 year and a half, very public, very documented, racist and
18 discriminatory practices that not only -- not only me, but
19 others have documented.

20 Thank you.

21 BOARD CLERK SAKAZAKI: Thank you.

22 Our next speaker is Martha Arguello. I have
23 activated your microphone. You can unmute yourself and
24 begin.

25 MS. ARGÜELLO: Good morning, Board. You know I

1 want to go back to a comment that was made that the Board
2 has never discussed these issues of race. And I want to
3 remind folks that before we were renamed the environmental
4 justice movement, it was really a movement around
5 environmental racism. And the issue of race and
6 discussing it was front and center. And I think due to,
7 you know, our profound discomfort with addressing the
8 systematic, historic racism and the marginalization of
9 indigenous and black people, and other people of color,
10 there is this shying away from this.

11 And we -- I -- over my 20 years of being involved
12 with the California Air Resources Board and broadly with
13 CalEPA, we have seen how our voices have been
14 marginalized. Certainly, through the AB 32 environmental
15 justice community, many of the things that we're telling
16 you now about how to do things in an equitable way, so
17 that we are not just benefiting coastal elites, but that
18 we actually bringing benefits to communities, and while
19 doing it, ensuring that the things that we're doing are
20 not making things worse, right?

21 We have talked about gentrification and
22 displacement and the erasure of black voices from those
23 communities, because of policies and practices. And
24 then -- you know, so there's so much to say. I have a lot
25 to say about this and I only have a minute. So I will say

1 I -- I want to be a partner with you and my organization
2 does, because we've had to transform ourselves and change
3 our culture and constantly ask ourselves how are we making
4 this a space where people of color, Black women, Black
5 folks, Latinos and others who've been marginalized can
6 flourish and create change in the world.

7 Yes, we're tiny, but we have something to offer
8 and we have been offering that to you as an organization
9 for many years and so have many of the people who you're
10 going to hear today. And we wouldn't be in a position
11 that we are right now, where it is so hard to move forward
12 on policies, because we're so divided on them, if you had
13 listened to the environmental justice community about what
14 you needed to do.

15 And, yes, I am -- I, you know, will say I told
16 you so, but I say it with a lot of love, because that's
17 what it's going to take to address these issues
18 difficultly, and our own past, and in the ways that each
19 and every one of us recreates the racism that is part of
20 this system.

21 And this is the reckoning and the moment. And
22 you have an environmental justice community that has been
23 at your door, pounding at your door to help you make this
24 transformation. And now it's time to work with us to make
25 that happen.

1 Thank you.

2 BOARD CLERK SAKAZAKI: Thank you.

3 Our next speaker is Timothy Jefferies. Timothy,
4 I have activated your microphone. You can unmute yourself
5 and begin.

6 MR. JEFFERIES: Good morning, Madam Chair
7 Nichols. My name is Timothy Jefferies. I'm the Business
8 Manager, Secretary/Treasurer Boilermakers Local Lodge 549.
9 I'm also a member of the State Building Trades --
10 Construction Trades in Northern California.

11 I'd like to say that California is dependent upon
12 oil and gas. Curtailing -- curtailing production will do
13 nothing for our reliance on oil and gas. It just enriches
14 the foreign regimes like Saudi Arabia that supply our oil
15 by tank -- by tanking oil 3,000 miles a cost -- cost -- in
16 a cost in itself, meaning that the -- that has to be
17 transported across lines there.

18 If the 68,000 building trades apprentices in
19 California are 72 percent people of color, yet there's no
20 respect from this Board as to their work, that blue collar
21 industries create a path for them to the middle class.
22 And boards like CARB that cater to the interests of
23 coastal communities ignore how hard it is to feed a family
24 or the effect of their policies have on working families'
25 ability to stay in the State of California.

1 Blue collar workers like myself the people I --
2 my members I represent who are predominantly people of my
3 color, who look like me, need a seat on -- at the table
4 too, just as Reverend Jones has said.

5 Also, since 2008, apprenticeship -- since 2008,
6 program interests from communities of color, people that
7 look like me, have exceeded their share of the general
8 population in every region of California. Of the more
9 than 85,000 individuals currently enrolled in or graduated
10 from union-affiliated apprenticeship programs between 2008
11 and 2018, more than two-thirds have come from communities
12 that look like me.

13 As I look at the Board, and the Board is making
14 decisions that don't look -- when I look at a Board that
15 no one looks -- on that Board that looks like me, I wonder
16 how can they make decisions that affect me and how do they
17 know that -- what their decision representing me.

18 A person's question asked earlier about who was
19 spoken to about -- who was spoken to and how the -- how
20 the Board was formed? I would like to say that it's
21 popular right now to attack racial or to adjust -- to
22 address racial discrimination. It was said -- also said
23 earlier that the Board has been in -- have been offensive
24 for quite some time now in this -- like again, it's
25 popular right now.

1 So also, the words used earlier was lip service.
2 And I feel like the other gentleman little previously, it
3 kind of gets me a little upset when it just -- it's
4 popular right now to -- to address an issue that's been
5 affecting me and my community for quite some years. I'm a
6 52 year old black male. And I, too, have lived across the
7 country -- across the nation -- in many states across this
8 nation.

9 And now, now I'm -- I am pleased that action is
10 being -- is being addressed, but it's too little. I'm not
11 going to say it's too late. But it still seems like more
12 lip service.

13 Thank you.

14 BOARD CLERK SAKAZAKI: Thank you.

15 Our next speaker is a phone number ending in 072.

16 After that, we have Daniel Tabor, a phone number
17 ending in 592, a number ending in 806.

18 So phone numbering ending in 072, I have
19 activated your speaker. Please state your name for the
20 record and then you can begin.

21 MR. KESSLER: Good morning.

22 BOARD CLERK SAKAZAKI: Good morning.

23 MR. KESSLER: Good morning, Chair Nichols and
24 Board. My name is Doug Kessler. I'm the Executive
25 Director for Si Se Puede Fresno, Tulare, Kings and Kern.

1 It's an organization in the Central Valley, where we --
2 where our -- where we work and surveys and education in
3 very, very rural areas.

4 So my -- and my concern is, as others have
5 previously stated, that to receive something this morning
6 at 9:00 made it impossible for our members to comment or,
7 you know, to be part of this hearing. I think, you know,
8 that something needs to be done with that.

9 I'm urging you to delay this decision on this
10 item for that reason. I don't know how that shows
11 transparency, when, you know, people are working and have
12 no knowledge or no time to be prepared for such an
13 important item.

14 I also want to comment on that I come from
15 organized labor, years in organized labor. And after
16 reading the article on Politico, you know, I think there's
17 real problems here and we have to face the -- those issues
18 straight on.

19 I commend Supervisor Serna for his resolution.
20 But again, it was a long resolution. It appears to be
21 okay. It's very hard to do it without seeing it or having
22 any time to study any of this. And I urge the Board to
23 delay any action on this.

24 Thank you very much.

25 BOARD CLERK SAKAZAKI: Thank you.

1 We will pause and we will activate the phone
2 number ending in 798. Senator Steven Bradford, are you
3 there?

4 Senator?

5 SENATOR BRADFORD: I'm here. Senator Steve
6 Bradford.

7 BOARD CLERK SAKAZAKI: Hello. You can begin.

8 SENATOR BRADFORD: Thank you. I appreciate this
9 opportunity to come before CARB today and express our
10 concerns. As the Vice Chair of the Legislative Black
11 Caucus, I think the issue of systemic racism is of great
12 concern, not only for this caucus, but for the state of
13 California and this nation.

14 And we're deeply troubled, I personally, as to
15 the lack of diversity that clearly exists and the
16 sensitivity that exists, not only in CARB, but in many of
17 our environmental agencies and organizations throughout
18 the state of California. Time and time again we see
19 people of color and poor as the poster child of why many
20 of these environmental projects are brought to light and
21 move forward. But very rarely do any of the benefits ever
22 touch those communities, does any of the jobs ever truly
23 reach those communities, but they're continually being
24 used as the reason why we do this.

25 I'm going to stress the fact that if we want to

1 believe the scientists when it comes climate change, then
2 we must believe the scientists when they also say, the
3 most -- the leading cause of childhood asthma is not your
4 proximity -- close proximity to a transportation corridor,
5 but the fact that whether you live in a poorly insulated
6 house with mold and mildew and you have a smoker in the
7 house.

8 Again, if that were the case with close
9 proximity, then why are the most affluent communities
10 along the 405 freeway north of the 10 not suffering from
11 childhood asthma at the same rate as those who live down
12 in Wilmington who border the harbor freeway. Why?
13 Because they live in maybe a 900 square foot house that's
14 every 80 years old, poorly insulated, and there's probably
15 a smoker in the house versus those that live in Bel Air
16 along the freeway and Brentwood, who live in a 5,000
17 square foot house, state of the art, and if there is a
18 smoker in a house, they're probably smoking in a different
19 wing.

20 So I really want to focus on where the need is
21 and making sure that when resources are asked for for
22 people of color or low-income people, that they really
23 receive these benefits, that -- but mostly, also
24 employment as well. I'm disappointed in the few
25 minorities, especially African Americans who work for

1 CARB. And I'm also clear that if you don't have diversity
2 within your organization, you can't truly feel and
3 understand the challenges that exist in those communities,
4 and I'll give two examples.

5 As the coauthor of the Clipper Arena bill, I was
6 blown away at the level and number of hurdles that the
7 City of Inglewood had to meet in order to build an arena
8 in their community. Whereas, a similar facility in Santa
9 Clara or here in Sacramento all but sailed through CARB
10 without the requirement of thousands of gig cars in a city
11 that's only ten and a half square miles versus Sacramento.

12 Those bias, discriminating policies and practices
13 have to be addressed. I appreciate former Governor Jerry
14 Brown when we were passing SB 1 and I stressed the
15 concerns of a lack of minority contracting in our
16 transportation area. And he deeply agreed and we added
17 language to add for supplier diversity in contracting and
18 procurement.

19 I think this is something that CARB needs to look
20 at. I will look forward to the results of the audit that
21 we were successfully able to get earlier this year as to
22 the transportation issue -- industry, I should say, and
23 how it impacts our communities and throughout the state of
24 California, but I think it's now time for us again to
25 focus on equity when it comes to environment. It's not

1 enough to continue to say poor people want zero-emission
2 cars. That's the farthest thing from their mind. They
3 want a roof over their head. They want a safe
4 neighborhood to live in. They want a good school to send
5 their kids to. They want health care. I don't know a
6 single person who wants dirty water, dirty air, dirty
7 soil, but that's not what keeps these folks up at night.
8 It's those other extenuating circumstances. Poor
9 policing. And again -- and all that centers on racism.

10 So I hope we take into heart not only what's
11 happening internally with CARB but listen to what we as
12 the black caucus is stating and all the other ethnic
13 caucuses have stated with the need of improving diversity,
14 not only in CARB, but in our environmental community as a
15 whole. So thank you.

16 BOARD CLERK SAKAZAKI: Thank you, Senator.

17 Our next speaker is Daniel Tabor. Daniel, I have
18 activated your microphone. You can unmute yourself and
19 begin.

20 MR. TABOR: Good afternoon -- or we're not quite
21 at the afternoon. Good morning again and it's great to be
22 able to follow my senator. And I should also say hello to
23 my Assemblywoman Assembly Member Burke.

24 Chairman Nichols, I am also reminded that you
25 have been an ally at Moved Los Angeles, Move LA in your

1 work with Denny Zane. And so I wanted to also bring that
2 to you. As you know, some of you may be aware of the work
3 of Move LA in Los Angeles. And we're now stepping out and
4 moving a statewide initiative for the November 2022 ballot
5 to say fund an attack on global warming and in particular
6 air quality and -- throughout the state. We have been an
7 advocate of public transit, public transportation
8 alternatives. Very clearly, we see the future as it moves
9 towards the electrification -- increased electrification
10 as one of opportunity, but we're -- we're here today to
11 remind you that the culture that exists within CARB that
12 has been called out for its racism is consistent with the
13 decisions that it makes that CARB makes when it doesn't
14 consider and engage in a discussion with the communities
15 that it represents.

16 And so my comments earlier and my comments now
17 are to remind you that culture will only change if the
18 people who have been benefited by the culture, if they
19 change. And so having a framework -- anti-racism
20 framework that does not include the voices of the people
21 that are impacted by the racism is an incomplete
22 framework.

23 And so I ask, as others have, that you would
24 delay a decision. However, we are interested in hearing
25 the voices of the members of the CARB Board on this issue

1 before any decision is made and before the public has a
2 full vetting opportunity to vet what's before us.

3 I also want to say and thank the director of the
4 California African American Chamber of Commerce Edwin
5 Lombard for reaching out and making sure that we
6 participate in today's hearing. But this really should
7 have been done by CARB. In all the communities that you
8 exist, I want to bring attention very quickly to the fact
9 that, as you've heard from the voices up and down the
10 state this morning, we are interested in air quality
11 issues. We are interested in water quality issues. And
12 we bring to the discussion a unique ethnic cultural
13 competence that helps better clarify how our communities
14 are impacted, so that you and your staff can have better
15 decisions made with information that is at the grass root
16 level.

17 Finally, as my time expires, this notion of an
18 implicit and explicit bias has already been raised. But I
19 want you to remember that what you decide will have not
20 only environmental impacts but economic impacts. And so
21 you need to also consider how you include our communities
22 in the economic benefit that your policies represent.
23 Thank you very much.

24 BOARD CLERK SAKAZAKI: Thank you.

25 Our next speaker is a phone number ending in 592.

1 I have -- I've activated your speaker. Please state your
2 name for the record and then you can begin.

3 Phone number ending in 592, are you there?

4 MS. AGUILAR: Hello.

5 CHAIR NICHOLS: Yep, we can hear you.

6 MS. AGUILAR: Hello.

7 Hello. Thank you very much. My name is Silvia
8 Aguilar. And I represent The Two Hundred. I would like
9 to call attention to a letter that we submitted to CARB on
10 October 20th by our Vice Chairman John Gamboa, where he
11 objects to the continued racist conduct of the California
12 Air Resources Board.

13 We filed this comment letter to request that any
14 possible resolution on CARB and racism be postponed
15 until other public members and our organization have
16 reviewed the reference report and planned resolution.

17 The Two Hundred also supports the recommendations
18 of the black employees of CARB, as they also call for
19 corrective actions to eliminate systemic racism at CARB.

20 And in the past, when there's been a conflict
21 between pursuing a long-term climate goal and the health
22 of today's kids and residents, CARB has always chosen the
23 climate goal. This was obviously true on housing, CEQA,
24 and VMT. And it's also true today with today's biggest
25 health damaging pollution sources wildfires and

1 particulate emissions from ships and trucks nearest the
2 state's biggest ports.

3 So the time is now. While I applaud the --
4 the -- Phil Serna's report, I think that the time has
5 come, as we've seen by all of the comments today, that
6 CARB does the right thing and include organizations like
7 The Two Hundred to have these critical discussions on
8 race, health and equity.

9 Thank you very much.

10 BOARD CLERK SAKAZAKI: Thank you.

11 Our next speaker is a phone number ending in 806.
12 After that, we have Bill Magavern, a phone number ending
13 in 060, and Robert Apodaca.

14 So phone number ending in 806, I have activated
15 your microphone. You can unmute yourself and begin.

16 Ruben, are you there?

17 I think the code is star six to unmute, if you're
18 there.

19 Okay. So we're going to skip you and come back.
20 Our next speaker is Bill Magavern. Bill, I have activated
21 your microphone. You can unmute yourself and begin.

22 MR. MAGAVERN: Thank you. Good morning. This is
23 Bill Magavern with the Coalition for Clean Air.

24 And we support the resolution and thank
25 Supervisor Serna for bringing it forward. But I also read

1 this morning the letter from the concerned black employees
2 at CARB who, you know, clearly have had some painful
3 experiences. And I thought that the recommendations that
4 they put forward show a lot of justice and wisdom. So we
5 also urge the Board to act on those recommendations as
6 soon as possible.

7 Something else that we can do, and of course,
8 CARB staff and Board members cannot comment on ballot
9 measures when they're on their official duties, but I can,
10 so I will say that something that all California voters
11 can do is to pass Proposition 16 and restore affirmative
12 action to California. And that will really help in having
13 our governments once again be on the side of racial
14 equity.

15 More broadly, looking at the policies that this
16 Board faces, we know that there's a history of
17 environmental racism in California and across the whole
18 country. We were reminded of that again this week with
19 the Exide bankruptcy, which leaves people near that former
20 battery recycling plant in Vernon dealing with the lead
21 contamination of their air and their soil. And I do think
22 that that pollution, that dirty air, water and soil is
23 keeping people up at night.

24 What's most important for CARB to do when it
25 tries to redress this history of environmental racism is

1 to listen to the communities. And a few areas where I
2 think the Board can improve is, first of, all in expanding
3 the transportation equity projects that are beginning to
4 bring clean mobility to people who've not had access to it
5 in the past. We need to scale up those projects, with the
6 help of the Legislature and the Governor who need to
7 provide the funding for that.

8 Also, the Community Air Protection Program
9 established under AB 617 is there for the expressed
10 purpose of addressing the cumulative impacts of air
11 pollution in the communities that have borne the worst
12 burdens. And so that process needs to be ramped up with
13 real enforceable emission reductions.

14 And we also need to look at hot spots that can be
15 created by emissions trading and to make sure that we're
16 taking direct measures to bring relief to those
17 communities that have suffered from environmental
18 injustice. What we don't hear people in the communities
19 saying is they want more oil and more sprawl development.
20 So this important justice agenda should not be hijacked by
21 the oil companies and the sprawl development interests.

22 Thank you very much.

23 BOARD CLERK SAKAZAKI: Thank you.

24 I will -- we will try phone number 806 again.
25 Ruben, are you there?

1 Okay. We'll move to phone number 060. I have
2 activated your speaker. You can unmute yourself and
3 begin.

4 PLACERVILLE MAYOR SARAGOSA: Can you hear me?

5 BOARD CLERK SAKAZAKI: We can.

6 PLACERVILLE MAYOR SARAGOSA: Thank you. Good
7 morning, Madam Chair and Board members. My name is
8 Michael Saragosa. I am the Mayor of the City of
9 Placerville. I'm also a Director for SACOG, the
10 Sacramento Area Council of Governments.

11 First, I'd like to thank Supervisor Serna for
12 bringing this important issue forward. I think you can
13 tell by the callers before me what an important discussion
14 this is now to have and that it's gone too long for this
15 discussion to have taken place.

16 You know, at SACOG, we've now had -- we have a
17 race and equity committee that I'm a member of. And we've
18 now had three public meetings. We've also hired a
19 diversity consultant that works within this space to help
20 facilitate that. That includes public outreach, as well
21 as interviews with Board members. I'll say that, you
22 know, we're 31-member board, and we have one African
23 American, Rick Jennings, from the City of Sacramento, my
24 friend and Council member, and we're doing that wrong.

25 You know, we obviously need better

1 representation. You know, as a person that color myself,
2 a Latino, I understand that. We need to have other voices
3 on that board. And I think the same thing should be said
4 for CARB as well.

5 You know, if you're going to pass this
6 resolution, I would request -- humbly request that you add
7 in, that you absolutely would like to see more diversity
8 candidates, more people of color to be appointed to this
9 Board as the oversight for it. It's hugely important to
10 have those voices from the African American, Latino, and
11 Asian communities to be on this Board and to have a seat
12 at the table. If you are making the decisions and there's
13 not those brown and black faces on there, you're missing a
14 whole heck of a lot.

15 And so I think that's got to be included in this.
16 We have to talk about those appointments to the Board and
17 to make sure that they're truly representative of all of
18 California. I think Senator Bradford said it right when,
19 you know, we're talking about communities of color, we all
20 want clean air, clean water. At the same time, we're
21 trying to put food on our tables, we're trying to have
22 good jobs and a pathway into wealth and into the middle
23 class. And so that has to be part of the discussion as
24 well.

25 And I think before you do anything, you need to

1 go back, have these public forums, have a lot more input
2 from these communities of color from the organizations
3 that have spoken before me, and then come back with a
4 plan.

5 And I thank you for your time today.

6 BOARD CLERK SAKAZAKI: Thank you.

7 Our next speaker is Robert. Robert, I've
8 activated your microphone. You can unmute yourself and
9 begin.

10 Robert, are you there?

11 I've asked you to unmute.

12 There we go.

13 MR. APODACA: Good morning. Can you hear me now?

14 BOARD CLERK SAKAZAKI: We can.

15 MR. APODACA: Good morning, Madam Chair and
16 members of the Board. I'm with The Two Hundred. And I
17 want to thank Board Member Serna for raising this
18 important issue and taking it up before the whole Board
19 members. And I also want to thank two of our legislators,
20 who took the time today to participate in this important
21 call. And that's Assembly Member Cooper and Senator Steve
22 Bradford.

23 Related to our two legislators, I'm going to ask
24 them if they would please require that all policies be
25 approved by the Legislature before this -- this regulatory

1 agency and other regulatory agencies dealing with -- that
2 have a major impact on racial communities be approved by
3 the Board.

4 It would also be wonderful if -- if CARB, as a
5 matter of policy, would see that they would be more
6 transparent with the -- with the -- with the rest of the
7 state, and with the Legislature in particular, and to have
8 their policies approved by the full Legislature before
9 moving forward.

10 Not only CARB, but other regulatory agencies
11 dealing with climate change have now -- have the record
12 now of promulgating regulations that have not been
13 approved by the Legislature. And that is just absolutely
14 deplorable.

15 The Two Hundred has -- The Two Hundred has
16 attempted to work on many occasions with the CARB Board on
17 regulations that we've -- we indicated would be -- have
18 bad consequences on ethnic minorities, particularly in the
19 area of homeownership. And we had meetings. And we
20 finally -- when we were not able to reach agreement, and a
21 lot of times not even been able to address the full Board,
22 we were forced then to file a lawsuit. We have two
23 lawsuits against CARB right now and we have a third
24 lawsuit against some other regulatory agencies. And
25 it's -- this is not the way that we would like to conduct

1 business, but we have no other voice than to do this.

2 So we would ask that CARB and all of its policies
3 stop being racist. I know a lot of times people have said
4 that you have good policies on climate change, and you do,
5 but sometimes -- and many times they just have unintended
6 consequences, and perhaps they are intended. And that's
7 what we're trying to find out through our Public Record --
8 Public Record Act's lawsuit.

9 We believe that you knew full well what the
10 consequences would be of your -- of your policies. And
11 when we get those records, we'll be able to make our
12 point.

13 So I wanted to thank you for the opportunity to
14 address the Board and we look forward to working with you
15 not in the courtrooms but in staff meetings and Board
16 meetings.

17 Thank you very much.

18 BOARD CLERK SAKAZAKI: Thank you.

19 Okay. I'm going to try one more time. Phone
20 number ending in 806, I have asked to unmute you. I
21 believe the code is star six to unmute yourself, if you
22 are there.

23 Okay. The next three speakers are Martin
24 Rodriguez, Edwin Lombard and Gladys Limon. Martin, I have
25 activated your microphone.

1 Oh, sorry, Martin. One second.

2 Ruben, are you there?

3 MR. GUERRA: Sorry, I couldn't get the mute
4 button. Yeah, this is Ruben again.

5 I just wanted to make sure that what I said
6 earlier was heard and that, you know, I'm echoing what --
7 this is Ruben Guerra. The Chairman of Latin Business
8 Association. Sorry about that.

9 So I just wanted to make sure that everything was
10 heard earlier. I got in -- I got on too early -- earlier
11 today and I just want to make sure that I echo what David
12 Cruz from LULAC had said and also our California Hispanic
13 Chambers, and then make sure that we're included on the
14 discussions, and that everything is very transparent.

15 Thank you.

16 BOARD CLERK SAKAZAKI: Thank you.

17 So our next speaker is Martin Rodriguez. Martin,
18 you can unmute yourself and begin.

19 Martin, I see you haven't unmuted yourself. If
20 you're having trouble, you can call the call-in number and
21 with the access code on the screen now.

22 Okay. We'll come back to you. Our next speaker
23 is Edwin Lombard. Edwin, I have activated your
24 microphone. You can -- oh, sorry. One second.

25 Martin, are you there?

1 MR. RODRIGUEZ: Are you there?

2 Yes.

3 Can you hear me?

4 BOARD CLERK SAKAZAKI: Hi, Martin. You can go
5 ahead and begin.

6 MR. RODRIGUEZ: How are you doing today?

7 My name is Martin Rodriguez. I'm Tri-County
8 Building Trades President.

9 And, you know, this -- to have a true voice on --
10 or a discussion on racial equality and responsible change,
11 we have to address the blue collar workers as well and all
12 the different socioeconomic groups that this entails. To
13 make these decisions that CARB makes, there should be
14 someone from the building trades or from the labor groups
15 addressing how the effects of most of these decisions that
16 come up before them affect the communities.

17 You know, for instance, when we go to try to
18 limit or put out policies of, you know, no more gas cars
19 or, you know, put these mandates on having to be fully
20 electrical by certain dates, you don't take into account
21 in how these communities of mostly color and blue collar
22 workers are affected. The cost of switching one's house
23 over to electric is almost insurmountable for them. When
24 you -- when you get rid of a -- or try to shut down
25 production of fossil fuels or any industrial operations,

1 it affects disadvantaged communities and socioeconomic
2 groups, and the blue collar worker is basically just
3 thrown aside. His voice doesn't matter, because it's not
4 even heard.

5 I think it's something that really needs to be
6 distressed -- addressed, and we definitely need to have --
7 I would think to have a full discussion, you need to have
8 somebody from the blue collar sector on your boards.
9 Otherwise, I mean, you have no idea how it affects working
10 people.

11 Thank you.

12 BOARD CLERK SAKAZAKI: Thank you.

13 Our next speaker is Edwin. Edwin, thank you for
14 waiting. You can go ahead and begin.

15 MR. LOMBARD: Can you hear me?

16 BOARD CLERK SAKAZAKI: We can

17 MR. LOMBARD: Thank you. Good morning, Madam
18 Chair and Board members. My name is Edwin Lombard. I'm
19 the President and CEO of the California African American
20 Chamber of Commerce. We are the largest black nonprofit
21 business organization that advocates for black business
22 and the black community in California.

23 Even though we appreciate the efforts presented
24 by Member Serna regarding the racial disparities, today I
25 feel compelled to speak regarding the recent letter on the

1 black CARB employees. I read the letter in Politico,
2 because it was not released ahead of time for public
3 review.

4 I was sympathetic to the writer as I thought
5 about how courageous it was to write such a detailed
6 letter. Then I became sad to think that the ad -- with
7 the advent of the public lynching of George Floyd and the
8 current state of systemic racism we are faced with today,
9 an institution such as CARB, which is supposed to protect
10 the black community is having their own racial issues.

11 Due to a lack of diversity and inclusion, the
12 voices of the Black community are missing from your
13 decision making. Maybe it's time for CARB to make some
14 internal changes that I believe will affect external
15 change.

16 On many occasions, I made public comment at CARB
17 hearings regarding the Black community and have been made
18 to feel as if my comments were not relevant, which
19 reflected the lack of concern for what my community has to
20 say.

21 I would suggest the following strategic and
22 significant overhaul for CARB to correct this matter.
23 Number one, make all items public ahead of time to allow
24 for the ability to -- for those who wish to make public
25 comment, the ability to review items ahead of time

1 allowing for more transparency and detailed public
2 comments.

3 Number two, provide staff for your Board members
4 to improve their ability to better prepare for the
5 hearings that they're about to vote on.

6 Bring into the decision making, or at least
7 information gathering process, more people of color.
8 Allow Black people a seat at the table so that we can be
9 part of the discussion and you can understand how we feel
10 about the things that you're going to be voting on.

11 And finally, add more Black Board members and
12 member -- and staff members to CARB. I understand there's
13 five Board seats that are coming up available in December.
14 I would highly recommend that you fill those, as many as
15 you can with black people.

16 Further, over the years, it seems that CARB has
17 lost its way. And instead of listening to what the
18 communities you are to protect have to say about how
19 climate affects us, you seem to have decided to go your
20 own path towards full electrification.

21 This will have a devastating effect on our
22 communities. There are other less expensive and readily
23 available sources of energy and we ask that you please
24 consider using these as you go forward.

25 Thank you for your time.

1 BOARD CLERK SAKAZAKI: Thank you. Our next
2 speaker is Gladys Limon. After Gladys, we have Janet
3 Dietzkamei, Luis Miramontes, and Erin Rodrigues.

4 Gladys, I have activated your microphone. You
5 can unmute yourself and begin.

6 MS. LIMON: Good morning. This is Gladys Limon,
7 Executive Director of the California Environmental Justice
8 Alliance. CEJA is an alliance comprised of 10 of the
9 largest and oldest EJ organizations in the state and even
10 throughout the country, working to eradicate environmental
11 racism and build environmental justice.

12 We stand in solidarity with the CARB Black
13 employees who courageously submitted their experiences and
14 allegations of racial discrimination and we support their
15 grievances and demands. And while not shocked, we're
16 highly alarmed to continue to learn about culture that
17 embeds white supremacy, that has a lack of diversity and
18 that disregards and disrespects environmental justice
19 community residents and advocates. And it's alarming that
20 particularly that public monies are funding this type of
21 racial discrimination.

22 ARB has a most significant role and impact on
23 communities of color. It should work in service of them.
24 It has a mandate to protect people and requires authentic
25 interest, understanding, and knowledge and competence to

1 do so.

2 We urge you to regard the grievances of the Black
3 employees with the utmost importance. It's appalling that
4 there are no Black leaders and no Latinas on the Board or
5 in the executive leadership staff and we certainly hope
6 that this changes, and that the new leadership have a
7 demonstrated record of authentic engagement with and
8 genuine understanding of the myriad of issues facing
9 front-line communities.

10 As the Board well knows, CEJA has advocated
11 extensively for the Board on implementation of AB 32 and
12 many other policies bringing to your attention data,
13 community testimony and other forms of expertise that
14 behoove that our climate policies be centered on equity to
15 ensure a just transition.

16 We agree that many CARB policies have hurt
17 communities of color as Assembly Member Cooper indicated.
18 And we agree that it -- or we hold that the current fossil
19 fueled based economy imposes outrageous costs on health
20 and economically on communities of color. But we
21 adamantly reject false arguments based on a premise that
22 communities of color have to choose between a clean
23 renewable energy economy and economic welfare. We must
24 and can have both.

25 Polls show that Latinx and other communities of

1 color demand bold transformative policy solutions. These
2 issues do keep us up at night from economic stressors, to
3 their children being sick of respiratory illnesses, to
4 many workers having -- from agricultural fields having to
5 work in extreme heat and ash-ridden air.

6 We know the costs of the climate crisis and a
7 fossil fuel based economy falls disproportionately on
8 people of color. And the oil industry has inflicted
9 violence on their lives.

10 So as we electrify, we must invest in and
11 prioritize improving the health, safety and economic
12 welfare of front-line communities, such as with
13 transitioning medium- and heavy-duty trucks, ports, et
14 cetera.

15 That manner in which you wield power, how you
16 engage, how you listen, how you value these voices and
17 experiences and how you vote, directly impacts whether
18 communities of color and low-income communities will be
19 further injured or will be relieved of the unconscionable
20 health and safety burdens, and whether they're provided an
21 equitable opportunity to benefit from the renewable based
22 energy economy.

23 Front-line communities have for too long been
24 disregarded, minimized, marginalized as we have raised
25 issues and tendered arguments in our advocacy throughout

1 years. And too often decisions are done to simply appease
2 EJ communities.

3 So we urge you to listen, to value our lives, and
4 to engage again in an authentic manner, and to move
5 forward in a way that will ensure an equitable just
6 transition. Thank you.

7 BOARD CLERK SAKAZAKI: Thank you.

8 Our next speaker is Janet. I have activated your
9 microphone. You can unmute yourself and begin.

10 MS. DIETZKAMEI: Thank you. Again, good
11 morning, Board members and Chair Nichols.

12 I would like to discuss AB 617. AB 617 is a
13 community-based, community-driven concept. When we
14 started working AB 617, and I was there with -- from the
15 inception on, we looked for the communities that were the
16 most affected by bad air, polluted air, dangerous air.

17 And in Fresno that was Southwest Fresno. In that
18 community, there are many people, children included, who
19 have asthma and other respiratory diseases. When I went
20 to those meetings, the public who -- that came to speak
21 was extremely diverse communities of color. And this
22 community was representative of the location of southwest
23 Fresno that was identified as having highly polluted air.

24 Through the diverse opinions and statements, we
25 learned a lot about that community. And I think we should

1 look to AB 617 as the concept we should follow where we
2 involve all people, all diversities, all communities of
3 color, and use that as an example for getting done what we
4 must do -- what we must do to improve the air, so that we
5 can breathe the air without having illness.

6 The children are developmentally affected by our
7 polluted air. It will affect them for the rest of their
8 lives. Diversity is required for progress.

9 This is Janet Dietzkamei and I thank you for your
10 time and I hope you will consider diversity.

11 Thank you.

12 BOARD CLERK SAKAZAKI: Thank you.

13 Our next speaker is Luis Miramontes. Luis, I
14 have activated your microphone. You can unmute yourself
15 and begin.

16 MR. MIRAMONTES: Can you hear me?

17 BOARD CLERK SAKAZAKI: We can.

18 MR. MIRAMONTES: Good morning, Madam Chair and
19 Board members. My name is Luis Miramontes. I'm the
20 business manager for Boilermakers Local 92 out of Southern
21 California, union labor.

22 What I want to bring up is pretty much a lot of
23 my members here in Southern California work in these
24 refineries, about 80 percent of our members. Me being a
25 Mexican American, and also a lot of people that look like

1 me and outside my race also, I believe that more of the
2 Board members from CARB should be diverse, you know, and
3 have -- and have these kind of options.

4 Also, California has lost more industry and
5 manufacturing jobs than any other state hit by blue collar
6 families. You know, the jobs have created either in the
7 tech industry, not in a lot of our industry, that supply
8 our members, you know.

9 The exodus of blue collar jobs provided a path to
10 the middle class that has disadvantaged communities the
11 hardest. It is harder and harder for blue collar families
12 to make a living in California, especially now with the
13 COVID-19 recession just beginning.

14 Also, the State Building Trades Apprenticeship
15 Program are more than 72 percent people of color. We need
16 to do a lot of work expanding our renewable energy
17 resources before we curtail production here. Otherwise,
18 all we're really doing is killing jobs here where the oil
19 is produced under the strictest environment labor laws in
20 the world and getting our oil from places that do not
21 share our values on race, gender or LGBTQ rights.

22 California is the most expensive state to live
23 in, as far as rents, creating increasing costs, while
24 systemically decreasing middle class blue collar jobs is
25 not equitable results. The blue collar family's voice

1 should have included adequate in the -- and the
2 conversations around California and the industrial future.
3 It is time to make these changes.

4 All we do -- I think, the State Building Trades
5 should be more involved with anything going on as far as
6 these decisions made by CARB.

7 And that's all I have to say. Thank you for your
8 time.

9 BOARD CLERK SAKAZAKI: Thank you.

10 Our next speaker is Erin Rodrigues. After Erin,
11 we have Mark Jacobs, Grecia Elenes and Chanell Fletcher.

12 Erin, I have activated your microphone. You can
13 unmute yourself and begin.

14 MS. RODRIGUES: Thank you. Thank you, Board
15 Chair and members for the update on this important issue
16 and the opportunity to comment Erin Rodrigues with the
17 Union of Concerned Scientists.

18 Science has repeatedly shown how Latino, African
19 American, Asian American and communities of concern are
20 exposed to substantially more air pollution than any other
21 demographic group in the state. These inequitable
22 exposures lead to significant health impacts that have
23 been exacerbated under COVID-19 crisis and the recent and
24 ongoing wildfires.

25 As ARB moves forward in advancing racial equity

1 work, both internally and externally, it will be important
2 to listen to and center the voices of those communities
3 who have long been advocating for ARB to improve air
4 quality within their local community. We see those
5 existing pathways to include improving the AB 617
6 community air protection process and bolstering
7 transportation equity projects.

8 We also recognize the ARB staff letter released
9 yesterday that raised concerns about the racist work
10 environment and the inequitable representation. We
11 support those staff and the well thought-out changes they
12 have called for. I also have to mention that UCS has been
13 grappling with our own self-reflection on how we can make
14 the necessary changes for an anti-racist workplace that
15 strives to ensure solutions advance racial and economic
16 equity for all. We look forward to future updates, action
17 items and progress on the subject.

18 Thank you.

19 BOARD CLERK ESTABROOK: Thank you. Thank you.

20 Our next speaker is Mark Jacobs.

21 Mark, I've activated your microphone. You can
22 unmute yourself and begin.

23 MR. JACOBS: Thank you. Thank you, Madam Chair.
24 And thank you, Phil Serna for such a detailed and
25 impacting report.

1 My name is Mark Jacobs. I am a director of a
2 pretty progressive non-profit organization, as well as a
3 consultant over the nonprofit in the development of other
4 businesses throughout the community. I wear a lot of hats
5 and I'm a father of four.

6 Leadership is not a title, but a responsibility.
7 In our programs over the last few years, we've hit the
8 magic number of two million served, so I consider myself a
9 ground game expert, based on our status African Americans,
10 22 percent, Hispanics, 30 percent, and the rest is Asian
11 Americans and Latinos, and Middle Eastern, the list goes
12 on, but just express the diversity is there and it's not
13 just a racial issue, but it's also an economic issue,
14 which stems from racism.

15 So I do have a couple of questions. I didn't
16 have much time to get this together, because I had to get
17 to my team to get the information to share or questions to
18 share rather. I heard someone mention earlier that there
19 was a 23-member task force. It would be interesting to
20 know what the task force is made up of demographically.
21 And I wanted to know if that information can be made
22 public.

23 And a couple of questions that were posed. In
24 light of the social stress that has warped the American
25 experience for the majority of its citizens, what is CARB

1 doing internally as a model among staff and members to set
2 the tone for external activities with racial inclusion in
3 mind. And again, it seems like this task force is a great
4 start, where we'd like to know the makeup of that as well.

5 Were there steps taken to involve or update
6 ethnic diverse communities and actions proposed and/or
7 initiated, which may or may not impact their environment?

8 In short, is there any PR activities of enhanced
9 nature that are strategically set up to reach people
10 through CBOs or directly?

11 And does the CARB -- do you believe that CARB
12 Board members and other boards reflect the diversity of
13 the city and California as a whole? I think the Chair
14 mentioned that -- or posed that question, but I did not
15 hear an answer. Again, I am not sure of the diversity
16 among the Board, but I know it's of concern.

17 And what are -- what plans are in place, if any,
18 to do more outreach to historically disenfranchised
19 people? Is there an internal committee to deal with this?
20 And again, it seems like the question was answered with
21 the gentleman who spoke right after the Chair stating that
22 there's a 23-member task force.

23 If that person is available, is that information
24 available to share on this call or can we learn about it
25 in the near future.

1 Thank you. I yield my time.

2 BOARD CLERK SAKAZAKI: Thank you.

3 Our next speaker is Grecia. I have activated
4 your microphone. You can unmute yourself and begin.

5 MS. ELENES: Great. Good morning, Board members.
6 My name is Grecia Elenes. I'm a senior policy advocate
7 with Leadership Counsel for Justice and Accountability.
8 We're a community based non-profit working alongside
9 communities of color across the San Joaquin and Eastern
10 Coachella valleys.

11 First, I'd like to commend this agency's black
12 staff who had the courage to write such an honest letter
13 laying out the ongoing institutionally racist oppressive
14 structures that continue to leave black, indigenous and
15 people of color behind. We wholeheartedly support the
16 letter and their demands and urge CARB to quickly and
17 proactively work alongside your black staff to immediately
18 address the serious concerns that were raised.

19 These issues are not synonymous to this agency,
20 but to agencies across the State generally and hope this
21 is not just a wake-up call for CARB, but all local and
22 state agencies alike.

23 Second, I'd like to add that CARB who is a
24 regulatory agency responsible for protecting and improving
25 our air quality must, through policy, regulation, action

1 and enforcement, strive to meaningfully respond to BIPOC
2 communities internally and externally. It is ever
3 import -- it is ever more important now, while we're in a
4 pandemic and experiencing some of the largest fires this
5 State has seen, that this agency doubles down on its
6 efforts to equitably address the disproportionate impacts
7 of climate change and air quality impacts on black,
8 indigenous and POC communities.

9 To achieve these goals, this agency's staff,
10 leadership and Board members must all play a role in
11 working alongside and building relationships with EJ
12 communities across California. It's imperative that this
13 state partner with the very people who have been most
14 impacted and implement solution -- the solutions that they
15 prioritize.

16 CARB needs to center equity and a just transition
17 in the -- in your implementation of climate policies.
18 Folks we work with have time and time again demanded that
19 economic development should not be placed over the health
20 of their families. We cannot continue to play into the
21 antiquated and racist notion that in order to have a
22 thriving economy and in order to survive certain groups
23 must suffer, that is people of color, as immigrants, as
24 formerly incarcerated, as populations that are generally
25 seen as less than only deserve certain types of jobs that

1 worsen their health and their communities.

2 We urge -- again, we -- I'd like to reiterate
3 that we urge CARB again to immediately address the issues
4 raised in the letter and proactively work with their staff
5 and also urge them to start building relationships to
6 begin the just transition to a healthy and sustainable
7 jobs and communities.

8 Thank you.

9 BOARD CLERK SAKAZAKI: Thank you.

10 We have five people left with their hands raised.
11 Roman Partida-Lopez, Sylvia Chi, Elaine Labson, Shayda
12 Azamian, Neena Mohan and Chanell Fletcher. So we have six
13 people left. If you wish to comment on this item, please
14 raise your hand or dial star nine now, if you're on the
15 phone, if didn't you hear your name.

16 So our next speaker is Roman. I have activated
17 your microphone. You can unmute yourself and begin.

18 MR. PARTIDA-LOPEZ: Thank you, Ryan. Good
19 morning, Madam Chair and Board members. Again, my name is
20 Roman Partida-Lopez with the Greenlining Institute.

21 We echo a lot of the previous comments already
22 made and we also stand in solidarity with the Black
23 employees who courageously raised their voices on these
24 racial inequities.

25 We believe that this resolution is a first good

1 step. And we appreciate Board Member Serna and other
2 Board members who provided input into its development.
3 However, how it's been stated, we -- there is a need for
4 transparency and respect for an inclusive process that
5 allows for the multiple voices and communities impacted by
6 racial inequities are heard and listened.

7 We know people of color, particularly Black
8 people, have experienced centuries of inequity and
9 systemic and institutionalized racism. Moreover, Black
10 and Brown communities have long been excluded from policy
11 and funding decision-making processes that can be used to
12 address the injustices they experience and support a
13 transition to healthy communities.

14 Therefore, we think CARB must take a hard look,
15 reflect and analyze both its internal and external
16 efforts, especially on policies and programs that continue
17 to exacerbate environmental injustices in our front-line
18 and environmental justice communities. It must just not
19 work to address racial equity, but on how to be
20 anti-racist.

21 It must reflect and immediately address the
22 issues and recommendations raised by Black employees to
23 address the inequities perpetuated by CARB. CARB must
24 work to transform its behaviors, its institution and its
25 systems that continue to disproportionately harm

1 front-line and environmental justice communities.

2 Moreover, more work is needed to increase and
3 redistribute power to our front-line and environmental
4 justice communities. There needs to be a redistribution
5 of resources and -- excuse me, there needs to be a
6 redistribution of resources to our most impacted
7 communities and we must eliminate barriers to opportunity
8 in order to empower our low-income communities of color.

9 CARB must go beyond just setting up a task force
10 to address these inequities. We recommend that they look
11 to set an office of racial equity, so that it can dedicate
12 the needed resources and time to address these issues on a
13 full-time basis and not on need-be basis. If CARB is
14 going to -- if CARB is going to continue to use the term
15 "priority populations", when it talks about our
16 communities, then CARB's actions, your actions, must
17 reflect the term and we must truly prioritize them by
18 advancing, policies, regulations, enforcement and programs
19 that create direct and meaningful benefits to our most
20 impacted communities.

21 Thank you for your time.

22 BOARD CLERK SAKAZAKI: Thank you. Our next
23 speaker is Sylvia Chi. I have activated your microphone.
24 You can unmute yourself and begin.

25 MS. CHI: Hi. My name is Sylvia Chi. I'm the

1 Policy Director of Asian Pacific Environmental Network,
2 APEN, an environmental justice organization that has been
3 organizing and working with working class Asian immigrant
4 and refugee communities in California for over 25 years.

5 At APEN, we stand in solidarity and strongly
6 support the Black employees at CARB and echo their
7 demands. We also remain alarmed by the Board's culture,
8 lack of diversity, and disrespect for environmental
9 justice leaders and community members, as described in the
10 Black employees' letter and as we have experienced
11 ourselves.

12 I join the voices of many other commenters to
13 call for the necessity of transparency and authentic
14 engagement with communities of color, who are impacted by
15 systemic racism, especially on this specific agenda item.
16 And I also want to support and echo the comments that were
17 just made by Roman from Greenlining Institute.

18 I want to address some of the arguments that have
19 been put forth that pit communities of color against
20 transitioning to a clean, renewable, energy-based economy.
21 Clean air verse putting food on the table and having a
22 family-sustaining job is a false choice. Our members are
23 working class Asian immigrants and refugees and they want
24 a roof over their head, food on the table, a good job and
25 clean healthy air to breathe both inside and outside.

1 As Chair Nichols noted, the Board's mission is to
2 ensure that all Californians can breathe healthy air, yet
3 many communities of color like ours, continue to breathe
4 unhealthy air contributing to the cumulative impacts of
5 all different sources of pollution that we're currently
6 bearing.

7 So that's why it's critical that the Board center
8 'racial justice in a just transition in all of CARB's
9 activities, including the implementation of climate
10 actions and addressing indoor air quality. We agree that
11 CARB must do better to account for cost of
12 electrification, which have an outsized impact on working
13 class Californians of color and ensure that the benefits
14 of transitioning to a clean energy economy prioritize our
15 communities.

16 There are many ways to do that, including making
17 sure that polluters pay for the costs that are now being
18 borne by people of color.

19 We look forward to continuing to engage with CARB
20 and other stakeholders on these important issues.

21 Thank you.

22 BOARD CLERK SAKAZAKI: Thank you.

23 Our next speaker is Elaine Labson. Elaine, I
24 have activated your microphone. You can unmute yourself
25 and begin.

1 Elaine, are you there?

2 I have asked you to unmute yourself. If you're
3 having technical difficulties, you can call the phone
4 number and type in the access code on the screen.

5 For right now, we'll move on to our next speaker,
6 Shayda Azamian. Shayda, I have activated your microphone.
7 You can unmute yourself and begin.

8 Shayda, are you there?

9 MS. AZAMIAN: Hello. Yes. Thank you.

10 BOARD CLERK SAKAZAKI: Yes.

11 MS. AZAMIAN: Hi. My name is Shayda Azamian from
12 the Leadership Counsel for Justice and Accountability. We
13 work with low income communities of color across rural and
14 inland California, all who are bearing the burden of our
15 polluting economy right now.

16 We want to commend the Black staff who have come
17 forward and support the recommendations and actions listed
18 in the letter. As more information comes to light, the
19 responsibility to take corrective action by this agency
20 becomes greater. I want to echo the statement a previous
21 commenter made as well that the day-to-day practices,
22 interactions and relationships making up CARB's work
23 cannot be separated from the impact on public health CARB
24 claims to strive for.

25 For a person's and an agency's moral standards

1 behaviors shape their immediate environment and in turn
2 are molded into the structure of our society. The level
3 of action demanded in light of the racial injustice
4 documented and experienced every day is not complicated.

5 The moral courage and fortitude required to take
6 corrective action is not complex. Bold, necessary,
7 ethical and abundantly clear paths of action must be
8 taken, which each individual team member, executive and
9 Board must be responsible for at all levels.

10 Low income and communities of color refuse to
11 choose between a renewable clean economy and economic
12 well-being. Both are necessary and inextricably linked.
13 The tie between unchecked industrial air pollution and the
14 disproportionate rates of death and disease in communities
15 of color is not lost on community members.

16 These costs are already being borne by
17 communities of color in the most devastating way. They
18 can tell you about the levels and roots of injustice that
19 remain unaddressed by CARB policies. And I want to
20 emphasize that -- that -- another point that a previous
21 commenter made, that we wouldn't be so divided if
22 communities facing such injustice were involved
23 meaningfully and heard from from the very beginning.

24 Thank you again to the staff who have come
25 forward and we look forward to seeing CARB's actions on

1 this.

2 BOARD CLERK SAKAZAKI: Thank you. I'm going to
3 try Elaine again. Elaine, I have asked you to unmute
4 yourself. If you're on the phone, you can dial star nine
5 and you'll raise your hand.

6 Okay. So we'll move on to our next commenter
7 Neena Mohan. Neena, I have activated your microphone.
8 You can unmute yourself and begin.

9 MS. MOHAN: Hi. Good morning, everybody. This
10 is Neena Mohan, Climate Justice Program Associate with the
11 California Environmental Justice Alliance, or CEJA. We're
12 a statewide policy organization representing ten grass
13 roots environmental justice groups across the state.

14 I want to echo the comments of folks that spoke
15 before me, sylvia Chi, Shayda Azamian, Roman, and really
16 just say that again CEJA stands in solidarity with the
17 black employees who courageously submitted their
18 grievances of racial discrimination. And it's really
19 critical that CARB centers environmental justice in
20 eradicating environmental racism as it implements
21 California's climate policies and transitions to a
22 renewable energy economy to stabilize our climate.

23 It's no surprise that the oil and gas industry
24 has inflicted violence on the lives of people of color,
25 both domestically and abroad while continuing to

1 de-stabilize our climate. BIPOC Californians are paying
2 for medical bills, inhalers, bottled water, missed work
3 and school days, and with their life expectancy.

4 We know of front-line communities and other
5 disproportionately impacted communities are not centered.
6 If justice is not centered, the inequities will continue
7 to be exacerbated throughout this transition.

8 CARB has erred in not addressing justice. So we
9 can see this in the bifurcation of air pollution and
10 climate pollution in policy. We see it in cap-and-trade.
11 We see it in the implementation of AB 617, which is
12 riddled with inefficiencies and ineffectiveness and it
13 pits communities of color against each other.

14 CARB has a responsibility, both from its
15 statutory mandates and its moral duty to ensure that
16 front-line communities are benefiting in the transition to
17 electrification in the transition to a renewable energy
18 system and this cannot be overstated.

19 Thank you.

20 BOARD CLERK SAKAZAKI: Thank you.

21 Woops. Our next speaker is Chanell Fletcher. I
22 have activated your microphone. You can unmute yourself
23 and begin.

24 MS. FLETCHER: Thank you so much. And so my name
25 is -- it's Chanell Fletcher. That's okay. I get Chanell

1 a lot. And I'm with ClimatePlan. I'm the Executive
2 Director. We work on issues around land use,
3 transportation, housing and climate. I wanted to take the
4 time to say, first, I am -- I'm shocked, because I have
5 been -- I've been talking with CARB staff this week
6 actually about Sustainable Community Strategies, about the
7 joint meeting with the CTC and HCD. And in none of those
8 conversations did anybody from CARB staff mention, you
9 know, this letter from Black staff. They didn't mention
10 anything around race and equity, which is surprising,
11 because that's been a huge focus for ClimatePlan.

12 And I was stuck by even the fact that, A, staff
13 didn't know, which is very concerning, or B, staff knew
14 and were basically not able to tell other folks about
15 this. Maybe there's an option C that I just don't know,
16 but I would say that those things are concerning, because
17 it means that there's a clear lack of transparency that
18 those who are even working with CARB are experiencing.

19 And I think we heard those comments very clearly
20 that this information -- like, I'm wondering if I hadn't
21 seen the Politico part -- like article would I even know
22 about this letter, would I even know what I think black
23 employees have endured at CARB.

24 I think that this kind of like -- you know,
25 again, like this -- even this like racial -- or the race

1 equity resolution that came out, all of these things feel
2 a little hollow, because it feels like who was informing
3 it. Who has been a part of the conversation? Where is
4 the transparency? Where is the co-collaboration and the
5 co-creation that really make these things meaningful?

6 That is what I think I would want to see of CARB.
7 And I think that is what builds the blocks around getting
8 to justice. And I think for us thinking about
9 resegregation, and VMT, and all of those things that we're
10 talking about in terms of the policy space, I think it
11 really has to come from a place of like we are actually
12 collaborating, we are co-creating.

13 And so I think my biggest ask of CARB is around,
14 one, transparency. I want to -- I want to know who's on
15 the task force. I want to know who influenced this
16 resolution. I want to slow down the process, so that we
17 can actually weigh in, and we can shape this, and that
18 we're not just rushing to respond to, and to react to, but
19 that we are thoughtfully and meaningfully making change.
20 I want to know what actions CARB is taking and I want to
21 see a plan laid out of like here are how we are addressing
22 how Black employees are treated at CARB, and their
23 experience, and their promotions. Those are things that
24 people need to see at this point, because this letter is
25 basically a huge break in trust.

1 And then in same breath, like we want to see much
2 more collaboration, and co-creation, and making sure that
3 justice is really embedded and called out in all of the
4 policies that CARB is working on.

5 And I say this to though passionately, you know,
6 not because I'm here to like drag, for lack of better
7 words, the Board, but to say that, you know, it really
8 starts from within ourselves. So it starts internally.
9 And so I think as you guys are internally doing that work,
10 it will shape and change how things happen externally.
11 And that's what I think is really important in this
12 effort.

13 Thank you so much.

14 BOARD CLERK SAKAZAKI: Thank you.

15 I'm going to try Elaine one more time. Elaine, I
16 have activated your microphone. If you can unmute
17 yourself, you can begin your comments, if you are there.

18 MS. LABSON: Hi, are you able to hear me?

19 BOARD CLERK SAKAZAKI: We can.

20 MS. LABSON: Hi. This is Elaine Labson with
21 Little Manila Rising, Health Equity Director. Our
22 organization is really invested in social justice, ethnic
23 studies, immigration rights, environmental justice, public
24 health, historic preservation and community power
25 building.

1 And I really want to raise the issue upon the
2 work that we're doing around AB 617, and the understanding
3 the responsibility that CARB has for the communities that
4 are benefiting for cleaner air. I also want to really
5 uplift and echo all the folks who really talked about the
6 racial injustices, especially the Black employees who are
7 raising up their voices on the concerns of addressing
8 institutionalized racism.

9 But the point I really want to make is during our
10 AB 617 process during one of the calls, the Port
11 Commissioner was on our meeting, because Stockton is a
12 port community. And he did not know what greenhouse gases
13 were. As Stockton's largest polluter, what type of public
14 health and environmental training is given to port
15 commissioners.

16 It should seem that the Commissioners have --
17 should have strong business backgrounds, but our committee
18 is made up of people who live in Boggs Tract in South
19 Stockton. And it's our families that are impacted really
20 greatly by this biggest polluter.

21 It's our life expectancies that are living
22 shorter. It's our health longevity. It's the public
23 health that we really want to make sure that our
24 communities are living that better life.

25 And so I wonder what is the responsibility for

1 that. If port commissioners don't feel the understanding
2 of the health impact in making these type of decisions,
3 why are they at the table we are at when we're talking
4 about AB 617. It's really important that there's true
5 transparency and that they really understand what's --
6 what is really at stake.

7 Thank you.

8 BOARD CLERK SAKAZAKI: Thank you.

9 Our last three speakers are Glenabel -- Glenabel
10 Toreno, AZ Banguis and Thomas Helme.

11 So Glenabel, I have activated your microphone.
12 You can unmute yourself and begin.

13 MS. TORENO: Hello. Good morning. Thank you for
14 the opportunity to give comments on the Valley PM2.5 plan
15 update. My name is Glenabel Toreno and I am youth
16 advocate for environmental justice with Little Manila
17 Rising. I'm also a steering committee member for AB 617.

18 As a resident from Southside Stockton, I have
19 very close proximity to air pollution from the impacts of
20 the cross-town freeway, the many industries, as well as
21 the factories located here.

22 Directly emitted air pollution, especially
23 particulate matter and NOx are the most harmful to us.
24 Coming from a formerly red-lined community, we have long
25 been suffering from environmental injustice. Public

1 health was never made a priority for us. And even up
2 until now, we are heavily impacted by pollution since we
3 were ranked as number eight in the nation for particulate
4 matter pollution in the year 2016.

5 This continuous exposure to pollution is so
6 damaging that the life expectancy for people who live in
7 Southside Stockton is very low, usually only living up
8 until the age of 60 to 70 years old. Environmental racism
9 is such a big issue in my community with the food deserts,
10 to the health care system, to the very obvious pollution
11 in Stockton. And it's not just asthma that is the outcome
12 of air pollution. It's also heart attacks, premature
13 death, lung cancer, the danger for people with
14 cardiovascular diseases and especially people in low
15 income communities.

16 The air quality that surrounds Southside Stockton
17 residents impacts public health and the environmental
18 conditions around important services and infrastructure.
19 About one in four children have asthma in the San Joaquin
20 Valley. Environmental conditions impact existing
21 respiratory problems to students, which then influence
22 their school performance.

23 Much of the residential areas here are within the
24 95 through 100 percentile of pollution burden according to
25 CalEnviroScreen 3.0. I'm concerned about how our lives

1 are always put at stake with very little consideration of
2 our health.

3 The California Air Resources Board must exercise
4 its oversight. There's much needed enforcement on the
5 Port of Stockton with the Port of Stockton being a high
6 polluter and a major contributor to air pollution here
7 disproportionately affecting downwind areas. We demand
8 additional reductions on emissions for the sake of our
9 safety.

10 Thank you.

11 BOARD CLERK SAKAZAKI: Thank.

12 I believe your comment was for a future Board
13 item, the San Joaquin PM plan, that will be heard later in
14 the day, but staff for that item is already online, so
15 they heard your comments, but we will also have public
16 comment for that item as well.

17 Our next speaker is AZ. I have activated your
18 microphone. You can unmute yourself and begin.

19 MS. BANGUIS: Hello. Good morning. Thank you
20 for the opportunity to give comments on the Valley PM2.5
21 plan update. My name is AZ Banguis and I am with Little
22 Manila Rising's Youth Advocates Program in environmental
23 justice.

24 And I'd like to say that the San Joaquin Valley
25 is known for being the most agriculturally productive in

1 California and serves as one of the great food sources in
2 the U.S. They are also known, and this is according to an
3 article released by EPA of August 2020, they have some of
4 the nation's worst air quality, high rates of childhood
5 asthma and contaminated drinking water.

6 There are plenty of Stockton residents who are
7 suffering. And this is due to the emissions produced by
8 the industries of Southside Stockton, then we have the
9 agriculture emissions produced in Northside Stockton and
10 we own the third largest port in the country. And then
11 finally, we have the cross-town freeway located in
12 downtown Stockton.

13 So as you can tell, there is plenty of hazardous
14 emissions happening in Stockton from north to south and
15 east to west.

16 And in response, Stockton residents have fallen
17 victim to severe impacts to the health and quality of
18 life. A victim that I would like to acknowledge served as
19 the co-founder that is the backbone of Stockton Little
20 Manila today, and that is Dr. Dawn Mabalon, who was a
21 mother, sister, leader, educator, mentor, premier of
22 history over time and a product of Stockton. And we lost
23 her to asthma in 2018. And we just work to help and carry
24 her journey to the finish line today.

25 Stockton's high levels of particulate matter has

1 taken a great toll on the residents' health, with already
2 having so much to worry about, like many of them have to
3 endure financial insecurities, have to worry about raising
4 their families, making sure there's food on the table and
5 all in the midst of a worldwide pandemic.

6 It's difficult for these individuals to show care
7 towards their air quality, because there's just already so
8 much responsibility they need to attend to. And so as a
9 youth advocate, we hear and see their pain. So we wanted
10 to step in and let all of you know that the Valley PM2.5
11 Plan needs to be revised, as well as bring representation
12 to their chairs to protect communities like mine that have
13 high rates of pollution percentile, PM2.5 levels and are
14 red-lined, especially a community that uses its ground to
15 make sure food and products are reaching other
16 communities.

17 We just want our youth to live longer days and
18 not have to be concerned about losing their lives
19 essentially just because of breathing the air that they
20 are breathing.

21 So, yeah, thank you for my -- for your time.

22 BOARD CLERK SAKAZAKI: Thank you.

23 Our last speaker for this item is Thomas. I have
24 activated your microphone. You can unmute yourself and
25 begin.

1 MR. HELME: Hi. Thank you. Thank you to CARB
2 and staff for allowing me to speak. Actually, much like
3 the last couple of speakers, I originally tuned into the
4 meeting to listen and to speak on the PM2.5 plan. But
5 after listening to many of the comments, I have felt that
6 I should -- I should claim my three minutes and make an
7 attempt to -- to bridge some of the comments that I've
8 been hearing not only on this meeting, but on numerous,
9 countless past meetings, which is this -- this choice that
10 we always seem to be given as environmental justice
11 communities, low income, communities of color, which is
12 choose between your job and your health and the health of
13 your family.

14 I am the co-founder of a social environmental
15 justice group based out of Stanislaus County, Valley
16 Improvement Projects. I'm also the coordinator for the
17 California Environmental Justice Coalition with 70 members
18 from environmental justice groups throughout the state.

19 And we that come from these communities -- I
20 mean, my family is 90 percent blue collar workers,
21 factories, truck drivers, and we know that we need jobs.
22 It's obvious. We need jobs. We need paychecks. We need
23 to feed our families. We need access to health care.

24 But we also have to understand the science and
25 the studies that are being done, which tell us that these

1 jobs literally take years off of our lives, off of our
2 families' lives. They may cause diseases, and other
3 problems with our outlying community members our own
4 parents and grandparents, cause our children and -- to go
5 to emergency rooms on bad air days.

6 And we -- and I hear -- it seems like there's
7 nobody kind of trying to bring both sides of the issue
8 together in saying, that, yes, I don't want to see
9 regulations, you know, take away a job that I need to feed
10 my family, at the same time recognizing that it might just
11 be a hard truth that your job leads to bad health outcomes
12 for our most vulnerable community members.

13 And so what we need is both. We need a just
14 transition into clean jobs that don't poison our
15 communities, while recognizing that, yes, these things are
16 going to affect lower income, communities and communities
17 of color, working class communities the most. So that is
18 the reason why we need diversity in departments, not just
19 CARB but all throughout CalEPA and the State government.

20 You need to hear both of those voices. We need
21 the science, and the studies, and the data to show this is
22 what this certain industry, or this certain pollutant can
23 do to people, to their health.

24 And also, what is going to happen if you take
25 jobs out of the communities that are already suffering the

1 most unemployment and the least opportunities.

2 So we want to see that just transition happen for
3 our EJ communities with clean jobs, and clean air, and
4 clean water for our most vulnerable communities.

5 Thank you for your time.

6 BOARD CLERK SAKAZAKI: Thank you.

7 I did see someone else's hand flash, but I think
8 it's been lowered now. I think I saw the name was
9 Destiny. If you're there, you can raise your hand and
10 I'll call on you, if you wish to speak on this item.

11 Okay. So, Madam Chair, that concludes the list
12 of commenters for this item.

13 CHAIR NICHOLS: Thank you. I had to take myself
14 off of mute too.

15 This has been a really interesting and
16 educational conversation in so many ways. And I am sure
17 that every member of the Board has ideas, and thoughts,
18 and reactions that they would like to share and I don't
19 mean to cut that short, in any way, shape or form. I
20 won't. I do want to say a couple things about where we
21 are right this minute. First of all, just to say what we
22 said at the beginning about the resolution. I think it
23 was really a misnomer for the item to have been listed as
24 a report in the agenda. And that probably precipitated
25 some anxiety on the part of many people if not

1 disappointment, because clearly what we had was a very
2 brief report on what the Board members have been up to and
3 the staff since the last time this topic came before us in
4 one of our public meetings.

5 It was not, in any way, a report on everything
6 that the Board is doing, or has done, or hopes to do to
7 address these issues, but there's a lot to be done and
8 there's no doubt that people wish to be engaged more than
9 they were at this stage of the process at least in helping
10 us to shape that -- that response to the moment that we
11 find ourselves in.

12 I -- I guess I do want to say just one other
13 thing and I will turn to staff on this, so I have seen the
14 letter that was referred to and I saw it before it was
15 published in Politico. It was distributed and it hurt my
16 heart. It was a very distressing reminder of bad
17 experiences that people have had working for the agencies
18 that I've devoted a lot of my life to and that I care
19 about very much. And I think Richard Corey, whom I'm
20 going to ask to respond now felt the same way.

21 But I want to ask him to address what he did with
22 that letter, as much as we can say about the genesis of
23 the letter, and what he is doing going forward in terms of
24 the task force that has been referred to that was set up
25 to deal with the internal aspects of CARB's behavior. And

1 just for everybody who's still on the line or listening,
2 just a reminder, the ARB, as a Board, hires and fires, I
3 guess -- they actually did once fire an Executive
4 Director. We do not run the agency in the sense of making
5 decisions on personnel items, promotions. We can give
6 guidance and for sure encouragement about kinds of
7 positions that we would like to see created and we have
8 done that quite often.

9 But we're not actually the people who are
10 responsible for implementing most of what we have asked to
11 have happen, as far as the Board's own conduct is
12 concerned -- as far as the staff conduct is concerned, I
13 should say, except for how we behave ourselves.

14 So, Richard, just talk a little bit about the
15 letter and about what you're doing now.

16 EXECUTIVE OFFICER COREY: Thanks, Chair. This
17 background, the letter was submitted to myself and the
18 co-chairs of the Racial and Diversity Equity Task Force in
19 early September. And it was signed actually by several of
20 the authors, although some chose not to sign. So about a
21 half dozen folks signed it.

22 The day I received it, I read it immediately
23 actually and reached out to the signator who transmitted
24 it - I received it by email - and described its impact. I
25 mean, it was -- recounted experiences, some folks that had

1 been with us 30 years, some relatively new, painful. It
2 was just obviously extraordinary impactful, and -- but
3 also one of hope. It had a number of recommendations. It
4 was -- it actually had hope embedded in a path forward.

5 I reached out to the -- one of the authors the
6 same day and basically said, the letter actually needs to
7 go to everyone in this organization. I was convinced of
8 it. I wanted everyone to see it, to be aware of it,
9 because I saw it as a part of change in the organization,
10 because we had a few months prior established the --
11 established the task force, established it in July.

12 And the respondent basically needed to go back to
13 the other authors and make sure that they had approval,
14 because I wanted to make sure I had their approval to send
15 it out. That took a few days, three through four days.
16 They resent a version, an unsigned version. Determined
17 that was the most appropriate form to broadly distribute
18 it. And once I had their approval, I sent it to all --
19 every person in the organization under an "All Hands" on
20 weekends. Every week since the pandemic I send an "All
21 Hands" email to staff.

22 So I described it, described really the courage
23 that it took in terms of the authors drafting that letter
24 and how impactful I thought it was and how important I
25 thought it was. And the letter was included with that

1 email to all staff. In addition to sending it to all
2 staff, I sent it to the Board, BDO, boards, departments
3 and directors of CalEPA that run DTSC DPR and so on. All
4 those directors, I sent the letter to as well, because I
5 thought for the same reasons it was impactful and they
6 need to consider it. I also sent it to, as you know, all
7 Board members with a transmittal, as well as the
8 Governor's office.

9 And to your point or the question about the
10 Diversity and Racial Equity Task Force, and I'll be
11 relatively quick on this, but it's important. It was
12 about in June of this year that I sent another All Hands
13 note to all staff. It was actually following a
14 conversation that I had with a Black employee. She was
15 getting ready to retire, had been with CARB 30 years and
16 it really explained to me some of her experiences. And
17 honestly -- and I put this in a note to all staff, it was
18 the most impactful conversation I've ever had since I've
19 been at this agency. And I committed to all staff in that
20 meeting -- in that email an All Hands note, there would be
21 changes.

22 And the follow-on was the creation of the racial
23 and diversity task force. We did recruitment across the
24 organization. Somebody asked about the composition. It's
25 two chairs -- the two co-chairs, and 21 members in

1 addition to that. It's a third black, a third Hispanic,
2 and a third caucasian or other race, about two-thirds
3 female, one-third male and is working on -- and basically
4 a few things. We've established a internal website. We
5 started to post statistics on ethnic mix in the
6 organization by gender, ethnicity, thinking that the more
7 information that we get out to folks the better.

8 It included -- includes a link to the letter that
9 we're talking about. As well as the plans to develop a
10 racial equity strategic plan and some short-term actions,
11 including just the composition of our interview panels.
12 There's some basic things we're already making changes on.
13 So it is -- we have near-terms steps and some longer term
14 steps that that group will be engaged in going forward.
15 So I'll end on that, Chair.

16 CHAIR NICHOLS: Thanks. I think I should call
17 first on Phil Serna. He has his hand up and I'd like to
18 give him the floor next.

19 BOARD MEMBER SERNA: Thank you, Chair.

20 First, let me say that I appreciate very much the
21 ample testimony today from our witnesses. And I think
22 it's clear that there's a theme of concern expressed by a
23 number of those that testified relative to process. And I
24 think something as important as what we're attempting to
25 do today, which by the way with the resolution, you know,

1 maybe it's my fault, but I failed to mention at the
2 beginning that the resolution really marks the beginning
3 of the shift in our culture here at CARB, as we relate to
4 our own employees and certainly again externally to our
5 stakeholders and the public. It really marks the
6 beginning not the end.

7 And that's why the substance of the resolution in
8 a number of the whereases and resolves is trying to --
9 it's best to explain the architecture of what we expect to
10 do moving forward. And so that's important to note,
11 because there were a number of comments that seemed to
12 resonate with me, as if people felt strongly that this was
13 somehow a conclusion and not a beginning. So I just want
14 to make that very clear.

15 I do feel strongly that again this is so critical
16 that should it be the will of the Board today, I am
17 certainly -- as just the single member that was tasked to
18 really collect the ideas from a subquorum of the Board to
19 compose this resolution, I'm certainly open to taking some
20 time and certainly giving the public, and stakeholders,
21 and the advocates, and the activists that not just the
22 ones we heard from today, but others, you know, a clear
23 opportunity, more so than hours before the meeting, to
24 read through the resolution carefully, digest it, ask
25 questions. Perhaps -- again if that's where we land

1 today, perhaps there's a way working through Mr. Corey's
2 office to not only post the resolution on our website
3 somewhere that's easy to get to, but to clearly explain
4 that we're open to comments and suggestions.

5 Again, I think that's probably the right thing to
6 do at this point, given the import of what this marks as a
7 beginning. And I think we all want to look back and not
8 have any question that our roadmap moving forward, in
9 terms of this culture shift, was not absent the benefit of
10 those that we serve really having an influence on it.

11 So I'll just leave my comments there and look
12 forward to hearing from my colleagues.

13 Thank you.

14 CHAIR NICHOLS: John Balmes. Dr. Balmes.

15 BOARD MEMBER BALMES: Thank you, Chair Nichols.

16 Well, I wanted to start by saying how I
17 appreciate the importance of this discussion. I want to
18 thank you for tasking Mr. Serna with trying to come up
19 with a start of a culture shift with regard to the agency,
20 both internally and with regard to our external relations.
21 And I want to thank Supervisor Serna for his effort here.

22 I also want to thank Mr. Corey, because he sent,
23 as he said just now, the letter from our black employees
24 to the Board, I guess it was early September. But we
25 interacted by text and I -- I appreciated the concern that

1 he had, the -- as he said, it was a sort of devastating
2 impact to him and to all of us. And I believe because
3 change starts at the top here with regard to our internal
4 affairs, that I appreciate that there is a new commitment
5 that this resolution is supposed to memorialize to an
6 active anti-racist culture at CARB.

7 And I also greatly appreciate all the witnesses
8 that came forward expressing multiple concerns. I heard
9 them. I think the rest of the Board hears them as well.
10 And while it is true it's kind of late in the game with
11 regard to addressing environmental justice, that the Board
12 - and I'm talking about the entire agency - has been
13 moving forward as a result of the need implement to AB
14 617.

15 It was pointed out by several speakers that there
16 have been problems with the implementation. There's no
17 question about it. As the Board member who is Chair of
18 the AB 617 Consultation Group, currently we are working on
19 revising the blueprint for implementation of AB 617 in the
20 designated communities. And structural racism has
21 appropriately come up, you know, with regard to revising
22 the blueprint.

23 And several environmental justice representatives
24 to the Consultation Group have expressed the need for CARB
25 and the districts to receive training with regard to

1 structural racism and anti-racism behavior in tandem with
2 community members on the community screening --
3 community -- now, I'm blocking on the essence, CSCs. But
4 anyway, the community committees for implementation of AB
5 617.

6 And I think that's important, because we have
7 learned through our work on AB 617 that we didn't know how
8 to talk -- not even to talk, we didn't know how to engage
9 productively with our environmental justice communities,
10 really communities that have received years of
11 environmental injustice due to structural racism.

12 The historical redlining is one of the primary
13 reasons why we have a disproportionate burden of exposures
14 to air pollutants and other environmental toxins in our
15 communities of color throughout California, throughout the
16 whole country. And because of our need to implement AB
17 617, the agencies actually move forward. We are better
18 than we were a couple years ago. We've got a long way to
19 go, no question about it. I'm talking about our external
20 relations. But we are -- we are learning slowly, but
21 we're learning.

22 And I think that I can speak for Mr. Corey and
23 other members of the executive office for CARB that there
24 is a true commitment to learn to do better with regard to
25 structural racism, environmental justice, specifically

1 implementing AB 617, but with regard to our other
2 regulations as well.

3 I am very proud that the agency is starting to
4 get environmental justice. You know, we've been talking
5 about it for a long time. I've been on the Board 12
6 years. We've been talking about environmental justice the
7 whole time. I think we're actually trying to move forward
8 with regard to actually doing something about
9 environmental justice. But as all the witnesses express
10 their concern, we've got a long way to go.

11 So my final comment would be people of color
12 don't speak with one voice. We heard that in terms of the
13 witnesses. It's actually a racist concept to think that
14 they do. And I just wanted to point out, highlight
15 comments from Gladys Limon CEJA and Sylvia Chi from APEN
16 who pointed out, I think very appropriately - others did
17 this as well - that people of color who live in
18 communities where there's a disproportionate burden of
19 exposure to air pollution, they want clean air. They want
20 improved economic conditions. The two don't have to go --
21 don't have to be separated. And some of the witnesses
22 were expressing concerns that CARB not pay enough atten --
23 that's not paying enough attention to the economic impacts
24 of our regulations.

25 That's an -- it's an important point. I agree

1 with them. But Gladys and Sylvia and others called for a
2 just transition. We have to figure out a way -- ways to
3 both improve air quality in our environmental justice
4 communities and to improve their economic status. I think
5 we can do both. We have to pay attention to both. But
6 when forces try to separate those two, I get concerned.

7 And with that, I'll end my remarks.

8 CHAIR NICHOLS: Okay. Next would be Hector De La
9 Torre.

10 BOARD MEMBER DE LA TORRE: Thank you. I want to
11 echo -- first of all, I want to thank and echo Phil
12 Serna's -- Supervisor Serna's remarks. Thank you for
13 doing this work -- this important work on behalf of all of
14 us for taking on that -- this charge. And the resolution
15 that we have before us, I completely agree is just the
16 take-off point for our work as an organization.

17 I think this Board -- I've been on it long enough
18 to know, you know, that we are very attuned to these
19 issues. We sometimes do not, because our agendas are so
20 chock-full of action month, after month, after month,
21 where we're trying to accomplish the work of the
22 organization, that sometimes we do not do the reflection
23 that is necessary about how we go about doing the work
24 that we do.

25 I think it's very important to acknowledge that

1 we have three populations that we serve here at CARB with
2 this effort and going forward. Number one, communities.
3 Absolutely, first and foremost, they're -- they're the
4 ones who are being impacted by everything we do.
5 Communities up and down the state, whether you want to
6 talk about 617 communities, or front-line communities, or
7 impacted communities, or just, you know, nice communities
8 that are better off than anybody else. They're all
9 communities and we're response -- we have to be responsive
10 to all of them.

11 Second, stakeholders, stakeholders in our
12 process. And these may be businesses. These may be the
13 communities that I just mentioned. It may be the
14 environmental justice advocates. It might be
15 environmentalists in general, et cetera. These are the
16 stakeholder groups that we engage -- the public health
17 folks that we engage to get our work done.

18 And then the third is, and these aren't in any
19 particular order, our employees. And I think sometimes
20 that last piece does not get the attention it deserves,
21 again because we are grinding through these agendas and
22 trying to get -- do the work of the organization.

23 So the letter from the African American employees
24 was -- the timing is -- it's late, but it's perfect in
25 what we're doing here, because it will inform and has

1 informed already the steps that we're going to take
2 forward. And so it's very important that we balance all
3 three of those segments as we go forward.

4 We heard a lot of testimony from the public about
5 the first and second and solidarity with the third. So I
6 think the public today has affirmed our approach. I
7 think, you know, the concerns about notice. Well, this
8 isn't a regulatory item. It's a (inaudible) that
9 Supervisor Serna put together. Again, it's a take-off
10 point.

11 There's going to be a lot of discussion, a lot of
12 input going forward. And that will be absolutely a public
13 process as we go along, certainly on the first and second
14 segments. I don't know what -- what we can do with the
15 third segment, other than open within our employee group,
16 because of personnel issues and privacy issues there.
17 Whatever the results are, obviously those will be public
18 as we determine those. So that will require some work
19 with our legal folks.

20 In terms of the issues that were raised by many
21 about the balance and -- or racism within what we do in
22 our obligation as California's air quality and greenhouse
23 gas climate change agency, I wanted to quote a couple of
24 folks who I think are relevant to this discussion.

25 One is Dr. Robert Bullard who is an African

1 American professor at Texas Southern University. He is
2 absolutely one of the leading lights on environmental
3 justice, and I'll quote from him. "America is segregated
4 and so is pollution. Race and class still matter and map
5 closely with pollution, unequal protection, and
6 vulnerability. Today zip code is still the most potent
7 predictor of an individual's health and well-being.
8 Individuals who physically live on the wrong side of the
9 tracks are subjected to elevated environmental health
10 threats and more than their fair share of preventable
11 diseases. Still too many people in communities have the
12 wrong complexion for protection".

13 That's Dr. Robert Bullard, who I think links the
14 racial component and the environmental component very,
15 very well in all of his work, but I thought that quote was
16 appropriate.

17 Dr. Manuel Pastor who is at USC does wonderful
18 work, also, obviously a Latino. A couple of quotes from
19 him, "That growth and equity can and should be linked
20 offering a new path for a U.S. economy seeking to recover
21 from economic crisis and distributional distress".

22 And the second quote is, "The gap between
23 progress and racial attitudes and racial realities, we
24 need..." -- "...to close the gap between progress and
25 racial attitudes and racial realities, we need a new set

1 of strategies for both talking about race and achieving
2 racial equity".

3 So that's our charge. I think taking it from
4 these two leading academics, we need to internalize that
5 framework for ourselves at CARB. We acknowledge this.

6 And I'll close with a couple of memories. When I
7 came onto this Board nine years ago, we didn't talk about
8 environmental justice. The first discussion I can recall
9 on environmental justice was when we tried to adapt and
10 implement CalEnviroScreen, and some of my colleagues will
11 remember this. That was a difficult discussion on this
12 Board and with the stakeholders who came before us telling
13 us not to do it. That was a big battle. And it was the
14 first occasion I -- I recall from being on this Board,
15 where we listened to community members who were telling us
16 we need this tool. We need this mechanism.

17 And that was about, I don't know, eight years ago
18 or so. And that was the first time that I can recall on
19 this Board that we had that discussion and it was a
20 battle.

21 And then fast forward a couple of years to when
22 we passed the Greenhouse Gas Reduction Fund spending plan
23 and it was the same thing. There was a discussion, not
24 quite a battle, but it was -- it wasn't easy to get the
25 priorities of the environmental justice groups from up and

1 down this state. There were five broad categories of
2 priorities and that was a challenge to adopt as part of
3 your Greenhouse Gas Reduction Fund plan.

4 And so I'm thinking back eight years ago and six
5 years I think roughly. And these discussions were new to
6 us. And not that we're, by any means, where we need to be
7 today, but we have made incredible progress in this
8 eight-year timespan with this Board, where it is a given
9 that we will incorporate this -- thinking environmental
10 justice, racial equity, et cetera, into what we do.

11 We have much, much work to do. But because I've
12 seen this progress over these last eight years, I am
13 certain, I'm confident that we, with staff, will make this
14 happen.

15 And I look forward to all of the wonderful input
16 that we're going to get as we do this, so that we can be a
17 better agency and more reflective of the people of
18 California.

19 Thank you.

20 CHAIR NICHOLS: Thank you. Judy Mitchell, then
21 Diane Takvorian, and then John Gioia.

22 BOARD MEMBER MITCHELL: First of all, I want to
23 thank Supervisor Serna for the work on this and recognize
24 that the resolution in front of us is the beginning. When
25 I began to hear from our speakers today, I thought, well,

1 wait a minute. This is just the beginning. There's a lot
2 of work to be done. I think it remains to be decided here
3 whether we approve the resolution today or whether we
4 delay it, as so many have asked us to do to do some
5 further outreach on it. So that is something the Board
6 will need to make a decision on.

7 I see the issue in front of us dealing with
8 systemic racism as having two directions. One is inward,
9 that we need to look at ourselves, at our agency, at our
10 -- what we are doing within our agency to hire minority
11 people, how we are advancing them, how we are training
12 them. And the Black employees' letter points that out,
13 that we need to be addressing some of our concerns
14 certainly inward.

15 The other thing that comes to mind is that we
16 need to direct our attention outward to all of those
17 people who came before us today and told us of their
18 grievances. And so we have an opportunity here, I think,
19 to build a coalition of those groups and those people
20 representing people of color and to begin working with
21 them more closely.

22 We have been doing that somewhat with AB 617, but
23 that is segmented in various communities. I think we need
24 to broaden that with a broader group, perhaps a select
25 group of representatives, some of those people that came

1 before us today. And we need to learn how to talk to each
2 other. I think there is -- with systemic racism is a lot
3 of misunderstandings between the races and often the
4 inability to really communicate with one another,
5 understand what the grievances are, how to address them,
6 and really how to -- how to talk to each other and reach
7 solutions.

8 So I thought today's hearing on this was
9 revelatory and I want to thank everybody who came forward
10 to speak to us. It helps us open our eyes to what is
11 going on around us that we may not be that aware of, and
12 we need to be aware of.

13 Thank you.

14 CHAIR NICHOLS: Diane.

15 BOARD MEMBER TAKVORIAN: Yes. Thank you, Chair.

16 I want to appreciate, as others have, Supervisor
17 Serna's leadership on this important matter and thank you,
18 Chair, for entrusting him to do a very good job on this in
19 a difficult -- in a difficult way. This is a difficult
20 issue to deal with, but I -- I have to say that I really
21 appreciate the Black employees courageous and challenging
22 statement that details really disturbing incidents, as
23 well as ongoing practices in their letter that are
24 revealed as both implicitly and explicitly racist.

25 And I very much appreciate Richard's attention to

1 that letter immediately. And I think it gives us a really
2 important starting place to heal and to make very clear
3 and explicit changes. I'm appreciative of the public
4 testimony today. I know that every comment was heartfelt
5 and that we share the goal of achieving racial justice. I
6 know that we also have different ideas about what those
7 paths might be.

8 But I do believe that the proposed resolution
9 draws from the information contained in the letter and
10 acknowledges the need for CARB to make both internal and
11 external changes as a number of Board members and public
12 have referenced. So again, for me, and I've heard this
13 from others, the resolution serves as a starting place,
14 not a complete solution, because undoing racism has to be
15 a continuous effort. This is something we need to put
16 ourselves -- commit ourselves to for the long term.

17 And I hope that the resolution lays the
18 groundwork for specific actions that are called out in the
19 letter and that those actions will be developed in
20 consultation with staff of color and externally with
21 communities of color, because we really do require a
22 culture shift within CARB to acknowledge the practices
23 that are inappropriate, that don't promote racial justice,
24 and in some cases, are -- at the worst, are actually
25 racist.

1 And so I think the establishment of the Diversity
2 and Racial Equity Task Force as an internal focus is
3 really appropriate, and I -- I support that in the
4 resolution, as well as some of the other actions that are
5 called on.

6 I think one of the key things that isn't
7 addressed specifically in the resolution, but I hope that
8 the task force will focus on, is the implicit racial
9 prejudice that is included in pay and equity -- I'm sorry,
10 pay and status inequities, which the letter calls out.
11 We -- I know that Dean Florez and I when we were appointed
12 at the same time as the first environmental justice
13 representatives were very excited to promote the
14 Environmental Justice Director position, which the Board
15 embraced, and put forward. And I think that is an example
16 of a place where we really need to improve equity with
17 some of the other staffers.

18 And I'm cognizant of the Board's role in regards
19 to personnel, but I would say that that's a place to start
20 to make a very strong statement in regards to our position
21 on environmental justice and how that looks within our
22 Board's structure, so -- I'm sorry, our staff structure.

23 We also have to tackle the racist impacts that
24 CARB has outside of the workplace in Black, Indigenous and
25 People of Color communities to address environmental

1 racism specific to the air and climate programs, and in
2 our research programs as was addressed by commenters
3 earlier in this meeting. So I appreciated those comments
4 and appreciate that we can incorporate them.

5 I especially appreciate the inclusion of the zero
6 tolerance for racism policy that's applicable to all
7 public and internal activities in which the agency is
8 engaged, including those involve -- involving CARB's
9 employees and associated stakeholders as the resolution
10 reads.

11 I have to say this approach has been called for
12 officially for nearly two decades, when the first CalEPA
13 Environmental Justice Task Force was created. And it was
14 reiterated by environmental justice representatives today.
15 That actually is where CalEnviroScreen was born nearly two
16 decades ago. And it was born, because environmental
17 justice organizations and people who lived in
18 environmental justice communities said we really need to
19 know what we're being exposed to because we know we're
20 sick, and we know the air smells, and we know the water is
21 not safe to drink, so we need to know what that's all
22 about and how that adds up to the impacts that we have.

23 So I really think the Board staff, the air
24 districts, the communities, are all called on to listen to
25 people of color. Staff and stakeholders, we need to

1 acknowledge these practices that show up in our policies
2 and in our actions. And I -- I think this is a good --
3 very good place to start, but we really need a way for it
4 to continue.

5 So I really want to endorse and suggest that we
6 come back, as I think you suggested, Chair, with a report
7 for an ongoing program and potentially an Office of Racial
8 Justice to keep this on the front burner and to have a
9 clear place for folks to go in regards to these issues.
10 So I'd like to -- to recommend that as a follow up to the
11 approval of the resolution.

12 And then lastly, I do want to address the
13 testimony that suggests that communities of color must
14 somehow choose between clean air, and affordable housing,
15 or good jobs. This is a completely throw-back position
16 that's really untenable for our communities. Everyone
17 deserves both. CARB has to consider the economic impacts
18 to communities of color, but those include long-term
19 health impacts and quality-of-life impacts. We cannot
20 forget this.

21 And, for me, the parents in the San Diego and
22 Tijuana environmental justice communities I work in are
23 literally up all night tending to their children who
24 cannot breathe. Of course, they're struggling with paying
25 the rent and putting food on the table. But seeing their

1 child have an asthma attack and not be able to help them
2 has to be one of the worst things that a parent can
3 experience.

4 So I know for a fact that they are -- they're
5 concerned. So I want to say in closing that I support the
6 resolution with an ongoing mechanism for us to keep this
7 on the front burner and keep it as something that all
8 staff and all Board members are paying attention to, and
9 that we incorporate into all of the policies and actions
10 that we take.

11 Thank you so much.

12 CHAIR NICHOLS: Thanks.

13 John.

14 BOARD MEMBER GIOIA: Thank you. I want to first
15 start by thanking and acknowledging everyone who spoke
16 to -- who spoke today. Some have varying points of view
17 about policy, and we respect that. But all shared one
18 common theme and that is to end systemic racism, not just
19 in this agency internally and how it may look at policies,
20 but also really across the state, and in our own
21 communities.

22 And I want to thank Supervisor Serna for taking
23 on the facilitation and leadership role to work to develop
24 this resolution. And I want to say a few words about --
25 about that. And that this resolution really, as others

1 have said, is not -- is not a document cast in stone.
2 It's a starting point. It's really -- the hard work is
3 ahead of us. The easy work is putting a resolution
4 together. The hard work is implementing it.

5 And I sort of want to compare this to something
6 we're doing in Contra Costa, where a colleague and I are
7 bringing a proposal to create an Office of Racial Equity
8 and Social Justice in Contra Costa County. And as much as
9 we have done a lot of thought and talked to a lot of
10 people about this office, what we've done is raised a fair
11 amount of money to do a pretty extensive six-month
12 community process to really have communities,
13 organizations who have worked on racial equity and social
14 justice issues to really speak out and really provide the
15 guidance and input about how this office should be formed.

16 So while our board of supervisors is going to
17 move to fund an office, we're going to -- our proposal is
18 to rely on an extensive community process to inform us the
19 priorities of such an office and how it works across our
20 health departments, our social service department, the
21 criminal justice, departments at the county, the planning
22 department to really look at how that work is prioritized.

23 So I sort of want to analogize that to the
24 resolution before us. I sort of see this resolution as
25 the starting point, where we need to work, not just

1 through the tasks of this -- not through the structure
2 that's going to get established, but a broader way as to
3 how we implement and do this work. It's really ongoing
4 work. It's sort of a lens and a focus for our work, you
5 know.

6 And the idea of creating an Office of Racial
7 Equity and Social Justice I think -- frankly, I think
8 would be advisable for this agency as well, because it --
9 it allows this -- this -- this work to continue to be
10 front and center. And let me -- let me observe, because a
11 few speakers have said that there's not any people of
12 color in top leadership today. It's true.

13 I want to point out two that there have been in
14 local air districts, like Phil's districts and our
15 district in the Bay Area have hired them away. Veronica
16 Eady, we hired away to be our Deputy Executive Officer in
17 the Bay Area and Phil hired away Alberto Ayala to be the
18 Executive Officer of their district.

19 So in a sense, there have been in the past.
20 They've gotten great training here and then they've been
21 hired away and moved on to local air districts. So
22 obviously, I'm sure this -- the -- we're going to
23 continue -- work to replace those individuals -- continue
24 to replace those individuals with professional high
25 quality people of color. But I wanted to make that

1 observation that we have had strong leadership,
2 professional by people of color and they've been hired
3 away by local air districts.

4 So I -- I want to -- maybe, Phil, you have some
5 other thoughts on how we can continue to -- to have a
6 public process about how we're implementing all of the
7 work. And in a sense, when we do regulations and --
8 across this state, it's, for example, how we continue to
9 incorporate in a meaningful way voices from environmental
10 justice communities. As someone who grew up, live --
11 lives and represents an AB 617 community, Richmond,
12 predominantly a community of color that's highly impacted,
13 what I hear from my fellow Richmond residents is they
14 don't want it -- they don't want to slow down the path
15 towards zero emission. They want to be included as part
16 of it. They don't want to be left out.

17 I think we heard some speakers implying there's a
18 choice between zero emission and jobs. What I've heard
19 from again folks in the community I live in and represent
20 is that all of us need to be doing a better job as
21 agencies, local and State, and regional to ensure that
22 impacted communities like Richmond are not left out of the
23 shift to zero emission, so that they're breathing cleaner
24 air, have access to better jobs, and have economic
25 opportunity.

1 I think that is possible and I think we're all
2 striving to continue to do a better job to do those
3 things. We're working hard. We can do a lot better. So
4 I do want to say to -- you know, that for those who say,
5 well, this agency alone is moving toward electrification,
6 the last I checked the Governor of this State in an
7 Executive Order actually is directing this agency to move
8 towards that target.

9 And actually a lot of the work that this agency
10 has been doing and moving towards zero emission is
11 actually the result of the State Legislature's direction
12 as well. And by -- by the direction provided in various
13 pieces of -- various bills over the years to get us to do
14 that. This is not the Air Board just on its own dreaming
15 this up and doing it without direction from the Executive
16 and Legislative branches of State government.

17 So, Phil, I know -- I know you worked very hard
18 on this and I want to acknowledge that. And I know in the
19 work that you've done in Sacramento as well and someone
20 who has advanced these issues in your own county, that
21 appreciate your leadership in moving this forward, but
22 it's going to take all of us. And I know that's regular
23 work and reports here to our Board, as well as the
24 strong -- continued strong commitment of staff.

25 And I want to also acknowledge appreciation

1 for -- I know it must have been very difficult to publicly
2 write this is the letter from the Black employees
3 associations at the Air Board. And frankly, that needs to
4 be -- and I've heard this from my colleagues and from
5 Richard Corey on the staff, that needs to be front and
6 center initially, and we need to work on that, and need to
7 address that, because we know in systems there's not just
8 many implicit, there's explicit bias, right?

9 And there's -- and even by people who are well
10 meaning, there's bias. There can be racism. And there's
11 some -- there's individual training that we all can go
12 through, managers, Board. If anyone has had a chance to
13 hear Dr. Kevin[SIC]Hardy. I've had a chance to be at one
14 of his. It causes us to think very deeply about the work,
15 even those of us who may consider ourselves allies in this
16 the work. It challenges our own assumptions about how we
17 think, and how we work, and it -- and I would address -- I
18 would really recommend that Dr. Hardy's -- we're using him
19 in Contra Costa, that -- that some of his work and
20 presentations are very useful for the Board and for the
21 staff.

22 So with that, I will support the resolution as a
23 starting point, knowing that there is a lot of work to do.
24 And I'm really interested in really having a robust office
25 of racial equity and social justice that's able to hold

1 this work. And it can't be just one person. It has to
2 be -- it has to be adequately and robustly resourced to be
3 able to hold and do the work.

4 CHAIR NICHOLS: Great. Next Dan Sperling and
5 then Nathan Fletcher.

6 BOARD MEMBER SPERLING: Thank you. I'd like to
7 add maybe a little -- another dimension to this. And, you
8 know, along the theme of action, because, you know, as
9 almost everyone has said, we need to translate words into
10 actual achievements and actions. And, you know, a lot of
11 the discussions about internally what we should do at
12 CARB. And, you know, I fully support it and it's great
13 what Richard Corey and others are doing.

14 But I want to focus on the external part of it.
15 And it was -- it's just been, you know, lightly referenced
16 a couple times, I think last by Diane Takvorian, and
17 that -- you know, I guess starting -- we do have real
18 structural problems. And, you know, we at CARB can -- you
19 know, we need to figure out what we can do as an
20 organization, we as individuals. And, you know, we see
21 things like the Exide, you know, disaster, and that it did
22 not come to a resolution that seems like it's fair or
23 appropriate.

24 I'm not a legal person. But clearly, it's
25 embedded in all kinds of judicial precedence and laws.

1 And so clearly, there's structural problems there, but so
2 what we can do I think -- there's two ideas I have. And I
3 think the theme is that we need to learn better how to
4 engage, how to inform, how to empower the local community
5 groups that are actually -- that are starting to engage.
6 And, you know, one of the things that CARB did working
7 with district staff was funding -- providing funds to
8 members of these groups to participate in some of these
9 meetings, and the Greenlining Institute report that was
10 referred to earlier, which did a great job of articulating
11 exactly that.

12 And I would point out, by the way, that many CARB
13 staff contributed to that report and are acknowledged in
14 it, as well as some of my colleagues at UC Davis as well.
15 It lays out kind of some ideas how to engage better. So I
16 know -- like me as a researcher, we're putting -- in our
17 programs when we're working on EJ and community issues, we
18 are putting funds into supporting these community groups.

19 And, you know, as much as we can, and in some
20 cases significantly so. And I think that's partly CARB.
21 It would be useful for CARB to start thinking about how do
22 you -- how do you engage these groups. And once we engage
23 them, you know, the whole point is to empower them to be
24 able to start dealing with a lot of these legal problems,
25 structural problems. And that leads me to the -- to the

1 second point.

2 And that is 617 has been referred to a number of
3 times. It's really a great first step. And, you know, in
4 many ways, it's revolutionary for us, because -- not us,
5 the whole air quality, environmental move -- regulatory
6 policy community, and that is we are focusing very much on
7 local impacts on these local communities. And we're doing
8 that -- you know, we're not doing it nearly as well as we
9 could, mostly because there's not enough funding, because
10 we want to engage many more communities. The concept is
11 good, but we need to convert that. And some of the -- you
12 know, that -- that means the Legislature needs to put more
13 funding into it, but we have a role in supporting all
14 that.

15 And kind of my -- kind of a subpoint on that is I
16 keep hearing about electrification. And so I want to
17 emphasize that, you know, I work in transportation. That
18 is my field. I've work in it for decades. And I'm all
19 for electrification. It is the number one strategy
20 certainly in the transportation sector. But when we're
21 talking about these issues here of environmental justice
22 and racial justice, and these community groups, what they
23 need more than anything is more accessibility, more
24 mobility.

25 And we did form a new group at CARB to focus on

1 that more generally. And this would be a good focus of
2 them to figure that out, and to connect with the 617
3 program and others, to figure out how to help these local
4 communities do what they -- what they need, you know, much
5 more than an electric vehicle or an electric bus in their
6 neighborhood is access to jobs, access to health services,
7 access to other activities.

8 And we need to work much better at helping these
9 groups figure out what does that mean and what can CARB
10 do, which is modest, but what can we do working with other
11 agencies and other bodies, including the Legislature.

12 Thank you.

13 CHAIR NICHOLS: Thank you. We hear next from
14 Supervisor Fletcher and then Vice Chair Berg.

15 BOARD MEMBER FLETCHER: Thank you. Thank you,
16 Chair Nichols. I'll be brief. I know this has been a
17 worthwhile and insightful discussion.

18 You know, every government agency is -- is
19 rightfully being forced and demanded to reconcile what
20 really is a legacy of government action that traces back
21 to the original sin of the founding of our country. And
22 the racial injustices that we deal with today are things
23 that have been built in time over specific government
24 policies -- government policies created, starting with the
25 original sin of the founding of our country, when

1 government policies allowed slavery and then government
2 policies facilitated redlining. I mean, there's a series
3 of things, which means the government policies have to
4 change to address those historic injustices.

5 And I think every entity and agency is forced to
6 tackle the issues of equity versus equality to acknowledge
7 the obvious. And then not just talk about it and
8 acknowledge, but talk about what specific steps you're
9 going to take to try and address that. And -- and It's
10 vitally important that we do that. And it's hard and it's
11 difficult, but it has to be done.

12 And, you know, Supervisor Gioia mentioned some of
13 the work they've taken in their county. And he and I have
14 talked about this a lot in that, you know, I have a county
15 that historically has been very conservative and not
16 progressive thinking on issues of race and equity. And,
17 you know, we've forced the conservation here. And one
18 thing that we did, which again is not perfect. Nothing
19 we're doing is perfect.

20 The one thing we did was bring back a -- we had a
21 Human Relations Commission that had been abolished by the
22 previous board before I got here. And we brought that
23 back and that is community leaders. And we recreated that
24 and we empowered that. And then we funded the Office of
25 Race and Equity and we funded a lot of other things. But

1 we said that the Human Relations Commission would guide
2 the development of that office, so that we actually were
3 hearing from the community and that was step one.

4 And then the ideas that we got around racial
5 justice, whether they were changes in our citizens' Law
6 Enforcement Review Board, changes in our hiring policies
7 and practices, changes in mobile cross -- crisis response
8 teams in terms of law enforcement. A lot of the changes
9 that we needed to make, those all were informed by
10 those -- those community leaders and citizens, so that we
11 had that true participation and input.

12 And it takes a little bit longer, but you -- you
13 get to a much better place if you do take the time. And
14 so I appreciate Supervisor Serna's efforts. You know,
15 these are difficult issues to wade into. There's no
16 perfect way to do it.

17 But I think the fact that we are starting this --
18 yeah, too late. But you know what, we're starting it now,
19 and the real measure of what we're doing will be the
20 impact and the commitment to it, beyond just this -- this
21 meeting in terms of how we move forward.

22 So I'm pleased to support it, recognizing we've
23 got a lot of work to do and we have a lot of problems.
24 And that's not unique to the Air Resources Board. It's
25 not unique to the County of San Diego, State of

1 California. It is across the board. And so I think every
2 entity and agency has to move forward with this. And
3 again, our true progress will be measured down the road in
4 terms of actions and engagement that's ongoing. So I'm
5 pleased to support it, but know we have a long way to go.
6 Thank you.

7 CHAIR NICHOLS: Great.

8 Ms. Berg.

9 VICE CHAIR BERG: Thank you, Chair.

10 And I'll also just want to add comments to thank
11 all the participants, and especially Supervisor Serna, for
12 taking on this task and also for all the comments of our
13 communities. This is an issue that -- that weighs heavily
14 on all of us, because the issue of justice and fairness is
15 at the heart of what -- or the values of what so many
16 believe. And yet, there's no question that how we see
17 that is through the lens of the -- by the grace of God,
18 where we had the ability to grow up in.

19 And so I think there's a couple of comments that
20 I would like to just focus on. One is the transparency
21 that was brought up in the testimony time over time again.
22 And I think that, you know, we do so many things that we
23 don't have the opportunity to communicate. It was
24 terrific that Mr. Corey was able to walk through, you
25 know, how he handled the very courageous Black employees

1 who stepped up to really identify very clearly and I think
2 in a very wise and heartfelt way as many have stated,
3 and -- but we don't -- we aren't able to get out that
4 information. And so many of the times the question does
5 become what are we doing, and how fast are we reacting,
6 and how committed we are.

7 And so maybe an opportunity for Mr. Corey and our
8 other executive officers just to take a look at how we can
9 increase our transparency -- our transparency might be something
10 that we could also look at. And the other thing is I
11 heard time and time again just transition. And, you know,
12 transitions are hard and messy. And I keep thinking back
13 what makes them just. And they really are the ability to
14 handle a messy transition. It is the resources. It is
15 the breaking down of barriers that -- that does make that
16 just.

17 And that kind of gets back to expectations.
18 We're really facing, as a country, several hundred years.
19 And yet, if you look at humanity, probably for all of the
20 existence of humanity, unjust incidents throughout
21 history. And so it has been too late. But we need to --
22 we need to start.

23 And I do also support our resolution as only our
24 commitment to a first step. And all is I can do is look
25 my own commitment -- my own commitment to truly understand

1 how I have learned and unlearn my implicit biases and how
2 I look at things. This board has taught me so much
3 through the 15 years I've been on the Board. And I make
4 that commitment to continue to do that and very earnestly
5 through our programs and through my own ability to
6 interact and help be the leader that I do want to be.

7 And so with that, I would -- I've really been
8 vacillating quite honestly about needing more time, but
9 I'm afraid that more time just delays. And that this is a
10 beginning and it's a commitment. And then how we open
11 that up to additional information the Office of Racial
12 Equality we're talking about, all of those other things, I
13 think the greatest thing that, you know, we have a
14 commitment here that there will be immediate action that
15 we should expect action consistent.

16 And I think that if we do move forward to it
17 today, then that is the measure of which we're held to.
18 And so I absolutely will support the will of the Board,
19 but also want to make sure we leave the meeting today with
20 a definite commitment to action. And really appreciate
21 you, Madam Chair, and Supervisor Serna for leading us
22 through this difficult conversation and knowing we're just
23 starting. It's going to be hard and we've got to be
24 willing to go through the hard parts.

25 Thank you.

1 CHAIR NICHOLS: So I have a -- I have a process
2 suggestion, which I'm going to make. But Alex, Dr.
3 Sherriffs, also has his hand up now. I think he may have
4 just put it up, having been too shy before. Anyway, I'll
5 call on you first and then I'll give my suggestion.

6 BOARD MEMBER SHERRIFFS: You finally noticed I'm
7 an introvert at heart.

8 (Laughter.)

9 CHAIR NICHOLS: Yeah.

10 BOARD MEMBER SHERRIFFS: Thank you. You know, so
11 many good things were said. I, you know, didn't feel an
12 obligation to add to that. But one very small point I
13 want to make, and I just -- you know, I'll start by again
14 acknowledging the accuracy and painfulness of some really
15 scathing testimony today. And that these -- these -- it's
16 like that for all of us, because we take these issues to
17 heart, as has been well -- well discussed.

18 My one point is I keep hearing talk of first
19 step. This is not a first step, as Hector De La Torre
20 outlined. I don't know that I'd call it an evolution,
21 but, you know, there are many -- this is -- this is --
22 this really speaks to, I think, the heart of much of what
23 ARB is, and, in fact, this resolution, this process, you
24 know, it's part of what makes me very proud to be part of
25 this organization and it's not a first step. It's a

1 firmer step. It's a more committed step in the direction
2 of a particular pathway.

3 So I don't want to call it a first step, because
4 of the -- of the false image I think that that creates to
5 the long-standing commitment. Have we had it right? No.
6 You know, this is like science, we learn and we do it
7 better. And that's part of the strength of this
8 organization. We learn and we do it better.

9 And I share with many who said, boy, maybe we
10 should put off this resolution. Well, it's not going to
11 be perfect if we wait another month or six months. And I
12 think this is absolutely good enough to move us forward.
13 There's lots to build on here. It is absolutely in the
14 right direction.

15 So I don't know can I move -- well, yeah, move --
16 move that we accept this, approve this.

17 CHAIR NICHOLS: Well, let -- let me say something
18 here and maybe this seems --

19 BOARD MEMBER SHERRIFFS: We move forward.

20 CHAIR NICHOLS: Thank you. My suggestion is
21 this. Normally, when we have a resolution, we vote sort
22 of the resolution and that's it. And we know we want to
23 do more than that. We're not calling it a first step, but
24 we're calling it a part of a campaign that we've got to --
25 we've got to initiate to make some changes really happen.

1 We also want very much to support the work of our Board
2 members who devise this -- this resolution, particularly
3 Phil Serna.

4 So here's my question -- or it's an idea. And
5 maybe it doesn't help. But I also heard people who were
6 expressing surprise and unhappiness, because they hadn't
7 had a chance to see the resolution before the Board
8 meeting and they, you know, wanted to have an opportunity
9 to speak to us about whatever it was we were going to be
10 doing. So my suggestion was that we have a unanimous
11 support -- we vote unanimous support for the resolution,
12 and for moving ahead with further action in light of what
13 we heard today, with respect both to the internal actions
14 on and Office of -- an Office of Environmental Justice and
15 Equity inside and outside ARB, and for initiating a set of
16 discussions, which I believe I heard Phil actually agree
17 to facilitate to get back in touch with people who were
18 here today and others to get further thoughts about what
19 we should be doing.

20 So it would be like a three -- it would be my
21 substitute -- my substitute resolution or it could just be
22 a vote of support. Everyone for this Board supports the
23 resolution and the work that went into it. So I don't
24 think that's the issue, but I think we want to formally
25 say that. But I also want to find a way to say that

1 we're -- we're using this as a -- as a springboard for
2 moving forward.

3 I'm looking at a photo of Ellen Peter, because
4 she's not got her camera on at the moment. But Ellen, is
5 what I'm saying doable?

6 CHIEF COUNSEL PETER: Yes. Hi, Mary. Yes,
7 that's fine. We could do that. Also, Craig Segall is
8 actually sitting in with -- as Assistant Chief Counsel for
9 the meeting as well. Craig, do you have anything to add
10 or --

11 CHAIR NICHOLS: (Inaudible) in the room.

12 CHIEF COUNSEL PETER: We're good to go.

13 ASSISTANT CHIEF COUNSEL SEGALL: Yes, Ellen.
14 That is a doable thing. I think there's two possible
15 forms here. One is to move the resolution possibly with
16 an amendment and recognize there will be continued
17 discussion on these items. In other words, the resolution
18 serve a statement of intent. Another is to move
19 essentially a generalized statement of support for these
20 principles without forwarding the particular text. And I
21 think that would be at the discretion of the Board.

22 CHAIR NICHOLS: Either one of them is fine. And
23 I don't mean - again, as I've said before - to undermine
24 or in any way call into question what's already been done.
25 It was only a matter of trying to find a way to honor the

1 request for more time that was -- you know, for not -- for
2 not voting that was made to us.

3 So I will ask my -- actually, is there a way we
4 could use the raise-hand function on this to do -- to get
5 us sort of a straw vote on how people feel about that.

6 All right.

7 BOARD MEMBER BALMES: Mary?

8 CHAIR NICHOLS: Sorry.

9 BOARD MEMBER BALMES: There's several people --
10 Diane had her hand up to speak, I think. I just want --

11 CHAIR NICHOLS: Oh, she's raised it again. Yes,
12 she has. Sorry. Yes, she has. Okay. Diane, did you
13 want to comment on that --

14 BOARD MEMBER TAKVORIAN: Yeah, I think --

15 CHAIR NICHOLS: -- on process?

16 BOARD MEMBER TAKVORIAN: I'm sorry. Thank you
17 for the suggestion. I think it's a good way for us to
18 move forward. And I wonder if we couldn't just amend the
19 resolution to also call for the establishment of the
20 Office of Environmental and Racial Justice, one, and two,
21 that -- I don't know if this is too much in the weeds, but
22 that we would come back at the next meeting or meeting
23 after that with an initial report on how that office would
24 be staffed and function. And I would ask Richard for his
25 thoughts about when that can happen. But in my mind, I'd

1 like us to be more explicit about establishing the office.

2 CHAIR NICHOLS: So I -- I agree with you about
3 getting the office established. I'm nervous, because
4 we're in the time period now where the budget is actually
5 getting created, and I want to be in a position to push
6 forward this, but I don't want to blowup the goodwill that
7 we have established with the folks who actually do the
8 budget by announcing that we're doing this and then sort
9 of having something that becomes a fait accompli.

10 So that's why I was not being as specific as I
11 might otherwise be in this situation. I can ask Richard
12 what he wants to see on that point. But in terms of a
13 report back, we want to move forward. We want to -- we
14 want to express support, I think, for this office idea. I
15 didn't detect any -- any hesitation, but in terms of what
16 actually it is, who gets moved into it. You know, how
17 many additional dollars we need to support travel, and all
18 that. I think we need to -- I think it's going to take a
19 little work, especially in the current budget economy.

20 BOARD MEMBER TAKVORIAN: That's why I was trying
21 to say there's an intention to establish an office like --
22 then staff come back with a report on all -- answering all
23 those questions that you just raised.

24 CHAIR NICHOLS: Right. Exactly. Yeah, that will
25 work out fine.

1 BOARD MEMBER SERNA: Chair Nichols. Sorry, this
2 is Board Member Serna.

3 CHAIR NICHOLS: Phil, hi. There you go.

4 BOARD MEMBER SERNA: Mr. Segall kind of gave us
5 two -- two options.

6 CHAIR NICHOLS: Right.

7 BOARD MEMBER SERNA: If I recall correctly, the
8 first option was to outright support and vote on the --

9 CHAIR NICHOLS: The resolution.

10 BOARD MEMBER SERNA: -- you know, support --
11 support the resolution and then make explicit as well the
12 intent to move forward. I would like to make that motion.
13 And then with the second part of that which is the -- you
14 know, the moving forward part and doing more part make
15 explicit as part of that Board Member Takvorian's interest
16 in the establishment of the -- of the office.

17 CHAIR NICHOLS: Okay. Do you want to restate
18 that then what your -- what your motion would be?

19 BOARD MEMBER SERNA: So it would be to adopt the
20 resolution and that we move forward with continuing public
21 engagement on the fulfillment of the actions that are
22 detailed in the resolution as well as others that may come
23 from that engagement, and as well be clear that the agency
24 intends to establish an office of -- I'm not sure what
25 we're calling it, racial equity and social justice.

1 CHAIR NICHOLS: Um-hmm.

2 BOARD MEMBER TAKVORIAN: Maybe environmental and
3 racial justice.

4 BOARD MEMBER GIOIA: I think it needs to focus on
5 racial justice. I mean, we've had this conversation in
6 our own community. And frankly, this is where engagement
7 from the public may help fine-tune the name of the office.
8 So I think the public --

9 BOARD MEMBER SERNA: An office. And office yet
10 to be named.

11 BOARD MEMBER GIOIA: Depending on what the office
12 is named, correct.

13 BOARD MEMBER SERNA: Yeah.

14 (Laughter.)

15 CHAIR NICHOLS: I'd be in favor of auctioning off
16 the naming rights.

17 BOARD MEMBER SERNA: There you go.

18 (Laughter.)

19 CHIEF COUNSEL PETER: So Chair Nichols -- so
20 Chair Nichols, in the past, the Board has made verbal
21 additions to the written, you know, proposed resolution.
22 And when get the transcript back from the court reporter,
23 we then drop the exact language that's being said into the
24 resolution. So you can vote for it and when the clerk
25 actually posts the resolution, it will be slightly

1 different than the -- what was circulated as proposed. So
2 we can do that if you'd like.

3 BOARD MEMBER BALMES: I'd like to second --

4 CHAIR NICHOLS: Okay. That sounds like a pretty
5 good idea.

6 BOARD MEMBER BALMES: I'd like to second --

7 CHAIR NICHOLS: We have a motion and a second.
8 Okay.

9 BOARD MEMBER BALMES: -- Supervisor Serna's
10 motion.

11 CHAIR NICHOLS: I see a lot of heads nodding, but
12 we have to call the roll. So does anybody need to be
13 heard before we do that?

14 No. Okay. Then, Mr. Clerk, would you please
15 call the roll for the vote.

16 BOARD CLERK SAKAZAKI: Thank you, Madam Chair.
17 Dr. Balmes?

18 BOARD MEMBER BALMES: Yes.

19 BOARD CLERK SAKAZAKI: Mr. De La Torre?

20 BOARD MEMBER DE LA TORRE: Aye.

21 BOARD CLERK SAKAZAKI: Mr. Eisenhut?

22 BOARD MEMBER EISENHUT: Aye.

23 BOARD CLERK SAKAZAKI: Supervisor Fletcher?

24 BOARD MEMBER FLETCHER: Fletcher, aye.

25 BOARD CLERK SAKAZAKI: Senator Florez?

1 BOARD MEMBER FLOREZ: Aye.

2 BOARD CLERK SAKAZAKI: Supervisor Gioia?

3 BOARD MEMBER GIOIA: Yes.

4 BOARD CLERK SAKAZAKI: Ms. Mitchell?

5 BOARD MEMBER MITCHELL: Aye.

6 BOARD CLERK SAKAZAKI: Mrs. Riordan?

7 BOARD MEMBER RIORDAN: Aye.

8 BOARD CLERK SAKAZAKI: Supervisor Serna?

9 BOARD MEMBER SERNA: Aye.

10 BOARD CLERK SAKAZAKI: Dr. Sherriffs?

11 BOARD MEMBER SHERRIFFS: Sherriffs, yes.

12 BOARD CLERK SAKAZAKI: Professor Sperling?

13 BOARD MEMBER SPERLING: Aye.

14 BOARD CLERK SAKAZAKI: Ms. Takvorian?

15 BOARD MEMBER TAKVORIAN: Aye.

16 BOARD CLERK SAKAZAKI: Vice Chair Berg?

17 VICE CHAIR BERG: Yes.

18 BOARD CLERK SAKAZAKI: Chair Nichols?

19 CHAIR NICHOLS: Aye.

20 BOARD CLERK SAKAZAKI: Madam Chair, the motion
21 passes.

22 CHAIR NICHOLS: Thank you so much, all.

23 I have nothing more to add at this moment, other
24 than we've got a lot of work ahead of us. But this has
25 been a very good, a very good discussion.

1 Let me ask if we can take a break. I'd like to
2 give us a half an hour, so people can have lunch if
3 they're planning to have lunch, and otherwise, make phone
4 calls or whatever and come back at 20 past the hour.

5 Okay. Thank you.

6 BOARD CLERK SAKAZAKI: Thank you, Madam Chair.
7 I'll jut remind all the Board members to please mute
8 themselves and turn off their videos, but please stay on
9 the Zoom call. That goes the same with commenters as
10 well. We'll put up a little graphic that says we'll be
11 back at 1:20. So see you in about 30 minutes.

12 (Off record: 12:51 p.m.)

13 (Thereupon a lunch break was taken.)
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A F T E R N O O N S E S S I O N

(On record: 1:21 p.m.)

CHAIR NICHOLS: The next item on the agenda is Item number 20-11-4. It's a report on the next generation of heavy-duty vehicle enforcement.

And a reminder that if you want to comment on this item, you should click the raise-hand button or dial star nine now. And you'll be on the list and we'll call on you as soon as we get to the public comment portion of the item.

Although, emissions from heavy-duty engines have declined over the years as a result of regulations and will continue to decline with our recently adopted rules, emissions from heavy-duty trucks are still one of the largest sources of air pollution in California. And while the push to zero emissions will eventually mean a clean fleet over decades, heavy-duty trucks will still be a significant source of emissions for years to come, as older dirty vehicles phase out.

CARB's work has shown that the majority of truck emissions are now coming from a smaller percentage of these vehicles that are malfunctioning or poorly maintained. Staff today will present a look at modernized -- a modernized enforcement approach, which is designed to find this subset of vehicles, and bring them into

1 compliance and how this approach will be used to achieve
2 near-term emissions reductions, particularly in the San
3 Joaquin Valley and eventually be integrated into the
4 Heavy-Duty Inspection and Maintenance Programs that are
5 currently being developed.

6 Mr. Corey, would you please introduce the item?

7 EXECUTIVE OFFICER COREY: Yes. Thanks, Chair.

8 Over the years, CARB has adopted regulations
9 designed to reduce emissions from the heavy-duty truck
10 fleet and CARB's diesel enforcement programs have been
11 focusing on ensuring industry-wide compliance regulations.
12 As a result of these collective efforts, the emissions
13 from heavy-duty vehicles are much lower than in previous
14 years. While these emissions will continue to decline
15 with our recently adopted rules, emissions from heavy-duty
16 trucks will still be significant.

17 The majority of heavy-duty truck emissions are
18 now coming from a small percentage of vehicles whose
19 engines and emission control systems are malfunctioning as
20 you noted. In order to find the subset of vehicles and
21 bring them into compliance, CARB has developed a
22 data-driven enforcement approach using roadside emissions
23 monitoring technology we'll be discussing here.

24 This presentation will provide an overview of the
25 CARB's deployment of these technologies and the

1 enforcement approach developed to identify and bring into
2 compliance high emitting vehicles using data collected
3 from the systems.

4 The presentation will also discuss how these
5 technologies will be deployed in the near term to achieve
6 emission reductions in the San Joaquin Valley as soon as
7 possible, and how this program will integrate with CARB's
8 Heavy-Duty Inspection and Maintenance Program currently
9 being developed as directed by Senate Bill 210.

10 I'll now ask Hang Liu of the Enforcement Division
11 to give the staff presentation.

12 Hang.

13 (Thereupon an overhead presentation was
14 presented as follows.)

15 ED STAFF AIR POLLUTION SPECIALIST LIU: Thank
16 you, Mr. Corey. Good afternoon, Chair Nichols and
17 Board -- members of the Board. Today's presentation will
18 provide an overview of how heavy-duty vehicle enforcement
19 has evolved over time and what it will look like moving
20 forward with a data and technology-driven approach.

21 --o0o--

22 ED STAFF AIR POLLUTION SPECIALIST LIU: Over the
23 years, CARB has adopted regulations designed to reduce
24 emission from heavy-duty truck fleets that might by
25 mandating vehicle fleet -- meet stricter engine emission

1 standards, requiring replacement of older engines with
2 cleaner engine technology, and ultimately transitioning to
3 zero-emission vehicles.

4 CARB's diesel enforcement programs have been
5 focused on ensuring industry-wide compliance with these
6 requirements. For example, we developed and implemented
7 streamlined enforcement approach to increase compliance
8 rates with the Truck and Bus Regulations, which averaged
9 72 percent in 2015 to 86 percent in 2019, and is now
10 approaching 100 percent for California registered trucks.

11 While emissions from heavy-duty trucks are
12 declining, they are still significant. The majority of
13 heavy-duty vehicle emissions are now coming from the small
14 percentage of vehicles whose engines and emissions control
15 systems are malfunctioning or poorly maintained.

16 --o0o-- law

17 ED STAFF AIR POLLUTION SPECIALIST LIU: In fact,
18 CARB staff estimate that by 2031, 65 percent of the PM
19 emissions will come from the 3 percent of the statewide
20 heavy-duty truck population that are malfunctioning.

21 --o0o--

22 ED STAFF AIR POLLUTION SPECIALIST LIU: Similarly
23 for NOx, 47 percent of the total emissions will come from
24 the 11 percent of the statewide truck population.

25 --o0o--

1 ED STAFF AIR POLLUTION SPECIALIST LIU: Today, I
2 will provide an overview of how CARB's approach to
3 heavy-duty vehicle enforcement has evolved over time and
4 CARB's new enforcement approach using roadside emission
5 monitoring to find malfunctioning vehicles and bring them
6 into compliance with CARB's more stringent diesel exhaust
7 opacity limits.

8 I will also discuss how roadside emissions
9 monitoring will be used in the near term to achieve
10 emission reductions in the San Joaquin Valley as soon as
11 possible and how this technology will integrate with
12 CARB's Heavy-Duty Inspection and Maintenance Program
13 currently being developed as directed by SB 210.

14 We will start with CARB's current enforcement
15 implementation.

16 --o0o--

17 ED STAFF AIR POLLUTION SPECIALIST LIU: Beginning
18 in the early 1990s, CARB staff have conducted visual
19 inspections of the heavy-duty trucks pursuant to the
20 Heavy-Duty Vehicle Inspection Program, or HDVIP.

21 CARB staff conduct 15,000 truck inspections per
22 year on average, more than 50 of which are conducted in
23 environmental justice communities.

24 Visual inspections are an effective way of
25 determined whether a vehicle is compliant with CARB

1 regulations and they remain an important part of CARB's
2 Enforcement Program.

3 --o0o--

4 ED STAFF AIR POLLUTION SPECIALIST LIU: CARB
5 staff also performed comprehensive invest --
6 investigations of truck fleets when analysis of different
7 data sources shows potential noncompliance. Fleets are
8 notified that they are being investigated and must submit
9 documentation to demonstrate compliance.

10 Penalties are assessed to fleets found to be
11 Non-compliant and the fleet is brought into compliance.
12 Fleet audits are a lengthy process. And traditionally,
13 CARB has conducted approximately 200 investigations
14 covering 3,000 trucks per year.

15 While visual inspections and fleet investigations
16 are effective, they alone are not enough to reach the
17 hundreds of thousands of trucks that operate in California
18 each day. When enforcement relied solely on these
19 mechanisms, the compliance rates for the truck and bus
20 regulations remain below 80 percent.

21 --o0o--

22 ED STAFF AIR POLLUTION SPECIALIST LIU: To
23 improve the compliance rates for the truck and bus
24 regulation, CARB implemented a more streamlined truck
25 enforcement process in 2018 and 2019. The streamlined

1 approach used information obtained from available sources
2 to determine a fleet's potential compliance status and
3 relied on strict timelines for notifying fleets and
4 providing an opportunity to demonstrate compliance.

5 In the two-year period this process was
6 implemented, 36,000 vehicles were notified and offered an
7 opportunity to demonstrate compliance, including the
8 ability to request a due process hearing. 24,000 of these
9 vehicles failed to demonstrate compliance, so DMV
10 registration blocks were placed.

11 This streamlined enforcement process, coupled
12 with extensive CARB outreach, improved the truck and bus
13 regulation compliance rate to 86 percent.

14 --o0o--

15 ED STAFF AIR POLLUTION SPECIALIST LIU: Starting
16 January 1st, 2020, a new law requires that DMV
17 automatically confirm that a truck is compliant with the
18 Truck and Bus Regulation before they can issue
19 registration to that vehicle. With this new law, we
20 expect compliance rates in California registered trucks we
21 will approach 100 percent. CARB's enforcement efforts can
22 now focus on ensuring non-California registered trucks are
23 complying with the Truck and Bus Regulation and ensuring
24 all trucks are coming -- complying with the new lower
25 smoke opacity limits.

--o0o--

ED STAFF AIR POLLUTION SPECIALIST LIU: What we learned through prior enforcement efforts is that to be effective, we need to understand the problem we are trying to solve. By assessing industry-wide compliance rates with the Truck and Bus Regulation, we were able to develop a targeted enforcement approach that reached a high volume of vehicles and successfully increased the compliance rates. Efficient enforcement approaches will use streamlined strategies for evaluating data, collecting and documenting evidence to support violations, and resolving violations through administrative processes. The lessons learned from this approach will be used to enhance the enforceability of future regulations.

--o0o--

ED STAFF AIR POLLUTION SPECIALIST LIU: With shifts in enforcement focus comes new challenges that must be met to be successful. First, in order to enforce on non-California registered vehicles, CARB needs to find and identify the vehicles, and document proof of the vehicle's operation in California. Ensuring these vehicles are compliant will have a significant impact on emissions and provide a level playing field.

Second, approximately one million trucks operate in California on any given day, so finding the small

1 percentage of trucks that represent more than half of all
2 emissions is a challenge.

3 --o0o--

4 ED STAFF AIR POLLUTION SPECIALIST LIU: What will
5 the next generation of heavy-duty enforcement need to look
6 like to meet these challenges?

7 We will need to efficiently screen a large number
8 of vehicles, identify trucks with high emissions, document
9 evidence of truck operation and target enforcement.

10 Finally, we will need to include effective
11 enforcement tools in regulations.

12 --o0o--

13 ED STAFF AIR POLLUTION SPECIALIST LIU: With
14 these needs in mind, CARB Enforcement staff have developed
15 a new enforcement approach using roadside emission
16 monitoring technology to find non-compliant vehicles and
17 bring them into compliance. I will describe this approach
18 in more detail now.

19 --o0o--

20 ED STAFF AIR POLLUTION SPECIALIST LIU: Roadside
21 emissions monitoring has been used for several years.
22 CARB has funded a number of successful research campaigns
23 using this type of technology to accurately measure
24 emissions from trucks and evaluate the durability of the
25 diesel emission control systems. In addition other states

1 have begun using similar type of technology to screen
2 vehicles as part of their light-duty smog check program.
3 This technology has demonstrated the ability to screen a
4 large number of vehicles and find the vehicles with high
5 emissions.

6 There are different methods for measuring
7 emissions from passing vehicles. CARB has developed its
8 own plume-capture system called the Portable Emissions
9 Acquisition System or PEAQS. PEAQS includes an automated
10 license plate reader, or ALPR, camera to help pair the
11 emission readings with a specific vehicle.

12 --o0o--

13 ED STAFF AIR POLLUTION SPECIALIST LIU: This
14 video provides an overview of how CARB's PEAQS system works.

15 (Thereupon a video was played.)

16 VOICE OVER: Characterizing the emissions of
17 vehicles as they move across the state is challenging.
18 The California Air Resources Board has found that a small
19 fraction of on-road heavy-duty vehicles with excess
20 emissions contributes to the majority of particulate and
21 nitrogen oxide pollution.

22 The Portable Emission Acquisition System, or
23 PEAQS, is a roadside emission measurement system that
24 captures a portion of a passing vehicle's exhaust as it
25 drives through. PEAQS determines a vehicle's emissions as it

1 real-time and pairs that information with searchable
2 license plate data collected by an automated license plate
3 reader. This system can be used for research, modeling
4 and identifying high emitting vehicles for enforcement.

5 The encrypted data is transferred to CARB's
6 secure servers for analysis and can be used in various
7 ways. Here are some examples of heavy-duty trucks passing
8 through the system. As you can see, it's unobtrusive and
9 takes seconds to collect the data and determine the
10 fuel-based emissions factor.

11 For more information, visit our website at
12 arb.ca.gov.

13 (End of video.)

14 ED STAFF AIR POLLUTION SPECIALIST LIU: The
15 development of PEAQS has been a collaborative effort
16 involving many divisions across CARB. Staff spent time
17 building and testing the initial PEAQS prototype,
18 screening thousands of vehicles to test the design,
19 accuracy, and durability of the system.

20 Learning from the successes and failures of these
21 initial deployments, we have designed a robust system that
22 can be deployed on a variety of platforms and locations in
23 collaboration with the California Department Agriculture,
24 the California Highway Patrol, and the California
25 Department of Transportation.

--o0o--

ED STAFF AIR POLLUTION SPECIALIST LIU: This video provides an overview of how the PEAQS design has evolved over time from an early prototype to a robust system for real-world enforcement operations.

(Thereupon a video was played.)

VOICE OVER: The development of PEAQS has been an evolving effort at CARB. This video footage shows a test deployment of an early stage prototype of PEAQS. As shown in the video, emission analyzers were placed in a pelican box. The system was monitored by a laptop PC on site.

The exhaust intake pipe was embedded in the speed hump on the road. And the license plate camera was placed at the roadside on the tripod to record videos for analysis of license plates afterwards.

And then this happened.

Since then, a lot of work has been done by CARB staff to make the system ready for operation in the real world. The latest PEAQS system features industrial grade components in a professional electrical enclosure for long-term unattended deployments in harsh environmental conditions.

A mobile platform has also been constructed to make it easier to deploy PEAQS in the field to guide our heavy-duty vehicle inspections. The new PEAQS system also

1 has an integrated automatic license plate reader, or ALPR,
2 system to recognize vehicle license plates automatically
3 in real-time. These latest developments have made the
4 PEAQS system viable for real-world enforcement operations.

5 (End of video.)

6 ED STAFF AIR POLLUTION SPECIALIST LIU: CARB has
7 developed two PEAQS deployment platforms. The first, as
8 seen in the video and shown here, is a mobile platform.
9 PEAQS is completely contained on a mobile trailer with the
10 exhaust intake pipe extending over the roadway. The
11 system is designed to be disassembled and attached to the
12 mobile trailer for easy towing.

13 The mobile PEAQS system is set up in conjunction
14 with CHP on local roads, including in communities heavily
15 impacted by truck traffic.

16 --o0o--

17 ED STAFF AIR POLLUTION SPECIALIST LIU: CARB has
18 also developed an unattended PEAQS platform. These
19 systems are contained in a box that is installed on
20 existing infrastructure, with the exhaust intake pipe
21 extending across the roof of the structure. Unattended
22 systems continuously collect emissions data from trucks
23 traveling along freeways in a quick and unobtrusive way.

24 CARB has deployed two unattended PEAQS systems in
25 collaboration with the California Department of Food and

1 Agriculture.

2 --o0o--

3 ED STAFF AIR POLLUTION SPECIALIST LIU: Emission
4 readings from PEAQS systems are paired with vehicle
5 license plate data and are analyzed to identify
6 high-emitting vehicles and flags them for further
7 investigation.

8 In addition to identifying non-compliant vehicles
9 for enforcement of CARB's diesel regulations, this data
10 can also help identify engine families with patterns of
11 high emissions that can be referred to CARB's in-use
12 compliance testing program to ensure compliance with
13 engine certification requirements.

14 --o0o--

15 ED STAFF AIR POLLUTION SPECIALIST LIU: The data
16 processing, analysis and decision recommendation process
17 is built into the Enforcement Decision Support System,
18 which will be presented in this video.

19 (Thereupon a video was played.)

20 VOICE OVER: Staff at CARB's Enforcement Division
21 have designed and developed the Enforcement Decision
22 Support System to utilize PEAQS data for enforcement
23 decision making.

24 The Enforcement Decision Support System uses
25 algorithms to identify high emitters and match vehicle

1 emissions to license plates. Users can visualize the
2 emission profiles associated with the high emitter and its
3 photos taken by the automatic license plate reader, or
4 ALPR, camera.

5 The system combines PEAQS data with vehicle
6 registration data and other CARB internal data sources,
7 such as citations and compliance information to come up
8 with fleet-wide environmental performance measures for
9 highly targeted enforcement actions at fleet level.

10 CARB's Enforcement staff can also utilize the
11 system to monitor PEAQS operations, search and ground
12 truth data, and generate charts and reports automatically.

13 The Enforcement Decision Support System will be
14 the brain for CARB's next generation data-driven
15 heavy-duty vehicle enforcement efforts.

16 (End of video.)

17 ED STAFF AIR POLLUTION SPECIALIST LIU: As shown
18 in the video, PEAQS data can be used to identify fleets
19 for potential enforcement actions. Owners of
20 high-emitting vehicles are notified and must demonstrate
21 compliance with smoke opacity limits and other applicable
22 CARB regulations.

23 Enforcement action can be taken on non-compliant
24 vehicles. CARB staff are evaluating the process for
25 following up on high-emitting vehicles and are developing

1 streamlined enforcement procedures that are capable of
2 managing a high volume of vehicles that will result as we
3 scale up our PEAQS deployments.

4 --o0o--

5 ED STAFF AIR POLLUTION SPECIALIST LIU: CARB
6 plans to deploy PEAQS in multiple stages, focusing first
7 on identifying PM high emitters and ensuring compliance
8 with CARB's existing smoke opacity limits, and then
9 integrating the detection of high NOx emitters under a
10 future Heavy-Duty I&M Program.

11 --o0o--

12 ED STAFF AIR POLLUTION SPECIALIST LIU:

13 Currently, CARB has deployed one mobile system
14 and two unattended systems for the detection of trucks
15 with high PM emissions. These systems are currently being
16 used to target enforcement of CARB's existing smoke
17 opacity program. We anticipate that these early
18 deployments will become part of the overall Heavy-Duty I&M
19 Program pilot planned to be administered over the next
20 year.

21 CARB staff has scheduled a public meeting with
22 stakeholders to discuss the proposed pilot effort in more
23 detail. After these early rollouts, CARB plans to deploy
24 one additional mobile system and five additional
25 unattended systems in the San Joaquin Valley before 2023

1 with the focus on continuing to identify trucks with high
2 PM emissions and require that they demonstrate compliance
3 with CARB's smoke opacity limits.

4 Beginning January 1st, 2023, CARB plans to
5 implement the first phase of the Heavy-Duty I&M Program.
6 This phase will continue to use the PEAQS system already
7 deployed in the San Joaquin Valley but will add the
8 capability to identify trucks with high P -- high NOx
9 emissions.

10 --o0o--

11 ED STAFF AIR POLLUTION SPECIALIST LIU: CARB has
12 been working with community members, air districts and
13 other local jurisdictions to address heavy-duty vehicle
14 emissions-related issues in communities. For example, we
15 are working with South Coast AQMD and the San Joaquin
16 Valley APCD on illegal idling inspections as part of
17 CARB's Community Emission Reduction Program.

18 We have also been working with local
19 municipalities on the placement no-idling signs and the
20 reduction of legal Idling.

21 In addition to these efforts, CARB will deploy
22 PEAQS in and around AB 617 and other communities
23 disproportionately impacted by pollution from truck
24 traffic in the San Joaquin Valley and throughout the
25 State.

--o0o--

ED STAFF AIR POLLUTION SPECIALIST LIU: The last part of our presentation today will provide an overview of CARB's proposed Heavy-Duty Inspection and Maintenance Program.

--o0o--

ED STAFF AIR POLLUTION SPECIALIST LIU: The Heavy-Duty Inspection and Maintenance Program is being developed by CARB, as directed by Senate Bill 210. The goal of the program is to reduce excess PM and NOx emissions from all non-gasoline heavy-duty in-use vehicles with malfunctioning emission control systems.

In 2023, the program would be applicable to over 1.2 million heavy-duty vehicles operating in California, half of which come from out of state. The program will include all heavy-duty vehicle weight classes, vocations, and alternative fuel vehicles. Only vehicles categories explicitly exempted by SB 210 will not be subject to the Heavy-Duty I&M Program.

Realizing emission reductions from these vehicles in 2023 is an important part of meeting our SIP commitments for the San Joaquin Valley. This program will also provide significant air quality benefits to communities heavily impacted by truck traffic.

--o0o--

1 ED STAFF AIR POLLUTION SPECIALIST LIU: To obtain
2 the desired emission reductions, low emissions must be
3 maintained over a vehicle's life. This requires a quick
4 inspection conducted periodically to ensure emission
5 control systems are functioning properly, and when they're
6 not, quick and adequate repairs of the systems.

7 --o0o--

8 ED STAFF AIR POLLUTION SPECIALIST LIU: CARB is
9 envisioning a two-pronged testing approach to meet these
10 objectives. The first is to require periodic testing for
11 emission-related components using either onboard
12 diagnostics or OBD, or smoke opacity testing to quickly
13 identify any issues and require they be fixed. The
14 periodic testing component would be complemented by
15 roadside emissions monitoring, such as PEAQS, to detect
16 high-emitting vehicles between periodic test cycles to
17 require timely repair and detect possible tampering.

18 Roadside emissions monitoring also helps
19 characterize the performance of the fleets and quantifies
20 the emission benefits of the program.

21 --o0o--

22 ED STAFF AIR POLLUTION SPECIALIST LIU: Because
23 of the immediate need for PM and the NOx emission
24 reductions in the San Joaquin Valley, CARB is prosing to
25 implement roadside emission monitoring as a first phase of

1 Heavy-Duty I&M Program beginning January 1st, 2023, which
2 would use PEAQS to identify trucks operating in the San
3 Joaquin Valley with high PM and/or NOx emissions, and
4 require them to demonstrate compliance or be subject to
5 further enforcement actions.

6 This first phase is an additional measure being
7 considered to get near-term reductions as part of the San
8 Joaquin Valley PM2.5 SIP.

9 --o0o--

10 ED STAFF AIR POLLUTION SPECIALIST LIU: The
11 remainder of the program, including periodic testing
12 requirements, will then be implemented beginning January
13 1st, 2024. CARB will continue to expand the roadside
14 emission monitoring network throughout the state.

15 --o0o--

16 ED STAFF AIR POLLUTION SPECIALIST LIU: CARB
17 plans to continue public workshops and workgroup meetings
18 through 2021 to refine the details of the program. The
19 expected Board hearing date for this item is December
20 2021.

21 --o0o--

22 ED STAFF AIR POLLUTION SPECIALIST LIU: In
23 conclusion, CARB has proven through extensive testing that
24 roadside emissions monitoring using PEAQS is effective at
25 finding high-emitting vehicles, and we are using this

1 technology today to target enforcement to ensure
2 compliance with existing smoke opacity limits.

3 CARB staff plan to deploy additional PEAQS units
4 in the San Joaquin Valley and other impacted communities
5 to screen for PM high emitters even near term and then
6 integrate the detection of NOx high emitters in 2023 as
7 the first phase of the Heavy-Duty I&M Program. This first
8 phase is critical to meeting CARB's SIP commitment in the
9 San Joaquin Valley, and will transition to a more robust
10 Heavy-Duty I&M Program resulting in significant emission
11 reductions and public health benefits throughout the
12 State.

13 Thank you for the opportunity to present the next
14 generation of the heavy-duty vehicle enforcement and we're
15 happy to answer any questions.

16 BOARD CLERK SAKAZAKI: Chair Nichols, are you
17 there?

18 CHAIR NICHOLS: Yes. I lost my mute button there
19 momentarily.

20 All right. How many people have signed up to
21 speak on this item?

22 BOARD CLERK SAKAZAKI: We have six people with
23 their hands up. Would you like to move to public comment
24 right now?

25 CHAIR NICHOLS: Yes.

1 BOARD CLERK SAKAZAKI: Okay. So we currently
2 have - oops - seven people with their hands raised at this
3 time. Please raise your hand or dial star nine now if you
4 wish to comment on this item. Our first three are John
5 Spaulding, Janet Dietzkamei, and Bill Magavern.

6 So, John, I will activate your microphone. You
7 go ahead and unmute yourself and begin.

8 John Spaulding, are you there?

9 MR. SPAULDING: I am.

10 BOARD CLERK SAKAZAKI: There you go. Hello.

11 MR. SPAULDING: Okay. After listening to the
12 presentation, I am in Kern County and I want you to know
13 that all my remarks were prefaced on the fact that you are
14 curtailing oil and gas production in Kern County, which is
15 so -- so important to our economy.

16 But my name is John Spaulding. I'm a retired
17 operating engineer construction worker. And I also work
18 for the Building Trades Council. And I feel it's
19 important that you understand the impact that your
20 activities will have on our workforce.

21 We are a blue collar workforce. And as we watch
22 the proposed elimination of fossil fuel production in our
23 county, we are faced with the reality of a decreasing
24 opportunity of good paying jobs. The construction
25 industry will also be impacted by the loss -- impacted by

1 the loss of those jobs and our active successful outreach
2 for bringing women, minorities, veterans and formerly
3 incarcerated citizens into our apprenticeship programs.

4 We have enjoyed the construction of renewable
5 energy sources. Know that when completed and they are
6 producing, there are very few jobs and low-paying jobs for
7 the blue collar workforce.

8 What about the trucking industry? Kern County is
9 the epicenter of the transportation of goods to the
10 eastern United States. As we eagerly await the change for
11 US 14 on Highway 58, we will have an opportunity for a
12 real gain in good jobs for our workforce. Our concerns
13 are not just about electric cars versus gas-consuming
14 vehicles. It is about how we will get to work, what work
15 is available, and will those jobs adequately replace what
16 is being mandated to be stopped?

17 As a veteran myself, I am wondering how the
18 conversation will go as you tell veterans that the
19 opportunities that are here in Kern County in the oil and
20 gas industry are going to be curtailed, but we will
21 continue to import oil from the Middle East where the
22 veterans themselves may have served protecting their oil
23 and gas fields, and now you are going to import their oil
24 to replace our jobs.

25 Not only that, you will have very little

1 influence on how and what standards were enforced in their
2 production of what we are buying. You have continually
3 asked for more compliance to do better, and I think for
4 those of you that have been involved can agree, the
5 industry has done better and will continue to do so.
6 Therefore, it is important that include blue collar
7 workers in your studies and your discussions.

8 Certainly, the worse of -- the word -- the use of
9 the word enforcement is a cause of concern. How do you
10 plan to take blue collar workers into account with the
11 policies that affect blue collar jobs?

12 Thank you for letting me speak.

13 BOARD CLERK SAKAZAKI: Thank you.

14 Our next speaker is Janet. Janet, I have
15 activated your microphone. You can unmute yourself and
16 begin_.

17 MS. DIETZKAMEI: Thank you and good afternoon.

18 This is extremely important in helping with
19 reducing emissions from heavy-duty truck vehicles.
20 Recently, we drove up from Fresno to Oakland and saw a
21 number of heavy-duty vehicles belching out black smoke
22 from their, I guess you'd call them, tailpipes. Although
23 they point up to the sky.

24 The PEAQS idea sounds great. And I can identify
25 right away locations where those should be permanently

1 placed. And those would be Highways 8, Highway 10,
2 Highway 40, Highway 80, Highway 99, Highway 5, Highway
3 101. And these are all highways that bring in traffic
4 from Mexico and other states, primarily Arizona, Nevada,
5 and Oregon. And those are heavily trafficked -- very
6 heavily trafficked by heavy-duty vehicles, so PEAQS idea
7 sounds great. And I do hope there is a very effective
8 enforcement for those who have not met the criteria that
9 the PEAQS expects regarding lower emissions.

10 So this sounds good. As you know, 99 and 5,
11 there is a lot of heavy-duty vehicle traffic going through
12 this valley, the San Joaquin Valley. And as referenced
13 in -- there's an AB 617 project being reviewed, or
14 hopefully has been accepted, of rerouting heavy-duty
15 vehicle trucks away from endangered -- the southwest area
16 of Fresno, where it was identified to be a highly polluted
17 area.

18 So I'm looking forward to the PEAQS program being
19 launched and effectively reducing the emissions from
20 heavy-duty vehicles.

21 Thank you.

22 BOARD CLERK SAKAZAKI: Thank you.

23 Our next speaker is Bill Magavern. After Bill,
24 we have Pat Holland, Cynthia Pinto-Cabrera and Gustavo
25 Aguirre.

1 Bill, I have activated your microphone. You can
2 go ahead and begin.

3 MR. MAGAVERN: Good afternoon. Bill Magavern
4 with the Coalition for Clean Air. Last year, we sponsored
5 Senate Bill 210 authored by Senator Connie Leyva. And
6 this year, we fought in the budget process to have the
7 implementation of that law funded after Governor Newsom
8 withdraw his support. Now, thankfully, the Legislature
9 restored the positions.

10 So this presentation is of great interest to us.
11 And slide three really very powerfully makes the point of
12 why heavy-duty inspection and maintenance is so important.
13 And this is the first time I've seen this figure. I think
14 it's really something that showed that 65 percent of the
15 PM emissions from heavy-duty trucks in 2031 are projected
16 to come from just three percent of the truck population
17 that's malfunctioning.

18 So that shows the opportunity here to catch and
19 correct the malfunctioning three percent. It will have
20 just enormous benefits for those who are plagued by
21 particulate pollution, especially in the San Joaquin
22 Valley and the South Coast, but really around most of the
23 state.

24 So we really appreciate the work that the staff
25 are doing on implementing the law. And our only request

1 is that this go into effect sooner. The proposal that you
2 heard is for this law that was enacted in 2019 to have the
3 earliest stage of its implementation in 2023 and not go
4 into full-blown effect statewide until 2024.

5 And I know it's complex and not easy to
6 implement, but I would say we need to get this up and
7 running sooner to get the emission reductions sooner.

8 Thank you very much.

9 BOARD CLERK SAKAZAKI: Thank you.

10 Our next speaker is Pat Holland. I have
11 activated your microphone. You can unmute yourself and
12 begin.

13 MS. HOLLAND: Am I unmuted?

14 BOARD CLERK SAKAZAKI: Yep, we can hear you.

15 MS. HOLLAND: Okay. I'm calling from San Diego,
16 California, which is a border town. And we do -- we have
17 the 5 and the 15, both of which are heavily impacted by
18 trucks. We're also heavily impacted by the ships that
19 come into port. And the Lung Association says we're the
20 fifth most air polluted city in the nation. Will you be
21 implementing near us too?

22 And questions about the PEAQS system. Trucks
23 lacking license plates or with covered plates, does the
24 system pick them up or do they escape?

25 And Mexican trucks, how do you handle them?

1 Okay. That's my questions and my -- my -- you
2 can answer, if you like.

3 BOARD CLERK SAKAZAKI: Thank you. We will answer
4 your questions as -- during the Board discussion.

5 So we'll move on to the next commenter. Cynthia
6 Pinto-Cabrera, I have activated your microphone. You can
7 unmute yourself and begin.

8 MS. PINTO-CABRERA: Hello. Good afternoon. Can
9 everybody hear me all right?

10 BOARD CLERK SAKAZAKI: We can.

11 MS. PINTO-CABRERA: Thank you. Good afternoon,
12 Chair Nichols and members of the board. I'm Cynthia
13 Pinto-Cabrera with the Central Valley Air Quality
14 Coalition.

15 And as an asthmatic, I can -- I appreciate and
16 support the commitment from CARB that have been outlined
17 in this presentation. The valley desperately needs these
18 efforts to clean our air, especially now as valley
19 residents are being impacted by PM2.5 year-round and as
20 the wildfire season grows more intense and more frequent.

21 We also support the accelerated timeline for this
22 program, as mentioned by previous commenters. However, as
23 the daughter of a diesel truck repairman, my main concern
24 lies with the lack of technical and financial support for
25 these small businesses and small owners who could

1 potentially economically benefit from the increase
2 inspections and maintenance and can be allies in
3 identifying tampering of technology, especially in the AB
4 617 communities who so desperately have identified the
5 need to reduce trucking emissions.

6 By not prioritizing or addressing these issues,
7 CARB is continuing to feed the economy versus environment
8 argument that has lead to a lack of political will within
9 the valley to transition to these clean air alternatives.

10 So just wanted to make these comments and say
11 that while I am in support of these -- of these
12 initiatives proposed by CARB, I would like to also see
13 that economy versus environment argument addressed.

14 Thank you.

15 BOARD CLERK SAKAZAKI: Thank you.

16 Our next speaker is Gustavo. After Gustavo, we
17 have David Flores and a phone number ending in 597. And
18 after that, that will conclude the comment -- public
19 comment portion. So if you didn't hear your name and you
20 want to comment, please raised your hand.

21 So Gustavo, I have activated your microphone and
22 you can go ahead and begin.

23 MR. AGUIRRE, JR.: Hello. Good afternoon,
24 everyone. My name is Gustavo Aguirre, Jr. with Central
25 California Environmental Justice Network down here in

1 Bakersfield. And I thank you everyone for the opportunity
2 to speak on this, something that is very dear and close to
3 my heart as a resident of Kern County, as a community
4 justice organizer in a lot of environmental justice
5 front-line communities, and also as a father of two
6 asthmatic children, both under six years old.

7 And speaking particularly on the AB -- on the
8 PM2.5 supplemental implementation plan. Thank you for the
9 presentation. You know, as we know, about 50 percent of
10 it -- of this, you know, really plague pollution that we
11 have here is historically a legacy driven by mobile
12 sources, but a good third of it, you know, does come from
13 stationary sources here in the San Joaquin Valley here,
14 particularly in Kern County.

15 If you take a look, and I'm sure I'm speaking to
16 the choir here. But if you take a look at any data, both
17 modeling and scientific analytical information on air
18 pollution, the San Joaquin Valley is always -- always it
19 battles with the LA basin and other places, both in
20 California and in the nation for some of the most
21 notorious chronic air pollution out there.

22 And geographically speaking here in Kern County,
23 you know, about a good third of California's oil and gas
24 consumption comes from here.

25 You know, and as -- as heard previously, you

1 know, that's something that is very close here to both the
2 economy of Kern County, but also the economic well-being
3 of generations to come. We've already witnessed, you
4 know, the economic impacts of asthma, of early childhood
5 onset diseases both respiratory and otherwise.

6 And, you know, we're just really calling to say
7 that CARB, I mean, at this moment, really should not allow
8 the Valley Air District to pick and choose winners in air
9 pollution and regulatory aspects. I think it should be
10 very broad and very specific the opportunities that are
11 out there for CARB and the air district. You know, that's
12 a flaring rule, that's air monitoring, that's, you know,
13 the biggest PM2.5 stationary sources of pollution here are
14 the big oil and gas companies, right? Not the small ones,
15 but the big ones.

16 And, you know, we're in full support of this --
17 of these expected timelines lines. There's not enough
18 money in all these incentive programs and not enough time
19 to burn it quickly enough to resume these SIPs.

20 But, yeah, I'll conclude my comments with that.
21 And here in the valley -- here in Kern County, we're
22 looking at the State and the valley to stand up and do the
23 right thing.

24 BOARD CLERK SAKAZAKI: Thank you.

25 Our next speaker is David Flores. David, I have

1 activated your microphone. You can unmute yourself and
2 begin.

3 MR. FLORES: Good afternoon, Chair Nichols and
4 Board members. David Flores, Air Quality Campaign
5 Director for Environmental Health Coalition.

6 EHC supports the advancement of CARB's PEAQS
7 system for capturing emissions data through a much more
8 efficient way by deploying this technology and automated
9 processes. This is of extreme importance for our San
10 Diego Environmental Justice, and AB 617 communities of
11 Barrio Logan, National City, and the San Ysidro/Otay Mesa
12 border area.

13 We are glad that the program is advancing in the
14 San Joaquin Valley, but we really need them at the border
15 and at the port terminals. Even though COVID, Port of San
16 Diego cargo volumes are down a little bit, or even up in
17 the case of Dole shipping bananas. Shipyards are still
18 operating and there is still truck traffic in the
19 community as they are deemed an essential workforce up to
20 4,000 trucks driving through Barrio Logan every month.

21 Barrio Logan suffers from the highest levels of
22 diesel particulate matter in the state, and in turn
23 residents are continuously being exposed to diesel PM.
24 For the border area and Otay Mesa and San Ysidro,
25 cross-border commercial traffic is also considered

1 essential and has been allowed to continue to cross the
2 border.

3 According to the San Diego Association of
4 Government statistics for the port of entry crossings in
5 2019, commercial truck crossings through the Otay Mesa
6 port of entry numbered approximately 800,000 trucks. This
7 does not account for the two to five hours of idling that
8 these trucks spend queued up at the border waiting to
9 cross.

10 Currently, San Diego Air Pollution Control
11 District field inspectors for heavy-duty trucks take a
12 much greater amount of resources to perform and can only
13 be performed as scheduled during district hours of
14 operations.

15 Our communities need much better enforcement to
16 identify truck operators with the highest levels of
17 emissions from diesel to do the right thing and understand
18 the huge negative impact of running dirty trucks through
19 the places where people live.

20 EHC will continue to support and advocate that
21 CARB make more funds available to deploy this technology
22 faster in other critical areas of the state expediting
23 this technology.

24 Thank you and thanks to CARB staff for advancing
25 this roadside emissions measurement system.

1 BOARD CLERK SAKAZAKI: Thank you. Our last
2 speaker is a phone number ending in 597. I have activated
3 your speaker. You can unmute yourself and begin.

4 Hello?

5 MS. SUTTON: Thank you. And I just want to make
6 sure you can hear me?

7 BOARD CLERK SAKAZAKI: We can hear you.

8 MS. SUTTON: Excellent. Good afternoon. This is
9 Tia Sutton with the Truck and Engine Manufacturers
10 Association.

11 I just have a question on timing. On slide 33, a
12 proposed regulation order in 2021 was noted. However, on
13 slide 24 it's also mentioned the PEAQS may be part of a
14 future HDIM pilot. And I'm wondering if you can speak
15 more to this pilot and when it will occur as SB 2010
16 requires that the pilot be conducted prior to the program
17 implementation? And it would seem that you would also
18 want to conduct it prior to the proposed regulation order
19 as well.

20 Thank you.

21 BOARD CLERK SAKAZAKI: Thank you. Actually,
22 before you go, can we get your name one more time for the
23 record, please?

24 MS. SUTTON: Yes. Tia Sutton with the Truck and
25 Engine Manufacturers Association.

1 BOARD CLERK SAKAZAKI: Thank you.

2 Madam Chair, that concludes the list of
3 commenters for this item.

4 CHAIR NICHOLS: Okay. We have several questions
5 of staff, which I think it would be good to address.
6 They're factual questions on timing and coverage also of
7 the ultimate inspection program sort of what will happen
8 to trucks that are coming across the border from Mexico in
9 particular. So if somebody wants to take that, then we
10 can move back to Board discussion.

11 EXECUTIVE OFFICER COREY: Yes, Chair. Heather
12 Quiros of the Enforcement Division will cover those.

13 Heather.

14 ED DIESEL PROGRAMS ENFORCEMENT BRANCH CHIEF
15 QUIROS: Yes. Hi. Thank yo. Okay. So the questions I
16 noted, first, will the PEAQS units be implemented near the
17 location in San Diego? Yes, we are evaluating different
18 locations. We have several pieces of equipment on order
19 that we do plan to procure and build and we are evaluating
20 locations for that all throughout the state to try to
21 capture as much truck traffic as possible.

22 We have deployed our mobile system down in the
23 border area at Calexico two times this year in conjunction
24 with border patrol and that was successful, so we are
25 looking at other locations in that area as well.

1 The -- there was a question about whether the
2 system can pick up vehicles without license plates? There
3 is an ALPR camera that does read license plates. If, for
4 whatever reason, it does not read the license plates, that
5 system will not pick it up.

6 However, we have integrated a side-shoot camera
7 that can detect -- excuse me -- the information that's
8 located on the door, the side of the vehicle. That does
9 allow us to ultimately determine which fleet that truck
10 belongs to using the U.S. DOT number.

11 There was a question regarding how we handle
12 trucks that are coming across from Mexico. Those trucks
13 are dual plated, which means they also have a California
14 registration. And so that does allow us to identify those
15 vehicles and also to take enforcement action on them, if
16 they are non-compliant and operating in California.

17 I believe that answered all the questions so
18 please let me --

19 CHAIR NICHOLS: There was a question of when we
20 were planning to go from a pilot program to the full
21 implementation?

22 ED DIESEL PROGRAMS ENFORCEMENT BRANCH CHIEF
23 QUIROS: Right. Thank you, Chair Nichols. I'm actually
24 going to allow Kim Heroy-Rogalski with our Program
25 Division to answer that particular question.

1 MSCD MOBILE SOURCE REGULATORY BRANCH CHIEF

2 HEROY-ROGALSKI: Hi. Yes. Thank you, Heather.

3 Yes, indeed. And that's a great question. And
4 indeed as part of Senate Bill 210, we were directed to
5 conduct some pilots to flesh out and perfect parts of the
6 Heavy-Duty I&M Program. And we have been working on that.
7 We held a workshop earlier this year to share some of the
8 ideas we had and solicit ideas from other stakeholders.
9 And we've been getting those pilots rolling.

10 We're actually planning to have a workgroup
11 meeting next month in November to give an update on what
12 we've done so far. And we certainly encourage interested
13 parties to participate in that. We will be wrapping up
14 the pilots by next summer and we're required to put
15 together a report on what we learned and, you know, the
16 conclusions. And we plan to have that posted up on our
17 website prior to making a full formal proposal for the --
18 for the rulemaking.

19 And if anyone has any questions, feel free to
20 reach out to us individually and we can walk you through.
21 There's a number of projects we're conducting both
22 in-house and via contractors that we've hired.

23 CHAIR NICHOLS: Okay. Great. I think that
24 covers all the questions that were asked. So it's time
25 for any Board questions or comments.

1 I just have a couple of comments really on the --
2 on the testimony and on what we're doing. So in terms of
3 the basis for this report, I think the fact that the staff
4 has gone immediately to focusing on finding a really cost
5 effective way of doing the inspections of in-use trucks it
6 represents real progress for the state. It's been years
7 since we first started looking at the fact that in-use
8 motor vehicles emit a lot more in aggregate than they do
9 when they come off the assembly lines, and that we've
10 known that there are a relatively small number of vehicles
11 that are the gross emitters as we call them in the
12 passenger car world, and it seems that the same thing is
13 true for trucks.

14 So the fact that we're focusing on a finding a
15 way to identify only those bad actors and in some way or
16 another go to get them cleaned up is exactly what I think
17 we should be doing. And I think it's what most people,
18 including truck owners and drivers, would want to see us
19 doing, because -- assuming this the system can be proven
20 out, we won't be hassling people who don't have a really,
21 really high emitting truck that they're driving.

22 And the other thing I would say is that there are
23 a couple of people who spoke who I know wanted to express
24 their views that they're not happy about the pace or even
25 the direction of the overall effort to clean up this

1 fleet. And they are raising issues about employment and
2 about what this impact will be on the economy.

3 We absolutely have to look at the effect of our
4 overall program on the economy. And as we heard and
5 talked about earlier today, the idea of how you'll make
6 transitions in ways that don't hurt individual people in
7 their livelihoods is a very serious one, which ARB and
8 other agencies are in the process of addressing and we
9 don't have all the answers yet.

10 But when it comes to the question of will there
11 be a transition away from oil and gas, this has been the
12 policy of the state for decades now. This is not
13 something that was just invented recently. It's been on
14 the books literally at legislative direction for many,
15 many years, and we just haven't really been able to
16 address it very effectively, because the technology wasn't
17 available.

18 And the -- what's happened recently is that the
19 existence of much more widespread and useful technologies
20 that are appropriate and totally satisfactory technologies
21 that have other benefits in addition to air quality or
22 climate change has changed the dynamics of this issue and
23 it's not just, you know, the State government. It's
24 certain not just CARB, and it's really a global phenomenon
25 that we are moving in the direction of either fuel cell or

1 batter electrics depending the type of application, but
2 that we're moving towards electric drivetrain and away
3 from anything that has to be burned.

4 So this is not something that we created or
5 invented, but it is definitely a movement that we are a
6 part of, you know, again not trying to duck responsibility
7 here, but just to say that I think that the time has come
8 to stop the debate and to focus on how we're going to make
9 this work well, not if or whether we're going to do it.

10 So with that, I'm happy to call on any of my
11 fellow Board members. I see Alex Sheriffs and Dan
12 Sperling. So start with Alex. Dr. Sherriffs.

13 BOARD MEMBER SHERRIFFS: Thank you very much and
14 thank you for those comments, Chair Nichols. I want to
15 thank the Enforcement Division for sharing those short
16 videos after launch. I think that's a very smart way --

17 (Laughter.)

18 BOARD MEMBER SHERRIFFS: -- to deal with what
19 happens to attention span during this time of the day.

20 (Laughter.)

21 BOARD MEMBER SHERRIFFS: That was great.

22 And thank you for -- yes, I want more faster, but
23 in many ways there's been a lot of expeditious work here
24 and thank you for that. You know, just a general comment,
25 thinking about enforcement in general and we've had this

1 discussion before, but it is helpful to have enforcement
2 be visible. And in some ways, that's part of the cost of
3 effectiveness, because we need to reassure the people who
4 are making the effort to comply. We understand that that
5 involves some change and we need to be reassuring those
6 folks that we take what they've done seriously and we hold
7 others accountable.

8 So thinking about how to be sure this is -- is a
9 visible process is a good one. It also raises a couple of
10 issues that came from the comments. One, how we involve
11 the public in enforcement, because anybody who's been a
12 hundred miles on Highway 99 has seen, if they've been
13 paying attention, at least at couple of opacity-challenged
14 trucks. And do we not want the public to be involved
15 in -- in that process?

16 The comment about truck mechanics, yeah, this is
17 another group that we need to think about collaborating
18 with. They could certainly be helpful at least in terms
19 of Educating truck owners about some of these issues. So
20 again another -- another way to get the message out and to
21 increase participation buy-in out there. We'll talk more
22 about some of these issues in the next discussion of the
23 valley's PM2.5, because this is an important component of
24 that. And thanks to staff for their work on this.

25 But, yeah, we need to continue to look for ways

1 to find the money, find the collaboration, with other air
2 districts, so we can implement more of these monitors,
3 more of these systems. There's clearly a need throughout
4 the state and also do this earlier. I see the timeline
5 that we've set and understand some of those limitations,
6 but it does seem that there should be ways that we can
7 beat those timelines and be looking for ways to beat those
8 times lines. So thank you for that.

9 CHAIR NICHOLS: Okay. Dr. Sperling.

10 BOARD MEMBER SPERLING: I've got one big comment
11 and a few questions for the staff.

12 You know, to echo what Chair Nichols said, you
13 know, this is a long awaited outcome. And we saw --
14 we've -- you know, the enforcement of truck emissions
15 in-use has, you know, really been problematic. You know,
16 fortunately we've now learned -- because it's taken a
17 while, we've learned from the car, light-duty, experience
18 how to do it much better. And I see a lot of those
19 lessens being absorbed here. So that's great.

20 So I have actually five questions. Okay. I keep
21 hearing -- I've heard the word "cost effectiveness" a few
22 times, but didn't see any numbers. It would be
23 interesting to see it. Now, partly it depends on how this
24 is built out. And I'm going to -- so let me give you all
25 five questions, because I think the cost effectiveness

1 should also be answered in the context of our transition
2 as Chair Nichols said to zero-emission trucks. And so how
3 far do we go with this, you know, how comprehensively, and
4 so on?

5 So cost effectiveness, I think I'd like to hear a
6 little bit about that.

7 Can we put some of these portable devices --
8 detection devices, testing into the EJ communities? You
9 know, I think there's some logistics on exactly how to do
10 it, but that's seem -- you know, there was a lot of words
11 uttered about something of that sort. It would good to
12 hear about that.

13 Number three is I've heard about this new data
14 collection process using so-called REAL data with OBDs,
15 where the data is going to be stored in the truck OBDs for
16 longer and can be used for enforcement, and I'm wondering
17 how does that come together with this -- these ideas of
18 building out a -- you know, a vast network of these
19 stations.

20 Number four, who are these violators? You know,
21 I have a -- you know, I think I cringe a little bit
22 because I think I know what the answer is going to be, but
23 I think we should know -- we should know what that is and
24 we'll -- it will at least inform us on how best to do deal
25 with the enforcement part of it.

1 And lastly, I'd like Dr. Sheriffs'
2 opacity-challenged trucks, I hadn't heard that before, but
3 that's a good one, and -- but it does lead to the question
4 how visible -- of these violators that are causing most of
5 the NOx and PM are they really visi -- I mean, is this
6 black smoke? Yeah, is this -- are these the
7 opacity-challenged trucks, or is it more subtle than that
8 that we can't see it? Because if it is, then Dr.
9 Sherriffs' suggestion about, you know, maybe bringing in a
10 better way oe people being able to report the trucks, you
11 know, encouraging people to do it, especially in the EJ
12 neighborhoods would be actually a very inexpensive
13 enforcement approach.

14 So, you see, I really did pay attention.

15 (Laughter.)

16 ED DIESEL PROGRAMS ENFORCEMENT BRANCH CHIEF

17 QUIROS: And than you for that.

18 CHAIR NICHOLS: Yeah, so questions to be
19 answered. Go ahead, Heather.

20 ED DIESEL PROGRAMS ENFORCEMENT BRANCH CHIEF

21 QUIROS: Okay. I'm sorry. Thank you.

22 Okay. So I'm going to answer a couple and then
23 I'm going to hand it off to our Program Division to talk
24 about the overall program. So with regard to the opacity
25 and the visibility, our most recent opacity limits that

1 the Board has adopted requires that trucks meet a five
2 percent opacity. That is barely visible. And so it's not
3 always that these vehicles are emitting a huge puff of
4 black smoke. There are many that do, but there are some
5 that it is a little more subtle, but still visible, just
6 not as dark as you would expect.

7 We do have a complaints process in place to try
8 to leverage, you know, folks out there who are seeing
9 these vehicles and we are working on sort of revamping
10 that to make it a little bit easier for them to submit
11 information to us so that we can follow up on that.

12 But the hope is that by deploying these units
13 that we'll also have many out there that can also detect
14 these vehicles and give us that information. So that was
15 that question. The EJ communities. Would you mind again
16 repeating the EJ community question. I want to make sure
17 that I --

18 BOARD MEMBER SPERLING: Can we get how difficult
19 or expensive it would be to deploy a lot of these portable
20 stations in these neighborhoods? Is it really doable?
21 Because, you know, you set them up there, maybe trucks see
22 them, they just go the other correction. Would it even
23 work?

24 ED DIESEL PROGRAMS ENFORCEMENT BRANCH CHIEF
25 QUIROS: Right. So with the unattended system -- so there

1 are -- there are logistics to think about. And we have
2 done some testing with deploying the unit for example on a
3 traffic light pole. And we are still working through the
4 logistics on that, in terms of an unattended system. The
5 mobile system we have deployed in communities. And we
6 deploy it in conjunction with our typical roadside
7 inspections, with CHP present. And so that helps us
8 capture the truck traffic.

9 And we are -- you know, we have two -- one or two
10 mobile systems right now that we can deploy in these -- in
11 these communities. And we do think that it will provide a
12 benefit by taking them into -- into the various locations
13 and conducting enforcement. And then we'll continue to
14 evaluate our ability to deploy a more unattended type of
15 system in local communities.

16 Right now the unattended systems seem to be more
17 feasible on sort of the highways along -- you know, along
18 the freeway on the major freight corridors.

19 CHAIR NICHOLS: There was one other question that
20 you were going to refer to the program?

21 ED DIESEL PROGRAMS ENFORCEMENT BRANCH CHIEF
22 QUIROS: Yes. Yeah. So that would be the cost
23 effectiveness and the REAL data. And so if I can --

24 MSCD MOBILE SOURCE REGULATORY BRANCH CHIEF
25 HEROY-ROGALSKI: I can. Yeah, I can jump in. Thank you.

1 Yeah, I think by program, in this case it's Mobile Source
2 Control Division. So thanks you for all the great
3 questions.

4 I wanted to touch on first the question of cost
5 effectiveness. And so one part of this is the units that
6 Hang toast -- talked mostly about, the PEAQS units cost
7 about a hundred thousand dollars each. So that kind of
8 puts in your mind how much it would cost to, you know,
9 deploy one if there's areas of special interest.

10 Of course, one thing we're looking at as we
11 develop the overall Heavy-Duty I&M Program is the cost
12 effectiveness of the whole program. And by cost
13 effectiveness, I mean, you know, how much we and the
14 regulated parties have to spend to get a certain unit of
15 emission reductions. And so we're really trying hard to
16 get creative here and set this up in a way that it's as
17 cost effective as possible, and also as convenient as
18 possible, and hopefully not disruptive to the -- the
19 business owners that own these trucks.

20 And the technology has developed such that
21 there's some really exciting ways that we think really you
22 could have a highly effective I&M program for heavy-duty
23 that's really quite seamless and painless for the affected
24 business owners, because of the way telematics has
25 developed and because of the on-board diagnostic systems

1 that are already on all new trucks. There's a lot of ways
2 to sort of access the information on each truck pretty
3 easily and frequently, as long as truck owners are taking
4 care of their maintenance and, you know, making sure they
5 fix things when the malfunction indicator light comes on.
6 We think the program could be implemented in a way that's
7 quite painless and also therefore quite cost effective.

8 We don't have specific numbers to share at this
9 point, in terms of like dollar per pound, because we're
10 really taking a deep dive into looking at, okay, so what
11 are the emissions from all these trucks, how frequently do
12 things break, you know, what is breaking, how fast are
13 people currently fixing them, and what would the effect of
14 different program designs be on changing those behaviors?

15 And our inventory experts here at CARB are doing
16 some real refinements and understanding how all those
17 parts fit together and what the resulting emissions would
18 be. So we're looking closely at that, as well as looking
19 at all the different costs of repairs and then the
20 reporting that would be required and all that. And we'll
21 put all the together and do a bunch of analyses and
22 definitely be sharing the cost effectiveness of various
23 program designs as we go between now and next December
24 when we would be actually making a proposal to the Board.

25 I'm sorry. I keep messing with this bizarre mask

1 on my face.

2 So -- okay, so that's the cost effectiveness
3 question.

4 Professor Sperling also asked about the REAL
5 data. And just as background there what REAL data is is
6 that's a new element of the onboard diagnostic
7 requirements that CARB has. And beginning in 2022, this
8 is pretty exciting. This is a requirement that the Board
9 adopted the last time they amended our onboard diagnostic
10 requirements. Beginning in model year 2022, we're
11 requiring the computers on board the heavy-duty trucks to
12 keep track of the -- the emissions data, so that -- so
13 that there's a NOx monitor -- a NOx emissions monitor on
14 each truck.

15 And so there's an opportunity to have -- as the
16 truck is driving around, to have the vehicle's computer
17 keep track of how the NOx is doing. And then when you can
18 access the vehicle's computer, you can take a look at not
19 just how that truck is behaving right when you're taking
20 measurements on it, but you can look back and see, well,
21 how -- how were the emissions over the last hundred hours,
22 how were the emissions over the whole lifetime of the
23 truck?

24 So it's a Really powerful tool for getting an
25 idea of how the aftertreatment systems are behaving and

1 how the truck's emissions are in the real world. So that
2 data will be stored on all these trucks. And one thing we
3 take advantage of as we design this Heavy-Duty I&M Program
4 is to require that data be reported to CARB. And so that
5 will give us this incredibly rich data source in terms of
6 how vehicles are actually performing and how the
7 aftertreatment is holding up in the field.

8 And so we're super excited about having that
9 data. And we think that, along with the OBD fault codes
10 will be a really great way to ensure that trucks are well
11 maintained and as low emitting as possible.

12 So I think that covered the questions I was going
13 to cover. So I'll hand it back to you, Heather, I guess.

14 CHAIR NICHOLS: I thank you've answered the
15 questions that you had been assigned by Professor
16 Sperling. I'm going to call on Diane Takvorian who has
17 her hand up.

18 BOARD MEMBER SPERLING: Well, there was one
19 question that they --

20 CHAIR NICHOLS: Oh, sorry. Okay. Go ahead,
21 follow up.

22 BOARD MEMBER SPERLING: -- they -- they ignored
23 one question and it was the hardest -- most problematic
24 one and maybe that's what Diane is going to follow up on
25 is, you know, who are these violators?

1 CHAIR NICHOLS: Oh, sorry. I thought it was kind
2 of implicit, which is we don't know.

3 BOARD MEMBER SPERLING: Oh, I --

4 CHAIR NICHOLS: We don't know. I don't think we
5 know.

6 BOARD MEMBER SPERLING: Oh, okay.

7 CHAIR NICHOLS: Maybe I'm wrong. If I'm --
8 correct me if you do have this information hidden away
9 somewhere.

10 BOARD MEMBER SPERLING: No. It was writ -- it
11 was a true question.

12 But let me just have a concluding sentence about
13 this is that, you know, I think going forward there are
14 different ways we can monitor and enforce heavy-duty
15 emissions. And, you know, we have the OBD. We get the
16 portable. We got -- you know, and we're going to be
17 phasing out these trucks, and we're bringing in ZEVs.
18 There's a lot of moving parts here. And I think in the
19 not so far off future, it would be good to come up with
20 some kind of management plan or strategic plan about --
21 you know, it doesn't have to be a definitive one. But I
22 think so that everyone understands, you know, what are
23 both the opportunities and challenges and in a cost
24 effectiveness -- I think this actually lends itself to be
25 a cost-effectiveness -- effectiveness framework more than

1 a lot of things that we do.

2 CHAIR NICHOLS: Agreed, but we need a place where
3 it all comes together.

4 BOARD MEMBER SPERLING: Yeah.

5 CHAIR NICHOLS: A story to be explained.

6 Okay. I'm now going to call on Board Member
7 Takvorian.

8 BOARD MEMBER TAKVORIAN: Thank you and thank you
9 to Professor Sperling, because he did take a number of my
10 questions, so -- and the staff answered it very well.

11 It's a great report. I think it's evi --
12 evidence that it's a great report, because everybody wants
13 it in their community and they want it faster. They want
14 it right now, so -- so that's good.

15 I do think -- I do have a question about -- well,
16 not a question. I guess maybe a statement that I hope
17 that we actually can where we're developing these
18 community emission reduction plans in some of the 617
19 communities figure out how we can integrate this and I
20 think, as Dr. Sherriffs said, collaborate with the
21 districts as well as the communities. I think this is a
22 great opportunity for that.

23 That kind of leads to one question I do have,
24 which I don't think I heard, which is whether or not this
25 has been deployed at ports at all. I don't -- I don't

1 think so. And I wonder how that looks as a potential for
2 sites where a lot of trucks are or at both of the coastal
3 ports as well as inland ports, and certainly the border,
4 which David from Environmental Health Coalition brought
5 up.

6 You know, there's hundreds of thousands of trucks
7 that are coming through. And obviously, it would be a
8 good place for us to employ this kind of technology to see
9 what the compliance is and to get us better into
10 compliance. But it also raises another issue, which I
11 hope we can have a conversation about at some point which,
12 is as we transition to ZEV drayage trucks, I am concerned
13 about what happens to the trucks that are coming from and
14 going to Mexico. I mean, they're -- many of these 800,000
15 trucks are going back and forth five, ten miles. They're
16 not going very far at all and they have often been
17 identified as quite dirty and trucks that are not really
18 up to compliance.

19 So I worry that the older trucks are going to end
20 up with those haulers and -- in Mexico. So I hope that we
21 can start to look at that especially now that we have a
22 border staffer who's really trying to watch -- watch these
23 activities.

24 Those are my comments. And my questions is
25 reduce to that question about ports and how we can deploy

1 there.

2 Thank you.

3 ED DIESEL PROGRAMS ENFORCEMENT BRANCH CHIEF

4 QUIROS: Yeah, I think those are -- thank you. Those are
5 very good comments. So with regard to the ports, we have
6 deployed at the ports in a testing capacity, for example,
7 Port of Oakland and Port of LA and Long Beach. And we are
8 in ongoing discussions with the ports in terms of, you
9 know, different -- different things that can do to ensure
10 compliance there.

11 I think it's definitely something that we're
12 interested in doing and so we're continuing those
13 discussions with them, as well as the border to -- we've
14 had a few deployments down in the border locations and are
15 also evaluating where -- where best to deploy a system
16 down there, because we do see the importance of that as
17 well.

18 BOARD MEMBER TAKVORIAN: Thank you.

19 CHAIR NICHOLS: Well, this is a very interesting
20 preview of what's going to be an ongoing discussion and a
21 very important one in terms of achieving the goals that
22 we've set for ourselves. I think somebody made a comment
23 about how, you know, the word "enforcement" didn't have a
24 great sound to it. But I think for those of us who work
25 in the regulatory field understanding that good

1 enforcement is absolutely the key to regulating well is
2 fundamental thing. (Inaudible) do our job, if we right
3 (inaudible) or aren't going to be (inaudible).

4 So let's hope that we can achieve that -- that
5 goal here with this -- since we're just really beginning
6 to design the process.

7 Okay. And congratulations to whoever's dog is
8 the one that was barking, because for once It wasn't mine.

9 BOARD MEMBER SHERRIFFS: That's me. That's me
10 trying to get your attention, Chair Nichols.

11 (Laughter.)

12 BOARD MEMBER SHERRIFFS: That's my dog right on
13 command.

14 (Laughter.)

15 CHAIR NICHOLS: Oh, there you are. You've raise
16 your hand again. Okay.

17 BOARD MEMBER SHERRIFFS: Yeah. John Balmes dog
18 is just a lap dog, but my dog helps me make points.

19 (Laughter.)

20 CHAIR NICHOLS: Okay. Did you have a --

21 BOARD MEMBER SHERRIFFS: Okay. The second
22 part of -- yeah, the second part of Diane Takvorian's
23 questions -- Beta, it's okay. I'm getting my question --
24 was about inland ports, not just the Long Beach, Oakland.
25 So if you could address the inland port question on this

1 too. Thanks and thanks for listening to my --

2 ED DIESEL PROGRAMS ENFORCEMENT BRANCH CHIEF

3 QUIROS: Yes, I'm sorry. So we have not to my knowledge
4 deployed at the inland ports as of yet. But again, you
5 know, so that's something that we'll note and take a look
6 at deploying there as well.

7 CHAIR NICHOLS: Okay. So this is a suggestion
8 from what -- for what you should be doing.

9 Okay. I think with that we can close this item.
10 There's no action required, so there's no record to be
11 closed, but looking forward to hearing the next phases of
12 it.

13 And we will now move on to a related item, which
14 is also the last item on our agenda for today, Item
15 20-11-5, which is an informational update on
16 implementation of the San Joaquin Valley PM2.5 plan.

17 And again, if anybody is just joining us and you
18 want to speak, you need to click the raised-hand button or
19 dial star nine if you're just using a phone rather than
20 a -- rather than a Zoom program.

21 This is the second annual update from staff on
22 implementation of this plan. We've taken a very
23 aggressive view of our responsibilities here because we
24 know how important this plan is for a very large portion
25 of our state and so we're trying to make sure we are on

1 top of what's going on.

2 The report will summarize the status of measure
3 development and implementation, outline the challenges to
4 implementation that have been encountered and describe
5 opportunities to achieve further emissions reductions that
6 may be needed for attainment.

7 Mr. Corey, will you please introduce the item?

8 EXECUTIVE OFFICER COREY: Yes. Thanks, Chair.

9 Together with the San Joaquin Valley Air
10 District, CARB developed the 2018 PM2.5 plan for the San
11 Joaquin Valley, establishing a comprehensive strategy to
12 meet the four -- four National Ambient Air Quality
13 Standards for fine particulate matter, or known as PM2.5,
14 which the valley is in nonattainment. And as we know,
15 implementing this ambitious plan is critical for achieving
16 clean air in the valley.

17 The Board recognized when it adopted the plan in
18 January 2019 asking staff to return annually with an
19 implementation update. Last month, Governor Newsom signed
20 an Executive Order setting out critical goals for
21 transitioning the state's transportation system to zero
22 emissions. And in December of this year, the Board will
23 consider the 2020 Mobile Source Strategy that outlines the
24 mid- to long-term technology scenarios to meet the State's
25 air quality and climate goals.

1 However, for the San Joaquin Valley, we can't
2 wait. Near-term reductions are needed to meet the 2024
3 and 2025 attainment deadlines. A year and a half into
4 implementing the plan, the incentive landscape in the
5 Valley SIP has changed.

6 Today's update will describe the successes we've
7 had so far and identify potential additional regulatory
8 options to achieve further near-term emission reductions
9 in light of the changed incentive landscape.

10 I'll now ask Laura Carr of the Air Quality
11 Planning and Science Division to give the staff
12 presentation.

13 Laura.

14 (Thereupon an overhead presentation was
15 presented as follows.)

16 AQPSD AIR POLLUTION SPECIALIST CARR: Thank you,
17 Mr. Corey. Good afternoon, Chair Nichols and good
18 afternoon, Board members.

19 I'll be giving the second annual update on the
20 status of implementing the 2018 PM2.5 State Implementation
21 Plan, or SIP, for the San Joaquin Valley.

22 This update will highlight the progress we've
23 made in achieving early emissions reductions from key
24 adopted SIP measures, then discuss the work that still
25 needs to be done on a short time frame to develop and

1 implement additional measures for the SIP.

2 --o0o--

3 AQPSD AIR POLLUTION SPECIALIST CARR: The 2018
4 PM2.5 plan is the first ever comprehensive strategy to
5 address all four air quality standards for fine
6 particulate matter, or PM2.5, in the valley. The strategy
7 was developed jointly by CARB and the San Joaquin Valley
8 Air Pollution control district. And our agencies have
9 been working together to implement the plan since the
10 Board adopted it in Fresno in January 2019.

11 --o0o--

12 AQPSD AIR POLLUTION SPECIALIST CARR: The shared
13 responsibility of CARB and the District to reduce
14 emissions reflects the diversity of emission sources
15 contributing to PM2.5 pollution in the valley.

16 Mobile sources under CARB's control are the major
17 source of oxides of nitrogen, or NOx, which contributes to
18 the formation ammonium nitrate comprising about half the
19 valley's PM pollution and are also a source of directly
20 emitted PM2.5. Directly emitted carbon particles make up
21 about a third of the valley's PM. The District has
22 jurisdiction over area-wide sources of air pollution, such
23 as residential wood burning that contribute a substantial
24 portion of these emissions.

25 The SIP is a balanced strategy to secure

1 emissions reductions across these sources categories from
2 both CARB and District control measures.

3 --o0o--

4 AQPSD AIR POLLUTION SPECIALIST CARR: As I
5 mentioned before, the SIP is a comprehensive strategy to
6 address four PM2.5 standards. Efforts to implement the
7 plan to date have resulted in progress towards meeting the
8 two standards with attainment deadlines at the end of this
9 year.

10 The San Joaquin Valley has air quality that meets
11 the 24-hour 65 microgram per cubic meter standard and is
12 expected to attain the standard based on ambient air
13 monitoring data from 2018 through 2020. For the annual 15
14 microgram standard, preliminary staff evaluation indicates
15 that the valley may attain based on 2018 through 2020
16 data, if the fourth quarter of 2020 is as clean as the
17 fourth quarter of 2019.

18 While smoke from wildfires has substantially
19 impacted the health of valley residents this year, air
20 monitoring data influenced by wildfires are not used to
21 determine SIP compliance. For the two more stringent
22 standards with attainment deadlines in 2024 and 2025, CARB
23 is developing additional measures to achieve the emissions
24 reductions needed to get the valley to attainment. The
25 Board update today will focus on this effort.

1 The SIP is currently being reviewed by the U.S.
2 Environmental Protection Agency on a standard by standard
3 basis. U.S. EPA is in the process of evaluating the
4 portions of the SIP pertaining to the 65, 15, and 12
5 microgram standards, and already took final action to
6 approve the portions of the SIP pertaining to the 35
7 microgram standard in July 2020.

8 --o0o--

9 AQPSD AIR POLLUTION SPECIALIST CARR: I'll start
10 by covering the measures in the SIP that CARB and the
11 District have already adopted. Both agencies have been
12 making progress on this front per the commitment in the
13 SIP.

14 Two measures in particular have proven especially
15 successful in already achieving near-term and ongoing
16 reductions of both NOx and direct PM2.5. These are shown
17 here. The accelerated turnover of agricultural equipment
18 incentive measure and the District's residential wood
19 burning strategy.

20 I'll discuss each of these measures in more
21 detail on the next two slides.

22 Together, all the adopted measures listed here
23 account for emissions reductions in 2024 of six tons per
24 day of NOx and 0.7 tons per day of PM2.5, 0.3 tons of
25 which come from CARB's agricultural equipment turnover

1 incentive measure, and 0.4 tons of which come from the
2 District's residential wood burning strategy.

3 --o0o--

4 AQPSD AIR POLLUTION SPECIALIST CARR: The
5 agricultural equipment turnover incentive measure is being
6 implemented through the District's grant program in
7 collaboration with Valley agricultural stakeholders.

8 For more than a decade, this program has
9 successfully replaced old, dirty pieces of agricultural
10 equipment with new cleaner models achieving cost effective
11 NOx and PM reductions, while reducing community exposure
12 to toxic diesel pollution.

13 CARB submitted documentation to U.S. EPA to
14 officially take SIP credit for 5.9 tons per day of NOx and
15 0.3 tons per day of PM2.5 reductions achieved with
16 existing incentive funds, including the first two years of
17 FARMER Program funding, progress that puts us over halfway
18 to the SIP target for reductions from agricultural
19 equipment.

20 This is a very successful program. And the
21 agricultural community's ability to continue to achieve
22 further emissions reductions to meet that target is a
23 function only of the available funding.

24 U.S. EPA proposed approval of this measure in
25 March 2020. Meanwhile, the District continues to

1 distribute grants despite the administrative and economic
2 challenges presented by COVID-19, and still maintains an
3 oversubscribed list of interested program participants.

4 We will prepare a second round of documentation
5 to take SIP credit for emissions reductions from
6 incentivized turnover through 2023.

7 --o0o--

8 AQPSD AIR POLLUTION SPECIALIST CARR: Last
9 summer, the District adopted amendments strengthening its
10 residential wood burning rule as an early PM2.5 plan
11 implementation action. These amendments, a hot spot
12 strategy, which included lowering the burn curtailment
13 thresholds in Kern, Fresno and Madera counties took effect
14 in time for the winter months of November 2019 through
15 February 2020.

16 The strengthened rule combined with rigorous
17 public outreach and education efforts, more health
18 protective forecasting of no burn days, and continuing
19 implementation of the District's Burn Cleaner wood stove
20 changeout incentive program proved effective.

21 The valley had record-breaking good air quality
22 this past winter with the number of valley-wide
23 exceedances of the 24-hour 35 microgram standard dropping
24 to their lowest levels as shown here. Further, there were
25 no exceedances of the 65 microgram standard.

1 Meteorological conditions weren't particularly
2 favorable to good air quality either, often stagnant and
3 dry not conducive to good dispersion. So we think that
4 the significant improvement in air quality last winter is
5 in large part due to successful implementation of the
6 District's strengthened residential wood burning strategy.
7 We look to see this trend continue this winter as well.

8 In addition to the wood burning strategy and
9 agricultural equipment incentive measure already being
10 implemented and other adopted SIP measures moving towards
11 implementation, many other CARB and District measures in
12 the 2018 PM2.5 SIP are currently being developed.

13 --o0o--

14 AQPSD AIR POLLUTION SPECIALIST CARR: CARB staff
15 are currently working on a number of measures from the SIP
16 that are expected to come before the Board in 2021 through
17 2024. We want to emphasize two things about these
18 forthcoming measures from a SIP perspective.

19 One, it's critical for the success of the
20 valley's PM2.5 plan that the Board act on these measures
21 as expeditiously as possible. Two, it's just as essential
22 that these measures include implementation timelines that
23 maximize near-term reductions of criteria air pollutants
24 to the greatest extent possible. With clean air
25 attainment deadlines coming up quickly in 2024 and 2025,

1 both these pieces are key.

2 These measures are still being developed by staff
3 and thus the anticipated emissions reductions from each
4 are still in flux and will ultimately depend on the final
5 form of the regulation or incentive measure. At this
6 time, staff's estimate for emissions reductions from these
7 measures is 13.2 tons per day of NOx and 0.6 tons per day
8 of PM2.5 in 2024.

9 These estimates reflect the reality of current
10 incentive funding levels and will be adjusted going
11 forward, based on availability of future funding.

12 --o0o--

13 AQPSD AIR POLLUTION SPECIALIST CARR: The
14 District is also moving forward with technical evaluation
15 and public engagement efforts for scheduled regulatory
16 measures. Several District rules are scheduled for
17 proposed amendments in 2020 or 2021 addressing a range of
18 source categories, including flares, boilers, steam
19 generators and process heaters, internal combustion
20 engines, commercial underfired charbroilers, glass melting
21 furnaces, and solid fuel-fired boilers, steam generators
22 and process heaters.

23 These District measures are anticipated to
24 achieve emissions reductions of 1.9 tons per day of NOx
25 and 0.9 tons per day of PM2.5 in 2024, fulfilling the

1 District's aggregate commitment in the SIP.

2 --o0o--

3 AQPSD AIR POLLUTION SPECIALIST CARR: As a
4 reminder, the expectation that staff's concepts for SIP
5 measures will evolve and change during the regulatory
6 development process is built into CARB's SIP commitment.

7 While the 2018 PM2.5 SIP includes estimates of
8 the emissions reductions from each individual measure,
9 final measures, as proposed by staff to the Board or
10 adopted by the Board may provide more or less than the
11 initial emissions reductions estimates.

12 To allow for this while still meeting SIP
13 commitments, CARB's overall commitment is two-part, to
14 bring proposed SIP measures to the Board for consideration
15 and to achieve the total emissions reductions necessary to
16 attain the federal air quality standards.

17 Therefore, if a particular measure does not get
18 its expected emissions reductions, the State is still
19 committed to achieving the total aggregate emissions
20 reductions. For the valley, CARB committed to aggregate
21 emissions reductions of 32 tons per day of NOx and one ton
22 per day of PM2.5, reductions that modeling determined were
23 needed to meet the air quality standards.

24 The District also made an aggregate emissions
25 reductions commitment of 1.88 tons per day of NOx and 1.3

1 tons per day of PM2.5.

2 --o0o--

3 AQPSD AIR POLLUTION SPECIALIST CARR: This slide
4 puts the reductions from CARB's aggregate commitment in
5 context. Shown here is the total amount of NOx and PM2.5
6 emissions reductions needed from CARB from baseline levels
7 in 2013 for the valley to attain the PM2.5 standards.

8 Implementation of CARB's current control program
9 closed most of this gap. CARB's aggregate commitment is
10 for the remaining amount of reductions needed for
11 attainment. This includes reductions from the adopted SIP
12 measures and the upcoming SIP measures that we've seen on
13 previous slides, as well as the final increment needed
14 from additional measures, which I'll be talking more about
15 shortly.

16 To meet CARB's total aggregate commitment of 32
17 tons of NOx and one ton of PM2.5, 12.8 tons of NOx and 0.1
18 ton of PM2.5 remain to be accounted for. About 85 percent
19 of both the NOx and PM reductions shown here are achieved
20 through regulations. Since the SIP does rely partly on
21 incentives for the remaining emissions reductions needed
22 to reach attainment, we want to specifically address how
23 we're overcoming the SIP implementation challenge, given
24 the reality of less-than-expected levels of incentive
25 funds.

--o0o--

AQPSD AIR POLLUTION SPECIALIST CARR: Incentive funding levels have been lower than expected since the adoption of the SIP in 2019. But where incentive funding has been available, it's been used effectively and has played an important role in achieving early emissions reductions towards attainment. The clearest example being the accelerated turnover of agricultural equipment that the district has achieved with available funds, from the State's FARMER and Carl Moyer programs, plus important federal sources like the U.S. Department of Agriculture's Natural Resources Conservation Service and U.S. EPA's Diesel Emission Reduction Act.

As we move forward with SIP implementation over the next four years, incentives will continue to be a critical piece of the picture. And CARB fully supports efforts from the District and stakeholders to secure vital incentive funds to ensure the continued success of the incentive-based programs that have been so important in achieving early emissions reductions.

The amount of incentive funds available, however, has not equaled the need. This year especially, where incentive funding from State pots of money has fallen short. To meet the SIP commitment, CARB is pursuing additional regulatory and targeted incentive measures to

1 achieve the needed reductions.

2 --o0o--

3 AQPSD AIR POLLUTION SPECIALIST CARR: Listed here
4 are five additional measures that CARB staff are in the
5 process of developing that could achieve near-term
6 emissions reductions of NOx and PM2.5 to benefit the
7 valley by 2024 and 2025. These are a locomotive measure,
8 the first phase of the Heavy-Duty Vehicle Inspection and
9 Maintenance Program in the San Joaquin Valley, which we
10 heard about in the previous presentation, a cargo handling
11 equipment regulation, a construction and mining equipment
12 measure, and a measure to quantify co-benefits from CARB's
13 climate program. I'll describe each of these measures in
14 more detail in the next few slides.

15 --o0o--

16 AQPSD AIR POLLUTION SPECIALIST CARR: The San
17 Joaquin Valley is an important rail corridor accounting
18 for about 20 percent of California's locomotive activity.
19 In the absence of federal action to address harmful
20 emissions from locomotives, CARB is developing regulatory
21 concepts to reduce criteria pollutants, toxic air
22 contaminants and greenhouse gas emissions from locomotives
23 in use.

24 The goal of the regulatory concepts is to
25 accelerate adoption of advanced cleaner technologies for

1 all locomotive operations, while working with industry to
2 create and test zero-emission locomotive technologies.
3 The concepts are intended to be implemented statewide and
4 provide an opportunity for the railroads to better address
5 regional pollution and long-standing environmental
6 concerns with communities near railyards.

7 Recognizing the importance of taking swift action
8 to address this important source of emissions in the San
9 Joaquin Valley, staff will be holding public workshops
10 next week to discuss locomotive technology and initial
11 concepts for CARB's new statewide in-use locomotive
12 regulation.

13 --o0o--

14 AQPSD AIR POLLUTION SPECIALIST CARR: Next, the
15 Heavy-Duty Vehicle Inspection and Maintenance Program is
16 under development with Board consideration scheduled for
17 late next year and is listed as a key upcoming CARB SIP
18 measure earlier in this presentation.

19 This additional early deployment component to the
20 measure would achieve further reductions beyond what CARB
21 committed to in the original SIP measure. As we heard in
22 the previous presentation, early deployment of next
23 generation enforcement tools, like CARB's Portable
24 Emissions Acquisition System, or PEAQS, will help find the
25 dirtiest trucks operating in the valley, supporting

1 efforts to repair high emitters resulting in near-term
2 reductions of PM2.5 emissions before 2023, with NOx
3 reductions starting January 1st, 2023.

4 --o0o--

5 AQPSD AIR POLLUTION SPECIALIST CARR: As part of
6 the PEAQS deployment strategy discussed in the previous
7 item, staff are evaluating truck traffic data from the
8 valley's major truck corridors to find optimal locations
9 to install the technology, which would lead to the most
10 emissions reductions benefit.

11 Five devices strategically placed throughout the
12 valley will capture a sizable fraction of truck flow,
13 greatly enhancing our ability to find the highest emitters
14 and achieve emissions reductions in the near term.

15 --o0o--

16 AQPSD AIR POLLUTION SPECIALIST CARR: Next, the
17 Cargo Handling Equipment Regulation being developed by
18 CARB applies to on-site seaport and intermodal railyard
19 equipment. This regulation will provide important
20 emissions reductions at the Port of Stockton. A
21 transition to zero-emission equipment is expected to begin
22 in 2026, but staff are evaluating the role of hybrid
23 equipment in achieving near-term reductions prior to that
24 year.

25 Development of appropriate infrastructure is

1 critical to the success of this effort.

2 --o0o--

3 AQPSD AIR POLLUTION SPECIALIST CARR: Although
4 CARB's current in-use off-road regulation has resulted in
5 significant emissions reductions from the construction
6 sector, it does allow some of the oldest equipment to
7 continue operating indefinitely with no activity
8 restrictions.

9 Staff are currently exploring different options
10 to further reduce emissions from this sector at the
11 statewide level. These could include regulatory actions
12 that will phase out the use of high emitting older
13 equipment, incentive funds to accelerate equipment
14 turnover, and green contracting policies to substantially
15 reduce emissions and the associated public health risk at
16 construction sites.

17 --o0o--

18 AQPSD AIR POLLUTION SPECIALIST CARR: Finally,
19 the last of the proposed additional measures would take
20 official SIP credit for potential criteria pollutant
21 benefits from CARB's adopted greenhouse gas programs. For
22 instance, co-benefits could be available from the Low
23 Carbon Transportation Program, Community Air Protection
24 grants, and Climate-Smart Agriculture.

25 --o0o--

1 AQPSD AIR POLLUTION SPECIALIST CARR: Turning now
2 to the District. The district is also evaluating
3 additional measures beyond those committed to in the SIP
4 that could result in additional near-term emissions
5 reductions in the valley.

6 These measures include programs already being
7 implemented but for which credit is not being claimed in
8 the SIP, including the low-dust nut harvester technology
9 development program and the alternatives to open
10 agricultural burning incentive pilot program, which ties
11 in with the District's current ongoing evaluation of
12 agricultural burning.

13 The District is also evaluating opportunities to
14 achieve additional reductions from stationary source rules
15 in the SIP for solid fuel-fired boilers, steam generators
16 and process heaters, and glass melting furnaces.

17 --o0o--

18 AQPSD AIR POLLUTION SPECIALIST CARR: The
19 low-dust nut harvester technology deployment program is a
20 new district effort that promotes deployment and
21 evaluation of low dust technology for nut harvesters. The
22 district has allocated \$2 million to date for equipment in
23 use throughout the valley. The District was recently
24 awarded a \$10 million targeted airshed grant from U.S. EPA
25 to broaden deployment.

--o0o--

AQPSD AIR POLLUTION SPECIALIST CARR: Open agricultural burning has been significantly reduced from its historic levels in the valley and the District is evaluating alternatives to reduce burning even further.

Since November 2018, the District's new pilot program for alternatives to open agricultural burning has provided \$10.5 million in incentives for nearly 20,000 acres to demonstrate feasibility of on-field alternatives to open burning of agricultural crops.

The pilot has yielded data on cost and feasibility of soil incorporation and land application for different crops. Data which will be valuable for the District's deployment of a report presenting its evaluation of open burning and alternatives due to CARB by the end of 2020.

--o0o--

AQPSD AIR POLLUTION SPECIALIST CARR: Today's update has focused on near-term reductions over the next four to five years from a range of SIP measures. We also want to note that there are efforts underway with the focus generally on mid to longer term reductions that also have the potential to achieve near-term benefits.

The Governor's recent Executive Order establishes a goal that 100 percent of California sales of new

1 passenger cars and trucks be zero emission by 2035. In
2 addition, the Governor's order sets a goal to transition
3 all drayage trucks to zero-emission by 2035, all off-road
4 equipment to zero emission where feasible by 2035, and the
5 remainder of medium- and heavy-duty vehicles to zero
6 emission where feasible by 2045.

7 These ambitious state-wide targets will generate
8 both climate and air quality benefits in the mid to long
9 term. Staff are evaluating the potential near-term
10 criteria pollutant emissions benefits in the San Joaquin
11 Valley from the statewide effort.

12 Another new project is CARB's technology
13 clearinghouse, a suite of online tools that the Office of
14 Community Air Protection is developing to support
15 identification of additional emissions reductions
16 opportunities from stationary sources. The Clearinghouse
17 will compile district rules governing stationary sources
18 and indicate which controls represent BACT, or the best
19 available control technology.

20 The ultimate goal is to provide information via
21 the clearinghouse on next generation zero-emission
22 technologies for stationary sources where available.

23 --o0o--

24 AQPSD AIR POLLUTION SPECIALIST CARR: Finally,
25 next steps.

1 As we heard earlier, multiple key SIP measures
2 will be coming to the Board throughout 2021. Action on
3 each of these items represents the next critical step in
4 implementing the Valley PM2.5 SIP. The measures should
5 maximize near-term criteria pollutant emissions reductions
6 to the greatest extent possible, while accelerating
7 zero-emission technology adoption. While making progress
8 on our own rulemaking calendar, CARB will also continue
9 efforts alongside the District to secure additional
10 incentive funds and push for federal action on trucks and
11 locomotives.

12 The next touch point on the valley will be in
13 February when staff will present an evaluation of the
14 valley's 2020 open agricultural burning report. This is a
15 periodic report generated by the District to evaluate the
16 feasibility of alternatives to open burning and to
17 identify needed exemptions for specific crop categories
18 from the valley-wide prohibition on open agricultural
19 burning. The District's determinations in the 2020 report
20 require CARB concurrence, so we'll return early next year
21 with staff's recommendations on that report, as well as
22 use the opportunity to provide the Board with any timely
23 implementation updates for the PM2.5 SIP

24 That concludes the staff presentation. And now
25 I'd like to ask Jon Klassen, director of Air Quality

1 Science and Planning at the San Joaquin Valley Air
2 Pollution Control District to provide a few comments.

3 CHAIR NICHOLS: Thank you.

4 MR. KLASSEN: All right. Thank you --

5 BOARD CLERK SAKAZAKI: You should be -- go ahead.

6 MR. KLASSEN: Thanks, Ryan,. Can you hear me
7 okay?

8 BOARD CLERK SAKAZAKI: We can.

9 CHAIR NICHOLS: Yes.

10 MR. KLASSEN: All right. Thank you, Ryan. Thank
11 you, Laura.

12 Good afternoon Chair Nichols and members of the
13 Board. I'm Jon Klassen, Director of Air Quality Science
14 and Planning with the San Joaquin Valley Air Pollution
15 Control District. And thank you for the opportunity to
16 speak on this item.

17 As you know, the District has worked hard to
18 develop and implement a variety of air quality improvement
19 plans over the last 30 years, which has led to ongoing air
20 quality improvements across the region. These air quality
21 improvements have been achieved through a combination of
22 regulatory and incentive based approaches and has only
23 been possible through the support of CARB valley
24 residents, businesses, agriculture, cities, counties, and
25 community-based organizations.

1 The San Joaquin Valley has seen steady and
2 significant clean air improvements during ozone and PM2.5
3 seasons in recent years due to the implementation of
4 mobile and stationary source emission reduction
5 strategies. However, the San Joaquin Valley has some of
6 the nation's biggest challenges with air quality due to
7 the unique combination of topography and meteorology goods
8 movement. And as you know, our region has many of the
9 state's most disadvantaged communities highlighting the
10 importance of our work.

11 Despite the progress that we have all made, it is
12 clear that we need extensive emissions reductions to meet
13 federal health-based standards, that must go well beyond
14 what other areas of the nation need to achieve the air
15 quality standards. And in order to meet this goal, it
16 will require work at the local, State and federal level.

17 The 2018 PM2.5 plan, the topic of this item, is
18 the latest planning effort focused on addressing federal
19 PM2.5 standards and EPA requirements. As mentioned in the
20 presentation, the District has already been taking action
21 to address the commitments in the 2018 PM2.5 plan. This
22 includes the new Residential Wood Burning Reduction
23 Strategy, which was adopted in June of 2019 and was
24 already implemented this past winter season and is about
25 to be implemented for its second season in about one week

1 as we get closer to the month of November.

2 This established the most stringent rule to
3 curtail wood burning coupled with strong incentive
4 outreach and incentives to eliminate the old wood burning
5 devices throughout the valley.

6 We've also been working extensively on other
7 measures within the plan anticipating our governing board
8 taking action over the next few months. And this has
9 continued to move forward despite, the COVID-19 pandemic --
10 pandemic. And we've been doing a lot of public outreach
11 and engagement through this process. And we've also
12 involved our AB617 community steering committees, as we've
13 gone through this outreach process.

14 And as you have heard from your staff, there are
15 a number of stationary source measures in development that
16 are anticipated for our Board action this year and in
17 2021, ranging from industrial flares, boilers, steam
18 generators, process heaters, internal combustion engines,
19 and commercial underfired charbroiling, including glass
20 melting furnaces, solid fuel-fired boilers, steam
21 generators and process heaters, and conservation
22 management practices.

23 And the District is anticipating that these
24 emissions reductions from these measures will fulfill the
25 District's aggregate commitment from the plan.

1 In addition, the District has also been
2 implementing and achieving additional emissions reductions
3 beyond the commitments from the 2018 PM2.5 plan. To help
4 reduce nut crop harvesting emissions we've launched our
5 low dust harvester technology deployment program, where
6 we've deployed almost 30 units with low dust harvesters.
7 And we're looking forward to using the newly available
8 grant funding that was mentioned by Laura to continue to
9 deploy more low dust harvesters.

10 We've also launched our alternatives to open
11 burning incentive program, where over \$10 million has been
12 spent to bring 20,000 acres to the program to use
13 different alternatives besides open burning.

14 Our commercial lawn and garden incentive program
15 has replaced over 240 units with zero-emission equipment.
16 And as was discussed, we are also in the process of
17 conducting an extensive evaluation of alternatives to
18 agricultural burning. And as you may know, the San
19 Joaquin Valley is the only region in the state with strict
20 prohibitions on the open burning of agricultural woody
21 waste and ag burning has been significantly reduced over
22 the years.

23 This year's evaluation will focus on the
24 remaining crop categories. And we are hopeful that with
25 State funding support, we will continue to reduce

1 remaining ag burning in the near future where alternatives
2 are feasible.

3 In addition, the district continues to evaluate
4 additional emission reduction opportunities from
5 stationary sources, including glass melting furnaces and
6 solid fuel-fired boilers, steam generators and process
7 heaters.

8 In addition to these local efforts, the San
9 Joaquin Valley will not be able to meet our federal
10 attainment and community level air quality and toxics
11 goals without significant transformational reductions with
12 respect to mobile sources.

13 It will be critical that the District and CARB
14 continue to advocate for incentive funding to continue the
15 implementation of key incentive programs, including
16 agricultural equipment, trucks and buses, locomotives and
17 off-road equipment. The District appreciates the close
18 collaboration with CARB in implementing this critical
19 attainment plan for the valley.

20 And we look forward to working through strong
21 public engagement with our communities, local businesses,
22 and our agency partners, CARB and EPA, in continuing to
23 reduce emissions and improve the public health for the
24 residents of the San Joaquin Valley. Thank you for the
25 opportunity to speak on this item.

1 BOARD CLERK SAKAZAKI: Thank you, Jon.

2 Madam Chair --

3 CHAIR NICHOLS: We should go to public comment
4 then at this point.

5 BOARD CLERK SAKAZAKI: Okay. Yes, sounds good,
6 Madam Chair. We have eight people with their hands
7 raised. If you wish to comment on this item, please raise
8 your hand or dial star nine to indicate you wish to speak.

9 Our first three commenters are Cynthia
10 Pinto-Cabrera, Martha -- Martha Armas-Kelly, and Janet
11 Dietzkamei.

12 So Cynthia, I have activated your microphone.
13 You can unmute yourself and begin.

14 MS. PINTO-CABRERA: Hello again. This is Cynthia
15 Pinto-Cabrera with the Central Valley Air Quality
16 Coalition. Good afternoon, members of the Board and Chair
17 Nichols. I just want to thank you for taking the time
18 throughout this long day to listen to public comment on
19 this extremely important item.

20 So I wanted to mention that last year's update,
21 it was made clear that we must explore additional
22 emissions reductions in order to meet our national air
23 quality standards. And advocates throughout the San
24 Joaquin Valley have worked with CARB staff and Air
25 District staff, and we've identified those additional

1 sources. And they include phasing out ag burning,
2 addressing ammonia emissions, tightening the rules on
3 flares, further curtailment of residential wood burning,
4 and disallowing inter-pollutant trading.

5 But despite being able to identify these
6 opportunities, we have not seen timely action -- timely
7 action has not been taken by CARB staff nor the Valley Air
8 Districts. And I particularly point to the top stationary
9 source review that CVAQ and our partners have been
10 advocating for since April of 2019, in which we requested
11 to review 27 facilities and corporate operations that
12 represent at least 1,460 tons of PM2.5 and another 3,593
13 tons of NOx in the valley.

14 And it's extremely disappointing to see that
15 these agencies that are supposed to protect public health
16 don't see the urgency of identifying these additional
17 emissions measures in a timely manner. As we know,
18 particulate -- particulate pollution has greatly impacted
19 the valley, especially now due to the wildfires. And
20 we've had -- we've had some real impacts on our health,
21 myself included.

22 Particle pollution has been -- is the reason why
23 I'm here, why I became an advocate for clean air. It's --
24 I was diagnosed with asthma at 12, my brother was born
25 with asthma and used a nebulizer. Particulate pollution

1 is the reason why my father who's a diesel truck repairman
2 in South Fresno has developed asthma as an adult.

3 And I and -- I myself and other valley residents
4 have seen the efforts -- have seen the effects of particle
5 pollution firsthand. And while I understand that there's
6 an importance of maintaining the economy, we must move
7 away from the business as usual and transition to the use
8 of cleaner alternatives. And we -- we have seen some
9 extremely dangerous levels of PM2.5 this year. We cannot
10 risk any elevated rates of particle pollution this winter.
11 So I'm here to ask the CARB board to use your oversight
12 authority and require additional and more stringent
13 measures from the valley air districts to protect the
14 health of all valley residents.

15 Thank you.

16 BOARD CLERK SAKAZAKI: Thank you. Our next
17 speaker is Martha Armas-Kelly. Martha, I have activated
18 your microphone. You can unmute yourself and begin.

19 MS. ARMAS-KELLY: Hello. My name is Martha
20 Armas-Kelly and I am the Program Coordinator for the
21 Environmental Justice Program with Catholic Charities
22 Diocese of Stockton. I reside in Merced, California, but
23 my work is primarily centered in the Stanislaus County
24 area.

25 My point of perspective today is all the other

1 points that have been brought are strongly noted. And
2 I -- and I feel that those are all things that we should
3 have already been enacting on. And as such, one thing
4 that I think that we have not really put a lot of emphasis
5 is in accessibility.

6 When we're strategizing for all these efforts, I
7 don't hear anything about language access. I don't hear
8 anything about education. And it troubles me, because as
9 an asthma educator -- former asthma educator, health
10 educator, as an interpreter, and a community advocate
11 educator, I am out there with the families talking to them
12 about their issues, hearing firsthand their needs. And a
13 lot of people that are in these meetings that are -- that
14 we're trying to teach about CalEnviroScreen, about PM2.5
15 are not even aware that they are living in this
16 circumstance. They don't understand the direct
17 correlation between their pollution and how they are being
18 affected through their health.

19 And this to me is a travesty. I think that if
20 we're taking this long to decide on what we're going to
21 do, because we have to have some type of evaluation, or
22 some type of discourse, or we're sitting here reinventing
23 the wheel, in the meantime people are dying. And with all
24 this said, we need to have a more robust educational
25 process and funding available to the CBOs and the agencies

1 that are willing to and are already doing most of the work
2 out in the community, to have the support, to provide
3 incentives, vacuums, filters, things that we need right
4 now.

5 PM2.5 is not going away. It's getting worse.
6 And if people are out there, we need to make sure that
7 these people are protected. And we need to act now, not
8 later. People are dying as we speak. People are being
9 diagnosed with asthma, COPD. Diabetes has even played a
10 factor with this. We need to recognize that this is
11 something that's not going to go away.

12 And as an advocate for the community, I come here
13 today to speak. As a person that is affected by the air,
14 I want some change. And I'm willing to step up and do the
15 work. Give us the funding, give us the incentives, create
16 the program so that we could teach people what it is. It
17 should be a robust program with signage, billboards,
18 whatever it takes, TV, PSAs, you know, programs that are
19 geared to giving people an opportunity to understand how
20 your decision-making can also affect their health.

21 Because if we don't make these changes for the
22 people at large, they are truly being affected. So thank
23 you very much for your time.

24 BOARD CLERK SAKAZAKI: Thank you. Our Next
25 speaker is Janet. After Janet, we have Clare Statham,

1 Mark Rose and Ron Sundergill.

2 So Janet, I have activated your microphone. You
3 can unmute yourself and begin.

4 MS. DIETZKAMEI: Thank you and good afternoon
5 again. I am a Fresno City resident. And I fully endorse
6 Martha Armas-Kelly's indication that we have a lot of
7 people here who are totally unaware of what black carbon
8 is doing to them, what our pollution in the San Joaquin
9 Valley is doing to them. I have asked repeatedly over
10 years, please educate people as to what they are
11 contributing to the air when they burn residential
12 burning, when they do ag burning.

13 There are people here who have no idea what this
14 air is doing to us. Data, and projections, and
15 information, and all that, it doesn't matter. It doesn't
16 matter to us. What matters to us is the air we are
17 breathing. What is that air doing to us? I have asthma.
18 There are thousands of us in this valley who have asthma.
19 And a lot of them have no idea what to do to avoid being
20 affected by this bad air, this polluted air, this unclean
21 air.

22 There are people here who don't even have
23 medications to prevent or treat their reaction to the air.
24 There are people here who are unable to close their
25 windows during these months -- summer months, where we

1 have both now PM2.5 from wild mega-fires, which are the
2 result of climate change and are going to be happening
3 more and more each summer, plus ozone, which is normally a
4 problem in the afternoons in the San Joaquin Valley.

5 There -- so there are children in these homes that are
6 being affected by the air.

7 It is not cheap having asthma. It costs a lot.
8 And I would like a burn ban for ag -- agricultural burning
9 and residential burning. Last winter, despite what was
10 said, I was not out in the air for very many days unless
11 it was a rainy day, because the air was dangerous for me.
12 And this air is dangerous for thousands of us who have
13 respiratory diseases.

14 PM2.5 must be reduced. And the best way I can
15 see it, when 30 percent of black carbon comes from
16 burning, is to have a burn ban for both residential
17 burning and agricultural burning.

18 Please consider, because PM2.5 injures so many of
19 us.

20 Thank you.

21 BOARD CLERK SAKAZAKI: Thank you.

22 Our next speaker is Clare Statham. Clare, I have
23 activated your microphone. You can unmute yourself and
24 begin.

25 MS. STATHAM: All right. Good afternoon. My

1 name is Clare Statham. I am a resident of the City of
2 Fresno. The Valley Air District's website states that
3 smoke from residential wood burning is one of the main
4 contributors to PM2.5 pollution during the winter months.
5 To address this problem, the District has a Burn Cleaner
6 incentive program and a no burn day advisory system.

7 While these programs may be preventing our valley
8 air from getting dirtier, they are not helping to get it
9 cleaner. The data presented in the Air District's last
10 six annual reports to the community, including the most
11 recent one when there were stricter -- when there were
12 greater restrictions on fire burning, showed that no
13 change over the past six years in the percentage of PM2.5
14 pollution caused by residential wood burning. No change.

15 It's time to accept that we can never have enough
16 incentive money to buy our way out of breathing winter
17 wood smoke. Furthermore, an Air District survey about
18 residential wood burning also showed that a segment of the
19 population has no interest in converting open hearth
20 burning to cleaner alternatives.

21 To make a significant reduction in winter PM2.5,
22 the time has come, in fact is overdue, for the Air
23 District to ban residential wood burning in urban and
24 suburban areas. At the same time the Valley Air District
25 announces the date for such a ban, which I suggest should

1 be two years from now, in order to do adequate public
2 education and planning, it must embark upon a serious
3 health campaign, to educate the public on the harmful
4 effects of wood smoke.

5 Let's think of the District's current campaign,
6 Burn Cleaner. The underlying message there is that it's
7 still okay to burn or it's a no burn day. Well, that
8 means that some days it's okay to burn, but okay for whom?
9 For the person lighting the fire, maybe, but what about
10 the children with asthma who live in a neighborhood where
11 one or more homes have fires on burn days. Let's be
12 honest, that wood smoke is harmful to those who breathe it
13 every day.

14 Breathing wood smoke is toxic to our health and
15 it's time to step up and say so. One infographic on the
16 Valley Air Board's website showing the effects of smoke is
17 insufficient (inaudible) soon that the current wildfires
18 lead people to understand the negative health effects of
19 fireplace smoke. People may be overwhelmed by the
20 magnitude of 356,000 acres of forest fire burning in our
21 recent Creek Fire, but they still may not realize their
22 one residential fire can inundate their neighbor's home
23 and yard with harmful particulates.

24 So it's time for an education campaign, similar
25 to the one that told Americans the truth about tobacco.

1 As a result of that campaign, Americans have embraced the
2 restrictions on where one can smoke cigarettes. Educate
3 valley residents on the harmful effects of wood smoke and
4 they will understand why residential burning is an
5 unacceptable practice in an urban and suburban setting.

6 So please, develop and fund a real education
7 campaign. Ban residential wood burning and let's take a
8 significant step forward in the reduction of winter PM2.5
9 pollution.

10 Thank you.

11 BOARD CLERK SAKAZAKI: Thank you.

12 Our next speaker is Mark Rose. Mark, I have
13 activated your microphone. You can unmute yourself and
14 begin.

15 MR. ROSE: Can you hear me okay?

16 BOARD CLERK SAKAZAKI: Yep.

17 MR. ROSE: Madam Chair, members of the Board. I
18 thank you for this opportunity to comment. My name is
19 Mark Rose and I'm the Sierra Nevada Program Manager for
20 National Parks Conservation Association based here in
21 Fresno.

22 When the Valley PM2.5 plan was first passed in
23 early 2019 after years of delay, advocates were cautiously
24 optimistic that we finally had a path forward after
25 decades of nonattainment. However, at the time, I

1 commented that this was less of a complete plan and more
2 of an IOU to valley residents.

3 We were concerned with the plan's reliance on
4 roughly \$5 billion in unfunded incentive-based measures
5 and the plan's undefined and likely illegal aggregate
6 emissions reduction commitment.

7 As a result, we came back to the Board in
8 September 2019 and begged for a plan B to ensure timely
9 attainment. At the time, CARB Board members agreed and
10 directed staff to work with advocates to come up with new
11 emission reduction opportunities.

12 Unfortunately, over the last year, very little
13 has happened despite this Board direction. We are
14 encouraged to finally see CARB staff is proposing five
15 additional actions and we thank staff for their hard work
16 on this.

17 We are, however, concerned that these new
18 proposals are too little and too late. CARB must
19 immediately quantify the emission reductions from these
20 new measures, so that we know whether they will actually
21 make up for the billions in incentive funds that we are
22 unlikely to see materialize.

23 Furthermore, we also fear that the new measures
24 are just repackaged ideas CARB has already planned on,
25 instead of taking the new and bold actions necessary to

1 fix this plan.

2 Over the years, we've provided numerous technical
3 comments laying out our suggestions. We know that there
4 is more that can and should be done here in the valley.
5 I'll point you to CVAQ's comment letter for more specifics
6 on this.

7 Sadly, we are running out of time to meet federal
8 attainment deadlines. Any additional measures must be
9 approved and implemented by the end of 2023. We thus
10 recommend CARB continue looking for significant new
11 opportunities to achieve reductions in the valley sooner
12 than later. We also look -- we also asked CARB to do more
13 to exert your authority over the Valley Air District,
14 which has shown no desire to identify new opportunities
15 for real and significant reductions.

16 One opportunity we seek to highlight is the
17 upcoming February Board item, where CARB Board members
18 will be asked whether or not to postpone compliance with
19 State law on ending agricultural burning in the valley.
20 Permitting for ag burns will end on its own, unless you
21 choose to affirmatively reauthorize this dirty and
22 outdated practice.

23 Under a 2003 State law, ag burning in the valley
24 should have ended a decade ago, but it has been allowed to
25 continue by the Valley Air District and is set to grow as

1 a sector, despite the availability of numerous
2 alternatives to burning.

3 The CARB Board has an opportunity to finally end
4 ag burning in February. We urge you to take it. In light
5 of this year's record-breaking wildfires and ongoing COVID
6 public health crisis, valley residents, environmental
7 justice communities, and our nearby National Parks and
8 public lands cannot afford to continue down a path that
9 stands no real chance of meeting attainment with Clean Air
10 Act standards by the upcoming deadline.

11 Please continue working to identify and act upon
12 new opportunities to ensure that we here in the valley can
13 finally breathe clean air.

14 Thank you.

15 BOARD CLERK SAKAZAKI: Thank you.

16 Our next speaker is Ron Sundergill. After Ron,
17 we have Ryan Kenny, Tom Frantz and Pat Holland.

18 Ron, I have activated your microphone. You can
19 unmute yourself and begin.

20 Ron Sundergill, are you there?

21 MR. SUNDERGILL: Yes, I am here. Thank you.

22 BOARD SECRETARY SAKAZAKI: Go ahead.

23 MR. SUNDERGILL: Good after noon -- good
24 afternoon, Chair Nichols and members of the Board. My
25 name is Ron Sundergill. And I represent the National

1 Parks Conservation Association, as our Senior Regional
2 Director. And for over 15 years, we have been working in
3 the central valley out of our Fresno office to protect our
4 parks and air.

5 My comments today focus on the topic of
6 agricultural burning and a decision that's coming your way
7 in a few months, where the Board can demonstrate its focus
8 on environmental justice and reduction in PM2.5.

9 Let me provide some context on what's going on
10 here. In 2003, 17 years ago, Board Member Dean Florez,
11 then a Senator, authored SB 705 that was signed into law.
12 That legislation called for the ending to ag burning in
13 the jurisdiction of the San Joaquin Valley Air Pollution
14 District by 2010. This legislation is rooted in
15 environmental justice and the protection of our health and
16 lives.

17 Despite legislation being passed 17 years ago, ag
18 burning continues. In fact, it has been CARB staff that
19 has authorized this continuation, despite awareness that
20 all criteria -- criteria for ending ag burning has been
21 met, and despite the growing facts and science that shows
22 our communities are harmed by this air pollution.

23 Every party involved has been aware of the
24 original deadline to end ag burning by 2010, but CARB
25 staff began issuing postponements of this deadline at the

1 request of the District, including a five-year extension
2 granted in 2015. This December, the District's
3 authorization to continue ag burning will expire, and
4 after a decade of delay, communities can finally see the
5 end to ag burning as Senator Florez's legislation called
6 for. No further extension and unnecessary pollution from
7 ag burning can take place unless CARB affirmatively
8 decides to allow this.

9 We understand that the District is going to be
10 asking CARB to grant another extension that postpones
11 cleaning our air. But this shouldn't be a tough decision
12 for CARB. Indeed, it is a moment for CARB to be clear on
13 where it stands.

14 So let's be clear that we are in a public health
15 crisis and that there is absolutely no reason for CARB to
16 grant another extension to unnecessarily pollute our air.
17 Let's be clear that we are witnessing the realities of
18 climate change and mega wildfires, and that if we are
19 doing any intentional burning, we should focus on efforts
20 that prevent future mega-fires.

21 Let's be clear that the District and industry has
22 known about the end of ag burning since 2003. And let's
23 be clear that this is also a major environmental justice
24 issue, especially for those living or working near an ag
25 burn, and that this isn't just a matter of science and

1 facts, but it's a matter of common sense and fairness to
2 communities that have been waiting for 17 years since
3 passage of Board Member Florez's historic legislation.

4 Thank you so much for the opportunity to comment.

5 BOARD CLERK SAKAZAKI: Thank you.

6 Our next speaker is Ryan Kenny. Ryan, I have
7 activated your microphone. You can unmute yourself and
8 begin.

9 MR. KENNY: Yes. Thank you. Good afternoon,
10 Chair Nichols and members of the Board. My name is Ryan
11 Kenny with Clean Energy. And I just want to start off by
12 recognizing what Mr. Corey mentioned when he introduced
13 this item. That while we have a mobile source strategy
14 forthcoming, we can't wait, especially with, you know, the
15 2024-2025 emission reduction deadlines coming up.

16 And that just highlights, I think, we do need
17 near-term emission reductions now. And you do have -- the
18 Board does have two items that are relevant coming up in
19 December, one of which is the Mobile Source Strategy. And
20 looking through what's in print right now that's being
21 proposed to you, it really doesn't focus on any near-term
22 emission reductions.

23 It's focused on the year 2030 and after. It's
24 supposed to have a comprehensive strategy, but it's really
25 just a technology mix that chooses electric vehicles only.

1 And SB 44, which requires this update, it requires a
2 comprehensive strategy focused on the deployment of both
3 medium- and heavy-duty vehicles. And, of course, you
4 know, the deployment is immediate in low-NOx trucks with
5 renewable fuel are available right now.

6 So as you consider that in relation to this item
7 and other items, because the mobile source strategy is,
8 you know, pervasive across multiple programs, the
9 near-term emission reductions is vital to include and add
10 to what's being proposed by staff.

11 I'll also add, too, that the funding plan which
12 you'll be considering in December as well, also again
13 attempts to eliminate low-NOx trucks out of HVIP. And
14 that, of course, is the primary incentive program for
15 low-NOx trucks. VW and Carl Moyer are not it. Those
16 programs have barriers, which are preventing the market
17 from responding and driving low-NOx truck adoption. It's
18 HVIP, that's why HVIP is oversubscribed. And, of course,
19 last year, the same attempt was made before you to
20 eliminate low-NOx trucks from HVIP, and the Board was
21 unanimous in rejecting that.

22 So we just ask that you start looking at that and
23 considering to keep low-NOx trucks in that funding plan,
24 because if there's at least a 20 percent funding floor for
25 low-NOx trucks, that would provide 80 percent for all

1 other technologies. And it would go a long way towards
2 near-term emission reductions for -- for this item and
3 other ARB programs and things that we're trying do to
4 reduce greenhouse gas emissions and NOx throughout the
5 State in the near term.

6 So again those two programs we'd like to
7 highlight and ask that a focus be made on near-term
8 emission reductions.

9 Thank you.

10 BOARD CLERK SAKAZAKI: Thank you.

11 Our next speaker is Tom Frantz. Tom, I have
12 activated your microphone. You can unmute yourself and
13 begin.

14 Tom? Tom Frantz, are you there?

15 MR. FRANTZ: Hello. Yeah. Hello. Tom Frantz,
16 yes, from Kern County. I'm an almond farmer, retired
17 school teacher, part of the Central Valley Air Quality
18 Coalition steering committee, and part of the Association
19 of Irrigated Residents.

20 It is time to end open ag burning since we're ten
21 years late already. There are alternatives, like whole
22 orchard recycling. We still have some biomass power
23 plants. We can chip the wood for mulch. We can compost
24 that wood. There's lots of economically feasible
25 alternatives.

1 And they're being used today already
2 successfully. You just have to expand the program. And
3 we have to raise the fine or fee for open burning to at
4 least a thousand dollars an acre, so that the cost of
5 lighting a match is not cheaper than all of the
6 alternatives.

7 There shouldn't be any Exceptions to an open
8 burning ban. Almost every crop can be recycled, but it is
9 mostly almond wood. And we know that can be recycled
10 except in a few rare circumstances of disease, certain
11 types of root disease, but very rare.

12 We also need to end all fireplace burning at the
13 same time. We're not neanderthals anymore and we're in a
14 valley with millions of people. And we don't need fire to
15 keep warm.

16 It always amazes me that residents know how to
17 clean our air, yet the Air District says they're doing
18 everything possible and it's never sufficient. And right
19 now, we have a plan that's insufficient, and it has
20 inadequate funding. We have to do more. We have to do
21 more with off-road vehicles. And equipment. That's in
22 agriculture, construction, mining, and oil and gas. All
23 of these activities use lots of off-road equipment. The
24 lightest ones immediately could be electrified. We can go
25 a lot further with actual mandates.

1 And then we need to have a program to electrify
2 homes. The burning of gas in homes during the winter is a
3 very significant source of NOx, it pollutes the air in
4 neighborhoods, and it's seasonal. It's right when our
5 PM2.5 is the worst. We need a program for low-income
6 people to get solar panels, solar energy cheaply into
7 their homes and electrify those homes at the same time and
8 say to hell with the gas companies' lobbyists. They
9 should not influence any longer in delaying this type of
10 action.

11 Finally, ammonia from dairies, there's a program
12 now to reduce methane that involves dry manure handling.
13 That also reduces significantly ammonia emissions. Making
14 a digester actually increases ammonia emissions at these
15 dairies and increases NOx when the methane is burned. We
16 need dry manure handling for both, and thank you for
17 listening.

18 BOARD CLERK SAKAZAKI: Thank you.

19 Our next speaker is Pat Holland. After Pat, we
20 have Thomas Menz, Christine Zimmerman, and Shayda Azamian.

21 So, Pat, I have activated your microphone, you
22 can unmute yourself and begin.

23 MS. HOLLAND: Hi. I'm Pat Holland and I
24 appreciate the chance to speak. I suffer and have
25 suffered since childhood from asthma, as well as chemical

1 sensitivity. Again, I'm from San Diego and I think that
2 it needs to be statewide that wood burning in homes and
3 elsewhere be banned.

4 When I moved here from Austin, Texas, they wanted
5 to be able to breathe the air back then, and they said no
6 more wood burning fireplaces. And now we have something
7 even worse than wood that goes into fireplaces sold in
8 stores, which is recycled a terrible chemical concoction
9 fake log that's goes into fireplaces in homes. All of
10 that should be banned.

11 Many a night, I wake up wheezing and have to turn
12 on an air cleaner. The public should be told every day on
13 every station how their air is rated, and what they can do
14 to filter out the poisons, and what they need to tell
15 their legislators to get this to stop immediately.

16 A recent webinar elsewhere I heard seven years of
17 exposure to pollution harms a child for a lifetime. I
18 would venture that sometimes it's even less than seven
19 years.

20 I'm a military brat and I've lived all over the
21 country. And I took -- we took our children traveling
22 around the country and outside the country too. And I --
23 you can't just say one little area is bad. You've got to
24 say the whole country shares the pollution and certainly
25 the whole state, because the wind blows one way, and then

1 the other, and then another, and another within an hour
2 where I live.

3 And I support the need for education in the
4 media, as well as the immediate bans that Clare, and
5 Janet, and Martha mentioned for their area. I think it
6 should be everywhere in our State.

7 Thank you for listening.

8 BOARD CLERK SAKAZAKI: Thank you.

9 Our next speaker is Thomas Menz.

10 Thomas, I have activated your microphone. You
11 can unmute yourself and begin.

12 MR. MENZ: Okay. I assume I'm audible.

13 BOARD CLERK SAKAZAKI: Yes, we can hear you.

14 MR. MENZ: Okay. Thomas Menz, resident of Fresno
15 County. Good afternoon, ladies and gentlemen. Wildfire
16 suppression in our western forests, a practice that began
17 more than a century ago was unwise, was always doomed to
18 inevitably one day fail and our warming climate has made
19 it untenable. And we are all hostage now, for a good
20 chunk of the year that used to be clean, to dangerous and
21 pernicious wood smoke that is beyond our ability to
22 control, at least until a natural equilibrium is
23 reestablished.

24 But there is a veritable wildfire's worth of wood
25 smoke that is well within our capacity to suppress, namely

1 the open field burning employed by agriculture and the
2 tens of thousands of residential wood fires that poison
3 our air on too many of our winter nights in the San
4 Joaquin Valley.

5 So I'd like to direct your attention in seeking
6 new emission reductions to fulfill this plan to this body
7 of emissions, the proverbial low-hanging fruit of directly
8 emitted black carbon PM2.5.

9 The practice of open field burning should be
10 ended in favor of whole orchard reincorporation and put
11 the carbon back into the soil instead of into the air and
12 our lungs. And the practice of non-essential heating of
13 homes with solid fuel, in our urban areas particularly,
14 should be banned.

15 With respect to residential wood burning, even
16 short of a ban, there are measures that other states have
17 adopted, most stringent measures that this PM2.5 plan
18 failed to adopt. There are tens of thousands of old
19 highly polluting non-EPA certified wood stoves that this
20 PM2.5 plan still allows to be used, even though other
21 states have banned their use entirely.

22 There's the weak visible emissions rule relative
23 to the measures adopted in other states like Washington
24 and Oregon. There's the non-essential residential wood
25 burning still allowed when PM2.5 levels are above 25

1 micrograms per cubic meter that Utah expressly forbids.
2 There's the failure to adopt year-round wood burning
3 restrictions that even other jurisdictions in California
4 itself apply. There's the exemption from mandatory
5 curtailments given to homes with propane or electric heat.
6 There's the exemption for cooking with wood when the air
7 is bad. There are the continued subsidies for wood
8 burning devices in the non-hotspot counties.

9 So these are all measures adopted by other
10 states, which if applied in the valley, would hasten
11 attainment. And despite the representations that have
12 been made, agriculture and residential wood burning does
13 continue to contribute to violations of both the annual
14 and 24-hour national ambient air quality standards.

15 These most stringent measures are made available
16 to you and I believe the Clean Air Act demands that you
17 and the District quit ignoring them and adopt them as part
18 of the valley's implementation plan.

19 Thank you.

20 BOARD CLERK SAKAZAKI: Thank you.

21 Our next speaker is Christine Zimmerman.
22 Christine, I have activated your microphone. You can
23 unmute yourself and begin.

24 MS. ZIMMERMAN: Thank you. Can you hear me?

25 BOARD CLERK SAKAZAKI: We can.

1 CHAIR NICHOLS: Yes.

2 MS. ZIMMERMAN: Good afternoon, Chair Nichols and
3 Board members. Thank you to Laura and Jon for your
4 updates on the program this afternoon.

5 I'm Christine Luther Zimmerman with the Western
6 States Petroleum Association. And while I work in
7 Bakersfield and Sacramento, I live about 10 minutes away
8 from the AB 617 community of Shafter.

9 I care very much about air quality issues here in
10 the San Joaquin Valley. I've lost loved ones to chronic
11 obstructive pulmonary disease and I'm raising a child who
12 suffers from reactive airway disease. So while I work in
13 the energy sector, I care very much as a resident about
14 air quality issues.

15 My industry and my peers here in the valley work
16 very hard on technology and compliance development in
17 support of valley -- of the valley's PM2.5 plan. Our
18 historic emission reduction of over 95 percent among our
19 stationary sources I believe shows our deep commitment, as
20 does our current effort in the rulemaking process to move
21 emissions even lower.

22 We are driving technology development harder than
23 ever before and live currently at the economic breaking
24 point of what can be accomplished without loss of
25 livelihood for folks here in the valley.

1 Despite the currently bleak economic picture and
2 setting, we remain committed to setting the global
3 standard for emission reductions of stationary sources
4 from our sector. Our new business as usual is setting
5 that global standard and continuing to strive in that
6 space. We look forward to a time when the mobile source
7 space reduces emissions commensurate with what the Valley
8 Air District and its regulatory -- and its regulated
9 stakeholders have been able to accomplish here in the
10 valley. And we look forward to what we can accomplish in
11 the future in both spaces.

12 Thank you very much for your time today.

13 BOARD CLERK SAKAZAKI: Thank you.

14 Our next speaker is Shayda Azamian. After
15 Shayda, our last two speakers are Bill Magavern and Elaine
16 Labson.

17 So, Shayda, I have activated your microphone.
18 You can unmute yourself and begin.

19 MS. AZAMIAN: Hello. I'm Shayda Azamian from the
20 Leadership Counsel based in Fresno. And we work with low
21 income communities of color across rural inland
22 California. I will keep my comments short. It's clear
23 we're not on track to meeting attainment in the valley.
24 And extreme health burdens here in the valley are enough
25 proof to show that more needs to be done.

1 In my own work in hosting a series of community
2 meetings on climate change and air quality in Fresno, a
3 resident shared that a doctor had diagnosed her with
4 smoker's lung, despite her never smoking a cigarette in
5 her life.

6 She lives in an industrial area. Imagine if the
7 only way not to breathe dirty air in your neighborhood was
8 to hold your breath. I truly believe many staff are hard
9 at work on this. I will go on to say that we need to be
10 working more courageously and boldly on our PM2.5
11 reductions in the valley. Any delays in cleaner air that
12 placate industrial pollution is inhumane and attributes a
13 lesser value to the livelihoods of residents in the
14 valley.

15 CARB and the District must require the most
16 significant and urgent measures in the valley's PM2.5 plan
17 to clean up the air we have no choice to breathe.

18 Thank you for your time.

19 BOARD CLERK SAKAZAKI: Thank you.

20 Our next speaker is Bill Magavern. Bill, I have
21 activated your microphone. You can go ahead and begin.

22 MR. MAGAVERN: Thank you. Bill Magavern with the
23 Coalition for Clean Air.

24 And since my colleagues from the Central Valley
25 Air Quality Coalition covered the issues very well, I'll

1 be brief. I'll just say we appreciate the progress that's
2 been made so far on reducing PM2.5, but there's much more
3 that we need to do. And we think that both CARB and the
4 San Joaquin Valley Air Pollution Control District need to
5 do more. Some of the measures that we think that need to
6 be adopted include ending agricultural burning. And if
7 the District doesn't do it, then CARB needs to do it and
8 needs to do it in February.

9 The District also should adopt its commercial
10 charbroiling rule, and should reduce emissions at the big
11 stationary sources, which have not really been -- been
12 targeted much for reductions.

13 We think that CARB should more aggressively
14 regulate locomotives as discussed and should have a plan
15 for retiring the dirtiest old trucks and off-road engines.
16 And we caution against an overreliance on incentives. And
17 I say this as someone who supports CARB's incentive
18 programs and the District's incentive programs and spends
19 a fair amount of time trying to get money allocated for
20 those. But we know that we cannot expect to have the
21 level of investment that we really would like to have so
22 we should not count on that money materializing.

23 Thank you very much for your continued attention
24 to reducing the particle pollution in the San Joaquin
25 Valley, which as you know has the worst particle pollution

1 in the entire country.

2 BOARD CLERK SAKAZAKI: Thank you. Our last
3 speaker for this item is Elaine Labson. Elaine, I have
4 activated your microphone. You can unmute yourself and
5 begin.

6 MS. LABSON: Hi. This is Elaine Labson with
7 Little Manila Rising, Health Equity Director. But I
8 really wanted to highlight that I am resident of South
9 Stockton. South Stockton was a formally redlined
10 community and now face the worst environmental injustices,
11 especially when it comes to air quality.

12 I -- with Stockton, it is a port city and so one
13 of the biggest polluters is the Port of Stockton. And so
14 understanding that they continually tend to pollute the
15 area without having to do any health needs assessments and
16 having to keep them accountable. So it's important to
17 show that industry should be held accountable.

18 With less incentives, they make a lot of money.
19 And that incentive money should be going and being
20 reinvested back into the community. It's important to
21 have the education around PM2.5 and just particulate
22 matter so that the community understands what really is
23 affecting them.

24 And this really brings on to the point of how
25 folks that we know who live and breathe here in this

1 community are really affected by particulate pollution,
2 specifically bringing up the story of our dear friend,
3 mentor, Dr. Dawn Bohulano Mabalon that died of an asthma
4 attack.

5 It's not just her who was born and raised here,
6 but there are plenty of other community members,
7 residents, who are living and breathing the same air that
8 she did. And so it's important that the valley does do
9 better in terms of mitigating poor air pollution and that
10 the money really does get reinvested back into the
11 community.

12 Thank you.

13 BOARD CLERK SAKAZAKI: Thank you.

14 Madam Chair, that concludes the list of
15 Commenters for this item.

16 CHAIR NICHOLS: Thank you.

17 As everyone knows, this is only an informational
18 item, but clearly there's a need for some response on the
19 part of the Board. I am sort of overwhelmed, I think, by
20 the just unrelenting unhappiness coming from the community
21 representatives who are speaking to us, and that in spite
22 of the fact that I do believe that a lot is going on.

23 So, clearly, there's not just a failure to
24 communicate, here, you know, there's also some really
25 missing elements. And I would like to ask my colleague

1 and person who has sort of taken a special interest in
2 trying to figure out how to bring various elements
3 together to make serious improvements here to at least
4 give an initial response to where things are. And then
5 obviously, there's opportunities to engage for the entire
6 board.

7 But I'm going to ask Sandy, despite the fact that
8 there are other names up here. And I see other people
9 with their hands raised. But she has taken it upon
10 herself to form a committee to keep on working with all
11 the parties on the issues of -- that are the most
12 contentious having to do with the burning and so forth.
13 And I'd like her to set the scene here before I call on
14 the other members of the Board.

15 VICE CHAIR BERG: Well, thank you, Chair Nichols.
16 And we have made a commitment to the 617 community
17 steering teams to -- I'm personally going to attend those
18 meetings in November and there was a holiday issue on one
19 of them, so that might spill into December. But also
20 continuing to work not only with -- on the pesticide
21 issues, but also on the road-side issues and the school
22 filtering that the communities are very concerned about.

23 I did have an opportunity to check in with CVAQ.
24 And I understand that we will be taking up the issue of
25 the ag burning in February. And I know that Dr. Sherriffs

1 and Mr. Eisenhut have some comments on that as well. And
2 we'll be getting the dates confirmed. Dr. Sherriffs and
3 Dr. Balmes have graciously -- and Mr. Eisenhut have
4 graciously agreed to also attend the 617 community
5 meetings.

6 There's no question that these are ongoing
7 issues. There is divisions within the cities as to what
8 the best path going forward. And I know that our own
9 CalEPA is working in conjunction. And so -- and I know
10 also that Senator Florez has personally gotten involved.
11 So we do have people on the ground working. And, I'm
12 sorry, we don't have more positive things to report. But
13 like you said, we do have some positive progress.

14 And I think one of the things that would be
15 helpful if staff could first just reput up the chart from
16 the presentation on what it's going to take to get us
17 through to compliance and to talk about where we actually
18 are by the numbers, and then maybe we could take Board
19 comment from there, if that would be okay, Chair Nichols.

20 CHAIR NICHOLS: Yes, please. Can we get that
21 chart?

22 VICE CHAIR BERG: So staff could you please go
23 back to your presentation and -- they're looking at me
24 to -- it's here. It's reaching attainment on number 10 --
25 on slide number 10.

1 EXECUTIVE OFFICER COREY: This is Rich. I'm
2 going to ask Michael Benjamin to speak to that.

3 Michael.

4 CHAIR NICHOLS: I think we want to actually put
5 it up also, if we can.

6 VICE CHAIR BERG: Yeah. Katie is doing right
7 now.

8 CHAIR NICHOLS: Okay. There she is. I see her
9 right now.

10 AQPSD CHIEF BENJAMIN: Great. Can everybody see
11 the slide?

12 VICE CHAIR BERG: Not quite yet, Michael --

13 CHAIR NICHOLS: Not yet.

14 VICE CHAIR BERG: -- but we're getting to it.
15 There it is.

16 CHAIR NICHOLS: Here we are. Here we are. Okay.

17 AQPSD CHIEF BENJAMIN: Perfect. So as Laura
18 talked about in the presentation, the aggregate emissions
19 reduction commitment that we need to meet to reach
20 attainment is 32 tons per day of NOx, or oxides of
21 nitrogen, and one ton per day of direct PM or PM2.5.

22 And we believe, based on our estimates, that are
23 adopted and measures -- and measures that are currently in
24 progress are going to achieve the majority of those
25 reductions for both NOx and PM2.5.

1 But if you look at the slide, the piece where we
2 feel there may be a shortfall or a need to achieve some
3 additional reductions are reflected by that blue bar. So
4 12.8 tons per day of NOx and 0.1 tons per day of PM2.5.

5 If we now move to slide 12, this is the basket of
6 measures that we think will get us certainly a good ways
7 towards meeting that 12.1 tons per day of NOx and 0.1 tons
8 per day of PM2.5. We've been working very closely with
9 the various program divisions at CARB to estimate what we
10 think the reductions we can achieve through these
11 additional measures are and we think it's going to get us
12 most of the way there.

13 We will continue to identify additional measures
14 beyond today. And so this is really a process that is
15 underway right now, but we do think that what we have
16 identified here is feasible and it will achieve a big
17 chunk of that 12.1 tons per day and 0.1 tons per day of
18 PM2.5.

19 CHAIR NICHOLS: So, for example, on the
20 locomotive measure, if that's early 2022 is when it's
21 scheduled or we would hope to have it adopted in effect?

22 AQPSD CHIEF BENJAMIN: Yeah, so on some of
23 these -- the action reflects when the Board is going to be
24 taking action. But then as you -- as you noted on Chair
25 Nichols, there will take some time for implementation.

1 But on many of these, we think that implementation may be
2 providing us reductions within the 2024-25 time frame.

3 The ones that we think are -- have the greatest
4 promise near term are the early implementation of the
5 Heavy-Duty I&M program, or the PEAQS program that we
6 talked about. We think that will get us perhaps a third
7 of the way there, perhaps a little bit more, depending
8 upon how many of these monitors we're able to deploy.

9 CHAIR NICHOLS: Right.

10 AQPSD CHIEF BENJAMIN: And then the locomotive
11 measure will be providing some -- some benefits. But it's
12 difficult for us to quantify the actual reductions,
13 because for many of these we haven't actually started the
14 regulatory process.

15 CHAIR NICHOLS: Okay. Well, it sounds like it's
16 time to start clearly, but there's also the other set of
17 measures that are on the District's plate. And again, do
18 we have the same kind of confidence in the timing on
19 those?

20 AQPSD CHIEF BENJAMIN: We're working very closely
21 with the District on their timeline for their measures.
22 We think that they are on track with those measures, but
23 we are hoping that the District can achieve additional
24 reductions beyond what they've identified, just as we have
25 done.

1 CHAIR NICHOLS: Um-hmm. Okay. Well, I think we
2 get the -- we get the picture here.

3 I'm going to now call on Dr. Sherriffs.

4 Alex?

5 BOARD MEMBER SHERRIFFS: Yes.

6 CHAIR NICHOLS: Thank you.

7 BOARD MEMBER SHERRIFFS: Thank you. Okay. Yes,
8 if this wasn't complicated enough, I think the wildfires
9 have highlighted for all of us the importance of this, how
10 critical it is, the combination of background pollution,
11 acute exposures, and with the extended wildfire season
12 what has become a subacute exposure to PM2.5.

13 My wife and I were in the habit of walking most
14 mornings. And for the past eight weeks, that has been a
15 extremely unhealthy and unwise alternative. And it's only
16 been this week that we've been able to resume that in a
17 limited way. And this just highlights how important all
18 of this work is.

19 Now, from my perspective, I have some optimism,
20 because I see CARB staff and the San Joaquin Valley Air
21 Pollution Control District as committed to the aggregate
22 reductions. Clearly, the incentive funding issue, as we
23 had hoped it would not but has, has created immediate
24 challenges for us. But I think this report highlights
25 that both the San Joaquin District and the ARB staff,

1 there's -- there's important flexibility. There is
2 ongoing reassessment and it is absolutely critical that we
3 continue to play a role in that ongoing assessment to help
4 the process move forward, you know, as both the district
5 and ARB pursue challenging new actions to achieve these
6 SIP goals.

7 I think it's obvious the big three issues that --
8 thank you for health advocates, for environmental justice
9 advocates for your testimony here, the focus on ag
10 burning, the focus on residential burning, and the focus
11 on a kind of mitigation, which is more investment in
12 educating our communities about what they can do to
13 protect themselves. You know, I would just again, for the
14 community advocates for the health advocates, thank you
15 for your testimony here today. How important it is for us
16 to hear these concerns. But especially, thank you for
17 your testimony in front of the San Joaquin Valley Air
18 Pollution Control District Board and for your persistence,
19 both here and there. It's very important and it makes a
20 difference. None of this is as fast as any of us want it,
21 but this persistence is so, so important, so critical.

22 I believe on our December agenda in the San
23 Joaquin Valley, there will be consideration of open
24 burning. And I believe part of that agenda will be the
25 full phase-out at some point.

1 So again, is this soon enough? We all would have
2 liked to have seen that happen ten years ago, but I do get
3 optimism in a sense, a strong commitment from the
4 District, from our staff to honor these commitments.

5 And I would also remind us of our commitments,
6 because they are both short term, near term and long term.
7 And as we think about the Governor's Executive Order in
8 terms of rolling out the zero-emission transportation,
9 this is good. And as earlier discussion today, we need to
10 stay focused on how to achieve that equitably and to focus
11 on communities that have been left behind in the past.

12 That's a big lift for us, because it's difficult
13 to penetrate. There are extra challenges that we think
14 how do you -- how do we these things in rural areas? How
15 do we get infrastructure out there? But again, it's
16 incumbent on us to stay focused with our commitment in
17 this as well.

18 So thank you all. Thank you, staff, for I
19 thought a very well organized presentation on this and
20 really, I think, helped clarify many important issues for
21 all of us.

22 CHAIR NICHOLS: Okay. Thank you. John Eisenhut,
23 you want to talk about burning.

24 BOARD MEMBER BALMES: Mary. Mary.

25 CHAIR NICHOLS: Yes.

1 BOARD MEMBER BALMES: I would like to defer to
2 Mr. Eisenhut, since he --

3 CHAIR NICHOLS: Well, you're further down on the
4 list on my -- on my list.

5 BOARD MEMBER BALMES: My hand -- I was second and
6 I put my hand down, because I had to put off an NPR
7 reporter.

8 CHAIR NICHOLS: Oh. Okay. Well, then let's go
9 John and then Hector -- I mean, Eisenhut, De La Torre, and
10 then Balmes.

11 BOARD MEMBER BALMES: I'm sorry, but I did have
12 my hand up second.

13 BOARD MEMBER BALMES: Okay. So --

14 BOARD MEMBER EISENHUT: Thank you, John. Thank
15 you, Chair Nichols. And I want to acknowledge that at
16 some point I assume we'll hear from Senator Florez with
17 regard to legislative intent on this issues. And there's
18 a whole suite of issues that have been presented to us
19 today. I want to narrowly focus on open ag burning and I
20 assume there will be other comments. I -- this is a --
21 this is not -- an agenda item. This is a discussion item.
22 And so I am -- I am prepared to engage in a discussion
23 once we see the -- the action of the District on technical
24 issues. There are lots of things that we could discuss in
25 terms of the economic -- in response to what Senator

1 Florez 705 economic and feasibility issues.

2 In short, I think the economics are driven by the
3 charges that are accrued and set by the District. And as
4 Tom Frantz said, I believe those are artificially low and
5 that creates a false set of incentives.

6 There are -- there has been research done by
7 extension, and in part funded by the District, that shows
8 that chipping and either incorporation or composting are
9 absolutely feasible, so -- and I might engage in a
10 discussion with our executive director and with the
11 District as appropriate. I don't know if they have
12 prepared their -- their December agenda item for the
13 consideration of their board.

14 I would say to our Executive Director, if not
15 now, when? This -- this is a 17-year old legislative
16 action. The industry has known about it for that period
17 of time. There are -- there's no basis for delay. And I
18 know it is in Richard's executive authority to grant
19 interim delays. And that may be appropriate pending our
20 discussion of this item, but it's time to -- it's time to
21 move forward with the closure of the ability to conduct
22 open ag burning.

23 So that would be my thinking when we do resume
24 this discussion. And I think at the moment, as I said,
25 probably a lengthy technical discussion isn't warranted

1 until we see what the District -- what the District
2 presents. But I want to just clarify where my thinking is
3 going to be when we do have that discussion.

4 Thank you.

5 CHAIR NICHOLS: Great. Thank you. Appreciate
6 that.

7 Hector.

8 BOARD MEMBER BALMES: Sorry.

9 BOARD MEMBER DE LA TORRE: Thank you.

10 CHAIR NICHOLS: Did you just -- I'm sorry, John.
11 If you want to speak now, go ahead. I just -- I don't
12 know what happened but you disappeared from my list, so --

13 BOARD MEMBER DE LA TORRE: Yeah, go ahead.

14 CHAIR NICHOLS: You did have your name up, so go
15 ahead.

16 BOARD MEMBER BALMES: Thank you, Hector, because
17 I really have to go soon.

18 So I'm pleased to follow Alex and John on the
19 issue of open air burning. You know, I'm a -- I've been
20 studying biomass smoke exposures in the U.S., in terms of
21 wildfire smoke, and rice burning for many years and all
22 around the world with household air pollution from cooking
23 with solid fuels, wood and crop waste. And I know a lot
24 about biomass smoke and health effects. And given that
25 we're having more and more exposure to biomass from

1 wildfires, which we can't do anything about in the short
2 term, and given that we're going to have to do prescribed
3 burns to try to reduce the risk of mega catastrophic
4 fires, you know, I don't think there's any reason we
5 are -- we should be continuing to burning -- to burn crop
6 waste in an open air approach, in terms of field clearing.

7 So I'm glad that John Eisenhut agrees that it's
8 time to stop this. And you know, perhaps Dean will
9 comment, but it has been 17 years, since SB 705 was
10 passed. And I understand the District is planning to ask
11 for another five-year extension. And that's I think way,
12 way too long. I think we should stop it now.

13 And, you know, there is an environmental justice
14 aspect as one of the witnesses said. And who is getting
15 most exposed to the smoke from open air ag burning? It's
16 often communities of color and low socioeconomic status.
17 And if we're committed to that EJ approach that we talked
18 about a lot this morning, then I think we really have to
19 be serious about banning open air ag burning.

20 With regard to residential burning, I also think
21 we need to be stronger. I think that -- I applaud the
22 District for doing a good job, so far with reducing
23 residential burning, but the District could do more. The
24 hotspots strategy that involves three counties, why not
25 all the counties in the San Joaquin Air Pollution Control

1 District. I mean, it's one airshed really, so -- and I
2 totally agree with those that were saying that we should
3 do more public outreach, in general, about the health
4 effects of air pollution, but specifically with regard to
5 residential burning.

6 And then I guess I would end with one other plea.
7 And I got -- I got personally quoted about this. The
8 stationary source issue I think we need to do more. I
9 know we're committed to helping the District with a
10 stationary source review, but, you know, back in April of
11 2019, or sometime in 2019 - I'm not sure exactly I've got
12 the right month - when we talked about the PM2.5 SIP for
13 the District, I was pushing for more attention to
14 stationary sources.

15 I mean, it's great that we're trying to reduce
16 mobile sources. It's great that we're trying to stop
17 burning both ag and residential. But there are these
18 stationary sources as well. And they have EJ
19 ramifications as well. And I was quoted by the EPA as
20 saying that we were going to do more about stationary
21 sources, and that was a good thing. And that was, you
22 know, over a year ago, and we haven't started doing this
23 yet.

24 So, you know, I think we've been dragging our
25 feet, both the District and CARB about stationary sources.

1 They may not be the biggest component to the PM2.5, but
2 they are -- the exposures are not equalized across the
3 District. And so there's EJ ramifications here.

4 So thank you all for allowing me to speak. I
5 actually was on -- in turn.

6 CHAIR NICHOLS: Okay.

7 BOARD MEMBER BALMES: Actually, I was before John
8 Eisenhut, but I temporarily lowered my hand.

9 CHAIR NICHOLS: Okay. Well, thank you for your
10 comments. And I think the next hand up, as I see it, is
11 Mr. De La Torre.

12 BOARD MEMBER DE LA TORRE: Thank you. I want to
13 absolutely reiterate what John Eisenhut said. You know, I
14 value his expertise. He knows this much better than a
15 city boy like me. But my gut instinct is, and I'm sure
16 we'll hear from Dean Florez, if I had done a bill and I
17 had set a deadline and we were ten years beyond that
18 deadline, I'd be pretty pissed off right now. So I think
19 it's time on ag burning to move on.

20 I also want to get some direction to staff. And
21 I hope others agree that we should identify hubs in the
22 central valley. And the two that come to mind are
23 obviously the Shafter area and South Fresno, because of
24 the AB 617. But identify hubs where there is truck
25 traffic coming and going from those locations to

1 prioritize ZEV adoption in those communities, not
2 dissimilar to what we're talking about for the ports.

3 We need to get -- we need to have these pockets
4 of ZEV heavy-duty development. You know, again, I'm not
5 as familiar with the Central Valley in terms of the
6 drayage needs, the distances that they have to travel, but
7 something that can get ZEV heavy-duty adoption going in
8 the Central Valley as soon as possible.

9 The third is what John Balmes just mentioned
10 about stationary sources. We should start looking into
11 stationary source particulate matter and, you know, what
12 are the sources. What can we -- what can we do in that
13 regard, identifying for now and then we can have a
14 conversation about what needs to be done, but identifying
15 the sources first and then taking it from there.

16 The ammonia issue, I recalled our previous
17 discussion on the SIP for the Central Valley. The ammonia
18 issue came up before. I've talked to staff about it.
19 Apparently, there's some more analysis that needs to be
20 done about the linkage with ammonia, and 2.5, and ammonium
21 nitrate in the atmosphere. We need to do that work, so
22 that we can get some clarity as to what the connections
23 are here. And then we can again make a decision based on
24 that, not unlike the stationary source PM. We need to do
25 some of the legwork in order to make better decisions

1 going forward.

2 And then finally residential and ag
3 electrification, I think that's something -- the
4 residential piece is something we're talking about, you
5 know, statewide. It's come up a few times. Certainly, we
6 should identify, you know, how it could work in the
7 Central Valley. And certainly the ag component of
8 electrification, swapping out diesel for electric
9 equipment on the farms, or trucks, or whatever their needs
10 are, we need to start that transition. I mean, I know we
11 have through the FARMER Program, but we need to ratchet
12 that up as much as possible.

13 So those are my comments. Thank you.

14 CHAIR NICHOLS: Thank you.

15 It seems to me, and maybe it's just because this
16 is how my brain works, but I also think this is the way
17 you manage something as big and complicated as this, which
18 is I feel like we need a big chart like a -- like a
19 matrix, with each of these items on it and the timeline
20 with -- that we're working on, and the milestones for
21 getting there, and that we need to keep looking at it.
22 Maybe not just every year, but, you know, every month to
23 see if we're on track or not, because it's not that
24 anybody is, as far as I can see at this point at least,
25 you know, willfully refusing to act. And in many cases,

1 they're doing it -- they're acting, you know, as fast as
2 they believe they can, but we're failing to convey a
3 sufficient sense of urgency about what we're doing to
4 address the problem.

5 And that's -- maybe that's just rhetoric, but I
6 don't think it's just rhetoric. I think it's more than
7 that. I think we have to actually be tracking the actions
8 and showing that we're -- that we're actually holding
9 ourselves and the District's feet to the fire here.

10 I know Richard sent me a note earlier saying, you
11 know, there are a bunch of things that are going to be
12 coming before the Board next year. And I'm glad to know
13 that that's true, but I don't -- I'm not seeing that right
14 this minute, right? And I don't have those dates in front
15 of me, so that when somebody comes before us as they have
16 today, and says what are you doing about X? I can't
17 really -- I can't really answer that.

18 And on the public education campaign, this is not
19 the first time we've heard it or agreed that something
20 like this needed to be done. But this is a situation
21 where, you know, the State doesn't have a lot of funding,
22 if any, identified for that purpose. And we're probably
23 not the best people to run the campaign. Although, we can
24 certainly provide information for those who would be able
25 to run a campaign. But there are foundations out there

1 that are looking for what to do and especially looking for
2 what to do in -- you know, in communities that are really
3 getting the worst brunt of the pollution problems and that
4 are going to be on the hook for work to deal with global
5 warming and the effects of global warming as well.

6 I just -- I think we should be talking, maybe not
7 at the Board, but offline about putting together some sort
8 of a project proposal that would really -- and working
9 with advocates on trying to get something done there that
10 would be -- that would really elevate the whole -- the
11 whole sense of people's awareness and involvement in
12 protecting their health.

13 So I can't resist jumping in at that point,
14 although I see other hands here. I believe -- well, I see
15 John Gioia's hand, Judy Mitchell's was there a minute ago.
16 I don't know if Judy.

17 BOARD MEMBER GIOIA: Yeah, I'm going to be brief,
18 because I appreciate that others who've been, you know,
19 directly involved have made some preliminary comments and
20 I just wanted to add my voice to the support for
21 eliminating agricultural burning and as quickly as
22 possible.

23 CHAIR NICHOLS: Thank you.

24 BOARD MEMBER MITCHELL: Madam Chair, that's all I
25 wanted to say too that I am in full agreement with John

1 Eisenhut's assessment on the ag burning. And I appreciate
2 his expertise in the area.

3 CHAIR NICHOLS: Right.

4 BOARD MEMBER MITCHELL: But this SB 705 being 17
5 years old and pushing that date forward, I think that we
6 should stop it now. I think, you know, if there was some
7 impediment to it, but it seems like, you know, and Tom
8 Frantz testified to this, that now you can recycle the
9 crops and there really should -- is no serious impediment
10 to stopping ag burning and moving to that recycling
11 technology.

12 Thank you.

13 CHAIR NICHOLS: Thank you. Just a question about
14 burning and the horrific air quality that we've been
15 experiencing this year. And maybe Michael Benjamin is the
16 best person to ask this to, but I -- I can't believe that
17 burning is allowed during days when we're experiencing the
18 very high levels of pollution that we've had because of
19 the fires. Is that allowed or do they stop -- do they not
20 having burning at least at those times?

21 Alex, you're making -- I think you may be about
22 to say something, but I can't hear you.

23 (Laughter.)

24 BOARD MEMBER SHERRIFFS: Well, Michael Benjamin
25 may -- I look forward to Michael Benjamin's comments, but

1 ag burning is -- even -- even though it is allowed, it's
2 allowed only for specific crops and it's only allowed
3 during specific circumstances. So you can only get a
4 permit to burn on days that the -- that the burning is not
5 going to contribute to an exceedance. So there are --
6 there are controls on it, but the issues have been raised.

7 CHAIR NICHOLS: Yes.

8 BOARD MEMBER SHERRIFFS: You know PM2.5 is never
9 healthy.

10 CHAIR NICHOLS: Right. No. No. Understood.
11 Understood. I just -- I wanted to double check that,
12 because I wasn't -- that was my understanding --

13 BOARD MEMBER SHERRIFFS: Yes.

14 CHAIR NICHOLS: -- of how the program worked, but
15 I wanted to make sure.

16 Okay. Thank you.

17 BOARD MEMBER SHERRIFFS: Yes. It is -- it is --
18 it is a -- it's a tight program

19 CHAIR NICHOLS: Yes.

20 Okay. Dean Florez, your name has been mentioned,
21 so maybe you would like to speak now on this.

22 BOARD MEMBER FLOREZ: I would. Thank you, Madam
23 Chair and members. You know, so much to say on this, but
24 everybody has pretty much thankfully said that we need to
25 end this practice. And I think Hector is correct, I mean,

1 it hasn't been a pleasant experience watching this for the
2 last 17 years, when you pass a bill and then you -- you
3 see the continual use and these large piles being raked up
4 about this time and you start to see them build and they
5 start to look larger and larger. And you know at some
6 point in the fog in the dead of night, they'll be lit.

7 And I will say that -- and Madam Chair, you know
8 this, because you and Winston helped us get this to
9 Governor Davis's desk and signed in a package that
10 included can CAFOs and a whole host of other agricultural
11 entities. But this was kind of the lynchpin bill.

12 You know, this was the most visible sign of the
13 past. And in some sense, you know, I remember growing up
14 in the Mexican Colony in Shafter. This is kind of where I
15 grew up. And believe it or not, when I was, I don't know,
16 like maybe five or six, I remember taking our tin cans out
17 on trash day and lighting them all on fire, because that's
18 the way we used to deal with waste in those days. We'd
19 pull out tin cans and we would light our own trash
20 literally on fire. Those are burn days.

21 And alongside those were the agricultural burning
22 that were going on in the fields. And I will say that,
23 you know, that was when I was a kid. But as I got into
24 high school that practice ended. And then I got into
25 college and, you know, the ag burning continued. Then I

1 got to the Legislature and the ag burning continued. And
2 now I find myself on the Board and the ag burning
3 continues.

4 (Laughter.)

5 BOARD MEMBER FLOREZ: So, you know it is, you
6 know, right -- I am amazed, thankful, and beyond words to
7 John Eisenhut's comments. I think it's an amazing thing
8 to hear an agriculturalist and many agriculturalists today
9 in the valley really trying to figure out ways to end this
10 practice.

11 But unfortunately, the answer in 705, as we all
12 recall, was biomass.

13 CHAIR NICHOLS: Um-hmm.

14 BOARD MEMBER FLOREZ: And this was when biomass
15 was in favor. This is when everyone thought this was the
16 best way to get rid of this waste, and when that
17 dissipated. And then now it became, you know, a no-no,
18 which I think is correct, the right side of this. And,
19 you know, the doctors on the board would probably agree to
20 that.

21 Now, it's a question of, as Tom Frantz has said
22 many times, how to find the applicable way to deal with
23 this. And I think he's probably correct. But I do know
24 that the entire state has to pitch in. You know, this is
25 one of these areas where, you know, it's the Shafter, and

1 the Delanos, and the Arvins. You know, I remember going
2 to Sacramento for one of our Board meetings and it was
3 that smokey day where everyone had masks on and the fires
4 were, not just this year, but last year and the year
5 before were continuing.

6 And I think I made a comment at that time that
7 this -- you know this is an ag burn day in Arvin. You
8 know, this is what it feels like, this is what it smells
9 like, and this is what the sky looks like. So, you know,
10 although the -- California has had some pretty big fires
11 and people experience this, this has been an annual,
12 annual reoccurrence in the Central Valley that really
13 needs to end.

14 And I was, you know, saddened when I moved this
15 through the Legislature that I had to negotiate with urban
16 folks from San Francisco, a man name Leland Yee, who was
17 negotiating three words, that it had to "be economically
18 feasible". And in order to get that bill through, those
19 three words have now continued 15, 17 years later that
20 it's not economically feasible to do this. And I would
21 just ask the Board one thing, is it ever going to be
22 economically feasible to compete against a one cent match?
23 Because that's what it takes to light these things up.

24 And I would only say that, you know, I hope that
25 the Board would be resolute in ending the practice,

1 working hard with ag to figure out the way to deal with
2 the waste, but at the same time, you know, you only
3 iterate -- and I've learned this on the board. I've seen
4 it in our CNG to electric buses. I've seen it in almost
5 every rule, where we set a standard and we tell industry
6 to get to it.

7 And I think this is one of those times where I
8 think we have to do the same thing. And the practice is
9 way, way past its time. So I'm very thankful that we're
10 having this conversation. I'd like to end it today. But
11 if we're going to work together to -- I'm willing to take
12 six months to speed up something in a report that tells us
13 the answer to what we all know, which is, you know, this
14 practice is way past its time.

15 So thank you, Madam Chair, for giving a little
16 bit of time. And I'm really thankful for the Board
17 comments.

18 CHAIR NICHOLS: Thank you so much.

19 John Eisenhut had his hand up again. Did you
20 want to add a comment, John?

21 BOARD MEMBER EISENHUT: I did. I did. I'm back.
22 I want to follow up on a comment that Hector made about
23 ammonia. We had this discussion with the same requests a
24 year ago the last time we looked at San Joaquin Valley
25 PM2.5. And that has -- we requested some analysis of the

1 impact of ammonia on valley PM2.5. We haven't seen the
2 results of that. So I want to acknowledge that this is
3 the second request and hopefully we can move forward.

4 CHAIR NICHOLS: Thank you. Mr. Corey, do you
5 have any comment on that piece?

6 EXECUTIVE OFFICER COREY: Chair, I missed the
7 last -- just the very last point.

8 CHAIR NICHOLS: We don't usually have to ask you
9 more than once about doing an analysis like the one that
10 Mr. Eisenhut mentioned came up a year ago when the Board
11 met about the effects of ammonia, ammonium nitrate, and
12 PM2.5. I see Kurt Karperos has lit up his screen here, so
13 maybe he's going to step in and tell us what's --

14 EXECUTIVE OFFICER COREY: Kurt is going to give
15 me an assist on that. I do know what the work, and Kurt
16 you can add to this, but I want to just get out of the
17 gate, which is I know the initial work underscored the
18 importance of NOx and NOx being more important than
19 ammonia with respect to the PM2.5 issues in the valley,
20 which underscored the measures that have driven focused on
21 NOx, both the ACT and the Omnibus Rule, as well as about
22 several other regulations that are coming to the Board.

23 And you know that to defend those regs, which we
24 get sued on a lot of them - in fact, the ones in August we
25 got sued on both - we need to do robust defensible work.

1 And I do want to just underscore, we've got the heaviest
2 mobile source portfolio from a NOx reduction standpoint in
3 the history of the organization.

4 But specifically, Kurt, to Board Member
5 Eisenhut's comments, because we do respond. I certainly
6 make a habit of being really responsive. And if the
7 perception is we haven't, that's important to me. So to
8 the ammonia question, Kurt, can you just catch us up?

9 DEPUTY EXECUTIVE OFFICER KAPEROS: All right.
10 We've been talking with U.S. EPA and the air districts
11 about the state of the science of the ammonia, NOx
12 relationship in the valley. And that is going to be a
13 major feature of EPA's review of the upcoming parts of the
14 comprehensive plan, as Ms. Carr described to you earlier
15 in the presentation. In fact, I was just having a
16 conversation with my peer at Region 9 about the analysis
17 for ammonia. Last week I was having that conversation.

18 When we're coming back in front of you after the
19 first of the year to talk to you about ag burning, we can
20 update you, at that point, on the ammonia analysis.

21 CHAIR NICHOLS: Okay. Thank you. That's good
22 to -- good to know it's on -- it is on track and you
23 haven't forgotten the issue. I doubted that you had, but
24 it's good that we keep everybody in the loop on this one.

25 I think we've probably -- well, I've exhausted

1 the hands that were up and probably what we have to say at
2 the moment that's useful. I would just add one piece of
3 information for everybody's benefit and that is that we're
4 not the only State agency that's looking at the issue of
5 biomass and what to do about it. The problem of
6 agricultural waste, and trimmings from orchards, and the
7 deadwood in the forests is sort of being looked at in a
8 comprehensive way by a multi-agency task force that's
9 under the Office of Planning and Research.

10 And they are moving in the direction of trying to
11 establish a contract or an RFP for a contract for some
12 really -- what should I say, economically sensible ways to
13 use these individual types of wastes and put the state in
14 the business of sort of being entrepreneurial as opposed
15 to just sort of waiting for somebody to come along and
16 make a proposal for taking it away to actually figure out
17 how we could take all this stuff that we've got that's
18 sitting around there causing problems and find a way to
19 get some interest or interests that would be willing to
20 utilize it by something other than burning it to try to
21 make electricity or anything else through combustion.

22 And there's, I think, a pretty serious -- well, I
23 know it's serious, but also kind of a sophisticated
24 effort, I guess, to bring in people from the Treasurer's
25 office and various programs that we have at the State

1 level, that have the ability to help package proposals, so
2 that the State could be not only insisting that this stuff
3 not be burned, but also that we could be helping to
4 provide the financial tools to make it into -- into a
5 viable industry.

6 And so I don't think they have -- well, that's
7 where it is right now. Those discussions are going on.
8 We have interest and support from all the relevant parts
9 of the resources agency and CDFA on this approach. Not an
10 excuse to not just go ahead and ban the burning, but just
11 to tell you that there is other -- you know, the other
12 part of this is not being ignored. It's being -- it's
13 being seriously addressed. So that I can at least offer
14 up.

15 All right. Without further comment then, I think
16 we've -- this is an informational item. I think we've
17 expressed our strong desire to find ways to both actually
18 move faster and show that we're moving faster on the
19 various to-do items that are on our list. And so the next
20 thing that happens here I guess is that the task force
21 that Vice Chair Berg is heading is going to be organizing
22 some sessions in the valley. And hopefully that will be a
23 place to continue the conversation.

24 So if there's no further business, I think, at
25 this point, we can move to any general public comment that

1 we have before going into closed session.

2 Mr. Sakazaki, do we have anybody sign up for the
3 general comment?

4 BOARD CLERK SAKAZAKI: Thank you, Chair Nichols.
5 It looks like we have two people with their hands raised.

6 I would like to say if you would like to comment
7 or open session, please raise your hand or dial star nine
8 right now. Our first commenter is LaDonna Williams
9 followed by Pat Holland.

10 LaDonna, I have activated your microphone. You
11 can unmute yourself and begin.

12 MS. WILLIAMS: Yes. Hello.

13 BOARD CLERK SAKAZAKI: Hello.

14 MS. WILLIAMS: Can you hear me?

15 BOARD CLERK SAKAZAKI: We can, yes.

16 MS. WILLIAMS: Okay. Thank you.

17 Yes. So I wanted to refer back to, I think it
18 was, Item number 4 just following up on that. A lot of
19 comments. I know it's been a long day. But I want to
20 remind folks as we move forward through this. I know
21 there's been a lot of other issues included in, you know,
22 the need to do the resolution and address these racial
23 issues, but I also want folks to focus on the fact that
24 this issue was brought forward by Black women who have
25 been experiencing this level of racism and discrimination.

1 And I understand there we're Black women involved in that
2 anonymous letter as well.

3 But I'm talking about, in particular, Black women
4 from the community's angle that have experienced this
5 racism within both the -- the committee processes with AB
6 617, even before that when we were raising issues, even
7 back in 2003 on the CalEPA recommendations that we gave,
8 which is a matter of record online, where we asked for the
9 agencies to address environmental justice and racism
10 specifically to African Americans.

11 There is -- as we do this culture change, we need
12 folks to recognize that it is -- it is imperative that we
13 can talk about and address African American issues,
14 specifically without having to include that term black and
15 brown, African Americans and other special interests.
16 It's not that we don't align with others that have
17 injustices going on. Absolutely, they do. And we as
18 African Americans have aligned and been loyal to fighting
19 injustice in those areas as well, but that loyalty has not
20 been returned with us and for us, when it comes to issues
21 specifically to us.

22 Also, I want the Board to recognize that although
23 academia is important that Dr. Bullard and Manuel Pastor,
24 although we do respect those folks in academia and that
25 are related to environmental advertise, it is important

1 for front-line, on-the-ground, boot -- boots-on-the-ground
2 communities to speak for ourselves. We need to be at the
3 table. We don't need for academia to speak for us. We
4 need to be directly at the table and included in these
5 discussions directly, so that they hear from us and not
6 from others about what our issues are.

7 So again, I want to remind folks to include
8 environmental justice disadvantaged communities in these
9 processes from the very beginning.

10 Thank you.

11 BOARD CLERK SAKAZAKI: Thank you.

12 Our last speaker for open comment is Pat Holland.
13 I've activated your microphone. You can unmute yourself
14 and begin.

15 MS. HOLLAND: Okay. Hi. Since there are
16 probably still a number of people there, I would urge you
17 to look some things up on the Internet and then get active
18 with your politicians, as well as the Air Resource Board
19 on these things. Look up the phrase, "95 percent of
20 modern fragrances contain poison". Fragrances are nearly
21 ubiquitous in our society now. They're in recycled
22 plastic and ink, in printed matter, they are in toilet
23 paper. They are sprayed on you if you go to your money
24 machine. They are sprayed on you in some parking lots.
25 They are emitted through the air ducts of Michael's Craft

1 Store, of Target, WalMart, Disneyland, Lego Land, the Zoom
2 and the view, of every international airport I've been
3 too, there are fragrances emitted.

4 And I have read that people have petitioned
5 international airlines to stop emitting fragrance on them.
6 And they refuse, because it's -- it rakes in the money for
7 them. Ditto with the places I mentioned prior.

8 And certainly women of all colors are marketed
9 to, to buy stuff that's synthetically fragranced. Often,
10 if not almost all the time, the toxins in those fragrances
11 are essentially like putting you nose in the place that
12 you put gas in your car. And California doesn't want you
13 to do that. They have strict laws on that for when you
14 tank up.

15 But guess what, if you go to shell gas station,
16 they spray you with fragrance so that you'll buy more,
17 while you're doing it. I won't let me family go to Shell.

18 Churches, some churches have people from other
19 countries that install motion detector fragrance. When I
20 talked to one of them and said I have family in Europe,
21 this is not healthy, it makes me unhealthy, I was floored
22 when I was told by a mover and shaker at a church, that,
23 oh, just tell me when you're going to be in that meeting
24 room and I'll turn it off.

25 So there are all sorts of things going on that

1 aren't so pretty. There are people that don't mind
2 hurting other people in the interests of money or taking
3 their stuff.

4 I believe from watching the current President we
5 have that he used fragrances when he debated -- when he
6 first ran in a casino. Casinos use fragrances on people
7 to extract more money from them. I was talk by a Native
8 American woman, you don't have to tell me how poisonous
9 that stuff is they put in the air, I had to quit my job I
10 got so sick.

11 BOARD CLERK SAKAZAKI: Thank you.

12 MS. HOLLAND: And it's not the Native American
13 Tribes --

14 BOARD CLERK SAKAZAKI: Your time has concluded.

15 MS. HOLLAND: -- that manage the casinos, it's a
16 European concern.

17 BOARD CLERK SAKAZAKI: Thank you.

18 MS. HOLLAND: I appreciate that you let me speak.
19 Please -- oh, lastly, look up the --

20 BOARD CLERK SAKAZAKI: I'm sorry, your time has
21 concluded.

22 MS. HOLLAND: -- the 1995 EPA study --

23 BOARD CLERK SAKAZAKI: Our next speaker is -- our
24 last speaker is Ruben Rodriguez. Ruben I have activated
25 your microphone. You can go ahead and begin.

1 MR. RODRIGUEZ: Hey. Good afternoon, everybody.
2 Buenas tardes. My name is Ruben Rodriguez and I'm --
3 actually, I'd like to speak on behalf of myself, you know,
4 today.

5 I just -- I want to go back to one of the
6 comments that the Brother Eddie Price mentioned or said.
7 He said, solutions are simple, but we tend to complicate
8 things. As frank as I can be and as honest as I can be,
9 we need to keep in mind that everything that we're doing
10 and what we're not doing will have results. And these
11 results our children and future generations will inherit,
12 you know.

13 I think it's time we stop putting corporations,
14 and company, and money in front of these issues and say,
15 well, economically, it might hurt this, and it might hurt
16 that, and it might undermine this. Well, at the end of
17 the day, we only have one place to live, right? And that
18 is something that is just not on the table. And it might
19 be mentioned here and there, but that's the reality of it
20 at the end of the day and we need to wake up. We need to
21 wake up to what is happening and we need to wake up and
22 all of us face these responsibilities, you know.

23 We are living in a -- in scary times, crucial
24 times. There is a lot of things happening, especially in
25 our country that are putting everybody in danger, you

1 know. And I wish and I hope that you all understand this
2 and you all open your eyes and take a deep breath and
3 smell and see what is happening, you know. We are -- we
4 are destroying the ability to live on this planet, you
5 know. And the planet will be here, you know, but the
6 ability of us being able to live a life is in danger. You
7 know, so everybody holds a place within this universe and,
8 you know, just keep that in mind, guys.

9 Thank you.

10 BOARD CLERK SAKAZAKI: Thank you.

11 Madam Chair, that concludes the list of open
12 commenters.

13 CHAIR NICHOLS: Thank you. That was a very good
14 note to end on.

15 The Board is not adjourning. We are going into
16 closed session and then we'll come back to formally close
17 the meeting.

18 So we're going to leave this Zoom call and
19 reassemble. The Board members have the information about
20 where they're to go for the next stage of this
21 conversation.

22 And we will close-out the call before the end of
23 the day. But for now we're leaving this meeting. So with
24 that, thanks to all who came and spoke to us and to all
25 who stayed and we will now be moving to the next meeting.

1 (Off record: 4:47 p.m.)

2 (Thereupon the meeting recessed
3 into closed session.)

4 (Thereupon the meeting reconvened
5 in open session.)

6 (On record: 5:16 p.m.)

7 CHAIR NICHOLS: Thank you. Mary Nichols back
8 here wanting to let you know that we did hold a closed
9 session with the Board and our attorneys, and we were
10 briefed on several pending litigation matters. No
11 decisions were made and no instructions were given. So we
12 can just note that it happened. And now it's I believe
13 appropriate for me to actually close this meeting.

14 So without further ado.

15 ASSISTANT CHIEF COUNSEL SEGALL: One quick thing.
16 I should just confirm --

17 CHAIR NICHOLS: Yes.

18 ASSISTANT CHIEF COUNSEL SEGALL: -- as legal
19 counsel that the closed session specifically covered the
20 cases listed in the pending litigation noted on the
21 agenda. And just to re-echo what you said, no action was
22 taken by the Board.

23 Thanks.

24 CHAIR NICHOLS: Okay. Thank you, Mr. Segall.

25 ASSISTANT CHIEF COUNSEL SEGALL: Thank you.

1 CHAIR NICHOLS: And thanks to al who stuck with
2 us to the end here. And we'll see you next month.

3 Good evening.

4 (Thereupon the Air Resources Board meeting
5 adjourned at 5:17 p.m.)
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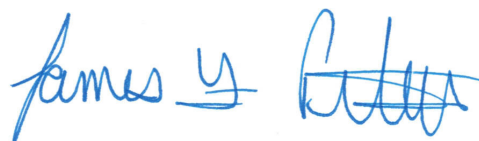
C E R T I F I C A T E O F R E P O R T E R

I, JAMES F. PETERS, a Certified Shorthand Reporter of the State of California, do hereby certify:

That I am a disinterested person herein; that the foregoing California Air Resources Board meeting was reported in shorthand by me, James F. Peters, a Certified Shorthand Reporter of the State of California, and was thereafter transcribed, under my direction, by computer-assisted transcription;

I further certify that I am not of counsel or attorney for any of the parties to said meeting nor in any way interested in the outcome of said meeting.

IN WITNESS WHEREOF, I have hereunto set my hand this 10th day of November, 2020.



JAMES F. PETERS, CSR
Certified Shorthand Reporter
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